

November 13, 2009

The Honorable Lacey E. Putney  
Chairman, Appropriations Committee  
Virginia House of Delegates  
Post Office Box 127  
Bedford, Virginia 24523

Dear Delegate Putney:

In accordance with Section 4-5.03 d. of Chapter 781, the 2009 Appropriation Act, I am writing to notify you that the Department of Planning and Budget (DPB) completed its review of budget initiatives. Pursuant to the requirements of the Act, I am submitting these reports to you.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Daniel S. Timberlake

Enclosure

c: The Honorable Charles J. Colgan  
The Honorable Richard D. Brown

November 13, 2009

The Honorable Charles J. Colgan, Sr.  
Chairman, Finance Committee  
Virginia State Senate  
10677 Aviation Lane  
Manassas, Virginia 20110-2701

Dear Senator Colgan:

In accordance with Section 4-5.03 d. of Chapter 781, the 2009 Appropriation Act, I am writing to notify you that the Department of Planning and Budget (DPB) completed its review of budget initiatives. Pursuant to the requirements of the Act, I am submitting these reports to you.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Daniel S. Timberlake

Enclosure

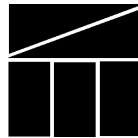
c: The Honorable Lacey E. Putney  
The Honorable Richard D. Brown

**Internet Crimes Against Children (ICAC)  
Bedford County Task Force**

**(Chapter 781, Item 397)**

---

*A Report for the Chairmen  
of the  
House Appropriations and Senate Finance Committees*



**Virginia Department of Planning and Budget  
October 2009**

# Internet Crimes Against Children (ICAC) Bedford County Task Force

## Chapter 781, Item 397

- **Name of Program/Responsible Agency**

**Title:** Internet Crimes Against Children (ICAC)  
(Known commonly as "Alicia's Law")

**Agency:** Department of Criminal Justice Services (DCJS)

- **Background: Need/Problem/Desire Address by Initiative**

The Internet Crimes Against Children (ICAC) Task Force protects children against predators. The task force is a multi-agency collaboration established by the Bedford County Sheriff's Office to combat such crimes against children.<sup>1</sup>

- **Appropriation**

**Current appropriation (Chapter 781)**

Item 397.E. is struck.

Item 395. M.1.FY 2009: \$1.5 million GF (\$750,000 GF for each task force)

FY 2010: \$100,000 GF (\$50,000 GF for each task force)

\$938,972 NGF<sup>2</sup>

Item 422.05 unallots and transfers \$125,000 GF from the NOVA Task Force on or before June 30, 2009.

**Original appropriation (Chapter 879, Item 397.E.)**

FY 2009: \$1.5 million GF (\$750,000 for each task force)

---

<sup>1</sup> The task forces were established by Federal Law PL 110-401 Codified 42 USC 17601-17616.

<sup>2</sup> Includes \$257,400 from JAG/Byrne Federal Grant and \$681,572 from the US Office of Juvenile Justice and Delinquency Prevention Recovery Funds.

- **Organization and Staffing**

The Bedford County Task Force (BCTF) has used part of its grant funding to partially fund four FTE including peer-to-peer investigators (for officers investigating those downloading child pornography from sharing Web sites, such as Napster, Lime Wire, and Bear Share, etc), a proactive investigator (posing as a minor on line), and an analyst.

- **Status of Implementation**

The BCTF is one of the oldest Internet crimes against children task forces in the nation, established in 2000. The funding in FY 2009 was used to fund partial salaries (see above), a 30 computer iMac Book Pro transport lab which is used to teach law enforcement personnel, attorneys, and probation and parole officers how to conduct investigations, etc. In fact, the lab was used to teach other investigators at an Internet crimes against children symposium in Dallas, Texas, in August 2009. Through six months of FY 2009, a total of 4,926 participants were trained by the BCTF.

- **Barriers/Roadblocks to Implementation**

Lack of funding prevents the task force from providing additional training and commencing investigations.

- **FY 2009 Anticipated and Actual Results**

Though no specific performance measures or results were anticipated or suggested for the BCTF, there are several promising statistics that show the task forces are using their resources effectively. For example, In FY 2009, there were 84 arrests of Internet predators or child pornographers, which is a 38 percent increase over the 61 arrests in FY 2008. In FY 2009, there were 700 court orders or subpoenas issued (compared to 386 or an 81 percent increase over FY 2008) and 156 warrants issued (compared to 114, or a 37 percent increase over FY 2008).

