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CHARLIE AND NADINE H. V. MURPHY

PROGRESS OF THE NEW JERSEY
DEPARTMENT OF CHILDREN AND FAMILIES

July 1 – December 31, 2021



**Center for the
Study of
Social Policy**
Ideas into Action

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Charlie and Nadine H. v. Murphy
Progress of the New Jersey Department of Children and Families
For the Monitoring Period July 1 – December 31, 2021

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I. INTRODUCTION

The Center for the Study of Social Policy (CSSP) was appointed in 2006 by the Honorable Stanley R. Chesler of the United States District Court for the District of New Jersey as Federal Monitor of the class action lawsuit *Charlie and Nadine H. v. Murphy*, aimed at improving outcomes for children, youth, and families served through New Jersey’s child welfare system. As Monitor, CSSP has been charged with independently assessing the State’s compliance with the goals, principles and outcomes of the Court Order entered in 2003; the Modified Settlement Agreement (MSA) entered in July 2006; and the Sustainability and Exit Plan (SEP) entered on November 4, 2015, which supersedes the MSA. This monitoring report includes performance data and measures progress under the SEP for the period July 1 through December 31, 2021, and has been prepared by court-appointed independent Monitor Judith Meltzer, with assistance from Monitor staff Martha L. Raimon, Elissa Gelber, Lisa Mishraky-Javier, and Ali Jawetz.¹ It is presented to U. S. District Judge Chesler, parties to the lawsuit, and the public.

The SEP’s requirements pertain to the approximately 3,200 children and youth in foster care and 32,000 children whose families are served including in-home services (as of the end of 2021).² The census of children and families involved with child welfare services has decreased significantly since the end of 2019, when there were 4,400 children in foster care and 44,000 families served in-home, as the Department has focused efforts to reduce the use of family separation as a tool of the child protection system.³

The Monitor’s public reports cover six-month periods.⁴ The primary sources of information on New Jersey’s progress are quantitative and qualitative data supplied by the Department of Children and Families (DCF) and independently validated by the Monitor. DCF provides access to staff and documents to enable the Monitor to verify performance.

In assessing progress, the Monitor first looks to the State’s data and validates its accuracy. The Monitor also retains the authority to engage in independent data

¹ Copies of all Monitoring Reports can be found at: <https://cssp.org/our-work/projects/our-projects/class-action-litigation-new-jerseys-department-of-children-and-families/>

² This data is available at: <https://njchilddata.rutgers.edu/portal/all-children-served-by-cpp>

³ To see DCF’s Race Equity webpage, go to: <https://www.nj.gov/dcf/equity.html>

⁴ The exceptions to this time frame were Monitoring Period XIII, which covered July 1, 2012 through March 31, 2013; Monitoring Period XIV, which covered April 1 through December 31, 2013; and Monitoring Period XVII, which covered January 1 through December 31, 2015.

collection and analysis where needed. In the past several years, DCF has expanded the data available on its public website,⁵ as well as on its publicly accessible New Jersey Child Welfare Data Hub,⁶ which was developed in collaboration with Rutgers University.⁷ In early 2021, the Division of Children’s System of Care (CSOC) and the Office of Research, Evaluation and Reporting (RER) collaborated with Rutgers to launch the CSOC data dashboard for the Data Hub.⁸

Please see Appendix B for a list of other reports DCF publishes on its website, as well as specific activities undertaken by the Monitor to assess DCF’s progress this monitoring period.

Structure of the Report

Section II provides an overview of the state’s accomplishments and challenges during this monitoring period, a time that remains challenging due to the ongoing COVID-19 pandemic. Section III provides summary performance data on each of the outcomes and performance measures required by the SEP. Section IV provides information related to the SEP Foundational Elements.⁹ Section V provides more detailed data and discussion of performance on *SEP Outcomes To Be Maintained* and *Outcomes To Be Achieved* in the following areas:

- Investigations of alleged child maltreatment (Section V.A);
- Implementation of DCF’s Case Practice Model; including Family Team Meetings, case planning, and visits (Sections V.B, V.C & V.E);
- Educational engagement for children in out-of-home care (Section V.D);
- Placement of children in out-of-home settings (Section V.F);
- Rates of maltreatment and re-entry to placement (Section V.G);
- Efforts to achieve permanency for children either through reunification with family, legal guardianship, or adoption (Section V.H);
- Provision of health care services to children and youth (Section V.I);
- Services to older youth (Section V.J);

⁵ To see DCF’s public website, go to: <http://www.state.nj.us/dcf/about/>

⁶ The Data Hub, launched in November 2016, allows users to create customized charts and graphs using New Jersey’s child welfare data, and incorporates information from the formerly produced quarterly DCF Demographics Report.

⁷ To see the New Jersey Child Welfare Data Hub, go to: <https://njchilddata.rutgers.edu/#home>

⁸ To see the data map reports, go to: <https://njchilddata.rutgers.edu/map#>

⁹ The Foundational Elements requirements of the SEP intentionally recognize the state’s accomplishments in early implementation of the MSA. At the Monitor’s discretion, based on a concern that a Foundational Element has not been sustained, the Monitor may request additional data. If the data demonstrate a persistent problem, in the Monitor’s discretion, the state will propose and implement corrective action (SEP.II).

- Services to support transitions (Section V.K);
- Caseloads (Section V.L);
- Deputy Attorneys General Staffing (Section V.M);
- Accountability through the Qualitative Review and the production and use of accurate data (Section V.N);
- Needs Assessment (Section V.O); and
- Fiscal Year 2022 budget (Section V.P).

II. SUMMARY OF PERFORMANCE DURING JULY - DECEMBER 2021

As announced at the *Charlie and Nadine H.* status hearing held on March 22, 2022, and after months of negotiations, the Parties agreed to an Exit Plan and Agreement (see Appendix D). Although this report's focus remains on specific data and information regarding the state's progress on each of the Sustainability and Exit Plan (SEP) requirements between July and December 2021, it is important to note that by the end of 2022, if progress continues, New Jersey's Department of Children and Families (DCF) could request the formal termination of court supervision. Details of the Exit Plan and Agreement will be described in detail in what is expected to be the final comprehensive monitoring report by CSSP covering January through June 2022.

This report is the fourth report that encompasses the onset and continuing effects of the COVID-19 pandemic and includes information about how New Jersey's DCF has continued to meet its obligations to children, youth, and families, including those commitments under the *Charlie and Nadine H.* lawsuit, despite the multiple challenges imposed by the pandemic.

Between July and September 2022, many staff continued working remotely, but by October 2021, DCF staff began to return to offices with pre-COVID-19 schedules while following Governor Phil Murphy's mandate that staff who were unvaccinated or partially vaccinated begin weekly testing. With the onset of the COVID-19 Omicron variant and the rates of infection increasing at the end of the monitoring period in December 2021, DCF staff began following the State's hybrid remote work plan. After a period of hybrid remote work from December 27, 2021 to January 31, 2022, DCF staff once again returned to full time in-person work, with all unvaccinated staff subject to mandatory testing.¹⁰ DCF reports that while the state courts were opened for the duration of the monitoring period, proceedings were nearly all remote with the exception of some in-person trials.

As reiterated in previous reports, prior to the COVID-19 pandemic, DCF had achieved and was sustaining progress in the majority of areas of service for children, youth, and families as required by the *Charlie and Nadine H.* lawsuit, and was on a trajectory toward meeting the remaining mandates of the lawsuit. Despite the surge of the virus nationwide and in New Jersey in the fall of 2021, between July and December 2021, DCF sustained progress on most of the areas already achieved and again ended the

¹⁰ To see DCF's Return to Work policy, go to: nj.gov/dcf/news/DCF-RTO.pdf

monitoring period having met 44 of the 48 performance measures.¹¹ A few measures declined in performance this period as a result of challenges related to the COVID-19 pandemic; staff quarantining at home producing disruptions to office work, shifting telework policies, and staff turnover all contributed to delays in timely documentation.¹² Despite these interferences with daily work activities, DCF maintained performance with respect to each of the SEP Foundational Elements in such important areas as manageable caseloads for workers, staff training, and providing specialized services for particular populations, such as LGBTQ+ youth and domestic violence survivors.

The data contained in the report show that DCF continues to maintain similar performance – with a few exceptions in select months – as prior to the onset of the pandemic, including measures relating to family visits, older youth transitioning out of foster care, and Family Team Meetings (FTMs). Even throughout the pandemic, DCF continued to perform highly on maintaining worker caseloads within established limits. While there have been slight decreases in performance on permanency measures – those that require children to be discharged to permanency (reunification, adoption, guardianship, or living with other relatives) within 12 and 24 months – there have been significant improvements in performance on maltreatment measures (those that set standards for the percentage of cases that have a repeat substantiation after a prior substantiation of abuse or neglect) and

¹¹ These measures include: Institutional Abuse Investigations Unit (IAIU) (III.A.1); Supervisor/Worker Ratio (III.B.2); IAIU Investigators Caseload (III.B.3); Permanency Workers (Local Offices) Caseload (III.B.4); Permanency Workers Caseload (III.B.5); Timeliness of Current Plans (III.C.6); Adequacy of Deputy Attorneys General (DAsG) Staffing (III.D.7); Child Health Units (CHUs) (III.E.8); Caseworker Contacts with Children – New Placement/Placement Changes (III.F.9); Caseworker Contact with Children in Placement (III.F.10); Educational Needs (III.G.11); Abuse and Neglect of Children in Foster Care (III.H.12); Timeliness of Investigation Completion (60 days) (SEP IV.A.13); Timeliness of Investigation Completion (90 days) (SEP IV.A.14); Quality of Investigations (SEP IV.A.15); Initial Family Team Meeting (FTM) (SEP IV.B.16); Subsequent FTMs within 12 months (SEP IV.B.17); Subsequent FTMs after 12 months – Reunification Goal (SEP IV.B.18); Subsequent FTMs after 12 months – Other than Reunification Goal (SEP IV.B.19); Needs Assessment (SEP IV.C.21); Initial Case Plans (SEP IV.D.22); Intake Workers (Local Offices) (SEP IV.E.24); Intake Workers (SEP IV.E.25); Adoption Local Office Caseload (SEP IV.E.26); Adoption Workers (SEP IV.E.27); Parent-Child Visits – weekly (SEP IV.F.29); Parent-Child Visits – bi-weekly (SEP IV.F.30); Sibling Visits (SEP IV.F.31); Placing Siblings Together (SEP IV.G.32); Placing Siblings Together for Four or More Children (SEP IV.G.33); Recruitment of Placements for Sibling Groups of Four or More (SEP IV.G.34); Placement Stability for first 12 months in care (SEP IV.G.35); Placement Stability 13-24 Months in Care (SEP IV.G.36); Repeat Maltreatment (In-home) (SEP IV.H.37); Maltreatment Post-Reunification (SEP IV.H.38); Re-entry to Placement (SEP IV.H.39); Permanency within 12 Months (SEP IV.I.40); Permanency Within 24 Months (SEP IV.I.41); Permanency within 36 months (SEP IV.I.42); Permanency within 48 months (SEP IV.I.43); Independent Living Assessments (SEP IV.K.45); Quality of Case Planning and Services (SEP IV.K.46); Housing for Older Youth Exiting to Non-Permanency (SEP IV.K.47); and Employment/Education for Older Youth Exiting to Non-Permanency (SEP IV.K.48).

¹² During this monitoring period, the following Outcomes *To Be Maintained* did not meet performance standards: Initial Case Plans (SEP IV.D.22); Sibling Visits (SEP IV.F.31); Re-entry to Placement (SEP IV.H.39); and Independent Living Assessments (SEP IV.K.45).

placement measures (those that require siblings to be placed together and set a rate for placement changes for children in custody).

Three of the remaining four *SEP Outcomes To Be Achieved* that were previously measured by New Jersey's Qualitative Review (QR) process are again not measured: Quality of Case Plans (SEP IV.D.23); Quality of Teaming (SEP IV.B.20); and Services to Support Transitions (SEP IV.J.44). The data required for determining performance for these three SEP outcomes have in the past been collected and reported annually through the QR case review process, which was also used as a practice improvement process. In 2020, DCF decided not to resume the QR process and has been moving forward with plans to replace the former QR process with a revised qualitative review system that integrates DCF's Solution Based Casework (SBC) approach and the Child and Family Service Review (CFSR) results with New Jersey's Case Practice Model.¹³

The revised qualitative review process has been designed and developed during the monitoring period covering January to June 2022. The process will launch in July 2022 with the first cohort of staff and continue implementation through April 2023. It is intended to ensure sufficient measurement of these quality case practice elements, enable more frequent review of Local Office performance, and allow greater input into the assessment of quality of case practice by parents. The outline of DCF's commitments for the new qualitative review system was agreed to as part of the Parties' Exit Plan and Agreement. The implementation of this new qualitative review system will be assessed by CSSP during a period of transition defined by the Exit Plan and Agreement and will be reported in more detail in the monitoring report covering the period January to June 2022.¹⁴

The fourth outstanding *Outcome To Be Achieved* – that workers visit parents twice monthly when a child is in the state's custody with a permanency goal of reunification

¹³ DCF participated in the two-year federal Child and Family Services Review (CFSR) Performance Improvement Plans reviews from August to October 2021. For counties reviewed in August 2021, the period under review was June 2020-August 2021. For counties reviewed in October 2021, the period under review was June 2020-October 2021. The results of the 2021 review demonstrated that DCF exceeded the federal benchmarks in all 10 domains.

¹⁴ Section V.B.2.iv. of the Exit Plan and Agreement states: "The Parties acknowledge that, during the Remaining Monitoring Period, the State will establish a revised and comprehensive qualitative review system. This new system will include collection and review of both qualitative and quantitative data, including review of case records and interviews with families and older youth who have received services from DCPP. The sampling strategy will ensure sufficient measurement of the experiences of older youth and the review protocol will encompass permanency case practice elements including but not limited to engagement, assessment, case planning, teaming, performance supporting quality education of youth in foster care, and investigative practice" (See Appendix D, pp 11).

(SEP IV.F.28) – has not yet met the SEP’s standard; performance remains steady at pre-pandemic levels that are below the established target.

Despite the changes in operations necessary to respond to the ongoing pandemic, DCF has continued to move forward with the goals outlined in its Strategic Plan.¹⁵ Highlighted below are updates on specific areas of practice, policy, and current DCF initiatives.

Enhancing Child Protection Practice Model to Improve Quality

Between July and December 2021, DCF continued the planning and training necessary to implement SBC.¹⁶ SBC is an evidence-based child welfare practice model that has been shown to impact the quality of case practice outcomes as measured by the federal Child and Family Services Review (CFSR). DCF considers SBC an operational enhancement to its Case Practice Model. Implementing the SBC approach is requiring changes to policies, protocols, processes, and forms throughout DCF. Changes to casework activities, such as strengthening FTM preparation, are intended to require and support staff to build stronger partnerships with families, conduct more thorough behavior-based assessments and develop action plans that support the objectives developed by the family. During this monitoring period, DCF’s SBC Champions – comprised of one staff member from every Local Office, two staff members from the Division for Child Protection & Permanency (CP&P) Central Office, and six trainers from the Office of Training and Professional Development (OTPD) – trained approximately 4,000 staff on SBC Initial Training, and nearly 900 supervisors, casework supervisors and other leadership staff on SBC Initial Training, SBC Supervisory Training, and Case Consultation training.

From November 2021 through January 2022, DCF began the case consultation phase of implementing SBC, first by training supervisors on case consultation skills and ways to support staff in this new strength-based problem-solving process. Case consultation involves group discussions of active cases with a particular focus on designated milestones and action steps. In January 2022, staff implemented the SBC approach on all new cases; existing cases will be rolled in sequentially as staff build skills and become certified. Lastly, during the monitoring period, DCF also incorporated SBC training into existing pre-service staff and new supervisor training.

¹⁵ For information about New Jersey’s Strategic Plan, go to: <https://www.nj.gov/dcf/about/strategic.html>

¹⁶ To see NJ DCF’s SBC Theory of Change, go to: https://www.nj.gov/dcf/providers/sbc/DCF_Solution-Based_Casework.pdf

Focus on Race Equity

DCF continued its work to examine disproportionality in New Jersey’s child welfare system and the role structural and institutional racism has played and contributed to outcomes for Black, Latinx, American Indian, and other families who have been marginalized in the state. Between July and December 2021, DCF began “Courageous Conversations,” discussions with staff about the historical underpinnings of racism in child welfare, what the data show regarding disparate outcomes for Black, Latinx, American Indian, and other families who have been marginalized in New Jersey, and the impact of trauma on those outcomes for children involved with DCF. Beginning in January 2022, DCF contracted with two national experts on child welfare and race equity, Carol Spigner and Joyce James, to assist in strategic planning and the identification and implementation of anti-racist practices throughout the Department.

DCF continued its partnership with the Administrative Office of the Courts (AOC), the statewide Children in Court Advisory Committees (CICACs), and the Children in Court Race Equity Leadership Team to reduce racially disparate outcomes in child welfare in New Jersey.

Designing a Primary Prevention Model

Although New Jersey has had evidence-based home visiting programs since 2007, during the monitoring period, the Governor signed legislation to create a universal home visiting program—the second state in the country to do so. The program seeks to improve the physical and emotional well-being of infants, children, and their families. When it rolls out in 2023, every postpartum woman in New Jersey will be entitled to a home visit by a licensed healthcare provider within the first seven days following delivery to ensure proper recovery from childbirth and to support the parent in caring for a newborn

Between July and December 2021, DCF’s Office of Housing (OOH) was created as a hub for housing and related services for families involved with DCF. OOH is focused on efforts to prevent eviction and stabilize housing, including: (1) providing technical assistance to DCF staff and providers regarding eviction prevention; (2) facilitating key meetings with state and national partners to support long term strategic planning; and (3) managing the implementation of the statewide network of housing services through utilization monitoring and quality improvement activities.

Prioritizing Safety

Between July and December 2021, DCF continued to work with the Child Fatality and Near Fatality Review Board (CFNFRB) to strengthen collaboration and determine processes for sharing information about cases that are reviewed by the Critical Incident Review Unit in DCF's Office of Quality (OOQ). The process developed during the monitoring period involves a report that assesses systemic issues identified in the collaborative safety reviews that is then presented to the CFNFRB for consideration of recommendations.

Additionally, through its Office of Staff Health and Wellness (OSHW),¹⁷ DCF continued its efforts to improve staff well-being, particularly important during the pandemic. DCF held monthly webinars related to well-being, as well as a series of webinars on leadership based on Brene Brown's book *Dare to Lead*.¹⁸

Integrating Family Voice

Between July and December 2021, DCF's Youth Council – part of the Office Family Voice (OFV) – continued its work to ensure that the voices of youth and young adults with lived experience are part of the development of DCF policies and programs.¹⁹ Youth Council members participated in the Children in Court Improvement Committee focus group conducted by the AOC and made recommendations to the youth focus group protocol for use in the Human Services Advisory Council's (HSAC) Needs Assessment.

In addition, the three Youth Council subcommittees made progress on the following:²⁰

- The *Resource and Kin Parent Training Subcommittee* provided recommendations on the Parent Resource for Information, Development and Education (PRIDE) and current training curricula that are used for training new resource parents and kinship providers;

¹⁷ For more about the OSHW, go to: <https://www.nj.gov/dcf/oshw.html>

¹⁸ Brown, Brene. *Dare to Lead: Brave Work. Tough Conversations. Whole Hearts.*, Random House, 2018.

¹⁹ The NJ DCF Youth Council consists of approximately 20 young people ages 14-23 who are currently or have formerly been involved with NJ DCF. OFV was created after Commissioner Beyer's 2019 listening tour to develop more sustained mechanisms for feedback on the Department by people with lived experience. The first Youth Council meeting was held in January 2020 and continued monthly, virtually, during the COVID-19 pandemic, with the mission of building shared leadership in order to transform policy and practice within DCF.

²⁰ To see the November 2021 Youth Council Briefing, "The Power of Youth; The Impact of Our Voices," go to: https://www.youtube.com/watch?v=824MWtN4M_g&ab_channel=NewJerseyDCF

- The *Sibling and Advocacy Subcommittee* continued its work to implement a Peer-to-Peer (P2P) program that will pair young people entering care with someone with experience in foster care for advice and guidance; and
- The *Sibling and Advocacy Subcommittee* continued its work with the DCF's Office of Communications and the Office of Policy and Regulatory Affairs to finalize a Sibling Bill of Rights, introduced in the New Jersey Legislature in December 2021 and reintroduced in January 2022.²¹

In August 2021, DCF's *Fatherhood Engagement Committee* – which includes fathers, service providers, and stakeholders – presented seven recommendations and 21 action steps to the DCF Commissioner to better engage fathers, and, after a series of meetings within DCF divisions, developed five work groups to advance their recommendations. In addition, the committee met with the AOC to provide feedback about the difficulties fathers encounter when navigating Family Court in New Jersey.

Improving New Jersey's Children's System of Care and Addressing Adverse Childhood Experiences (ACEs)

The Center for Health Care Strategies, CSOC and 16 stakeholders from across New Jersey formed a task force to help redesign and integrate DCF's mental and behavioral health services and released its report in the summer of 2021.²² Key priorities include: (1) building capacity for integrated health; (2) increasing the availability of evidence-based and best practice interventions and services; and (3) improving access to CSOC services and supports by addressing disparities across racial, socioeconomic, linguistic, and cultural lines, as well as access for children with intellectual and developmental disabilities.

As reported previously, in September 2019, the federal Substance Abuse and Mental Health Services Administration (SAMHSA) awarded CSOC a Promising Path to Success (PPS) expansion grant to fund ongoing training in the Nurtured Heart Approach (NHA) and its Six Core Strategies.²³ NHA is a strengths-based behavior management strategy based on positive reinforcement and fair and consistent boundaries for “high intensity” children, particularly those with ADHD, Reactive Attachment Disorder, or Autism Spectrum Disorder. The goal of the grant is to provide trauma-informed coaching in the PPS approach across multiple DCF

²¹ To see Bill A1357/S1034, go to: https://pub.nileg.state.nj.us/Bills/2022/S2500/2395_I1.PDF

²² To view DCF's CSOC Task Force materials and final report, go to: https://www.nj.gov/dcf/about/divisions/dcsc/csoc_taskforce.html.

²³ To read about NHA, go to: <https://childrensuccessfoundation.com/about-nurtured-heart-approach/>

divisions and units, and to community-based partners. Between July and December 2021, 1,250 staff members from CP&P, CSOC, DCF's Office of Education (OOE), OOE schools, 15 Care Management Organizations (CMOs), 15 Family Support Organizations (FSOs), 15 Mobile Response and Stabilization Services providers, and 21 county-based Children's Interagency Coordinating Councils (CIACC) received training and technical assistance on the PPS core values. The training included strategies for managing post-COVID-19 classrooms as children and youth return to in-person learning. Over 1,600 staff from CSOC, CP&P, and OOE, as well as licensed resource and kinship families, were trained in the NHA approach. NHA certified trainers delivered 304 trainings to 1,244 people across the state.

Between July and December 2021, DCF continued its efforts to address Adverse Childhood Experiences (ACEs) and how they impact children, youth, and families in New Jersey.²⁴ DCF's training curriculum, called "Connections Matter," which was adapted to a virtual platform between March and June 2020, stresses the importance of fostering healthy connections to develop healthy brains, supportive relationships, and thriving communities. DCF's goal is to train all staff, community network providers, stakeholders and families on the Connections Matter curriculum. During the monitoring period, Prevent Child Abuse New Jersey (PCANJ) trained 188 staff and 426 community providers using the Connections Matter curriculum.

In February 2021, DCF's Office of Resilience (OOR) released its Statewide ACEs Action Plan to the public.²⁵ During the monitoring period, DCF worked with community-based organizations to implement elements of the ACEs Action Plan. DCF conducted a curriculum review of trauma-informed efforts; facilitated 36 presentations to over 600 people on *Understanding ACEs: Building Self-Healing Communities*; and trained a total of 168 people to present the ACEs curriculum. Also during the monitoring period, DCF contracted with the Center for Healthcare Strategies (CHCS) to facilitate a strategic planning process that includes individuals representing government, private agencies, advocates, stakeholders and people with lived experience in order to develop a plan for making New Jersey a healing-centered state.

²⁴ For more information about ACEs go to: <https://www.nj.gov/dcf/news/publications/aces.html>

²⁵ For more information on OOR and New Jersey's 2021 Statewide Action Plan, go to: <https://www.nj.gov/dcf/documents/NJ.ACEs.Action.Plan.2021.pdf>

Increasing Kinship Placement and Maintaining an Adequate Pool of Resource Homes

Between July and December 2021, DCF continued to pursue its target of placing 60 percent of children who enter care with kin within the first seven days of removal from their homes, and 80 percent of children placed with kin by the first 30 days. During the monitoring period, CP&P achieved its greatest annual growth in placement with kin: 55 percent of children were placed with kin within seven days of removal, and 64 percent were placed with kin within 30 days. This is a significant accomplishment.

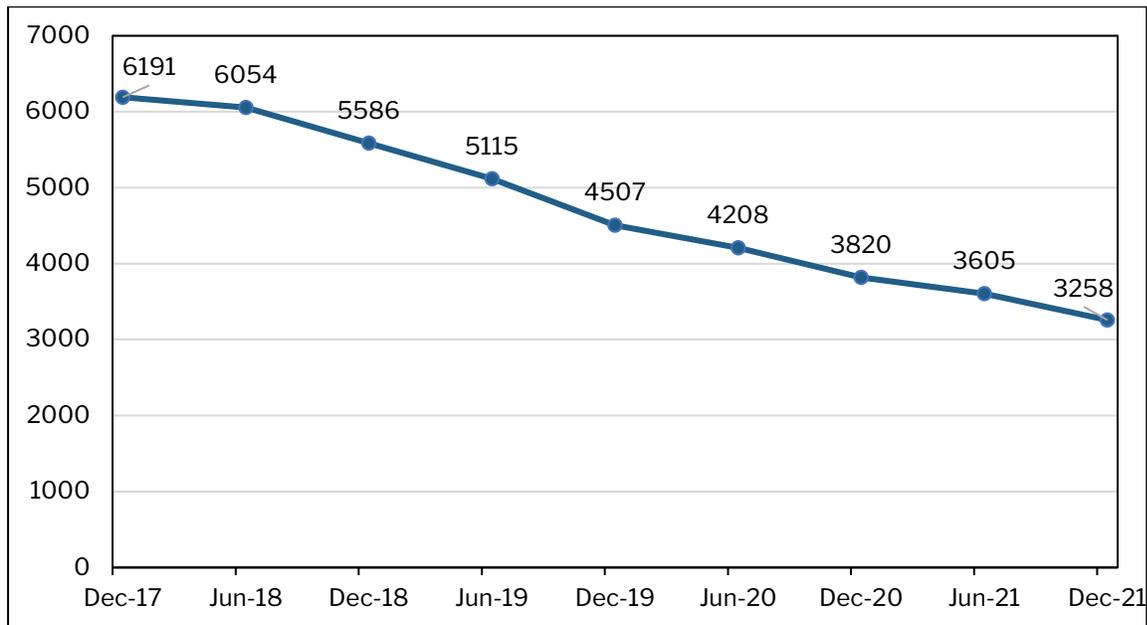
CP&P's focus on placing children with kinship families during the monitoring period also included enhanced pre-service training, a Kinship Exception Request pilot program, and the restructuring of Local Office resource units. CP&P trained 632 staff members as part of 64 training events held on the importance of placing children with family and understanding the experience and needs of kinship caregivers. Plans are underway to train the remainder of CP&P staff and leadership through 2023.

CP&P continued its "Kinship Exception Request" pilot during the monitoring period in the counties of Atlantic, Bergen, Burlington, Cape May, Cumberland/Gloucester, Hudson, Morris, Passaic, Salem, and Sussex. The pilot requires managers to approve all non-kinship placements for children entering care, and places a renewed emphasis on diligent searches for relatives for each child. DCF leadership is currently working to scale the pilot statewide. In addition, CP&P began to restructure Local Office resource units to align with national best practice to preserve kinship connections by supporting kinship providers with additional supports. The new resource unit structure more clearly defines staff roles and responsibilities, ensures manageable workloads that permit more frequent contact with caregivers, and streamlines the home study licensing process.

Despite the ongoing challenges brought about by the COVID-19 pandemic, DCF continues to maintain an adequate pool of placement resource homes and group settings to meet the needs of children in out-of-home care. As of December 31, 2021, 3,258 children ages birth to 23 were in out-of-home placement, continuing the decline in foster care census over the last few years (see Figure 1).²⁶

²⁶ During the pandemic, DCF placed a moratorium on automatically closing youths' cases at age 21 so that young adults could continue to receive assistance and services beyond their 21st birthday. The initial extension affected young adults turning 21 after March 1, 2020 and was extended through December 31, 2021. To read more information, go to: https://www.nj.gov/dcf/news/press/2020/approved/201116_fundsforfosteryouth.html

**Figure 1: Number of Children in Out-of-Home Placement
(December 2017-December 2021)**



Source: DCF data

Of the 3,258 children in out-of-home placement, 2,933 (90%) were placed in family-like settings: 1,416 (44%) in unrelated resource family homes, and 1,517 (47%) in kinship homes. The 10 percent of children not residing in family-like settings consisted of 266 children (8%) in group and residential settings facilities and 59 children (2%) in independent living programs.

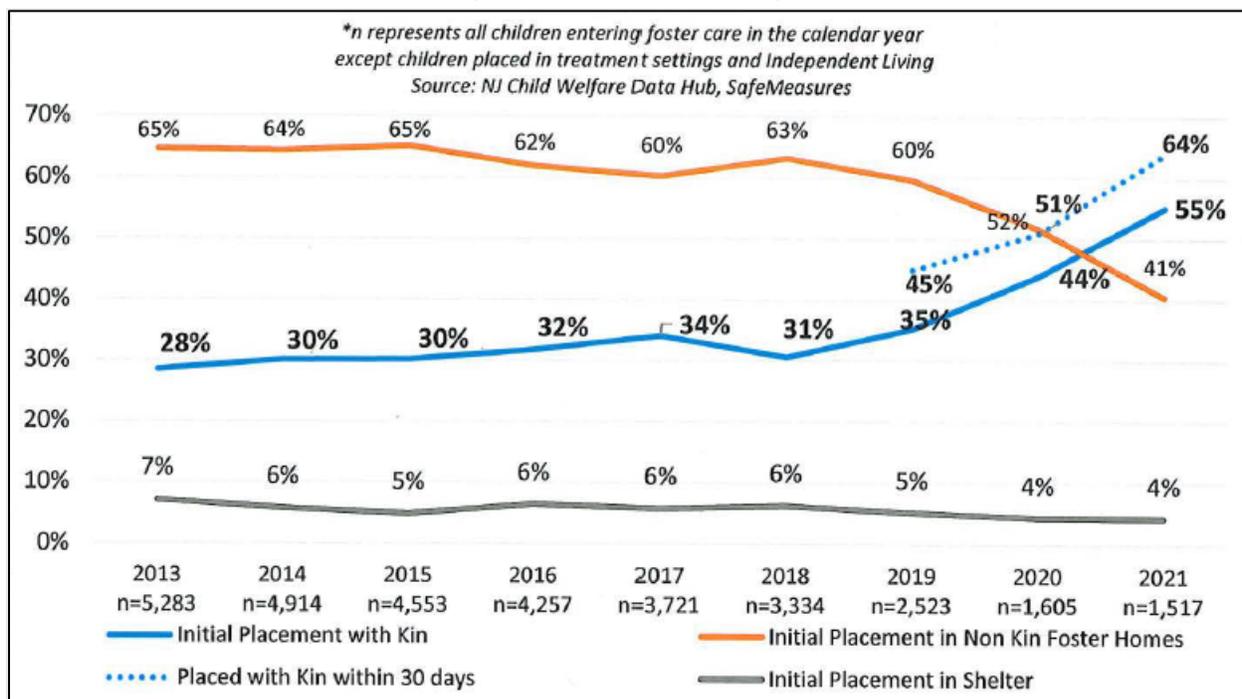
Although the pandemic presented challenges to recruitment and licensing of new resource family homes, DCF continues to report the availability of enough resource homes to meet the need. There remains a need for homes for large sibling groups, adolescents, and children with special medical, developmental, and behavioral health needs.

