

Senate Bill No. 611

(By Senators Kessler (Mr. President), Minard, Browning,
Stollings, Klempa, Foster and Unger)

[Introduced February 16, 2012; referred to the Committee on the
Judiciary.]

A BILL to amend the Code of West Virginia, 1931, as amended, by
adding thereto a new article, designated §18-21-1, §18-21-2,
§18-21-3 and §18-21-4, all relating to developing a special
community-based pilot demonstration project to help at-risk
youth in West Virginia; creating a Community-Based Pilot
Demonstration Project to Improve Outcomes for At-Risk Youth in
West Virginia; providing legislative findings for Community-
Based Pilot Demonstration Project to Improve Outcomes for At-
Risk Youth; and requiring the Secretary of the West Virginia
Department of Health and Human Resources to select a
community-based organization to establish a Community-Based
Pilot Demonstration Project to Improve Outcomes for At-Risk
Youth, goals of the pilot project and operation of the pilot
project.

1 *Be it enacted by the Legislature of West Virginia:*

2 That the Code of West Virginia, 1931, as amended, be amended
3 by adding thereto a new article, designated §18-21-1, §18-21-2,
4 §18-21-3 and §18-21-4, all to read as follows:

5 **ARTICLE 21. SPECIAL COMMUNITY-BASED PILOT DEMONSTRATION PROJECT TO**
6 **IMPROVE OUTCOMES FOR AT-RISK YOUTH.**

7 **§18-21-1. Legislative findings and definitions.**

8 (a) The Legislature finds and declares:

9 (1) That fourteen percent of pregnant women do receive
10 adequate prenatal care;

11 (2) That nearly twenty percent of pregnant women abuse
12 alcohol, prescription or illegal drugs;

13 (3) That West Virginia has the highest rate of women who smoke
14 during pregnancy;

15 (4) West Virginia has one of the nation's highest rates of
16 child abuse and neglect;

17 (5) Over one thousand children are in-state or out-of-home
18 placement;

19 (6) Nearly four hundred children are in out-of-state
20 placement;

21 (7) Over two thousand children are in Department of Health and
22 Human Resources custody;

23 (8) Over three thousand children are in the West Virginia

1 foster care system;

2 (9) Over four hundred youth are in Division of Juvenile
3 Services custody;

4 (10) Almost seven thousand children drop-out of school each
5 year;

6 (11) Almost seven thousand children appear before the Juvenile
7 Court each year;

8 (12) West Virginia has been cited by the United States Justice
9 Department for having the nation's highest over-representation of
10 minority youth in its juvenile justice system;

11 (A) These negative outcomes for many of West Virginia's youth
12 drains financial resources, depletes the workforce and lowers the
13 tax base; and

14 (B) The cost of housing a youth in the Division of Juvenile
15 Services in West Virginia is over \$90,000 a year;

16 (13) West Virginia has the lowest workforce participation rate
17 in the country at fifty-five percent and the workforce
18 participation rate for young adults age sixteen to twenty-four has
19 dropped significantly over the last few years;

20 (14) According to the West Virginia Big Picture Funding Report
21 for Children and Families there are more than two hundred fifty
22 different state and federal funding streams that provide over \$5.2
23 billion for services that benefit children, directly support
24 families or strengthen communities;

1 (A) These services lack coordination and there is no
2 comprehensive planning process that would provide adequate and
3 appropriate resources where they are most needed;

4 (B) There is not an effective delivery system at the local
5 community level to deliver these services.

6 (15) Many youth aging out of the juvenile justice and foster-
7 care system graduate into the adult criminal justice system and
8 therefore contributes to and exacerbates the overcrowded prison
9 population and costs the state money; and

10 (16) There is a growing need to help at-risk youth, that have
11 entered the juvenile justice system, reform their lifestyle through
12 educational tutoring and mentoring, to help them on a path where
13 crime is no longer necessary in their life and therefore avoid the
14 adult criminal justice system.

15 (b) As used in this article:

16 (1) "At-risk youth" means all children between birth and
17 seventeen and young adults between the ages of eighteen and twenty-
18 one who are low income still receiving benefits from the West
19 Virginia Department of Health and Human Resources, legally under
20 the jurisdiction of the Department of Health and Human Resources,
21 in custody of the West Virginia Division of Juvenile Services or
22 the selected counties Juvenile Court/Probation Department, or the
23 selected counties school system;

24 (2) "Status offenders" means youth guilty of behavior that

1 would not be a crime if they were an adult.

