

## West Virginia Commission to Study Residential Placement of Children Summary Notes

**Group Meeting:** Quarterly Full Commission Meeting

**Meeting Date:** September 6, 2012

**Location:** Summit Conference Center, Charleston, WV

**Members Present:** Cabinet Secretary Rocco Fucillo; Nora McQuain (representing Nancy Atkins); Nikki Tennis; Susan Fry; Pat Homberg; Doug Robinson; Denny Dodson (representing Dale Humphreys); Honorable Gary Johnson; Honorable Phillip M. Stowers; Christina Mullins representing Dr. Marian Swinker; DeWayne Duncan; Rhonda McCormick; Phillip W. Morrison II; and Steve Tuck.

**Guests Present:** Nancy Exline; Becky Derenge; Debi Gillespie; Trudi Blaylock; Andrea Darr; Tara Stevens; Debbie Ashwell; Ghaski Browning; Sheila Walker; Raymona Preston; Diana Cox-Booth; Caroline Duckworth; Linda Kennedy; Linda Watts; Scott Boileau; Joanne Dobrzanski; Lisa Kaplan; Amy Lawson-Booth; and Angie Hamilton.

**Administrative Assistance:** Deputy Commissioner Sue Hage (BCF); Carl Hadsell (CESD); Linda Dalyai (BCF)

### Key Discussions

### Key Decisions/Actions

#### ***Opening***

Rocco Fucillo welcomed members and guests and called the meeting to order at approximately 10:40 AM.

Steve Tuck, of Children's Home Society of WV was welcomed as a new member of the Commission. DeWayne Duncan, Executive Director, Office of Optional Educational Pathways, who was delayed in getting to the meeting, was also announced as a new member representing WVDE.

- ❖ The June 7, 2012 meeting notes were approved, and will be provided to members and posted on the Commission's website: [www.residentialplacementcommission.org](http://www.residentialplacementcommission.org).

#### ***Updated Priority Recommendation List 2012-2013***

The original recommendations from the Commission's initial report had been reported as to status the past few years. In order to reflect the present direction of the Commission's work and current priority issues, the recommendations were updated. This included a detailed vetting of what had been completed, what remained to be done from the first recommendations and what new strategies needed added for consideration in the future.

A draft was provided and discussed (see separate handout). Commission members present were asked to review and provide comments during the meeting. Also, all visitors and Commission members present were offered an opportunity to make written comments and submit those at the end of the meeting.

The Priority Recommendations 2012--2013 begins with a background relative to how the Commission's original Recommendations have been tracked to the present. An Important note was included that provided the Commission's charge. The Overarching Priority Recommendations (Goals) and definition are followed by the Specific Strategies under each of the Recommendations (Goals).

During the discussion, Commission members suggested that the focus should include the prevention and safe reduction for out-of-home and out-of-state placements.

The following comments or revisions were also suggested by Commission members:

#### **1. Appropriate Diagnosis & Placements:**

The Total Clinical Outcomes Management (TCOM) model to be implemented statewide uses data from the CANS tool to make decisions. TCOM is a strategy and is defined as:

