

**REPORT OF THE
DEPARTMENT OF SOCIAL SERVICES ON**

**STUDY OF UNMARRIED
MINOR PARENTS**

**TO THE GOVERNOR AND
THE GENERAL ASSEMBLY OF VIRGINIA**



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COMMONWEALTH of VIRGINIA

Office of the Governor

George Allen
Governor

Kay Coles James
Secretary of Health and Human Resources

March 9, 1995

TO: The Honorable George Allen

and

The General Assembly of Virginia

The report contained herein is pursuant to House Joint Resolution 252, agreed to by the 1994 General Assembly.

This report constitutes the response of the Department of Social Services, in consultation with the Virginia Poverty Law Center, to the request to study various approaches for supporting children born to unmarried minor parents.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Kay C. James", written over a horizontal line.

Kay Coles James
Secretary of Health and Human Resources

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I. Introduction

Study Charge

House Joint Resolution 252 directed the Department of Social Services, in consultation with the Virginia Poverty Law Center, to study various approaches for supporting children born to unmarried minor parents. Specifically, the resolution directed a study of three policy options:

- making unmarried minor parents ineligible for public assistance programs;
- requiring minor parents to reside with a parent, grandparent, or foster parent or in another appropriate placement where supervision, guidance, and support are provided, as a condition of eligibility for public assistance programs; and
- holding grandparents financially responsible for the support of grandchildren born to unmarried minor parents.

The report of findings is due to the Commission on Stimulating Personal Initiative to Overcome Poverty in December 1994.

Background

Concerns about rising caseloads, long-term dependency, and the disintegration of the family have prompted renewed attention to the nation's welfare system. AFDC caseloads have risen dramatically since the fall of 1989. Coupled with renewed attention to the welfare system has been concern about the debilitating effects of welfare and its apparent tendency to promote dependency rather than enabling self-sufficiency among welfare recipients.

Of particular concern has been the impact of unwed minor parents on public assistance programs. The 1994 General Assembly passed House Joint Resolution 252, citing the following statistics:

- nearly one-half of all families of Virginia receiving AFDC are headed by a parent who was a minor when the first child was born;
- the birth rate for unmarried minor parents has increased nationally from 20.6 in 1980 to 30.9 births per thousand in 1991;

- nationally 40% of families who have received public assistance for more than ten years are headed by a parent who began receiving public assistance as an unwed minor;
- growing evidence suggests a link between unmarried minor parents and increased rates of joblessness, lifelong poverty, welfare dependency, illiteracy, poor educational attainment, crime, substance abuse, and homelessness; and
- the availability of public assistance, including AFDC, Food Stamps, Medicaid, and housing subsidies, may reduce the incentive for unmarried minors to avoid pregnancy.

In recent years, the Congress redirected welfare programs to help poor families become more self-sufficient. This emphasis culminated in 1988 with the passage of the Family Support Act, which created the JOBS (Job Opportunities and Basic Skills) program. Even more recently, with attention to the increasing burden on public assistance that teenage parents create, there has been growing debate on how to approach the support of minor parents. A May 1994 GAO study of welfare reform and JOBS' targeting efforts concluded, "Focusing on teenage mothers in developing welfare reform proposals would select a group of recipients that is...likely to have one or more of the characteristics that are associated with taking longer to get off welfare. Focusing on teenage mothers to help them leave welfare is also warranted because current and former teenage mothers comprise a large and costly percentage of all female-headed families receiving AFDC."

Study Goals and Objectives

The study goals and objectives of this report are the following:

- to determine the number of unwed minor parents on public assistance and their current living arrangements;
- to assess the impact on unmarried minor parents of making them ineligible for public assistance;
- to examine the effect of requiring unmarried minor parents to live with their parents or other adult; and
- to examine the feasibility of requiring grandparents of children born to unmarried minor parents to provide financial support for that child.

Methodology

The following procedures describe the actions taken to complete this study:

- review literature for background information and pertinent research;
- extract the automated database, Virginia Client Information System (VACIS) AFDC caseload data from April 1994 for minor parent situations and demographic data;
- select a sample of minor parent cases, and extract detailed information from the multiple systems inquiry on both AFDC and Food Stamp case histories to determine living arrangements and financial circumstances;
- examine the 1993 Kinship Care Survey data for grandparent income data; and
- search child protective services data for child abuse data.

Organization of this Report

This report is divided into five sections. Section I is an introduction to this study. The next three sections explore the impact and feasibility of changing public assistance eligibility rules according to the three policy options of House Joint Resolution 252. Section II examines making unmarried minor parents ineligible for public assistance. Section III explores requiring minor parents to reside with a parent, grandparent, or foster parent or in another appropriate placement where supervision, guidance, and support are provided, as a condition of eligibility for public assistance programs. Section IV investigates holding grandparents financially responsible for the support of grandchildren born to unmarried minor parents. Section V summarizes the policy options and recommends an approach.

