

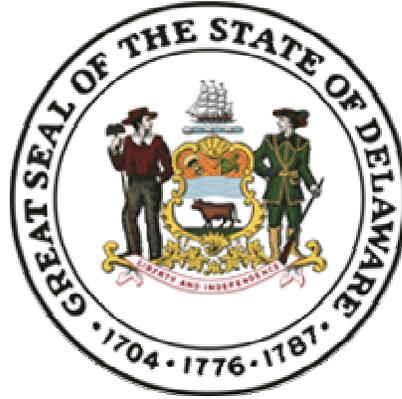
CHILD PROTECTION  
ACCOUNTABILITY COMMISSION  
(CPAC)



2011 ANNUAL REPORT

July 1, 2010 - June 30, 2011

# 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 - FY11

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

**16 Del. C. §912(a)(1)**  
The Honorable Vivian Rapposelli, Secretary

## Director of the Division of Family Services

**16 Del. C. §912(a)(2)**  
Laura Miles, 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  
Mariann Kenville-Moore - Designee, Director, Victim Services

## 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 Marshall, State Representative

## One Member of the Senate

**16 Del. C. §912(a)(6)**  
The Honorable Harris B. McDowell, III, 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, 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 Czyk, 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  
Colonel Michael C. McGowan, Chief of Police, New Castle County Police Department  
Sergeant Patricia Davies - Proxy, New Castle County Police Department

## 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

# TABLE OF CONTENTS



Executive Summary	1
Background and Purpose	2
Delaware's Child Protection System	3
Accomplishments	4
Federally Mandated Panels and Task Forces	10
Opportunities for the Future	11
CPAC Staff	12

# EXECUTIVE SUMMARY

Throughout Fiscal Year 2011, the Child Protection Accountability Commission (“CPAC” or “the Commission”) has continued to hold quarterly meetings to identify system problems and advocate for system reform, to evaluate and make changes in policy, and to make legislative recommendations. More importantly, the Commission has observed substantial achievements in many of its endeavors. The Commission’s success is a result of 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 (“CAC”), the Family Court, domestic violence advocates, and the adoption, law enforcement, and medical communities.

In addition to committing to several new initiatives, CPAC focused its resources on enhancing the training programs in the state. As a result, it created an opportunity to provide a more uniform child abuse intervention curriculum in Delaware. More specifically, consolidating the trainings under one entity, CPAC, ensures that professionals receive and have access to the same education on trending topics. Such trainings include the various mandatory reporting trainings developed by CPAC’s Abuse Intervention Subcommittee and the Child First Forensic Interviewing Training. CPAC’s pool of knowledgeable facilitators can be credited with reaching a large number of diverse training audiences, ranging from child welfare professionals to community based child serving agencies, across the state.

Several of these trainings were also facilitated with the assistance of the Child Death, Near Death, and Stillbirth Commission (“CDNDSC”). Further, CPAC and CDNDSC continued their collaborative affiliation through Fiscal Year 2011. In addition to semiannual Joint Commission Meetings and planning the Protecting Delaware’s Children Conference, CPAC and CDNDSC engaged in joint subcommittees to develop a mandatory reporting outreach campaign, research a more effective risk assessment tool, and evaluate the current health care structure for children in foster care.

Besides health care, CPAC was also committed to educational outcomes and mental and behavioral health services for children in foster care. The former issue is being addressed by CPAC’s Education Subcommittee, which is developing recommendations to improve the educational success of children in foster care. In contrast, the latter issue was handled by CPAC’s Mental and Behavioral Health Services to Children in and Adopted out of Foster Care Subcommittee, and its previously submitted recommendations were delegated to agencies or subcommittees to address.

Despite CPAC’s accomplishments during this fiscal year, there are still opportunities for improving Delaware’s child protection system in the future. Over the next fiscal year, CPAC will continue with its charge while keeping with an innovative approach to explore recent trends in child welfare.



# 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.

## 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.



## 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.

# DELAWARE'S CHILD PROTECTION AGENCY

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, 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 FY11, DFS received 14,010 reports of child abuse, neglect and dependency, which was a 25% increase compared to last year. In addition, DFS investigated 7,358 (52%) of those reports received and substantiated 1,651 (22%) cases. Further, 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.

Lastly, as a vital member of the MDT, the Criminal Division of the DOJ determines whether there is sufficient evidence to prosecute those responsible for inflicting harm on children. However, in the civil

arena, the DOJ Family Division assumes several roles, one of which is to provide legal representation to DSCYF in Family Court. DOJ also has designated several attorneys 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.



