



COMMONWEALTH OF VIRGINIA

Commission on Youth



Barriers to Obtaining a Driver's License for Virginia's Foster Youth

September 18, 2018

Amy M. Atkinson



- During the Commission on Youth's November 8, 2017, meeting, presentations were made on the survey of children aging out of foster care.
- As part of the presentation, foster care youth gave testimony regarding the difficulty of obtaining a driver's license before adulthood.
 - Teens in foster care often face **significant barriers** to obtaining a driver's license.
 - These young people often **miss out** on age-appropriate adolescent experiences and opportunities that create a sense of **normalcy** and help them make a successful **transition to adulthood**.
 - Foster youth who are forced to wait until adulthood to acquire a driver's license also do not benefit from the **safety protections** provided by provisional driver's licensing programs.
- The Commission decided to investigate this topic during the 2018 study year.



- Research and review related federal and state law
 - Preventing Sex Trafficking and Strengthening Families Act of 2014
 - Foster Youth and Driving Act (H.R. 2512, pending federal legislation)
 - Family First Prevention Services Act of the Bipartisan Budget Act of 2018
 - Virginia law related to foster youth, normalcy, driver's licensing, insurance/liability
 - Other states' legislation related to foster youth and driver's licenses
- Conduct extensive background and literature reviews
 - Virginia DMV provisional licensing program for teen drivers
 - Virginia training on promoting normalcy for youth in foster care (CWSE3030)
 - Florida's "Keys to Independence" Foster Youth driver's licensing initiative
 - Other state programs, enacted or pending
 - National Conference of State Legislatures (NCSL)
 - Literature and research related to normalcy and foster youth/driver's licensing
 - State Policy and Advocacy Reform Center (SPARC), "Youth Going Places"
- Work with VDSS foster care program to identify issues and barriers particular to Virginia

Study Activities (cont.)



- Present at the Great Expectations Conference, Richmond, May 18, 2018
 - Conduct discussion sessions/surveys with former foster youth (2 sessions)
- Gather information from stakeholders and issue experts
 - VDSS Foster Care and Independent Living/Fostering Futures
 - Virginia Department of Motor Vehicles
 - Virginia State Corporation Commission
 - Virginia Automobile Insurance Plan (VAIP) (assigned risk insurance)
 - Missouri Automobile Insurance Plan (MAIP) (assigned risk insurance)
 - Virginia Insurance Industry
 - Virginia Community College System/Great Expectations
 - Community Based Care of Central Florida (Keys to Independence)
- Convene a work group of stakeholders
- Develop draft findings and recommendations
- Solicit feedback to recommendations



Work Group Meeting

August 7, 2018

Agenda

- I. Study overview
- II. Opening comments from stakeholders
- III. Review of Draft Findings and Recommendations
- IV. Work group discussion

Work Group Membership

Em Parente, Foster Care and Family Engagement Program Manager, VDSS

Letha Moore-Jones, State Independent Living Coordinator, VDSS

Sharon K. Brown, Director of Driver Services Administration, DMV

Allison Gilbreath, Voices for Virginia's Children

Tiffany Haynes, former foster youth

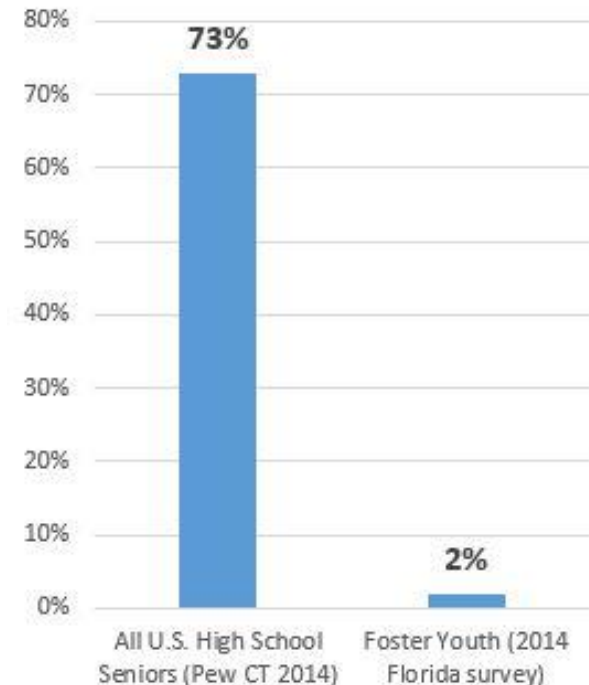
Lori McConnell, foster parent representative

Issue Background



- Historically, **almost no youth** who age out of the foster care system in the U.S. have their driver's licenses.
- In contrast, about **three-fourths** of all high school seniors have their licenses.
- Experts have recognized that foster youth who age out of care without a driver's license have **a less successful transition to adulthood.**
- This has prompted state governments nationwide to attempt to **remove the barriers** foster youth face in obtaining their licenses.

Teens with Driver's Licenses at 17-18





- As of June 2018:
 - **1226** youth aged 16-18 in foster care
 - **339** youth aged 19-20 enrolled in Fostering Futures
- Virginia does not collect data on how many foster youth enter adulthood without their driver's licenses.
- However, informal surveys reveal percentage is comparable to other states (less than 5%).
- VDSS will be collecting this information in its Foster Care Survey.

