

APPENDIX L

CASA Recommendations for Addressing Barriers to Driver's License



STRENGTHENING THE VOICES OF CASA STATEWIDE

BARRIERS & ISSUES RELATED TO FOSTER & UNACCOMPANIED HOMELESS YOUTH ACCESSING DRIVER'S LICENSES IN TEXAS

Background

Texas CASA, Department of Family and Protective Services (DFPS) staff, the Statewide Youth Leadership Council (YLC) of foster care youth and alumni, and other stakeholder groups have identified the inability of foster youth to obtain Texas Driver's Licenses and other forms of government-issued identification as an issue that severely impacts their adult living skills and their ability to successfully transition from foster care into functional adulthood. Unaccompanied homeless youth face these same barriers. Many homeless youth are foster care alumni who find they are in a McKinney-Vento defined living situation within a few short months of leaving care.

Research conducted by Casey Family Programs and others, both in Texas and nationally, has found that foster alumni *"had better outcomes if they had a driver's license upon leaving care...."*¹, but foster youth face significant barriers to obtaining a driver's license or other ID in Texas. Driver's licenses are a necessity for personal transportation. In addition, driver's licenses are integral to applying for and securing a job, to school enrollment, to obtaining voter registration and other legal documents and they are often needed to reliably access medical and health care.

Barriers to Obtaining a Driver's License

Because of their unique position in the child welfare system, foster youth ages 15-21 experience great difficulties accessing critical personal documents, identifying and addressing legal barriers to obtain licenses and securing funds for driver's education and auto insurance. Failure to obtain driver's licenses or other ID negatively impacts foster youths' normalcy, transition into adulthood and ability to access important opportunities and services. Unaccompanied homeless youth living without parent or legal guardian supports and assistance experience these same barriers.

Despite state and federal law, and DFPS policy, which requires staff to provide foster youth with a copy of their personal documentation (Social Security Card, birth certificate, etc.) at age 16, these youth face challenges to obtaining and replacing these critical personal documents – which are required for obtaining a Texas Driver's License or other ID, among other things. CPS caseworkers are often not aware of legal requirements to assist youth in obtaining these documents, and they do not seek needed legal assistance to address complex challenges involving name changes, failed adoptions or obtaining birth certificates from other states. Changes in placements create additional obstacles for older foster youth to securely store their important documents. DFPS is often not in possession of all personal documents for youth. Renewing or reissuing government-issued documentation requires knowledge of how to navigate complex systems and how to complete complex paperwork, as well as the payment of fees to obtain these documents. Unaccompanied homeless youth have school district homeless liaisons to help them and those liaisons often have



the knowledge to navigate these systems, but they currently do not have the authority to do so on behalf of the youth.

Foster and unaccompanied homeless youth also encounter funding and resource-related challenges to enrolling in driver's education programs. Many public schools have discontinued driver's education programs. Those schools that still provide this program may bar youth who are not in good academic standing from participating in driver's education classes. Foster parents may not have the time or funds to teach foster youth themselves, leaving private driver's education as the primary option. While private driver's education programs offer certain benefits and conveniences (car provided for practice driving, liability insurance during training time), they charge approximately \$400 per student on average. Foster youth are highly unlikely to be able to cover this cost independently, and few foster parents are able or willing to pay for these programs. Youth under 18 with a Learner's Permit need an adult to oversee and certify their required practice driving, and those over 18 need an insured vehicle to master skills before taking the Department of Public Safety (DPS) driving test.

Some youth face additional barriers to obtaining a driver's license or other ID as the result of criminal records that often bar DPS from issuing a license. Youth may have unresolved criminal charges that are contained in the DPS criminal history database and certain Class C misdemeanors can result in a suspension of driver's privileges. It is not uncommon for youth to be arrested for these outstanding legal issues while they are at the DPS office trying to obtain a driver's license. Some youth are unaware that the charges against them ever existed at the time of their arrest.

Foster and unaccompanied homeless youth looking to obtain a driver license must also hold automobile liability coverage to drive any vehicle, but there are many complicating factors for foster youth ages 15-21 who wish to access auto insurance coverage. Foster parents and caregivers face higher insurance premiums when adding foster youth to their own coverage plan, which would then be nullified if the youth's placement were to change. Foster youth and unaccompanied homeless youth over the age of 18 face financial barriers to obtaining their own auto insurance, as do youth under the age of 18 who additionally experience a disability of minority contractual barrier, as they must have "parental consent" to enter into their own insurance policy contract.

In light of all these obstacles to obtaining a Texas Driver's License and the research showing how possession of a license improves outcomes for foster and unaccompanied homeless youth, there are a variety of potential solutions. Additional input from DFPS, the YLC and other experts should also be considered, along with DFPS's 2010 report to the Legislature and other states' policies.

RECOMMENDATIONS

- Have courts play a stronger role in ensuring that foster youth receive all personal documentation from CPS at age 16, including any government-issued documents that need renewal or replacement.
- Create a statutory presumption of indigency for criminal fines for foster youth and unaccompanied homeless youth, and allow community service in lieu of monetary penalties.
- Allow school district homeless liaisons to certify a youth ages 16 or 17, who is not in the custody of a parent or legal guardian, as unaccompanied and homeless for document-producing agencies for the purposes of obtaining needed documents such as birth certificates, social security cards, state ID's and driver's licenses. School district homeless liaisons are currently charged with identification of unaccompanied homeless youth for school services, educational decision-making, HUD housing, federal financial aid applications, and college applications. This would be an expansion of currently existing identification and certification responsibilities for school districts' official homeless liaisons. Appropriate fees could be authorized to cover costs to school districts.



- Allow state agencies to waive fees for personal identification documents and replacement of such documents when needed by foster or unaccompanied homeless youth, or designate appropriate funding sources for these costs.
- Consider creation of a specialized DFPS unit or specialized staff to deal with complex issues related to obtaining critical personal documents for foster youth.
- DFPS could designate a pool of funds to support driver training costs for transitioning youth or offer a reimbursement program for eligible foster youth seeking private driver's education.
- Allow school districts to provide drivers education for unaccompanied homeless youth on a fee basis.
- Require data sharing between DPS and DFPS to identify and deal with any criminal records or warrants that prevent issuance of driving privileges or other state issued ID.
- Consider utilizing churches or other community partners and the Care Portal to provide access to insured vehicles and mentors that can be used for behind-the-wheel driving experience.
- Consider following Florida's pilot program example, allowing removal of the disability of minority for motor vehicle insurance for foster and unaccompanied homeless youth who are 16 years of age or older to access driver's liability insurance.
- Collaborate with the Texas Department of Insurance to consider implementing a special insurance plan, as modeled in Missouri, allowing Named Non-Owner Coverage for foster youth placed away from their parents or guardians and in the Permanent Managing Conservatorship of the state to hold liability insurance without owning a vehicle for purposes of driving practice and consistent coverage.

ⁱ White, O'Brien, Pecora, et al, (November 2012). *Texas Foster Care Alumni Study Technical Report: Outcomes at Ages 23 and 24*. Casey Family Programs.

Questions?

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