

EXECUTIVE SUMMARY
Final Report: Nebraska Child and Family Services Review
March 2009

INTRODUCTION

This document presents the findings of the Child and Family Services Review (CFSR) for the State of Nebraska. The CFSR is the Federal Government's program for assessing the performance of State child welfare agencies with regard to achieving positive outcomes for children and families. It is authorized by the Social Security Amendments of 1994 requiring the U.S. Department of Health and Human Services (HHS) to promulgate regulations for reviews of State child and family services programs under titles IV-B and IV-E of the Social Security Act. The CFSR is implemented by the Children's Bureau (CB) of the Administration for Children and Families (ACF) within HHS.

The Nebraska CFSR was conducted the week of July 14, 2008. The period under review for the onsite case reviews was from October 1, 2006, to July 18, 2008. The findings were derived from the following documents and data collection procedures:

- The Statewide Assessment, prepared by the Nebraska Department of Health and Human Services (DHHS), Division of Children and Family Services
- The State Data Profile, prepared by CB, which provides State child welfare data for fiscal year (FY) 2005, FY 2006, and the CFSR 12-month target period ending March 31, 2007
- Reviews of 65 cases (40 foster care and 25 in-home services) at three sites, including 33 cases in Douglas County, 16 cases in Dawson County, and 16 cases in Hall County; all open child welfare cases at some time during the period under review
- Interviews or focus groups (conducted at all three sites and at the State level) with stakeholders, including but not limited to children, parents, foster and adoptive parents, all levels of child welfare agency personnel, collaborating agency personnel, service providers, court personnel, child advocates, Tribal representatives, and attorneys

Background Information

The CFSR assesses State performance on 23 items relevant to seven outcomes and 22 items pertaining to seven systemic factors.

In Outcomes: Section A of the report, an overall rating of Strength or Area Needing Improvement (ANI) is assigned to each of the 23 items incorporated in the seven outcomes depending on the percentage of cases that receive a Strength rating in the onsite case review. An item is assigned an overall rating of Strength if 90 percent of the applicable cases reviewed are rated as a Strength. Performance ratings for each of the seven outcomes are based on item ratings for each case. A State may be rated as having Substantially Achieved, Partially Achieved, or Not Achieved the outcome. The determination of whether a State is in substantial conformity with a particular outcome is based on the percentage of cases that were determined to have Substantially Achieved that outcome. In order for a State to

be in substantial conformity with a particular outcome, 95 percent of the cases reviewed must be rated as having Substantially Achieved the outcome.

In Systemic Factors: Section B of the report, each item incorporated in each systemic factor is rated as either a Strength or an ANI based on whether State performance on the item meets Federal policy requirements. Information relevant to each item comes from the Statewide Assessment and the stakeholder interviews conducted during the week of the onsite CFSR. The overall rating for each systemic factor is based on the ratings for the individual items incorporated in that systemic factor. For any given systemic factor, a State is rated as being either in substantial conformity with that factor (receiving a score of 3 or 4) or not in substantial conformity with that factor (receiving a score of 1 or 2).

A State that is not in substantial conformity with a particular outcome or systemic factor must develop and implement a Program Improvement Plan (PIP) to address the areas of concern associated with that outcome or systemic factor.

ACF has set very high standards of performance for the CFSR. The standards are based on the belief that because child welfare agencies work with our country's most vulnerable children and families, only the highest standards of performance should be acceptable. The focus of the CFSR process is on continuous quality improvement; standards are set high to ensure ongoing attention to the goal of achieving positive outcomes for children and families with regard to safety, permanency, and well-being.

It should be noted, however, that States are not required to attain the 95-percent standard established for the CFSR Onsite Review at the end of their PIP implementation. CB recognizes that the kinds of systemic and practice changes necessary to bring about improvement in particular outcome areas often are time-consuming to implement, and improvements are likely to be incremental rather than dramatic. Instead, States work with CB to establish a specified amount of improvement or implement specified activities for their PIP. That is, for each outcome or item that is an ANI, each State (working in conjunction with CB) specifies how much improvement the State will demonstrate and/or the activities that it will implement to address the ANIs, and determines the procedures for demonstrating the achievement of these goals. Both the improvements specified and the procedures for demonstrating improvement vary across States. Therefore, a State can meet the requirements of its PIP and still not perform at the 95-percent (for outcomes) or 90-percent (for items) level as required by the CFSR.

The second round of the CFSR assesses a State's current level of functioning with regard to achieving desired child and family outcomes by once more applying high standards and a consistent, comprehensive case review methodology. The second round of the CFSR is intended to serve as a basis for continued planning in areas in which the State still needs to improve. The goal of the second round of the CFSR is to ensure that program improvement is an ongoing process and does not end with the closing of the PIP.

Because many changes have been made in the onsite CFSR process based on lessons learned during the first round and in response to feedback from the child welfare field, a State's performance in the second round of the CFSR is not directly comparable to its performance in the first round, particularly with regard to comparisons of percentages.

Key changes in the CFSR process that make it difficult to compare performances across reviews are the following:

- An increase in the sample size from 50 to 65 cases
- Stratification of the sample to ensure a minimum number of cases in key program areas, resulting in variations in the number of cases relevant for specific outcomes and items
- Changes in criteria for specific items to increase consistency and to ensure an assessment of critical areas, such as child welfare agency efforts to involve noncustodial parents

Specific findings with regard to the State's performance on the safety and permanency outcomes are presented in table 1 at the end of the Executive Summary. Findings regarding well-being outcomes are presented in table 2. Table 3 presents the State's performance with regard to the seven systemic factors assessed through the CFSR.