As of December 31, 2021, there were a total of 3,131 licensed resource family homes in the state, with a total bed capacity for 7,073 children. Of the total resource family homes, 1,085 (35%) were kinship homes and 2,046 (65%) were non-kinship homes.

Between July and December 2021, DCF licensed 330 new family homes (both kin and unrelated); this is compared with 394 newly licensed resource homes in the previous monitoring period. Of the newly licensed resource family homes in this monitoring period, 274 (83%) were kinship homes, and 56 (17%) were unrelated foster homes,

demonstrating DCF’s commitment to increasing placement with family. DCF continues to aim to dramatically increase the number of kinship homes available in the state and devote resources to supporting the success of those placements.

Figure 2: Percentage of Children Entering Kinship Care (CY 2013 – CY 2021)



Source: Figure provided by DCF

Between July and December 2021, 572 resource family homes were closed: 300 (52%) were kinship homes and 272 (48%) were unrelated foster homes. The primary reasons for resource home closures were provider’s health or age circumstances (32%), adoption finalization (27%), relative placement no longer needed (18%),²⁷ and kinship legal guardianship finalized (7%).

DCF also continues to focus on recruiting homes for large sibling groups as described further in Section V.F *Placement*.

²⁷ The “relative placement no longer needed” category includes instances where children are reunified and the foster parents (usually a relative or family friend) request to voluntarily close their home. This category can also include other specific instances, such as an interstate change of placement, a court-ordered change of placement, or when a home with an administratively restricted license closes when the children are reunified or leave for another placement.

Accomplishments and Challenges in Specific Areas of Practice Related to SEP Outcomes

Family Team Meetings (FTMs)

FTMs remain an integral component of DCF's case practice and are an essential process for bringing families, youth, providers, and formal and informal supports together to exchange information, participate in case planning, coordinate and follow up on services, and examine and track progress toward accomplishing case plan goals. During the COVID-19 pandemic, many FTMs occurred virtually. For the purposes of SEP monitoring, virtual FTMs were considered and counted as if they were in person.²⁸ Performance on all FTM requirements have largely rebounded to pre-pandemic levels this monitoring period. Performance on the requirement to hold an initial FTM within 45 days of a child entering foster care (SEP IV.B.16), the requirement to hold three additional FTMs within the first 12 months of a child entering placement (SEP IV.B.17), and the requirement to hold two subsequent FTMs after the first 12 months of placement for children with a permanency goal other than reunification (SEP IV.B.19) each dipped in compliance in two or three months, but performance in other months remained high.

Maintaining Contact with Family Through Visits

Maintaining bonds and contact through visits between children in foster care and their workers, parents, and siblings is an essential element of successful child welfare practice. Most visits resumed in person, though some visits still occurred virtually, in compliance with the federal Children's Bureau guidelines, and DCF's policy that visits should only occur virtually if a participant is feeling ill.²⁹ Performance on all visit requirements have largely rebounded to pre-pandemic levels this monitoring period, except a dip in performance on the requirement for siblings not placed together to visit each other at least monthly (SEP IV.F.31). Performance with respect to the requirement that workers visit with parents twice monthly when a child is in the state's custody with a permanency goal of reunification (SEP IV.F.28) continues to remain below the SEP's standard as an *Outcome To Be Achieved*, even when

²⁸ DCF's Statewide Automated Child Welfare Information System (SACWIS) does not typically specify whether an FTM was held in person or virtually. As a result, any estimate of virtual FTMs is likely to be an undercount. See Section B. *Family Team Meetings*.

²⁹ DCF reported that across all measures and all months of the monitoring period, an average of 90% of visits were conducted in person.

accounting for exceptions to the visits requirement and the allowance of virtual visits.³⁰ This is an area of practice that will require continued focus and attention.

Services to Older Youth

DCF has taken numerous steps to support its young adult population throughout the COVID-19 pandemic. Due to the federal government's Supporting Foster Youth and Families through the Pandemic Act,³¹ DCF extended the moratorium on case closure for youth in foster care who reached the age of 21 through September 30, 2021, and extended contracted housing and life skills services for those youth through December 31, 2021. The cases of 270 young adults were kept open beyond the youth's 21st birthday due to the moratorium. Emergency financial support was also available to young people if they had already turned age 22 and had closed their cases with CP&P through the end of December 2021.

As previously reported, in early 2020, DCF was awarded matching funds through Youth Villages, a national non-profit, to implement the evidence-based LifeSet program, which is an intensive case management and life skills service for older youth in foster care. Since launching in October 2020, four agencies – Acenda, Care Plus, Catholic Charities Diocese of Metuchen, and Preferred Behavioral Health – have served 261 young people. LifeSet specialists carry caseloads of 8 to 10 young people with whom they meet weekly and hold sessions about increasing independent living skills and navigating the transition to adulthood. Services are highly individualized and intended to suit the strengths and meet the needs of each young person. As of March 2021, over 150 young people have completed the program. Preliminary results show that over 85 percent of youth discharged from the program are employed. The evaluation of the contract is in progress.³²

Additionally, during the monitoring period, DCF finalized agreements for the first phase of providing housing vouchers to young adults aging out of foster care in New Jersey, through HUD's Fostering Youth to Independence program, by partnering with Public Housing Authorities in Camden, Essex, and Hudson counties. The first phase is projected to provide housing for up to 25 youth in each of the three counties.

³⁰ Valid exceptions are determined using a review of a sample from the universe of all visits in one month. Examples of valid exceptions include: the visit is not required due to a court order, the parent is missing for more than 6 months despite worker efforts to locate, or the parent has moved out of state and an in-person visit is not geographically feasible to arrange.

³¹ Division X of P.L. 116-260

³² To learn more about New Jersey's LifeSet program, go to: <https://www.nj.gov/dcf/adolescent/lifaset.html>

As part of the federal John H. Chafee Foster Care Program for Successful Transition to Adulthood, the Chafee Advisory Group continued to meet and work toward achieving the strategies set out in the Chafee 2020-2024 Strategic Plan.^{33,34}

Continuous Quality Improvement

As mentioned above, at the onset of COVID-19, DCF suspended many of its former Continuous Quality Improvement (CQI) activities, including its Qualitative Reviews and ChildStat sessions, and had begun the planning for and the implementation of new CQI processes. The Exit Plan and Agreement lays out a timeline for developing and implementing the new CQI processes, which will (1) be informed by implementation science; (2) occur at the local, area, and division level; and (3) involve rapid cycle information sharing informed by actionable data.

DCF launched its Office of Monitoring in July 2021, whose purpose is to improve DCF's monitoring of its network of contracted services.³⁵ The office is expected to function independently from DCF's program offices (CSOC, Family and Community Partnerships (FCP), and Division on Women (DOW)) to develop and implement protocols to assess and enhance the quality of services delivered by DCF's contracted providers. During the monitoring period, the Office of Monitoring began onboarding staff, clarifying roles with respect to provider relations, and selecting service lines which will be the first to undergo the new monitoring process.

More details on DCF's CQI processes are described in Section V.N, *Accountability Through Qualitative Review and the Production and Use of Accurate Data*.

Budget

DCF's total state funding in the FY 2022 Final Appropriations Act, signed into law on July 29, 2021, totals \$1.274 billion, an increase of \$55 million over the FY 2021 adjusted appropriation of \$1.219 billion. The primary driver of this increase is the additional \$62.8 million provided for CSOC to rebalance out-of-home and in-community service rates to better serve children with emotional and behavioral

³³ To see New Jersey's 2020-2024 John H. Chafee Foster Care Program for Successful Transition to Adulthood Plan, go to: <https://www.nj.gov/dcf/adolescent/NJ-Chafee-Plan-final.pdf>

³⁴ To see meeting agendas and minutes, go to: <https://www.nj.gov/dcf/providers/boards/chafee.html>

³⁵ To read DCF's concept paper "Quality Service, Strong Outcomes" about the new Office of Monitoring, go to: <https://www.nj.gov/dcf/providers/contracting/DCF-monitoring-concept-paper-7.7.2021.pdf>

health care needs.³⁶ In August 2021, CSOC received approval from the Centers for Medicare and Medicaid Services (CMS) for its State Plan amendment, which represents a 20 percent increase in annualized budget authority across CSOC Medicaid State Plan and waiver services. DCF reports the funding will stabilize CSOC, support the development of capacity to meet demand, and ensure that agencies can provide competitive wages for staff and provide quality services.

More on the budget is described in Section V.P *Budget*.

This report provides specific data and the Monitor’s observations and conclusions as to each of the SEP requirements. As demonstrated by the data included herein, DCF has largely maintained performance on the requirements of the SEP and its commitment to meeting the needs of children, youth, and families in New Jersey.

³⁶ To read the DCF appropriation in the FY 2022 State Budget, go to:
<https://www.nj.gov/treasury/omb/publications/22budget/pdf/FY22GBM.pdf>

III. CHILD AND FAMILY OUTCOMES AND CASE PRACTICE PERFORMANCE MEASURES

The child and family outcomes and case practice performance measures include 48 measures and Foundational Elements that assess the state's performance in meeting the requirements of the SEP (see Table 1). These performance measures cover the areas of child safety, permanency, service planning, child well-being, and ongoing infrastructure development pertaining to core elements such as appropriate staffing, caseloads, and training.

Many of the measures are assessed through a review of data from NJ SPIRIT³⁷ and SafeMeasures,³⁸ and, in some areas, these data continue to be independently validated by the Monitor. Data are also provided through DCF's work with Rutgers University, which assists with data analysis. With few exceptions, performance data provided in this report are as of December 2021.

³⁷ NJ SPIRIT is New Jersey's Statewide Automated Child Welfare Information System (SACWIS), a case management and financial system designed to support the daily work of caseworkers and supervisors within DCF.

³⁸ SafeMeasures is a data warehouse and analytical tool that allows tracking of critical child welfare indicators by worker, supervisor, Local Office, county, and statewide. It is used by different levels of staff to track, monitor and analyze performance and trends in case practice and targeted measures and outcomes.

**Table 1: Charlie and Nadine H. Child and Family Outcome and Case Practice Performance Measures
(Summary of Performance as of December 31, 2021)**

Table 1A: To Be Achieved					
SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance ³⁹	June 2021 Performance ⁴⁰	December 2021	Requirement Fulfilled (Yes/No) ⁴¹
Family Teaming					
Quality of Teaming (SEP IV.B.20)	75% of cases involving out-of-home placements that were assessed as part of the QR process will show evidence of both acceptable team formation and acceptable functioning. The Monitor, in consultation with the parties, shall determine the standards for quality team formation and functioning.	62% of cases rated acceptable for the QR indicator of <i>teamwork and coordination</i> (CY 2019).	CY 2020 data not available. QRs suspended during the COVID-19 pandemic.	CY 2021 data not available. QRs suspended during the COVID-19 pandemic.	Unable to Determine ⁴²

³⁹ In some instances where the Monitor does not have December 2020 data, the most recent data available are included.

⁴⁰ In some instances where the Monitor did not report mid-year data, the most recent annual data available are included.

⁴¹ “Yes” indicates that, in the Monitor’s judgment, based on presently available information, DCF has fulfilled its obligations regarding the SEP standard. “No” indicates that, in the Monitor’s judgment, DCF has not fulfilled its obligation regarding the SEP standard.

⁴² The qualitative review process was suspended in March 2020 and as a result there are no new data for Educational Needs (SEP III.G.11); Quality of Teaming (SEP IV.B.20); Quality of Case Plans (SEP IV.D.23); Services to Support Transitions (SEP IV.J.44), and Quality of Case Planning and Services (SEP IV.K.46).

Table 1A: To Be Achieved					
SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance ³⁹	June 2021 Performance ⁴⁰	December 2021	Requirement Fulfilled (Yes/No) ⁴¹
Case and Service Planning					
Quality of Case Plans (SEP IV.D.23)	80% of case plans shall be rated acceptable as measured by the QR process. The Monitor, in consultation with the parties, shall determine that standards for quality case planning.	58% of cases rated acceptable for both QR indicators <i>child and family planning process</i> and <i>tracking and adjusting</i> (CY 2019). ⁴³	CY 2020 data not available. QRs suspended during the COVID-19 pandemic.	CY 2021 data not available. QRs suspended during the COVID-19 pandemic.	Unable to Determine ⁴⁴
Visits					
Caseworker Contacts with Family When Goal is Reunification (SEP IV.F.28)	90% of families will have at least twice-per-month, face-to-face contact with their caseworker when the permanency goal is reunification.	83% of applicable parents of children in custody with a goal of reunification had at least two face-to-face visits with a caseworker in December. Monthly range during July – December 2020 monitoring period: 49 to 83%.	83% of applicable parents of children in custody with a goal of reunification had at least two face-to-face visits with a caseworker in June. Monthly range during January – June 2021 monitoring period: 82 to 86%.	77% of all applicable parents of children in custody with a goal of reunification had at least two face-to-face visits with a caseworker in December. Monthly range during July – December 2021 monitoring period: 77 to 81%. ^{45,46}	No

⁴³ From January to December 2019, 58% (112 of 193) of applicable cases reviewed were rated acceptable for both the *child and family planning process* and the *tracking and adjusting* indicators; 62% (120 of 193) of cases were rated acceptable for *child and family planning process*; 73% (141 of 193) of cases were rated acceptable for *tracking and adjusting*.

⁴⁴ The qualitative review process was suspended in March 2020 and as a result there are no new data for Educational Needs (SEP III.G.11); Quality of Teaming (SEP IV.B.20); Quality of Case Plans (SEP IV.D.23); Services to Support Transitions (SEP IV.J.44), and Quality of Case Planning and Services (SEP IV.K.46).

⁴⁵ Monthly performance for this measure is as follows: July, 80%; August, 81%; September, 78%; October, 78%; November, 79%; December, 77%. Reported performance accounts for exceptions to the visits requirement.

⁴⁶ DCF validated a sample of cases from September 2021 and found that exceptions were appropriately applied and documented in 71% of cases. Thus these data reflect exclusions from the universe of instances in which exceptions to the requirement for worker visits with parents were appropriately applied and documented. The Monitor did not independently validate this sample.

Table 1A: To Be Achieved					
SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance ³⁹	June 2021 Performance ⁴⁰	December 2021	Requirement Fulfilled (Yes/No) ⁴¹
Services to Support Transitions					
Services to Support Transitions (SEP IV.J.44)	80% of cases will be rated acceptable for supporting transitions as measured by the QR. The Monitor, in consultation with the parties, shall determine the standards for quality support for transitions.	74% of cases rated acceptable for the QR indicator <i>successful transitions</i> (CY 2019). ⁴⁷	CY 2020 data not available. QRs suspended during the COVID-19 pandemic.	CY 2021 data not available. QRs suspended during the COVID-19 pandemic.	Unable to Determine ⁴⁸

⁴⁷ From January to December 2019, 74% (63 of 85) of applicable cases reviewed were rated acceptable for the *successful transitions* indicator.

⁴⁸ The qualitative review process was suspended in March 2020 and as a result there are no new data for Educational Needs (SEP III.G.11); Quality of Teaming (SEP IV.B.20); Quality of Case Plans (SEP IV.D.23); Services to Support Transitions (SEP IV.J.44), and Quality of Case Planning and Services (SEP IV.K.46).

Table 1B: To Be Maintained

SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance ⁴⁹	June 2021 Performance ⁵⁰	December 2021	Requirement Maintained (Yes/No) ⁵¹
Investigations					
Institutional Abuse Investigations Unit (IAIU) (SEP III.A.1)	80% of IAIU investigations will be completed within 60 days.	78% of IAIU investigations in December were completed within 60 days.	84% of IAIU investigations in June were completed within 60 days.	85% of IAIU investigations in December were completed within 60 days.	Yes
Timeliness of Investigation Completion (60 days) (SEP IV.A.13)	85% of all investigations of alleged child abuse and neglect shall be completed within 60 days. Cases with documented acceptable extensions in accordance with policy are considered compliant.	89% of all investigations in November were completed within 60 days. Monthly range during June – November 2020 monitoring period: 85 to 92%.	86% of all investigations in May were completed within 60 days. Monthly range during December 2020 – May 2021 monitoring period: 86 to 90%.	82% of all investigations in November were completed within 60 days. Monthly range during June – November 2021 monitoring period: 82 to 86%. ^{52,53}	Yes

⁴⁹ In some instances where the Monitor did not report mid-year data, the most recent annual data available are included.

⁵⁰ In some instances where the Monitor does not have December 2020 data, the most recent data available are included.

⁵¹ “Yes” indicates that, in the Monitor’s judgment based on presently available information, DCF has fulfilled its obligations regarding the requirement under the SEP. The Monitor has also designated “Yes” for a requirement where DCF has met or is within one percentage point of the SEP standard or there are a small number of cases causing the failure to meet the SEP standard.

⁵² Due to the time lag of this measure, the Monitor and DCF have altered the period of review, so June 2021 data are included for this period and December 2021 data will be included in the next monitoring report.

⁵³ Monthly performance for this measure is as follows: June, 86%; July, 85%; August, 86%; September, 86%; October, 84%; November, 82%.

Table 1B: To Be Maintained

SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance ⁴⁹	June 2021 Performance ⁵⁰	December 2021	Requirement Maintained (Yes/No) ⁵¹
Timeliness of Investigation Completion (90 days) (SEP IV.A.14)	95% of all investigations of alleged child abuse and neglect shall be completed within 90 days. Cases with documented acceptable extensions in accordance with policy are considered compliant.	97% of all investigations in November were completed within 90 days. Monthly range during June – November 2020 monitoring period: 96 to 97%.	96% of all investigations in May were completed within 90 days. Monthly range during December 2020 – May 2021 monitoring period: 96 to 97%.	95% of all investigations in November were completed within 90 days. Monthly range during June – November 2021 monitoring period: 94 to 96%. ^{54,55}	Yes
Quality Investigations (SEP IV.A.15)	85% of investigations shall meet the standards for quality investigations. The Monitor, in consultation with the parties, shall determine appropriate standards for quality investigations.	91% of investigations met quality standards in a February 2020 review of a statistically significant sample of investigations completed in October 2019.	The next review will be conducted in early 2022 for investigations completed in October 2021. ⁵⁶	81% of investigations met quality standards in a February 2022 review of a statistically significant sample of investigations completed in October 2021.	Yes ⁵⁷

⁵⁴ Due to the time lag of this measure, the Monitor and DCF have altered the period of review, so June 2021 data are included for this period and December 2021 data will be included in the next monitoring report.

⁵⁵ Monthly performance for this measure is as follows: June, 96%; July, 96%; August, 95%; September, 95%; October, 94%; November, 95%.

⁵⁶ DCF’s Investigation Case Record Review is typically conducted every two years.

⁵⁷ The Monitor considers the decline in performance to be temporary and/or insubstantial.

Table 1B: To Be Maintained

SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance ⁴⁹	June 2021 Performance ⁵⁰	December 2021	Requirement Maintained (Yes/No) ⁵¹
Family Teaming					
Initial Family Team Meeting (SEP IV.B.16)	80% of children newly entering placement shall have a family team meeting before or within 45 days of placement.	82% of children newly entering placement in December 2020 had a FTM within 45 days. Monthly range during July – December 2020 monitoring period: 82 to 91%.	69% of children newly entering placement in June 2021 had a FTM within 45 days. Monthly range during January – June 2021 monitoring period: 69 to 89%.	92% of children newly entering placement in December 2021 had a FTM within 45 days. Monthly range during July – December 2021 monitoring period: 76 to 92%. ⁵⁸	Yes ⁵⁹
Subsequent FTMs within 12 months (SEP IV.B.17)	80% of children will have three additional FTMs within the first 12 months of the child coming into placement.	80% of children who entered placement in December 2019 had three or more additional FTMs within the first 12 months. Monthly range during July – December 2020 monitoring period: 76 to 85%.	86% of children who entered placement in June 2020 had three or more additional FTMs within the first 12 months. Monthly range during January – June 2021 monitoring period: 75 to 93%.	68% of children who entered placement in December 2020 had three or more additional FTMs within the first 12 months. Monthly range during July – December 2021 monitoring period: 68 to 91%. ⁶⁰	Yes ⁶¹

⁵⁸ Monthly performance for this measure is as follows: July, 76%; August, 79%; September, 80%; October, 81%; November, 78%; December, 92%. Reported performance accounts for valid exceptions to the FTM requirement. The Monitor and DCF reviewed all 30 cases in which there was documentation of an exception to the FTM requirement and excluded from these data all instances (for each month) in which they determined that an exception was appropriately used.

⁵⁹ The Monitor considers the decline in performance to be temporary and/or insubstantial.

⁶⁰ Monthly performance for this measure is as follows: July, 91%; August, 90%; September, 74%; October, 84%; November, 77%; December, 68%. Reported performance accounts for valid exceptions to the FTM requirement. The Monitor and DCF reviewed all 34 cases in which there was documentation of an exception to the FTM requirement and excluded from these data all instances (for each month) in which they determined that an exception was appropriately used.

⁶¹ The Monitor considers the decline in performance to be temporary and/or insubstantial.

Table 1B: To Be Maintained

SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance ⁴⁹	June 2021 Performance ⁵⁰	December 2021	Requirement Maintained (Yes/No) ⁵¹
Subsequent FTMs after 12 months – Reunification Goal (SEP IV.B.18)	After the first 12 months of a child being in care, 90% of those with a goal of reunification will have at least three FTMs each year.	96% of children who entered placement before December 2019 (but still have a goal of reunification) had three or more additional FTMs in the most recent 12 months. Monthly range during July – December 2020 monitoring period: 44 to 97%.	88% of children who entered placement before June 2020 (but still have a goal of reunification) had three or more additional FTMs in the most recent 12 months. Monthly range during January – June 2021 monitoring period: 85 to 95%.	100% of children who entered placement before December 2020 (but still have a goal of reunification) had three or more additional FTMs in the most recent 12 months. Monthly range during July – December 2021 monitoring period: 50 to 100%. ⁶²	Yes ⁶³
Subsequent FTMs after 12 months – Other than Reunification Goal (SEP IV.B.19)	After the first 12 months of a child being in care, for those children with a goal other than reunification, 90% shall have at least two FTMs each year.	88% of children who entered placement before December 2019 (and have a goal other than reunification) had two or more FTMs in the most recent 12 months of placement. Monthly range during July – December 2020 monitoring period: 84 to 88%.	88% of children who entered placement before June 2020 (and have a goal other than reunification) had two or more FTMs in the most recent 12 months of placement. Monthly range during January – June 2021 monitoring period: 86 to 94%.	85% of children who entered placement before December 2020 (and have a goal other than reunification) had two or more FTMs in the most recent 12 months of placement. Monthly range during July – December 2021 monitoring period: 84 to 91%. ⁶⁴	Yes ⁶⁵

⁶² Monthly performance for this measure is as follows: July, 84%; August, 50%; September, 69%; October, 87%; November, 65%; December, 100%. Reported performance accounts for valid exceptions to the FTM requirement. The Monitor and DCF reviewed all 4 cases in which there was documentation of an exception to the FTM requirement and excluded from these data all instances (for each month) in which they determined that an exception was appropriately used.

⁶³ The universe for this measure is small and thus more susceptible to fluctuations.

⁶⁴ Monthly performance for this measure is as follows: July, 84%; August, 87%; September, 88%; October, 91%; November, 90%; December, 85%. Reported performance accounts for valid exceptions to the FTM requirement. DCF reviewed all 6 cases in which there was documentation of an exception to the FTM requirement and excluded from these data all instances (for each month) in which they determined that an exception was appropriately used.

⁶⁵ The Monitor considers the decline in performance to be temporary and/or insubstantial.

Table 1B: To Be Maintained

SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance ⁴⁹	June 2021 Performance ⁵⁰	December 2021	Requirement Maintained (Yes/No) ⁵¹
Needs Assessment					
Needs Assessment (SEP IV.C.21)	The state shall regularly evaluate the need for additional placements and services to meet the needs of children in custody and their families and to support intact families and prevent the need for out-of-home care. Such needs assessments shall be conducted on an annual, staggered basis that assures that every county is assessed at least once every three years. The state shall develop placements and services consistent with the findings of these needs assessments.	Both groups of county HSACs (from all 21 counties), with technical assistance from DCF, completed their reports, including results from surveys, focus groups, and key informant interviews. The priorities most identified were housing, behavioral health and mental health services for adults and children, and substance use disorder services.	In August 2021, DCF released the Human Services Advisory Council (HSACs) Needs Assessment Synthesis Report, ⁶⁶ in which the Institute for Families at Rutgers School of Social Work synthesizes the HSACs needs assessment reports from all 21 counties.	During the monitoring period, DCF worked to address some of the findings of the needs assessment by educating staff and providers on available housing supports, having conversations with the New Jersey Department of Human Services, the Department of Community Affairs, and the Department of Health regarding more robust service coordination and referral services; and increasing funding for Parents Anonymous, a program for parent-peer support.	Yes

⁶⁶ The HSAC Needs Assessment Synthesis Report can be found at <https://www.nj.gov/dcf/news/HSAC.Synthesis.Report-June.2.2021.pdf>

Table 1B: To Be Maintained

SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance ⁴⁹	June 2021 Performance ⁵⁰	December 2021	Requirement Maintained (Yes/No) ⁵¹
Case and Service Planning					
Initial Case Plans (SEP IV.D.22)	95% of initial case plans for children and families shall be completed within 30 days.	87% of children entering care in December 2020 had case plans developed within 30 days. Monthly range during July – December 2020 monitoring period: 84 to 96%.	85% of children entering care in June 2021 had case plans developed within 30 days. Monthly range during January – June 2021 monitoring period: 85 to 98%.	88% of children entering care in December 2021 had case plans developed within 30 days. Monthly range during July – December 2021 monitoring period: 85 to 93%. ⁶⁷	No
Timeliness of Current Plans (SEP III.C.6)	95% of case plans for children and families will be reviewed and modified no less frequently than every six months.	97% of case plans in December 2020 were reviewed and modified as necessary at least every six months. Monthly range during July – December 2020 monitoring period: 93 to 97%.	99% of case plans in June 2021 were reviewed and modified as necessary at least every six months. Monthly range during January – June 2021 monitoring period: 97 to 99%.	97% of case plans in December 2021 were reviewed and modified as necessary at least every six months. Monthly range during July – December 2021 monitoring period: 95 to 98%. ⁶⁸	Yes
Caseloads					
Supervisor/ Worker Ratio (SEP III.B.2)	95% of offices will have sufficient supervisory staff to maintain a 5 worker to 1 supervisor ratio.	100% of Local Offices have sufficient supervisory staff.	100% of Local Offices have sufficient supervisory staff.	100% of Local Offices have sufficient supervisory staff.	Yes

⁶⁷ Monthly performance for this measure is as follows: July, 85%; August, 91%; September, 91%; October, 93%; November, 89%; December 88%.

⁶⁸ Monthly performance on this measure is as follows: July, 96%; August, 95%; September, 98%; October, 97%; November, 95%; December, 97%.

Table 1B: To Be Maintained

SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance⁴⁹	June 2021 Performance⁵⁰	December 2021	Requirement Maintained (Yes/No)⁵¹
IAIU Investigators Caseload (SEP III.B.3)	95% of IAIU investigators will have (a) no more than 12 open cases, and (b) no more than eight new case assignments per month.	100% of IAIU investigators met caseload standards.	100% of IAIU investigators met caseload standards.	100% of IAIU investigators met caseload standards.	Yes
Permanency Workers (Local Offices) Caseload (SEP III.B.4)	95% of Local Offices will have average caseloads for Permanency workers of (a) no more than 15 families, and (b) no more than 10 children in out-of-home care.	100% of Local Offices met permanency standards.	100% of Local Offices met permanency standards.	100% of Local Offices met permanency standards.	Yes
Permanency Workers Caseload (SEP III.B.5)	95% of Permanency workers will have (a) no more than 15 families, and (b) no more than 10 children in out of home care.	100% of Permanency workers met caseload standards.	100% of Permanency workers met caseload standards.	100% of Permanency workers met caseload standards. ⁶⁹	Yes

⁶⁹ Reported performance is the average of DCF's performance in meeting individual caseload standards during this six-month monitoring period.

Table 1B: To Be Maintained

SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance⁴⁹	June 2021 Performance⁵⁰	December 2021	Requirement Maintained (Yes/No)⁵¹
Intake workers (Local Offices) Caseload (SEP IV.E.24)	95% of Local Offices will have average caseloads for Intake workers of no more than 12 families and no more than eight new case assignments per month.	100% of Local Offices met intake caseload standards.	99% of Local Offices met intake caseload standards.	98% of Local Offices met intake caseload standards.	Yes
Intake workers Caseload (SEP IV.E.25)	90% of individual Intake workers shall have no more than 12 open cases and no more than eight new case assignments per month. No Intake worker with 12 or more open cases can be given more than two secondary assignments per month.	97% of Intake workers met caseload standards.	99% of Intake workers met caseload standards.	98% of Intake workers met caseload standards. ⁷⁰	Yes
Adoption Workers (Local Offices) Caseload (SEP IV.E.26)	95% of Local Offices will have average caseloads for Adoption workers of no more than 15 children per worker.	100% of Local Offices met adoption standards.	100% of Local Offices met adoption standards.	99% of Local Offices met adoption standards.	Yes

⁷⁰ Reported performance is the average of DCF's performance in meeting individual caseload standards during this six-month monitoring period.

Table 1B: To Be Maintained

SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance⁴⁹	June 2021 Performance⁵⁰	December 2021	Requirement Maintained (Yes/No)⁵¹
Adoption Workers Caseload (SEP IV.E.27)	95% of individual Adoption worker caseloads shall be no more than 15 children per worker.	99% of Adoption workers met caseload standards.	100% of Adoption workers met caseload standards.	99% of Adoption workers met caseload standards. ⁷¹	Yes
Deputy Attorneys General					
Adequacy of DAsG Staffing (SEP III.D.7)	The state will maintain adequate DAsG staff positions and keep positions filled.	132 staff positions were filled with one staff on leave; 131 (99%) available DAsG.	144 staff positions were filled with four staff on leave; 140 (97%) available DAsG.	146 staff positions were filled with three staff on leave; 143 (98%) available DAsG. ⁷²	Yes
Child Health Units					
Child Health Units (SEP III.E.8)	The state will continue to maintain its network of Child Health Units, adequately staffed by nurses in each Local Office.	As of December 31, 2020, DCF had 124 Health Care Case Managers and 45 staff assistants.	As of June 30, 2021, DCF had 122 Health Care Case Managers and 45 staff assistants.	As of December 31, 2021, DCF had 121 Health Care Case Managers and 43 staff assistants.	Yes
Visits					

⁷¹ Reported performance is the average of DCF's performance in meeting individual caseload standards during this six-month monitoring period.

⁷² DCF reported that during this monitoring period select DAsG outside of the DCF Practice Group have dedicated some of their time to DCF matters.

Table 1B: To Be Maintained

SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance⁴⁹	June 2021 Performance⁵⁰	December 2021	Requirement Maintained (Yes/No)⁵¹
Caseworker Contacts with Children – New Placement/ Placement Change (SEP III.F.9)	93% of children shall have at least twice-per-month face-to-face contact with their caseworker within the first two months of placement, with at least one contact in the placement.	92% of children had two visits per month, one of which was in their placement, during the first two months of an initial or subsequent placement in December 2020. Monthly range during July – December 2020 monitoring period: 89 to 93%.	90% of children had two visits per month, one of which was in their placement, during the first two months of an initial or subsequent placement in June 2021. Monthly range during January – June 2021 monitoring period: 90 to 95%.	95% of children had two visits per month, one of which was in their placement, during the first two months of an initial or subsequent placement in December 2021. Monthly range during July – December 2021 monitoring period: 81 to 95%. ⁷³	Yes ⁷⁴
Caseworker Contact with Children in Placement (SEP III.F.10)	During the remainder of the placement, 93% of children shall have at least one caseworker visit per month, in the placement.	97% of children had at least one caseworker visit in December 2020 in their placement. Monthly range during July – December 2020 monitoring period: 95 to 98%.	97% of children had at least one caseworker visit in June 2021 in their placement. Monthly range during January – June 2021 monitoring period: 97 to 98%.	96% of children had at least one caseworker visit in December 2021 in their placement. Monthly range during July – December 2021 monitoring period: 96 to 97%. ⁷⁵	Yes

⁷³: Monthly performance for this measure is as follows: July, 86%; August, 88%; September, 90%; October, 92%; November, 81%; December, 95%.

