



HIGHLIGHTS

Defining Reunification for Consistent Performance Measurement

Overview

Most children in foster care have the goal of reunification with parents or primary caregivers, but many children spend a long time in care before achieving a permanent outcome. To address this concern on the national level, the federal government has developed an outcome measure for *time to reunification* and a standard that states should meet as part of the Child and Family Services Reviews (Table 1). Data for this measure come from state submissions to the Adoption and Foster Care Analysis and Reporting System (AFCARS).

Table 1. CWLA Summary of Federal Reunification Measure

Outcome
Reduce time in foster care to reunification without increasing re-entry (US DHHS, 2004)
Federal Standard* for Time to Reunification
76.2% (or more) of children reunified in less than 12 months from latest removal from home (US DHHS, 2004)
AFCARS Foster Care Elements used
Element 21: Date of latest removal
Element 56: Date of discharge from foster care
Element 58: Reason for discharge (Value 1 – Reunification with parents or primary caretakers; and Value 2 – Living with other relatives)
(NRCCWDT, 2004)
*Note: "Federal standard" refers to the national standard set by the federal government.

Child welfare professionals agree that reducing time in foster care without increasing re-entry is a worthy goal and a good subject for performance measurement. However, state child welfare agencies and others are concerned that the federal measure is plagued by methodological issues, including a lack of definitional consistency among states' data. With support from Fostering Results, a public education program at the University of Illinois' Children and Family Research Center, CWLA's National Working Group to Improve Child Welfare Data (NWG) implemented a survey to identify the variations and consistencies among states in their policies and reporting of data regarding reunification. State child welfare agency representatives (members of the NWG) were actively involved in the development of the survey.

Forty-one states responded to the survey about state policies and data reporting to AFCARS as of October 2004. More than half of the 41 states (56%) reported that they do not have an articulated definition of *reunification*, although they have relevant policies and work toward this goal for most children in foster care. State information systems and AFCARS submissions capture the occurrence of reunification and other permanency outcomes by including the date of discharge and reason for discharge for each child. There is also information in AFCARS about *trial home visits*, a living arrangement that affects the discharge date and calculation of the length of time to achieve reunification.

The survey findings highlight similarities and differences in states' reporting practices and point to areas that should be the subject of further federal guidance and state practice considerations. The inconsistencies include the following:

- Children discharged to removal relatives (relatives from whom the child was removed) are reported in the discharge category *reunification with parents or primary caretaker* in some states, while others report them as *living with other relatives*.
- The discharge category *living with other relatives* includes relative guardianship in some states and, in a few states, relative adoption.
- The date of discharge is reported as the date the child physically goes home in some states when the state maintains custody and supervision, while more states use the date legal custody is returned to parents.
- Reporting of trial home visits varies, as does the length of time children generally spend on trial home visits.
- The terms, definitions, timeframes and removal authorities for protective custody vary across states. Some states do not have protective custody.

Results regarding these topics are presented in detail on the following pages. The report concludes with a discussion of implications and recommendations for improvement in definitional consistency.

With whom is the child “reunified”?

States were asked to identify the parties included in the AFCARS reason for discharge *reunification with parents or primary caretakers*. As expected, almost all of the states indicated that reunification includes children discharged to birth parents and adoptive parents from whom the child was removed (Figure 1). Two states that did not select birth parents responded “other,” noting that parties included in their reunification category are not specified. One state did not respond to this question.

Birth parents who were *not* the caregivers at the time of removal (non-removal birth parents) are included in 78% (32) of the states. This includes children removed from one parent and returned to the other parent, or removed from a relative and returned to a parent. One state noted that non-removal birth parents are currently included in *reunification*, but the state is in the process of making changes to report these parents in *living with other relatives*.

