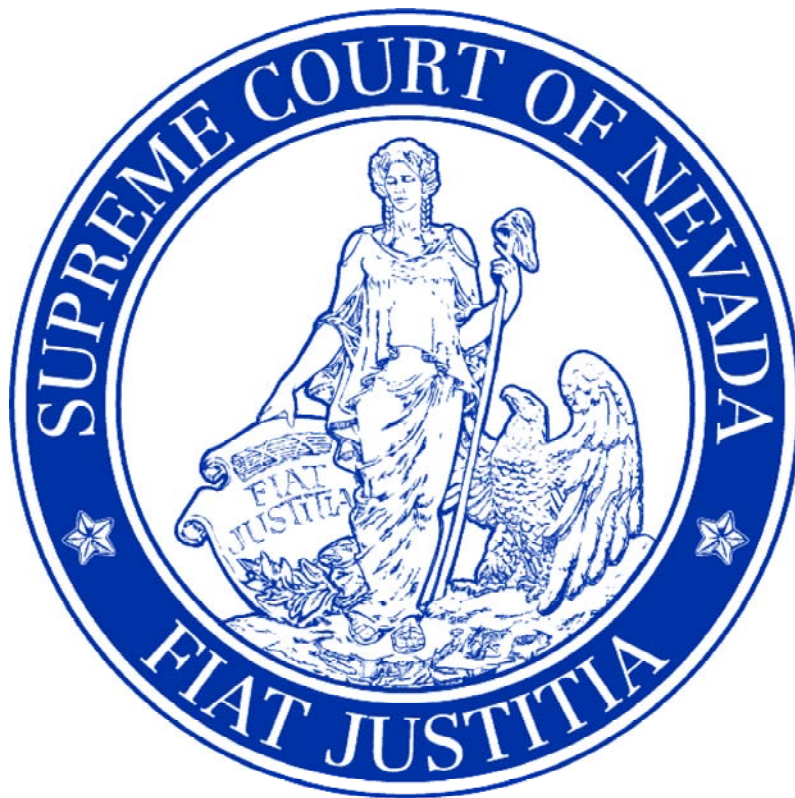


NEVADA'S  
COURT IMPROVEMENT PROGRAM  
FOR THE PROTECTION AND PERMANENCY  
OF DEPENDENT CHILDREN

ANNUAL BASIC ASSESSMENT REPORT  
DECEMBER 2010



NEVADA SUPREME COURT  
ADMINISTRATIVE OFFICE OF THE COURTS

# NEVADA'S COURT IMPROVEMENT PROGRAM

## ANNUAL BASIC ASSESSMENT REPORT DECEMBER 2010

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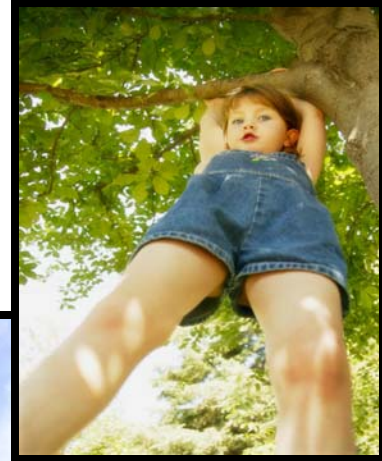


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CIP is seeking to improve the permanency, well-being and safety of children involved in Nevada's child welfare system.



## **COURT IMPROVEMENT PROGRAM MISSION, PURPOSE, AND GOALS STATEMENT**

"The Court Improvement Program is a multidisciplinary project which seeks improvement of interrelated systems that serve children and families who enter the child welfare system. The program operates through team-oriented court and agency initiatives. The goal of the CIP is to make the systems more effective."

## **NEVADA'S COURT IMPROVEMENT PROGRAM ANNUAL BASIC ASSESSMENT REPORT DECEMBER 2010**

The Nevada Court Improvement Program (CIP) is pleased to submit this 2010 Program Assessment Report for the Basic CIP Grant for the period October 1, 2009, to September 30, 2010.

The State Court Improvement Program was created as part of the Omnibus Budget Reconciliation Act of 1993. The grants were designed to help state courts assess their foster care and adoption laws and judicial processes, and to develop and implement a plan for system improvements. Since then, the CIP has been reauthorized three times: in 1997, under the Adoption and Safe Families Act (ASFA) reauthorized through 2001; in 2001, under the Promoting Safe and Stable Families Act of 2001 (P.L. 107-133) reauthorized through 2006; in 2006, under the Child and Family Services Improvement Act of 2006 (P.L. 109-288) reauthorized through FY 2011.

CIP has existed in Nevada since 1995 and is overseen by the multi-disciplinary CIP Select Committee (Committee), which is chaired by Supreme Court Justice Nancy Saitta. This group is comprised of family court judges, a tribal court judge, the three child welfare agency administrators, a deputy state attorney general, a legislator, the director of the Administrative Office of the Courts, a public defender active in child welfare, several attorneys who actively represent neglected and abused children, and the executive director of the Nevada CASA (Court Appointed Special Advocates) Association, Inc. As a standing committee of the Judicial Council of the State of Nevada, the Committee serves in an advisory capacity.

### **Strategy B1: Focus the CIP**

Following the employment of the new CIP Coordinator on July 6, 2010, the focus of CIP was firmly directed toward advancing the outcomes of safety, permanency and well-being for children and families involved in the child welfare system. As a result the oversight of the Coordinator and CIP, in general, was restructured.

**B1.1**, develop monthly Coordinator's tasks list was regularly done until abandoned in March 2010.

**B1.2** was revised to weekly meetings among the Deputy Director of Judicial Programs and Services (JPS), the CIP Coordinator and the CIP Assistant during which upcoming due items, projects in progress and progress reports are discussed and guidance is offered. On a quarterly basis, the CIP Chair, Supreme Court Justice Saitta joins the group to discuss the agenda and other pertinent issues concerning the CIP Select Committee.

**B1.3** The CIP Select Committee held its annual in-person meeting on

April 16, 2010, at the Reno-Tahoe International Airport Conference Room. Seventeen members and staff attended. Internal processes have been reviewed, evaluated, and modified since the start date of the new CIP Coordinator. No process and procedure manual has been developed at this time.

**B1.4**, appointment of a CIP policies and procedures committee, was abandoned in August 2010. The CIP staff will begin development of CIP policies and procedures for the Select Committee to review.

**B1.5** was abandoned in December 2009. Interest in a formal declaration of cooperation flagged when active cooperation, in fact, already existed among the branches of government to improve safety, permanency, and well-being of children and strengthen families involved in the child welfare system.

**B1.6 and B1.7**, CIP Coordinator to meet with courts and sub-grantees, were not accomplished during fiscal year 2010. However the current CIP Coordinator has planned visits early in the new fiscal year with most of the judicial districts and the sub-grantees in conjunction with the Community Improvement Councils.

## **Strategy B2: CIP Outreach and Public Education**

**B2.1**, working with community entities such as the Legends Reno-Tahoe Open Pro Golf Association Tournament, was not accomplished.

**B2.2**, revise and maintain the CIP website, was accomplished on an on-going basis as the need arose. A revised list of the CIP Electronic Library was posted to the website in September 2010.

**B2.3**, develop a comprehensive list of resources, has been abandoned by CIP in favor of the local jurisdictions. The University of Nevada Cooperative Extension published a compilation of community resources available in Clark County in 2009. It is entitled *Raising Your Relative's Kids: How to Find Help* and is available at [www.unce.unr.edu](http://www.unce.unr.edu). As the Community Improvement Councils develop their action plans, they may identify this as a need and project of interest in their counties.

**B2.4**, research, write, and distribute pamphlets, was deferred by the CIP Select Committee in favor of purchasing any pamphlets that may be needed rather than producing them ourselves. During this period, the ABA Bench Cards were duplicated and distributed.