⁷⁴ The Monitor considers the decline in performance to be temporary and/or insubstantial.

⁷⁵ Monthly performance for this measure is as follows: July, 96%; August, 97%; September, 97%; October, 96%; November, 96%; December, 96%.

Table 1B: To Be Maintained

SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance ⁴⁹	June 2021 Performance ⁵⁰	December 2021	Requirement Maintained (Yes/No) ⁵¹
Parent-Child Visits – Weekly (SEP IV.F.29)	60% of children in custody with a return home goal will have an in-person visit with their parent(s) at least weekly, excluding those situations where a court order prohibits or regulates visits or there is a supervisory approval of a decision to cancel a visit because it is physically or psychologically harmful to a child.	81% of applicable children had weekly visits with their parents in December 2020. Monthly range during July – December 2020 monitoring period: 60 to 81%.	80% of applicable children had weekly visits with their parents in June 2021. Monthly range during January – June 2021 monitoring period: 80 to 85%.	76% of applicable children had weekly visits with their parents in December 2021. Monthly range during July – December 2021 monitoring period: 75 to 80%. ⁷⁶	Yes
Parent-Child Visits – Bi-Weekly (SEP IV.F.30)	85% of children in custody will have an in-person visit with their parent(s) or legally responsible family member at least every other week. ⁷⁷	94% of applicable children had bi-weekly visits with their parents in December 2020. Monthly range during July – December 2020 monitoring period: 77 to 94%.	93% of applicable children had bi-weekly visits with their parents in June 2021. Monthly range during January – June 2021 monitoring period: 93 to 96%.	90% of applicable children had bi-weekly visits with their parents in December 2021. Monthly range during July – December 2021 monitoring period: 88 to 90%. ⁷⁸	Yes

⁷⁶ Monthly performance for this measure is as follows: July, 79%; August, 80%; September, 77%; October, 76%; November, 75%; December, 76%. Reported performance accounts for valid exceptions to this visits requirement.

⁷⁷ The requirement excludes those situations where a court order prohibits or regulates visits or there is supervisory approval of a decision to cancel a visit because it is physically or psychologically harmful to a child.

⁷⁸ Monthly performance for this measure is as follows: July, 93%; August, 92%; September, 91%; October, 89%; November, 88%; December, 90%. Reported performance accounts for valid exceptions to this visits requirement.

Table 1B: To Be Maintained

SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance ⁴⁹	June 2021 Performance ⁵⁰	December 2021	Requirement Maintained (Yes/No) ⁵¹
Child Visits with Siblings (SEP IV.F.31)	85% of children in custody who have siblings with whom they are not residing will visit those siblings at least monthly. ⁷⁹	83% of children in custody who have siblings with whom they are not residing visited with their siblings in December 2020. Monthly range during July – December 2020 monitoring period: 70 to 83%.	84% of children in custody who have siblings with whom they are not residing visited with their siblings in June 2021. Monthly range during January – June 2021 monitoring period: 83 to 87%.	78% of children in custody who have siblings with whom they are not residing visited with their siblings in December 2021. Monthly range during July – December 2021 monitoring period: 76 to 82%. ^{80,81}	No
Placement					
Placing Siblings Together (SEP IV.G.32)	At least 80% of sibling groups of two or three children entering custody will be placed together.	80% of sibling groups of two or three children entering custody in CY 2019 were placed together.	81% of sibling groups of two or three children entering custody in CY 2020 were placed together.	85% of sibling groups of two or three children entering custody in CY 2021 were placed together.	Yes

⁷⁹ The requirement excludes those situations where a court order prohibits or regulates visits or there is supervisory approval of a decision to cancel a visit because it is physically or psychologically harmful to a child.

⁸⁰ Monthly performance for this measure is as follows: July, 82%; August, 81%; September, 77%; October, 80%; November, 77%; December, 76%. Reported performance accounts for valid exceptions to the visits requirement.

⁸¹ Based on the Monitor and DCF’s joint review of a statistically significant sample of cases for children in care in October and November 2018, it was determined that exceptions to this visits requirement were appropriately applied and documented in 60% of cases. The universe of cases utilized for the purposes of calculating performance has been adjusted accordingly.

Table 1B: To Be Maintained

SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance⁴⁹	June 2021 Performance⁵⁰	December 2021	Requirement Maintained (Yes/No)⁵¹
Placing Siblings Together for Four or More Children (SEP IV.G.33)	All children will be placed with at least one other sibling 80% of the time.	83% of children entering custody in CY 2019 with three or more siblings were placed with at least one other sibling.	95% of children entering custody in CY 2020 with three or more siblings were placed with at least one other sibling.	92% of children entering custody in CY 2021 with three or more siblings were placed with at least one other sibling.	Yes
Recruitment of Placements for Sibling Groups of Four or More (SEP IV.G.34)	DCF will continue to recruit for resource homes capable of serving sibling groups of four or more.	DCF suspended recruitment in March 2020 due to COVID-19; as of December 2020, DCF recruited one new SIBS home. DCF had a total of 55 large capacity SIBS homes; 12 homes that can accommodate five or more children and 43 that can accommodate four children.	DCF recruited one new SIBS home in the monitoring period. As of June 2021, DCF had a total of 45 large capacity SIBS homes; 11 homes that can accommodate five or more children and 45 that can accommodate four children.	As of December 31, 2021, DCF had a total of 40 large capacity SIBS homes; nine homes can accommodate five or more children and 31 that can accommodate four children.	Yes

Table 1B: To Be Maintained

SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance ⁴⁹	June 2021 Performance ⁵⁰	December 2021	Requirement Maintained (Yes/No) ⁵¹
Placement Stability, First 12 Months in Care (SEP IV.G.35)	At least 84% of children entering out-of-home placement for the first time in a calendar year will have no more than one placement change during the 12 months following their date of entry.	85% of children who entered out-of-home placement for the first time in CY 2018 had no more than one placement change during the 12 months following their date of entry.	87% of children who entered out-of-home placement for the first time in CY 2019 had no more than one placement change during the 12 months following their date of entry.	89% of children who entered out-of-home placement for the first time in CY 2020 had no more than one placement change during the 12 months following their date of entry.	Yes
Placement Stability, 13 – 24 Months in Care (SEP IV.G.36)	At least 88% of these children will have no more than one placement change during the 13-24 months following their date of entry.	95% of children who entered care in CY 2017 had no more than one placement change during the 13-24 months following their date of entry.	96% of children who entered care in CY 2018 had no more than one placement change during the 13-24 months following their date of entry.	97% of children who entered care in CY 2019 had no more than one placement change during the 13-24 months following their date of entry.	Yes

Table 1B: To Be Maintained

SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance ⁴⁹	June 2021 Performance ⁵⁰	December 2021	Requirement Maintained (Yes/No) ⁵¹
Education					
Educational Needs (SEP III.G.11)	80% of cases will be rated acceptable as measured by the QR in stability (school) and learning and development. The Monitor, in consultation with the parties, shall determine the standards for school stability and quality learning and development.	86% of cases rated acceptable for both QR indicators <i>stability in school</i> and <i>learning and development</i> (CY 2019). ^{82,83}	CY 2020 data not available. QRs suspended during the COVID-19 pandemic.	CY 2021 data not available. QRs suspended during the COVID-19 pandemic.	Unable to Determine ⁸⁴
Maltreatment					
Abuse and Neglect of Children in Foster Care (SEP III.H.12)	No more than 0.49% of children will be victims of substantiated abuse or neglect by a resource parent or facility staff member.	0.24% of children in CY 2019 were victims of substantiated abuse or neglect by a resource parent or facility staff member.	0.12% of children in CY 2020 were victims of substantiated abuse or neglect by a resource parent or facility staff member.	0.17% of children in CY 2021 were victims of substantiated abuse or neglect by a resource parent or facility staff member.	Yes

⁸² From January to December 2019, 86% (63 of 73) of the applicable cases reviewed were rated acceptable on both the *stability in school* and the *learning and development, ages 5 & older* indicators; 91% (74 of 81) were rated acceptable for *stability in school* and 89% (68 of 76) were rated acceptable for *learning and development, ages 5 & older*.

⁸³ All in-home cases are excluded from this measure.

⁸⁴ The qualitative review process was suspended in March 2020 and as a result there are no new data for Educational Needs (SEP III.G.11); Quality of Teaming (SEP IV.B.20); Quality of Case Plans (SEP IV.D.23); Services to Support Transitions (SEP IV.J.44), and Quality of Case Planning and Services (SEP IV.K.46).

Table 1B: To Be Maintained

SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance ⁴⁹	June 2021 Performance ⁵⁰	December 2021	Requirement Maintained (Yes/No) ⁵¹
Repeat Maltreatment (In-home) (SEP IV.H.37)	No more than 7.2% of children who remain at home after a substantiation of abuse or neglect will have another substantiation within the next 12 months.	4.5% of children who remained at home after a substantiation of abuse or neglect in CY 2018 had another substantiation within the next 12 months.	5.1% of children who remained at home after a substantiation of abuse or neglect in CY 2019 had another substantiation within the next 12 months.	3.1% of children who remained at home after a substantiation of abuse or neglect in CY 2020 had another substantiation within the next 12 months.	Yes
Maltreatment Post-Reunification (SEP IV.H.38)	Of all children who enter foster care in a 12-month period for the first time who are discharged within 24 months to reunification or living with a relative(s), no more than 6.9% will be the victims of abuse or neglect within 12 months of their discharge.	6.3% of children who entered foster care for the first time in CY 2016 and were discharged within 24 months to reunification or living with relative(s) were the victims of abuse or neglect within 12 months of their discharge.	5.1% of children who entered foster care for the first time in CY 2017 and were discharged within 24 months to reunification or living with relative(s) were the victims of abuse or neglect within 12 months of their discharge.	3.6% of children who entered foster care for the first time in CY 2018 and were discharged within 24 months to reunification or living with relative(s) were the victims of abuse or neglect within 12 months of their discharge.	Yes

Table 1B: To Be Maintained

SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance⁴⁹	June 2021 Performance⁵⁰	December 2021	Requirement Maintained (Yes/No)⁵¹
Re-Entry to Placement (SEP IV.H.39)	Of all children who enter foster care in a 12-month period for the first time who are discharged within 12 months to reunification, living with relative(s), or guardianship, no more than 9% will re-enter foster care within 12 months of their discharge.	8.6% of children who entered foster care for the first time in CY 2017 and were discharged within 12 months to reunification, living with relative(s), or guardianship, re-entered foster care within 12 months of their discharge.	9.8% of children who entered foster care for the first time in CY 2018 and were discharged within 12 months reunification, living with relative(s), or guardianship, re-entered foster care within 12 months of their discharge.	10.2% of children who entered foster care for the first time in CY 2019 and were discharged within 12 months reunification, living with relative(s), or guardianship, re-entered foster care within 12 months of their discharge.	No
Permanency					
Permanency within 12 Months (SEP IV.I.40)	Of all children who enter foster care in a 12-month period, at least 42% will be discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 12 months of entering foster care.	42% of children who entered foster care in CY 2018 were discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 12 months of entering foster care.	37% of children who entered foster care in CY 2019 were discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 12 months of entering foster care.	33% of children who entered foster care in CY 2020 were discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 12 months of entering foster care.	Yes ⁸⁵

⁸⁵ The Monitor considers the decline in performance to be temporary and/or insubstantial.

Table 1B: To Be Maintained

SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance⁴⁹	June 2021 Performance⁵⁰	December 2021	Requirement Maintained (Yes/No)⁵¹
Permanency Within 24 Months (SEP IV.I.41)	Of all children who enter foster care in a 12-month period, at least 66% will be discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 24 months of entering foster care.	67% of children who entered foster care in CY 2017 were discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 24 months of entering foster care.	64% of children who entered foster care in CY 2018 were discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 24 months of entering foster care.	61% of children who entered foster care in CY 2019 were discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 24 months of entering foster care.	Yes ⁸⁶
Permanency Within 36 Months (SEP IV.I.42)	Of all children who enter foster care in a 12-month period, at least 80% will be discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 36 months of entering foster care.	82% of children who entered foster care in CY 2016 were discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 36 months of entering foster care.	84% of children who entered foster care in CY 2017 were discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 36 months of entering foster care.	80% of children who entered foster care in CY 2018 were discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 36 months of entering foster care.	Yes

⁸⁶ The Monitor considers the decline in performance to be temporary and/or insubstantial.

Table 1B: To Be Maintained

SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance⁴⁹	June 2021 Performance⁵⁰	December 2021	Requirement Maintained (Yes/No)⁵¹
Permanency Within 48 Months (SEP IV.I.43)	Of all children who enter foster care in a 12-month period, at least 86% will be discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 48 months of entering foster care.	88% of children who entered foster care in CY 2015 were discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 48 months of entering foster care.	89% of children who entered foster care in CY 2016 were discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 48 months of entering foster care.	90% of children who entered foster care in CY 2017 were discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 48 months of entering foster care.	Yes
Older Youth					
Independent Living Assessments (SEP IV.K.45)	90% of youth ages 14 to 18 have an Independent Living Assessment.	87% of applicable children had completed an Independent Living Assessment in December 2020. Monthly range during July – December 2020 monitoring period: 86 to 88%.	85% of applicable children had completed an Independent Living Assessment in June 2021. Monthly range during January – June 2021 monitoring period: 84 to 87%.	80% of applicable children had completed an Independent Living Assessment in December 2021. Monthly range during July – December 2021 monitoring period: 78 to 85%. ⁸⁷	No

⁸⁷ Monthly performance for this measure is as follows: July, 85%; August, 85%; September, 84%; October, 81%; November, 78%; December, 80%.

Table 1B: To Be Maintained

SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance ⁴⁹	June 2021 Performance ⁵⁰	December 2021	Requirement Maintained (Yes/No) ⁵¹
Quality of Case Planning and Services (SEP IV.K.46)	75% of youth ages 18 to 21 who have not achieved legal permanency shall receive acceptable quality case management and service planning.	67% of cases rated acceptable for both QR indicators <i>child (youth)/family status</i> and <i>overall practice performance</i> (CY 2019). ⁸⁸	CY 2020 data not available. QRs suspended during the COVID-19 pandemic.	CY 2021 data not available. QRs suspended during the COVID-19 pandemic.	Unable to Determine ⁸⁹
Housing (SEP IV.K.47)	95% of youth exiting care without achieving permanency shall have housing.	99% of youth exiting care between January and December 2019 without achieving permanency had documentation of a housing plan upon exiting care.	92% of youth exiting care between January and December 2020 without achieving permanency had documentation of a housing plan upon exiting care.	93% of youth exiting care between January and December 2021 without achieving permanency had documentation of a housing plan upon exiting care.	Yes

⁸⁸ From January to December 2019, 67% (29 of 43) of the applicable cases reviewed were rated acceptable on both the *overall child (youth)/family status* and the *overall practice performance* indicators; 95% (41 of 43) of cases were rated acceptable for *child (youth)/family status* and 67% (29 of 43) of cases were rated acceptable for *overall practice performance*.

⁸⁹ The qualitative review process was suspended in March 2020 and as a result there are no new data for Educational Needs (SEP III.G.11); Quality of Teaming (SEP IV.B.20); Quality of Case Plans (SEP IV.D.23); Services to Support Transitions (SEP IV.J.44), and Quality of Case Planning and Services (SEP IV.K.46).

Table 1B: To Be Maintained

SEP Measure	Sustainability and Exit Plan Standard	December 2020 Performance ⁴⁹	June 2021 Performance ⁵⁰	December 2021	Requirement Maintained (Yes/No) ⁵¹
Employment/ Education (SEP IV.K.48)	90% of youth exiting care without achieving permanency shall be employed, enrolled in or have recently completed a training or an educational program or there is documented evidence of consistent efforts to help the youth secure employment or training.	97% of youth exiting care between January and December 2019 without achieving permanency were either employed or enrolled in education or vocational training programs, or there was documented evidence of consistent efforts to help the youth secure employment or training.	85% of youth exiting care between January and December 2020 without achieving permanency were either employed or enrolled in education or vocational training programs, or there was documented evidence of consistent efforts to help the youth secure employment or training.	95% of youth exiting care between January and December 2021 without achieving permanency were either employed or enrolled in education or vocational training programs, or there was documented evidence of consistent efforts to help the youth secure employment or training.	Yes

Table 1C: Foundational Elements

SEP Reference	Additional SEP Requirements that DCF Must Sustain:	Data Source	Requirement Maintained as of December 2020 (Yes/No)								
A. Data Transparency	DCF will continue to maintain a case management information and data collections system that allows for the assessment, tracking, posting or web-based publishing and utilization of key data indicators.	Data provided directly to the Monitor and published by DCF in reports and on its website. ⁹⁰ NJ SPIRIT functionality is routinely assessed by the Monitor’s use of NJ SPIRIT data for validation and through use of SafeMeasures, as well as in conducting case inquiries and case record reviews.	Yes								
B. Case Practice Model	<table border="1"> <tr> <td data-bbox="411 678 1037 764">Implement and sustain a Case Practice Model</td> </tr> <tr> <td data-bbox="411 764 1037 850">Quality investigation and assessment</td> </tr> <tr> <td data-bbox="411 850 1037 937">Safety and risk assessment and risk reassessment</td> </tr> <tr> <td data-bbox="411 937 1037 1023">Engagement with youth and families</td> </tr> <tr> <td data-bbox="411 1023 1037 1109">Working with family teams</td> </tr> <tr> <td data-bbox="411 1109 1037 1195">Individualized planning and relevant services</td> </tr> <tr> <td data-bbox="411 1195 1037 1281">Safe and sustained transition from DCF</td> </tr> <tr> <td data-bbox="411 1281 1037 1365">Continuous review and adaptations</td> </tr> </table>	Implement and sustain a Case Practice Model	Quality investigation and assessment	Safety and risk assessment and risk reassessment	Engagement with youth and families	Working with family teams	Individualized planning and relevant services	Safe and sustained transition from DCF	Continuous review and adaptations	<p>QR Data</p> <p>Monitor site visits and attendance at QRs, ChildStat, and other meetings</p> <p>Quality of Investigations case record review</p> <p>Data provided directly to the Monitor</p> <p>Safe, Healthy, and Connected Annual Report⁹¹</p> <p>Older Youth Exiting Care to Non-Permanency case record review</p>	<p>Yes— although some activities suspended or postponed during this monitoring period due to COVID-19.</p> <p>DCF is redesigning its Continuous Quality Improvement (CQI) processes to integrate Solution Based Casework (SBC) approach and Child and Family Service Reviews (CFSRs) results with its Case Practice Model as part of the parties’ Exit Plan and Agreement.</p>
Implement and sustain a Case Practice Model											
Quality investigation and assessment											
Safety and risk assessment and risk reassessment											
Engagement with youth and families											
Working with family teams											
Individualized planning and relevant services											
Safe and sustained transition from DCF											
Continuous review and adaptations											

⁹⁰ Please see list of reports in Appendix B to review data sources for this Foundational Element.

⁹¹ The most recent Safe, Healthy, and Connected Annual Report was published in 2019 covering CY 2018. DCF intends to publish a report for 2019 and for 2020.

Table 1C: Foundational Elements

SEP Reference	Additional SEP Requirements that DCF Must Sustain:	Data Source	Requirement Maintained as of December 2020 (Yes/No)
C. State Central Registry	Received by the field in a timely manner	Commissioner’s Monthly Report	Yes
	Investigation commenced within required response time	Monitor site visit with State Central Registry (SCR) staff Screening and Investigations Monthly Report	
D. Appropriate Placements	Appropriate placements of children	Monitor site visits and attendance at QRs, ChildStat, and other meetings Data provided directly to the Monitor Safe, Healthy, and Connected Annual Report	Yes
	Resource family homes licensed and closed (kinship/non-kinship)	Commissioner’s Monthly Report Data provided directly to the Monitor	
	Number of children in home/out of home demographic data	NJ Rutgers Data Portal	
	Placed in a family setting	Commissioner’s Monthly Report	
	Placement proximity	Data provided directly to the Monitor Safe, Healthy, and Connected Annual Report	
	No children under 13 years old in shelters	Commissioner’s Monthly Report Data provided directly to the Monitor	
	Children over 13 in shelters no more than 30 days	Commissioner’s Monthly Report Data provided directly to the Monitor	

Table 1C: Foundational Elements

SEP Reference	Additional SEP Requirements that DCF Must Sustain:	Data Source	Requirement Maintained as of December 2020 (Yes/No)
	No behavioral health placements out of state without approval	Commissioner’s Monthly Report	
	Adequate number of resource placements	CP&P Needs Assessment Data provided directly to the Monitor Safe, Healthy, and Connected Annual Report	
E. Service Array	Services for youth ages 18-21, LGBTQ+, mental health and domestic violence for birth parents with families involved with the child welfare system	New Jersey Youth Resource Spot (NJYRS) ⁹² New Jersey DCF Adolescent Services Website ⁹³ Data provided directly to the Monitor Attendance at Adolescent Practice Forums CP&P Needs Assessment Safe, Healthy, and Connected Annual Report Older Youth Exiting Care to Non-Permanency case record review	Yes
	Preventive home visit programs	Commissioner’s Monthly Report Safe, Healthy, and Connected Annual Report	

⁹² The updated NJYRS webpage can be found at www.NJYRS.org.

⁹³ DCF’s Adolescent Services Website can be found at <http://www.nj.gov/dcf/adolescent/>.

Table 1C: Foundational Elements

SEP Reference	Additional SEP Requirements that DCF Must Sustain:	Data Source	Requirement Maintained as of December 2020 (Yes/No)
	Family Success Centers (FSCs)	Commissioner’s Monthly Report Data provided directly to the Monitor Safe, Healthy, and Connected Annual Report	
F. Medical and Behavioral Health Services	Appropriate medical assessment and treatment	Data provided directly to the Monitor Commissioner’s Monthly Report Children’s Interagency Coordinating Councils (CIACC) Monthly Report Safe, Healthy, and Connected Annual Report	Yes
	Pre-placement and entry medical assessments		
	Dental examinations		
	Immunizations		
	Follow-up care and treatment		
	Mental health assessment and treatment		
	Behavioral health		
G. Training	Pre-service training	Data provided directly to the Monitor Safe, Healthy, and Connected Annual Report	Yes
	Case practice model		
	Permanency planning		

Table 1C: Foundational Elements

SEP Reference	Additional SEP Requirements that DCF Must Sustain:	Data Source	Requirement Maintained as of December 2020 (Yes/No)
	Concurrent planning		
	Adoption		
	Demonstration of competency		
H. Flexible Funding	DCF will continue to make flexible funds available for use by workers in crafting individualized service plans for children, youth and families to meet the needs of children and families, to facilitate family preservation and reunification where appropriate and to ensure that families are able to provide appropriate care for children and to avoid the disruption of otherwise stable and appropriate placements.	Data provided directly to the Monitor DCF Online Policy Manual Budget Report	Yes
I. Resource Family Care Support Rates	Family care support rates	DCF Online Policy Manual	Yes
	Independent Living Stipend	DCF Website ⁹⁴ New Jersey Youth Resource Spot	

⁹⁴ The U.S. Department of Agriculture (USDA) has altered its schedule for producing its Annual Report on costs of raising a child. By agreement, DCF now updates the rates within 30 days of the USDA annual report's release to meet the SEP standards and provides written confirmation to the Monitor.

Table 1C: Foundational Elements

SEP Reference	Additional SEP Requirements that DCF Must Sustain:	Data Source	Requirement Maintained as of December 2020 (Yes/No)
<p>J. Permanency</p>	<p>Permanency practices</p>	<p>Data provided directly to the Monitor Safe, Healthy, and Connected Annual Report Monitor site visits and attendance at QRs, ChildStat, and other meetings</p>	<p>Yes— although some activities suspended or postponed during this monitoring period due to COVID-19. DCF is redesigning its Continuous Quality Improvement (CQI) processes to integrate Solution Based Casework (SBC) approach and Child and Family Service Reviews (CFSRs) results with its Case Practice Model as part of the parties' Exit Plan and Agreement.</p>
	<p>Adoption practices</p>	<p>Older Youth Exiting Care to Non-Permanency case record review</p>	
<p>K. Adoption Practice</p>	<p>5- and 10-month placement reviews</p>	<p>Adoption Report⁹⁵</p>	<p>Yes</p>

⁹⁵ The most recent Adoption Report was published in 2016. To see the report, go to: <https://www.nj.gov/dcf/childdata/exitplan/AdoptionReport2016.pdf>

IV. FOUNDATIONAL ELEMENTS

The Sustainability and Exit Plan (SEP) identifies a series of core organizational and practice improvements known as the “Foundational Elements” that became the groundwork upon which New Jersey’s reform has been built. They include requirements from the 2006 Modified Settlement Agreement (MSA) that were previously met and were codified in the SEP as essential to be maintained and foundational for improved child welfare outcomes and future system improvements. These Foundational Elements remain enforceable in the SEP if performance is not sustained. DCF collects and publishes relevant performance data on the Foundational Elements.

The Monitor has continued to assess maintenance of Foundational Elements through analysis of DCF’s data as well as through participation in DCF presentations and meetings and input from external stakeholders. During this period, the Monitor has continued to meet virtually with DCF leadership to receive updates on the Foundational Elements and DCF’s responses to the COVID-19 pandemic. The Department had planned to produce the *Safe, Healthy, and Connected Annual Report* in both 2019 and 2020 for public accountability on the Foundational Elements, but due to COVID delays, these reports will be released concurrently in CY 2022.

With respect to the SEP mandate to provide comprehensive, culturally responsive services to address the identified needs of children, youth, and families (SEP II.E), DCF has maintained financial support for its 57 Family Success Centers (FSCs), which have continued to provide resources to families during the COVID-19 pandemic both in person by appointment and virtually with well-being check-ins. In the fall of 2021, the Division of Family and Community Partnerships (FCP) established regional networking events, in partnership with FSCs, to promote kinship services.

To highlight a few additional accomplishments, DCF’s Division on Women (DOW) has been collecting information on the needs of survivors of domestic violence and the provider community. To meet the growing need, DOW began funding two additional domestic violence support organizations and anticipates funding seven additional programs in 2022. During the monitoring period, with new funding from the CDC, the Office of Adolescent Services (OAS) and DOW have continued to offer trainings for staff on creating safer environments for LGBTQ+ communities in collaboration with the Transgender Training Institute.

Also, during the monitoring period, the collaborative “Powerful Families, Powerful Communities NJ” launched a human-centered design process with constituent families in Camden, Cumberland, and Essex counties, which consisted of a series of facilitated design sessions over 12 weeks. In December 2021, though still in early stages, the group presented initial proposals to DCF leadership on ways in which New Jersey’s child welfare system can advance toward a family well-being system, highlighting the importance of reform efforts that center children’s voices, invest in community and family preservation, empower parents to dream and thrive, and sponsor lifelong healing. Throughout 2022, the group will continue to refine specific “prototypes” alongside DCF and stakeholder partners.⁹⁶

In the Monitor’s judgment, *each of the SEP’s Foundational Elements* has been maintained during this period, which is a substantial accomplishment given the challenges caused by the COVID-19 pandemic. Additionally, many of the areas addressed through the Foundational Elements have been strengthened through new initiatives and program developments, some of which are discussed in Section II.

⁹⁶ In the Human-Centered Design field, according to the Creative Reaction Lab, prototypes refer to basic visual representations of ideas in a quick and iterative process. Prototypes are intended to be tested and shared for feedback in an early phase so that designers can brainstorm possible consequences for the prototype on the community in which it is intended to support.

V. SUSTAINABILITY AND EXIT PLAN PERFORMANCE MEASURES TO BE ACHIEVED AND TO BE MAINTAINED

This section of the report provides information on the Sustainability and Exit Plan (SEP) requirements of the lawsuit – designated as *Outcomes To Be Achieved* – and those requirements for which the state has satisfied the specified performance targets for at least six months and must sustain – designated as *Outcomes To Be Maintained*.

A. INVESTIGATIONS

The SEP includes four performance measures related to investigative practice, all of which were designated as *Outcomes To Be Maintained* as of the beginning of the monitoring period: timeliness of Institutional Abuse Investigations Unit (IAIU) investigation completion (SEP III.A.1); timeliness of alleged child abuse and neglect investigation completion within 60 days (SEP IV.A.13); and timeliness of alleged child abuse and neglect investigation completion within 90 days (SEP IV.A.14); and quality of investigations (SEP IV.A.15);. Performance for all four measures during the current monitoring period is discussed below.

Timeliness of Institutional Abuse Investigations

Quantitative or Qualitative Measure	1. <u>Timeliness of IAIU Investigation Completion</u> : IAIU investigations of child maltreatment in foster care placements shall be completed within 60 days.
Performance Target	80% of all IAIU investigations shall be completed within 60 days.

The Institutional Abuse Investigations Unit (IAIU) is responsible for investigating allegations of child abuse and neglect in resource family homes and other out-of-home care settings, as well as in child care facilities, detention centers, schools, and residential facilities.⁹⁷

⁹⁷ CP&P Policy Manual (4-1-2013). Introduction to IAIU, I, A, 100.

Performance as of December 31, 2021:

Performance data for July through December 2021 show that DCF has continued to exceed the SEP standard for this measure. In December 2021, 85 percent of IAIU investigations were completed within 60 days.

Timeliness of Investigation Completion

Quantitative or Qualitative Measure	13. <u>Timeliness of Investigation Completion</u> : Investigations of alleged child abuse and neglect shall be completed within 60 days.
Performance Target	85% of all abuse/neglect investigations shall be completed within 60 days. Cases with documented acceptable extensions in accordance with policy are considered compliant.

Performance as of November 30, 2021:⁹⁸

In November 2021, there were 4,448 investigations of alleged child abuse and neglect, 3,648 (82%) of which were completed within 60 days. Performance from July to November 2021 ranged from a low of 82 percent to a high of 86 percent.⁹⁹ DCF met the SEP performance standard for the timeliness of investigation completion within 60 days.

Quantitative or Qualitative Measure	14. <u>Timeliness of Investigation Completion</u> : Investigations of alleged child abuse and neglect shall be completed within 90 days.
Performance Target	95% of all abuse/neglect investigations shall be completed within 90 days. Cases with documented acceptable extensions in accordance with policy are considered compliant.

⁹⁸ December 2021 data will be included in the next monitoring report. For certain data elements that have an extended time frame built into the measurement, the Monitor and DCF decided to alter the period for review so six-month monitoring reports can be produced more closely to the end of the monitoring period.

⁹⁹ Monthly performance for this measure is as follows: June, 86%; July, 85%; August, 86%; September, 86%; October, 84%; November, 82%.

Performance as of November 30, 2021:¹⁰⁰

In November 2021, 4,203 (95%) of the 4,448 investigations of child abuse and neglect were completed within 90 days. Performance from June to November 2021 ranged from 94 to 96 percent.¹⁰¹ DCF continues to meet the SEP performance standard for the timeliness of investigation completion within 90 days.

Quality of Investigations

Quantitative or Qualitative Measure	15. <u>Quality of Investigations</u> : Investigations of alleged child abuse and neglect shall meet standards of quality.
Performance Target	85% of all abuse/neglect investigations shall meet standards of quality.

In February 2022, the Monitor and DCF together conducted a case record review of the quality of investigative practice of the Division of Child Protection and Permanency (CP&P). Reviewers examined the quality of practice of a statistically valid random sample of 354 selected Child Protective Services (CPS) investigations assigned to DCF Local Offices between October 1 and October 14, 2021, involving 527 alleged child victims. Overall, reviewers found that 288 (81%) of 354 of the investigations were of acceptable quality. Though this represents a decline from the 2020 review (in which reviewers found that 91% of investigations were of acceptable quality), the Monitor considers the decline in performance to be temporary and most likely attributable to challenges related to the COVID-19 pandemic and to the roll out of new Structured Decision Making (SDM) tools in November 2020.

The findings from the February 2022 review reflect some clear strengths in CP&P investigative case practice. Key strengths include:

- Alleged child victims were seen, assessed, and interviewed timely in 91 percent of the investigations;
- Caseworkers interviewed the mother of the alleged child victim in 98 percent of the investigations;

¹⁰⁰ June 2021 data will be included in the next monitoring report. For certain data elements that have an extended time frame built into the measurement, the Monitor and DCF decided to alter the period for review so six-month monitoring reports can be produced more closely to the end of the monitoring period.

