

Pennsylvania Citizen Review Panels' 2016 Annual Report

Collaboration Statement

The Citizen Review Panels' Annual Report was produced in collaboration with individual citizen review panels, the Department of Human Services' Office of Children, Youth, and Families, the Pennsylvania Child Welfare Resource Center, and the Pennsylvania Children and Youth Administrators, Inc.

The Mission and Vision of the Citizen Review Panels

Mission: To facilitate citizen participation and provide opportunities for citizens to evaluate state and local child protection systems to ensure that these systems: provide the best possible services; prevent and protect children from abuse and neglect; and meet the permanency needs of children.

Vision: Children will be safe; placed timely in stable, permanent living arrangements; have the opportunity for continuity of relationships; and have the opportunity to develop to their full potential.



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COMMONWEALTH OF PENNSYLVANIA

Dear Citizens:

Thank you for taking a moment to read the Pennsylvania Citizen Review Panels' (CRP) 2016 Annual Report. The panels are represented by a wide array of citizen volunteers who join together to conduct comprehensive reviews of state and local child protection responsibilities and offer collaborative solutions to identified challenges. The panels play an important role in efforts to promote positive child welfare outcomes for children and families. The panels are part of a national network of panels and more information about each state's CRP can be found on the National Child Abuse and Neglect Technical Assistance and Strategic Dissemination Center website at www.cantasd.org/crp.html.

The CRP 2016 Annual Report contains an update on the panels' work over the past year and their recommendations for enhancements in policy, procedure, and practice within the commonwealth's child protection system. The panels' thought-provoking recommendations and the department's response to those recommendations are contained within this report. Within their recommendations and rationale, I hope you will see their deep commitment to the protection of Pennsylvania's children.

I would like to especially thank the CRP Chairpersons who tirelessly lead their teams in this difficult work: Phyllis Dew and Jason Raines. Each year, the department's review of the CRP recommendations provides an opportunity to discuss the accomplishments and challenges of the child welfare system while engaging in meaningful dialogue on how to meet these challenges.

Protecting Pennsylvania's children from abuse and neglect is a vitally important responsibility. Child protection requires the collective collaboration of lawmakers, community partners, the child protective services system, citizens, and families to provide local safety nets for children and families who are facing challenges within our communities and neighborhoods. All Pennsylvanians have an obligation to protect and keep our children safe.

We sincerely thank the CRP for their diligent work and dedication to system improvement, and look forward to our ongoing collaboration as we tackle the very serious issue of child protection. We hope that this report will become part of the larger conversation about each of our responsibilities in protecting Pennsylvania's children.

Sincerely,

A handwritten signature in black ink that reads "Cathy A. Utz".

Cathy A. Utz
Deputy Secretary

Pennsylvania Introduction

Commonwealth of Pennsylvania

Pennsylvania consists of 67 counties covering 44,817 square miles and is home to approximately 12.7 million residents. The city of Philadelphia is the largest metropolitan area within the six-county Southeast region, which includes Philadelphia, Berks, Bucks, Chester, Delaware and Montgomery counties and encompasses approximately 35 percent of the total statewide population. Allegheny County is the second largest metropolitan area and includes the city of Pittsburgh and its surrounding suburbs. The diversity across Pennsylvania's urban, suburban, and rural areas creates the need for both flexibility and consideration of regional, county, cultural, and other differences in the child welfare and juvenile justice systems.

Structure of Child Welfare

Pennsylvania is one of 12 states that operates a state-supervised but county-administered child welfare system. The county-administered system means that child welfare and juvenile justice services are organized, managed and delivered by 67 County Children and Youth Agencies (CCYA), with staff in these agencies hired as county employees. Each county elects its county commissioners or executives who act as the governing authority. Pennsylvania has a rich tradition of hundreds of private agencies delivering the direct services and supports needed by at-risk children, youth, and their families through contracts with CCYAs. The array of services delivered by private providers includes prevention, in-home, foster family, kinship care, and congregate care. Permanency services including adoption and a variety of related behavioral health and education programs.

The Department of Human Services' Office of Children, Youth and Families is the state agency that supports the provision of quality services and best practices designed to ensure the safety, permanency and well-being of Pennsylvania's children, youth, and families. There are some intrinsic differences in operating a state-supervised and county-administered system, which impacts statewide outcomes for children and families. Within this structure, Pennsylvania provides the statutory and policy framework for delivery of child welfare services and monitors local implementation. Given the diversity that exists among the 67 counties, this structure allows for the development of county-specific solutions to address the strengths and needs of families and their communities. Each county, through planning efforts, must develop strategies to improve outcomes.

This structure also presents challenges in ensuring consistent application of policy, regulation, and program initiatives and has impacted Pennsylvania's performance on federal outcome measures. These federal measures require county-specific analysis to determine the factors that influence statewide data. Because of the variance in county practice, it is challenging to identify statewide solutions that would have the most impact on improving county outcomes.

Over the past year, the department has taken a closer look at how to best support the CRPs in fulfilling their legislative responsibilities. First and foremost, this work involves looking at effective ways to address member recruitment issues noted in previous annual reports. The department is exploring ways in which the panels could be structured to avoid duplication of efforts, providing greater access to data, having support in interpreting data, increasing connections to other child and family serving agencies and having greater impact on the recommendations that drive state child welfare planning efforts.

This is an important and timely discussion as the department held the first official convening of the Pennsylvania Child Welfare Council (Council) in November of 2016. The Council was formed to provide shared leadership and guidance to support collaborative strategic visioning for Pennsylvania's child welfare system. Efforts of the Council are aligned with OCYF's mission, vision, values, and PA's Child Welfare Practice Model. The Council exists to:

- Help build a sustainable structure to support collaborative strategic visioning for PA's child welfare system;
- Foster a unity of effort to achieve common and shared goals by sharing ideas/expertise in guiding priorities for the child welfare system, sharing data to identify priorities/monitor achievement of goals, and considering how best to ensure the system has the capacity/resources to support achievement of common goals;
- Enhance communication based on shared values of respect and honesty by reinforcing clear and transparent communications regarding the strengths/challenges of the system;
- Increase proactive responses to address systemic issues and concerns; and
- Enhance capacity to use data to drive decision-making.

While the Council is still in the forming stages and exploring how best to structure the work, they are envisioning the formation of four subcommittees which will focus on four distinct areas of child welfare practice including: Safety, Permanency, Well-Being and Resources.

As the Council is formalizing the work of the subcommittees over the spring and summer of 2017 the department anticipates that outreach will be done to a variety of regional and statewide groups including the CRPs. The Council's ultimate goal will be to streamline the work, increase capacity, and support joint guidance efforts of multi-system partners. The department will continue to explore ways to strengthen the CRPs' connection to state planning and to increase their capacity in driving decision-making within child welfare.

Pennsylvania and the Child Abuse Prevention and Treatment Act – A Brief History

The key federal legislation addressing child abuse and neglect is the Child Abuse Prevention and Treatment Act (CAPTA), originally enacted in 1974 (Public Law 93-247). This Act was amended several times, and was most recently amended on July 22, 2016 when the Comprehensive Addiction and Recovery Act of 2016 (P.L. 114-198) (CARA) went into effect. CARA amended CAPTA to require a Plan of Safe Care for infants exposed to substances. CARA requires states to address the needs of infants born with and identified as being affected by substance abuse (not just illegal substance abuse as was the requirement prior to this change) and to ensure the safety and well-being of infants following their release from the care of health care providers, by:

- Addressing the health and substance use disorder treatment needs of the infant and affected family or caregiver; and
- Monitoring these plans to determine whether and how local entities are making referrals and delivering appropriate services to the infant and affected family or caregiver (in accordance with state requirements); and
- Developing Plans of Safe Care for infants affected by substance abuse, which address both the needs of the infant and the affected family or caregiver.

These 2016 changes were made in the context of attention generated by the nation's prescription drug and opioid epidemic, which has focused state agencies on the requirement that a Plan of Safe Care be implemented for these infants.

CAPTA provides federal funding to states in support of prevention, assessment, investigation, prosecution, and treatment activities. CAPTA also provides grants to public agencies and non-profit agencies, for demonstration programs and projects. Additionally, CAPTA identifies the federal role in supporting research, evaluation, technical assistance, and data collection activities; establishes the Office on Child Abuse and Neglect; and mandates the National Clearinghouse on Child Abuse and Neglect Information. CAPTA also sets forth a minimum definition of child abuse and neglect.

Some of the changes Pennsylvania adopted to become compliant required amendments to the Child Protective Services Law (CPSL) and the Adoption Act. Other changes only required administrative implementation for which no legislation was needed. Pennsylvania became CAPTA compliant in 2006. Legislative changes regarding CAPTA compliance have included:

Legislative Changes

Amendments were made in the following areas:

- Confidentiality - Allowing federal agencies access to confidential information
- Citizen review panels
- Public disclosure of fatalities and near fatalities
- Infant prenatal substance exposure - Mandating that hospitals make a general protective services referral to the local county agency regarding infants born exposed to or affected by illegal substances or a fetal alcohol spectrum disorder. Pennsylvania will require a legislative change to enact the recent CARA amendments.
- Termination of parental rights (TPR) - Added a ninth ground for involuntary TPR when the parent has been convicted of specific crimes in which the victim was a child of the parent.
- Reunification – Not requiring reunification of a surviving sibling with a parent who has been found by a court of competent jurisdiction:
 - to have committed sexual abuse against the surviving child or another child of the same parent; or

- to be required to register with a sexual offender registry or to register with a sexual offender registry in another jurisdiction or foreign country.
- Aggravated circumstances – Added a sixth ground for aggravated circumstances, when the parent of a child is required to register as a sexual offender or to register with a sexual offender registry in another jurisdiction or foreign country.
- Expanded definition of perpetrator of child abuse to include an individual 18 years of age or older who engages a child in severe forms of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (114 Stat. 1466, 22 U.S.C. § 7102).
- Expanded definition of child abuse to include intentionally, knowingly or recklessly engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (114 Stat. 1466, 22 U.S.C. § 7102).

Administrative Changes

Administrative changes were made in the following areas:

- Training for Guardians Ad Litem
- Referrals under Individuals with Disabilities Education Act (IDEA) - Requires children under age 3 who are substantiated victims of child abuse/neglect to receive developmental screening and referral for appropriate services. Pennsylvania chose to use Ages and Stages Questionnaires® (ASQ™) and Ages and Stages Questionnaires ®: Social/Emotional (ASQ:SE™) as the statewide screening tool.
- Coordination and consultation within healthcare facilities - Required coordination between health care facilities and local children and youth agencies for situations involving the withholding of medically indicated treatment.

