



DEPARTMENT OF HEALTH & HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES
Administration on Children, Youth and Families
330 C Street, S.W.
Washington, D.C. 20201

October 11, 2016

Dear State Child Welfare Administrator,

This letter seeks to inform you of our decision to use the Child and Family Services Reviews (CFSR) statewide data indicators and national standards for round 3 for context purposes and suspend their use in conformity decisions. The Children's Bureau (CB) is authorized by the regulations at 45 CFR 1355.34(b)(4) and (5) to add, amend, or suspend any of the statewide data indicators and to adjust the national standards when appropriate.

The Children's Bureau planned to use a state's performance on the national standards developed for statewide data indicators as one part of our determination of substantial conformity with certain child outcomes in the CFSRs. We published the proposed plan for public comment in an April 2014 Federal Register notice and received a supportive response from many in the field. Public comments noted appreciation for several proposed improvements in the design of the indicators and national standards from those used in prior rounds. We subsequently issued a final plan for use of the indicators and national standards in October 2014, which was modified in [May 2015](#) after the Administration on Children, Youth and Families (ACYF) discovered some technical errors.

Since the May 2015 notice, we have discovered additional technical errors in the syntax and formulation of the statewide data indicators. Some of these discoveries were flagged by states and other interested parties that had operationalized the indicators for their own continuous quality improvement efforts. Additional time is needed to change and thoroughly test revised syntax that addresses the technical errors discovered. When that testing is complete, CB will publish revised performance results for all states, revised national standards, and the revised syntax. We anticipate this process being complete by the end of 2016.

In recognition of the operational challenges associated with implementing revised indicators at this stage, especially for states that have already begun CFSR 3 planning based on previously published performance, CB will not use the indicators in determinations of substantial conformity for the entire round 3 of the CFSR, and they will not be used as a basis for potentially imposing financial penalties. Instead, CB will use the revised indicators to inform states and the public of state performance on the indicators and national standards, assess state performance against the indicators over time, and offer states support and technical assistance via joint planning in the title IV-B process. This allows CB to raise the visibility of state performance on the indicators and support practice improvement while minimizing the impact on states of an error that is ours. It is a step we wish to take in light of the significant time, resources, and commitment needed from state child welfare agencies and their partners to accomplish systems change and program improvement.

CB believes that the CFSR statewide data indicators planned to be used in this round are solid measures and help to draw public attention and state accountability to important indicators of safety and permanency for children and families who are served by state child welfare systems. We remain committed to using these indicators in our work with states as described above.

We remind states and the interested public that all other aspects of the CFSR process remain in place. For example, states will continue to be held accountable, and potentially subject to financial penalties, based on results of the onsite case review portion of the CFSR. We will continue to partner with states to review cases of children and families who have been involved in the child welfare system and hold states accountable for achieving positive outcomes in safety, permanency and well-being.

We have enclosures to this letter related to the revised statewide data indicators:

- A list that details some of the adjustments needed in the statewide data indicators; and
- CFSR Technical Bulletin #9, which provides additional information about how this change impacts the CFSRs and program improvement plans.

The enclosures will soon be available on the CB website and the CFSR portal at www.acf.hhs.gov/programs/cb and <http://www.cfsrportal.org>, respectively.

We look forward to continuing our work with you on behalf of our nation's children and families.

Sincerely,

/s/

Rafael López
Commissioner,
Administration on Children, Youth and Families

List of CFSR Round 3 Statewide Data Indicators Issues as of Publication

This list summarizes some of the issues we have identified and explored to date regarding adjustments needed in the syntax. We are providing this list to aid states and others in interpreting existing information on state performance on the statewide data indicators. This is not an all-inclusive list and additional issues may still be identified during our continuing review. The revisions to the statewide data indicators along with supporting materials and methods used are planned to be published by the end of 2016.

Recurrence of Maltreatment

- The syntax needs to account for recurrence of maltreatment when a child is identified as a victim of a substantiated or indicated maltreatment in two reports that are over 14 days apart and one record has an incident date, and the other record is missing the incident date.
- If a child had two substantiated or indicated maltreatment reports with identical incident dates and there was a third substantiated or indicated maltreatment report with a different incident date, the child was not identified as experiencing recurrence of maltreatment.

Maltreatment in Foster Care and Placement Stability

- Calculations need to be adjusted for youth who turn 18 years while in foster care to use their 18th birthday as the discharge date instead of the actual date of discharge to account for youth who remain in foster care beyond age 18. Youth who turned 18 years, but did not discharge from foster care were not identified as exiting from care.
- In some cases, we over-counted the days in care, which is the denominator for some cases, due to incomplete histories of placement episodes reported to the Adoption and Foster Care Analysis and Reporting System (AFCARS) or missing data due to data entry error.
- Leap years need to be accounted for in calculating days in foster care in the denominator.

Maltreatment in Foster Care

- States report maltreatment dispositions to the National Child Abuse and Neglect Data System (NCANDS) with varying levels of timeliness. Consequently, using one year of data to monitor this outcome sometimes undercounts victimizations that occurred but were reported in a subsequent year's data file. Including an additional year of NCANDS data in the indicator captures these later reported dispositions and mitigates differences in performance due solely to a state's reporting practices.

Permanency in 12 Months for Children Entering Foster Care, Permanency in 12 Months for Children in Care 12 to 23 Months, and Permanency in 12 Months for Children in Care 24 Months or More

- Calculations inadvertently excluded all discharges to permanency during the first week of the 12-month period. The intent was to exclude only children with a discharge date within 7 days from their date of entry into care, as opposed to all permanency discharges during the first week of the 12-month period.

Permanency in 12 Months for Children Entering Foster Care, Permanency in 12 Months for Children in Care 12 to 23 Months, Permanency in 12 Months for Children in Care 24 Months or More, and Re-Entry to Foster Care in 12 Months

- The permanency discharge reason for the first foster care episode is lost for children who exit from foster care and then re-enter foster care in the same six-month period due to the AFCARS reporting structure. Calculations counted these children in the denominator but not in the numerator when the records should have been excluded from the measure due to missing data elements.