¹⁰¹ Monthly performance for this measure is as follows: June, 96%; July, 96%; August, 95%; September, 95%; October, 94%; November, 95%.

- Caseworkers interviewed the father of the alleged child victim in 85 percent of the investigations;
- Pre-investigation worker/supervisor conferences took place in 98 percent of the investigations; and
- Post-investigation worker/supervisor conferences took place in 99 percent of the investigations.

The February 2022 review also found areas in need of improvement in CP&P's investigative practice, including quality of pre- and post-supervisory conferences and accurate completion of the risk assessment tool. Reviewers determined that 76 percent of pre-supervisory conferences and 66 percent of post-supervisory conferences were of quality. Additionally, reviewers found that risk assessment responses were consistent with information gathered throughout the investigation in 210 (59 percent) of 354 investigations. DCF rolled out its new risk assessment tool in November 2020, and the COVID-19 pandemic complicated the delivery of training for staff on the new tool, which may have affected fidelity to how the tool was used by investigators. DCF is currently conducting additional case reviews to assess staff use and integration of the new SDM tools.

Overall, recommendations for improvement include continued training and coaching of staff and supervisors on the new risk assessment tool and insuring complete documentation of pre- and post-worker/supervisor conferences.

B. FAMILY TEAM MEETINGS

Family Team Meetings (FTMs) bring families, providers, formal and informal supports together to exchange information, participate in case planning, coordinate, and follow up on services, and examine and address challenges. Meetings are intended to be scheduled according to the family's availability to involve as many family members and supports as possible. Workers are trained and coached to hold FTMs at key decision and transition points in the life of a case, such as when a child enters placement, when a child has a change in placement, and/or when there is a need to adjust a case plan to achieve permanency or meet a child's needs. During the monitoring period, some of these meetings were virtual, according to policy set at the onset of the COVID-19 pandemic, but many FTMs were able to occur in person, outdoors, in visitation centers, or in large public places. Virtual FTMs were considered compliant with the SEP's requirement.

The SEP includes five performance measures pertaining to FTMs. As of the beginning of the monitoring period, four measures had been met and designated as *Outcomes To Be Maintained*: the requirements that FTMs be held within 45 days of a child's removal (SEP IV.B.16); that for children in out-of-home placement, at least three additional FTMs after the initial FTM be held within the first 12 months of placement (SEP IV.B.17); that children with the goal of reunification have at least three FTMs each year after the first 12 months of placement (SEP IV.B.18); and that children with a goal other than reunification have at least two FTMs each year after the first 12 months of placement (SEP IV.B.19). The remaining *Outcome To Be Achieved* is Quality of Teaming (SEP IV.B.20). Performance for all five measures is discussed below.

Initial FTMs Held within 45 Days of Entry

Quantitative or Qualitative Measure	16. <u>Initial Family Team Meetings</u> : For children newly entering placement, the number/percent who have a family team meeting within 45 days of entry.
Performance Target	80% of children newly entering placement shall have a family team meeting before or within 45 days of placement.

Performance as of December 31, 2021:

In December 2021, 94 (92%) out of 102 possible FTMs occurred within 45 days of a child's removal from home. Performance from July 1 to December 31, 2021 ranged

from a low of 76 percent to a high of 92 percent.¹⁰² For this measure, the Monitor applied the findings from DCF’s review of data from NJ SPIRIT to determine whether exceptions to FTM policy were appropriately applied and documented.¹⁰³ DCF met the performance standard in three out of six months of the monitoring period and thus the Monitor considers this measure met.

FTMs Held Within the First 12 Months

Quantitative or Qualitative Measure	17. <u>Subsequent Family Team Meetings Within 12 Months</u> : For all other children in placement, the number/percent who have three additional FTMs within the first 12 months of the child coming into placement.
Performance Target	80% of children will have three additional FTMs within the first 12 months of the child coming to placement.

Performance as of December 31, 2021:¹⁰⁴

In December 2021, 38 (68%) of 56 applicable children had three or more FTMs within the first 12 months of entering placement, after the initial FTM. Performance from July 1 to December 31, 2021 ranged from a low of 68 percent to a high of 91 percent.¹⁰⁵ For this measure, the Monitor applied the findings from DCF’s review of data from NJ SPIRIT to determine whether exceptions to FTM policy were appropriately applied and documented.¹⁰⁶ DCF’s performance exceeded the SEP standard in three out of six months, and its performance remained close to the standard in the other three months. Additionally, the universe of cases to which this measure applies is relatively

¹⁰² Monthly performance for this measure is as follows: July, 76%; August, 79%; September, 80%; October, 81%; November, 78%; December, 92%. Reported performance accounts for valid exceptions to the FTM requirement.

¹⁰³ In an effort to assess the validity of exceptions, DCF reviewed all 30 cases in NJ SPIRIT in which a worker documented that the FTM was not held due to a documented exception to the FTM requirement. The Monitor excluded valid exceptions to the FTM requirement from the universe of cases. For example, in December 2021, there were 107 children newly entering placement. DCF determined that in 5 cases, the worker had appropriately determined that the parent declined the FTM or was otherwise unavailable. The Monitor excluded those cases, making the universe of applicable cases 102 children (107-5).

¹⁰⁴ Measure 17 applies to all children who have been in out-of-home placement for 12 months who entered care in the specified month. For example, performance for December 2021 is based upon the 60 children who entered care in December 2020. Compliance is based on whether at least three FTMs were held for these children during the 12-month period they were in care.

¹⁰⁵ Monthly performance for this measure is as follows: July, 91%; August, 90%; September, 74%; October, 84%; November, 77%; December, 68%. Reported performance accounts for valid exceptions to the FTM requirement.

¹⁰⁶ In an effort to assess the validity of exceptions, DCF reviewed all 34 cases in NJ SPIRIT in which a worker documented that the FTM was not held due to a documented exception to the FTM requirement. The Monitor excluded valid exceptions to the FTM requirement from the universe of cases. For example, in December 2021, there were 60 children who had been in out-of-home placement for 12 months. DCF determined that in 4 cases, the worker had appropriately determined that the parent declined the FTM or was otherwise unavailable. The Monitor excluded those cases, making the universe of applicable cases 56 children (60-4).

small and thus is more susceptible to fluctuations in percentages used to determine compliance. The Monitor considers this measure met.

FTMs Held After 12 Months in Placement with a Goal of Reunification

Quantitative or Qualitative Measure	18. <u>Subsequent Family Team Meetings After 12 Months</u> : For all children in placement with a goal of reunification, the number/percent who have at least three FTMs each year after the first 12 months of placement.
Performance Target	After the first 12 months of a child being in care, 90% of those with a goal of reunification will have at least three FTMs each year.

Performance as of December 31, 2021:¹⁰⁷

In December 2021, 19 (100%) of 19 applicable children with a permanency goal of reunification had three or more FTMs in the most recent 12 months, if they had been in out-of-home placement for two or more years. Performance from July 1 to December 31, 2021 ranged from a low of 50 percent to a high of 100 percent.¹⁰⁸ For this measure, the Monitor applied the findings from DCF’s review of data from NJ SPIRIT to determine whether exceptions to FTM policy were appropriately applied and documented.¹⁰⁹

The universe of cases to which this measure applies is small and therefore more susceptible to fluctuations in percentages used to determine compliance. The Monitor considers this measure to have met the standard this monitoring period, since DCF met the standard in one month and remained close to the standard in two other months of the period. In the month that only 50 percent of required FTMs were held, the universe was only eight possible FTMs.

¹⁰⁷ Measure 18 applies to all children who have been in care for at least 24 months who entered care in the specified month each year and have a goal of reunification. For example, in December 2021, a combined total of 19 children entered care in December 2019, December 2018, December 2017, etc. and were still in placement with a goal of reunification. Compliance is based on whether at least three FTMs were held for these children during their most recent 12 months in care.

¹⁰⁸ Monthly performance for this measure is as follows: July, 84%; August, 50%; September, 69%; October, 87%; November, 65%; December, 100%. Reported performance accounts for valid exceptions to the FTM requirement.

¹⁰⁹ In an effort to assess the validity of exceptions, DCF reviewed all 4 cases in NJ SPIRIT in which a worker documented that the FTM was not held due to a documented exception to the FTM requirement. The Monitor excluded valid exceptions to the FTM requirement from the universe of cases. For example, in October 2021, there were 17 children who had been in out-of-home placement for 12 months. DCF determined that in 2 cases, the worker had appropriately determined that the parent declined the FTM or was otherwise unavailable. The Monitor excluded those cases, making the universe of applicable cases 15 children (17-2).

FTMs Held After 12 Months in Placement with a Goal Other than Reunification

Quantitative or Qualitative Measure	19. <u>Subsequent Family Team Meetings After 12 Months</u> : For all children in placement with a goal other than reunification, the number/percent who have at least two FTMs each year.
Performance Target	After the first 12 months of a child being in care, for those children with a goal other than reunification, 90% shall have at least two FTMs each year.

Performance as of December 31, 2021:¹¹⁰

In December 2021, 72 (85%) of 85 applicable children in out-of-home placement with a permanency goal other than reunification had two or more FTMs in the most recent 12 months of those in out-of-home placement for two or more years. Performance from July 1 to December 31, 2021 ranged from a low of 84 percent to a high of 91 percent.¹¹¹ For this measure, the Monitor applied the findings from DCF’s review of data from NJ SPIRIT to determine whether exceptions to FTM policy were appropriately applied and documented.¹¹²

DCF met the SEP standard in two months and remained close to the standard in the other four months, and therefore the Monitor considers this measure to be met.

¹¹⁰ Children eligible for Measure 19 are all children who have been in care for at least 24 months who entered care in the month specified each year and have a goal other than reunification. For example, in December 2021, a combined total of 86 children entered care in December 2019, December 2018, December 2017, etc. and are still in placement with a goal other than reunification. Compliance is based on whether at least two FTMs were held for these children each year in the most recent year after 12 months in care.

¹¹¹ Monthly performance for this measure is as follows: July, 84%; August, 87%; September, 88%; October, 91%; November, 90%; December, 85%. Reported performance accounts for valid exceptions to the FTM requirement.

¹¹² In an effort to assess the validity of exceptions, DCF reviewed all 6 cases in NJ SPIRIT in which a worker documented that the FTM was not held due to a documented exception to the FTM requirement. The Monitor excluded valid exceptions to the FTM requirement from the universe of cases. For example, in December 2021 there were 86 children who had been in care for at least 24 months with a goal other than reunification. DCF determined that in one case, the worker had appropriately determined that the parent declined the FTM or was otherwise unavailable. The Monitor excluded that case, making the universe of applicable cases 85 children (86-1).

Quality of Teaming

Quantitative or Qualitative Measure	20. <u>Quality of Teaming</u> : Cases involving out-of-home placement show evidence of family teamwork.
Performance Target	75% of cases involving out-of-home placements that were assessed as part of the Qualitative Review (QR) process will show evidence of both acceptable team formation and acceptable functioning. The Monitor, in consultation with the parties, shall determine the standards for quality team formation and functioning.

FTMs are only one of the many ways in which DCF staff engage with families. Effective teaming is much broader than just convening a meeting and relies upon other foundational elements of quality case practice, such as engagement with family members, timely assessments, and quality case planning, all of which are evaluated as part of the state’s QR process. Results from the *teamwork and coordination* indicator in the QR have been used in prior years to assess the quality of collaborative teamwork with children, youth, and families. Information about the QR process and protocol are detailed in Section V.N *Accountability Through Qualitative Review* of this report.

Due to the COVID-19 pandemic, QRs were suspended and therefore there are no new data on this measure. DCF has been working to develop alternative ways to measure the quality of teaming. As of the last measurement in CY 2019, 62% of the cases reviewed met the standard.

C. QUALITY OF CASE AND SERVICE PLANNING

Between July and December 2021, DCF continued the training needed for the implementation of Solution Based Casework (SBC), an evidence-based child welfare practice model that has been shown to impact quality of case practice outcomes as measured by the federal Child and Family Services Review (CFSR). Implementation of SBC required introducing new processes to staff, including a new case plan format.

The SEP includes three measures related to case planning, two of which have been previously met and designated as *Outcomes To Be Maintained*: the requirement that case plans be developed with families within 30 days of placement (SEP IV.D.22) and the requirement that case plans be reviewed and modified every six months (SEP III.C.6). The SEP measure regarding the quality of case planning (SEP IV.D.23) remains an *Outcome To Be Achieved*. Performance for all three measures is discussed below.

Timeliness of Case Planning – Initial Case Plans

Quantitative or Qualitative Measure	22. <u>Timeliness of Initial Plans</u> : For children entering care, number/percent of case plans developed within 30 days.
Performance Target	95% of case plans for children and families are completed within 30 days.

Performance as of December 31, 2021:

In December 2021, 94 (88%) of 107 initial case plans were completed within 30 days of a child entering placement. Between July and December 2021, the timely development of initial case plans ranged from a low of 85 percent to a high of 93 percent.¹¹³ Performance on completing case plans declined this monitoring period. The Monitor considers this measure to not have been met for this period, as performance did not meet the standard in any month. DCF reports some of the decline may be due to barriers to timely documentation, such as quarantining at home that disrupted office work, shifting telework policies, and staff turnover, as well as stressors facing families that diverted staff attention away from thoroughly tracking certain measures. As part of examining this decline in performance, DCF plans to review the impacts of SBC on case practice and timely case planning.

¹¹³ Monthly performance for this measure is as follows: July, 85%; August, 91%; September, 91%; October, 93%; November, 89%; December, 88%.

Timeliness of Case Planning – Every Six Months

Quantitative or Qualitative Measure	6. <u>Case Plans</u> : Case plans for children and families will be reviewed and modified no less frequently than every six months.
Performance Target	95% of case plans for children and families will be reviewed and modified no less frequently than every six months.

Performance as of December 31, 2021:

In December 2021, 441 (97%) of 454 case plans had been modified no less frequently than every six months. Performance from July to December 2021 ranged from 95 to 98 percent.¹¹⁴ DCF met or exceeded the required standard for this measure in every month of the monitoring period. The Monitor considers DCF to have met this measure.

¹¹⁴ Monthly performance on this measure is as follows: July, 96%; August, 95%; September, 98%; October, 97%; November 95,%; December, 97,%.

D. EDUCATION

Quantitative or Qualitative Measure	11. <u>Educational Needs</u> : Children will be enrolled in school and DCF will have taken appropriate actions to ensure that their educational needs are being met.
Performance Target	80% of cases will be rated acceptable as measured by the Qualitative Review (QR) in stability (school) and learning and development. The Monitor, in consultation with the parties, shall determine the standards for school stability and quality learning and development.

SEP Section III.G.11 requires that “children will be enrolled in school and DCF will have taken appropriate actions to ensure that their educational needs are being met.” Results from both the *stability in school* and *learning and development* indicators have been used in prior years to assess performance on this measure. The QR process and protocol are discussed in detail in Section V.N *Accountability Through Qualitative Review* of this report.

QRs were suspended at the beginning of the COVID-19 pandemic, so there are no new data on this measure. DCF has been working to develop alternative ways to measure the quality of meeting educational needs of children. As of the last measurement in CY 2019, 86% of cases reviewed met the standard.

E. MAINTAINING CONTACT THROUGH VISITS

Visits provide essential points of connection between children and their parents and siblings and children and parents with DCF workers. Visits enable workers to continually assess for safety and well-being, strengthen family connections, link children and families to needed services and supports, and improve prospects for permanency. As in states throughout the country, expectations for how to hold visits continued to be different this period due to safety issues presented by the COVID-19 pandemic. DCF held in-person visits throughout the monitoring period, allowing for the relaxation of in-person visit requirements when deemed medically necessary.

The Department's efforts to preserve regular contacts, even if virtual, has been essential. Based on data provided by DCF, an average of 92 percent of all visits during the monitoring period were conducted in person, with the rest being virtual.

The SEP includes six performance measures related to visits. As of the beginning of this reporting period, five measures were designated as *Outcomes To Be Maintained*, including caseworker contacts with children newly placed or after a placement change (SEP III.F.9); caseworker contacts with children in ongoing placement (SEP III.F.10); parent-child weekly and bi-weekly visits (SEP IV.F.29 and IV.F.30); and visits with siblings (SEP IV.F.31). Caseworker contacts with parents when the goal is reunification (SEP IV.F.28) remains an *Outcome To Be Achieved*. Performance for all six measures during the monitoring period is discussed below.

Caseworker Visits with Children in Placement

Quantitative or Qualitative Measure	9. <u>Caseworker Contacts with Children – New Placement/Placement Change</u> : The caseworker shall have at least twice-per-month face to face contact with the children within the first two months of placement, with at least one contact in the placement.
Performance Target	93% of children shall have at least twice-per-month face to face contact with their caseworker during the first two months of placement, with at least one contact in the placement.

Performance as of December 31, 2021:

In December 2021, 138 (95%) of the 146 children in a new placement had two visits per month with their caseworkers during their first two months in placement, either in person or virtually, with at least one contact per month in the child's placement. Between July and December 2021, monthly performance ranged from 81 to 95

percent.¹¹⁵ An average of 88 percent of these visits were conducted in person, across all months of the monitoring period.

DCF performance met the standard in only one month but remained close in three other months of the monitoring period. In two months, performance on this measure dipped more significantly, but the percentage of visits between caseworkers and children in the first month of a new placement setting remained near 100 percent. The Monitor considers the decline in performance to be temporary and therefore considers this measure to be met.

Quantitative or Qualitative Measure	10. <u>Caseworker Contacts with Children in Placement</u> : During the remainder of placement, children will have at least one caseworker visit per month, in placement.
Performance Target	93% of children will have at least one caseworker visit per month in placement, for the remainder of placement.

Performance as of December 31, 2021:

In December 2021, 2,741 (96%) of the 2,857 children in an ongoing placement were visited at least once by their caseworker. Between July and December 2021, monthly performance ranged from 96 to 97 percent.¹¹⁶ An average of 98 percent of these visits were conducted in person, across all the months of the monitoring period. DCF exceeded the performance standard in each month.

Caseworker Visits with Parents/Family Members

Quantitative or Qualitative Measure	28. <u>Caseworker Visits with Parents/Family Members with Goal of Reunification</u> : The caseworker shall have at least two face-to-face visits per month with the parent(s) or other legally responsible family member of children in custody with a goal of reunification.
Final Target	90% of families will have at least twice-per-month face-to-face contact with their caseworker when the permanency goal is reunification.

Performance as of December 31, 2021:

In December 2021, 840 (77%) of 1,095 applicable children in custody with a goal of reunification had parents who were visited at least twice during the month by

¹¹⁵ Monthly performance for this measure is as follows: July, 86%; August, 88%; September, 90%; October, 92%; November, 81%; December, 95%.

¹¹⁶ Monthly performance for this measure is as follows: July, 96%; August, 97%; September, 97%; October, 96%; November, 96%; December, 96%.

caseworkers, either in person or virtually. Between July and December 2021, a range of 77 to 81 percent of applicable parents or other legally responsible family members were visited at least two times per month by a caseworker.¹¹⁷ An average of 94 percent of these visits were conducted in person, across the months of the monitoring period.

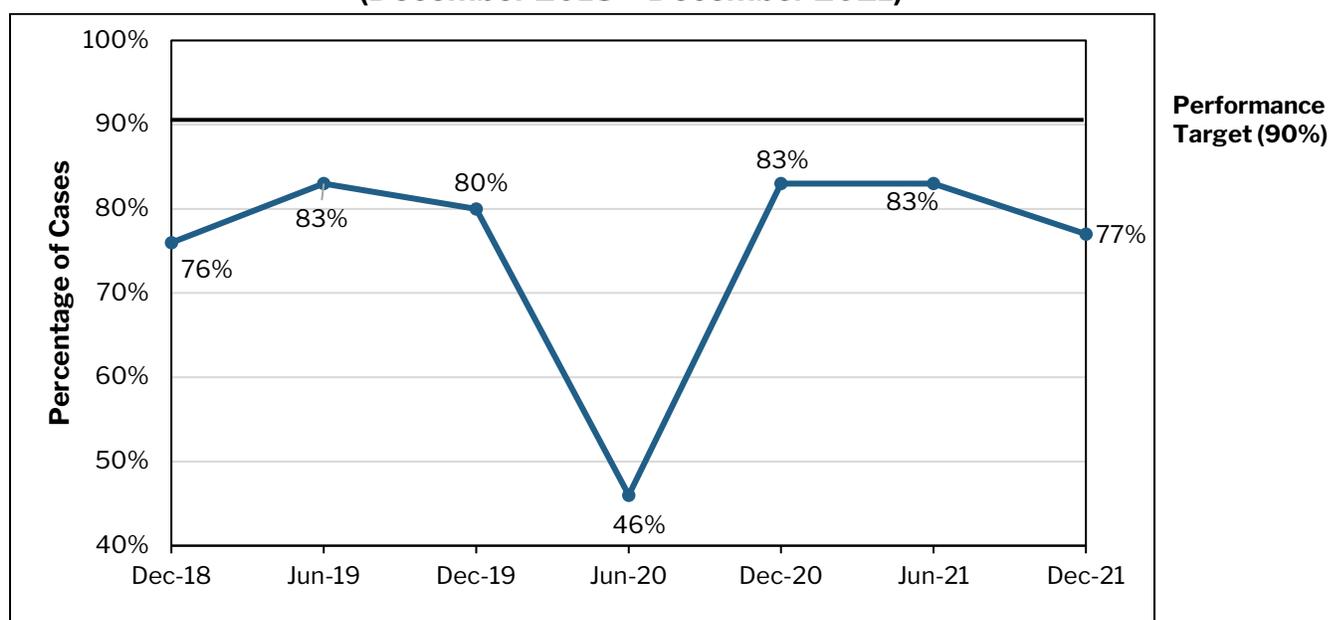
Figure 3 depicts performance on this measure over the course of the past two years. In assessing performance for this measure, the Monitor applied the findings from DCF's review of children for whom case documentation indicated that a worker visit with a parent was not required because the parent was missing or otherwise unavailable.¹¹⁸

Performance throughout the monitoring period has rebounded to pre-pandemic levels and remained relatively consistent over the course of the six months. However, current performance does not meet the level required by the SEP and remains an *Outcome To Be Achieved*.

¹¹⁷ Monthly performance for this measure is as follows: July, 80%; August, 81%; September, 78%; October, 78%; November, 79%; December, 77%. Reported performance accounts for exceptions to the visits requirement.

¹¹⁸ In an effort to assess the validity of exceptions, DCF reviewed 138 cases from a universe of cases from September 2021 in which worker visits with parents were not held due to a documented exception to the visits requirement. DCF determined that a valid exception was utilized in 98 (71%) of the 138 cases reviewed. During each month of the monitoring period, workers documented an average of approximately 250 exceptions to the visits requirement. As a result, the Monitor excluded 71% of exceptions in each month. For example, in December 2021 there were 1,301 children in custody with a goal of reunification. Data from NJ SPIRIT indicated that there were 290 documented cases that month in which workers documented that parents were missing or otherwise unavailable. Based on the sample, the Monitor excluded from the universe 206 (71%) of the 290 cases in December, making the universe of applicable children 1,095 (1,301-206).

Figure 3: Percentage of Families Who Had at least Twice per Month Face-to-Face Contact with Caseworker when the Goal is Reunification (December 2018 – December 2021)



Source: DCF data

Visits between Children in Custody and their Parents

Quantitative or Qualitative Measure	29. <u>Weekly Visits between Children in Custody and Their Parents:</u> Number/percent of children who have weekly visits with their parents when the permanency goal is reunification unless a court order prohibits or regulates visits or there is a supervisory approval of a decision to cancel a visit because it is physically or psychologically harmful to a child.
Final Target	60% of children in custody with a return home goal will have an in-person visit with their parent(s) or other legally responsible family member at least weekly, excluding those situations where a court order prohibits or regulates visits or there is a supervisory approval of a decision to cancel a visit because it is physically or psychologically harmful to a child.

Performance as of December 31, 2021:

In December 2021, an average of 718 (76%) of 945 applicable children visited virtually or in person weekly with their parents during the month. Between July and December 2021, a range of 75 to 80 percent of children had a weekly visit with their

parents when the permanency goal was reunification.¹¹⁹ An average of 90 percent of visits were conducted in person, across all the months of the monitoring period. This performance exceeds the SEP standard in each month.

Quantitative or Qualitative Measure	30. <u>Bi-Weekly Visits between Children in Custody and Their Parents:</u> Number/percent of children who have weekly visits with their parents when the permanency goal is reunification unless a court order prohibits or regulates visits or there is a supervisory approval of a decision to cancel a visit because it is physically or psychologically harmful to a child.
Final Target	85% of children in custody with a return home goal will have an in-person visit with their parent(s) or other legally responsible family member at least every other week, excluding those situations where a court order prohibits or regulates visits or there is a supervisory approval of a decision to cancel a visit because it is physically or psychologically harmful to a child.

Performance as of December 31, 2021:

In December 2021, 834 (90%) of 925 applicable children had at least two visits, either virtual or in person, with their parents during the month. Between July and December 2021, a monthly range of 88 to 94 percent of children had visits at least twice a month with their parents when their permanency goal was reunification.¹²⁰ An average of 94 percent of these visits were conducted in person, across all the months of the monitoring period. DCF’s performance exceeded the SEP standard in all but one month of the monitoring period. The Monitor considers this measure to be met.

¹¹⁹ Monthly performance for this measure is as follows: July, 79%; August, 80%; September, 77%; October, 76%; November, 75%; December, 76%. Reported performance accounts for valid exceptions to this visits requirement. Given the results of validation from a prior monitoring period, the Monitor excluded from the universe all cases in which DCF documented an exception to the parent-child visit requirement. For example, in December 2021, there was an average of 1,365 children with a goal of reunification across the four weeks of the month. Data from NJ SPIRIT indicated that in an average of 420 cases that month, the worker had determined that the parent was unavailable for the visit, the child declined the visit, or the visit was not required. Based on these data, the Monitor excluded those cases from the universe, making the universe of applicable children an average of 1,945 in December (1,365-420).

¹²⁰ Monthly performance for this measure is as follows: July, 93%; August, 92%; September, 91%; October, 89%; November, 88%; December, 90%. Reported performance accounts for valid exceptions to this visit requirement. Given the results of validation activities from a prior monitoring period, the Monitor excluded from the universe all cases in which DCF documented an exception to the parent-child visit requirement. For example, in December 2021, there were 1,300 children with a goal of reunification. Data from NJ SPIRIT indicated that in 375 cases that month, the worker had determined that the parent was unavailable for the visit, the child declined the visit, or the visit was not required. Based on these data, the Monitor excluded those cases from the universe, making the universe of applicable children 925 in December (1,300-375).

Visits between Children in Custody and Siblings Placed Apart

Quantitative or Qualitative Measure	31. <u>Visits between Children in Custody and Siblings Placed Apart</u> : Number/percent of children in custody, who have siblings with whom they are not residing shall visit with their siblings as appropriate.
Final Target	85% of children in custody who have siblings with whom they are not residing shall visit with those siblings at least monthly, excluding those situations where a court order prohibits or regulates visits or there is a supervisory approval of a decision to cancel a visit because it is physically or psychologically harmful to a child.

Performance as of December 31, 2021:

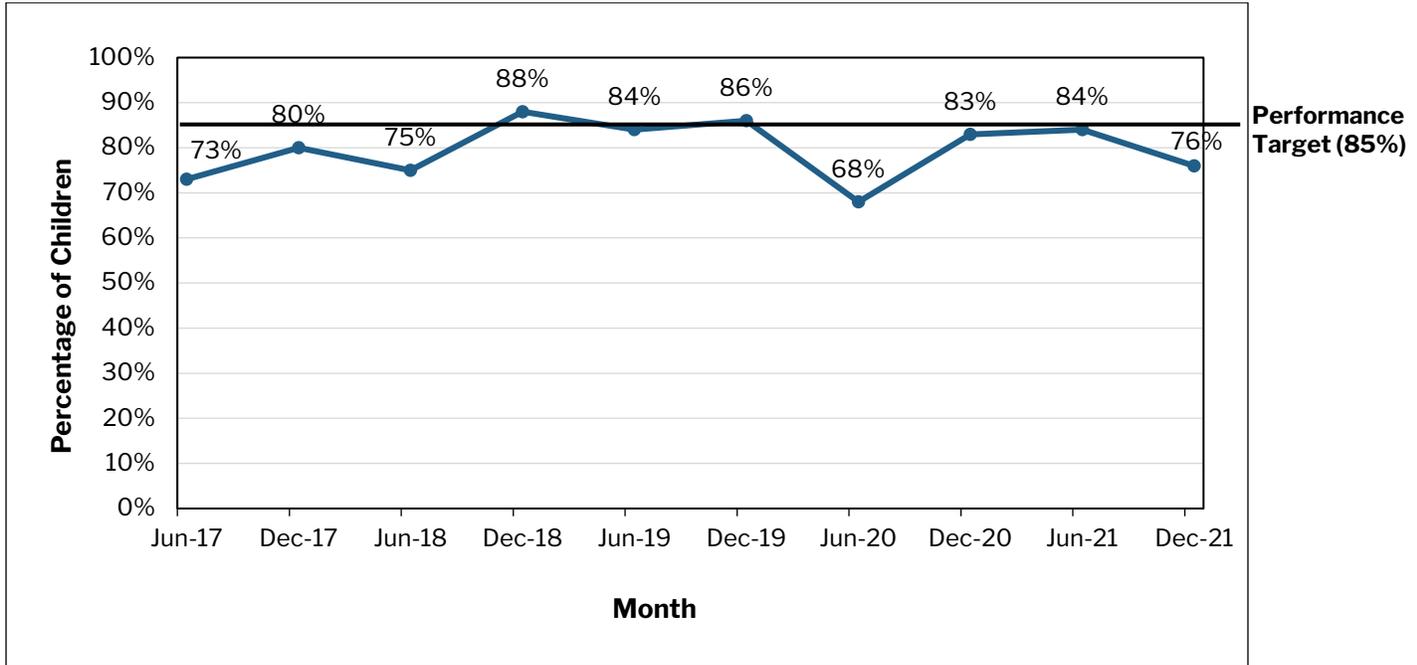
In December 2021, 653 (76%) of 862 applicable children in placement who had at least one sibling with whom they did not reside had at least one virtual or in person visit with one of their siblings during the month.¹²¹ Between and July and December 2021, a range of 76 to 82 percent of children had at least monthly visits with one of their siblings with whom they were not placed.¹²² An average of 94 percent of these visits were conducted in person, across all of the months of the monitoring period. This is an increase of the percentage of in-person visits since the last monitoring period, when an average of 89 percent of sibling visits were in person.

DCF did not meet the performance standard in any month during this monitoring period for the second period in a row. Given the critical importance to children of maintaining ties to their siblings, the Monitor is concerned about the drop in performance and considers this measure to not have been met during this period. Performance over the last several years is demonstrated in Figure 4. DCF reports that declines in performance may be a result of scheduling difficulties related to school closures, children quarantining at home, and children getting sick from the COVID-19 pandemic. Efforts must be made to increase opportunities for siblings to maintain contact when they are not placed together.

¹²¹ Given results of validation activities from a prior monitoring period, the Monitor excluded 60% of the exceptions from each month from the universe. For example, in the month of December 2021, there were 960 children in custody with a sibling in care with whom they were not placed. Data from NJ SPIRIT indicated that there were 164 documented cases that month for which the worker had determined the visit was not required or the child was unavailable. Based on these data, the Monitor excluded from the universe 98 (60%) the 164 cases, making the universe of applicable children in December 862 (960-98).

¹²² Monthly performance for this measure is as follows: July, 82%; August, 81%; September, 77%; October, 80%; November, 77%; December, 76%. Reported performance accounts for valid exceptions to the visits requirement.

**Figure 4: Percentage of Children Who Visited with their Siblings
(June 2017 – December 2021)**



Source: DCF Data

F. PLACEMENT

Stable and appropriate placement for children in foster care is critical to safety and well-being, and maintenance of family bonds. DCF's Strategic Plan highlights this through its emphasis and goals for placement of children with kin whenever possible. DCF policy also requires siblings to be placed together whenever possible, and that children experience as few placement changes as possible while in out-of-home placement. There are five performance measures related to placement. As of January 2022, all had been previously met and were designated as *Outcomes To Be Maintained*: sibling placements of two to three children (SEP IV.G.32); sibling placements and recruitment of placements for four or more children (SEP IV.G.33); placement stability for children in care 12 months or less (SEP IV.G.35); and placement stability for children in care between 13 and 24 months (SEP IV.G.36). Each of these measures, except recruitment of placements to accommodate large sibling groups, is assessed through longitudinal cohort data on an annual basis. Importantly, DCF performance on these measures continued to maintain or exceed SEP standards this year. Performance for all five measures is discussed below.