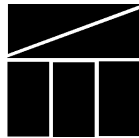
(October 2009)

**Internet Crimes Against Children (ICAC)  
NOVA Task Force**

**(Chapter 781, Item 397)**

---

*A Report for the Chairmen  
of the  
House Appropriations and Senate Finance Committees*



**Virginia Department of Planning and Budget  
October 2009**

# Internet Crimes Against Children (ICAC) NOVA Task Force

## Chapter 781, Item 397

- **Name of Program/Responsible Agency**

**Title:** Internet Crimes Against Children (ICAC)  
(*Known commonly as "Alicia's Law"*)

**Agency:** Department of Criminal Justice Services (DCJS)

- **Background: Need/Problem/Desire Address by Initiative**

Like its counterpart in Bedford County, the Internet Crimes Against Children (ICAC) Task Force protects children against predators in the Northern Virginia region. The task force is a multi-agency collaboration established by the Northern Virginia State Police.<sup>1</sup>

- **Appropriation**

**Current appropriation (Chapter 781)**

Item 397.E. is struck.

Item 395      FY 2009: \$1.5 million GF (\$750,000 GF for each task force)

                  FY 2010: \$100,000 GF (\$50,000 GF for each task force)

  \$839,335 NGF<sup>2</sup>

Item 422.05 unallots and transfers \$125,000 GF from the NOVA Task Force on or before June 30, 2009.

**Original appropriation (Chapter 879, Item 397)**

FY 2009: \$1.5 million GF (\$750,000 for each task force)

- **Organization and Staffing**

---

<sup>1</sup> The task forces were established under PL 110-401 Codified 42 USC 17601-17616.

<sup>2</sup> Includes \$257,400 from JAG/Byrne Federal Grant and \$581,935 from the US Office of Juvenile Justice and Delinquency Prevention Recovery Funds.

The task force was in operation before the FY 2009 funding was made available. For the NOVA task force, the vast majority of the funding was expended on equipment that was distributed to agencies that are members of the task force. This equipment ranges from laptops to digital forensic extraction devices to specialized software, mobile laboratory components, software licensing, preview software, cell phones and forensics training, digital forensic laboratory equipment, etc. There were specifications developed for a mobile forensic laboratory vehicle that were deferred because the 2009 General Assembly retracted \$125,000 of the funding.

- **Status of Implementation**

Current.

- **Barriers/Roadblocks to Implementation**

Difficult to measure as the task force was operational before FY 2009 and funding was not earmarked for any specific tasks or goals.

- **FY 2009 Anticipated and Actual Results**

Though no specific performance measures or results were anticipated or suggested for the Northern Virginia task force, there are several promising statistics that show the task forces are using their resources effectively. For example, since January 2009, a total of 63 complaints were filed against predators traveling to meet a child (usually a task force member portraying a child) they met on the Internet.

In all of CY 2008, there were 65 arrests. In CY 2008, there were 98 arrests by the task force (including travelers, child porn distributors, etc). In CY 2009, there have been 91 arrests from January through May 2009.

- **Program Performance Measures and Performance Results (*if available*)**

None.



**Foster Care  
Recruitment and Retention**

**(Chapter 781, Item 337)**

---

*A Report for the Chairmen  
of the  
House Appropriations and Senate Finance Committees*



**Virginia Department of Planning and Budget  
October 2009**

# Foster Care Recruitment and Retention

## Chapter 781, Item 337

- **Name of Program/Responsible Agency**

**Title:** Foster Care Recruitment and Retention

**Agency:** Department of Social Services (DSS), Division of Family Services (DFS)

- **Background: Need/Problem/Desire Address by Initiative**

The need to provide adequate recruitment, training, and support for foster parents is critical to ensure children live in safe family settings and progress toward permanency. For children who have a goal of adoption, placement in a family foster care setting, rather than a congregate care facility, is often a first step toward adoption. Increasing system capacity to recruit foster and adoptive families is one component of improving permanency outcomes. There are goals of reunification and placement with relatives with subsequent transfer of legal custody. The key objective is to promote safe and stable living situations for children and families. The corresponding measure is the percent of children in foster care who have not more than two placements within the first 12 months of entering care.