**B2.5**, organize statewide participation in National Adoption Month, was revised, in August 2010, to support National Adoption Month by sharing and distributing information rather than organizing statewide events. We did post events on our website.

**B2.6**, work to improve foster care recruitment and training, was abandoned because the Division of Child and Family Services (DCFS), the Washoe County Department of Social Services (DSS), and the Clark County Department of Family Services (DFS) recruit and train foster parents.

**B2.7** was accomplished. The CIP Coordinator, the JPS Deputy Director,

AOC Court Systems Analyst, Unity Program Assistant - Washoe County Social Services, Business Policy Analyst III, Information Management Services, Division of Child and Family Services attended the annual CIP Meeting in July 2010.

**B2.8** was completed. The CIP banner was completed and used for the first time on October 7, 2009.

**B2.9** was completed. The CIP display board was completed and first used on August 19, 2009. It was used three times this year and we expect to use it 2 or 3 times each year.

**B2.10**, fund development of local Court Appointed Special Advocate (CASA) programs, was not accomplished because CIP received no grant requests during the fiscal year to assist with the start-up of a local CASA program.

**B2.11**, development of public awareness campaign materials, was not accomplished because no need was identified requiring the development of materials for public awareness campaigns. In the future, if such materials are needed they will be purchased rather than developed by the CIP.

### **Strategy B3: Collaboration to Improve Safety of Children**

**B3.1** was completed when a CIP Committee on Improving Safety was appointed in March 2008; this committee was later reappointed as the Juvenile Dependency Rules subcommittee in January 2009. This committee has been dormant pending revision of Chapter 432b.

**B3.2** The CIP Select Committee reviews state law and court rules for conformity with federal child welfare law and regulations as required. Bill draft requests for Nevada's biennial legislature have been reviewed by agency partners and AOC staff. The following pertinent bill drafts were discussed at the September 2010 CIP quarterly meeting:

To move DCFS' Bureau of Services for Child Care to the Health Division;

Responsibility to inform adoptive parents of funds available. This BDR is to clarify that the agency which provides child welfare services is responsible for notifying proposed adoptive parents of the availability of financial assistance only when the adoptive child is in the custody of the agency. In the instance of a private adoption, the child-placing agency would be responsible for notification. This will assist in preventing retroactive subsidy payments.

Adoption bill draft request. Amend NRS 127.060 to allow Nevada agencies to finalize the adoption of a child in the custody of a Nevada child welfare agency without regard to the state of residence of the proposed adopting parents, if the child welfare agency in the state of residence of the proposed adopting parents has agreed to the adoption. This would eliminate unnecessary delays; improving permanency outcomes for children as well as CFSR adoption measures. DCFS is suggesting permissive language to allow (but not mandate) local finalization of adoptions of children in the custody of a Nevada agency that provides child welfare services when the petitioners do not reside in NV. Also provide that the proposed adopting parents may attend the hearing in person or by telephone.

Kinship guardianship assistance program bill draft request. Draft legislation to authorize, but not require, the child welfare agencies in the state to

establish a kinship guardianship assistance program, as allowed by the Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351). The kinship guardianship assistance program allows states to have the option to use federal Title IV-E funds for kinship guardianship payments for children who have a strong attachment to and are cared for by prospective relative guardians who are committed to caring for these children permanently when they leave foster care.

At its September 24, 2010, meeting, the CIP Select Committee voted to endorse the kinship guardianship assistance program bill draft.

**B3.3**, Rules Committee to report to AOC with recommendations for legislation, was abandoned due to abandonment of the Rules Committee. Additionally, this function was combined with B3.2.

**B3.4** is on-going. CIP works with legislators to promote issues related to safety of children and strengthening of families through our interaction with our legislative member. When the 76<sup>th</sup> Nevada Legislature is in session, CIP will attend legislative committee meetings as required.

**B3.5** is also on-going as reflected in the CIP Select Committee meeting minutes. The CIP Select Committee regularly considers the appropriateness of uniform statewide rules and forms regarding neglect and abuse proceedings and takes appropriate action.

**B3.6** was accomplished. As mentioned above, the CIP Select Committee voted to endorse the kinship guardianship assistance program bill draft request.

**B3.7** was accomplished. As a result of regular review UNITY system performance measure-type reports, the UNITY reports were modified so they are more easily understood by non-agency personnel.

#### **Strategy B4: Collaboration to Improve Permanency for Children**

**B4.1**, appoint a committee on improving permanency for children, was abandoned. In April 2010, it was decided not to appoint another standing committee, but, instead, to use collaborative relationships with agencies and private partners to improve permanency of children in the child welfare system.

**B4.2** is complete. The survey of courts on appointment of attorney practices and policies was sent on June 25, 2009. A draft of the results was received and reviewed on December 10, 2009. Draft was modified on April 6, 2010 and was finalized and posted to the CIP website on August 24, 2010.

More than half (53 percent) of the judicial respondents indicated they appoint legal counsel to represent children in every child abuse and neglect case. The majority (68 percent) of these appointments of counsel for children were made at the preliminary protective custody (72-hours emergency removal) hearing.

Most judicial officers (82 percent) reported that in every case they advise all parents that they may request the court to appoint counsel for them in these proceedings, if they are financially unable to do so themselves. Thirty-seven percent (37 percent) of parents are appointed counsel in every case, while another 37 percent of parents are appointed counsel in most proceedings.

Respondents said that counsel for children were compensated at an hourly rate 37 percent of the time and 21 percent had counsel who is employed by a public entity. The responses were similar regarding compensation for counsel for parents. Counties assumed this expense in 78 percent of the judicial districts.

Nevada courts have not yet adopted standards or criteria for the appointment of counsel for either parents or children. At present, Nevada does not ensure that all children are represented by either legal counsel or a trained Guardian ad Litem (NRS 432b.500). Nevada judges do not have sufficient CASA volunteers to appoint one for each child, and in some districts, there are insufficient numbers of attorneys to represent all children.

**B4.3**, survey attorneys on appointment practices and policies, has not been accomplished because that was to follow the judicial survey, which was just finalized in August 2010. Because we are planning several other large initiatives during FY 2011, we intend to delay this strategy until January 2012.

**B4.4**, reviewing standards for legal representation adopted in other states and ABA guidelines, has not been accomplished. However, this could be a topic for the CIP conference planned for summer 2011.

**B4.5**, making recommendations concerning representation legislation, has not been accomplished. To do so requires that both surveys and the review of standards be completed first.

**B4.6** has been modified. Rather than developing and organizing special training curriculum for pro bono attorneys, the CIP Select Committee decided in July 2010 to work with the National Resource Center and the American Bar Association to identify possible training modules already available. Legal Aid Center of Southern Nevada has developed a guide for attorneys "Representing Infant Victims in Abuse and Neglect Cases" (September 29, 2009).

**B4.7**, assist in developing attorney practice standards that encourage active, competent representation, will be addressed in FY 2013 when CIP works with NRC or National Council of Juvenile and Family Court Judges (NCJFCJ).

**B4.8** began July 2010 with inclusion of judicial district workgroups in the PIP. Since that time, data profiles have been developed on each of the judicial districts to help inform the workgroups (Exhibit A). Justice Saitta



authorized each judicial district to convene a Community Improvement Council (CIC) (Exhibit B). A letter with additional information regarding the expectations of the CIC and CIP assistance available was sent by the Coordinator (Exhibit C). To date two judicial districts have requested facilitation assistance which NCJFCJ is providing. The Coordinator is planning to visit most of the judicial districts and attend as many of the initial CIC meetings as possible during the upcoming fiscal year.

**B4.10**, review of UNITY data, began in July 2010 with the initiation of the Data Exchange Project in the 2<sup>nd</sup> Judicial District. The UNITY data for the preceding 12 months on foster care reentry, foster care placement stability, permanency goals and finalization of adoptions were provided and reviewed for the Data Profiles prepared for each of the judicial districts. The regular meetings between CIP and DCFS are scheduled to resume January 2011.

