

## SLAT workgroup for "Non-Mandated" Study

### December SLAT Report

#### Background:

In 1994, with revisions in 1995, 1996, and 1997) the State Executive Council for Children's Services (SEC) established a policy ("Protected Funds") which allow localities to "protect" a specific amount of their CSA state pool funds allocation for populations not considered sum-sufficient under the CSA statute (Code of Virginia, §2.2-5211 (C)). These were typically referred to as "non-mandated" children and youth. The purpose of this policy was to ensure that children not meeting the sum-sufficient eligibility criteria would be able to access resources through the CSA.

The SEC established the levels of protected funding and notified localities of those amounts each year. In FY 2019, the amount in the protected category ranged from \$10,000 to \$1,630,458. The total protected state CSA pool funds is \$14.5 million, and this amount has remained unchanged since 1997. The use of the protected funds by a locality is optional and protected funds not used for the "non-mandated" population may be utilized to funds required services for the sum-sufficient children and youth. Protected funds require local matching funds as do all other CSA expenditures.

On September 20, 2018, the SEC requested that the State and Local Advisory Team (SLAT) study the use of "non-mandated" CSA funds. The concern expressed was that there may be barriers to accessing funding and that localities are not fully maximizing the funding opportunity.

At the December 13, 2018 SEC meeting, Karen Reilly-Jones, SLAT Chair, presented a summary of the utilization of "non-mandated funds" in fiscal years 2017 and 2018.

*FY 2017, \$5,084,329 spent on non-mandated services, 35% of the "protected" amount.*

*FY 2018, \$4,624,160 spent on non-mandated services, 32% of the "protected" amount.*

- *More localities utilized non-mandated funds, up 3% from FY2017*
- *Top ten localities use the majority (67%) of non-mandated funds.*
- *Localities with high utilization rates (based on allocation) range in expenditures as low as \$9,782 to \$336,112. These localities also:*
  - *Vary in range in size and population, from Buena Vista (pop. 6,650) to Hampton (pop. 137,467)*
  - *Vary in geographical regions, spanning from the far West in Wise County to the Eastern Shore in Accomack County.*
- *The Tidewater region seems to have a high utilization of localities maximizing non-mandated funds.*
- *11.6 % decrease in unused funds from FY17 to FY18*
- *6.5% decrease in number non-participating localities*
- *Unused local allocations range from \$2,523 to \$1,073,425 (Local Average \$54,653)*

Between December 2018 and April 2019, SLAT developed a survey to address the concerns. On April 4, 2019, SLAT approved the survey and disseminated it to local stakeholders. The survey provided an educational opportunity as well as best practice guidance.

(From Survey)

### **Protected Funds (Non-Mandated)**

*Each year localities may utilize a specific amount of their total state base pool allocation, to provide services to children and families not in the mandated (sum sufficient) CSA population but who otherwise meet CSA eligibility criteria. This amount is typically referred to as non-mandated or "protected" funds.*

*The amount that each locality is permitted to protect is determined by a statewide formula. Each locality is informed of their level of protected funds prior to the beginning of each fiscal year. If the "protected" amount is not spent on non-mandated children, it may be used to address the funding needs of the mandated population.*

*These funds provide local CPMTs with flexibility in serving children and families who need interventions, services, and supports, but who do not meet the "mandated" CSA eligibility criteria. These children and youth are typically referred by the local court service unit, the community services board, local schools (not for private day placement), or by direct referral from families.*

### **Did you know?**

- *When meeting CSA program eligibility; services purchased with non-mandated funds can be used for an array of services such as intensive care coordination, parent coaching, therapeutic camp, residential treatment, assessments, etc.?*
- *That many referral sources can (and do) access non-mandated services like Court Services, Schools, and Community Services Board, Social Services, Interagency teams, and families?*
- *That 48% of localities (62) currently do not use their allocated non-mandated funds (average \$54,653 per locality)?*

## **SURVEY**

There were over 100 responses from 65 localities (representing approximately 96% of localities using these funds). Respondents ranged from CSA Coordinators, to CPMT agency representatives, and local government administrators.

