

Alberta Y. of Corpus Christi is one of many parents who has chosen to foster and adopt. “After my husband passed away, I became very lonesome,” said Alberta. “My daughter was grown up and had moved out. Then I saw some foster parents on TV and decided to give it a try.” She eventually adopted one child, Larry, who was 12 at the time. He is now a freshman in college. Currently, she has five foster children — three of them are available for adoption. “We’re losing a generation of children. You have to take them by the hand, lead them in a new direction, and make a difference.”

Child Protective Services

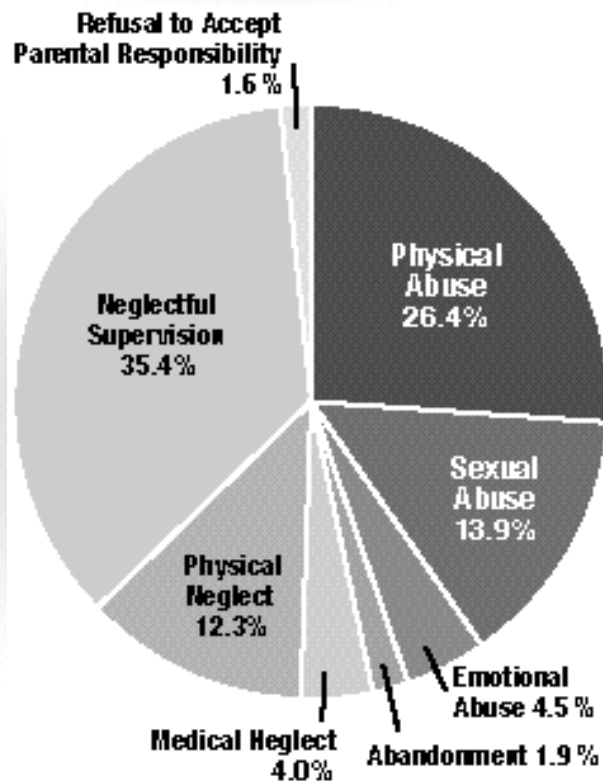
AS IN PREVIOUS YEARS, the agency's largest program, Child Protective Services, CPS, continued to see growth in services and expansion of innovative programs during Fiscal Year 1997. CPS is charged with investigating reports of suspected child abuse and neglect, providing services to clients, promoting the stability of families, and providing safe places for children to live on a permanent basis.

In many cases, the agency works with families to resolve problems that put children at risk. If this is not possible, PRS provides temporary homes for children to live in — foster families or licensed residential facilities. Most

children are successfully reunited with their families, but when this is not possible, the agency, with court approval, arranges for them to live permanently with a relative or to be adopted by another family.

In Fiscal Year 1997, there were 33,961 confirmed victims out of 75,725 investigations of child abuse and neglect in Texas. Victims ranged in age from infants to teens, but young children were the most vulnerable. About 29 percent of all victims were 3 years old or younger and more than 51 percent were six or younger. The people most responsible for the abuse were parents: 47.9 percent were the child's mother and 21.8 the father. Other perpetrators included relatives (12.5 percent), caregivers (1.5 percent), and parents' boyfriends or girlfriends (5.6 percent).

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TYPES OF ABUSE

Confirmed victims may have experienced more than one type of child abuse or neglect.

The number of investigations of child abuse and neglect in Fiscal Year 1997 was down from 99,780 investigations in the previous year. The decrease is due to multiple factors including a new automation system for CPS that has removed inconsistent data, the addition of supervisory approval prior to case closure, and pending documentation of cases. This decrease in cases completed also contributes to fewer cases in which abuse or neglect has been confirmed. However, the ratio of confirmed cases to investigations remains fairly consistent and recent statistics indicate a return to a historic volume of cases.

The agency's first priority is the immediate safety of children. PRS administers a toll-free, 24-hour hotline for reporting suspected abuse (1-800-252-5400). All reports that meet the statutory definitions of abuse and neglect are assigned a priority based on the level of risk to the child, so that the most urgent cases receive immediate attention. Law enforcement agencies are also notified of reports.

Reports come from many sources. About 35 percent of all investigated cases come from professionals such as teachers, doctors, nurses, clergy, and child-care staff, who come into contact with children. Other frequent sources include parents (9.4 percent), relatives (10.4 percent), and friends and neighbors (7.5 percent).