**B4.11**, recommendations for Court Rule modifications and/or statutes if needed is contained in the CIP minutes. This will be an on-going strategy. The AOC, led by the Judicial Education staff, is studying distance learning throughout Nevada. As these capabilities are developed various web-based training will be made available to the judiciary including on CIP related topics. ICPC (Interstate Compact for the Placement of Children) training has taken place.

**B4.12**, train attorneys and CASA volunteers on cross-jurisdictional resources, including ICPC, will be incorporated into regularly provided trainings particularly the multi-disciplinary CIP conference to be held in the summer of 2011.

**B4.13**, drafting and printing pamphlets was abandoned as a strategy in July 2010 by the CIP Select Committee. Due to limited resources, the Committee determined that if such printed information was needed it would be more cost effective to acquire materials developed by experts in the area.

### **Early Resolution (formerly Early Representation) Project (ERP)**

This program, under the auspices of the Legal Aid Center of Southern Nevada, provides attorney and paralegal support for legal representation of children at the initial protective custody hearings and continues education programs for attorneys representing children on best practices to utilize when representing children at the earliest stage. The goal of the program is to achieve better outcomes for the children by increasing the time spent by all stakeholders on the children's needs when they first enter the child welfare system.

The attorney appears for, represents, and maintains a caseload of 50 children. Additionally, the attorney will represent the children at the Safety Team meetings and will assist in developing new protocols for the Juvenile/Family Court to utilize in the early resolution project.

The goal was to randomly assign 25 cases to the project, which has been accomplished. The goal of maintaining 25 ERP cases at any given time has not been achieved. The project was unable to meet this goal because there were no facilitators to direct and coordinate the Safety Team meetings following budget declines. As a result, an independent evaluator re-examined the project. The following issues were identified: confusion and misunderstanding of the ERP mission; the need for judicial leadership; ineffective Safety Team meetings with inconsistent participation by team members; and loss of a sense of urgency once the case moved beyond the Safety Team stage.

These concerns are being addressed. ERP has been moved from a Hearing Master to a District Judge, (Frank Sullivan). A three-tier decision making system, with the highest level decision-makers forming the Governing (policy) Board was formed. A separate committee of attorneys and supervisory level stakeholders meet monthly to discuss and solve problems related to the actual running of the program. The Governing Board changed the name of the project to more accurately reflect the mission of the program which is early resolution. Monthly stakeholder meetings are also held to discuss issues and challenges related to the project and achieving better permanency outcomes for the children. To date, the stakeholder meetings have addressed and resolved a wide range of issues, including but not limited to, the kinds of cases deemed suitable for ERP inclusion, confidentiality of disclosures at Safety Team meetings, dissemination of parents' criminal, domestic violence, substance abuse and child abuse history and how such information can be used, and the timing and flow of ERP cases. As a result, there has been a marked shift toward collaboration.

Since the inception of the program (May 2009), 130 children have been provided legal representation. Of those 130 children, 53 have been reunified with their parent(s) and 2 have been placed in a guardianship with a relative. For those 55 children, the cases have been closed. Of the remaining 75 children, 27 have been placed back with their parent(s), 20 are in relative placement, and 28 remain in foster care.

### **Safety Team Facilitator – Adrienne Cox**

The Early Resolution Project (ERP) is in its second year of attempting to transform the early stages of the court process for abused and neglected children into what has been called “therapeutic jurisprudence” or “collaborative law.” The juvenile court system has historically been buffeted by the contradicting values and methods of law and social work. The two disciplines focus through very different ethical prisms; the adversarial ethic of legal process and protection versus the rehabilitative and care ethic of social work. Additionally, social workers and attorneys

rarely share the same professional language, ethical precepts or world view.

Consequently, it is reasonable that such a major paradigm shift to a systems perspective for resolving problems, as that being implemented by ERP and the Safety Team, has encountered some initial difficulty. The question is, how can the system best facilitate collaboration and build on the strengths of the families and stakeholders at the table to ensure the preservation of families by preventing the removal of children from the home, when safe to do so, and by guaranteeing that each child receives a safe, loving and permanent home in a timely manner.

Programs that have successfully addressed at risk families and children from a system's perspective consistently exhibit one key element – facilitated collaboration. The Eighth Judicial District identified the need to include a neutral facilitator at the initial Safety Team meetings to assist collaborative communication among all parties.

The goal of the ERP Safety Team Facilitation Project is to incorporate a trained facilitator in the initial interdisciplinary ERP Safety Team meetings; thus enabling the Safety Team members to expeditiously gather information and determine what additional information is needed, while ensuring the safety of the child. This allows the court to conduct an in-depth inquiry and evaluate whether the need for immediate protective custody placement of the child can be eliminated by providing additional services and/or by implementing court orders concerning the conduct of the child's caretaker(s). Essential components of this process include an assessment and affirmation of family strengths, a problem solving approach, and a focus on developing and maintaining relationships.

The Safety Team Meeting Model provides for a gathering of family members, friends, service providers, child welfare staff, and other community stakeholders to strengthen the family, and provide support for the family while facilitating the family's participation in the decision-making process. This provides a supportive circle of family, friends, and others whom the family trusts which benefits the child by creating a system of supports that will sustain the family over time, reducing the risk of future maltreatment, preventing removal, identifying kinship placements, increasing the variety of solution options, matching the family with appropriate services, and reducing the time to permanency.

## **Strategy B5: Collaboration to Improve Well Being of Children & Families**

**B5.1** was completed April 2009. An ad hoc working group of CIP was appointed on January 2009 to study and make recommendations

regarding mental health services for children in foster care, specifically the appropriate use of psychotropic medication. The working group reported back to the CIP Select Committee on April 17, 2009.

**B5.2**, survey courts to determine the range of services used in case plans, is in the process. The Community Improvement Councils can identify gaps in services used in case plans for children and families involved in the child welfare system as possible barriers to permanency. The intention is to move this analysis to the local level where these gaps are most readily apparent.

**B5.3**, mapping of service array, has been abandoned effective July 2010. The emphasis of CIP has shifted to a more grassroots initiated process with a focus on identifying the jurisdictional specific barriers to permanency. A judicial district may identify mapping of services as a solution to a barrier. In which case, application could be made for a subgrant to accomplish this.

**B5.4**, review of UNITY data, began in July 2010 with the initiation of the Data Exchange Project in the 2<sup>nd</sup> Judicial District. The UNITY data for the preceding 12 months on foster care reentry, foster care placement stability, permanency goals and finalization of adoptions were provided and reviewed for the Data Profiles prepared for each of the judicial districts. The regular meetings between CIP and DCFS are scheduled to resume January 2011.

### **Surrogate Education Advocacy Program**

The Legal Aid Center of Southern Nevada's Surrogate Education Advocacy program (SEAP) provides support to children in the foster care system who need educational surrogates to act as a "parent" to request special education evaluations, identify children with disabilities, and ensure that children with disabilities are provided with a free and appropriate public education as required by Federal law.

The targeted goals for this year included recruiting and training more volunteer surrogates and updating the training materials more effectively prepare surrogates to advocate for their children. SEAP also forged a stronger alliance with both the Special Education Program and the Children's Attorney Project to enable them to identify more children needing surrogates.

As a result, between March 1 and August 31, 2010, an additional 36 surrogates were recruited and trained. See the 2010 Annual Assessment Report for the training grant for additional information regarding the actual trainings.

Of the 36 new surrogates, 27 have been assigned to children, with one-third taking more than one child.

## **Strategy B6: Increase Public Awareness**

**B6.1**, improving educational achievements of children at risk, has become less of a focus for the CIP Select Committee because education was an area that Nevada passed in the CFSR. We have prioritized our efforts to improve the timeliness of permanency, termination of parental rights, and finalization of adoptions.

