

**FAMILIES, AGENCIES, AND COMMUNITIES
TOGETHER FOR CHILDREN AMENDMENTS**

1999 GENERAL SESSION

STATE OF UTAH

Sponsor: Duane E. Bourdeaux

AN ACT RELATING TO STATE AFFAIRS IN GENERAL; ADDING TWO PARENTS AND A REPRESENTATIVE OF COMMUNITY-BASED SERVICE ORGANIZATIONS TO THE STATE COUNCIL; CLARIFYING THE ROLE OF COMMUNITY-BASED SERVICE ORGANIZATIONS IN THE FACT PROGRAM; REQUIRING THE STATE COUNCIL TO REVIEW AND MAKE RECOMMENDATIONS REGARDING THE STEERING COMMITTEE; AND MAKING TECHNICAL AND CONFORMING AMENDMENTS.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

63-75-2, as last amended by Chapter 27, Laws of Utah 1997

63-75-3, as last amended by Chapter 136, Laws of Utah 1996

63-75-4, as last amended by Chapter 27, Laws of Utah 1997

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **63-75-2** is amended to read:

63-75-2. Purpose of chapter.

(1) It is declared that the policy of the state is to unite the Department of Human Services, the State Office of Education, the Department of Health, the Office of the Court Administrator, and the Department of Workforce Services, community-based service organizations, and parents to develop and implement comprehensive systems of services and supports for children and youth at risk and their families.

(2) It is the intent of the Legislature that service delivery systems developed under this chapter shall require collaboration between existing state and local agencies and between public, private, and voluntary agencies to enhance their capacity to meet community needs.

Section 2. Section **63-75-3** is amended to read:

63-75-3. Definitions.

As used in this chapter:

(1) "Children and youth at risk" means:

~~[(a) all persons from birth to age 18;]~~

~~[(b)]~~ (a) disabled persons age 18 to 22; or

~~[(c)]~~ (b) persons in the custody of the Division of Youth Corrections within the Department of Human Services age 18 to 21; and

~~[(d) persons]~~ (c) minors who may at times require appropriate and uniquely designed intervention to:

(i) achieve literacy;

(ii) advance through the schools;

(iii) achieve commensurate with their ability; and

(iv) participate in society in a meaningful way as competent, productive, caring, and responsible citizens.

(2) "Council" means the Families, Agencies, and Communities Together Council established under Section 63-75-4.

(3) "Local interagency council" means a council established under Section 63-75-5.7.

(4) "Steering committee" means the Families, Agencies, and Communities Together Steering Committee established under Section 63-75-5.

(5) (a) "Child and family centered service delivery system" means services provided to children and youth at risk and their families that may be delivered by teams and within a supportive community environment.

(b) "Community" includes, when available, parents of children and youth at risk; directors of geographical service delivery areas designated by state agencies; local government elected officials; appointed county officials who are responsible for providing substance abuse, mental health, or public health services; educators; school districts; parent-teacher organizations; child and family advocacy groups; religious and community-based service organizations; individuals; and private sector entities who come together to develop, adopt, and administer a plan for a collaborative service delivery system for children and youth at risk.

(c) "Community resources" means time, money, services, and other contributions provided by individuals, private sector entities, religious organizations, community-based service organizations, school districts, municipal governments, and county governments.

(d) "Individualized and coordinated service plan" means a plan for services and supports that is comprehensive in its scope, is the product of a collaborative process between public and private service providers, and is specifically tailored to the unique needs of each child or youth served under this chapter.

(e) "Performance monitoring system" means a process to regularly collect and analyze performance information including performance indicators and performance goals:

(i) "performance indicators" means actual performance information regarding a program or activity; and

(ii) "performance goals" means a target level of performance or an expected level of performance against which actual performance is measured.

(f) "Plan for a collaborative service delivery system," "plan," or "plans" means a written document describing how a community proposes to deliver services and supports to children and youth at risk that effectively bring to bear all needed resources, including community resources, to enable them to achieve the outcomes described in Subsections 63-75-3(1)(a) through (d).

Section 3. Section **63-75-4** is amended to read:

63-75-4. Families, Agencies, and Communities Together State Council -- Composition -- Duties -- Interagency case management team.

(1) (a) There is created within state government the Families, Agencies, and Communities Together State Council composed of:

~~[(a)]~~ (i) the state superintendent of public instruction;

~~[(b)]~~ (ii) the executive director of the Department of Health;

~~[(c)]~~ (iii) the executive director of the Department of Human Services;

~~[(d)]~~ (iv) the state court administrator; and

~~[(e)]~~ (v) the executive director of the Department of Workforce Services.

