

2007

**Legislative Studies
and Initiatives**



Virginia Commission on Youth

STUDY OF ALTERNATIVE EDUCATION OPTIONS

(SECOND YEAR)

STUDY PLAN

Study Mandate

Direct the Commission on Youth to continue to study alternative education program options and report findings to the Commission on Youth prior to the 2008 General Assembly Session.

Identified Issues

- A safe and secure school environment is critical to the learning process for students.
- Schools are striving to provide appropriate discipline to students while balancing public safety concerns.
- Students are most frequently suspended or expelled due to “one time” bad decisions. These students may not have any previous history of disruptive behavior. This is particularly true for elementary school students.
- Alternative education programs provide many disciplined students an opportunity to continue their education.
- Alternative education programs may prevent a student from dropping out or becoming involved with the criminal justice system.
- While there is sufficient information about Virginia's regional alternative education programs, there is a limited amount of information about private or local alternative education programs available in the Commonwealth.
- There is an increasing need for a continuum of student support services in schools to help students learn skills that they are not learning at home. These include anger management/violence prevention programs and positive behavior intervention.
- The cuts in the Safe and Drug-Free Schools funds have had a significant impact on the ability to offer prevention services to students.
- Not all students learn in the same educational structure. Additional alternative education programs/slots could benefit students by providing services to them to assist them so they remain in a school environment and prevent additional disciplinary actions.

Study Activities

- Complete analysis of Alternative Education survey conducted by the Commission in the Fall 2006.
 - Identify alternative education programs available in the Commonwealth that serve suspended and expelled youth.
 - Determine whether there are issues that need to be addressed in serving students in alternative education programs.
 - Review various challenges facing school divisions in the Commonwealth regarding alternative education programs.
 - Identify best practices employed by school divisions.
- Compile best practices guide on Virginia's Alternative Education Approaches.
 - Clarify existing alternative education policies and practices.
 - Review Virginia's activities in the provision of alternative education to students using survey data and other sources.
 - Compile a best practices guide for alternative education programs/practices. The guide will include a listing of all existing alternative education programs across the Commonwealth, including local programs.
- Investigate funding opportunities for school-based prevention programs to supplant the Safe and Drug-Free Schools grants.
 - Investigate availability of federal grants through the United States Department of Justice, Center for Disease Control, Office of Juvenile Justice and Delinquency Prevention, United States Department of Education, Safe and Drug Free-Schools program, and the Center for Mental Health Services.
 - Investigate availability of state grants, such as funds available from the Department of Criminal Justice Services, Department of Health, and Department of Mental Health, Mental Retardation and Substance Abuse Services.
 - Investigate availability of other funding sources such as the Virginia Tobacco Settlement Fund.
 - Review other states' fundraising Initiatives for funding prevention programs such as private, non-profit, and foundation grants.
 - Review feasibility of conducting a comprehensive statewide youth risk survey to access untapped federal funds.
- Investigate feasibility of funding for a second tier of regional alternative education programs.
 - Utilize survey results to ascertain need for second tier of regional alternative education programs.
 - Offer funding proposal, if appropriate, prior to the 2008 General Assembly Session.

- Review existing state programs that address prevention and discipline for at-risk youth.
 - Review Virginia's Student Assistance programs to ascertain their role in prevention of at-risk behavior in students.
 - Review the Behavioral Intervention Plans for Virginia's Schools offered through Virginia's Training/Technical Assistance Center to determine whether it is effective in meeting the needs of at-risk students.

- Reconvene Advisory Group to assist in study effort and review proposed recommendations.

Invite a representative from impacted groups:

Secretary of Education	Board of Education
Superintendent of Public Instruction	Virginia PTA
Virginia School Boards Association	Virginia Education Association
Virginia Association of School Superintendents	Virginia Association of Elementary School Principals
Virginia Association of Secondary School Principals	Virginia Counselors Association
Virginia Association of Chiefs of Police	Virginia Department of Education
National School Safety Center	School Resource Officers

- Develop consensus on issues.
- Develop recommendations.
 - Synthesize findings of statutory review and Advisory Group recommendations.
 - Solicit feedback to recommendations from constituents and Department of Education/Board of Education.
 - Present Recommendations to Commission on Youth.
 - Prepare final report.