II. Policy Option: Making Unmarried Minor Parents Ineligible for Public Assistance

This section identifies the number of unmarried minor parents receiving public assistance in Virginia and examines their impact on public assistance programs. The link between illegitimacy and public assistance is explored as is the message this type of policy change would send. Further examination is made of characteristics associated with minor parents.

□ Impact of Minor Parents on Public Assistance Programs

In Virginia, the AFDC caseload had 505 minor parent cases as of April 1994. This represents .67% of the caseload, and .26% of the AFDC recipients. An additional 368 cases may possibly be minor parent cases, although computerized information available cannot definitely confirm this status. While the number of minor parents currently receiving assistance is low, the impact of minor parents on public assistance programs should not be observed solely in terms of the current caseload. The long range impact on public assistance programs is more profound.

Nationally, teen parents have been shown to create a major impact on public assistance programs. The National Longitudinal Survey of Youth shows that about half of all unmarried teenage mothers are likely to go onto AFDC within the first 48 months after the birth of their first child. Former unmarried teenage mothers make up a considerable portion of the caseload. Nationally in 1992, about 5% of all female-headed families receiving AFDC were headed by current teenage mothers and about 36% were headed by former teenage mothers. The Virginia data for the same time period showed 6% of AFDC cases were headed by a teen parent and 42% were headed by recipients who were teens when their first child was born.

The long range repercussions of teen mothers is quite expensive when measured in dollar terms. The Center for Population Options has estimated that in 1990 the federal government spent about \$25 billion for AFDC, Medicaid, and Food Stamps to support families begun by teenagers.

Compounding this problem is the deleterious effect on recipients themselves. For many, becoming a minor parent starts or continues a cycle of welfare that the welfare system is ill-equipped to break. Clearly, prevention of teenage pregnancies is an obvious method of diverting potential recipients away from welfare dependency, and making unmarried minor parents ineligible will be successful to the extent that it prevents teen pregnancies.

Availability of Public Assistance and Out-of-Wedlock Births

An impetus for this policy option is the relationship between out-of-wedlock births and receipt of public assistance. According to Patrick F. Fagan, senior policy analyst for The Heritage Foundation, "Data on the American welfare system, moreover, show a positive relationship between illegitimacy and long-term dependency. Women who gave birth outside of marriage are more likely to go on AFDC and to spend more years on welfare once enrolled (72 percent of single mothers 17 years of age or younger receive AFDC.)" However, the conclusion that implementation of this policy will impact birth rates for unwed minor parents is based more upon the message this policy sends rather than a documented direct causal relationship.

The lack of a direct causal link is indicated by several statistics. While out-of-wedlock birth rates have risen over the past twenty years, the dollar value of public assistance has decreased. States with higher welfare benefits do not typically have higher rates of out-of-wedlock births or higher proportions of children living in single parent families. Vermont, with the fourth highest AFDC benefits in the country, has the lowest teen birth rates, showing a questionable relationship between AFDC benefit levels and teen birth rates.

More important than a link between out-of-wedlock births and the availability of public assistance is the stance the government can take and the message that it would send by implementing such a policy change.

The Message of Ineligibility

The option to make unmarried minor parents ineligible for public assistance is driven by an important premise: that this "tough love" approach will force reliance on the family and other non-governmental resources for support. Personal responsibility would be encouraged rather than dependency on governmental programs.

Making minor parents ineligible for public assistance sends an important message about responsibility and forces the minor to find resources elsewhere. The absence of public assistance would create an incentive for family reliance and utilization of existing non-governmental resources which would hopefully lead to self-sufficiency.

Proponents of the view that welfare should be eliminated take the position that it is irresponsible to have a baby that cannot be cared for. It is the responsibility of the parents to obtain support from non-governmental sources, such as other family members, to care for a child.

Eliminating this governmental safety net could pose a hardship for those teens not deriving support from their families. In the absence of AFDC benefits, other community

resources and programs need to be in place. For example, the Resource Mother program is a mentoring program to provide parenting services to minor parents. "Good Beginnings" is another good example, as it provides for parent education for at-risk teenage mothers. To adequately address the social problem of unwed minor parenting and provide for the support needs of unwed minors and their children, more than a public sector response is needed. It is also important that hardship exceptions be examined in light of this policy option in order to prevent homelessness or other such unintended consequences.

□ Factors Associated with Minor Parents and Self-Sufficiency

Characteristics associated with teen parents, such as low educational attainment, are also barriers to self-sufficiency. AFDC families headed by women who have either less than a high school education, little recent work experience, or children younger than age 6 are likely to remain on AFDC significantly longer than other families. These characteristics are especially prevalent among teenage mothers receiving AFDC:

- according to the GAO, approximately 8% of AFDC teenage mothers have no job, and only 35% have recent work experience; and
- only 5.3% of minor parents in Virginia have high school diplomas.

