

**2024 EXECUTIVE SUMMARY**

# **THE VIRGINIA COMMISSION ON YOUTH**



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

**REPORT DOCUMENT 39**

**COMMONWEALTH OF VIRGINIA  
RICHMOND  
2025**





# COMMONWEALTH of VIRGINIA

## *Commission on Youth*

Senator Barbara A. Favola, *Chair*  
Delegate Carrie E. Coyner, *Vice Chair*

821 E. Broad St., Ste. 140  
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*Executive Director*  
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January 7, 2025

TO: The Honorable Glenn A. Youngkin  
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, 2023.

This Executive Summary includes the activity and work conducted by the Virginia Commission on Youth during the 2024 study year, as required by § 30-175 of the *Code of Virginia*. The Commission has enjoyed a busy year and has produced excellent work to support Virginia's families and youth.

Final reports of the studies conducted will be made available on the Commission on Youth's website at <https://vcoy.virginia.gov>.

Sincerely,

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

Barbara A. Favola

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# **2024**

# **VIRGINIA COMMISSION ON YOUTH**

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## **Senate of Virginia**

Barbara A. Favola, Chair  
David W. “Dave” Marsden  
David R. Suetterlein

## **House of Delegates**

Joshua Cole  
Carrie E. Coyner, Vice-Chair  
Karrie K. Delaney  
Holly Seibold  
Irene Shin  
Anne Ferrell H. Tata

## **Gubernatorial Appointments from the Commonwealth at Large**

Mackenzie Babichenko  
Rita Jones  
Jessica Jones-Healey

## **Commission Staff**

Amy M. Atkinson, Executive Director  
Will Egen, Senior Policy Analyst  
Kathy Gillikin, Part-time Analyst

## **EXECUTIVE SUMMARY**

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### **Virginia Commission on Youth – Background**

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#### **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. Three Commission members from the Senate are appointed by the Senate Committee on Rules.

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#### **Legislative Study**

The Use and Impact of Relief of Custody on Care and Support of Youth

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#### **Study Author**

Virginia Commission on Youth

#### **Enabling Authority**

§ 30-174 and § 30-175

## **EXECUTIVE SUMMARY**

During the Commission on Youth's 2023 "Improving Foster Care" study, the Commission did a comprehensive review of current foster care issues.

One of the issues raised by local departments of social services during the conducting of the foster care study was the increase use of relief of custody by a caretaker. Commission staff presented on this issue at its September 19, 2023 meeting and suggested that further exploration in this topic was needed. At its November 20, 2023 meeting, the Virginia Commission on Youth approved a recommendation regarding the reported increased use of relief of custody to discuss, review, and make recommendations regarding the practice.

The Commission adopted a study plan at its May 21, 2024 meeting on the Use and Impact of Relief of Custody on Care and Support of Youth directing the Commission on Youth to review concerns surrounding the increased use of temporary and permanent relief of custody to place a child in foster care.

Commission on Youth staff conducted four roundtable work groups across the state. The purpose of these roundtable work groups was to get the local perspective on the use of relief of custody and receive potential recommendations for improvement. Following the roundtables, the Commission convened an Advisory Group of stakeholders to review the study's findings and draft recommendations. This Gdvisory Group included the Department of Social Services, Department of Behavioral Health and Developmental Services, Department of Juvenile Justice, the Court Improvement Program, Local Departments of Social Services, Community Services Boards, and other relevant stakeholders.

Draft study findings and recommendations were presented at the Commission's October 22, 2024 meeting. The Commission received written public comment through November 21, 2024. After receiving public comment at the November 25, 2024 meeting, the Commission on Youth approved the following recommendations:

**Recommendation 1:**

Amend the *Code of Virginia* to standardize the pre-hearing "investigation" in § 16.1-277.02 (A) by requiring the local department of social services, at a minimum, put together a written report on the history of the child and family.

The Department of Social Services shall create guidance for a template on what should be included in this written report. This template should include best practices, not limited to background on the full history of child and family (medical and mental health, legal, educational, information from providers), and the exploration of all relatives and fictive kin. Information on what services are being and have been offered to the child and family and potential use of a family partnership meeting should also be in the written report.