- **Appropriation**

<b>Appropriation and Expenditures for Foster Care (Recruitment and Retention)</b>				
<b>FY 2009 and FY 2010, Chapter 879*</b>				
<b>FY 2009</b>	<b>General Fund</b>	<b>Non-General Fund</b>	<b>Total Appropriations</b>	<b>Actual Expenditures</b>
<b>Decision Package</b>	\$ 3,369,890	\$1,123,490	\$ 4,493,360	\$180,586 <sup>1</sup>
<b>Budget Reductions</b>	\$(2,532,970)	\$ (835,880)	\$(3,368,850)	
<b>Amount Received</b>	\$ 836,900	\$ 287,610	\$ 1,124,510	

---

<sup>1</sup> Because this is a new program the Family Resource Unit needed to be established in FY 2009. Due to the hiring freeze, the manager of the Resource Family Unit (Recruitment & Retention) was not hired until mid-year. Once the management was on board, it took several months to screen applicants, interview and fill the five positions to establish this new unit. In FY 2010, the unit is fully functional and is working toward achieving its goals. Funding for this program consists of general fund and federal funds. General fund does NOT carryover from one year to the next so the federal matching funds will not carryover either.

Appropriation and Expenditures for Foster Care (Recruitment and Retention) FY 2009 and FY 2010, Chapter 879*				
FY 2010	General Fund	Non-General Fund	Total Appropriations	Actual Expenditures
Decision Package	\$ 3,572,385	\$1,160,992	\$ 4,733,377	\$0
Budget Reductions	\$(2,653,320)	\$ (875,596)	\$(3,528,916)	\$0
Amount Received	\$ 919,065	\$ 285,396	\$ 1,204,461	\$0
* No change in Chapter 781				

- **Organization and Staffing**

Through this proposal, the agency received 10 positions to provide recruitment services throughout the state. Five of the positions work in each of the five DSS regions to assist local departments with efforts to recruit, develop, train, and support resource parents of all types: foster care, adoption, and respite home. One position is located in the home office as the supervisor for the regional staff. Four of the ten positions were eliminated in Phase 1 of the budget reduction.

- **Status of Implementation**

It took several months to hire staff and provide orientation, but the Resource Family Unit is fully functional. Resource family specialists will work with local agencies regarding the recruitment, development, and support of resource families (foster, adoptive, and kinship). This work includes conducting assessments with agencies to determine their strengths, needs, and capacities in regard to resource families. They will support the Practice Model of the Children's Services System Transformation and will take part in regional collaborative efforts.

- **Barriers/Roadblocks to Implementation**

The major challenges have been hiring and building the team; clearly defining the role of the team in conjunction with the other regional specialists and with local agency responsibilities; and, marketing this new resource so it will be fully and effectively utilized.

- **FY 2009 Anticipated and Actual Results (*including clients served, if appropriate*)**

By March 2009, progress was made in establishing a new unit:

- Refined employee work profiles, workplans, and unit goals to be consistent with the Child Welfare Transformation and best practice regarding the recruitment, development, and support of resource families. Renamed the unit to the “Resource Family Unit” to provide a more accurate perception with local agencies and internal staff;
- Developed individual and unit workplans and collaborated with Casey Strategic Consulting staff regarding Council on Reform (CORE)-specific and statewide transformation roll-out;
- Conducted second interviews and hired five regional specialists (one still in process). Developed an orientation plan for each and collaborated with regional Offices/Directors of the Department of Social Services regarding the placement and supervision of specialists;
- Developed and provided regional specialists a CORE resource collection, as well as a recruitment resources toolkit;
- Began development of vision, logo, and messaging for a Commonwealth resource parent recruitment campaign;
- Assumed responsibility for VaDSS recruitment phone line and began development of materials to place online; and
- In the process of assuming responsibility for the Community Resource, Adoptive, and Foster Family Training (CRAFFT) project, which entails additional staff supervision and coordinating with three schools of social work.

