



Kevin S. 2020 Annual Report Part 1: Quantitative Monitoring Outcomes

Overview

This report details the work done on quantitative commitments due in December 2020. These commitments include:

1. Approval and notification of children placed in extraordinary circumstances
2. Determination and review of children placed in non-ICWA preferred placements

The period of assessment for this report is January 1, 2020 to December 31, 2020.

The following sections are organized by the settlement's appendix section and metric number.

The following information will be provided per metric:

1. **Calculation Details:** This section provides additional details about the metric calculation and resulting data.
2. **Calculation Results:** For quantitative metrics that have baseline or proxy data, the resulting value(s) or graphs related to the calculation are provided.

A separate SFTP process has been set up to provide the Co-Neutrals and Plaintiffs all underlying data referenced.

Appendix B: Least Restrictive and Appropriate Placements

Appendix B: Target Outcome 1.1

No child under 18 will be placed in any hotel, motel, out-of-state provider, office of a contractor, or state agency office unless in extraordinary circumstances necessary to protect the safety and security of the child as documented in the child's record and approved by the Secretary or the Protective Services Director of CYFD and with proper notice as described.

Metric i Proxy: Extraordinary circumstances

Percentage of children who had a placement in hotel/motel/office settings, or with out-of-state RTC/group placements for the reporting year.

Calculation Details

The 2019 Baseline reported a proxy variable on the percentage of children in non-traditional placements. This was because approval processes related to extraordinary circumstance placements were not in place until December 2020. We are continuing to report on this metric within the 2020 reporting year (Jan 1 – Dec 31 2020)

This metric will offer a sense of the extent to which State personnel rely on non-traditional placements.

Numerator = Number of children with office/hotel/motel/out-of-state RTC/group placements
Denominator = Total number of children in cohort for the reporting year

Calculation Results

3.49% (n=117) of children who had a placement in 2019 (n=3349) were placed with an out-of-state provider, in an office, or in a hotel/motel.

Metric i: Extraordinary circumstances

Percentage of children who had a placement in hotel/motel/office settings, or with out-of-state providers, that include required finding and approval of “extraordinary circumstances” and meet all notification requirements. For out-of-state RTC care settings, metric will include appropriate triage meetings.

Calculation Details

Two children had extraordinary circumstance placements in December 2020. All of these were with out-of-state providers. One of these children met all approval and timely notification requirements.

A third child was removed from the analysis since they were born out-of-state at the hospital where their out-of-state placement occurred.

Starting in December 2020, two new providers were added to track office stays and hotel/motel stays. Provider #173950 is used to track office stays. Provider #173954 is used to track hotel/motel stays. There were no placements in offices, hotels, or motels during December 2020.

Calculation Results

50% (n=1) of children who had an extraordinary circumstance placement in December 2020 (n=2) met all approval and timely notifications requirements.

Appendix C: Indian Child Welfare Act

Appendix C: Target Outcome 4.1

CYFD is committed to having Native Children in ICWA-preferred placements. By December 1, 2020, when a Native Child is in a non-ICWA-preferred placement, the placement will be reviewed every 30 Days.

Metric i: Time spent in non-ICWA preferred placements

Average (mean) and median length of time Native American children spent in non-ICWA preferred placements.

Calculation Details

Only placements that started on or after December 1, 2020, were included in this metric. 31 placements for 29 ICWA-eligible or reason-to-know children started in December 2020. Of these children, 19 had a court-determined ICWA status, and the remaining 10 were reason-to-know based off of their race and/or tribal affiliation.

Three of the December placements received a court hearing to determine if the placement was non-ICWA-preferred. All of these placements were found to be not non-ICWA preferred.

Because court determinations often occur months after a placement start, the State started determining the likely ICWA-preferred placement status based on detailed federal requirements (December 2020). so a spreadsheet was created by the State with all Native American child placements during December 2020 identifying federal guideline-based determinations on the ICWA preferred placement status for any child that was ICWA-eligible or had reason to know. Due to a lapse in when a placement starts and when a child receives a court date, CYFD's assumed ICWA-preferred placement status (following federal guidelines) is used for this metric. Starting in August 2021, the child's CYFD assumed (according to federal guidelines) ICWA-preferred placement status will be entered into FACTS directly, instead of being tracked through

spreadsheets.

As a quality check on CYFD's determination, the CYFD best-guess determination was compared to official court determinations. For the 3 placements where a court determination did occur, the court and CYFD determination aligned.

Calculation Results

In December 2020, ICWA-Eligible or Reason to Know children (n=29) spent an average of 5.10 days and median of 0 days in non-ICWA preferred placements.

Metric ii: 30-day reviews of non-ICWA preferred placements

Percent of 30-day reviews for non-ICWA preferred placements conducted on time.

Calculation Details

A total of 15 non-ICWA preferred placements (considering children with both a court-determined ICWA-eligibility status, as well as those affiliated with a tribe or Native American race but without a court-determined ICWA status) happened during December 2020.

Of these, one placement was due for a non-ICWA preferred meeting (out-of-preferred-placement meeting, or OOPP) since their placement started on December 1, 2020. This child did not have a court-determined ICWA status, but the State believed that they would eventually be eligible for ICWA because of their known tribal affiliation.

Calculation Results

0% (n=0) of OOPP reviews due (n=1) in December 2020 were completed on time. Notably, this child did not have a court-determined ICWA status at that time.