



Fighting for Children's Rights

FCF Recommendations for Inter-Agency Actions to Improve Educational Opportunities for Florida's Foster Youth

1. Educational Stability

A. Change Rules to comply with Fostering Connections Act: Youth are entitled to have a plan for ensuring their educational stability while in foster care as part of his or her case plan. As part of this case plan, the CBC agency must include assurances that:

a. the placement of the child in foster care takes into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement; and

b. the CBC agency has coordinated with appropriate local educational agencies to ensure that the child remains in the school in which the child is enrolled at the time of placement.

- A. Before transferring any child to a new school, assess whether the move is in the child's best interests and ask the school of origin whether remaining in the same school is feasible.
- B. Child Welfare: If placement into shelter care is necessary, attempt to place children in homes close to their current school.
- C. Child Welfare: If the child is moved while in care, attempt to keep the child in a new home near the current school or seek transportation options to keep the child in the same school.
- D. Child Welfare: Examine new expansion of uses of Title IV-E funding to include school transportation.
- E. Both: Coordinate to provide transportation for children in care.
- F. Both: Collaborate to recruit foster homes from the local school community, including school parents, employees and partners.

- G. Schools: Allow children to remain in the same school if at all feasible. Consult with the local McKinney-Vento coordinator and check to see if the child has an IEP that would dictate placement.
- H. Schools: Amend the State's McKinney-Vento Plan to expressly include children who find themselves with no permanent home due to entry into the dependency system.
- I. Schools: Use McKinney-Vento or Title I funds to provide transportation for children in care, or seek other resources for this important education related service.

2. Seamless Transition Between Schools (Regardless of School District)

Summary of Problem

The diminished educational and emotional progress caused by changing schools is magnified when the transfer does not happen smoothly. Sometimes there are delays in enrollment, caused by not having or failure to transfer school or immunization records. Other issues include lack of required school uniforms or other supplies. Unfortunately, sometimes apathy among foster parents and caseworkers leads to delays in enrollment. Children are also impacted when schools have different schedules or graduation requirements which without special attention cause children to lose credits and fall behind. School records are sometimes lost or incomplete. Compounding those problems are jurisdictional fights over which school district is responsible for the education of the child when the child is removed from a home in one District and placed in a home in another District.

Data

The Broward County School District found that 12% of students in care were not enrolled in school by the 20th day of the school year. After an extensive campaign to apprise child welfare and school system staff of ways to resolve the problem, 98% of children were enrolled by the 20th day of the following school year.

School policies may hinder the transfer of prior school records and prevent immediate enrollment of youth in out-of-home care when enrollment documents are not forthcoming. Studies in Pennsylvania, New York, and California have found that gaining access to prior school records is a serious barrier to school access for youth in care, resulting in significant enrollment delays. *Patricia Julianelle, J.D. (November 2008.) The McKinney-Vento Act and Children and Youth Awaiting Foster Care Placemen: Strategies for Improving Educational Outcomes Through School Stability. Published by The National Association for the Education of Homeless Children and Youth.*

Goal 2.: If remaining in the same school is not in the best interest of the child, the case plan must provide for immediate and appropriate enrollment in a new

school and provide all of the educational records of the child to the new school making any move a seamless transition, whether between schools or school districts.

Actions Requested

- A. Both: Share information to ensure that schools identify children in care and child welfare officials have school records, while ensuring that children’s privacy is protected.
- B. Child Welfare: Change schools only during the end of a marking period or school term.
- C. Child Welfare: Enroll children in school immediately.
- D. Child Welfare: Maintain complete school records for children in state care.
- E. Schools: Enroll children in state care immediately even if they do not have all necessary paperwork.
- F. Schools: Provide guidance to ensure child graduates on time (allow child to receive credit for completed work and to graduate even if they attended schools with varying requirements).
- G. Schools: Ensure evaluations are completed and special education services are provided to children with disabilities.
- H. Schools: Set statewide policy directing which District is responsible for paying for the education of a child when the child is moved between Districts during a stay in state care.
- I. Both: Work together to ensure that barriers such as required school uniforms and required school supplies are removed.

