

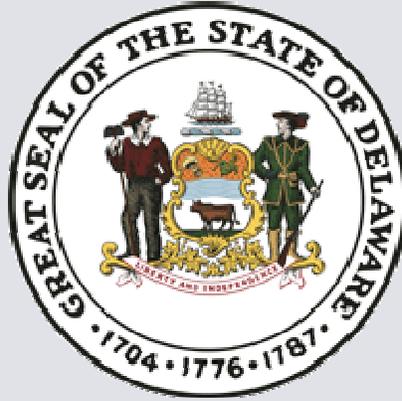
# State of Delaware

## Child Protection Accountability Commission (CPAC)



**2012 Annual Report**  
July 1, 2011 - June 30, 2012

# Our Mission



The Honorable Jack Markell, Governor  
State of Delaware

C. Malcolm Cochran, IV, Esquire, Chair  
Child Protection Accountability Commission

## MISSION

**To monitor Delaware's child protection system to ensure the health, safety, and well-being of Delaware's abused, neglected, and dependent children.**

State of Delaware  
Child Protection Accountability Commission  
c/o Office of the Child Advocate  
900 King Street, Suite 210  
Wilmington, Delaware 19801  
(302)255-1730  
(302)577-6831 (fax)



<http://courts.delaware.gov/childadvocate/>

# Our Membership - FY12

## **Secretary of the Department of Services for Children, Youth and Their Families**

**16 Del. C. §912(a)(1)**

The Honorable Vivian Rapposelli, Cabinet Secretary

## **Director of the Division of Family Services**

**16 Del. C. §912(a)(2)**

Victoria Kelly, Psy.D., Director

## **Two Representatives from the Attorney General's Office**

**16 Del. C. §912(a)(3)**

The Honorable Joseph R. Biden, III, Attorney General  
Patricia Dailey Lewis, Esquire, Deputy Attorney General, Family Division

## **Two Members of the Family Court**

**16 Del. C. §912(a)(4)**

The Honorable Chandlee Johnson Kuhn, Chief Judge  
The Honorable Joelle Hitch, Judge

## **One Member of the House of Representatives**

**16 Del. C. §912(a)(5)**

The Honorable Melanie George Smith, State Representative

## **One Member of the Senate**

**16 Del. C. §912(a)(6)**

The Honorable Patricia Blevins, State Senator

## **Chair of the Child Placement Review Board**

**16 Del. C. §912(a)(7)**

William Murray, Chair  
Julia Pearce - Designee, Executive Director

## **Secretary of the Department of Education**

**16 Del. C. §912(a)(8)**

The Honorable Lillian Lowery, Cabinet Secretary  
Linda C. Wolfe, R.N., - Designee, Director, School Support Services

## **Director of the Division of Prevention and Behavioral Health Services**

**16 Del. C. §912(a)(9)**

Susan Cycyk, M.Ed., Director

## **Chair of the Domestic Violence Coordinating Council**

**16 Del. C. §912(a)(10)**

The Honorable Patricia Blevins, Chair  
Bridget Poulle - Designee, Executive Director

## **At-large Member - Medical Community**

**16 Del. C. §912(a)(11)**

Allan DeJong, M.D., Medical Director, Children at Risk, CARE Program, duPont Hospital for Children

## **At-large Member - Interagency Committee on Adoption**

**16 Del. C. §912(a)(11)**

Mary Lou Edgar, Member of the Interagency Committee on Adoption

## **At-large members - Law Enforcement**

**16 Del. C. §912(a)(11)**

Colonel Robert M. Coupe, Superintendent, Delaware State Police  
Corporal Adrienne Owen - Proxy, Delaware State Police

## **At-large Members - Child Protection Community**

**16 Del. C. §912(a)(11)**

C. Malcolm Cochran, IV, Esquire, CPAC Chair  
Randall Williams, Executive Director, Children's Advocacy Center  
Janice Mink, Citizen  
Ellen Levin, Citizen

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# Executive Summary

In Fiscal Year 2012, the Child Protection Accountability Commission (“CPAC” or “the Commission”) met quarterly to identify system problems and advocate for system reform, to evaluate and make changes in policy, and to make legislative recommendations. CPAC also fulfilled its obligations as the Citizen Review Panel (“CRP”) and Children’s Justice Act (“CJA”) Task Force. Additionally, in May 2012, CPAC submitted its CJA Three-Year Assessment Report to the Administration on Children, Youth and Families identifying the state’s priorities for the next three year period (2012 to 2014). Further, CPAC and the Child Death, Near Death, and Stillbirth Commission (“CDNDSC”) continued their collaborative affiliation through Fiscal Year 2012. In addition to semi-annual Joint Commission Meetings, CPAC and CDNDSC hosted the Protecting Delaware’s Children Conference and continued to engage in joint committees to address recommendations from the state’s child death and near death reviews.

Through ongoing collaboration and support from its Commissioners, CPAC observed substantial achievements in many of its endeavors. CPAC’s accomplishments were influenced by both local and national trends. At the local level, CPAC has continued to take its direction from the recommendations made by CDNDSC’s Child Abuse and Neglect (“CAN”) death and near death reviews. In the same way the CPAC and CDNDSC Risk Assessment Committee was formed in response to recommendations made by the CAN Panel, the Joint Committee on the Investigation and Prosecution of Child Abuse was created to address the notable near death and death cases which were most challenging for our first responders to investigate and prosecute.

In addition to better protecting children from abuse, CPAC was determined to utilize data efficiently and to improve outcomes for children, particularly adolescents, in foster care. In September 2011, several CPAC Commissioners attended the National Convocation of Commissions on Children. During the conference, the Commissioners were tasked with developing new policy initiatives for Delaware. The group came away with three, which were subsequently adopted by CPAC. For the first priority, the group identified improving permanency outcomes for adolescents in foster care, and it was proposed that a new committee be formed to work on this initiative. The second recommendation was to focus on data and create a user friendly data dashboard to organize the information that CPAC receives and collects. To develop the dashboards for measuring Delaware’s child protection system, it was suggested that a Data Utilization Committee be formed. The final proposal was to focus on best practices related to improving educational outcomes for children in foster care. Since it relates to education, this initiative falls under the responsibility of the CPAC Education Committee. Lastly, CPAC partnered with the Governor’s Steering Committee to champion House Substitute 1 for House Bill 371. This bill, sponsored by CPAC members, Representative Melanie Smith and Senator Patricia Blevins, creates the position of Investigation Coordinator within DSCYF to monitor, coordinate, and track all cases of child death, near death, and sexual abuse to ensure a multidisciplinary civil and criminal response system.