Pennsylvania Legislation

To support compliance with CAPTA in PA, House Bill 2670, Printer's Number 4849 was signed into law as Act 146 on Nov. 9, 2006 by Governor Edward G. Rendell. Act 146 amended Pennsylvania's CPSL (Title 23 Pa.C.S., Chapter 63) to address the establishment, function, membership, meetings and reports as they relate to Citizen Review Panels (CRP) in Pennsylvania. Act 146 required that the Department establish a minimum of three CRPs and that each panel examine the following:

1. Policies, procedures and practices of state and local agencies and, where appropriate, specific cases to evaluate the extent to which state and local child protective system agencies are effectively discharging their child protection responsibilities under Section 106 (b) of the Child Abuse Prevention and Treatment Act (Public Law 93-247, 42 U.S.C. § 5106a (b)).
2. Other criteria the panel considers important to ensure the protection of children, including:
 - i. A review of the extent to which the state and local child protective services system is coordinated with the foster care and adoption programs established under part E of Title IV of the Social Security Act (49 Stat. 620, 42 U.S.C. § 670 et seq.); and
 - ii. A review of child fatalities and near fatalities.
3. Membership – The panel shall be composed of volunteer members who represent the community, including members who have expertise in the prevention and treatment of child abuse and neglect.
4. Meetings – Each Citizen Review Panel shall meet not less than once every three months.

5. Reports – The Department of Public Welfare (now the Department of Human Services) shall issue an annual report summarizing the activities and recommendations of the panels and summarizing the department’s response to the recommendations.

Citizen Review Panel Letter

Dear Citizens,

We, the chairs of Pennsylvania's Citizen Review Panels (CRP), are pleased to submit the 2016 Annual Report. We submit this report on behalf of Pennsylvania's CRP members who have worked diligently over the past year to develop recommendations to improve policy, practice and procedure in the State's child welfare system.

Over the course of 2016, as in previous years, we have had the opportunity to work directly with the Department of Human Services (DHS) and county child welfare agencies to hear the different perspectives that shape and inform the current child welfare system. Over the past year we have reviewed crucial data collected at the county, state, and national level and we have also met with individual counties to hear about how current challenges within the child welfare system affect their work on a micro level. We have been given authority to view data but we also recognize and value the need to consider the personal accounts that contribute to the larger picture.

This year both panels ventured onto new focus areas after ending our work with the Interstate Compact on the Placement of Children and the retention and recruitment of resource parents. The Northeast Panel took on the subject of older youth within the child welfare system while the South Central Panel turned its focus to two areas: funding for child welfare during a budget impasse and retention and recruitment of caseworkers. These topics were the product of our communication with child welfare agencies regarding current challenges in the system. Our recommendations this year reflect changes we feel are necessary based on the information we gathered from a variety of sources.

As panels designed for the purpose of informing positive changes to the child welfare system, we remain committed to advocating for policies and taking action to support those who need it the most. We take seriously our responsibility to help improve outcomes for Pennsylvania's children and we will continue to work diligently to pursue issues that influence children and child welfare agencies throughout the state.

Thank you, in advance, for taking the time to read our 2016 annual report and for your interest in our work. In 2017, the Pennsylvania Citizen Review Panels will continue advocating for all of Pennsylvania's children so that they can flourish in a safe, nurturing, healthy, and permanent family. If you have any interest in serving on a Citizen Review Panel, please contact the Pennsylvania Child Welfare Resource Center at 717-795-9048 or by email at pacrp@pitt.edu

Sincerely,

Jason Raines
Northeast Chair

Phyllis J. Dew
South Central Chair

2016 Citizen Review Panel Annual Report: Executive Summary

The individual reports of Pennsylvania's Citizen Review Panels, which start on page 11, were written by panel members. The panels are regionally located, however, the recommendations address statewide issues and therefore benefit Pennsylvania's Department of Human Services (DHS). For more information about the individual panels, please contact the Pennsylvania Child Welfare Resource Center at (717)795-9048 or by email at pacrp@pitt.edu.

Both panels embarked on new focus areas this year and although readers may notice that there are fewer recommendations than past reports, the recommendations that the panels do give are well informed and relevant to the work they completed over the course of the year. As they continue in 2017 to gather data and participate in activities related to their current topics, panels anticipate again having multiple strong recommendations in the coming year. Over the course of 2016, the panels continued to collaborate with DHS and members were invited to participate in a variety of statewide groups. Some examples of this continued collaboration include:

- Participation by CRP members in statewide workgroups and activities such as:
 - Child Fatality/Near Fatality Trend Analysis Team
 - H.R. 4980 Sex Trafficking Workgroup
- Participation by CRP members in a DHS Sponsored All Panel Meeting and presentations. Topics discussed in this meeting included:
 - Pennsylvania's Child and Family Services Review
 - Updates on the status of the panels' previous recommendations
 - Review of available data sources
 - College funding currently available for youth currently or previously in foster care
- Participation by CRP members in statewide events related to their focus areas and/or training opportunities to support them in fulfilling their roles as CRP members. Events that panel members attended included:
 - The National Citizen Review Panel Conference
 - Award ceremony and banquet of the Annual Older Youth Retreat
 - Two House Children and Youth Committee Hearings on caseworker retention
 - Statewide Adoption Network/Independent Living 2016 Statewide Meeting

The next two sections contain the individual reports written by the Northeast and South Central CRPs. While each report has a different focus area, they both have four primary components:

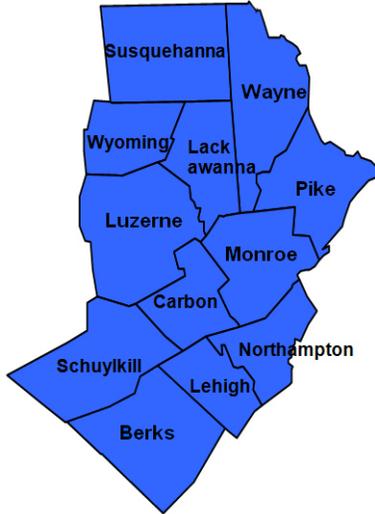
- Background information regarding the current topic area(s);
- Summary of the work done throughout the year related to the topic area;
- Formal recommendations for DHS; and
- Proposed areas of focus for the upcoming year.

We hope that you find these reports informative and we encourage you to contact us if you have questions about the content of the report or if you have an interest in becoming a member. Additional information is available by calling the Pennsylvania Child Welfare Resource Center at 717-795-9048 or by emailing the CAPTA Program Specialist at pacrp@pitt.edu .

2016 Citizen Review Panel Annual Report
Northeast Citizen Review Panel Report and Recommendations

Introduction:

The Northeast Citizen Review Panel (NE CRP) serves twelve Pennsylvania counties and currently has five members serving on the panel. Information on the current work of the panels and membership can be found at www.pacwrc.pitt.edu/CAPTA.htm.



The mission of the Pennsylvania CRPs is to facilitate citizen participation and provide opportunities for citizens to evaluate state and local child protection systems to ensure that these systems:

- Provide the best possible services;
- Prevent and protect children from abuse and neglect; and
- Meet the permanency needs of children.

The vision is that children will be safe; placed timely in stable, permanent living arrangements; have the opportunity for continuity of relationships and have the opportunity to develop to their full potential.

After spending three years on the Interstate Compact on the Placement of Children (ICPC), the panel shifted its focus at the start of 2016 to consider issues facing older youth in the child welfare system and to support change and implementation around this topic. We chose this topic after some members attended the 2015 National Citizen Review Panel Conference and heard several speakers, both youth and adults, expound on the challenges of older youth within the child welfare system. The panel felt this topic was relevant and should be spotlighted.

Overview of the Focus Area:

Older youth within the child welfare system have a unique set of challenges. They are faced with an overwhelming number of adult decisions to make and oftentimes are not able to rely on family to help guide them as they make important transitions. These youth are at an age in which they can begin working, driving, and completing various other independent tasks but find themselves without appropriate resources and freedoms to take those steps in gaining autonomy. As an answer to part of this issue, the “Reasonable and Prudent Parent Standard” was passed into federal law (Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183)) and state law (Activities and Experiences for Children in Out-of-Home Placements Act (Act 75 of 2015)), allowing caregivers of children in care to decide what activities those children may participate in rather than requiring caseworker approval. This law focuses on normalcy for children and youth in care in order to promote dignity and respect.

The panel delved further into this topic area with the purpose of addressing the unique needs of older youth in care. To understand the work that the panel has done over the past year and to provide context to our recommendations, the next several pages will lay out the definition of older youth and will outline the work we have done leading up to finalizing our recommendations for 2016.

Who qualifies as “older youth”?

Older youth can generally be described as those individuals age 16 to 21 years who are or have been in out-of-home care and who are eligible for Independent Living (IL) services. As the 2014 Youth Independent Living Services Guidelines Bulletin states, IL is a voluntary service and provides a free safety net to access additional services including:

- Daily living skills;
- Home management;
- Budgeting and money management;
- Career and educational planning;
- Housing assistance; and
- Mentoring.

What are the specific needs of older youth in care?

Older youth often face a myriad of decisions as they move towards “aging out” of care and becoming more independent. They may start thinking about living on their own and providing for themselves, graduating high school and starting a career or attending college, and finding the right insurance to meet their medical needs. While in care they may look to obtain a job to develop a greater sense of autonomy, they may need assistance with applying to colleges or technical schools and with paying for those applications, or they may want to open a savings or checking account. Along with growing older comes increased responsibility and pressure. These youth often do not have the financial and moral support of a biological family unit. Their opinions, desires, and goals may not be considered like those of their peers who are not in care. Therefore, these youth require specific services such as IL to help identify their needs, whether it be budgeting, finding a job, getting a driver’s license, finding housing, applying to college, or a combination of any or all of these.

Children 16+ Served during FFY 2015		
Age Calculated as of Date of Discharge or 9/30/2015		
Setting	#	%
Unknown Setting	29	0.55%
Pre-Adoption Home	29	0.55%
Family Foster Home (Relative)	829	15.64%
Family Foster Home (Non-Relative)	1,082	20.41%
Group Home	1,268	23.92%
Institution	1,242	23.43%
Supervised Independent Living	416	7.85%
Runaway	275	5.19%
Trial Home Visit	131	2.47%
Total	5,301	100.00%
Children 18+ Re-Entering Care during FFY 2015		
Age Calculated as of Date of Entry		
Total	285	

Highlights and key activities in 2016 - At the end of 2015, the NE CRP completed its work with the Interstate Compact Placement of Children (ICPC) and shifted its focus to supporting and advocating for older youth in the child welfare system. The first half of the year was spent gathering information in order to narrow the focus on specific issues currently facing youth in care. The panel requested and were given statewide data related to older youth and IL which included:

- Pre-Site Visit Questionnaires for counties across the state;
- Site visit reports for all Northeast counties;
- Grants approved per county;
- Quality Service Review (QSR) data relating specifically to older youth receiving services; and
- IL Monitoring Plans for Northeast Counties.