Key CFSR Findings Regarding Outcomes

The 2008 CFSR identified several areas of high performance in Nebraska with regard to achieving desired outcomes for children. Although Nebraska did not achieve substantial conformity with any of the seven CFSR outcomes, the State did achieve overall ratings of Strength for the individual indicators pertaining to repeat maltreatment (item 2), foster care reentry (item 5), placing children in close proximity to their parents (item 11), and placement with siblings (item 12).

Nebraska meets the national standard for the data indicator pertaining to achieving permanency for children in foster care for extended periods of time. The State does not meet the national standard for the safety data indicators pertaining to the absence of maltreatment recurrence and the absence of maltreatment in foster care. The State also does not meet the national standards for the permanency data indicators pertaining to the timeliness and permanency of reunification (Permanency Composite 1), timeliness of adoptions (Permanency Composite 2), and placement stability (Permanency Composite 4).

The CFSR also identified key areas of concern with regard to achieving outcomes for children and families. Permanency Outcome 1 (Children have permanency and stability in their living situations) was substantially achieved in only 25 percent of the cases reviewed. Within Permanency Outcome 1, Nebraska's lowest ratings were for item 9 (adoptions), which was rated as a Strength in 23 percent of the cases reviewed; and for item 10 (other planned permanent living arrangement or OPPLA), which was rated as a Strength in 17 percent of the cases reviewed. Nebraska also was rated low for item 7 (permanency goal for child), which was rated as a Strength in 43 percent of the cases reviewed; and for item 8 (reunification, guardianship, or placement with relatives), which was rated as a Strength in 41 percent of the cases reviewed.

Concerns also were identified with regard to Well-Being Outcome 1 (families have enhanced capacity to provide for children's needs), which was substantially achieved in only 32 percent of the cases reviewed. The lowest ratings were for item 17 (assessing and meeting the needs of children, parents, and foster parents), which was rated as a Strength in 40 percent of the cases reviewed; item 18 (child and

family involvement in case planning), which was rated as a Strength in 39 percent of the cases reviewed; and item 20 (caseworker visits with parents), which was rated as a strength in 30 percent of the cases reviewed.

In addition, concerns were identified with regard to Safety Outcome 1 (children are, first and foremost, protected from abuse and neglect), which was substantially achieved in only 38 percent of the cases reviewed. The lowest rating within this outcome was for item 1 (timeliness of investigations), which was rated as a Strength in 37 percent of the cases reviewed.

The State's low performance with regard to the CFSR outcomes may be attributed, at least in part, to the following key factors:

- In many areas of the State caseworkers carry high caseloads, there is a high rate of turnover in the caseworker position, and there is an insufficient level of experience in the supervisory positions.
- Across the State the number of foster homes and placement resources is insufficient to meet the needs of the children.
- The State's most effective approach to engaging families—family team meetings—is not utilized consistently.
- The State does not consistently search for or engage noncustodial parents in case planning or services.
- The State does not consistently engage in practices that promote permanency for children including the following: timely establishment and attainment of permanency goals, consistently conducting permanency review hearings, timely filing for termination of parental rights (TPR), maintaining stable placements, and consistently conducting caseworker visits.
- There is a lack of sufficient mental health and substance abuse treatment resources for children and families.
- Sufficient services are not available to the rural population of the State.
- The State does not consistently address the safety, permanency, and well-being of children who are brought to the attention of DHHS for juvenile justice services. For example, 23 of the 65 cases reviewed onsite were brought to the attention of DHHS for juvenile justice services. DHHS has placement and care responsibility for the children receiving juvenile justice services.

Key CFSR Findings Regarding Systemic Factors

With regard to systemic factors, Nebraska is in substantial conformity with five of the seven systemic factors: Statewide Information System; Quality Assurance (QA) System; Training; Agency Responsiveness to the Community; and Foster and Adoptive Parent Licensing, Recruitment, and Retention. Nebraska is not in substantial conformity with the systemic factors of Case Review System and Service Array.

I. KEY FINDINGS RELATED TO OUTCOMES

Safety Outcome 1: Children are, first and foremost, protected from abuse and neglect

Safety Outcome 1 incorporates two indicators. One pertains to the timeliness of initiating a response to a child maltreatment report (item 1), and the other relates to the recurrence of substantiated or indicated maltreatment (item 2). Safety Outcome 1 also

incorporates two national data indicators for which national standards have been established: the absence of maltreatment recurrence and the absence of maltreatment of children in foster care by foster parents or facility staff.

Nebraska is not in substantial conformity with Safety Outcome 1. The outcome was substantially achieved in 37.5 percent of the applicable cases, which is less than the 95 percent required for a rating of substantial conformity. The outcome was substantially achieved in 67 percent of the applicable Dawson County cases, 50 percent of the applicable Hall County cases, and 27 percent of the applicable Douglas County cases. Nebraska did not meet the national standards for the two data indicators relevant for Safety Outcome 1 pertaining to the absence of maltreatment recurrence and the absence of maltreatment of children in foster care by foster parents or facility staff.

Key case review findings from the 2008 CFSR indicate Nebraska is preventing repeat maltreatment, although data indicators show that the State is not achieving the national standard for repeat maltreatment. In addition, the findings indicate that Nebraska struggles to achieve face-to-face contact with children within the timeframes required by State policy. The 2008 Statewide Assessment acknowledges that, while improvements have been made in the timeliness of responses to reports of abuse and neglect, the State is not currently meeting its own goals for timely response.

Additional findings in 2008 for this outcome were the following:

- Item 1 (timeliness of initiating investigations) was rated as a Strength in 37 percent of the cases.
- Item 2 (repeat maltreatment) was rated as a Strength in 92 percent of the cases.

