

# VIRGINIA COMMISSION ON YOUTH

September 20, 2016

10:00 a.m.

House Room C

## MINUTES

### Attending:

Delegates Richard Anderson, Richard Bell, Peter Farrell, Daun Hester, Mark Keam, Christopher Peace

Senators Barbara Favola, Dave Marsden

Citizen members Karrie Delaney, Deirdre Goldsmith, Chris Rehak

### Not Attending:

Senator William Carrico

### Staff Attending

Amy Atkinson, Will Egen, and Leah Mills

#### I. Call to Order and Opening Remarks

*Delegate Christopher K. Peace, Chair*

Delegate Peace started the meeting and asked that the members introduce themselves. He welcomed the Commission's new citizen members, Christian Rehak and Karrie Delaney. Delegate Peace stated, although they were not present, he wanted to extend special thanks to Chuck Slemp of Wise and Dr. Frank Royal for their service to the Commission on Youth.

#### II. The Use of Children's Services Act (CSA) Funds for Wrap-Around Services for Students With Disabilities Scott Reiner, Executive Director, Office of Children's Service

*Scott Reiner, Executive Director, Office of Children's Service*

Delegate Peace stated that in 2015, the Virginia Commission on Youth completed a two-year study investigating the use of public funds for private educational placements of students with disabilities. One of the Commission's recommendations requested the State Executive Council to examine several issues related to use of the wrap-around services for students with disabilities. He introduced Mr. Reiner and thanked him for his work on this request.

Mr. Reiner outlined the request from the Commission regarding policy restrictions and budgetary constraints that influenced utilization and access to wrap-around funds for students with disabilities under the Children's Services Act (CSA). Mr. Reiner then outlined the recommendations that emerged from this review. He noted all of the recommendations were presented at the September 15 meeting of the State Executive Council. One recommendation had a budgetary impact; therefore, no action was taken by the SEC. This recommendation was to re-categorize the wrap-around funds to be classified at the lower, community-based match rate. The other recommendations were administrative and Mr. Reiner stated that the Office had already started taken action on implementing these recommendations.

A question arose regarding parental co-payment policies. Mr. Reiner stated that the *Code of Virginia* required local Family Assessment and Planning Teams (FAPT) to assess the ability of parents to contribute to the cost of services utilizing a standard sliding fee scale based upon ability to pay. Education would be helpful to clarify that localities had to assess ability to pay but did not have to impose a parental co-payment if they did not wish to do so. Mr. Reiner noted that he was making a more detailed presentation to the Committee on Senate Finance on a separate study the Office of Children's Services had undertaken pursuant to budget language passed during the 2016 General Assembly Session. Among other things, this budget language asked the Office to study and make recommendations pertaining to the increase of private day placements for students with disabilities. Mr. Reiner is presenting the findings and recommendations from this effort to the Senate Finance Committee. Delegate Peace asked Mr. Reiner if the General Assembly was asking the right questions to understand why the utilization of private day placements had increased. He stated that many students had significant mental health needs and a residential placement for these students was truly necessary to ensure they received a free and appropriate public education. Delegate Peace requested that Mr. Reiner transmit the report he was presenting at Senate Finance to the House Appropriations Committee. Mr. Reiner said that he would gladly do so and that he was in the process of doing so pursuant to the budget language.

Mr. Reiner's presentation can be accessed on the Commission's webpage under the September 20 meeting tab.

### **III. Dyslexia in Virginia's Schools**

*Jenna Hynes, Decoding Dyslexia Virginia – Henrico  
Virginia Branch of the International Dyslexia Association (VBIDA)*

Delegate Peace noted that much discussion took place during the 2016 General Assembly Session regarding dyslexia. Delegate Farrell had requested that the Commission on Youth receive a presentation from Virginia's Branch of the International Dyslexia Association to learn more about dyslexia and the challenges that students with dyslexia may face in the school setting. Delegate Peace introduced Jenna Hynes with Decoding Dyslexia and the Virginia Branch of the International Dyslexia Association and thanked her for agreeing share with the Commission information about dyslexia and her organizations' work.

