

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

<b>LASHAWN A., by her next friend, Evelyn</b>	)	
<b>Moore, et al.,</b>	)	
	)	
Plaintiffs,	)	
	)	
v.	)	<b>Case No. 89-cv-1754 (TFH)</b>
	)	
<b>ADRIAN M. FENTY, as Mayor of the</b>	)	
<b>District of Columbia, et. al.,</b>	)	
	)	
Defendants.	)	

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**ORDER**

Pending before the Court are the parties’ proposals for a new Implementation and Exit Plan, submitted consistent with the Court’s April 5, 2010 Memorandum Opinion and contemporaneously issued Order. Pursuant to Modified Final Order (“MFO”) § XX.B, the Court hereby enters the Implementation and Exit Plan accompanying this Order as a Phased Implementation Plan covering the remainder of 2010 and 2011. This plan replaces the LaShawn A. v. Fenty Amended Implementation Plan dated February 2007 and its provisions shall be enforceable via fines or injunctive relief unless modified with the approval of the monitor or by the Court if the parties are not in agreement as to such modifications.

The Court does not here set forth a specific schedule of fines, but will encourage compliance with the plan by applying sanctions as appropriate, after consideration of factors such as the persistence and extent of noncompliance.

**SO ORDERED.**

December 17, 2010

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*/s/ Thomas F. Hogan*  
**THOMAS F. HOGAN**  
 UNITED STATES DISTRICT JUDGE

**LaShawn A. v. Fenty**  
**Implementation and Exit Plan**

December 17, 2010

## PREAMBLE

This LaShawn A. v. Fenty Implementation and Exit Plan includes: Outcomes to be Achieved (Section I); Outcomes to be Maintained (those requirements where the District of Columbia's current performance meets proposed exit requirements) (Section II); Sustainability and Exit (Section III); and the 2010-2011 Strategy Plan (action steps to achieve the outcomes) (Section IV). Citations from Federal law, District of Columbia law and regulations, the Modified Final Order (MFO), and CFSA policy are included.<sup>1</sup> This plan supersedes and replaces the LaShawn A. v. Fenty Amended Implementation Plan dated February 2007.<sup>2</sup> The 2010-2011 Strategy Plan is intended to facilitate the parties' and the Court's understanding of the actions to be taken by Defendants to achieve compliance with the exit criteria. The action steps and standards included in the Strategy Plan are a means to achieving the outcomes, and absent a substantial or unjustifiable disparity, the Court will not find deviations from the action steps in the Strategy Plan to constitute noncompliance (*See* Order April 5, 2010 at 2 n.1).

The Monitor shall prepare and submit to the Court within 90 days of this Order and every 180 days thereafter an interim performance report setting forth (1) aggregate performance determinations in relation to the Outcomes to be Achieved and the Outcomes to be Maintained, (2) reporting regarding whether Defendants are making acceptable progress toward the outcomes and exit standards and (3) reporting regarding Defendants' progress in carrying out the associated action steps set forth in the 2010-2011 Strategy Plan. Within 90 days of this order and every six months thereafter the Court Monitor shall provide the parties and the Court with an update summarizing the most recent data and events.

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<sup>1</sup> As required by the Court's April 5, 2010 Order [Dkt. No. 1025], the outcomes reference a local statute or regulation where it relates in some manner to the subject matter of the outcome. By agreeing to this plan, the District of Columbia does not admit that any outcome to be achieved or maintained is required by statute or regulation, even where a statute or regulation is referenced in regard to such outcome; nor does the District of Columbia admit that any target percentage contained herein is a measure of statutory or regulatory compliance. Moreover, Defendants' agreement to this plan, which is submitted pursuant to the Court's April 5, 2010 Order, is without prejudice to the issues raised in its pending appeal of that Order.

<sup>2</sup> This plan is enforceable as a "Phased Implementation plan" under Modified Final Order § XX.B. Its provisions, most notably those of sections I and II, are enforceable by civil fines.

**SECTION I: OUTCOMES TO BE ACHIEVED TO ENSURE CHILD SAFETY,  
PERMANENCY AND WELL-BEING AND SYSTEM ACCOUNTABILITY**

**A. GOAL: CHILD SAFETY**

**1. INVESTIGATIONS<sup>3</sup>**

- a. Investigations of alleged child abuse and neglect shall be initiated or documented good faith efforts shall be made to initiate investigations within 48 hours after receipt of a report to the hotline of child maltreatment.<sup>4</sup>

**Exit Standard:** 95% of all investigations will be initiated within 48 hours or there will be documented good faith efforts to initiate investigations whenever the alleged victim child(ren) cannot be immediately located.

- b. Investigations of alleged child abuse and neglect shall be completed within 30 days after receipt of a report to the hotline of child maltreatment and the final report of findings for each investigation shall be completed within 5 days of the completion of the investigation.<sup>5</sup>

**Exit Standard:** 90% of investigations will be completed and a final report of findings shall be entered in FACES within 35 days.

- c. For families who are subject to a new investigation for whom the current report of child maltreatment is the fourth or greater report of child maltreatment, with the most recent report occurring within the last 12 months, CFSA will conduct a

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<sup>3</sup> MFO II(G), X(D)(1)(a); D.C. Code §§ 4-1301.04(b), 4-1301.04(c)(3)(A), 4-1301.06(a) & (c)(1); CFSA Hotline Policy, Child Protective Services (revised 12/09/09); CFSA Investigations Policy, Intake and Investigative Services (revised 9/30/03).

<sup>4</sup> The 48 hour time period is consistent with local law (D.C. Code §§ 4-1301.04(a), (b) & (c)). Initiation of an investigation includes seeing all alleged victim child(ren) and talking with the child(ren) outside the presence of the caretaker. When the alleged victim child(ren) is not immediately located, documented good faith efforts to see the child within the first 48 hours shall satisfy this requirement if they include: 1) visiting the child's home at different times of the day; 2) visiting the child's school and/or day care in an attempt to locate the child if known; 3) contacting the reporter, if known, to elicit additional information about the child's location; 4) reviewing the CFSA information system and other information systems (e.g., ACEDS, STARS) for additional information about the child and family; and 5) contacting the police for all allegations that a child(ren)'s safety or health is in immediate danger.

<sup>5</sup> The Court Monitor shall measure compliance with this requirement by validating FACES data regarding the percentage of all final reports of findings from investigations that were completed within 35 days after receipt of a report of child maltreatment.

comprehensive review of the case history and the current circumstances that bring the family to CFSA's attention.

**Exit Standard:** 90% of the case records for families subject to a new investigation for whom the current report of child maltreatment is the fourth or greater report of child maltreatment, with the most recent report occurring within the last 12 months will have documentation of a comprehensive review.

## 2. ***ACCEPTABLE INVESTIGATIONS***<sup>6</sup>

CFSA shall routinely conduct investigations of alleged child abuse and neglect. Evidence of acceptable investigations includes:

- a. Use of CFSA's screening tool in prioritizing response times for initiating investigations;
- b. Interviews with and information obtained from the five core contacts – the victim child(ren), the maltreater, the reporting source (when known), medical resources, and educational resources (for school-aged children);
- c. Interviews with collateral contacts that are likely to provide information about the child's safety and well-being;
- d. Interviews with all children in the household outside the presence of the caretaker, parents or caregivers, or documentation, by the worker, of good-faith efforts to see the child and that the worker has been unable to locate the child;
- e. Medical and mental health evaluations of the children or parents when the worker determines that such evaluations are needed to complete the investigation, except where a parent refuses to consent to such evaluations. When a parent refuses to consent to such an evaluation, the investigative social worker and supervisor shall consult with the Assistant Attorney General to determine whether court intervention is necessary to ensure the health and safety of the child(ren);
- f. Use of risk assessment protocol in making decisions resulting from an investigation; and
- g. Initiation of services during the investigation to prevent unnecessary removal of children from their homes.

**Exit Standard:** 80% of investigations will be of acceptable quality as measured by the QSR indicators and verified by the Monitor.

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<sup>6</sup> See generally MFO II(H) and (J-K); D.C. Code §§ 4-1301.04, 4-1301.06 (b)(3)(B-D), 4-1303.01a(3A); CFSA Investigations Policy, Intake and Investigative Services (revised 9/30/03).

3. ***SERVICES TO FAMILIES AND CHILDREN TO PROMOTE SAFETY, PERMANENCY AND WELL-BEING***<sup>7</sup>

Appropriate services, including all services identified in a child or family's safety plan or case plan, shall be offered and children/families shall be assisted to use services to support child safety, permanence and well-being.

CFSA shall provide for or arrange for services through operational commitments from District of Columbia public agencies and/or contracts with private providers. Services shall include:

- a. Services to enable children who have been the subject of an abuse/neglect report to avoid placement and to remain safely in their own homes;
- b. Services to enable children who have or will be returned from foster care to parents or relatives to remain with those families and avoid replacement into foster care;
- c. Services to avoid disruption of an adoptive placement that has not been finalized and avoid the need for replacement; and
- d. Services to prevent the disruption of a beneficial foster care placement and avoid the need for replacement.

**Exit Standard:** In 80% of cases, appropriate services, including all services identified in a child's or family's safety plan or case plan, shall be offered along with an offer of instruction or assistance to children/families regarding the use of those services.<sup>8</sup>

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<sup>7</sup> See generally MFO III(B); D.C. Code §§ 4-1301.09(b), 4-1303.01a(b)(7, 9, 10), 4-1303.03(a)(3, 7, 13, 14), 4-1303.03(b)(1-4), (9) & (9A); CFSA Investigations Policy, Intake and Investigative Services (revised 9/30/03); Family Team Meetings Policy (January 29, 2007) and the Out-of-Home Practice Model (July 2009).

<sup>8</sup> The Monitor will determine performance based on the QSR implementation and pathway to safe closure indicators for which 80% of cases will be rated acceptable on both indicators, as applicable (a score of 4 or higher on the 6 point QSR indicator scale).

4. **WORKER VISITATION TO FAMILIES WITH IN-HOME SERVICES**<sup>9</sup>

- a. A CFSA social worker or private agency social worker shall make at least one visit monthly to families in their home in which there has been a determination that child(ren) can be maintained safely in their home with services.
- b. A CFSA social worker, family support worker, private agency social worker or a Collaborative family support worker shall make a second monthly visit at the home, school or elsewhere.

**Exit Standard:** 95% of families will be visited monthly by a CFSA social worker or private agency social worker and 85% of families will be visited a second time monthly by a CFSA social worker, family support worker, private agency social worker or a Collaborative family support worker.<sup>10</sup>

- c. Workers are responsible for assessing and documenting the safety (e.g., health, educational and environmental factors and the initial safety concerns that brought this family to the attention of the Agency) of each child at every visit and each child must be separately interviewed at least monthly outside of the presence of the caretaker.

**Exit Standard:** 90% of cases will have documentation verifying each child was visited and seen outside the presence of the caretaker and that safety was assessed during each visit.

5. **WORKER VISITATION TO CHILDREN IN OUT-OF-HOME CARE**<sup>11</sup>

- a. A CFSA social worker or private agency social worker with case management responsibility shall make monthly visits to each child in out-of-home care (foster family homes, group homes, congregate care, independent living programs, etc.).
- b. A CFSA social worker, private agency social worker, family support worker or nurse care manager shall make a second monthly visit to each child in out-of-home care (foster family homes, group homes, congregate care, independent living programs, etc.).
- c. At least one of the above visits each month shall be in the child's home.

**Exit Standard:** 95% of children should be visited at least monthly and 90% of children shall have twice-monthly visits.

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<sup>9</sup> See generally MFO III(B)(1); no related District of Columbia law or regulation; CFSA Visitation Policy (revised April 2010); CFSA In-Home Practice Model, Quality Home Visitation (December 2007).

<sup>10</sup> Within 120 days of the Court's approval of this plan, defendants and the Monitor will develop a method of measuring this standard.

<sup>11</sup> MFO IX(A-B); D.C. Code § 4-1405(b); 29 DCMR § 6003.2(b); CFSA Visitation Policy (April 2010); CFSA Out-of-Home Practice Model, Visitation (July 2009).

