

AGENDA
State Executive Council for Children's Services
March 15, 2018

Virginia Department of Taxation
1957 Westmoreland St.
Richmond, VA 23230

- 09:30** **Welcome, Introductions, and Chair Remarks – Dr. Daniel Carey**
➤ **Action Item** – Approval of December 2017 Minutes
- 10:10** **Public Comment**
- 10:20** **Executive Director's Report – Scott Reiner**
- OCS Training Activity – FY2018
 - Annual CSA Conference – May 1 – 2, 2018, Hotel Roanoke and Conference Center
 - Status of FY2018 CSA Audit Plan
 - FY2018 OCS expenditure projections (through Q2)
 - New OCS Assistant Director - Announcement
 - Collaboration with DBHDS regarding discharge planning for children at the Commonwealth Center for Children and Adolescents
 - Summary of General Assembly activity related to CSA (budget language pending as of 3/7/18)
 - Increase in base state pool appropriation
 - Conduct a rate setting study for private day special education programs
 - Cap on rate increases (2%) for private day special education programs
 - Develop (with DOE and a designated list of entities) outcomes measures for private day special education programs
 - Transform CSA into an evidence-based, trauma-informed system (with DMAS, DBHDS and stakeholders)
 - Notice of Appeal of Audit Finding from the City of Hopewell (June 21, 2018 meeting)
- 10:45** **Discussion re: Administrative Memo #18-01 (Parental Consent for Information Sharing for CSA Special Education Funding)**
- 11:00** **Discussion of potential General Assembly designated activities**
- 11:20** **SLAT Report – Dr. Tamara Temoney**
- 11:30** **Member Updates**
- 12:00** **Adjournment**

2018 Meeting Schedule

June 21, September 20, December 13

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**STATE EXECUTIVE COUNCIL (SEC)
FOR CHILDREN'S SERVICES
Richmond/Henrico Rooms
1604 Santa Rosa Road
Richmond, VA
Thursday, December 14, 2017**

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
Andrew Block, Director of the Department of Juvenile Justice
Sophia Booker, Service Recipient Representative
Courtney Gaskins, Ph.D., Director of Program Services, Youth for Tomorrow
Patricia 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
Cindi Jones, Director, Department of Medical Assistance Services
Elizabeth O'Shea, Parent Representative
Greg Peters, President and CEO, UMFS
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
The Honorable Jennifer Wexton, Member, Senate of Virginia

SEC Members Absent:

The Honorable Catherine Hudgins, Member, Fairfax County Board of Supervisors
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
R. Morgan Quicke, County Administrator, Richmond County

Other Staff Present:

Maris Adcock, Business Manager, OCS
Anna Antell, Program Consultant, OCS
Stephanie Bacote, Program Audit Manager, OCS
Rendell Briggs, Program Auditor, OCS
Annette Larkin, Program Auditor, OCS
Daniela Lewy, Executive Director, Virginia Governor's Children's Cabinet
Marsha Mucha, Administrative Staff Assistant, OCS
Scott Reiner, Executive Director, OCS
Eric Reynolds, Assistant Attorney General, Office of the Attorney General

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Howard Sanderson, Senior Research Analyst, OCS and VDSS
Kristi Schabo, Program Consultant, OCS

Call to Order

Secretary Hazel called the meeting to order at 9:30 a.m. and welcomed everyone. He presented Judge Somerville with his reappointment certificate and pin.

Approval of Minutes

The minutes of the September 21, 2017 meeting were approved without objection.

Public Comment

Public comment was made by Cecelia Kirkman as a public stakeholder. She offered comments on the progress and improved processes made by state agencies in serving children, youth and their families in the Commonwealth.

