

EXECUTIVE SUMMARY

Child and Family Services Review

NEBRASKA

The Child and Family Services Review (CFSR) assesses State performance during a specified time period with respect to seven child welfare outcomes in the areas of safety, permanency, and well-being and with respect to seven systemic factors. The Nebraska CFSR was conducted the week of July 15, 2002. The assessment is based on information from the following sources:

- The Statewide Assessment prepared by the State child welfare agency – the Nebraska Department of Health and Human Services System (NHHSS), Department of Services, Protection and Safety Division;
- The State Data Profile prepared by the Children’s Bureau of the U.S. Department of Health and Human Services;
- Reviews of 50 cases from three counties in the State; and
- Interviews or focus groups (conducted at all three counties and the State capital) with a wide range of stakeholders including children, parents, foster parents, various levels of State and local NHHSS personnel, collaborating agency personnel, school personnel, service providers, court personnel, legislators, and attorneys.

A key finding of the CFSR was that the State data for 2000 met the national standards with respect to the incidence of maltreatment of children in foster care and the rate of foster care re-entries. In addition, the State was found to be effective in maintaining children safely in their own homes when possible and appropriate (item 3) and in managing the risk of harm to children (item 4). Other areas of strength identified through the CFSR were the following:

- Preventing foster care re-entries (item 5).
- Placing children in close proximity to their biological families (item 11) and with their siblings (item 12) when possible and in the children's best interest.

Despite these strengths, the CFSR found that the State did not achieve substantial conformity with any of the seven safety, permanency, and well-being outcomes. One concern identified pertained to protecting children from maltreatment (safety outcome 1), and reflects the finding that in 58 percent of the applicable cases, NHHSS did not respond to reports of child maltreatment in a timely manner. Although, at present, Nebraska does not have operational policies regarding when a response to a maltreatment report must be initiated, the State has developed policies for these timeframes that were in the process of being reviewed and approved at the time of the CFSR.

Another primary concern identified pertained to the State’s effectiveness in ensuring that children have permanency and stability in their living situations (permanency outcome 1). The case reviews determined that many children in foster care do not experience

placement stability (item 6) and do not achieve their permanency goals in a timely manner (items 8, 9 and 10). The State also did not meet the national standards for measures pertaining to the percentages of children achieving reunification within 12 months of entry into foster care or a finalized adoption within 24 months of entry into foster care. In addition, both case reviewers and stakeholders expressed concern regarding the frequent agency practice of establishing guardianship as a permanency goal for young children without fully exploring adoption as a potential permanency goal. Stakeholders suggested that this occurs because workers believe that guardianship is easier to achieve than adoption and consequently encourage foster parents to seek guardianship rather than adoption. This is consistent with the finding that the State had filed a petition to terminate parental rights for only 5 of the 17 children in the cases reviewed who had been in foster care for 15 of the past 22 months.

Another area of significant concern pertained to the State's effectiveness in ensuring that families have enhanced capacity to provide for their children's needs (well-being outcome 1). The case reviews revealed that in many cases, the agency did not address the service needs of children, parents, and/or foster parents (item 17) and did not involve parents and children in the case planning process (item 18). In addition, the frequency and quality of face-to-face contact between caseworkers and the children and parents in their caseloads was often insufficient to monitor children's safety or promote attainment of case goals. Case reviewers and stakeholders attributed this problem to the fact that the State agency has no policies delineating either the expected frequency of contact with children and parents or the issues that are to be addressed during each contact. The lack of frequent visitation may provide at least a partial explanation for the lack of effectiveness in attaining permanency for children.

Finally, the CFSR also found that the State child welfare agency was inconsistent with regard to its efforts to meet children's physical and mental health needs. In 27 percent of the applicable cases, reviewers determined that NHHSS did not adequately address children's physical health needs and in 34 percent of the applicable cases, reviewers determined that NHHSS did not adequately address children's mental health needs. Information from the Statewide Assessment and from stakeholder interviews indicated that this problem may be due to the extreme shortages of both medical and mental health services throughout most areas of the State.

