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Cindy Pitlock, DNP
Administrator

Nevada Children's Commission Education Committee Meeting Minutes

DATE: Tuesday, April 11, 2023

TIME: 1:30 P.M.- Adjournment

VIDEO CONFERENCE:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_YTcyYmlyMTgtZjc2Nv00N2RhLTlkMWQ0tNjQ3ZDJjMjM2MTdl%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22be58909a-421c-4f56-857e-c5f7d4ef6f7f%22%7d

TELECONFERENCE LINE: 1-775-321-6111

CONFERENCE ID: 377 325 370#

1. **Call to Order** – Janice Wolf, Kimberly Palma-Ortega, Dr. Jesus Jara, Dr. Tiffany Tyler-Garner, Laura Obrist, Jodi Thornley
The meeting was called to order at 1:36 p.m. by Janice Wolf.

2. **Welcome and Introductions (Roll Call)** – DCFS Staff
Members Present by Video: Janice Wolf, Dr. Tiffany Tyler-Garner, Laura Obrist, Jodi Thornley, Kimberly Palma-Ortega

Members Absent: Dr. Jesus Jara

DCFS Staff: Elvira Saldana

Public: Cynthia Carstairs

3. **Public Comment and Discussion**
There was no public comment.

4. **For Possible Action:** Meeting Minutes from January 6, 2023
Janice Wolf asked for a motion to approve the meeting minutes.

Action: A motion was made by Laura Obrist to approve the minutes, seconded by Janice Wolf, and carried to approve the minutes of January 6, 2023.

5. **For Information:** DAAY Court Presentation– Judge Sunny Bailey

- Provide an overview of DAAY Court, how it operates, successes and challenges, and the future of DAAY Court in Clark County and statewide.
Janice Wolf stated she asked Judge Sunny Bailey to talk to the committee about DAAY Court. One of the committee's goals is to expand DAAY Court statewide and see if it can be broadened to include other disabilities.

Judge Sunny Bailey stated DAAY Court came about in 2018. Judge Sunny Bailey is a parent of a child on the spectrum. Judge Sunny Bailey's daughter was diagnosed when she was 2 years old with one of the most severe forms of autism. At the age of 5 there were no programs available for her. One of Judge Sunny Bailey's friends came across an article in the Las Vegas Review Journal about a program called Applied Behavior Analysis (ABA). Judge Sunny Bailey emailed the program contact and received a reply inviting her to go see the program. In 2003 they took part in the program. In the 15 years of ABA training, they went from 250 aggressive episodes per day to about one every quarter. It was an amazing program. Judge Sunny Bailey became trained. Detention staff knew of Judge Sunny Bailey's background and in 2018, they had a youth who was on the spectrum who had been arrested for domestic violence. He was placed on a Thursday afternoon calendar because no one else was there. The calendar was heard, they talked to the youth, and it turned out he had no services at all. The ABA process was started for the youth. The youth was kept on the Thursday calendar. The next time they had a Thursday calendar they had 2 kids on the spectrum. Over time, more youth were added to the Thursday calendar. It turned out there was a need. The court was unaware probation had been doing informal hold opens on the cases because they did not have a service available for that need. They ended up doing the calendar once a month. As the program grew, a name was needed. The Court Administrator also had a child on the spectrum and came up with Detention Alternative for Autistic Youth since the first youth was in detention. They found out their biggest issue was getting assessments since most of the youth were not diagnosed with autism. They needed to find someone willing to do a neuropsychological evaluation for them on an expedited basis. They found Dr. Davis, who was trained under Dr. Beasley, and she agreed to do 2 evaluations per month at a discount. As part of their Administrative Assessment (AA) fees for court, the other judges voted to allow them to have a budget to pay for the neuropsychological evaluations out of the AA fees. By statute, they are supposed to spend so much of their AA fees on juvenile justice therefore they diverted it to the DAAY Court fund. Since 2018, they believe they have had about 56 graduates from their program and 5 have come back as recidivism. Of those 5, they believe they were ones whose parents quit ABA and did not maintain ABA services once they left. Most of the crimes they have are domestic violence, battery on teachers, and threats against others. They have had other charges such as juvenile sex offenses and burglary. Their goal is to focus on the ABA because ABA will teach the one-on-one behavioral modification to allow them to learn frustration tolerance as well as the ability to learn the denied access for things. They are retraining the parents to rethink and the youth to work on a model that reinforces the behaviors they want in order to reduce the violent episodes and to hopefully keep them out of the adult system.

