

**STATE EXECUTIVE COUNCIL (SEC)
FOR CHILDREN'S SERVICES
Richmond/Henrico Rooms
1604 Santa Rosa Rd.
Richmond, VA
Thursday, September 15, 2016**

SEC Members Present:

The Honorable William A. (Bill) Hazel, Jr., M.D., Secretary of Health and Human Resources (*Chair*)
Jack Barber, Interim Commissioner, Virginia Department of Behavioral Health
and Developmental Services
The Honorable Richard "Dickie" Bell, Member, Virginia House of Delegates
The Honorable Mary Biggs, Member, Montgomery County Board of Supervisors
Sophia Booker, Service Recipient Representative
Courtney Gaskins, Director of Program Services, Youth for Tomorrow
Pat Haymes for Steven Staples, Ed.D., Superintendent of Public Instruction, Virginia Department
of Education
Bob Hicks for Dr. Marissa Levine, Commissioner, Virginia Department of Health
The Honorable Catherine Hudgins, Member, Fairfax County Board of Supervisors
Cindi Jones, Director, Department of Medical Assistance Services
Maurice Jones, City Manager, City of Charlottesville
Sandra Karison for Karl Hade, Executive Secretary of the Supreme Court of Virginia
The Honorable Sheila Olem, Council Member, Town of Herndon
Greg Peters, President and CEO, UMFS
R. Morgan Quicke, County Administrator, Richmond County
Margaret Schultze, Commissioner, Virginia Department of Social Services
The Honorable Frank Somerville, Presiding Judge, 16th Judicial District, Juvenile and Domestic
Relations District Court
Tamara Temoney, Ph.D., Chair, State and Local Advisory Team (SLAT)
Jeanette Troyer, Parent Representative
Angela Valentine for Andrew Block, Director of the Department of Juvenile Justice
The Honorable Jennifer Wexton, Member, Senate of Virginia

SEC Members Absent:

Eddie Worth, Parent Representative

Other Staff Present:

Stephanie Bacote, Audit Manager, OCS
Pamela Kestner, Deputy Secretary of Health and Human Resources
Daniela Lewy, Executive Director, Children's Cabinet
Marsha Mucha, Administrative Staff Assistant, OCS
Scott Reiner, Executive Director, OCS
Eric Reynolds, Assistant Attorney General, Office of the Attorney General
Kristi Schabo, Program Consultant, OCS
Carol Wilson, Program Consultant, OCS

Call to Order and Approval of Minutes

Secretary Hazel called the meeting to order at 9:02 a.m. and welcomed everyone. New members were introduced and introductions made.

The minutes of the June 23, 2016 meeting were approved without objection.

Secretary Hazel updated members on several critical issues including the shortfall in the state's biennial budget and the addiction issues (particularly opiates) that continue to plague the state. He further noted that he did not expect much legislation from the secretariat for the 2017 General Assembly Session.

Public Comment (General)

There were no public comments.

Amendments to SEC Bylaws

Members were provided a copy of the SEC bylaws with technical revisions highlighted in red. After reviewing the revisions, the amended SEC bylaws were approved without objection.

Executive Director's Report

Mr. Reiner reported on the following items:

- **FY16 Expenditure Status Update** – The 2016 CSA program year ends September 30. The rate of growth in CSA pool fund expenditures is expected to be 5.5 to 6 percent over the 2015 program year.
- **Private Day Educational Placements** – Item 285#1c of the Appropriation Act directs the SEC to “develop a robust set of options for increasing the integration of children receiving special education day treatment services into their home school districts, including mechanisms to involve local school districts in tracking, monitoring and obtaining outcome data to assist in making decisions on the appropriate utilization of these services.” In order to address this directive, a workgroup of stakeholders convened for three meetings to develop the options presented today.

Mr. Reiner presented CSA statistical and expenditure information concerning the use of private day school services. He reviewed the options the workgroup had developed for the SEC's consideration as well as additional issues and considerations for further discussion. After the report, Mr. Reiner answered questions and members discussed the workgroup's recommendations.