With regard to the State's performance on the systemic factors, the CFSR determined that the State was in substantial conformity with factors related to the statewide information system; training for child welfare staff and child caregivers; and agency responsiveness to the community. However, the State was not in substantial conformity with factors pertaining to the case review system; quality assurance; the service array; or foster and adoptive parent licensing, recruitment, and retention.

Although there were several concerns pertaining to systemic issues, one of the more prominent ones pertained to the fact that the State has no policies governing caseworker visitation with children in foster care, which may result in a failure to adequately protect the safety and health of the children. Other key concerns identified were (1) an inconsistency in developing case plans and involving parents in the case planning process; (2) a lack of attention to meeting the requirements of the Adoption and Safe Families Act with

respect to filing for termination of parental rights; (3) considerable gaps in services throughout the State; and (4) the fact that the State lacks a process for ensuring the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the State for whom foster and adoptive homes are needed.

The following is a summary of the CFSR findings regarding specific outcomes and systemic factors.

KEY FINDINGS RELATED TO OUTCOMES

I. SAFETY

Outcome S1: Children are, first and foremost, protected from abuse and neglect.

Status of Safety Outcome S1 – Not in Substantial Conformity

Nebraska did not achieve substantial conformity with Safety Outcome 1. Reviewers determined that this outcome had been substantially achieved in 77.4 percent of the cases, which is less than the 90 percent required for a rating of substantial conformity. In addition, although the State met the national standard for the incidence of maltreatment of children in foster care by foster parents or facility staff, it did not meet the national standard for the rate of maltreatment recurrence. The CFSR also found that the State is not consistent in responding to maltreatment reports in a timely manner and that the State has no written policies governing the time frames for responding to maltreatment reports, although a set of policies has been prepared and was in the approval process at the time of the CFSR review.

Item 1. Timeliness of initiating investigations of reports of child maltreatment

Strength Area Needing Improvement

Item 1 was assigned an overall rating of Area Needing Improvement. Reviewers found that the agency had initiated investigations of reports of child maltreatment in a timely manner in 42 percent of the applicable cases. However, in 58 percent of applicable cases, NHHSS did not respond to reports of child maltreatment in accordance with established timeframes. Delays were found to occur in response to both low risk and high-risk maltreatment reports.

Item 2. Repeat maltreatment

Strength Area Needing Improvement

Item 2 was assigned an overall rating of Area Needing Improvement. Although there were no cases in which a substantiated/indicated maltreatment report received during the period under review was within 6 months of another substantiated/indicated report, the incidence of repeat maltreatment reported in the State Data Profile was 7.6 percent, which does not meet the national standard of 6.1 percent. Both established criteria must be met in order to rate this item as a Strength.

Outcome S2: Children are safely maintained in their homes whenever possible and appropriate.

Status of Safety Outcome S2 – Not in Substantial Conformity

Nebraska did not achieve substantial conformity with Safety Outcome 2. This determination was based on the finding that the outcome was substantially achieved in 88.6 percent of the cases reviewed, which is less than the 90 percent required for a rating of substantial conformity.

A key CFSR finding was that NHHSS generally makes diligent efforts to maintain children safely in their homes and is effective in managing the risk of harm to children. Although each of these indicators was separately rated as a Strength, there were not a sufficient number of cases in which both were rated as a Strength to attain the 90 percent requirement for substantial conformity.

Item 3. Services to family to protect child(ren) in home and prevent removal

Strength Area Needing Improvement

Item 3 was assigned an overall rating of Strength because in 88 percent of the cases, reviewers determined that the agency had made diligent efforts to maintain children safely in their homes. Despite positive case review findings, several stakeholders commenting on this issue noted that children often are removed from their homes unnecessarily.