Fostering Futures

A voluntary program that extends foster care services to youth age 18 to 21 to support their successful transition to independence.

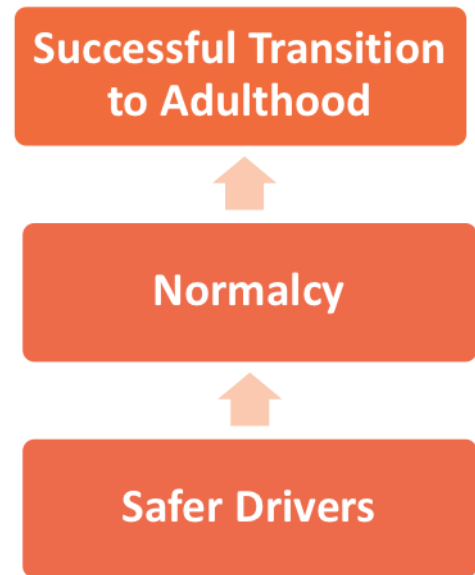


ISSUES: WHY IT MATTERS



Foster youth who do not drive before aging out of care:

1. Are **less safe behind the wheel** because they skip the extensive training and protections that are part of Virginia's provisional licensing program for teen drivers.
2. Miss out on important experiences and opportunities that are crucial for healthy adolescent development (**normalcy**).
3. Have a more difficult and less successful **transition to adulthood**.



Issue 1: Safety



Because of various barriers, foster youth do not take part in **provisional driver's licensing programs** for teen drivers.

These programs:

- Were created in the 1980s-1990s in the U.S. to curtail the high rates of accidents among teen drivers.
- Are proven to consistently reduce the rate of fatal crashes among teens.
- Virginia's program (defined in § 46.2-334.01):
 - Increases **practice time** before licensing
 - Requires **driver's education**
 - Once licensed, **limits driving distractions** (such as cell phone use or carrying multiple passengers) until 18

Getting a License as a Minor in VA



The licensing process for minors stresses **safety** and **practice**.

1. Complete classroom portion of driver's education (offered in 10th grade)
2. Get learner's permit at DMV (at 15 years, 6 months)
 - Present proof of: residency, identity, legal presence, and SS#
 - Complete application with parent/foster parent and pay fees (\$23-\$35)
 - Pass two-part knowledge test and vision test
3. Hold permit for a minimum of 9 months
 - Complete 45 hours of practice driving with an adult driver
 - 15 hours must be at night
4. Complete "Behind the Wheel" portion of driver's education
 - Lab fee \$219 to \$299
 - Not offered in all high schools but available through private companies
5. In Northern Virginia, attend safety class with guardian
6. Attend Juvenile Licensing Court Ceremony (judge stresses responsibility)
7. Receive provisional license (at 16 years, 3 months)

VA Provisional License Restrictions



A provisional license is in effect until a driver turns 18.

Provisional licenses:

Protect teens from distracted driving

- Year one, no more than one minor in the car without an adult
- After one year, no more than 3 minors
- No phone or electronic device use, even hands-free

Protect teens from driving tired

- May not drive between midnight and 4 am

Can be revoked by parent/guardian

Can be revoked by the courts (for truancy or other infractions)

Minor vs. Adult Licensing Requirements



- Because of various barriers, most foster youth must wait until they are 18.
- Unfortunately, the licensing process for adults has **fewer practice requirements** and **less emphasis on safety**.

Under 18	18 and Over
Hold permit for 9 months AND Complete Driver's Education/ Behind the Wheel	Hold permit for 60 days OR Complete Driver's Education/ Behind the Wheel
45 hours practice driving with adult	No minimum requirements
Attend safety class (NoVa)	Not required
Attend court ceremony	Not required
Receive provisional license with protective restrictions	Receive unrestricted license

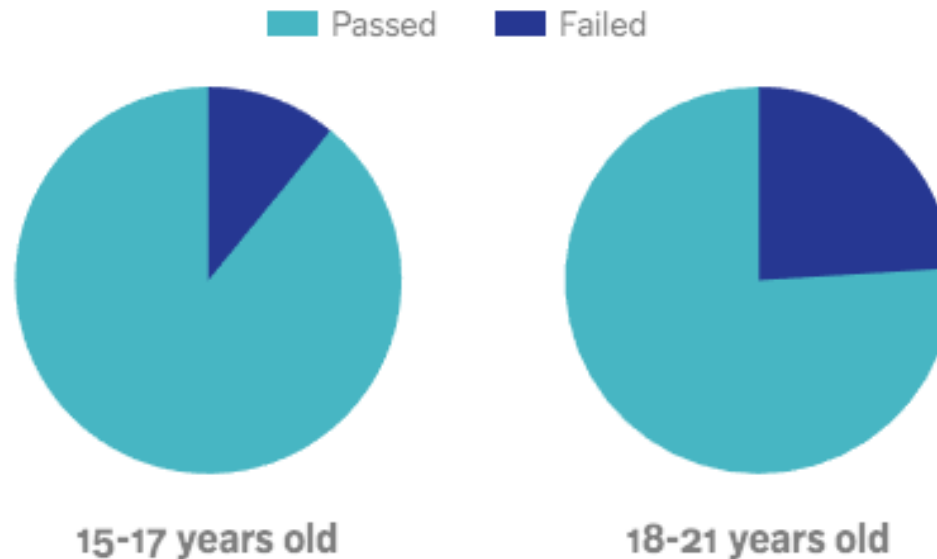
Starting Early = Safer Drivers



Research has established that youth who get their licenses on time (16) through provisional licensing programs are **safer drivers**.