The survey provided helpful information from localities that actively use non-mandated funds:

*55% Disagreed/strongly disagreed that barriers exist for full implementation for the use of non-mandated funds.*

*27% Agreed/strongly agreed that barriers do exist*

Community based services represented the majority of services purchased with non-mandated funds; Mentoring, Parent coaching, assessment and evaluations being the top three.

*89% of responding localities reported that the use of these funds positively supported the local mission of CSA.*

*76% reported that local resources are available to support the use of these funds.*

*75% agreed that the use of these funds are fully integrated into local practice*

*63% disagreed that there are local restrictions on funding services*

There were 68 responses from 42 localities not using non-mandated funding (representing approximately 65% of localities not using these funds). Similarly, respondents ranged from CSA Coordinators, to CPMT agency representatives, and local government administrators.

The top four reasons reported for not using non-mandated funds are:

- FAPT determines other ways to serve with CSA funds (CHINS, SPED Wrap, Parent placements, etc.)
- Local match rate
- Not enough allocated to make it worth it
- Other themes: Uncertainty on process/eligibility, local preference, local funding...

Other survey takeaways:

- 53% agreed that there are gaps in local services that non-mandated funds could support
- 46% agreed that their locality had no interest in using non-mandated funding
- 44% disagreed that there are adequate resources available in their community

If these localities were to use these funds, *community-based services* were identified as most beneficial. The top three named:

- 1) Parent coaching/support
- 2) Out of school time programs (i.e. camp, after school programs, etc.)
- 3) Mentoring/Intensive Care Coordination (tied)

Directed by SLAT at the August 1, 2019 meeting, a SLAT workgroup, consisting of members and community stakeholders, met to summarize information and draft recommendations to the SLAT. Members reviewed the survey results and concluded:

***Over all it seems that localities access local resources and funding opportunities to serve children and families. However, there are identified barriers that exist that may impact localities to fully access the CSA non-mandated/protected funds.***

The workgroup recommended:

Easy/short term:

- 1) Develop specific training and informational materials (i.e. e-learning, on line resources, FAQ document, etc.) to CSA coordinators, CPMT members, and CSA stakeholders. (Lead: OCS and SLAT)
- 2) Re-brand the language, change from "non-mandated" to "protected" funds and use consistent language in the CSA User Guide and Manual. (Lead: OCS)
- 3) Collect local stories and best practices examples of 1) maximizing community collaborative funds and resources (i.e. Promoting Safe and Stable Families/PSSF, Virginia Juvenile Community Crime Control Act/VJCCCA; etc.) and 2) successful use of protected funding for publishing on website and/or training. (Lead: CSA Coordinators)

More complicated/longer term goals for SEC to consider addressing feedback regarding limited funding and restrictions:

The following recommendations will require changes to either SEC Policy, legislation, and or budget allocations and/or appropriations language.

- 1) Explore eliminating limited allocation of protected funds and allow localities flexibility to request additional funds similar to the SPED Wrap allocation model or grant like process; and explore restrictions on use that prohibit (supplemental) funding for these expenditures.
- 2) Explore lifting limitations/restrictions and potential options such as:
  - a. Merge SPED wrap funds and protected funds.
  - b. Using funds to support non IEP services in the schools.

Workgroup met on September 13, 2019, members were: Angel Young-Gill, CSA Dinwiddie; Ivy Sager, Hanover CSB and SLAT member; Julie Dubee, CSA Hanover; Mills Jones, CSA Goochland; Rebecca Vinroot, James City DSS and SLAT member; and Karen Reilly-Jones, CSA Chesterfield/Colonial Heights and SLAT Chair.

SLAT met on December 5, 2019, reviewed recommendations and approved above recommendations to present to the State Executive Council on December 12, 2019. SLAT members recognized that there are many factors impacting the system and welcomed the opportunity to continue to address identified needs per the SEC direction.