As with the Education Committee, CPAC recognized other opportunities to enhance the work of its Committees, including Abuse Intervention, Training, and Mandatory Reporting Outreach. This was further bolstered by recent recommendations made by the CAN Panel in support of CPAC’s current priorities, such as specialized training on the identification of child abuse and neglect and mandatory reporting obligations. Through the work of these three Committees, Delaware educators were provided with resources to address teen dating and sexual violence, and many Delawareans received the mandatory reporting training or the message “See the Signs, Make the Call” as a result of the statewide outreach campaign.

CPAC’s Fiscal Year 2012 achievements were realized due to the leadership of its chair, Mike Cochran, and the Committee chairs, as well as the commitment from the agency representatives and CPAC staff. CPAC wishes to acknowledge the collaborative efforts demonstrated by representatives from the Department of Services for Children, Youth and Their Families (“DSCYF” or “the Delaware Children’s Department”), the Department of Education (“DOE”), the Department of Justice (“DOJ”), the Office of the Child Advocate (“OCA”), the Children’s Advocacy Center of Delaware (“CAC”), the Family Court, domestic violence advocates, and the adoption, law enforcement, and medical communities.

# Background and Purpose

Delaware's Child Protection Accountability Commission was statutorily created in 1997 following the death of a four year old boy named Bryan Martin. Bryan's death demonstrated the need for multidisciplinary collaboration and accountability in Delaware's child protection system. As a result, Delaware enacted the Child Abuse Prevention Act of 1997 (16 Del. C., Ch. 9), which made significant changes in the way Delaware investigates child abuse and neglect. The Child Abuse Prevention Act also made changes requiring Delaware to foster a child protection community of cooperation, accountability and multidisciplinary collaboration. Part of the strategy in that regard was the establishment of a forum for interdisciplinary dialogue and reform. That forum is CPAC.



## The statutory duties of CPAC (16 Del. C. § 912(b)):

1. Examine and evaluate the policies, procedures, and effectiveness of the child protection system and make recommendations for changes therein, focusing specifically on the respective roles in the child protective system of the Division of Family Services, the Division of Prevention and Behavioral Health Services, the Department of Justice, the Family Court, the medical community, and law enforcement agencies;
2. Recommend changes in the policies and procedures for investigating and overseeing the welfare of abused, neglected, and dependent children;
3. Advocate for legislation and make legislative recommendations to the Governor and General Assembly;
4. Access, develop, and provide quality training to staff of the Division of Family Services, Deputy Attorneys General, Family Court, law enforcement officers, the medical community, educators, day care providers, and others on child protection issues; and
5. Review and make recommendations concerning the well-being of Delaware's abused, neglected, and dependent children including, but not limited to, issues relating to foster care, adoption, mental health services, victim services, education, rehabilitation, substance abuse, and independent living.

## Delaware's Citizen Review Panel

CPAC has been designated by DSCYF in its state plan under the federal Child Abuse Prevention and Treatment Act ("CAPTA"), to serve as Delaware's Citizen Review Panel ("CRP"). Amended in 1996, CAPTA requires that CPAC, in its role as CRP, examine the policies, procedures and practices of state and local agencies and, where appropriate, specific cases to evaluate the extent to which state and local child protection system agencies are effectively discharging their child protection responsibilities. CPAC partners with CDNDSC in its reviews of specific cases. For more detail, please see page 12.

## Children's Justice Act Task Force

The Children's Justice Act ("CJA") provides grants to States to improve the investigation, prosecution and judicial handling of cases of child abuse and neglect, particularly child sexual abuse and exploitation, in a manner that limits additional trauma to the child victim. CPAC became the Children's Justice Act Task Force in FFY08. For more detail, please see page 12.

# Delaware's Child Protection System

Since CPAC was created, Delaware has continued to enhance its interdisciplinary approach to protecting children from abuse and neglect. The approach, which is often referred to as the multidisciplinary team ("MDT"), relies on the collaborative intervention of various system partners.

An essential component to ensuring the success of this approach has been the Delaware Children's Department, which is comprised of three service divisions - the Division of Prevention and Behavioral Health Services ("DPBHS"), the Division of Youth Rehabilitative Services ("DYRS"), and the Division of Family Services ("DFS"). Collectively these divisions are responsible for the provision of services to children exposed to abuse, neglect, abandonment, delinquency, mental illness, and/or substance abuse.

More specifically, as the child welfare agency, DFS is statutorily responsible for receiving and investigating reports alleging child abuse, neglect, and dependency. In FY12, DFS received 16,678 reports of child abuse, neglect and dependency, which was a 19% increase compared to last year and the largest number of reports in DSCYF history. DFS investigated 8,782 (53%) of those reports received and substantiated 1,718 (22%) cases. These cases are often initiated when a child victim of abuse or neglect is first identified by a professional who routinely interacts with children, such as the education, medical or law enforcement communities.

Oftentimes, multidisciplinary collaboration is necessary. In fact, for any report that may involve a criminal offense against a child, DFS and law enforcement will investigate jointly. Also, whenever appropriate, cases will be referred to the CAC, where the MDT often formally convenes to conduct a forensic interview, medical examination and/or mental health screening. Death and near death cases are also referred to CDNDSC.

## Implementation of Structured Decision Making®

Following the Risk Assessment Committee's FY11 proposal to the Joint Commissions in support of the Structured Decision Making ("SDM") Model®, CPAC and CDNDSC recommended that DSCYF adopt SDM in its entirety and as properly tailored for Delaware. SDM uses a series of evidence-based assessment tools to support case workers in their response to key decision points during a case, which results in more consistent and valid decisions among case workers in the child welfare system. In May 2012, due to strong leadership within DSCYF and support from the Governor and General Assembly, DFS implemented SDM at the Hotline.