Other data/information reviewed by the panel this year included:

- Report of the Recommendations of Another Planned Permanent Living Arrangement (APPLA) work group to the General Assembly;
- National Youth in Transition Database Cohort One data;
- OCYF Bulletin: Youth Independent Living Services Guidelines; and
- Pennsylvania Higher Education Assistance Agency (PHEAA) Chafee Grant information.

With this information we narrowed our focus by identifying trends in challenges within the Northeast counties and further exploring those specific areas. The panel observed the following trends when viewing the data for the Northeast counties:

- Low amount of transportation to various activities;
- Failure to complete credit checks for all youth 16 and older;
- IL staffing issues (turnover);
- Lack of youth involvement in the Youth Advisory Board (YAB);
- Poor resource family engagement; and
- Low youth attendance at court hearings.

In addition to viewing the data, members also participated in a number of additional activities to further support older youth and to gain understanding of common challenges they face within the child welfare system. These activities included:

- Participation in a local and regional Youth Advisory Board (YAB) meetings;
- Attendance at the Annual Older Youth Retreat banquet held at the University of Pittsburgh at Johnstown;
- Outreach to local YAB members for further clarification on their recommendations for Developmentally Appropriate Freedoms;
- A fact finding meeting with the staff at Northampton County;
- Participating in Lehigh Valley Youth Homeless Census;
- Attendance at the Statewide Adoption and Permanency Network/Independent Living Summer Statewide Meeting in Pocono Summit, PA; and
- Inviting Independent Living youth to submit to the Favorite Poem Project of Bethlehem's Public Reading.

In addition to the panel's work around older youth, members also participated in a number of additional activities as a way to try to improve the care and treatment of children in the child welfare system. These activities included:

- Meeting with members of the Office of Children, Youth and Families to review the status of past recommendations;

- Participating in PA Trend Analysis Team for Child Fatalities & Near Fatalities;
- Co-chairing the Preventing Human Sex Trafficking Work Group; and
- Presenting at the National Citizen Review Panel Conference in Arizona.

Northeast Citizen Review Panel Recommendations for 2016

- It is the panel's recommendation that the State develop and implement a database to keep track of placements for children in care when they move among counties in the state. This will help with finding permanent connections for the youth prior to the youth aging out of care.
- It is the panel's recommendation that the State create a system to ensure that the most recent foster/resource parents are notified of their past foster youth returning into care after the age of 18. This is contingent upon consent of the youth.
- It is the panel's recommendation the State creates a regional public relations campaign that highlights just older youth in foster care and expresses the need for qualified foster/resource parents to provide a home and act as a long-term resource after the child ages out of care.
- It is the panel's recommendation the State review and respond to the ability to implement the following items, as listed in the Pennsylvania Youth Advisory Board's "Developmentally Appropriate Freedoms and Normalcy Recommendations." See Appendix A for the unabridged Developmentally Appropriate Freedoms and Normalcy document which can also be accessed at this link: [2016 YAB DAF Recommendations](#). Recommendations from this document are as follows:
 - Youth should have support in order to access social and school activities that promote healthy physical and emotional lifestyles.* This would include all placement settings, including congregate care. Agency policies should be put into place to remove frequent barriers such as approval process, transportation, and funding to ensure youth participation in these activities.
 - In addition to what is already required under the Children in Foster Care Act, youth should have access to a "know your rights" training.* The YAB would like ongoing monitoring of agency's grievance policies to ensure youth are updated and informed about the status of their filed grievances.
 - Youth should have access to an objective mediator who can support them when there are disagreements with caregivers and staff.* An open dialogue should be encouraged between youth and their current or prospective caregiver. While not every decision may be in the hands of the youth, communication is important in the development of healthy relationships. Even if a decision must be made without the youth, or contrary to the will of the youth, the reasons behind that decision can be explained to them.
 - Implementing the use of the Teen Success Agreement (TSA) as a living document. The TSA is a "youth developed" guide and agreement for older youth, caregivers, and social workers that helps facilitate a discussion about age appropriate activities and opportunities for youth. The YAB recommends incorporating the TSA in permanency planning, and encourages that it be discussed at permanency review hearings. YAB also recommends utilizing the document with every new placement for youth. The TSA has youth developed

practices to address their concerns in a way that helps a youth feel normal and supported as they transition to adulthood.

- Youth's privacy should be protected, and humiliation should not be used as a method of punishment. Ensuring a youth's information is confidential and only shared when necessary will go a long way in helping them feel normal and adjusted. Sharing personal information and using forms of punishment that humiliate a youth often do more harm than good.
- Preplacement visits are best practice and vital to the success of a youth's placement. Youth would like more opportunities to visit the homes of prospective caregivers. This helps build relationships and supports effective communication. Preplacement visits allow youth to share information about themselves and what makes them feel comfortable. It also provides an opportunity for youth to clarify information in their case file.
- Resource parents and placement staff should be trained and supported in providing developmentally appropriate freedoms to youth in their care. This is crucial to the success of youth transitioning to adulthood.* Agency policies and monitoring should be put into place to ensure youth have the optimum level of freedoms and or responsibilities in accordance with their level of development and dependability.
- Relationships with family members and siblings should remain intact. Maintaining contact with family and permanent connections is important to a youth's well-being. Siblings should have visits regularly when they are not placed together. Distance and funding are not valid reasons to keep siblings apart. Agency policies and monitoring should be put into place to ensure siblings have regular visits in addition to maintaining contact with each other. Additionally, whenever possible, youth should be made aware of their sibling's progress and how they might be able to support them.

*The recommendations that are currently required under P.L. 113-183 and PA Act 75 are included with an *. For more information, links to these two laws are included in the Resource Section of these Recommendations.

Northeast Panel Proposed Focus Area/Activities for 2017

The panel plans to continue advocating for older youth within the child welfare system as we move forward. We are looking forward to engaging in activities that further our focus and help us gain a better understanding of the challenges that older youth face, including:

- Reviewing data that informs our focus area;
- Attendance at regional Youth Advisory Board meetings in which we can gain insight into our focus areas and receive feedback from youth on our efforts; and
- Exploring barriers to youth obtaining driver's licenses and being able to drive. Those barriers include inability to obtain insurance, liability of counties, willingness of people to allow youth to obtain their driver's licenses, and contractual obligations. The panel hopes to gain necessary information regarding these and any other barriers in this area from the department during the upcoming All Panel Meetings.

Additionally, while continuing to advocate for older youth within the child welfare system, as a panel we will continue to monitor our past recommendations.

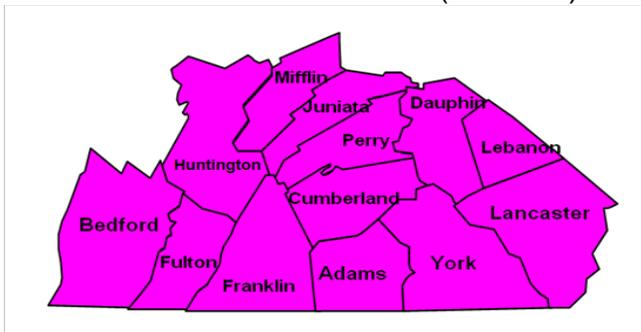
2016 Citizen Review Panel Annual Report South Central Citizen Review Panel Report and Recommendations

Introduction:

The mission of the Pennsylvania CRPs is to facilitate citizen participation and provide opportunities for citizens to evaluate state and local child protection systems to ensure that these systems:

- Provide the best possible services;
- Prevent and protect children from abuse and neglect; and
- Meet the permanency needs of children.

The South Central Citizen Review Panel (SC CRP) serves 13 of Pennsylvania's 67 counties.



Over the last two years, membership on the panel has fluctuated and in 2016, two new members joined the panel and one member resigned. As a panel we are dedicated to ensuring that the needs of Pennsylvania's children are being met within the current system. If you are interested in joining our effort, contact the Pennsylvania Child Welfare Resource Center CAPTA Coordinator at PACRP@pitt.edu.

Overview of the Focus Areas:

In June 2015, Pennsylvania CRPs hosted a "panel discussion" for their All Panel Meeting in which they invited DHS staff from the central office and the child abuse hotline and also invited county administrators and caseworkers to talk about how the implementation of the Child Protective Services Law (CPSL) has impacted children, families and agencies and the current challenges facing child welfare. After learning first-hand the scope of the impact, the South Central panel decided to shift its priority areas for 2016 to focus on retention and recruitment. This decision was based on three factors which included:

- The large turnover rates of county caseworkers;
- The panel's perception that counties were in "crisis mode" due to having to adapt to the new implementation; and
- That without adequate staffing, children were at risk.

Also, several concerns were raised regarding retention and recruitment, including:

- A significant increase in caseload sizes in most counties due to the increase in mandated reporting;
- Turnover had significantly increased in all counties represented;
- Workers were overwhelmed with the amount of work;
- Increased paperwork created longer hours and higher burnout rates; and

- More support was needed for workers in the field.

Another topic that arose late in 2015 was that of the budget impasse. Panel members were concerned about the lack of funding provided to child welfare agencies and the impact that this may ultimately have on children and families. As the impasse persisted and child welfare agencies struggled without adequate funding, the panels decided to also pursue this topic in hopes of gathering more information to support the prevention of a lack of funding for child welfare agencies during future budget impasses.

History of the Budget Impasse

On June 30, 2015, Governor Tom Wolf vetoed the budget sent to him by the Republican controlled House and Senate and the new fiscal year began the following day without an enacted state budget. The House Republicans failed to override the governor's budget veto in August. It was around this time that child welfare agencies experienced the effects of the lack of funding that resulted from the budget impasse. Administrators were told that because children are wards of the counties, that child welfare is a county obligation; however, county child welfare state funding had stopped because services were not classified as "essential" by the administration. Some agencies became unable to pay employees and some had to defer payments while others worked on a line of credit or borrowed from another agency. Meanwhile, employees were expected to continue traveling for work without proper compensation.

