



TCCY Issues Working Through Legislature

Legislation working its way through the state's General Assembly has the potential to limit TCCY's efforts to advocate for children.

Under various names and structures, a Commission on Children and Youth has existed since 1955. Since the last major change in 1988, the executive director has been appointed by the members of a Commission appointed by the governor. The executive director is answerable to them and subject to removal by a majority of the Commission members. Legislation being considered ([SB 2249, Norris/HB 2387, McCormick](#)) will change the way the executive director of TCCY would be appointed.

This structure has insulated the director from political influence. The proposed legislation would have the executive director appointed by and serve at the pleasure of the governor, and not the Commission.

Care of children and youth and their role is not and should not be a partisan issue. The Commission's legislated responsibilities call for it to make recommendations on agency budgets, which are those submitted by the governor's administration, putting it in potential conflict as an advocacy agency if a governor's budget could be improved for children.

There is value in the executive director having a direct link to the governor and the opportunity to "be at the table" as policy is made and voice the best interests of children in that arena. However, once a decision is made, the voice of an executive director appointed by the governor would be limited to the policy decision made by the governor, regardless of the position the Commission members might wish to take on an issue. The Commission would be constrained in efforts to pull together partners and implement data driven advocacy for best practice and best interests of children.

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Calendar of Events

Events relating to helping children are available at: www.tn.gov/tccy/webcalen.pdf.

TCCY

For more information on the Tennessee Commission on Children and Youth and its programs, check out the website at www.tn.gov/tccy.

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www.twitter.com/@tccy

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For the past quarter century, there have been strong collaborative and cooperative relationships between the Commission and the governor and his cabinet. The independence of the Commission has been beneficial for both the Commission and for administrations. When governors have had major policy initiatives supported by the Commission, the independent voice of the Commission is a validation of the quality of those initiatives. And when there has been disagreement, the quality of the discussion and debate has been civil, non-partisan, constructive and beneficial, and the ultimate outcome has been in the best interests of Tennessee children.

The Commission members are appointed by the governor. Each member is appointed to a three-year term and approximately a third of the members are appointed each year. Terms begin in July. Governors have selected Commission members with a real commitment and concern for children. Rules covering the Commission require the removal of members who fail to fulfill their duties of participating in its meetings. This structure provides continuity for good public policy for Tennessee children when there are changes in governors and the typically accompanying changes in commissioners of the state departments serving children.

TCCY's independence and its credibility derive from its sole focus on serving the best interests of children, and consequently its ability to serve as a focal point for collaborative efforts bringing together diverse partners to improve outcomes for Tennessee children. The proposed legislation would have a chilling effect upon exercising independent thought and advocacy across the executive, legislative and judicial branches, all in the best interests of ensuring Tennessee children have opportunities to be safe, healthy, supported and nurtured, and engaged in constructive activities for future success. TCCY has successfully led or participated in public-private partnership to support evidence-based or evidence-informed programs. Currently, the proposed budget includes cuts to Family Resource Centers and the Healthy Start Home Visiting program, both evidence-based or -informed programs that prevent future problems and are supported by TCCY and its partners across the state.

The Importance of Child Welfare Evaluation

Tennessee has two evaluation systems aiming for the highest level of care for its most vulnerable citizens – children in state custody. The CPORT (Children's Program Outcome Review Team) Quality Service Reviews evaluate a random sample of children in state custody using a quality service review and the Second Look Commission intensively examines the most severe and recurring abuse cases.

For people who work in sales, it is easy to tell success or failure, but most others get some sort of report card – evaluation, etc. This external “judgment” helps them identify both strengths and weaknesses.

Tennessee has long been celebrated for its cutting edge efforts to protect its children in state custody through an ongoing external evaluation of a random sample of children in state custody and has recently created a program to examine the worst cases of child abuse.

Second Look Commission

In 2010, the legislature created the Second Look Commission (SLC) to specifically examine cases where a child has been the victim of repeated severe child abuse. The legislature looks to the SLC to make recommendations to improve the handling of severe abuse cases and assure that children are protected in the future.