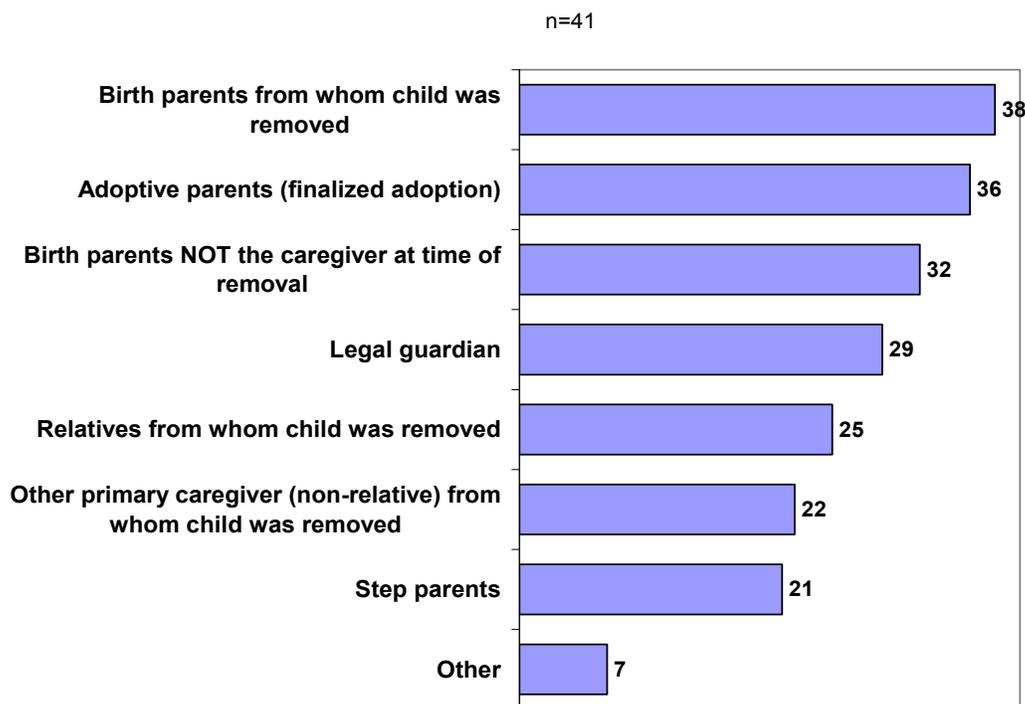
States showed considerable variation in their reporting of children discharged to relatives and other caregivers from whom they were removed. Seventy one percent (29) of the states include children discharged to legal

guardians in the *reunification* category. Sixty one percent (25) include relatives from whom the child was removed in the *reunification* category, while 41.5 % count these children in the category *living with other relatives* (see Table 2).

About half of the states (22) include non-relative primary caregivers from whom the child was removed and/or step parents in the reunification category. States also noted that *reunification* includes others such as the Indian custodian, the person exercising custodial control, and the principal caretaker from whom the child was removed.

Four states include children discharged to non-removal relatives (other than parents) in the *reunification* category. Non-removal relative simply means that the child was not removed from the relative’s home. Three of these states include children returned to a family member to provide permanency when the removal parent or relative is not appropriate. The other state includes children discharged to the legal custody of the parent but physical care of a relative or other primary caregiver after a temporary custody order.

**Figure 1. Parties Included in AFCARS Discharge Category
*Reunification with parents or primary caretakers***



Note: States could select as many categories as applied.

Which discharge categories reflect children discharged to the care of relatives?

When children cannot live with parents, relatives are an important resource for temporary and permanent homes. The highlighted box below illustrates some findings on the roles that relatives play in child welfare systems. Depending on the circumstances and the state child welfare agency involved, children discharged to the care of relatives may be reported in four different AFCARS discharge categories: reunification with parents or primary caretakers, living with other relatives, guardianship and adoption.

Survey results illustrate considerable variation in the discharge reason used for children returned to removal relatives and children discharged to relative guardianship (Table 2). Sixty one percent (61%) of states report children who return to removal relatives in the *reunification* category, while 41.5% report these discharges in *living with other relatives*. This totals more than 100% because one state reports to both categories. Another state noted that it may depend on the way in which the caseworker enters the data.

Children discharged to the guardianship of relatives are reported in the AFCARS category *guardianship* in

Table 2. Notable Variation in Discharge Reason Used for Relatives

Child discharged to:	AFCARS Discharge Reason			
	Reunification with parents or primary caretakers	Living with other relatives	Guardianship	Both Living with other relatives and Guardianship
Relatives from whom child was removed¹	61% (25)	41.5% (17)		
Guardianship of relatives²		17% (7)	46% (19)	22% (9)

¹This totals more than 100% because one of the states reports to both categories.
²Six states do not have, or rarely use, guardianship.

almost half (46%) of the states and *living with other relatives* in 17%. Another nine states (22%) may include them in either category, depending how the worker enters the data. Three of the nine states noted that *guardianship* is the category typically used.

Most of the states (85%) include children in the category *living with other relatives* when a relative obtains legal custody and in some cases when the custody reverts to parents but the child lives with relatives. *Living with other relatives* also includes relative adoptions in a few states. Four states do not use the category *living with other relatives* when reporting data to AFCARS.