DFS plans to phase in the other SDM components for Investigation and Treatment Services, including the safety assessment, risk assessment, reunification assessment, and family strengths and needs assessment. To support implementation of the model, CPAC approved the allocation of CJA funds for training.

Additionally, DFS developed a concurrent plan to implement a Differential Response system, which allows for either a traditional investigation or a Family Assessment and Intervention Response for screened in reports of child abuse and neglect. In contrast to traditional investigations, Family Assessments involve identifying the family's strengths and needs and offering tailored voluntary services in response. Differential Response gives Delaware the opportunity to meet the diverse needs of families involved in its child welfare system. The CAPTA Reauthorization Act of 2010 has supported states in their implementation of this approach.

As a vital member of the MDT, the Criminal Division of the Department of Justice determines whether there is sufficient evidence to prosecute those responsible for inflicting harm on children. The DOJ Family Division assumes several roles, civil and criminal, one of which is to provide legal representation to DSCYF in Family Court. DOJ also has designated several attorneys across Divisions to pursue civil remedies against perpetrators of child abuse, including civil substantiations, licensure proceedings and fraud, increasing the chances of protecting children where criminal remedies are either insufficient or unavailable.

Through frequent hearings, Family Court Judges were responsible for monitoring over 1,300 children in the legal custody of DSCYF during Fiscal Year 2012. On average, 31% of these children are ages 0 to 4; 17% are 5 to 9 years of age; 13% are ages 10 to 13; and 39% are 14 to 17 years of age. By county, 55% of these children reside in New Castle County, 25% reside in Kent County, and 20% reside in Sussex County.

These same children are entitled to representation of their best interests throughout the proceedings, which OCA and the Court Appointed Special Advocate Program ("CASA") are statutorily charged and publicly funded to provide. Of those children, 56% are represented by OCA, and 43% are represented by CASA. To accomplish this task, OCA and CASA draw on a sizeable pool of volunteers.

Children in DSCYF custody also receive extensive care and support from the foster care, adoption and medical community. Thus, Delaware relies on the collective resources of the Family Court, DOJ, OCA and CASA, as well as the Children's Department, the service providers, and the community, to provide safety, well-being and permanency to its vulnerable children.

# Accomplishments

In Fiscal Year 2012, CPAC established three new committees, two of which were created to improve outcomes for children involved in Delaware's child welfare system. First, the Joint Committee on the Investigation and Prosecution of Child Abuse was formed in response to recommendations from CDNDSC's Child Abuse and Neglect ("CAN") death and near death reviews. The second committee was established to improve Permanency Outcomes for Adolescents. The third committee, Data Utilization, was created to inform system improvements and CPAC recommendations through the use of data. In addition to committing to several new initiatives, CPAC focused its resources on improving educational outcomes for children in foster care, enhancing the training programs in the state, unveiling its mandatory reporting outreach campaign, developing guidelines to respond to teen dating and sexual violence, and supporting legislation that will better protect children.

### Investigation and Prosecution

In December 2011, CPAC and CDNDSC held their semi-annual joint meeting and approved the creation of the Joint Committee on the Investigation and Prosecution of Child Abuse. The charge of this Committee is to research and develop statutes, policies, procedures and/or trainings that reflect best practices for better protecting children from abuse by optimizing the opportunities to appropriately punish perpetrators of abuse crimes against children.

The Committee is led by co-chairs, Mike Cochran, Esquire and Senator Patricia Blevins, and the membership includes representatives from the following agencies: AI duPont Hospital, Child Development Watch, CDNDSC, CPAC, Delaware State Police ("DSP"), DOJ, Family Court, New Castle County Police Department ("NCCPD"), OCA, and Wilmington Police Department ("WPD"). The Committee began meeting in February of 2012, and its current priority is to collect and analyze Delaware data on child abuse death and near deaths and best practices nationwide.

The group began by analyzing the trends in a total of 95 cases referred to the CAN Panel between 2001 and 2011. Of those 95 cases, the criminal dispositions predominantly resulted in convictions for Assault and/or Endangering the Welfare of a Child. The Joint Committee plans to use this data to guide where opportunities are for improvement, which includes drafting legislation, developing a Best Practices for Investigation and Prosecution Handbook, and ongoing multidisciplinary training.



### Permanency for Adolescents

At the end of Fiscal Year 2012, 38% of the children in the legal custody of DSYCF were between the ages of 14 and 17, which was the highest representation of children for the various age groups. Further, following Annie E. Casey Foundation's assessment on Delaware's child welfare system, permanency for teens was noted as a key area needing improvement and this was conveyed to CPAC at its January 2012 meeting. In February of 2012, CPAC held a retreat to discuss priorities for the next three years, which included an analysis of strategies to promote permanency for teens.

Focusing on this priority, CPAC approved the creation of the Permanency for Adolescents Committee after it was identified as a priority by Delaware representatives at the National Convocation of Commissions on Children. The charge of the Committee is as follows: to improve outcomes for adolescents in foster care by developing best practices, policies, procedures and statutes that create lasting connections for adolescents, that exit them in a timely fashion from foster care with appropriate caregivers, that reduces the number of children with a goal of Alternative Planned Permanent Living Arrangement ("APPLA"), that pursues legal strategies for keeping connections, and that has appropriate placements for youth that create stability and success while in foster care. Since this Committee was not created to duplicate the work of any other groups or initiatives assisting adolescents in foster care, it will instead identify ways to complement or fill the gaps which still exist in Delaware's child protection system.

The Committee is led by co-chairs, Dr. Victoria Kelly and Judge Peter B. Jones, and the membership includes representatives from the following agencies: Annie E. Casey Foundation, Child Placement Review Board ("CPRB"), Delaware Girls Initiative, Delaware Youth Opportunities Initiative ("DYOI"), DOJ, DFS,

# Accomplishments (cont.)

DPBHS, Family Court, OCA and Peoples Place Group Home. The Committee began meeting in January of 2012, and utilized the Anne E. Casey Assessment and strategies developed at the CPAC retreat to provide guidance on identifying its priorities. The Committee now also serves as the DYOI Permanency Working Group.