- d. Workers are responsible for assessing and documenting the safety (e.g., health, educational and environmental factors and the initial safety concerns that brought this family to the attention of the Agency) of each child at every visit and each child over two years old must be separately interviewed at least monthly outside of the presence of the caretaker.

**Exit Standard:** 90% of cases will have documentation verifying each child was seen outside the presence of the caretaker by a worker and that safety was assessed during each visit.

6. ***VISITATION FOR CHILDREN EXPERIENCING A NEW PLACEMENT OR A PLACEMENT CHANGE***<sup>12</sup>

- a. A CFSA social worker or private agency social worker with case management responsibility shall make at least two visits to each child during the first four weeks of a new placement or a placement change.
- b. A CFSA social worker, private agency social worker, family support worker or nurse care manager shall make two additional visits to each child during the first four weeks of a new placement or a placement change.
- c. At least one of the above visits during the first four weeks of a new placement or a placement change shall be in the child's home.
- d. At least one of the visits during the first four weeks of a new placement or a placement change shall include a conversation between the social worker and the resource parent to assess assistance needed by the resource parent from the agency.

**Exit Standard:** 90% of children newly placed in foster care or experiencing a placement change will have four visits in the first four weeks of a new placement or placement change as described above.

- e. Workers are responsible for assessing and documenting the safety (e.g., health, educational and environmental factors and the initial safety concerns that brought this family to the attention of the Agency) of each child at every visit and each child must be separately interviewed at least monthly outside of the presence of the caretaker.

**Exit Standard:** 90% of cases will have documentation verifying each child was seen outside the presence of the caretaker by a social worker and that safety was assessed during each visit.

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<sup>12</sup> See generally MFO IX(A-B); D.C. Code § 4-1405(b); 29 DCMR § 6003.2(b); CFSA Visitation Policy (April 2010); CFSA Out-of-Home Practice Model, Visitation (July 2009).



## B. GOAL: PERMANENCY

### 7. *RELATIVE RESOURCES*<sup>13</sup>

CFSA shall identify and investigate relative resources in all cases requiring removal of children from their homes.

#### **Exit Standard:**

- a. CFSA will take necessary steps to offer and facilitate pre-removal Family Team Meetings in 70% of applicable cases requiring child removal from home.<sup>14</sup>
- b. In 90% of cases where a child(ren) has been removed from his/her home, CFSA will make reasonable efforts to identify, locate and invite known relatives to the Family Team Meeting (FTM).<sup>15</sup>

### 8. *PLACEMENT OF CHILDREN IN MOST FAMILY-LIKE SETTING*<sup>16</sup>

- a. Children in out-of-home care shall be placed in the least restrictive, most family-like setting appropriate to his or her needs.

**Exit Standard:** 90% of children will be in the least restrictive, most family-like setting appropriate to his or her needs.

- b. No child shall remain in an emergency, short-term or shelter facility or foster home for more than 30 days.

**Exit Standard:** No child shall remain in an emergency, short-term or shelter facility or foster home for more than 30 days.<sup>17</sup>

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<sup>13</sup> See generally MFO VI(A)(6); D.C. Code § 4-1303.03(a-1)(4)(B); 29 DCMR § 1642.1; CFSA Temporary Licensing of Foster Home for Kin Policy, (VII) (revised October 26, 2005); CFSA Out-of-Home Practice Model, Placement (July 2009); Family Team Meeting Policy (January 29, 2007); Notice of Removal to Adult Relatives of Children and Youth Entering Foster Care administrative issuance (December 2, 2009).

<sup>14</sup> FTMs are to be held when a child is at imminent risk of removal and are not held in cases where criminal charges are pending, the Children's Advocacy Center is involved or the family refuses to participate. Monitoring and reporting on this measure may require a review of a random sample of cases as FACES is unable to track performance on this outcome.

<sup>15</sup> To measure this, the District will provide the Monitor with data on families whose child(ren) have been removed during a specified time frame and the number of families that have had an FTM and have had a relative(s) invited to the FTM. Where a FTM would be inconsistent with CFSA policy, the District will record and report that determination along with the other relevant data.

<sup>16</sup> MFO VI(A)(1, 5); D.C. Code § 4-1301.09(d)(1); 29 DCMR § 6256.4; CFSA Policy; CFSA Out-of-Home Practice Model, Placement (July 2009); Family Team Meeting Policy (January 29, 2007); Notice of Removal to Adult Relatives of Children and Youth Entering Foster Care administrative issuance (December 2, 2009).

9. **PLACEMENT OF YOUNG CHILDREN**<sup>18</sup>

- a. Children under age 12 shall not be placed in congregate care settings for more than 30 days unless the child has special needs that cannot be met in a home-like setting and unless the setting has a program to meet the child's specific needs.

**Exit Standard:** No child under 12 will be placed in congregate care settings for more than 30 days without appropriate justification that the child has special treatment needs that cannot be met in a home-like setting and the setting has a program to meet the child's specific needs.

- b. CFSA shall place no child under six years of age in a group care non-foster home setting, except for those children with exceptional needs that cannot be met in any other type of care.<sup>19</sup>

**Exit Standard:** No child under 6 years of age will be placed in a group care non-foster home setting without appropriate justification that the child has exceptional needs that cannot be met in any other type of care.

10. **VISITS BETWEEN PARENTS AND WORKERS**<sup>20</sup>

- a. For children with a permanency goal of reunification, in accordance with the case plan, the CFSA social worker or private agency social worker with case-management responsibility shall visit with the parent(s) at least one time per month in the first three months post-placement.<sup>21</sup>
- b. A CFSA social worker, nurse care manager or family support worker shall make a second visit during each month for the first three months post-placement.<sup>22</sup>

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<sup>17</sup> Based on individual review, the Monitor's assessment will exclude, on a case-by-case basis, children placed in an emergency, short-term, or shelter facility or foster home for more than 30 days where moving them would not be in their best interests.

<sup>18</sup> MFO VI(A)(8); 29 DCMR §§ 6256.1, 6256.2.

<sup>19</sup> The Monitor will evaluate and report on the placement and needs of any children placed in a group care non-foster home setting where the District has determined the child to have exceptional needs that cannot be met in any other type of care. Within 120 days of approval of this plan, the Monitor and defendants will develop a working definition of exceptional needs.

<sup>20</sup> MFO VII(B)(6); Visitation Policy (April 2010); CFSA Out-of-Home Practice Model, Visitation (July 2009); Engaging Incarcerated Parents Policy (December 1, 2009); Elements of Good Documentation Tip-Sheet (November, 2009).

<sup>21</sup> This exit standard is also satisfied when there is documentation that the parent(s) is(are) unavailable or refuses to cooperate with the Agency.

<sup>22</sup> This exit standard is also satisfied when there is documentation that the parent(s) is(are) unavailable or refuses to cooperate with the Agency.

**Exit Standard:** 80% of parents will have twice monthly visitation with workers in the first three months post-placement as defined above.<sup>23</sup>

**11. VISITS BETWEEN PARENTS AND CHILDREN<sup>24</sup>**

There shall be weekly visits between parents and children with a goal of reunification unless clinically inappropriate and approved by the Family Court. In cases in which visitation does not occur, the Agency shall demonstrate and there shall be documentation in the case record that visitation was not in the child's best interest, is clinically inappropriate or did not occur despite efforts by the Agency to facilitate it.

**Exit Standard:** 85% of children with the goal of reunification will have weekly visitation with the parent with whom reunification is sought.<sup>25</sup>

**12. APPROPRIATE PERMANENCY GOALS<sup>26</sup>**

Children shall have permanency planning goals consistent with the Federal Adoption and Safe Families Act (ASFA) and District law and policy guidelines.

**Exit Standard:**

- a. 95% of children shall have permanency planning goals consistent with ASFA and District law and policy guidelines.
- b. Beginning July 1, 2010, children shall not be given a goal of APPLA without convening a Family Team Meeting (FTM) or Listening to Youth and Families as Experts (LYFE) meeting with participation by the youth and approval by the CFSA Director, or a court order directing the permanency goal of APPLA.
- c. 90% of youth ages 18 and older will have a plan to prepare them for adulthood that is developed with their consultation. No later than 180 days prior to the date on which the youth will turn 21 years old (or on which the youth will emancipate), an individualized transition plan will be created that includes as appropriate connections to specific options on housing, health insurance, and education and linkages to continuing adult support services agencies (e.g.,

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<sup>23</sup> This exit standard is also satisfied when there is documentation that the parent(s) is(are) unavailable or refuses to cooperate with the Agency.

<sup>24</sup> MFO VII(B)(7); D.C. Code § 4-1303.03(a-1)(5); Visitation Policy (April 28, 2010); Engaging Incarcerated Parents Policy (December 1, 2009); Elements of Good Documentation Tip-Sheet (November, 2009); CFSA Out-of-Home Practice Model, Visitation (July 2009).

<sup>25</sup> This exit standard is also satisfied in cases where it is documented that a visit is not in the child's best interest, is clinically inappropriate or did not occur despite efforts by the Agency to facilitate it.

<sup>26</sup> MFO VII(C-D); D.C. Code § 4-1303.03(a)(6) & (15); CFSA Establishing the goal of Alternative Planned Permanent Living Arrangement (APPLA) Policy (revised June 25, 2009); CFSA Out-of-Home Practice Model, Permanence (July 2009).

Rehabilitation Services Administration, the Department on Disability Services, the Department of Mental Health, Supplemental Security Income (SSI) and Medicaid), work force supports, employment services, and local opportunities for mentors. This exit standard is satisfied if CFSA makes and documents good faith efforts to develop a transition plan but the youth refuses to participate in transition planning.<sup>27</sup>

**13. REDUCTION OF MULTIPLE PLACEMENTS FOR CHILDREN IN CARE<sup>28</sup>**

**Exit Standard:**

- a. Of all children served in foster care during the previous 12 months who were in care at least 8 days and less than 12 months, 83% shall have had two or fewer placements.
- b. Of all children served in foster care during the previous 12 months who were in care for at least 12 months but less than 24 months, 60% shall have had two or fewer placements.
- c. Of all children served in foster care during the previous 12 months who were in care for at least 24 months, 75% shall have had two or fewer placements in that 12 month period.

**14. TIMELY APPROVAL OF FOSTER/ADOPTIVE PARENTS<sup>29</sup>**

CFSA shall have in place a process for recruiting, studying and approving families, including relative caregivers, interested in becoming foster or adoptive parents that results in the necessary training, home studies and decisions on approval being completed within 150 days of beginning training.

**Exit Standard:** 70% of homes licensed beginning November 1, 2010, will have been approved, and interested parties will have been notified within 150 days.<sup>30</sup>

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<sup>27</sup> The requirement to develop a Transition Plan for youth exiting the foster care system arises from The Fostering Connections to Success and Increasing Adoptions Act of 2008, Pub. L. No. 110-351, 122 Stat. 3949 (2008).

<sup>28</sup> See generally MFO VI(A) and VI(B); CFSA Family Team Meetings (FTM) Policy (revised January 29, 2007); CFSA Out-of-Home Practice Model, Placement (July 2009).

<sup>29</sup> See generally MFO XV(E); no timeframes specified in D.C. Code, see generally D.C. Code § 4-1303.03(a-1)(4)(C); 29 DCMR §§ 6028.4 & 6028.5.

<sup>30</sup> The exit standard is satisfied where there is documentation that establishes that failure to meet the 150 day timeline is due to delays that are beyond the control of the District of Columbia.

15. **LEGAL ACTION TO FREE CHILDREN FOR ADOPTION**<sup>31</sup>

Children with a permanency goal of adoption shall have legal action initiated to free them for adoption and Office of the Attorney General, on behalf of CFSA, shall facilitate the Court's timely hearing and resolution of legal action to terminate parental rights.

**Exit Standard:**

- a. For 90% of children with a permanency goal of adoption, where freeing the child for adoption is necessary and appropriate to move the child more timely to permanency, OAG, on behalf of CFSA shall file a motion to terminate parental rights or confirm that appropriate legal action has been taken within 45 days of their permanency goal becoming adoption.<sup>32</sup>
- b. For 90% of children for whom a petition to terminate parental rights has been filed in order to achieve permanency, CFSA shall take and document appropriate actions by the assigned social worker and the assistant attorney general to facilitate the court's timely hearing and resolution of legal action to terminate parental rights.