Further, Delaware’s abused, neglected and dependent children who are placed in the legal custody of DSCYF are entitled to representation of their best interests throughout the proceedings. OCA and the Court Appointed Special Advocate Program (“CASA”) are statutorily charged and publicly funded to provide that representation, but they also draw on a sizeable pool of volunteers to accomplish the difficult task of representing all children in the legal custody of DSCYF.

At the end of Fiscal Year 2011, 828 abused, neglected and dependent children were in the legal custody of DSCYF, as well as under CPAC’s core statutory responsibility. Of those 828 children, 29% are ages 0 to 4; 18% are 5 to 9 years of age; 14% are ages 10 to 13; and 39% are 14 to 17 years of age. By county, 55% of these children are in New Castle County, 24% are in Kent County, and 21% are in Sussex County. Additionally, 59% of those 828 children are represented by OCA, and 39% are represented by CASA. Thus, the children in DSCYF custody require the collective resources of the Family Court, DOJ, OCA and CASA, as well as the Children’s Department, the service providers, and the community.

# ACCOMPLISHMENTS

Once again, throughout this fiscal year, consistent themes were established by CPAC, and as a result, a number of accomplishments were recognized. Through the leadership of its Commissioners and the collaborative efforts of its Subcommittee representatives, CPAC has gained positive momentum with the following endeavors: training, mandatory reporting outreach campaign, risk assessment, educational outcomes, health care standards, and mental and behavioral health services.



## Training Initiatives

Following the reviews of several child death or near deaths cases in which a professional failed to identify or report child abuse and neglect, CDNDSC's Child Abuse and Neglect Panel concluded, based on multiple recommendations, that training was imminent. As such, public education became a joint initiative for CPAC and CDNDSC in FY09, and since then several trainings for various disciplines have come to fruition.

To establish fluidity, OCA, on behalf of CPAC, contracted with DFS to fund a Children's Justice Act ("CJA") Training Coordinator to provide administrative support for all training activities related to the investigation and prosecution of suspected child abuse and neglect cases. Such activities include facilitating the various CPAC mandatory reporting trainings, the Child First

Forensic Interviewing Training, and the Protecting Delaware's Children Conference. As a result, the position created an opportunity for CPAC to coordinate all multidisciplinary child abuse intervention trainings under a central location. In December 2010, the Training Coordinator began coordinating these unique trainings through OCA, which not only furthered the goals of the Children's Justice Act but also CPAC.

Prior to this, from April 2010 through December 2010, CDNDSC acted as the facilitator for the training for medical personnel, *Child Abuse Identification and Reporting Guidelines for Delaware Medical Providers*, which was co-presented by a DFS regional employee and a physician. As a result, 237 physicians, nurses, and other medical professionals were trained. This was accomplished through fourteen separate on-site trainings. Soon after, in January 2011, OCA began facilitating the training on behalf of CPAC. From January through May 2011, 250 additional medical professionals were trained during six on-site trainings.

Further, the same presentation was used to train over 800 medical, legal, social service, and law enforcement professionals at the Delaware Child Abuse Recognition and Reporting Summit on February 1, 2011, which was hosted and organized by the Delaware Department of State. Not only was the training a collaborative effort during its planning stage, but the combined expertise of three women, Dr. Danielle Giddins, Deputy Attorney General Patricia Dailey Lewis, and Stacy Northam-Smith from DFS, contributed to the success of the event.

At the same time, with assistance from Deputy Attorney General Janice Tigani, Michael Sullivan from DFS, and Dr. Danielle Giddins, OCA developed and launched the online training to make it accessible to a wider audience. Additionally, the training was accepted by the Division of Professional Regulation as the approved program to satisfy the recent mandatory training requirements for all licensees of the Delaware Board of Medical Licensure and Discipline. As of the March 31, 2011 deadline, over 5,000 physicians, physician's assistants, respiratory care practitioners and

# ACCOMPLISHMENTS (CONT.)

paramedics licensed to practice in Delaware participated in the online training to comply with the license renewal application requirements.

After several requests to provide mandatory reporting training to audiences consisting primarily of nurses, the medical training was modified with the help of Pediatric Hospitalist, Dr. Amanda Kay. As a result, the newly approved CPAC training, *Child Abuse Identification and Reporting Information for Delaware Nurses*, was utilized throughout the summer with the Delaware Nurses Association, Nurse Family Partnership, and the Delaware Nurse Educator Conference.

