

2016 EXECUTIVE SUMMARY OF

THE VIRGINIA COMMISSION ON YOUTH



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

REPORT DOCUMENT 2

**COMMONWEALTH OF VIRGINIA
RICHMOND
2017**



COMMONWEALTH of VIRGINIA
Commission on Youth

Senator Barbara A. Favola, *Chair*
Richard P. Bell, *Vice Chair*

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January 4, 2017

TO: The Honorable Terry McAuliffe
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, 2016.

This Executive Summary includes the activity and work conducted by the Virginia Commission on Youth during the 2016 study year, as required by § 30-175. As anyone can see, the Commission has enjoyed a busy year producing excellent work to support Virginia's families and youth.

Final reports of the studies conducted will be made available on the General Assembly's website. These reports will also be available on the Commission's website, <http://vcoy.virginia.gov>.

Sincerely,

A handwritten signature in cursive script that reads "Barbara Favola".

Barbara A. Favola

2016

VIRGINIA COMMISSION ON YOUTH

House of Delegates

The Honorable Richard L. Anderson
The Honorable Richard P. “Dickie” Bell, Vice Chair
The Honorable Peter F. Farrell
The Honorable Daun Hester
The Honorable Mark Keam
The Honorable Christopher K. Peace

Senate of Virginia

The Honorable Barbara A. Favola, Chair
The Honorable Dave W. Marsden
The Honorable Charles W. “Bill” Carrico

Gubernatorial Appointments from the Commonwealth at Large

Karrie Delaney
Deirdre S. Goldsmith
Christian Rehak, Esq.

Commission Staff

Amy M. Atkinson, Executive Director
Leah Mills, Senior Policy Analyst
Will Egen, Legal Policy Analyst

EXECUTIVE SUMMARY

Virginia Commission on Youth - Background

Enabling Authority

§ 30-174 and § 30-175

Established in statute by the 1989 General Assembly, the Virginia Commission on Youth represents a legislative response to a two-year study examining the issues related to services to chronic status offenders. Virginia Code directs the Commission "to study and provide recommendations addressing the needs of and services to the Commonwealth's youth and families." Enacted in 1989, the Commission began operations in 1991.

The Commission on Youth is comprised of nine members of the General Assembly and three citizens appointed by the Governor (§30-174). Six Commission members from the House of Delegates are appointed by the Speaker of the House. The three Commission members from the Senate are appointed by the Senate Committee on Rules.

Legislative Study

Review of Virginia's Temporary Assistance for Needy Families Program

Study Author

Virginia Commission on Youth

Enabling Authority

§ 30-174 and § 30-175

EXECUTIVE SUMMARY

During the 2016 General Assembly Session, Senator Barbara Favola introduced Senate Joint Resolution 95. The resolution directed the Commission on Youth to:

- i. evaluate the Department of Social Services' administration of the Temporary Assistance for Needy Families (TANF) Program and identify the amount of and reasoning for unused TANF funds;
- ii. determine whether TANF funds are being used for the intended purposes of the TANF Program or whether such funds are being diverted to other programs or non-TANF purposes;
- iii. determine whether and how TANF funds can be better used to stabilize families economically, help provide educational opportunities, and provide parenting classes and identify other support services that could be made available through TANF funding to strengthen families; and
- iv. consult with all relevant stakeholders.

The House Committee on Rules laid this legislation on the table. However, at the Commission on Youth's May 3, 2016 meeting, the Commission adopted a plan to study provisions set forth in the legislation and report findings and recommendations prior to the 2017 General Assembly Session.

The Commission held two Advisory Group meetings on August 1, 2016 and September 6, 2016. Draft study findings and recommendations were presented at the September 20, 2016 meeting. The Commission received written public comment through October 14, 2016. After receiving public comment at the October 20, 2016 meeting, the Commission on Youth approved the following recommendations:

Recommendation 1

Request the Virginia Department of Social Services (VDSS), with input from the Virginia Housing Development Authority (VHDA), local housing authorities, and other impacted stakeholders, evaluate the feasibility of establishing a TANF-funded emergency program to assist TANF families and families that received TANF support in the previous 12 months who require assistance paying for security deposits, utility deposits, and/or overdue rent to secure/retain affordable housing.