# Survey Comments Summary

SEC December 12, 2019

## **SURVEY #1- LOCALITIES USING “NON-MANDATED” FUNDS**

Over 100 responses (65 localities)

### What suggestions do you have to promote expanding your locality’s practice in utilizing non-mandated funds?

Answered: 59 Skipped: 43

- Continued discussion at CPMT. Since it is a small amount, it gets overlooked.
- Education & supervision of CSA coordinator
- We use these funds but would benefit from an increased amount of this funding. Maybe, the state could use them similar to the wrap funds. (By allowing localities to contact OCS for additional funds once the allocation is used.).
- The limited amount of funds provided prohibits creativity in service provision and numbers of youth served.
- As always, case managers and members would like to operate in a system where so much paperwork is not necessary to access services and funding.
- more information to CSA coordinators regarding use of non-mandated funds.
- better communication to CSA coordinators. Encourage the use for non-mandated youth
- more communication to local CSA coordinators - they promote non use - call it money on paper only
- Education to case managers about the availability of these funds and the level of availability
- We often run out of funds.
- We need more mandated funds to use for prevention services to keep children out of foster care.
- Receiving a larger allocation of non-mandated monies
- Possible expansion of use beyond court involved youth
- Increased communication with various providers about availability and need.
- Being able to use the funds for children that are mandated for certain services
- Give localities a chance at a second allocation.
- No suggestions, Fairfax routinely is on top of the amount of local non-mandated funds and promotes their usage.
- We currently have a wait-list for non-mandated cases.
- Always need more funds.
- It would be good if we could request more when we have used all those funds.
- Without an increase in the amount of non-mandated funds there would be nothing more our locality could do to promote expanding our practice of utilizing non-mandated funds.
- I am going to take the initiative and start discussing the use of these funds and separate the one total that is given to FAPT and CPMT into the 2 separate amounts
- Increasing the allocation of non-mandated funds. Our locality receives \$10,000 in non-mandated funds (far below the average).
- If this locality were to receive more non-mandated funds, we would use them.

- We can work on changing mindsets and educating staff who may bring requests to FAPT for non-mandated services. There may be a challenge with volume of cases FAPT is hearing.
- We utilize our Mental Health Initiative Funds first for non-mandated cases. Therefore, it may look as if our locality does not serve non-mandated cases. This past year, we depleted all MHI funds by December and did move into using our CSA non-mandated funds. Our locality is committed to serving this population by whatever funding stream is available.
- Please allow SPED wrap to be at the community-based rate; that would help us the most.
- Our locality uses the non-mandated funds very well; however, we sometimes run out of funds before the end of the fiscal year.
- Training and the when and how to use it and budget non-mandated funds for the FY.
- We don't often time have applicable children. Mandated services are primary.
- 1. Working with community partners to identify more services that can support youth and families within the community beyond traditional services. 2. Continued education of the community regarding prevention services, i.e. intensive care coordination and the high fidelity wraparound model. 3. Expanded use of our social media site and to provide education about prevention services for non-mandated families. 4. Restricting some services that have not produced positive outcomes for preventing more restrictive placements.
- Our county utilizes all non-mandated monies we receive. More funding would help tremendously.
- We could use additional funds in order to provide more prevention services for families. We typically are fully encumbered of our non-mandated monies by February of the fiscal year which leaves 4 months of unavailability for families.
- Remove the Local Match
- If we had additional funds, we could make a better impact on youth and their families. The protected amount for the County is not enough to provide very minimal services, as we try to spread the funds to as many youth and families as we can.
- Remove the distinction of mandated vs. non-mandated and eliminate the category of "non-mandated". If the client meets CSA treatment criteria, there's no need to further qualify the client.
- In the past I would have said increasing our non-mandated funding would increase our spending but Sp Ed WRAP funds have actually reduced the use of non-mandated funds. As a result we may not spend all non-mandated funds this FY. CSU/DJJ also seem less dependent on this funding. We also are more diligent in assessing parental contributions which could be having an impact on parental willingness to accept services.
- Our local CSA has a non-mandated funding allocation but LDSS, CSU, and school case managers will not bring cases. This has been a problem for years. The local CSA Office has made efforts to educate and encourage the practice of bringing non-mandated cases to FAPT but nothing has changed. The few cases we have stem from parental referrals and are cases managed by the CSB. Until leadership at a high level, locally, staffs cases with workers and requires a FAPT referral I do not foresee any local changes.
- We rarely need non-mandated funds, but when we have a child/family in need of services, we appreciate having this option available to us to help them. Having more funds available to us would likely increase our use when the situation is presented to us. We have moved to a system of accepting self-referrals, so that makes us aware of additional families in need.
- We basically need more non-mandated funding to make any sort to impact
- I'm comfortable with our usage being reserved for CHINS-Supervision cases. It is rare that we have a case come before FAPT that is not found eligible AND that we don't have other good suggestions for services the family can access on their own with their own resources.
- More Money