Item 4. Risk of harm to child

Strength Area Needing Improvement

Item 4 was assigned an overall rating of Strength because reviewers determined that in 91 percent of the cases, NHHSS made sufficient efforts to reduce the risk of harm to children. Many stakeholders commenting on this issue noted that the agency is effective in (1) ensuring that families have completed necessary treatments before children are returned home, and (2) monitoring children’s safety after reunification. However, stakeholders also expressed the opinion that assessments of families and children are not always sufficiently comprehensive to identify all service needs.

II. PERMANENCY

Outcome P1: Children have permanency and stability in their living situations.

Status of Permanency Outcome 1 – Not in Substantial Conformity

Nebraska did not achieve substantial conformity with Permanency Outcome 1. This determination was based on the following:

- Although the State met the national standard for foster care re-entries the State did not meet the national standards for length of time to reunification and adoption or for stability of foster care placements.
- 45.7 percent of the cases reviewed were rated as having substantially achieved Permanency Outcome 1, which is less than the 90 percent required for substantial conformity.

The CFSR found that NHHSS is successful in preventing re-entry into foster care. However, the CFSR also revealed that many children in foster care do not have permanency and stability in their living situations and are not achieving their permanency goals in a timely manner. Concerns also were identified regarding the use of the permanency goal of guardianship for young children without consideration of adoption as a possible option.

Item 5. Foster care re-entries

Strength Area Needing Improvement

Item 5 was assigned an overall rating of Strength based on the following:

- The State’s incidence of foster care re-entry (3.5 percent) reported in the State Data Profile meets the national standard of 8.6 percent.
- In 85 percent of the applicable cases, children did not re-enter foster care within 12 months of discharge from a prior foster care episode.

Item 6. Stability of foster care placement

Strength Area Needing Improvement

Item 6 was assigned an overall rating of Area Needing Improvement. In 77 percent of applicable cases reviewers determined that children had placement stability and/or that placement changes were in the child's best interest. However, reviewers determined that in 23 percent of cases, children did not have stability in their foster care placements. Key concerns were (1) the use of shelter placements for extended periods of time, (2) lack of support for foster parents to help maintain placements, and (3) foster home shortages.

Item 7. Permanency goal for child

Strength Area Needing Improvement

concern that children are not being adequately prepared for emancipation and that service providers and foster parents are not provided with sufficient resources to help children make a successful transition from foster care to independent living.

Outcome P2: The continuity of family relationships and connections is preserved for children.

Status of Permanency Outcome 2 – Not in Substantial Conformity

Nebraska did not achieve substantial conformity with Permanency Outcome 2. This determination was based on the finding that the outcome was rated as substantially achieved in 65.7 percent of the cases, which is less than the 90 percent required for substantial conformity. Although the State did not reach the required 90 percent achievement required for substantial conformity, there were some areas of strength. For example, almost all children in the foster care cases reviewed were placed with siblings when appropriate, and almost all children were placed in close proximity to their parents and communities of origin when relevant. In contrast, NHHSS was inconsistent in its efforts to search for relatives, particularly paternal relatives, as potential placement resources and to promote visitation and bonding with mothers and fathers.

Item 11. Proximity of foster care placement

Strength Area Needing Improvement

Item 11 was assigned an overall rating of Strength because, in 97 percent of the applicable cases, reviewers determined that children had been placed in foster care homes that were in close proximity to their parents or, when children were placed far away from parents, the placement was necessary to meet the children’s special needs.

Item 12. Placement with siblings

Strength Area Needing Improvement

Item 12 was assigned an overall rating of Strength based on the finding that, in 87 percent of the applicable cases, siblings were either placed together or there was a justifiable reason for their separation.

Item 13. Visiting with parents and siblings in foster care

Strength Area Needing Improvement

Item 13 was assigned an overall rating of Area Needing Improvement. In 71 percent of the applicable cases, reviewers determined that NHHSS had made, or was making, concerted efforts to facilitate visitation. However, in 29 percent of the applicable cases, reviewers determined that NHHSS had not made concerted efforts to facilitate visitation. A key concern was the inconsistency of the agency’s efforts to promote visitation between children and their fathers.