CPS workers may interview the children, parents, and witnesses to determine if child abuse or neglect has occurred and to assess the continued risk to the child. The agency determines what civil court action to take, if any. If criminal conduct is involved, law enforcement will investigate at the same time to determine if criminal charges should be filed.

In many communities, interviews and examinations of children in abuse and neglect cases may be conducted at a children's advocacy center. The centers provide a non-threatening, child-friendly setting where professionals from child protective services, law enforcement, the prosecutor's office, and others work together. Medical and mental health professionals and social workers are also part of the team that provides services to victims. By the end of Fiscal Year 1997, there were 24 centers operating around the state and 10 more in development.

In response to changes in the law defining child abuse and neglect during the 1995 and 1997 legislative sessions, CPS will adopt a more flexible approach to conducting investigations. This change in policy will allow caseworkers to provide assessment and supportive services to families in less serious cases. The agency plans to start a pilot program based on this approach in Fiscal Year 1998.

Helping Children in Crisis

Children who come in contact with Child Protective Services often do not have the basic necessities. In an emergency, caseworkers often end up supplying diapers and other necessities out of their own pockets.

To meet this demand, The Rainbow Room, supported by community contributions, provides donated clothes, toys, formula, and supplies to caseworkers in a store-like setting. The Adopt-A-Caseworker program pairs church and civic groups, businesses, and individuals with CPS caseworkers to help families and children. Participants donate things like birthday gifts, household goods, bus passes, new clothes, gift certificates for children's meals, and money to pay for utilities.

When Claire G. (far left), a 9-year-old in Austin, held her birthday party in April, she decided to donate her gifts to the Rainbow Room. "I know that there are children who don't have a lot of toys," said Claire. "It felt good to give away the toys. It's something kids can do to help other kids."

Both Rainbow Room and Adopt-A-Caseworker programs are projects of Texas Community Partners. The organization works with Junior Leagues and other volunteers throughout the state to bring together local organizations and businesses to help abused and neglected children. In Fiscal Year 1997, the Container Store was chosen as volunteer corporation of the year for its support of Rainbow Rooms across the state by furnishing shelves and donating other services. Currently there are 29 Rainbow Rooms and 217 caseworkers benefiting from the Adopt-A-Caseworker program in Texas.

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Other legislation passed in 1997 broadens the way in which the agency protects children:

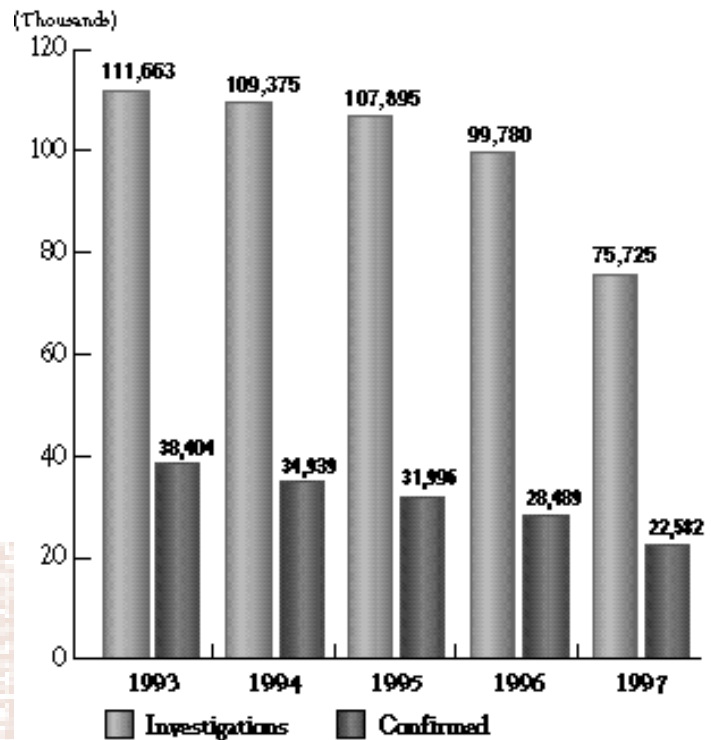
- The definition of child abuse was expanded to include children born with alcohol or a controlled substance in their blood.
- The agency will be able to adopt separate procedures for conducting investigations of abuse and neglect in school settings.
- Although many staff were already following this procedure, the agency is now required to audiotape or videotape interviews of children in serious cases of sexual and physical abuse. The law allows for no taping if good cause is shown.