Nebraska did not achieve substantial conformity with this outcome in its 2002 CFSR and was required to address the outcome in its PIP. The key concerns identified at that time were in relation to improving the timeliness of investigations and reducing repeat maltreatment. To address these concerns, the State implemented the following strategies:

- The State strengthened policy and practice related to the intake process.
- The State enhanced the Nebraska Family Online Client User System (N-FOCUS) to provide an accurate intake date.
- The State implemented a specialized intake staffing structure and developed monitoring regarding the receipt of reports of abuse and neglect and to determine acceptance for assessment to ensure that comprehensive assessments are consistently accepted in a timely manner.
- The State strengthened policy and practice and developed monitoring on the use of the comprehensive assessment.

The State met its target goals for this outcome by the end of the PIP implementation period.

Safety Outcome 2: Children are safely maintained in their homes when possible and appropriate

Performance on Safety Outcome 2 is assessed through two indicators. One indicator (item 3) addresses the issue of child welfare agency efforts to prevent children's removal from their homes by providing services to the families that ensure children's safety while

they remain in their homes. The other indicator (item 4) pertains to the child welfare agency's efforts to reduce the risk of harm to the children.

Nebraska is not in substantial conformity with Safety Outcome 2. The outcome was substantially achieved in 52.3 percent of the cases reviewed, which is less than the 95 percent required for a rating of substantial conformity. The outcome was substantially achieved in 63 percent of the Dawson County cases, 52 percent of the Douglas County cases, and 44 percent of the Hall County cases.

Key findings from the 2008 CFSR indicate that Nebraska has the following challenges:

- The risk of harm to children is not consistently addressed when the services provided to families do not adequately address the safety issues in the family.
- The risk of harm to children is not consistently addressed due to inadequate risk and safety assessments and follow-up.

Additional findings in 2008 for this outcome were the following:

- Item 3 (services to prevent removal) was rated as a Strength in 68 percent of the cases.
- Item 4 (risk of harm) was rated as a Strength in 52 percent of the cases.

Nebraska did not achieve substantial conformity with this outcome for the 2002 CFSR and was required to address the outcome in its PIP. The key concerns identified at that time were related to the timely identification and provision of services to prevent removal of children from their homes. To address these concerns, the State implemented the following strategies:

- The State used N-FOCUS reports to track the timeframe between the beginning of the comprehensive assessment and the provision of services.
- The State strengthened DHHS, law enforcement, and county attorney use of the local 1184 multidisciplinary teams to address issues of child safety.
- The State strengthened policy to mandate monthly caseworker visits at a minimum, or more frequently, based on identified needs with children, biological families, and providers to ensure the safety, well-being, and permanency of children.
- The State developed and implemented methods to monitor visitation policy including quality of visits.

The State met its target goals for this outcome by the end of the PIP implementation period.

Permanency Outcome 1: Children have permanency and stability in their living situations

There are six indicators incorporated in the assessment of Permanency Outcome 1, although not all of them are relevant for all children. The indicators pertain to the child welfare agency's efforts to prevent foster care reentry (item 5), ensure placement stability for children in foster care (item 6), and establish appropriate permanency goals for children in foster care in a timely manner (item 7). Depending on the child's permanency goal, the remaining indicators focus on the child welfare agency's efforts to achieve permanency goals (such as reunification, guardianship, adoption, or permanent placement with relatives) in a timely manner (items 8

and 9) or to ensure that children who have OPPLA as a case goal are in stable placements and adequately prepared for eventual independent living (item 10). Permanency Outcome 1 also incorporates four national data composites for which national standards have been established: Permanency Composite 1 (Timeliness and permanency of reunification), Permanency Composite 2 (Timeliness of adoptions), Permanency Composite 3 (Permanency for children in foster care for extended time periods), and Permanency Composite 4 (Placement stability).

Nebraska is not in substantial conformity with Permanency Outcome 1. This determination was based on the following findings:

- The outcome was substantially achieved in 25.0 percent of the cases, which is less than the 95 percent required for an overall rating of substantial conformity. The outcome was substantially achieved in 33 percent of the Hall County cases, 27 percent of the Dawson County cases, and 20 percent of the Douglas County cases.
- The State Data Profile indicates that for the CFSR 12-month target period, the State met the national standards for only one of the four data composites: Composite 3, Permanency for children in foster care for extended periods of time.

Key findings from the 2008 CFSR revealed the following Strength in the State:

- The rate of reentry into foster care was found to be a Strength for the State (item 5).

Despite this strength, the findings of the 2008 CFSR indicate that Nebraska has the following challenges:

- Placement stability continues to be a challenge for the State, with 33 percent of children either having two or more placements during the period under review or remaining in unstable placements (item 6).
- The agency was not consistent with regard to establishing a child's permanency goal in a timely manner (item 7).
- The agency was not consistent with regard to attaining the goals of reunification, permanent placement with relatives, or guardianship in a timely manner (item 8).
- The agency was not consistent with regard to achieving adoptions in a timely manner (item 9).
- The agency did not make concerted efforts to ensure a long-term stable placement for children with the goal of OPPLA and provide necessary services to prepare for independent living (item 10).

Additional findings in 2008 for this outcome were the following:

- Item 5 (foster care reentry) was rated as a Strength in 100 percent of the cases.
- Item 6 (stability of foster care placements) was rated as a Strength in 67 percent of the cases.
- Item 7 (permanency goal for child) was rated as a Strength in 43 percent of the cases.
- Item 8 (reunification, guardianship, or placement with relatives) was rated as a Strength in 41 percent of the cases.
- Item 9 (adoption) was rated as a Strength in 23 percent of the cases.
- Item 10 (OPPLA) was rated as a Strength in 17 percent of the cases.