**Recommendation 2:**

Amend the *Code of Virginia* § 16.1-277.02 that when investigating a petition for Relief of Custody, the local department of social services shall refer the parent to the local Family Assessment and Planning Team (FAPT), but such referral will not interfere or delay such petition.

**Recommendation 3:**

Introduce a § 1 bill directing the Office of the Executive Secretary of the Supreme Court of Virginia to create a workgroup to determine the factors that a judge should consider for “good cause shown” for the petitioner's desire to be relieved of the child's care and custody.

**Recommendation 4:**

Amend the *Code of Virginia* to increase the standard of evidence for granting temporary Relief of Custody. Currently, temporary Relief of Custody requires “a finding, based upon a preponderance of the evidence, whether there is good cause shown for the petitioner's desire to be relieved of the child's care and custody.” Permanent relief of custody requires “a finding, based upon clear and convincing evidence, whether termination of parental rights is in the best interest of the child.” This amendment to the *Code* would change the language in § 16.1-277.02 (C) to: “a finding, based upon clear and convincing evidence, whether there is good cause shown for the petitioner's desire to be relieved of the child's care and custody.”

**Recommendation 5:**

Amend the *Code of Virginia* § 2.2-5211 and 2.2-5212 to clarify that children in need of services are eligible for Children's Services Act (CSA) parental agreements and community based services.

**Recommendation 6:**

Request that the Office of Children's Services work with local Children's Services Act coordinators and the County or City's appropriate public outreach specialist to create a strategy to publicize community based services or parental agreements to relevant local partners and agencies as a viable option for families before they reach the point of petitioning for Relief of Custody.

**Recommendation 7:**

Request the Department of Social Services create guidance or initiate regulatory changes to strengthen the ability of adoptive families to find and obtain services in their current locality if the family has moved localities after an adoption is finalized. The Department of Social Services shall report back on these changes to the Commission on Youth by November 1, 2025, including if any changes to the Code are necessary to fully support this recommendation.

Currently, under § 63.2-1220, “the Department shall furnish a document listing all post-adoption services available to adoptive families to the State Registrar of

Vital Records for distribution to adoptive parents pursuant to § 32.1-261.” However, over time parents may lose track of this information or service availability may change.

**Recommendation 8:**

Request that the Department of Social Services in consultation with State partners, including the Virginia League of Social Services Executives, the Virginia Association of Licensed Child Placing Agencies, Family Focused Treatment Association, and other organizations representing licensed child placing agencies work with these organizations and their members to ensure that pre-adoption training emphasize trauma-informed parenting, and cover topics including:

- commonly-occurring mental health and neurodevelopmental conditions
- child and adolescent development\
- building and utilizing support systems
- supports available to adoptive families
- specific mental and behavioral health needs of adopted youth

**Recommendation 9:**

Introduce a § 1 bill directing the Virginia Department of Education (VDOE) survey local education agencies (LEAs) to review i) how schools currently grant access to Local Departments of Social Services and Community Services Boards and other community-based providers—and ii) what school-based mental health options are available at each LEA. Additionally, the results and feedback from this survey shall inform the continued development and improvement of guidelines for school professionals that support students and families that connect them with community resources that provide mental and behavioral health services. VDOE shall report back any findings and recommendations based on their survey to the Commission on Youth by November 1, 2025.

**Recommendation 10:**

Request that the Department of Social Services with the Virginia League of Social Services Executives as a key stakeholder, compile and make available information gathered from local departments on best practices regarding collaboration between local agencies and judges regarding relief of custody. This should include details on the frequency of meetings, types of shared information, methods of communication, and recommendations for improving engagement. This recommendation aims to provide local departments with model examples of effective practices in place.

**Recommendation 11:**

Request that the Department of Juvenile Justice develop best practices to distribute to its court service units for when a parent comes in to intake desiring to petition for relief of custody to inform them of services available in their community.

**Recommendation 12:**

Request that the Department of Social Services, in consultation with State partners, including the Virginia Sheriffs' Association, Virginia Association of Chiefs of Police, and the Virginia League of Social Services Executives, develop and distribute best practices to members of the law enforcement community on alternatives to relief of custody when encountering families in crisis. The best practices should inform them of services available in their community to provide appropriate support and resources.