For instance:

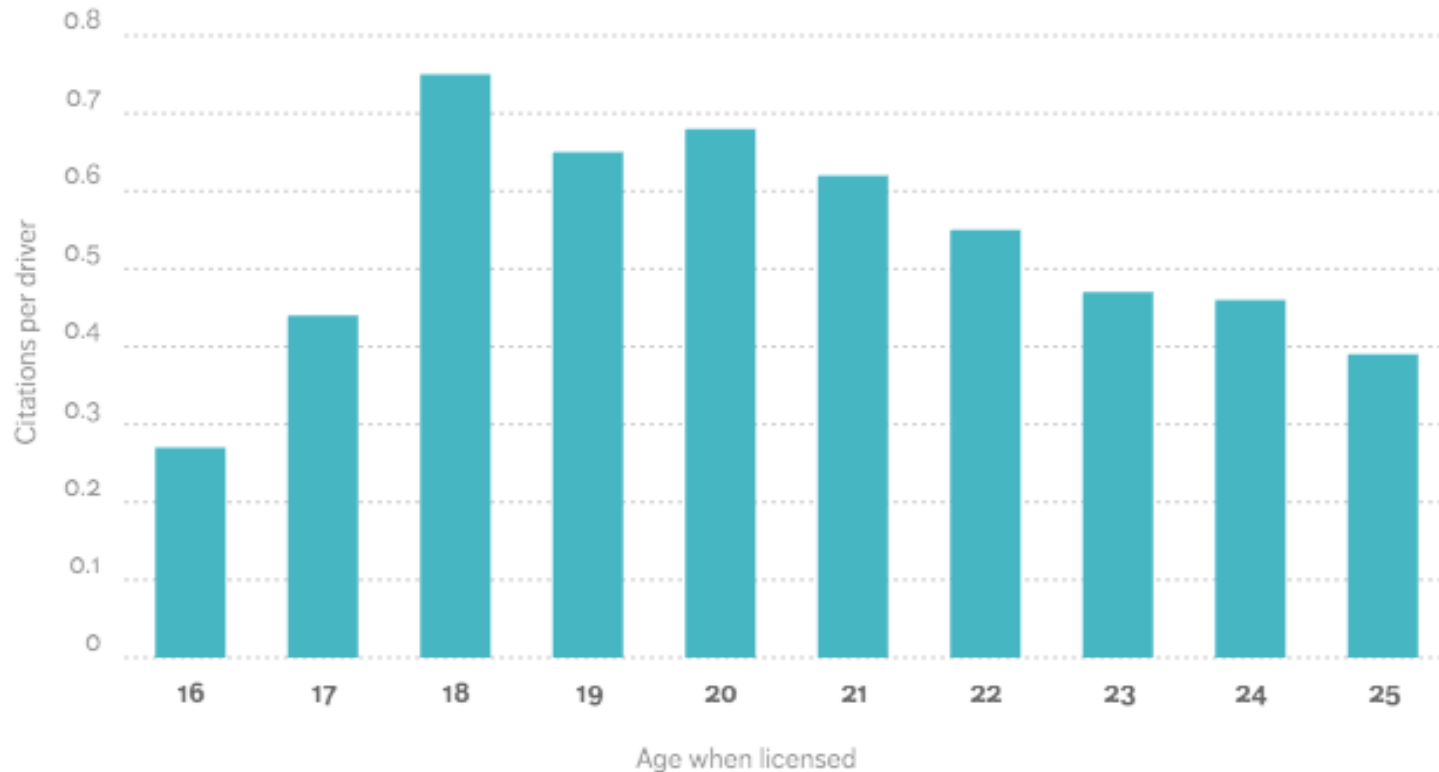
Washington State Department of Licensing found that **older drivers are more likely to fail their first driving test**