Executive Director's Report

Mr. Reiner reported on the following items:

- *Status of General Assembly Activity on Private Day Educational Programs* - Staff members of Senate Finance and House Appropriations concluded their work on the General Assembly assignment. They issued a letter to the chairmen of House Appropriations and Senate Finance indicating that more time is needed for additional study of this issue.
- *Reports to the General Assembly* – OCS has submitted five reports that were due to the General Assembly. Those reports were: *Treatment Foster Care Services Under the CSA*; *Private Special Education Services Under the CSA*; *Regional and Statewide Training Regarding CSA*; *Utilization of Residential Care Under the CSA*; and *Impact of the "Incentive" Match Rate for CSA*.
- *Outcome Reports and Activities* –OCS has completed the Performance Measures/Outcome Indicators Report for FY2016. This Report includes six performance indicators which measures the impact of those services on the CSA population.

OCS has recently completed a study on juvenile and criminal justice outcomes. This report focuses on the outcomes of children/youth, under the age of 18, who exited the CSA system in FY2015 and were subsequently arrested or rearrested within a one-year time period. This report was made possible through a data sharing agreement between CSA and DJJ. Plans are now underway for further development and improvement to the reporting capabilities.

Members discussed the Outcomes Indicator Report and CSA/DJJ Report. Of particular note, the necessity for communication and discussion of the performance indicators with key stakeholders at both the association (VML and VACo) and locality level. The use of best practices for training purposes was also discussed. This issue will remain on the agenda for the next meeting.

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OCS continues to work with the Virginia Longitudinal Data System (VLDS) on potential data projects, especially around educational outcomes.

Mr. Reiner took the opportunity to thank Secretary Hazel and members of the SEC for their service to the Commonwealth and on behalf of CSA.

FY2016 CSA Service Gap Survey

Mr. Howard Sanderson, OCS Research Analyst, presented on the 2016 Service Gap Survey. This annual report is required by Code. This year's survey was redesigned in an effort to streamline and improve reporting features.

Of note during discussion after Mr. Sanderson's presentation, was the issue of transportation to access services. Transportation was identified as one of the top gaps statewide and in the top three in every region under the Family Support Services Group. Members agreed that they would like a more in-depth look at this issue.

SLAT Report

Dr. Temoney, SLAT Chair, reported on SLAT's December 7 meeting. SLAT recently completed a Family Engagement Survey of CPMTs and FAPTs concerning parent representation on those bodies. SLAT also plans to survey localities on training opportunities for parent representatives. The February 2018 SLAT meeting will focus on preparing recommendations for presentation to the SEC.

Proposed SEC Policy on Response to Audit Findings

Mr. Reiner provided background information on the process to date. He noted that, as agreed upon by the SEC at its September meeting, he held further discussion with SEC members Mary Biggs and Catherine Hudgins along with representatives from VML and VACo. This group addressed the remaining outstanding issues with the proposed policy. The proposed policy was then disseminated for an additional 30 days of public comment. Six comments were received during the comment period.

During discussion, Mary Biggs expressed her appreciation to Mr. Reiner and others for their work on the policy. She also expressed appreciation that a provision for annual review of the policy was included.

Closed Meeting

A motion was made by Margaret Schultze, seconded by Mary Biggs and carried that the State Executive Council convene in a closed meeting pursuant to Virginia Code § 2.2-3711(A)(7) for the purpose of consultation with legal counsel in the provision of legal advice pertaining to the proposed Audit Response policy.

Return to Open Meeting

Secretary Hazel reconvened the meeting in open session. The State Executive Council certified that only public business matters lawfully exempted from open meeting requirements pursuant to the exception in Virginia Code § 2.2-3711(A)(7) of the Virginia Freedom of Information Act and

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only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting.

After additional discussion of the proposed policy, Response to Audit Findings, a motion was made by Margaret Schultze to approve the policy, with deletion of 4.7.4.1.B. 3 on page 3 of 6. The motion was seconded by Greg Peters and was approved without objection.

SEC Biennial Report and Proposed FY2018 – FY2020 Goals

Mr. Reiner presented a draft of the *Progress Report on the Children's Services Act*. He noted that this report is due biennially to the General Assembly in accordance with the Appropriation Act.