However, the most requested CPAC mandatory reporting training session thus far has been *How to Identify and Report Child Abuse and Neglect in Delaware*, which is designed for a wide variety of audiences. The training was unveiled in June 2010, and several Train-the-Trainer sessions were offered to various professionals in the child welfare community. Despite the Train-the-Trainer sessions, the trainings for the most part have been provided by staff at CDNDSC, DFS, DOJ, and OCA. Since July 2010, thirty seven on-site training sessions have been held and 2,267 professionals were trained. The professionals have been comprised primarily of teachers, early childhood education staff, substance abuse counselors, crisis counselors, sexual and reproductive healthcare providers, and non-profit social service agencies.

Similarly, the CPAC mandatory reporting training was modified by DOJ to address the specific needs of its staff, as well as the Delaware law enforcement agencies. The training, *How to Identify and Report Child Abuse and Neglect in Delaware: A Guide for DOJ and Law Enforcement*, included an overview of the MOU, recognition of child abuse, and the mandatory reporting obligations pertaining to child abuse and unprofessional conduct. Initially, the Abuse Intervention Subcommittee (“AIS”) had intended to create a thirty minute video for law enforcement agencies, which would depict the key points of the Memorandum of Understanding (“MOU”) between DSCYF,

CAC, DOJ and Delaware Police Departments. Instead, the opportunity to provide on-site trainings was available, and as a result, over 2,000 officers in the Delaware State Police, New Castle County Police, Middletown Police, Dover Police Department, and Wilmington Police Department were trained due to the combined efforts of Deputy Attorney Generals Janice Tigani and Patricia Dailey Lewis.

Law enforcement officers also take advantage of the Child First Forensic Interviewing Training. This training, which is funded by the Children’s Justice Act grant, is also widely attended by DFS, DOJ, CAC and other related child welfare partners. In addition to teaching a standard interviewing protocol, the training emphasizes the multi-disciplinary team approach for child abuse investigations and increases collaboration amongst child welfare partners.

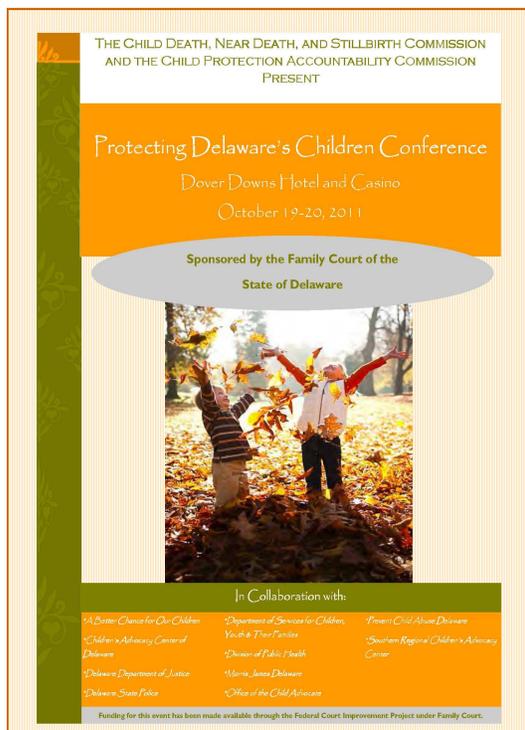
More recently, OCA on behalf of CPAC assumed administrative responsibility for facilitating the Child First Training. The last training session occurred on April 11-15, 2011, and the next session is scheduled for October 3-7, 2011 at the Virden Center in Lewes, Delaware. Lastly, the Child First team has elected to send the Kent County MDT, which is comprised of members from DFS, CAC, DOJ, and the Delaware State Police, to the national When Words Matter Conference in September 2011. The conference will give 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, and also exploring opportunities to bring this advanced training to Delaware.

Figure 1: Child First Delaware Logo



# ACCOMPLISHMENTS (CONT.)

Figure 2: FY12 Joint Conference Brochure



Likewise, the Protecting Delaware's Children Conference, hosted by CPAC and CDNDSC, shares the same goal. At the start of the fiscal year, planning was underway by CPAC's Training Subcommittee to pinpoint national and local subject matter experts on emerging issues in child welfare and to develop workshops with a wide array of learning opportunities for various professionals, who investigate and prosecute child abuse cases or who provide services to this population. With significant funding garnered from the Federal Court Improvement Project under Family Court, the date was set for October 19-20, 2011.

