



VIRGINIA COMMISSION ON YOUTH

Meeting Minutes

Commission Meeting

November 25, 2024, 10:30 a.m.

General Assembly Building, Senate Committee Room A

Attending:

Senators: Barbara Favola (Chair), David Suetterlein;

Delegates: Carrie Coyner (Vice-chair), Josh Cole, Karrie Delaney, (attending remotely)

Holly Seibold, Irene Shin, Anne Ferrell Tata

Citizen Members: Mackenzie Babichenko and Rita Jones

Not Attending:

Senator: Dave Marsden

Citizen Member: Jessica Jones-Healey

Staff Attending:

Amy Atkinson, Will Egen

I. Call to Order and Opening Remarks

Senator Barbara A. Favola, Chair

Senator Barbara Favola called the meeting to order and welcomed Commission members and attendees. Senator Favola then thanked Senator Suetterlein for chairing the Relief of Custody Advisory Group and thanked the members for all of their work. Senator Favola then introduced Will Egen to review the draft recommendations for the Relief of Custody study.

II. The Use and Impact of Relief of Custody on Care and Support of Youth – Decision Matrix

Will Egen, Senior Policy Analyst

Mr. Egen directed participants to the Decision Matrix for the Relief of Custody Study. The 13 recommendations were summarized and the written comments that were received. Following the presentation of the decision matrix, the Commission heard public comment from Valerie L'Herrou, Esq., Deputy Director of the Center for Family Advocacy, Virginia

Poverty Law Center. All recommendations were adopted unanimously, except as noted below:

Adopted Recommendations:

Draft and adopted recommendations, including the decision matrix, can be found on the Commission's website under the Meetings tab. The Commission on Youth approved the following recommendations related to this study:

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."

Adopted with two Commission members abstaining: Delegate Shin, Commissioner Rita Jones

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

III. IEP Template – Virginia Department of Education

*Lisa Coons, Ed.D., Superintendent of Public Instruction, Virginia Department of Education
Samantha Marsh Hollins, Ph.D., Associate Superintendent, Department of Special Populations, Virginia Department of Education*

Senator Favola introduced Dr. Lisa Coons, Superintendent of Public Instruction with the Virginia Department of Education. Dr. Coons introduced the topic, Virginia Individualized Education Program or VAIEP. The VAIEP is the current state-sponsored IEP platform that is voluntary for all school divisions. This statewide tool ensures consistency across school divisions with the student IEP, creates consistency and transparency in IEP development processes documentation for portability, integrates seamlessly with all student information systems for data-sharing statewide, and is the only IEP system vetted by the VDOE. Dr. Coons turned over the presentation to Dr. Samantha Hollins.

Dr. Hollins described the VAIEP usage statistics, the cohort adoption of VAIEP, and how school divisions currently use VAIEP, including how some districts use modules purchased beyond the state system contract.

As part of next steps, Dr. Hollins stated that VDOE will work with Commission on Youth and other partners to seek feedback on an improved statewide solution.

Following the presentation, Delegate Carrie Coyner asked about what the cost would be to expand Virginia IEP. Dr. Hollins answered that the full-expansion approximate cost would be \$7.5 million. Delegate Coyner then made a recommendation that the chair of the Commission write a letter to Governor Glenn Youngkin prior to him releasing his proposed amended budget in December to support the expansion of Virginia IEP Template. Senator Favola asked for unanimous consent to write a letter in support. Commissioner Babichenko noted her objection to supporting a letter without seeing an itemized list of the cost of the modules.

This presentation can be accessed on the Commission's webpage under the meetings tab.

IV. New Quality Standards – Virginia Partnership for Out-of-School Time (VPOST)

Blaire Denson, Executive Director, VPOST

Christine Jones Monaccio, Professional Development and Quality Coordinator, VPOST

The presenters explained that the Virginia Partnership for Out-of-School Time, or VPOST, was formed in 2010 as a bridge between education and child care. Out-of-school time includes before school, after-school, vacation and summer programs for school-age children and youth to support working families. VPOST is a public-private partnership that works with out-of-school time programs statewide.

VPOST presenters then introduced and explained the brand new quality standards that were released earlier this year. These revised quality standards include active and engaged learning, partnerships and networking, inclusion and belonging, student success supports, leadership and staff development, building relationships, continuous improvement planning, health and wellbeing, environment safety, and opportunities to incorporate the child and youth voice. VPOST provides professional development and technical assistance conferences for out-of-school staff, as well as supports collaboration with government organizations.

Finally, the VPOST presenters thanked the General Assembly for recent financial support and expressed hope for additional support in the future.

This presentation can be accessed on the Commission's webpage under the meetings tab.

V. Election of Chair and Vice Chair

Delegate Shin nominated Senator Barbara Favola to be the Chair. The motion was seconded by Senator David Suetterlein.

Delegate Seibold nominated Delegate Carrie Coyner to be Vice Chair. The motion was seconded by Delegate Anne Ferrell Tata. Chair and Vice Chair were voted on as a block. The motion was adopted unanimously.

VI. Adjourn

The meeting adjourned at 12:26 p.m.