The Second Look Commission is unique in including representatives of all key stakeholders in Tennessee's child protection system. These stakeholders coordinate the analysis, and the SLC is a catalyst for change. As a new organization the SLC is subject to a “sunrise” evaluation and must be reauthorized to continue. Legislation to continue the SLC is ([SB2316 / HB2538](#)).

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The efforts of advocates and policy makers over the past 30 years created local child protective investigative teams (CPIT) across the state in 1985 to bring together a variety of skills to function more efficiently. In 1990 Child Advocacy Centers were created, and last year the SLC began its work.

The Second Look Commission has a single purpose: to make findings and recommendations regarding whether severe abuse cases are handled in a manner that provides adequate protection for the children of Tennessee. The SLC is the only entity that brings together members of the General Assembly, Department of Children’s Services (DCS), law enforcement (including the Tennessee Bureau of Investigation and officers from urban and rural areas), district attorneys general, public defenders, child advocacy centers, a physician who specializes in child abuse detection, and other children’s advocates. The SLC is the vehicle for representatives of these key groups to meet together to review cases and identify strategies for improving child protection in Tennessee.

The SLC reviews the worst incidents of child abuse in Tennessee, excluding child fatalities. (State and local Child Fatality Review Teams review all child fatalities in Tennessee.) Only the Second Look Commission reviews cases of children from all across the state who have experienced a second or subsequent incidence of severe abuse to identify ways to improve the system and help other children avoid a similar fate. Special, concentrated efforts must also be devoted to analyzing and responding to the tragedy of child abuse.

The issues regarding severe child abuse cannot be adequately addressed by DCS, TCCY, Child Advocacy Centers, law enforcement or any one organization, or community agency or individual. All stakeholders must come together to address this societal problem in a coordinated and concerted manner. In part, the SLC was created to help bring these stakeholders together to address the issues regarding severe child abuse.

Through its coordinated and concerted efforts and its findings and recommendations, the SLC will improve child protection in Tennessee. The proposed legislation will help prevent Tennessee’s children from experiencing the worst types of child abuse. The SLC’s first legislatively required report (www.tn.gov/tccy/slc-areport11.pdf) was released in December and is available on TCCY’s website

TCCY supports legislation that helps identify and implement strategies to protect children from severe child abuse and assist with remediation assistance for those who experience severe child abuse. In its first year of existence, the SLC has identified strategies to protect children from severe child abuse and identified needed areas of assistance for those children who have experienced severe child abuse. However, identifying strategies and areas of assistance are just the beginning of improving how severe child abuse cases are handled. TCCY supports the continuation of the SLC and its ongoing work. More information about the Second Look Commission is available at www.tn.gov/tccy/slc.shtml.

Second Look Commission Data

FY 2009-10 Population Studied: 256.

Gender:

- Female: 75%;
- Male: 25%.

Racial Composition:

- White: 69%;
- Black: 24%;
- Mixed Race: 2%;
- Unknown: 3%.

Victim Ages:

- 0-4 years: 14%;
- 5-9 years: 28%;
- 10-13 years: 34%;
- 14-18 years: 24%.

Abuse Types:

- Sexual Abuse: 77%;
- Drug Exposure: 12%;
- Physical Abuse: 8%;
- Neglect: 3%.

First and second incidents of abuse were perpetrated by the same person 34% of the time.

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Tennessee Commission on Children and Youth

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Importance of Child Welfare System Improvements

The future prosperity of any society depends on its ability to foster the health and well-being of the next generation. When a society invests wisely in children and families, the next generation will pay that back through a lifetime of productivity and responsible citizenship.