(b) The council members listed in Subsection (1)(a) shall appoint to a four-year term the

following nonvoting members:

(i) a representative of community-based service organizations appointed to a four-year term;

(ii) a parent representative from a rural community; and

(iii) a parent representative from an urban community.

(c) If a vacancy occurs with respect to a council member appointed under Subsection (1)(b), council members listed in Subsection (1)(a) shall appoint a replacement for the unexpired term.

(d) Appointments and reappointments under Subsection (1)(b) and (c) shall be made within 60 days of a vacancy.

(2) (a) The council shall annually elect a chair from its membership.

(b) All voting members of the council are necessary to constitute a quorum at any meeting.

(c) The action of a majority of a quorum is the action of the council, except that a unanimous vote of the council is required to appoint or remove a nonvoting council member.

(d) The council shall meet quarterly or more frequently as determined by the chair.

(3) (a) State government officer and employee members who do not receive salary, per diem, or expenses from their agency for their service may receive per diem and expenses incurred in the performance of their official duties from the council at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

(b) Members who are not government employees may not receive compensation or benefits for their services, but may receive per diem and expenses incurred in the performance of the member's official duties from the council at rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

~~[(b)]~~ (c) ~~[State government officer and employee]~~ Council members may decline to receive per diem and expenses for their service.

(4) The council shall:

(a) provide leadership to increase and enhance efficient and effective services to Utah's children and youth at risk by:

(i) cooperatively planning, funding, monitoring, evaluating, and marketing innovative and individualized service delivery and funding strategies;

- (ii) recommending legislative, executive, and judicial policy and procedural changes, including joint budget proposals as described in Section 63-38-2;
- (iii) developing incentives and strategies to increase family involvement, collaboration, and public-private partnerships in the planning and delivery of services at the state and local level;
- (iv) promoting prevention and early intervention services;
- (v) increasing public understanding of and advocating for the needs of Utah's children and youth who are at risk; and
- (vi) establishing policies to remove administrative barriers to collaboration in communities;
- (b) compile and disseminate information regarding effective service delivery and funding strategies for replication;
- (c) receive and act upon recommendations of the steering committee;
- (d) approve the establishment of collaborative service delivery systems under Section 63-75-6.5 and adopt performance goals for those systems;
- (e) recommend to the governor for each fiscal year funds contained in an agency's base budget and building block request that can be identified for collaborative service delivery systems established under Section 63-75-6.5; [and]
- (f) (i) develop model administrative and governance structures to be established by communities that at least:
 - (A) ensure accountability for public funds;
 - (B) are voluntarily adopted and modified by communities, based on community needs;
 - (C) ensure collaboration on matters of policy and administrative processes in operating programs under this chapter between the state, school districts, and counties;
 - (D) establish a board consisting of heads of state and local government agencies, private agencies, and school districts that provide services under this chapter; and
 - (E) ensure equity in the scope, duration, and level of services throughout a prescribed geographical area;
- (ii) the council may, through contracts that provide funding for programs under this chapter, give incentives to communities to establish an administrative and governance structure that meets

the requirements of Subsection (4)(f)(i) and to designate the geographical area within which that administrative and governance structure will operate; [and]

(g) review the structure and function of the steering committee before December 1, 1999, to determine the effectiveness of the steering committee in:

(i) achieving the purposes and carrying out the responsibilities of the committee; and

(ii) assisting communities to establish collaborative service delivery systems;

(h) forward to the Legislature for the 2000 General Session recommendations for restructuring the size, membership, and function of the steering committee based on the review conducted under Subsection (4)(g); and

~~[(g)]~~ (i) report to the governor and the Legislature on an annual basis.

(5) The council shall ensure that projects selected under Section 63-75-6 have outcomes that:

(a) focus all project activities on the prevention of academic failure and social misbehaviors;

(b) involve parents in planning, implementation, and evaluation of services;

(c) allow frequent opportunities for planning between teachers, parents, school administrators, and representatives of agencies and community-based service organizations that provide services; and

(d) provide frequent monitoring and assessment of each child's and youth's progress.

(6) (a) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the council shall make rules to ensure cooperative development of individualized and coordinated service plans by local interagency councils and case management teams for children or youth at risk and their families who receive services under this chapter.

(b) For purposes of developing and implementing individualized and coordinated plans, the members of the local interagency councils and case management teams shall be considered to be employees of each agency represented on the team and entitled to review and discuss agency records as necessary in planning and providing services under a plan.

(c) Records shared by the teams remain the property of the supplying agency and may not be incorporated in the records of another agency unless transferred in accordance with standard procedures for transfer of records of the type in question.