**B6.2 and B6.3**, develop and convene a statewide summit, is planned for summer 2011.

**B6.4**, identify and develop future projects with Nevada's tribal community, is in process. Meetings have taken place between the Nevada CASA Association, Inc. and the Washoe Tribe concerning creation of a CASA.

## **Strategy B7: CFSR, PIP and Title IV-E Foster Care Eligibility Reviews**

**B7.1**, provide information regarding CFSR, PIP, and IV-E, was started October and November 2010. Justice Saitta and the CIP Coordinator disseminated information regarding the CFSR and the PIP in connection with the request to convene the Community Improvement Councils (CIC).

**B7.2**, convene appointed workgroups, was accomplished October 2010. The CICs were authorized and informed with judicial district specific data in response to the PIP.

**B7.3**, facilitate legal and judicial participation in CFSR, PIP, and IV-E reviews, was completed, and is also on-going. The CIP will continue to work on facilitating legal and judicial participation in the CFSR/PIP and IV-E review processes.

**B7.4**, review IV-E process and report, is in process. The CIP Coordinator has been included in the initial tele-conference concerning the Title IV-E review and will participate in the review to ascertain where the courts have an appropriate role.

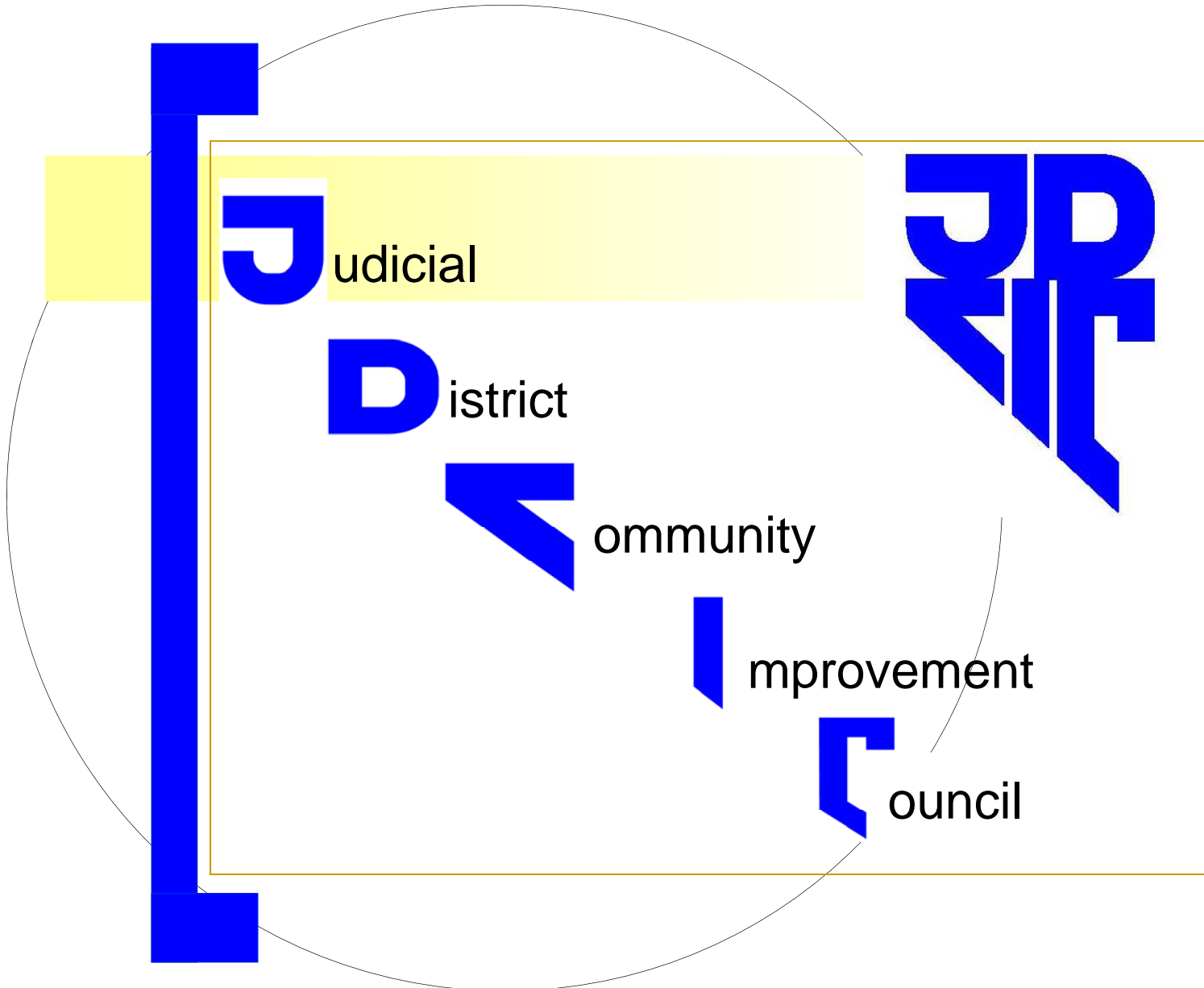
**B7.5**, develop and organize specific IV-E training for judges, attorneys, and other interested stakeholders, will take place after the review has occurred.

## **On-going Court Improvement Activities**

Basic grant funding is used to fund portions of the two CIP staff support positions, CIP Coordinator and Assistant. Among the CIP Coordinator activities funded are maintaining and updating the strategic plan, implementation of strategic plan in collaboration with child welfare and court stakeholders, as well as learning the Nevada family court and child welfare systems. The CIP Coordinator works with sub-grantee applicants to perfect their proposals. She also helps project contractors develop appropriate scopes of work. She works with the AOC Legal Department in writing the contracts ensuring that they comply with the grant's federal terms and conditions. She reviews and approves all narrative reports from sub-grantees to ensure that they are, indeed, accomplishing what CIP intended. If they appear to have difficulty, she works with them. She is an

active participate in the CFSR, PIP, and IV-E review processes. During the upcoming year she will be visiting the district courts to offer support with their Community Improvement Councils. She also requests technical assistance whenever necessary.

The CIP Assistant supports the Coordinator as well as the Select Committee and its Chair under the basic grant. She reviews all list serves and sends to appropriate parties. She tracks all CIP related activities on our internal calendar, which has due dates for all reports, projects, expense reports, certificate #7 reports, etc. She takes and transcribes all meeting minutes, obtaining appropriate support for the final versions. She reviews and updates the CIP website. She tracks agenda items and prepares agenda and all meeting materials for CIP Select Committee quarterly meetings. She makes all necessary arrangements for meeting facilities, including video, phones, food, and beverages. She orders supplies and items required to support projects. She assists with all special projects: letters, handouts, surveys, display boards, etc. She processes all travel claims for anyone traveling for CIP sponsored trainings or conferences.



**COMMUNITY IMPROVEMENT COUNCIL**

**EIGHTH JUDICIAL DISTRICT**

**Clark County**

***Data Profile***

November 2010

The purpose of this profile is to provide Judges with a tool to convene and engage key community partners to identify barriers to timely adoption and termination of parental rights, and to develop strategies to enhance permanency for children and young people in abuse/neglect cases. The data in this profile are drawn from multiple sources and in some instances from different time frames. Overall, the Profile gives a snapshot of the children and youth and community served by the Judicial District.

## Judicial District 8

Clark County

### SNAPSHOT OF NEVADA CHILDREN AND FAMILIES

The snapshot of Nevada Children and Families includes the race and ethnic characteristics of the population overall as well as the key indicators of community risk factors that tend to relate to the incidence of abuse and neglect (alcohol related accidents, teen births, income and unemployment). It also includes an overview of the status of children in custody 14 of 21 months between October 1, 2008 and July 31, 2010 and the number of cases moving through Nevada's and the Judicial District's Family Courts over time (State FY 2006 through State FY 2009).