Investigating child abuse and neglect is the responsibility of Child Protective Services. At the same time, abuse and neglect is a crime and regularly involves law enforcement agencies. Over the years, CPS has had a good relationship with law enforcement. In fact, in some cities, CPS staff are co-located with law enforcement staff.

In addition to protecting the immediate safety of children, PRS provides services to reduce the risk of future abuse or neglect of children in the home. Sometimes, children may continue to live at home while the agency works with families. In other cases, it is necessary to find a safe place for children to live, such as with relatives or in foster care.

In Fiscal Year 1997, 7,782 families received in-home services per month. Others received services while the children were in care outside the home.

INVESTIGATIONS OF CHILD ABUSE AND NEGLECT *



* Does not include investigations in child-care facilities.

When a child is in the state's custody, a special team of staff and other professionals involved in the case meets regularly to address the factors that caused abuse or neglect. They also review the progress made in the case. The plan may require the parents to find stable housing and participate in parent training classes, counseling or drug and alcohol abuse treatment, or other services. The goal of these meetings is to ensure that children do not linger in foster care and that they live in a stable nurturing environment. The meetings help all parties concerned to determine a

permanent solution for a child — or what is known as a “permanency plan.” Whether the plan is for a child to return home or be adopted, the team works to avoid unnecessary delays in the process.

When it isn't safe for children to live with their own families, the agency finds another place for them. They may be placed temporarily with relatives, a foster family, in an emergency shelter, or in an assessment center. At the end of Fiscal Year 1997, there were 12,730 children in foster care.

Claudia H. of Brownfield said, "It hurt when they took my baby away. But in a way, I'm glad that something happened because the experience made a new person out of me." Through FAME (the Family Advocate Model for Empowerment), Claudia worked with foster mother Susana C. to learn how to improve her parenting skills. "Susana encouraged me to get my degree and go to counseling. I learned that if you love your kids, you have to do what it takes. You can't give up." Claudia and her baby have been back together for more than a year now, but she still calls Susana for advice once in a while.

Of these, 9,372 were living in one of the state's 6,235 licensed foster family homes. Foster families are volunteers who provide a place for children to live while they are in PRS care. They are reimbursed for a portion of the costs of caring for children.

Some children have special medical needs or other disabilities that would be difficult to care for in a family home. These children may be placed in group homes, residential treatment centers, or other facilities. The agency contracts with providers offering a wide variety of programs designed to meet the special needs of children.

During Fiscal Year 1997, PRS worked with foster parent associations to expand the Positive Parenting training curriculum, which teaches parents how to build a nurturing and positive environment for their children.

In Fiscal Year 1998 and beyond, PRS plans to expand a team-oriented, parent mentoring program started in the Panhandle called FAME (the Family Advocate Model for Empowerment). The program pairs birth parents with foster parents to teach them about the importance of a stable home life for families and children.

When it is not possible for a child to return home, the court may terminate the parents' rights, freeing the child for adoption. Swift adoption teams were implemented in 1996 for the purpose of moving children to adoption. During Fiscal Year 1997, 1,330 children were placed in adoptive homes. The number of consummated adoptions increased from 746 in Fiscal Year 1996 to 1,091 in Fiscal Year 1997, which is an increase of about 46 percent. PRS also contracts with private adoption agencies to place foster children available for adoption.

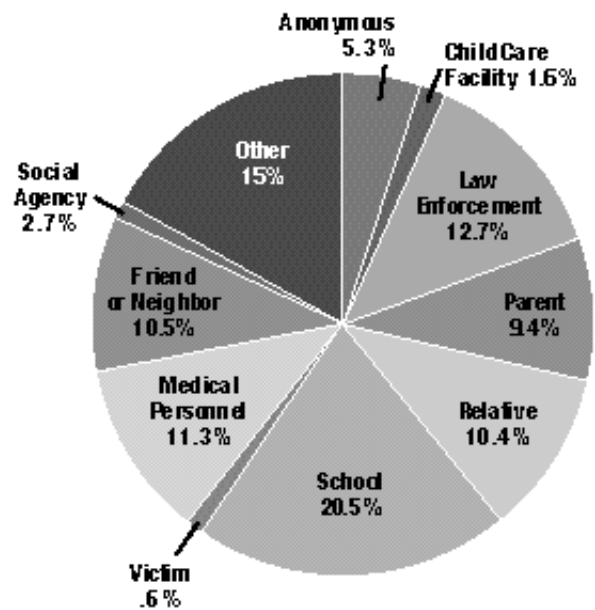
Following the recommendations of the Governor's Committee to Promote Adoption, and the Texas