On this date, five hundred professionals who work in Delaware's child welfare system will attend plenary sessions by Cindy Christian, MD, Amy Herman, JD, and Chris Newlin, MS LPC, and workshops on topics, such as successfully prosecuting a case after a child recants or identifying perpetrators of child abuse when the victim cannot point to a specific person. It is anticipated that this conference will mirror the success of previous years due to the collaborative efforts demonstrated by the agencies

represented on the Training Subcommittee.

Delaware's child welfare system partners are made aware of such opportunities for ongoing training and education through the directory of Delaware Child Welfare Trainings, which is maintained and updated by the Office of the Child Advocate. Trainings and other events, which raise awareness and address relevant issues that impact youth, can be located under the Training section of OCA's website. In addition to the medical mandatory reporting training, the Training section also features presentations created by CPAC's Education Subcommittee. The DFS Primer and the Introduction to Special Education are two recently approved presentations that will be featured on the website.

### *Mandatory Reporting Outreach Campaign*

To complement the training endeavors in the state, CPAC and CDNDSC's Mandatory Reporting Outreach Subcommittee created an action plan to develop and/or coordinate two core initiatives: media activities and community education. As an immediate priority, the Subcommittee set out to educate the general public about reporting child abuse in Delaware.

First, the Subcommittee established a logo, Stop Child Abuse: See the Signs, Make the Call with the support of CJA funds. Simultaneously, the Subcommittee prioritized the creation of the website, [iseethesigns.org](http://iseethesigns.org), which provides resources for reporting child abuse and neglect in Delaware. In addition, the website was unveiled concurrently with the Delaware Child Abuse Recognition and Reporting Summit, so professionals could access the resources. Public service announcements ("PSA") were also recorded by the Cabinet Secretary for the DSCYF, Vivian Rapposelli, and Attorney General Beau Biden. These PSAs were played regularly on local radio stations and during a promotional night at the Wilmington Blue Rocks, which took place on June 7, 2011. T-shirts advertising the Stop Child Abuse logo were distributed at the game, but more importantly, the Subcommittee partnered with the Blue Rocks to advertise a billboard in the stadium for the entire season. To sponsor this event,

# ACCOMPLISHMENTS (CONT.)

DOJ secured funding through the Delaware Criminal Justice Council and the FFY10 Victims of Crime Act grant program.

Figure 3: Media Campaign Logo



Lastly, a Protecting Delaware's Children Fund was established at the Delaware Community Foundation, thanks in part due to the generous donation by the Ellen and Alan Levin Family Foundation. Despite these initial actions, the Subcommittee hopes to demonstrate significant progress and garner additional funding to support the media activities in the upcoming fiscal year.

As a second priority, the Subcommittee is charged with coordinating the 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. For instance, the Subcommittee supports the steadfast implementation plan for Darkness to Light's *Stewards of Children* prevention program.

Specifically, multiple organizations have embarked on a collaborative initiative to bring a nationally utilized, evidence-based training program to Delaware. Prevent Child Abuse Delaware ("PCAD") is leading the effort with the *Stewards of Children* program, which uses an adult-based training curriculum to help adults prevent, recognize and react to child sexual abuse. Other lead partners in this endeavor include: the YMCA of Delaware, which is the designated fiscal agent for the program, and the DOJ, which has championed with press conferences, training of its staff, and the development of trainers to take the program into the community.

Following this further, multiple government and non-profit child-serving agencies have also pledged ongoing support, including the Arsh Cannon Fund, Family Court, the Latin American Community Center, Child Inc., DFS, DOJ, CAC, and OCA.

In five years, the goal is to train 5% of Delaware's adult population or 35,000 Delawareans. Currently, facilitators, many of whom are from the agencies listed above, are being trained in each county to assist with the effort. In addition to training facilitators, a press conference and other events are being scheduled to bring recognition to the program and to identify potential training audiences. PCAD will also be providing the three-hour Stewards of Children training to a group of participants at the Protecting Delaware's Children Conference on October 19, 2011.

### Risk Assessment

In the same way CPAC and CDNDSC supported the Child Abuse and Neglect Panel's recommendations for public education, the same panel also put forward several recommendations following its death and near death reviews to re-evaluate the use of the current risk assessment tool utilized by DFS and to research more appropriate models for identifying children at risk for dependency, abuse, and/or neglect. As a result, the CPAC and CDNDSC Risk Assessment Subcommittee was created in fiscal year 2010 and began to regularly meet on August 31, 2010. It was then that the members prioritized a goal of identifying the most effective risk assessment tool available for use within Delaware's child welfare system.