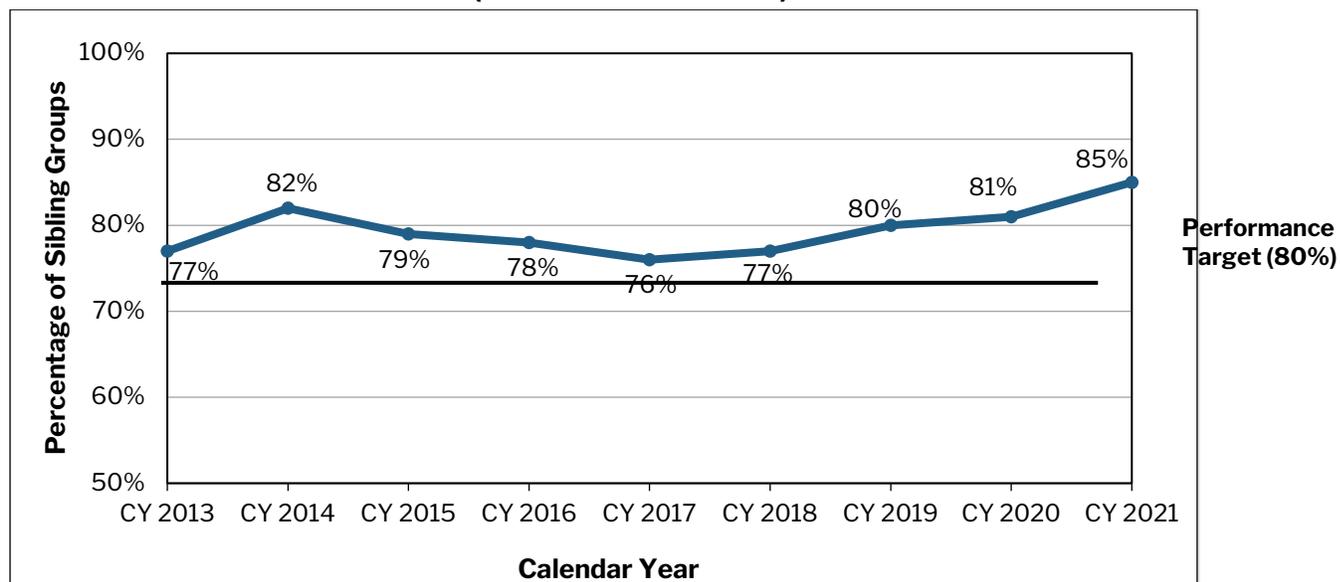
Placing Siblings Together

Quantitative or Qualitative Measure	32. <u>Placing Siblings Together</u> : The percentage of sibling groups of two or three siblings entering custody be placed together.
Performance Target	At least 80% of sibling groups of two or three children entering placement will be placed together.

Performance as of CY 2021:

In CY 2021, there were 196 sibling groups of two or three children that entered DCF custody at the same time or within 30 days of one another. Of these, 167 (85%) were placed together. As shown in Figure 5, DCF met the SEP standard for this measure for the first time in 2014, but performance declined for a few years. Since the cohort who entered foster care in 2019, performance has improved to meet the SEP standard again. DCF reports that this is due, at least in part, to its analysis of barriers to performance and follow-up with Local Office supervisors and managers. DCF continues to exceed the SEP standard.

Figure 5: Percentage of Sibling Groups of Two or Three Children Placed Together (CY 2013 – CY 2021)



Source: DCF data analyzed by Rutgers University¹²³

Placing Siblings Together for Four or More Children

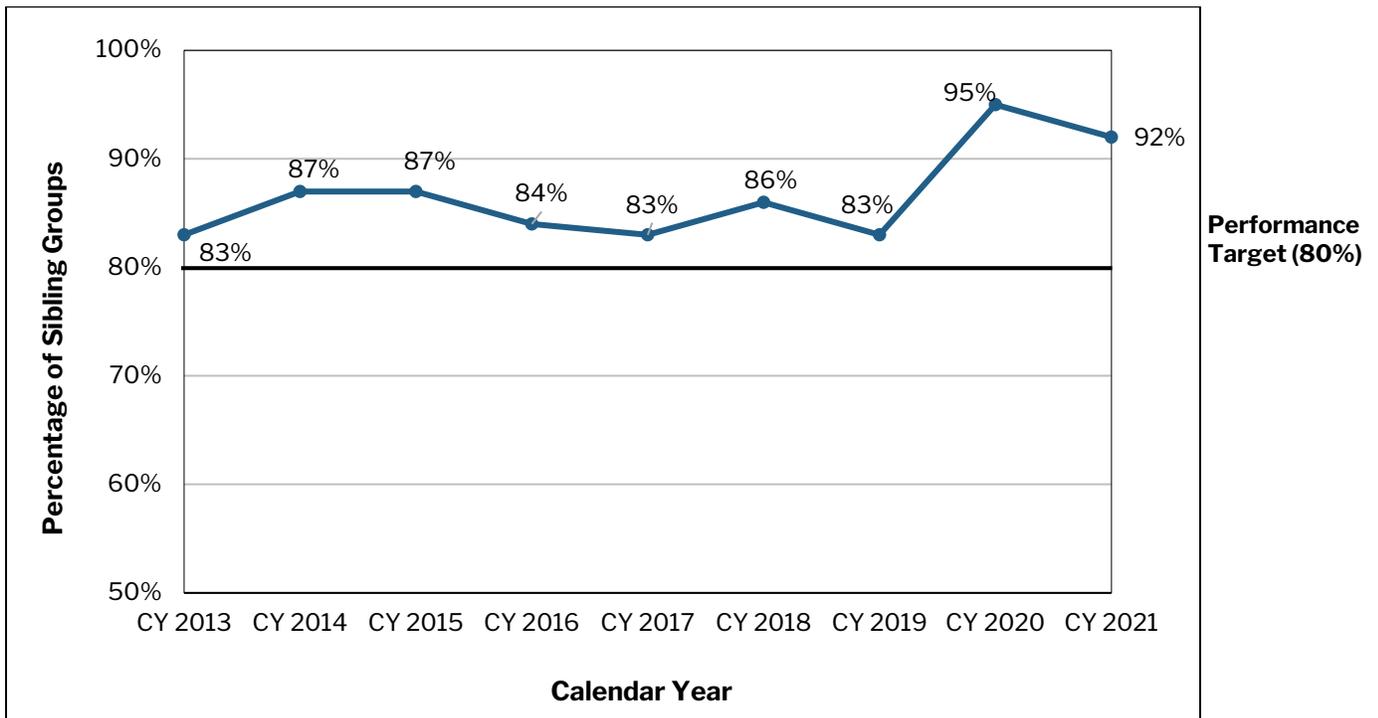
Quantitative or Qualitative Measure	33. <u>Placing Siblings Together for Four or More Children</u> : The percentage of sibling groups of four or more placed together.
Performance Target	For sibling groups of four or more, 80% will be placed with at least one other sibling.

Performance as of CY 2021:

In CY 2021, there were 132 children who were part of sibling groups of four or more children in placement. Of those, 122 (92%) were placed with at least one other sibling. DCF continues to exceed the SEP performance standard in this area, and this year has largely maintained the significant increase in siblings being placed together seen in the prior year, as compared to previous years.

¹²³ DCF transferred the function of analyzing annual outcome measures related to placement, timely permanency, and maltreatment from Hornby Zeller Associates, Inc. to Rutgers University in July 2017.

Figure 6: Percentage of Sibling Groups of Four or More Children Placed Together (CY 2013 – CY 2021)



Source: DCF data analyzed by Rutgers University

Recruitment of Placements for Sibling Groups of Four or More

Quantitative or Qualitative Measure	34. <u>Recruitment of Placements for Sibling Groups of Four or More</u>
Performance Target	DCF will continue to recruit for resource homes capable of serving sibling groups of four or more.

Performance as of December 31, 2021:

As of December 31, 2021, DCF had a total of 40 large capacity Siblings in Best Placement Settings (SIBS) homes; this is five fewer homes than at the end of June 2021, and reflects DCF’s suspension of recruitment and retention efforts, due to COVID-19, in mid-March 2020 through May 2021. Of the 40 large capacity SIBS homes, 25 are kinship and 15 are non-kinship resource homes.

Thirty-one of the 40 homes can accommodate four children – a decrease of three homes from the previous period – and nine homes can accommodate five or more

children, a decrease of two homes from the end of June 2021. Between July and December 2021, DCF recruited and licensed three new homes (two kinship and one non-kinship) that can accommodate five or more children and 12 new homes (ten kinship and two non-kinship) that can accommodate four children. During the same period, a total of 20 homes either closed, downgraded, or left the program (five that could accommodate five children, and 15 homes that could accommodate four children).¹²⁴

Given the continued constraints involved in recruiting and licensing resource family homes during the pandemic, the Monitor considers DCF to have met the SEP standard for this measure between July and December 2021.

Stability of Placement

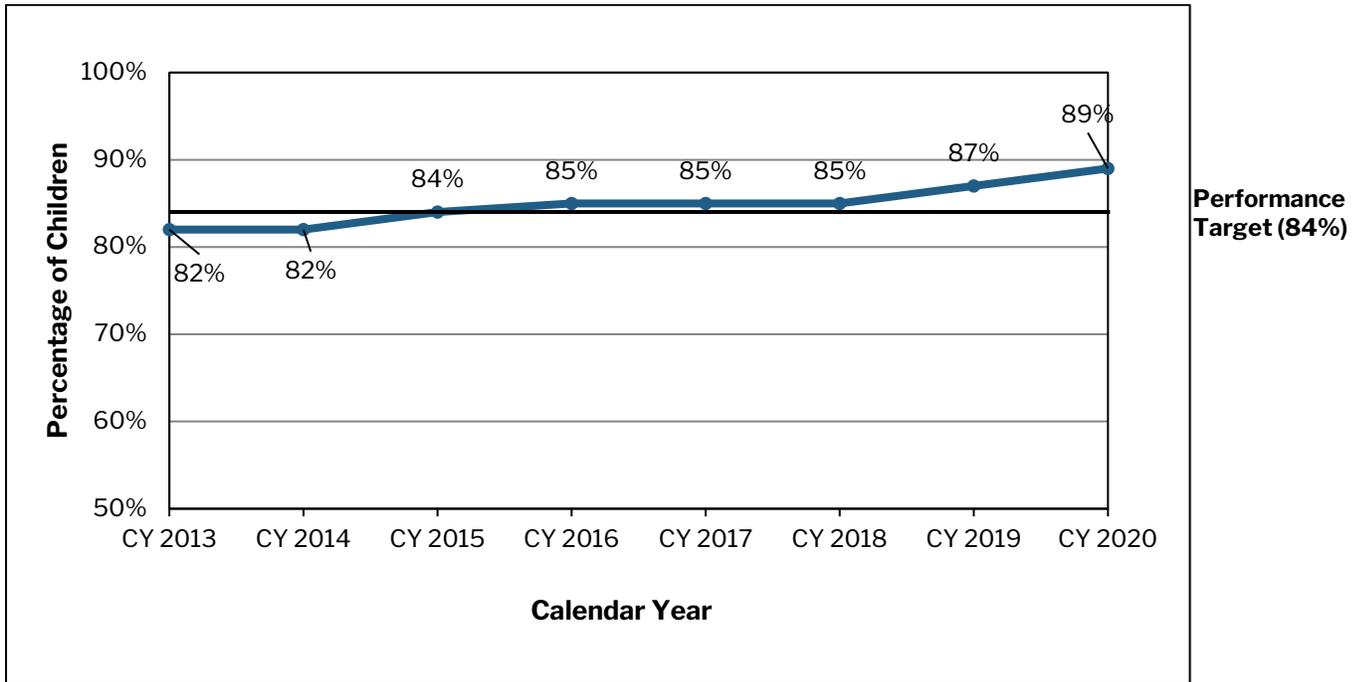
Quantitative or Qualitative Measure	35. <u>Stability of Placement</u> : The percentage of children entering out-of-home placement for the first time in a calendar year who have no more than one placement change during the 12 months following their date of entry.
Performance Target	At least 84% of children entering care for the first time in a calendar year will have no more than one placement change during the 12 months following their date of entry.

Performance as of CY 2020 (Most Recent Calendar Year Available):

The most recent performance data assesses the 1,279 applicable children who entered care for the first time in CY 2020 and aggregates the number of placements each child experienced within one year of entry. As shown in Figure 7, for children entering care in CY 2020, 1,142 (89%) had no more than one placement change (two total placements) during the 12 months from their date of entry. Figure 8 shows the breakdown by number of placements. DCF continued to exceed the SEP performance standard for this measure this monitoring period.

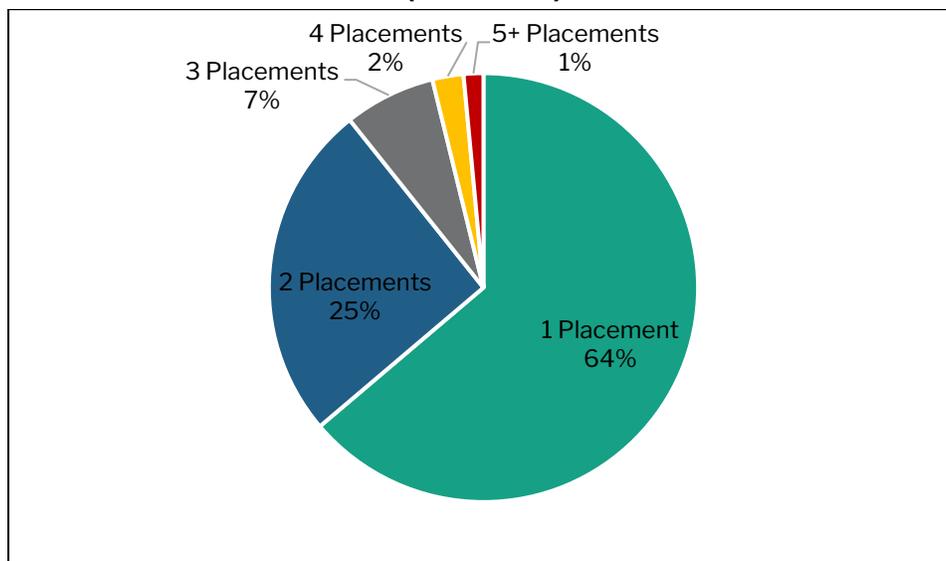
¹²⁴ Of the 5 homes that could accommodate 5 or more children that downgraded their capacity or closed, 3 homes downgraded upon reunification, 1 home downgraded upon the adoption of sibling groups, and 1 home voluntarily closed their license upon adoption finalization. Of the 15 homes that could accommodate 4 children that either closed (7) or downgraded their capacity (8), 3 homes closed upon reunification; 2 homes voluntarily closed their licenses, 1 home closed upon adoption finalization; 1 home closed because the family moved out of New Jersey; 2 downgraded their capacity upon adoption finalization; 2 downgraded their capacity when sibling groups were reunified; 2 downgraded their capacity when some members of the sibling groups were placed with another relative; 1 downgraded its capacity when a sibling aged out of foster care; and 1 downgraded its capacity because the resource parents were unable to manage one of the siblings' behaviors and requested the removal of the child.

Figure 7: Percentage of Children with Two or Fewer Placements, First Year in Foster Care (CY 2013 – CY 2020)



Source: DCF data analyzed by Rutgers University

Figure 8: Number of Placements for Children within 12 Months of Entering Foster Care (CY 2020)



Source: DCF data analyzed by Rutgers University

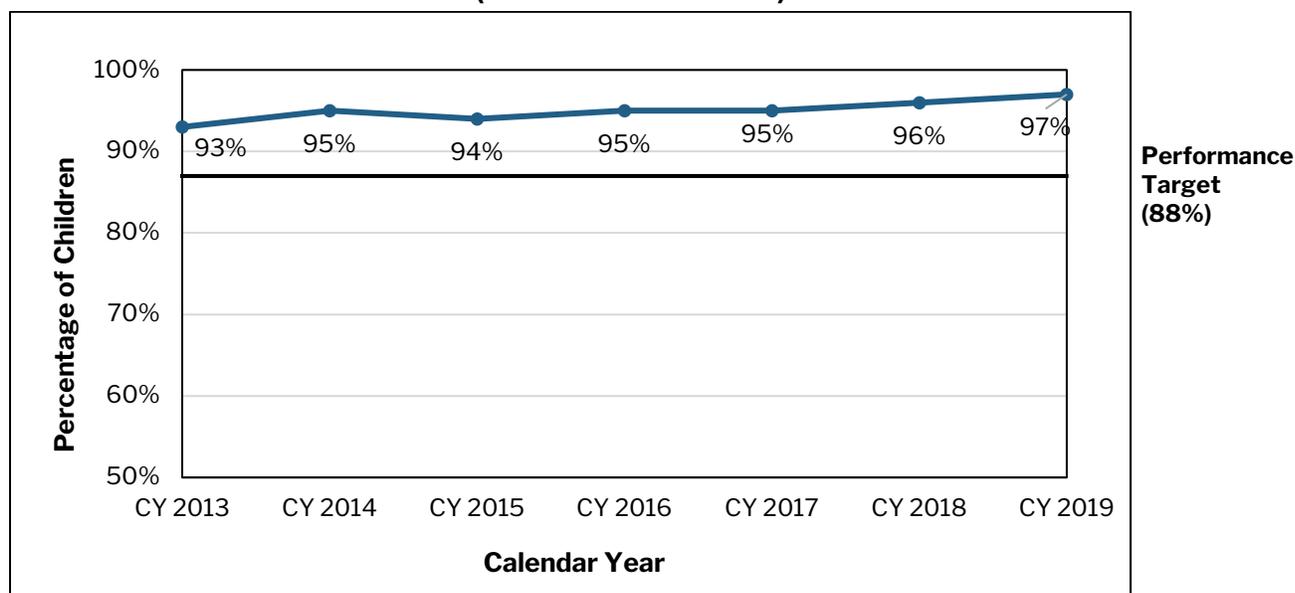
Placement Stability, 13 to 24 Months in Care

Quantitative or Qualitative Measure	36. <u>Stability of Placement</u> : The percentage of children in out-of-home placement who have no more than one placement change during the 13 to 24 months following their date of entry.
Performance Target	At least 88% of children in out-of-home placement will have no more than one placement change during the 13 to 24 months following their date of entry.

Performance as of CY 2019 (Most Recent Calendar Year Available):

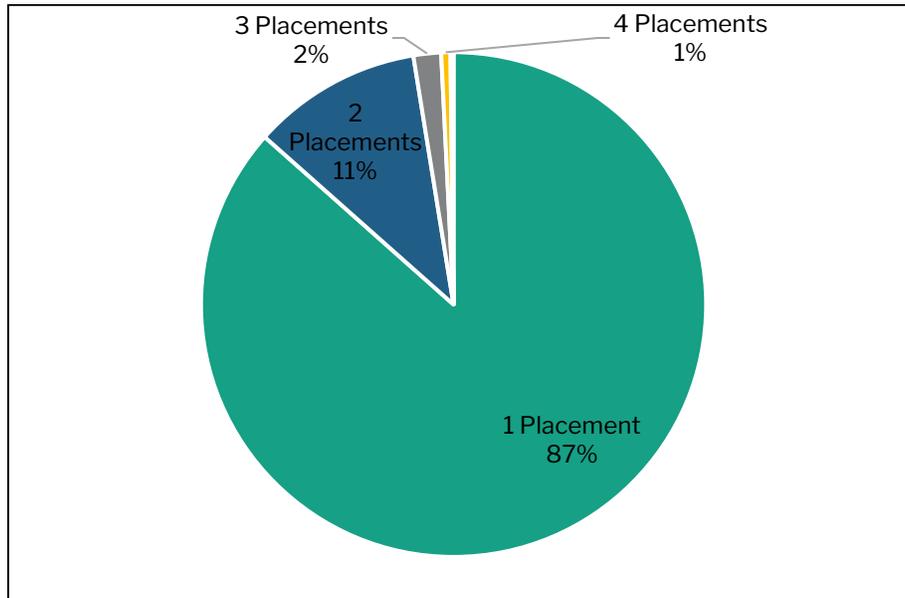
The most recent performance data assesses the 1,019 applicable children who entered care for the first time in CY 2019 and aggregates the number of placements each child remaining in care experienced in the second year of their out-of-home placement episode. As shown in Figure 9, for children entering care in CY 2019, 993 (97%) children had no more than one placement change (two total placements) during the 13 to 24 months following their date of entry. As shown in Figure 10, 87 percent of children did not experience a placement change in their second year of out-of-home placement at all. DCF performance continues to exceed the SEP performance standard.

Figure 9: Percentage of Children with Two or Fewer Placements, Second Year in Foster Care (CY 2013 - CY 2019)



Source: DCF data analyzed by Rutgers University

Figure 10: Number of Placements for Children within 13 to 24 Months of Entering Foster Care (CY 2019)



Source: DCF data analyzed by Rutgers University

G. MALTREATMENT OF CHILDREN AND YOUTH

A fundamental responsibility of DCF is ensuring the long-term safety of children who are receiving or have received services from CP&P. This responsibility includes ensuring the safety of children who are placed in resource family homes and congregate facilities, preventing maltreatment in foster care, and trying to prevent future maltreatment when children remain at home or are returned home after a stay in foster care.

There are four SEP performance measures related to maltreatment of children and youth. As of January 2021, four measures were designated as *Outcomes To Be Maintained*: abuse and neglect of children in foster care (SEP III.H.12); repeat maltreatment for children remaining in their home (SEP IV.H.37); maltreatment post-reunification (SEP IV.H.38); and re-entry to placement (SEP IV.H.39). Each of these measures is assessed through longitudinal cohort data on an annual basis.

Performance on the maltreatment measures, except Re-Entry to Placement, demonstrated continued improvement this year. Performance for all four measures is discussed below.

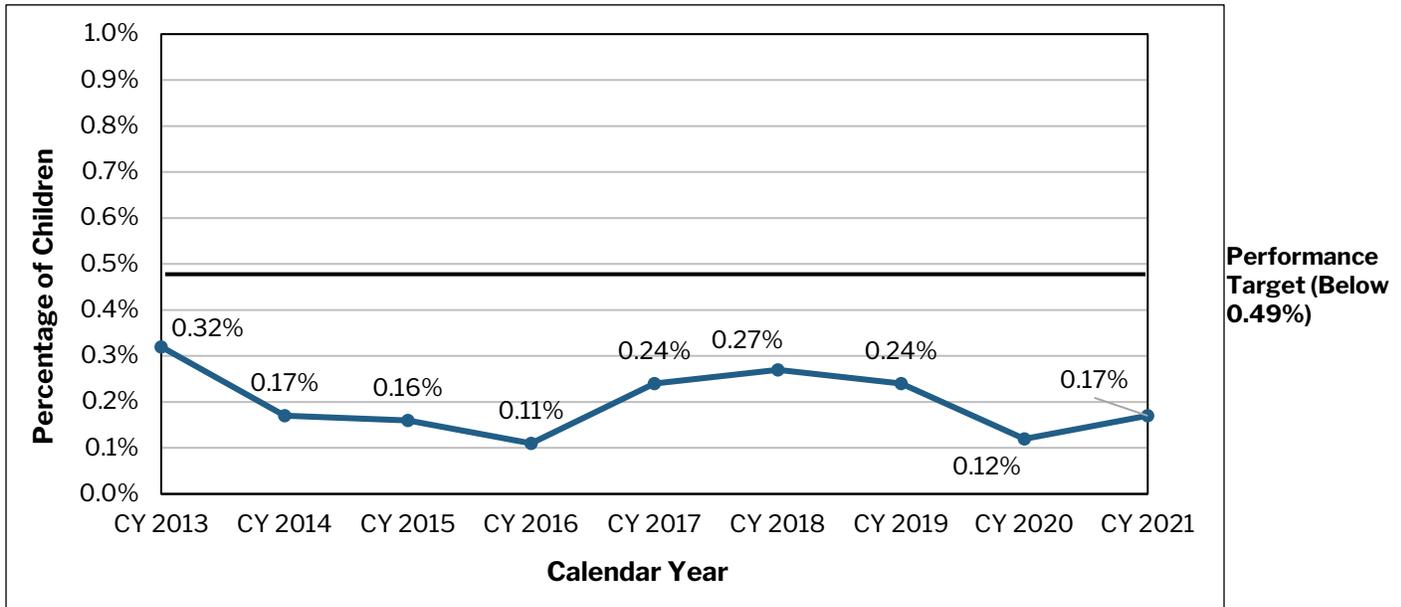
Abuse and Neglect of Children in Foster Care

Quantitative or Qualitative Measure	12. <u>Abuse and Neglect of Children in Foster Care</u> : Of all children in foster care, the percentage who are victims of substantiated abuse or neglect by a resource parent or facility staff member.
Final Target	No more than 0.49% of children will be victims of substantiated abuse or neglect by a resource parent or facility staff member.

Performance as of CY 2021:

In CY 2021, 9 out of 5,227 children (0.17%) were victims of a substantiated allegation of abuse and/or neglect by a resource parent or facility staff member. As shown in Figure 11, performance for this measure continues to exceed the SEP performance standard.

Figure 11: Percentage of Children who were Victims of a Substantiated Allegation of Abuse and/or Neglect in Out-of-Home Care (CY 2013-CY 2021)



Source: DCF data analyzed by Rutgers University

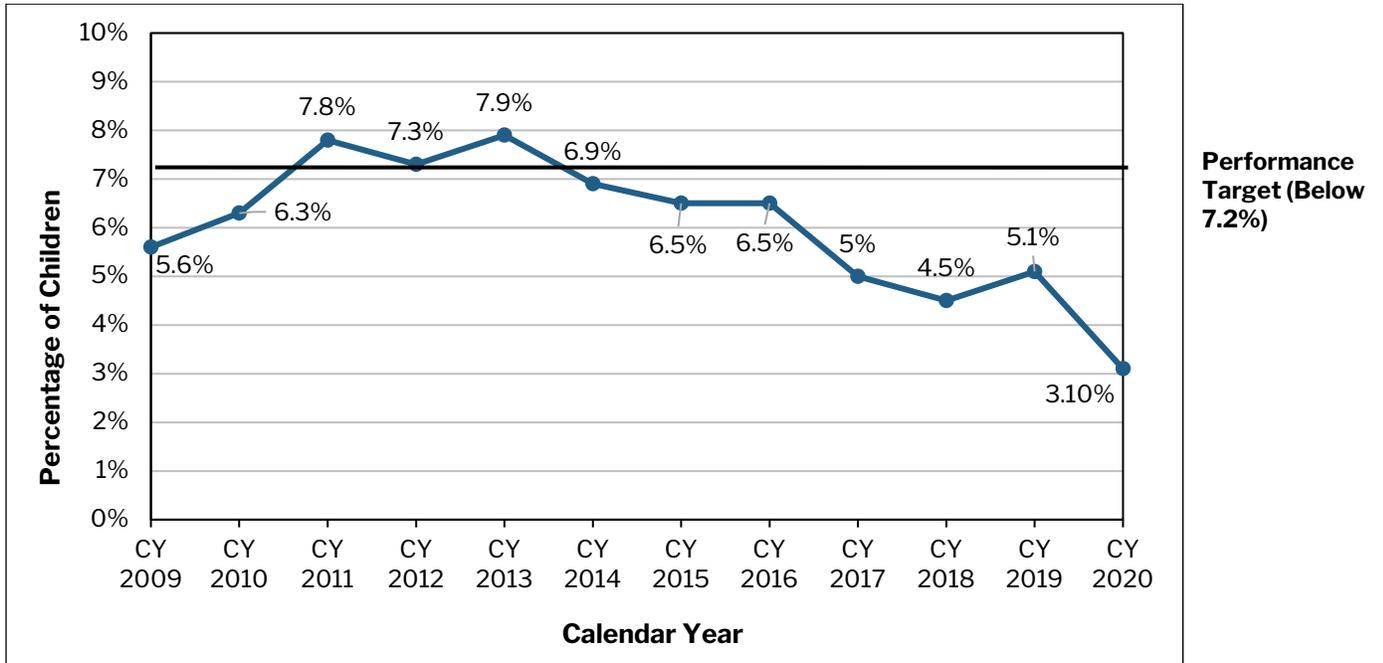
Repeat Maltreatment

Quantitative or Qualitative Measure	37. <u>Repeat Maltreatment (In-Home)</u> : Of all children who remain in home after substantiation of abuse or neglect, the percentage who have another substantiation within the next 12 months.
Final Target	No more than 7.2% of children who remain at home after a substantiation of abuse or neglect will have another substantiation within the next 12 months.

Performance as of CY 2020 (Most Recent Calendar Year Available):

In CY 2020, there were 2,065 children who were victims of a substantiated allegation of abuse and/or neglect who were not placed in out-of-home care but instead served through in-home services. Of the 2,065 children, 65 (3.1%) of these children were the victims of another substantiated allegation of child abuse and/or neglect within 12 months of the initial substantiation. Figure 12 shows performance from CY 2009 to CY 2020. In-home repeat maltreatment rates have continued to sharply decline since CY 2013, and the rate for children who entered care in CY 2020 is the lowest DCF has ever seen. DCF performance continues to exceed the SEP standard.

Figure 12: Percentage of Children who were Victims of Second Substantiated Allegation within 12 Months of Remaining at Home after First Substantiated Allegation (CY 2009-CY 2020)



Source: DCF data analyzed by Rutgers University

Maltreatment Post-Reunification

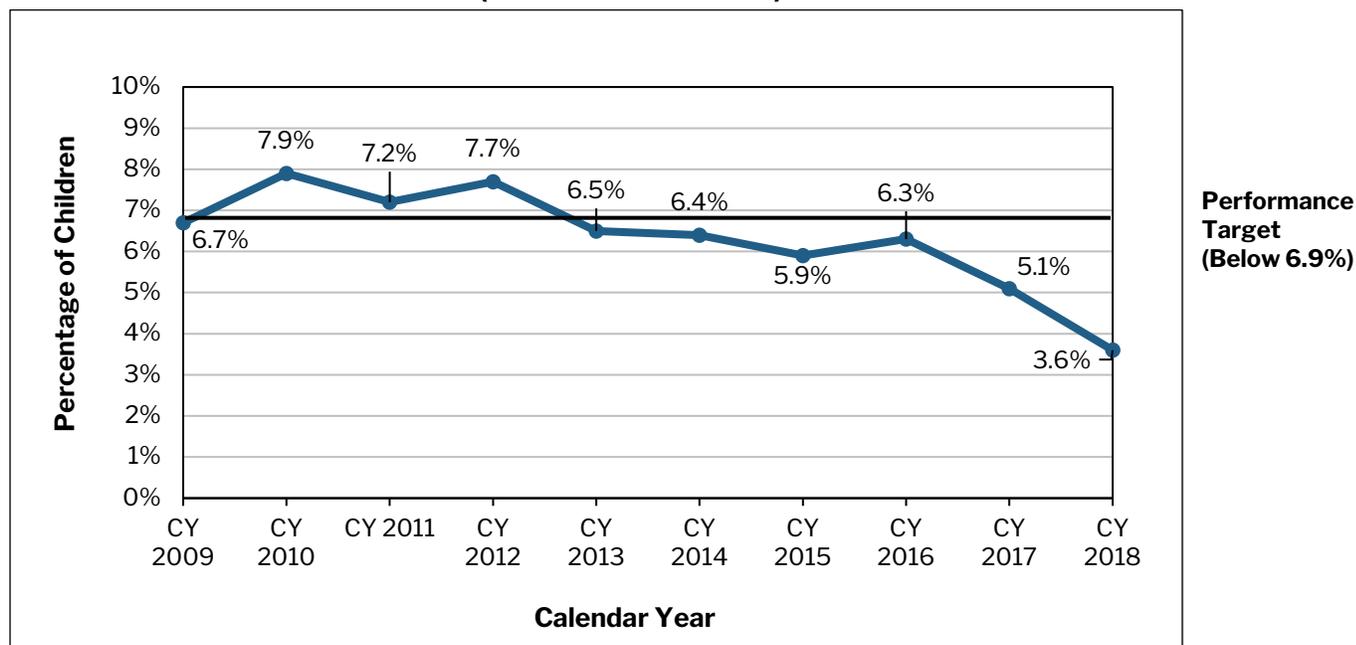
Quantitative or Qualitative Measure	38. <u>Maltreatment Post-Reunification</u> : Of all children who are reunified during a period, the percentage who are victims of substantiated abuse or neglect within one year after the date of reunification.
Final Target	Of all children who enter foster care in a 12-month period for the first time who are discharged within 24 months to reunification or living with relative(s), no more than 6.9% will be the victims of substantiated abuse or neglect within 12 months after reunification.