Role of Relatives in State Foster Care Systems

Relatives are an important resource for children when they come to the attention of the child welfare agency and when they are discharged from foster care. Results from the survey demonstrate that states vary in the frequency with which they use relatives as resources. For instance, in twelve states (29%) children routinely go live with relatives without the State assuming any care or placement responsibilities, preventing entry into the foster care system (Table 3). Almost half of the states (44%) do this occasionally. Children routinely enter foster care and are placed with relatives who are (or become) licensed or approved foster parents in 66% of the states. In one state, children rarely go live with relatives when they come to the attention of the agency; while state policy and practice promote diligent searches and discussion of relative care, many judges will not place children with relatives until reunification is no longer an option.

Children are often discharged from foster care to the care of relatives. The majority of states discharge children either routinely or occasionally to live with relatives with legal custody (80%), to the legal guardianship of relatives (83%) or to adoption by relatives (85%) (Table 4). Most states do not discharge children to live with relatives with no legal custody, although one state does this routinely.

Results show that some states regularly provide safety and permanency with relatives by preventing children from coming into care, placing children with relatives while in care and discharging children to permanent relative homes when children cannot return to parents. Others use relatives as a resource, but could do so more frequently or at more stages in the child welfare continuum. The best safety and permanency plans for children are decided on a case by case basis, but relatives should be considered as potential resources whenever possible.

Table 3. Role of Relatives When Children Come to the Attention of the Child Welfare Agency

n=41	Routinely*	Occasionally
Prevent entry into foster care		
Live with relatives without State assuming any care or placement responsibilities, preventing entry into the foster care system	29%	44%
Live with relatives during brief period of protective custody	34%	20%
Placed in care with <u>unlicensed relatives</u>	37%	17%
Placed in care with relatives who are/become <u>licensed or approved</u>	66%	29%

Table 4. Role of Relatives When Children are Discharged from Foster Care

n=41	Routinely*	Occasionally
Live with relatives, no legal custody	2%	15%
Live with relatives, legal custody	54%	27%
Legal Guardianship of Relatives	59%	24%
Adoption by relatives	63%	22%

*Responses included Routinely (routine or common practice), Occasionally (occurs from time to time, but not common practice), Rarely or Never.

How do discharge categories affect the federal measure? The federal measure on time to reunification calculates the percent of children exiting to two categories, *reunification* and *living with other relatives*. By doing this, the measure addresses the variation in how states report discharges to removal relatives. However, by including *living with other relatives*, the reunification measure becomes inconsistent due to the variation in the way states report relative guardianship, and in a few states relative adoption.

What do discharge dates have to do with reunification? The discharge date marks the end point of placement duration and, with the latest removal from home date, provides the length of time in foster care and in most cases length of time to reunification. States were asked to indicate which date is reported as the discharge date in AFCARS when children are reunified with parents.

Results show that the definition of discharge date is not commonly shared among states:

- Half the states (20) use the date legal custody is returned to parents (including states in which physical and legal custody may be returned on the same day).
- More than one fifth (9) use the date legal custody is returned or the date six months after the child physically goes home if the child is home on a trial basis more than six months and the end date is not specified (per federal guidance).
- One state is beginning to report 6 months from the date that physical and/or legal custody of the child is returned, or the date the court relieves the department from responsibility for placement and care, whichever is earlier; this includes supervision cases reported as trial home visits.
- One fifth (8) report the discharge date as the date the child physically returns home to the parent or caregiver.

Five of the states using the date of physical return record the date of legal custody in their data system, which would allow them to change their reporting practice. At least two states are already in the process of making changes to report the end of legal custody as the discharge date in AFCARS; however, several states may require further technical assistance or training. Others, such as Wyoming, have unique circumstances: In some cases a stipulated order is created and signed by all members of a Multidisciplinary Team, specifying the date the child will go home (the discharge date). Generally within a week it is signed by a judge, officially transferring legal custody back to the parent(s). In most cases the judge returns custody to the family at a hearing (the discharge date), and the court order comes at a later date indicating this has occurred. When trial home placements occur in Wyoming,

