

West Virginia Commission to Study Residential Placement of Children

June 23, 2011

Board of Child Care, Martinsburg, WV

Meeting Notes

Attendance:

Members: Michael Lewis; Jason Najmulski; Fran Warsing; Susan Fry; Nikki Tennis (representing Steve Canterbury); Denny Dodson (representing Dale Humphreys); Honorable Gary Johnson; Mike Lacy; Ghaski Browning (representing Pat Homberg); and Linda Kennedy (representing Nancy Adkins).

Absent: Vickie Jones; Kate Luikart; Honorable Jack Alsop; Honorable John A. Hutchison; Honorable Mike Kelly; and Kimberlee Sharp.

Guests: Linda Watts; Lisa McMullen; Tara Stevens; Melissa Taylor; Caroline Duckworth; Diana Cox-Booth; Eileen Smith; Nancy Exline; Susan Perry; Mark Sawyer; Kathy Szafran; Michael L. Price; Tricia Kingery; Bev Evert; Sue Rodler; Cindy Largent-Hill; Beverly Hill; Charlie Willard; Selena Myer; Gwen Davis; Raymona Preston; Gordon May; Cheryl Saville; Sahana Mills; Elizabeth Leornard; Keith Bradley; Shelly Nicewarner; Barbara Broaddus; Barb Jones; Joanne Dobrzanski; Cindy Howvalt; Healthier Collins; Don Dillinger; Trudi Blaylock; Stacy Rowel; Terry Riley; Will Brook; Deb Barthlow; Kelli Gainer-House; Mike Garrigan; Ken Mastiller; Gar Johns; Matt Everline; Roger Perry; Kimberley Crockett; and Charlotte Morris.

Administrative Assistance: Sue Hage- BCF, Linda Dalyai- BCF, Carl Hadsell, CESD

➤ Opening

Early Welcome – Sign-in & Tour of Facilities: 9:00AM to 10:00AM

Following the tour, Carl Hadsell provided the welcome and overview of this meeting.

Kathy Bradley welcomed everyone to the Martinsburg area. This is the first meeting of the Commission to be held outside Charleston, WV.

Tom Curcio, CEO of Board of Child Care, welcomed members and guests to their facility, and encouraged everyone to take a tour. Board of Child Care is a level three facility and will be celebrating their 10th year anniversary this year.

Introductions were made of all members and guests.

Cabinet Secretary, Dr. Michael Lewis, welcomed all members and guests. Dr. Lewis indicated he has not been in the position for a long time, but wants to get out to areas and meetings such as this one. He is very impressed with the dedication of everyone he has met engaged in working with children and their families.

➤ Commission Public Listening Session

Sue Hage provided an overview of the history of the Commission and of the many activities of the Commission since 2004. The Commission met the original legislative mandate and continued thereafter. Recently, the Commission was reconstituted by the Legislature. A true partnership is evident with this Commission and stakeholders. Children, youth, and their families provide input. Community Best Practice Forums were held earlier this year in Martinsburg, WV to support the community planning efforts with targeted populations. The Judicial Branch and the DHHR have attended national conferences to discuss the good progress and innovative approaches being developed in WV. Additionally, WV is well-positioned in many instances, compared to other states.

Carl Hadsell provided directions on the “Ask it/Basket” and “Your Solutions” forms that were available on everyone’s tables. Both are used to provide the Commission with questions and any suggestions (solutions) within the scope of the Commission’s work.

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➤ Planned Presentations

Several individuals were asked to provide presentations to the Commission. The following are summaries of each.

Charlie Willard said that Teen Court is a volunteer program and has a \$5.00 fee. The parents and youth with misdemeanor/status offender status are required to participate. Teen Court is based on a victim's rights model, and referrals come from Probation Officers. Youth are required to provide community service and participate in jury duty and attorney training that help them understand more about the judicial system. Teen Court provides a learning opportunity and is mentored by volunteers and professionals.

Mark Sawyer, Youth Advocate Program (YAP), provided members with a handout that gave an overview of YAP. YAP has over 30 years of experience supporting children in efforts to keep them in their communities; YAP works primarily in Morgan, Jefferson, and Berkeley Counties in WV. They have also been approved to develop an office in the Eastern Panhandle.

Cheryl Seville, Berkeley County Prosecutor's Office, discussed the strengths in Berkeley County. They prosecute both delinquents and status offenders. Youth are involved by referral of a parent or professional. Status offenders are adjudicated and may be referred to DHHR for services. Delinquents that are charged with a crime are provided full due process. Once adjudicated, the youth are required to participate with a Probation Officer. Both pre- and post-adjudicated family support services are provided through DHHR. Transportation, counseling and home-based services are also provided. However, lack of transportation continues to be an issue. Backlog is often a problem. Ms. Seville stated that runaways are the most difficult clients to work with, and that short-term crises services are needed. It was noted that there is a need for community counseling and behavioral health services, both prior to and after the removal of the child.