Recommendation 2

Support the VDSS efforts to include a component within the Virginia Case Management System that allows the seamless transition of the TANF child care subsidy from one local department of social services (LDSS) to another LDSS.

Recommendation 3

Introduce legislation/budget amendment to extend transitional services available to Virginia's VIEW recipients from 12 months up to 24 months when those recipients are enrolled in an accredited post-secondary program and in the process of obtaining an industry-recognized license or certificate, associate's degree or other college certification. VDSS will establish policies for the extension of transitional services that are consistent with current VIEW policies. Virginia's TANF funds appropriated for expanded/discretionary services may be utilized to fund this expansion.

Recommendation 4

Request the VDSS, in conjunction with the Virginia League of Social Services' (VLSEE) TANF/Employment Services Committee, review Virginia's temporary medical exemption condition policies for VIEW cases. This review will include recommendations for improving Virginia's existing temporary medical condition exemption determination and re-evaluation policies with focus on the goal of expeditiously transitioning TANF's medically exempt cases to VIEW or facilitating their application to appropriate disability benefits programs. VDSS and the VLSEE's TANF/Employment Service Committee will report findings and recommendations to the Commission on Youth prior to the 2018 General Assembly Session.

Recommendation 5

Request the VDSS to evaluate the feasibility of mandating training for LDSS workers who work with TANF recipients which incorporates best practices in working with TANF recipients and helping them achieve self-sufficiency.

Recommendation 6

Support the General Assembly's efforts that ensure that Virginia's TANF program is adequately funded and ensure that the primary purposes of TANF are maintained.

Legislative Study**The Use of Segregation in Virginia's Juvenile Detention and Correctional Centers**

Study Author

Virginia Commission on Youth

Enabling Authority

§ 30-174 and § 30-175

EXECUTIVE SUMMARY

During the 2016 General Assembly Session, Senator Favola introduced Senate Bill 215. The substitute version of SB 215 would have required the Board of Juvenile Justice to promulgate regulations on the use of room segregation in juvenile detention homes and juvenile correctional facilities that:

- i. include relevant definitions, criteria for use of room segregation, frequency of required room checks, training requirements for staff, and follow-up requirements after using room segregation;
- ii. allow the use of room segregation only when other less restrictive options have been exhausted and for certain purposes;
- iii. allow the use of room segregation only for the minimum amount of time required to address the resident's behavior;
- iv. provide to the resident a means of communication with staff during room segregation;
- v. specify that if a resident in room segregation exhibits self-injurious behavior, when and under what conditions staff shall consult with a mental health professional; and
- vi. detail the circumstances under which the director of the juvenile detention home or juvenile correctional facility shall develop a plan for improved behavioral outcomes for the resident.

The House Courts of Justice Committee reviewed this legislation and it was laid on the table. The Commission on Youth received a letter from the Chair of the House Courts of Justice Committee requesting a review of the legislation and the concept it addressed and to make recommendations prior to the 2017 General Assembly Session.

At the Commission on Youth's May 3, 2016 meeting, the Commission adopted a plan to study provisions set forth in the legislation and report findings and recommendations prior to the 2017 General Assembly Session. Draft study findings and recommendations were presented at the September 20, 2016 meeting. The Commission received written public comment through October 14, 2016. After receiving public comment at the October 20, 2016 meeting, the Commission on Youth approved the following recommendations:

Recommendation 1

Request the Board of Juvenile Justice, in consultation with experts in the fields of mental health and juvenile justice and child-rights advocates, to promulgate regulations on the use of room segregation in juvenile correctional facilities and detention homes.