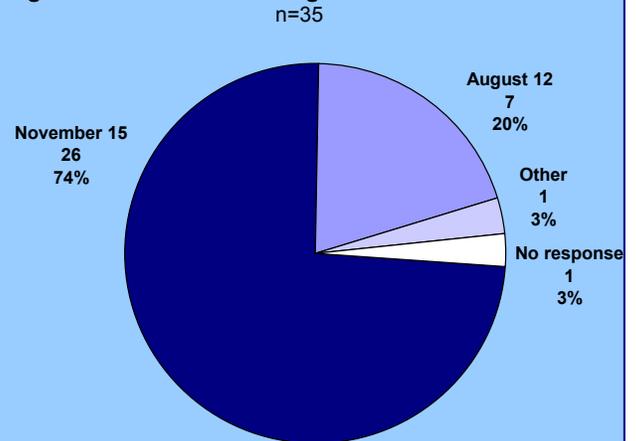
Discharge Scenario

States were asked to designate the discharge date that would be reported to AFCARS in the following scenario:

A child in a foster home returns to live with her parents on August 12, 2003 and the state retains legal custody of the child. On November 15 legal custody is transferred to the parents.

Applying federal guidance to this scenario, the period between August 12 and November 15 is a trial home visit, and the discharge date is November 15. Results from states are presented below (Figure 2).

Figure 2. AFCARS Discharge Date for This Scenario



Six states said this scenario can not occur in their state. Thirty-five states indicated that this scenario can occur. Three quarters (26) of those 35 states would report November 15, the date of legal custody, as the discharge date. One state responded "Other," noting that they would report the child as being on a trial home visit for six months or until the court relieves the department of responsibility for placement and care, whichever is earlier.

Seven states (20%) would report August 12, the date the child physically returned home. Several of these are modifying their systems or extraction programs to report the November 15 date in future submissions. Wyoming indicated that the scenario was interpreted as a case in which a stipulated order specified August 12 as the date to return the child (discharge date), but the judge did not sign the order for several months (see Wyoming's process described on the left).

This scenario crosses two AFCARS reporting periods. Most states (74%) would include the child described in the scenario in the October 2003 to March 2004 AFCARS submission, but eight (23%) of the 35 states would not. As may be expected, most states that would use the August 12 discharge date would not report the child for the second submission. Two states using November 15 as the discharge date said they would not report the child in the second submission; if this is the case, it seems the child's discharge date would not be reported to AFCARS.

which is not typical, the discharge date is the date that legal custody is transferred to the parents.

There are other anomalies as well. One county-administered state indicated that policy does not dictate which date is entered in AFCARS. Another state uses the date the child’s case is closed as the discharge date.

Despite the inconsistencies in states’ use of the discharge date in AFCARS reporting, states appear to be moving to a more standard practice in defining this date. Responses regarding a specific discharge scenario, highlighted in the text box on page 4, were more promising, with three quarters of states reporting the same discharge date. As already indicated, several other states are in the process of making changes to report the same date. More uniformity in states’ reporting of discharge dates will be possible with more consistency in states’ interpretation and reporting of *trial home visits*, as described in the next section.

Why is use of trial home visits important to the reunification measure?

According to federal guidance for AFCARS, “A Trial Home Visit occurs when the child has been in a foster care placement, but, under continuing State agency supervision, is then returned to the principal caretaker for a limited and specified period of time prior to reunification. If a time period is not specified the child should be identified as having been returned home at the point at which the trial home visit exceeds six months” (US DHHS, September 2003). *Trial home visit* is one of the categories for “Current Placement Setting” (AFCARS Foster Care Element #41). For the purpose of AFCARS reporting a child who is on trial home visit is discharged at the point that the trial home visit ends, unless the child returns to foster placement.

Table 5. Situations Recorded and Reported to AFCARS as Trial Home Visits (THV)

Description of situation	Record in data system	Report to AFCARS as THV*
The child is returned home but state retains care, custody and supervision of the child. The child will remain in the home and be legally reunified if successful.	35	30**
The child is returned home but the state retains supervision only of the child. The child will remain in the home if successful.	10	2
The child spends a weekend, week or other specified brief period of time visiting the parent or caregiver with the plan that the child will return to his/her ongoing foster care placement . The visit is meant to gauge whether it makes sense to reunify the child.	14	6
Other	2	3
None of the above		6

* 34 states report at least one of these situations, 6 do not, 1 did not respond.
 **Includes states that report this situation up to 6 months.

The term *trial home visit* has several meanings beyond the federal definition, depending on the agency using the term. This survey attempted to discern the types of circumstances that occur in each state, and those that are reported to AFCARS as trial home visits. States reviewed several descriptions of situations that may occur when a child returns home (Table 5), indicating those that are recorded in their data system, and those that are reported to AFCARS as a trial home visit.