Lubbock CPS staff meet to discuss the case of a child in the state's custody. Their meeting, commonly called a "staffing," is one of several that will be held to determine what living situation is best for a child and what the child's long-term plan will be. Staffings usually include agency personnel, foster parents, birth parents, relatives, attorneys, health care staff, therapists, and children's advocates.

Supreme Court Task Force on Foster Care and its Court Improvement Project, during the 1997 session, the Texas Legislature passed a comprehensive change to the Texas Family Code that will decrease barriers to adoption and expedite the process of returning children to safe homes, or when that is not possible, finding permanent homes for children who need loving families. Beginning in January 1998, the agency launched an initiative that will resolve cases of children who come into the state's care within 12 months with the possibility of one six-month, court-ordered extension. In implementing this dramatic new

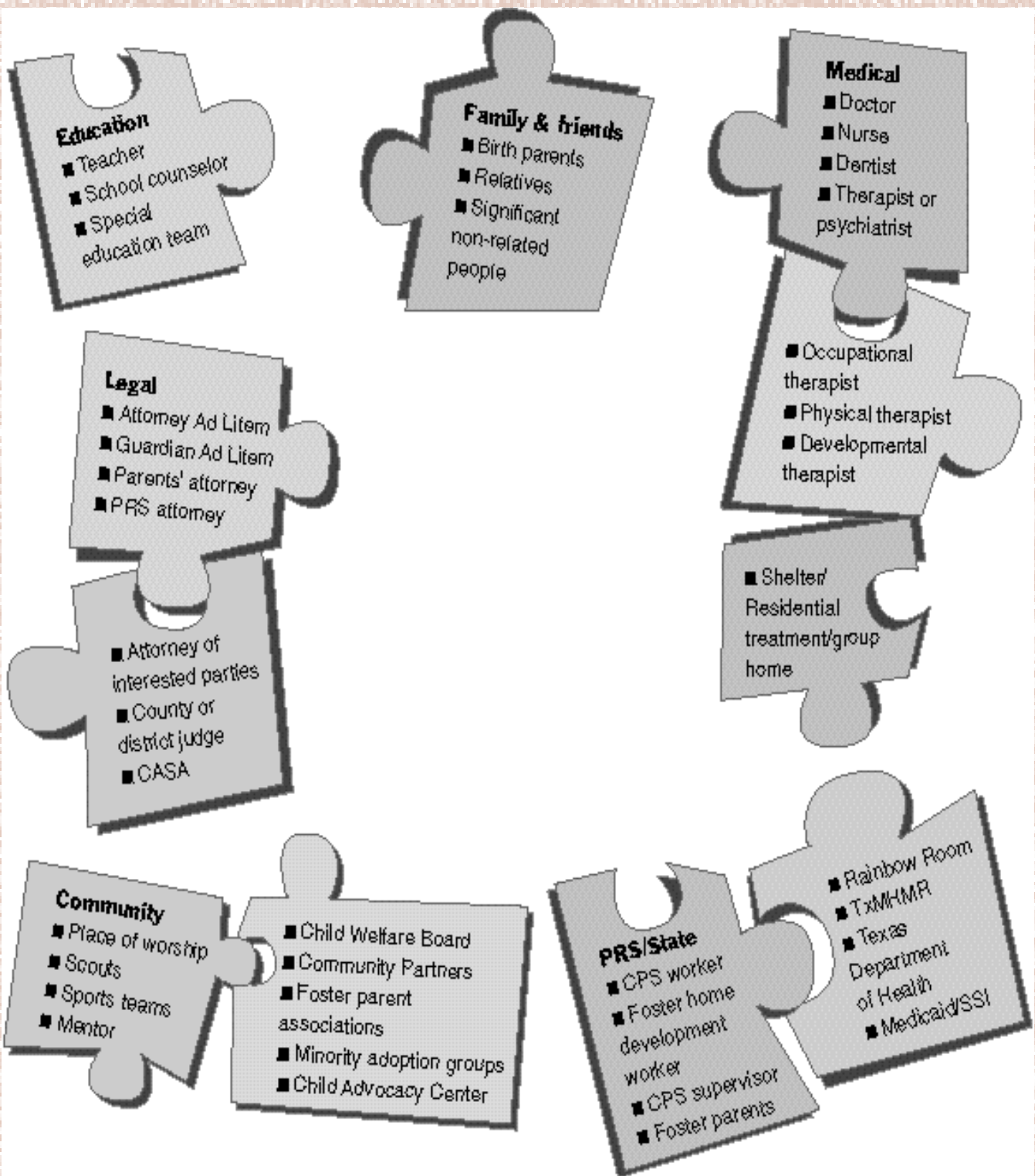
law, Texas leads the way for similar efforts across the country. Following the lead of the Texas Legislature, Congress in 1997 passed similar legislation to reduce the time children spend in foster care.

