



# **PERFORMANCE AUDIT REPORT**

**Verifying Information Provided by the  
Department of Social and Rehabilitation Services  
On Its Compliance With the Terms of the  
Foster Care Lawsuit Settlement Agreement**

**Monitoring Report #3  
Covering January-June, 1995**

## ***Executive Summary*** ***with Conclusions and Recommendations***

**A Report to the Legislative Post Audit Committee  
By the Legislative Division of Post Audit  
State of Kansas  
July 1996**

# **Legislative Post Audit Committee**

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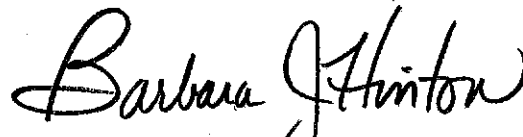
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July 15, 1996

To: Members of the Kansas Legislature

This executive summary contains the findings and recommendations from our completed performance audit, *Verifying Information Provided by the Department of Social and Rehabilitation Services on Its Compliance with the Terms of the Foster Care Lawsuit Settlement Agreement, Monitoring Report #3*.

This report includes several recommendations for improving the Department's compliance with the settlement agreement in future monitoring periods. If you would like a copy of the full audit report, please call our office and we will send you one right away. We would be happy to discuss these recommendations or any other items in the report with you at your convenience.

  
Barbara J. Hinton  
Legislative Post Auditor



**Verifying Information Provided by the  
Department of Social and Rehabilitation Services  
On Its Compliance With the Terms of the  
Foster Care Lawsuit Settlement Agreement**

**EXECUTIVE SUMMARY**

**LEGISLATIVE DIVISION OF POST AUDIT**

**Question: Is the Department of Social and  
Rehabilitation Services Accurately Reporting  
Its Compliance With the Terms of the  
Foster Care Settlement Agreement?**

The third monitoring period covers the six-month period from January 1 to June 31, 1995. During this period, we assessed compliance with a total of 45 requirements related to 36 settlement elements. Based on our reviews and testwork, we concluded that the Department was in compliance with 16 and not in compliance with 18 of those requirements.

In addition, the Monitoring Unit reported that the Department wasn't in compliance with six other requirements. However, we concluded the Unit's assessment couldn't be relied on because the case readings, on which the assessments were based, weren't accurate enough to determine whether the Department was in compliance or not.

Finally, we couldn't determine whether the Department was in compliance with five additional requirements. Our findings are summarized below.

**The Department didn't comply with 18 requirements in five areas.** The five areas of non-compliance we identified were:

*Protective services:*

- The Department didn't screen abuse or neglect reports it received appropriately. .... page 22
- Protective services investigations weren't initiated by the assigned deadline. .... page 23
- Family based assessments weren't completed as required. .... page 23
- The Department didn't review and document previous unconfirmed reports of abuse or neglect. .... page 23

*Assessment of needs for services and placements:*

- The needs assessments submitted by the Department didn't clearly identify Statewide and regional needs for preventive services, placements, and services for children in Department custody or identify strategies to assist area offices and communities in the development of resources. .... pages 25 - 27
- The Statewide plan submitted by the Department doesn't consider existing and potential resources, list specific steps for developing those resources, set goals for addressing identified needs, enumerate specific steps to achieve those goals, or give a timetable for implementing the plan. .... pages 27 - 28

<i>Staffing:</i>	
• <i>The Department didn't develop caseload guidelines for determining an appropriate range of cases a worker can handle effectively, but rather developed a formula for determining appropriate workload ranges. This formula doesn't provide a basis for determining what a target caseload should be.</i>	..... pages 29 - 30
• <i>The Department's report evaluating the effectiveness of its paraprofessional staff used "time spent" by paraprofessionals on case work as the sole measure of effectiveness. Without additional criteria, the Department can't evaluate the effectiveness of the staff, or have a basis for determining what a target caseload would be.</i>	..... pages 30 - 31
<i>Training:</i>	
• <i>The Department didn't provide basic core curriculum training and supervisory training to all eligible workers as required.</i>	..... page 32
<i>Information systems:</i>	
• <i>The Department didn't implement an automated, area office data system.</i>	..... page 33
• <i>Reports of suspected abuse or neglect by a foster parent or other placement provider weren't entered into the Child Abuse and Neglect Information System as required.</i>	..... page 33
• <i>The Monitoring Unit reported that the study the Department used to test the Family Agenda Monitoring Elements information system was unreliable.</i>	..... page 33

**Recommendations.** A brief summary of the report's recommendations for these elements, together with a summary of applicable comments from the agencies, is presented below.

