

**2008 EXECUTIVE SUMMARY OF**

**THE VIRGINIA COMMISSION  
ON YOUTH**



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

**COMMONWEALTH OF VIRGINIA  
RICHMOND  
2008**



*COMMONWEALTH of VIRGINIA*  
*Commission on Youth*

Delegate William H. Fralin, *Chairman*  
Senator Yvonne B. Miller, *Vice Chairman*

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January 8, 2009

TO: The Honorable Timothy M. Kaine, Governor of Virginia  
and Members of the General Assembly

Pursuant to the provisions of the Code of Virginia (§§ 30-174 and 30-175) establishing the Virginia Commission on Youth and setting forth its purpose, I have the honor of submitting herewith the Executive Summary for the calendar year ending December 31, 2008.

This 2008 Executive Summary includes the interim activity and work conducted by the Virginia Commission on Youth during the 2008 study year, as required by § 30-175.

Final reports of the studies conducted will be published or made available on the General Assembly website. These reports will also be available on the Commission's website, <http://coy.state.va.us>.

Sincerely,

A handwritten signature in black ink, appearing to read "William H. Fralin, Jr." with a stylized flourish at the end.

William H. Fralin, Jr.  
Chairman

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# 2008

# VIRGINIA COMMISSION ON YOUTH

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## **House of Delegates**

The Honorable William H. Fralin, Jr., Chair

The Honorable Mamy E. BaCote

The Honorable Robert H. Brink

The Honorable Mark L. Cole

The Honorable Beverly J. Sherwood

The Honorable Christopher K. Peace

## **Senate of Virginia**

The Honorable Yvonne B. Miller, Vice Chair

The Honorable Harry B. Blevins

The Honorable R. Edward Houck

## **Citizen Members**

Ms. Joy Myers

Mr. Anthony Dale

Marvin H. Wagner



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# 2008

# VIRGINIA COMMISSION ON YOUTH

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**Executive Director**

Amy M. Atkinson

**Senior Legislative Policy Analyst**

Leah Hamaker

**Legislative Policy Analyst**

Cordell Hairston

**Executive Assistant**

Joyce Garner

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**Access to the Internet**

The Commission on Youth's homepage is located at  
*<http://coy.state.va.us>*

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**Acknowledgments**

The Virginia Commission on Youth extends its sincere appreciation to the Office of the Clerk of the Senate, the Office of the Clerk of the House, the Division of Legislative Services, and the Division of Legislative Automated Systems for their assistance and support throughout 2008.

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**Legislative Initiative**

Truancy and School Dropout Prevention

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**Study Author**

Virginia Commission on Youth

**Enabling Authority**

§ 30-174 and § 30-175

**EXECUTIVE SUMMARY**

During the 2008 General Assembly Session, Delegate Franklin P. Hall introduced House Bill 1263, which required local school boards to implement school dropout prevention programs and services which emphasize truancy prevention. The bill would also amend the Code to address compliance with the compulsory school attendance law to strengthen the authority of local school boards. Members of the House Education Committee reviewed the bill and determined that further study of these issues would be appropriate. The Committee forwarded a letter from Delegate Hall requesting the Commission on Youth, in conjunction with the Department of Education, to study the provisions set forth in House Bill 1263.

At the Commission on Youth's April 23, 2008 meeting, the Commission adopted a two-year study plan to study truancy and dropout prevention. The two-year study plan included the following activities:

- review state laws and policies relating to the enforcement of compulsory school attendance, truancy and dropout prevention for consistency and clarity;
- review current initiatives overseen by the Board of Education and the Department of Education addressing truancy, attendance and dropout prevention;
- evaluate local school division policies regarding enforcement of school attendance and assess the need for conformity, including consistency within school divisions, regarding enforcement of statutory attendance policies;
- evaluate the new certification data which will be submitted by local school divisions in the Fall of 2008 which demonstrate compliance with compulsory school attendance laws;
- review existing local practices that are in place which address truancy and dropout prevention in each school division;
- assess factors related to the causes of academic underachievement, chronic truancy and school dropout and determine whether such students should also be considered "children in need of services" for compulsory school attendance purposes;
- consider the need and efficacy of defining "truancy" and "chronic truancy" in the Code of Virginia;
- attempt to ascertain the impact of suspensions, expulsions and other disciplinary actions on school dropout rates and, to the extent possible, ascertain whether disciplined students receive educational, social and community services during their suspension or expulsion from school; and
- recommend to the General Assembly such changes to state law and public policies and such other initiatives appropriate and necessary to implement a comprehensive approach to chronic truancy and dropout prevention.

At its December 3, 2008 meeting, the Commission on Youth approved the following recommendations from the first year of the study:

Recommendation 1

Request the Virginia Department of Education to offer guidance in the *Student Conduct Policy Guidelines* to school divisions regarding options other than suspension or expulsion for instances of tardiness or attendance.

Recommendation 2

Amend the *Code of Virginia* to prohibit the use of suspension in all instances of tardiness or attendance.