Starting Early = Fewer Tickets



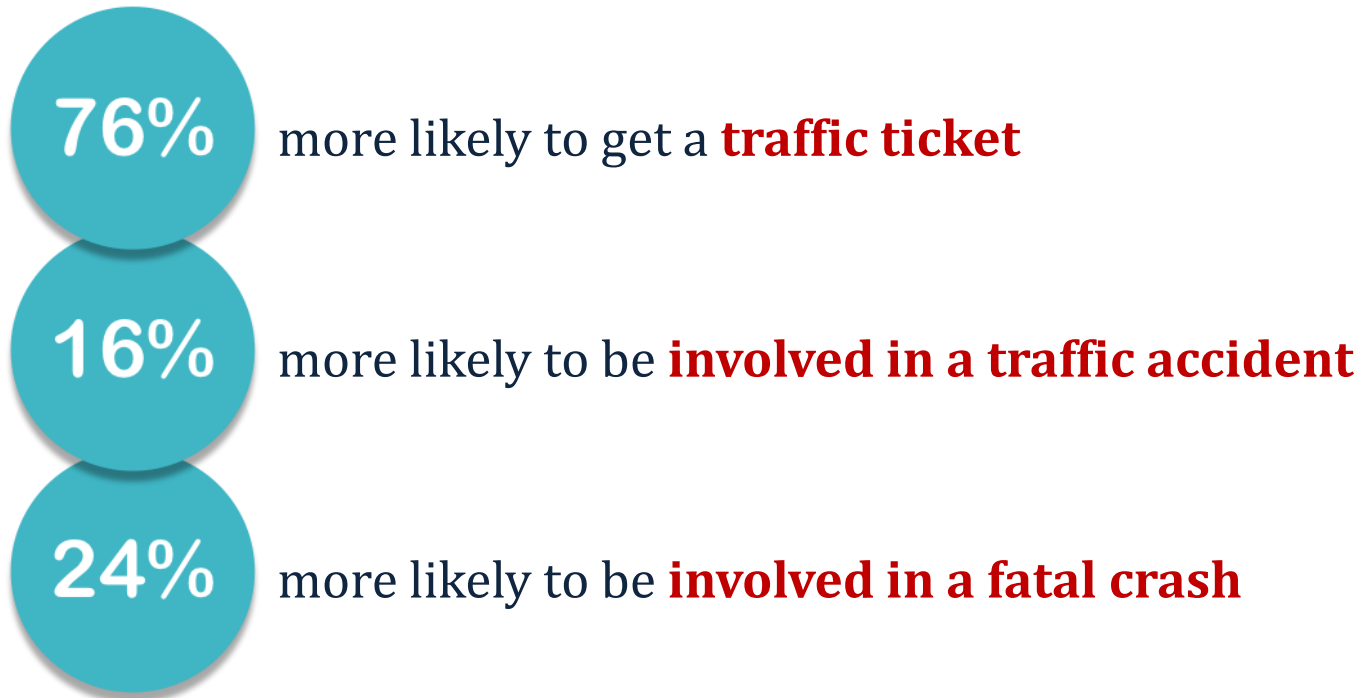
Washington State also found that **drivers who were licensed at 16 or 17 received fewer citations two years later** than drivers who waited until they were 18 or older.



Driver's Education = Fewer Accidents



A Nebraska study that followed 151,800 young drivers for seven years found that **drivers who do not take driver's education** are:



Issue 2: Normalcy



- Foster youth experience **normalcy** when they participate in the same age- and developmentally-appropriate activities and experiences as other youth their age.
- Historically, foster youth have been unable to participate in normal teenage experiences because of safety and liability concerns.
 - In the past, foster parents could not give adolescent foster youth permission to participate in common activities such as:
 - Participating in after school activities/sports
 - Attending educational or volunteer programs/camps
 - Travelling with clubs or youth groups
 - Getting a first job
 - Learning to drive

Normalcy and the Brain



- **Brain research has established that normalcy is essential** for adolescent social, emotional, and cognitive development.
 - By gradually interacting with the wider world, teens:
 - Learn how to make healthy decisions
 - Develop good judgment
 - Practice reasoning and planning skills
 - Form relationships that become part of an adult support system
- Youth who experience normalcy and master these skills are **more likely to thrive as adults.**
- Research has established that a lack of normalcy among foster youth **can impede a successful transition to adulthood.**



- **The Preventing Sex Trafficking and Strengthening Families Act of 2014** (P.L. 113-183) recognizes the importance of normalcy for foster youth.
- Subtitle B, “Improving Opportunities for Children in Foster Care and Supporting Permanency,” **empowers foster caregivers to independently make decisions** for the children in their care.
 - Directs states to create a **reasonable and prudent parent standard** that caregivers can use when deciding whether to allow their foster child to participate in extracurricular, enrichment, cultural, and social activities.

Reasonable and Prudent Parent Standard

Directs foster parents to consider issues such as:

- Maturity and behavioral history
- The importance of emotional and developmental growth
- Safety and risk
- Best interests of the child

Virginia's Response to Normalcy Law



§ 63.2-904 (D) of the *Code of Virginia*:

“Caregivers for children in foster care shall support normalcy for such children. The Board shall adopt regulations to assist local boards and licensed child-placing agencies in carrying out practices that support careful and sensible parental decisions that maintain the health, safety, and best interest of the child while at the same time encouraging his emotional and developmental growth.”

- DSS has **defined the “reasonable and prudent parent standard”** and **created mandatory training** on the standard for foster parents
- DSS has integrated normalcy into policy and practice, including:
 - **Allowing foster parents to decide** whether it is appropriate for foster youth to get their learner’s permits or driver’s licenses.

Driving Key to Normalcy



- Even though foster parents can assist foster youth in getting their licenses, **barriers still prevent foster youth from getting their driver's licenses.**
- This means that adolescent foster youth **still miss out** on many experiences essential to normalcy, such as:
 - Getting a first job
 - Travelling to sports and club events
 - Assuming leadership roles in community groups
 - Participating in youth groups/volunteering
 - Socializing with friends
 - Practicing responsibility and learning to interact productively with society
 - Making contacts with adults who can help with transition to adulthood (college recommendations, job networking, etc.)
 - Experiencing the rite-of-passage of learning to drive with their peers

Issue 3: Transition to Adulthood



- The lifetime challenges foster youth face are well established in research literature.
- In the U.S., of the youth who “age out” of the foster care system:

20%

are **homeless** within 2 years

25%

become **incarcerated**

42%

drop out of high school



Foster youth who enter adulthood without a driver's license carry the **added burden** of:

- Trying to learn to drive while living on their own for the first time, often with no support.
- Being unable to:
 - Get a job
 - Attend college (especially in rural areas)
 - Find safe housing near public transportation
 - Get to doctor appointments and job interviews
 - Economize by buying in bulk/shopping at inexpensive places
 - Maintain social network/support system

Catch-22

One former Foster Youth reported:

"I can't save money for a car/insurance without a job

BUT

I can't get a job without a driver's license and a car."