Item 14. Preserving connections

Strength Area Needing Improvement

Item 14 was assigned an overall rating of Area Needing Improvement. In 71 percent of the applicable foster care cases, reviewers determined that NHHSS made diligent efforts to preserve children's connections. However, in 29 percent of the cases, reviewers determined that children's connections to extended biological family and/or to their heritage had not been preserved in foster care. A key issue identified is that there is no clear State policy identifying the parties responsible for tribal notification when a Native American child is placed in foster care.

Item 15. Relative placement

Strength Area Needing Improvement

Item 15 was assigned an overall rating of Area Needing Improvement. In 67 percent of cases, reviewers determined that the agency made diligent efforts to locate and assess relatives as potential placement resources. However, there were concerns related to this issue in 33 percent of cases. In these cases, reviewers found that the agency had made no efforts to explore the possibility of relative placements or had conducted only a limited exploration of potential relative placements, such as seeking and assessing only maternal relatives.

Item 16. Relationship of child in care with parents

Strength Area Needing Improvement

Item 16 was assigned an overall rating of Area Needing Improvement. In 55 percent of the applicable cases, reviewers determined that NHHSS made efforts to support the parent-child relationship of children in foster care. However, concerns related to this issue were identified in 45 percent of applicable cases. Case review findings varied, with clear indication of agency support in some cases and lack of efforts in others. Lack of effort was particularly problematic regarding efforts to promote visitation and bonding of children with their fathers.

III. WELL-BEING

Outcome WB1: Families have enhanced capacity to provide for their children's needs.

Status of Well-Being Outcome 1 – Not in Substantial Conformity

Nebraska did not achieve substantial conformity with Well-Being Outcome 1. This determination was based on the finding that the outcome was rated as substantially achieved in 32 percent of the cases reviewed, which is less than the 90 percent required for a determination of substantial conformity. The CFSR process found that NHHSS is not consistent in its efforts to identify and provide for the service needs of families or to involve them in case planning. In many cases, there was evidence of infrequent face-to-face

contact between caseworkers and the children and parents in their cases. A summary of findings for specific items assessed as relevant to this outcome is presented below.

Item 17. Needs and services of child, parents, foster parents

Strength Area Needing Improvement

Item 17 was assigned an overall rating of Area Needing Improvement. In 56 percent of the cases, reviewers determined that the needs and services of children, parents, and/or foster parents had been, or were being, adequately addressed by NHHSS. However, in 44 percent of the cases, reviewers determined that NHHSS was not adequately addressing the needs and services of children, parents, and/or foster parents. Key concerns included (1) incomplete assessments, (2) lack of assessment of fathers or of all children in the home, and (3) lack of service provision to meet identified child or family needs or to support foster parents.

Item 18. Child and family involvement in case planning

Strength Area Needing Improvement

Item 18 was assigned an overall rating of Area Needing Improvement. In 26 percent of the applicable case records, reviewers determined that NHHSS appropriately involved parents or children in the case planning process. However, in 74 percent of the applicable cases, reviewers determined that parents and/or children had not been appropriately involved in the case planning process. Most stakeholders commenting on this issue expressed the opinion that the agency is not effective in involving parents in the case planning process.

Item 19. Worker visits with child

Strength Area Needing Improvement

Item 19 was assigned an overall rating of Area Needing Improvement. In 60 percent of the cases, reviewers determined that the frequency of caseworker visits with children was sufficient to ensure adequate monitoring of children's safety or to otherwise meet their needs. However, in 40 percent of the cases, reviewers determined that the frequency and quality of caseworker visits with children was not sufficient to monitor children's safety or to promote attainment of case goals. For example, caseworker visits with children occurred less than monthly in 54 percent of the cases reviewed. Stakeholders commenting on this issue expressed the opinion that the lack of contact prohibits the development of a bond or positive relationship between caseworkers and children. A key concern was that the agency does not have written policy pertaining to either the frequency or quality of worker visits with children.