As is evident in the tables which follow, there is a slightly lower proportion of the population identified as "white, and a slightly higher percentage of African American, Asian, and Hispanic/Latino in JD8 than in the State as a whole. JD8 has fewer alcohol related collisions as a proportion of the total number of collisions than the State. In terms of poverty level, median income, the unemployment rate and the rate teen births per 1000 females ages 15 to 19, JD8 varies little from the State.

Population Statistics:	JD 8 Clark County	Nevada
Total Population	1,902,834	2,643,085
White	77.1%	80.3%
African American	10.6%	8.3%
American Indian or Alaska Native	1.1%	1.5%
Asian	7.7%	6.6%
Native Hawaiian or other Pacific Islander	0.6%	0.5%
Hispanic or Latino (of any race)	29.3%	26.5%
Two or more races	3.0%	2.8%

Source: US Census Bureau / State & County QuickFacts (2009 Estimates)



JUDICIAL DISTRICT DATA BY COUNTY

<p><b>Alcohol Related Collisions as a Percent of Total Collisions (2006)</b></p> <table border="1"> <thead> <tr> <th>Entity</th> <th>Value</th> </tr> </thead> <tbody> <tr> <td>Clark</td> <td>7.0</td> </tr> <tr> <td>State</td> <td>7.2</td> </tr> </tbody> </table> <p>Legend: Clark (Yellow), State (Blue)</p>	Entity	Value	Clark	7.0	State	7.2	<p><b>Percent of Population Below Poverty Level (2008)</b></p> <table border="1"> <thead> <tr> <th>Entity</th> <th>Value</th> </tr> </thead> <tbody> <tr> <td>Clark</td> <td>11.1</td> </tr> <tr> <td>State</td> <td>11.2</td> </tr> </tbody> </table> <p>Legend: Clark (Yellow), State (Blue)</p>	Entity	Value	Clark	11.1	State	11.2
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<p>Nevada Dot - 2006 Nevada Traffic Crashes, Alcohol &amp; Drug Related Collisions - 2006 Summary Analysis</p>	<p>US Census Bureau / State &amp; County QuickFacts</p>												
<p><b>Number of Teen Births Per 1000 Females Age 15-19 (2003)</b></p> <table border="1"> <thead> <tr> <th>Entity</th> <th>Value</th> </tr> </thead> <tbody> <tr> <td>Clark</td> <td>51</td> </tr> <tr> <td>State</td> <td>49</td> </tr> </tbody> </table> <p>Legend: Clark (Yellow), State (Blue)</p>	Entity	Value	Clark	51	State	49	<p><b>Median Household Income (2008)</b></p> <table border="1"> <thead> <tr> <th>Entity</th> <th>Value</th> </tr> </thead> <tbody> <tr> <td>Clark</td> <td>56,691</td> </tr> <tr> <td>State</td> <td>56,432</td> </tr> </tbody> </table> <p>Legend: Clark (Yellow), State (Blue)</p>	Entity	Value	Clark	56,691	State	56,432
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<p>Center for Health Data and Research, Nevada Vital Statistics Report 2001-1003</p>	<p>US Census Bureau / State &amp; County QuickFacts</p>												
<p><b>Unemployment Rate (Percent) (August 2010)</b></p> <table border="1"> <thead> <tr> <th>Entity</th> <th>Value</th> </tr> </thead> <tbody> <tr> <td>Clark</td> <td>14.7</td> </tr> <tr> <td>State</td> <td>14.2</td> </tr> </tbody> </table> <p>Legend: Clark (Yellow), State (Blue)</p>	Entity	Value	Clark	14.7	State	14.2	<p><b>Family Caseload Processed Judicial District 8</b> July 1, 2008 – June 30, 2009</p> <p>Abuse &amp; Neglect Cases: 955 Adoption Cases: 592</p>						
Entity	Value												
Clark	14.7												
State	14.2												
<p>Nevada Department of Employment, Training &amp; Rehabilitation, 2010 Nevada Labor Force Summary Data</p>	<p>Uniform System for Judicial Records, Nevada AOC, Research and Statistics Unit, Annual Report of the Nevada Judiciary Fiscal Year 2009 Appendix Tables</p>												

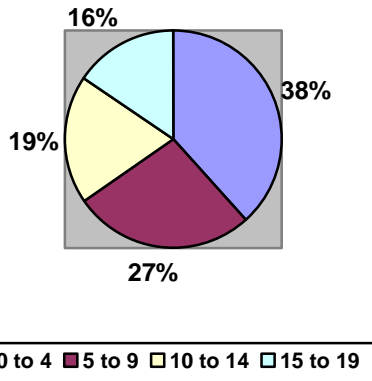
## SNAPSHOT OF CHILDREN IN CARE



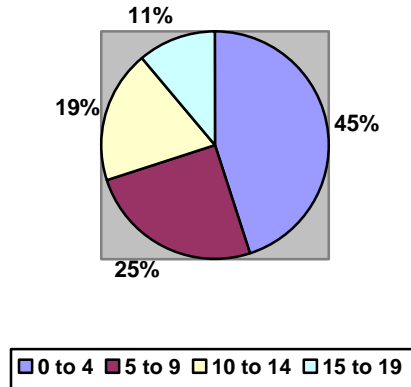
The following data show the number of children entering care throughout the State and in the 8<sup>th</sup> Judicial District, and the number who re-entered within 12 months of a prior episode. It is, of course, our goal to have as few children re-enter as possible. The table below shows the average number of placements per child – the goal being as few placements and as much stability as possible. This Snapshot provides the ages and ethnic characteristics of the children and youth in care in Nevada and the 8<sup>th</sup> Judicial District.

	Number of Children Entering Foster Care* July 1, 2009 to June 30, 2010	Number of Children Re-Entered Care within 12 Months of a Prior Episode State ( August 1, 2009 to July 31, 2010) JD8 (July 1, 2009 to June 30, 2010)	Total Number of Children in Foster Care* July 1, 2009 to June 30, 2010	Average Number of Placements State (August 1, 2009 to July 31, 2010) JD8 (July 1, 2009 to June 30, 2010)
JD 8	1469 (1)	136 (2)	3648 (3)	1.5 (4)
State	2769	567	7589	2.48

Ages of Children in Foster Care  
On July 31, 2010  
for Judicial District 8



Ages of Children in Foster Care  
August 1, 2009 to July 31, 2010  
for State



Percent by Race of Children in Foster Care August 1, 2009 to July 31, 2010	Judicial District 8 9/30/10	State 08/01/09 – 07/31/10
African American	31%	28%
American Indian	.43%	3%
Asian	1.2%	2%
Caucasian	58%	65%
Native Hawaiian or Other Pacific Islander	.9%	2%

Source: Division of Children and Families, Unity Case Management System, Clark County DFS and Clark County Division of Family Services.

\*This report defines foster care as a child removed from home, in a Clark legal status and in an out-of-home placement.

(1) Total children with a foster care start date during the selected date range.

(2) Of the children who entered foster care during the selected date range, the number of those children who entered foster care again within a year of the previous foster care episode end date.

(3) Total children in foster care at some point during the selected date range.

(4) For children who entered foster care during the selected date range, the average number of different placement locations they have had up until the report run date.

Status of Children  
In Custody 14 of 21 Months  
October 1, 2008 to July 31, 2010

The following data show by status the actual number of children in custody for at least 14 months between October 1, 2008 and July 31, 2010. It also shows the average months from first removal to adoption and guardianship.

During this period of time JD8 exceeded the State in terms of the average number of months from first removal to adoption (44 months compared to 40.74 months), and the average number of months to adoption or guardianship (42 months compared to 25.87 months). The District was paralleled to the State's average number of months from first removal to finalized guardianship (25 months compared to 25.74 months).