In the last year, the agency has pooled its resources and trained its staff to prepare for this dramatic change. Since the welfare of children involves many stakeholders, staff also worked during 1997 to educate others outside the agency, such as judges, attorneys, and child advocacy groups about the change in law.



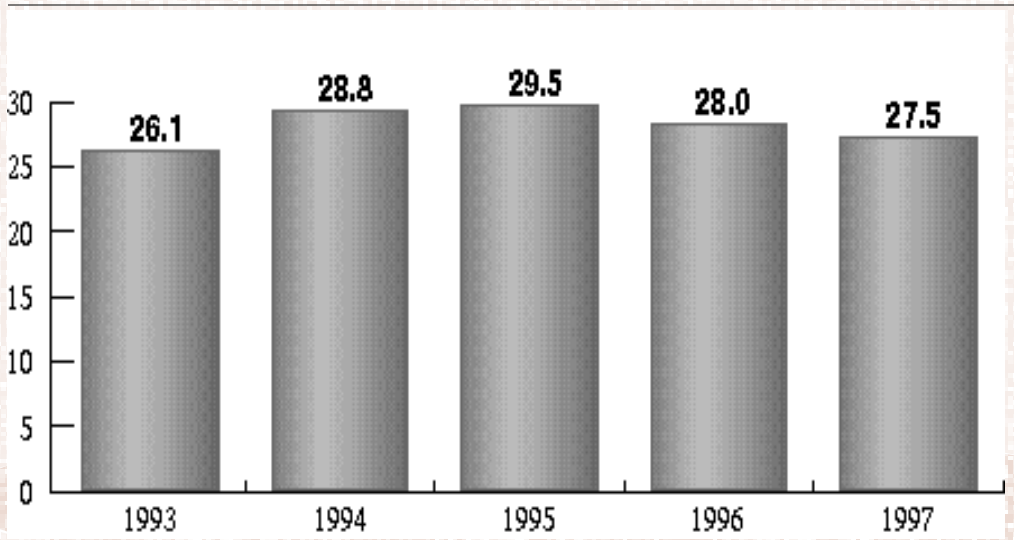
INVESTIGATIONS OF CHILD ABUSE AND NEGLECT BY SOURCE OF REPORTS

Children in Foster Care

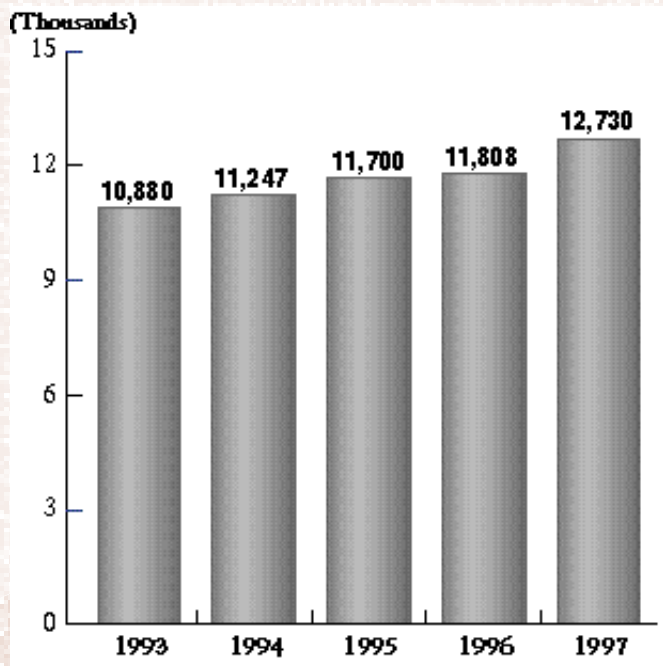


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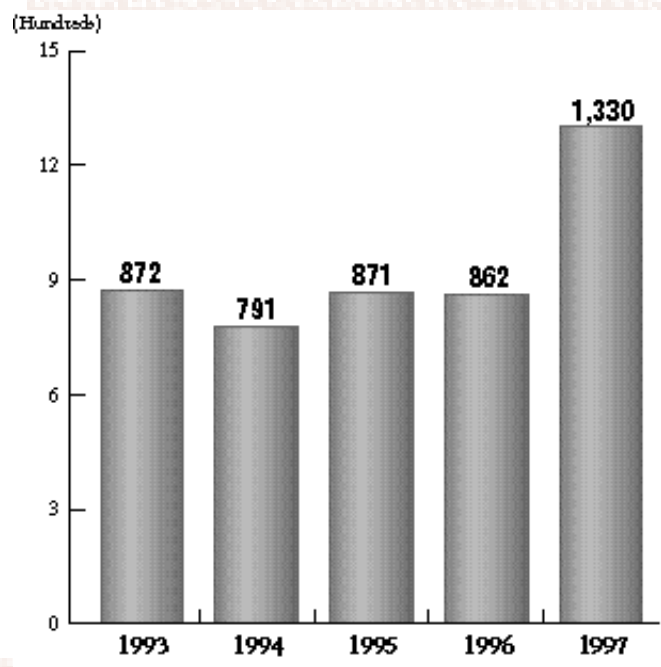
AVERAGE WEIGHTED CPS CASELOAD PER WORKER



CHILDREN IN FOSTER CARE AT END OF FISCAL YEAR



ADOPTIVE PLACEMENTS



PRS is involved in a number of activities to recruit adoptive families and improve adoption services. Recruiters in each region promote public awareness and coordinate specific efforts to find families for the children waiting in that region. At the end of Fiscal Year 1997, there were 1,886 children in the agency's custody who were legally free for adoption.

One of the agency's statewide efforts is the Texas Adoption Resource Exchange. The exchange distributes a photo listing of available children. The listing is also available on the PRS home page (<http://www.tdprs.state.tx.us>). The agency works with national adoption organizations in print and on the internet to help place children.

One Church, One Child is designed to increase recruitment of minority families. It seeks to find one family from each participating congregation to adopt a child or sibling group.

Many foster parents may decide over time to adopt children in their care if the children's plans become adoption. Adoptive parents also become foster parents to accept placement of children