Nebraska did not achieve substantial conformity with this outcome in its 2002 CFSR and was required to address the outcome in its PIP. The key concerns identified at that time were the following:

- The State did not meet the national standard for length of time to reunification and adoption or for stability of foster care placement.
- The State did not consistently provide stable foster care placements due to the inappropriate use of shelter placements, the lack of support for foster parents, and the lack of adequate foster homes.
- The State did not consistently provide timely permanency goals for children, and did not consistently meet Adoption and Safe Families Act (ASFA) timelines for filing TPR petitions.
- The State did not effectively manage adoption cases.
- Concerns were identified regarding the use of the permanency goal of guardianship for young children without consideration of adoption as a possible option.
- Concerns were also identified regarding the provision of sufficient resources to assist youth in making a successful transition from foster care to independent living.

To address these concerns, the State implemented the following strategies:

- The State strengthened placement stability policy including policy related to the use of emergency shelters and efforts to locate and assess noncustodial parents and relatives for potential placement resources.
- The State strengthened policy and practice and measured compliance regarding the timely establishment of permanency goals within 60 days of placement and the timely reassessment of goals.
- The State developed policy and implemented methods for measuring compliance regarding guardianship policy.
- The State developed policy and monitoring regarding timely initiation and completion of home studies on adoptive parents and the listing of available children on adoption exchanges.
- The State strengthened the DHHS Legal Services that support permanency for State wards by working with the courts to locate and assess other relatives as potential placements, file for TPR within ASFA guidelines, and obtain adoption finalizations in a timely manner.
- The State strengthened policy and practice regarding independent living (IL) plans for children 16 years of age and older.

Nebraska met its target goals for this outcome by the end of the PIP implementation period.

Permanency Outcome 2: The continuity of family relationships and connections is preserved for children

Permanency Outcome 2 incorporates six indicators that assess the child welfare agency's performance with regard to placing children in foster care in close proximity to their parents and close relatives (item 11); placing siblings together (item 12); ensuring frequent visitation between children and their parents and siblings in foster care (item 13); preserving connections of children in foster care with extended family, community, cultural heritage, religion, and schools (item 14); seeking relatives as potential placement resources (item 15); and promoting the relationship between children and their parents while the children are in foster care (item 16).

Nebraska is not in substantial conformity with Permanency Outcome 2. The outcome was rated as substantially achieved in 67.5 percent of the cases, which is less than the 95 percent required for substantial conformity. The outcome was substantially achieved in 80 percent of the Douglas County cases, 67 percent of the Hall County cases, and 45 percent of the Dawson County cases.

Key findings in 2008 for this outcome indicate the following strengths:

- Children were routinely and consistently placed in close proximity to parents or potential permanent caregivers (item 11).
- Children were routinely and consistently placed with siblings (item 12).

Despite these strengths, the findings of the 2008 CFSR indicate that Nebraska has the following challenges:

- The agency was not consistent with regard to promoting visitation between or among siblings in foster care (item 13).
- The agency was not consistent with regard to efforts to maintain the child's connection with extended family, culture, and community (item 14) or with regard to efforts to maintain and strengthen the parent-child relationship while children are in foster care (item 16).
- The agency was not consistent with regard to seeking and evaluating relatives as potential placement resources (item 15).

Additional findings in 2008 for this outcome were the following:

- Item 11 (proximity of placement) was rated as a Strength in 97 percent of the cases.
- Item 12 (placement with siblings) was rated as a Strength in 91 percent of the cases.
- Item 13 (visiting with parents and siblings in foster care) was rated as a Strength in 73 percent of the cases.
- Item 14 (preserving connections) was rated as a Strength in 80 percent of the cases.
- Item 15 (relative placement) was rated as a Strength in 64 percent of the cases.
- Item 16 (relationship of child in care with parents) was rated as a Strength in 59 percent of the cases.

Nebraska did not achieve substantial conformity with this outcome in its 2002 CFSR and was required to address the outcome in its PIP. The key concerns identified at that time were the following:

- The State did not consistently search for relatives, particularly paternal relatives, as potential placement resources.
- The State did not consistently promote visitation and bonding with parents, particularly fathers.
- There was no clear State policy identifying the parties responsible for Tribal notification when a Native American child is placed in foster care.

To address these concerns, the State implemented the following strategies:

- The State strengthened policy and practice and developed monitoring regarding diligent efforts to locate and assess noncustodial parents and relatives for potential placement resources, visitation with children in foster care, and appropriate involvement in case planning.

- The State strengthened policy and practice and developed monitoring to mandate quality visits, at a minimum of once per month, between children and their families, or more frequently based on identified needs to assure timely progress is being made toward permanency.
- The State developed policy to enhance the ability of DHHS to support important connections for children including the use of culturally competent providers and compliance with the Indian Child Welfare Act (ICWA).

Nebraska met its target goals for this outcome by the end of the PIP implementation period.

Well-Being Outcome 1: Families have enhanced capacity to provide for their children's needs

Well-Being Outcome 1 incorporates four indicators. One pertains to the child welfare agency's efforts to ensure that the service needs of children, parents, and foster parents are assessed and that the necessary services are provided to meet identified needs (item 17). A second indicator examines the child welfare agency's efforts to actively involve parents and children (when appropriate) in the case planning process (item 18). The two remaining indicators examine the frequency and quality of caseworkers' contacts with the children in their caseloads (item 19) and with the children's parents (item 20).

Nebraska is not in substantial conformity with Well-Being Outcome 1. The outcome was substantially achieved in 32.3 percent of the cases reviewed, which is less than the 95 percent required for a determination of substantial conformity. The outcome was substantially achieved in 44 percent of Dawson County cases, 30 percent of Douglas County cases, and 25 percent of Hall County cases. The outcome was substantially achieved in 45 percent (18 cases) of the 40 foster care cases and 12 percent (3 cases) of the 25 in-home services cases.