It was determined that an ideal risk assessment tool is one that is objective, unbiased, and that cannot be manipulated by opinion or human emotion. Such a tool can then be used to determine, for example, whether or not an incident of suspected child abuse or neglect will be substantiated, whether or not risk of future harm to a child exists, and whether or not a case will be transferred to treatment. In researching best practices of risk assessment tools used by other states, it was determined that over 20 states are utilizing the Structured Decision Making

# ACCOMPLISHMENTS (CONT.)

(“SDM”) Model of assessment tools developed by the Children’s Research Center (“CRC”). After contacting the CRC, the Subcommittee was privy to a full day presentation on the SDM Model on December 20, 2010. Following further research, re-evaluation of Delaware’s current tool, and a subsequent presentation by the Philadelphia Department of Human Services on its Safety Assessment and Management Process, the Subcommittee recommended that DSCYF adopt the Structured Decision Making Model in its entirety and as properly tailored for our state. Further, the creation of a separate subcommittee on Differential Response was recommended as well.

With the Subcommittee’s final recommendations approved by the Joint Commissions and embraced by DSCYF, its work concluded. Meanwhile, DSCYF has led the charge and is negotiating a contract with the CRC to first adapt the SDM Hotline Tools to the Family and Child Tracking System (“FACTS”), which is the DFS computerized case management system. In the near future, the other components of the SDM model, including the safety assessment, risk assessment and case planning components, will be phased into FACTS. The Children’s Department should be highly praised not only for its participation on the Subcommittee, but also for fervently pursuing the implementation of the SDM Model and overcoming fiscal challenges to realize the importance of this tool.

### Educational Outcomes

CPAC’s Education Subcommittee set out on an evaluation process of its own in fiscal year 2011. The group had decided upon a course of action to satisfy the Subcommittee’s responsibility for administrative oversight of the MOU. In the winter of 2009, the MOU between DSCYF and DOE was finalized. Since sufficient time had lapsed since its inception, the Subcommittee disseminated a survey to determine whether the implementation of the MOU had been successful, in terms of increasing multidisciplinary cooperation between schools and child welfare agencies serving abused and neglected children.

The survey respondents included the homeless liaisons from the various school districts, as well as investigation and treatment workers at DFS, and the questions were focused on specific interactions between staff that occur regarding children in DSCYF’s purview. Upon evaluation, it was clear that, as a result of the MOU, the interactions had improved. Now that a baseline measurement has been obtained, the Subcommittee will continue to provide administrative oversight of the MOU through the use of yearly surveys.

Additionally, the Subcommittee has continued to pursue its goal of studying the educational success of children in foster care through the collection and analysis of data. During this fiscal year, the Subcommittee successfully matched the data of students in DSCYF custody with those from DOE. As a result, this information can be used to assist schools in identifying students in foster care, as well as to help determine the population of students aging out of foster care that will require post-18 resources.

In addition, the Subcommittee identified six key areas that are directly related to student success: graduation rates, attendance, special education enrollment, state test scores, number of school and foster home placements, and age of placement. For youth enrolled in the 2009-2010 school year, the Subcommittee conducted a data comparison between youth in foster care and the general population.

The group found that attendance rates were very similar for the two populations. Likewise, for students who graduated in 2010, there was no measurable difference between children in foster care and the general population. However, the graduation rate was a point in time snapshot rather than a cohort analysis, which would have compared the two populations from the time they entered high school. In contrast, a greater disparity was discovered when making a comparison using special education services and Delaware Student Testing Program (“DSTP”) scores. According to the data, 39.93% of youth in foster care receive special education services as compared to 14.84% of the general student population. For DSTP scores, the data appears to show a trend for youth in foster care. As the

# ACCOMPLISHMENTS (CONT.)

youth move into higher grades, their proficiency in the DSTP declines in comparison to the general population. Again, this is baseline data, and the Subcommittee plans to collect data for the 2010-2011 school year. Nevertheless, the Subcommittee will begin to evaluate it and make recommendations for system changes.

### Health Care Standards

Similarly, CPAC and CDNDSC's Foster Care Medical Subcommittee is focused on outcomes for children; the Subcommittee is specifically focused on working to improve the provision of health care to children and teens in foster care. In order to do so, the Subcommittee plans to review and evaluate the current medical health care structure within the foster care system by reviewing individual cases, to conduct research on various model systems, and to make recommendations on how medical care delivery within the foster care system can better meet the needs of children and teens.