Performance of CY 2018 Cohort (Most Recent Entry Cohort Available):

Of the children who entered care in CY 2018, 1,298 exited DCF custody to reunification with their families. Of those, 47 (3.6%) of these children were victims of a substantiated allegation of abuse and/or neglect within 12 months of their return home. Figure 13 shows performance from CY 2008 to CY 2018. Post-reunification maltreatment rates have dropped since CY 2012, and post-reunification maltreatment rates for children who entered care in CY 2018 were the lowest they

have ever been. It is worth noting that total discharges have also significantly decreased. DCF continues to meet the SEP performance standard.

Figure 13: Percentage of Children who were Victims of Substantiated Allegation within 12 Months after Reunification (CY 2009-CY 2018)



Source: DCF data analyzed by Rutgers University

Re-entry to Placement

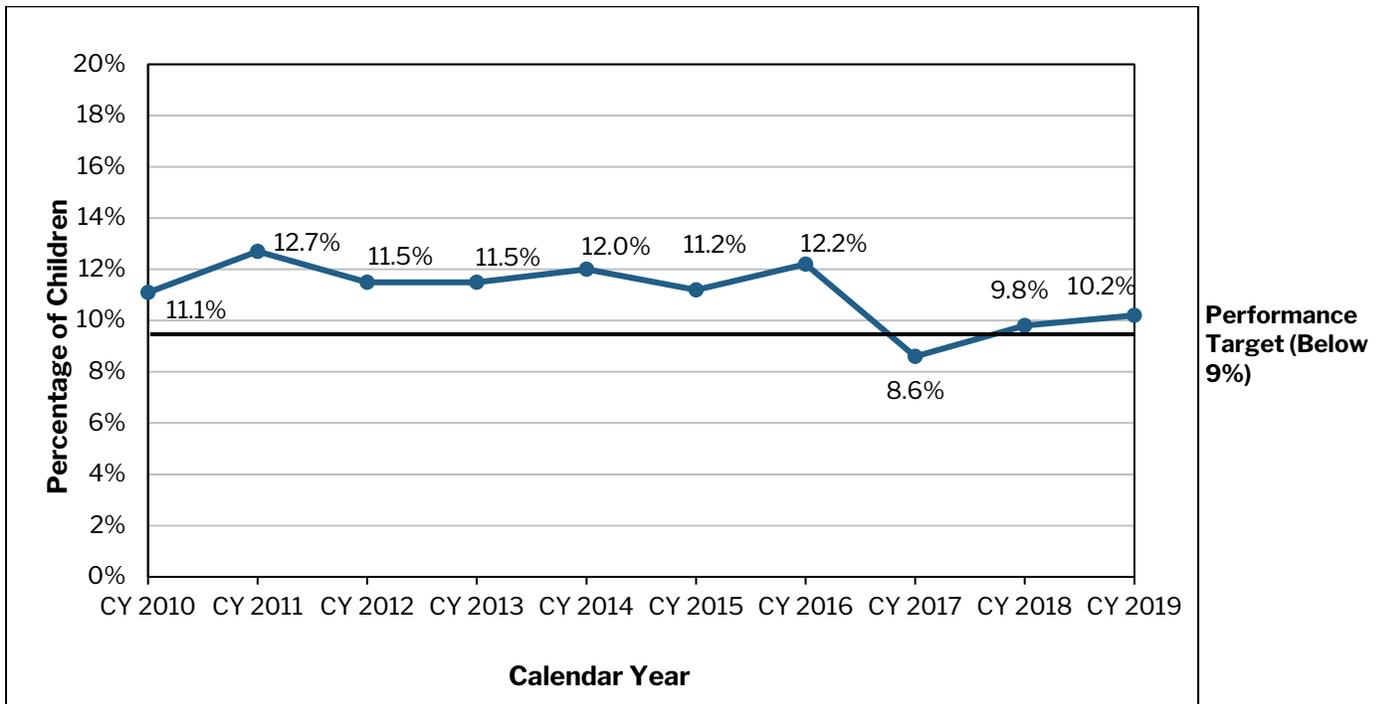
Quantitative or Qualitative Measure	39. <u>Re-entry to Placement</u> : Of all children who leave custody during a period, except those whose reason for discharge is that they ran away from their placement, the percentage that re-enter custody within one year of the date of exit.
Final Target	Of all children who enter foster care in a 12-month period for the first time who are discharged within 12 months to reunification, living with relative(s), or guardianship, no more than 9% will re-enter foster care within 12 months of their discharge.

Performance of CY 2019 Cohort (Most Recent Entry Cohort Available):

Of the children who entered care for the first time in CY 2019, 679 children were discharged to reunification, living with relatives, or guardianship. Of those, 69 (10.2%) children re-entered placement within 12 months. As reflected in Figure 14, re-entry rates dropped below nine percent for children who entered care in CY 2017, meeting the performance standard for the first time. For the cohorts that entered foster care

in CY 2018 and CY 2019, performance has slowly, but consistently, worsened, rising to 10.2% in 2019. The Monitor considers this measure to be unmet during this period. DCF plans to review performance to better understand declines on this measure.

Figure 14: Percentage of Children Who Re-Entered Custody within One Year of Exit (CY 2009 – CY 2019)



Source: DCF data analyzed by Rutgers University.

H. TIMELY PERMANENCY

Regardless of age, gender, race, or ethnicity, all children need and deserve a safe, nurturing family to protect and guide them. Safe family reunification is the preferred path, but permanency for children can be achieved through multiple avenues, including kinship/guardianship and adoption. There are four SEP measures that focus on permanency for children. As of January 2021, all four measures were designated as *Outcomes To Be Maintained*—achieving permanency within 12 months (SEP IV.I.40), 24 months (SEP IV.I.41), 36 months (SEP IV.I.42), and 48 months (SEP IV.I.43).

Each of the measures discussed in this section is assessed with longitudinal cohort data on an annual basis. For the measures for permanency achieved within 36 and 48 months of entering foster care, DCF sustained performance at or above the SEP standard. For the measures for permanency within 12 and 24 months of entering care, performance dropped slightly in the most recent measurement. Performance for all four measures is discussed below.

Timely Permanency through Reunification, Adoption, or Guardianship Within 12 Months

Quantitative or Qualitative Measure	40. <i>Permanency Within 12 months</i> : Of all children who entered foster care in a 12- month period, what percentage were discharged from foster care to permanency (reunification, living with relatives, guardianship, or adoption) within 12 months of entering foster care.
Final Target	Of all children who enter foster care in a 12-month period, at least 42% will be discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 12 months of entering foster care.

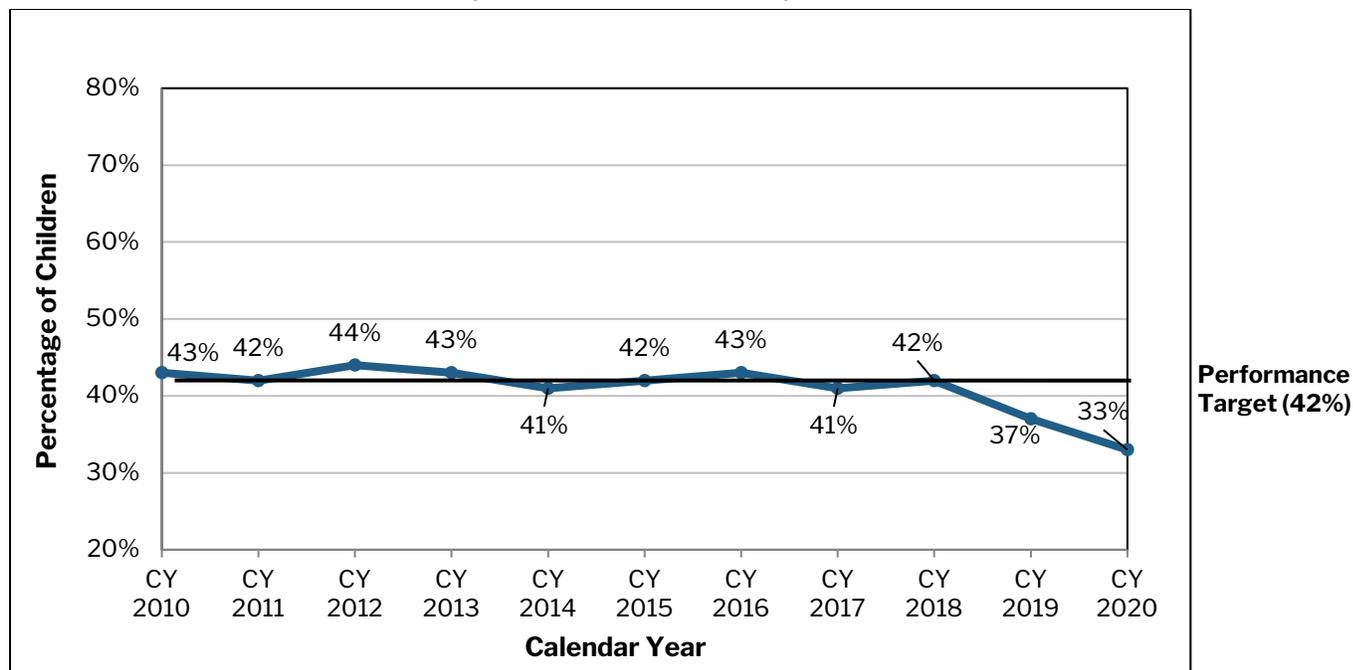
Performance of CY 2020 Cohort (Most Recent Entry Cohort Available):

The most recent data available for this measure are for children who entered foster care in CY 2020. Of the 1,529 children who entered foster care in CY 2020, 504 (33%) were discharged to permanency within 12 months of their removal from their home (see Figure 15).

Of those 504 children, 435 of them were reunified with their families; this means that 28 percent of all 1,529 children who entered foster care in CY 2020 were reunified with family within 12 months. Performance has continued to drop since the cohort who entered foster care in CY 2018, though some of this decline in performance is

likely a result of the COVID-19 pandemic. Given delays in court proceedings in some counties, delays in services due to waitlists and staffing shortages on the part of private providers, and other obstacles to reunification during the pandemic, the Monitor considers this decline to be temporary.

Figure 15: Percentage of Children Who Enter Foster Care in a 12 Month Period Who Discharge to Permanency within 12 Months of Entering Foster Care (CY 2010 – CY 2020)



Source: DCF data analyzed by Rutgers University.

Timely Permanency through Reunification, Adoption, or Guardianship Within 24 Months

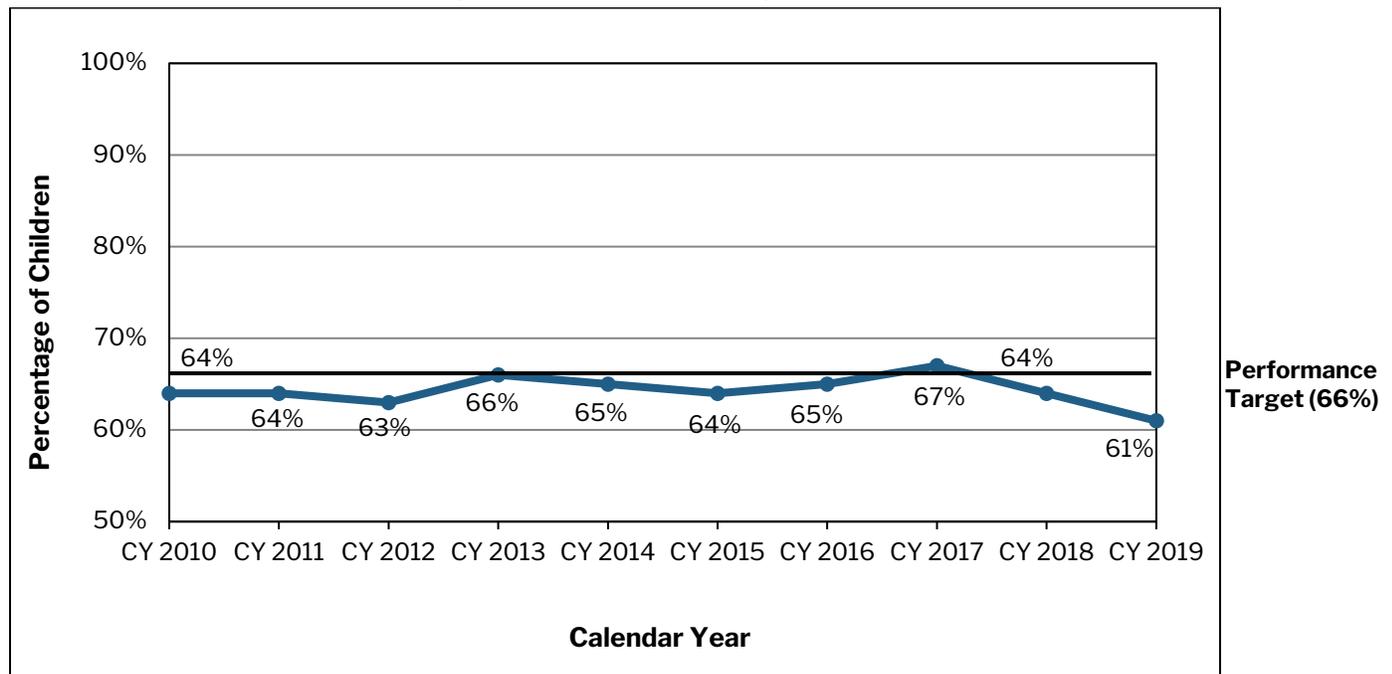
Quantitative or Qualitative Measure	41. <u>Permanency Within 24 months</u> : Of all children who enter foster care in a 12-month period, what percentage were discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 24 months of entering care.
Final Target	Of all children who enter foster care in a 12-month period, at least 66% will be discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 24 months of entering care.

Performance of CY 2019 Cohort (Most Recent Entry Cohort Available):

The most recent data available for this measure are for children who entered foster care in CY 2019. Of the 2,301 children who entered foster care in CY 2019, 1,413 (61%)

were discharged to permanency within 24 months of removal from their homes (see Figure 16). Of those 1,413 children, 1,101 of them were reunified with their families; this means that 48 percent of all 2,301 children who entered care in CY 2019 were reunified with family within 24 months. After meeting the standard for the first time for the cohort who entered foster care in 2017, DCF performance fell below the SEP target last year and remains below the target for this period, most likely attributable to the challenges of the COVID-19 pandemic. Given delays in court proceedings in some counties, delays in services due to waitlists and staffing shortages on the part of private providers, and other obstacles to reunification during the pandemic, the Monitor considers this decline to be temporary.

Figure 16: Percentage of Children Who Enter Foster Care in a 12 Month Period Who Discharge to Permanency within 24 Months of Entering Foster Care (CY 2010 – CY 2019)¹²⁵



Source: DCF data analyzed by Rutgers University.

¹²⁵ DCF has provided the Monitor with data that includes permanency rates for those in the entry cohort between the ages of 18 and 21. The Monitor has included this data in the figures, which in some cases shows a higher level of performance than has been historically reported.

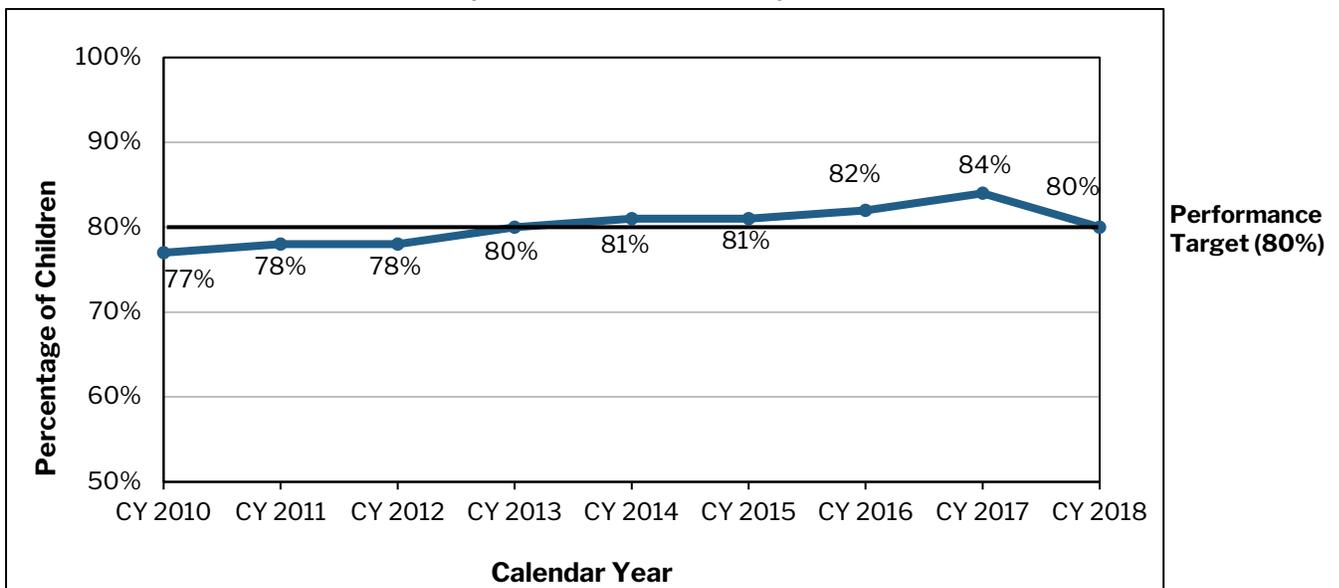
Timely Permanency through Reunification, Adoption, or Guardianship Within 36 Months

Quantitative or Qualitative Measure	42. <i>Permanency Within 36 months</i> : Of all children who enter foster care in a 12-month period, what percentage were discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 36 months of entering care.
Final Target	Of all children who enter foster care in a 12-month period, at least 80% will be discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 36 months of entering care.

Performance of CY 2018 Cohort (Most Recent Entry Cohort Available):

The most recent data available for this measure are for children who entered foster care in CY 2018. Of the 2,960 children who entered foster care in CY 2018, 2,382 (80%) were discharged to permanency within 36 months of removal from their homes (see Figure 17). Of those 2,382 children, 1,546 of them were reunified with their families; this means that 52 percent of all 2,960 children who entered care in CY 2018 were reunified with their families within 36 months. DCF’s performance meets the SEP standard again this reporting period.

Figure 17: Percentage of Children Who Enter Foster Care in a 12 Month Period Who Discharge to Permanency within 36 Months of Entering Foster Care (CY 2010 – CY 2018)



Source: DCF data analyzed by Rutgers University.

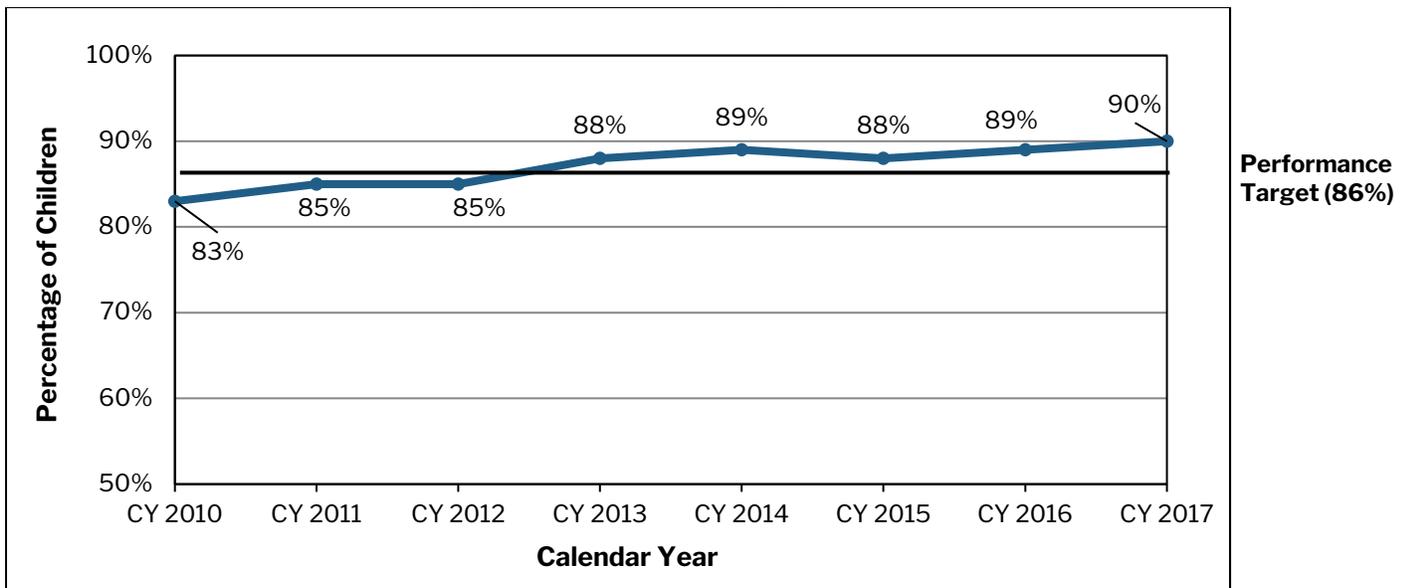
Timely Permanency through Reunification, Adoption or Guardianship Within 48 Months

Quantitative or Qualitative Measure	43. <u>Permanency within 48 months</u> : Of all children who enter foster care in a 12 month period, what percentage were discharged to permanency (reunification, living with relatives, guardianship or adoption) within 48 months of entering care.
Final Target	Of all children who enter foster care in a 12 month period, at least 86% will be discharged to permanency (reunification, living with relatives, guardianship or adoption) within 48 months of entering care.

Performance of CY 2017 Cohort (Most Recent Entry Cohort Available):

The most recent data available for this measure are for children who entered foster care in CY 2017. Of the 3,385 children who entered foster care in CY 2017, 3,063 (90%) were discharged to permanency within 48 months of removal from their homes (see Figure 18). Of those 3,063 children, 1,907 of them were reunified with their families; this means that 56 percent of all 3,385 children who entered care in CY 2017 were reunified with their families within 48 months. Current performance again exceeds the SEP performance standard.

Figure 18: Percentage of Children Who Enter Foster Care in a 12 Month Period Who Discharge to Permanency within 48 Months of Entering Foster Care (CY 2010 – CY 2017)



Source: DCF data analyzed by Rutgers University.

I. CHILD HEALTH UNITS

Quantitative or Qualitative Measure	8. <u>Child Health Units</u> : The State will continue to maintain its network of child health units, adequately staffed by nurses in each Local Office.
Performance Target	DCF will maintain adequate staffing levels in Local Offices.

Early in New Jersey’s child welfare improvement efforts, DCF developed Child Health Units (CHUs) to facilitate and ensure the timely provision of health care to children in CP&P custody. CHUs are located in each CP&P Local Office and are staffed with Regional Nurse Administrators, Nurse Health Care Case Managers (HCCMs), and staff assistants, based on the projected number of children in out-of-home placement.

Section III.E of the SEP requires the state to “maintain its network of child health units, adequately staffed by nurses in each Local Office.” This measure has been previously met and designated as an *Outcome To Be Maintained*. New Jersey’s CHUs, which provide each child placed in a resource home with a nurse assigned for health care case management, continue to be recognized by staff and external partners as a notable achievement of the state’s child welfare reform efforts.

Performance as of December 31, 2021:

On December 31, 2021, DCF employed 121 nurses, of which approximately 116 were available for coverage, and 43 staff assistants, of which approximately 41 were available for coverage.

Between July and December 2021, there was an average of 117 nurses available for coverage, for an average ratio of one nurse to every 28 children in out-of-home care, exceeding the standard of one nurse to 50 children in out-of-home care. DCF performance in this area continues to meet the SEP standard.

J. OLDER YOUTH

Older youth in foster care often benefit from specialized support to prepare them for their transition to adulthood as they “age out” of the foster care system at age 21, or if they decide to sign themselves out of care beforehand. DCF offers many services to transition-age youth who have not been able to reunify with their families or find another permanent home with relatives or adoptive families. Measures related to older youth reinforce the vital opportunity to build Protective and Promotive Factors and promote healthy development and well-being for this age group.

The SEP includes four measures related to older youth. As of the beginning of the reporting period, all were designated as *Outcomes To Be Maintained* – completion of Independent Living Assessments (SEP IV.K.45); quality of case planning and services (SEP IV.K.46); housing for youth who exit care without achieving permanency (SEP IV.K.47); and education/employment for youth who exit care without achieving permanency (SEP IV.K.48).

Since 2019, performance on housing, education, and employment for older youth exiting foster care without having achieved a permanency goal has been assessed annually through a specialized case record review. Quality of Case Planning and Services for Older Youth has historically been assessed through the QR, and thus there are no new data for that measure in this report. Performance for three measures is discussed below.

Independent Living Assessments

Quantitative or Qualitative Measure	45. <u>Independent Living Assessments</u> : Percentage of youth ages 14 and 18 with a completed Independent Living Assessment.
Performance Target	90% of youth ages 14 to 18 will have an Independent Living Assessment.

Performance as of December 31, 2021:

In December 2021, there were 417 youth ages 14 to 18 in out-of-home placement for at least six months; 332 (80%) had an Independent Living Assessment completed.

Monthly performance between July and December 2021 ranged from 78 to 85 percent.¹²⁶ The Monitor considers this measure to be unmet during this period.

Quality of Case Planning and Services

Quantitative or Qualitative Measure	46. <u>Quality of Case Planning and Services</u> : DCF shall provide case management and services to youth between the ages 18 and 21 who have not achieved legal permanency.
Performance Target	75% of youth ages 18 to 21 who have not achieved legal permanency shall receive acceptable quality case management and service planning.

Performance for this measure is collected through Qualitative Reviews (QRs) of the experiences and outcomes of a selection of youth ages 18 to 21. In rating these cases, reviewers use both the standard QR protocol and a list of additional considerations relevant to this population, such as DCF’s efforts to plan and support youth who identify as LGBTQ+, who are victims of domestic violence, who are expectant or parenting, or who have developmental disabilities.

Due to the COVID-19 pandemic, QRs were suspended and therefore there are no new data on this measure. As of the last measurement in CY 2019, 67% of cases reviewed met the standard.

Housing

Quantitative or Qualitative Measure	46. <u>Housing</u> : Youth exiting care without achieving permanency shall have housing.
Performance Target	95% of youth exiting care without achieving permanency shall have housing.

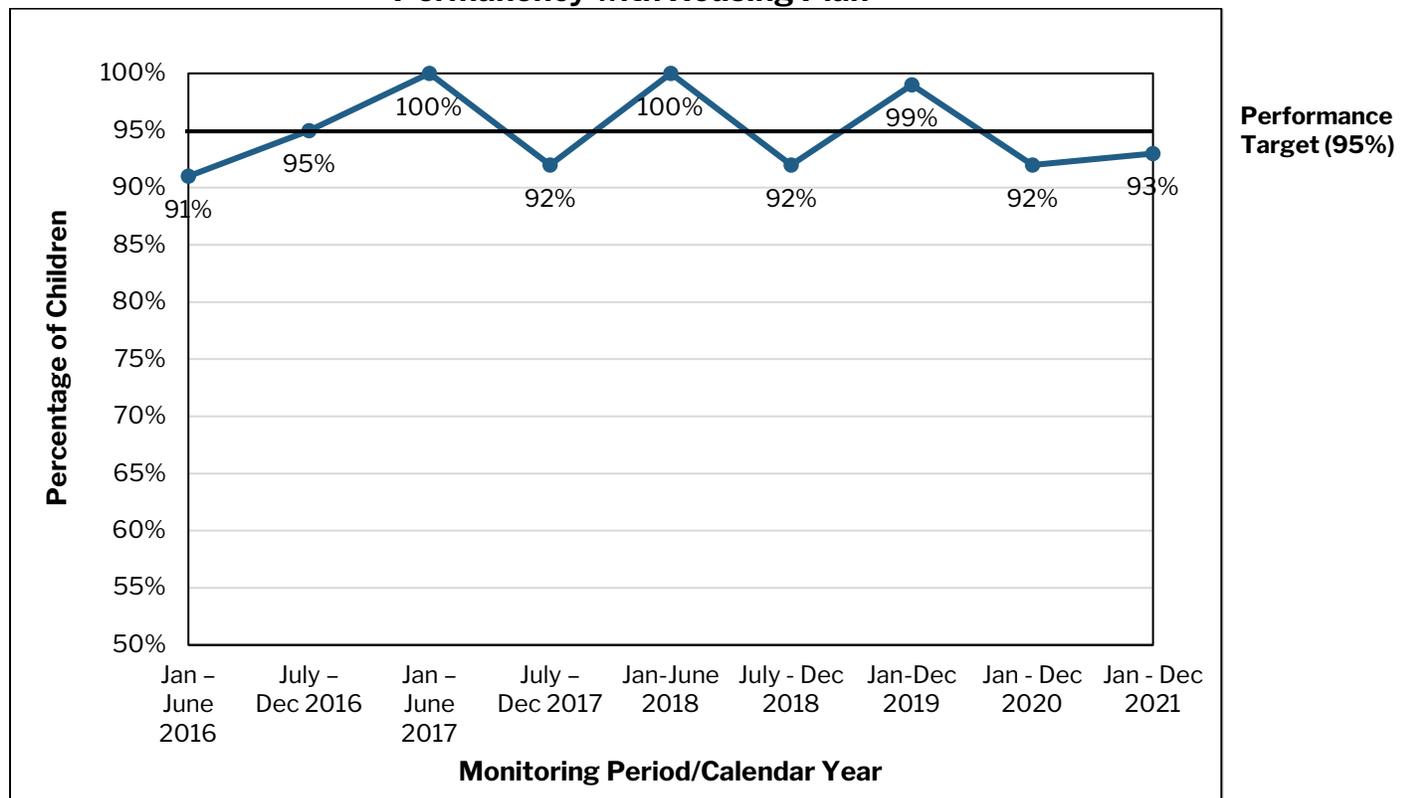
Stable housing is a critical, concrete support that older youth need to thrive as they transition to adulthood. With the help of specialized caseworkers, DCF works to ensure that all older youth exiting foster care have a housing plan in place. During the monitoring period, DCF continued to be able to extend a moratorium on aging out of foster care at age 21 until September 30, 2021, and extended contracted housing and life skills services for those youth through December 31, 2021.

¹²⁶ Monthly performance for this measure is as follows: July, 85%; August, 85%; September, 84%; October, 81%; November, 78%; December, 80%.

Performance as of CY 2021:

In CY 2021, of the 95 youth for which this measure was applicable,¹²⁷ there was documentation of a housing plan for 88 (93%) youth. This is a slight improvement from last year, as shown in Figure 19. The Monitor considers this measure to be met and considers the drop in performance to be temporary and/or insubstantial and most likely attributable in part to the COVID-19 pandemic. As previously noted, DCF made considerable efforts to provide additional supports to older youth exiting care during the pandemic.

Figure 19: Percentage of Older Youth Exiting Foster Care Without Achieving Permanency with Housing Plan



Source: Data collected through Case Record Review by DCF and the Monitor

¹²⁷ The cases of 6 youth out of the universe of 101 youth exiting care to non-permanency were excluded from performance calculations for this measure because the youth could not be located (3) or because they were incarcerated (3).

Employment/Education

Quantitative or Qualitative Measure	47. <u>Employment/Education</u> : Youth exiting care without achieving permanency shall be employed, or enrolled in or have recently completed a training or an educational program or there is documented evidence of consistent efforts to help the youth secure employment or training.
Performance Target	90% of youth exiting care without achieving permanency shall be employed, or enrolled in or have recently completed a training or an educational program or there is documented evidence of consistent efforts to help the youth secure employment or training.

It is important that older youth exiting foster care have an opportunity to further their education and develop employment skills prior to their transition out of foster care. The Office of Adolescent Services offers a Pathways to Academic and Career Exploration to Success (PACES) program and LifeSet, along with the programs offered by particular private providers, to help coach young people to achieve their education or employment goals.

