

# **Improving Educational Prospects for Foster Youth**

**Lois A. Weinberg, Ph.D.  
Andrea G. Zetlin, Ed.D.  
Nancy M. Shea, J.D.**

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## **MENTAL HEALTH ADVOCACY SERVICES, INC.**

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A NONPROFIT ORGANIZATION PROVIDING FREE LEGAL SERVICES TO PEOPLE WITH MENTAL AND DEVELOPMENTAL DISABILITIES

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1336 WILSHIRE BLVD., SUITE 102  
LOS ANGELES, CA 90017

PHONE (213) 484-1628  
FAX (213) 484-2907

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## Executive Summary

There are over 100,000 children in foster care in California who are at great risk for school failure. These foster youth are more likely than other children to have academic and behavioral trouble in school, including higher rates of absenteeism, disciplinary referrals, grade retention, and placement in special education, and lower performance in the classroom and on standardized achievement tests in reading and mathematics. Many foster youth exhibit behavioral problems in school settings ranging from aggressive, demanding, immature and attention seeking behaviors to withdrawn, anxious and over-compliant behaviors.

Contributing to the wide range of school problems of this population of children are the high levels of residential mobility and school transfers that children in foster care experience. Highly mobile foster children often miss large portions of the school year, lose academic credit due to moves made mid-semester, and have incomplete education records due to missing transcripts, assessments, and attendance data. Another effect of frequent school transfers is that school districts frequently do not provide needed or appropriate special education services for children in foster care.

To determine what strategy should be used to start addressing the educational barriers facing foster children in California, a planning process was initiated with the support of the Stuart Foundation. Data collection for this planning process was from three sources: (1) surveys sent to County Offices of Education and Child Welfare agencies; (2) focus groups conducted with foster youth, educational and child welfare researchers, policymakers, and practitioners in northern, central and southern California;

and (3) targeted interviews with individuals involved in a variety of capacities with the foster care system.

Data from the surveys identified programs throughout the state that support the education of foster youth. Counties without any services also were identified. Based on focus group discussions, interviews with key informants, and survey information, background issues and potential solutions for the educational problems facing foster youth were identified and described in the report focusing on the following areas: Placement Instability, Treatment/ Education Programs, Records Transfer/Database, Accountability/Monitoring Outcomes, Advocacy/ Mentoring, Interagency Collaboration/Coordination, Confidentiality, Training, and Funding. The following recommendations are based on an analysis of the data:

- Maintenance of foster youth in their schools of origin through either (a) provisions in McKinney-Vento Homeless Assistance Act or (b) transportation funds set aside by the State or local school districts to cover transportation costs so that children living in foster placements outside their home districts can remain in their schools of origin, if appropriate.
- Designation of Educational Liaisons to (a) advocate for the needs of children in foster care in schools; (b) ensure timely enrollment and check-out, (c) maintain and transfer records, and (d) ensure appropriateness of school programs.
- Expansion of state-funded programs including Foster Youth Services and Independent Living Program to serve all foster youth.

- Inclusion of educators as members of initial assessment teams for all foster youth. Educators would be responsible for examining available records and providing assessment in areas in which no information exists.
- Required attendance at preschool or other early childhood education programs for 3 and 4 year-old foster children.
- Careful monitoring of medication of foster youth with mental health problems to evaluate how medication affects learning.
- Extension of federal and state funds to cover youth in foster care beyond 19<sup>th</sup> birthday if they have not graduated from high school.
- Increased utilization of Title 1 funds to provide tutoring for foster youth including assessment of basic skills, skill development, and assistance with homework.
- Development of a web-based system for school records to (a) ensure timely maintenance and transfer of school records, (b) facilitate enrollment in a new school, and (c) identify the presence of an IEP and ensure receipt of designated services.
- Careful placement of foster youth in non-public schools with respect to appropriateness of program and monitoring for quality of schooling and accumulation of credits.
- Expansion of CMS/CWS data management to include more educational data and increased access for school personnel.
- Assuring consistency across record-keeping databases being developed by individual counties as well as ability to share data across counties.

- Data collection of educational information necessary for monitoring the education of foster youth (i.e., attendance, retention, IEPs, NPS enrollment, achievement test scores, drop out rate.)
- Training and cross-training of social workers, caregivers, teachers and judges to increase awareness of education issues and problems that face foster youth.  
Cross-training of professionals should begin at the pre-service level.

The report makes specific recommendations for next steps in order to begin to remedy the educational problems facing foster youth. The next steps identified are practical ideas that involve convening issue-focused task forces to address specific systemic problems and initiating projects that address specific needs for this population of students. Convening three task forces is recommended, each addressing one of the following issues: (a) expanding existing legal mandates that affect the education of foster youth; (b) investigating violations of existing laws that result in a negative impact on the education of foster youth; and (c) resolving inconsistencies in counties' interpretations of confidentiality laws governing the sharing of records among child welfare, education, and other agencies. Initiating the following projects also is recommended: (a) a research project to identify effective tutoring and mentoring programs for foster youth; (b) a pilot project establishing assessment teams; and (c) a pilot project that will co-locate educational liaisons in child welfare offices.

## Introduction

There are over 100,000 children in foster care in California who are at great risk for school failure. Research indicates that foster youth are more likely than other children to have academic and behavioral trouble in school (Hochstadt, Jaudes, Zimo & Schacter, 1987; Urquiza, Writz, Peterson & Singer, 1994). They have higher rates of absenteeism and disciplinary referrals, 75% perform below grade level and more than 50% have been retained at least one year in school (Goerge, Van Voorhis, Grant, Casey & Dubowitz, 1992; Parrish et al., 2001; Sawyer & Dubowitz, 1994). Altshuler (1997) reported that children in foster care demonstrate a variety of academic difficulties including weaker cognitive abilities and lower academic achievement and classroom performance compared to non-maltreated children. They perform significantly lower on standardized achievement tests in reading and mathematics and earn lower grades in these subjects than non-foster youth. They exhibit behavioral problems in school settings ranging from aggressive, demanding, immature and attention-seeking behaviors to withdrawn, anxious and overly-compliant behaviors. These difficulties lead many children in foster care to experience grade retention, placement below age appropriate grade levels and/or placement in special education. In fact, whereas 10% to 12% of the general population receives special education services, 25% to 40% of children in foster care are placed in special education, generally related to either a learning disability or a serious emotional disturbance (Weinberg, Zetlin, & Shea, 2001). Kelly (2000) cautions that without intervention, most of these young people will not complete high school and are at great risk for entering the adult public assistance and criminal justice systems.

Contributing to a wide range of at-risk school indicators are the high levels of residential mobility and school transfers that children in foster care experience (Eckenrode, Laird, & Braithwaite, 1995). Data collected in California revealed that children in foster care attend an average of nine different schools by the age of 18 (Kelly, 2000). Highly mobile foster children often miss large portions of the school year, lose academic credit due to moves made mid-semester, and have incomplete education records due to missing transcripts, assessments, and attendance data (Eckenrode et al., 1995). Based on questionnaires distributed throughout each county in California, Parrish and his colleagues reported that the average length of time needed to obtain education records for children in group homes ranged between 40 and 82 days (Parrish et al., 2001). Across all group home student records reviewed, 27% had transcripts and 25% had assessments. The group home students reported that missing transcripts caused them to repeat classes or lose credits.

Another effect of frequent school transfers is that school districts often do not provide needed special education services for children in foster care (Altshuler, 1997). The delay in receiving school records sometimes results in a child's active IEP not being implemented until the new school does its own assessment and holds its own multidisciplinary meeting. Too often foster children do not remain in schools long enough to be assessed for and start receiving appropriate special education services to address significant learning and/or behavioral problems (Weinberg, Weinberg, & Shea, 1997). Due to the difficulties evaluating foster youth for eligibility for special education services because of their high residential mobility, counts of foster youth with special

education needs are most likely underestimates of the actual numbers of youth in need of special education services (Zima et al., 2000).

Over 10 years ago, a similar crisis was identified concerning the health care needs of foster children. Within California, building on the work of the Child Welfare League of America, a broad group of experts, advocates, and policymakers came together and developed standards and recommendations to address the health care crisis of foster youth in the state. Their recommendations included making the health care needs of children in foster care a priority in California by implementing initial health evaluations within 24 hours of placement, an individual health care plan for each child, coordinated health care case management, a medical passport for each child, a statewide computerized data information system on children in foster care, and health care training for foster care professionals and caregivers. A similar strategy is necessary to focus on the educational needs of California's foster youth.