16. **TIMELY ADOPTION**<sup>33</sup>

- a. Children with a permanency goal of adoption shall be in an approved adoptive placement within nine months of their goal becoming adoption.<sup>34</sup>

**Exit Standard:**

- i. For children whose permanency goal changed to adoption July 1, 2010 or thereafter, 80% will be placed in an approved adoptive placement by the end of the ninth month from when their goal changed to adoption.<sup>35</sup>
- ii. For children whose permanency goal changed to adoption prior to July 1, 2010 who are not currently in an approved adoptive placement, 40% will be placed in an approved adoptive placement by December 31, 2010 and an additional 20% will be placed in an approved adoptive placement by June 30, 2011.

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<sup>31</sup> MFO VIII(C)(3); Implementation Plan ("IP") (VIII)(1)(b).

<sup>32</sup> This exit standard is satisfied when other actions or circumstances have occurred to free a child for adoption, such as relinquishment, an adoption petition, the child is 18 years old or older or death of child's parents.

<sup>33</sup> MFO VIII(D)(1) and (D)(2)(d); D.C. Code §§ 4-1303.01(a), 4-1303.01a(b)(11).

<sup>34</sup> The Monitor will consider a placement an approved adoptive placement based on documentation of an intent to adopt or filing of an adoption petition or indication in the FACES service line of an adoptive placement.

<sup>35</sup> This will be measured by looking at children who have had the goal of adoption for 10 months to ensure the full nine months have passed.

- b. CFSA shall make all reasonable efforts to ensure that children placed in an approved adoptive home have their adoptions finalized within 12 months of the placement in the approved adoptive home.<sup>36</sup>

**Exit Standard:**

- i. By September 30, 2010, 40% of the 203 children in pre-adoptive homes as of October 1, 2009 will achieve permanence.
  - ii. By June 30, 2011, 45% of the children in pre-adoptive homes as of July 1, 2010 will achieve permanence.
  - iii. 90% of children in pre-adoptive homes will have their adoption finalized within 12 months or have documented reasonable efforts to achieve permanence within 12 months of the placement in the approved adoptive home.
- c. Timely permanency through reunification adoption or legal guardianship

**Exit Standard:**

- i. Of all children who entered foster care for the first time in FY2010 and who remain in foster care for 8 days or longer, 45% will achieve permanency (reunification, kinship guardianship, adoption or non-relative guardianship) by September 30, 2011.
- ii. Of all children who are in foster care for more than 12 but less than 25 months on September 30, 2010, 45% will be discharged from foster care to permanency (reunification, kinship guardianship, adoption or non-relative guardianship) by September 30, 2011.
- iii. Of all children who are in foster care for 25 months or longer on September 30, 2010, 40% will be discharged through reunification, adoption, legal guardianship prior to their 21st birthday or by September 30, 2011, whichever is earlier.
- iv. The above standards (i, ii, and iii) will continue for each year for as long as this agreement is in effect.

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<sup>36</sup> Reasonable efforts include: 1) ensuring the home is licensed as a pre-adoptive home (if not dually licensed); 2) requesting an adoption home study if needed; 3) responding to the Order of Reference; 4) preparing the child and biological parents for the adoption; 5) referring adoptive families to Family Intervention Services to assist/support families in their new role; 6) assessing post permanency needs and families' readiness for adoption; 7) referring and acquainting families with the Post Permanency Family Center; 8) preparing for TPR trial if child is not legally free; 9) preparing an ICPC package if needed; and 10) preparing the adoption final report. See D.C. Code § 4-1303.01a(b)(11).

**17. CASE PLANNING PROCESS<sup>37</sup>**

- a. CFSA, with the family, shall develop timely, comprehensive and appropriate case plans in compliance with District law requirements and permanency timeframes, which reflect family and children's needs, are updated as family circumstances or needs change, and CFSA shall deliver services reflected in the current case plan.
- b. Every reasonable effort shall be made to locate family members and to develop case plans in partnership with youth and families, the families' informal support networks, and other formal resources working with or needed by the youth and/or family.
- c. Case plans shall identify specific services, supports and timetables for providing services needed by children and families to achieve identified goals.

**Exit Standard:** 80% of cases reviewed through the Quality Service Reviews (QSR) will be rated as acceptable.<sup>38</sup>

**18. PLACEMENT LICENSING<sup>39</sup>**

Children shall be placed in foster homes and other placements that meet licensing and other MFO placement standards and have a current and valid license.

**Exit Standard:** 95% of foster homes and group homes with children placed will have a current and valid license.

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<sup>37</sup> MFO VII; D.C. Code §§ 4-1301.02(3), 4-1301.09(b); CFSA Out-of-Home Practice Model, Case Planning (revised July 2009); CFSA Diligent Search Policy (revised December 1, 2009).

<sup>38</sup> The Monitor will determine performance based on the QSR case planning process and pathway to safe case closure indicators, for which 80% of cases will be rated acceptable on both indicators, as applicable, a score of 4 or higher on the 6 point QSR indicator scale).

<sup>39</sup> MFO XV(E); D.C. Code §§ 4-217.02, 4-1303.03(a-1)(10), 4-1402, 7-217.02, 7-2103, 7-2105; 29 DCMR §§ 1638.2, 6206.1-.5.

### C. GOAL: CHILD WELL-BEING

#### 19. *COMMUNITY-BASED SERVICE REFERRALS FOR LOW & MODERATE RISK FAMILIES*<sup>40</sup>

**Exit Standard:** 90% of families who have been the subject of a report of abuse and/or neglect, whose circumstances are deemed to place a child in their care at low or moderate risk of abuse and neglect and who are in need of and agree to additional supports shall be referred to an appropriate Collaborative or community agency for follow-up.<sup>41</sup>

#### 20. *SIBLING PLACEMENT AND VISITS*<sup>42</sup>

- a. Children in out-of-home placement who enter foster care with their siblings should be placed with some or all of their siblings, unless documented that the placement is not appropriate based on safety, best interest needs of child(ren) or a court order requiring separation.

**Exit Standard:** 80% of children who enter foster care with their siblings or within 30 days of their siblings will be placed with some of their siblings.<sup>43</sup>

- b. Children placed apart from their siblings should have at least twice monthly visitation with some or all of their siblings unless documented that the visitation is not in the best interest of the child(ren).

**Exit Standard:** 80% of children shall have monthly visits with their separated siblings and 75% of children shall have twice monthly visits with their separated siblings.<sup>44</sup>

#### 21. *ASSESSMENTS FOR CHILDREN EXPERIENCING A PLACEMENT DISRUPTION*<sup>45</sup>

CFSA shall ensure that children in its custody whose placements are disrupted are provided with a comprehensive and appropriate assessment and follow-up action plans to determine their service and re-placement needs no later than within 30 days of re-placement. A comprehensive assessment is a review, including as applicable the child, his/her family, kin, current and former caregiver and the GAL, to assess the child's

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<sup>40</sup> See generally MFO XV(A)(2); D.C. Code §§ 4-1303.03(a-1)(3), (3A)(A), 1303.03a(a).

<sup>41</sup> Low and moderate risk cases for which CFSA decides to open an ongoing CFSA case are excluded from this requirement.

<sup>42</sup> See generally MFO VI(A)(5); D.C. Code § 4-1303.03(a-1)(5); 29 DCMR § 1642.8; CFSA Out-of-Home Practice Model, Placement (July 2009).

<sup>43</sup> This standard excludes children where it is documented that such placement is not appropriate.

<sup>44</sup> This standard excludes children where it is documented that visits are not in the best interest of the children.

<sup>45</sup> MFO III(B)(3-4), VI(C)(3).



current medical, social, behavioral, educational and dental needs to determine the additional evaluations/services/supports that are required to prevent future placement disruptions.

**Exit Standard:** 90% of children experiencing a placement disruption will have a comprehensive assessment as described above and an action plan to promote stability developed.

## 22. **HEALTH AND DENTAL CARE**<sup>46</sup>

- a. Children in foster care shall have a health screening prior to placement.

**Exit Standard:** 95% of children in foster care shall have a health screening prior to an initial placement or re-entry into care. 90% of children in foster care who experience a placement change shall have a replacement health screening.

- b. Children in foster care shall receive a full medical and dental evaluation within 30 days of placement.

**Exit Standard:**

- i. 85% of children in foster care shall receive a full medical evaluation within 30 days of placement. 95% of children in foster care shall receive a full medical evaluation within 60 days of placement.
- ii. 25% of children shall receive a full dental evaluation within 30 days of placement. 50% of children shall receive a full dental evaluation within 60 days of placement. 85% of children shall receive a full dental evaluation within 90 days of placement.
- c. Children in foster care shall have timely access to health care services to meet identified needs.
- Exit Standard:** 80% of cases reviewed through Quality Service Reviews (QSR) will be rated as acceptable.<sup>47</sup>
- d. CFSA shall ensure the prompt completion and submission of appropriate health insurance paperwork, and shall keep records of, e.g., Medicaid application dates, HMO severance dates, and enrollment dates. CFSA shall provide caregivers with

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<sup>46</sup> MFO VI(C)(1); *see generally* D.C. Code §§ 4-1303.03(a)(3), 4-1303.03(d); CFSA Out-of-Home Practice Model, Placement (July 2009); Investigations Policy (September 30, 2003).

<sup>47</sup> The Monitor will determine performance based on the QSR child status health/physical well-being indicator, for which 80% of cases will be rated acceptable (a score of 4 or higher on the 6 point QSR indicator scale).

documentation of Medicaid coverage within 5 days of every placement and Medicaid cards within 45 days of placement.

**Exit Standard:** 90% of children’s caregivers shall be provided with documentation of Medicaid coverage within 5 days of placement and Medicaid cards within 45 days of placement.

#### **D. GOAL: RESOURCE DEVELOPMENT AND SYSTEM ACCOUNTABILITY**

##### **23. RESOURCE DEVELOPMENT PLAN<sup>48</sup>**

The District shall implement the CFSA Resource Development Plan, which is to be developed by June 30 each year. The Resource Development Plan shall include all of the components listed in item 21b of the Outcomes to be Maintained section of this document.

**Exit Standard:** The District shall implement the CFSA Resource Development Plan, which is to be developed by June 30 each year. The Resource Development Plan shall include all of the components listed in Item 21b of the “Outcomes to be Maintained” section of this document.

##### **24. FINANCIAL SUPPORT FOR COMMUNITY-BASED SERVICES<sup>49</sup>**

The District shall provide evidence of financial support for community- and neighborhood-based services to protect children and support families.

**Exit Standard:** The District shall provide evidence each year of financial support for community- and neighborhood-based services to protect children and support families.

##### **25. CASELOADS<sup>50</sup>**

- a. The caseload of each worker<sup>51</sup> conducting investigations of reports of abuse and/or neglect shall not exceed the MFO standard, which is 1:12 investigations.
- b. The caseload of each worker providing services to children and families in which the child or children in the family are living in their home shall not exceed 1:15 families.

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<sup>48</sup> MFO XV(B).

<sup>49</sup> MFO XV(C); Amended Implementation Plan (“AIP”) (25). *See generally* D.C. Code § 4-1303.03a(a).

<sup>50</sup> MFO XI(A, F); the D.C. Code does not mandate a staff ratio, *see generally* D.C. Code §§ 4-1303.02a(d), 4-1303.02a(e).

<sup>51</sup> All requirements apply to both CFSA workers and private agency workers. All CFSA contracts with private agencies providing foster care services shall include performance expectations for visitation of children in foster care in compliance with MFO visitation requirements.

- c. The caseload of each worker providing services to children in placement, including children in Emergency Care and children in any other form of CFSA physical custody, shall not exceed 1:15 children for children in foster care.
- d. The caseload of each worker having responsibility for conducting home studies shall not exceed 30 cases.
- e. There shall be no cases unassigned to a social worker for more than five business days, in which case, the supervisor shall provide coverage but not for more than five business days.