Mr. Reiner noted the section of the report that contained the Goals and Strategies for the FY2018 – FY 2020 Biennial. These goals and strategies incorporate the FY2018 SLAT Work Plan. After brief discussion, the SEC endorsed the proposed goals and objectives included in the Biennial Report without objection.

Member Updates

Dr. Hazel asked Daniela Lewy to report on two recently completed studies conducted through the Virginia Children's Cabinet. Those studies were a fiscal map of children's support in Virginia which included all programs and funding streams impacting children (except classroom). The other study was an analysis of adverse childhood experiences (ACEs) data by Health Districts. Both reports can be found on the Virginia Children's Cabinet website.

Dr. Hazel asked members to provide an update on activities within their agencies and organizations. Additionally, each member thanked Secretary Hazel for his service.

Next Meeting and Adjournment

At the close of the meeting, Dr. Hazel thanked everyone for their kind words and service. There being no further business the meeting was adjourned at 12:00 p.m. The next meeting of the Council is scheduled for March 15, 2018, contingent on the scheduling of the new Chair.

Office of Children's Services
FY 2018 Training Progress Report (as of 3/1/2018)

Topic (Presenter)	Organization/Group/Audience	Date	# of Participants
CSA Overview (Scott Reiner)	Sussex County Board of Supervisors	7/20/2017	7
HFV Required Annual Refresher Training - Richmond (Anna Antell)	HFV Workforce	7/24/2017	21
HFV Regional Learning Session - Richmond (Anna Antell)	CSA Stakeholders	7/24/2017	20
HFV Required Annual Refresher Training - Richmond (Anna Antell)	HFV Workforce	7/25/2017	23
HFV Regional Learning Session - Richmond (Anna Antell)	CSA Stakeholders	7/25/2017	13
HFV Required Annual Refresher Training - Hampton (Anna Antell)	HFV Workforce	7/26/2017	25
HFV Regional Learning Session - Hampton (Anna Antell)	CSA Stakeholders	7/26/2017	30
High Fidelity Wraparound: Introduction (Days 1 - 2) - Richmond, VA (Anna Antell)	ICC Providers	8/1-8/2/2017	33
HFV Regional Learning Session - Petersburg (Anna Antell)	CSA Stakeholders	8/9/2017	15
Webinar: LEDRS Phase 2 Implementation (Preetha Agrawal)	Local CSA Financial Staff	8/9/2017	87
Webinar: LEDRS Phase 2 Implementation (Preetha Agrawal)	Local CSA Financial Staff	8/15/2017	37
Webinar: LEDRS Phase 2 Implementation (Preetha Agrawal)	Local CSA Financial Staff	8/23/2017	49
High Fidelity Wraparound: Introduction (Days 3 - 4) - Richmond, VA (YFTI, Anna Antell)	ICC Providers	8/28-8/29/2017	29
CSA Overview for Peer Recovery Specialists (Anna Antell)	DBHDS Peer Recovery Specialists	9/8/2017	11
CSA Basics - Lunenburg (Kristi Schabo and Anna Antell)	Lunenburg FAPT, CPMT, County Admin	9/15/2017	18
HFV Required Annual Refresher Training - Richmond (Anna Antell)	HFV Workforce	9/25/2017	17
HFV Required Annual Refresher Training - Rocky Mount (Anna Antell)	HFV Workforce	9/26/2017	20
HFV Regional Learning Session - Rocky Mount (Anna Antell)	CSA Stakeholders	9/26/2017	27
HFV Required Annual Refresher Training - Augusta County (Anna Antell)	HFV Workforce	9/27/2017	18
HFV Regional Learning Session - Augusta County (Anna Antell)	CSA Stakeholders	9/27/2017	8
DOE Training for Private Special Education Schools (Kristi Schabo)	Private School Providers	9/27/2017	116
HFV Required Annual Refresher Training - Prince William County (Anna Antell)	HFV Workforce	9/28/2017	27
HFV Regional Learning Session - Prince William County (Anna Antell)	CSA Stakeholders	9/28/2017	16
CSA Overview/Relationship to J&DR Courts (Scott Reiner and Eric Reynolds)	Court Improvement Program, Supreme Court of VA	9/28/2017	250
CSA Overview for HHR (Psychology Dept.) Course at VCU (Scott Reiner)	VCU Students	10/2/2017	15
High Fidelity Wraparound: Introduction (Days 1 - 2) - Richmond, VA (Anna Antell)	ICC Providers	10/10-10/11/2017	31
High Fidelity Wraparound: Family Support Partners - Richmond (Anna Antell)	ICC Family Support Partners	10/17-10/19/2017	24
Panel Discussion on Private Special Education Programs (Kristi Schabo)	VA Council of Administrators of Special Education	10/20/2017	185
Chesterfield CASA Training (Kristi Schabo)	Chesterfield CASA Volunteers	10/30/2017	16
CSA Update (Scott Reiner)	VCOPPA Annual Issues Symposium	11/8/2017	86
High Fidelity Wraparound: Introduction (Days 3 - 4) - Richmond, VA (YFTI, Anna Antell)	ICC Providers	11/8-11/9/2017	31
Webinar on CSA (Scott Reiner, Maris Adcock)	Virginia Government Finance Officers Association	11/15/2017	73
Update on CSA for Local DSS Directors (Carol Wilson)	Piedmont Regional LDSS Directors	12/5/2017	40
Webinar on CANVaS Reporting (Carol Wilson)	All CANS Users	12/8/2017	63
Webinar on CANVaS Reporting (Carol Wilson)	All CANS Users	1/9/2018	49
CANS Super User Training (John Lyons)	Local CANS Super Users	2/25-2/26/2018	52
High Fidelity Wraparound: Family Support Partners - Richmond (Anna Antell)	ICC Family Support Partners	2/28-3/2/2018	11
DOE Aspiring Special Education Leaders Academy (Scott Reiner)	DOE Local Special Education Leaders	3/8/2018	
Overview of CSA (Scott Reiner)	Staff of the Supreme Court of Virginia	3/13/2018	
High Fidelity Wraparound: Introduction (Days 1 - 2) - Winchester, VA (Anna Antell)	ICC Providers	3/13-3/14/18	
CSA Basics (Kristi Schabo)	Central VA Rural CSA Network	3/23/2018	
CPMT Roles and Responsibilities (Carol Wilson)	Nottoway County CPMT	3/26/2018	
2018 New CSA Coordinator Academy (All OCS Staff)	New CSA Coordinators	3/27-3/29/2018	
CSA Overview for HHR (Psychology Dept.) Course at VCU (Scott Reiner)	VCU Students	4/9/2018	