not yet legally free for adoption. Recent national studies show that there is a better chance for a successful adoption in these situations because a bond has already developed between parents and children. In response, during Fiscal Year 1997, staff also worked to boost recruiting and certification of parents who were dually certified as foster and adoptive. During Fiscal Year 1997, 51 percent of adoptions were by foster parents. In January 1997, the agency began to implement PRIDE (Parents' Resource for Information, Development, and Education), a new training for foster and adoptive parents developed by a consortium of states.

Children who have suffered abuse or neglect often continue to need help coping with the effects even after adoption. PRS contracts with nine agencies to provide mental health and therapeutic services to children. Those agencies also provide parent training, support groups, and respite care for adoptive parents. Post-adoption services providers met quarterly during Fiscal Year 1997 to help measure successes, improve services, exchange information, and adopt uniform goals.

Mr. And Mrs. S. of Laredo have been foster parents to more than 100 children since 1984. Some have stayed with them for as little as a couple of days, while others have been with them for as long as five years. "Being a foster parent is a commitment," said Mrs. S. "But as long as we have our health, we will continue to foster. The better we make the world now, the better it will be tomorrow."

Preparing Youth for the Adult World

MAKING the transition to adulthood can be difficult for any child, but for children who grow up in the state's care, it can be especially frightening. Through the Preparation for Adult Living (PAL) program, the agency provides comprehensive services that prepare youths in foster care for the adult world. Services include independent living assessment, counseling, and training in money management, job skills, educational planning, and interpersonal skills. During Fiscal Year 1997, 2,761 youths, ages 14 to 21, participated in the PAL program.