**By June 2009, the resource family unit had:**

- Conducted a needs assessment with each of 13 Council on Reform agencies;
- Begun working with those agencies to develop plans to meet their recruitment, development, and support needs;
- Begun participating with other regional staff in conducting Quality Management Reviews in their regions;
- Developed a training plan for statewide training July – September; and,
- Taken on responsibility for administering the Respite and contingency fund programs to better serve local agencies.

• **Program Performance Measures and Performance Results (*if available*)**

N/A

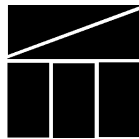
(October 2009)

**Foster Care  
Incentives and Training**

**(Chapter 781, Item 337)**

---

*A Report for the Chairmen  
of the  
House Appropriations and Senate Finance Committees*



**Virginia Department of Planning and Budget  
October 2009**

# Foster Care Incentives and Training

## Chapter 781, Item 337

- **Name of Program/Responsible Agency**

**Title:** Child Welfare Training

**Agency:** Department of Social Services (DSS), Division of Family Services (DFS)

- **Background: Need/Problem/Desire Address by Initiative**

The agency, along with the support of the Office of the First Lady of Virginia, the Office of the Secretary of Health and Human Resources and Casey Consulting Group, saw the need to move toward statewide implementation of Children Services System Transformation. The Transformation implementation is a critical mission for the delivery of services to children and families in Virginia; it is a priority for the Governor. The scope of services includes implementing the Transformation, conducting agency and community assessments, conducting extensive research and outcome evaluation for various initiatives, and providing training to local departments of social services. The Transformation is aimed at improving the delivery of services to children and families in Virginia.

The Department of Social Services (DSS) did not have staff to maintain the dissemination of information and training and to assist in the many tasks and responsibilities for the Child Welfare Transformation throughout the state. Child welfare workers could not absorb these responsibilities without neglecting other critical work and, most of all, workers in the central office and local departments of social services need training to implement the Transformation.

- **Appropriation**

<b>Appropriation and Expenditures for Foster Care (Incentives &amp; Training) FY 2009 and FY 2010, Chapter 879*</b>				
<b>FY 2009</b>	<b>General Fund</b>	<b>Non General Funds</b>	<b>Total Appropriations</b>	<b>Actual Expenditures<sup>1</sup></b>
Decision Packages	\$2,163,948	\$1,383,508	\$3,547,456	\$0
Budget Reductions	\$(1,876,448)	\$(1,200,927)	\$(3,077,375)	
Amount Received	\$ 287,500	\$ 182,581	\$ 470,081	

<b>Appropriation and Expenditures for Foster Care (Incentives &amp; Training) FY 2009 and FY 2010, Chapter 879 (Cont'd)</b>				
<b>FY 2010</b>	<b>General Fund</b>	<b>Non General Funds</b>	<b>Total Appropriations</b>	<b>Actual Expenditures</b>
Decision Packages	\$2,192,409	\$1,401,704	\$3,594,113	\$0
Budget Reductions	\$(1,689,909)	\$(1,081,542)	\$(2,771,481)	
Amount Received	\$ 502,500	\$ 320,162	\$ 822,662	
* No change in Chapter 781				

- **Organization and Staffing**

DSS staff in the Division of Family Services has the responsibility for teaching and training local departments of social services about the enhancements to the Child Welfare training plan. There are staff who provide various components of the training and

<sup>1</sup> Funds for Child Welfare training were not fully utilized in FY 2009 because DSS was in the process of developing plans to use these funds as part of the Transformation. FY 2009 expenditures related to the planning stage were not tracked separately in the DSS accounting system but were included in either the Director's expenses or program area expenses. Virginia Department of Social Services budget office estimates that approximately \$287,000 was spent for travel, lodging, speaker, meeting space, trainings, and conferences.

Beginning in FY 2010, separate tracking codes for these expenditures were established so they can be easily identified. FY 2010 training funds will be totally expended by June 30, 2010, based on the developed annual plan consistent with the Transformation.

Funding for this program consists of general and federal funds. General fund does NOT carryover from one year to the next so the federal matching funds will not carryover either.



implementation of the training throughout the state. Five staff positions are in each of the five regional offices, and one staff person is in the central office as the manager. All DSS child welfare staff are involved in the renewed enhanced trainings.