Key findings in 2008 for this outcome indicate that Nebraska has the following challenges:

- There continues to be a lack of consistency in assessing and meeting the services needs of parents, particularly fathers. However, in the foster care cases reviewed, the agency is consistently assessing and addressing the needs of children.
- There also continue to be inconsistencies in adequately involving families, particularly fathers, in case planning.
- Caseworkers were more consistent in maintaining visitation with children in the foster care cases, but there were inconsistencies in caseworker visits with children in the in-home cases.
- The 2008 CFSR specifically differentiated between mothers and fathers in evaluating the frequency and quality of caseworker visits. In general, there were insufficient caseworker visits and challenges associated with the quality of visits with both parents. However, these findings were more pronounced for fathers, as evidenced by inconsistent concerted efforts to visit or engage fathers in either case planning or services.

Additional findings in 2008 for this outcome were the following:

- Item 17 (needs and services of child, parents, and foster parents) was rated as a Strength in 40 percent of the cases.
- Item 18 (child and family involvement in case planning) was rated as a Strength in 39 percent of the cases.

- Item 19 (caseworker visits with child) was rated as a Strength in 65 percent of the cases.
- Item 20 (caseworker visits with parents) was rated as a Strength in 30 percent of the cases.

Nebraska did not achieve substantial conformity with this outcome during its 2002 CFSR and was required to address this outcome in its PIP. The key concerns identified at that time were the following:

- The State did not consistently assess needs and provide services for children, parents, and foster parents due to the lack of complete assessments, a lack of assessments of fathers or of all children in the home, and a lack of service provision to meet identified child or family needs or to support foster parents.
- The State did not consistently facilitate the involvement of children and families in case planning.
- The State did not consistently maintain frequent or effective contact with children due, in part, to the lack of a State policy pertaining to the frequency and quality of caseworker visits with children.
- The State did not consistently maintain frequent or effective contact with parents due to the high caseloads and the lack of agency policy pertaining to caseworker visitation with parents.

To address these concerns, the State implemented the following strategies:

- The State strengthened case planning policy and practice and developed monitoring to ensure needed services are identified in the comprehensive assessment process and provided to the family as well as to the noncustodial parent.
- The State strengthened policy and practice and developed monitoring regarding diligent efforts to locate and assess noncustodial parents and relatives for appropriate involvement in case planning.

Nebraska met its target goals for this outcome by the end of the PIP implementation period.

Well-Being Outcome 2: Children receive appropriate services to meet their educational needs

There is only one indicator for Well-Being Outcome 2. It pertains to the child welfare agency's efforts to address and meet the educational needs of children in both foster care and in-home services cases (item 21).

Nebraska is not in substantial conformity with Well-Being Outcome 2. The outcome was substantially achieved in 76.5 percent of the cases reviewed, which is less than the 95 percent required for substantial conformity. The outcome was substantially achieved in 92 percent of the applicable Dawson County cases, 72 percent of the applicable Douglas County cases, and 71 percent of the applicable Hall County cases. The outcome was substantially achieved in 86 percent (32 cases) of the 37 applicable foster care cases and 50 percent (7 cases) of the 14 applicable in-home services cases.

Key findings of the 2008 CFSR indicate that the agency does not consistently ensure that children's educational needs are met and does not consistently assess children's educational needs and maintain contact with children's schools. In the cases reviewed, the agency did not consistently assess children's educational needs when educational issues were identified.

The State did not achieve substantial conformity with this outcome in the 2002 CFSR and was required to address this outcome in its PIP. The key concern identified at that time was that, although the agency was effective in meeting children's educational needs in the majority of cases reviewed, stakeholders expressed the opinion that the educational system was not supportive of children in State custody, particularly children with special needs. To address this concern, the State implemented the following strategies:

- The State developed a standardized case file format, including an educational section, and directives regarding what is to be included in the section.
- The State strengthened State ward education policy and practice and developed monitoring regarding appropriate educational assessments and educational records, and followed up with educational recommendations to be documented in the case plan and addressed at the periodic review.

The State met its target goals for this outcome by the end of the PIP implementation period.

Well-Being Outcome 3: Children receive adequate services to meet their physical and mental health needs

This outcome incorporates two indicators that assess the child welfare agency's efforts to meet children's physical health needs (item 22) and children's mental health needs (item 23).

Nebraska is not in substantial conformity with Well-Being Outcome 3. The outcome was substantially achieved in 62.3 percent of the cases reviewed, which is less than the 95 percent required for substantial conformity. The outcome was substantially achieved in 70 percent of the applicable Douglas County cases, 67 percent of the applicable Dawson County cases, and 44 percent of the Hall County cases. The outcome was substantially achieved in 68 percent (27 cases) of the 40 foster care cases and 52 percent (11 cases) of the 21 applicable in-home services cases.

Key findings of the 2008 CFSR indicate that Nebraska has the following challenges:

- The State does not consistently conduct assessments of children's physical and dental health and provide access to needed services.
- The State does not consistently conduct appropriate assessments and address the mental health needs of children.

Additional findings in 2008 for this outcome were the following:

- Item 22 (physical health of child) was rated as a Strength in 77 percent of the cases.
- Item 23 (mental health of child) was rated as a Strength in 70 percent of the cases.

Nebraska did not achieve substantial conformity with this outcome in its 2002 CFSR and was required to address the outcome in its PIP. The key concerns identified at that time were the following:

- The State did not consistently provide for the comprehensive physical health needs of children; it was found that all children did not receive regular preventive physical health and dental services and that there was a lack of available medical services throughout most areas of the State.
- The State did not consistently provide for the mental health needs of children either because mental health needs were not adequately assessed or needed services were not provided.