In September, Governor Wolf vetoed a stopgap budget sent to him by the legislature. In October, a lawsuit was filed by the Pennsylvania Council of Children, Youth and Family Services and a hearing was held that focused on the essential nature of child welfare and children's behavioral services. However, purchased services remained nonessential through the end of December. In December 2015, Governor Wolf and lawmakers agreed to a \$23.4 billion emergency funding budget which provided enough funding for schools and human services to be able to continue operating but did not provide a full year's funding for critical human services such as abuse victims, seniors, and people with disabilities. Finally, on March 23, 2016, Governor Wolf announced that he would allow the Republicans' supplemental spending plan to become law without his signature, meaning that the budget was finally passed and funding was released.

During the 2015-2016 budget impasse, the Administration exercised the authority to identify those programs and services which would continue to be funded without disruption; payments for continuing operations in areas that affect the health, safety, and protection of PA residents were deemed essential. Federal funding requirements also motivated the funding of services without disruption. While some human services were funded during the impasse, child welfare was missing from the list of those services deemed essential. In Senate Bill 1129, which was introduced in January 2016 and referred to Appropriations in March 2016, wording includes payment to counties for human services including children and youth programs. This bill states that in order for a service to qualify as "critical", the line item must have received an appropriation during the prior fiscal year. However, the bill's language does not specifically state that payments should be included for in-home, community based, prevention and placement services purchased through contracts with private providers.

Why is this important to us?

Throughout the budget impasse, the consequences of failing to deem child welfare and children's behavioral services as "essential" became reality for a majority of agencies throughout the state. Although the Office of the Budget posted an FAQ document (see Appendix B) during this time stating that the "Commonwealth will continue to make payments and continue operations in all areas that affect the health, safety, and protection of Pennsylvanians," services to children and youth in the child

welfare system were not included on this list. Agencies were not receiving funding which resulted in many employees not being paid. Employees became frustrated and some left their positions.

Because providers were not funded during the budget impasse, families, children and agencies experienced increased instability. The very agencies who are responsible for ensuring the protection and safety of our state's most vulnerable citizens were therefore left without the vital funding that allows their work to continue. The panel learned that should this type of situation occur in the future, instability would create a predicament where the safety net for children and families is compromised and children are ultimately left more vulnerable, resulting in increased maltreatment and possible death.

Summary of Work Completed

Key activities related to funding for child welfare:

The panel invited a stakeholder who had been highly involved in advocating for county funding during the budget impasse to speak to them on what needed to change in order to prevent a lack of funding from occurring in the future. Members learned:

- The many ways in which counties fought to maintain child welfare services during the budget impasse, including borrowing and deferring payments;
- Some counties were unable to continue paying their employees;
- Agencies will not be reimbursed for money lost during the budget impasse;
- Child welfare services had not yet been deemed as "Essential Services" by the administration, meaning that should a budget impasse occur in the future, they would again not receive funding to continue providing essential child protective services; and
- Advocacy to promote the passing of legislation to include child welfare and juvenile justice services in the list of "Essential Services" had already begun.

With this information, the South Central Panel moved forward with identifying any gaps in which information was needed to make recommendations that truly reflected the current need.

South Central Citizen Review Panel Recommendation for 2016: Child Welfare Funding During a Budget Impasse

The current recommendation was a "quick-win" as the result of listening to and gleaning information from advocates who took on this particular issue and made solid efforts to promote the financial support of child welfare. That said, we as a panel provide the following recommendation:

- Legislation that requires juvenile justice and child welfare services be named "Essential Services" should be passed to ensure the provision of these services to Pennsylvania's youth. We are recommending that legislation be introduced and adopted that incorporates a comprehensive list of "Essential Services" to include both juvenile justice and child welfare services, both of which are not currently included in this list and therefore do not receive funding during a budget impasse. Funds are paid to the counties from the state and counties use part of their funds to pay private agencies for services purchased by child welfare and juvenile probation offices. Although in a document released by the Office of the Budget entitled "Budget Impasse Frequently Asked Questions" (see Appendix B, Question 2) it was indicated that the budget impasse would not create any risks to the general public, we believe that citizens are at risk without the security of consistent child welfare services. In a letter to state legislators which advocated for this issue the director of Pennsylvania Council of Children, Youth and Family Services (PCCYFS) stated, "Child safety cannot be tolerated as a political hostage in a budget debate. Community protection and juvenile justice services cannot be threatened due to the inability to come to terms with how to make the best use of limited tax

payer resources.” We as a panel agree with this assertion and support PCCYFS in their endeavor to advocate for funding for child welfare and juvenile justice services. With the inclusion of child welfare and payments for in-home, community based, prevention and placement services purchased through private providers in the list of “Essential Services” the state will ensure that children and families are being protected and maintain stability in the case of a budget impasse.

The following language was drafted to be considered as an inclusion in legislation that addresses the designation of child welfare and juvenile justice services as essential to the health, safety and protection of Pennsylvania’s children, youth and their families:

“Payments to counties for child welfare programs for the care of at risk, delinquent and dependent children, and other county-based human services included under the Human Services Block Grant Pilot Program, shall continue without disruption in the event of a delay in the timely adoption of budget by July 1 of any given year. This includes Payments for in-home, community based, prevention and placement services purchased through contracts with private providers.

The appropriation from the Commonwealth during the fiscal year prior to a budget impasse will determine the total funds to be made available with reconciliation of these amounts to be adjusted once the final budget allocation is approved.”

Proposed Activities for 2017

The panel will continue to monitor this recommendation and any legislation introduced within the next year pertaining to funding for child welfare services during a budget impasse.

Retention and Recruitment

Since the implementation of the Child Protective Services Law in 2014, counties have undergone numerous changes including: significant increases in reports of abuse and investigations, additional paperwork which creates longer hours and less face-to-face interaction with consumers, and transitioning to and learning how to operate a new web-based system, the Child Welfare Information Solution (CWIS). These changes have resulted in a significant increase in caseworker and supervisor turnover rates.

According to data from the Office of Children, Youth and Families, in Fiscal Year 2014-15, caseworker turnover rates increased statewide. Five counties experienced 58-75% turnover, nine counties saw 33-50% turnover, and 52 counties had 30% turnover rate or less.

Within the past year, two workgroups have stepped up to tackle the issue of retention and recruitment: the Administrative Office of Pennsylvania Courts (AOPC) and the Pennsylvania House Children and Youth Committee. The AOPC workgroup was composed of 38 professionals representing dependency court, child welfare, and county and state entities all of whom examined the topics of state and national perspectives, the impact, and current statewide efforts within the realm of caseworker retention. This group provided recommendations for the state to improve the current situation with caseworker turnover, including: identifying evidence-based strategies to reduce worker turnover, using data to determine appropriate caseload size and to identify the factors that cause

workers to stay in the field, developing strategies to reduce job stress, developing documentation reduction strategies, and increasing supervisory trainings.

The House Children and Youth Committee held two hearings in 2016, one in April and one in May to explore this particular issue and to hear recommendations from caseworkers, administrators, and stakeholders for controlling the current high turnover rate in child welfare. As one administrator stated in her testimony in April,

“...it may be helpful that when legislating new mandates, it is necessary to keep in mind that to address the needs of the workforce to enhance the professionalism and retention are always forefront.”

Two factors identified during the aforementioned panel discussion, hearings, and workgroup findings were paperwork reduction and worker safety. Other issues presented include: high caseloads, lack of quality supervision at an adequate frequency, and insufficient training for new caseworkers as well as infrequent training for seasoned caseworkers. The panel, along with the two workgroups, has considered these issues and how to address them. Some ideas include: simulation trainings for increased worker safety, reducing caseloads and quantity of paperwork, and mentoring of new caseworkers by seasoned caseworkers.

Why is this important to us?

The panel learned that gaps are created when turnover within county agencies increases. This often leads to increased caseloads for the remaining workers and higher burnout rates. When morale suffers and agencies are short-staffed, children and families become more vulnerable to abuse and neglect. As experienced staff leave, caseloads become overwhelming to new workers, potentially causing those workers to miss important indicators which cause increased threats to children’s safety. Increased maltreatment within the state leads to higher demands on caseworkers and thereby perpetuates the cycle of worker turnover. It is not just individual counties that struggle but the entire child welfare system in the state. The panel cannot say it better than a caseworker herself who testified to the House Children and Youth Committee in April of 2016:

“Addressing the caseworker retention issues and improving caseworkers’ job experience is where the start of improving the overall child welfare system begins. If we can start now to move toward more positive changes in the child welfare system and retaining caseworkers, this may one day be an issue of the past.”

Summary of Work Completed

Highlights and key activities in 2015 – Joint meetings occurred throughout the year to discuss the information DHS had provided the panel. Both groups identified ways to work together moving forward which led the panel to decide not to submit formal recommendations. DHS responded in the Annual Report by acknowledging the panel’s dedication to working collaboratively with the Department to improve resource parent recruitment, retention, and training.

The panel concluded its work surrounding resource parent training and recruitment and shifted its focus to the two primary points of interest that have been elaborated on. The panel felt the immediacy of the need to address the lack of funding for counties during the ongoing budget impasse and the vulnerability of children and families that resulted. There was also a resounding interest in identifying key components contributing to turnover within Pennsylvania counties. Members felt the concerns

presented by state employees and county caseworkers during their All Panel Meeting were enough to drive their focus for the upcoming year.

Key activities from 2016 related to caseworker retention and recruitment – The panel attended two hearings held by the Pennsylvania House Children and Youth Committee on the topics of caseworker retention in which caseworkers, administrators, supervisors, and key stakeholders testified regarding the factors contributing to turnover within child welfare. Key takeaways included:

- A significant increase in paperwork created a barrier to consumer interaction and led to longer hours and greater instances of burnout;
- Worker safety has not adequately been addressed within the counties; and
- There is a need for more hands-on training for new and seasoned caseworkers.

After considering the information gathered from the hearings, the panel narrowed its focus for retention and recruitment to the areas of paperwork reduction, worker safety, and training/mentoring. We went back to previous panel recommendations within the past six years in which the topic of paperwork reduction for caseworkers was included. We also reviewed the 2016 State Roundtable Report released by the Caseworker Retention Workgroup.

South Central Citizen Review Panel Recommendations for 2016: Caseworker Retention and Recruitment

Although the panel devoted much time and attention to the topic of caseworker retention and recruitment, there will be no formal recommendation provided in this area for 2016. We plan to engage in activities within the next year that increase our knowledge on this topic and will construct our meetings to center around the focus of caseworker retention and recruitment. We will continue to pursue this topic into next year as we gather more information to better inform our recommendations.