**Exit Standard:** 90% of investigators and social workers will have caseloads that meet the above caseload requirements. No individual investigator shall have a caseload greater than 15 cases. No individual social worker shall have a caseload greater than 18 cases. No individual worker conducting home studies shall have a caseload greater than 35 cases.

## 26. *SUPERVISORY RESPONSIBILITIES*<sup>52</sup>

- a. Supervisors who are responsible for supervising social workers who carry caseloads shall be responsible for no more than six workers, including case aids or family support workers, or five caseworkers.
- b. No supervisor shall be responsible for the on-going case management of any case.<sup>53</sup>

**Exit Standard:**

- i. 90% of supervisors shall be responsible for no more than five social workers and a case aide or family support worker.
- ii. 95% of cases are assigned to social workers.

## 27. *TRAINING FOR NEW SOCIAL WORKERS AND SUPERVISORS*<sup>54</sup>

- a. New direct service staff<sup>55</sup> shall receive the required 80 hours of pre-service training through a combination of classroom, web-based and/or on-the-job training.

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<sup>52</sup> MFO XI(C); *see generally* D.C. Code §§ 4-1303.02a(d), 4-1303.02a(e).

<sup>53</sup> Within 120 days of approval of this plan, the Monitor and defendants will propose a new method for monitoring this outcome.

<sup>54</sup> MFO XIV(D); *see generally* D.C. Code § 4-1303.02a(e); CFSA Out-of-Home Practice Model, Training (July 2009).

<sup>55</sup> Direct service staff includes social workers, nurse care managers, and family supports workers who provide direct services to children, youth and families.

**Exit Standard:** 90% of newly hired CFSA and private agency direct service staff shall receive 80 hours of pre-service training.

- b. New supervisors shall complete a minimum of 40 hours of pre-service training on supervision of child welfare workers within eight months of assuming supervisory responsibility.

**Exit Standard:** 90% of newly hired CFSA and private agency supervisors shall complete 40 hours of pre-service training on supervision of child welfare worker within eight months of assuming supervisory responsibility.

## **28. TRAINING FOR PREVIOUSLY HIRED SOCIAL WORKERS, SUPERVISORS AND ADMINISTRATORS<sup>56</sup>**

- a. Previously hired direct service staff<sup>57</sup> shall receive annually a minimum of 5 full training days (or a minimum of 30 hours) of structured in-service training geared toward professional development and specific core and advanced competencies.

**Exit Standard<sup>58</sup>:** 80% of CFSA and private agency direct service staff shall receive the required annual in-service training.

- b. Supervisors and administrators shall receive annually a minimum of 24 hours of structured in-service training.

**Exit Standard<sup>59</sup>:** 80% of CFSA and private agency supervisors and administrators who have casework responsibility shall receive annual in-service training.

## **29. TRAINING FOR FOSTER PARENTS<sup>60</sup>**

- a. CFSA and contract agency foster parents shall receive a minimum of 15 hours of pre-service training.

**Exit Standard:** 95% of CFSA and contract agency foster parents shall receive a minimum of 15 hours of pre-service training.

- b. CFSA and contract agency foster parents shall receive 30 hours of in-service training every two years.

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<sup>56</sup> MFO XIV(D); *see generally* D.C. Code § 4-1303.02a(e); CFSA Out-of-Home Practice Model, Training (July 2009).

<sup>57</sup> Twelve of the 30 hours required for the nurse care managers may be met with continuing education requirements of the licensing board.

<sup>58</sup> These requirements will be measured for the twelve month period between July 1, 2010 and June 30, 2011 and annually thereafter.

<sup>59</sup> These requirements will be measured for the twelve month period between July 1, 2010 and June 30, 2011 and annually thereafter.

<sup>60</sup> MFO XIV(F); 29 DCMR § 6026.

**Exit Standard:** 95% of foster parents whose licenses are renewed shall receive 30 hours of in-service training.

30. *SPECIAL CORRECTIVE ACTION*<sup>61</sup>

- a. CFSA shall produce accurate monthly reports, shared with the Monitor, which identify children in the following categories:
  - i. All cases in which a child has been placed in four or more different placements, with the fourth or additional placement occurring in the last 12 months and the placement is not a permanent placement;
  - ii. All cases in which a child has had a permanency goal of adoption for more than one year and has not been placed in an adoptive home;
  - iii. All children who have been returned home and have reentered care more than twice and have a plan of return home at the time of the report;
  - iv. Children with a permanency goal of reunification for more than 18 months;
  - v. Children placed in emergency facilities for more than 90 days;
  - vi. Children placed in foster homes or facilities that exceed their licensed capacities or placed in facilities without a valid license
  - vii. Children under 14 with a permanency goal of APPLA; and
  - viii. Children in facilities more than 100 miles from the District of Columbia.
- b. CFSA shall conduct a child-specific case review by the Director or Director's designee(s) for each child identified and implement a child-specific corrective action plan, as appropriate.

**Exit Standard:** For 90% of children identified in corrective action categories, required reviews will occur and corrective action plans will be developed and implemented as appropriate.

31. *PERFORMANCE-BASED CONTRACTING*<sup>62</sup>

CFSA shall have in place a functioning performance-based contracting system that (a) develops procurements for identified resource needs, including placement and service needs; (b) issues contracts in a timely manner to qualified service providers in accordance with District laws and regulations; and (c) monitors contract performance on a routine basis.

**Exit Standard:** Evidence of functionality and ongoing compliance. Evidence of capacity to monitor contract performance on a routine basis.<sup>63</sup>

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<sup>61</sup> MFO XIX.

<sup>62</sup> MFO XVI(B)(1).

32. ***INTERSTATE COMPACT FOR THE PLACEMENT OF CHILDREN (ICPC)***<sup>64</sup>

CFSA shall continue to maintain responsibility for managing and complying with the ICPC for children in its care.

**Exit Standard:** Elimination of the backlog of cases without ICPC compliance.

33. ***LICENSING REGULATIONS***<sup>65</sup>

CFSA shall have necessary resources to enforce regulations effectively for original and renewal licensing of foster homes, group homes, and independent living facilities.

**Exit Standard:** Ongoing Compliance

34. ***BUDGET AND STAFFING ADEQUACY***<sup>66</sup>

The District shall provide evidence that the Agency's annual budget complies with Paragraph 7 of the October 23, 2000 Order providing customary adjustments to the FY 2001 baseline budget and adjustments to reflect increases in foster parent payments and additional staff required to meet caseload standards, unless demonstrated compliance with the MFO can be achieved with fewer resources.

The District shall provide evidence of compliance with Paragraph 4 of the October 23, 2000 Order that CFSA staff shall be exempt from any District-wide furloughs and from any District-wide agency budget and/or personnel reductions that may be otherwise imposed.

**Exit Standard:** Ongoing Compliance

35. ***FEDERAL REVENUE MAXIMIZATION***<sup>67</sup>

CFSA shall demonstrate compliance with Sections A and B of Chapter XVIII of the Modified Final Order concerning federal revenue maximization and financial development.

**Exit Standard:** Evidence of consistent and appropriate claiming of all appropriate and available federal revenue.

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<sup>63</sup> Functionality will be assessed by looking at the timely execution and renewal, if applicable, of contracts/Human Care Agreements in accordance with Performance Based Contracting standards for all placement and service agreements; the timely and effective monitoring of contracts/Human Care Agreements in accordance with CSA policy and monitoring protocols and evidence of decisions and actions to procure placements and services from providers that meet specified performance outcomes.

<sup>64</sup> D.C. Code §§ 4-1422, 4-1423, 4-1303.02a(c); CFSA ICPC Policy (October 2, 2009).

<sup>65</sup> MFO XV(E).

<sup>66</sup> IP XVIII.

<sup>67</sup> MFO XVIII(A-B).

**SECTION II:  
OUTCOMES TO BE MAINTAINED**

The following outcomes are in the Outcomes to be Maintained Section because CFSA has demonstrated sustained performance that meets required exit standards.<sup>68</sup>

**A. PROTECTIVE SERVICES**

**1. *ENTERING REPORTS INTO COMPUTERIZED SYSTEM***<sup>69</sup>

CFSA shall immediately enter all reports of abuse or neglect into its computerized information systems and shall use the system to determine whether there have been prior reports of abuse or neglect in that family or to that child.

**Exit Standard:** Ongoing Compliance

**2. *MAINTAINING 24 HOUR RESPONSE SYSTEM***<sup>70</sup>

CFSA shall staff and maintain a 24-hour system for receiving and responding to reports of child abuse and neglect, which conforms to reasonable professional standards.

**Exit Standard:** Ongoing Compliance

**3. *CHECKING FOR PRIOR REPORTS***<sup>71</sup>

Child abuse and/or neglect reports shall show evidence that the investigator checked for prior reports of abuse and/or neglect.

**Exit Standard:** Ongoing Compliance

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<sup>68</sup> The Monitor will continue to receive data and review Outcomes to be Maintained. Insubstantial and temporary deviation from performance on an Outcome to be Maintained will not result in re-designation of an Outcome previously designated as an Outcome to be Achieved.

<sup>69</sup> MFO II(C); IP II(6); CFSA Hotline Policy, Child Protective Services (revised December 9, 2009).

<sup>70</sup> MFO II(A); CFSA Hotline Policy, Child Protective Services (revised December 9, 2009).

<sup>71</sup> MFO II(C); CFSA Investigations Policy (VII)(C)(7)(b) (September 30, 2003); CFSA Hotline Policy, Child Protective Services (revised December 9, 2009).

4. ***REVIEWING CHILD FATALITIES***<sup>72</sup>

The District of Columbia, through the City-wide Child Fatality Committee, and an Internal CFSA Committee, shall conform to the requirements of the MFO regarding the ongoing independent review of child fatalities of members of the plaintiff class, with procedures for (1) reviewing child deaths; (2) making recommendations concerning appropriate corrective action to avert future fatalities; (3) issuing an annual public report; and (4) considering and implementing recommendations as appropriate.

**Exit Standard:** Ongoing Compliance

5. ***INVESTIGATIONS OR ABUSE AND NEGLECT IN FOSTER HOMES AND INSTITUTIONS***<sup>73</sup>

Reports of abuse and neglect in foster homes and institutions shall be comprehensively investigated; investigations in foster homes shall be completed within 35 days and investigations involving group homes, day care settings or other congregate care settings shall be completed within 60 days.

**Exit Standard:** 90% of reports of abuse and neglect in foster homes shall be completed within 35 days and within 60 days for investigations involving group homes, day care settings or other congregate settings.

B. EMERGENCY CARE AND GENERAL ASSISTANCE

6. ***POLICIES FOR GENERAL ASSISTANCE PAYMENTS***<sup>74</sup>

CFSA shall have in place policies and procedures for appropriate use of general assistance payments for the care of children by unrelated adults, including provision of any applicable oversight and supervision.

**Exit Standard:** Ongoing Compliance

7. ***USE OF GENERAL ASSISTANCE PAYMENTS***<sup>75</sup>

CFSA shall demonstrate that District General Assistance payment grants are not used as a substitute for financial supports for foster care or kinship care for District children who have been subject to child abuse or neglect.

**Exit Standard:** Ongoing Compliance

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<sup>72</sup> MFO II(N); D.C. Code § 4-1371.03; CFSA Child Fatality Review Policy (March 18, 2009).

<sup>73</sup> CFSA Investigations Policy (VII)(C)(7)(b) (September 30, 2003).

<sup>74</sup> MFO V.

<sup>75</sup> MFO V.



8. ***PLACEMENT OF CHILDREN IN MOST FAMILY LIKE SETTING***<sup>76</sup>

No child shall stay overnight in the CFSA Intake Center or office building.

**Exit Standard:** Ongoing Compliance

9. ***TIMELY APPROVAL OF FOSTER/ADOPTIVE PARENTS***<sup>77</sup>

CFSA should ensure training opportunities are available so that interested families may begin training within 30 days of inquiry.