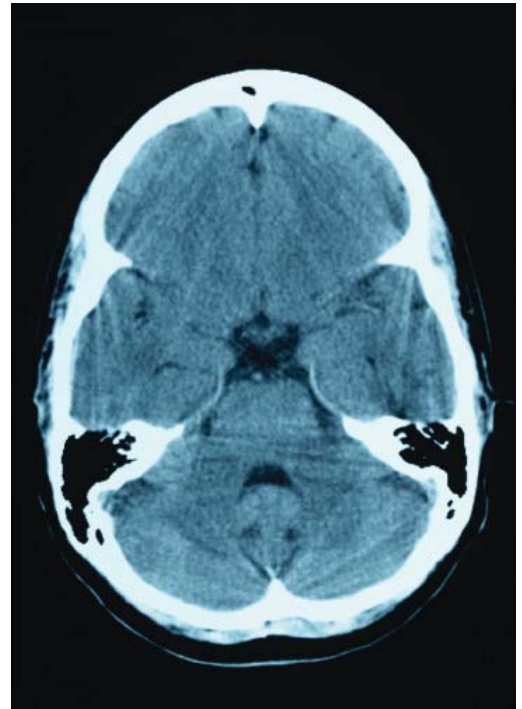
The basic architecture of the human brain is constructed through an ongoing process that begins before birth and continues into adulthood. Like the construction of a home, the building process begins with laying the foundation, framing the rooms and wiring the electrical system in a predictable sequence. Early experiences literally shape how the brain gets built; a strong foundation in the early years increases the probability of positive outcomes. A weak foundation increases the odds of later difficulties.

Chronic stressful conditions, such as extreme poverty, child abuse or maternal depression – what scientists now call “toxic stress” – can also disrupt the architecture of the developing brain. This can lead to lifelong difficulties in learning, memory and self-regulation.

Preventing child abuse and intervening effectively when it first occurs are keys to avoiding lifelong negative consequences from child abuse. Cases reviewed by the Second Look Commission make it abundantly clear that there are gaping holes in the systems responding to child maltreatment in Tennessee. As a state, we can and we must identify and implement strategies to ensure children who experience severe abuse, who are among the most vulnerable Tennesseans, receive the protection and remediation assistance they deserve.

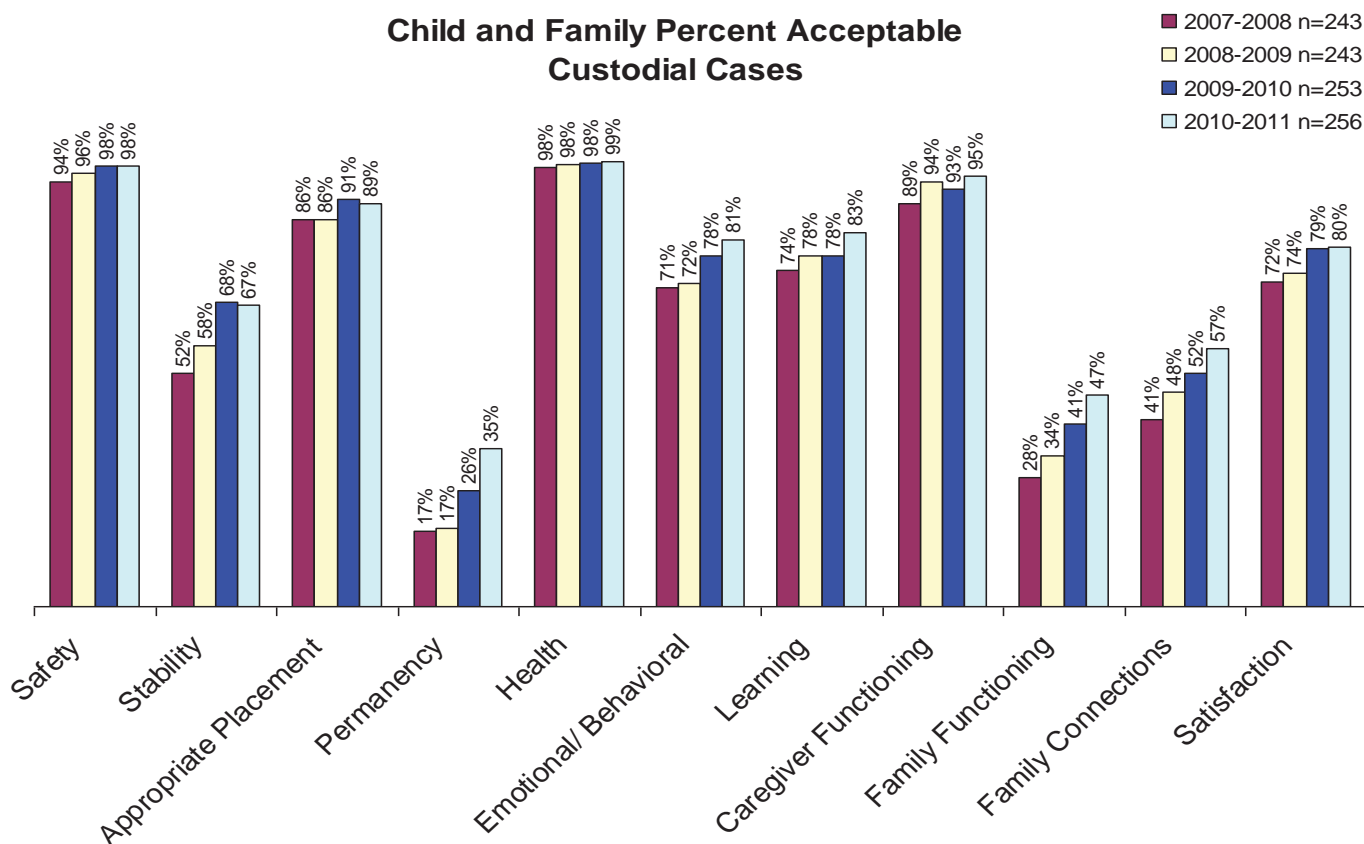
We all gain when children are protected from child abuse before it happens and abused children are treated appropriately. Brain imaging and long-term research identifies the lasting effects of trauma on children. Protecting children is a moral, personal, communal and spiritual good for most citizens. But, it is also an economic, employment and health care issue, as childhood trauma has lifelong effects on physical, intellectual and emotional health that inhibits individuals' abilities to be productive citizens.