In 1993, Texas passed a law that exempts former foster children from having to pay tuition and most fees at state-supported universities, colleges, and vocational schools. Some colleges such as Texas A&M at Commerce, University of Texas at Arlington, and Southwest Texas State University



Xenia

have expanded the benefits to include dormitory scholarships. In 1997, the Texas Legislature expanded the law to include more youths, such as those who get a high school diploma or GED certificate while they are in PRS care and those youths who are adopted or eligible for adoption at age 14 or older.

In the future, the agency hopes to establish more partnerships with

institutions of higher learning. The agency is also exploring partnerships with local Texas Workforce Commission boards to increase job training for youth in the PAL program.

Xenia G., a PAL graduate in Houston, is taking advantage of the state's tuition waiver program by studying pre-med at a community college. "Through PAL I learned about things like looking for a place to live and



Jimmie

balancing a budget. After being in foster care, I wasn't afraid to go out on my own."

"Through PAL, I learned how to take responsibility for myself and accomplish things on my own," says Jimmie H. of Lubbock. "I'm really glad that I got involved. PAL helped me through a lot." Jimmie hopes to get a job in the medical profession some day or to start a business of her own. ■

Child Abuse and Neglect in Texas Definitions

Texas law requires anyone who suspects that child abuse or neglect has occurred or may occur to report it immediately to PRS or a law enforcement agency. Failure to report suspected abuse or neglect is a criminally punishable offense. Individuals acting in good faith who make reports, assist in the investigation of reports, or testify in judicial proceedings are protected by law from liability. The Texas Family Code provides definitions of child abuse and neglect:

Child abuse includes the following acts or omissions by a person:

- mental or emotional injury to a child that results in an observable and material impairment in the child's growth, development, or psychological functioning;
- causing or permitting the child to be in a situation in which the child sustains a mental or emotional injury that results in an observable and material impairment in the child's growth, development, or psychological functioning;
- physical injury that results in

Pedro and Virginia B. of Houston made the decision to contact PRS about adoption after seeing a billboard one Sunday while driving on the Southwest Freeway. "We contacted the agency, went through training, and waited," said Virginia. "Then, we saw the picture of Elizabeth and Erica. They looked so cute. You could tell in their eyes — they needed stability." The billboard campaign, co-sponsored by the Dave Thomas Foundation for Adoption, will be expanded in Fiscal Year 1998.

substantial harm or the genuine threat of substantial harm from physical injury to the child, including an injury that is at variance with the history or explanation given and excluding an accident or reasonable discipline by a parent, guardian, or managing or possessory conservator that does not expose the child to a substantial risk of harm;

■ failure to make a reasonable effort to prevent an action by another person that results in physical injury that results in substantial harm to the child;

■ sexual conduct harmful to a child's mental, emotional, or physical welfare;

■ failure to make a reasonable effort to prevent sexual conduct harmful to the child;

■ compelling or encouraging the child to engage in sexual conduct as defined by Section 43.01, Penal Code;

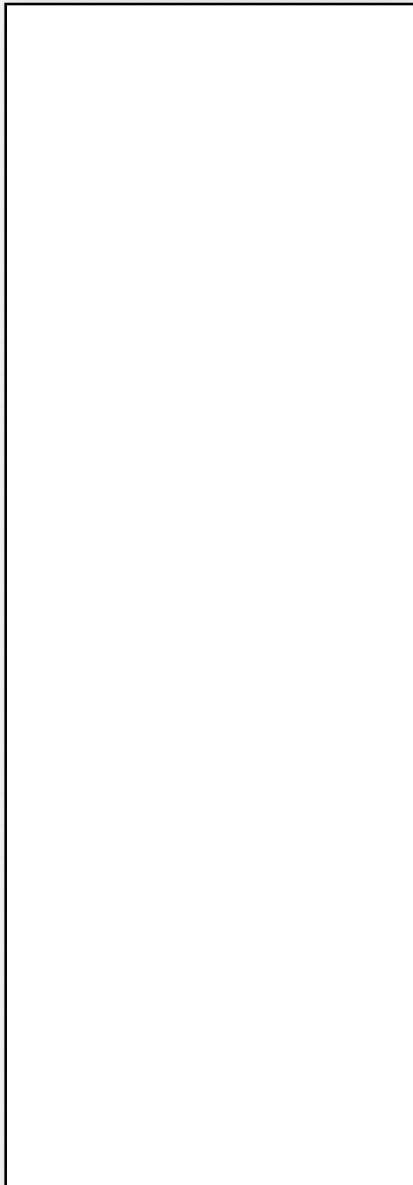
■ causing, permitting, encouraging, engaging in, or allowing the photographing, filming, or depicting of the child if the person knew or should have known that the resulting photograph, film, or depiction of the child is obscene (as defined by Section 43.21, Penal Code) or pornographic;