- **Status of Implementation**

As the Division of Family Services (DFS) works to improve the way in which services are delivered to youth and families, there has been an ongoing focus on training in order to establish a comprehensive competency-based training system built around the Transformation Practice Model, which is accessible across Virginia. Plans have been developed to expand training for state staff as well as local staff. Child welfare training will focus on the building blocks of the Transformation (training, resource families, managing by data, Virginia's Family Engagement Model, and community-based care) and will involve other components as they relate to the DFS. Additional training areas will likely encompass rate structure implementation, structured decision-making, concurrent planning, Ansell-Casey Life Skills Assessment, a National Youth in Transition Database, education and advocacy training, and other development/continuing education opportunities for DFS staff. Plans include conducting all of the training listed in FY 2010. Although the Transformation related training is held this year, there will be more in the coming years as the work continues.

- **Barriers/Roadblocks to Implementation**

Specific to the Department of Social Services, the Virginia Children's Services System Transformation has sparked a renewed commitment to improve permanent outcomes for children. This transformative change has led to significant focus on building capacity and improving the agency's internal structure. The Division of Family Services at VDSS is concentrating on providing strong support and technical assistance around policy and regulation, developing external partnerships, improving communication, and realigning division structure in order to fully support local departments in the Transformation. In addition, significant improvements have been made regarding the use of data to drive decision-making and the commitment to continuous quality improvement.

In order for the Virginia Children's Services System Transformation to be successful, a strong training system not only has to be established, but it must be institutionalized to imbed best practice skills in local departments. Institutionalized change requires significant time and commitment. In addition, VDSS is working collaboratively across child-serving agencies. It sometimes can be difficult to get other agency stakeholders to embrace child welfare priorities and work willingly across systems.

- **FY 2009 Anticipated and Actual Results (*including clients served, if appropriate*)**

During FY 2009, in an attempt to implement the Virginia Children's Services System Transformation statewide, the Transformation Academy was developed to provide a series of short-term, skills-based trainings to key state staff regarding the building blocks of the Transformation. Training participants included Department of Social Services staff, Department of Behavioral Health and Developmental Services staff, Office of Comprehensive Services staff, Virginia Institute for Social Services Training Activities (VISSTA) family services trainers and curriculum developers, Community Resource, and Adoptive and Foster Family Training (CRAFFT) coordinators, as well as designated representatives from the Council on Reform (CORE) for select sessions. There were 24 total training sessions held.

Specifically, training sessions included:

1. Values of Youth Permanence and Family Engagement
2. Resource Family Recruitment, Development, and Support
3. Managing by Data
4. Virginia's Family Engagement Model
5. Community-Based Care
6. Supervision and New Practice
7. Integrating a Permanency Framework into Training

- **Program Performance Measures and Performance Results (*if available*)**

The initial measures of the Virginia Children's Services System Transformation include:

1) increasing the number of youth who exit foster care to permanency (foster care to adoption), 2) decreasing the amount of time it takes those youth to exit the foster care system to permanency, 3) increasing the number of youth entering family-based care, 4) increasing the number of youth entering kinship care placements, 5) decreasing the number of youth in congregate care, and 6) decreasing the length of time youth spend in congregate care.

These are ongoing measures that DSS will continue to evaluate as the Transformation continues. Since this work began in 2007, VDSS has successfully increased the number of youth entering family-based care (71.43 percent to 77.21 percent), decreased the number of youth in congregate care (25.43 percent to 19.9 percent), decreased the average length of stay in congregate care to an average of 11.8 months, and increased the number of discharges to permanency (63.96 percent to 74.19 percent) statewide. There has been no change in the number of kinship placements (5.9 percent) and no change in the average length of stay in care (15.84 months).