## OTHER COMMENTS:

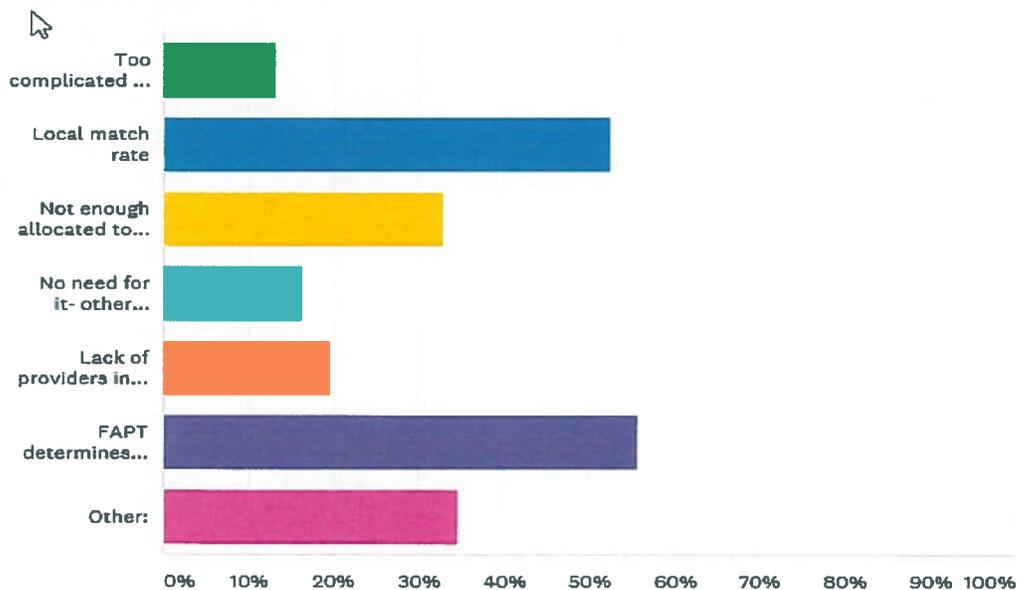
- I hope this survey will help everyone look at using them in their communities. Then, hopefully these funds will increase. Thanks,
- It is a privilege to be a member of this work community and its CPMT.
- More funding would be helpful.
- The mechanism that was in place to determine how non-mandated funds were allocated needs to be reviewed to ensure equitable distribution among all localities
- I think it is an issue that has to be dealt with locally. I think that some localities do not use the non-mandated because they are allowed to utilize it for mandated if not used.
- Non-mandated funds are a great benefit to this locality.
- Can the amount allocated each year be adjusted based on usage rather than fixed based on some formula applied years ago? In other words, can the allocation be reviewed and perhaps adjusted? I'm not sure what the allocation is based on .
- Coordinators could benefit from this type of training as well as CPMT.
- Every locality should be encouraged to use non-mandated funds for prevention services in their locality in order to serve the needs of families before the issues become more severe or lead to out of home placements.
- Our Courts order every child found to be a Child in Need of Supervision to come to FAPT for a review. In FY18, Hanover served 11 youth through non-mandated (although more than that came before FAPT, but were just able to access services on their own like IIH or outpatient).

## SURVEY #2- LOCALITIES NOT USING "NON-MANDATED" FUNDS

68 responses (42 localities)

In your opinion, what are the top three reasons why your locality does not use CSA non-mandated funds?