The GAO finds that "women who gave birth as teenagers are less educated, have larger families, and are more likely to be never married." Making unmarried minor parents ineligible for public assistance would not directly address these barriers to self-sufficiency. However, ineligibility might compel minor parents to stay within the family. If capable, the family could provide needed supports like child care that could help minor parents complete their education and improve their chances to become self-sufficient.

III. Policy Option: Requiring Minor Parents to Reside with a Parent, Grandparent, or Foster Parent or in Another Appropriate Placement Where Supervision, Guidance, and Support Are Provided, as a Condition of Eligibility for Public Assistance Programs

This section examines the Family Support Act residency requirement, good cause exceptions for maintaining a separate residence, the need for adult supervision, and the current living arrangements of minor parents in Virginia.

The Family Support Act

Current federal law authorizes a minor parent to apply for and receive AFDC as a caretaker relative for her dependent children regardless of whether the minor parent lives with her parent or legal guardian or has established her own home. The Family Support Act of 1988 allows states to restrict eligibility of families headed by a minor parent and to restrict the direct payment of assistance to the minor parent. The Family Support Act allows States the option of requiring that a minor parent and dependent child reside in the home of the minor's parent, legal guardian, other responsible adult relative, or in an adult-supervised supportive living arrangement. Further, this Act allows good cause exemptions from this requirement. Thus, the minor parent is required to live with her parent or other responsible adult in order to receive assistance, unless a good cause reason exists to live apart.

Virginia did not exercise this option and has no minor parent residency requirement. In Virginia, a minor parent can live alone and still receive AFDC.

Currently, eight states and territories have adopted the minor parent residency requirement of the Family Support Act. Two additional states have proposed adopting this option. Although none of these states have evaluated this policy to determine its impact, state officials stated that an emphasis on family responsibility was a factor in implementing this policy.

Current Living Arrangements of Minor Parents

In Virginia, nearly one-half (42%) of minor parents receiving AFDC do not live with their parent or other responsible adult relative. It is anticipated that adoption of the residency requirement would significantly reduce the number of minor parents that live alone.

Good Cause Exceptions in the Family Support Act

The Family Support Act permits states to exercise discretion to exempt the minor mother from the residency requirement:

- where the State determines that the physical or emotional health or safety of the individual or her dependent child would be jeopardized by living in the home of the individual's parent or legal guardian;
- where the individual lived apart from her parent or legal-guardian for a period of at least one year before either the birth of the dependent child or date of application for assistance; and
- where the state agency otherwise determines that there is a sufficient basis for waiving this requirement.

Child protection, in situations where incest or child abuse exist, may be a reason for waiving this requirement. A study of 535 adolescent mothers (ages 13-21) in Washington State indicated that 54% reported molestation by a family member.

Current regulations require that if it appears the child for whom AFDC is requested is being neglected, abused, or exploited, it is the eligibility worker's responsibility to make a referral for protective service. However, implementation of a minor parent residency requirement may help identify more families in need of child welfare services intervention and protect against further erosion of the family. If not previously known to child welfare services, abusive situations could be identified if the minor had to justify living alone because of this reason. The emphasis of child welfare services in these situations should be on prevention of abuse and family break-up and attempting to create a stable and supportive environment for the teen parent, as well as other members of the family.

Need for Adult Supervision

It is critical that a minor parent live in a setting with appropriate adult supervision. In most cases, that should be the child's family. The family provides a support structure, giving the teenage parent a stable living situation in which the minor parent can receive guidance in making life decisions and assistance in raising her child. A minor parent residency requirement seems most appropriate in meeting these needs, except when the family is severely dysfunctional.

The teen parent residency requirement seems to be acceptable to AFDC recipients themselves. A focus group study of AFDC recipients conducted under the auspices of the Rockefeller Institute of Government by researchers Jan L. Hagen and Liane V. Davis, concluded there was support among the recipients for a teen parent residency requirement because "teen mothers need the support and assistance of adults."

A properly structured residency requirement also contains safeguards to protect the minor and her child--physically, emotionally, and financially--and promote her acceptance of the living arrangement, while at the same time recognizing the minor parent's own need for parenting. An appropriately designed minor parent residency requirement can ensure that a minor parent and child are in a stable and supportive environment, rather than at risk of suffering harm from abuse.