To address these concerns, the State implemented the following strategies:

- The State strengthened policy and practice and developed monitoring to ensure that health and dental examinations are received as required by policy, including follow-up care.
- The State expanded the use of the Integrated Care Coordination Unit across the State, in collaboration with Nebraska Regional Mental Health agencies, to expedite reunification and permanency and reduce the number of moves while in placement.
- The State developed a standardized pre-treatment protocol that addresses the child's mental health needs and recommends treatments as needed including treatments for substance abuse and eating disorders.

The State met its target goals for this outcome by the end of the PIP implementation period.

II. KEY FINDINGS RELATED TO SYSTEMIC FACTORS

Statewide Information System

Substantial conformity with the systemic factor of Statewide Information System is determined by whether the State is operating a statewide information system that can identify the status, demographic characteristics, location, and goals for children in foster care.

Nebraska is in substantial conformity with the systemic factor of Statewide Information System. The 2008 CFSR found that the State's information system, N-FOCUS, provides statewide information regarding the status, demographic characteristics, location, and goals for every child in foster care and tracks changes in that information. N-FOCUS provides information to caseworkers and supervisors to assist in case management.

Nebraska was in substantial conformity with this outcome in the 2002 CFSR.

Case Review System

Five indicators are used to assess the State's performance with regard to the systemic factor of Case Review System. The indicators examine the development of case plans and parent involvement in that process (item 25), the consistency of 6-month case reviews (item 26) and 12-month permanency hearings (item 27), the implementation of procedures to seek TPR in accordance with the

timeframes established by ASFA (item 28), and the notification and inclusion of foster and pre-adoptive parents and relative caregivers in case reviews and hearings (item 29).

Nebraska is not in substantial conformity with the systemic factor of Case Review System for 2008. Although data are not available for this item, there was general agreement among stakeholders interviewed during the onsite CFSR that the State conducts timely and meaningful 6-month administrative reviews for all children in foster care (item 26).

Key findings of the 2008 CFSR indicate that Nebraska has the following challenges:

- Although case plans are developed for all children and the implementation of team decision-making has enhanced the case planning process, case plans are not consistently developed jointly with the parents nor are they developed in a timely manner. The Statewide Assessment indicated that high caseloads may be a factor in the timely and joint development of case plans (item 25).
- Although the State has a process in place for conducting permanency hearings, they are not being conducted in a timely manner due, in part, to full court calendars and delayed court reports. The Statewide Assessment reports that only 30 percent of the children in foster care for more than 15 months had permanency hearings within the last 12 months (item 27).
- Although the State has a process in place to provide TPRs in accordance with ASFA requirements, TPR petitions are not consistently filed in a timely manner due, in part, to a lack of initial planning and establishment of paternity. In addition, during the onsite CFSR, case reviewers determined that only 67 percent of the applicable cases met the TPR requirements of ASFA (item 28).
- Although the State has a statute that provides foster, pre-adoptive, and relative caregivers opportunities to be heard at reviews and hearings regarding the children in their care, the State has not implemented a consistent process to ensure that notification occurs (item 29).

Nebraska did not achieve substantial conformity with this systemic factor in its 2002 CFSR and was required to address it in its PIP. The key concerns identified at that time were the following:

- Although the State had a process to provide written case plans for each child in foster care, case plans were not present for all children. In addition, parents were not active participants in the case planning process.
- Although the State had a process to provide for TPR within the required timeframes, practice did not follow this process due to cultural and administrative barriers.
- The State did not have a process to provide notification to a child's caregivers of hearings.

To address these concerns, the State implemented the following strategies:

- The State strengthened case planning policy and practice and developed monitoring to ensure needed services are identified in the comprehensive assessment process and provided to the family as well as to the noncustodial parent.
- The State strengthened policy and practice and developed monitoring regarding TPR including appropriateness, timeliness, and compelling reasons not to file.

- The State strengthened policy and practice regarding the procedures for notifying the court of who is relevant to a particular case and who should be invited to future court proceedings.

The State met its target goals for this systemic factor by the end of the PIP implementation period.

Quality Assurance System

Performance with regard to the systemic factor of QA System is based on whether the State has developed standards to ensure the safety and health of children in foster care (item 30) and whether the State is operating a statewide QA system that evaluates the quality and effectiveness of services and measures program strengths and ANIs (item 31).

Nebraska is in substantial conformity with the systemic factor of QA System. The 2008 CFSR found that the State has developed and implemented effective standards to ensure that children in foster care are provided quality services to protect their safety and health (item 30). In addition, the State has an identifiable QA system that includes a Comprehensive Quality Improvement/Operations Unit; its staff, located across the State, conduct ongoing case reviews, provide feedback to local offices, and inform policy development in the following areas: performance accountability, specialized case reviews, ICWA compliance reviews, and consumer satisfaction surveys. The State has a process in place to share information, develop a plan of improvement, and reassess performance. Reports are provided to the Protection and Safety Administrators with the expectation that program improvement plans will be implemented as necessary (item 31).

Nebraska did not achieve substantial conformity with this systemic factor in the State's 2002 CFSR and was required to address this factor in its PIP. The key concerns identified at that time were the following:

- The State does not have a policy to require supervisory visits of children in foster homes.
- The State does not have a comprehensive, statewide approach to QA to measure the quality of care provided and outcomes.

To address these concerns, the State implemented the following strategies:

- The State developed a comprehensive framework for QA in collaboration with the National Resource Center for Organizational Improvement and field staff.
- The State identified and developed practice standards.

The State met its target goals for this systemic factor by the end of the PIP implementation period.

Training

The systemic factor of Training incorporates an assessment of the State's new caseworker training program (item 32), ongoing training for child welfare agency staff (item 33), and training for foster and adoptive parents (item 34).