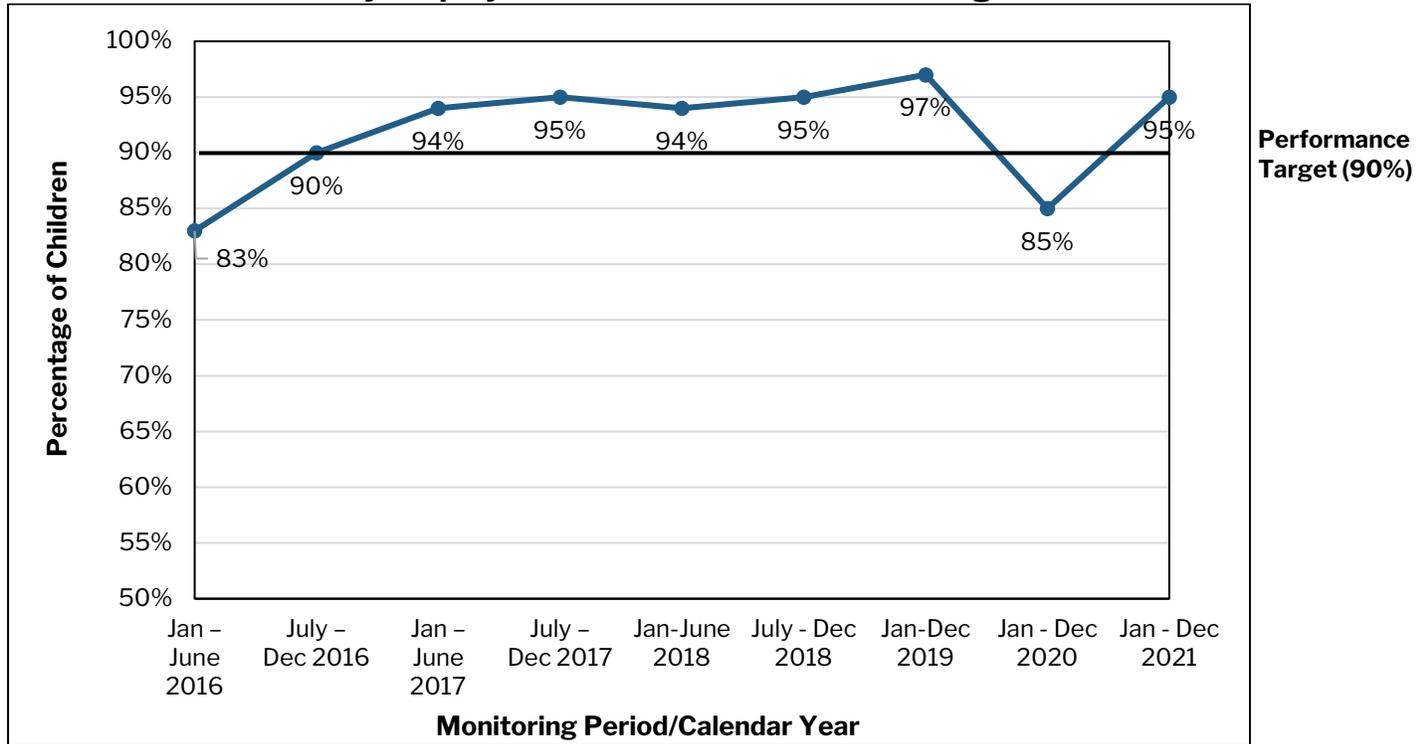
Performance as of CY 2021:

In CY 2021, of the 88 youth to whom this measure applied,¹²⁸ 84 (95%) were either employed or enrolled in education or vocational training programs, or there was documentation of consistent efforts by the caseworker to help youth secure education or employment prior to case closure.¹²⁹ Performance exceeds the SEP standard this monitoring period and demonstrates a return to pre-pandemic levels, as shown in Figure 20.

¹²⁸ The cases of 13 youth out of the universe of 101 exiting care to non-permanency were excluded from performance calculations for this measure because the youth could not be located (3), were incarcerated (3), or moved out of state (5).

¹²⁹ The circumstances of 11 additional youth were considered to have met the standard because there was documentation of consistent efforts by the caseworker to help secure education or employment.

Figure 20: Percentage of Older Youth Exiting Foster Care Without Achieving Permanency Employed or Enrolled in Education Programs



Source: Data collected through Case Record Review by DCF and the Monitor

K. SERVICES TO SUPPORT TRANSITIONS

Quantitative or Qualitative Measure	44. <u>Services to Support Transitions</u> : DCF will provide services and supports to families to support and preserve successful transitions.
Performance Target	80% of cases will be plans rated acceptable for supporting transitions as measured by the Qualitative Review (QR).

While involved with DCF, children, youth, and families often face transitions, including changes in family relationships, living arrangements, service providers, or schools. Some transitions are more critical than others, but all require recognition and planning in order to be successful. DCF has historically used the Qualitative Review (QR) process to measure case practice that supports families to make successful transitions. Performance on this measure was evaluated using the *successful transitions* indicator in prior years. The QR process and protocol are discussed in detail in Section V.N *Accountability Through Qualitative Review* of this report.

QRs were suspended at the beginning of the COVID-19 pandemic, so there are no new data on this measure. DCF has been working to develop alternative ways to measure the quality of services to support family transitions. As of the last measurement in CY 2019, 74 percent of cases reviewed met the standard.

L. CASELOADS

One of the early successes of DCF’s reform was reducing and now maintaining caseloads at levels where workers can do the work with children, youth, and families that was expected of them. Caseload compliance is measured by assessing caseloads for individual caseworkers in each of the system’s functional areas (Intake, Permanency, Adoption, and IAIU) as well as standards for each CP&P Local Office. Table 2 summarizes the SEP’s caseload standards for individual workers.

The SEP includes eight performance measures related to caseloads. As of the beginning of the monitoring period, all were designated as *Outcomes To Be Maintained*. These eight measures include Intake office caseloads (SEP IV.E.24); Intake individual worker caseloads (SEP IV.E.25); Adoption office caseloads (SEP IV.E.26); Adoption individual worker caseloads (SEP IV.E.27); Permanency office caseloads (SEP III.B.4); Permanency individual worker caseloads (SEP III.B.5); IAIU investigators individual caseloads (SEP III.B.3); and supervisory/worker ratio (SEP III.B.2). Performance for all eight measures during the current monitoring period is discussed below.

Table 2: CP&P Individual Worker Caseload Standards

Caseworker Function	Responsibility	Individual Caseload Standard (SEP IV.E and III.B)
Intake	Respond to community concerns regarding child safety and well-being. Specifically, receive referrals from the State Central Registry (SCR) and depending on the nature of the referral, respond between two hours and five days with a visit to the home and begin investigation or assessment. Complete investigation or assessment within 60 days.	Intake workers are to have no more than 12 open cases at any one time and no more than eight new referrals assigned in a month. No Intake worker with 12 or more open cases can be given more than two secondary assignments per month. ¹³⁰
Institutional Abuse Investigations Unit (IAIU)	Respond to allegations of child abuse and neglect in settings including correctional facilities, detention facilities, treatment facilities, schools (public or private), residential schools, shelters, hospitals, camps, or child care centers that are required to be licensed, resource family homes, and registered family day care homes.	IAIU staff workers are to have no more than 12 open cases at any one time and no more than eight new referrals assigned in a month.

¹³⁰ Secondary assignments refer to shared cases between Intake and Permanency workers for families who have a case open with a Permanency worker where there are new allegations of abuse or neglect that require investigation.

Permanency	Provide services to families whose children remain at home under the protective supervision of CP&P and those families whose children are removed from home due to safety concerns.	Permanency workers are to serve no more than 15 families and 10 children in out-of-home care at any one time.
Adoption	Find permanent homes for children who cannot safely return to their parents by preparing children for adoption, developing adoptive resources, and performing the work needed to finalize adoptions.	Adoption workers are to serve no more than 15 children at any one time.

Source: DCF

Intake

The SEP Intake caseload standard is that no worker should have more than eight new case assignments per month, no more than 12 open primary cases at any one time, and no Intake worker with 12 or more open primary cases can be assigned more than two secondary assignments per month. In January 2017, DCF implemented a new methodology for tracking and reporting the SEP Intake caseload standard to more clearly communicate to staff and to streamline monitoring and reporting. DCF's methodology now captures secondary case assignments on the Intake worker's monthly caseload report, which tracks and reports Intake caseloads as follows: no more than eight new assignments per month; no more than 12 cases assigned as primary case assignments at any one time; and no more than 14 cases at any one time, including both primary and secondary case assignments. The methodology for the standard of no more than eight new case assignments per month, including secondary assignments, remains unchanged.

Quantitative or Qualitative Measure	24. <u>Intake Local Office Caseloads</u> : Local Offices will have an average caseload for Intake workers of (a) no more than 12 families, and (b) no more than eight new assignments per month. No Intake worker with 12 or more open cases can be given more than two secondary assignments per month.
Performance Target	95% of Local Offices will have an average caseload of (a) no more than 12 families, and (b) no more than eight new assignments per month. No Intake worker with 12 or more open cases can be given more than two secondary assignments per month.

Performance as of December 31, 2021:

Performance data for July through December 2021 show that 98 percent of Local Offices met the Intake caseload standards. DCF continues to exceed the SEP standard.

Quantitative or Qualitative Measure	25. <i>Individual Intake Caseloads</i> : individual Intake workers shall have (a) no more than 12 open cases, and (b) no more than eight new assignments per month. No Intake worker with 12 or more open cases can be given more than two secondary assignments per month.
Performance Target	90% of individual Intake workers shall have (a) no more than 12 open cases, and (b) no more than eight new assignments per month. No Intake worker with 12 or more open cases can be given more than two secondary assignments per month.

Performance as of December 31, 2021:

The state reported an average of 1,046 active Intake workers between July and December 2021. Among those 1,046 active Intake workers, an average of 1,024 (98%) had caseloads that met the standard. Specifically, in December 2021, 1,007 (97%) of 1,043 active Intake workers were following individual worker standards. DCF continues to meet the individual Intake worker caseload standard.

Data by Local Office show that during December 2021, performance ranged from 75 percent to 100 percent, with all Local Offices having all Intake workers in compliance with caseload standards.

To assist in maintaining caseload standards, DCF deploys Impact Teams (a supervisor and three workers) to a unit or a Local Office in different areas of the state to take on investigations overflow when intakes are unusually high. There are nine Impact Teams, one per Area Office.

“Shared” Cases between Intake and Permanency Workers

As described in previous monitoring reports, Intake and Permanency workers sometimes share responsibility for families with open permanency cases when there are new allegations of abuse or neglect for a family with an open case. According to DCF procedure, all Child Protective Services (CPS) reports are assigned to Intake workers to investigate and are reflected in caseload reporting as one of the Intake workers’ eight new referrals in the month and as one of their 12 open families for that month. However, when circumstances indicate that a family with an already open permanency case is the subject of a new CPS or Child Welfare Services (CWS) report, the work with the family becomes the shared responsibility of both Intake and Permanency workers until the investigation is completed.

Intake workers are assigned a secondary worker designation in NJ SPIRIT for such cases with families who are already currently assigned a Permanency worker. According to DCF, this arrangement emphasizes the primary role of the Permanency worker in securing placement, facilitating visits, supporting the family to implement the case plan, and coordinating services. It also reflects the Permanency worker’s responsibility to provide information to the Intake worker and to link the family to appropriate services and supports identified during the new investigation, thus relieving the Intake worker of the overall case management responsibility for the case. Intake workers continue to be responsible for the work required to complete investigative tasks and to reach and document an investigative finding. Thus, these secondary assignments are counted as one of the Intake worker’s eight new referrals assigned in a month and as part of the total 14 open cases per month.

DCF reports that Intake supervisors in CP&P Local Offices are expected to appropriately manage the workload of staff in their units and consider an Intake worker’s primary and secondary responsibilities when assigning new referrals. Table 3 provides the reported number of secondary assignments to Intake workers by month for this monitoring period.

Table 3: Number of CP&P Investigations and Secondary Intake Assignments by Month (July – December 2021)¹³¹

Month	Total Investigations Assigned to Intake Workers for the Month	Secondary Intake Worker Assignments of CPS and CWS Investigations	
July	4,095	296	7%
August	4,019	323	8%
September	4,697	304	6%
October	5,232	273	5%
November	4,994	300	6%
December	4,715	311	7%

Source: DCF data

The Monitor reviewed monthly Local Office data on secondary assignments and found that on average, each Intake worker was assigned one secondary case at any given time during the period reviewed. The Monitor also found that an average of 12 percent of Intake workers received two or more secondary case assignments and an

¹³¹ Total excludes intakes assigned to Impact, Permanency, Adoption, and Advocacy Center workers and includes intakes assigned to workers on leave.

average of two percent of Intake workers received three or more secondary assignments each month during the monitoring period. Specifically, in the month of December 2021, 130 (12%) Intake workers received two or more secondary intake assignments and 25 (2%) Intake workers received three or more secondary intake assignments. To ensure that Intake workload is properly managed, regardless of the combination of primary and secondary assignments, DCF continues to examine the processes used in Local Offices to make secondary assignments, as well as Local Office workflow management practices.

Assignment of Investigations to Non-Caseload Carrying Staff

On occasion, to handle the unpredictable flow of referrals for investigations, trained non-caseload carrying staff as well as caseload-carrying staff who are not part of Intake units (non-Intake caseload carrying staff) in Local Offices are assigned to investigations. DCF reports that all staff are required to complete First Responder training prior to being assigned an investigation and non-caseload carrying staff must have been similarly trained and receive supervision by the Intake supervisor. The Monitor's review of DCF's data for the months of July through December 2021 found that an average of one percent of investigations were assigned each month to non-caseload carrying staff, and an average of four percent were assigned to non-Intake caseload carrying staff.

DCF produces a Caseload Report Exception List that documents all instances of intakes identified as assigned to non-caseload carrying workers, and closely monitors the list on an ongoing basis. Table 4 shows the number of investigations assigned to non-caseload carrying staff, and Table 5 shows the number of investigations assigned to non-Intake caseload carrying staff.

**Table 4: Percentage of CP&P Investigations Assigned to Non-Caseload Carrying Staff by Month
(July– December 2021)¹³²**

Month	Total Investigations Received in the Month	Number and Percentage of Investigations Assigned to Non-Caseload Carrying Staff	
July	4,300	28	1%
August	4,219	34	1%
September	4,913	29	1%
October	5,489	48	1%
November	5,202	27	1%
December	4,964	44	1%

Source: DCF data

**Table 5: Percentage of CP&P Investigations Assigned to Non-Intake Caseload Carrying Staff by Month
(July– December 2021)**

Month	Total Investigations Received in the Month	Number and Percentage of Investigations Assigned to Non-Intake Caseload Carrying Staff ¹³³	
July	4,300	177	4%
August	4,219	166	4%
September	4,913	187	4%
October	5,489	209	4%
November	5,202	181	3%
December	4,964	205	4%

Source: DCF data

Adoption

Quantitative or Qualitative Measure	26. <u>Adoption Local Office Caseloads</u> : Local offices will have an average caseload for Adoption workers of no more than 15 children per worker.
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¹³² Data are provided for investigations assigned within five days of intake receipt date and do not reflect additional assignments to an investigation after the first five days. DCF conducts monthly reviews of assignments to non-caseload carrying staff in NJ SPIRIT and has found that some investigations have been re-assigned to caseload carrying workers after the initial five days. As a result, the reported percentage of investigations assigned to non-caseload carrying staff may be lower than six percent.

¹³³ This includes Permanency, Adoption, Impact, and Advocacy Center caseload carrying workers.

Performance Target	95% of Local Offices will have an average caseload of no more than 15 children per Adoption worker.
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Quantitative or Qualitative Measure	27. <u>Individual Worker Adoption Caseloads</u> : Individual Adoption worker caseloads shall be no more than 15 children per worker.
Performance Target	95% of individual Adoption workers shall have a caseload of no more than 15 children per month.

Performance as of December 31, 2021:

Performance data for July through December 2021 show that 99 percent of Local Offices and 99 percent of individual workers continued to maintain the adoption caseload standard during this period.¹³⁴

Permanency

Quantitative or Qualitative Measure	4. <u>Permanency Local Office Caseloads</u> : Local offices will have an average caseload for Permanency workers of (a) no more than 15 families, and (b) no more than 10 children in out-of-home placement per worker.
Performance Target	95% of Local Offices will have an average caseload of (a) no more than 15 families, and (b) no more than 10 children in out-of-home placement per worker.

Quantitative or Qualitative Measure	5. <u>Individual Worker Permanency Caseloads</u> : Individual Permanency worker caseloads shall be (a) no more than 15 families, and (b) no more than 10 children in out-of-home placement per worker.
Performance Target	95% of individual Permanency workers shall have a caseload of (a) no more than 15 families, and (b) no more than 10 children in out-of-home placement per worker.

¹³⁴ Reported performance is the average of DCF's performance in meeting individual caseload standards during this six-month monitoring period.

Performance as of December 31, 2021:

Performance data for July through December 2021 show that 100 percent of Local Offices and 100 percent of individual workers continued to maintain the permanency caseload standard during this period.¹³⁵

Institutional Abuse Investigation Unit (IAIU)

Quantitative or Qualitative Measure	3. <u>Individual Worker IAIU Caseloads</u> : individual IAIU worker caseloads shall be (a) no more than 12 open cases, and (b) no more than eight new case assignments per month.
Performance Target	95% of individual IAIU workers shall have a caseload (a) no more than 12 open cases, and (b) no more than eight new case assignments per month.

Performance as of December 31, 2021:

DCF data show 100 percent of individual workers maintained the IAIU caseload standard for the period of July through December 2021.

Supervisory Ratio

Quantitative or Qualitative Measure	2. <u>Supervisor/Worker Ratio</u> : Local Offices shall have sufficient supervisory staff to maintain a five worker to one supervisor ration.
Performance Target	95% of Local Offices shall have sufficient supervisory staff to maintain a five worker to one supervisor ration.

Performance as of December 31, 2021:

Performance data for July through December 2021 show that 100 percent of CP&P Local Offices had sufficient supervisors to maintain ratios of five workers to one supervisor.

¹³⁵ Ibid.

M. DEPUTY ATTORNEYS GENERAL STAFFING

Quantitative or Qualitative Measure	7. <u>DAsG Staffing</u> : The State will maintain adequate DAsG staff positions and keep positions filled.
Performance Target	DCF will maintain adequate staffing levels at the DAsG office.

Performance as of December 31, 2021:

As of December 31, 2021, 146 Deputy Attorneys General (DAsG) staff positions assigned to work with DCF were filled. Of those, three DAG were on full time leave. Thus, there were a total of 143 (98%) available DAsG. DCF reports that in addition to these positions, DAsG outside of the DCF Practice Group have dedicated some of their time to DCF matters. The SEP standard for this measure continues to be met.

N. ACCOUNTABILITY THROUGH QUALITATIVE REVIEW AND THE PRODUCTION AND USE OF ACCURATE DATA

DCF's Qualitative Reviews (QRs) and ChildStat forums were suspended in March 2020 due to the COVID-19 pandemic and DCF has reported that they are not planning to resume QRs going forward. Until the pandemic, New Jersey's QR process was used to assess the status of children, youth and families, the status of case practice, and system performance in each of the counties. Select QR results were also used to measure performance for several SEP requirements, three of which are designated *Outcomes To Be Achieved*: Quality of Teaming (SEP IV.B.20), Quality of Case Plans (SEP IV.D.23) and Services to Support Transitions (SEP IV.J.44); and two of which are designated *Outcomes To Be Maintained*: Educational Needs (SEP III.G.11) and Quality of Case Planning and Services for Older Youth (SEP IV.K.46).

DCF has been reimagining its Continuous Quality Improvement (CQI) processes to integrate its Solution Based Casework (SBC) approach and the Child and Family Service Review (CFSR) results with its Case Practice Model. The processes under development are intended to ensure sufficient measurement of these case practice elements and the changes were agreed to as part of the Parties' Exit Plan and Agreement. DCF designed the new qualitative review process during the monitoring period covering January to June 2022 and presented it to the Monitoring team in May 2022. The process will launch in July 2022 with the first cohort of staff and implementation will be phased in through April 2023. The full implementation of this new qualitative review system will be assessed by CSSP during a period of transition defined by the Exit Plan and Agreement. The new CQI process will be examined in more detail in the following monitoring report.

O. NEEDS ASSESSMENT

Quantitative or Qualitative Measure	21. <u>Needs Assessment</u> : The State shall regularly evaluate the needs for additional placements and services to meet the needs of children in custody and their families, and to support intact families and prevent the needs for out-of-home care. Such needs assessments shall be conducted on an annual, staggered basis that assures that every county is assessed at least once every three years.
Final Target	The State shall develop placements and services consistent with the findings of these needs assessments.

New Jersey County Human Service Advisory Councils (HSACs) are charged with gathering information related to local service needs, the impact of those needs on their population, and key barriers to improved service delivery.

In 2018, DCF established a workgroup with statewide Human Service Directors (HSDs) that met monthly to outline methodology and develop guidance, focus group protocols, a survey, and a report template for the HSACs to use as they collect data. Throughout 2019, the workgroup finalized the assessment process. In 2020, the DCF workgroup established a uniform reporting method for the counties. DCF also worked with Rutgers University School of Social Work to design county-based data profiles to provide the HSACs with population data and the most recent DCF administrative data. These profiles helped HSACs in identifying, prioritizing, and addressing county needs, services, and resources, and include such areas as housing, food, health care, behavioral/mental health services for children and adults, employment and career services, services for families caring for a child of a relative/family friend, substance use disorder services, etc.

In August 2021, DCF, alongside presenters from the HSAC and Rutgers University School of Social Work, held a virtual forum to present the findings of the 2020 Needs Assessment, DCF’s plans for utilizing the findings, and local plans for future assessment. The statewide comprehensive report, published in June 2021, is available online.¹³⁶ Updated data profiles became available in November 2021.¹³⁷ During the monitoring period, DCF worked to address some of the findings of the needs assessment by educating staff and providers on available housing

¹³⁶ To see the HSAC Needs Assessment Synthesis Report for 21 Counties, go to: <https://www.nj.gov/dcf/news/HSAC.Synthesis.Report-June.2.2021.pdf>

¹³⁷ To see the updated data profiles, go to: https://www.nj.gov/dcf/about/divisions/opma/hsac_needs_assessment.html

supports, having conversations with the New Jersey Department of Human Services, the Department of Community Affairs, and the Department of Health regarding more robust service coordination and referral services; as well as by increasing funding for Parents Anonymous, a program for parent-peer support.

Simultaneously, in the Fall 2021, DCF shared preliminary plans and draft tools for the next round of the assessment with the HSACs. HSACs expressed concern that another assessment using the same methodology so soon after the recent assessment would not be useful and might unnecessarily duplicate other similar needs assessments. Based on their feedback, DCF is again reexamining the needs assessment process to determine how additional assessments can be effective and complementary to existing assessments.

P. FISCAL YEAR BUDGET

DCF's total state funding in the FY 2022 Final Appropriations Act totals \$1.274 billion for DCF, an increase of \$55 million over the FY 2021 adjusted appropriation of \$1.219 billion. The primary driver of this increase was the additional \$62.8 million provided for the Children's System of Care (CSOC) to rebalance out-of-home and in-community service rates to better serve children with emotional and behavioral health care needs.¹³⁸ In August 2021, CSOC received approval from the Centers for Medicare and Medicaid Services (CMS) for its State Plan amendment, which represents a 20 percent increase in annualized budget authority across CSOC Medicaid State Plan and waiver services. DCF reports the funding will stabilize CSOC, support the development of capacity to meet demand, and ensure that agencies can provide competitive wages for staff and provide quality services.

During the Monitoring period, DCF expended more than \$32 million in federal COVID funding, including: \$7.88 million from the Coronavirus Relief Fund, used to cover office cleaning costs, personal protective equipment for workers, and COVID-19 testing; \$18.87 million from the increased Federal Medical Assistance Percentage (FMAP) rate, which is the rate at which the federal government matches state dollars spent on Medicaid-reimbursable services; \$4 million from the Consolidated Appropriations Act, which provided direct financial assistance to older youth through the Office of Adolescent Services; \$1 million from the American Rescue Plan (ARP), which covered additional domestic violence services during the pandemic; and \$277,000 in other funding from the Coronavirus Aid, Relief, and Economic Security (CARES) Act, which supported a project to monitor family strengths and needs in New Jersey during the pandemic, as well as peer recovery programs through Family Support Organizations (FSOs).

In the Monitor's judgment, the requirements of the *Charlie and Nadine H.* SEP continue to be adequately funded.

¹³⁸ To read the DCF appropriation in the FY 2022 State Budget, go to: <https://www.nj.gov/treasury/omb/publications/22budget/pdf/FY22GBM.pdf>

APPENDIX A:

Glossary of Acronyms Used in the Monitoring Report

ACEs:	Adverse Childhood Experiences	IAIU:	Institutional Abuse Investigative Unit
AOC:	Administrative Office of the Courts	ILA:	Independent Living Assessment
CARES:	Coronavirus Aid, Relief, and Economic Security Act	LGBTQ+:	Lesbian, Gay, Bisexual, Transgender, Queer, and more identities denoted by the +
CFNFRB:	Child Fatality and Near Fatality Review Board	MSA:	Modified Settlement Agreement
CFSR:	Child and Family Services Review	MRSS:	Mobile Response and Stabilization Services
CHU:	Child Health Unit	NHA:	Nurtured Heart Approach
CIACC:	Children’s Interagency Coordinating Council	NJYRS:	New Jersey Youth Resource Spot
CICAC:	Children in Court Advisory Council	OAS:	Office of Adolescent Services
CMO:	Care Management Organization	OFV:	Office of Family Voice
CP&P:	Division of Child Protection and Permanency	OOE:	Office of Education
CPM:	Case Practice Model	OOQ:	Office of Quality
CPS:	Child Protective Services	OOR:	Office of Resilience
CQI:	Continuous Quality Improvement	ORF:	Office of Resource Families
CSOC:	Children’s System of Care	OSHW:	Office of Staff Health and Wellness
CSSP:	Center for the Study of Social Policy	OTPD:	Office of Training and Professional Development
CWS:	Child Welfare Services	PAP:	Predict Align Prevent
DAsG:	Deputy Attorneys General	PRIDE:	Parent Resource for Information Development and Education training
DCF:	Department of Children and Families	QR:	Qualitative Review(s)
DOW:	Division on Women	SACWIS:	Statewide Automated Child Welfare Information System
FCP:	Office of Family and Community Partnerships	SAMHSA:	Substance Abuse and Mental Health Service Administration
FMAP:	Federal Medical Assistance Percentage	SBC:	Solution Based Casework
FSC:	Family Success Centers	SEP:	Sustainability and Exit Plan
FSO:	Family Support Organization	SCR:	State Central Registry
FTM:	Family Team Meeting	SDM:	Structured Decision-Making
HCCM:	Health Care Case Manager	SIBS:	Siblings in Best Placement Settings
HSAC:	Human Service Advisory Council	USDA:	United States Department of Agriculture

APPENDIX B: Sources of DCF Data and Monitoring Methodology

Reports that DCF currently publishes on its website include:

- **Commissioner’s Monthly Report**¹³⁹ – *Current and produced monthly.* This report gives a broad data snapshot of various DCF services. The report includes information from CP&P, Office of Adolescent Services (OAS), Institutional Abuse Investigation Unit (IAIU), Children’s System of Care (CSOC), Family & Community Partnerships (FCP), and the Division on Women (DOW).
- **Screening and Investigations Report**¹⁴⁰ – *Current and produced monthly.* This report details State Central Registry (SCR) activity, including data regarding calls to the Child Abuse and Neglect Hotline, assignments to CP&P offices and trends in Child Protective Services (CPS) Reports and Child Welfare Services (CWS) Referrals.
- **Workforce Report**¹⁴¹ – *Last report dated January 2018.* This report provides information regarding the demographics and characteristics of DCP&P workers, as well as a variety of indicators of workforce planning and development, using fiscal year (FY) (July 1 – June 30) data. Going forward, elements of this report will be incorporated into the new comprehensive annual report described above.
- **Children’s Interagency Coordinating Council Report**¹⁴² – *Current and produced monthly.* This report details referral and service activity for CSOC. It includes demographic data, referral sources, reasons for and resolutions of calls to CSOC, information on substance use and school attendance, as well as authorized services provided.

¹³⁹ To see all Commissioner’s Monthly Reports, go to: <http://www.nj.gov/dcf/childdata/continuous/>

¹⁴⁰ To see all Screening and Investigations Reports, go to: <http://www.nj.gov/dcf/childdata/protection/screening/>

¹⁴¹ To see DCF’s Workforce Report: 2016-2017 Updates, go to

<http://www.nj.gov/dcf/childdata/exitplan/NJ.DCF.Workforce.Report-FY17.pdf>. To see DCF’s Workforce: Preliminary Highlights 2014-2015 Report, go to:

http://www.state.nj.us/dcf/childdata/orgdev/NJ.DCF.Workforce.Report_2015.pdf

¹⁴² To see all Children’s Interagency Coordinating Council (CIACC) Reports, go to:

<http://www.nj.gov/dcf/childdata/interagency/>

- **New Jersey Youth Resource Spot**¹⁴³ – *Ongoing and updated periodically.* This website offers the latest resources, opportunities, news, and events for young people served by DCF. It includes information about the Youth Advisory Network, as well as additional resources available in each county and statewide. The [NJYRS website](#) has been redesigned as a result of feedback from the Youth Council to ensure that it is “for youth, by youth.”
- **DCF Needs Assessment**– *Ongoing and updated periodically.* The SEP requires DCF to evaluate the need for additional placements and services to meet the needs of children, youth and their families involved with DCF, with each county assessed at least once every three years. New Jersey County Human Service Advisory Councils (HSACs) are charged with gathering information related to local service needs, the impact of those needs on their population, and key barriers to improved service delivery. In August 2021, DCF released the HSACs Needs Assessment Synthesis Report,¹⁴⁴ in which the Institute for Families at Rutgers School of Social Work synthesizes the HSACs needs assessment reports from all 21 counties. Currently DCF is reexamining the needs assessment process to determine how additional assessments can be effective and complementary to existing assessments.

Other DCF webpages that have been developed or significantly updated during the COVID-19 pandemic and are referenced in footnotes throughout this report:

- [DCF Race Equity](#)
- [DCF Office of Resilience](#)
- [DCF/HSAC County Needs Assessment](#)
- [DCF Office of Adolescent Services 2020-2024 Chafee Plan](#)

Given the COVID-19 pandemic, the Monitor staff were unable to complete site visits in person to discuss the reform efforts with staff and providers on the ground. However, the Monitor attended virtual gatherings with staff and other stakeholders across the state about New Jersey’s reform efforts, including a webinar about the Office of Monitoring in July 2021 and a Youth Council Briefing in November 2021. Though DCF’s ChildStat meetings and Qualitative Reviews (QR) have been suspended during the pandemic, the Monitor has continued to track the progress of DCF through web updates and regular meetings with leadership.

¹⁴³ To see the updated NJYRS, go to: <http://www.njyrs.org/>

¹⁴⁴ The HSAC Needs Assessment Synthesis Report can be found at <https://www.nj.gov/dcf/news/HSAC.Synthesis.Report-June.2.2021.pdf>

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CHARLIE AND NADINE H., *et al.*,

Plaintiffs,

v.

MURPHY, *et al.*

Defendants.

Civil Action No. 2:99-cv-03678-SRC-CLW

EXIT PLAN AND AGREEMENT

I. Preamble

The *Charlie H.* lawsuit commenced in 1999. The parties have since entered the following Court-ordered agreements: 1) the September 2, 2003 Settlement Agreement (the “SA”), 2) the July 18, 2006 Modified Settlement Agreement (the “MSA”), which superseded the SA, and 3) the November 4, 2015 Second Modified Settlement Agreement, or Sustainability and Exit Plan (the “SEP”), which superseded the MSA. Those agreements have resulted in significant improvements to the New Jersey child welfare system.

