

Normalcy Subcommittee Update to the Normalcy Taskforce

May 3, 2017

The Normalcy Subcommittee has met twice in 2017, and identified three significant issues – disproportionate minority contact, driver’s licensing and car insurance for foster youth who are state wards, and religious practice and participation. The information below reflects the subcommittee’s recommendations, consensus, and work plan for these three areas of focus.

Disproportionate Minority Contact

The Normalcy Subcommittee was tasked by the Normalcy Taskforce with examining disproportionate minority contact (DMC). The Subcommittee recognizes that DMC is a broad issue that touches all levels of the child welfare, and juvenile justice. This complex issue encompasses aspects of normalcy, poverty, historical trauma, and economic mobility. The scope of DMC extends beyond the reach of the Normalcy Subcommittee, and requires a coordinated and focused response that reflects the complexity of the issue. While a number of groups examine DMC, the system lacks a dedicated leadership group that coordinates the current efforts. **The subcommittee recommends that the Commission determine a structure to coordinate and provide strong leadership for the efforts related to DMC in child welfare and juvenile justice.**

Driver’s Licensing and Car Insurance for Foster Youth who are State Wards

The legal status of youth who are state wards poses problems when youth attempt to access drivers licensing, automobile insurance, and automobiles. Some foster youth have a car and license, but are unable to attain auto insurance due to their legal status or financial concerns. This barrier to foster youth driving and transportation was first identified in the 2016 report of the Community and Family Voice Subcommittee and has continued to impact foster youths and foster parents. Senator Anna Wishart’s LB226 would task the Normalcy Taskforce with creating recommendations related to this issue and as of Day 70 of the 2017 Legislative Session has not been voted out of the Judiciary Committee. Recognizing the importance of this issue, the group is beginning a preliminary discussion and gathering data to identify the legal and policy changes necessary to support access to driver’s licenses and insurance for youth. The group will also discuss potential funding mechanisms for auto insurance for current and former foster youth.

Religious Practice and Participation of Foster Youth

Youth feedback consistently identified the right to religious practice and participation as a priority. Based on this feedback, the Subcommittee made this issue a focus. The subcommittee reviewed the current Department of Health and Human Services – Division of Children and Family Services’ regulations related to religion, and has determined that these regulations support the right of foster children to practice their religion, and engage in religious activities. Feedback from foster parent organization NFAPA (Nebraska Foster and Adoptive Parents Association) indicates that foster parents place this right as a high priority and engage in conversations with to work through issues and take positive steps to support the religious preferences of youth.

The Office of Probation Administration notes that youth who are juvenile justice involved and in out of home placements are still in the legal custody of their parents. Probation facilitates conversations between the placement, legal parents, and youth to ensure that the rights of the parents and youth to practice religion are supported.

At this time, the group has identified no specific issues related to foster youth's religious rights, and plans to continue to monitor and receive feedback about this important issue. **The Normalcy Subcommittee recommends the following addition to the Normalcy Framework of the Subcommittee Report:**

“The right to participate in cultural activities should include access to activities that reflect the cultural practices and religious beliefs of the youth and family. The Youth Bill of Rights should include the youth's right to their own religious beliefs and the youth's rights to participate in religious activities as an expression of their cultural practices and religious beliefs. The youth's cultural and religious practices should be determined on an individual basis, with consultation as described in 390 Nebraska Administrative Code 11-001.”