<ul style="list-style-type: none"> <li>• <b>Total</b> means that it is embedded in all activities with families as full partners.</li> <li>• <b>Clinical</b> means the focus is on child and family health, well-being, and functioning.</li> <li>• <b>Outcomes</b> mean the measures are relevant to decisions about approach or proposed impact of interventions.</li> <li>• <b>Management</b> means that this information is used in all aspects of managing the system from individual family planning to supervision to program and system operations.</li> </ul> <p>2. <u>Expanded Community Capacity:</u></p> <ul style="list-style-type: none"> <li>• Funding mechanisms are needed for community resources (Governor’s regional substance abuse initiative has help with this).</li> <li>• BHCF is getting ready to expand same type of planning process for mental health gaps and needs to six regions. Focus groups are presently being conducted.</li> <li>• BCF is stepping up awareness with providers to help with understanding what is available and educating staff on what is available in-state.</li> </ul> <p>5. <u>Education Standards:</u></p> <ul style="list-style-type: none"> <li>• Loss of school credits can be an issue for children that move; this occurs because schools have a choice of using Block or Straight schedules. Transportation that keeps children in their county of origin is required by both Foster Connections and McKinney-Vento when it is in the child’s best interest and is mutually agreeable by two counties.</li> </ul> <p>Becky Derenge mediates, if necessary, for counties when it is decided to move a child to another school. Funding is an issue; however, grants will sometimes provide funding for transportation. Both state and federal laws mandate that children attend their school of origin. Additional discussions will need to take place on this topic.</p> <p>Educational Transitions Specialists are involved with providers to discuss how to prevent youth from losing credit for the education they have had (need education records). This language is already being strengthened to ensure this is accomplished.</p> <ul style="list-style-type: none"> <li>• Educational Advocates: Scott Boileau is looking at this as part of one of the workgroups through the Out of Home Education Committee. Access to educational records by case managers has federal bi-partisan support. <ul style="list-style-type: none"> <li>○ A recommendation was made to create partnerships with education and providers who do not have an on-ground school to demonstrate innovative ideas for integrating youth into the public education system.</li> </ul> </li> </ul> <p>6. <u>Provider Requirements:</u></p> <ul style="list-style-type: none"> <li>• Transportation by providers is critical. Treatment providers need to transport youth to Juvenile Courts. Youth need to remain in their communities.</li> <li>• Some providers work with Drug Courts while others do not. Commission member Susan Fry finds it a necessary and positive experience for the provider, youth, and their family. She believes providers should come together to discuss what the barriers are for those that do not participate with the Drug Courts.</li> </ul> <p>The specific strategies will go into a monitoring tool that we will track and will include who is the lead responsible and the expected dates of completion. Clarification regarding “Children that are out-of-state” - The one report that the Commission makes a distinction is on its performance one. Any other time, when we say a child is out-of-state, that is what is intended.</p> <p>To support one of its recommendations, the Commission members voted on a suggested</p>	<ul style="list-style-type: none"> <li>❖ Christina Mullins, Bureau for Public Health, will look at the language regarding the “Health” of the child for the Commission’s recommendations document.</li> <li>❖ The recommendations document will be updated to reflect requested changes. This will be reviewed and approved at the Commission’s November 2012 meeting.</li> <li>❖ Providers report on Commission approved study of barriers to be completed by November 2012 meeting.</li> </ul>
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<p>study (see separate handout) entitled <i>Study Request to West Virginia Alliance for Children and the West Virginia Child Care Association</i>. The study requested the following be completed by the associations: 1) identify barriers; 2) offer viable solutions to such barriers that may be considered by the Commission for action(s) or support in the future; and 3) include the appropriate government agencies being engaged in the process.</p> <p>Secretary Fucillo suggested that all state government agency representatives look at this as well and that the providers when they have a draft report together work with the appropriate state agencies to ensure the study is complete and somewhat vetted before coming to the Commission.</p>	
<p><b><i>Performance Metric Report</i></b></p> <p>The Commission's Performance Scorecard (see handout) reflecting the latest month of data was reviewed and discussed. The most recent data shows an increase in out-of-state placements and is above the targeted baseline trend line. Sue Hage said the total number of children in care fluctuates. The total number of children in all out-of-home care is going up. This led to a discussion as to why the numbers may be higher this reporting period. There are a lot of beds in shelter care available. The type of drugs surfacing also makes a difference if children are placed. Early intervention/prevention is needed. Some children who are involved with drug use come from homes where drugs are used. The Governor's substance abuse initiative has programs that include youth and families getting treatment jointly. It was noted that for a number of children, conditions in the home prohibit them from returning there.</p> <p>Northern Panhandle – Group home – The problem is that there are other issues going on (why are the youth using the drugs?, are their families a support or are they adding to the issue?) that underlie why a placement is required.</p> <p>Permanency Plans need to include exactly what is going on. Permanency Plans are not being completed timely, and services are not being offered which result in an increase of a finding of "No Reasonable Efforts" by DHHR. The Permanency Round Tables and the Cold Case programs are expected to help eliminate barriers.</p> <p>Truancy is another reason for the increase in the number of children coming into care. These numbers need to be broken out for better understanding. Those present discussed how truancy is being determined as it relates to the legal definition of truancy. Commission member Rhonda McCormick indicated the importance of understanding why a child is tardy. She noted, for example, sometimes it is a single parent household where the Father is working night shift and not there to get the child ready for school on time. Or, maybe there is not an alarm clock that works in the house. Need to be more sensitive to understanding some of the situations. Historically, there have been programs that monitored this from within the school and worked to improve student attendance.</p>	<ul style="list-style-type: none"> <li>❖ Secretary Fucillo said he will request data from the BCF FACTS to determine if substance abuse is a factor.</li> <li>❖ Nancy Exline, Deputy Commissioner of Field Operations, is going to talk to Judge Johnson regarding Permanency Plans.</li> <li>❖ Secretary Fucillo will ensure DHHR will look at the Permanency Plans on an individual basis.</li> </ul>
<p><b><i>Truancy Diversion - Memorandum of Understanding</i></b></p> <p>To address the truancy issues for all children, Secretary Fucillo had an MOU between all disciplines drafted for consideration.</p> <p>The purpose of the MOU is to look at the issue of truancy holistically drawing upon as many partners to discuss and find solutions and resources. The MOU was shared at the recent Court Improvement Program Board meeting. Secretary Fucillo requested feedback on the format, content, what needs to be deleted, and additions. The broad system partners will sign off on it. Once signed, it will be provided to the local counties so county protocols can be developed. It is hopeful that it will be finalized and signed by the end of 2012.</p> <p>Phase 2 and 3 will include implementation of best practices and resources. Partners will</p>	<ul style="list-style-type: none"> <li>❖ Commission members, especially areas included in the draft MOU, need to provide feedback on suggested changes.</li> </ul>