Item 20. Worker visits with parents

Strength Area Needing Improvement

This item was assigned an overall rating of Area Needing Improvement. In 44 percent of the cases, reviewers determined that visits with parents were sufficiently frequent or of adequate quality to promote the safety and well-being of the child and enhance attainment

Strength Area Needing Improvement

Item 22 was assigned an overall rating of Area Needing Improvement. In 73 percent of the applicable cases, reviewers determined that NHHSS adequately addressed children's health needs. However, reviewers determined that these needs were not adequately met in 27 percent of applicable cases. A key concern noted in these cases was that children did not receive regular preventive physical health and/or dental services. In addition, many stakeholders commenting on this issue expressed the opinion that children's health screenings are not thorough or comprehensive.

Item 23. Mental health of the child

Strength Area Needing Improvement

Item 23 was assigned an overall rating of Area Needing Improvement. In 66 percent of the applicable cases, reviewers determined that NHHSS adequately addressed children's mental health needs. However, in 34 percent of the applicable cases, reviewers determined that mental health needs were not adequately addressed either because mental health service needs were not assessed or needed services were not provided.

KEY FINDINGS RELATING TO SYSTEMIC FACTORS

IV. STATEWIDE INFORMATION SYSTEM

Status of Statewide Information System – Substantial Conformity

Nebraska is in substantial conformity with this factor.

Item 24. The State is operating a Statewide information system that, at a minimum, can readily identify 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.

Strength Area Needing Improvement

Item 24 was rated as a Strength because the State is operating a statewide information system that meets the necessary requirements. Stakeholders commenting on this issue reported that agency staff uses the Statewide information system on a regular basis and that the system can identify information such as the location, goals, status, and demographic characteristics of all children in foster care.

V. CASE REVIEW SYSTEM

Status of Case Review System – Not in Substantial Conformity

Nebraska is not in substantial conformity with the factor of Case Review System.

Item 25. Provides a process that ensures that each child has a written case plan to be developed jointly with the child's parent(s) that includes the required provisions.

Strength Area Needing Improvement

Item 25 was rated as an Area Needing Improvement. Although the State has a process to ensure that each child has a written case plan, case plans are not present for all children. In addition parents are not active participants in the case planning process.

Item 26. Provides a process for the periodic review of the status of each child, no less frequently than once every 6 months, either by a court or by administrative review.

Strength Area Needing Improvement

Item 26 was rated as a Strength because the Nebraska Administrative Code (NAC) requires that the Foster Care Review Board (FCRB) and the courts review cases at least every 6 months. Stakeholders commenting on this issue were in agreement that FCRB and judicial reviews are held at least every 6 months and sometimes within 3 months.

Item 27. Provides a process that ensures that each child in foster care under the supervision of the State has a permanency hearing in a qualified court or administrative body no later than 12 months from the date the child entered foster care and no less frequently than every 12 months thereafter.

Strength Area Needing Improvement

Item 27 was rated as a Strength because the NAC requires 12-month permanency hearings. According to the Statewide Assessment, the State conducts court reviews in compliance with both ASFA and State statute.

Item 28. Provides a process for termination of parental rights proceedings in accordance with the provisions of the Adoption and Safe Families Act.

Strength Area Needing Improvement

Item 28 was rated as an Area Needing Improvement. Although the State provides a process for termination of parental rights (TPR), practice does not follow this process. The Statewide Assessment identified several barriers to TPR, including county attorneys who are hesitant to file, lack of financial resources, Tribal preferences, lack of concurrent planning, and caseworker turnover.