**Exit Standard:** Ongoing Compliance

10. ***PLACEMENT WITHIN 100 MILES OF THE DISTRICT***<sup>78</sup>

No more than 82 children shall be placed more than 100 miles from the District of Columbia. (Children placed in college, vocational programs, correctional facilities, or kinship or pre-adoptive family-based settings under the ICPC shall be exempt from this requirement.)

**Exit Standard:** Ongoing Compliance

11. ***LICENSING AND PLACEMENT STANDARDS***<sup>79</sup>

- a. Children shall be placed in foster homes and other placements that meet licensing and other MFO placement standards.
- b. Children in foster home placements shall be in homes that (a) have no more than three foster children or (b) have six total children including the family's natural children; (c) have no more than two children under two years of age or (d) have more than three children under six years of age. The sole exception shall be those instances in which the placement of a sibling group, with no other children in the home, shall exceed these limits.
- c. No child shall be placed in a group-care setting with a capacity in excess of eight (8) children without express written approval by the Director or designee based on written documentation that the child's needs can only be met in that specific facility, including a description of the services available in the facility to address the individual child's needs.
- d. Children shall not be placed in a foster care home or facility in excess of its licensed capacity. The sole exception shall be those instances in which the placement of a sibling group, with no other children in the home, shall exceed the limits.

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<sup>76</sup> Family Team Meeting Policy (January 29, 2007).

<sup>77</sup> MFO XIV(F), (G); MFO XV(E); AIP(I)(14)(b); IP VI(3); 29 DCMR § 6028.4-5.

<sup>78</sup> MFO XV(D)(1),(5), XIX(A)(9); IP VI(1)(f).

<sup>79</sup> MFO XV(E), VI(A)(7), (10); D.C. Code § 4-1402; 29 DCMR §§ 1638.2, 6206.1-4.

**Exit Standard:** Ongoing compliance for 95% of children

12. **CASE PLANNING PROCESS**<sup>80</sup>

Case plans shall be developed within 30 days of the child entering care and shall be reviewed and modified as necessary at least every six months thereafter, and shall show evidence of appropriate supervisory review of case plan progress.

**Exit Standard:** Ongoing compliance; 90% of case plans shall be developed within 30 days of the child entering care and shall be reviewed and modified as necessary at least every six months thereafter.

13. **APPROPRIATE PERMANENCY GOALS**<sup>81</sup>

No child under the age of 12 shall have a permanency goal of legal custody with permanent caretakers unless he or she is placed with a relative who is willing to assume long-term responsibility for the child and who has legitimate reasons for not adopting the child and it is in the child's best interest to remain in the home of the relative rather than be considered for adoption by another person. No child under the age of 12 shall have a permanency goal of continued foster care unless CFSA has made every reasonable effort, documented in the record, to return the child home, to place the child with an appropriate family member, and to place the child for adoption, and CFSA has considered and rejected the possibility of the child's foster parents assuming legal custody as permanent caretakers of the child.

**Exit Standard:** Ongoing Compliance

14. **TIMELY ADOPTION**<sup>82</sup>

Within 95 days of a child's permanency goal becoming adoption, CFSA shall convene a permanency planning team to develop a child-specific recruitment plan which may include contracting with a private adoption agency for those children without an adoptive resource.

**Exit Standard:** For 90% of children whose permanency goal becomes adoption, CFSA shall convene a permanency planning team to develop a child-specific recruitment plan which may include contracting with a private adoption agency for those children without an adoptive resource.

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<sup>80</sup> MFO VII(A-B, D); D.C. Code §§ 4-1301.02(3), 4-1301.09(b); CFSA Out-of-Home Practice Model, Case Planning (revised July 2009); CFSA Diligent Search Policy (VII) (revised December 1, 2009); CFSA Family Team Meetings Policy (January 29, 2007).

<sup>81</sup> MFO XIX(A)(8), VII(C)(4); AIP II(8); CFSA Establishing the Goal of Alternative Planned Permanent Living Arrangement (APPLA) Policy (June 25, 2004)

<sup>82</sup> MFO VIII(D)(1), (2)(d); IP VIII(1-2).

15. *POST-ADOPTION SERVICES NOTIFICATION*<sup>83</sup>

Adoptive families shall receive notification at the time that the adoption becomes final of the availability of post-adoption services.

**Exit Standard:** Ongoing compliance for 90% of cases.

D. CASE REVIEW SYSTEM

16. *FAMILY COURT REVIEWS*<sup>84</sup>

A case review hearing will be conducted in Family Court at least every six months for every child as long as the child remains in out-of-home placement, unless the child has received a permanency hearing within the past six months.

**Exit Standard:** Ongoing Compliance for 90% of cases.

17. *PERMANENCY HEARINGS*<sup>85</sup>

CFSA shall make every reasonable effort to ensure that children in foster care have a permanency hearing in Family Court no later than 14 months after their initial placement.

**Exit Standard:** Ongoing compliance for 90% of cases.

E. CASELOADS, STAFFING, AND WORKER QUALIFICATION

18. *USE OF MSWs AND BSWs*<sup>86</sup>

Unless otherwise agreed, all social worker hires at CFSA shall have an MSW or BSW before being employed as trainees.

**Exit Standard:** Ongoing compliance for all social work hires.

19. *SOCIAL WORK LICENSURE*<sup>87</sup>

All social work staff shall meet District of Columbia licensing requirements to carry cases independently of training units.

**Exit Standard:** Ongoing compliance for all social workers.

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<sup>83</sup> MFO VIII(G)(2); IP VIII(5).

<sup>84</sup> MFO X(B)(1)(c); D.C. Code § 16-2323; CFSA Administrative Review Policy (July 12, 2006).

<sup>85</sup> MFO X(B)(2); D.C. Code § 16-2323.

<sup>86</sup> MFO XIII(A).

<sup>87</sup> IP XI-XIII(10).

## F. TRAINING

### 20. *TRAINING FOR ADOPTIVE PARENTS*<sup>88</sup>

Adoptive parents shall receive a minimum of 30 hours of training, excluding the orientation process.

**Exit Standard:** Ongoing compliance for 90% of adoptive parents.

## G. RESOURCE DEVELOPMENT AND QUALITY ASSURANCE

### 21. *NEEDS ASSESSMENT AND RESOURCE DEVELOPMENT PLAN*<sup>89</sup>

- a. CFSA shall complete a needs assessment every two years, which shall include an assessment of placement support services, to determine what services are available and the number and categories of additional services and resources, if any, that are necessary to ensure compliance with the MFO. The needs assessment shall be a written report. The needs assessment, including the report, shall be repeated every two years. CFSA shall provide evidence of adequate Resource Development capacity within the Agency, with sufficient staff and other resources to carry out MFO resource development functions.
- b. The District shall develop a Resource Development Plan, which shall be updated annually by June 30th of each year. The Resource Development Plan shall: (a) project the number of emergency placements, foster homes, group homes, therapeutic foster homes and institutional placements that shall be required by children in CFSA custody during the upcoming year; (b) identify strategies to assure that CFSA has available, either directly or through contract, a sufficient number of appropriate placements for all children in its physical or legal custody; (c) project the need for community-based services to prevent unnecessary placement, replacement, adoption and foster home disruption; (d) identify how the Agency is moving to ensure decentralized neighborhood and community-based services; and (e) include an assessment of the need for adoptive families and strategies for recruitment, training and retention of adoptive families based on the annual assessment. The Plan shall specify the quantity of each category of resources and services, the time period within which they shall be developed, and the specific steps that shall be taken to ensure that they are developed. CFSA shall then take necessary steps to implement this plan.

**Exit Standard:** Ongoing Compliance

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<sup>88</sup> MFO XIV(G).

<sup>89</sup> MFO XV(B); D.C. Code § 4-1303.03(b)(10)(D-F).

**22. FOSTER PARENT LICENSURE<sup>90</sup>**

CFSA shall license relatives as foster parents in accordance with District law, District licensing regulations and ASFA requirements.

**Exit Standard:** Ongoing Compliance

**23. QUALITY ASSURANCE<sup>91</sup>**

CFSA shall have a Quality Assurance system with sufficient staff and resources to assess case practice, analyze outcomes and provide feedback to managers and stakeholders. The Quality Assurance system must annually review a sufficient number of cases to assess compliance with the provisions of the MFO and good social work practice, to identify systemic issues, and to produce results allowing the identification of specific skills and additional training needed by workers and supervisors.

**Exit Standard:** Ongoing Compliance

**H. CONTRACT REVIEW AND PROVIDER PAYMENTS**

**24. MAINTAINING COMPUTERIZED SYSTEM<sup>92</sup>**

- a. CFSA shall develop and maintain a unitary computerized information system and shall take all reasonable and necessary steps to achieve and maintain accuracy.
- b. CFSA shall provide evidence of the capacity of FACES Management Information System to produce appropriate, timely, and accurate worker/supervisor reports and other management reports that shall assist the Agency in meeting goals of safety, permanence and well-being and the requirements of the MFO and Court-ordered Implementation and Exit Plan.

**Exit Standard:** Ongoing Compliance

**25. CONTRACTS TO REQUIRE THE ACCEPTANCE OF CHILDREN REFERRED<sup>93</sup>**

CFSA contracts for services shall include a provision that requires the provider to accept all clients referred pursuant to the terms of the contract, except for a lack of vacancy.

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<sup>90</sup> MFO XV(F); CFSA Temporary Licensing of Foster Home for Kin Policy (revised October 26, 2005).

<sup>91</sup> MFO X(C).

<sup>92</sup> MFO XVII(A–D).

<sup>93</sup> MFO XVI(C).

26. ***PROVIDER PAYMENTS***<sup>94</sup>

CFSA shall ensure payment to providers in compliance with DC's Quick Payment Act for all services rendered.

**Exit Standard:** 90% of payments to providers shall be made in compliance with DC's Quick Payment Act for all services rendered.

27. ***FOSTER PARENT BOARD RATES***<sup>95</sup>

There shall be an annual adjustment at the beginning of each fiscal year of board rates for all foster and adoptive homes to equal the USDA annual adjustment to maintain rates consistent with USDA standards for costs of raising a child in the urban south.

**Exit Standard:** Ongoing Compliance

28. ***POST-ADOPTION SERVICES***<sup>96</sup>

CFSA shall make available post-adoption services necessary to preserve families who have adopted a child committed to CFSA.

**Exit Standard:** Ongoing compliance

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<sup>94</sup> AIP (38).

<sup>95</sup> MFO XV(D)(6)(a).

<sup>96</sup> MFO VIII(G); *see generally* D.C. Code § 4-1303.03(b)(9); 29 DCMR § 1622.6; CFSA Out-of-Home Practice Model, Permanence (July 2009).

**SECTION III:  
SUSTAINABILITY AND EXIT**

1. Defendants shall continue to provide to the Court Monitor, until this matter is dismissed, all information necessary to assess performance on Outcomes to be Achieved, and Outcomes to be Maintained and Strategy Plan implementation. The Court Monitor shall review and validate monthly data and report to the Court, providing a full report at least every six months on the status of Defendants' performance on each of the outcomes and exit standards in the Implementation and Exit Plan and Defendant's progress in carrying out the Strategy Plan.
2. As determined by the Court Monitor based on performance during a six-month period, the Monitor shall designate an outcome as an "Outcome to be Achieved" if performance data falls below the designated outcome and exit standard(s). When the Monitor determines Defendants' performance satisfies the exit standard(s) for any Outcome to be Achieved, that outcome shall be moved to the "Outcomes to be Maintained" section of this Implementation and Exit Plan, unless the Court orders to the contrary.
3. Once an outcome has been designated as an "Outcome to be Maintained", the Monitor will not reinstate it as an "Outcome to be Achieved" if performance deviation from the exit standard(s) is either insubstantial or temporary. If the Monitor seeks to reinstate an outcome as an "Outcome to be Achieved," Defendants may object and provide information to demonstrate that the performance change is either temporary, insubstantial, or based on reasonable justification.
4. Defendants may seek to exit court supervision when (a) the Court Monitor reports that Defendants have achieved all of the outcomes and exit standards and maintained each of the "Outcomes to be Maintained" for at least two consecutive six-month reporting periods; (b) Defendants petition the Court for an Order of Dismissal and demonstrate, based on the Court Monitor's reports, substantial compliance with the outcomes and exit standards and the Court finds, after hearing the views of the Court Monitor and the Plaintiffs, that the case should be dismissed in the interests of justice; or (c) as the Court may otherwise direct. In assessing compliance with this Implementation and Exit Plan, the Court will consider sustainability in light of how closely Defendants meet the exit standards as well as how consistently the exit standards are met over time. A "miss" by 5% or less on certain measures will not necessarily foreclose a demonstration of durable compliance, but neither shall a superior performance on one measure necessarily provide a basis for forgiving a shortfall on another. A substantial compliance argument must be assessed on the totality of the circumstances.
5. If Defendants seek to petition the Court for an Order of Dismissal on the grounds of substantial compliance, Defendants shall first inform the Court Monitor and Plaintiffs and engage in good faith efforts to determine whether there is any opposition to the relief sought and, if necessary, to engage in dispute resolution for a period not to exceed 45 business days in an attempt to resolve disagreements.