High Fidelity Wraparound: Introduction (Days 3 - 4) - Winchester, VA (Anna Antell)	ICC Providers	4/11-4/12/2018	
High Fidelity Wraparound: Introduction (Days 1 - 2) - Richmond, VA (Anna Antell)	ICC Providers	4/25-4/26/2018	
CSA Coordinators Pre-Conference Session - Roanoke, VA	CSA Coordinators (Statewide)	4/30/2018	
7th Annual CSA Conference - Roanoke, VA	All CSA Stakeholders	5/1-5/2/2018	
High Fidelity Wraparound: Introduction (Days 3 - 4) - Richmond, VA (Anna Antell)	ICC Providers	5/22-5/23/18	
High Fidelity Wraparound Supervisor Training	ICC Supervisors	6/12/2018	
Community Programmatic Resources - CSA (Scott Reiner)	New J&DR Judges (Supreme Court of Virginia)	6/13/2018	
CSA for New LDSS Staff - Module 1 (On-Line)	New LDSS Staff and Other Interested Parties	ongoing	65
CSA for New LDSS Staff - Module 2 (On-Line)	New LDSS Staff and Other Interested Parties	ongoing	46
CSA for New LDSS Staff - Module 3 (On-Line)	New LDSS Staff and Other Interested Parties	ongoing	47
CSA for New LDSS Staff - Module 4 (On-Line)	New LDSS Staff and Other Interested Parties	ongoing	44
CSA for New LDSS Staff - Module 5 (On-Line)	New LDSS Staff and Other Interested Parties	ongoing	45
Special Education Wraparound Funding Under the CSA (On-Line)	New LDSS Staff and Other Interested Parties	ongoing	62
CSA Audit Training (On-Line)	All CSA Stakeholders	ongoing	11
CSA Utilization Management Training (On-Line)	All CSA Stakeholders	ongoing	13
Can CSA Pay? (On-Line)	All CSA Stakeholders	ongoing	39
			1926