To determine what the strategy should be to start addressing the educational barriers facing foster children in California, a planning process was initiated with the support of the Stuart Foundation. This process included interviewing and holding focus groups with stakeholders around the state, including foster youth, educational and child welfare researchers, policymakers, and practitioners. The intent of the planning process was to solicit the perspectives of the designated stakeholders on:

- How to create more communication, collaboration, and coordination between the child welfare and educational systems at the state and local levels.
- How best to identify the educational needs of children entering the foster care system.

- How to monitor the educational progress of children in long term out-of-home placement.
- How to create and maintain an accurate and up-to-date data system of the school records of foster children.
- How to minimize school transfers for foster youth and their adverse effect on educational performance.
- How to best provide the supports needed for improved school performance of foster youth.
- How to assemble and make easily available descriptions of promising programs, evaluation reports, research studies, and conference reports on relevant topics of educational issues related to foster youth.

### Data Collection

The data collected for this planning process were from three sources: (1) surveys sent to County Offices of Education and County Child Welfare agencies; (2) focus groups conducted in northern, central and southern California; and (3) targeted interviews with individuals involved in a variety of capacities with the foster care system.

#### Surveys

The first step in the process was to develop a comprehensive list of key players in county and state positions. Surveys were sent to the lead administrators in the county child welfare agencies and county offices of education in all 58 California counties focusing on four basic inquiries: (1) identification of the current director of child welfare

in the county and the current superintendent of the county office of education; (2) identification within each agency of who specifically oversees the education of foster youth; (3) identification of any programs within their county specifically focusing on the education of foster youth; and (4) solicitation of interest in participating in focus groups or interviews with the goal of developing recommendations for the improvement of the education of foster youth.

Most counties responded in a timely manner, however, two follow-up reminders were necessary to gather data from the remaining counties. In total, we received responses from 57 counties. In 19 counties, both agencies responded; in 22 counties, only the office of education responded; and in 16 counties, only the child welfare agency responded. An assortment of educational supports was identified throughout the state (see Table 1 below). The two most frequently identified supports were: (1) Foster Youth Service (FYS) programs providing services to foster youth in group homes; and (2) Emancipation Services/Independent Living Programs (ILP).

The California Department of Education has funded the establishment of FYS programs in 43 counties; however, only 28 counties specifically identified their FYS programs in their survey responses and two other counties indicated that they were currently setting up FYS programs. The overall goals of the FYS program are to increase academic achievement and graduation rates in group home youth and to increase communication between the education, health and social services agencies. The funds are being used for maintenance and transfer of school records, educational advocacy, and supplementary services such as tutoring, educational planning, and mentoring. Some

counties are focusing resources on developing a county database or tracking down school records and overseeing the transfer of records as foster youth change schools. Other

**Table 1**

Type of Educational Support	Total No. of Counties Reporting Activity	Office of Education Reporting	Child Welfare Agency Reporting
<b>Foster Youth Services Programs for Group Home Youth</b> – includes maintenance of school records, educational advocacy, and tutoring/mentoring services	30*	24*	12
<b>Foster Youth Services for all foster youth (CORE Program)</b> – all the above and inclusive of all foster youth	1	1	1
<b>Job and Life Skills training including Independent Living Program (ILP)/Emancipation Services</b> – includes tutoring to support high school graduation, independent living, some transitional housing, support for post 18 year olds	20	8	13
<b>Education Records including Health/Education Passports</b> maintained by case managers who collect and track past and current academic information	12	8	4
<b>Tutoring</b> for all FY in basic skill development, assistance with homework; may be individual or group tutoring	9	5	5
<b>Multidisciplinary/Interagency Teams</b> with representatives from school district, Depts. of Health, Mental Health, Probation and Social Services to provide intensive case management to FY who require a high level of care	8	5	3
<b>Education Task Force</b> with multi-agency participation to develop more effective policies and procedures	6	2	5
<b>Education Liaisons</b> between child welfare agency, probation, and/or county education or school district offices to facilitate enrollment of FY into school, oversee transfer of school records, support academic success	5	3	3
<b>Cross-training</b> between child welfare and County Office of Education; <b>training</b> about educational rights of FY to relative caregivers, group home providers, placing agencies, Wraparound providers	4	2	2
<b>Programs for At-Risk or Probationary FY</b> such as Juvenile Mental Health Court, START (Start Taking Responsibility Today) to address the educational issues/needs of at-risk or delinquent FY	3	2	1
<b>Advocacy Programs</b> such as Project Yea, McKinney-Vento Homeless Assistance, CLASS (Coaches/Liaisons Advocating for School Success), Voices for Children/CASA to assist caregivers in advocating for educational needs of FY	3	0	3
<b>Special Therapeutic Schools</b> with case managers and multi-agency participation (School district, Probation, Mental Health)	2	0	2

\* includes 2 counties that are setting up FYS programs

counties use the funds more broadly to hire coordinators and educational liaisons who facilitate the prompt placement of foster youth in appropriate school programs,

provide training to group home providers and school districts about the educational rights of foster youth, hold case reviews for group home youth at risk for school failure, or secure tutoring, assessment, mentoring, or special programs for foster youth. It is noteworthy that 13 of the 43 counties that receive state funding for FYS programs did not specifically indicate the existence of such a program (see Table 2 below). Also, of the 30 counties that described having or setting up FYS programs, in 13 counties both county offices of education (COEs) and child welfare agencies (CWAs) completed surveys and of these only 12 COEs and 8 CWAs indicated that they have FYS programs. In 17 counties, only the COEs returned surveys with 16 indicating that they have or are setting up FYS programs. In 12 counties, only the CWAs responded with 2 indicating the existence of FYS programs in their counties. These data show that not all county administrative staff in either the COE or CWA are aware of the FYS program and that staff in COEs are more likely than staff in CWAs to know about the FYS program.

**Table 2**

	County Office of Education		Child Welfare Agency	
	Yes	No	Yes	No
COE and CWA completed survey	12	1	8	5
COE only completed survey	16*	3	0	0
CWA only completed survey	0	0	2	10

\* includes 2 counties who are setting up program

In terms of Emancipation Services/Independent Living Programs (ILP) that prepare young adults in foster care for transition and emancipation, the state mandates that all counties have an ILP coordinator. However, the surveys indicated that Emancipation Services/ILPs were present in only 20 counties and that implementation of

ILP services varies greatly across counties. Some counties offer tutoring or community college programs to support high school graduation, life and job skills training, and/or transitional living services. Some counties provide additional supports including incentives for improved grades, incentives for participation in ILP workshops and activities and funding for driver's education and auto insurance. In total, less than half the counties reported having emancipation programs and, although a major component of ILP is to prevent early school leaving by providing school tutoring, fewer COEs (8) than CWAs (13) acknowledged the existence of such a program.

Other educational support activities were less available throughout the state. These included the maintenance of education records; K-12<sup>th</sup> grade tutoring; multidisciplinary teams including representatives from education, health, mental health, and social services; educational task force committees to oversee the development of more effective policies and procedures; educational liaisons between the county office of education or school districts and the child welfare agency; training for caregivers, school staff, child welfare workers, and/or agency providers; advocacy programs to support the educational needs of foster youth; special programs for at-risk or probation youth; and special therapeutic schools. Ten counties indicated that no special programs were organized specifically for foster youth. However, the counties noted that programs such as tutoring, after-school care, homework club, and special education were available to all students including foster youth. In addition, these counties participated in the School Attendance Review Board (SARB) and Systems of Care (SOC) when a foster youth was involved.

## Focus Groups

Next, we developed a geographically representative list of participants and conducted four focus groups. Three focus groups, held in Southern California (Los Angeles), Central California (Oakland), and Northern California (Sacramento), consisted of a mixed group of stakeholders and foster youth. The fourth focus group, held in Southern California (Los Angeles), consisted solely of former foster youth and was conducted in Los Angeles. Table 3, below, illustrates the attendees at each of the focus group sessions.