BARRIERS



Why don't foster youth get their licenses at 16?

1. **Cost of insurance** is prohibitive for most foster parents.
2. Foster parents are concerned their **insurance will be cancelled**.
3. Obtaining a driver's license is **inappropriate** for some foster youth.
4. Foster parents **lack information** about the issue, which can cause **concerns and confusion** and can lead to a lack of support.
5. Foster youth are sometimes **not interested** in and **not encouraged** to get their licenses.

Culmination of barriers has created a **culture of "wait until 18"** within the foster care system.

Barrier 1: Cost of Insurance



Cost of insurance is the primary barrier to foster youth getting their licenses, and the reason why most foster parents do not allow foster youth to get a driver's license.

- In Virginia, adding a teen driver to a policy increases insurance rates by **\$1439** per year on average.
- Rates can be significantly higher:
 - If teen is male
 - In Northern Virginia and other highly populated areas
 - If foster parent already has comprehensive insurance or owns expensive vehicles
 - Depending upon the insurance company



- In Virginia, car insurance **is attached to the vehicle, not the driver.**
- By law, **insurance covers everyone who drives an insured vehicle.** There is no way to exclude an individual (like a foster youth).
- Insurance companies monitor DMV and track newly licensed drivers. They **assess risk based on who lives in the household** (or is likely to drive the vehicle).
- For this reason, a foster parent's **rates will increase as soon as a foster youth gets a driver's license**, regardless of whether they have permission to drive the family car.



Primary vs. Secondary Insurance

- All vehicles registered in Virginia must carry minimum primary liability insurance **on the vehicle**:
 - 25/50/15 (\$25,000/\$50,000 bodily injury/\$15,000 property damage)
 - Owners have the option of certifying ability to pay out-of-pocket with a \$500 fee
- Secondary insurance can cover a driver.
- In an accident, **primary insurance on the vehicle pays first** until limits are exhausted. Then secondary insurance, if any, pays.

Non-Owners Insurance

- Non-owner's insurance is **secondary insurance on a driver** that offers additional insurance to that driver **after** the owner of the car's **primary insurance is exhausted**.
 - Typically purchased by employees or frequent car renters who want extra insurance.

Umbrella Policy

- Low cost insurance with high limits (usually 1 million+). Umbrella policies **can only be added onto the highest levels of coverage**.



Staff explored the following options to insure foster youth:

1. Assist foster youth in getting their own insurance policies
2. Insure youth through the Virginia Automobile Insurance Plan (VAIP)
3. Purchase group insurance for foster youth
4. Add foster youth to the state's group automobile insurance policy
5. Reimburse foster parents for increases in insurance





BARRIERS

1. Assist foster youth in getting their own insurance policies
 2. Insure youth through the Virginia Automobile Insurance Plan (VAIP)
 3. Purchase group insurance for foster youth
 4. Add foster youth to the state's group automobile insurance policy
 5. Reimburse foster parents for increases in insurance
- **The foster youth must have a car.** Insurance on an individual is secondary insurance, and will not pay until foster parent's insurance is exhausted.
 - **Cost.** Individual policies for youthful drivers can average **\$4140 per year** (\$345 per month).
 - Most insurance companies will not allow a **minor to sign a contract.** An adult must co-sign.



BARRIERS

1. Assist foster youth in getting their own insurance policies
2. Insure youth through the Virginia Automobile Insurance Plan (VAIP)
3. Purchase group insurance for foster youth
4. Add foster youth to the state's group automobile insurance policy
5. Reimburse foster parents for increases in insurance

VAIP is an assigned risk “insurer of last resort” and is therefore more expensive than private insurance.

- For foster youth with cars, insurance can be as high as **\$5343 per year** (\$445 a month).
- For foster youth without cars, this would be secondary insurance (non-owner policy) costing up to **\$1054** per year and **foster parent's insurance would still go up.**



BARRIERS

1. Assist foster youth in getting their own insurance policies
 2. Insure youth through the Virginia Automobile Insurance Plan (VAIP)
 3. Purchase group insurance for foster youth
 4. Add foster youth to the state's group automobile insurance policy
 5. Reimburse foster parents for increases in insurance
- Because the vast majority of foster youth do not have cars, this would be secondary insurance (non-owner policy) and **foster parent's insurance rates would still go up.**



BARRIERS

1. Assist foster youth in getting their own insurance policies
2. Insure youth through the Virginia Automobile Insurance Plan (VAIP)
3. Purchase group insurance for foster youth
4. Add foster youth to the state's group automobile insurance policy
 - This policy **only covers drivers of state vehicles.**
5. Reimburse foster parents for increases in insurance

Insurance Options and Barriers



1. Assist foster youth in getting their own insurance policies
2. Insure youth through the Virginia Automobile Insurance Plan (VAIP)
3. Purchase group insurance for foster youth
4. Add foster youth to the state's group automobile insurance policy
5. Reimburse foster parents for increases in insurance
 - **The most economical option**

Barrier 2: Concerns About Losing Insurance



Foster parents are concerned that **their insurance may be cancelled** simply because they have foster youth in the household who possess a driver's license.