Public Comment – Public comment was received from William (Bill) Elwood representing the Virginia Coalition of Private Provider Associations (VCOPPA) and the Virginia Association of Independent Specialized Education Facilities (VAISEF).

Action Taken – There was considerable discussion concerning several of the options presented and their order of priority. Members also discussed the current Individualized Education Program (IEP) process and approved, without objection, adding a

recommendation for the Virginia Department of Education (VDOE) to seek a waiver from the federal Department of Education allowing for the inclusion of members of the Family Assessment and Planning Team (FAPT) in the IEP process.

A motion was made by Catherine Hudgins, and seconded by Greg Peters, to remove *Option B* from the section *Restructuring the Children's Services Act (CSA)*. After additional discussion the motion was defeated. The options will be reordered and this option will be placed last within this section of the report. Members voted to move forward with submission of the report. Greg Peters opposed.

Educational Funding for Non-CSA Placements in Residential Treatment - Mr. Reiner reported that the SEC was also directed to continue its review, with the assistance of relevant stakeholders, the issue of funding of educational costs for non-CSA placements in residential treatment. Mr. Reiner explained that a report required pursuant to the 2015 Appropriation Act on this issue was the product of several workgroups that were tasked with examining the issue. Several recommendations were presented in the report but there were a number of recommendations where the workgroups could not reach consensus.

Mr. Reiner noted that he had redistributed all the recommendations and other relevant materials to SEC members for their review. He explained that a workgroup was convened for two meetings with workgroup members reviewing the materials as noted above and developing additional/new options. Public comment was also received at these meetings.

He reviewed the options the workgroup had developed for the SEC's consideration. After the report, Mr. Reiner answered questions and members discussed the options presented.

Public Comment – Public comments were received from the following:

- William (Bill) Elwood – representing the Virginia Coalition of Private Provider Associations (VCOPPA) and the Virginia Association of Independent Specialized Education Facilities (VAISEF).
- Jim Gillespie – Fairfax County and representing the Virginia Association of Counties (VAoC).
- Rebecca Vinroot – James City County Department of Social Services and representing the Virginia Municipal League (VML).
- Cecelia Kirkman – representing SEIU Healthcare.

Action Taken – After additional discussion, a motion was made by Delegate Dickie Bell and seconded by Greg Peters to include a Joint Legislative Audit and Review Commission (JLARC) study of the issue as an option in the report to the General Assembly. The motion carried. The report was approved for submission to the General Assembly on a motion by Margaret Schultze and seconded by Cindi Jones.

SLAT Report

Tamara Temoney, SLAT Chair reported on the following:

- **Amended SLAT Bylaws** - Technical amendments to the SLAT bylaws (highlighted in red) were presented for SEC approval. The amended SLAT bylaws were approved on a motion by Margaret Schultze and seconded by Mary Biggs.
- **CSA Special Education Wraparound Funds** – SLAT was asked by the SEC to gather input and develop recommendations for the Commission on Youth (COY) request to examine issues related to use of the wraparound services for students with disabilities. This request was part of a larger two-year study by COY on the use of federal, state and local funds for private educational placements of students with disabilities.

Several surveys (general CSA, school special education directors and parents of students with disabilities) were developed and distributed to gather information from stakeholders to utilize in informing the recommendations from SLAT to the SEC in response to the COY request. At their August 4 meeting SLAT received additional input from stakeholders on the use of CSA special education wraparound funds.

Mr. Reiner and Dr. Temoney presented SLAT's recommendations to the SEC for their consideration.

Action Taken – After further discussion the recommendations from SLAT were approved for submission to COY without objection.

Mr. Reiner will be presenting the recommendations to the Commission on Youth on Tuesday September 20.

Children's Cabinet and Member Updates

Daniela Lewy provided an update on the work of the Children's Cabinet. SEC members provided updates on activities related to the work of the SEC and CSA and more broadly in respect to children's services and issues.

Next Meeting and Adjournment

There being no further business the meeting was adjourned at 2:00 p.m. The next meeting is scheduled for December 15.