**Table 3**

	Southern California Focus Group	Central California Focus Group	Northern California Focus Group	Foster Youth Focus Group	Targeted Interviews
Current and Former Foster Youth	2	0	2	5	1
County Child Welfare Agency	1	1	0	0	3
County Office of Education	2	4	2	0	2
County Department of Mental Health	1	0	0	0	0
Caregiver/Provider – foster parent, group home, relative	2	1	0	0	0
School District	0	1	0	0	0
California Department of Social Services	0	0	2	0	0
California Department of Education	0	0	2	0	0
Attorneys/Advocates	3	1	2	0	1
Judicial Officer	1	0	0	0	0
Legislators	0	1	0	0	0
Foundation Representative	3	0	0	0	1
Researchers	1	0	1	0	2
State/County Commissions	1	0	0	0	1

All focus group sessions were tape recorded and then transcribed. The groups met for approximately two hours. The questions asked represented the issues we already had identified in the research literature. The questions included:

1. In thinking about addressing the educational needs of foster youth, what do you think are their greatest needs?
2. Can you recall specific examples of foster youth getting lost in the educational system?
3. How does your county/agency support and maintain a quality educational experience for foster youth?
4. What strengths or resources are available in your county/agency that will address educational needs?
5. What do you think is the single most inhibiting factor that affects the educational services foster youth receive?
6. Who (what agencies/individuals) needs to be involved to ensure the educational success of foster youth?
7. How could the state/county/university help you/your agency in addressing the educational needs of foster youth?
8. What might get in the way of your agency trying some of these strategies? What changes are necessary for you/your agency to get the kind of assistance you need?
9. If you could redesign state/county involvement, what changes would you make?
  - a) what kind of research is needed?
  - b) what kind of policies/services are needed?
  - c) what kind of training will be needed for agency and school staff and who should participate in the training?
10. What advice do you have for policy makers in the state/county as they consider these needs?
11. What are the next steps that we should take?

### Targeted Interviews

Lastly, we conducted individual interviews with key informants to obtain more in-depth information on specific topics. From references made during the focus group sessions of innovative programs or key persons in the forefront of implementing changes to improve educational outcomes for foster youth, we developed a list of names and contacted each individual by telephone. A series of questions were developed to solicit information about their programs including what aspects of the program are working best, what are some of the challenges encountered, what would be needed to expand the program, what problems were encountered regarding sharing educational records with other counties or agencies, and what they thought were the most pressing needs related to the education of foster youth. A total of 12 interviews were conducted. The interviewees' affiliations are presented in Table 3, above.

### Data Analysis

The transcriptions of the focus groups and interviews were submitted to a content analysis. The three authors independently reviewed the data and coded them into tentative categories representing educational issues and educational supports. The authors met to resolve any disagreements regarding the coding of an entry. The categories were refined until all entries fit into nine themes: (1) Placement Instability, (2) Treatment/Education Programs, (3) Records Transfer/Database, (4) Accountability/Monitoring Outcomes, (5) Advocacy/ Mentoring, (6) Interagency Collaboration/Coordination, (7) Confidentiality, (8) Training, and (9) Funding. Each theme is described in terms of background issues and potential solutions.

## Placement Instability

Background Issues. A major factor affecting educational outcomes of foster youth, according to focus group participants, is the residential instability that these children experience. The high levels of residential mobility result in constant school transfers. This lack of stability in where the children live and where they attend school ensures that both caregivers and teachers are unfamiliar with the academic strengths and weaknesses of children in foster care. One of the focus group participants said, "...there just is not the opportunity for the teachers and the caretakers to even become more familiar with what the kids know and don't know because they have moved again."

For many high school foster youth, the frequent mid-semester moves mean they do not receive credit for classes in which they have been enrolled. The reason this occurs is that partial credit is not an option in California and the youths have not completed enough work in their classes to receive full credit if they leave the school before the end of the semester. One former foster youth stated, "I never stayed any place long enough to get any credit..." Focus group participants described how transferring a foster child from one school to another frequently takes place without officially checking the child out of the first school. This results in the child continuing to be marked absent and therefore ending up with failing grades for all the classes taken for that semester at the first school. Some foster children move so frequently they never stay in one school long enough to accrue any high school credits toward graduation. A former foster youth stated, "...I don't have a GPA [grade point average] because I was never at a school long enough to get a GPA, not even one semester usually was I at a school."

Focus group participants expressed concern that many foster children are out of school for extended periods of time when transferring from one home placement to another during the school year. They indicated many are not immediately enrolled in their new schools. It is not uncommon for foster children to remain out of school for months with each school transfer. A former foster youth stated, "...because they've transferred so now they've missed three months of school and that's almost a semester." When foster children are enrolled mid-semester in a new school, they are likely to find that the academic classes they need are already full. A former foster youth described her situation: "I know a lot of time the classes get filled up at the beginning of the year. If you move to another school you have to wait for those classes to become available and I only took one class for about six weeks. I only had one class; I couldn't be put in another one because it was already filled up with people." This situation leads to placement in any class with an opening and sometimes fewer classes than required for a full schedule. These children then are unable to take the required courses for high school graduation or entrance to a four-year college or university.

Another serious problem described by focus group participants related to placement instability is that many foster children are unable to establish the kinds of ties to a school community that correlate with school success. One participant reported that five to six moves per year is average for foster children. Children who must transfer from school to school cannot get involved in school activities or make lasting friendships. A former foster youth described her experience: "I didn't get placed into foster care until I was sixteen; I was in it for two years. Up until sixteen, I was in the same school district my entire life. The only change I had was elementary to junior high to high school and

then in my last two years I went to six different high schools. So, it was impossible to get involved in anything, to make friends.”

Focus group participants described the many problems created by placement instability for foster children who receive special education services. Every time the children change schools the instructional placement and services on their Individualized Educational Programs (IEPs) seem to change as well. Although California law requires that a new school district must provide an interim placement in conformity with the IEP from the previous district and hold a new IEP meeting within 30 days of the child’s enrollment,<sup>1</sup> focus group participants made it clear that this frequently does not occur.

Students who are eligible for Regional Center services, according to focus group participants, experience additional problems as a consequence of a change of residence. Not only does the school attended by the child change, but also the Regional Center from which the child receives services. Regional Center eligible children endure timeline delays in receiving services when the home they move into is in a different catchment area from the Regional Center that previously provided the services.

Potential Solutions. Focus group participants and those who completed the county surveys expressed hope that the McKinney-Vento Homeless Assistance Act, as authorized by the No Child Left Behind Act of 2001, would provide some solutions to the educational problems created by placement instability of foster youth. McKinney-Vento ensures educational rights and protections for homeless children. However, in light of the Act’s definition of “homeless children and youth,” focus group participants felt the provisions would apply to many youth in foster care. Homeless children and youth, according to the Act, include those “living in emergency or transitional shelters” or

“awaiting foster care placement.” Focus group participants felt foster youth who are initially detained or who have been moved and are awaiting a new foster care placement should receive consideration for rights and protections afforded under the Act.<sup>2</sup> The specific provisions of McKinney-Vento that focus group participants delineated as important for foster youth are: (1) allowing children to enroll in school even if they do not have their past school records; and (2) allowing children to continue in the school they have been attending even if they move to another home that is outside the boundaries of that school district. Funded transportation to the school they had been attending also was mentioned as a way to maintain school stability in the face of residential mobility.

Independent of McKinney-Vento, a focus group participant reported that Foster Youth Services in Los Angeles County has been working successfully with local school districts to keep children in the same school for their senior year of high school, even if their residence changes and they no longer live within the school district. Another focus group participant reported that some school counselors in Northern California counties have been working creatively with foster youth to help them “find” credits in order to graduate from high school.

One of the reasons children in foster care experience high levels of residential mobility is that the caregivers with whom they are living are unable to adequately deal with their difficult behavior. Focus group participants pointed to wraparound services---where a panoply of services and supports are “wrapped around” a “family” in order to maintain a child in that placement---as a way to stabilize many children in this type of situation. While wraparound services exist in many counties in California, they are not

readily available to the extent they are needed to bring about placement stability for children with emotional and behavioral problems in the foster care system.

### Treatment/Education Programs

Background Issues. Two problems strongly emphasized by former foster youth were the heavy reliance on medication for group home youth and the tendency to enroll foster youth with emotional problems in nonpublic schools (NPS), private special education schools. One young woman stated, “I would love to meet someone who was in foster care for any length of time who wasn’t on some type of medication...Foster homes, you’ll find it more often where they might not be on medication, but group homes, I didn’t see a single person, lots of people walked in not using medication and not one single person walked out without taking one sleeping pill, antidepressant, anti-psychotic mood tranquilizer.” Another young woman noted, “I had a sleeping disorder so they would give me four pills, but in the morning they would give me ‘alive’ pills...the only reason I wasn’t sleeping was because I had all these things in my mind, being in a home, there are like 30 girls in there who are stealing your underwear.” While medication is prescribed liberally for foster youth with challenging behaviors, preventive and early symptom mental health treatment is not readily available which directly impacts school performance. A third former foster youth described how difficult it was to concentrate in school when she was first placed in foster care upon the death of her mother: “...there is not enough support by the school for foster youth, and people don’t really take into account what they’re going through outside of that. Because whatever you are facing you are going to bring that to school with you...For me with moving around and the different things going on at home you can’t really focus on school and then if you

feel that your foster parent or your group home staff don't care if you are doing good in school and they don't sit down and help you with the work or whatever, it's like, who cares, I don't care and then you just end up not doing your best."