The Parties to this lawsuit—Plaintiffs, represented by A Better Childhood (“ABC”); and Defendants, the State of New Jersey and the New Jersey Department of Children and Families (“DCF”)—now enter into this Exit Plan and Agreement (the “Agreement”) in order to acknowledge Defendants’ considerable progress in working toward compliance with the applicable court orders, and to support Defendants’ continued efforts to promote better outcomes for children in foster care in New Jersey. The SEP provides that “the United States District Court for the District of New Jersey will have continuing jurisdiction to enforce the terms of [the SEP] . . . until such time as the parties agree to terminate this Agreement.” (SEP at 1.) By agreeing to the actions and commitments in the time frames specified herein, the Parties seek to establish a process and timetable for exit from Court oversight under *Charlie H.*

II. Progress of the State of New Jersey

A. Performance that has been consistently maintained at acceptable levels

The parties jointly acknowledge the progress made by the State of New Jersey in accordance with the Sustainability and Exit Plan. The State has:

- i. Successfully built and maintained transparent child welfare data system. Data indicators are published monthly to the DCF website and, through partnership

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with Rutgers, The State University of New Jersey, on the New Jersey Child Welfare Data Portal.

- ii. Successfully developed, implemented and sustained a case practice model.
- iii. Successfully built and maintained a State Central Registry.
- iv. Maintained a consistent supply of family-based placement settings to appropriately place children and made consistently strong efforts to ensure the most appropriate and least restrictive setting is available to children in need of placement.
- v. Continued to provide medical and behavioral health care to children in foster care.
- vi. Made consistent improvements in the quality and comprehensiveness of the service array.
- vii. Maintained a comprehensive training program for child welfare staff and supervisors
- viii. Successfully maintained flexible funding accounts for each Local Office to provide to eligible families.
- ix. Continued to adjust the resource family care support rate as needed to keep pace with the USDA estimates for the cost of raising a child in the urban northeast.
- x. Continued to advance and maintain strong permanency practice.
- xi. Continued to maintain strong adoption practice.
- xii. Successfully ensured that at least 80% of IAIU investigations are completed within 60 days for 14 years, since the monitoring period of January to June 2007.
- xiii. Successfully maintained supervisor:worker ratios such that 95% of DCPD offices have sufficient staffing to maintain a 5 worker to 1 supervisor ratio since the monitoring period of January to June 2008.
- xiv. Successfully maintained acceptable IAIU investigator caseloads such that 95% of IAIU investigators will have (a) no more than 12 open cases, and (b) no more than eight new case assignments per month since the monitoring period of January to June 2008.
- xv. Successfully maintained acceptable permanency worker caseloads such that 95% of local offices have average caseloads of (a) no more than 15 families,

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and (b) no more than 10 children in out-of-home care since the monitoring period of July to December 2007.

- xvi. Successfully maintained acceptable permanency worker caseloads such that 95% of permanency workers have (a) no more than 15 families, and (b) no more than 10 children in out-of-home care since the monitoring period of January to June 2009.
- xvii. Successfully maintained review of case plans such that 95% of case plans for children and families are reviewed and modified no less frequently than every six months since the monitoring period of April to December 2013.
- xviii. Successfully maintained acceptable Deputy Attorneys General staffing since the monitoring period of July 2012 to March 2013.
- xix. Successfully maintained and adequately staffed Child Health Units in each Local Office since the monitoring period of July to December 2010.
- xx. Successfully maintained caseworker contacts with children entering a new placement/placement change such that 93% of children have at least twice per month face to face contact with their caseworker within the first two months of placement, with at least one contact in the placement, since the monitoring period of April to December 2013.
- xxi. Successfully maintained caseworker contacts with children throughout their placement such that during the remainder of placements, 93% of children have at least one caseworker visit per month, in the placement since the monitoring period of July to December 2014.
- xxii. Successfully met the standard of at least 80% of cases reviewed annually for enrolling children in school and ensuring their educational needs are continually met since the monitoring period of January to June 2014.
- xxiii. Successfully maintained low rates of maltreatment of children living in out of home care such that no more than 0.49% of children in placement are victims of substantiated abuse and/or neglect by a resource parent or facility staff member since the monitoring period of January to June 2009.
- xxiv. Successfully met performance standards for timeliness of investigation completion such that 85% of all investigations are completed within 60 days since the monitoring period of January to June 2016.
- xxv. Consistently met performance standards for timeliness of investigation completion such that 95% of all investigations of abuse and neglect are completed within 90 days since the monitoring period January to June 2015.

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- xxvi. Successfully met performance standards for quality investigations, since the monitoring period of July to December 2017.
- xxvii. Successfully met performance standards for initial FTM completion so that 80% of children newly entering placement have an FTM before or within 45 days of placement since the monitoring period of July to December 2016.
- xxviii. Successfully met performance standards for subsequent FTMs such that 80% of children have three additional FTMs within the first 12 months of children entering placement since the monitoring period of January to June 2016.
- xxix. Successfully met performance standards for FTMs involving families with a reunification goal such that after the first 12 months in out of home care, 90% of those with a reunification goal have at least three FTMs per year since the monitoring period July to December 2015.
- xxx. Successfully met performance standards for families with a goal other than reunification such that after the first 12 months of entering out of home care, 90% of children with a goal other than reunification have at least three FTMs since the monitoring period of July to December 2017.
- xxxi. Successfully built a needs assessment process to regularly evaluate the need for additional placement and children in custody and their families and to support stabilization for in-home families since the monitoring period of July to December 2017.
- xxxii. Successfully met performance standards for initial case plans for children and families such that 95% of initial case plans are completed within 30 days since the monitoring period of January to June 2016.
- xxxiii. Successfully met performance standards for acceptable intake worker caseloads such that 95% of local offices have average caseloads for intake workers of no more than 12 families and no more than 8 new case assignments per month since the monitoring period of January to June 2016.
- xxxiv. Successfully met performance standards for acceptable intake worker caseloads such that 90% of individual intake workers have no more than 12 open cases and no more than 8 new case assignments per month since the monitoring period of January to June 2016.
- xxxv. Successfully met performance standards for acceptable adoption worker caseloads such that 95% of local offices have average caseloads for adoption workers of no more than 12 adoptive families per worker since the monitoring period of July to December 2015.

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- xxxvi. Successfully met performance standards for acceptable adoption worker caseloads such that 95% of individual adoption worker caseloads are no more than 12 families per worker since the monitoring period of January to June 2016.
- xxxvii. Successfully met the performance standard for parent-child contact such that 60% of children in custody with a return home goal have an in-person visit with their parent or other legally responsible family member at least weekly, unless it is prohibited by the court or it is appropriately deemed to be physically or psychologically harmful to a child since the monitoring period of July to December 2014.
- xxxviii. Successfully met the performance standard for in-person parent-child visits such that 85% of children in custody have an in-person visit with their parent or other legally responsible person at least every other week unless it is prohibited by the court or it is appropriately deemed to be physically or psychologically harmful to a child, since the monitoring period of January to June 2015.
- xxxix. Successfully met performance standard for sibling visits such that 85% of children in custody who have siblings with whom they are not residing visit at least monthly unless it is prohibited by the court or it is appropriately deemed to be physically or psychologically harmful to a child since the monitoring period of July to December 2018.
- xl. Successfully met performance standards for sibling placements such that at least 80% of sibling groups of two or three children entering custody are placed together since the monitoring period of July to December 2014.
- xli. Successfully met performance standards for placing sibling groups of four or more entering custody to be placed with at least one other sibling since the monitoring period of January to June 2015.
- xlii. Successfully met the performance standard of recruiting resource homes capable of serving sibling groups of four or more since the monitoring period of July to December 2015.
- xliii. Successfully met the performance standard for placement stability such that at least 84% of children entering out of home placement for the first time in a calendar year have no more than one placement change in the first 12 months in placement since the monitoring period of July to December 2016.
- xliv. Successfully met the performance standard for the aforementioned children such that they have no more than one placement change during the 13-24 months following the date they entered placement since the monitoring period of July to December 2016.

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- xliv. Successfully met the performance standard for maltreatment of children in their own home such that not more than 7.2% of children who remain home after a substantiation of abuse and/or neglect experience repeat maltreatment within the next 12 months since the monitoring period of July to December 2015.
- xlvi. Successfully met the performance standard for post-reunification maltreatment such that of all children who enter foster care in a 12 month period for the first time who are discharged to reunification or live with relative (s) within 24 months of entering placement do not experience repeat maltreatment within 12 months of their discharge since the monitoring period of July to December 2016.
- xlvii. Successfully met the performance standard for re-entry such that, of all children who enter placement for the first time in a 12 month period and are discharged within 12 months to reunification, living with relative(s) or KLG, no more than 9% re-enter placement within 12 months of their discharge since the monitoring period of July to December 2019.
- xlviii. Successfully met the performance standard for permanency such that of all children who enter foster care in a 12 month period, at least 42% are discharged to permanency within the first 12 months of entering care since the monitoring period of July to December 2016.
- xlix. Successfully met the performance standard for permanency such that of all children who enter foster care in a 12 month period, at least 66% are discharged to permanency within 24 months of entering care since the monitoring period of July to December 2019.
 - i. Successfully met the performance standard for permanency such that of all children who enter foster care in a 12 month period, at least 80% placement are discharged to permanency within 36 months of entering care since the monitoring period of July to December 2017.
 - ii. Successfully met the performance standard for permanency such that of all children who enter foster care in a 12 month period, at least 86% are discharged to permanency within 48 months of entering care since the monitoring period of July to December 2017.
 - iii. Successfully met the performance standard for completing independent living assessments such that 90% of youth ages 14 to 18 have an independent living assessment since the monitoring period of January to June 2015.
 - liii. Successfully met the performance standard for completing quality case planning and services for youth/young adults ages 18 to 21 who have not

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achieved legal permanency since the monitoring period of July to December 2015.

- iv. Successfully met the performance standard for ensuring youth who exit care without achieving permanency have housing since the monitoring period of July to December 2016.
- iv. Successfully met the performance standard for older youth employment/education, such that 90% of youth/young adults who exit care without achieving permanency are employed, enrolled in or have recently completed a training or an education program since the monitoring period of July to December 2016.

The parties jointly acknowledge the State's strong performance even in the face of the unprecedented COVID-19 Emergency.

B. Performance that continues to improve

The parties jointly acknowledge the State's efforts to continue to advance solid performance in the following areas:

- i. Caseworker contacts with family when goal is reunification
- ii. Quality of Teaming
- iii. Quality of Case Plans
- iv. Services to Support Transition

C. Performance compared to national benchmarks and averages

The Parties jointly acknowledge that the State's performance compares to national average performance (as reported by the Children's Bureau Child Welfare Outcomes Report, 2018 (published May 2021) as follows:

- i. Children are maltreated less often in NJ: in New Jersey, children are maltreated at a rate of 3.1 per 1,000 compared to a national average of 10.1 per 1,000
- ii. New Jersey's children are less than half as likely to die from maltreatment than in the nation on average: New Jersey's rate of child maltreatment related fatalities is 0.92 per 100,000 compared to a national average of 2.2 per 100,000
- iii. New Jersey's children experience safer foster care placements than in the nation on average: New Jersey's rate of maltreatment of children in state custody is 25% lower than the national average – a rate of 0.3% in New Jersey, compared to 0.4% in the nation on average
- iv. New Jersey successfully reunifies more children with their family of origin than in the nation on average: 61.2% of children leaving foster care exited to their family of origin, compared to 55.9% for the nation on average.
- v. Young children in foster care are more likely to live in family settings in New Jersey: Children under age 12 in New Jersey's foster care system live in group homes or institutions at 1/3 the rate of the national average: 1.3% of children in foster care under 12 in New Jersey are living in a group home or institution, compared to 3.9% for the nation on average.

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III. Oversight provided by the US Department of Health and Human Services

- A. The Parties jointly acknowledge that, during the 22 years since the onset of the Lawsuit, the US Department of Health and Human Services has built a Child and Family Services Review (CFSR) process, authorized by 1994 amendments to the Social Security Act and codified via a final rule published in the Federal Register in 2000. The CFSR enables the Children's Bureau to: (1) Ensure conformity with federal child welfare requirements; (2) Determine what is actually happening to children and families as they are engaged in child welfare services; and (3) Assist states in enhancing their capacity to help children and families achieve positive outcomes.
- B. The CFSR measures the following outcomes:
 - a. Safety
 - i. Children are, first and foremost, protected from abuse and neglect.
 - ii. Children are safely maintained in their homes whenever possible and appropriate.
 - b. Permanency
 - i. Children have permanency and stability in their living situations.
 - ii. The continuity of family relationships and connections is preserved for families.
 - c. Family and Child Well-Being
 - i. Families have enhanced capacity to provide for their children's needs.
 - ii. Children receive appropriate services to meet their educational needs.
 - iii. Children receive adequate services to meet their physical and mental health needs.
- C. The reviews also assess the following seven systemic factors that affect outcomes for children and families:
 - a. statewide information system
 - b. case review system
 - c. quality assurance system
 - d. staff and provider training
 - e. service array and resource development
 - f. agency responsiveness to the community
 - g. foster and adoptive parent licensing, recruitment, and retention
- D. The Parties jointly acknowledge that the US Department of Health and Human Services has established the Adoption and Foster Care Analysis and Reporting System (AFCARS). State and Tribal Title IV-E agencies are required to report AFCARS case-level information on all children in foster care and children who have been adopted with Title IV-E agency involvement (per §479 of the Social

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Security Act). Title IV-E agencies are required to submit the AFCARS data twice a year based on two 6-month reporting periods.

- E. The Parties jointly acknowledge that the US Department of Health and Human Services publishes annual *Child Welfare Outcomes* reports, as required by section 203(a) of the Adoption and Safe Families Act of 1997 (ASFA), which assesses state performance in operating child protection and child welfare programs under titles IV-B and IV-E. These reports are publicly available via the US Department of Health and Human Services website and customizable by state and year.

IV. Principles of the Exit Plan and Agreement

The interpretation of the provisions of this Agreement will be guided by the following non-exhaustive list of principles, the majority of which have been incorporated into New Jersey statute as indicated below:

- A. Children in out-of-home care should be protected from harm.
 - 1. Foster care should be as temporary an arrangement as possible, with its goal being to provide to children in out-of-home placements a safe, nurturing, and permanent home quickly. (NJSA 9:6B-4(j))
 - 2. If at all possible, children in out-of-home placements should be quickly and safely reunified with their biological families. If this cannot be accomplished, children need to be placed with an adoptive family, or in the permanent legal custody of an appropriate kinship family, in a timely fashion. (NJSA 9:6B-4(b) and (j); NJSA 30:4C-11.1(b),(c) and (d))
 - 3. Families should be provided with the services they need to keep them together whenever possible. Families should be provided with the services they need to allow for safe and speedy reunification whenever possible. (NJSA 9:6B-4(a) and (j); NJSA 30:4C-11.1(b))
 - 4. In making determinations about plans and services, the child's interests are paramount. (NJSA 9:6-8.8(b); NJSA 30:4C-11.1(a))
 - 5. Children in out-of-home placement should be in the least restrictive, most family-like setting appropriate for their needs.(NJSA 9:6B-4(g))
 - 6. Children in out-of-home placement should be placed in settings that promote the continuity of critical relationships: together with their siblings; with capable relatives whenever possible; and in their own communities. (NJSA 9:6B-4(b), (c) and (d); NJSA 30:4C-12.1(a))

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7. Children in out-of-home placement should have stable placements that meet their needs and should be protected from the harm caused by multiple placement moves. (NJSA 9:6B-4(h))
 8. Children in out-of-home placement should have the services necessary to address their medical and psychological needs, including those services needed to address problems arising from the child's removal from their biological family.(NJSA 9:6B-4(k))
 9. Children in out-of-home placement must have timely decision-making about where and with whom they will spend their childhood, and timely implementation of whatever decisions have been made. (NJSA 9:6B-4(j); NJSA 30:4C-61.2)
 10. Children in out-of-home placement should be protected from abuse and neglect and, to this end, investigations of allegations of abuse and neglect in out-of-home placements should be timely, thorough, and complete. (NJSA 9:6B-4(h))
 11. Adolescents in out-of-home placements should be provided with the skills, opportunities, housing, and permanent connections with caring adults they need to successfully make the transition to adulthood.(NJSA 9:6B-4(k), (m) and (n))
 12. The State shall make every effort to ensure that all children shall receive equal and appropriate access to services without regard to race, religion, sexual identity, or ethnic origin.
- B. Decisions about children in out-of-home placement should be made with meaningful participation of their families and of the youth themselves to the extent they are able to participate. (NJSA 9:6B-4(i))
 - C. In order to protect children and support families, New Jersey's child welfare system should operate in partnership with the neighborhoods and communities from which children enter care.
 - D. New Jersey's child welfare system is accountable to the public; to other stakeholders; and to communities throughout the State.
 - E. Services to children in care and their families should be provided with respect for and understanding of their culture. No child or family should be denied a needed service or placement because of race, ethnicity, or special language needs.
 - F. New Jersey's child welfare system should have the infrastructure, resources, and policies needed to serve the best interests of the children in its care.
- V. Exit from *Charlie H.* Court Oversight

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A. Execution of Agreement

1. By entering into this Agreement the Parties agree that exit from Court oversight under *Charlie H.* shall take place according to the following processes and timetables.
2. Material deviation from the processes and timetables contained in this Agreement shall constitute breach of the Agreement. *See* Sec. VI., *Compliance and Dispute Resolution.*

B. Remaining Monitoring Period

1. The Remaining Monitoring Period refers to January 1, 2022 to June 30, 2022.
2. Scope
 - i. The Parties agree that the measures described in II.A., above, have been consistently maintained by the State of New Jersey. During the Remaining Monitoring Period, these measures will be reported on by the State and monitored by CSSP in accordance with Section V of the SEP; all commitments in Section V of the SEP shall remain in full force and effect.
 1. DCF shall continue to publish performance data related to these measures to its public website in the Commissioner's Monthly Report.
 2. DCF shall continue its partnership with Rutgers, the State University of New Jersey, for the maintenance of the New Jersey Child Welfare Data Hub.
 3. CSSP shall produce a publicly available monitoring report for the period.
 - ii. In addition to reporting on the measures that have been maintained, the Parties agree that DCF will monitor and publish performance data related to Caseworker Contacts with Parents/Family Members When the Goal Is Reunification (SEP IV.F.28) for the Remaining Monitoring Period. DCF shall continue to publish performance data related to this measure to its public website in the Commissioner's Monthly Report.
 - iii. The Parties agree that the State's performance on Quality of Teaming, Quality of Case Plans, and Services to Support Transition will not be measured by a Qualitative Review during January – June 2022.
 - iv. The Parties acknowledge that, during the Remaining Monitoring Period, the State will establish a revised and comprehensive qualitative review system. This new system will include collection and review of both qualitative and quantitative data, including review of case records and interviews with families and older youth who have received services

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from DCPD. The sampling strategy will ensure sufficient measurement of the experiences of older youth and the review protocol will encompass permanency case practice elements including but not limited to engagement, assessment, case planning, teaming, performance supporting quality education of youth in foster care, and investigative practice.

- v. During the Remaining Monitoring Period, CSSP shall monitor, in addition to elements already part of existing monitoring reports:
 1. The State's progress in designing and implementing a revised and comprehensive qualitative review system.
 2. The State's progress in transitioning oversight of DCF data and outcomes to the Staffing and Oversight Review ("SORS") Committee under the New Jersey Task Force on Child Abuse and Neglect ("NJTFCAN").
3. Court oversight continues during the Remaining Monitoring Period. Plaintiffs shall maintain all existing enforcement rights throughout the Remaining Monitoring Period.
4. The State shall provide CSSP with all data and with responses to CSSP's Monitoring Needs Memo to assess performance during the remaining monitoring period according to the schedule attached as Appendix I. Assuming receipt of data according to the schedule, the Monitor shall issue a written report no later than 90 days following the close of the Remaining Monitoring Period, or by Sept 30, 2022.

C. Fairness Hearing

1. If, by October 30, or 30 days following the issuance of the Monitor's written report for the Remaining Monitoring Period, there are no assertions of material non-compliance that have either been left unresolved through mediation or raised with the Court, the Parties shall jointly petition the Court for an order preliminarily approving the settlement of *Charlie H.* and setting a fairness hearing for on or about December 30, 2022 regarding the exit from *Charlie H.* Court oversight.
2. In the joint petition, the Parties shall request that all objections and requests to be heard be submitted to the Court and counsel for the Parties in writing by November 30, 2022 or at least 30 days before the scheduled fairness hearing.
3. At the Fairness Hearing, contingent on there being no outstanding concerns of material non-compliance with either the performance requirements set forth in the SEP or with Section IV.A. of this Agreement raised to the Court by Plaintiffs, *Charlie H. v. Murphy* shall be dismissed, subject to the conditions set herein.

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4. Court oversight continues through the Fairness Hearing.

D. Transition Period

1. The Transition Period refers to the 6-month period of time immediately following the dismissal of *Charlie H.*, beginning on December 30, 2022 or the day following the fairness hearing, and ending no later than June 30, 2023. The provisions of this Agreement shall remain legally enforceable between Defendants and Plaintiffs for the period(s) defined.
2. The Center for the Study of Social Policy (“CSSP”) shall maintain the ability to review data, upon request. During the Transition Period, CSSP shall assess DCF’s performance on the Commitments made in Section VI of this Agreement.
3. DCF shall continue to publish Commissioner’s Monthly Reports to its website. CSSP will issue addendum reports describing DCF’s progress in carrying out the commitments made in Section VI of this Agreement.
4. Upon dismissal of *Charlie H.*, court oversight of the New Jersey child welfare system pursuant to the SEP will terminate. However, the Court retains jurisdiction over any disputes arising out of this Agreement. Should the Department’s performance reports or CSSP’s addendum reports identify a serious, systemic decrease in DCF’s performance or a failure by DCF to comply with the terms of the Agreement, CSSP may notify Plaintiffs, who retain the right to file a motion seeking to vacate the Court’s order ending oversight of the New Jersey child welfare system under the SEP and to restore the Court’s full jurisdiction over this action. In any action in federal court to remedy an alleged failure to comply with any terms of this Agreement, Plaintiffs shall have the burden to demonstrate that Defendants have failed to comply with the specific terms of the Agreement and that they are entitled to relief.

E. Final Exit

1. Absent the filing of an enforcement action alleging breach of this Agreement during the Transition Period, this Agreement and all claims arising from this Agreement shall expire on the 90th day immediately following Plaintiffs’ receipt of the first report regarding DCF’s performance, to be created by the SORS committee or its designee as of April 15, 2023.
2. Court oversight and jurisdiction over this Agreement has terminated.

VI. Defendants’ Commitments

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A. Defendants' Commitments During the Remaining Monitoring Period and Transition Period

1. In addition to performing as required by the SEP, Defendants shall develop a revised and comprehensive qualitative review system during the Remaining Monitoring Period to measure the quality of case practice in New Jersey's 21 counties. The new review system will serve as a substitute for the Qualitative Review ("QR") previously used by DCF.
2. Defendants shall develop the revised and comprehensive qualitative review system for review by CSSP and Plaintiffs by June 2022. Case record review tools shall be developed during the Remaining Monitoring Period and implemented during the Transition period; and family interview protocols and procedures will be implemented during the Transition Period.
3. Defendants' development of the revised and comprehensive qualitative review system shall be subject to monitoring as set forth in the SEP Sec. V. CSSP shall evaluate the sufficiency of the revised and comprehensive qualitative review system as a substitute for the QR and shall issue any related findings in its final report.
4. Defendants commit to implementing the new revised and comprehensive qualitative review system during the Transition Period.
5. Defendants shall monitor and report on the SEP measures via the Commissioner's Monthly Report, including annual updates on the Department's performance as measured by the revised and comprehensive qualitative review.
6. Defendants shall continue contracting with Rutgers University to produce the New Jersey Child Welfare Data Portal.
7. Defendants shall establish SORS under the NJTFCAN as the entity responsible for reviewing DCF's performance. Defendants shall take all actions including making all good faith efforts to enact proposed legislative changes necessary to ensure SORS is a meaningful body with membership and sufficient independent staffing to carry out its work. Execution of this Agreement is contingent upon the passing of a New Jersey statute establishing SORS as such; in the event that necessary legislative changes are not made prior to Final Exit, the parties agree to meet with CSSP to renegotiate this provision. Defendants shall recommend and support modifications of the charter and responsibilities of SORS so that in addition to reviewing staffing levels of the Division of Child Protection and Permanency ("CP&P") and developing recommendations regarding staffing levels and the most effective methods of recruiting, hiring, and retaining staff within the CP&P, SORS shall review any and all information necessary to

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review DCF's performance and develop recommendations. Defendants shall furnish such information relevant to DCF's performance and functioning, including but not limited to data on the foundational elements set forth in the SEP, all publicly available reports and dashboards, results from annual CFSR case reviews, the Annual Program and Services Report, and the results of the revised and comprehensive qualitative review.

8. The metrics for ongoing review and the timetable for production and issuance of reports by SORS shall be determined by DCF and SORS leadership, with input from CSSP during the Transition Period.
9. During the Remaining Monitoring Period, Defendants shall create the revised and comprehensive qualitative review, including:
 - a. A new record review tool, to be implemented during the Transition Period. A minimum of 690 cases per year shall be reviewed using this tool.
 - b. The record review sampling strategy will ensure sufficient measurement of the experiences of older youth. The record review shall include indicators related to, but not limited to, the following issues regarding older youth:
 1. Services to support the transition of older youth;
 2. Educational and employment outcomes for older youth;
 3. Reunification with relatives or adult connections;
 4. Housing and homelessness outcomes for older youth
 - c. The record review shall include measures related to educational stability and education for children with disabilities or in residential settings
 - d. A new family interview tool, to be implemented during the Transition Period. A minimum of 200 families per year shall be interviewed using this tool.
 - e. Revised Continuous Quality Improvement (CQI) practices, to be implemented during the Remaining Monitoring Period
 - f. Review of the quality of Investigations, to be completed by August, 2022
10. Defendants shall provide CSSP and Plaintiffs with the opportunity to review draft tools and procedures.
11. Defendants shall continue to provide CSSP access to the data and case records stored on New Jersey Statewide Protective Investigation, Reporting, and Information Tool ("NJ SPIRIT") until the conclusion of the Transition Period.
12. Defendants shall furnish to CSSP the results of the August – September 2020 Child and Family Services Review ("CFSR"), which sampled 65 cases in six counties and employed the Onsite Review Instrument ("OSRI") methodology.
13. Defendants shall embed a representative from CSSP into at least one CP&P Area Office CQI team and at least one CP&P Local Office CQI team.

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14. CSSP shall assess and report on the establishment of the SORS Committee and issue any related findings in its public performance reports.
15. By June 30, 2022 Defendants shall take steps to secure legislative support reinforcing DCF's obligation to codify certain elements of the SEP, including but not limited to caseload standards, and "provide the most appropriate and least restrictive placements, allowing children to remain in their own communities, be placed with or maintain contact with siblings and relatives, and have their educational needs met," *see* SEP Sec. II.D; and (2) to modify the mandates related to SORS to ensure it has oversight of DCF as it relates to DCF continuing to meet the Foundational Elements outlined in Sec. II of the SEP and performance metrics established by the State in consultation with CSSP and Plaintiffs. Defendants shall take all reasonable steps available to them to advance these legislative changes and ensure they become law.

VII. Defendants' Statement of Intent

Defendants agree that they intend to take the following actions immediately following Final Exit from this action, after Court oversight over the New Jersey child welfare system and Court jurisdiction over this Agreement has ended.

- A. Defendants commit to continuing to ensure that there is a statutorily mandated committee, such as a reconstituted SORS, responsible for the ongoing review of DCF performance data and outcomes. Defendants will continue to furnish to SORS 1) the information relevant to DCF's performance and functioning and 2) the resources required to carry out SORS' duties.
- B. Defendants commit that SORS shall submit an annual public report with its findings and recommendations to the Governor and Legislature, as required by state statute. Defendants additionally commit that SORS shall include findings and recommendations from their review and analysis of DCF's performance and functioning in their annual report to the Governor and Legislature. In addition to providing the annual report directly to the Governor's Office and the Office of Legislative Services, Defendants commit that SORS will provide the report directly to the heads of the Human Services Committee in both houses and the Women and Children Committee in the Assembly.
- C. Defendants commit that SORS' annual public report's findings and recommendations shall be reviewed by DCF, including by the Commissioner of DCF, the Deputy Commissioner of Operations, and the Deputy Commissioner of Policy, Legal Affairs, and Compliance.
- D. Defendants commit that DCF will implement the new constituent review process, *see* Sec. IV.B.5, by December 31, 2022. Defendants commit that the results will be

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published on DCF's public website. Defendants additionally commit that DCF will timely address the needs identified by the review.

- E. Defendants commit that DCF will implement the Local Office Review Tool, *see* Sec. IV.B.8, by December 31, 2022, and continue to implement the Local Office Review Tool on an annual basis. Defendants commit that the results will be published on DCF's public website. Defendants additionally commit that DCF will timely address the needs identified by the review, including but not limited to requiring Corrective Action Plans for any local office determined to be performing deficiently on any metric contained in the review.
- F. Defendants commit that the results of the statewide review of practice related to Investigations, Education, and Older Youth, *see* Sec. IV.B.6, will be published on DCF's public website. Defendants additionally commit that DCF will timely address the needs identified by the review.
- G. Defendants commit that DCF will continue to take all reasonable steps to advance the legislation proposed by DCF during the Transition Period. *See* Sec. IV.B.16.

VIII. Compliance and Dispute Resolution

- A. If, at the conclusion of the Transition Evaluation Period, Plaintiffs assert that there is material non-compliance on the SEP requirements or the Commitments in Section VI.A. of this Agreement, Plaintiffs may raise the concerns to Defendants.
- B. Before seeking to enforce any of the specific terms with the Court, the Parties should engage in good faith efforts for a period of up to 45 days to resolve concerns through mediation by CSSP and a neutral third party, who shall have expertise in child welfare practice, who shall have had no previous involvement with this matter, and who shall be selected by the Defendant.
- C. If the parties are unable to reach agreement through negotiation, Plaintiffs will raise the matter to the Court by filing a motion for enforcement on the *Charlie H.* docket.

IX. General Provisions

- A. This Agreement shall be governed by and construed and enforced in accordance with applicable federal statutes, federal decisional law, and the laws of the State of New Jersey.
- B. The Court will have jurisdiction over any disputes arising out of this Agreement. Plaintiffs' entrance into this Agreement is contingent upon the Court's agreement to retain jurisdiction over any disputes arising out of this Agreement.
- C. The dates of the Fairness Hearing and of the Final Settlement and Exit contemplated in this Agreement are subject to change based on the duration of time spent to resolve any

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matters of material non-compliance raised by Plaintiffs either to Defendants or to the Court.

- D. This Agreement constitutes the entire understanding between the Parties hereto and is intended as the complete and exclusive statement of the agreement between the Parties with respect to the subject matter hereof and supersedes all prior agreements and negotiations hereto.
- E. The undersigned representatives of the Parties certify that they are fully authorized to enter into and execute the terms and conditions of this Agreement and to make such Agreement fully and legally binding upon and enforceable against every Party on whose behalf they have executed this Agreement. The individuals signing for Defendants are its officials acting within the scope of their authority. The Parties stipulate, agree, and warrant that they will not challenge or contest in any way the capacity or the authority of any Party hereto to make the agreements, covenants, and stipulations herein.
- F. In the event that final approval of this Agreement is not obtained or the Agreement is deemed null and void for any reason, the Parties will revert to the positions they occupied prior to the execution of this Agreement and nothing herein shall be deemed to waive any of the Parties' claims, arguments, objections, and/or defenses.

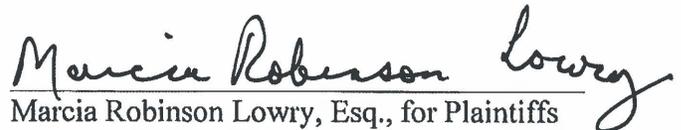
IN WITNESS WHEREOF AND INTENDING TO BE LEGALLY BOUND HEREBY, the parties, by and through their duly authorized representatives, execute this Agreement, intending that it will become effective upon its approval and entry by the Court as provided herein.



Philip D. Murphy, Governor of the State of New Jersey



Christine Norbut Beyer, Commissioner of DCF



Marcia Robinson Lowry, Esq., for Plaintiffs

IT IS SO ORDERED:

s/Stanley R. Chesler, U. S. D. .J.

Hon. Stanley R. Chesler, U.S.D.J.

DATED: ~~JUNE 21~~, _____, 2022