Thirty-four of the 41 states indicated that they report trial home visits to AFCARS in “Current Placement Setting”. Most of these states are consistent in that they report children returned home that remain in the care, custody and supervision of the child welfare agency. These are cases in which the child will remain in the home and be legally reunified if successful. Timeframes for these situations vary, depending on court decisions, agency policy, worker recommendations and/or state extraction programs. Also, when the timeframe exceeds

Terms Used By States

The inconsistency in reporting of trial home visits can be partially explained by the variation in terms used in different states (Table 6). Similar to the federal government, ten states now use the term *trial home visit* to describe cases where the child is home but the state retains care, custody and supervision. Five use a term associated with reunification (trial reunification, reunification, reunified) to describe the same situation. Others use terms that include home or parent. Four states use the term *trial home visit* to describe the brief visits, such as weekends spent with parents as the agency assesses whether the family is ready for reunification. One state uses the term reunification to describe cases where the child is home and the state has supervision only of the child. The variation in these terms (and their definitions) has made dialogue and consistent reporting more challenging, and in some states implies a philosophical difference in interpretations of reunification.

Table 6. Terms Used By States

Child home, state retains care, custody and supervision
trial home visit (10)
trial reunification (3)
reunification/reunified (2)
home visit (2)
trial home placement, home placement, maintain own home placement, home of parent, placement with parents, own home
Brief visit home (e.g. weekend visit)
trial home visit (4)
parent/child visitation
parent-child visitation (reunification services)
trial visit, temporary visit
home of parent, own home
Supervision
post-placement supervision
family supervision
protective supervision
reunification
home of parent, own home placement

six months and no end date is specified, states may report the child as discharged per federal guidance.

Some variation among states occurs in the reporting of brief visits and supervision cases as trial home visits:

- Brief visits home (with the intention of returning to foster care) are reported as trial home visits in AFCARS in six states; eight others track brief visits in their data systems but do not report them to AFCARS as trial home visits.
- Ten states have cases identified in their data system in which the child returns home and the state retains supervision only of the child. Eight do not report them as trial home visits in AFCARS. Two states are beginning to report these supervision-only cases as trial home visits. One, however, uses the same date for placement in a trial home visit and for discharge, so that the length of the trial home visit is not discernable.
- Washington has some in-home dependency cases in which the child returns home and the state retains supervision and underlying dependency of the child. In the past in-home dependency cases were reported as discharges. Beginning with the 2005 AFCARS submissions, and in resubmissions for several prior years, they will be reported as trial home visits.

Six of the 41 states do not report any trial home visits to AFCARS, but they do record one or more of the situations described in Table 5 in their data systems. Three states have supervision only cases, two have cases in which the child returns home but remains in the care, custody and supervision of the agency and one has all three situations. One of these states noted they are in the process of changing their AFCARS extraction program to capture trial home visits where the child goes home while the state retains care, custody and supervision of the child.

How do trial home visits and discharge dates affect re-entry into care?

The majority of states that report children on trial home visits were consistent in that they would not report a new removal (re-entry) if the child returned to care during a trial home visit. Two states are making changes so that this will not count as a re-entry in future submissions. One state indicated that it would depend on how the data were entered. Another said new training teaches staff to enter a new removal if the youth has lived with a parent for six or more months.

State policies and reporting on discharge date and “trial home visits” affect re-entry rates. A child may be reunified with parents physically but counted as trial home visit while custody is maintained for 3, 6 or 9

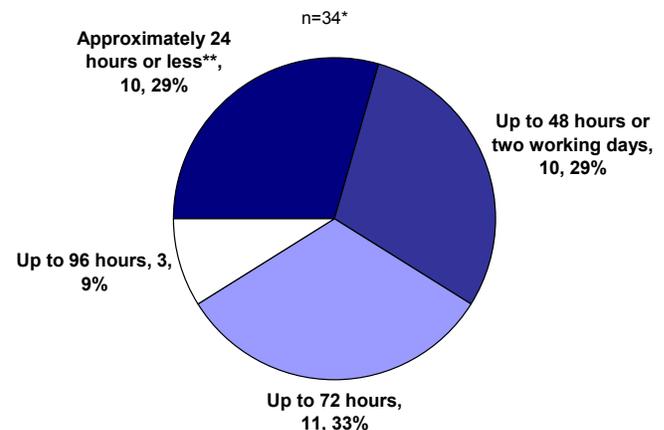
months (or another timeframe), or a child may be immediately discharged as “reunified”. When the child maintains trial home visit status and comes back into care, this is not captured as a re-entry, so those states counting longer “trial home visits” would appear to have lower re-entry rates.