As a result, the Committee determined that its primary focus will be to provide oversight and/or coordination for existing groups assisting adolescents in foster care and to identify barriers to achieving permanency and to outline a plan to address those barriers. Thus far, the group has prioritized the following barriers or gaps in service: Children entering DFS custody through the juvenile justice system; Reinstatement of parental rights; Post-Adoption Privileges Agreement; Criminal background checks of individuals in foster homes; Expungement discussions for juveniles with criminal records at Stairways to Encourage Personal Success (“STEPS”) meetings; Waiver of court fees/costs for children in DFS custody; Support of Juvenile Sex Offender bill; Subsidized guardianships; and Non-relative placements. Consequently, the Committee has begun to identify strategies to address each of these items. Several of the strategies include researching and/or developing protocols or practices, drafting new legislation, and consulting with other child welfare professionals to obtain further guidance or support. The Division of Family Services together with Family Court is also planning a Permanency Summit in November 2012 to further support this important initiative.

## Data Utilization

In addition to permanency for teens, the Delaware representatives at the National Convocation of Commissions on Children identified the need to use the voluminous data reported to CPAC more efficiently. In October 2011, CPAC also approved the creation of the Data Utilization Committee. The charge of the Committee is as follows: 1. To assess the voluminous data presented to CPAC on a quarterly basis, and determine: (a) if it is the right data and if it is relevant; (b) if there is other data needed to monitor the child protection system; and (c) if the data or analysis of it is outcome driven; 2. To develop dashboards for measuring Delaware’s child protection system which will be reported out to CPAC on a quarterly basis; and, 3. To use the dashboards to inform system improvement and CPAC initiatives.

The Committee is led by Corporal Adrienne Owen of the Delaware State Police, and the membership includes representatives from the following agencies: CPRB, Children and Families First, DSP, DFS, Family Court, and OCA. The Committee began meeting in January of 2012, and its current priority is for representatives to consider what data their agencies track and the method by which is tracked, and whether it can be cross-referenced with other agencies’ data to determine if there is a correlation. The group intends to create user friendly dashboards to integrate the data and present the information. For this purpose, seven data points were identified: child welfare caseloads; processing of child abuse cases; removal/substantiation findings; permanency outcomes; adolescent outcomes; re-entry/reoccurrence of maltreatment; and placement stability disruptions. Using these data points, the Committee plans to look for trends in the data collected by various agencies between 2007 and 2011. Since there is no national model that has created dashboards using multi-agency data, the group may attempt to gain technical assistance from Annie E. Casey Foundation.

## Educational Outcomes

The Education Committee, chaired by Linda C. Wolfe, M.Ed., R.N., Director of School Support Services for DOE, continued its work in Fiscal Year 2012 with the following goals and the workgroups focused on the same: 1. Provide administrative oversight of the MOU between DSCYF and DOE by: a) identifying and monitoring data points related to educational success; (b) reviewing responsibilities, staff familiarity and effectiveness; (c) transitioning activities; communicating; and (d) recommending changes, as needed; 2. Improve system collaboration between child welfare and education through training, curriculum development, and enhanced communication. The curriculum shall include training modules on child welfare/education policies, collaboration, and programs; and 3. Study the educational success of children in foster care through the collection and analysis of data, and make recommendations for system improvement and performance measures as a result thereof. These goals were further supported by the Delaware representatives at the National Convocation of Commissions on Children, as well as two other national convenings of the Courts, child welfare, and education in November of 2011 and March of 2012.

In the previous fiscal year, the Committee began to study the educational success of children in foster care by conducting a data comparison of youth in foster care and the general population. For this purpose, the

# Accomplishments (cont.)

Committee identified several key areas related to student success: graduation rates, attendance, special education enrollment, and state test scores. At the same time, the Committee also began to collect data on the number of school-aged youth, the number of foster home placements during the youth's lifetime and school year, the youth's involvement with DFS, DYRS and/or DPBHS, and the length of placement for school-aged youth. Since Fiscal Year 2011, the group has collected the data for the 2009-2010 and 2010-2011 school years.

For the first year of data, the Committee found few significant disparities between the two populations of youth for attendance and graduation rates. With regards to the graduation rates, it was noted that a point in time snapshot was used rather than a cohort analysis, which would have compared the two populations from the time they entered high school. On the other hand, a greater disparity was discovered when making a comparison using special education services and Delaware State Testing Program ("DSTP") scores.

Subsequently, the Committee was able to use the baseline data to make a comparison with the data collected during the second year. According to the recent data, the attendance rates were very similar for the two populations, which is consistent with last year's findings. However, this year, a greater disparity was discovered when making a comparison using graduation rates and special education services. For instance, 68% of students in foster care graduated as compared to 91% of the general student population. In other words, there were 31 seniors in foster care and 10 did not graduate. In comparison, for the 2009-2010 school year, 3 of the 26 seniors in foster care failed to graduate, and as a result, there was less of a disparity with the general student population. Similarly, special education services were comparable for youth in foster care over the last two years. Specifically, for the 2010-2011 school year, 42% of students in foster care received special education services as compared to 16% of the general student population.

For the prior school year, 40% of students in foster care received special education services as compared to 15% of the general student population.



Since the Delaware Comprehensive Assessment System ("DCAS") replaced the DSTP, a comparison between the two years cannot be made using the state test scores. However, this year's data can be used to identify trends and inform recommendations. For reading and social studies, it appears that as students in foster care move into a higher grade their proficiency also declines. For example, 46% of third grade students in foster care met or exceeded the DCAS Reading standard as compared to 25% of tenth grade students in foster care. Moreover, 63% of tenth graders in the general student population met or exceeded the DCAS Reading standard. On the contrary, the data appears to show no significant change in proficiency for math and science as students in foster care move into a higher grade. For instance, 29% of third grade students in foster care met or exceeded the DCAS Math standard as compared to 32% of tenth grade students in foster care. However, 59% of tenth grade students in the general student population met or exceeded the DCAS Math standard.

In addition to the data points identified related to student success, the Committee collected placement data for school-aged children. During the 2010-2011 school year, 770 school-aged children were in foster care, and 228 of those children entered care for the first time during the school year. While 57% of all school-aged children in care had only one placement during the school year, the remaining children had two or more placements. For instance, 9% of those children had 5 to 10 placements in a DFS, DYRS and/or DPBHS facility during the school year. Since approximately four months of academic achievement is lost each time a child moves to a new placement, the Committee will continue to analyze this data and make recommendations for placement stability.