STUDY OF THE ESTABLISHMENT OF AN OFFICE OF CHILDREN'S SERVICES OMBUDSMAN

(SECOND YEAR)

STUDY PLAN

Study Mandate

Continue to study the Establishment of an Office of Children's Services Ombudsman. Findings and recommendations from this study shall be presented to the Commission on Youth prior to the 2008 General Assembly Session.

Background

Legislators, child advocates and others have expressed the need for the establishment of an Office of Children's Services Ombudsman. **At its November 2005 meeting, the Commission on Youth directed staff to develop a plan to study this issue.**

During the 2006 General Assembly Session, Senator Edwards introduced Senate Bill 208, which proposes to create the Office of Children's Services Ombudsman within the legislative branch. Members of the Senate Committee on General Laws and Technology reviewed Senate Bill 208 and expressed several concerns, particularly regarding the administration of child protection and child welfare laws. Because of the testimony presented at the meeting, the Committee sent a letter requesting the Commission on Youth to study the impact of Senate Bill 208.

The Commission formed an Advisory Group during the 2006 study year to:

- Evaluate the need for the establishment of an Office of Children's Services Ombudsman in Virginia.
- Identify the appropriate administrative structure of an Office of Children's Services Ombudsman.
- Determine the cost of the establishment of an Office of Children's Services Ombudsman.

Identified Issues

- The current welfare system does not provide a central point of contact for children's services wherein complaints can be filed and investigations can be conducted to ensure the health, safety and welfare of children.
- The current welfare system does not offer independent reviews of complaints that have been reported by foster children, foster parents, adoptive parents, family members, children and adolescents, members of the public, community organizations or other interested parties.
- There is a need to provide a mechanism for filing complaints that is external to the child welfare system and child-serving agencies.

Identified Issues (cont.)

- There is a need to protect children and parents from harmful agency action or inaction.
- There is a need to provide a system accountability mechanism and to protect the interests of children and their families who are parties in the child welfare system.
- There is a need to investigate the acts of state and local administrative agencies adversely affecting children.
- There is a need to recommend appropriate changes toward the goals of safeguarding the rights of children and parents.
- There is a need to promote higher standards of competency, efficiency and justice in the administration of child protection and child welfare laws, juvenile justice services and education of children.
- The need to ensure that the Office of Children's Services Ombudsman is not a duplication of services.

Study Activities

- Interview stakeholders including guardians ad litem, parents, youth, foster care youth councils, Court Appointed Special Advocates, and other interested parties.
- Convene an Advisory Group of effective state and local agencies.
- Determine the population of children that the Office would serve.
- Identify gaps within the current system.
- Determine the services that the Office would provide.
- Identify the appropriate administrative structure of the Office.
- Determine the basic principles and mission of the Office.
- Determine the cost of the establishment of an Office of Children's Services Ombudsman.
- Develop recommendations:
 - Administration changes,
 - Legislative changes, and/or
 - Budget amendments.
- Present findings and recommendations to the Commission of Youth.
- Write final report.

CHILDREN'S BEHAVIORAL HEALTH/EVIDENCE-BASED TREATMENTS CONFERENCE PLANNING

(SECOND YEAR)

Systems of Care and Evidence-Based Practices - Tools that Work for Youth and Families

Mandate

The Commission on Youth approved the following recommendation at its November 2005 meeting:

Direct the Commission on Youth, in conjunction with the Virginia Department of Mental Health, Mental Retardation, and Substance Abuse Services, to convene a statewide conference with the express purpose of identifying and communicating to behavioral health care professionals evidence-based practices for children and adolescents with mental health disorders. To plan for this conference, the Commission shall organize a Conference Planning Committee comprised of representatives from all of the Commonwealth's child-serving agencies. An update on the progress of the conference plan shall be reported to the Commission on Youth prior to the 2007 General Assembly Session.

Identified Issues

- There is a need for statewide training for local, state, and private providers, as well as consumers, on evidence-based practices for children with mental health disorders.
- There is a need to make this information available on the broadest scale to educate stakeholders so they can make informed choices.
- A statewide conference would be beneficial because it would reach all affected parties in a consistent and coordinated manner for purposes of sharing this information.
- A statewide conference could effectively offer training in the utilization and implementation of evidence-based practices in diverse settings, with homes, schools, communities, and both public and private sector providers being targeted audiences.
- A statewide conference could promote strategic statewide leadership, foster collaboration and the sharing of resources at all levels, and while providing training for implementation of evidence-based practices.
- Conference topics will educate Virginia's service providers, caregivers, and other professionals on practices that will promote the healthy development of Virginia's youth, while educating them on effective methods to treat mental health disorders, substance abuse, violence, delinquency, school dropout, and related risky behaviors.

