

West Virginia
Commission on Children and Youth

1900 Washington Street, East
Charleston, West Virginia 25305

Telephone: (304) 348-0258

FILED

2003 FEB 13 AM 9 57

DEPARTMENT OF STATE
SECRETARY OF STATE

Arch A. Moore, Jr.
Governor

Thomas L. Llewellyn
Executive Director

PROPOSED RULES

STATE REGISTER FILING

=====

AGENCY West Virginia Commission on Children and Youth

CONTACT PERSON Thomas L. Llewellyn PHONE 348-0258

TYPE OF RULE Procedural

TITLE OF RULE Operating rules and regulations for the West Virginia
Commission on Children & Youth

CHAPTER 49 ARTICLE 6C SERIES I

AUTHORITY WV Code 49-6C-6

=====

CHECK APPLICABLE ITEMS BELOW TO SHOW KIND OF ACTION BEING TAKEN

- | | |
|--|---|
| <input type="checkbox"/> NEW RULE | <input type="checkbox"/> NOTICE OF HEARING |
| <input type="checkbox"/> AMENDMENTS TO EXISTING RULE | <input type="checkbox"/> NOTICE OF AGENCY APPROVAL
(legislative rules only) |
| <input type="checkbox"/> REPEAL OF EXISTING RULE | <input type="checkbox"/> NOTICE OF AGENCY ADOPTION
(interpretive & procedural
rules only) |
| NOTE: ALL FILINGS REQUIRE ONLY
ONE COPY, EXCEPT FINAL
FILING OF RULES WHICH
REQUIRES AN ORIGINAL AND
A COPY. | <input checked="" type="checkbox"/> FINAL FILING |
| | <input type="checkbox"/> FIRST EMERGENCY FILING |
| | <input type="checkbox"/> SECOND EMERGENCY FILING |

FILED

PROCEDURAL RULE
WEST VIRGINIA COMMISSION ON CHILDREN AND YOUTH
CHAPTER 49-6C
SERIES I

1993 FEB 13 AM 9:57
OFFICE OF THE CLERK
SECRETARY OF STATE

TITLE: Operating rules and regulations for the West Virginia Commission on Children and Youth.

Section 1.	<u>GENERAL</u>	Page 2
1.1	Scope	
1.2	Authority	
1.3	Filing Date	
1.4	Effective Date	
Section 2.	<u>ORGANIZATION</u>	Page 3
2.1	Purposes of the Commission	
2.2	Operating Rules	
Section 3.	<u>STATE PLAN</u>	Page 6
3.1	Children's Trust Fund	
3.2	Advocacy	
Section 4.	<u>CHILDREN'S TRUST FUND REGULATIONS</u>	Page 7
4.1	Management of the Trust Fund	
4.2	Application Criteria	
4.3	Protests	

FILED

1986 FEB 13 AM 9:58

Title 79

OFFICE OF THE CLERK
SECRETARY OF STATE

PROCEDURAL RULE
WEST VIRGINIA COMMISSION ON CHILDREN AND YOUTH
~~CHAPTER 49-6C~~
SERIES X1

TITLE: Operating rules and regulations for the West Virginia Commission on Children and Youth.

Section 1. GENERAL

1.1 Scope - This procedural rule establishes the operating procedures under which the West Virginia Commission on Children and Youth will operate. It outlines the organization of the Commission, the state plan and operating rules for the Children's Trust Fund, and the state plan for the Commissioner's advocacy responsibilities.

1.2 Authority - West Virginia Code 49-6C-6.

1.3 Filing Date - 2-13-86

1.4 Effective Date - 3-15-86.

Section 2. ORGANIZATION. The West Virginia Commission on Children and Youth, hereinafter referred to as the Commission, was created by the West Virginia Legislature in 1984, West Virginia Code 49-6C-6. The Commission is to be composed of twenty citizen members appointed by the Governor with one-half of the members rotating off every two years. No citizen member should be appointed to serve more than two consecutive four-year terms. In addition to the twenty citizen members, the director of Health, state superintendent of schools, commissioner of Corrections, commissioner of Human Services, the director of Economic and Community Development, or their designated representatives will serve as voting ex-officio members of the Commission.

2.1 Purposes of the Commission.

2.1.1 To develop and provide ongoing administration of the West Virginia Children's Trust Fund.

2.1.2 To serve as advocates for children and youth in the State of West Virginia according to the mandate given to the original Commission.

2.1.3 To assist in developing cooperation among public and private agencies engaged in the delivery of services to children and youth in this State.