§ 38.2-2212. Grounds and procedure for cancellation or refusal to renew motor vehicle insurance policies; review by Commissioner

Insurers may NOT refuse to renew a policy for reasons such as:

- Age, Sex, Race, Marital Status, etc.
- Lack of Driving Experience
- Two or fewer accidents in a three-year period in which driver was not at fault

Amending this law to state that the owner's status as a foster parent cannot be used as a reason for non-renewal **will help allay foster parents' concerns.**

Barrier 3: Driver's License Inappropriate



Some foster youth do not get their licenses at 16 because:

- They are not ready, developmentally or because of behavioral challenges
- They have issues with substance abuse
- They have a history of running away or acting irresponsibly
- The courts have prohibited them from getting a license based on past offenses

The Strengthening Families Act empowers foster parents to decide if foster youth are ready to drive. Currently, **foster parents consult with caseworkers** to help them make this determination.

Barrier 4: Lack of Information



Most foster parents **lack information**, which can cause concerns and confusion and can lead to a lack of support.

Many foster parents believe that:

- Getting a license at 16 is not important
- It is too great an insurance/liability risk
- The process is too time consuming or expensive, or they are uncomfortable teaching a teen to drive

Some of these barriers are based on lack of knowledge about:

- The importance of getting a license at 16 for safety, normalcy, and a successful transition to adulthood
- Insurance and liability law
- Funding and assistance currently available



If my foster youth gets a learner's permit, my insurance will increase.

False: Insurance companies do not raise rates until a youth gets his or her driver's license. While learning to drive, the youth is automatically covered under the vehicle owner's insurance policy.

Once I add a foster youth to my policy, I can never take the youth off the policy and my rates will remain high.

False: Insurance companies will remove a youth from a policy if it can be proven that the youth no longer lives at or visits the residence. Generally, if foster youth leave a placement and change their address with DMV, insurance companies will remove them.



If my foster youth gets in an accident, I may lose my insurance.

An insurance policy **can't be cancelled due to an accident**. It can only be cancelled due to:

- Nonpayment
- Change of address
- License suspended or revoked

Companies **can refuse to renew** a policy if the driver is wholly or partially at fault. However, insurance companies expect teen drivers to get in accidents and typically do not refuse to renew policies for this reason.

If my foster youth has an accident, my insurance rates will stay high forever.

In Virginia, insurance rates may be affected by an accident for **no more than three years**.



If my foster youth gets in an accident, I could be sued and lose all my assets.

Anyone can sue anyone and this is a concern for any parent with a teen driver.

However, **foster parents have some protection:**

- The Strengthening Families Act and Virginia Code specifically **directs foster parents to support normalcy** for foster youth, which includes getting a driver's license.
- Virginia **does not automatically hold a vehicle owner personally liable** if someone else gets in an accident while driving their vehicle ("Family Car Doctrine").
- Car owners **can be liable if they "negligently entrusted"** their vehicle (for instance, loaned car knowing driver was intoxicated). However, following the "reasonable and prudent parent standard" is an argument against negligent entrustment.



I can't afford to pay for "Behind the Wheel" (in school or privately), or I don't have the ability to teach my foster youth to drive and supervise 45 hours of practice.

- **Limited funding is available** for "Behind the Wheel" through local departments' Independent Living funds (about \$300 per youth).
- These funds can also pay private companies to teach youth to drive and **supervise 45 hours of practice driving time** in some cases.



I do not know my foster youth very well yet, and I do not yet trust him or her to drive my car responsibly.

- Obtaining a license before leaving care means that a foster youth will have a **more successful transition to adulthood** – even if he or she is not allowed to drive the family car.
- **Caseworkers can advise foster parents** about whether getting a driver's license is safe and appropriate.



The process is confusing or difficult.

Because there is not a system in place to help foster parents, **it can be more difficult** for them to help their foster teen get a license.

- Must request identity documents from local departments.
- Because foster youth may have changed schools frequently, must work with the school to make sure youth is signed up for driver's education (there is often a waiting list).
- If teen cannot take driver's education, must hire a private company.
- Must arrange payment/reimbursement of fees, which can take time.



- Because **insurance costs are usually an insurmountable barrier**, most foster parents do not pursue getting their foster teen a license.
- Because of this, other problems and concerns are not addressed or solved.
- The result: **“Wait until 18” has become entrenched in foster care culture.**





Result of a culture of “Wait Until 18”:

- Some youth report that if they say at 15 that they don't want to get their license, the **issue is never revisited** by their caseworker.
- Some youth report they were **not told that funding is available** for public or private “Behind the Wheel” services.
- When **multiple placements disrupt** driver's education or “Behind the Wheel” progress in schools, **youth often give up** on the process.
- **Group homes have no process in place** to assist youth.
- As youth approach 18, **the local DSS sometimes must move** those youth without driver's licenses out of their communities to a placement **near public transportation** to make sure they can work/find housing/go to college.