Proposed Focus Area/Activities for 2017

Moving forward, the South Central Panel plans to continue researching and gathering information on the topic of caseworker retention and recruitment. We hope to identify and participate in activities that further our focus and help us gain a better understanding of the challenges that counties face in terms of staff turnover and recruitment of qualified caseworkers. Specifically, we will narrow down our focus to the following areas in the coming year:

- Adequate preparation of caseworkers for the job demands;
- Emotional support related to vicarious trauma;
- Caseworker safety and training including direct supervisor support and mentoring; and
- Paperwork reduction and technology improvements within counties.

Included in the activities in which we plan to participate are:

- Meeting with counties within the South Central region to discuss the paperwork required by the county vs. that mandated by the state;
- Requesting and reviewing data from the state that informs us of issues within our topic areas; and
- Participating in a safety simulation training offered to the counties.

Department of Human Services' Response to 2016 Citizen Review Panel Recommendations

Northeast Citizen Review Panel Recommendations:

- Develop and implement a database to keep track of placements for children in care when they move among counties in the state.
- Create a system to ensure that the most recent foster/resource parents are notified of their past foster youth returning into care after the age of 18. This is contingent upon consent of the youth.
- Create a regional public relations campaign that highlights just older youth in foster care and expresses the need for qualified foster/resource parents to provide a home and act as a long-term resource after the child ages out of care.
- Review and respond to the ability to implement the following items, as listed in the Pennsylvania Youth Advisory Board's "Developmentally Appropriate Freedoms and Normalcy Recommendations." See Appendix A for the unabridged Developmentally Appropriate Freedoms and Normalcy document which can also be accessed at this link: [2016 YAB DAF Recommendations](#). Recommendations from this document are as follows:
 - I. Support youth to access social and school activities that promote healthy physical and emotional lifestyles.*
 - II. Give youth access to "know your rights" training* and monitor agency grievance policies to ensure youth are updated and informed about the status of their filed grievances.
 - III. Give youth access to an objective mediator who can support them when there are disagreements with caregivers and staff.*
 - IV. Implement the use of the Teen Success Agreement (TSA) as a living document, a "youth developed" guide and agreement for older youth, caregivers, and social workers that helps facilitate a discussion about age appropriate activities and opportunities for youth.
 - V. Protect youth privacy and do not allow the use of humiliation as a method of punishment.
 - VI. Give youth more opportunities to visit the homes of prospective caregivers.
 - VII. Ensure that resource parents and placement staff are trained and supported in providing developmentally appropriate freedoms to youth in their care.
 - VIII. Ensure that children and youth have regular contact with family members including siblings.

*The recommendations that are currently required under P.L. 113-183 and PA Act 75 are included with an *.

DHS Response:

Recommendation 1: Develop and implement a database to keep track of placements for children in care when they move among counties in the state.

Pennsylvania's Child Welfare Information Solution (CWIS) modernizes state information technology (IT) Systems and supports the exchange of information between the county children and youth agencies and DHS. The CWIS is an automated solution to support the exchange of information between the 67 county children and youth agencies and the Department. The Department's goal is to develop a solution that follows a federated model based on most county functions being supported by

their own case management systems, and state functions being supported by its own system. The Department initiated this project to improve the efficiency and effectiveness of the commonwealth's child welfare programs. The CWIS will promote the timely exchange of information to ensure the safety, permanency and well-being of Pennsylvania's children and families; integrate county level case management systems with state systems and services; provide efficiencies in processes and reporting; enhance fiscal and program accountability and assure compliance with federal and state reporting requirements. County children and youth agencies continue to use their local case management systems approved by DHS to perform day-to-day operations. The local systems are required to exchange information with state-level systems or databases. In addition, DHS seeks to incorporate the latest technology to enhance the exchange of child welfare information with other critical partners.

In December 2014, DHS implemented CWIS Phase 1, which focuses on the intake and investigation stage of child welfare and will improve the state's efficiency and effectiveness in sharing information statewide. It also incorporates the many policy and practice changes brought about by amendments to the Child Protective Services Law (CPSL). Phase 1 also modernizes the process for mandated reporters by allowing reports of suspected child abuse to be submitted on-line and for applicants for child abuse history clearances by allowing them to submit and pay on-line.

CWIS Phase 2 is projected to begin in the second half of 2017 and will focus on information in the child and family's case file for cases accepted for services. At the completion of Phase 2, complete data will be available at the state level that readily identifies the status, demographic characteristics, location, and goals for the placement of every child who is (or within the immediately preceding 12 months, has been) in foster care.

On December 14, 2016 the federal Department of Health and Human Services (DHHS) published revised requirements for states to submit comprehensive demographic and case-specific information on all children who are in foster care and adopted with title IV-E agency involvement (Section 479 of the Social Security Act). The regulations were updated to incorporate requirements from the Fostering Connections to Success and Increasing Adoptions Act of 2008, the Preventing Sex Trafficking and Strengthening Families Act, and the Indian Child Welfare Act (ICWA). These revisions provide the first update of the Adoption and Foster Care Analysis Reporting System (AFCARS) regulations since 1993. States are required to collect data under the new regulations beginning October 1, 2019. These changes to AFCARS will be part of CWIS Phase 2 and will allow for the tracking of children in placement across county lines. OCYF is involved in planning activities for the AFCARS revisions to ensure the changes are completed prior to the October 1, 2019 effective date.

Recommendation 2: Create a system to ensure that the most recent foster/resource parents are notified of their past foster youth returning into care after the age of 18. This is contingent upon consent of the youth.

Pennsylvania enacted two laws that provide support and guidance for older foster youth who are not ready to be on their own at age 18, and also increase the number of foster youth who achieve permanency by extending adoption and guardianship subsidies to age 21. Act 80 of 2012 amended various provisions of the Human Services Code to extend permanent legal custodianship and adoption subsidies to age 21 for eligible youth whose subsidy arrangement became effective at age 13 or older. Act 91 of 2012 amended various provisions of the Juvenile Act to expand the criteria for youth to remain dependent and under court jurisdiction. Act 91 provides "a safety net" that gives

youth the ability to request the court to resume dependency jurisdiction and consider actions including entry or to return to agency care as a non-minor dependent if circumstances warrant. Act 91 allows eligible youth to reopen their dependency case before turning 21, if they were discharged within 90 days of turning age 18 or any time after age 18, and to remain in out-of-home care until age 21 provided they meet certain criteria, such as:

- attending job readiness or post-secondary education;
- working at least 80 hours per month; or
- providing documentation that they are incapable of doing any of these activities due to a medical or behavioral health condition.

Act 91 does not change the requirement that the *youth* must make a *request* to the *court* that jurisdiction be continued past age 18 and the youth wishes to remain in care. The child welfare agency must notify youth of this right to request to remain in care past age 18, and also assist them in documenting this request. Youth should also put their request in writing as soon as they can before turning age 18 and renew the request regularly thereafter. In the request, the youth should state the activity or activities they plan to engage in, or whether they have a health or behavioral health condition that prevents them from meeting the activity requirements.

Strong, stable relationships help youth who re-enter care after age 18 transition into adulthood by providing emotional support; guidance on education, employment, relationships and other life skills; and assistance in an emergency. Positive adult connections promote a sense of normalcy and security. Many county children and youth agencies will contact the last out-of-home placement resource such as a former resource parent to lessen the amount of trauma for youth re-entering care. Resource parents create a connection with the foster youth cared for in their home. Past resource parents may remain important to a youth, even after they have moved back home with their birth family or transitioned into independent living. It is still in the foster youth's best interest for the resource family to continue the positive, supportive relationship with their former foster child who is re-entering care, regardless of whether the youth chooses to return to the resource family home or not. This also holds true for encouraging continuing connections with other caring adults in the youth's life – teachers, church members, coaches, and other adult mentors. Providing youth with greater support during their transition into adulthood may lessen the likelihood of negative outcomes. DHS plans to issue guidance to county children and youth agencies to reinforce the importance of notifying former resource parents and other significant adult role models when a foster youth re-enters care after age 18.

Transition planning for youth who resume dependency jurisdiction focuses on the youth's specific needs, is led by the youth and includes supportive persons identified by the youth, such as former resource parents. These individualized plans include the specific services to be provided and specific actions to be taken to strengthen lifelong supportive connections for the youth.

The implementation of the federal Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351) and Act 91 clarify placement setting and federal financial reimbursement opportunities available for youth transitioning from foster care. The continuum of placement settings that fall under the federal definition of "foster care" also includes Supervised Independent Living (SIL) settings, defined in Pennsylvania regulations as "provision or arrangement of living quarters and social services designed to support and supervise children who are living on their own. The child may be in the custody of the child's parents, the county agency, or another agency or individual." 55 Pa. Code § 3140.22 (e) (3). The array of placement settings available, from the most restrictive to the least restrictive setting, include emergency shelter, community residential/group home, transitional living residence, licensed resource family home, licensed supervised independent living placement,

and unlicensed supervised independent living placement for non-minor youth ages 18 to 21 (such as host homes, apartments, higher education on-campus dormitories).

As with youth of all ages, the law requires that the youth be placed in the least restrictive and most family-like placement. The requirement to provide reasonable efforts to achieve permanency still exists for youth who resume dependency jurisdiction. Family-like settings and settings that support connections with caring adults, such as former foster parents, who are committed to the youth past the transition from care should be provided. The placement must also be appropriate to the youth's age and individual or identified needs, as well as community, educational, personal and familial connections. The majority of older youth should be placed in family settings and settings that facilitate the acquisition of independent living skills and the development of supportive adult connections.

Recommendation 3: Create a regional public relations campaign that highlights just older youth in foster care and expresses the need for qualified foster/resource parents to provide a home and act as a long-term resource after the child ages out of care.

Although originally planned to be completed in FFY 2016, the Department continued the momentum of the first two #MeetTheKids campaigns in FFY 2017, which offer potential foster and adoptive parents the opportunity to peek into the hearts and minds of older youth waiting for homes, whether a resource family home or an adoptive home. The #MeetTheKids campaign features youth from Pennsylvania's foster care system who are in danger of aging out of care without a permanent family - *waiting for someone like you to show them what a real family is*. These youth were given iPods and a little direction and were asked to help film each other and share why they want a family and what having a family would mean to them. To see the documentary, radio and TV spots click here [#MeetTheKids](#).