(October 2009)

# **Virginia Land Conservation Foundation**

**(Chapter 781, Item 362)**

---

*A Report for the Chairmen  
of the  
House Appropriations and Senate Finance Committees*



**Virginia Department of Planning and Budget  
October 2009**

# Virginia Land Conservation Foundation

## Chapter 781, Item 362

- **Name of Program/Responsible Agency**

**Title:** Virginia Land Conservation Foundation

**Agency:** Department of Conservation and Recreation

- **Background**

The Virginia Land Conservation Foundation (VLCF) serves an important land conservation mission in the Commonwealth. It leverages limited state funds through matching grants and partnerships to protect working farms and forests, historic lands, open spaces and parks, and natural areas. The Foundation's distinctive features include: requirements for public utilization and access on most properties conserved with Foundation monies; cross-cutting grant review criteria to maximize conservation values of funded projects; an inter-agency staff review team that involves expertise from multiple state agencies; and a final review by a unique Board of Trustees whose membership includes appointees from the Governor, Speaker of the House of Delegates, and the Senate of Virginia.<sup>1</sup>

- **Appropriation**

**Current appropriation (Chapter 781, Item 362)**

FY 2009 \$2.0 million GF

FY 2010 \$2.0 million NGF (stimulus funds)

**Original appropriation (Chapter 879, Item 362)**

FY 2009 \$2.0 million GF

FY 2010 \$2.0 million GF

- **Organization and Staffing**

---

<sup>1</sup> 2007 and 2008 Biennial Report of the Virginia Land Conservation Foundation, January 2009.  
[http://www.dcr.virginia.gov/virginia\\_land\\_conservation\\_foundation/documents/bienrpt0708.pdf](http://www.dcr.virginia.gov/virginia_land_conservation_foundation/documents/bienrpt0708.pdf)

The 19-member Board of Trustees is headed by the Secretary of Natural Resources and comprised of members appointed by the Governor and both houses of the General Assembly. A task force--comprised of employees from the Departments of Conservation and Recreation, Agriculture, Forestry, Game and Inland Fisheries, and Historic Resources, along with the Virginia Outdoors Foundation--provides the staffing to the Board to determine grant criteria, priorities, and selection.

By formula, 25 percent of all annual appropriations to the Virginia Land Conservation Foundation must be earmarked for the Virginia Outdoors Foundation. The remaining funds are to be distributed through a competitive grant process so that the grants (used as matching funds) are distributed evenly (25 percent) among four grant areas: open space, natural heritage lands (endangered species), agriculture and forest, and historic.

Localities and non-profits are eligible to compete for grants and have up to two years to purchase the land after the grant is awarded.

- **Status of Implementation**

Since dedicated funding to the Virginia Land Conservation Foundation (VLCF) was established in FY 2000, more than \$40 million have been made available for land purchases as previously described.

- **Barriers/Roadblocks to Implementation**

DCR claims insufficient funding is a major roadblock for the Commonwealth in providing more matching grant funds. Since first receiving funding in FY 2000, the Foundation has held six grant rounds. As part of the six grant rounds, the Foundation received 189 applications requesting approximately \$87.4 million in state funding, or twice the available amount. To date, VLCF awarded funding to 84 of the 189 grant projects in the first five rounds and contributed more than \$26 million to land conservation projects and helped protect over 30,000 acres.<sup>2</sup>

- **FY 2009 Anticipated and Actual Results (*including clients served, if appropriate*)**

The Virginia Land Conservation Foundation, if properly funded, will continue to be one of the primary tools through which the Commonwealth will achieve its conservation targets. In FY 2009, 16 grants totaling \$4.3 million were awarded by the Foundation. These grants contributed 8,390 acres toward the Governor's goal of preserving 400,000 acres by 2010—an accomplishment which was achieved one year ahead of schedule.

Another major conservation objective is the multi-state Chesapeake Bay commitment to

---

<sup>2</sup> Ibid, page iii

permanently preserve 20 percent of the land in the watershed from development by 2010.<sup>3</sup>

- **Program Performance Measures and Performance Results** (*if available*)

None.

(October 2009)

---

<sup>3</sup> Ibid, page v

# **Mental Health Law Reform**

**(Chapter 781, Item 316)**

---

*A Report for the Chairmen  
of the  
House Appropriations and Senate Finance Committees*