<i>Assessment of needs for services and placements:</i>	
• <i>We recommend that the Department assess its Statewide and regional needs for preventive services, placements, and services for children in the Department's custody. This needs assessment should identify the number and types of services available in each management area, whether there are sufficient numbers of placements in any given area, the accessibility of services, the specific service gaps or deficiencies, and the priority level assigned to services.</i>	..... page 28
• <i>Once specific service and placement needs are identified, the Department should identify specific strategies to assist area offices and communities in developing the resources needed to provide them. In addition, the Department should develop a systematic and comprehensive Statewide plan to meet those needs.</i>	..... page 28-29
<i>Staffing:</i>	
• <i>The Department should devise guidelines that, at a minimum, provide criteria for determining what a "target" caseload should be, and what size caseload can be handled effectively. In addition, it should also consider how these factors relate to professional standards.</i>	..... page 30
• <i>We also recommend that the Department develop criteria for assessing how and when paraprofessional staff may be used effectively, and whether the tasks currently being performed by paraprofessionals meet these criteria.</i>	..... page 31

*Training:*

- *To ensure that the Department complies with the requirements related to training, the Department should make sure that all eligible employees receive basic core curriculum and supervisory training.* ..... page 32

*The Department of Social and Rehabilitation Services generally concurred with our recommendations. However, the Department indicated it wanted us to defer making an assessment of the requirements related to needs assessments and staffing, because the parties are actively negotiating to determine what the compliance requirements for these elements are. It is our understanding that the parties understand and agree to what is required by these elements, but there's continued disagreement about whether what the Department has done complies with those elements. Based on this understanding, we didn't change or defer our compliance assessment for these requirements.*

*With one exception, Children's Rights, Inc. concurred with our recommendations. It requested that recommendations be made for the requirements related to information systems. We didn't make recommendations for those elements because, when the Department formally acknowledges noncompliance, we don't make an assessment of that element, by agreement of the parties.*

**The Monitoring Unit reported that the Department wasn't in compliance with six additional requirements related to protective services.** *However, because we determined that the case reading for these requirements was unreliable, we can't tell whether the Department was in compliance with the following requirements:*

- *Conducting preliminary risk assessments as required.* ..... page 23
- *Completing family service plans as required and by the assigned deadline.* ..... page 23
- *Completing family based assessments within the required timeframe.* ..... page 23
- *Interviewing all the appropriate parties during an investigation.* ..... page 23
- *Completing protective service investigations within the required timeframe.*

**Factors prevented us from determining whether the Department had complied with five requirements in three areas.** *The five requirements related to protective services, preventive services and staffing.*

- *For four of those requirements, relating to family emergency assistance, the maintenance of funds for preventive services or family reunification, the equitable distribution of cases among social work staff, and the maintenance of sufficient staff to comply with the Department's caseload guidelines, the Department and Children's Rights, Inc. haven't yet agreed on what the Department must do to comply.* ..... pages 31-32 and 34
- *We have concerns with the data analysis methodology the Monitoring Unit used to make its assessment for the fifth requirement relating to the provision of medical services in cases where the Department has determined that those services are necessary.* ..... page 24

**Recommendations.** *A brief summary of the report's recommendations for these elements, together with a summary of applicable comments from the agencies, is presented below.* ..... page 38

- *We recommend that the Department continue to work with Children's Rights, Inc., to reach agreements on the interpretations of the requirements relating to family emergency assistance, the maintenance of funds for preventive services or family reunification, the equitable distribution of cases among social work staff, and the maintenance of sufficient staff to comply with the Department's caseload guidelines.*

*Both the Department and Children's Rights, Inc. concurred with our recommendations in these areas.*

**APPENDIX A:** *Summary of Compliance and Reliability Results for the Department of Social and Rehabilitation Services And Its Internal Quality Assurance Monitoring Unit* ..... page 35

**APPENDIX B:** *Schedule of Foster Care Settlement Agreement Requirements* ..... page 41

**APPENDIX C:** *Agency Responses* ..... page 47

This audit was conducted by Scott Claassen, and Jennifer Hudgins. If you need any additional information about the audit's findings, please contact Mr. Claassen at the Division's offices. Our address is: Legislative Division of Post Audit, 800 SW Jackson Street, Suite 1200, Topeka, Kansas 66612. You also may call (913) 296-3792, or contact us via the Internet at: **LPA@PostAudit.ksleg.state.ks.us.**