The foster youth participants as well as well as other focus group members found enrollment in NPSs, often on-site schools associated with the group homes, especially objectionable. The former foster youths cited low level academics, difficulty accumulating credits, mixed-age groupings with students ranging from 11 to 17 in the same classroom, uncredentialed teachers, no extracurricular activities, and no physical education. One former foster youth stated, "...eventually I was placed in a NPS and there's no education there, just a very low level student worksheet and coloring."

Another former foster youth said, "We had an on campus school and the teachers weren't very qualified ...to be teaching...and they let the kids do whatever. So I know nobody was really in class when they were supposed to be; nobody was learning anything..."

Youth who had participated in team sports at their home school could no longer play volleyball or run cross country once placed in the on-site NPS. Also unavailable were high school courses like algebra and advance placement classes, and college counseling.

Another criticism of on-grounds nonpublic schools related to the lax dress codes of some NPSs: "We were allowed to go in [school] in our pajamas and slippers." In relation to this last comment, a former foster youth expressed her concern by saying, "...we have these foster youth who not only have a lack of education but they don't even know how to present themselves."

For many foster youth who are at risk for school failure, special education appears to be the only means to obtain educational support services. Although not all foster youth

need special education, to obtain services, some are given IEPs. One former foster youth rejected the seriously emotionally disturbed (SED) label given to him. He told of being sent to a NPS when he entered foster care because he was diagnosed SED. “That’s where I was for about a year and a half...academics for me was not the problem...I did not consider myself SED, I needed some attention, but after that I went to a different placement and I was transferred from the NPS to a public school.”

Those foster youth who are not in special education but who need individualized services or mental health counseling find few supports in the general education program. Tutoring may be provided, especially in counties accessing Title I, Neglected Student Support funds; however, as one interviewee noted, “tutoring is a mixed bag.” Some tutors help with homework, others focus on basic skill gaps. Little assessment is done when tutoring begins and there is no measurement during or after tutoring to see if the youth are better off. One focus group member indicated, “Lots of money is going into tutoring but we have no follow-up so we have no idea if students are getting the skills.”

A number of focus group participants emphasized the need for early intervention. Large numbers of children enter the foster care system at young ages but there is no policy requiring foster parents to enroll the children in preschool programs nor is there a policy giving foster children priority status for enrolling in limited space preschool programs such as Head Start.

Focus group participants also mentioned two state programs that are underutilized. Group home youth, in particular, need social skills development and this is not occurring. For all foster youth, there are too few Independent Living Programs (ILP) to help prepare for emancipation and adult living. Early Periodic Screening, Diagnosis

and Treatment (EPSDT) could be a source of funds for a wide range of health services; however, there is a lack of knowledge about the possible options and bureaucratic barriers such as the state having to approve the service first.

Potential Solutions. Overall there need to be state and county policies that clearly direct child welfare and provider agencies to focus on early identification of educational needs of foster youth. In Alameda and San Diego counties, assessment centers have been established to provide comprehensive developmental assessments for foster youth entering the system. When evaluations are completed, the youth are linked to appropriate school programs and long term services to address their needs. For young children entering the system, enrollment in early intervention/preschool programs needs to be mandated and prioritized.

Also emphasized by focus group members was the need for educational supports other than special education. Tutoring, after-school and Saturday programs, when available, can work to build basic skills that may be lacking due to missed schooling or frequent school transfers. Such programs should conduct assessments to determine achievement gaps and spend time developing skills as well as assisting with ongoing schoolwork.

One of the most promising programs operating in California is Foster Youth Services, which works with group home youth. A strong recommendation by interviewees and focus group members alike was to expand the program to serve all foster youth, including those in foster homes and those living with relative caregivers. There is precedent for doing this. The Core programs, begun 20 years ago in six pilot school districts, Elk Grove Unified, Sacramento City Unified, Paramount Unified, San

Juan Unified, Placer/Nevada County and Mt. Diablo Unified serve all foster youth in their communities. Evaluation data show the effectiveness of these programs but they have never been expanded. One interviewee, a former foster youth, recalled how he personally benefited from the Elk Grove Core project. After two foster placements failed, he was moved to a foster home in Elk Grove. Immediately upon enrollment in school, district staff provided him with information on the variety of programs available in the district. They encouraged him to join the football team and attend a foster youth support group, and helped him find work during the summers. He attributes his graduation from high school and subsequent enrollment in college to the support and attention he received while at Elk Grove.

Former foster youth are taking steps to advocate for improving the educational experiences of foster youth through their membership in California Youth Connection (CYC). They have proposed legislation that will (1) allow foster youth to remain at their home school when first placed or moved to a new placement until the semester or school year ends, (2) require enrollment in the local public school instead of placement in the group home's on-site NPS, (3) require school records to be transferred to a new school within two days, and (4) facilitate immediate enrollment at a new school even while waiting for records to arrive.

Former foster youth also spoke positively of enrollment in continuation programs which provided a means to accelerate the accumulation of credits needed to graduate. One young woman stated, "I think continuation schools are good. I went to continuation school. They allow you to have .5 credits and they allow you to work at your own pace, and they do have open classes so you can work with a class." Another noted in relation

to her attendance at an adult education program, “It wasn’t like home school, like, we did have the worksheets in the adult school. If I hadn’t done that I would probably still have had to make up classes in the classroom setting, in a regular day in the high school. Those packets saved my life for graduating. It wasn’t home, you couldn’t take it home, and you had to either do it at the adult school or high school in a room with a teacher.”

Two counties, Lassen and San Diego, are experimenting with therapeutic educational settings that include interagency collaboration and the provision of services such as special education, mental health, and probation through a case manager. Lassen has set up a special classroom on a general education campus and San Diego has established a residential high school to address the needs of foster youth experiencing significant problems.

#### Records Transfer/Database

Background Issues. Keeping track of school records is a major problem for children in foster care. It is one of the first issues that is mentioned when the discussion turns to educating foster children. Problems with transfer of school records cause delays in enrollment in school, lack of credits for graduation, repetition of classes because there is no record of requirements having been met, failure to identify special education eligibility, and inappropriate placements.

Foster youth are especially aware of this problem. As one youth reported, “There was a class that I took three times at three different schools and completed, that is still not on my transcripts.” Another talked about a girl who had been out of school for six months because her school records had not been transferred. For students in high school this is of great concern because it affects whether or not they will graduate.

The focus group participants all agreed that it is very difficult to locate the school records for many of the children. Not only are records lost over the years, but no one – including the child – can recall all the schools he or she has attended. One participant observed that because these youngsters attend so many schools, they often do not remember all of them.

Another observation that was frequently voiced was the lack of a consistent system for collecting and tracking records. While one of the responsibilities of the Foster Youth Service (FYS) is to collect records and develop a system for tracking them, each county has developed its own system. If the children remained in a single county, this might not be a problem. However, one participant reported that half of the children are placed outside of her county. She does not follow them when they leave; nor is there any way for the receiving county to access the records.

Another participant expressed her frustration that counties have not implemented the requirement that all children have a medical/education passport that moves with them as they move through the system and even if they leave the system. Lack of funding for creating and maintaining the passport was suggested as one reason why so few children have these passports. An attempt to develop an internet passport in Los Angeles was thwarted because no federal funding was available for the project. San Diego County, on the other hand, used private and/or county funds to develop their internet passport system.

The value of CMS/CWS (the statewide information database for child welfare) as a way of tracking education records came under considerable scrutiny. Some participants from county FYS programs reported that they were able to use the system. One stated

that she had been trained to input education data into the system. Others felt that CMS/CWS was very limited in the kind of information that it was mandated to record, while others reported that child welfare would not allow FYS or school personnel access to the system. Another issue with CMS/CWS is that every update must receive federal approval.