Ms. Hynes outlined the prevalence of dyslexia and the strengths and struggles dyslexic students encounter. She then outlined the benefits of early screening, structured literacy reading programs taught by trained and certified teachers, and the effectiveness of assistive technology for dyslexic students. She highlighted legislation passed by the 2016 General Assembly to require two hours of dyslexia awareness training for Virginia teachers who renew their licenses. It is also for current teachers when they obtain their license.

The Commission members asked questions about overlap with adult literacy efforts as well as screening efforts for students for which English was their second language. The members asked how screening efforts in Virginia were supposed to work and how they aligned with other screenings students received such as for vision and hearing. Delegate Peace asked staff to follow up on behalf of the Commission to find the answer to this question. Mr. John Eisenberg with the Department of Education explained how the special education process referral and evaluation process worked for students

suspected of having a learning disability such as dyslexia. Delegate Peace informed the members that the Joint Legislative Audit Review Commission (JLARC) had conducted a study in 2011 on strategies to improve third grade reading. He stated that the Commission should look at existing study efforts when assessing whether additional efforts were necessary to increase identification of students with dyslexia.

Ms. Hynes presentation can be accessed on the Commission's webpage under the September 20 meeting tab.

#### **IV. The Use of Segregation in Virginia's Juvenile Detention and Correctional Centers**

*Will Egen, Legal Analyst*

Delegate Peace stated that, during the 2016 General Assembly Session, Senator Favola introduced Senate Bill 215 regarding the use of segregation in Virginia's juvenile detention and correctional centers. The Commission received a letter from the Chair of the House Courts of Justice Committee requesting a review of the bill and the concept it addresses and to make recommendations prior to the 2017 General Assembly Session. Delegate Peace introduced Mr. Egen and thanked him for presenting on the Commission's study.

Mr. Egen provided the members with information about the study mandate, study activities, national activities, and state requirements for the use of segregation in Virginia's juvenile detention homes and correctional centers. He then responded to questions from the members. Ms. Janet Van Cuyk with the Department of Juvenile Justice outlined the Department's review of the residential requirements for juvenile correctional centers and secure juvenile detention centers, which commenced during the summer of 2016. The members discussed the three proposed recommendations. The members asked about the public participation process and requested that the Department receive input from mental health professionals. Mr. Egen stated that the draft recommendations would be made available for public comment through 5:00 p.m., Friday, October 14. Mr. Egen's presentation can be accessed on the Commission's webpage under the September 20 meeting tab.

#### **V. Review of Virginia's Temporary Assistance for Needy Families (TANF) Program**

*Amy M. Atkinson, Executive Director*

Delegate Peace noted that, during the 2016 General Assembly Session, Senator Barbara Favola introduced Senate Joint Resolution 95. The resolution directed the Commission on Youth to evaluate the Temporary Assistance for Needy Families (TANF) Program. The House Committee on Rules reviewed this legislation and it was laid on the table. The Commission on Youth agreed to study TANF at our first meeting this year.

Ms. Atkinson provided the members with information about the study mandate, study activities, federal requirements for TANF, services received by TANF recipients, work participation requirements, expanded programs funded by TANF, and budgetary challenges facing Virginia regarding TANF. She then highlighted the study findings/draft recommendations and responded to questions from the members. Ms. Atkinson noted that the draft recommendations would be made available for public comment through 5:00 p.m., Friday, October 14. The presentation and draft recommendations can be found on the Commission's website under the September 20 meeting tab.

**V. Adjourn**

Delegate Peace reiterated that the Commission on Youth accept written public comment on the Commission's Juvenile Segregation Study and the TANF study through October 14. With full input from the public, the Commission will vote on these recommendations at the next meeting scheduled for Thursday, October 20 at 1:00 p.m.

Delegate Peace thanked everyone for their participation. The meeting adjourned at approximately 12:20 p.m.