Nebraska is in substantial conformity with the systemic factor of Training. The 2008 CFSR found the following strengths of the State's training program:

- Nebraska has in place pre-service training that covers a 6-month period and that is effective in preparing caseworkers for their job responsibilities. Caseworkers are required to complete training prior to assuming a full caseload (item 32).
- Nebraska requires a minimum of 24 hours of annual in-service training for caseworkers that addresses both general and specialized issues. In-service training is also provided for supervisors and managers (item 33).
- Foster parents, pre-adoptive parents, and staff of licensed placement facilities are required to complete 21 hours of training prior to licensure and 12 hours of in-service training annually (item 34).

The State was in substantial conformity with this systemic factor in its 2002 CFSR.

Service Array

The systemic factor of Service Array incorporates an assessment of three questions: Does the State have in place an array of services to meet the needs of children and families served by the child welfare agency (item 35)? Are these services accessible to families and children throughout the State (item 36)? Can services be individualized to meet the unique needs of the children and families served by the child welfare agency (item 37)?

Nebraska is not in substantial conformity with the systemic factor of Service Array for the 2008 CFSR.

Key findings of the 2008 CFSR indicate that Nebraska has the following challenges:

- Although collaborative efforts among the child welfare agency and other government agencies are occurring to maximize services, there are gaps across the State in key service areas such as placement resources, residential treatment, and IL services (item 35).
- Service accessibility is limited due to the great distances that must be traveled to obtain services in the rural areas of Nebraska, and the lack of transportation limits access to services. In addition, there are waiting lists for some mental health services and gaps for many services statewide (item 36).
- Although the State model of family team meetings is designed to individualize services, these meetings are not consistently held. In addition, services are not always individualized to meet the needs of children and families due, in part, to service limitations and a lack of available bilingual services (item 37).

Nebraska did not achieve substantial conformity with this factor in the 2002 CFSR and was required to address this factor in the PIP. The key concerns identified at that time were the following:

- According to the Statewide Assessment and stakeholders, key gaps in services included parent education, family support, substance abuse treatment, foster care placements, services for developmentally disabled children, dental care, culturally and

linguistically competent providers, IL services, residential treatment, community-based services, juvenile justice services, and services for sexual offenders and sexual abuse victims.

- Services are not consistently available statewide, and there are frequently long waiting lists.
- Services are not individualized to meet the needs of children and families primarily due to service gaps throughout the State.

To address these concerns, the State implemented the following strategies:

- The State conducted a service array pilot in two areas using the National Family Centered Practice model that identified service needs, gaps, and improvements required to address timely initiation of services; assure the ability to offer needed services; develop in-home services; and reduce waiting lists.
- The State partnered with the Nebraska Public Health Improvement Initiative to expand health and dental services for State wards.

The State met its target goals for this systemic factor by the end of the PIP implementation period.

Agency Responsiveness to the Community

Performance with regard to the systemic factor of Agency Responsiveness to the Community incorporates an assessment of the State's consultation with external stakeholders in developing the Child and Family Services Plan (CFSP) (items 38 and 39) and the extent to which the State coordinates child welfare services with services or benefits of other Federal or Federally-assisted programs serving the same population (item 40).

Nebraska is in substantial conformity with the systemic factor of Agency Responsiveness to the Community. The 2008 CFSR found the following strengths in the State agency's responsiveness to the community:

- The State has consulted with stakeholders in the community regarding child welfare initiatives and the goals of the CFSP. The State agency has effectively partnered with the governor, the legislature, and the courts to develop and improve child welfare practice (item 38).
- Focus groups and collaboratives regularly discuss annual reports of the CFSP and service delivery across the State (item 39).
- DHHS collaborates with the judicial and legislative branches of government as well as with other executive agencies and Indian Tribes to coordinate services and benefits of other Federal programs serving the same population under the CFSP, including Temporary Assistance to Needy Families, child care, and child support (item 40).

The State was in substantial conformity with this factor in its 2002 CFSR.

Foster and Adoptive Parent Licensing, Recruitment, and Retention

The assessment of this systemic factor focuses on the State's standards for foster homes and child care institutions (items 41 and 42), the State's compliance with Federal requirements for criminal background checks for foster and adoptive parents (item 43), the State's

efforts to recruit foster and adoptive parents that reflect the ethnic and racial diversity of foster children (item 44), and the State's activities with regard to using cross-jurisdictional resources to facilitate permanent placements for waiting children (item 45).

Nebraska is in substantial conformity with the systemic factor of Foster and Adoptive Parent Licensing, Recruitment, and Retention. The 2008 CFSR found the following strengths in the State's policies regarding foster and adoptive parent licensing, recruitment, and retention:

- Nebraska has in place effective standards for licensure of foster family homes and child care institutions (item 41).
- Licensing standards are applied uniformly to all foster family homes, including licensed relative homes and child care institutions. Although the State did not provide data regarding the extent to which standards are applied to licensed or approved foster family homes and child care institutions, the results of the title IV-E Eligibility Review support the stakeholder comments and Statewide Assessment indications that standards are applied appropriately (item 42).
- Nebraska conducts criminal background clearances in compliance with Federal requirements. Although the State did not provide data regarding the extent to which criminal background clearances are conducted, the results of the title IV-E Eligibility Review support stakeholder comments and Statewide Assessment indications that criminal background clearances are conducted appropriately to address the safety of foster care and adoptive placements for children (item 43).
- Although the State did not provide data regarding the number of children placed in other jurisdictions, Nebraska effectively uses diverse methods, including both State and national adoption exchanges and photo listings, to obtain placements for children across counties and outside the State (item 45).

Despite these areas of strength, the CFSR noted that although DHHS and the Nebraska Foster and Adoptive Parent Association (NFAPA) have an ongoing partnership to recruit foster and adoptive parents, there is a lack of planned activities for the recruitment of foster and adoptive parents who reflect the ethnic and racial diversity of children in foster care (item 44).