2.1.4 To research the specific needs of children and youth, to assess current and proposed programs to meet these needs and to make findings and recommendations to the governor and the legislature annually.

2.1.5 To serve as the liaison for West Virginia with the White House Conference on Children and Youth and with any other national or international conferences or committees when representation of West Virginia's interest would bring benefit to its children and youth.

2.1.6 To perform such other functions as may be directed by the governor.

2.2 Operating Rules.

2.2.1 The Commission will meet at least once every quarter. Other meetings may be held at the request of the majority of the members and/or be called by the executive committee.

2.2.2 At least nine citizen members presently serving on the Commission will constitute a quorum.

2.2.3 Due to the nature of the decisions that would need to be made at a meeting of the Commission, all members are encouraged to attend all meetings. If members find it impossible to attend regular meetings of the Commission, they should be encouraged to resign their position. Any member who misses two consecutive meetings without excuse being made to the executive director or chairman prior to the meeting may, by action of the Commission, be

asked to resign.

2.2.4 The Commission will recommend a replacement for any vacancy that occurs within its membership.

2.2.5 A chairman and a vice-chairman will be elected in January of each year.

2.2.5.1 The chairman will have the following responsibilities: appoint members of the standing committees, conduct regular and called meetings of the Commission, work with executive director in planning the agenda for the meetings, speak for the Commission in the media and in dealings with other agencies and the legislature, and chair the executive committee.

2.2.5.2 The vice-chairman will assume any of the above responsibilities in the absence of the chairman.

2.2.6 The executive committee will be composed of the chairman, the vice-chairman, and the chairs of the standing committees. The executive committee will carry out the following responsibilities.

2.2.6.1 The executive committee may act on behalf of the Commission with the exception of decisions regarding grants for the Children's Trust Fund.

2.2.6.2 The executive committee will work with the staff to determine the commitments of staff to outside activities, the priorities to be undertaken, and similar matters.

2.2.6.3 The executive committee will develop an ongoing planning mechanism for the operation of the Commission.

2.2.6.4 The executive committee will be responsible for professional staff assigned to the Commission.

2.2.6.5 The executive committee will establish its own meeting schedule.

2.2.7 Standing committees of the Commission will include, but not be limited to, the following: Children's Trust Fund committee, advocacy committee, communications committee, and finance committee. Each committee will be responsible for selecting a chairman from among its members. The chairman will be responsible for conducting the meetings of the committee and will serve on the executive committee.

2.2.7.1 The Children's Trust Fund committee will be responsible for:

2.2.7.1.1 Implementing the application and decision making process;

2.2.7.1.2 Reviewing applications and preparation of a presentation to

the group;

2.2.7.1.3 Reviewing the monitoring and evaluation reports; and

2.2.7.1.4 Reporting back to the Commission regarding findings.

2.2.7.2 The advocacy committee will be responsible for:

2.2.7.2.1 Developing and implementing an ongoing process to determine needs of children and youth in West Virginia;

2.2.7.2.2 Developing position papers to be reviewed and approved by the Commission; and

2.2.7.2.3 Reviewing and making recommendations for the elimination of duplication among agencies in the delivery of services to children and youth.

2.2.7.3 The communications committee will be responsible for:

2.2.7.3.1 Developing and implementing an ongoing internal and external information and communications effort;

2.2.7.3.2 Preparing information for release to the media;

2.2.7.3.3 Developing printed materials for general release;

2.2.7.3.4 Performing other services appropriate to the effective dissemination of information about the Commission to the general public; and

2.2.7.3.5 Developing information for use by the Commission in advocacy and Children's Trust Fund activities.

2.2.7.4 The finance committee will be responsible for:

2.2.7.4.1 Assisting the staff of the Commission in the preparation of budget requests and other financial reporting responsibilities; and

2.2.7.4.2 Exploring and actively working to secure all possible funding and report back to the Commission.

2.2.8 The West Virginia Department of Human Services shall be responsible for underwriting the expenses of the Commission and provide such staff as necessary to assist the Commission in performing its responsibilities. Such staff should include an executive director, program specialists, and support staff.

2.2.8.1 The executive director will be responsible for the day-to-day operation of the office of the Commission and for hiring and supervising additional staff. The executive director will also be responsible, in

cooperation with the Commission, for establishing the necessary systems for monitoring the activities of the Commission. In the performance of the job duties and the setting of priorities, the executive director shall be accountable to the Commission.