Janice Wolf asked what the mechanics are of staffing DAAY Court.

Judge Sunny Bailey stated they started out on the first calendar and the people who showed up volunteered for it. They have a District Attorney, Public Defender, Probation Officer, and a specialty court coordinator.

Janice Wolf asked what the breakdown is of foster kids versus kids living at home with parents.

Judge Sunny Bailey stated they have not seen many breakdowns. Anytime there is a child on the spectrum, they will help. The child does not have to be in the delinquency system for DAAY Court to help.

Janice Wolf asked if DAAY Court is appropriate for Fetal Alcohol Spectrum Disorder (FASD) kids who are not formally on the spectrum.

Judge Sunny Bailey stated most kids in the program have some kind of comorbid diagnosis. Because of the Fetal Alcohol Syndrome (FAS) markers and red flags they have, there are so many which go hand in hand. Currently, they are not expanding to FAS. They have a good relationship with the Ackerman Center, and they get FAS testing done as well. When testing is conducted if they are autism spectrum disorder (ASD), DAAY Court will take the ASD portion. If they are FAS, they do get them set up through Desert Regional Center and ABA.

Janice Wolf asked what their caseload is now, how many cases they have in a day.

Judge Sunny Bailey stated there are maybe 14 to 15 cases. Depending on the needs, the length of time for each case varies.

Janice Wolf asked what the process is for a case to go from a regular delinquency calendar to DAAY Court, if a client has not been formally diagnosed but is experience all the behavior markers.

Judge Sunny Bailey stated they can request the case be staffed for DAAY Court.

Janice Wolf asked committee members if there were any questions.

There were no questions.

Janice Wolf asked Judge Sunny Bailey to talk about the bill that is in front of the legislature.

Judge Sunny Bailey stated there is a bill (SB 411) sponsored by Senator Ohrenschall. It will be heard by the Senate Judiciary on Thursday at 1:00 p.m. Originally the bill had shell language, they wanted to make DAAY Court mandatory for all the counties. It will be changed to permissive. Judge Sunny Bailey will be present Thursday to explain DAAY Court and the process.

Janice Wolf asked if there is another bill as well.

Judge Sunny Bailey stated the other bill is a juvenile justice bill.

Janice Wolf asked if there was a fiscal note.

Judge Sunny Bailey stated there should not be if it is permissive. They would like to allow everyone the opportunity to have a DAAY Court. It would codify them as a specialty court.

Janice Wolf asked Judge Sunny Bailey if she has talked to her colleagues in the North about the availability of ABA services in the North.

Judge Sunny Bailey stated, in her personal experience with autism, it is like Field of Dreams. If you build it, they will come. They started out as grassroots, people just started showing up.

Janice Wolf asked if teachers are being trained to work with kids Judge Sunny Bailey is seeing in court or if there is a gap between what is happening in court and in school.

Judge Sunny Bailey stated they do not everyone who is diagnosed until they get to them. They are often on emotional disturbance. People do not understand autism is 24 hours a day. They will not be fully successful unless the parents are trained, everyone is on the same page, and there is consistency. A teacher can only do so much. There needs to be collaboration and they need to make sure they have everything for everybody. There is a level of needing to work together more.

Janice Wolf asked Judge Sunny Bailey where the missing links are.