As a result of this data and the priorities established at the National Convocation of Commissions on Children, the Committee has been tasked with creating recommendations to improve the educational outcomes for children in foster care. Some of the recommendations

include: utilizing college student teachers to help with literacy, enhancing the stability of foster home placements, and providing increased support and/or incentives for foster parents who provide educational support.

# Accomplishments (cont.)

Representatives from the Education Committee are also participating in the development of a Delaware Education Summit, which is being planned for the Spring of 2013. It will parallel the goals of the National Education Summit, which was attended by representatives from DSCYF, DFS, DOE, and Family Court. With Family Court leading the initiative, the Summit will host representatives from several local schools and districts, who will participate in the creation of action plans to support the educational success of children in foster care under their purview.

In addition to improving educational success, the Committee has also continued to provide administrative oversight of the Memorandum of Understanding (“MOU”) between DOE – Local Education Agencies and Charter Schools and DSCYF – DFS, DPBHS, and DYRS, which was signed on December 16, 2008. As a result, the Committee disseminated its yearly survey in February 2012 to determine if the respective agencies had been successful with following the responsibilities outlined in the MOU and if the MOU had in fact increased multidisciplinary cooperation between the schools and DSCYF. Over 300 responses were received from the following respondents: homeless liaisons in each district, homeless coordinators in the schools, social workers, school nurses, counselors, administrators, DFS investigation and treatment staff, and education staff at the DPBHS and DYRS who are responsible for youth transitioning to/from a licensed or contracted DSCYF program. As a result of the feedback, the Committee approved revising the MOU to address specific concerns with Student Enrollment/Withdrawal for School Procedures, Best Interest Meetings and Child Abuse Reporting and Investigation. Moreover, there was a need to revise the references to the Mandatory Reporting law since the statute was amended on June 30, 2010.

Although the MOU serves as a resource designed to enhance communication and collaboration, the Education Committee determined that additional tools are

needed for child welfare and educational professionals. For instance, the Committee is developing a school cheat sheet for school personnel, so that they know who to contact for situations that arise with children in foster care. The Committee is also researching ways to better assist schools with identifying children in foster care. Additionally, the group continues to explore training opportunities to improve information sharing and interdisciplinary cooperation between child welfare and education professionals. Keeping this goal in mind, the Committee supported the creation of the mandatory reporting training for educators, which combines the general mandatory reporting training with an overview of the MOU. The training will serve as the required training for all full-time public school teachers in the detection and reporting of child abuse per 14 Del.C. § 4123(a). Prior to the start of the 2012-2013 school year, the Committee will have the opportunity to review and approve the MOU slides, and then the training will be available on-site and online to those employed in the school system.

## Training Initiatives

To promote support of the mandatory reporting training for educators, as well as other child welfare trainings and resources for Delaware schools, Tania Culley and Rosalie Morales from OCA, Cara Sawyer from the Domestic Violence Coordinating Council (“DVCC”), and Kellie Turner from Prevent Child Abuse Delaware (“PCAD”) presented to the Delaware Chief School Officers Association in June of 2012. The group highlighted the components, availability, and contact agency for each of the following programs: Mandatory Reporting Training, the Guidelines for Responding to Teen Dating and Sexual Violence in Delaware Schools, Darkness to Light’s Stewards of Children Program, and PCAD’s Personal Safety Program. Following the presentation, Deborah Wicks, the Superintendent for the Smyrna School District, committed her staff to on-site mandatory reporting training in August. By receiving an endorsement from the superintendent, an entire district will receive on-site training, which was the goal of this presentation.

The Training Committee, co-chaired by Rosalie Morales and Anne Pedrick, Executive Director of CDNDSC, has been charged with ensuring the training needs of the child protection system are being met through ongoing, comprehensive, multi-disciplinary training opportunities on child abuse and/or neglect. To comply with this mandate, the Committee established a structure in which the progress of the training initiatives throughout the state would be monitored and



# Accomplishments (cont.)

evaluated through four workgroups: the Mandatory Reporting Workgroup, the Child First/MDT Workgroup, the Joint Conference Workgroup, and the Cross-Education Workgroup.

The Mandatory Reporting Workgroup was tasked with providing oversight of the existing mandatory reporting training programs for physicians, nurses, law enforcement and the Department of Justice, as well as for general community and professional audiences.

Through the assistance of the Children's Justice Act ("CJA") Training Coordinator, the workgroup also maintains the number of professionals trained, evaluates and/or revises the programs, and develops curricula for other disciplines as needed.

With the assistance of its volunteer trainers, CPAC continued to provide mandatory reporting training to the general community and various disciplines through on-site and online presentations. However, the training for law enforcement and the Department of Justice was the exception since the statutory obligations to complete the training are unique for the two disciplines. For instance, police officers are mandated to complete the training as a requirement of initial employment per 11 Del.C. § 8404(a), and every Deputy Attorney General in the Criminal and Family Divisions is required to complete the training every three years per 29 Del.C. § 2511(a)(3).

Similarly, for initial employment and as part of the license renewal process, professionals covered under the Medical Practice Act are required to complete training on the recognition of child sexual abuse, physical abuse, exploitation, and domestic violence, as well as the reporting obligations under the Medical Practice Act and section 903 of Title 16. Consequently, the Division of Professional Regulation determined that the CPAC Training, *Child Abuse Identification and Reporting Guidelines for Delaware Medical Providers*, satisfied the requirements for all licensees of the Delaware Board of Medical Licensure and Discipline. Since July 2011, the online presentation was utilized to train 385 physicians, physician's assistants, respiratory care practitioners, and paramedics online. The training is available online at: <http://courts.delaware.gov/childadvocate/physicians.stm>.

Although not available online or statutorily mandated, *Child Abuse Identification and Reporting Information for Delaware Nurses* was created due to the increased demand to train audiences consisting primarily of nurses. Since July 2011, on-site trainings were

co-presented by a DFS regional employee and a physician to nurses at the Beebe Medical Center, the Division of Public Health, and the Delaware Technical and Community College. In total, 266 nurses were trained.