Preventing child trauma is the best solution, but when children have been harmed by those who should have protected them it is up to the communities working through their public programs to protect them. (More information about the impact of childhood trauma is available in an earlier TCCY newsletter (<http://www.tn.gov/tccy/adv1001.pdf>).



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CPORT Findings



Children’s Program Outcome Review Team

The Tennessee Commission on Children and Youth supports restoration of funding for the Children’s Program Outcome Review Team (CPORT). CPORT provides the only annual, independent quality service review of a statistically valid random sample of cases of children in or at risk of state custody. This is an important mechanism for improving practice in the provision of services for some of the most vulnerable children in Tennessee. CPORT has made significant contributions to improving outcomes for children, but there is still substantial room for ongoing improvement. The CPORT process is in the best interests of Tennessee children as it provides accurate, unbiased data and recommendations for continual improvements in services for children in or at risk of state custody.

Since 1994 the Tennessee Commission on Children and Youth’s Children’s Program Outcome Review Team (CPORT) has evaluated the systems serving children in state custody utilizing a quality service review (QSR) methodology.

CPORT provides an independent, comprehensive, statistically valid and unbiased evaluation of services to children and families involved with DCS.

CPORT provides a direct service to children and families by identifying risks and barriers, evaluating services provided, and recommending services and courses of action to facilitate successful, quicker permanence or exit from custody or services.

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CPORT is not just a records review. It utilizes a quality service review methodology and includes interviews, typically face-to-face, with all relevant parties:

- Child if age appropriate;
- Parents and other involved family members;
- DCS Case manager;
- Foster Parent of direct care staff in a group facility;
- School Personnel;
- Guardian ad litem, attorney and other legal representatives;
- Other service providers, counselors, therapists, CASA volunteer, etc.

QSR Process

- ✓ **Reviewer Sessions** provide the opportunity for reviewers to discuss the indicators and information from the cases reviewed.
- ✓ DCS regional staff meet with reviewers to **hear the patterns and themes that appear significant to practice** and discuss the importance of the findings.
- ✓ Case information is **aggregated and translated into advice for the future, generating lessons learned** at the frontline, supervisor, and system level.

When reviewers discover situations of abuse or maltreatment, they immediately notify child protective services or the special investigative unit. Conditions that do not rise to the reportable level, but pose a risk for children or families are also reported to the region or facility with the expectation that corrective action will be taken.

CPORT staff supports 65-70 percent of the QSR review process as certified leads, coaches or shadows, and also by providing technical assistance, overall management, facilitating reviewer debriefing sessions, identifying themes, patterns and trends of practice and assisting in regional discussions for next steps to improve services to children and families.