Further, there are more broken families than broken children, making it more difficult when the youth's parents/guardians do not participate.

She reported that service providers are active in the MDT process and are providing updates as well as being active participants. She also stated that the Day Reporting Centers are working well.

Kathy Bradley, Community Services Manager (Berkeley, Jefferson, and Morgan Counties), commented on building relationships. Kids in Transition is a collaborative effort between DHHR and the United Way, and has identified the need for a residential facility. Kids in Transition has multiple committees that work to resolve issues in their community. The Housing, Health and Community Services is looking at the issue of limited housing for families. The Health Committee assisted with the Healthy Smiles Clinic. The Community Services committee is working on a comprehensive plan to increase services and eliminate the "wait list." The Self Sufficiency committee is working on initiatives that are not associated with the DHHR, as well as obtaining additional funds outside of BMS or other formal funding. The Community Investment committee and United Way are striving to obtain community funding to develop three programs: Independent Seniors, Strong Families, and Thriving Children (for four mentoring programs). The Kids in Transition Service Array Plan is developed and owned by the Community.

Deb Barthlow, Children's Home Society, spoke about the Teen Pregnancy Preventive Program. Berkeley County has a high rate of teen pregnancy. CHS will replicate an evidence-based program, which will begin this summer. The target population will begin with sixth grade students. An additional element will include the parents.

Mike Lacy, Commission member, provided an overview of the Juvenile Drug Court. His office would like to bring a Juvenile Drug Court to the Eastern Panhandle. Juvenile Drug Court is very different than Teen Courts. While Teen Courts do not have a treatment component, Juvenile Drug Court is considered a treatment Court. Statistical data is used as a deciding factor when setting up a Juvenile Drug Court in a region. There are four

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doors to entry based on Chapter 49. The first three doors are voluntary, and parents are required to participate. One of the main components to the success of Juvenile Drug Courts is the involvement of parents, which is supported by a 10-year national study. It takes approximately eight months to complete the program, which includes day reporting. Frequent random drug tests and home visits are also components of Juvenile Drug Courts. Due to the intensity of the program, there can only be 30 youth in each program setting. It was also noted that 65% of youth admitted to Juvenile Drug Courts graduate from the program. The drug intervention component, when needed, costs less per youth than other drug intervention programs.

A Sex Offender's Treatment program is also being initiated. This program will include Probation Officers providing intensive monitoring of Sex Offenders in the 21st, 22nd, & 23rd Circuits.

➤ Open Discussion Forum

Community members/stakeholders spoke freely to the Commission members about issues that were important to them. These included:

- When a child has mental health issues or is just coming out of a residential setting, it doesn't make sense to put him/her in a public school setting. While there is a lack of placement options, sometimes the deciding factor is based on available financial resources.
- Financial issues for public education are occurring based on children in the local community being sent out of state. The issue is special education funding from the local community is being spent on the out-of-state children from the local community. One community member indicated he was losing his entire funding because these resources were being directed to students sent out of state. Five counties have already lost funding due to this issue, including many in this district. It was noted that if a child is placed in WV, but the parents live in another state, the child's county is still responsible. Further, regarding required testing, students are not tested in out-of-state placement or WV because federal law requires the child take the test in the county they reside in. This issue has been raised in recent Commission meetings, and there is interest in understanding the full issue and what might be possible solutions. This will be on the agenda for the next Commission's meeting.
- There is a Transition Specialist now in place who is making a concerted effort for one year to follow children that need special educational needs in foster care. Additional Specialists will be hired to address the issues of both special and regular educational needs.
- The Out-of-Home Education Care Advisory Committee is working to improve youths' educational issues. The American Bar Association (ABA) has undertaken foster care as a major issue. They have developed a "Blueprint for Change," which is being considered as a model to implement in WV. Work is continuing with the Department of Education to monitor the out-of-state facilities.
- Charlotte Norris, with the Promise Neighborhood Initiative, said they began meeting in 2009, and have been able to continue with support from the United Way. The goal of the Promise Neighborhood Initiative is to reverse the number of families needing services.

All those present were given an opportunity and encouraged to provide additional comments or suggestions through the solutions cards.

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➤ **Commission Quarterly Meeting**

Minutes

The March 31, 2011 Meeting Notes were approved and will be posted to its website.

➤ **Performance Benchmarks/Definitions & Data Analysis**

The updated performance benchmarks report was shared and discussed among the Commission. The red line depicted on the graph is the trend line needed to meet in order to get the out-of-state populations at the level requested by the Legislature. The Statue discusses primary residential care with the primary focus being for children in out-of-state status. Much of the Commission's data looked at congregate care.