What other definitional issues affect the time to reunification measure?

One factor that may affect reunification rates is whether agencies routinely bring children into care for very brief stays. States were asked several questions regarding their use of protective custody and short-term care during investigation or assessment.

Protective or Temporary Custody – In most states children may be taken into the care of the child welfare agency for brief periods without the authority of the court. Generally this occurs when the child is abandoned or in imminent danger, removal is necessary to ensure the child’s safety, and there is not time to obtain approval from the court. States use different terms to describe this, including protective custody, temporary custody, emergency custody, or shelter care¹. Depending on the state, law enforcement officers, peace officers, child protective services workers, physicians or medical staff at a hospital have authority to take a child into brief protective custody prior to court involvement. Child welfare agencies in at least 17 states have the authority to remove a child prior to court involvement, although some states noted they do this minimally or in conjunction with a law enforcement officer. In seven states the child welfare agency may not *remove* a child, but it has responsibility for *caring* for a child prior to court involvement when a law enforcement officer

Figure 3. Length of Time Child Welfare Agency Can Hold Child In Placement (e.g. Protective Custody) Without Authority of the Court



* Thirty-four of the 41 states may hold a child in placement without the authority of the court.

** “Approximately 24 hours or less” includes “up to 24 hours” (4), next business day (4), 12 hours or 24 on weekends and holidays (1), and up to 4 hours (1).

¹ Some states use the same term to describe brief periods of care with court approval. Also, in one state the term *temporary custody* refers to a legally ordered status of a child.

removes the child. The length of time that child welfare agencies can hold a child without the authority of the court varies, from up to 4 hours in Delaware to up to 96 hours in three states (Figure 3). Some states indicated that their timeframes exclude weekends and holidays. When protective custody expires, the child returns home unless a court hearing is held in which the judge determines that the child should remain in care.

Six states may not hold a child in placement without the authority of the court. According to several states, if a child is in imminent danger after hours the child welfare agency may contact the judge directly or contact an on-call judge to gain the necessary authority.

Consistent with AFCARS requirements, all but one state with children in protective custody for more than 24 hours will include the children in AFCARS reunification data when the child is discharged to parents or relatives (as described in earlier sections).

Short-term care during investigations or assessments – More than half of the states may place children in short term care while the child welfare agency conducts investigations or assessments occasionally (32%) or routinely (27%, routine or common practice). Five other states said this occurs, but rarely. Many states described an overlap with protective custody. Depending on the state laws and practice, the short-term placements are often initiated through removal by another party such as law enforcement or with a court order. Several states that cannot take children without the authority of the court can get short-term emergency orders for the purpose of protecting the child while completing the investigation or assessment. In all 32 states where short-term care during investigation or assessment may occur, the children are reflected in the state’s AFCARS reunification data (although some may appear in other discharge categories).

Nine states said that such short-term placements during investigations *never* occur in their state. Six of these states do have protective custody. State comments explained that children may come into care as a result of investigation, not during investigation, either through protective custody or court order.

Summary and Discussion

There is both promise and concern in what the reunification survey has uncovered about states’ AFCARS reporting for the elements that are used to calculate the federal reunification measure. Most of all,

there are still many questions that this survey is not able to answer.

There is some consistency among states in the way they report reunification, discharge date, trial home visits, and stays longer than 24 hours for children in protective custody or temporary care (Table 7). However, considerable variation still exists in each of these areas, and no two state respondents were consistent in all areas that contribute to the reunification definition.

Various changes are already underway in some states to better meet AFCARS requirements and provide more consistency in the reunification data to conform to federal guidance. This includes development of a SACWIS, modifications to the current information system and/or extraction program, and staff training to bring more internal consistency. Other states may be inclined to make changes to achieve more consistency as they review their fit with other states. But even as states continue to make changes to work toward more consistency, several issues warrant further discussion.