Item 29. Provides a process for foster parents, pre-adoptive parents, and relative caregivers of children in foster care to be notified of, and have an opportunity to be heard in, any review or hearing held with respect to the child.

Strength Area Needing Improvement

Item 29 is rated as an Area Needing Improvement because foster parents, preadoptive parents, and relative caregivers are not automatically notified of judicial reviews. Foster parents must inform the court that they want to be notified of court hearings before they receive notice.

VI. QUALITY ASSURANCE SYSTEM

Status of Quality Assurance System-Not in Substantial Conformity

Nebraska is not in substantial conformity with the factor of Quality Assurance System. Findings relevant to the specific items assessed for this factor are presented below.

Item 30. The State has developed and implemented standards to ensure that children in foster care are provided quality services that protect the safety and health of the children.

Strength Area Needing Improvement

Item 30 was rated as an Area Needing Improvement. Although standards have been developed and implemented to protect children in foster care, there is no policy that requires supervisory visits of children in foster homes. The State acknowledged in their Statewide Assessment that child welfare agency caseworkers are not visiting children in out-of-home placements with sufficient frequency. This was confirmed in the case reviews indicating that in 31 percent of the foster care cases reviewed, reviewers noted that the frequency of caseworker visits with children was not sufficient to monitor their safety and achieve case goals.

Item 31. The State is operating an identifiable quality assurance system that is in place in the jurisdictions where the services included in the CFSP are provided, evaluates the quality of services, identifies strengths and needs of the service delivery system, provides relevant reports, and evaluates program improvement measures implemented.

Strength Area Needing Improvement

Item 31 was assigned a rating of Area Needing Improvement. Although the State has some components of a quality assurance system, there is not a comprehensive, statewide approach to quality assurance. The Statewide Assessment notes that efforts are needed to integrate the current disjointed approach to quality assurance into a seamless evaluation system that can be used to measure the quality of care provided and outcomes realized.

VII. TRAINING

Status of Training-Substantial Conformity

Nebraska is in substantial conformity with the systemic factor of Training. Findings relevant to the specific items assessed for this factor are presented below.

Item 32. The State is operating a staff development and training program that supports the goals and objectives in the CFSP, addresses services provided under titles IV-B and IV-E, and provides initial training for all staff who deliver these services.

Strength Area Needing Improvement

Item 32 was rated as a Strength because new workers participate in training for 15 to 17 weeks and must obtain acceptable levels of performance. Stakeholders commenting on this issue reported that training is provided prior to workers receiving a caseload and that the State hires extra workers so that vacancies are filled with trained staff to avoid uncovered caseloads.

Item 33. The State provides for ongoing training for staff that addresses the skills and knowledge base needed to carry out their duties with regard to the services included in the CFSP.

Strength Area Needing Improvement

Item 33 was rated as an Area Needing Improvement because, although there are provisions for ongoing training, the training does not address professional growth and skills development.

Item 34. The State provides training for current or prospective foster parents, adoptive parents, and staff of State licensed or approved facilities that care for children receiving foster care or adoption assistance under title IV-E that addresses the skills and knowledge base needed to carry out their duties with regard to foster and adopted children.

Strength Area Needing Improvement

Item 34 is rated as a Strength because foster parents are required to obtain at least 21 hours of pre-service training. They are also required to obtain 12 hours of in-service training per year. Facility staff also is required to have a minimum number of training hours each year.

VIII. SERVICE ARRAY

Status of Service Array-Not in Substantial Conformity

Nebraska is not in substantial conformity with the factor of Service Array. Findings relevant to the specific items assessed for this factor are presented below.

Item 35. The State has in place an array of services that assess the strengths and needs of children and families and determine other service needs, address the needs of families in addition to individual children in order to create a safe home environment,

enable children to remain safely with their parents when reasonable, and help children in foster and adoptive placements achieve permanency.