However, the CPAC mandatory reporting training session for general audiences, *How to Identify and Report Child Abuse and Neglect in Delaware*, has continued to be the most requested training session. The attendance increased dramatically after DFS identified this training as the approved program for schools. Since July 2011, 30 on-site training sessions have been held and 1275 professionals were trained. The professionals have been comprised of teachers, schools nurses, guidance counselors, K-5 Early Intervention Family Crisis Therapists, and contract providers for the DPBHS. At the end of December 2011, the training also became available online at: <http://courts.delaware.gov/childadvocate/CPACtraining.stm>. Since that date, 77 professionals have been trained online. However, an increase in online training is anticipated due to the efforts of the Mandatory Reporting Outreach Campaign.

Figure 1: Child First Delaware Logo



In addition to training professionals about identification and reporting of child abuse, CPAC has continued to focus on multi-disciplinary training. After assuming administrative responsibility for facilitating the Child First Forensic Interviewing Training, OCA on behalf of CPAC, proposed that the existing Steering Committee for Child First become a workgroup under the Training Committee. This was approved in January of 2012. Also, during the same fiscal year, two training sessions were held on October 3-7, 2011 and April 23-27, 2012, and a total of 60 professionals were trained.

# Accomplishments (cont.)

Of the professionals trained, 23 were from DFS, 12 were from DOJ, 10 were from law enforcement, 6 were from CASA or OCA, 1 was from the CAC, and 8 were from other child welfare agencies.

In September 19-22, 2011, the Child First team utilized CJA funds to send the Kent County multi-disciplinary team, which is comprised of representatives from DFS, CAC, DOJ, and DSP, to the national When Words Matter Conference. The conference gave the team members an opportunity to learn advanced forensic interviewing skills with the goal of enhancing the manner in which child abuse and neglect is investigated and prosecuted in Delaware. CPAC staff members were also present to explore opportunities to bring this advanced training to Delaware.

Then, in December 2011, the Children's Advocacy Center of Delaware hosted CornerHouse for Advanced Forensic Interviewing Training, which included presentations on Modifications to RATAC® for Physical Abuse and Witness Interviews and Working with Victims and Witnesses Who Have Developmental Disabilities. Soon after, in April 2012, the CJA Training Coordinator, a DFS representative, and staff members from CPAC and PCAD attended the 18<sup>th</sup> National Conference on Child Abuse and Neglect in Washington, DC. Sessions were grouped into one of seven learning clusters, which were as follows: Partnering to protect children, youth and families; Building a research agenda to inform and improve practice; Preventing child maltreatment while focusing on early intervention; Engaging parents and youth; Developing the workforce; Reaching underserved populations; and Advancing system partners. The Delaware representatives left with significant knowledge to inform current practice and to support new initiatives identified by CPAC.

Supporting and enhancing current practice in investigations and prosecutions of child abuse cases was also a goal shared by CPAC and CDNDSC in planning the Protecting Delaware's Children Conference. With significant funding garnered from the Federal Court Improvement Program under Family Court, the statewide conference was held on October 16-17, 2011, and nearly 500 child welfare professionals convened in Dover, DE for the two-day event. To address emerging issues in child welfare, the Training Committee identified advanced workshops from national and local subject matter experts. In fact, the conference began with an innovative approach to using works of art to help enhance the skills of child welfare professionals.

Through the Art of Perception®, Amy Herman, JD, invoked participants to reconsider how we observe and communicate case specific information. Equally as inspiring, plenary speakers, Dr. Cindy Christian from the Children's Hospital of Philadelphia and Chris Newlin from the National Children's Advocacy Center, emphasized working in multidisciplinary teams to protect children. Additionally, several key speakers from the National Child Protection Training Center were invited to speak on topics such as Family Violence and Child Abuse, Allegations of Sexual Abuse in High Conflict Divorcing Parents, Non-Verbal Children and Evidence Based Prosecution, and Uses and Misuses of Expert Testimony. Several of these experts were also presenters at the When Words Matter Conference. The conference was a success due to the collaborative efforts demonstrated by the agencies represented on the Training Committee. The Training Committee's Joint Conference workgroup plans to host the next Protecting Delaware's Children Conference during the Spring of 2013.

Lastly, in FY13, the Training Committee will unveil the work of its Cross-Education Workgroup, which is charged with ensuring that fundamental cross-education training, on the roles and responsibilities of individual agencies, is available in different venues. Trainings developed by the various agencies will be featured on OCA's website under Introduction to Child Welfare Agencies/Services. This is the same location for Delaware's Child Welfare Training Calendar, which highlights local and national opportunities for training and education.

### Mandatory Reporting Outreach

In addition to training, educating the community on recognizing the signs of child abuse and raising awareness about Delaware's mandatory reporting obligations continued to be a priority for the fiscal year. In fact, CPAC and CDNDSC's Mandatory Reporting Outreach Committee, co-chaired by Anne Pedrick and Randy Williams, Executive Director of the CAC, followed through with its action plan to develop and/or coordinate two core initiatives: media activities and community education. In the prior fiscal year, the Committee's efforts included, developing a brand identity, securing a website, and establishing the Protecting Delaware's Children Fund at the Delaware Community Foundation. After concluding these initial activities, the Committee was able to focus its efforts on developing an outreach campaign for the month of April, which is Child Abuse Prevention and Awareness Month. Funding received from CDNDSC and CJA enabled the

# Accomplishments (cont.)

group to unveil its media activities and broadly disseminate its message, See the Signs, Make the Call, through the distribution of posters and magnets and the release of public service announcements and statewide billboards in English and Spanish. In the future, the Committee hopes to demonstrate significant progress and garner additional funding to support the media outreach annually.

Figure 2: Media Campaign's Spanish Logo



As a second priority, the Committee is charged with coordinating community education and prevention activities to ensure that the private and public sectors have knowledge of the child abuse prevention programs available across the state. One such program, Darkness to Light's *Stewards of Children* prevention program, was implemented during the previous fiscal year. However, it continues to be a priority for Delaware and the lead agencies committed to training 35,000 Delawareans by March 2016. Specifically, PCAD, the YMCA of Delaware, and DOJ have continued to engage multiple government and non-profit child serving agencies through press conferences, training of staff, and the development of facilitators to take the program into the community. To bolster the effort, the YMCA of Delaware was awarded a grant from the Delaware Community Foundation to fund a Program Director for the project.

