



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor

KODY H. KINSLEY • Secretary

SUSAN G. OSBORNE • Assistant Secretary for Human Services

May 16, 2023

Sharon Barlow, Director
Guilford County Department of Social Services
1203 Maple Street
P.O. Box 3388
Greensboro, NC 27402

Victor Isler, Assistant County Manager
Guilford County
301 West Market Street
Greensboro, NC 27401

Melvin Alston, Chairman
Guilford County Board of Commissioners
301 West Market Street
Greensboro, NC 27401

SENT BY EMAIL AND CERTIFIED MAIL

Dear Director Barlow, Mr. Isler, and Mr. Alston,

On December 12, 2022, the North Carolina Department of Health and Human Services, Division of Social Services (NCDSS) was made aware of a child fatality that occurred on December 12, 2022. Guilford County Department of Social Services (GCDSS) had an open CPS Assessment on the family of the deceased child (Case 279904100).

Per N.C.G.S. §108A-74, the North Carolina Department of Health and Human Services (DHHS) has the authority to evaluate a county department of social services' provision of child welfare services; it is expected that the delivery of services must be in accordance with applicable state laws, rules, and policies.

On January 3, 2023, Regional Child Welfare Consultant (RCWC) Mirna Gereige conducted a review of case 279904100. The record was reviewed utilizing the appropriate program monitoring tool that

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF SOCIAL SERVICES

LOCATION: 820 S. Boylan Avenue, McBryde Building, Raleigh, NC 27603

MAILING ADDRESS: 2401 Mail Service Center, Raleigh, NC 27699-2401

www.ncdhhs.gov • TEL: 919-855-6335 • FAX: 919-334-1018

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specifically determines if law, rule, and policy are followed. The review of case 279904100 revealed concerns with GCDSS's child welfare practice, which included violations of policy as identified:

- The original Child Protective Services Report was screened improperly.
- All children were not seen and interviewed at initiation.
- Safety was not assessed thoroughly at initiation.
- Ongoing contact was not sufficiently maintained with the family to ensure safety.
- Lack of follow up on reported safety concerns by the mother.
- Structured Decision Making (SDM) tools were not completed correctly.

Additionally, from April 13 – 26, 2023 a NCDSS team completed a review of 29 CPS Assessment cases and 10 Permanency Planning Cases. Permanency Planning cases were included in the review due to several complaints received through the Constituent Concerns office of NCDSS. These complaints regarding Permanency cases included concerns of cases not achieving timely permanence and that foster parents were not supported in their efforts to provide for the children in their home. Additionally, leadership at GCDSS reached out to NCDSS for assistance in addressing ongoing tension with Guilford County court partners. The records were reviewed utilizing the appropriate program monitoring tool that specifically determines if law, rule, and policy are followed.

The review of the CPS Assessment cases revealed the following violations of policy:

- All children were seen and interviewed at initiation in 48% of the cases.
 - 10 of those cases were initiated by the After-Hours unit and 7 of the 10 were not initiated timely.
- The Safety Assessment was adequate to ensure safety in 48% of the cases.
- Supervisory oversight was conducted according to policy in 55% of the cases.
- Ongoing Contacts with the children were made according to policy in 62% of the cases.
- Ongoing contacts with the parents were made according to policy in 69% of the cases.
- Collateral contacts were completed according to policy in 70% of the cases.
- SDM tools were completed correctly in 55% of the cases.
- Case decisions were appropriate and supported by documentation in 52% of the cases.
- Documentation reflected discussions of ongoing safety and risk in 69% of the cases.

The review of Permanency Planning cases revealed concerns in practice which included violations in policy as identified:

- Ongoing contacts with children occurred in 70% of the cases.
- Children were interviewed separately in 50% of the cases.
- Ongoing contacts with the parents did not occur according to policy in any of the cases.
- Documentation reflected discussion of risk and safety factors as well as observations and actions in 50% of the cases.
- SDM tools were not completed correctly in any of the cases.
- Family Service Agreements were completed timely with the parents in 20% of the cases.
- Family Service Agreements were reflective of SDM tools in 18% of the cases.
- Family Time occurred frequently and in a variety of places in 22% of the cases.