**Virginia Department of Planning and Budget  
October 2009**



# Mental Health Law Reform

## Chapter 781, Item 316

- **Name of Program/Responsible Agency**

**Title:** Mental Health Reform

**Agency:** Department of Mental Health, Mental Retardation, and  
Substance Abuse Services (DMHMRSAS)

*Renamed the Department of Behavioral Health and Developmental Services*

- **Background: Need/Problem/Desire Address by Initiative**

Mental health reform received a push from two events, one planned and one unplanned. The planned event came in 2006 when the General Assembly established the Commission on Mental Health Law Reform. The Commission's task was to review and reform the involuntary treatment of the mentally ill (both outpatient and inpatient). The Commission's focus changed slightly and its mandate became more urgent after the unplanned event on April 16, 2007, took place: the shootings at Virginia Tech. This event changed the focus to highlight the civil commitment process. The Commission was forced to grapple with changing the standards by which a person could be committed involuntarily. The Commission looked at the chain of command and communication from law enforcement, the courts, the Community Service Boards, and the community at large. The appropriation for this program was established through various bills in the 2008 Session (two of the more important bills being HB 499 and SB 246).

The Commission was charged with rewriting the involuntary commitment criteria (Code of Virginia, Section 37.2). The most important outcome changed the criteria used to involuntarily commit someone. The term "imminent danger to oneself or others" was determined to be too broad and difficult to define. The criteria was changed to a broader standard so a judge could involuntarily commit a person when a "substantial likelihood exists that a person would be a danger to himself or others." Other reforms were approved, such as clarifying procedures on communication between law enforcement and mental health officials.

- **Appropriation**

**Chapter 781 (Item 316)**

FY 2009: \$10.3 million GF

FY 2010: \$18.0 million GF

### **Chapter 879 (Item 316)**

FY 2009: \$10.3 million GF

FY 2010: \$18.0 million GF

Almost all the funding was provided to Community Service Boards (CSBs). In FY 2009, the CSBs' allotments were reduced five percent. At the outset of FY 2009, total projected FTE's to be hired by Community Services Boards was 159.43 FTEs . After the third quarter, the actual figure was 129.55 FTEs, reflecting start-up and whatever other adjustments might have occurred as the year progressed.

- **Organization and Staffing**

Most of the funding to the CSBs was used to hire staff to fulfill the new law that required a member of a CSB to attend every involuntary commitment hearing within the respective CSB jurisdiction. Other funds were used to hire clinicians. All CSBs were required to submit to DMHMRSAS a plan on how it would expend the funding. DMHMRSAS was slated to hire 3.0 FTE in FY 2009 to monitor this program, but recent budget reductions have prevented this from occurring.

- **Status of Implementation**

Implementation is going well but DMHMRSAS was taken by surprise by a reduction in the number of involuntary commitments that have occurred since the program's inception. While DMHMRSAS is still trying to determine the exact cause, it does have some preliminary reasons:

1. The new regulations are much more detailed and all encompassing, requiring a lengthy learning curve (DMHMRSAS has provided training),
2. Changes in the hearing process, compliance procedures, and new rules for the court clerks were established, and
3. The reforms require that, before a person is sentenced to a mandatory outpatient treatment (MOT), a provider must be available and willing to take on the new client.

In FY 2008, there were 10 persons committed via MOTs compared to 74 in FY 2009. The increase is deceptive as prior to FY 2009, the data was not classified and counted in the same way as it is currently. Some counties did not report the data as well. It will take at least one year before useful comparisons on the law's impact and the program supporting its implementation can be assessed.

- **Barriers/Roadblocks to Implementation**

Stake-holders are still grappling with the comprehensive and complicated rule changes. Mental health services vary greatly across CSBs, thereby possibly denying services to those in need based on residence.

- **FY 2009 Anticipated and Actual Results** (*including clients served, if appropriate*)

See below.

- **Program Performance Measures and Performance Results** (*if available*)

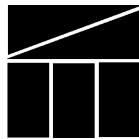
Standards include the amount of time it takes the CSB to respond to a mental health crisis in the community (one hour/urban setting, two hours/rural setting). The performance measures were recently implemented and there is no data yet to report.

(October 2009)

**Virginia Preschool Initiative (Pre-K)**  
**(Chapter 781, Item 140)**

---

*A Report for the Chairmen  
of the  
House Appropriations and Senate Finance Committees*



**Virginia Department of Planning and Budget**  
**October 2009**

# Virginia Preschool Initiative (Pre-K)

## Chapter 781, Item 140

- **Name of Program/Responsible Agency**

**Title:** Virginia Preschool Initiative

**Agency:** Education

- **Background: Need/Problem/Desire Address by Initiative**

The purpose of the Virginia Preschool Initiative is to provide quality preschool programs for at-risk four-year-olds who are not served by federal Head Start programs. The formula for identifying the number of eligible children is straightforward: determine the number of four-year-olds in a school division based on the U. S. Census, determine those eligible for free school lunch (130 percent of poverty), and subtract the number served by the Federal government through Head Start. Participation by school divisions is voluntary.