Potential Solutions. All of the participants agreed that the work that FYS is doing in collecting and tracking records is very important but is only the beginning of the process. What is needed to address the lack of consistency across county databases, however, is a statewide data collection system.. One group recommended against CMS/CWS because it does not have the space for relevant education information or enough capacity. Another group suggested that school districts needed to have the ability to move a child's records electronically. A participant in Sacramento suggested a review should be done of all the databases as a way of determining which ones are effective and whether or not they could be connected together.

The medical/education passport which is required by law should be implemented immediately. Funding for this should be a priority. In addition, it should be a priority to find funding to hire staff to input education information into CMS/CWS.

#### Accountability/Monitoring Outcomes

Background Issues. Focus group participants reported that there is little or no accountability or monitoring of a foster child's educational progress. They emphasized that this problem is most pronounced for children who reside in group homes and is compounded by the fact that children's social workers have high caseloads and an extremely high yearly turnover rate. Among the points emphasized was the fact that no

one who has specific responsibility for ensuring that students are: (1) checked out of school when they are moved to a different home so that they do not receive failing grades in classes they have been taking, (2) immediately enrolled in school once they are placed in the new home, (3) attending school on a regular basis, and (4) enrolled in schools that teach core academic subjects that meet California's curriculum standards. Another serious concern was that some children in the foster care system turn 18 without being able to read. Others turn 18 and do not have enough high school credits to graduate and are "aged out" of the foster care system and forced to find another place to live (which typically means they leave school and do not get a high school diploma). Some of these students have been retained in their grade at an earlier age because of poor academic performance due to abuse or neglect or time out of school because of residential instability once in the foster care system. Other students have not taken the appropriate classes to receive a high school diploma, let alone gain entrance into a four-year college or university. Focus group participants expressed concern that more foster children will turn 18 without receiving a high school diploma because of the newly instituted California High School Exit Exam. They felt that the High School Exit Exam will become an overwhelming hurdle for the many children in foster care who have extremely deficient academic skills. Foster children who believe they cannot pass the Exit Exam will deem high school attendance a meaningless experience and will simply drop out. Focus group participants also were concerned that there is no monitoring by the state of how many eligible foster youths receive needed independent living programs (ILP) to help guide them toward high school graduation and postsecondary options.

The fact that in too many instances no one takes responsibility for ensuring that foster youth are learning and progressing satisfactorily in school becomes a more significant problem, according to focus group participants, with the new state and federal accountability measures. Focus group participants were concerned about the effect of measuring overall school academic progress using California's Academic Performance Index (API) (which is used to rank schools in the state) and the federal government's Adequate Yearly Progress (AYP) scoring method under the No Child Left Behind Act.<sup>3</sup> Focus group participants expressed concern that because schools now are responsible for showing that their students are meeting high academic standards and are subject to sanctions if students do not show progress, school administrators are less inclined to want children in foster care to attend, believing that the foster children will lower the school's overall achievement scores. One focus group participant said that school district personnel feel that children in foster care "aren't our kids" since "...they just showed up and are in the group home and don't pay taxes." Another focus group participant described what some schools are doing so that the foster children's API scores do not depress the overall scores for the school: "Schools are playing all kinds of games, for example, moving kids out to continuation or alternative schools during testing and then bringing them back afterwards." Focus group participants stated that encouraging these schools to enroll and continue to educate foster children sometimes requires considerable advocacy.

Focus group participants were emphatic that there is a need for greater scrutiny of the nonpublic schools (NPS) many foster children attend. They indicated that a foster child living in a group home typically is placed in that group home's on-grounds NPS.

Focus group participants indicated that the on-grounds NPSs connected to group homes are designed for students whose emotional and behavioral problems so severe that they cannot attend public school campuses. Focus group participants made clear that just because a child is placed in a particular group home that does not necessarily mean the child should attend the group home's on-grounds NPS.<sup>4</sup> According to focus group participants, the problem is that there is no one, such as an active and knowledgeable parent or surrogate parent, involved in the NPS placement decision who is monitoring the child's educational needs and progress.

While focus group participants acknowledged that NPSs serve an important function by providing a "small classroom outside of a hectic public school setting," others were concerned that too many NPSs have unqualified teachers and an inadequate academic curriculum.

Potential Solutions. Focus group participants stressed that the poor academic achievement of foster youth must be brought to the attention of the media so that the public becomes invested in improving educational outcomes for these youth. They indicated that an ongoing data collection process of pertinent educational information is crucial for monitoring the education of foster youth. One focus group participant stated:

We're not collecting the data. Nobody knows what is really happening to our [foster] kids. Nobody knows how many kids go into special ed and never succeed in anything after that. We're not collecting any data. We don't know how many kids are in school. We don't know how many foster kids drop out of school. We don't know how many of them go to college, what the success factors are for those who actually make

it. We have no outcome data that we are collecting at all...we don't put money into getting or evaluating or tracking data so that everyone in the system could be held accountable for educational outcomes for these kids...

Focus group participants wanted the API and AYP scores of foster youth to be tracked. They noted, however, that for the AYP scores this would require that foster youth remain in the same school for at least a year since the law does not allow schools to test students who have not been in the school for that amount of time. There was general consensus that the following educational data should be collected for California's foster youth: (1) number of days of school attended; (2) number of days absent or truant; (3) number of youths retained in grade; (4) number of youths receiving special education services and in what settings (i.e., public or nonpublic school); and (5) number of youths dropping out of high school or not receiving a high school diploma. Furthermore, former foster youths emphasized that current and former foster youths and their advocates must become members of statewide decision-making bodies that determine which educational data is tracked.

### Advocacy/Mentoring

Background Issues. Focus group participants were particularly concerned that, for a great many children in the foster care system, there is no one regularly providing individual educational advocacy and mentoring. They felt that the consequence is that many of these children are not guided through the schooling process and, when they reach high school, they do not know which classes they need in order to graduate or cannot get in the classes they need. They also are not given adequate information about

postsecondary or other options or encouraged to attend college. A former foster youth stressed that students whose grades may have plummeted because of entering foster care still need to be apprised of postsecondary options, such as college attendance.

Focus group participants indicated that many school districts are failing to identify and make eligible for special education services foster youth who have learning disabilities or emotional disturbances. They also reported that students who are eligible for special education services frequently have poorly written IEPs that do not meet the needs of the children. Furthermore, participants indicated that many school districts, in violation of special education law,<sup>5</sup> do not review the IEPs of entering foster youths to determine if the services indicated still are appropriate

Focus group participants expressed concern that some foster youth who have emotional disturbances are excluded from regular high schools entirely and sent to Community Day Schools because of their behavior. Focus group participants pointed out that Community Day Schools do not have special education classes or teachers and serve these children with an itinerant resource specialist who comes to the school once a week. Consequently, focus participants indicated that neither the emotional nor the academic needs of these students are adequately addressed and the students leave school without the requisite skills.

Other students are incorrectly placed in nonpublic schools, and focus group participants reported that the students themselves are unable to affect a change. In these cases, focus group participants indicated that the students usually are residents of group homes with on-grounds nonpublic schools. They have no one to advocate for them who

is knowledgeable about their rights under special education law and, in addition, does not have some interest in keeping them at the nonpublic schools.

Some caregivers who try to address the special education needs of the children in their care, according to focus group participants, find it extremely difficult to do so. In certain school districts, such as Los Angeles Unified School District with its many sub-districts, focus group members reported that caregivers do not know whom in the district to contact to address specific issues and when they contact the district they get getting referred from person to person without being able to resolve their issue of concern. Focus group participants reported that caregivers who care for six or more children frequently find the special education process so difficult to negotiate that they do not follow through with trying to obtain appropriate services for children in their care, assuming the children will be moved to a different residence in a short amount of time. A focus group participant reported, in relation to accessing special education services, “...it’s a very difficult situation for families to access when they are told this is the law [and] your child doesn’t qualify. Sorry. Even though that information is very frequently incorrect. The school people may not even know what the actual law requires; they’re misinformed.”

Similar problems exist for foster children who should be eligible for Regional Center services. Focus group participants reported that there are some who should qualify because of their disabilities but the Regional Center finds them ineligible. There is no one to provide the needed advocacy for the youth to appeal the denial of eligibility.

One of the major roles of Foster Youth Services (FYS) counselors is to collect school records for foster youth who live in group homes in their respective counties.

Focus group participants reported that the records collection mandate does not leave FYS counselors enough time for advocacy and mentoring of individual children. Furthermore, focus group participants emphasized that FYS only provides services to youths residing in group homes. Foster youths who are in foster homes or living with relatives do not have the benefit of assistance from FYS. According to focus group participants, this restriction does not make sense since many of the foster children go back and forth between foster home and group home placements and they attend the same schools, regardless of their current placement. Furthermore, youths in foster homes and in group homes have the same educational problems and the same need for advocacy and mentoring services.