Should the executive director position become vacant, the Commission will work with the Department of Human Services's Division of Personnel to advertise the vacancy and to screen potential applicants. At the conclusion of the screening process, the Commission shall make recommendations to the Commissioner for consideration in filling the position.

2.2.8.2 Additional professional staff should be hired to serve as program specialists to monitor the contracts funded through the Children's Trust Fund, to develop resources for funding grants, and to be available to local communities to assist with the application process. All such staff shall be accountable to the executive director.

2.2.8.3 There should be clerical and other support staff assigned as needed to carry out the functions of the office. All such staff shall be accountable to the executive director.

2.2.9 Evaluation and Reporting.

2.2.9.1 The Commission shall establish a self-evaluation system that will enable the members and the staff to determine if the program objectives of the Children's Trust Fund and the other advocacy responsibilities were met.

2.2.9.2 The Commission shall be responsible for performing an annual membership and staff performance evaluation.

2.2.9.3 The Commission shall file with the Governor and the legislature such reports as required regarding the Children's Trust Fund and the activities of the Commission.

Section 3. STATE PLAN.

3.1 Children's Trust Fund.

3.1.1 The West Virginia Children's Trust Fund has been established for the purpose of preventing child abuse and neglect. The Trust Fund will provide grants to local community groups for the development of programs to prevent child abuse and neglect. Monies from the Trust Fund may be made available for the following purposes according to West Virginia Code 49-6C-4.

3.1.1.1 To establish and maintain programs for the prevention of child abuse and neglect.

3.1.1.2 To provide educational programs directed toward the prevention of child abuse and neglect.

3.1.1.3 To establish and maintain a continuing program of community education to prevent child abuse and neglect.

3.1.1.4 To establish and maintain local, county, or multicounty child abuse prevention organizations.

3.1.1.5 To assist groups in making applications for grants with the federal Department of Health and Human Services.

3.1.1.6 To match federal monies to promote increased funding.

3.1.1.7 To provide technical assistance for the research and evaluation of education programs and services related to the prevention of child abuse and neglect.

3.1.2 The Trust Fund shall consist of federal funds granted by Congress or executive order for the purposes of this article as well as gifts, bequests and donations from individuals, private organizations or foundations. Each state taxpayer may voluntarily contribute a portion of his state income tax refund to the Trust Fund. All monies received shall be transferred to the State Treasurer who will be responsible for the investment management of the Trust Fund. All interest accrued from investments shall be credited to the Trust Fund.

3.2 Advocacy.

The Commission, in carrying out its responsibilities as an advocate for children and youth shall:

3.2.1 Periodically conduct a process which will provide information regarding the needs of children and youth and how they are being met in the state;

3.2.2 Actively promote cooperation in service planning and delivery among agencies that provide services to children and youth;

3.2.3 Serve as a liaison to the White House Conference on Children and Youth and regional or national organizations dealing with the needs of children and youth; and

3.2.4 Explore other funding sources to assist in the underwriting of its activities.

Section 4. CHILDREN'S TRUST FUND REGULATIONS.

The Commission shall carry out the provisions of the law creating the Children's Trust Fund through the following regulations.

4.1 Management of the Trust Fund.

4.1.1 In July of each year, the West Virginia Tax Department will provide to the Commission the amount of money contributed through the West Virginia personal income tax checkoff system. The Commission will add to this amount any contributions made by other means, and the amount of interest earned by the Trust Fund.

4.1.2 During any one fiscal year, the Commission may authorize the expenditure of no more than one-half of the income of the Trust Fund for that year with the remainder being invested by the State Treasurer's Office.

4.2 Application Criteria.

4.2.1 The Commission will annually establish and publish the funding priorities for the Children's Trust Fund grants.

4.2.2 The Children's Trust Fund grants will emphasize primary and secondary levels of prevention.

4.2.2.1 Primary prevention of child abuse refers to those efforts aimed at the education of parents and caregivers before abuse and neglect occur. Examples of primary prevention programs may include, but not be limited to, educational programs in schools, parenting and prenatal support classes, and "awareness" announcements in the media.

4.2.2.2 Secondary prevention of child abuse and neglect refers to those supportive services offered parents and primary caregivers who are considered, because of their life situations, to be "at risk". While child abuse or neglect may not have taken place within these families, the probability that it will is presumed greater than in the general population. Examples of secondary prevention programs may include, but not be limited to, support programs for teenage parents; programs for parents of infants with special problems, such as birth defects or prematurity; and programs for families with identifiable stresses.