**Recommendation 13:**

Support the Office of the Executive Secretary in their efforts to access federal funds for Best Practices Courts' training and conferences.

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**Legislative Study**

Review of Virginia's Special Education Dispute Resolution System

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**Study Author**

Virginia Commission on Youth

**Enabling Authority**

§ 30-174 and § 30-175

**EXECUTIVE SUMMARY**

The General Assembly and the Governor approved Senate Bill 220 (Favola) and House Bill 1089 (Coyner) introduced during the 2024 Session. The legislation made several changes relating to special education and related services for children with disabilities in public elementary and secondary schools in the Commonwealth. The legislation's tenth enactment clause directed:

- That the Virginia Commission on Youth (the Commission) shall study and make recommendations on Virginia's special education dispute resolution system. In conducting such study, the Commission shall (i) consider the entire special education dispute resolution system in the Commonwealth, including the parent ombudsman for special education, mediation, complaints, and due

process; (ii) review the effectiveness of such system in responding to the concerns of parents, analyze such system in comparison to best practices from other states, and make actionable recommendations for improvement, including regulatory, statutory, staffing, and budgetary modifications; and (iii) specifically review and make recommendations to improve the Department of Education's system for collecting, tracking, analyzing, and publicly reporting data on parent interactions with such system and the outcomes of such interactions. The Commission shall report its findings and recommendations to the General Assembly no later than November 1, 2025.

During June of 2024, the Commission on Youth, in partnership with the Parent Education Advocacy Training Center, hosted four in-person listening sessions in Wytheville, Henrico, Arlington and Norfolk and one virtual session. A wide variety of stakeholders attended the sessions including: teachers, parents, students, school officials, public officials, legislators, members of the administration and parent advocates. On September 18, 2024, the Commission convened an advisory group of special education stakeholders. An update of the implementation of the 2024 special education legislation was giving along with a summary of the summer listening sessions. The consultant for the study gave an update of his progress with the study. A roundtable discussion of the study took place and the meeting concluded with public comment. The advisory group will meet again in the spring and early summer of 2024 and the work of the study will be completed by November 1, 2025.

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## **Legislative Study**

*Collection of Evidence-based Practices for Children and Adolescents with Mental Health Treatment Needs*

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## **Study Author**

Virginia Commission on Youth

## **Enabling Authority**

§ 30-174 and § 30-175

## **EXECUTIVE SUMMARY**

SJR 358 (2003) directed the Commission on Youth to update biennially its publication, the *Collection of Evidence-based Practices for Children and Adolescents with Mental Health Treatment Needs (Collection)*. The purpose of the *Collection* is to identify effective treatment modalities for children, including juvenile offenders, with mental health treatment needs. Utilization of evidence-based practices in the field of children's mental health promotes better patient outcomes and may offer the Commonwealth some cost savings.

Senate Joint Resolution 358 also mandated that the Commission disseminate the *Collection* via web technologies. As specified in the resolution, the Commission received assistance in disseminating the *Collection* from the Advisory Group, the Secretary of Health and Human Resources, the Secretary of Education, and the Secretary of Public Safety.

The Commission on Youth directed staff at the May 21, 2024, meeting to:

- Revise the *Collection of Evidence-based Practices for Children and Adolescents with Mental Health Treatment Needs* (the “Collection”). The *Collection* is to be revised biennially pursuant to Senate Joint Resolution 358 (2003).
- Seek the assistance of the Collection Update Advisory Group, Secretary of Health and Human Resources, Secretary of Public Safety, and Secretary of Education in posting, maintaining, and biennially updating the Collection.
- Make the Collection available through web technologies.
- Develop a cost-effective and efficient dissemination method to allow for easy access to the information.

The Commission on Youth published the *Collection’s* 9<sup>th</sup> Edition in June 2023, and it may be found on the Commission’s website. This update is designed to be a quick reference guide to evidence-based practices that have been proven, through scientific testing, to be effective. The 9<sup>th</sup> Edition includes a new section on the “Covid-19 Pandemic and Lockdown,” which describes the pandemic’s impact on youth mental health. The 10<sup>th</sup> Edition will be published in 2025.