Potential Solutions. Children in the foster care system, focus group participants stressed, need ongoing individual advocacy and mentoring so that they will be properly educated, graduate high school successfully, and become productive adults. Participants felt that it is important that each child in foster care have someone to advocate for him or her in the educational arena and provide mentoring throughout the school years. There are some programs within the state that provide these services, but none are large enough to serve all children within the foster care system.

Court-appointed special advocates (CASAs), appointed by the Juvenile Court, provide advocacy and mentoring to a small number of children in foster care in a county. CASAs are volunteers, thus making expansion of the program dependent on better recruitment efforts. Ideas that have been put forth in the area of recruitment by the statewide CASA director include connecting with teachers' unions and organizations of retired teachers. In addition, recommendations have been made to have the CASA

program be statewide rather than specific to individual counties. San Diego County, through its Voices for Children program, has increased the number of CASAs who work as “parent surrogates” for foster youth and fulfill the same role with the school that a parent would in planning for a child’s education.

Foster Youth Services (FYS), funded by the California Department of Education, provides advocacy and mentoring for children residing in group homes within a county. Focus group participants strongly recommended that the FYS program be expanded to cover all children in the foster care system (i.e., those living in foster homes and with relatives) and not just those living in group homes.

San Mateo County has educational liaisons that work with their child welfare agency and the local school districts to ensure that students are receiving appropriate schooling. San Francisco has an educational liaison position funded through the City Attorney’s Office in collaboration with the Department of Human Services. The Education Specialist’s charge is to follow foster youth who attend San Francisco Unified School District and need to be assessed for special education eligibility and services. Furthermore, the San Francisco Juvenile Court commissioner assigns an attorney to be present at IEP meetings for youths who reside in group homes and are served by FYS.

A model that is recommended and has been tried in Los Angeles County is housing education specialists in the offices of children’s social workers. The benefit of this model is that the education specialists provide ongoing training to the social workers in relevant areas and work with them on their cases when there are educational issues that are difficult to resolve.

Also recommended by focus group participants is having a specific person (or persons) within each school district designated as the coordinator for foster youth. This person would be responsible for working with school principals and other staff on any foster youth education-related issues. Another important component of the coordinator's role would be to become acquainted in a personal way with the foster youth in the school district.

Another way to provide advocacy for foster youths whose special education needs are not adequately being met by school districts is to refer the cases of these students to nonprofit legal service agencies. These agencies, to the extent they accept the referrals, will fight for appropriate educational services for the children under federal and state special education laws.

#### Interagency Collaboration/Coordination

Background Issues. Generally, it is well accepted as a matter of best practice that when agencies work together, children and family benefit. However, discussing the merits of coordination seems to be much easier than actually doing it. As one participant in the Los Angeles group put it, "There is no system; not even six different systems; there are six dysfunctional bureaucracies that try to work together sometimes if the people know each other." Another cautionary note about collaboration that was sounded was the position that until everybody who is involved with the child is coming from the child's point of view, the barriers to integrating services will remain. Furthermore, there is no statewide standard on how to coordinate services and as a result there is a wide variety of methods being used around the state.

A number of participants commented on how infrequently local or state education

agencies are at the table when discussions about services for foster youth are held. While education is considered an important partner, it often is an absent one. The education system is also seen as too complicated to understand by other agencies, especially child welfare agencies, and therefore it is considered easier to simply ignore school issues. On the other hand, educators feel similarly lost when dealing with the child welfare system.

Population size does not seem to be the determining factor in whether or not education and child welfare agencies see each other as partners. One participant related her experience of working in a small county where there was no cooperation between child welfare and education. When she moved to a large urban county, she found just the opposite; child welfare and education worked together as real partners.

The problems cited here are not just local ones. In fact, there seems to be a sense that it is more difficult for state agencies to coordinate their activities than it is for local agencies. Even the statewide stakeholders workgroup on foster care issues, which was convened by Department of Social Services, has had little representation from education.

As more discussion about improving educational outcomes for foster youth occurs, counties are growing more concerned that child welfare will be held responsible if foster youth do not graduate from high school or cannot read. Consequently, there is more awareness that partnerships with education are critical in meeting these outcomes. However, it is difficult to identify the education decision-makers. While there are 58 counties in the state, there are 82 school districts in Los Angeles County alone.

On another level, juvenile court judges are greatly frustrated because they have no authority to hold schools accountable for the education of children. On individual cases before them, they find it very difficult to address the educational issues.

Potential Solutions. In a number of counties, judges have reached out to the local school districts and regularly meet with schools and child welfare agencies to resolve some of the specific educational problems experienced by foster youth. Responses to the surveys often mentioned the formation of a countywide education task force as a way of bringing various agencies together to address education issues. On the individual level one remedy that was suggested was for judges to invoke the provisions of Welfare and Institutions Code section 362(a) which authorizes the Juvenile Court to join to any proceeding any public or private agency that is failing to meet its legal obligation to the child. Joinder can be used to bring under the court's jurisdiction any school districts that refuse to implement IEPs, conduct assessments, or enroll foster youth.

One participant concluded that "it's not about transforming systems; it's transforming individuals; it's transforming thinking."

### Confidentiality

Background Issues. Confidentiality is one of the least understood and most perplexing problems that arises when discussing information sharing among the various agencies that are responsible for foster children and youth. Laws governing confidentiality are based on the U.S. Constitution as well as federal and state statutes, local and agency regulations and professional standards. They protect basic rights to privacy and must be closely guarded. It has only been recently, with the recognition that services to children and families need to be provided by a collaborative effort, that the countervailing value of sharing information has risen. Under these different statutes each individual service delivery system has developed its own set of rules regarding which specific information can be exchanged without client consent. In addition each agency

has specific requirements regarding the method of providing informed consent. As a result of these cumulative privacy and confidentiality protections, access to specific information is more limited than if the information were maintained by a single agency. These confidentiality requirements are often criticized because they lead to inconsistent results when agencies try to work together on behalf of a single child or family.

Every focus group listed restrictions on information sharing as a serious problem. One participant in Los Angeles stated, “We can’t figure out how the various entities ought to talk to each other because [education and social services] keep their records private and separate. . . . [t]hey are dealing with the same kids but god forbid they should share the records and help each other; that would be terrible.” Another participant in Oakland commented on the inconsistencies in interpreting confidentiality laws among the state’s 58 counties and concluded that the problems with the confidentiality laws have been talked about for years but “we still don’t know who we can share information with and how to do it. In Sacramento this theme of inconsistency continued with the comment that “[w]e have 58 counties and there [are] probably 30 different ways that information gets passed along; in some counties there is no problem and in other counties it is a problem.” Picking up on that comment another participant opined that much depended upon how the County Counsel in a particular county interpreted the confidentiality requirements. As a result, in some counties it was much easier to share information than in others. However, “getting County Counsels to accept a [single] interpretation of sharing confidential information is going to be very difficult. There is a reluctance on the part of regulatory agencies to dictate to local County Counsels how they should interpret confidentiality. . . . It is a very complicated issue [that raises] extremely

complex constitutional issues.” For court-appointed special advocates (CASAs), the issue of confidentiality can even interfere with their advocating for a child’s education since they are forbidden from giving information regarding the child to the school.

Potential Solutions. Some of the concerns raised about confidentiality and information sharing can be addressed by having the foster youth give written consent to release the information. Among the other suggestions made to address these problems were to request a California Attorney General opinion on confidentiality issues regarding education records and for the state to issue a directive to the counties about what information can be shared. In addition, the state could sponsor a statewide symposium on confidentiality that would develop needed legislation for assuring consistency in the interpretation of confidentiality laws. One provision of proposed AB 409 (Steinberg) would authorize the release of educational records of foster youth to their social workers.

### Training

Background Issues. In all three focus groups there was a strong emphasis on the importance of training: training caregivers, social workers, teachers, and judges. No one seems to have enough information to know how to address the education issues that face foster children and youth. Judges come under particular criticism for making orders that are not educationally relevant for an individual child. An example given was a judge who consistently orders tutoring for all children having school problems. The judge, however, has no information about whether tutoring will help, or, if it will, what kind of tutoring is needed.

