

Rhode Island Department of Children, Youth & Families
Andrew C. v Raimondo Monitoring Team Report
Amendment to Reports from Reporting Periods #1 and #2

As outlined in the Settlement Agreement described in the case of Andrew C. v. Raimondo, the Monitoring Team is comprised of the Office of the Child Advocate (OCA) and the Data Validator. The Data Validator has since been hired by the Rhode Island Department of Children, Youth and Families (DCYF) and can be identified as Public Consulting Group, Inc. (PCG). As outlined in Section 2(d) of the Settlement Agreement, the Data Validator is the "...final arbiter of the timeliness, accuracy of the methodology, as well as the statistical validity and reliability of the DCYF data..." As outlined in Section 2(f) of the Settlement Agreement, the Office of the Child Advocate (OCA) shall provide oversight to the commitments in the Agreement. The OCA "...shall receive and review the progress reports that have been determined to be valid and reliable by the Data Validator." The OCA "...shall confirm whether the commitment has been met or not met."

As part of its responsibility under the terms of the Settlement Agreement, the Monitoring Team produced reports summarizing DCYF's performance on a series of outcomes during the six-month reporting periods of July 1, 2018–December 31, 2018 (Reporting Period #1) and January 1, 2019–June 30, 2019 (Reporting Period #2).

Section 2 of the Settlement Agreement describes the commitment of DCYF to not place any children in an Assessment and Stabilization Center (ASC), unless a permitted "exception" applies, one of which is that:

... The placement is an emergency removal and immediate removal is necessary, and using professional judgment this placement is in the best interest of the child."

Similarly, Section 3 of the Settlement Agreement describes the commitment of DCYF to minimize the number of children placed in a congregate setting, unless a permitted "exception" applies. Similar to Section 2, Section 3 indicates that a valid reason for such an exception is that

... The placement is an emergency removal and immediate removal is necessary, and using professional judgment this placement is in the best interest of the child, and DCYF is working to identify a placement in another family-like setting..."

In its reports from each of those first two reporting periods, the Monitoring Team requested that the Data Validator have the opportunity to review the cases for which this "professional judgment" exception was noted, providing an "opportunity to ensure [that] the process is followed and to verify whether cases met this exception..." The Monitoring Team has been given the opportunity to review all cases for which the "professional judgment" exception was noted.

- One case reflected the exception for Section 2 (Assessment & Stabilization Centers) for the July 1, 2018-December 31, 2018 Reporting Period #1.
- Eight cases reflected the exception for Section 2 (Assessment & Stabilization Centers) for the January 1, 2019–June 30, 2019 Reporting Period #2.
- Two cases reflected the exception for Section 3 (Congregate Care) for the July1, 2018–December 31, 2018 Reporting Period #1.
- Eight cases reflected the exception for Section 3 (Congregate Care) for the January 1, 2019–June 30, 2019 Reporting Period #2.

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In each of those sixteen cases, the Data Validator reviewed the case activity surrounding the placement in an ASC or congregate care setting, including assessments conducted regarding the needs of the child and the case notes and case activities recorded in Rhode Island's RICHIST (the Rhode Island Children's Information System). In each of the sixteen cases, the Data Validator found sufficient documentation of the decision-making process which underlay the caseworker's exercise of professional judgment.

The Monitoring Team is therefore able to consider as fully validated DCYF's performance during the first two Reporting Periods as it relates to Sections 2 and 3 of the Settlement Agreement, and will support DCYF Notice of Exit for those two sections, effective June 30, 2019 (at the conclusion of the second Reporting Period).