**SECTION IV:  
2010-2011 STRATEGY PLAN**

Pursuant to Paragraph 7 of the Court's April 5, 2010 Order, the 2010-2011 Strategy Plan identifies specific action steps and targets to achieve safety, permanency and well-being for children and to reach and sustain the performance standards of the *LaShawn A. Implementation and Exit Plan*. The strategies and specific action steps in this plan relate to outcomes including investigations, safe and stable reunification, licensing, training, adoption, services for youth aging out, placement stability, case planning, visitation and health and mental health services.

The Strategy Plan is a means to achieve compliance with the outcomes and exit standards of the *LaShawn A. Implementation and Exit Plan*. Absent a substantial or unjustifiable disparity, the Court will not find deviations from action steps in the Strategy Plan to constitute noncompliance. The District's Strategy Plan, including applicable due dates, can be modified with timely consultation with the Monitor. In the event that the District has not met the outcomes and exit standards of the *LaShawn A. Implementation and Exit Plan* by September 30, 2011, the District, after consultation with the Monitor and Plaintiffs, will review, modify as appropriate and submit to the Court an updated Strategy Plan. The Court shall assume that all strategies with due dates preceding the filing of this order will be completed as planned, unless modified in consultation with and with the approval of the Monitor.

**A. GOAL: CHILD SAFETY**

1. INVESTIGATIONS (Strategy Plan to Achieve Outcomes 1 and 2)

a. Policy

- i. CFSA will review and modify, if necessary, its investigations policy to ensure clarity on the definition of quality investigations consistent with DC statute (including reasonable efforts to prevent removal and investigation of relative resources) and the definition included in the 2010-2011 Implementation and Exit Plan.
- ii. By September 2010, CFSA will complete a CPS investigations practice guide consistent with CFSA policy.
- iii. CFSA in collaboration with the Child Advocacy Center (CAC) and the Metropolitan Police Department (MPD) will review the current Memorandum of Understanding (MOU) and existing policy to modify policy as necessary to increase appropriate utilization of the CAC. Practices to implement the policy and MOU on the use of the CAC will be reflected in the CPS investigations practice guide.
- iv. In consultation with the Children's Research Center (CRC), CFSA will recalibrate the risk assessment tool to address reliability of risk assessment process, pending available budgetary resources.



b. Practice

- i. By December 31, 2010, CFSA will develop the capacity (in-house or contracted) to ensure that Family Team Meetings (FTMs) occur prior to a child's removal unless the child is at imminent risk of harm or prior to filing a petition for removal with Superior Court.<sup>97</sup>
- ii. CFSA will identify any additional action steps necessary to implement the investigative practice recommendations from the Monitor's report<sup>98</sup> and implement such action steps or provide rationale as to why the Agency is choosing not to implement the recommendations.
- iii. CFSA will develop and define the process for comprehensive reviews of families with four or more reports of abuse and neglect which may include the investigations program manager, the current investigative worker, the Office of Clinical Practice, Collaborative workers and others who have prior familiarity with the family.
- iv. By November 1, 2010, CFSA will implement the comprehensive reviews of families with four or more reports of abuse and neglect which may include the investigations program manager, the current investigative worker, the Office of Clinical Practice, Collaborative workers and others who have prior familiarity with the family.
- v. Investigators will seek the assistance of the CPS-assigned nurses and the Office of Clinical Practice professionals when needed for all investigations that present medical or mental health needs for the child(ren) and/or caregivers.

c. Services During an Investigation

- i. CFSA will identify and address current barriers to referrals for supportive services during an investigation in order to increase utilization of such services by families.
- ii. CFSA will develop a working group to determine an accurate baseline of potential referrals to the Collaboratives from CPS.
- iii. CFSA will conduct a case review of children who are removed from their home for short periods of time to determine alternative strategies for keeping children safely in their homes.

d. Supervision of Practice

- i. CFSA will ensure supervisory consultation in advance of the investigative worker going into the field to guide the social worker prior to initiating the investigation.
- ii. CFSA will ensure that program managers and supervisors review open investigations at the 18th day to discuss and resolve barriers to timely and safe closure, and document those efforts in the investigation file.

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<sup>97</sup> See notes 14 and 15, *supra*, for exclusions to the FTM exit standard.

<sup>98</sup> Center for the Study of Social Policy, *An Assessment of the Quality of Child Abuse and Neglect Investigative Practices in the District of Columbia* (May 24, 2010).

- iii. CFSA will ensure that investigations that exceed the 30-day time frame for completion have just cause, approved by a supervisor, reflected in FACES.NET beginning in June 2010.
  - iv. CFSA will ensure that investigations that exceed the 30-day time frame for completion are reviewed weekly by supervisors and program managers to ensure safe closure as soon as possible.
- e. Training
- i. By November 2010, the Child Protection Services (CPS) pre-service training curriculum will be completed and will reflect any changes to policy as well as the CPS practice guide.
  - ii. Beginning December 2010 and on-going, the CPS pre-service training curriculum will be used for any new staff or supervisors assigned to investigations.
  - iii. By December 31, 2010, all investigators and supervisors will be trained on the CPS investigations practice guide.
- f. Quality Assurance
- i. CFSA will ensure the effective, continuing use of CPS quality assurance measures: ChildStat (at least one investigation every six months), Grand Rounds (two open investigations reviewed per month) and the validation of five hotline call reviews per month.
  - ii. Beginning in July 2010, Quality Assurance (QA) staff will complete 10 reviews of randomly selected investigations each quarter for 12 months using a shortened version of the tool used by the Court Monitor. The sample will consist of investigations that have been closed within 15 days of the review date. The QA staff will work with the Court Monitor to validate these findings.
  - iii. CFSA will ensure that through weekly case reviews, program managers and supervisors will identify barriers and practice concerns related to the timeliness and quality of the investigations. This will include reviewing documented efforts to obtain information from collateral contacts and documentation of case staffings held with ongoing social workers, when applicable, to inform the investigation regarding the immediate safety of all children and the risk factors present for the child and family and to address safety issues identified by the investigator.
2. SERVICES TO FAMILIES AND CHILDREN TO PROMOTE SAFETY, PERMANENCY AND WELL-BEING (Strategies to Achieve Outcome 3)
- a. Practice
- i. Beginning July 1, 2010, CFSA will ensure that a team comprised of the assigned social worker, family support worker, and nurse care manager (for children in foster care) will in each case:
    - a. assess and properly and timely identify service needs,
    - b. make referrals for identified community-based services, and
    - c. take any follow-up action to confirm access to and provision of identified services.

- ii. Beginning July 1, 2010, CFSA will ensure that team meetings are held with the family and other team members within the first 30 days of case opening to identify service needs and to plan for service provision.
    - iii. Beginning October 1, 2010, CFSA will ensure that team meetings are held with the family and other team members at critical decision points throughout the life of the case (i.e. placement changes, significant life changes; permanency decision-making).
  - b. Supervision
    - i. By July 1, 2010, CFSA will conduct verification of the identification of service needs and service provision through weekly supervision and through monthly continuous quality improvement case reviews completed by supervisors and program managers. Program managers will complete three reviews a month per program area and supervisors will complete two reviews a month per unit.
  - c. Community-Based Services
    - i. By September 30, 2010, CFSA will develop targets of the number of families to be served in FY2011.
    - ii. CFSA, based on the targets developed, will ensure that resources and protocols are in place to meet the targets.
    - iii. CFSA will convene the joint Implementation Committee and develop a plan and begin to implement, pending available budgetary resources, the findings of the recently completed Partnership for Community Based Services (PCBS) First Year Evaluation Report to enhance and sustain the functioning of the PCBS.
  - d. Service Array
    - i. CFSA will maintain the Rapid Housing program for families at risk of entering foster care or in need housing assistance for reunification.
    - ii. The District will seek possible federal grants available to support housing assistance/housing choice vouchers to support family reunification.
- 3. VISITATION (Strategy Plan to Achieve Outcomes 4, 5, 6, 10, and 11)
  - a. Policy
    - i. By December 31, 2010, CFSA will develop policy regarding the responsibilities of social workers and other team members charged with visiting families and children to assess the safety of children at every visit involving families receiving in home services and children in out of home care.
    - ii. CFSA will develop visitation schedule template(s) to be used in worker and team member visits to families with children in out-of-home placement, visits to parents and parent-child visits.
    - iii. CFSA will re-examine the current rules governing the use of supervised parent-child visitation to determine if a broader array of staff, contractors, relatives and foster parents could provide supervision and make revisions as needed. Based on

that review, CFSA will, develop a policy on criteria guiding the appropriate use of supervised and unsupervised visitation.

b. Worker Visits to Families Receiving In-Home Services

- i. Beginning October 1, 2010, for all new in-home cases, the CFSA social worker will discuss the purpose and frequency of visits with the family, will schedule one of the two monthly visits with the family and will review the visitation schedule with their supervisor. The scheduled visit does not preclude the ability of social workers to make unannounced visits.

c. Worker Visits to Children in Out-of-Home Placement

- i. Beginning October 1, 2010, for all initial placements and re-entries into foster care, social workers will engage parents and foster parents in the development of written visitation schedules outlining when and where caseworker-child visits will occur and the purpose of the visits. Social workers will document the discussion and the refusal or inability of parents or foster parents to participate in this conversation.

d. Parent-Child Visitation

- i. Beginning October 1, 2010, for all initial placements and re-entries into foster care, social works will engage parents in the development of written visitation schedules outlining when and where parent-child visits will occur and the purpose of the visits. Social workers will document the discussion and the refusal or inability of parents to participate in this conversation.
- ii. By December 31, 2010, CFSA will explore the feasibility, make recommendations and develop strategies to increase visitation between children and their parents. These strategies may include, but are not limited to, permitting visitation to occur in the parent's home, expansion of community-based visitation centers, utilization of foster parents and/or relatives to supervise visitation, and utilization of contracted service providers to supervise visitation.

e. Visits to Parents

- i. Beginning October 1, 2010, for all initial placements and re-entries into foster care, social workers will engage parents in the development of written visitation schedules outlining when and where caseworker-parent visits will occur during the first three months post-placement and the purpose of the visits. Social workers will document the discussion and the refusal or inability of parents to participate in this conversation.
- ii. Beginning July 2010, CFSA will use a case review process to analyze data and contact information regarding the parent and social worker visits to ensure that the visitation is supportive of the permanency goal and issues identified in the visits are addressed and documented in the case plan. Program managers will conduct monthly three (3) case reviews and supervisors will conduct two (2) case reviews on a random selection of cases. Programs managers and supervisors will meet on a weekly basis or more frequently as necessary with workers to address quality and non-compliance issues.