Potential Solutions. Ongoing judicial training on education was strongly recommended. The importance of training parents and caregivers to empower them to be

advocates for their children was also emphasized. This includes teaching them how to ask for services and what forms to use and rehearsing sample conversations with them to have with teachers and administrators so they know how to navigate the educational system. Both Special Education Local Planning Areas (SELPA) and school districts were suggested as resources for providing training to parents and caregivers. Schools could be especially helpful in providing orientation to relative caregivers – often grandparents – who have been away from the school system for a number of years, during which time many of the rules and procedures, and even the terminology have changed. One participant mentioned a kinship program in her county through which homework help is offered to grandparents who are now the primary caregiver. In addition to education assistance, it also offers support. Protection and Advocacy, Inc. works with a grandparent organization in Oakland providing workshops on special education law and advocacy. Another county offers trainings on education issues to group home staff. Of equal importance to one participant was empowering foster youth to advocate for themselves.

Teachers also need training on childhood trauma and its impact on learning and development. In addition, teachers need to be sensitized to what it means to be a foster child so that they understand what is happening to foster children in their classroom. One participant recommended more cross-training between the two disciplines of social work and education. Another suggested that cross-training begin at the pre-service level. This would require changing the curricula at the undergraduate as well as the professional school level.

Social workers need to be trained specifically on the state education laws.

Sacramento County regularly provides this kind of training. Foster youth service workers and education liaisons are used to conduct trainings for social workers on such topics as how to enroll a child in school and what the special education process is. While this training is not intensive, it does demystify the process. However, this level of basic training cannot take the place of having education liaisons co-located in child welfare offices to work directly with social workers on education issues.

### Funding

Background Issues. Focus group participants reported a variety of funding issues that impede the educational progress of foster youth. A major concern in this area is that foster parents are not provided funding to send their young foster children to preschool. At the other end of the age spectrum is the fact that foster youth are no longer eligible federal foster care funds after they turn 19. While California has extended the age a youth may remain in the foster care system to 21, the state cannot provide continued funding at the same level provided by the federal government prior to the youth's 19th birthday.<sup>6</sup> The problem for foster youths who have not graduated from high school by their 19th birthday is that, unless the county in which they reside replaces the funding the federal government previously provided (in addition to the county's portion of costs), these youths will have to leave their foster placement (i.e., "age-out") and typically their schools as well. Focus group participants reported that some foster youths taking advanced placement classes in high school with the intention of attending four-year colleges or universities were unable to finish their classes and receive high school diplomas. They had "aged-out" of their foster care placements and, therefore, were forced to leave school and to obtain General Equivalency Diplomas (GEDs).

Focus group participants expressed considerable concern about funding issues related to nonpublic schools (NPS) attended by many foster youths receiving special education services. A major problem with NPS funding is that there is a fiscal incentive for school districts to place foster youths in NPSs. School districts receive 100% reimbursement from the state for the education of foster children in NPSs. If the foster children remain in the public school setting, the school district receives none of this state funding to educate the children that would be available if they were in a NPS. Focus group participants also reported that there is no funding incentive for school districts to initiate dual enrollments for students who attend NPSs—that is, attending the NPS part of the day and the public school part of the day. NPSs receive the total allotment of state funding for their students, even if the students spend a portion of the school day on public school campuses. A related issue is the total amount spent by the state to educate foster youth in NPSs and how that funding could be used in the public school setting for these students. One focus group participant reported that “...states spend \$125 million dollars a year on kids in NPSs; some of them need to be there and others don’t...A lot of them are put in special ed because there is ‘no other game in town.’”

Focus group participants reported that not all counties in the state are accessing all of the federal Title I funding available under the Elementary and Secondary Education Act (currently called the No Child Left Behind Act) for services for children residing in group homes. Money under this act is available to counties for children residing in group homes. The problem, according to focus group participants, is that there is a lack of consistency in the state regarding accessing these funds for children in Foster Family Agencies.

Finally, focus group participants felt it would be more cost effective to develop a single statewide educational database for children in foster care, rather than having each county's Foster Youth Services program develop its own database. Some small counties receive funding for this purpose and only have two children in the foster care system. The concern, however, reported by focus group participants regarding a statewide database system is that even if the Department of Education (DOE) were to receive funding to develop such a system it would not have the resources to manage or maintain it.

Potential Solutions. In relation to funding preschool services for children in foster care, focus group participants reported that Los Angeles County is using its Proposition 10 funds to provide universal preschool services in the county. Focus group participants recommended that a portion of the Proposition 10 funding in each county be designated for preschool services for foster children. Some focus group participants indicated that there is funding for preschool for low-income families and questioned whether this funding source could be used by foster parents to pay for preschool for foster children or if legislation would be required to allow these funds to be used in this way. Another focus group participant reported that the California DOE provides funding for child development and asked whether this source of funding could be used to fund preschool for foster children.

Regarding the issue of "aging out" of the foster care system, focus group participants stressed that a change in federal law is needed to prevent foster youth who have not graduated from high school from losing their federal foster care funding. Some focus group participants recommended that funding continue until age 21 for those foster youth who attend college. Focus group participants reported that Los Angeles County

includes in its contract with caregivers the requirement that they must continue to provide housing for foster youths in their care until the youths complete high school. Los Angeles County uses county funds to maintain these youths in foster care. Few other counties in the state have chosen to provide this funding.

Focus group participants recommended a change in the state NPS funding formula for foster youth so that public schools will have an incentive to keep these youngsters on their campuses. Participants recommended that, for foster youths who receive special education services, the funding should follow the children to eliminate incentives to place these youngsters in NPSs unnecessarily. Also recommended by focus group participants was a specific state funding stream, independent of special education, for educational programs and services for foster youth who are at risk educationally. Statewide funding for such at-risk programs and services would encourage school districts to support the education of foster children living in group homes within their district boundaries.

Focus group participants felt it was important for each county to access all Title I funds for foster youth in group homes available under the No Child Left Behind legislation. This funding can be used for a range of purposes including individual or group tutoring, the purchase of educational devices such as computers, development of online tutoring programs, and group home staff training. Participants reported that Santa Clara County has put together an “A to Z Manual” for group home providers on accessing Title I funding.

Other suggestions by focus group participants related to funding included using Title IV(e) monies for training of social workers and caregivers on educational issues.

The benefit of using this funding stream is the associated 75% federal match. Also recommended was using a funding model similar to that of the public health nurse program to hire of educational liaisons to work with social workers in county child welfare agencies.<sup>7</sup>

### Recommendations

The following is a summary of the recommendations made in the focus group discussions and key informant interviews:

- Maintenance of foster youth in their schools of origin through either (a) provisions in McKinney-Vento Homeless Assistance Act or (b) transportation funds set aside by the State or local school districts to cover transportation costs so that children living in foster placements outside their home districts can remain in their schools of origin, if appropriate.
- Designation of Educational Liaisons to (a) advocate for the educational needs of children in foster care; (b) ensure timely enrollment and check-out; (c) maintain and transfer records; and (d) ensure appropriateness of school programs.
- Expansion of state-funded programs including Foster Youth Services and Independent Living Program to serve all foster youth.
- Inclusion of educators as members of initial assessment teams for all foster youth. Educators would be responsible for examining available records and providing assessment in areas in which no information exists.
- Required attendance at preschool or other early childhood education programs for 3 and 4 year-old foster children.

- Careful monitoring of medication of foster youth with mental health problems to evaluate how medication affects learning.
- Extension of federal and state funds to cover youth in foster care beyond 19<sup>th</sup> birthday if they have not graduated from high school.
- Increased utilization of Title 1 funds to provide tutoring for foster youth including assessment of basic skills, skill development, and assistance with homework.
- Development of a web-based system for school records to (a) ensure timely maintenance and transfer of school records; (b) facilitate enrollment in a new school; and (c) to identify presence of an IEP and ensure receipt of designated services.
- Careful placement of foster youth in nonpublic schools with respect to appropriateness of program and monitoring for quality of schooling and accumulation of credits.
- Expansion of CMS/CWS data management to include more educational data and increased access for school personnel.
- Assuring consistency across record-keeping databases being developed by individual counties as well as ability to share data across counties.
- Data collection of educational information necessary for monitoring the education of foster youth (i.e., attendance, retention, IEPs, NPS enrollment, achievement test scores, drop out rate).
- Training and cross-training of social workers, caregivers, teachers and judges to increase awareness of education issues and problems that face foster youth.  
Cross-training of professionals should begin at the pre-service level.