- The conference will promote the Department of Mental Health, Mental Retardation, and Substance Abuse Services' mission of promoting a System of Care in Virginia. A System of Care ties in with evidence-based practices because both promote individualized services based on the unique strengths and needs of children and their families.

Activities

- Formally collaborate with Department of Mental Health, Mental Retardation, and Substance Abuse Services to incorporate this initiative with the Department's Systems of Care Conference.
- Utilize the Conference Planning Committee consisting of representatives from state and local child-serving agencies, private providers, organizations and others, including but not limited to:

Secretary of Health and Human Resources
Virginia Department of Mental Health, Mental Retardation and Substance Abuse Service
Virginia Department of Medical Assistance Services
Virginia Department of Juvenile Justice
Virginia Department of Criminal Justice Services
State Executive Council
Virginia Department of Education
Virginia Department of Health
Virginia Department of Social Services
Office of Comprehensive Services
Virginia Department of Health Professions

Virginia Counselors Association
American Academy of Pediatrics - Virginia Chapter
Virginia Association of Community Services Boards
State and Local Advisory Team
Comprehensive Services Act Coordinators
Virginia Psychiatric Association
Private Providers
State Universities
Virginia Association of Private Providers
Voices for Virginia's Children
Other related advocacy organizations

- The Planning Committee will assist the Commission on Youth and the Department of Mental Health, Mental Retardation and Substance Abuse Services with the following tasks:
 1. Coordinate with various agencies to ascertain specific tasks, roles and responsibilities, activities, potential partnerships, and utilization of resources.
 2. Investigate available private or public funds that may be available for funding the conference.
 3. Develop a proposed conference project plan to address the following:
 - Conference timeline
 - Conference target audience
 - Budget/funding plan
 - Site selection
 - Conference agenda/program
 - Speakers and presenters
 - Continuing Education Credits
 - Promotion of Conference

- As recommended by the Planning Committee, Commission on Youth staff has:
 1. Collaborated with Virginia Tech's Office of Outreach and International Affairs to utilize their conference planning capabilities.
 2. Established subcommittees to receive suggestions and make decisions about the details of the planning. The subcommittees address the following topics:
 - Agenda/Speakers
 - Marketing/Target Audience
 - Sponsors/Exhibits
 - Family Participation
 3. A Core Planning Subcommittee consisting of the chairs of the subcommittees will also assist the Commission in planning and decision-making when it is not feasible to convene the full Conference Planning Committee.

THE COLLECTION OF EVIDENCE-BASED TREATMENT MODALITIES FOR CHILDREN AND ADOLESCENTS WITH MENTAL HEALTH TREATMENT NEEDS 3RD EDITION

Study Mandate

Senate Joint Resolution 358 (2003) directed the Virginia Commission on Youth update biennially its publication, the *Collection of Evidence-based Treatment Modalities for Children and Adolescents with Mental Health Treatment Needs* (House Document 9, 2002). The purpose of the *Collection* is to identify effective treatment modalities and practices for children, including juvenile offenders, with mental health treatment needs, symptoms, and disorders.

Background

According to the resolution, the *Collection* was updated in 2005 and published as *Research Document 252* (2005).

The *Collection, 2nd Edition* was disseminated via web technologies to consumers, family members, advocates, mental health policy makers, and other interested persons.

The Commission will update the *Collection* for the third time during the 2007 study year to ensure that the information is current and reflective of any recent changes that have occurred in the field of children's mental health.

Identified Issues

- Increased awareness of mental health issues, the demand for the best medical treatment at affordable prices, and prominence of evidence-based practices are influencing the field of children's mental health. Moreover, utilization of evidence-based practices in the field of children's mental health may offer the Commonwealth cost savings.
- The *Collection*, published in 2002, and the *Collection, 2nd Edition* published in 2005, provide empirically sound research on the treatment modalities and practices that have proven most effective for children and adolescents with mental health treatment needs, symptoms and disorders.
- Providing clinicians and service providers with a current resource of evidence-based treatments is important because research in the field of children's mental health is constantly evolving and changing. In order for this resource to remain useful, it must be updated biennially to reflect recent studies conducted in the field of children's mental health.
- It is important to provide clinicians, service providers, caregivers, and juvenile justice professionals with an updated resource that explains the benefits of utilizing evidence-based treatments to facilitate improved treatment outcomes. It is also important to inform the public on the advantages of evidence-based treatments.