Placement Type	Clark	State
Number of Children Out of Home	2939*	3582

Status of Parental Rights	Clark	State
Number of Children in which Both Parental Rights are <b>NOT</b> Terminated	2049*	2249
Number of Children in which Both Parental Rights <b>Have Been</b> Terminated	397*	1307

Months to Adoption	Clark	State
Average Months from First Removal to Adoption	44	40.74
Number of Children who have been Adopted	306	328

Months to Guardianship	Clark	State
Average Months from First Removal to finalized Guardianship	25	25.74
Number of Children who have a Finalized Guardianship	26	26

Months to Relinquishment, Adoption or Guardianship	Clark	State
Average Months from Date of First Removal to Relinquishment, Adoption or Guardianship	42**	25.87

\*Out-of-home placement on July 31, 2010

\*\*Excludes relinquishment

Source: Nevada Department of Health & Human Services, Division of Child & Family Services, Custody 14 of 21 Months 10-01-2008 to 07-31-2010 and Clark County Division of Family Services

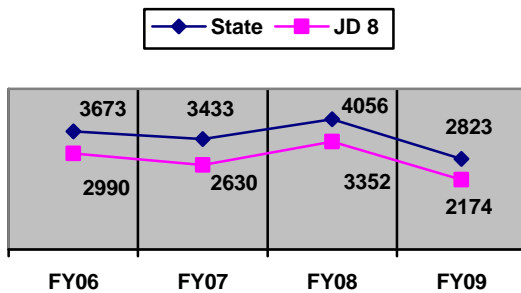
# Nevada Statewide Dependency Case Filing Trends

Statewide dependency case trends include Judicial District and State measures on the number of protective custody hearings held and the number child abuse/neglect, adoption, and guardianship petitions filed; and the number of requests for termination of parental rights. The measures are from four State fiscal years. For example, for FY 2009, measures are based on all hearings and petitions or requests filed between July 1, 2008 and June 30, 2009.

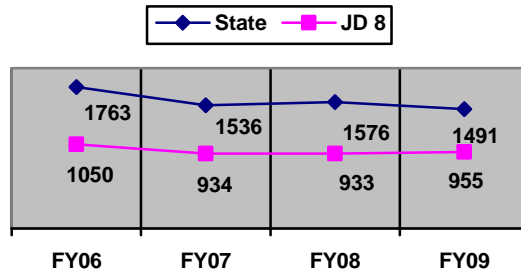
JD8 consistently parallels all the State trends. The number of protective custody hearings has fallen 27% between FY 2006 and 2009, and 35% from its peak in FY 2008.

## District Court Juvenile Caseload Trend

**Protective Custody Hearings**

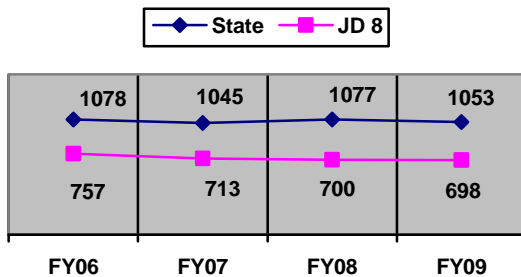


**Child Abuse/Neglect Petitions Filed**

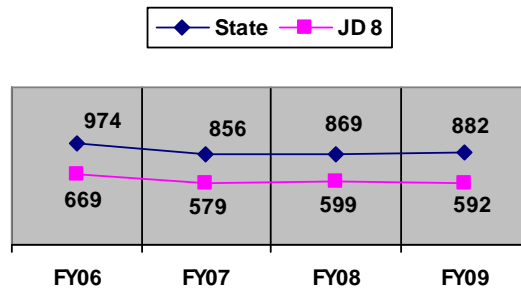


## District Court Family Caseload Trend

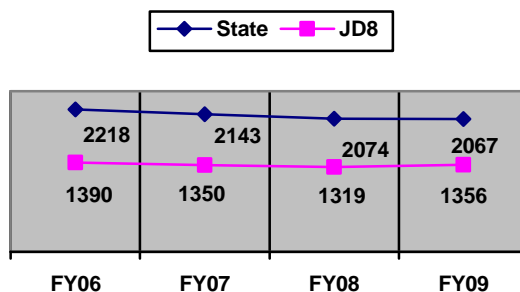
**Termination of Parental Rights Filed**



**Adoptions Filed**



**Guardianships Filed**

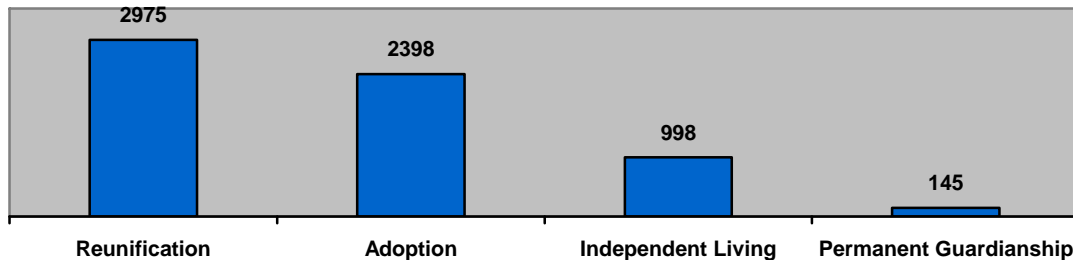


Source: Nevada Judiciary Annual Report, Fiscal Years 2006-2009 Appendix Tables

# WHAT ARE OUR GOALS FOR CHILDREN & FAMILIES?

This chart illustrates the permanency goals that were reported by the State as a whole, for our children and young people.

State of Nevada Permanency Goals July 1, 2009 to June 30, 2010



## STATEWIDE CITIZEN REVIEW PANEL

This final section of the profile provides data collected by and recommendations from the Nevada's Statewide Citizen Review Panel (CRP). The CRP's work consists of the review of internal policies and procedures within the child protective services (CPS) system, along with a limited number of individual CPS case reviews. It is important to note that these data represent only those cases reviewed by CRP.

CRP recommendations include:

- ✚ Enhance the timeliness of promoting safety, permanency and well being of children in the child welfare system
- ✚ Improve timely data entry into the UNITY system
- ✚ Enhance the appropriate referral of Child Abuse Prevention and Treatment Act (CAPTA) eligible children for developmental assessments and track outcomes in the new service referral window in UNITY
- ✚ Increase statewide consistency in visitation practices and timely data entry into UNITY to document visitation frequency and outcomes
- ✚ Consider modifications to UNITY to match data entry requirements more closely to the work flow of casework.

---

## CAPTA-REQUIRED ASSESSMENTS AND REFERRALS

A targeted case review of CPS referrals for CAPTA-required developmental assessments of children during 2009 showed that about half of the cases that meet the CAPTA criteria result in completed referrals. The CRP suggested that although Nevada Early Intervention Services (NEIS) faces funding shortages in terms of its ability to respond to referrals; nonetheless assessments and referrals are mandated. If referrals are made, then the CRP or other external stakeholders may choose to evaluate NEIS' service capacity to respond to these referrals.

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## STATEWIDE QUALITY IMPROVEMENT CASE REVIEW DATA

During the Child and Family Services Review (CFSR) in 2004, child and family involvement in case planning was rated as an Area Needing Improvement, based on the finding that in 53% of the cases, reviewers determined that the agency had not made diligent efforts to involve parents and/or children in the case planning process. In 2006, the state of Nevada contracted with a consultant to conduct a Child and Family Team (CFT) training and facilitation.

### STATEWIDE QUALITY IMPROVEMENT CASE REVIEW DATA (QICR)

QICR	CFSR 2004	CFSR 2006	CFSR 2007	CFSR 2008
Child/family involvement in case planning	47% (n=49)	71.9% (n=38)	84.6% (n=50)	78.4% (n=55)

Clark County Department of Family Services (CCDFS) demonstrated steady improvement beginning with a 2006 baseline of 57.1% of applicable cases rated as “strength” and ending with 87.5% of applicable cases rated as “strength” in August 2008.