- **Appropriation**

**Current Appropriation (Chapter 781, Item 140)**

FY 2009: \$58.6 million NGF

FY 2010: \$68.8 million NGF

A total of \$58.5 million was actually expended by localities in FY 2009.

**Original Appropriation (Chapter 879, Item 140)**

FY 2009: \$59.9 million NGF

FY 2010: \$68.1 million NGF

Appropriations were adjusted in Chapter 781 for revised enrollment projections.

- **Organization and Staffing**

No new staff has been hired to administer this established program. Current support is provided by existing staff in the Department of Education.

- **Status of Implementation**

The program has been in existence since the 1994-1996 Biennium. Since its beginning, changes have been made to increase the number of at-risk four-year-olds served from its initial level of 30 percent to 100 percent of those not served in a federal Head Start program. The 2008 General Assembly added new language to the Appropriation Act that increased the per-pupil rate from \$5,700 to \$6,000 and capped the local match requirement at 0.5000 for FY 2010.

- **Barriers/Roadblocks to Implementation**

In FY 2009, a total of 70 percent of the available slots were filled by school divisions (14,585 out of 20,705). This is an increase over FY 2008 (69 percent or 13,125 out of 18,929). The Department of Education (DOE) cited three roadblocks to full utilization:

1. Economic difficulties at the local level inhibiting the locality from funding its respective share of the costs;
2. School facilities are full and cannot accommodate any more four-year-olds. Sharing resources with private schools to increase participation rates is an option not usually pursued by local school divisions; and
3. Many school divisions are “maxed out” (meaning they have filled the allotted spaces with all of the qualified children they have in the school division).

There has been discussion to increase eligibility by increasing the poverty rate level criteria to 180 percent from 130 percent, but no action has been taken to date.

- **FY 2009 Anticipated and Actual Results (*including clients served, if appropriate*)**

In FY 2009, 70 percent of the available slots were filled by school divisions (14,585 out of 20,705). This is an increase over FY 2008 (69 percent or 13,125 out of 18,929).

Some facts from DOE include:

1. The number of school divisions participating in the Virginia Preschool Initiative has increased steadily since its inception.
2. For the current school year, 112 of 124 eligible divisions are participating. Twelve of 136 divisions are not eligible for funding under the formula.
3. Of the participating 112 divisions:
  - 63 divisions (56 percent) use 100 percent of their slot allocation,

- 19 divisions (17 percent) use 76-99 percent of their slot allocation,
- 16 divisions (14 percent) use 50-75 percent of their slot allocation, and
- 14 divisions (13 percent) use less than half of their slot allocation.

- **Program Performance Measures and Performance Results, if available**

The 2007 General Assembly required the Joint Legislative Audit and Review Commission (JLARC) to review the Virginia Preschool Initiative. Regarding the impact on participating students, JLARC noted in its 2007 report that:

*Analysis of preschool and kindergarten literacy test results showed a strong association between VPI participation and test scores. VPI students performed better than predicted on these tests and had higher kindergarten readiness scores than other students on average. Compared to the fall of the pre-K year, spring pre-kindergarten literacy test scores for VPI students were nearly 21 points higher than would be predicted based on just the increasing age of the students. In the fall of the kindergarten year, VPI students fared better than other students on a literacy test, with only 11 percent scoring below the benchmark for kindergarten preparedness, compared to 17 percent of all kindergarteners. The average summed score of VPI students on the fall kindergarten literacy test was three points higher than for non-VPI students. The performance by VPI students on these tests is impressive when it is considered that the VPI students are at-risk children who are in the program due to concerns about their prospects for succeeding in school.<sup>1</sup>*

(October 2009)

---

<sup>1</sup> JLARC Report: Virginia Preschool Initiative (VPI): Current Implementation and Potential Changes, page 73.