In the 2002 CFSR, Nebraska was not in substantial conformity with this factor and was required to address this factor in its PIP. The key concerns identified at that time were the following:

- The State did not consistently implement background checks although they were required.
- The State did not conduct recruitment due to staffing and resource limitations.
- The State did not use adoption exchanges to promote the adoption of children who are legally free for adoption.

To address these concerns, the State implemented the following strategies:

- The State developed policy and monitoring that requires all licensed and approved foster parents to be fingerprinted for criminal background checks prior to licensure.
- The State conducted a targeted foster parent/resource family recruitment campaign to reflect the ethnic and racial diversity of the children in State custody in collaboration with NFAPA to support stability of foster placements.

The State met its target goals for this systemic factor by the end of the PIP implementation period.

Table 1. Nebraska CFSR Ratings for Safety and Permanency Outcomes and Items

Outcomes and Indicators	Outcome Ratings			Item Ratings	
	In Substantial Conformity?	Percent Substantially Achieved*	Met National Standards?	Rating**	Percent Strength
Safety Outcome 1: Children are, first and foremost, protected from abuse and neglect	No	37.5	Met 0 of 2		
Item 1: Timeliness of investigations				ANI	37
Item 2: Repeat maltreatment				Strength	92
Safety Outcome 2: Children are safely maintained in their homes when possible and appropriate	No	52.3			
Item 3: Services to prevent removal				ANI	68
Item 4: Risk of harm				ANI	52
Permanency Outcome 1: Children have permanency and stability in their living situations	No	25.0	Met 1 of 4		
Item 5: Foster care reentry				Strength	100
Item 6: Stability of foster care placements				ANI	67
Item 7: Permanency goal for child				ANI	43
Item 8: Reunification, guardianship, or placement with relatives				ANI	41
Item 9: Adoption				ANI	23
Item 10: Other planned living arrangement				ANI	17
Permanency Outcome 2: The continuity of family relationships and connections is preserved	No	67.5			
Item 11: Proximity of placement				Strength	97
Item 12: Placement with siblings				Strength	91
Item 13: Visiting with parents and siblings in foster care				ANI	73
Item 14: Preserving connections				ANI	80
Item 15: Relative placement				ANI	64
Item 16: Relationship of child in care with parents				ANI	59

*95 percent of the applicable cases reviewed must be rated as having substantially achieved the outcome for Nebraska to be in substantial conformity with the outcome.

**Items may be rated as a Strength or an ANI. For an overall rating of Strength, 90 percent of the cases must be rated as a Strength.

Table 2. Nebraska CFSR Ratings for Child and Family Well-Being Outcomes and Items

Outcomes and Indicators	Outcome Ratings		Item Ratings	
	In Substantial Conformity?	Percent Substantially Achieved	Rating**	Percent Strength
Well-Being Outcome 1: Families have enhanced capacity to provide for children’s needs	No	32.3		
Item 17: Needs/services of child, parents, and foster parents			ANI	40
Item 18: Child/family involvement in case planning			ANI	39
Item 19: Worker visits with child			ANI	65
Item 20: Worker visits with parents			ANI	30
Well-Being Outcome 2: Children receive services to meet their educational needs	No	76.5		
Item 21: Educational needs of child			ANI	77
Well-Being Outcome 3: Children receive services to meet their physical and mental health needs	No	62.3		
Item 22: Physical health of child			ANI	77
Item 23: Mental health of child			ANI	70

*To be in substantial conformity with the outcome, 95 percent of the applicable cases reviewed must be rated as having substantially achieved the outcome for Nebraska.

**Items may be rated as a Strength or an ANI. For an overall rating of strength, 90 percent of the cases reviewed for the item (with the exception of item 21) must be rated as a Strength. Because item 21 is the only item for Well-Being Outcome 2, the requirement of a 95-percent strength rating applies.

Table 3. Nebraska CFSR Ratings for Systemic Factors and Items

Systemic Factors and Items	In Substantial Conformity?	Score*	Item Rating**
Statewide Information System	Yes	3	
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
Case Review System	No	2	
Item 25: The State provides a process that ensures that each child has a written case plan to be developed jointly with the child’s parents that includes the required provisions			ANI
Item 26: The State 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
Item 27: The State 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			ANI
Item 28: The State provides a process for termination of parental rights (TPR) proceedings in accordance with the provisions of the Adoption and Safe Families Act (ASFA)			ANI
Item 29: The State 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			ANI
Quality Assurance System	Yes	3	
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 children			Strength
Item 31: The State is operating an identifiable quality assurance system that is in place in the jurisdictions where the services included in the Child and Family Services Plan (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
Training	Yes	3	
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
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
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

Systemic Factors and Items	In Substantial Conformity?	Score*	Item Rating**
Service Array	No	2	
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			ANI
Item 36: The services in item 35 are accessible to families and children in all political jurisdictions covered in the State's CFSP			ANI
Item 37: The services in item 35 can be individualized to meet the unique needs of children and families served by the agency			ANI
Agency Responsiveness to the Community	Yes	4	
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
Item 39: The agency develops, in consultation with these representatives, annual reports of progress and services delivered pursuant to the CFSP			Strength
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
Foster and Adoptive Parent Licensing, Recruitment, and Retention	Yes	3	
Item 41: The State has implemented standards for foster family homes and child care institutions that are reasonably in accord with recommended national standards			Strength
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
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
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 adoptive homes are needed			ANI
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

*Scores range from 1 to 4. A score of 1 or 2 means that the factor is not in substantial conformity. A score of 3 or 4 means that the factor is in substantial conformity.

**Items may be rated as a Strength or as an ANI.