CPORT

- **CPORT evaluates the *systems* (DCS, service providers, courts, legal, placements, family and child), not just the Department of Children's Services.**
- **CPORT provides a real-time, living picture of what is or is not working for children, reduces risk and mitigates liability for the State through face-to-face contact with the children and families served by DCS.**
- **CPORT provides high return for every dollar invested.**

CPORT provides technical assistance to ensure consistency in ratings, adherence to the protocol and fidelity to the review process.

As part of the case review and reviewer development process, CPORT provides training in case management and best practice to DCS frontline staff, supervisors and regional staff. Following each review, the family service worker (FSW) and supervisor participate in feedback sessions with their assigned reviewers to

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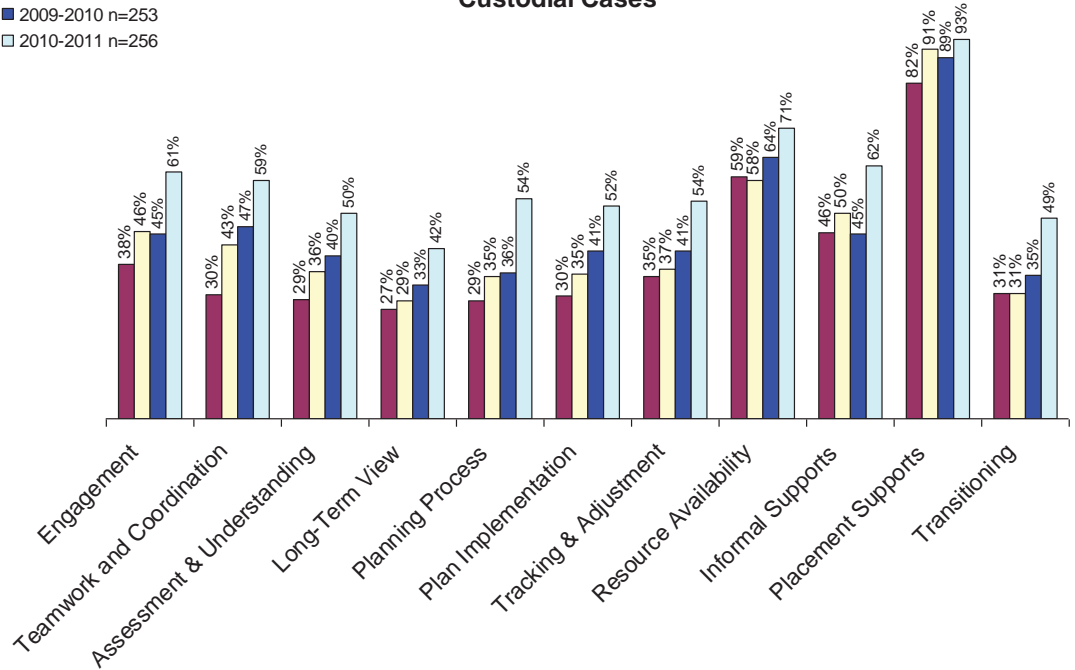
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■ 2007-2008 n=243
■ 2008-2009 n=243
■ 2009-2010 n=253
■ 2010-2011 n=256

**System Performance Percent Acceptable
Custodial Cases**



discuss case findings, develop next steps to improve case outcomes, and learn how to apply lessons learned to other cases.

CPORT monitors reviewer accuracy through an inter-rater reliability process.

CPORT conducts focus group discussions to capture the context of the culture affecting practice in the DCS regions and Youth Development Centers.

CPORT provides outcome-based, quantitative and qualitative information regarding the status of children and families involved with state services related to their safety, physical and mental health and effectiveness of contracted services, which can be used for risk and liability mitigation and expenditure reduction.

CPORT collects and compiles information to address broad systemic gaps in services that delay permanence, increase lengths of stay, and raise the level of expenditure, as children's needs remain unmet.

The emotional well-being of children in custody was adequately addressed for four of every five children at 81 percent, which of course means the needs of one in five were not being adequately addressed.