Answered: 61 Skipped: 7



## **"OTHER"**

- Confusion around the process and whether the non-mandated funds have to be used before requesting a supplemental allocation
- Resistance from county government
- We are not sure what we may use the funds for and we are very conscientious and do not want to have a pay back. I believe training on what and when we may use the funds and examples of appropriate usage of such funds would be very helpful. Our community has a lot of issues so I do not doubt that we have the need. We are a rural community that is limited on services and providers so that may be part of problem as well.
- CPMT is aware that usage is driven by locally defined policy; however, team just has not come to a consensus on how it should be used. We do not want to use inappropriately and then found out it was used wrong. But, we do need it to fund services for youth who fall within the gap. More guidance is needed.
- About a decade ago, prior to my participation, the CPMT made the decision to not use the funds.
- Need our full CSA allocation for Mandated youth.
- Historically, it was not used. Eventually, the ability was removed. Decision made prior to my position on the team.
- It is used for mandated cases.
- County does not approve the use of this funding.
- It's name...it's hard to suggest using when referred to as "non-mandated"
- We just want to be fiscally responsible. We try to insure we have enough money to serve our mandated individuals and that is our priority.
- SPED cases usually exceed base allocation.
- Children in the non-mandated population are rarely referred to CSA. I believe most case managers utilize alternate funding sources because referral to CSA is too much of a burden.
- Patrick County BOS does not allocate enough funds to serve any children who are not mandated
- However, we do maintain non-mandated funds in case we do need them each year.
- when I arrived to the agency, I was told that we did not utilize non mandated funds; so i can only make
- Local policy only approves use of Mandated funds

## **COMMENTS:**

- There are adequate resources in terms of providers but getting access to the services is something that we can potentially explore with non-mandated funding
- The locality has been able to work with partnering agencies and utilize a blend of CSA and non-CSA funds to provide services to children and families.
- For the most part, funding is adequate
- Families First and DJJ funds are available
- PSSF, Families First and DJJ funds are used instead.
- The services we can offer families here in Gloucester are limited so we find using other funding resources (MHI, SPED Wrap Around, Safe & Stable) to help pay for the services we can provide.
- Richmond City FAPT has been able to find many of the youth eligible through the CHINS Checklist.
- I think if we know there was a totally separate and apart pool of money for non mandate funds people would use them.
- In most cases we are able to meet the needs for our non-mandated populations by connecting them to grant funded programs through our local CSB such as REACH, Region 2000, and MHI. We often make unique

recommendations such as setting up meetings between key players to work out details regarding needs such as improved communication or trust between families and entities (school most often)

- It is very rare for a case to be presented to CSA for services that does not already fit into a mandated population, especially since development of the CSA Chins process.
- It is possible that children who could be served in the non-mandated population DO NOT receive suitable services/treatment to prevent them from transitioning to the mandated population. More data/information is needed to determine if needs are being met through alternative funding streams, or if unmet needs escalate to the point of meeting mandated criteria.
- Many clients are successfully served using medicaid however the county does not fund any services that are not mandated by the state
- Children are eligible for CSA funds due to their risk of entering foster care. Services are also funded by Promoting Safe & Stable Families funds.
- There have been resources available to date so we have not used our non-mandated funds; however, we continue to see increases in the needs of families in the community so maintain the protected amount in case we need that funding.
- Promoting Safe and Stable Families grant funds are available to assist children/families who do not meet CSA criteria. Additionally, our local school system has an MDT that reviews cases and links families to resources.
- We have always used mandated funds but as we become more engaged with the schools in our system of care, we are wanting to utilize ICC/FSP with families that are not in the mandated population. So since we use mandated, we can meet that population but as SOC and community collaboration is developing, we have a need to be able to serve those families specifically for these services.
- Most children in my locality are determined eligible, either via mandated population or through CHINS Eligibility Checklist.

## What suggestions do you have to address barriers to the use of non-mandated funds?

- Clarification on whether non-mandated funds have to be expended prior to requesting a supplemental allocation; Assistance with how to determine who to serve due to the small amount of money (i.e. would not want to have to interrupt services if we run out of funding before the service period has ended)
- 1. Simply the FAPT process. 2. Closer monitoring of use of funds throughout the Fiscal Year. 3. Cross-agency collaboration to with families to seek services. 4. More defined policy that notes explanation for use of funds. (innovative ideas) 5. Courts ordering referrals to FAPT for recommendations rather than ordering services. This might increase use of community based services. 6. Having access to community based services, such as MST, that are used primarily with populations that are likely to be court involved. 7. Increasing school staff awareness that they can bring cases to FAPT that aren't special education.
- I believe training on who and what may use it and examples of appropriate usage of the funds would be very helpful to knowing if any additional barriers.
- Waive the local match
- Increase the amount and reduce the match
- Allocation isn't enough for the locality to consider using it.
- 1. Continue to have conversations with localities across the state about their usage or lack of usage; 2. Allow non-mandated funds to be used by the non-mandated partners that make up the CPMT/CSA Teams such as: youth serving organizations (Offices on Youth); law enforcement, faith based, nonprofits, etc. who come to the table (as FAPT or CPMT members perhaps) to provide wrap around services to families (enhancing the system of