An effort to focus on what areas of improvement can make the most differences in reducing out-of-state placements is in progress. An update was provided to the Commission. The "Identifying Levers for Success" handout was reviewed reflecting the present areas being explored for specific intervention which include reviewing the causes identified as contributing to children being placed out-of-state and having longer lengths of stay in out-of-state facilities.

➤ **Out-of-Home Facility Matrices**

The Commission reviewed and discussed a new report showing in-state and out-of-state facilities along with a number of information items about each. This is a formal effort to provide judges, staff, and probation with information on what is available for in-state and out-of-state facilities. Tammy Pearson is responsible for developing this information. The matrix looks different for in-state than out-of-state because more is known about our in-state providers. This knowledge and the Child Placement Network data are beneficial when considering an out-of-home placement. The Commission is working together with the Bureau for Medical Services, APS Healthcare, and WV Department of Education regarding learning more about the out-of-state facilities through onsite reviews. Out-of-state service providers are expected to consider our regulations/standards as a minimum service criterion. Five out-of-state providers are being reviewed yearly based on those facilities that have the largest number of WV children.

This information is disseminated to the Supreme Court of Appeals and is notified through Nikki Tennis, who then forwards this information to the Judges. It is also provided to Mike Lacy, with the Division of Juvenile Services, and WV Department of Education where it is further disseminated. It is yet to be determined how often the document will be updated, but once all the information is obtained, it will be placed on the Commission's website.

A decision still has to be made regarding what steps to follow when minimum standards are not met. It was recommended by Commission members to identify those which have not been visited and show more detailed information (narrative). Any questions are sent to Laura Barno, and an addendum can be added by anyone working on the onsite reviews.

It was noted that in-state facilities meet higher standards than out-of-state facilities. Currently, in-state facilities are reviewed onsite and licensed every two years, and a desk audit may be done as well. Staffing and resources are not adequate to provide the same process for out-of-state providers.

Based on feedback, additional work will be done to ensure the matrix is most beneficial. This will include how best to identify the outcomes of facility reviews and to keep the matrix updated and available.

Maps were provided to give an overview of where children are being placed. This information is from data taken at a "point-in-time" on March 2011. A map was also provided for facilities within 50 miles of a WV border. However, the data does not include the number of children within a WV border – it is the number of children within 50 miles out-of-state.

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➤ **Out-of-State Site Visit (Summit Center)**

An overview of the Out-of-State Facility Review from Summit Center was presented. There was discussion on how to provide this information to Judges and other areas where it would be helpful.

➤ **Out-of-Home Care Education Advisory Committee**

Fran Warsing provided an update on the Out-of-Home Care Education Advisory Committee which is looking at replicating the tutoring program that supports their educational learning being offered at the Davis Child Shelter. Also, more information will be provided on this program, and the adapting of the ABA "Blueprint for Change" For West Virginia will be forthcoming.

➤ **CAPS/CANS**

Handouts were provided regarding Comprehensive Assessment Planning System (CAPS) and Child and Adolescents Needs and Strengths (CANS) assessment. Training on the CAPS is in the process across the state. The CANS initial report is due to the MDT within 14 days. As Jacob's Law is implemented, the CAPS process that includes the 14 day CANS will be implemented.

Jacob's Law requires a comprehensive assessment to be completed in an enhanced home for children between the ages of 4-10 and their siblings. We believe enough homes in Monongalia and Marion Counties have been recruited to get started. Randolph and Tucker will be the first counties for Region III.

BCF is using this process for the Regional Clinical Review Teams and Jacob's Law; the Division of Juvenile Services is also looking at using CANS. The long-term goal is for all child-serving systems to use the CANS. This will provide a more fluid continuum of information. There have been consistent training sessions with 116 trainers being trained in CANS; a training calendar is also being planned. Further, an operations manual will be developed as well as training for those agencies that will use the results. Automating the tool is being considered so that it can be used by all stakeholders.

➤ **Readily At Hand**

Readily At Hand provides a checklist of important documents and experiences for youth to support their transition to adulthood. This checklist and other information can be utilized from a flash-drive given to the youth and from the It's My Move website at www.itsmymove.org/rah. Members are also encouraged to visit the website for this information and to learn more about the Facebook page that is being developed.

➤ **Commission Member Reflections**

A Commission member requested the data on the number of children that have mental health needs who have been placed inappropriately out-of-state.

Commission members and guests thanked the Board of Child Care for hosting this meeting and hospitality.

The next meeting on September 1, 2011 will take place at the Summit Center in Charleston, WV

Meeting was adjourned at approximately 1:30PM.

Tour of Facilities: 1:30PM to 2:30PM

➤ **2011 Tentative Quarterly Meetings**

September 1, 2011

December 1, 2011