The CRP complimented Clark County on a variety of promising practices including:

- utilizing the NFAS-G and R for conducting family assessments.
- standardizing the process for holding CFT's required for children of all ages who have been placed in custody within 48 hours of placement,
- highlighting the necessary engagement skills for working with absent or noncompliant parents and requiring foster case workers to have at least four visits with families within 15 days of case opening so that adequate assessments can be performed and families can be engaged.

## SOURCE OF DATA

US Census Bureau / State & County QuickFacts

<http://quickfacts.census.gov/qfd/states/32000.html>

Nevada Dot – 2006 Nevada Traffic Crashes, Alcohol & Drug Related Collisions - 2006 Summary Analysis

[www.nevadadot.com/reports\\_pubs/nv\\_crashes/2006/pdfs/TOC.pdf](http://www.nevadadot.com/reports_pubs/nv_crashes/2006/pdfs/TOC.pdf)

Center for Health Data and Research, Nevada Vital Statistics Report 2001-1003 In the Nevada Maternal Child Health Five Year Needs Assessment

<http://health.nv.gov/PDFs/UpdatedNeedsAssessment8-05.pdf>

Nevada Department of Employment, Training & Rehabilitation, 2010 Nevada Labor Force Summary Data

[http://www.nevadaworkforce.com/admin/uploadedPublications/2803\\_LF\\_HIST10.xls](http://www.nevadaworkforce.com/admin/uploadedPublications/2803_LF_HIST10.xls)

Uniform System for Judicial Records, Nevada AOC, Research and Statistics Unit, Annual Report of the Nevada Judiciary Fiscal Years 2006 - 2009 Appendix Tables (Table A4 & A5)

<http://www.nevadajudiciary.us/index.php/viewdocumentsandforms/AOC-Files/Research--and--Statistics-Unit/>

Nevada Department of Health & Human Services, Division of Children and Families, Unity Case Management System

Nevada Department of Health & Human Services, Division of Children and Families, Custody 14 of 21 Months 10-01-2008 to 07-31-2010 Report

Nevada Department of Health and Human Resources, Division of Child and Family Services, Citizens Review Panel Annual Report 2009

[http://www.dcfhs.state.nv.us/DCFS\\_Sitemap.htm#Reports](http://www.dcfhs.state.nv.us/DCFS_Sitemap.htm#Reports)

Annual Reports, CRP Annual Report 2009 (pdf)



**CIP  
NCF**

*Special thanks to*  
Administrative Office of the Courts, Research and Statistics  
Nevada Division of Child and Family Services (DCFS)

**COURT IMPROVEMENT PROGRAM  
MISSION, PURPOSE, AND GOALS STATEMENT**

"The Court Improvement Program is a multidisciplinary project which seeks improvement of interrelated systems that serve children and families who enter the child welfare system. The program operates through team-oriented court and agency initiatives. The goal of the CIP is to make the systems more effective."



SUPREME COURT OF NEVADA  
NANCY M. SAITTA, JUSTICE  
201 SOUTH CARSON STREET  
CARSON CITY, NEVADA 89701-4702  
(775) 684-1530



October 27, 2010

Dear

In response to a federal review of Nevada's child welfare system, the courts have been asked to identify barriers to permanency, timely adoption, and termination of parental rights. Work groups or "community improvement councils" (CIC) have proven to be very effective in other states. Because you are directly involved in the system, know what your local issues are and how best to resolve them, I would like you to convene and chair a CIC in your judicial district. These Councils should be composed of key local stakeholders and other system partners such as district attorneys, private attorneys, child welfare agency staff, CASAs, GALs, and other interested parties.

The goal of these CICs is to consider the current functioning and efficiency of the permanency timeframes by identifying and assessing the challenges and possible solutions specific to your jurisdiction. To accomplish this goal your CIC will meet two or three times over the next four months. Ideally, all the CICs should share their experiences and lessons learned.

You will not be alone in this endeavor. The Court Improvement Program will provide you with information and staff support. CIP has some limited resources available to assist you with such things as facilitation of your Council, invitations to community members, or research data.

In the next day or two, you will receive a letter from Kathie Malzahn-Bass, CIP Coordinator, with more specific information on the Community Improvement Council process. Kathie plans to attend as many initial CIC meetings as possible. Please consider this letter as my "introduction" of Kathie. As the CIP coordinator, Kathie can assist you and identify opportunities during your council meetings where CIP might offer assistance.

I am counting on you to make your CIC a success. I know how busy you are, and I sincerely appreciate the time and effort you will give to this project. I believe that the court plays an important part in ensuring the system works for everyone.

Should you have any questions, please contact me directly at [nsaitta@nvcourts.nv.gov](mailto:nsaitta@nvcourts.nv.gov) or 775.684.1530.

Very Truly Yours,

Nancy M. Saitta, Justice

rt  
cc:

Supreme Court of Nevada  
ADMINISTRATIVE OFFICE OF THE COURTS



RONALD R. TITUS  
Director and  
State Court Administrator

JOAN E. NEUFFER, Esq.  
Deputy Director  
Legal

VERISE V. CAMPBELL  
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Foreclosure Mediation

MARGARET EVANS  
Deputy Director  
Administration

ROBIN SWEET  
Deputy Director  
Judicial Programs & Services

SCOTT SOSEBEE  
Deputy Director  
Information Technology

November 1, 2010

Subject: Community Improvement Council

Dear:

As Justice Saitta mentioned in her letter of October 27, 2010, the U.S. Department of Health and Human Services conducted a Child and Family Services Review (CFSR) of Nevada's child welfare system. The review was on 23 items related to safety, permanency, and well being. Nevada did not meet substantial conformity on matters relating to timeliness of permanency including adoption finalization.

Unfortunately, Nevada fell below the National median for finalizing adoptions of those children, who became legally free to be adopted during the evaluation period.

10/08-9/09	National Median	Nevada
Adoptions finalized in less than 12 months	45.8%	34.7%

Our judicial districts ranged from finalizing about 12% to finalizing about 83% of the adoptions for their legally free children in less than 12 months.

In response to the findings of the CFSR, Nevada must complete a Program Improvement Plan (PIP) to address how improvement will be achieved. The child welfare agencies have asked the courts, as part of the PIP, to assess local successes and barriers within the courts and agencies to achieving timeliness to permanency and to adoptions, and recommend improvements. Successful development of plans to

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Regional Justice Center ♦ 200 Lewis Avenue, 17<sup>th</sup> floor ♦ Las Vegas, Nevada 89101

expedite permanency, and institute process changes to reduce future and ongoing barriers to permanency impact federal funding for our state.

Justice Saitta has asked that each Judicial District create a Community Improvement Council pulling together key, community stakeholders to discuss the successes and barriers, and identify solutions to achieve timeliness to permanency and to adoptions.

CIP will provide each judicial district with baseline data on the safety, permanency, and well-being of your children, to inform your work effort. We will also send a suggested action plan format on which you may report your recommendations. These data are important because they illustrate local trends, and demonstrate how these local trends relate to state and national standards. You and your CIC, however, have the anecdotal knowledge to see behind the numbers and understand the driving forces.

CIP does have some limited resources available to assist you. We have access to facilitators available to help guide your CIC discussions. We may even be able to help fund light refreshments if you gather during breakfast or lunch. If you need additional information or data, we will do our best to compile it.

Justice Saitta has asked that I attend as many of the initial CIC meetings as possible. I would appreciate you letting me know the dates and times you plan to meet, and I will forward you the data on your district.

We need your action plan in the CIP office by March 15, 2011, where it will be compiled with those from the other judicial districts and submitted to Department of Child and Family Services.

I look forward to meeting and working with you and to helping you and your Council in whatever manner you would like.

