

Office of the Child Advocate
Advisory Board Meeting Minutes
March 5, 2009

Board Members or Designees Present:

Chair: Gail Garinger, The Child Advocate

Kathy Betts, Deputy Assistant Secretary of Children Youth & Families, Executive Office of Health and Human Services (EOHHS)

Paul Reville, Secretary of Executive Office of Education (EOE)

Michele Norman, Director of Strategic Planning & Collaborations, Executive Office of Education (EOE)

Curtis M. Wood, Executive Director, Criminal History Systems Board (CHSB)

Mary Elizabeth Heffernan, Undersecretary of Criminal Justice, Executive Office of Public Safety and Security (EOPSS)

Jane Gabriel, Deputy General Counsel of Criminal Justice, Executive Office of Public Safety and Security (EOPSS)

David McGrath, Deputy Commissioner, Department of Early Education and Care (DEEC)

Elizabeth Keliher, Associate General Counsel of Department of Elementary and Secondary Education (DESE)

Barbara Leadholm, Commissioner of Department of Mental Health (DMH)

Lauren Smith, Medical Director, Department of Public Health (DPH)

Angelo McClain, Commissioner of Department of Children and Families (DCF)

Valorie Faretra, Regional Director, Department of Transitional Assistance (DTA)

Jane Tewksbury, Commissioner of Department of Youth Services (DYS)

Laurie McGrath, Deputy Commissioner of Child Support Department of Revenue (DOR)

Gerard Leone, Middlesex County District Attorney Massachusetts District Attorney Association (MDAA)

Patricia Walsh, Deputy Commissioner of the Office of the Commissioner of Probation (OCP)

Nicola Pagonis, Attorney, Office of the Commissioner of Probation (OCP)

Michael Dsida, Deputy Chief Counsel, Committee for Public Counsel Services (CPCS)

Hon. Michael F. Edgerton, Chief Justice Juvenile Court

Hon. Paula M. Carey, Chief Justice Probate & Family Court

Suzin Bartley, Executive Director of Children's Trust Fund (CTF)

Other Attendees:

Elizabeth Armstrong, Deputy Director, Office of the Child Advocate (OCA)

Julianna Brody-Fialkin, Program Assistant, Office of the Child Advocate (OCA)

Susan Cummings, MSW Intern, Office of the Child Advocate (OCA)

Patti Mackin, Chief of Staff, Department of Children and Families (DCF)

Maureen Ferris, Research Director for the Joint Committee on Children, Families & Persons with Disabilities

Emily Sherwood, Director, Children's Behavioral Health Initiative (CBHI)

Rose Cherrier, Parent

Robin Clemens, Parent
Valdace Levarity, Grandparent

Meeting commenced: 3:20 pm

Welcome from The Child Advocate, Gail Garinger

Garinger explained her goals for the meeting, which were to provide board attendees with background information about the OCA and its activities; to engage in an open discussion about how staff can best “tap” board members’ wisdom and expertise to help guide the activities of the office and to assist in formulating the five-year plan; to get to know one another better so that all can begin to explore new ways to work together on behalf of children and families, especially in these difficult economic times.

Introductions

Ex-officio Board members introduced themselves.

Other attendees introduced themselves.

Garinger introduced OCA staff.

Office of the Child Advocate

Garinger and Armstrong explained the creation of the OCA from publication of the *First Do No Harm* study, through the signing of the Executive Order on December 20, 2007, to the legislation which now appears as M.G.L. Chapter 18C and which moved the office under the Governor. Originally, the Executive Order placed the OCA under the Executive Office of Health and Human Services. The legislature made the office independent of EOHHS and mandates that The Child Advocate report directly to the Governor. This change required switching technologies and office systems, which took some time.

Garinger and Armstrong reviewed the mission and responsibilities of the OCA, the budget, and the work that staff has done to establish the office. They next highlighted the OCA’s collaboration with different state agencies and the boards and taskforces on which they sit. They reviewed current and completed projects, including “child’s voice” issues around attorneys and GALs, alternative lockup programs and JDAI (Juvenile Detention Alternative Initiative), researching mandated reporter trainings and the new requirements, and the youth-in-care initiative.

In response to a question on collecting information and data and making that public and searchable, staff explained the development of the database for complaints and Critical Incident Reports and discussed new legislation on information sharing and the reservations around confidentiality. Ms. Betts of EOHHS explained that one of her current initiatives is to link the data systems of all Children, Youth and Families (CYF) agencies.

In furthering the youth-in-care initiative, DCF Commissioner McClain noted that Georgia’s OCA has a good website with a complaint form available. OCA staff discussed their efforts with the website and the online complaint form. The website is

now up, and IT is currently creating a secure complaint form. Staff also talked about plans to publish pages on the website geared specifically to youth.