4.2.3 The proposed review criteria, considered by the committee reviewing applications may include, but not be limited to the following.

4.2.3.1 Does the project focus on prevention as opposed to treatment?

4.2.3.2 Does the project address the identified priorities?

4.2.3.3 Does the service to be provided offer a reasonable approach to the prevention of child abuse and neglect in general, and for the target community or group in particular?

4.2.3.4 Is the project innovative in your area?

4.2.3.5 Is there a demonstrated community need for the project?

4.2.3.6 Are the plans for start-up and ongoing administration of the project sound?

4.2.3.7 Is the project adequately and appropriately staffed to carry out the objectives?

4.2.3.8 Does the proposal reflect active cooperation with other groups and individuals in the community in which the project is located?

4.2.3.9 Are the project objectives clear, achievable, and measurable?

4.2.3.10 Is the budget reasonable in terms of stated objectives?

4.2.3.11 Is the evaluation method clearly defined?

4.2.3.12 Are there other sources of funding being utilized for the project?

4.2.3.13 Is there a plan to continue the program if it is successful?

4.2.4 Application Deadlines.

4.2.4.1 Application materials shall be available by September 1.

4.2.4.2 Applications must be received by the West Virginia Commission on Children and Youth by October 1.

4.2.4.3 Award notifications shall be made by November 15.

4.2.4.4 Contracts will be negotiated by the executive director and approved by the chair of the Commission.

4.2.4.5 Contract period shall be January 1 to December 31.

4.3 Protests.

All protests, whether against the solicitation or the awards, must be in writing and contain the original signature of the protesting party. Such protests must state all facts and arguments in which the protesting party is relying as the basis for its action. Copies of all protests shall be mailed or delivered by the protesting party to the Executive Director, Commission on Children and Youth.

Executive Director
West Virginia Commission on Children and Youth
1900 Washington Street, East
Charleston, West Virginia 25305

In the event that a protest may affect the interests of any

WV Commission on Children and Youth
Procedural Rule, 49-6C
Series I, Sec. 4

applicant, such applicant(s) will be given an opportunity to submit its views and relevant information on the protest to the Executive Director.

Protests filed against the solicitation must be received by the Executive Director not later than ten days following announcement of awards to be considered. If the protest involves the rejection of an application submitted by the protesting party, or the selection for funding of an application submitted by another applicant, then the protest must be received by the Executive Director not later than five business days following notice of the Commission's decision.

The Executive Committee of the Commission will consider the record and all facts available and issue a decision within ten business days following the receipt of the protest. Should additional time be required, the protesting party and other concerned parties will be notified of the delay.

The decision of the Executive Committee will be final and conclusive.

West Virginia
Commission on Children and Youth

FILED

1986 FEB 13 10 21 42

1900 Washington Street, East
Charleston, West Virginia 25305

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Telephone: (304) 348-0258

Arch A. Moore, Jr.
Governor

Thomas L. Llewellyn
Executive Director

FILED IN THE OFFICE OF
THE SECRETARY OF STATE
THIS DATE Feb. 13, 1986
ADMINISTRATIVE LAW DIVISION

NOTICE OF AGENCY ADOPTION

RULE TITLE: Operating rules and regulations for the West
Virginia Commission on Children & Youth

RULE TYPE: Procedural

The attached rule constitutes the official rule adopted by the West Virginia Commission on Children and Youth

on January 31, 1986 and filed with
the Secretary of State.

Process Papers

Thomas L. Llewellyn

Thomas L. Llewellyn
Executive Director
Commission on Children & Youth

7-4-85

Youth commission to hold hearings

UNITED PRESS INTERNATIONAL

The West Virginia Commission on Children and Youth will hold public hearings throughout the state next month on proposed guidelines on operation of the West Virginia Children's Trust Fund.

Anyone may appear at one of the public hearings to present evidence on the proposed guidelines, said Thomas Llewellyn, executive director.

Llewellyn said those who want to make comments at the hearings should submit them in written form. He said this will facilitate a review of the comments.

All of the hearings will last from 4 to 6 p.m. The schedule is as follows:

Martinsburg-Berkeley County Public Library, Aug. 6; Fairmont State College Administration Building, Aug. 7; Wheeling Department of Human Services office, Aug. 8; Princeton Department of Human Services office, Aug. 13; Parkersburg Department of Human Services office, Aug. 14; and state Capitol Building in Charleston, Aug. 15.

Dominion Post