care); 3. Provide a little more guidance and training during the annual CSA Conference, on the OCS website, and/or through Administrative correspondences. 4. Spotlight localities across the state who use funds to support exceptional programs and/or that use evidenced based approaches.

- Training --- funding has multi-layers of complexities and can be difficult to understand -- especially for new employees.
- Eliminate the local match for non-mandated.
- Increase funding allocations or create a simple process to access additional funds.
- First off change the name, to something other than "non-mandated". Second better education to elected officials, etc. on how they can be beneficial.
- Money should be separated from mandated funds. Most people want to make sure all of the mandated needs are met first. Money should not be combined.
- Increase base allocation in order to designate non-mandated funds
- Helping families that can't meet a parental co-pay
- My County's governing body would be the biggest barrier.
- Allocation is so small in Poquoson and because the CSA may carry responsibility for foster care children removed by York Poquoson DSS, the allocation is a mute point when everything is eaten up by mandated populations.
- Many smaller, rural localities do not wish to undertake additional costs by providing service to non mandated cases, when there are other departments that exist for that purpose (CSU, CSB, DSS, Schools.)
- The bottom line impact of CSA was to shift a greater portion of service costs to local governments. Many smaller, rural localities do not wish to undertake additional costs for provision of services to cases that are not required, when other departments exist to address those needs.
- Our Teams would benefit from additional training. It would help to review examples of cases involving the appropriate use of non-mandated funds (eligibility criteria, goals/service plan, etc.). What does a non-mandated case "look like"? Clarify how non-mandated funds could be used for a residential placement (there is confusion because of the Title IV-E definition for foster care).
- I would suggest further education on the use of non-mandated funds to localities
- Education And the concern needs to be addressed that if our allocation is reduced ( which it has been) and we still have to ask for a supplement to meet the needs of our mandated population, what is the benefit to using non mandated funds?
- change the name from "non-mandated" to something that indicates what the funds purpose. Boards of Sup, only spend what they "have to" in some instances. The term "non-mandated" says "we do not have to."
- Better education for our CPMT members about the use of non-mandated funds.

## Any other thoughts?

- If possible, sharing how other localities use their funds and how they determine who gets the funding would be helpful
- Request to increase funding.
- so many families would benefit from immediate services to assist them with stabilization and to prevent situations from deteriorating further by funds to assist with food, electric, rent, gas, clothing, cleaning supplies, housing repairs, hygiene products, car repairs, child care, activities for the children, other such things to decrease stress to families which decreases abuse/neglect which decrease risk of foster care. Funding of such things would be based on a worker's validating the need thru involvement with the families via cps complaints. Having discretionary funding to use on an emergency basis could benefit the high risk population tremendously and prevent further deterioration of the family unit.

- Thank you for conducting this survey. It is timely because the discussion of how to use non-mandated funds has been on our agenda as a discussion item for several months. Our CPMT would appreciate more guidance. Some of our discussion has been on using funds to support day reporting services for students with repeat behavior problems who have short term suspensions, saturday school for the same, mentoring services, lifeskills or independent living camps; and workforce initiatives for vulnerable/special needs/IV-E students transitioning from high school. I would like to see fund used to support respite and mental health/trauma & resiliency workshops for youth and their families.
- Poquoson seems to serve more foster care cases and has only had 2 community based cases in two years.
- Especially since the expansion of the mandated population to include CSA Chins cases, there are relatively few cases presented to CSA that are not part of some mandated population.
- No. I appreciate being educated about funding and resources we can use to better help meet needs of children and families.
- Is there a way that this pool of non-mandated could be separate and apart from our allocation; like wrap funds?
- The amounts allocated to SPED Wrap and Non-Mandated are very small. For years we were asking for supplemental funding and therefore the Non-mandated allocation was used to supplement that overage.