A common language – is this possible? The language used to discuss reunification varies and contributes to the lack of consistency among states. Use of more specific descriptors, aligned with common definitions, may promote our ability to communicate, measure, and improve reunification outcomes. For instance, rather than discussing the date of reunification, it may be better to refer to the date of physical return, the date State (or

Table 7. Major Areas of Consistency and Variation

	Consistency	Variation
Reunification discharge category	Includes discharge to birth and adoptive parents	Inclusion of relatives, legal guardians, step-parents, other caregivers <i>from whom child was removed</i>
Living with other relatives discharge category	Includes discharge to non-removal relatives with legal custody	Sometimes includes discharge to removal relatives, relative guardianship, adoption
Discharge date	Date state legal custody ends, or up to six months after physical return, in many states	Some use date of physical return
Trial home visits (THV)	Time between physical return and end state legal custody reported as THV Supervision only cases not reported as THV	Terms used by states Timeframes
Protective custody and/or short-term care during investigation	States report these cases to AFCARS when in care more than 24 hours	Whether it occurs Definitions Removal authorities Timeframes

county) legal custody ends and/or the date supervision ends (which could be the same date or three different dates).

Reunification – from whose perspective? The federal measure tracks the time from removal to the time of discharge that, according to AFCARS guidance on trial home visits, is the end of state “supervision”. Most states report the end of legal custody as the discharge date (which often coincides with the end of supervision, and may occur the same day the child goes home, or after a time home on a trial basis). A few are beginning to report the end of supervision when this occurs after legal custody ends. Several continue to report the date the child physically returns home.

The date the child physically returns to the parents or caregivers may be just as important in the eyes of the child and family as the end of state custody or supervision. Time to reunification may be better measured with several indicators – the time from removal to the physical return of the child and the time from removal to the end of State (or county) legal custody. States with post-placement supervision may be interested in monitoring time from removal to end of post-placement supervision internally.

Reunification – with whom? The AFCARS discharge category *reunification with parent or primary caretaker* is defined as “The child was returned to his or her principal caretaker(s) home” (US DHHS, 2003). States are consistently reporting children removed from and returned to their parents (whether birth or finalized adoptive parents) in *reunification*. However, more consistency is needed among states in their inclusion of relative or non-relative caregivers from whom the child was removed. Also, clarification is needed on the inclusion of discharges to non-removal parents in *reunification*. Most states are reporting non-removal parents in reunification, and it stands to reason that the *reunification* category is the most appropriate for parents. However the AFCARS definition is not clear on this point. On the other hand, other non-removal relatives fit better in other discharge categories.

Timeframes – are they appropriate as currently defined? Depending on whether a measure considers a child reunified on the date of physical return, end of state legal custody or end of supervision, the appropriate timeframe may vary. In some states children may go home on a trial basis, under state custody and supervision for an extended period.

Federal guidance allows that children home on a trial basis for an unspecified time should be discharged in AFCARS once the time period exceeds six months. In these cases, the child would need to be returned home in less than six months in order to meet the 12 month federal timeframe. Also, when a child is home and parents have legal custody, but supervision continues, should this be considered a trial home visit or has the child already been reunified (discharged from care)? Is the timeframe of 12 months, used in the federal standard, most appropriate for the time to physical return, end of legal custody (after a trial home visit that could last six months), or end of supervision? The answers to these questions should be guided by the current evidence base for good practice.

Discharge to other relatives – why a quandary? When parents are not available to provide a safe home for children, relatives are the next preferred choice. Children discharged to relatives are captured in multiple discharge categories, including reunification, living with other relatives, guardianship and adoption. The AFCARS discharge category *living with other relatives* is defined as “The child went to live with a relative other than the one from whose home he or she was removed” (US DHHS, 2003). The federal measure for reunification includes children discharged in this category. This mitigates the effect of the inclusion of removal relatives in some states, but raises other issues. Most states are consistent in that they report children discharged to the legal custody of relatives in this category, but states vary in whether they include children discharged to relative guardianship, and even relative adoption in a few states. Aside from consistency issues, this raises the question: Is it more important to know the legal outcome (adoption, guardianship, legal custody) or the fact that a child achieves permanency with relatives? Are both needed?

Brief stays in foster care – how do they factor in? Some states use protective custody and/or short-term care for children during an investigation or assessment, while a few states do not use either of these. Since these cases are included in AFCARS, they represent a proportion of children with a very short time to reunification. As such, they may bring down the overall average length of time to reunification (and length of stay in foster care). Should these very short stays be evaluated separately from regular foster care? Further analysis is needed to understand the real impact of the brief stays on reunification rates.

Next Steps and Recommendations

More uniformity in AFCARS data reporting is critical to reliable performance measurement on the national level. Survey results support a need for more consistency in the way states report reunification data. CWLA and the National Working Group recommend that the following steps be taken to achieve more consistency.