Study Activities

- Consult Advisory Group to determine the scope of the collection efforts with representatives from the following agencies:
 - Secretaries of Health, Public Safety and Education
 - Department of Mental Health, Mental Retardation and Substance Abuse Services
 - Department of Social Services
 - Department of Medical Assistance Services
 - Department of Juvenile Justice
 - Department of Education
 - Department of Health
 - Office of Comprehensive Services
 - Private providers
 - Parents and consumers
 - Advocacy groups
 - Relevant associations
- Identify and examine sources of evidence-based research.
- Identify sources of information for the identified issues:
 - Evidence-based and promising practices for prevalent mental health disorders facing youth
 - Evidence-based practices for maladaptive disorders
 - Evidence-based practices for commonly-identified mental health disorders for youth in out-of-home placements
 - Evidence-based practices for commonly identified mental health disorders for unaccompanied youth
 - Evidence-based and promising practices for youth with attachment disorders
 - Gender and cultural roles in relation to children's mental illness
 - Normal childhood development information to assist in diagnosis
 - Co-morbidity of child abuse/neglect with certain disorders
 - Replicable components of evidence-based treatments
 - Sites in Virginia that currently employ evidence-based treatments
- Consolidate and organize the information.
- Complete *Collection, 3rd Edition* prior to the 2008 General Assembly Session.

VIRGINIA DEPARTMENT OF SOCIAL SERVICES TASK FORCE ON ADOPTIONS AND FOSTER CARE 2006-07

Study Mandate

The Virginia Department of Social Services (VDSS) was directed by Item 338-P1 of the 2006-2008 Appropriations Act to continue reviewing the Commonwealth's current policies on Adoptions and Foster Care and to recommend mechanisms to expedite the adoption of children from foster care, as well as children not in the state's care. The Appropriations Act directs the Commissioner of VDSS to recruit a national expert on the adoption of children to co-chair the task force, comprised of the Commissioner, the national expert, local department of social services staff, adoptive parents and other interested stakeholders.

Identified Issues

- The 1997 Adoption and Safe Families Act (ASFA) made significant changes to child welfare policy by setting timelines and practice guidelines for achieving permanent outcome for children in foster care.
- The ASFA requires states to terminate parental rights and find an adoptive family if a child has been in foster care for 15 of the last 22 months or if a parent has assaulted or killed another child in the family; if a child has been determined to be an abandoned, tortured, chronically abused or sexual abused; or if the parental rights to a sibling had been terminated involuntarily. As a result of ASFA and a renewed focus on permanency outcomes for foster care children, more children are moving through the adoption process.
- VDSS and local departments social services have made efforts and progress to find adoptive homes for foster care children; however, barriers continue to impede the process.
- As a result, many of these children remain in foster care for years without having a place to call home.

Study Activities

- The Task Force has met four times in 2006 and 2007 and is scheduled to meet April 27, at which time it will give final review and approval to its findings and recommendations.

Study Activities (cont.)

- Instead of using “one national expert on the adoption of children” to co-chair the Task Force, as stipulated in the Appropriation Act, VDSS opted to utilize several national experts to guide discussion in the following areas.
 - Ada White, Child Welfare League of America (CWLA) – adoption-related issues such as TPR for older youth in care and allowing some contact between adopted children and members of their biological families;
 - Steve Christian, National Council of State Legislatures (NCSL) - other states’ legislative initiatives to address expediting adoptions; and
 - John Levesque, National Child Welfare Resource Center for Adoption (NCWRCA) - issues related to training, post adoption services and post adoption contacts with biological families.
- As part of the study effort, the VDSS policy manuals have been reviewed, with recommendations, by both the NCWRCA and the National Resource Center for Family-Centered Practice and Permanency Planning, an organization which currently focuses its efforts on working with states throughout all stages of the Child and Family Services Reviews, including the development and implementation of the States’ Program Improvement Plans (PIP).
- Lastly, VDSS has completed a statewide survey on best-practices and policy issues related to this issue. The results of this survey were presented to the Task Force on March 30, 2007.
- The Task Force is directed to report its findings and policy recommendations to the Commission on Youth and the chairmen of the money committees no later than June 30, 2007. The Commission will receive this presentation at its next meeting.
- The Commission on Youth will invite the Department of Social Services to present its findings and policy recommendations following the submission of their report.