At the end of the fiscal year, 64 facilitators had been trained and close to 3,000 participants received the three-hour *Stewards of Children* training since the program's inception. Participants have included personnel from all the major universities throughout the state, Family Court staff, and employees at the Children's Department who are participating in the training online. By committing their staff, these

organizations communicated the importance of the program to the community and pledged their support for the prevention of child sexual abuse. For more information on Delaware's initiative or to participate in the training on-site or online, please go to [www.stewardsofchildrendelaware.org](http://www.stewardsofchildrendelaware.org).

## Abuse Intervention

Since many of CPAC's initiatives were supported by CJA funds, CPAC relied on the expertise of the Abuse Intervention Committee, chaired by Patricia Dailey Lewis, Director of the Family Division for DOJ, to provide oversight for the CJA grant activities. Since the Committee has provided measurable oversight of the CJA grant for years, its members are responsible for identifying system priorities, developing recommendations, and implementing activities related to the CJA grant with the approval of CPAC.

As a result, the Committee meets on a quarterly basis to receive progress updates on the activities and/or recommendations identified in the CJA Annual Progress Report and Three-Year Assessment.

For instance, *Child First* Forensic Interviewing Training was identified as a proposed funding activity for Fiscal Year 2012, and \$36,000 was allocated to facilitate the training. However, in the last year, the *Child First* trainings were primarily funded by the Federal Court Improvement Program under the Family Court. As a result, the Abuse Intervention Committee proposed and supported the reallocation of these funds. In January of 2012, CPAC, as the CJA State Task Force, reviewed and approved the proposal from the Abuse Intervention Committee to reallocate \$40,000 to support the training of DFS staff following the implementation of the Children's Research Center Structured Decision Making® Model and to publicize Delaware's Child Abuse and Neglect Report Line number and the need to intervene on behalf of abused and neglected children.

In the same way, this Committee has been responsible for planning and administering the Three-Year Assessments. On February 24, 2012, a strategic planning meeting was held to develop recommendations for the 2012-2014 grant period. Approximately 25 members of CPAC and the Abuse Intervention Committee participated in the meeting, which was co-facilitated by Linda Shannon, the CJA Grant Manager, and Mariann Kenville-Moore, the Committee representative. During the meeting, a brief PowerPoint was presented to provide an overview of the CJA grant, noting the types of

# Accomplishments (cont.)

permissible activities, current activities funded, areas previously funded, and accomplishments since the last assessment. CPAC identified three goals related to training and education initiatives, investigation and prosecution of child abuse cases, and infant unsafe sleeping fatalities due to abuse or neglect. For more detail, please see opportunities for the future.

Previously, in April 2011, CPAC authorized a change in grant management from DFS to OCA on behalf of CPAC. In FY12, the Criminal Justice Council has agreed to fiscally manage the grant on behalf of the CPAC via the OCA effective October 1, 2012. Because OCA provides staffing support to CPAC, it has been determined that this realignment will provide a more practical approach to administering the funds.

In addition to providing oversight for the CJA grant activities, in December 2010, the Abuse Intervention Committee created a workgroup to discuss and formulate recommendations for Delaware schools to appropriately address suspected violence, either physical or sexual, towards teens in intimate relationships and partnered with the DVCC on the same. The workgroup's membership included representatives from the following agencies: Department of Education, Planned Parenthood, Contact Lifeline, Division of Public Health, Prevent Child Abuse Delaware, Division of Family Services, Department of Justice, Office of the Child Advocate, Delaware Coalition Against Domestic Violence, and DVCC.

For over a year, the workgroup met on a regular basis developing reporting guidelines, which are based on national best practices and standards. In May of 2012, CPAC approved the *Guidelines for Responding to Teen Dating and Sexual Violence in Delaware Schools*. In addition to providing guidance as to what reports should be made to the DFS Hotline, the document provides a blueprint for creating a comprehensive and effective response to teen violence and/or abuse, teen pregnancy, and youth-produced sexual images.

Since the DVCC's Teen Dating Violence Task Force originally made the recommendation for model policy and procedure in May of 2010, the DVCC was given the authority under Senate Bill 206 to review and advise the schools on the implementation of teen dating and sexual violence policies and the Guidelines will be a critical component in this. Training is also being developed by the DVCC.

## Legislative Initiatives

The Legislative Committee, chaired by Tania Culley, met twice during the fiscal year and prepared a list of proposed legislation to determine which bills within CPAC's purview it would support and which it would oppose. On May 23, 2012, CPAC convened its Annual Legislative Meeting and supported 13 bills. The final bill presented, House Substitute 1 for House Bill 371, was drafted by the Governor's Steering Committee. The first provision of the bill is to implement a tracking system for all child death, near death, and sexual abuse cases. The bill will also establish an Investigation Coordinator position within DSCYF to monitor, coordinate, and track these cases to ensure a multidisciplinary civil and criminal response system. The bill was sponsored by CPAC members, Representative Melanie Smith and Senator Patricia Blevins, and it was passed by the Delaware General Assembly in June. CPAC partnered with the Governor's Steering Committee to champion this bill.



# Federally Mandated Panels & Task Forces

## Citizen Review Panel

### Background and Purpose

In 1996, Congress amended CAPTA and required states to establish Citizen Review Panels by July of 1999 in order to receive funding for the Child Abuse and Neglect State Grants Program. It was amended to direct the focus of the state grant program to support and improve child protective services (“CPS”) agencies, and it authorized the annual award of funds to states that submit a CAPTA State Plan every five years.

From 1995 through 2004, the Child Death Review Commission served as Delaware’s CRP. Then, in 2004, CPAC was designated as the CRP.