Barrier 5: Foster Youth Not Interested



Foster youth are **also affected by the culture of “Wait Until 18.”** Youth who are not interested in getting a driver’s license say it is because:

- Too busy / process overwhelming
- No one wants to help
- Not important (especially if they do not have use of a car)
- Assumes must pay for “Behind the Wheel” themselves
- Multiple placements have interrupted process
- In a group home – no help or process in place
- No encouragement or follow up from caseworker
- Assumes all foster youth have to wait until 18



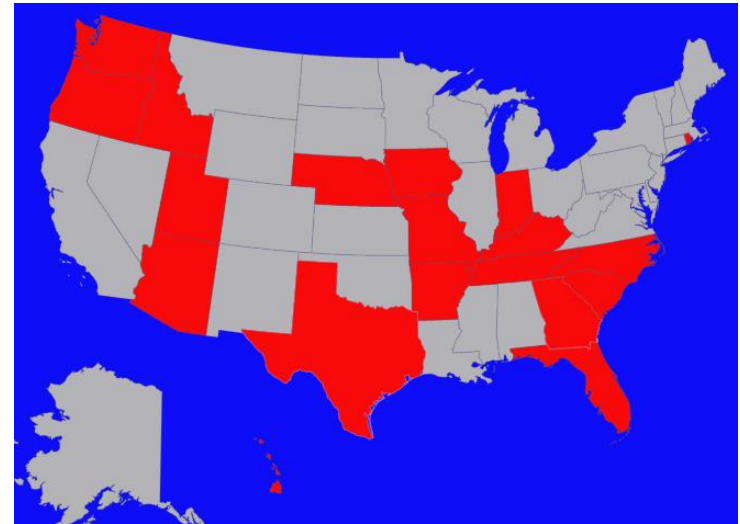
RESPONSES OF OTHER STATES



19 states have passed or introduced legislation that helps foster teens get their driver's licenses.

Notable state programs include:

- Keys to Independence, Florida
- Treehouse Driver's Assistance Program, Washington
- TRIPS, North Carolina



Other states have passed legislation to remove barriers specific to their state, such as allowing minors to sign contracts for auto insurance, or allowing foster youth to sign their own license applications.

Florida – Keys to Independence



- The most robust and comprehensive program in the US.
- 3-year pilot program established in 2014; **made permanent in 2017.**
 - Pays increases on foster parents' insurance
 - Pays individual insurance for foster youth w/cars
 - Pays all driver's licensing fees
 - Pays for driver's education; contracts with driving schools
 - Ongoing education and outreach of foster youth/parents, caseworkers, DSS staff, and other stakeholders
 - Consults with foster parents to address concerns
 - Tracks youth who change placement
- Youth in state foster care and **kinship care** are eligible to participate.
- Program administered by the nonprofit Community Based Care of Central Florida.
- \$800,000 per year allocated by Florida legislature; **program used less than half** of that in first year (\$330,129).

Program Success

Foster Youth	2013	2018
Learner's Permit	88	790
Driver's License	20	387



Lessons Learned

- **Effecting a cultural shift through education and outreach is a key part of the program's success.**
 - Foster parents are nervous about letting their foster youth drive. Education about insurance and liability is critical.
 - Education must be ongoing due to frequent turnover among caseworkers.
 - CBCCF conducts hundreds of in-person trainings throughout the state and established a web/social media presence with FAQs and other information.
- **Reimbursement models can be a barrier.**
 - Established subcontracts with private driving schools for competitive rates and unique services
 - Arranged direct pay of youth policies with insurance companies.
- **The most frequent reason for youth leaving the program was moving to kinship care.**
 - Assisted the passage of legislation that allows teens in kinship care to participate in the program.
- **Foster parents want to keep their current level of insurance if they add a foster youth.**
 - The program pays at the policyholder's rate, which varies from parent to parent.
- **Insurance reimbursement is a minimal cost in the first year of the program**, when most youth have their learner's permits (12 months in FL).
 - In first year, reimbursed only \$55,172 in auto insurance.

Washington - Treehouse Driver's Assistance



- Program launched January 2018.
- 18 month pilot program that provides assistance and funding for:
 - Driver's education courses
 - Learner's permits and driver's licenses
 - Automobile insurance
- Youth in state foster care and kinship care aged 15-21 are eligible to participate.
- Program administered by Treehouse, a nonprofit organization that supports youth in foster care and assists them with their transition to adulthood.
- \$500,000 grant from Washington Department of Social and Health Services.



- Program launched July 2017.
- Two-year pilot program that provides reimbursement for:
 - Driver's education courses
 - Learner's permit and driver's license fees
 - Automobile insurance up to \$1000 total
 - Fees associated with foster youth's vehicle (registration, etc.)
- Youth in state foster care aged 14.5 - 21 are eligible to participate.
- Program administered by North Carolina Department of Health and Human Services.
- \$75,000 funding available each year on a first-come, first-served basis.



FINDINGS AND RECOMMENDATIONS

Finding 1 – Cost of Insurance



Finding: Cost of insurance is a major barrier to foster youth obtaining their driver's licenses.

Recommendations:

Option 1a. Introduce a budget amendment to increase funding available to local departments of social services to reimburse foster parents for increases to their existing automobile insurance premiums that occur because a foster youth in their care has become a licensed driver.

