



Robert P. Astorino  
County Executive

Department of Social Services

Grant E. Mitchell, MD  
Acting Commissioner

**14144**

**Date:** September 10, 2010

**To:** Honorable Members of the Board of Acquisition & Contract

**From:** Grant E. Mitchell, MD  
Acting Commissioner, Department of Social Services

**Re: Resolution authorizing the County of Westchester to enter into an agreement with The New York State Unified Court System whereby the Court System shall utilize the services of the City University of New York- Hunter College School of Social Work to facilitate the Disproportionate Minority Representation in foster care research project (“the Project”) for the period from October 1, 2010 through December 31, 2010 in an amount not to exceed \$16,667, with all funds being paid by the Court System to City University of New York- Hunter College School of Social Work pursuant to an approved budget and subject to appropriation**

Authorization is requested for the County of Westchester, acting by and through its Department of Social Services (“the Department”), to enter into an agreement with The New York State Unified Court System (the “Court System”) whereby the Court System shall utilize the services of the City University of New York- Hunter College School of Social Work to facilitate the Disproportionate Minority Representation in foster care research project (“the Project”). The proposed contractual agreement will commence on October 1, 2010 and expire on December 31, 2010. In consideration for services to be rendered, the County will pay the Court System an amount not to exceed \$16,667, with all funds being paid by the Court System to City University of New York- Hunter College School of Social Work, pursuant to an approved budget and subject to appropriation

The services to be provided pursuant to this agreement will serve a **public purpose** as the Project will assist in the evaluation of the impact of decision making at key points in child welfare cases adjudicated in Westchester County Family Court on racial disproportion and disparity in the foster care system. The Project is a significant part of the Department's response to the mandatory New York State Performance Improvement Plan (PIP) by which the Department is working to reduce the length of stay of children placed in foster care.

The **goals and objectives** of this contract are to assess child welfare decision points and their potential impact on racial disproportion. Cases involving African-American, low-income and poor families are more likely to be investigated by Child Protective Services (CPS), substantiated, and involve removal of children than cases involving European-American families (Robert B. Hill, *The Role of race in Foster Care Placements*, Race Matters in Child Welfare: The Overrepresentation of African American Children in the System, CWLA: Washington, D.C.). The Project will seek to identify how such disparities continue to be present. By examining the decision making process of cases adjudicated in Westchester Family Court, the Project may ascertain whether or not such decisions intensify or diminish the likelihood of racial disparity inside the child welfare system.

The **goals and objectives are in the best interest of the County in terms of public safety** as the service provided through the Project does not seek to undermine the main objective of providing a safe environment for children. The process initiated through the Project places a unique emphasis on safety and risk while attempting to identify preventive and protective strategies that require a high level of cultural competency so that racial disparity is minimized.

The **goals and objectives are in the best interest of the County in terms of public health** of the youth and families of Westchester County because the service provided through the Project addresses the health and well-being of children. The Project proposes to study case records and interview key decision makers in the child welfare system to identify any outcomes of those decisions that may be associated with racial disproportion and disparity. The focus is always on strengthening the three child welfare goals of safety, permanence and the well-being of children.

The **goals and objectives are in the best interest of the County in terms of fiscal responsibility** as the program is designed to meet the requirements of the mandatory New York State Performance Improvement Plan (PIP). The Department would avoid financial sanctions by adhering to the mandatory NYS requirements of the PIP. The service provided through the Project focuses on safely returning children home and achieving a more timely permanency solution. The benefit to the County of Westchester and taxpayers is the cost avoidance of maintaining children in out-of-home placements.

The **goals and objectives will be tracked and monitored using the performance measurement indicators** developed by the department and approved by the County Budget Office. The vendor will submit monthly statistics reports in the format approved

by the Department. The Department will be responsible for setting the milestones and tracking the vendor's achievements by reviewing the performance reports submitted by the vendor and making onsite visits. Because this is a new initiative, there are no outcomes to list at present.

This agreement is exempt from the Westchester County Procurement Policy and Procedures pursuant to Section 3 (a) (iii) as this is a contract with the United States of America, any State and any political subdivision, agency or instrumentality thereof. Accordingly, the County of Westchester is hereby requesting authority to enter into an agreement with The New York State Unified Court System for the aforesaid purpose. An appropriate resolution is attached herewith for your Honorable Board's approval.

APPROVED BOARD OF ACQUISITION & CONTRACT - 10-14-2010 - JOMARY VIEIRA, SECRETARY

## RESOLUTION

Upon a communication from the Acting Commissioner of the Department of Social Services, be it hereby

**RESOLVED**, that the County of Westchester is hereby authorized to enter into an agreement with The New York State Unified Court System (the "Court System") whereby the Court System shall utilize the services of the City University of New York-Hunter College School of Social Work to facilitate the Disproportionate Minority Representation in foster care research project ("the Project") for the period from October 1, 2010 through December 31, 2010 in an amount not to exceed \$16,667, with all funds being paid by the Court System to City University of New York- Hunter College School of Social Work pursuant to an approved budget; and be it further

**RESOLVED**, that this Contract is subject to County Appropriation; and be it further

**RESOLVED**, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right either to terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is hereby authorized to take such action and execute such documents as may be necessary and proper to effectuate the purposes hereof.

Account to be  
Charged/Credited

|      | Fund | Dept | Major Program,<br>Program &<br>Phase<br>Or Unit | Object/<br>Sub-Object | Trust<br>Account | Dollars  |
|------|------|------|---|-----------------------|------------------|----------|
| 2010 | 101  | 22   | 8900  | 5960                  | -----            | \$16,667 |
|      |      |      |   |                       |                  |          |
|      |      |      |   |                       |                  |          |

Budget Funding Year(s): 2010    Start Date: 10/01/10    End Date: 12/31/10  
(must match resolution)

Funding Source

\$16,667  
(must match resolution)

Tax Dollars: 33%  
State Aid: 41%  
Federal Aid: 26%

Other \_\_\_\_\_

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