The third round of the #MeetTheKids campaign once again features 15 additional older youth from Pennsylvania's foster care system who will interview each other while being filmed by the production crew. The campaign will expand to feature adoptive families as well (#MeetTheFamilies). The first two #MeetTheKids campaigns featured a total of 24 older youth. Ten youth featured have been adopted, and one youth was placed with a permanent legal custodian. Therefore, 11 of the 24 youth have achieved permanency, a 45.8 percent success rate. The remaining youth have either emancipated (5) or are still awaiting placement (8).

Additionally, the Statewide Adoption and Permanency Network (SWAN) continues to operate a Facebook page, which includes profiles of waiting children, inspirational quotes and answers to frequently asked questions. As of May 1, 2017, SWAN's Facebook page has over 15,000 likes, an increase of 25 percent from the same time last year. SWAN also has a YouTube channel at <https://www.youtube.com/users/adoptpakids>

During FFY 2017, media/advertising campaigns and outreach efforts consist of the following:

- Statewide online radio campaign (Pandora Radio, Radio PA Network) and video campaign.
- During National Foster Care Month, print advertisements promoting foster care and adoption awareness targeting African American and Gay communities.
- Online advertisements (Google, Yahoo, MSN, Facebook).
- Continue partnerships with three television stations (Harrisburg, Pittsburgh and Wilkes-Barre areas).

- Broadcast television commercials in targeted areas across Pennsylvania continued throughout FFY 2017.
- During National Foster Care Month, May 2017, DHS will issue 39 mini-grants to private and public agencies across Pennsylvania to support local foster care and adoption awareness events totaling \$60,000.

During the targeted times of the SWAN media campaign, increased traffic to our website and calls to our SWAN Helpline show its effectiveness.

The Department's media contracts with three television stations continue to be successful in achieving permanency for youth. Forty-four percent of the children featured on these shows have achieved permanency through adoption. The Department continues to be committed to using media to help achieve permanency for youth.

The Department continues media efforts and also seeks additional ways to expand and broaden work to find permanent families for older youth. The Department's media contracts include subcontracts with three television stations, WHTM in Harrisburg, KDKA in Pittsburgh and WBRE in Wilkes-Barre. All three stations run waiting child segments and their reporters participate in unique child interviews that feature the interests of the child. More than 40 percent of the children featured on these shows have achieved permanency through adoption.

The Freddie Mac Foundation has also a partnership with NBC 10 in Philadelphia, renewed in 2013, to do a similar weekly segment as part of their national adoption initiative. The Statewide Adoption and Permanency Network (SWAN) and the Pennsylvania Adoption Exchange (PAE) help to identify waiting children to be featured on that segment.

Recommendation 4: Review and respond to the ability to implement the following items, as listed in the Pennsylvania Youth Advisory Board's "Developmentally Appropriate Freedoms and Normalcy Recommendations."

I. Support youth to access social and school activities that promote healthy physical and emotional lifestyles.*

The Pennsylvania Youth Advisory Board (YAB) is comprised of current and former substitute care youth ages 16-21. Youth leaders on the YAB educate, advocate, and form partnerships to create positive change in the substitute care system. The YAB is funded by the PA Department of Human Services, Office of Children, Youth and Families and is supported by the University of Pittsburgh, School of Social Work, PA Child Welfare Resource Center. In its 2016 Developmentally Appropriate Freedoms and Normalcy Recommendations (http://www.independentlivingpa.org/files/2016_DAF%20Recommendations.pdf), the YAB noted that the goal of these recommendations is that youth in care have more opportunities to feel normal, well-adjusted and stable. The YAB adapted and modernized the recommendations made in the *Youth Developed IL Practice Standards* from 2006. The hope for this project is that the recommendations might be used in conjunction with older youth resources already in existence, like *The Teen Success Agreement* and *The Know Your Rights Manual*. The goal of these recommendations is that youth in care have more opportunities to feel normal, well-adjusted and stable during their time in the system. Feedback from the 2015 Older Youth Retreat focus group sessions has also been incorporated into this document. There were 89 youth present from 32 counties, and their feedback is included throughout this guide."

According to the YAB recommendations:

“Developmentally appropriate freedoms (DAF) are important to older youth in the child welfare system. They aid in the process of guiding a youth in foster care toward a happy, healthy adult life. Here are some other reasons why participating in these activities benefit youth:

- It helps them feel normal and builds their identity.
- It builds their self-esteem and can help them cope with stress.
- It prepares them for adulthood by giving them access to safe experiences and decision making.
- It increases interactions with friends and connects them to a more natural support system.
- These experiences can help youth heal from trauma experienced in life.”

Three laws – the federal Preventing Sex Trafficking and Strengthening Families Act (signed into law on September 29, 2014), Act 75 of 2015 (the Activities and Experiences for Children in Out-of-Home Placements Act, signed into law on December 10, 2015) and Act 94 of 2015 (signed into law on December 28, 2015), support youth to access social and school activities that promote developmentally appropriate freedoms and normalcy for children and youth in out-of-home care. The legislative intent of Act 75 was to “...recognize the importance of normalizing the lives of children in out-of-home placements and to empower their caregivers to approve or disapprove a child’s participation in activities without prior approval of the department, the child’s county agency or private agency caseworker or the court.”

Act 75 provides that children and youth in out-of-home placements, including those with special needs, should have regular, ongoing opportunities to participate in age or developmentally appropriate activities and experiences to the greatest extent possible. This includes supporting youth to gain skills to successfully transition to adulthood. Service plans must include goals, objectives and progress related to a child’s participation in activities and experiences. Act 75 also empowers caregivers (resource parents and residential staff) to determine whether to allow a child to participate in activities and experiences without prior approval of the department, the county children and youth agency, the private provider agency, or the court.

Youth in the foster care system have historically been denied the ability to participate in everyday activities like sports, clubs, sleepovers, band, dance classes and community activities, setting them apart from their peers who are not in out-of-home care. Without these experiences, children and youth in out-of-home care often miss out on opportunities to build strong relationships with peers and supportive adults, to develop critical life and social skills, or to learn to manage increasing responsibility and independence. Participation in “normalcy” activities allows foster children and youth to gain skills, explore talents, and develop supportive relationships with peers and adults as they transition to adulthood. “Normalcy” refers to the individualized, age- and developmentally-appropriate activities, experiences, and opportunities that comprise the daily lives of children and youth. Most importantly, normalcy means that youth grow up in the most family-like setting possible.

The federal Preventing Sex Trafficking and Strengthening Families Act requires child welfare agencies and caregivers to affirmatively promote youths’ access to age-appropriate activities and empowers caregivers to give youth permission to participate in activities based on the reasonable and prudent parent standard. The law also promotes “normalcy” by expanding the current obligation to include youth in case planning and requiring the court to play an active role in ensuring that youth experience normalcy.

County children and youth agencies have been asked to consider any program or resource implications that may be newly associated with providing children and youth access to age and

developmentally appropriate activities; ensuring service plans include goals and objectives, as well as progress toward such goals; updating relevant information into purchased service contracts; training resource families maintained by the county children and youth agency; educating staff about the reasonable and prudent parent standard; and changes in casework practice.

- II. Give youth access to “know your rights” training* and monitor agency grievance policies to ensure youth are updated and informed about the status of their filed grievances and**
- III. Give youth access to an objective mediator who can support them when there are disagreements with caregivers and staff.***

The Department concurs that an open dialogue should be encouraged between youth and their current or prospective caregiver. Youth should be engaged so that they are meaningfully involved, can provide input into decisions and see the changes that occur as a result of their contributions. Soliciting input from youth is important in the development of healthy relationships, so that they are given the opportunity to be involved, to have their voice heard and treated as worthwhile and to provide input into decisions that affect their lives. When a decision must be made without the youth, or contrary to the will of the youth, the reasons behind that decision should be explained to them.

The Children in Foster Care Act, known as Act 119 of 2010, was signed into law on November 23, 2010, with an effective date of March 22, 2011. Act 119 outlines protections for children in out-of-home care and reiterates and emphasizes the importance of the regulatory requirements that county and private children and youth agencies have a grievance policy that is provided and explained to the children and youth in their care. Act 119 also outlines the responsibility of a county or private children and youth agency to explain these protections to the child and to provide a copy of these protections to the child, their parents, and resource family. Documentation must be made in the child's record that an explanation, along with a copy of the protections, policies and procedures has been provided to them.

The Department issued a bulletin, Children in Foster Care Act (Act 119 of 2010), that transmitted guidance to county and private children and youth agencies to comply with the requirements of Act 119 of 2010. This bulletin clarifies the responsibilities of county and private agencies regarding the protections of a child in out-of-home care and also clarifies how the requirements of Act 119 co-exist with current regulations in accordance with:

- 55 Pa. Code § 3130.88 (related to children's grievances);
- 55 Pa. Code § 3680.48 (related to children's grievances);
- 55 Pa. Code § 3700.63 (related to foster child discipline, punishment and control policy); and
- 55 Pa. Code §§ 3800.31-33 (related to child rights).

Act 119 of 2010 required the Department to develop and distribute a model grievance policy and procedure to county and private agencies, and for those agencies to either implement the model grievance policy and procedure distributed by the Department or revise their own grievance policies and procedures to include the provisions outlined in Section 3 of Act 119 (Section 3), which are listed in this bulletin under "Rights of Children in Foster Care." While the law is specific for dependent youth and those adjudicated dependent who are shared case responsibility, the Department strongly encourages that these protections, along with a grievance procedure that includes the rights of children in foster care listed in Act 119 and the six core components of an acceptable grievance policy as outlined in this bulletin, be afforded to all delinquent youth served by county and private agencies.

OCYF regional offices monitor compliance with the implementation and practice application of the requirements of Act 119 of 2010, pursuant to Title 55 Pa. Code § 3130.21 (b) (relating to responsibilities of county executive officers) which requires agencies to comply with all applicable federal, state, and local statutes, ordinances and regulations; § 3680.11 (relating to pertinent statutes and regulations); § 3800.21 (relating to health and safety laws); and § 20.53 (relating to regular certificate of compliance).

Act 119 outlines the protections of children in foster care; the responsibility of a county or private children and youth agency to explain these protections to the child; and the responsibility of the agency to provide a copy of these protections to the child, their birth parents, and resource family. Act 119 emphasizes the importance of the current regulatory requirements that require agencies to have a grievance policy which is then provided and explained to the children in their care. The policy must "assure the investigation and resolution of grievances," be written in an "easily understood manner," and be clear that there can be no retaliation for lodging a grievance. 55 Pa. Code § 3680.48 (relating to children's grievances) and § 3800.31 (relating to notification of rights and grievances procedures) outline what is required to be included in the policy. Documentation must be made in the child's record whenever an explanation of protections, policies and procedures is given, and a copy of those protections, policies and procedures is provided. As a result of Act 119, and the feedback of current and former children in foster care, all children must be notified of these protections upon entry into foster care and throughout their time in care.

