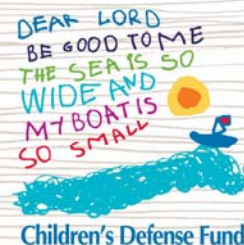


# The Need for Educational Stability for Children in Foster Care: Recommendations for the Elementary and Secondary Education Act Reauthorization



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## THE CHALLENGE

The nearly 800,000 children in foster family homes, group homes and child care institutions during the course of a year, many of whom have multiple special needs, often face unique educational challenges. They must confront numerous barriers to their success in school: the trauma of the initial abuse and neglect as well as the removal from their homes, separation from their siblings and often multiple moves from home to home and school to school.

### *School Performance Lags Behind*

- Three different studies found that more than one-third of youths in foster care had repeated at least one grade.<sup>i</sup> Another found that twice as many children and youths in foster care had repeated a grade compared to those not in care.<sup>ii</sup>
- In Washington State, research found that children and youths in foster care attending public schools scored 16 to 20 points below youths who were not in foster care on statewide standardized tests given in 3<sup>rd</sup>, 6<sup>th</sup>, and 9<sup>th</sup> grades.<sup>iii</sup>
- According to the Midwest Evaluation, over 40 percent of youths in foster care did not have a high school degree at age 19, compared to only 13 percent of their peers who were not in foster care. By age 21, nearly one quarter still did not have their diploma, compared to 11 percent of their peers.<sup>iv</sup>

### *Frequent Moves*

- Children have an average of one to two placement changes per year while in foster care and research shows that each change in school placement for a child results in the loss of up to six months of educational progress.<sup>v</sup> In at least one study of foster care alumni, youths who had one fewer placement changes per year were almost twice as likely to graduate from high school before leaving care.<sup>vi</sup>
- Over one third of young adults report having five or more school changes while in foster care.<sup>vii</sup> Another study of young adults in foster care found that more than half had experienced seven or more school changes from elementary through high school.<sup>viii</sup>

In order to improve educational outcomes for children in foster care, the children need the assurance of educational stability, which requires:

- **Maintaining a child in his original school when an initial placement or a new placement becomes necessary unless it is not in the child's best interest.** Efforts are increasingly being made by child welfare agencies to find placements for children close to home. But where that is not possible, when a child is removed from his home or to a new placement, the child welfare agency must coordinate with the school district to ensure that the child can remain in his or her original school. There also must be a process for determining that such a placement is in the child's best interest and for resolving disputes about what is in the child's "best interest" when they arise.

- **Immediate and appropriate enrollment in a new school.** To keep children in foster care from losing valuable school time, enrollment in a new school must occur within days rather than weeks. Too frequently there are reports of children being out of school for months when they are moved to new foster placements.
- **Prompt transfer of school records when a school change is necessary and appropriate.** A delay in the transfer of school records may result in a child being kept out of school, placed in the wrong grade or without appropriate special education services, and experiencing lost credits or delayed graduation.
- **Payment of transportation costs.** Ensuring transportation is provided to a child's original school prevents the lack of transportation from being a barrier to educational stability for children in foster care.

Ensuring successful educational outcomes for children and youths in foster care must be the joint responsibility of the child welfare agencies that have responsibility for the care and custody of the children and the education agencies that are responsible for providing all children a free appropriate public education. The *Fostering Connections to Success and Increasing Adoptions Act of 2008* (P.L. 110-351, *Fostering Connections*) placed the obligation on state and local child welfare agencies to coordinate with education agencies to ensure the above protections for children in their care. The act also provided federal reimbursement to state child welfare agencies to help with the transportation of about half of the children in foster care to their original school of origin when necessary.

Joint child welfare and education efforts to ensure educational stability of children in foster care are underway in some states and localities, building sometimes on relationships established under the *McKinney Vento Homeless Assistance Act* (McKinney Vento). In many localities, however, child welfare agencies have been rebuffed by education agencies that felt no special responsibility for these children or, in some cases, believed that their state education laws or policies, such as those governing residency and records requirements, would not allow them to keep children in their original schools or to immediately enroll the children in new schools.

## RECOMMENDATION

The Children's Defense Fund recommends that the *Elementary and Secondary Education Act* (ESEA) reauthorization includes obligations on state and local educational agencies that mirror those that *Fostering Connections* placed on child welfare agencies, so the promise of *Fostering Connections* will be fulfilled and children in foster care will be provided educational stability and opportunities to help them succeed in school and in life. These protections are similar to the education stability protections already provided to homeless children in ESEA through McKinney Vento. These obligations in ESEA must include:

- **Coordination and collaboration**, and the establishment of foster care liaisons, to ensure that children in foster care are afforded the enforceable protections they need for educational stability including, at a minimum:
  - The right to remain in the school they are enrolled in at the time of placement, unless that would not be in the child's best interest;
  - A procedure to resolve disputes when there is a dispute about what is in the child's "best interest";
  - Immediate enrollment in a new school when remaining in the original school is not in the child's best interest;
  - Prompt transfer of the child's school records to the new school; and
  - A shared responsibility, when necessary, with the child welfare agency for transportation to the child's original school.

- **A method for collecting data and tracking information** to document advances in providing children these educational stability protections. It is important to know about key indicators such as the number of school changes children in foster care experience and enrollment delays that occur when these children are moved to new foster family homes or group care settings.
- **Funding for states and local educational agencies** to assist them in meeting these new obligations on behalf of children in foster care and to oversee the implementation of the educational stability protections.

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<sup>i</sup> Advocates for Children of New York, Inc. *Educational neglect: The delivery of educational services to children in New York City's foster care system*. New York: Advocates for Children, 2000; Courtney, M.E., Terao, S., and Bost, N. *Midwest evaluation of the adult functioning of former foster youth: Conditions of youth preparing to leave state care*. Chicago, IL: Chapin Hall Center for Children at the University of Chicago, 2004; Pecora, P., et. al. *Assessing the effects of foster care: Early results from the Casey National Alumni Study*. Seattle, WA: Casey Family Programs, 2003.

<sup>ii</sup> Burley, M. and Halpern, M. *Educational attainment of foster youth: Achievement and graduation outcomes for children in state care*. Olympia, WA: Washington State Institute for Public Policy, 2001.

<sup>iii</sup> Ibid.

<sup>iv</sup> Courtney, M.E., et.al. *Midwest evaluation of the adult functioning of former foster youth: Outcomes at age 21*. Chicago, IL: Chapin Hall Center for Children at the University of Chicago, 2007.

<sup>v</sup> Temple, J. A., and Reynolds, A. J. "School mobility and achievement: Longitudinal results from an urban cohort." *Journal of School Psychology* 37.4 (1999): 355-377.

<sup>vi</sup> Pecora, P., et. al. *Assessing the effects of foster care: Early results from the Casey National Alumni Study*. Seattle, WA: Casey Family Programs, 2003.

<sup>vii</sup> Courtney, M.E., Terao, S., and Bost, N. *Midwest evaluation of the adult functioning of former foster youth: Conditions of youth preparing to leave state care*. Chicago, IL: Chapin Hall Center for Children at the University of Chicago, 2004.

<sup>viii</sup> Pecora, P., et. al. *Improving family foster care: Findings from the Northwest Foster Care Alumni Study*. Seattle, WA: Casey Family Programs, 2005.