Office of Children's Services
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FISCAL YEAR 2018
AUDIT PLAN STATUS UPDATE
MARCH 6, 2018

SUMMARY				
Audit Type	# Scheduled	# Completed	# In Progress	# Not Started
Onsite	20	3	11	6
Self-Assessment Validation ¹	30	0	16	14
Carry-Over	2	2	0	0

¹Self-Assessment Validations are scheduled upon receipt of the Self-Assessment Workbook completed by local CSA programs. Due dates established were 11/30/17, 2/28/18, and 4/30/18.

NOTABLE TRENDS

- Utilization review/utilization management procedures and practices by local CSA programs are an ongoing concern. Most local programs lack evidence to demonstrate minimum compliance requirements are met per **§ 2.2-5206** Item 13 which states "Review and analyze data in management reports provided by the Office of Children's Services in accordance with subdivision D 18 of **§ 2.2-2648** to help evaluate child and family outcomes and public and private provider performance in the provision of services to children and families through the Children's Services Act program. Every team shall also review local and statewide data provided in the management reports on the number of children served, children placed out of state, demographics, types of services provided, duration of services, service expenditures, child and family outcomes, and performance measures. Additionally, teams shall track the utilization and performance of residential placements using data and management reports to develop and implement strategies for returning children placed outside of the Commonwealth, preventing placements, and reducing lengths of stay in residential programs for children who can appropriately and effectively be served in their home, relative's homes, family-like setting, or their community."
- Frequency of completing Child and Adolescent Needs and Strengths (CANS) assessments in accordance with established guidelines (annual and discharge). Also where annual and discharge assessments are completed, often the incorrect assessment tool is utilized. Established guidelines direct use of the "comprehensive" version of the assessment tool. However, the "reassessment" version is most frequently used. Such deficiencies pose data integrity concerns for information that is collected and utilized in evaluating and reporting of specific performance measures and outcome indicators adopted by the State Executive Council.
- Turnover in CSA Coordinator position (10 of 52 or 19%) affects coordination and scheduling of audit activities to accommodate audit staff and client preferences.



Office of Children's Services
Empowering communities to serve youth

**FISCAL YEAR 2018
AUDIT PLAN STATUS UPDATE
MARCH 6, 2018**

INDIVIDUAL PROJECT DETAIL		
Locality Audits, Projects & Reviews	Audit Type	Status as of 3/6/2018
Campbell	Onsite	Completed
Greene	Onsite	Completed
Madison	Onsite	Completed
Chesterfield/Colonial Heights	Onsite	In progress- Debriefing
Floyd	Onsite	In progress - Debriefing
Washington/Bristol	Onsite	In progress - Debriefing
Mecklenburg	Onsite	In progress - Fieldwork
Norfolk	Onsite	In progress - Fieldwork
Prince William	Onsite	In progress - Fieldwork
Rockbridge/Lexington/Buena Vista	Onsite	In progress - Fieldwork
Charles City	Onsite	In progress - Planning
Henry/Martinsville	Onsite	In progress - Planning
Lee	Onsite	In progress - Planning
Patrick	Onsite	In progress - Planning
Amherst	Onsite	Not started
Frederick	Onsite	Not started
Giles	Onsite	Not started
Gloucester	Onsite	Not started
Russell	Onsite	Not started
Tazewell	Onsite	Not started
Albemarle	SAV	In progress - Fieldwork
Amelia	SAV	In progress - Fieldwork
Hampton	SAV	In progress - Fieldwork
Hanover	SAV	In progress - Fieldwork
King George	SAV	In progress - Fieldwork
Prince George	SAV	In progress - Fieldwork
Rockingham/Harrisonburg	SAV	In progress - Fieldwork
Shenandoah	SAV	In progress - Fieldwork
Winchester	SAV	In progress - Fieldwork
Caroline	SAV	In progress - Planning
Charlotte	SAV	In progress - Planning
Fauquier	SAV	In progress - Planning
Greensville/Emporia	SAV	In progress - Planning
Pittsylvania	SAV	In progress - Planning