- Supervisory oversight was conducted according to policy in 30% of the cases.

GCDSS is required to develop a Corrective Action Plan (CAP) to address these violations within 30 days of this letter. The required CAP must be developed using the attached template. NCDSS will review the CAP and provide feedback within 10 business days of receipt.

The CAP must include but is not limited to:

1. A plan to provide all staff with ongoing supervisory oversight at least every other week and high-risk cases weekly.
2. A plan to ensure all staff remain current in narrative within 7 days of event as per policy and that narrative accurately reflects the activities of the case.
3. All Social Workers and Supervisors/Program Managers participate in the mandatory Back-to-Basics training that is focused on Safety and Risk and appropriate use of SDM tools.
4. All Social Workers and Supervisors/Program Managers will complete the mandatory Practice Standards trainings. Social Work Supervisors/Program Managers will utilize the associated self-assessment tools.
5. CPS Supervisors/Managers will participate in Technical Assistance on Conducting thorough Assessments.
6. Permanency Planning Supervisors/Managers will participate in Technical Assistance on ensuring timely permanence.
7. Social Work Supervisors/Managers will participate in coaching to develop strategies for providing ongoing, effective supervisory oversight.
8. Ensure all staff participate in training identified to address areas of needed improvement in NCSWLearn.org

The Regional Child Welfare Consultant (RCWC) assigned to your county will assist you and your child welfare team in developing your CAP and provide technical assistance to identify or develop necessary resources to lead your team to successful CAP completion.

NCDSS acknowledges that GCDSS has already taken steps to mitigate the deficits outlined above. These steps include:

- After-Hours staff will review all CWS history to ensure all children in the home have been identified.
- The assigned daytime CPS worker and supervisor will staff a case that was initiated by after-hours withing 24 hours to ensure needed next steps are clearly identified.
- The date of the most recent face-to-face contact with all children has been added to the supervisory oversight form to ensure timely contacts are being made.
- A 24-hour turnaround of documentation is required for all cases initiated by after-hours staff.
- Hiring a recent retiree to work 20 hours a week to provide coaching and modeling to all supervisors.

NCDSS would ask that GCDSS include these activities in their CAP.

The role of the DSS Director in the success of a CAP is crucial. Director Barlow must provide monthly updates to the CAP that describe the actions taken to fulfill the CAP. These updates will be made to the RCWC during their monthly site visit and documented using the CAP template. The first update to the CAP will be due 30 days after the CAP is accepted by NCDSS.

NCDSS will provide Guilford with a site visit schedule where a review of progress toward implementing the CAP and incorporating changes to the CAP will be reviewed. This review may include the review of child welfare case records.

The state office works to support county departments of social services with policy interpretation, practice guidance, and technical assistance. Failure to comply with this notice or further violations that impact the safety, permanence, and well-being of children in your child welfare services program may result in DHHS moving to invoke provisions under N.C.G.S. § 108A-74(h):

If the Secretary determines that a county department of social services is not providing child protective, foster care, or adoption services in accordance with State law and with applicable rules adopted by the Social Services Commission, or fails to demonstrate reasonable efforts to do so, and the failure to provide the services poses a substantial threat to the safety and welfare of children in the county who receive or are eligible to receive the services, then the Secretary....shall withhold funding for the particular service or services in question and shall ensure the provision of these services through contracts with public or private agencies or by direct operation the Department of Health and Human Services.

If you have questions or concerns, please contact me at (919) 527-6401 or lisa.cauley@dhhs.nc.gov.

Sincerely,



Lisa Tucker Cauley
Sr. Director of Human Services

Cc: Susan Osborne, Assistant Secretary for Human Services
Rajeev Premakumar, NCDHHS Deputy General Counsel
Adrian Daye, Deputy Director for Child Welfare Practice
Tammy Shook, Interim Deputy Director for Child Welfare Operations
Peter West, Section Chief for County Operations
Jennifer Miller, RCWC Manager
Mirna Gereige, RCWC