Recommendation 2

Continue to monitor the Department of Juvenile Justice's comprehensive review of the residential requirements for juvenile correctional centers and secure juvenile detention centers which began in the summer of 2016, and request presentation updates from the Department as needed.

Legislative Study

Virginia's Adoption Home Study Process

Study Author

Virginia Commission on Youth

Enabling Authority

§ 30-174 and § 30-175

EXECUTIVE SUMMARY

During the 2016 General Assembly Session, Delegate Christopher Peace introduced House Joint Resolution 103. The resolution directed the Commission on Youth to study the adoption home study process, including:

- i. the current mutual family assessment home study format and curriculum;
- ii. the process by which home studies are completed by staff of local departments of social services and licensed private child-placing agencies; and
- iii. the potential benefits of implementation of a uniform home study format established by the Department of Social Services for all home studies completed in the Commonwealth.

The House Committee on Rules laid this legislation on the table. However, at the Commission on Youth's May 3, 2016 meeting, the Commission adopted a plan to study the provisions set forth in the legislation and report findings and recommendations prior to the 2017 General Assembly Session.

The Commission held an Advisory Group meeting on September 7, 2016. Draft study findings and recommendations were released to the public at the Commission's October 20, 2016 meeting. The Commission received written public comment through November 28, 2016. At the December 6, 2016 meeting, the Commission received public comments and a presentation on the findings and recommendations. The Commission approved the following recommendations:

Recommendation 1

Introduce a bill to mandate the Mutual Family Assessment home study and addendum developed by the Virginia Department of Social Services as a uniform home study format for statewide use among local departments of social services. Provide flexibility to allow the Virginia Department of Social Services to update this format in the future when necessary.

Recommendation 2

Support the Virginia Department of Social Services in its acquisition and implementation of a new comprehensive child welfare computer system. Ensure the ability of a case worker to make an intake query to see if an applicant family has previously applied to be an adoptive, foster, resource, respite family at another agency.

Recommendation 3

Request the Virginia Bar Association’s Commission on the Needs of Children study the implications of the removal of the right to appeal, to Circuit Court from Juvenile and Domestic Relations District Court, certain cases involving termination of parental rights. Relevant Code of Virginia Section: (§ 16.1-296(D)).

As part of this study, look to the concept of having Juvenile and Domestic Relations District Courts become courts of record for matters involving child custody and termination of parental rights. This could be accomplished by requiring court reporters be present in these specific proceedings with appeals going directly to the Virginia Court of Appeals.

Recommendation 4

Support a messaging campaign at the Virginia Department of Social Services that promotes adoption through foster care.

Recommendation 5

Support the Virginia Department of Social Services efforts related to the hiring of regional home study specialists whose role is to assist local departments of social services by completing the foster care and adoption home study process.

Legislative Initiative

Family Impact Seminar

Study Author

Virginia Commission on Youth

Enabling Authority

§ 30-174 and § 30-175

EXECUTIVE SUMMARY

On May 3, 2016, the Commission on Youth Virginia partnered with the L. Douglas Wilder School of Government and Public Affairs at Virginia Commonwealth University to host Virginia’s Family Impact Seminar on Aging-out of Foster Care - Fostering Futures into Adulthood. This Seminar is a national model developed by the Family Impact Institute at Purdue University to provide state policymakers with nonpartisan, solution-oriented research on family issues. Virginia has the highest rate of youth who leave the foster care system without being adopted. Hundreds of Virginia youth “age out” of foster care every year, including 514 youth in 2015. Research has found that teens who do not have a permanent family connection when they leave foster care are more likely to become homeless, more likely to become involved in the criminal justice system, and much less likely to complete a higher education degree. The Seminar featured a foster care panel moderated by the Honorable Anne Holton, Virginia's Secretary of Education. Other presenters included a representative from the Virginia Department of Juvenile Justice and Dr. Sunny Shin, with Virginia Commonwealth’s University School of Social Work.