<p>include state government, profit, and non-profit organizations to address these issues. Other work to address the truancy issue includes the Alliance for Children working on a grant opportunity that could be partnered with, and Judges that are taking a pro-active stance for reducing truancy (e.g., Cabell County Judge has a tiered approach to addressing infractions regarding truancy).</p> <p>WVDE has an early warning plan that triggers children that have truancy and other educational issues. This starts at the sixth grade.</p> <p>Families need to be included at the discussion table on truancy. Sometimes there are simple interventions to getting children to school. We need to identify who these children are and what issues they are facing at the earliest point. Informal supports need to be looked at by building relationships at the county level.</p>	
<p><b><i>Interstate Compact on the Placement of Children (ICPC)</i></b></p> <p>Information was included in today's packet that addresses frequently asked questions about ICPC. The state level Program Manager is Laura Barno. West Virginia complies with the time frames most of the time. Many times when the time frames are not being adhered to, it is due to the receiving state, not West Virginia.</p>	<p>❖ Any questions or concerns regarding ICPC can be sent to Sue Hage.</p>
<p><b><i>Children in Out-of-Home Care Education Advisory Committee</i></b></p> <p>DeWayne Duncan said that although there was a lapse in these committees meeting because of the many changes of positions within the Department of Education, the Advisory Committee does plan to continue with Foster Connections and the American Bar Association in their <i>Blueprint for Change: Education Success for Children in Foster Care</i>. Five committees will be working on Goals 1 through 3 and Goal 7 (refer to in the handout). In conjunction with the <i>Blueprint for Change</i>, the Committee has entered into a <i>Cooperative Agreement for Ensuring Educational Success for Children in Out-of-Home Care</i> between the WV Department of Education, the WV Department of Health and Human Resources, and the Supreme Court of Appeals.</p>	
<p><b><i>Court Improvement Program Update</i></b></p> <ul style="list-style-type: none"> <li>• Trainings November 14 and 16 – releasing announcement for GAL.</li> <li>• Youth Services – MOU.</li> <li>• Juvenile Law Guide – digest of Juvenile Law.</li> <li>• Justice Davis and Judge Moats– survey of judges regarding truancy -- what they have going on.</li> <li>• Training Committee to expand for Juvenile and GAL track.</li> <li>• Behavioral Health Committee (Judge Bloom) map services in the state.</li> <li>• JANIS – orders of child abuse and neglect may become web-based; this is important because the same order can be worked on jointly making the orders being completed more timely. Would like to link it to the child abuse and neglect data base.</li> <li>• Cold Case – phone call in next couple weeks to look at job descriptions – social workers may also be asked to pair up with attorneys. Cases selected based on indicators.</li> </ul>	
<p><b><i>Other Status Updates</i></b></p> <p><i>Consolidated Monitoring Manual:</i> Sue Hage reported that the first edition of this manual is completed (see handout in packet). The Commission members commended those who worked on this manual as it represents all of the different agencies coming together to get</p>	

<p>such a document in place. The Consolidated Monitoring is in its second year with five on-site reviews occurring each year. The three stakeholders represented – child welfare, education, and treatment services – share in the on-site reviews and recommendations. The next steps will include desk reviews.</p>	
<p><b><i>Information about In-State Providers</i></b></p> <p>At the June 2012 meeting, the Commission was interested in the in-state providers being more proactive in making the Court and others more aware of their programs and services in WV. The Alliance for Children, the WV Child Care Association, Emergency Shelter, and Foster Family Associations are developing a comprehensive “book” on in-state services. The Bureau for Children and Families is helping with the funding. The Child Care Association will provide the manpower to do this. There is interest in having a physical book that can be handy for the Courts to use. There is discussion to have an electronic online version.</p> <p>The issue of how long it takes for an adoption to be finally approved was raised. The Department has partnered with several agencies to get adoptions completed more timely and provide continuity from foster care through the consummation of adoption. Agencies are partnering to help with several agencies.</p> <p>Providers asked for feedback to know how best to provide information on what is available and what the criteria is for each program. More information is needed regarding what the programs entail and what is available. Providers need feedback when there is an issue or problem.</p> <p>Probation Officers and DHHR workers need to know what resources are available.</p> <p>Families also need this information.</p>	<p>❖ Judges Hummel, Stowers, Bloom, and Johnson agreed to review an example of what this information would look like.</p>
<p><b><i>Commission Member Reflections</i></b></p> <ul style="list-style-type: none"> <li>• Secretary Fucillo really enjoyed the meeting and looks forward to working with the Commission in the future.</li> <li>• Announcement: System of Care (SOC) will be sponsoring out of home placement training in November and December 2012 – cross disciplines ( DHHR, Juvenile Probation, Providers, Families, Education and CIP Training Committee).</li> <li>• Next meeting: November 29, 2012.</li> </ul> <p><i>Meeting was adjourned at approximately 1:30 PM.</i></p>	