Office of Children's Services
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FISCAL YEAR 2018
AUDIT PLAN STATUS UPDATE
MARCH 6, 2018

INDIVIDUAL PROJECT DETAIL		
Locality Audits, Projects & Reviews	Audit Type	Status as of 3/6/2018
Spotsylvania	SAV	In progress - Planning
Wythe	SAV	In progress - Planning
Accomack/Northampton	SAV	Not started
Appomattox	SAV	Not started
Carroll	SAV	Not started
Craig	SAV	Not started
Fredericksburg	SAV	Not started
Grayson	SAV	Not started
Halifax	SAV	Not started
Petersburg	SAV	Not started
Prince Edward	SAV	Not started
Scott	SAV	Not started
Wise	SAV	Not started
Rappahannock	SAV	Not started
Fairfax/Falls Church	SAV	Not started
Essex	SAV	Not started
CARRY-OVER AUDITS	AUDIT TYPE	
Richmond City	SAV	Completed
Lunenburg	Onsite	Completed

[CSA Statistics Home](#) > [CSA Pool Reporting](#)

CSA POOL REIMBURSEMENT REQUEST REPORT COMPARISON (FY15 -FY18)

Today's Date: March 06, 2018

Net Total Expenditures as of March 06, 2018 of each Fiscal Year.

Net Total Expenditures include all reports with a status of 1 or greater (All non-pended reports)

EXPENDITURE DESCRIPTION	NET TOTAL EXPENDS FY15	NET TOTAL EXPENDS FY16	NET TOTAL EXPENDS FY17	NET TOTAL EXPENDS FY18	\$ CHG	% CHG
NUMBER OF REPORTS	870	875	885	859	-26	
1. MANDATED SERVICES / RESIDENTIAL / CONGREGATE CARE						
1a. Foster Care - IV-E children in Licensed Residential Congregate Care ; pool expenditures for costs not covered by IV-E (i.e., non room-and-board)	1,644,757	1,598,943	1,058,387	1,083,981	25,595	2.4%
1b. Foster Care - all others in Licensed Residential Congregate Care	9,420,169	9,231,105	6,307,418	7,767,359	1,459,941	23.1%
1c. Residential Congregate Care – CSA Parental Agreements ; DSS Noncustodial Agreements	4,274,599	5,081,639	5,076,572	4,859,072	-217,500	-4.3%
1d. Non-Mandated Services/Residential/Congregate	582,515	478,978	494,309	205,145	-289,164	-58.5%
1e. Educational Services - Congregate Care	17,647,446	18,713,830	16,889,846	18,039,835	1,149,988	6.8%
- School Referred Residential - Non-Educational Services	0	0	0	0	0	0%
2. OTHER MANDATED SERVICES						
2a. Therapeutic (Treatment) Foster Care – IV-E	13,461,736	14,639,167	13,864,646	17,154,340	3,289,694	23.7%
2a.1 Therapeutic (Treatment) Foster Care	21,010,523	20,375,198	15,316,089	16,952,774	1,636,685	10.7%
2a.2 Therapeutic (Treatment) Foster Care – CSA Parental Agreements ; DSS Noncustodial Agreements	217,700	326,207	326,535	45,489	-281,046	-86.1%
2b. Specialized Foster Care – IV-E ; Community Based Services	856,405	523,277	0	0	0	0.0%
2b.1 Specialized Foster Care	2,305,595	1,685,222	0	0	0	0.0%
2c. Family Foster Care – IV-E ; Community Based Services	540,755	883,174	805,780	955,717	149,937	18.6%