Act 119 requires a county or private agency to explain the protections for children in foster care set forth under Section 3 of Act 119, as well as the agency's grievance policy and procedure. A copy of those protections, along with a copy of the agency's grievance policy and procedure must be provided to the child. County and private agencies must document in the child's record that the agency's grievance policy and procedure and the protections for children in foster care under Section 3 have been explained to the child. Documentation must address that the child is aware of, has received explanation of, and has received a copy of the grievance policy and procedure and the protections for children in foster care. The explanation of a grievance policy and procedure shall be consistent with regulatory requirements, such as those listed in 55 Pa. Code § 3130.88 (relating to children's grievances), § 3680.48 (relating to children's grievances) and § 3800.31 (relating to notification of rights and grievance procedures). To ensure that children in foster care understand their rights, and in making the grievance policy and procedures more accessible to children, the agency should adapt the language used in the explanation of the protections, grievance policy and procedure to appropriately meet the age and literacy level of each child to allow for clearer understanding of those rights. To that end, agencies may choose to work with a literacy consultant.

It is also recommended that agencies consult with youth, such as their local and regional Youth Advisory Boards, to get feedback on comprehensibility and accessibility of policies. Consistent with the Americans with Disability Act and Rehabilitation Act, efforts should be made to communicate policies in a manner that individuals with cognitive or other intellectual disabilities can understand. Such efforts must be documented in the case file. For those children who are unable to comprehend an explanation of rights, such as a child under the age of five; or for those with an intellectual and/or developmental disability who cannot comprehend an explanation despite reasonable accommodations, the explanation of these rights may be given, on behalf of the child, to their parent. If a parent is not available, documentation must be made that another interested individual, such as a relative or kin, a guardian ad litem, or Court Appointed Special advocate has been made aware of this policy. This may not include the agency or private provider case worker for the youth. Additionally, alternate methods of relaying information should be provided to individuals who require an interpreter

to communicate and receive information, including but not limited to individuals who are deaf and/or hard of hearing; are visually impaired; have limited literacy or where English is not their primary language. Agencies should follow their respective protocols for compliance with the Title VI of the Civil Rights Act and the Americans with Disabilities Act and Rehabilitation Act in developing grievance policies and protocols and revising strategies for the dissemination.

Act 119 also mandates that a child's birth parent be provided with a copy of the protections for children in foster care under Section 3, by the appropriate county or private agency within 30 days of the child's entering foster care. Act 119 also mandates that resource families be provided with a copy of the protections for children in foster care under Section 3 by the appropriate county or private agency upon approval.

In addition to youth filing a grievance regarding a concern, youth may also:

1. Talk with their caseworker and supervisors.
2. Contact their child advocate (GAL)
3. Speak with the judge at a court hearing.

IV. Implement the use of the Teen Success Agreement (TSA) as a living document, a “youth developed” guide and agreement for older youth, caregivers, and social workers that helps facilitate a discussion about age appropriate activities and opportunities for youth.

The Department supports the YAB recommendation regarding the use of the Teen Success Agreement <http://www.independentlivingpa.org/files/Teen%20Success%20Agreement.pdf> which is a **youth-developed** written agreement that outlines the age-appropriate activities, responsibilities and life skills for youth ages 13-21 in the child welfare system, and outlines how the caregiver and agency will support those goals. The plan also outlines the house rules and rewards and consequences for different behaviors. The TSA is a guide and agreement for older youth, caregivers, and social workers that helps facilitate a discussion about age appropriate activities and opportunities for youth. The Department promotes the use of TSA through the CWRC's work with the Independent Living Coordinators in county children and youth agencies. The TSA is designed to be individualized, to address the unique needs of each youth. The youth, caregiver and provider agency should meet **every six months** to discuss, complete and update this form. The YAB recommends incorporating the TSA in permanency planning, and encourages that it be discussed at permanency review hearings. YAB also recommends utilizing the document with every new placement for youth. The TSA has youth developed practices to address their concerns in a way that helps a youth feel normal and supported as they transition to adulthood.

Completing the Teen Success Agreement will help:

- Ensure that youth in care have access to the same age-appropriate activities as youth not in care.
- Ensure that youth and caregivers understand the expectations of the household, as well as any rewards or consequences for meeting, or failing to meet, those expectations.
- Ensure that youth in care have the skills they need to be successful when they leave care.
- Encourage open communication between caregivers and youth.

V. Protect youth privacy and do not allow the use of humiliation as a method of punishment.

Youth in out-of-home care have the right to privacy. A youth's information is confidential and should only be shared when necessary. Humiliating youth as a method of punishment is absolutely prohibited. Youth must be treated with fairness, dignity, and respect. As mentioned earlier, Act 119 of 2010 outlines protections for children in out-of-home care and reiterates and emphasizes the importance of the regulatory requirements that county and private children and youth agencies have a grievance policy that is provided and explained to the children and youth in their care. A youth who feels that his or her rights have been violated can speak with a caseworker or supervisor, contact their GAL, file a grievance, and/or speak with the judge at a court hearing. OCYF regional offices monitor compliance with the implementation and practice application of the requirements of Act 119 of 2010.

Here is a list of all rights for youth in out-of-home care:

In substitute care, the right:

- To be represented by a child advocate attorney (GAL) in court.
- To services that will help you stay with your family.
- To the most family like and least restrictive placement.
- To be treated with fairness, dignity, and respect.
- To be free from discrimination based on race, religion, disability, sexual orientation, national origin, or sex.
- To be in an appropriate placement where you are safe and protected.
- To be placed with your own child if you are a teen parent (unless a court has determined otherwise).
- To stay in care until age 21 if you are in an educational program or treatment.
- To only be discharged from care if a discharge plan is in place.
-

In out-of-home care, the right:

- To save any money you have earned.
- To talk on the phone (reasonable rules may apply).
- To visit with family at least once every two weeks.
- To send and receive mail.
- To communicate and visit privately with your attorney (GAL) and clergy.
- To practice or not practice any religion.
- To appropriate medical, dental, and behavioral treatment.
- To be free from excessive medication.
- To appropriate clothing and food.
- To be free from corporal punishment (punishment that uses physical force), threats or verbal abuse.
- To file a grievance or complaint.
- To independent living services if you are age 16 or over until you turn age 21.
-

Regarding medical care, the right to:

- Prompt medical and mental health treatment.
- Consent to your own medical, dental, and health care if you are age 18 or over.
- Consent to mental health treatment and medication (14 +).
- Consent on your own to substance abuse treatment at any age.
- Obtain contraception on your own at any age.

- Consent on your own to all medical care related to pregnancy, except abortion.
- Consent on your own to testing and treatment related to any STD at any age.
- Consent on your own to testing and treatment for HIV at any age.
- Consent on your own to all medical care if you have been pregnant.

Regarding access to records, the right:

- To have access to your mental health records.
- To control the release of records of substance abuse treatment or treatment of a STD.
- To control the release of records related to HIV testing and treatment.
- To have your children and youth family case records if 14 or older.
- To permanent documents such as birth certificate, social security card, health and educational records when discharged at 18 or older.

In legal proceedings, the right:

- To attend all your court hearings.
- To be represented by your child advocate attorney (GAL).
- To meet with your attorney before the court hearing (but YOU may have to call and ask for this).
- To have your GAL advocate for you.
- To ask the judge to appoint a new attorney for you if you do not think the attorney is doing his/her job.
- To call witnesses, to present evidence and to ask questions of people who speak about you in court.
- To speak to the judge directly about your accomplishments, problems, and requests.

Attached is a copy of the Know Your Rights Guide

<http://www.independentlivingpa.org/Know%20Your%20Rights%202010.pdf> and the Know Your Rights Brochure

<http://www.independentlivingpa.org/files/Know%20Your%20Rights%20Brochure%20Final.pdf>

that provides youth in out-of-home care with information about their legal rights and how they can advocate for themselves. Those who are interested in receiving training about the Know Your Rights Guide can contact the Independent Living Project [IL Project](#) or Juvenile Law Center [Juvenile Law Center](#) to set up a training co-facilitated by an adult and a YAB member.

VI. Give youth more opportunities to visit the homes of prospective caregivers.

The Department concurs that youth should have opportunities to visit the homes of prospective caregivers whenever possible. Preplacement visits help to explore the possibility of placing the youth with a caregiver. This helps build relationships and supports effective communication. Preplacement visits allow youth to share information about themselves and what makes them feel comfortable. It also provides an opportunity for youth to clarify information about themselves. If successful, preplacement visits may increase in frequency and duration between the youth and prospective caregiver, through a series of scheduled contacts (visits, phone calls, etc.) between the child and the prospective family designed to facilitate the placement. When scheduling these contacts, consideration should be given to:

- Youth's age and level of maturity;
- Youth's placement history;

- Current caregivers' ability to facilitate the transition;
- Emotional impact on the child and prospective family;
- Ability to schedule consecutive days for pre-placement visits; and
- Flexibility on the part of the prospective family and the current caregivers.

When a placement is a planned move, a preplacement visit is more likely to occur. A preplacement visit is not likely to occur if the placement is of an emergency nature via court order or an emergency relocation.

VII. Ensure that resource parents and placement staff are trained and supported in providing developmentally appropriate freedoms to youth in their care.

The Department concurs that resource parents and residential staff must be supported in implementing Act 75 of 2015, which ensures that children in out-of-home placement are afforded opportunities to engage in age and developmentally appropriate extracurricular, enrichment, cultural and social activities and experiences. Act 75 empowers resource parent(s) for the child, including formal kinship caregiver(s) and designated staff in the child's placement setting, to make decisions regarding the child's participation in such activities without prior approval from the county children and youth agency, private provider agency, or the court provided the decision is based on a reasonable and prudent parent standard and the decision does not conflict with the child's service plans or active court orders. The law requires that caregivers receive training in how to use and apply the reasonable and prudent parent standard to decisions and ensures appropriate liability for caregivers, county children and youth agencies, and private provider agencies when a child participates in an activity and the trained caregiver acts in accordance with the reasonable and prudent parent standard. Resource families who were approved when the law went into effect were to receive training by December 31, 2015. Individuals who become a resource family after December 28, 2015 must complete the training prior to a child's placement, unless there is an emergency placement. If a child is placed in an emergency placement, the caregiver must complete the training within 60 days of the emergency placement. The law also ensures that caregiver(s) receive notice of their responsibilities and rights under Act 75 and children receive notice of their opportunities under Act 75.