IV. Policy Option: Holding Grandparents Financially Responsible for the Support of Grandchildren Born to Unmarried Minor Parents

Holding grandparents financially responsible for the support of children born to unwed minor parents is a realization that the family should have the foremost responsibility for the care of children. Legislation to this effect would require grandparents with financial means to assume the role of financial responsibility. This section examines current public assistance regulations with regard to required financial support of grandparents, financial situations of grandparents, and the experience of Wisconsin, a state that has a grandparent liability statute.

Current Public Assistance Regulations

Current AFDC and Food Stamp regulations require that when an adolescent mother lives at home, the income of her parents is counted when determining eligibility for and the amount of those benefits. The income of the residents of the household are considered in determining the benefits to be received by the minor parent and child. To a certain extent, grandparents do have financial liability when the minor parent lives with the grandparents. However, income of the grandparents is not considered when the minor parent maintains a separate residence.

Financial Situations of Grandparents

Generational poverty and the ability to pay are important considerations when considering requiring financial support from grandparents. Of parents of minor AFDC recipient parents, at least 64% are themselves food stamp recipients, and at least 45% are AFDC recipients. Based on the 1993 Kinship Care Study data, 68% of the grandparents caring for grandchildren on AFDC had incomes less than \$10,000 a year and 82% had incomes under \$15,000 a year.

Experience with Grandparent Liability Statute in Wisconsin

Wisconsin is the only state identified that has a grandparent liability statute. Officials report difficulty with applying the statute. The problems experienced in Wisconsin are in three main areas.

- By the time the case is adjudicated, the parties are often no longer minors. The case has to go through several steps before entering the court system. First, the case is referred to the child support office. The child support staff attempts to locate the grandparent and then enforce the payment of

support. If the grandparents refuse or fail to pay support and the situation has to be taken to court for a ruling, many times the minor parents are no longer minors by the time the procedural steps are taken to go before court.

- As stated before, many of the grandparents are without resources and often on public assistance themselves.
- There have been problems in Wisconsin regarding court jurisdiction for these cases. It is not necessarily a family court matter. While this is a problem in Wisconsin, enabling legislation for such a policy in Virginia could be drafted that ensures identification of jurisdiction.

V. Summary

This section summarizes the advantages and disadvantages of each policy option.

- Making Unmarried Minor Parents Ineligible for Public Assistance**
 - This policy option would send a message about personal responsibility by compelling the minor to find non-governmental resources for support.
 - This option would encourage minor parents to stay within the family and rely on the family for needed supports such as child care.
 - A large portion of the overall AFDC caseload (42%) is headed by recipients who were teenagers (under 20) when their first child was born.
 - Characteristics associated with longer welfare stays, such as low educational attainment and little recent work experience, are especially prevalent among teenage mothers receiving AFDC.
 - The fiscal impact would be minimal since in comparison to the overall Virginia AFDC caseload, the percent of recipients who are currently minor parents (under eighteen) is less than 1%.

- Requiring Minor Parents to Reside with a Parent, Grandparent, or Foster Parent or in Another Appropriate Placement Where Supervision, Guidance, and Support Are Provided, as a Condition of Eligibility for Public Assistance Programs**
 - The minor parent is in need of a stable living situation in which the parent can receive guidance in making life decisions and assistance in raising her child.
 - The Family Support Act of 1988 allows states the option of requiring that a minor parent and child live in the home of the minor's parent, other relative, or adult supervised living arrangement to receive assistance.
 - 42% of minor parents receiving AFDC do not live with their parent or other adult relative who receives AFDC or Food Stamps. It is anticipated that this percentage is likely to be significantly reduced with a residency requirement, but some exemptions are needed.
 - In cases of abuse, child welfare services intervention will be needed to identify abusive situations and to prevent further erosion of the family.

- The Governor's Commission on Citizen Empowerment has examined this policy option and included it as a recommendation in its Welfare to Work plan. In addition, it has recommended that the parents of minor fathers contribute financially to their grandchild. As part of the Commission's Welfare to Work plan, both the minor mother and father would be required to attend school or achieve satisfactory progress toward an equivalency degree.
- **Holding Grandparents Financially Responsible for the Support of Grandchildren Born to Unmarried Minor Parents**
 - Requiring financial support from grandparents is a realization that the family should have the foremost responsibility for the care of children.
 - Current regulations require consideration of the parent's income when a minor parent lives at home. However, the income of the grandparents is not considered when the parent lives alone.
 - Some grandparents would be capable of contributing if a grandparent liability statute was implemented, however, many are already receiving benefit support themselves.
 - A general grandparent liability statute applying to non-public assistance households could be unnecessarily intrusive on parents already supporting their children, could congest the court system, and would increase the administrative work and costs for localities.

□ **Recommendation**

Unmarried minor parents should not receive public assistance unless they live with their own parents or other responsible adult relative. Exceptions could be granted for documented cases of incest and child abuse. In cases of abuse, child protective services should intervene with the goal of family preservation.