2 **§18-21-2. Creation of a Special Community-Based Pilot Demonstration**

3 **Project to Improve Outcomes for At-Risk Youth.**

4 Effective July 1, 2012, the Secretary of the West Virginia
5 Department of Health and Human Resources shall select a community-
6 based organization to establish a special Community-Based Pilot
7 Demonstration Project to Improve Outcomes for At-Risk Youth in a
8 specified community for a duration of four years. The project will
9 identify, implement and document best practices that can be
10 replicated in other communities. The designated community-based
11 organization shall operate the special pilot project under the
12 direction of the Secretary of the Department of Health and Human
13 Resources and shall work in collaboration with the State School
14 Superintendent, local county school superintendent, executive
15 director of the President of the Community and Technical College
16 System, the closest Community & Technical College and four year
17 college or university, State Workforce Investment Division,
18 executive director of the West Virginia Vocational Rehabilitation
19 Services, the local juvenile court system, the local workforce
20 investment board, the Chancellor of the Higher Education Policy
21 Commission, the director of West Virginia Division of Juvenile
22 Services, the local mental/behavior health organizations and other
23 governmental and community-based organizations.

24 **§18-21-3. Secretary of Department of Health and Human Resources**

1 **responsibilities.**

2 The Secretary of the West Virginia Department of Health and
3 Human Resources shall:

4 (1) Identify a county with the most at-risk youth, that also
5 has adequate facilities and community leadership, to run a
6 community based pilot program that brings together both state and
7 local organizations, to work collaboratively to provide
8 comprehensive, intense wrap around services to at-risk youth and
9 their families in a seamless coordinated system; and

10 (2) Identify the challenges confronting the most at-risk youth
11 and their families and make specific recommendations to the pilot
12 program administrators to improve the outcomes for these youths;
13 specifically, to reduce the number of abuse and neglect cases to
14 reduce the number of youth in out-of-home and out-of-state
15 placements; to reduce high school drop-out rates, to reduce
16 substance abuse among youth including smoking, reduce teen
17 pregnancies, to reduce juvenile delinquency and to reduce the
18 number of juvenile delinquents and youth aging out of foster-care
19 that eventually enter into the adult criminal justice system.

20 (3) Document best practices which can be replicated in other
21 counties.

22 (4) Establish base-line and goals for each performance measure
23 in conjunction with the director of the community-based
24 organization operating the pilot project.

1 (5) Beginning in January 2013 on or before the first day of
2 the regular session of the Legislature, and each year thereafter,
3 the Secretary of Department of Health and Human Resources along
4 with the director of the community-based organization operating the
5 pilot program shall make a status report to the Legislative
6 Oversight Committee on Health and Human Resources Accountability.

7 **§18-21-4. Organization and goals of the Community-Based Pilot**

8 **Demonstration Program.**

9 (a) The pilot program shall be operated by a local community-
10 based organization under the direction the Secretary of the West
11 Virginia Department of Health and Human Resources, and in
12 collaboration with the State School Superintendent, county school
13 superintendent, executive director of the State Workforce
14 Investment Division, executive director of WV Vocational
15 Rehabilitation Services, the local juvenile court system, the
16 Chancellor of the Higher Education Policy Commission, President of
17 the Community and Technical College System, President of the local
18 Community and Technical College and four year college or
19 university, the director of the West Virginia Division of Juvenile
20 Services, the local mental/behavior health organizations and other
21 governmental and community-based organizations and partner agencies
22 to serve as a clearing house to coordinate comprehensive youth and
23 family services. The pilot project shall be housed within the
24 community and will be directed by a local community-based nonprofit

1 organization.

2 (b) The pilot project shall operate out of a centrally located
3 building to coordinate services to youth and their families in the
4 selected county from birth to seventeen years of age who are
5 referred by the Department of Health and Human Resources.

6 (c) The goal of the pilot program is to improve outcomes for
7 at-risk youth as measured by the following metrics:

8 (1) *Early Childhood Development:*

9 (A) Increase in the number of mothers receiving early prenatal
10 care;

11 (B) Increase in number of mothers participating in the Right
12 From the Start Program;

13 (C) Increase in the number of children screened by birth to
14 three year old program for early development delays;

15 (D) Increase in the number of three year olds enrolled in Head
16 Start;

17 (E) Increase in the number of four year olds enrolled in.

18 (2) *Preschool Youth and Teen Measures:*

19 (A) Decrease in school truancy;

20 (B) Decrease in truancy hearings;

21 (C) Decrease in school suspensions;

22 (D) Decrease in school expulsions;

23 (E) Decrease in high school dropouts at a select school;

24 (F) Increase in the number of youth participating in a

1 mentoring program;

2 (G) Increase in academic performance for select students;

3 (H) Increase in number of youth participating in summer
4 employment;

5 (1) Increase in number of youth entering post-secondary
6 education or job.

7 (2) *Parent Measures:*

8 (A) Increase in the number of individuals registered at the
9 Workforce West Virginia Center;

10 (B) Increase in the number of individuals enrolled in job
11 training;

12 (C) Increase in the number of individuals completing job
13 training with a certification or credential;

14 (D) Increase in the number of individuals placed in
15 employment; and

16 (E) Increase in number of children enrolled in the CHIP
17 Program.

NOTE: The purpose of this bill is to create a special community-based pilot program to help at-risk youth in a selected county in West Virginia by introducing prevention strategies for children through early intervention and diversion strategies.

This article is new; therefore, strike-throughs and underscoring have been omitted.