In December 2015, the Pennsylvania Child Welfare Resource Center developed and released an online training module to provide child welfare professionals with an overview of reasonable and prudent parenting and other significant changes impacting children and youth in out-of-home placement resulting from P.L. 113-183, Act 75 of 2015, Act 92 of 2015 and Act 94 of 2015.

In December 2015, the Department issued a training template to guide county children and youth agencies and private providers in the development of their curriculum to train caregivers that they oversee. The Pennsylvania State Resource Family Association (PSRFA) has made free training resources available via their website and the Pennsylvania Council of Children, Youth and Family Services (PCCYFS) made a training curriculum available to county children and youth agencies and private providers that they could use as a basis to train caregiver(s).

Effective January 1, 2016, Act 94 amended Section 6351 of the Juvenile Act. When conducting Permanency Hearings, courts must consult with the child regarding the child's permanency plan and the child's desired permanency goal; determine the services needed to assist a child who is 14 years of age or older to make the successful transition to adulthood; and determine whether the child is being provided with regular, ongoing opportunities to participate in age and developmentally appropriate activities and experiences in accordance with Act 75 of 2015. Act 94 further requires that at Permanency Hearings, county children and youth agencies document the steps they are taking to

ensure that caregivers are following the reasonable and prudent parent standard and that the child has regular, ongoing opportunities to engage in activities and experiences.

Effective January 1, 2016 the PA Juvenile Court Rules regarding Dependency Matters were amended to mirror the statutory changes related achieved by Act 94. The Court Rules clarify that for youth with a permanency goal of APPLA, the court must receive evidence of the county children and youth agencies' use of search technology and social medial to try and locate kin for the youth with a goal of APPLA; how any identified supportive adult has formalized their connection with the youth; the services county children and youth agencies will provide to support and maintain the relationship between the youth and their supportive adult(s); and the specific living arrangement that will provide the youth with stability. The Court Rules also state that the court must engage youth with a goal of APPLA in a conversation about their desired permanency outcome, rather than having the youth's attorney or Guardian Ad Litem speak on behalf of the youth.

VIII. Ensure that children and youth have regular contact with family members including siblings.

The Department agrees that children in out-of-home care must maintain meaningful contact with their parents and siblings. Research has shown that maintaining parent-child and other family attachments reduces the child's sense of abandonment, shortens the overall length of stay in care and increases the likelihood of reunification. Frequent child/parent visitation is the key to maintaining connections between children in out-of-home care and their families.

The quality and frequency of visitation is a key factor in contributing to the timely permanency of children in out-of-home care. Foster children who are visited frequently by their parents are more likely to have high well-being ratings and are more likely to adjust well to their foster care placement than are children who have infrequent or no visits. Frequent visitation has consistently been found to contribute to the successful reunification of children placed in out-of-home care.

Act 115 of 2010, effective January 22, 2011, amended the Juvenile Act at Section 6351 (relating to disposition of dependent child), to require that reasonable efforts must be made to place siblings together unless it is contrary to their safety or well-being. When siblings are not placed together, visitation must occur at least twice a month, unless it is contrary to their safety or well-being. Efforts to provide siblings with the opportunity to be placed together and to have regular visitation, unless doing so is inadvisable, must be made throughout the life of the case. The Department's Bureau of Children and Family Services is primarily responsible for monitoring the delivery of services by county and private child and youth social service agencies. Oversight of these programs is conducted by the four regional offices via annual licensing inspections.

Act 115 requires the court, at both disposition review hearings and permanency hearings, to make additional judicial determinations if the child has a sibling, regardless of whether the child's sibling is in placement or not. If the sibling is subject to removal from the home, or has been removed from the home and is in a different placement setting than the child, the court must determine whether reasonable efforts were made to place the child and the sibling together, or whether placing the child and sibling together is contrary to the safety or well-being of the child or the sibling. In a disposition review hearing, the court must also enter an order to ensure visitation between the child and the sibling no less than twice a month, unless the court makes a finding that visitation is contrary to the safety or well-being of the child or sibling. At each permanency hearing, the court is also required, if the child has a sibling, to determine whether visitation between the child and the sibling is occurring no less than twice a month, unless the court finds that visitation is contrary to the safety or well-being

of the child or sibling. County children and youth agency staff must be prepared to provide recommendations and answer the questions that the court will ask in regards to sibling visitation and contact including, but not limited to, the history of the child-sibling relationship, the child and sibling's reaction to being placed together and/or having frequent and ongoing visitation and contact, including any preferences or concerns the child and sibling may have.

Effective December 28, 2015, Act 92 amended the Family Finding and Kinship Care Act of 2013 by codifying a definition of sibling and incorporating the requirement for county children and youth agencies to provide relative notification to all parents of a sibling of the child, where the parent has legal custody of such sibling, within 30 days when a dependent child is removed from the home and legal and physical custody has been transferred to the county children and youth agency.

The county children and youth agency must ensure frequent and constructive use of parent-child visitation as a fundamental framework for reunification efforts. Visits must be carefully planned, based on the child's developmental needs, and used for both skill development and assessment of parental progress toward reuniting with their child. The frequency of visits in concurrent planning is based on the unique needs of the family and child rather than on arbitrary policy guidelines and all visits should be held in a family friendly setting. Visitation should be as frequent as possible, with a minimum of one visit every two weeks, with at least weekly visitation whenever possible for all families with a goal of reunification. The family service plan and the child permanency plan should detail the current visitation plan as well as clear plans to provide more frequent and meaningful parent-child contact as the case progresses towards reunification.

Visits may be supervised or unsupervised. Not all children in out-of-home care require supervised visits. County children and youth agencies must assess whether or not supervised visits are needed and if so, provide a child and family friendly place for the visits to occur. Whenever possible, visits should occur in the family home unless there are specific reasons not to do so. The location of visits should permit privacy and interaction and be only as restrictive as required to protect the child. Visit locations may include the parents' home, the resource parents' home, parks, restaurants, family centers, recreational activities, etc.

Supervised visitation is face-to-face contact between the parent and their children in out-of-home care that is scheduled in advance and held in the most family-like setting available. Interaction between the parent and children is monitored by a county children and youth agency employee, a service provider employee, a resource parent, a biological family member, a family friend or other individual approved by the court or county children and youth agency. Supervised visitation provides the county children and youth agency with the ability to continually assess the parent-child relationship, the parent's protective capacities and their readiness for reunification.

Unsupervised visitation is face-to-face contact between the parent and their children in out-of-home care that is usually scheduled in advance. Interaction is not monitored and the visit is not overseen, attended or managed by agencies, resource families, other family members or friends.

In cases where visitation is supervised, prior to reunification, agencies should plan to transition from supervised to unsupervised visits. This transition may include the use of Mentored Visitation. Mentored Visitation is planned in advance with the parent's consent and is attended by an adult who is available to intervene as needed but whose primary role is to be a discreet participant who models correct parenting while allowing the parent the opportunity to practice their parenting skills.

In addition to regularly scheduled visits, parents should be encouraged to participate in all of their child's activities including extracurricular activities, medical appointments, sporting events, educational activities and meetings. Families should also be encouraged to maintain connection via mail, e-mail, social networking and video conferencing whenever possible. In no case is a parent's participation in these activities to be viewed as a regular visit; participation in these extra-curricular or electronic activities is in addition to, not instead of, regularly scheduled visits.

South Central Citizen Review Panel Recommendations:

- Legislation that requires juvenile justice and child welfare services be named "Essential Services" should be passed to ensure the provision of Pennsylvania's youth. We are recommending that legislation be introduced and adopted that incorporates a comprehensive list of "Essential Services" to include both juvenile justice and child welfare services, both of which are not currently included in this list and therefore do not receive funding during a budget impasse.
- Although the panel devoted much time and attention to the topic of caseworker retention and recruitment, no formal recommendation was made by the CRP for 2016. Within the next year the panel plans to engage in activities that increase their knowledge, and will continue to pursue more information to better inform their recommendations.

DHS Response:

Recommendation 1: Legislation that requires juvenile justice and child welfare services be named "Essential Services" should be passed to ensure the provision of Pennsylvania's youth. We are recommending that legislation be introduced and adopted that incorporates a comprehensive list of "Essential Services" to include both juvenile justice and child welfare services, both of which are not currently included in this list and therefore do not receive funding during a budget impasse.

The Department agrees that children, youth and their families must be able to access essential services without fear of delay or disruption, even in the absence of state budget decisions. Pennsylvania's child welfare system is state-supervised and county-administered. The Department provides oversight of and technical assistance to county children and youth agencies, and reimburses counties for delivery of direct services to children and families, including the overall operations of the county agency. Counties are reimbursed at varying rates for local operations and service delivery as established through the Human Services Code. For example, staff salaries, foster care and community-based services are reimbursed at 80 percent, certain adoption services at 100 percent, and institutional placements at 60 percent. Approximately 65 percent of the county child welfare budget is reimbursed through state funds with the balance from federal and county funds.

Any additional changes in law, such as those recommended by the CRP, would require a legislative change.

Recommendation 2: Although the panel devoted much time and attention to the topic of caseworker retention and recruitment, no formal recommendation was made by the CRP for 2016. Within the next year the

panel plans to engage in activities that increase their knowledge, and will continue to pursue more information to better inform their recommendations.

The Department looks forward to the panel's formal recommendation.

Join Pennsylvania's Citizen Review Panels



Pennsylvania Citizen Review Panels

Citizen review panels provide opportunities for members of the community to take an active role in protecting children from abuse and neglect.

The mission is to facilitate citizen participation and provide opportunities for citizens to evaluate state and local child protection systems to ensure that these systems:

- Provide the best possible services;
- Prevent and protect children from abuse and neglect; and
- Meet the permanency needs of children.

The vision is that children will be safe; placed timely in stable, permanent living arrangements; have the opportunity for continuity of relationships; and have the opportunity to develop to their full potential.

Citizen review panel members are expected to:

- Attend and participate in regionally located meetings;
- Examine policies and procedures of state and local child protection agencies;
- Gather and analyze information related to the child protection system;
- Promote cooperation of community members and the child protection system;
- Increase public awareness of the child protection system;
- Prepare an annual report of the panel's activities and future tasks; and
- Make recommendations to improve outcomes for children and families.

**For more information, please contact:
The Pennsylvania Child Welfare Resource Center
Telephone: 717-795-9048
CRP Coordinator Email:
PACRP@pitt.edu
Website: www.pacwrc.pitt.edu/CAPTA.htm**