1. **Develop common definitions of terms relevant to reunification.** The National Working Group will draft common definitions for *reunification* and the relevant terms discussed in this report, building on federal definitions and guidance. The National Working Group will recommend specific modifications to language used in AFCARS definitions and guidance in cases where more clarity is needed. CWLA and the National Working Group invite the feedback and collaboration of the Children's Bureau in the development and implementation of common definitions.
2. **Provide written guidelines and training that specifically address the definitional issues** identified in this report, as well as any other definitional issues that are related to reunification and re-entry. CWLA and the National Working Group recommend that the Children's Bureau make these written guidelines and training available to all states through sessions at data conferences, technical assistance from federal resource centers and regional office staff, and a written curriculum.
3. **Measure two critical points in reunification:** the time to the **physical return** of the child to a parent or relative and the time to the **end of State** (or local) **custody**. CWLA and the National Working Group recommend that the Children's Bureau begin to track two indicators of reunification:
 - **Time of entry to the time the child physically returns home.** The return home restores the child's daily connection with family, and marks reunification from the child's viewpoint. Parents or relatives become responsible for the child's care, regardless of legal custody status. Some State agencies consider this reunification, including several where internal practices mandate going back to court to place a child regardless of custody status.
 - **Time of entry to the time that state (or local) custody ends,** and legal custody returns to parents. This marks reunification from a legal perspective, whether it occurs at the same time the child returns home or after the child returns home on a trial basis.

The child welfare agency would require a court intervention or temporary protective custody to bring the child back into foster care placement.

4. **Modify AFCARS to support consistent definitions and measurement of time to physical return and time to end of State custody** (described above). CWLA and the National Working Group recommend that the Children's Bureau, with active guidance from states and researchers, make the following modifications:
 - Add two new date fields relevant to discharge: the date the child physically returns home and the date State legal custody ends. Currently, the date of physical return cannot be accurately identified in AFCARS for children still in care, since a trial home visit may indicate a brief visit with the plan to return to the ongoing placement or the physical return with the plan to legally reunify, if successful. Also, the discharge date may be the date State legal custody ends or the date six months after the physical return. The two new fields will offer more clarity and richer information for analysis.
 - Add new values for discharge reason to capture discharges to relatives (guardianship of relatives, adoption by relatives).
 - Provide clarification that children are discharged from AFCARS once legal custody is transferred back to the parent(s), even when the State continues to provide supervision. The current definition of trial home visit refers to children returned home "under continuing State agency supervision." The language should be modified to clarify that supervision-only cases (post-placement supervision cases in which parents have been given legal custody) are not trial home visits, and the child should be discharged from the AFCARS population once parents get legal custody.
5. **Create an active AFCARS Advisory Group with state representation** to guide modifications that will allow reliable, meaningful performance measurement. CWLA recommends that the Children's Bureau convene an active advisory group, consisting primarily of state representatives and including researchers and other child welfare professionals, to identify and implement modifications needed to support better outcome measurement. The NWG has recommended this to the Children's Bureau in the past, as did experts

convened by the Children's Bureau last year. If needed to make the group a reality, we recommend that Congress support legislation that creates an AFCARS Advisory group to guide AFCARS improvements and that allows the flexibility for the Children's Bureau to implement changes as needed pursuant to recommendations from the Advisory Group. An Illinois Congressman has introduced legislation to create such a group.

6. Promote more consistency in all safety and permanency measures used by the federal government. This is the third federal measure that has considerable definitional issues. Studies of *placement stability* and *child maltreatment in foster care* exposed many reliability and accuracy problems across the states. Common definitions are needed to make the federal measures reliable. CWLA and the National Working Group recommend that the

Children's Bureau support a concerted effort to identify and address definitional issues with each federal measure. An AFCARS Advisory Group with state representation should be formed to identify and address definitional issues with each federal measure using AFCARS data.

CWLA and the National Working Group will continue to discuss these issues among states and with the federal government, researchers and other stakeholders. The NWG will develop a set of common definitions to promote more consistency regarding reunification, within the context of federal guidance. We will also continue to promote the creation of an AFCARS advisory group as a venue for future improvements. The Children's Bureau's leadership and active guidance from States are both vital to promoting the use of common definitions and more reliable performance measurement.

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NDAS National Working Group to Improve Child Welfare Data HIGHLIGHTS

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The Child Welfare League of America is the nation's oldest and largest membership-based child welfare organization. We are committed to engaging people everywhere in promoting the well-being of children, youth and families, and protecting every child from harm. A list of staff in CWLA service areas is available online at www.cwla.org/whowhat/serviceareas.asp.



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