Judge Sunny Bailey stated in a dream world she would have a neuropsychological evaluation for every kid. Judge Sunny Bailey would love more RBTs, BCBAAs, insurance to cover more ABA hours and social programs. There is a bill to try to get ABA until 26. In a perfect world they would start earlier and do the neuro testing earlier.

Janice Wolf commented in her years as the CAP Director, one of the issues they have had with ABA and the autism spectrum services has been the low rate of Medicaid reimbursement and getting the ABA providers compensated in a way that attracts them to Nevada. Janice Wolf asked if the rates have gone up.

Judge Sunny Bailey stated the rates went up a session ago. There are issues trying to get RBTs licensed. Currently there is a backlog and a shortage.

Janice Wolf asked if 2 DAAY Court judges or another court that deals with disabilities are needed.

Judge Sunny Bailey stated the studies have shown ABA, parent training, and the model of Skinner have been effective for youth across all avenues. The model works for everyone.

Dr. Tiffany Tyler-Garner asked what resources are available for FAS and how they are being addressed in the interim.

Judge Sunny Bailey stated the first thing they work on is getting them diagnosed. Once the testing is complete, they try to get them to Desert Regional Center and find an ABA provider who will take them. As far as DAAY Court goes, they do not place them on the 30-day calendar, but they do place them on the same track for ABA and provide the services.

Laura Obrist asked what support Judge Sunny Bailey thinks folks on the committee can offer.

Judge Sunny Bailey stated for people who are looking to take on a child on the spectrum, the first thing needed is support. The hardest thing is when they see behaviors. It is so easy to think they need to react in a certain way when a child is acting up when in fact the child needs to be taught how to shape a behavior. The focus needs to be what can be done for them and how they can be successful.

Laura Obrist asked if there any efforts around this in the schools.

Judge Sunny Bailey stated there is such a shortage and it is a matter of trying to catch up. Until they can manage to have people who can get the proper training, they will always be behind. For autism, it is early intervention, and it is at home. The support needs to be provided at home. People think the school district is supposed to provide the only source of programming. School should be the supplement, not the only treatment.

Janice Wolf asked if there were any other questions from the committee members.

Kimberly Palma-Ortega commented she has been on the meeting for the last half hour or so. Kimberly Palma-Ortega stated it is a great program and hopes they can navigate during legislation to make it a permanent thing statewide.

Janice Wolf thanked Judge Sunny Bailey for joining and enlightening the committee.

6. **For Possible Action:** Discuss and Decide Upon Next Steps – Janice Wolf, Kimberly Palma-Ortega, Dr. Jesus Jara, Dr. Tiffany Tyler-Garner, Laura Obrist, Jodi Thornley
- Assign Tasks to Committee Members (if needed)
Tasks were not assigned.
 - Specify Agenda Items for the Next Meeting
Janice Wolf asked committee members if they would like to consider discussing the next steps specific to DAAY court at the next meeting.

Dr. Tiffany Tyler-Garner and Laura Obrist stated it sounded great.

Janice Wolf stated she hopes Dr. Jesus Jara can join.

Jodi Thornley stated it would be good to have Dr. Jesus Jara.

Janice Wolf stated at the last meeting the committee discussed inviting stakeholders. Brigid Duffy provided contact from probation, campus police, and CCSD. With the committee members' agreement, Janice Wolf would like to continue with bringing stakeholders as previously discussed.

Laura Obrist acknowledged with a nod.

Dr. Tiffany Tyler- Garner stated yes.

Janice Wolf suggested discussing the education and disabilities bills that passed during the legislative session at the next meeting. Janice Wolf will ask Jonathan Norman, the legislative coordinator at Legal Aid, to attend and provide a summary of the bills.

- Confirm Next Meeting Date/Time
A meeting will be scheduled after the legislative session ends.

7. Public Comment and Discussion

There was no public comment.

8. Adjourn

The meeting adjourned at 2:32 p.m.