OR

Option 1b. Introduce a budget amendment to increase funding available to local departments of social services to reimburse foster parents for increases to their existing automobile insurance premiums that occur because a foster youth in their care has become a licensed driver **and** to add additional coverage (umbrella policy or the equivalent) that will provide additional liability protection should a licensed foster youth in their care get into or cause a catastrophic accident.

AND/OR

(Continued)

Finding 1 – Cost of Insurance (cont.)



Recommendations (cont.):

AND/OR

Option 2. Introduce a budget amendment to increase funding available to local departments of social services to reimburse foster parents for the cost of their automobile insurance deductible in the event that a claim is made against their automobile insurance policy as a direct result of a foster youth in their care driving a covered vehicle.

AND/OR

Option 3. Introduce a budget amendment to increase funding available to the Foster Care Independent Living Program to reimburse foster youth age 18 to 21 who have their own cars and insurance policies for a minimum of 50 percent of the cost of minimum liability insurance required by state law while they are enrolled in the Fostering Futures program.

Finding 2 – Insurance Concerns



Finding:

Foster parents' concerns about their automobile insurance policies being cancelled because they have foster youth in the household who drive is a barrier to foster youth obtaining their driver's licenses while in foster care.

Recommendation:

Amend § 38.2-2212 of the *Code of Virginia* to require that no insurer shall refuse to renew a motor vehicle insurance policy solely because of policy owner's status as a foster care provider.

Finding 3 – Some Youth Not Ready



Finding:

Some foster youth do not get their licenses on time because they are not ready developmentally, because of behavioral challenges, or because they are not permitted to do so by the juvenile courts due to past infractions.

Recommendation:

Support the present policy of VDSS, in which the foster parent or private provider, with input from the foster care worker, determines if obtaining a driver's license should be part of a foster youth's transition plan, consistent with the "reasonable and prudent parent standard."

Finding 4 – Lack of Information



Finding:

Foster parents, private providers, and foster youth lack information and/or have misinformation relating to 1) insurance and liability issues; 2) how to navigate DMV's licensing process; 3) whether funding is available for "Behind the Wheel"; and 4) why getting a driver's license on time is important for normalcy and a successful transition to adulthood.

Recommendation:

Request DSS and/or other agencies develop educational or training materials that educate foster parents, private providers, and foster youth about 1) liability issues, insurance laws, and common insurance practices (to include laws about renewal and cancellation, how long an accident can affect premiums, how to establish that a foster youth is no longer living in the residence, and other applicable topics); 2) DMV requirements to obtain a learner's permit and driver's license; 3) what funding and resources are available to assist in this process, to include paying school lab fees for "Behind the Wheel" or paying a private driving education company; and 4) why getting a driver's license on time is important for normalcy and a successful transition to adulthood.

Finding 5 – Some Youth Lack Interest



Finding:

Foster youth who are not interested in getting their driver's licenses because of various barriers report that foster parents and/or caseworkers often do not encourage them to make getting a license a priority or help them overcome barriers.

Recommendation:

Request DSS to institute policy or otherwise communicate to caseworkers, foster youth, and foster parents that obtaining a driver's license before the age of 18 should be a priority of the youth's transition plan as part of normalcy and should be encouraged when possible.

Finding 6 – Comprehensive Program



Finding:

Other states have recognized that the best way to affect a cultural shift that prioritizes foster youth obtaining their driver's licenses is to create a program that is dedicated to addressing all barriers, to include:

- 1) assisting youth through all steps of the licensing process and providing solutions when progress is interrupted by a disrupted placement;
- 2) developing programs for youth in group homes;
- 3) contracting with private driving education companies;
- 4) reimbursing insurance costs or directly paying insurance companies; and
- 5) conducting statewide trainings and education for all stakeholders.

(Continued)

Finding 6 – Comprehensive Program (cont.)



Recommendations:

Option 1. Introduce a budget amendment directing the Virginia Department of Social Services to **issue a Request for Proposals for a private/nonprofit agency** to coordinate and administer a driver's licensing program for foster youth, based on best practices from similar programs in other states. The contract shall include the authority to administer and reimburse funds to foster care parents, and to foster care youth in the Fostering Futures Program, for the cost of insurance supplements, driver's education and "Behind the Wheel," and other related costs as approved by the General Assembly. The contractor shall develop educational material and provide outreach to foster parents and youth, foster care caseworkers, and other stakeholders regarding the importance of driver's education and the importance of obtaining a driver's license as a part of normalcy.

OR
(Continued)



Recommendations (cont.):

OR

Option 2. Introduce a budget amendment creating a **new position in state government** to coordinate and administer a driver's licensing program for foster youth, based on best practices from similar programs in other states. The coordinator shall reimburse funds to foster care parents, and to foster care youth in the Fostering Futures Program, for the cost of insurance supplements, driver's education and "Behind the Wheel," and other related costs as approved by the General Assembly. The coordinator shall develop educational material and provide outreach to foster parents and youth, foster care caseworkers, and other stakeholders regarding the importance of driver's education and the importance of obtaining a driver's license as a part of normalcy.



Public Comment:

Written public comment must be received by 5:00 p.m. on Tuesday, November 6, 2018.

Submission instructions are available online (<http://vcoy.virginia.gov>) after the meeting and in the back of the room.