Sincerely yours,

Kathie Malzahn-Bass  
Court Improvement Coordinator

rt  
cc:

## BASIC ADVOCACY TIPS

- Always keep copies of letters, reports or other materials you receive from or provide to school officials. Get organized! Get a three-ring binder and keep all your papers in one place.
- Make notes of any conversations you have with school officials, including the date the conversation took place, and the person's name and position.
- Consider taking a friend or advocate with you to meetings at your child's school. Try not to go alone.
- Before you go to a school meeting, prepare for it. Write a list of issues you want to talk about at the meeting and figure out what type of resolution you would accept.
- When you attend school meetings, ask each person at the meeting to tell you their name and position, and keep a record of that information.
- If you are told "we don't do that," or "we can't do that," ask the school official for a copy of the written policy, law or regulation to which they are referring.
- Always be polite and respectful, but make sure to ask questions if you don't understand something.
- Information is available on the Nevada Department of Education's Web site at [www.doe.nv.gov](http://www.doe.nv.gov), and [www.wrightslaw.com](http://www.wrightslaw.com) is also an excellent resource for parents.
- Let the school district know if you need an interpreter.
- Don't sign anything you don't understand. You can always take papers home and read them before you sign.
- Follow up with school officials. If a school official has agreed to do something, make sure it gets done. Be persistent!

## WHERE DO I GO FOR HELP?

**Nevada Parents Encouraging Parents (PEP):** workshops, parent support groups and advocacy. Address 2355 Red Rock Street, Suite 106, Las Vegas, NV 89146; phone 702-388-8899; Web site [www.nvpep.org](http://www.nvpep.org).

**Nevada Disability Advocacy Law Center (NDALC):** Advocacy, legal assistance. Address 6039 Eldora Ave., Suite C, Las Vegas, NV 89146; phone 888-349-3843; Web site [www.ndalc.org](http://www.ndalc.org).

**Legal Aid Center of Southern Nevada (LACSN):** Advocacy, legal assistance. Address 800 S. Eighth Street, Las Vegas, NV 89101; phone 386-1070, ext. 300 for the Special Education Hotline; Web site [www.lacsn.org](http://www.lacsn.org).

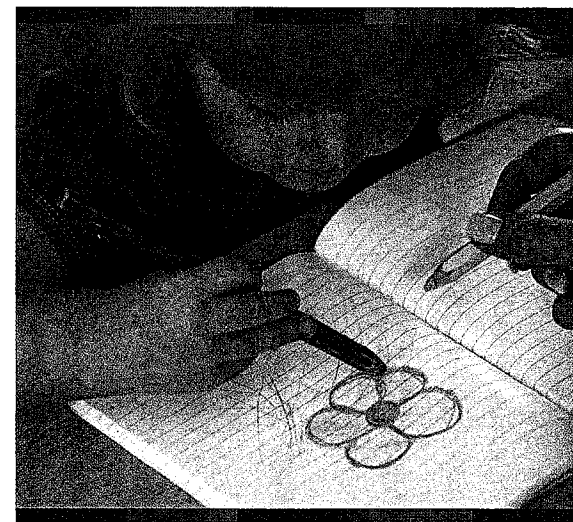
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For more information please visit:  
[www.lacsn.org](http://www.lacsn.org)

LEGAL AID CENTER OF SOUTHERN NEVADA, INC.

## SPECIAL EDUCATION AND YOUR CHILD

Know your child's rights



Since 1958  
**LEGAL AID CENTER**  
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Hours: Monday – Friday  
8:30 a.m. – 5:00 p.m.

## WHAT IS SPECIAL EDUCATION?

Special education consists of teaching, services and support for children with disabilities so that they can do well in school. Public schools (including charter schools) must teach children with disabilities by giving them special education. Special education is free and should be "appropriate." It can help your child make meaningful progress. Special education should treat each child as an individual. Special education is services and supports — it is not a place.

## CAN MY CHILD GET SPECIAL EDUCATION SERVICES?

Yes, if your child has trouble learning or behaving at school and has one or more of these disabilities:

- *mental retardation*
- *emotional problems*
- *an orthopedic disability*
- *deafness or other hearing problems*
- *speech or language disability*
- *autism*
- *blindness or other vision problems*
- *traumatic brain injury*
- *a learning disability*
- *health impairment*  
(can include ADD/ADHD and Tourette syndrome)
- *deaf-blindness*

## HOW CAN I GET SPECIAL EDUCATION FOR MY CHILD?

You can write your school principal and ask for a complete evaluation for your child. The school district has 45 calendar days from receipt of your request to complete an evaluation or to provide you with written notice of its refusal to do so, and why. The school may ask you to sign a "Permission to Evaluate Consent Form" (CCF 555). The school must give you a copy of the completed evaluation report. When the evaluation is completed, a multidisciplinary team meeting will be held to discuss the results of the evaluation with you. If your child is found eligible, an (Individualized Education Program) meeting will be developed. If your child is found ineligible for special education, the school district must explain to you in writing why she is not eligible for services.

## WHAT IS AN IEP?

IEP is an acronym for Individualized Education Program. If your child qualifies for services, you and the IEP team use the evaluation to write an IEP for your child. The IEP is like a contract between you and the school. The IEP should tell you what the school will do to help your child learn (e.g., use a different way of teaching; make school materials simpler; change the amount or kind of information your child should learn; provide help on class work, homework or tests; give the child services like speech therapy, physical therapy or counseling; provide a person to support your child or her teacher.) You and the IEP team will write goals and objectives for what your child should learn. The IEP team must talk about your child's IEP and make any changes at least once a year. You can ask for a meeting any time you have questions during the school year.

## WHO WRITES THE IEP?

The IEP is written by a team of people. The IEP team must include:

- *The child's parents*
- *At least one special education teacher or special education provider*
- *At least one regular education teacher (if the child is, or may be, in any regular education classes)*
- *A school official qualified to provide or supervise specially designed instruction, who knows about the school's resources, and who is familiar with the general education curriculum (usually this is the school principal or the special education teacher facilitator)*
- *Someone who can interpret the child's evaluations as necessary*
- *The child, when appropriate.*

The IEP team can include anyone the parent or school believes has knowledge or has expertise about the child. The law places great emphasis on parents' participation in the IEP team meeting. The school must take steps to get one or both of the child's parents to attend the IEP meeting. That means the school must notify the parents of the meeting early enough so that they can attend, and schedule a meeting at a time and place that is convenient for all parties. The school must provide you with written notice of who will attend the IEP team meeting from the school district.

## WHAT SHOULD HAPPEN AT THE IEP TEAM MEETING?

The school may give parents a draft IEP at the meeting, or before, but it cannot ignore the parents' input or refuse to make changes that the parents and the school agree are needed. Once completed, the IEP should reflect information discussed and decided at the IEP meeting. The team must consider the child's strengths, the parents' concerns, the results of the most recent evaluation and the child's academic, developmental and functional needs in determining what services and placement are appropriate for the child.

## WHERE DOES MY CHILD GO TO GET SPECIAL EDUCATION SERVICES?

First, the team should think about the general education class. Many students with disabilities can learn in their general education class with supports from their school. Under the law, children with disabilities should be in general education classes as much as they can with supports. Some special education students may go to a special class, like a resource room for some or part of a day. Some students may go to a specialized class on a regular school campus. The team will decide which placement is right for your child. Note: Special education law says that children with disabilities should learn in the least restrictive environment (34 CFR Part 300.114). So even if your child needs to be in a separate class for part of the day, she/he should learn with children who do not have disabilities as often as possible.

## WHAT IF I DON'T AGREE WITH MY CHILD'S SCHOOL?

If your school says your child is not eligible for special education, you may not agree. If your child already gets special education services, you may not agree with the re-evaluation the school completed, or the program or the placement your school offers. You can set up an IEP team meeting to talk about it, ask for mediation from the State Department of Education or ask the State Department of Education for a due process hearing to deal with the issue. If your school does an evaluation of your child and tells you that your child can be in special education, you may not agree. The school cannot force your child to be in special education if you do not think it is appropriate for your child. You can also remove your child from special education at any time. You can find out more information about due process hearings on our Web site at [www.lacs.n.org](http://www.lacs.n.org) under Children's Attorneys Project, Special Education.