- iii. Beginning July 2010, the social worker, Nurse Care Manager, and/or Family Support Workers will update notes in FACES.NET providing a status of the visit or state why the visit did not occur. At every visit, workers will discuss permanency goals, visitation requirements, and required action steps in the case plan during each parent/worker visitation and reflect the progress in the case notes.
- f. Supervision
- i. CFSA will ensure that through weekly supervision or review of contact notes, supervisors are ensuring that workers are assessing for safety at every visit and documenting their findings.
  - ii. CFSA will ensure that supervisors and program managers will complete monthly continuous quality activities to ensure documentation of the assessment of safety at each visit. Program managers will complete three reviews a month per program area and supervisors will complete two reviews a month per unit.
  - iii. CFSA will ensure supervisory review of every child with a goal of reunification to ensure there is a written visitation plan and clear understanding among the family's team as to the visitation plan.
- g. Training
- i. As part of training on the implementation of CFSA's practice model, social workers and supervisors will be trained on the use of the protocol for assessing a child's safety at every visit; the use of the visitation templates; and the purpose of visits and how to connect each visit to the overall case and permanency plans.
- h. Quality Assurance
- i. CFSA will assure that by July 2010, private agencies develop and implement internal quality assurance systems for monitoring and evaluating their program performance on all visitation requirements and regularly develop and implement improvement strategies where necessary.

## **B. GOAL: PERMANENCY**

### **4. RELATIVE RESOURCES (Strategy Plan to Achieve Outcome 7)**

- a. Policy
- i. By October 31, 2010, CFSA will implement the requirements of the Fostering Connections Act relating to the engagement of relatives as part of the routine Agency response to allegations of abuse or neglect in the family home.
  - ii. By November 30, 2010, CFSA will develop policy (1) defining, consistent with federal law, which foster care licensing standards are "non-safety" in nature and, therefore, eligible for the exercise of waiver authority in relation to licensing kinship placements; (2) permitting temporary kinship licensing to be utilized in circumstances in which relative placement is determined to be in the best interest

of the child and safety can be maintained; (3) age appropriate policy and age appropriate licensing standards for ensuring kinship placements for 18 to 20 year olds under Family Court jurisdiction who wish to live with identified and qualified kin. In developing these policies, CFSA shall reassess 29 D.C.M.R § 6000.5 and whether its assignment of waiver authority to the Director remains appropriate.

iii. CFSA will develop and promulgate policy regarding full implementation of the temporary kin licensing agreement with Maryland.

b. Practice

i. CFSA will immediately and on an ongoing basis ensure that social workers take reasonable action to identify and assess relative resources, including, but not limited to:

- a. coordinating the initial FTM for families experiencing a removal, identifying relatives and inviting them to attend the FTM; and
- b. submitting a referral to the Diligent Search Unit when further assistance is needed, to expand the search to locate additional family members.

5. PLACEMENT OF CHILDREN (Strategy Plan to Achieve Outcomes 8 and 9)

a. Policy

i. Consistent with CFSA policy on placement of children and youth in the least restrictive, most family-like setting, placement of a child in a congregate care facility will require documentation of the absence of an available family placement and CFSA will develop a transition plan for all children placed in congregate care.

b. Placement Array

- i. A quarterly utilization review of available placement beds will be developed and implemented by the end of 2010, categorized by provider, type of placement, and access patterns. Commensurate modifications will then be made to contracts to ensure consistent access to placements appropriate to each child's needs.
- ii. By December 31, 2010, CFSA will reduce traditional congregate care placements by 30% as compared with the number of placements in January 1, 2010.

c. Quality Assurance

i. Beginning July 1, 2010, CFSA will prepare a monthly report of all children under the age of twelve in congregate settings reflecting the needs of each child and whether they meet the established criteria for this placement. For those that do not meet the criteria, corrective actions will be taken to immediately place the child in a more appropriate setting.

6. APPROPRIATE PERMANENCY GOALS (Strategy Plan to Achieve Outcome 12)

a. Policy

- i. By December 31, 2010, CFSA will develop policies and protocols/MOUs for linking transitioning youth, as appropriate, to adult services (e.g., Rehabilitation Services Administration, the Department on Disability Services, the Department of Mental Health, Supplemental Security Income (SSI) and Medicaid), and work force supports and employment services, and local opportunities for mentors.

b. Practice

- i. Beginning June 1, 2010, CFSA independent living specialists will provide consultation to social workers managing cases of youth ages 16 – 17 to complete the Ansell-Casey Life Skills Assessment.
- ii. By June 30, 2010, the Office of Youth Empowerment in partnership with CFSA and private agency social workers will begin facilitating Youth Transition conferences to plan for transition to adulthood and to explore other appropriate permanency goals for youth ages 18 to 20 that currently have an APPLA goal and no permanent or potential connection to an adult.
- iii. Beginning September 30, 2010, CFSA will examine permanency options for youth ages 14 – 20 with an APPLA goal using best practices, e.g., permanency roundtables.
- iv. By December 31, 2010, CFSA will issue an RFQ for services not currently available to provide for the comprehensive, effective child-specific transitional services and support for youth with an APPLA goal. Contract(s) to provide these services will be in place by March 31, 2011.<sup>99</sup>

c. Quality Assurance

- i. By December 31, 2010, CFSA will track and monitor the educational, employment, health and housing outcomes for youth with an APPLA goal.
- ii. Beginning June 1, 2010, CFSA, in partnership with Family Court through the Child Welfare Leadership Team, will monitor the number of youth given the goal of APPLA and will work with the Family Court to change the permanency goal for youth when guardianship and/or adoption opportunities are identified.

7. REDUCTION OF MULTIPLE PLACEMENTS FOR CHILDREN IN CARE (Strategy Plan to Achieve Outcome 13)

a. Policy

- i. By December 1, 2010, CFSA will centralize all placement decisions within the CFSA Placement Administration eliminating all moves between and within private agencies without CFSA approval.

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<sup>99</sup> The action step 6.b.4 does not prohibit the current practice of providing services (through CFSA, other District agencies, contracts with the Collaboratives, placement providers, or community based programs) to youth as identified during their six month review or in any prior review. The action step is designed to create an expanded array of services that will provide a more efficient method of providing such services if needed.

- ii. CFSA will review and modify as appropriate, existing policy on placement to reflect all changes from the *LaShawn A.* Implementation and Exit Plan and current practice, and describing how children are to be initially assessed and placed.

b. Licensure

- i. CFSA will dually license foster homes to serve as both traditional and therapeutic placements.

c. Training

- i. CFSA will explore the feasibility of using foster parents as co-trainers in the pre-service training for workers.
- ii. CFSA, in collaboration with DMH and the Resource Parent Training Coalition, will develop and implement a skill-based curriculum for training all foster parents to provide therapeutic placements.
- iii. CFSA, in collaboration with DMH and the Resource Parent Training Coalition, will develop therapeutic foster parent competencies and ensure all training activities build these competencies.

8. TIMELY APPROVAL OF FOSTER PARENTS (Strategy Plan to Achieve Outcome 14)

a. Policy

- i. CFSA will review and seek to modify applicable regulations to better facilitate timely licensure, and to eliminate or waive the fire inspection fee.

b. Licensure

- i. By September 30, 2010, CFSA will modify and update administrative processes to facilitate a more timely licensing process. These include:
  - a. beginning the home studies process earlier during pre-service training;
  - b. beginning 30/60/90 day reviews of each applicant completed by the licensing supervisor and worker; and
  - c. streamlining the required documents.



9. LEGAL ACTION TO FREE CHILDREN (Strategy Plan to Achieve Outcome 15)

Beginning with petitions to Terminate Parental Rights (“TPRs”) filed in January, 2010, OAG will review all pending TPRs regularly and quarterly will provide data to the CFSA Director for use in collaboration with the Court on cases that have not been resolved. For any TPR pending more than six months without appropriate court action scheduled to move the matter forward, OAG will take appropriate action to attempt to move the case to disposition.

10. TIMELY ADOPTION (Strategy Plan to Achieve Outcome 16)

a. Policy

- i. By December 1, 2010, CFSA will formulate and publish official agency policy describing how permanency planning is to be undertaken and how permanency goals are to be facilitated and achieved including clarifying the roles of permanency specialists, social workers with case-management responsibility, private agency social workers and adoptions workers.

b. Practice

- i. CFSA will immediately and on an ongoing basis assure the effective and routine use of the Permanency Opportunities Project model to achieve timely permanency for children.
- ii. For children not in an approved adoptive placement, CFSA shall convene a permanency planning team meeting to develop a child-specific recruitment plan, which may include contracting with a private adoption agency for those children without an adoptive resource.
- iii. CFSA social workers will provide the referral package to the matching unit to determine if a waiting family is a good match for the child; CFSA will ensure the matching unit sends the referral package to the recruitment unit if no available match for child specific recruitment.
- iv. Beginning June 1, 2011, CFSA recruitment staff will use web-based technology (e.g., social network sites) to locate potential adoption resources.
- v. Beginning in October 2010, CFSA recruitment staff will conduct case mining and Family Finding activities to locate family members.

c. Service Array

- i. By December 31, 2010, CFSA will assess the current array of post-adoptive services. In making this assessment, CFSA will review internal performance and program data and will consult with the Foster and Adoptive Parent Advocacy Center (FAPAC), Adoptions Together, the Post-Permanency Center and others, as appropriate, to identify priority needs and develop plans to meet them.

d. Supervision

- i. The CFSA Out of Home and Permanency Administrators will conduct individual meetings with social workers and permanency specialists as needed to assess barriers and identify strategies to remove barriers that prevent permanence for

those children with a goal of adoption and with an identified resource. Permanency specialists will track and follow-up on actions steps from the permanency barrier staffing every 30 days.

- ii. CFSA recruitment supervisors will review a daily management information system report to track children newly assigned the goal of adoption and working with social workers to complete the referral package if no adoptive resource is identified.

e. Training

- i. By June 2011, CFSA recruitment staff will be trained in case mining and family engagement to enhance capacity for identifying and engaging potential permanency resources.

f. Quality Assurance

- i. CFSA will track reasonable efforts to ensure children placed in an approved adoptive home have their adoption finalized within 12 months of the placement in the approved adoptive home.
- ii. CFSA will review the status of any child with the goal of adoption without a current pre-adoptive placement to create or revise and implement a child specific recruitment plan. Follow-up meetings will occur every 60 days until a permanent resource is identified.

11. CASE PLANNING (Strategy Plan to Achieve Outcome 17)

a. Quality Assurance

- i. CFSA will immediately and on an ongoing basis ensure that existing case review processes (e.g., QSRs, Structured Progress Reviews, CQI Case Reviews, etc.) are utilized for children in foster care to ensure social work practice is directed toward the timely achievement of permanency (i.e. parent/child visitation, sibling visitation, access to services required to remediate the risk to children in the home).

12. PLACEMENT LICENSING (Strategy Plan to Achieve Outcome 18)

a. Foster Home Licensing

- i. By June 30, 2010, implement an annual licensing and re-licensing calendar and protocol to ensure that all foster homes are licensed and re-licensed timely and accurately reflected in FACES that includes:
  - a. a supervisory review of assigned foster homes due for licensure and re-licensure;
  - b. the due dates and expiration dates for all foster home; and
  - c. postcard reminders to all foster parents.
- ii. By September 30, 2010, create and implement a manual documentation protocol that serves as back-up tracking of foster parent compliance with required training.

b. Congregate Care Licensing

- i. By June 30, 2010, implement an annual licensing and re-licensing calendar and protocol to ensure that all congregated care facilities are licensed and re-licensed timely and accurately reflected in FACES that includes:
  - a. a supervisory review of assigned congregated care facilities due for re-licensure;
  - b. the expiration dates for all group home and ILP licenses and the schedule of licensing activities and deadlines associated with each re-licensure; and
  - c. memorandum reminders to the CEOs of congregated care facilities up for re-licensure.
- ii. By June 30, 2010, implement notification process to CFSA's Placement Office, Contracts Office and the Congregate Care Contract Management Division in order to alert these offices of any concerns that may adversely affect a contractor's license or the ability to place youth in a congregated care facility.

c. Monitoring

- i. By June 30, 2010, implement performance based monitoring of each private placement agency on a monthly basis, to include a full review of compliance with licensing and all placement standards followed with immediate corrective actions where indicated.
- ii. By September 30, 2010 as a process of monitoring congregated care provider agency compliance with title 29 DCMR chapters 62 and 63, CMPIA will notify the Office of Facility License to report any evidence of noncompliance with the licensing requirements, and ensure agencies develop and implement corrective actions.