■ the current use by a person of a controlled substance as defined by Chapter 481, Health and Safety Code, in a manner or to the extent that the use results in physical, mental, or emotional injury to a child; or

■ causing, expressly permitting, or encouraging a child to use a controlled substance as defined by Chapter 48, Health and Safety Code.

Child neglect includes:

■ the leaving of a child in a situation where the child would be exposed to a substantial risk of physical or mental harm, without arranging for the necessary care for the child, and the demonstration of an intent not to



return by the parent, guardian, or managing or possessory conservator of the child;

■ the following acts or omissions by a person:

a) placing a child in or failing to remove a child from a situation that a reasonable person would realize requires judgment or actions beyond the child's level of maturity, physical condition, or mental abilities, and that results in bodily injury or a substantial risk of immediate harm to the child;

b) failing to seek, obtain, or follow through with medical care for a child, with the failure resulting in or presenting a substantial risk of death, disfigurement, or bodily injury or with the failure resulting in an observable and material impairment to the growth, development, or functioning of the child;

c) the failure to provide a child with food, clothing, or shelter necessary to sustain the life or health of the child, excluding failure caused primarily by financial inability unless relief services had been offered and refused; or

d) placing a child in or failing to remove the child from a situation in which the child would be exposed to a substantial risk of sexual conduct harmful to the child; or

■ the failure by the person responsible for a child's care, custody, or welfare to permit the child to return to the child's home without arranging for the necessary care for the child after the child has been absent from the home for any reason, including having been in residential placement or having run away. ■

Rethinking the System

Child Protective Services administers several collaborative projects to develop improvements to the system.

The Children's Justice Act (CJA) works to improve the ways in which child abuse cases are investigated and prosecuted. CJA funds a telemedicine project, which has created a network of medical professionals who evaluate cases of child sexual abuse. Through telemedicine software, they can electronically send pictures to each other to obtain "a second opinion" and thus validate medical findings needed to prosecute cases. During Fiscal Year 1997, the telemedicine project expanded to rural areas, enabling urban doctors who handle more cases have more expertise to share their opinions

with their rural counterparts. The project benefits children by ensuring the availability of accurate exams to all.

CJA also funds a court-based mediation project, which provides an alternative to litigation for resolving CPS cases. Through mediation, the agency hopes to reduce the time that children stay in foster care, reduce hostility, and overall, achieve better results for children and families. CJA is currently exploring the use of video conferencing in hearings where distance is a factor — for example, where a child is placed in a residential treatment facility outside his or her county of residence.

The Court Improvement Project (CIP), directed by the Texas Supreme Court Task Force on Foster Care with administrative support from PRS, is an effort to make court improvements in child protection cases. In Fiscal Year 1997, CIP funded training to help educate judges about the changes in legislation that will speed up the timeframe in which children who enter the system are

provided permanency. CIP has begun and will expand pilot projects that use specialized associate and visiting judges in a multi-county area.

The Child Fatality Review Team project brings together law enforcement, prosecutors, medical examiners, justices of the peace, health-care professionals, CPS, mental health professionals, educators, child advocates, and others. Its goal is to develop an understanding of the causes of child fatalities and identify measures to reduce the number of preventable deaths. Child fatality review teams review all child deaths regardless of the cause, whether they are the result of vehicular accidents, drowning, fire, suffocation, firearms, homicides, and suicides. The project is administered by PRS, the Texas Department of Health, and the Children's Trust Fund. Currently, there are 25 operating teams covering 84 counties of the state and 12 developing teams covering an additional 31 counties. During the next biennium, the agency plans to expand the teams to cover every county in the state.

Citizen Review Teams in every region evaluate CPS cases, reviewing the actions taken and the decisions made. Established by the Legislature in 1995, the teams consist of five private citizens who are also parents. They meet at least once a quarter, and have an opportunity to speak with staff and ask questions about any aspect of an investigation, including the final conclusion. Team members make recommendations to improve the department's policies and procedures in future investigations. ■