## Next Steps

We have found that a great many of the educational problems that foster youth relate to placement instability and the resulting multiple school transfers. The foster youth we spoke with reported as many as 16 home and school moves over the course of two years. Due to the frequent school transfers, the schools lack knowledge and understanding about the child's educational needs and skill level and, thus, fail to monitor properly the child's progress. This high rate of school mobility of foster youth has led to a failure on the part of schools to feel ownership of these students—"that these are our kids."

Even if placement instability were reduced, there still remain substantial problems adversely affecting the education of all foster youth. These problems arise from the effect of abuse and neglect experienced by these youth, the removal from their family homes, placement outside of their communities necessitating school transfer, frequent lack of oversight of their education, and lack of services to adequately meet the emotional needs caused by their life circumstances.

The following recommendations for next steps to begin to remedy the educational problems facing foster youth emerged from the planning process described above. These next steps involve convening issue-focused task forces to address specific systemic problems and initiating projects that address specific needs for this population of students.

### Issue-Focused Task Forces

Three statewide task forces will be convened. They will address (a) expanding

existing legal mandates that affect the education of foster youth; (b) investigating legal violations that have a negative impact the education of foster youth; and (c) resolving inconsistencies in counties' interpretations of confidentiality laws governing the sharing of records among child welfare, education, and other agencies.

Expansion of Existing Legal Mandates. This task force will work on the following activities:

- Expanding of California's Foster Youth Services (FYS) to serve all children in foster care, not just those residing in group homes.
- Increasing the number of Independent Living Program (ILP) slots that are available so that more of California's foster youth will be able to participate prior to emancipation and making the program more comprehensive to address all emancipation needs.
- Increasing the age when federal foster care funds end beyond age 18 for foster youth who are still in high school and have not yet graduated.
- Applying the protections available to homeless youth under McKinney-Vento to youth in foster care.
- Helping counties access all funding available under federal law for tutoring services for foster youth in group homes.
- Increasing the number of at-risk foster children between the ages of 0 to 3 who receive Early Intervention Services under federal and state special education laws.

- Making space available at California State Universities for all foster youth.

Investigation of Legal Mandate Violations. The second task force will address violations of existing laws that result in a negative impact on the education of children in foster care.

- Widespread violations of federal and state special education laws related to foster youth include, among others, failure to identify some special education-eligible foster youth despite clear evidence of eligible disabilities; placing foster youth in restrictive, inappropriate special education placements; and not assigning surrogate parents for foster youth lacking parents who can advocate appropriately on the children's behalf.
- California law requiring educational passports for all children in foster care routinely is not followed.

Interpretations of Confidentiality. The third task force will address inconsistencies in counties' interpretations of confidentiality laws governing the sharing of information and records between child welfare and education agencies.

### Research and Pilot Projects

The following projects will be initiated. They focus on identifying effective tutoring and mentoring programs for foster youth and initiating pilot assessment team and educational liaison models.

Tutoring/Mentoring Research Project. There is a considerable amount of money spent in the state for tutoring services for foster youth, particularly those residing in

group homes. Many of these tutoring programs are not evaluated and there is a concern that the funds are not being used effectively. Few mentoring programs for foster youth exist in the state. This project will compare and contrast reports of evaluation data of tutoring and mentoring programs currently being implemented throughout the U.S. that focus on foster youth. The reports to be reviewed will include published and non-published material of program descriptions and evaluation data. The project will identify the most effective programs for foster youth.

Establishing Assessment Teams. This pilot project will develop assessment teams comprised of experienced special educators, mental health counselors, nurses, social workers and/or other professionals as needed. These teams will evaluate foster youth entering the child welfare system. It is expected that this assessment process will lead to improved school attendance and better grades, as well as improved skill development for foster youth.

Establishing Educational Liaison Partnerships. This pilot project will implement a model in a small or moderate size county in which educational liaisons from a school district or county office of education are co-located in child welfare offices to (a) work with social workers to resolve the educational problems of children on their caseloads; (b) provide training to social workers and caregivers on educational issues; (c) advocate for appropriate services and programs for foster children in the schools; and (d) participate in multi-disciplinary assessment teams.

## References

- Altshuler, S. J. (1997). *The educational experiences of children in foster care: The perceptions of teachers, foster parents and children. Final Report*. Urbana, IL: University of Illinois at Urbana-Champaign.
- Eckenrode, J., Laird, M., & Brathwaite, J. (1995). Mobility as a mediator of the effects of child maltreatment on academic performance. *Child Development*, 66, 1130-1142.
- Goerge, R.M., Van Vooris, J., Grant, S., Casey, K., & Robinson, M. (1992). Special-education experiences of foster children: An empirical study. *Child Welfare*, 71, 419-437.
- Hochstadt, N.J., Jaudes, P.K., Zimo, D.A., & Schacter, J. (1987). The medical psychosocial needs of children entering foster care. *Child Abuse and Neglect*, 11, 53-62.
- Kelly, K. (2000). The education crisis for children in the California Juvenile Court System. *Hastings Constitutional Law Quarterly*, 27, 757-773.
- Parrish, T., Dubois, J., Delano, C., Dixon, D., Webster, D., Berrick, J.D., & Bolus, S. (2001). *Education of Foster Group Home Children, Whose Responsibility Is It? Study of the Educational Placement of Children Residing in Group Homes*. Palo Alto, CA: American Institute of Research.
- Sawyer, R.J. & Dubowitz, H. (1994). School performance of children in kinship care. *Child Abuse & Neglect*, 18, 587-597.
- Uriquiza, A.J., Writz, S.J., Peterson, M.S., & Singer, V.A. (1994). Screening and evaluating abused and neglected children entering protective custody. *Child Welfare*, 73, 156-171.

Weinberg, L.A., Weinberg, C., & Shea, N.M. (1997). Advocacy's role in identifying dysfunctions in agencies serving abused and neglected children. *Child Maltreatment*, 2(3), 212-225.

Weinberg, L.A., Zetlin, A.G., & Shea, N.M. (2001). *Who should be responsible for the education of children in foster care: A literature review*. Los Angeles, CA: Mental Health Advocacy Services, Inc.

Zima, B.T., Bussing, R., Freeman, S., Yang, X., Belin, T.R., & Forness, S. R. (2000). Behavior problems, academic skill delays and school failure among school-aged children in foster care: Their relationship to placement characteristics. *Journal of Child and Family Studies*, 9 (1) 87-103.

## Endnotes

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<sup>1</sup> See California Education Code § 56325.

<sup>2</sup> Youths covered under McKinney-Vento have a right to: (a) remain in their school of origin until the end of any academic year, or, if longer, the duration of the youths' homelessness; (b) receive transportation to their school of origin; (c) have school placement decisions guided by the "best interest" of the youths with an aim to "continue their education in the school of origin," unless doing so is contrary to the wishes of the children or their parents or guardians; (d) choose between the local school where they are living or the school where they were last enrolled; (e) be immediately enrolled in their new school even absent records normally required for enrollment; and (f) have any school placement disputes promptly resolved, with ongoing enrollment in their school of origin pending resolution of those disputes.

<sup>3</sup> Both of these scoring methods are used to measure student academic achievement growth against a standard and require that schools break down scores by overall student population, socioeconomic disadvantage, ethnicity, special education status, and other factors. Under the API scoring method, some special education students are exempt from standardized testing and instead take alternative assessments. The new No Child Left Behind regulations mandate that any alternative assessment must be based on the grade that students are enrolled in. Furthermore, every subgroup in the AYP scoring system must make progress every year or schools are subject to sanctions. These sanctions include, in the short run, paying for transportation costs for students to attend schools of their choice within the school district or ultimately turning the school over to a private company.

<sup>4</sup> Under federal and state special education laws, to attend a nonpublic school the child must be eligible for special education services and the student's IEP team must determine that placement at the nonpublic school is the appropriate educational placement for the child. Furthermore, the child's parent or surrogate parent (if the child does not have a parent, the parent's educational rights have been curtailed, or the parent's whereabouts are unknown) must consent in writing to the child's placement at the nonpublic school.

<sup>5</sup> Calif. Educ. Code § 56325(b).

<sup>6</sup> Prior to a foster youth's nineteenth birthday, the federal government pays 50%, the state pays 20%, and the counties pay 30% of the maintenance costs for foster care.

<sup>7</sup> The funding for the public health nurses is located in the Department of Social Services budget. An interagency agreement allows this money to be funneled to the Department of Health Services to be used specifically for the public health nurses. The total budget for public health nurses is about \$19 million, which includes the federal share.