**C. GOAL: CHILD WELL-BEING**

13. SIBLING PLACEMENTS AND VISITS (Strategy Plan to Achieve Outcome 20)

a. Policy

- i. Beginning October 1, 2010, for all initial placements and re-entries into foster care, social workers will engage parents, foster parents and kinship caregivers in the development of written visitation schedules outlining when and where sibling visits will occur.
- ii. By December 31, 2010, CFSA will explore the feasibility of and begin to implement strategies to increase visitation between siblings placed apart. These strategies may include, but are not limited to, permitting visitation to occur in the parent's home, expansion of community-based visitation centers, utilization of foster parents to supervise visitation, and utilization of contracted service providers to supervise visitation. CFSA shall prepare and provide a brief report of its research and findings.

b. Practice

- i. Social workers and/or family support workers will follow-up weekly with caregivers to document sibling visitation that occurs outside of CFSA supervision (i.e. contacts children have in the school or community).

c. Supervision

- i. CFSA will ensure supervisory review of every child in foster care with siblings to ensure there is a written visitation plan and clear understanding among the family team as to the visitation plan.

d. Quality Assurance

- i. By September 30, 2010, CFSA will complete an evaluation of sibling groups to understand the barriers to placement and to determine how best to address these barriers.

14. ASSESSMENTS FOR CHILDREN EXPERIENCING PLACEMENT DISRUPTIONS  
(Strategy Plan to Achieve Outcome 21)

a. Policy

- i. By November 1, 2010, CFSA will complete an Administrative Issuance that sets forth the actions to be taken when a placement disruption occurs, including the elements of a required replacement child assessment. The Administrative Issuance will include, but not be limited to, the following:
  - a. Prior to replacement, children will receive a pre-placement health screening.
  - b. Beginning July 2010, the social worker and the Nurse Care Manager, and the family support worker will be provided a record of the medical and behavioral health screening and any other information emanating from the replacement screening.
  - c. Beginning July 2010, the social worker and/or family support worker will schedule a case consultation with the nurse care manager and placement services to conduct a comprehensive assessment of the child within 30 days of the disrupted placement to provide information on the social, behavioral, medical, dental and educational needs of the child.
  - d. The social worker with the support of the nurse care manager and family support worker will identify appropriate services to address any outstanding medical, social, behavioral, dental or educational services required by the child and inform placement services.
  - e. As part of the assessment, the social worker or other designated CFSA staff will consult with the former caregiver to assess reasons for placement disruption and the extent to which support services could have prevented the disruption.

- f. The social worker with the support of the nurse care manager family support workers and placement services will complete a follow-up action plan in the case notes.
- ii. By April 30, 2011, the Administrative Issuance will be used to develop CFSA policy on assessments for children experiencing placement disruptions.

b. Quality Assurance

- i. CFSA will ensure that through monthly, random continuous quality improvement case record reviews, program managers and supervisors will determine if the assessments and plans are occurring and are addressing the child's needs. This is to be in addition to weekly supervision.

15. HEALTH AND DENTAL CARE (Strategy Plan to Achieve Outcome 22)

a. Policy

- i. By October 31, 2010, CFSA will develop and promulgate administrative issuances regarding the Healthy Horizons Assessment Center and Nurse Care Management Model. This administrative issuance, among other things, will define the roles of the assigned social worker, nurse care manager and case aide in ensuring the provision of timely and appropriate medical, dental and mental health care for children in foster care.
- ii. By September 30, 2011, CFSA will develop and promulgate policy based on the administrative issuance and their practice experience.

b. Healthy Horizons Clinic

- i. By September 30, 2010, the Healthy Horizons clinic will be staffed and operational. CFSA will operate an on-site screening center with licensed nurse practitioners for the completion of pre-placement screenings and comprehensive medical evaluations. The full array of responsibilities to be implemented are:
  - a. Provision of medical and behavioral health screening services;
  - b. Engagement of families to complete comprehensive medical, mental, and developmental biological family history;
  - c. Comprehensive mental health screenings completed by co-located mental health professionals, except for those under age 1 and only with the involvement of the biological parent for those under age 8;
  - d. Provision of medical, mental health and developmental information to social workers, family support workers, and co-located mental health professionals to provide a baseline history for providers;
  - e. Serving as a medical information resource within the first month of placement; and
  - f. Medical assistants and/or nurse case managers will work with or follow-up with foster parents and social workers to make dental evaluation appointments.

c. Nurse Care Managers

- i. Beginning July 2010, nurse care managers and/or medical assistants will follow-up with foster parents and social workers to document the completion of the dental evaluations and to advocate for the dental healthcare of children.
- ii. By July 1, 2010, nurse care managers will be assigned to children in foster care at a ratio of 1:100. Nurse care managers are required to facilitate the provision of appropriate services to meet healthcare needs. In collaboration with the assigned social worker, the Nurse Care Manager will be responsible for:
  - a. Coordinating and monitoring health care services over the life of the case;
  - b. Ensuring active Medicaid coverage for the entire time the child is in foster care or otherwise facilitating needed health care;
  - c. Teaming with foster parents and social workers to ensure compliance with required and necessary health care services;
  - d. Engaging in systematic communication, education and coordination of care among health care providers, child welfare professionals and family supports; and
  - e. Ensuring medical plans are integrated into permanency case plans.

d. Needs Assessment and Implementation

- i. CFSA, with DMH, will review the availability of mental health services as identified in the 2007 Children's Mental Health needs Assessment and determine, based on current needs and current capacity, the additional services that are required. Based on that review, by February 2011, CFSA, with DMH, will release a solicitation to provide the services identified. Services to be in place by August 2011.

**D. GOAL: RESOURCE DEVELOPMENT AND SYSTEM ACCOUNTABILITY**

16. TRAINING (Strategy Plan to Achieve Outcomes 27 and 28)

a. Pre-Service Training

- i. By September 1, 2010, CFSA will review and revise the pre-service curriculum to ensure it builds the skills that CFSA believes are needed to implement the case practice model and protocol.
- ii. Beginning September 30, 2010, CFSA will institute a quarterly quality assurance and reconciliation process of CFSA and private agency staff pre-service training data to ensure that staff pre-service training hours are being accurately tracked and monitored.

b. In-Service Training

- i. By September 30, 2010, CFSA will review and revise in-service training to ensure it builds the skills that CFSA believes are needed to implement the case practice model and protocol.

- ii. Beginning September 30, 2010, CFSA will institute a quarterly quality assurance and reconciliation process of CFSA and private agency staff in-service training data to ensure that staff in-service training hours are being accurately tracked and monitored.

c. Supervisory Training

- i. By September 30, 2010, CFSA will modify its existing training tracking and monitoring system to better ensure:
  - a. all newly hired CFSA supervisors complete the required training on child welfare supervision within eight months of assuming supervisory responsibility; and
  - b. training hours are accurately tracked and monitored.
- ii. By September 30, 2010, CFSA, in collaboration with the private agencies, will strengthen and standardize the existing notification, tracking and monitoring system to ensure:
  - a. timely notification of new private agency supervisor hires or internal promotions;
  - b. timely enrollment of private agency supervisory staff in pre-service training;
  - c. completion of supervisory pre-service training within eight months of assuming supervisory responsibilities; and
  - d. accurate tracking and monitoring of training hours.

d. Practice Model

- i. By August 1, 2010, CFSA will complete a revised Training Academy Plan with an enhanced focus on the practice model and incorporate additional training on teaming and improving the quality of visitation.

17. TRAINING FOR FOSTER PARENTS (Strategy Plan to Achieve Outcome 29)

a. Policy

- i. By March 31, 2011, CFSA will propose changes to 29 DCMR § 6026 to align the training requirements to the licensing period.

b. Training Curriculum

- i. CFSA will develop a specialized training curriculum to ensure all foster parents are offered training necessary to accept children with therapeutic needs per the action step to permit dual licensure for all foster placements.

c. Quality Assurance

- i. Beginning December 31, 2010, CFSA will institute a quarterly quality assurance and reconciliation process of foster parent training data to ensure that pre-service and in-service training hours for CFSA and private agency foster parents are being accurately tracked and monitored.

18. SPECIAL CORRECTIVE ACTION (Strategy Plan to Achieve Outcome 30)

a. Quality Assurance

- i. By October 15, 2010, CFSA will develop and implement a plan to review all children and families in special corrective action categories. The plan will include a timeframe for when these reviews will commence.

19. PERFORMANCE BASED CONTRACTING (Strategy Plan to Achieve Outcome 31)

a. Congregate Care Contracts

- i. By August 1, 2010, CFSA will award Congregate Care Human Care Agreements/Tasks Orders that include performance indicators and outcomes.
- ii. By December 1, 2010, CFSA will conduct monthly site visits including:
  - a. record reviews;
  - b. physical plant inspections;
  - c. surveys and interviews with staff and child/youth; and
  - d. semi-annual evaluations of performance based contracts/human care agreements for congregate care services.

b. Foster Care Contracts

- i. By August 1, 2010, CFSA will conduct a technical review of the business plan submissions for case management and family-based foster care services.
- ii. By December 31, 2010, CFSA will award Case Management and Family-based Foster Care Human Care Agreements/Task Orders that include performance indicators and outcomes.
- iii. By April 1, 2011, CFSA will conduct monthly site visits including:
  - a. record reviews;
  - b. home safety inspections;
  - c. surveys and interviews with staff, foster parents and child/youth; and
  - d. semi-annual evaluations of performance based contracts for case management and family based foster care services.
- iv. By September 30, 2010, CFSA will take all necessary action, including any necessary hiring and training, to assure that adequate contract monitoring capacity exists to oversee private contractor performance.

c. Quality Assurance

- i. CFSA will require private agencies to develop internal quality assurance systems for monitoring and evaluating their program performance and to regularly develop and implement improvement strategies. CFSA will ensure that such private agencies implement these measures by December 31, 2010. On or before June 1, 2011, CFSA will provide a brief report on these quality assurance measures.
- ii. Beginning January 2011, CFSA will ensure that, as part of its semiannual assessment, the Contract Monitoring and Program Improvement Administration (CMPPIA) provides feedback, technical assistance, and next step recommendations to private agencies to ensure continuous quality improvements are obtained and/or sustained.



20. INTERSTATE COMPACT FOR THE PLACEMENT OF CHILDREN (Strategy Plan to Achieve Outcome 32)

- a. Policy
  - i. By September 1, 2010, CFSA will seek written agreement with the Maryland Department of Human Resources designed to hold providers serving children in both jurisdictions accountable to complying with ICPC requirements.
- b. Placement
  - i. By December 2010, centralize all placement moves within the CFSA Placement Administration.
- c. Contracts
  - i. By December 31, 2010, CFSA will execute performance based contracts and monitoring for Case Management and Family Based Foster Care Services, which include the expectation of timely licensing of foster homes and submission of documents for ICPC approval.
- d. Quality Assurance
  - i. By December 31, 2010, CFSA will ensure all documentation is submitted for approval of CFSA children currently placed in Maryland.

21. DATA AND TECHNOLOGY (Strategy Plan to Achieve All Outcomes)

- a. Data Capacity
  - i. Within 180 days of the Court's Order approving the *LaShawn A. Implementation and Exit Plan*, CFSA, in consultation with the Monitor, will develop the capacity to produce accurate data on commitments made in the 2010-2011 *LaShawn A. Implementation and Exit Plan*.
- b. Data Sharing
  - i. Beginning December 31, 2010, CFSA will publish on its website an expanded array of data relating to commitments in the *LaShawn A. Implementation and Exit Plan*.

22. FEDERAL REVENUE CLAIMING (Strategy Plan to Achieve Outcome 35)

- a. By September 30, 2010, CFSA, with assistance from the federal revenue consultant, will submit a revised cost allocation plan to federal officials.
- b. By December 31, 2010, CFSA in consultation with DHCF will assess the feasibility and desirability of submitting a revised Medicaid state plan amendment to federal officials to permit additional appropriate Medicaid plans in placement settings and make formal recommendations to the City Administrator.