Recommendation 3

Request the Chief Justice of the Supreme Court of Virginia, through the Office of the Executive Secretary, to assist the Virginia Commission on Youth in its review of truancy matters, specifically the role of the judiciary, consistency of court practices, and judicial education, including the court's ability to order services for the family prior to the imposition of jail or fines. This would take place in the second year of the study

Recommendation 4

Monitor the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2008 which includes an amendment to strengthen the Deinstitutionalization of Status Offenders (DSO) requirement by eliminating the Valid Court Order exception.

Recommendation 5

Request the Commission on Youth to monitor the Crime Commission's actions on §§ 16.1-301, 16.1-305 and 16.1-309.1.

Recommendation 6

Request the Commission on Youth conduct a study/gap analysis of career and technical educational options available in the Commonwealth. Such a study will also include at when is it most effective to identify career and technical options. Potential linkages with the Tobacco Commission, the Virginia Manufacturers Association, the Community College system and the Virginia Workforce Council for workforce training will also be explored, along with the *Jobs for Virginia Graduates* program. Commission staff will apply for relevant funding opportunities.

Recommendation 7

Request the Virginia Board of Education to issue guidance to school divisions regarding the unintended consequences of attendance policies which may keep students from returning to school.

Recommendation 8

The Commission on Youth will meet with both students and parents to request their input in this study effort. These meetings will take place immediately and continue in the second year of the study.

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**Legislative Initiative**  
Alternative Education Options

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**Study Author**

Virginia Commission on Youth

**Enabling Authority**

§ 30-174 and § 30-175

**EXECUTIVE SUMMARY**

This study originated with the Commission on Youth's May 17, 2006 meeting and the approval of the study of Alternative Education Options. The Commission directed staff to study this issue and to present findings and recommendations to the Commission on Youth prior to the 2007 General Assembly Session. The study plan directed staff to conduct a review of alternative education programs for suspended and expelled youth. Additionally, the Commission was to explore data available at the Department of Education to determine whether a problem exists regarding the number of school suspensions and expulsions within Virginia public schools.

During the 2006 study year, the Virginia Commission on Youth researched the availability of alternative education programs for expelled and suspended students who could not be served in traditional public school settings. This investigation also addressed the various challenges facing school divisions in providing educational services to these students.

The Commission established an Alternative Education Advisory Group consisting of representatives from the Virginia Department of Education, the School Board Association, the Alternative Education Association, and local school divisions. The Advisory Group has provided assistance to the study throughout its two years.

In 2006, the Commission surveyed all 132 school divisions to gather information on Virginia's alternative education options. Responses provided information on:

- Virginia's 29 regional alternative education programs; and
- School divisions' practices for offering alternative educational services to suspended or expelled youth.

In 2007, a draft document, *Guide to Local Alternative Education Options for Suspended and Expelled Students in the Commonwealth*, was compiled by Commission staff using survey data provided by local school divisions and was submitted to the Commission on Youth for review. The document was published in Spring 2008 and made available on the Commission's and, Legislative Information System's websites and mailed by the Department of Education to all school division superintendents.

Recommendations approved in the 2007 study year may be found at <http://coy.state.va.us/120507%20Approved%20Recommendations.pdf>.

At its December 3, 2008 meeting, the Commission on Youth approved the following recommendations from the final year of its Alternative Education Options study:

Recommendation 1

Introduce legislation to amend § 22.1-209.1:2 of the *Code of Virginia* to provide that regional alternative education options may also be utilized for students at-risk of a long-term suspension as authorized by the school superintendent. Due process protections regarding notice, hearings, and appeals required for students who are suspended or expelled required when a regional alternative education placement would also be recommended for students deemed at-risk of receiving a long-term suspension. Also, amend this section of the Code to clarify that this section refers to regional alternative education programs.

Recommendation 2

Request that the Chairman of the Virginia Commission on Youth write a letter to the Board of Education to ask that the revisions to the Standards of Accreditation (SOA) be amended to include provisions for requiring schools exhibiting suspension and expulsion rates above the state average implement evidence-based intervention programs designed to improve suspension and expulsion rates.

Recommendation 3

Introduce legislation to include a definition of alternative education programs in the *Code of Virginia* which is consistent with § 22.1-253.13:1 that describes instructional programs supporting the Standards of Learning (SOLs) and other educational objectives. This legislation would specify that alternative education options are for students whose needs are not met in programs prescribed elsewhere, as set forth in the SOLs. "Alternative education" will be replaced by "nontraditional education" except when referring to regional alternative education programs.

Recommendation 4

Write a letter requesting the Superintendent of Public Education to establish a central point of contact with the Department of Education in the area of nontraditional education options.

Recommendation 5

Write a letter requesting the Board of Education establish model guidelines for locally-created alternative education programs consistent with the guidelines established for the regional alternative education programs.

Recommendation 6

Request that the Chairman of the Virginia Commission on Youth write a letter requesting that the Virginia Department of Education establish a mechanism for school divisions to use the individual student tracking number system to indicate whether a student is enrolled in their home school, in a local alternative setting or in a regional alternative school.