2d.	Family Foster Care Maintenance only	1,942,987	1,491,402	0	0	0	0	0.0%
2e.	Family Foster Care – Children receiving maintenance and basic activities payments; independent living Stipend/Arrangements	4,714,870	7,387,284	8,451,954	9,241,690	789,737		9.3%
2f.	Community - Based Services	15,138,561	15,647,472	15,172,657	18,713,464	3,540,807		23.3%
2f.1	Community Transition Services – Direct Family Services to Transition from Residential to Community	658,264	946,007	481,434	210,658	-270,776		-56.2%
2g.	Alternative Day Placement/ SPED Private Day	52,334,993	58,352,381	52,692,908	70,272,172	17,579,264		33.4%
2h.	Wrap Services for Students with Disabilities	764,368	783,398	646,840	1,017,113	370,273		57.2%
2i.	Psychiatric Hospitals/Crisis Stabilization Units	79,283	119,631	63,652	180,418	116,767		183.4%
3.	Non-Mandated Services/Community-Based	2,028,752	1,659,273	1,471,900	1,567,929	96,030		6.5%
	GRAND TOTALS:	149,624,277	159,923,589	139,120,927	168,267,158	29,146,231		21.0%




COMMONWEALTH of VIRGINIA

OFFICE OF CHILDREN'S SERVICES *Administering the Children's Services Act*

SCOTT REINER, M.S.
Executive Director

Administrative Memo #18-01

To: CPMT Chairs
CSA Coordinators

From: Scott Reiner, Executive Director 

Date: January 11, 2018

Subject: Parental Consent for Information Sharing for CSA Special Education Funding

This office has received several inquiries concerning circumstances in which parents/legal guardians of students referred to local CSA programs for funding of private special education programs per their IEPs are refusing to sign a consent to share information between the school and the local CSA office.

Consultation with the Office of the Attorney General has confirmed the following:

1. Without parental consent, local school divisions cannot share student's educational records (including IEPs) with CPMTs. This includes the student's "directory information" as well as the educational record. Such disclosure without consent would constitute a violation of the Family Educational Rights and Privacy Act (FERPA).
2. Without such information, CPMTs cannot verify that the students are statutorily eligible for CSA funded services and would therefore be unable to authorize the use of CSA funds to cover the costs of private educational placements required by the student's IEP. The local school division would be responsible for the costs in order to provide a Free and Appropriate Public Education (FAPE) for these students under the federal Individuals with Disabilities Education Act (IDEA).
3. Section 2.2-5209 of the Code of Virginia contemplates this scenario and states: "In cases involving the denial of state pool funds resulting from parental refusal to consent to release of student records under federal law, where such refusal precludes the development of placement through the family assessment and planning team process or the approved collaborative, multidisciplinary team process, an appeal for good cause may be made to the [State Executive] Council." Local school divisions could thus appeal

the denial of CSA funds in these cases, however the State Executive Council would still be bound by the statutory requirements for verification of eligibility and funding under the CSA. Local school divisions would need to consult with their own legal counsel to determine what remedies, if any, may be available to them.

Therefore, without parental consent allowing the school division to disclose to the CPMT student's educational information and records that are necessary for the CPMT to (i) verify the student's eligibility for CSA funds and (ii) to submit the proper information about such student in the CSA data system (e.g., name, date of birth, Student Testing Identifier), CSA must deny funding for these placements.

This supersedes any previously issued guidance on this matter and will be applied prospectively from the date of issue of the Administrative Memorandum. Currently funded cases through CSA can be continued until the end of the current school year, at which time the provisions of this Memorandum would take effect.

Thank you for your attention to this matter.