Advisory Board

Garinger reviewed the legislative language regarding the OCA Advisory Board and the *ex-officio* members listed. She explained that the legislation calls for the governor's office to appoint 3 additional members. The OCA has submitted names to the governor's appointments office and expects a response soon. Garinger stated that she expected there to be two Board meetings per year, unless a reason arises to hold more, with the next meeting in October of 2009. Board members will offer further input to the OCA through their involvement with committees, focus groups and individual consultations.

Annual Report

Garinger reviewed the legislative language regarding the Annual Report. The OCA must file its Calendar Year 2008 Annual Report no later than June 30, 2009. It must be filed with the Governor, the President of the Senate, the Speaker of the House, the Senate and House Committees on Ways and Means, and the Chairs of the Joint Committee on Children, Families and Persons with Disabilities. The OCA must report on the office's activities, highlighting the activities undertaken to implement the youth-in-care initiative. The report may also include recommendations for changes in agency procedures enabling the Commonwealth to better serve children and families, including priorities for implementation of those changes. The OCA will submit a draft of the report to Board Members for their review and comments before issuing it.

Comprehensive Plan

Garinger shared the legislative language regarding the five-year comprehensive plan. The plan, created in consultation with the Child Advocate Advisory Board and the Interagency Child Welfare Task Force, shall look ahead five years and be updated annually to plan for the ensuing five years. It shall include benchmarks and cost estimates and shall recommend a coordinated, system-wide response to child abuse and neglect. It may include recommendations for legislative changes. The OCA shall file the comprehensive plan annually with the Governor, the clerks of the Senate and the House, the Senate and House Committees on Ways and Means, and the Joint Committee on Children, Families and Persons with Disabilities; the first plan must be filed no later than June 30, 2010. There are 24 areas delineated in the legislation that must be addressed, including mandated reporter training, racial disproportionality and disparity, social worker requirements and schooling, child protection teams, health care, and emotional abuse (for a full list, please see M.G.L. Chapter 18C Sec. 11(d)).

Discussion

At this point, Garinger opened the meeting for discussion among attendees. She noted that the staff would appreciate thoughts on the mission statement and posed questions around the 24 points of the comprehensive plan. She asked if there were other issues the office should be addressing and what efforts were being done in members' agencies.

It was suggested that each agency supply the OCA with source documents, such as annual or strategic plans and specific initiative project descriptions. Another suggestion was that the OCA create a template for the basic information the office would want from each agency to guarantee consistent, useful data. Once information from each agency is gathered, the staff can start to examine ways to foster cross-agency initiatives. This can provide a good opportunity to observe from a bird's-eye view all the agencies, to map out which agency provides what services, and to learn where programs are duplicated or where there are gaps in services. While the 24 points represent a list of concerning areas on which the OCA will report, they do not necessarily form a holistic plan from which to move forward. Attendees agreed that it would be useful for Board members to go through the 24-point list and check the points that relate to them. Once these checklists are collected, the OCA can create subcommittees of agencies that are working on similar issues. Board members can also suggest advocacy groups that may be useful to the staff. Garinger asked that Board members please inform the OCA about stakeholders or consumer groups that staff should contact.

Board members discussed areas that are not covered by the 24 points, including health insurance, especially around mental health needs. Prevention services is a significant gap in the comprehensive plan; the OCA should be helping to create a proactive instead of reactive system. Another gap identified is homelessness and housing. Now that Article 87 has passed, moving homeless shelters out of DTA (Department of Transitional Assistance) to the Department of Housing and Community Development (DHCD), it would make sense to have a representative from DHCD sitting on the OCA Board.

The educational needs of youth in care should be included in the OCA agenda. CHINS is already listed as a priority, but the OCA should also be examining youth getting suspended and expelled with no other educational opportunities. It was suggested that the OCA contact the Statewide Dropout Commission. The loss of funding for educational Guardians ad Litem is affecting youth with Individualized Education Plans (IEPs). Schools are not filling that gap and soon these children may end up in court. It was noted that there is proposed legislation that would make it more difficult for schools not to take responsibility in situations like this. There was concern expressed that parents will request unnecessary IEPs so that their children will get services. Conversely, there are children who should have IEPs but who never have had the advocate to help them receive the services they may deserve.

With regard to the OCA mission, one suggestion was to think about including language on promoting child well-being. If the OCA is examining service provision, to what end is this effort directed?

The OCA will follow up with board members concerning two tasks: (1) identifying the areas in the comprehensive plan that involve each agency, office, or interest group, and (2) providing the OCA with contact information for personnel within each agency who have the most information about each issue.

Meeting adjourned: 4:45 p.m.