### Statutory Requirements

Although CAPTA defines the functions of the CRP broadly and generally, it requires panels to meet at least quarterly and maintain confidentiality. It further mandates the panels to examine the policies and procedures of CPS agencies. Where appropriate, it gives panels the authority to examine specific cases handled by the CPS agencies. Specifically, the purpose of the CRP is to provide oversight to CPS. As a result, panels must monitor for agency performance in four key areas: the state CAPTA Plan; coordination with Title IV-E foster care and adoption programs; review of child fatalities and near fatalities; and other criteria the panel considers important.

### Accomplishments in FY12

CPAC fulfilled its duties as the CRP by meeting quarterly to examine the policies and procedures of DFS, as well as meeting twice a year with the CDNDSC to discuss recommendations from child death and near death reviews. To strengthen the work of DFS, CPAC supported implementation of the SDM Model®, engaged in training activities and a mandatory reporting campaign to create awareness of the obligation to report child abuse, and advocated for legislation to improve the multidisciplinary response to cases of child death, near death, and sexual abuse. CPAC also monitored educational outcomes for children in foster care and created a committee to improve permanency for adolescents. For more detail, please refer back to the following sections: Delaware’s Child Protection System, Training Initiatives, Mandatory Reporting Outreach, Legislative Initiatives, Educational Outcomes, and Permanency for Adolescents.

## Children’s Justice Act Task Force

### Background and Purpose

The Children’s Justice and Assistance Act of 1986 was a set of amendments to CAPTA, which were created to encourage states to enact reforms to improve the legal and administrative handling of child abuse cases, particularly cases of child sexual abuse. CJA amended the Victims of Crimes Act of 1984 to increase the maximum amount which may be deposited into the Crime Victim’s Fund and required that specified portions of such funds be used for CJA Grants to states.

To be eligible for CJA funds, states are required to establish and maintain a multidisciplinary Task Force. CPAC became the CJA Task Force in FFY08.

### Statutory Requirements

CJA provides grants to states to improve the investigation, prosecution and judicial handling of cases of child abuse and neglect, particularly child sexual abuse and exploitation, in a manner that limits additional trauma to the child victim. This also includes the handling of child fatality cases in which child abuse or neglect is suspected and some cases of children with disabilities and serious health problems who also are victims of abuse and neglect. The Task Force is responsible for making policy and training recommendations to carry out the objectives of the grant, and conducting a comprehensive evaluation every three years of the State’s child welfare systems, and making recommendations for improvements to those systems.

### Accomplishments in FY12

As the CJA Task Force, CPAC focused its resources on creating a more uniform child abuse reporting and investigation curriculum in Delaware through CPAC’s standardized mandatory reporting training and the Child First Forensic Interviewing Training. CPAC and CDNDSC hosted the joint conference to enhance current practice in investigations and prosecutions of child abuse cases. CPAC also accomplished the following: Embarked on a mandatory reporting campaign to improve child abuse reporting and provide more immediate interventions; Allocated CJA funds to train DFS staff on the use of the SDM Model®; Created a committee to improve criminal investigation and prosecution of child death and near cases; and Proposed legislation to improve the MDT response to cases of child death, near death, and sexual abuse. Lastly, CPAC identified its goals for the next three years. For more detail, please refer back to the following sections: Training Initiatives, Mandatory Reporting Outreach, Delaware’s Child Protection System, Investigation and Prosecution, and Legislative Initiatives.

# Opportunities for the Future

In Fiscal Year 2012, CPAC recognized several accomplishments as both a federally mandated CRP and CJA State Task Force. Through its role as the State Task Force, CPAC convened a Strategic Planning Session, which enabled an evaluation of Delaware's Child Protection System. As a result, CPAC was able to evaluate its strengths and limitations and develop recommendations for the future.

From this evaluation, CPAC formulated its recommendations around three areas of improvement and identified strategies for each. For its first goal, CPAC determined that it will continue to support training and education initiatives related to the investigation and prosecution of child abuse and neglect cases using a multidisciplinary team approach. As its second area of improvement, CPAC established that it will improve the investigation and prosecution of child abuse and neglect cases as well as offender accountability within the criminal justice system through the Joint Investigation and Prosecution Committee. For the last area of improvement under CJA, CPAC concluded that it will implement a plan to eliminate infant unsafe sleeping fatalities due to abuse or neglect in the state.

While the Training Committee, Joint Investigation and Prosecution Committee, and Abuse Intervention Committee will take its direction from the recommendations identified above, the remaining CPAC Committees have identified future goals of their own. In Fiscal Year 2013, the Permanency for Adolescents Committee will begin to address the barriers for achieving permanency by researching and/or developing protocols or practices, drafting new legislation, and consulting with other child welfare professionals to obtain further guidance or support. At the same time, the Data Utilization Committee plans to look for trends in the data collected by various agencies for the purpose of creating user friendly dashboards, which will integrate the data and present the information. Similarly, the Education Committee expects to collect and analyze the data for the 2012 school year, make data informed recommendations to improve the educational outcomes for children in foster care, finalize the revisions for the MOU, and unveil the mandatory reporting training for educators. Lastly, the Mandatory Reporting Outreach Committee intends to seek funding in support of the 2013 campaign, which will occur in April in alignment with Child Abuse Prevention Month activities.

Over the next year, CPAC, through its various committees, will prioritize these goals while maintaining its commitment to current initiatives. CPAC will also continue to partner with CDNDSC to monitor and/or implement recommendations from the state's child death and near death reviews. Finally, CPAC will also strive to foster the collaborative relationships between its child welfare partners to ensure safety, well-being and permanency for children in Delaware's child protection system.



# CPAC Staff

**Executive Director**  
16 Del. C. § 912(b)

**Tania M. Culley, Esquire**  
Child Advocate  
Office of the Child Advocate

**CPAC Staff**  
16 Del. C. § 912(a)

**Molly Dunson**  
Office Manager  
Office of the Child Advocate

**Rosalie Morales**  
Program Administrator  
Office of the Child Advocate

**CJA Staff**

**Jessica Begley**  
CJA Training Coordinator

**CHILD PROTECTION ACCOUNTABILITY COMMISSION**  
**C/O OFFICE OF THE CHILD ADVOCATE**  
900 King Street, Suite 210, Wilmington, Delaware 19801  
Phone: 302-255-1730  
Fax: 302-577-6831  
<http://courts.delaware.gov/childadvocate/>