Strength Area Needing Improvement

Item 35 is rated as an Area Needing Improvement because there are many gaps in services in the State. The Statewide Assessment and stakeholders identified gaps in services such as parent education, family support, substance abuse treatment, foster care placements, services for developmentally disabled children, dental care, culturally and linguistically competent providers, independent living services, residential treatment, community-based services, juvenile justice services, and services for sexual offenders and sexual abuse victims.

Item 36. The services in item 35 are accessible to families and children in all political jurisdictions covered in the State’s CFSP.

Strength Area Needing Improvement

Item 36 is rated as an Area Needing Improvement because services are not consistently available statewide. When services are available, there are frequently long waiting lists. Stakeholders noted that key concerns pertain to gaps or waiting lists for inpatient substance abuse treatment services and home-based services.

Item 37. The services in item 35 can be individualized to meet the unique needs of children and families served by the agency.

Strength Area Needing Improvement

Item 37 was assigned a rating of Area Needing Improvement because, due to service gaps, children and families do not receive services that are individualized to meet their needs.

IX. AGENCY RESPONSIVENESS TO THE COMMUNITY

Status of Agency Responsiveness To The Community- Substantial Conformity

Nebraska is in substantial conformity with the factor of Agency Responsiveness to the Community. Findings relevant to the specific items assessed for this outcome are presented below.

Item 38. In implementing the provisions of the CFSP, the State engages in ongoing consultation with tribal representatives, consumers, service providers, foster care providers, the juvenile court, and other public and private child- and family-serving agencies and includes the major concerns of these representatives in the goals and objectives of the CFSP.

Strength Area Needing Improvement

Item 38 was assigned a rating of Strength because Nebraska has sought extensive input from tribal representatives, consumers, service providers, and others, in the development of the Nebraska Family Portrait and in the CFSP process. Stakeholders commenting on this issue expressed the opinion that the relationship between community providers and the NHHSS has greatly improved.

Item 39. The agency develops, in consultation with these representatives, annual reports of progress and services delivered.

Strength Area Needing Improvement

Item 39 is rated as a Strength because Nebraska has involved community stakeholders in the development of reports.

Item 40. The State’s services under the CFSP are coordinated with services or benefits of other Federal or federally assisted programs serving the same population.

Strength Area Needing Improvement

Item 40 is rated as a Strength because many of the Federal or Federally assisted programs have been re-organized into the comprehensive Nebraska Health and Human Services System. Additional collaboration has occurred with SAMHSA, the Court Systems and domestic violence initiatives.

X. FOSTER AND ADOPTIVE PARENT LICENSING, RECRUITMENT, AND RETENTION

Status of Foster and Adoptive Parent Licensing, Recruitment, and Retention- Not in Substantial Conformity

Nebraska is not in substantial conformity with the factor of Foster and Adoptive Parent Licensing, Recruitment, and Retention. Findings relevant to the specific items assessed for this outcome are presented below.

Item 41. The State has implemented standards for foster family homes and childcare institutions, which are reasonably in accord with recommended national standards.

Strength Area Needing Improvement

Item 41 was assigned a rating of Strength because Nebraska Code provides standards for approval and licensing for all settings providing out-of-home care for State wards.

Item 42. The standards are applied to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds.

Strength Area Needing Improvement

Item 42 was assigned a rating of Strength because licensing standards are applied to all licensed or approved foster family homes or child care institutions. Stakeholders reported that all foster homes are held to the same standards and relatives can be licensed as

foster parents, although not all are. However, some stakeholders raised concerns regarding the quality of foster homes and expressed the opinion that agency-based homes are of higher quality and are better supported than private contractor homes.

Item 43. The State complies with Federal requirements for criminal background clearances as related to licensing or approving foster care and adoptive placements and has in place a case planning process that includes provisions for addressing the safety of foster care and adoptive placements for children.

Strength Area Needing Improvement

Item 43 was assigned a rating of Area Needing Improvement because, although the State requires criminal background checks, these are not consistently implemented.