The Department of Children's Services has made progress in improving the system, but for most indicators, there is still opportunity for substantial improvement.

More information about the CPORT evaluations is available at <http://www.tn.gov/tccy/cport.shtml>.

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CPORT

- **CPORT provided data to attract and support multimillion-dollar grants.**
- **CPORT met requests for information and analysis from multiple agencies [General Assembly, Administrative Office of Courts (AOC), Comptroller, etc.].**
- **CPORT responded to critical needs for evaluation: DCS requests for targeted studies related to Prison Rape Elimination Act (PREA), targeted reviews of provider agencies, AOC requests related to evaluation of legal system performance, etc.**

What's Next

More detailed information about legislation regarding TCCY is available at <http://www.tn.gov/tccy/leg-tccy2012.shtml>. TCCY positions on other proposed legislation related to children is available at <http://www.tn.gov/tccy/legposit.pdf>. Weekly updates on this legislation is available at <http://www.tn.gov/tccy/legislat.shtml>. Information on how to receive weekly emails on TCCY legislative issues is available at the bottom of that web page.

Information on effective advocacy is available at <http://www.tn.gov/tccy/advocacy.shtml> 

Children's Advocacy Days 2012 Once Again: Success and Celebration

The Tennessee Commission on Children and Youth honored the child advocates and members of the media at its 24th annual Children's Advocacy Days.

The **Jim Pryor Child Advocacy Award** annually recognizes a professional or volunteer for efforts advocating for improved services for children and youth. Journalists and media outlets receive the **Making KIDS COUNT Media Awards** for outstanding contributions to educate and enlighten Tennesseans about issues concerning Tennessee's children.

The annual Children's Advocacy Days, which gathers more than 600 people at War Memorial Auditorium each year includes the awards ceremony. Highlights of the program Tuesday included a presentation by First Lady Crissy Haslam, reports from the child-serving departments moderated by Latonya Turner, presentations on successful child abuse prevention programs and the effect of childhood trauma on brain development with



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representatives of the national Jim Casey Youth Opportunities Initiative. Youth performers from Southern Word spoken word project entertained and enlightened the participants.

Representatives from Rachel's Challenge; a youth-involvement program; presentations by the Tennessee commissioner of education, by the Annie E. Casey Foundation Juvenile Detention Alternatives Initiative and supporters of Family Resource Centers; and a performance by the Tennessee School for the Blind Choir completed the Children's Advocacy Days program on Wednesday.

Cindy Durham was named the 2012 Jim Pryor Child Advocacy Award winner. Durham is director of development at **Legal Aid Society of Middle Tennessee and the Cumberlands**. Her experience includes serving as executive director at Tennessee Association for the Education of Young Children (TAEYC) and the Sumner County Court Appointed Special Advocate (CASA) program. She has served as chair of the Tennessee Commission on Children and Youth for the past nine years.



Cindy Durham



Latonya Turner, Beth Curley and Mary Makley


For the first time a **Making KIDS COUNT Media Award** was presented to last year's winner. **Nashville Public Television**, CEO **Beth Curley**, project director **Kevin Crane** and initial producer **Mary Makley** received a Making KIDS COUNT broadcast media award for the documentary series **NPT Reports: Children's Health Crisis**. The series began in 2010 and will conclude in June 2012. It covered a broad range of physical and mental health issues.

Beth Warren of the **Memphis Commercial Appeal** received a Making KIDS COUNT print media award for covering criminal and juvenile justice issues. She has also covered social issues, including KIDS COUNT, infant mortality, youth exposure to violence and new efforts to rehabilitate wayward youth. She has been a reporter for 18 years, beginning at the Nashville Tennessean, moving to Atlanta, and then joining the Commercial Appeal in Memphis nearly two years ago.



Pam Brown and John and Etoyle Warren, winner's parents

Amye Wright, a reporter with the **Cookeville Herald-Citizen** uses her talent as a writer to educate the community on local programs that work with

children. She works to correct misconceptions about problems children face and the programs that serve them. She was honored for her coverage of a child with a rare disease that educated the public and helped link the family with community support. 



Tennessee School for the Blind Choir performing at CAD on Wednesday.