



Virginia Commission on Youth

May 14, 2012, 2011
9:00 a.m.
House Room D

MINUTES

Attending:

Senators Harry Blevins and Yvonne Miller
Delegates Mark Cole, Christopher Peace, and Anne Crockett-Stark
Citizen members Gary Close and Joy Myers (participating electronically)

Not Attending:

Delegates Mamy BaCote, Robert Brink, Beverly Sherwood
Citizen member Anthony Dale
Note: One Senate seat is vacant.

Staff Attending:

Leah Hamaker, Joyce Garner

I. Call to Order and Opening Remarks

Delegate Christopher K. Peace, Chair

Delegate Peace welcomed everyone to the first meeting of the Commission's 2012 study year and noted that, pending a quorum, Commission members would amend the agenda to receive information from the Department of Social Services on Virginia's Custody Assistance Program. Delegate Peace noted that he would call the meeting to order when there was a quorum to take action on the 2012 study plans.

Delegate Peace noted that the meeting is being held during Foster Care Awareness Month and Teacher Appreciation Week, and that the occasion was an appropriate coincidence, given the Commission on Youth's appreciation for foster care parents and teachers.

Delegate Peace introduced Paul McWhinney and offered a brief background on the Commission on Youth's interest in the program.

II. Virginia's Custody Assistance Program

*Paul McWhinney, Director, Division of Family Services
Virginia Department of Social Services*

Mr. McWhinney emphasized to members that using federal Title IV-E funds for kinship guardianship assistance payments is an option available to Virginia, not a requirement, and that custody assistance is not a program but rather a funding and service option. Not every child in kinship care is eligible for custody assistance payments.

Mr. Whinney noted that the Commission on Youth is considering a legislative study in 2012 which attempts to define "kinship caregivers" and that the Virginia DSS is using the

Temporary Assistance for Needy Families (TANF) definition of “relative” as “anyone related to the child by blood, marriage, or adoption.”

Delegate Crockett-Stark asked how the child’s placement with another family member affects the visitation rights of the parents. Also, what are the rights of the birth parent and, conversely, what protections are in place to assure that a child removed from the home for abuse and other dangers is not harmed by contact with the birth parent. Mr. McWhinney responded that the Department of Social Services makes every effort to protect a child when there has been a history of dangerous/destructive influence by a birth parent. The child’s visit with that parent would resume, for example, when the birth parent is no longer a substance abuser. Regarding a birth parent’s traditional, routine contact with the child, arrangements for that would be up to the relative custodian. The ideal situation would be for the child to maintain some level of relationship with his/her birth parent.

Delegate Peace asked for information about costs associated with aging out, such that there could be measurement of cost/benefit to offering financial assistance. Mr. McWhinney responded that he would look first at juveniles currently in detention or incarcerated as adults. He noted that the majority of juveniles in the court system are a product of multiple placements in the foster care system and cited a “high failure rate” of these youth, as evidenced by a low high school graduation rate, drug use, and history of court involvement. Delegate Cole asked about state involvement when families care for their relatives’ children. Mr. McWhinney noted that a point-in-time study conducted recently found that 12 percent of homeless adults were former foster care youth. Delegate Peace requested that Mr. McWhinney provide Commission on Youth staff with relevant data on DSS successes in diverting youth so this information can be disseminated to members.

Senator Blevins expressed concern about the on-going problem in the Hampton Roads area, with parents reportedly trying to beat the system to get their children in the best (or most convenient) schools. Mr. McWhinney cited the declining number of youth in foster care in Virginia and his hope that the two issues are different. Senator Blevins thanked Mr. McWhinney for his information and expressed concern that Senate and House committees deliberating school access have not, to this point, had the benefit of resources to shed light on the particulars of a complex issue. There will be further discussion to attempt to rectify this in future years’ committee work during General Assembly Sessions.

II. Approval of Commission on Youth 2012 Study Plans

Delegate Peace noted that a quorum was present. He then called the Commission on Youth meeting to order for the purpose of taking action on the draft 2012 Study Plans.

- Comparison of Academic Achievement in Virginia and Leading Industrialized Countries
- *Evidence-based Practices for Children and Adolescents with Mental Health Treatment Needs*
- Restoration of Parental Rights (HB 450, SB 218 and SB 555)
- Definition of Kinship Care

Leah Hamaker, Senior Legislative Policy Analyst

Ms. Hamaker outlined the background of each study, along with identified issues and study activity for each.

Delegate Cole asked, in connection with the Restoration of Parental Rights study, how old youth were when they “aged out” of foster care. Mr. McWhinney responded that this would occur when youth turned 18 years old.

Delegate Peace asked that Ms. Hamaker invite each of the bill patrons to participate on the Advisory Groups.

Regarding the Kinship Care Definition study, Delegate Peace recommended to Ms. Hamaker that attorneys and other experts on the legal side of the issue be included on that study's Advisory Group.

Senator Miller moved to approve the four study plans. The motion passed and the studies were approved unanimously without further discussion

Ms. Hamaker expressed hope that any member having an interest in serving on a study Advisory Group would complete the form in the meeting packet and return it to a Commission staff member. She then noted that, on June 26, the second meeting of the Comparison of Academic Achievement in Virginia and Leading Industrialized Countries will be held in Richmond.

III. Activities in State Government Related to Youth and Families

Ms. Hamaker

Ms. Hamaker directed members attention to both the Education and the Social Services sections of the document.

V. Adjourn

Delegate Peace adjourned the meeting at 9:40 a.m.

No public comment was received.