Item 44. The State has in place a process for ensuring the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the State for whom foster and adoptive homes are needed.

Strength Area Needing Improvement

Item 44 was assigned a rating of Area Needing Improvement Although Nebraska has a Foster Care Parent Recruitment and Retention Marketing Plan, it is not scheduled to be implemented until July 2003. Stakeholders commented that there is very little or no recruitment of foster homes and that the agency does not have available staff to dedicate to recruitment at the local levels.

Item 45. The State has in place a process for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children.

Strength Area Needing Improvement

Item 45 was assigned a rating of Area Needing Improvement because adoption exchanges are not being used to promote the adoption of children who are free for adoption. Only 21 of the 315 children free for adoption as of 10/31/2001 were listed on either the State or National exchange.

INTRODUCTION

This document presents the findings of the Child and Family Services Review (CFSR) for the State of Nebraska. The Nebraska on-site review was conducted the week of July 15, 2000. The findings were derived from the following documents and data collection procedures:

- The Statewide Assessment prepared by the State child welfare agency – the Nebraska Department of Health and Human Services System (NHHSS), Department of Services, Protection and Safety Division;
- The State Data Profile prepared by the Children’s Bureau of the U.S. Department of Health and Human Services;
- Reviews of 50 case records at three sites throughout the State; and
- Interviews or focus groups (conducted at all three sites) with State and local stakeholders including children, parents, foster parents, all levels of child welfare agency personnel, collaborating agency personnel, school personnel, service providers, court personnel, legislators, and attorneys.

The key characteristics of the 50 cases reviewed are the following:

- 20 cases were reviewed in Douglas County (Omaha), 15 in Dawson County, and 15 in Madison County.
- All 50 cases had been open cases at some time during the period under review.
- 35 of the cases were “foster care cases” (cases in which children were in the care and custody of the State child welfare agency and in an out-of-home placement at some time during the period under review), and 15 were “in-home services cases” (cases in which families received services from the child welfare agency while children remained in their homes).
- 10 of the 35 foster care cases and 1 of the in-home services cases were juvenile justice cases.
- In 29 cases, all children in the family were Caucasian; in 8 cases, all children in the family were African American; in 8 cases, all children in the family were Hispanic; in 3 cases, all the children in the family were Alaska Native/American Indian; and in 1 case, the children were two or more races. In 1 case, reviewers did not identify the race/ethnicity of the children.
- Of the 50 case records reviewed, the **primary** reasons for opening the child welfare agency cases were the following:
 - Child in juvenile justice system – 11 cases (22%)
 - Physical abuse – 11 cases (22%)
 - Child’s behavior – 10 cases (20%)
 - Neglect (not including medical neglect) – 7 cases (14%)
 - Other – 3 cases (6%)
 - Substance abuse by parent – 2 cases (4%)
 - Mental/physical health of parent – 2 cases (4%)
 - Sexual abuse – 2 cases (4%)
 - Domestic violence in child’s home – 2 cases (4%)

- Among **all** reasons identified for children coming to the attention of the child welfare agency, physical abuse was cited in 15 (30%) cases, child's behavior was cited in 13 (26%) cases, neglect (not including medical neglect) was cited in 13 (26%) cases, child in the juvenile justice system was cited in 11 (22%) cases, and substance abuse by parents was cited in 8 (16%) cases.
- For 15 of the 35 foster care cases, the children entered foster care prior to the period under review and remained in foster care during the entire period under review; for 9 of the 15 in-home services cases, the case had been opened prior to the period under review.

The first section of the report presents the CFSR findings relevant to the State's performance in achieving specific outcomes for children in the areas of safety, permanency, and well-being. For each outcome, there is a table presenting key findings, a discussion of the State's status with regard to the outcome, and a presentation and discussion of each item (indicator) assessed. The second section of the report provides an assessment and discussion of the systemic factors relevant to the child welfare agency's ability to achieve positive outcomes for children.