The Subcommittee had its first meeting on January 14, 2011; however, since then, the Subcommittee has prioritized the review of 40 case records representing individual children in foster care to evaluate how these children are currently receiving medical care. In collaboration with DFS, the Subcommittee has been diligently conducting reviews in each county with the help of DFS staff. Upon completion of the reviews, a report will be submitted to the Joint Commissions detailing the recommendations that reflect compliance with the American Academy of Pediatrics' standards of care for children and teens in foster care.

### Mental and Behavioral Health Services

CPAC's Mental and Behavioral Health Services to Children in and Adopted out of Foster Care Subcommittee has demonstrated CPAC's commitment to improved outcomes for children in foster care. The Subcommittee had its first meeting on May 21, 2007, and it was charged with examining how mental health and behavioral health services were delivered to children in foster care and those adopted out of foster care. In addition, the Subcommittee was asked to make recommendations for change as necessary. Lastly, the Subcommittee was tasked with examining the continuum of providers, services and resources for the same population, as well as making recommendations as necessary for change. CPAC released the initial 49 page report with recommendations for change in November of 2008. The Subcommittee was then tasked with ensuring the recommendations were completed and worked for two years with agencies and community providers to implement change.

In April of 2011, the Subcommittee's work was completed and the Subcommittee was dissolved. Any recommendations which still require action have been reassigned to other entities or Subcommittees to assume responsibility for those tasks or to monitor their completion. As a result of the work completed by this Subcommittee and particularly the leadership of DPBHS which believed in the recommendations and instituted system changes, the delivery of mental health services to children in Delaware has greatly improved. Some of the top accomplishments include: the co-location of DPBHS and DFS staff in offices statewide, including mental health consultants housed



# 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 FY11

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 fatality and near-fatality reviews. To strengthen the work of DFS, CPAC engaged in training activities and a mandatory reporting campaign to create awareness of the obligation to report child abuse. CPAC also monitored educational outcomes and physical and mental health services for children in foster care. For more detail, please refer back to the following sections: Educational Outcomes, Health Care Standards, and Mental and Behavioral Health Services.

## 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 FY11

As the CJA Task Force, in FY11 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 also embarked on a mandatory reporting campaign to improve the reporting of child abuse, and undertook efforts to adopt the SDM risk assessment tool to improve the identification, investigation, and prosecution of abuse cases. Finally, CPAC began work on a joint conference to educate professionals on child abuse. For more detail, please refer back to the following sections: Training Initiatives, Mandatory Reporting Outreach, and Risk Assessment.

# OPPORTUNITIES FOR THE FUTURE

CPAC's endeavors over this fiscal year can be touted as a model for federally mandated CRPs, due to the collaborative efforts of its members and the successful implementation of recommendations from the state's child death review team, as well as for nationwide CJA Task Forces due to the unwavering attention to improving how Delaware investigates and prosecutes child abuse and neglect cases. Further the goals of each, although they are separate and very distinct, marry well with CPAC's statutory duties. Lastly, CPAC has established continuity in the state's initiatives while functioning as the representative body for both, despite a number of subcommittees with specific goals and unique representation.

This sense of interconnectedness amongst Delaware's child welfare partners has fostered a common purpose in moving forward over the next fiscal year. Thus, CPAC has committed to developing recommendations for several initiatives, which include: creating a guideline for responding to teen dating and sexual violence, including duties to report pregnant teens; improving educational

outcomes for children in foster care; enhancing the health care standards for children in foster care; and expanding online training opportunities.

Fiscal Year 2012 will mirror the efforts of prior years through ongoing collaboration, education, and commitment to children and families; in addition, the comprehensive approach taken by CPAC will also expand to include new endeavors. First, the Mandatory Reporting Outreach Campaign, paired with the CPAC mandatory reporting trainings and the *Stewards of Children* prevention program, will empower the community to advocate consistently for the safety of children. Second, the efforts of CPAC's Education Subcommittee and Joint Foster Care Medical Subcommittee will recommend system changes that will improve outcomes for children in foster care. Through these efforts, CPAC will continue to move forward with a goal of promoting the health, safety and well-being of Delaware's abused, neglect, and dependent children.



# 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

Jessica Begley  
Training Coordinator  
Office of the Child Advocate

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/>