3. School Readiness (See also goal 9)

Summary of Problem

Children in state care have higher rates of physical, developmental and mental health problems. They often enter care with unmet needs. Many children are language delayed. Caregivers and early learning staff may not be aware of the needs of those children or how to obtain appropriate screenings and services. Too often, substitute caregivers are not knowledgeable about, nor involved in school readiness activities.

Data

A 2005 national study of children in state care found that 40% of toddlers and 50% of pre-schoolers had significant behavioral and developmental needs. Yet only 21% of the

children were receiving services. National Working Group on Foster Care and Education, Educational Outcomes for Youth in Foster and Out-of-Home Care (September 2007).

Goal 3: Young children enter school ready to learn.

Action Requested

- A. Both: Coordinate to ensure that all children in state care have access to Early Steps and Child Find screenings and services, with Child Welfare ensuring early and regular screening of all young children using well baby/ child check ups.
- B. Both: Coordinate efforts to educate out-of-home caregivers on the medical and developmental needs of children in their care and train and support them on how to be effective advocates for those children.
- C. Both: Examine home based learning readiness programs such as HIPPIE (Home Instruction for Parents of Preschool Youngsters), PAT (Parents As Teachers), and the Build Better Readers/Just Read Florida Programs to see if those programs could be brought to the caregivers of pre-school aged children in state care.
- D. Child Welfare: Ensure that all children have medical, behavioral, mental health and developmental screenings and assessments upon entry into care and that all recommended treatment is provided. Require attention to language acquisition deficits.
- E. Both: Work together to ensure that DOH/ DOE programs for developmental and behavioral screening for children birth to 3 are appropriately accessed and that there is a seamless transition to DOE/School-based programs that begin at age 3.
- F. Both: Work together with the Early Learning Coalitions on quality child care, and with the providers of Head Start and Early Head Start to give children in state care priority access.
- G. Schools: Provide developmentally appropriate counseling and supports in early learning programs. Train all early learning personnel to be sensitive to children's abuse and neglect experiences.
- H. Both: Share the Sunshine State Standards or its successor and provide access to training on the understanding and use of developmental milestone measures.

4. Full Participation in the School Experience

Summary of Problem

Children in state care are excluded from academic programs, extracurricular activities and school events. Even if the exclusion is not blatant, the conditions for participation make it difficult if not impossible for youth in care to join in. Likewise, many group homes have rules and practices that preclude youth from participating in activities and events. These opportunities are critical not only for the child's social and academic development, but are necessary for admission to certain post-secondary schools.

Data

One study found that 39% of children in care had low levels of engagement in school, as measured by the child's attitude towards school work and doing well in school. Twenty-eight percent were not involved in any activities outside of school, such as sports, clubs, or lessons. Ehrle, J. & Kortenkamp, K., (Jan. 2002). *The Well-Being of Children Involved With the Child Welfare System: A National Overview*. Series B. No. B-43 New Federalism: Nat. Survey of America's Families.

DCF's 2007 Independent Living Survey found that only 60% of youth who failed the FCAT were provided with remedial services.

Goal 4: Youth have the opportunity and support to fully participate in all aspects of the school experience.

Action Requested

- A. Child Welfare: Expressly authorize foster parent or caseworker to provide permission for children to participate in school clubs, after-school activities, sports and social events for all ages and utilize "Normalcy Plans" for older youth. Explain in the authorization the connection between participation and educational progress and the link between school stability/progress and child welfare goals of placement stability and permanency.

- B. Child Welfare: Identify and refer children to tutoring, remedial and enrichment programs in the community.
- C. Child Welfare: Require all caregivers (including group homes and shelters) to establish a means for children to participate in school related events and activities, including providing transportation.
- D. Child Welfare: Establish some requirement for school involvement for persons acting as parents to the children.
- E. Schools: Allow and encourage children in state care to participate in school clubs, after school activities, sports, and social events. Ask Booster clubs and PTSA's to set aside funds to underwrite the costs of participation for children in state care.
- F. Schools: Provide children in care with tutoring, remedial and enrichment programs.
- G. Schools: Reach out to substitute care parents to encourage participation in established parental involvement programs.

5. Support to Prevent Drop Out, Truancy & Disciplinary Actions (see also Goal 10)

Summary of Problem

Children in state care have higher rates of truancy, discipline problems and school dropout that negatively impact their learning experience and ability to make successful transitions, whether to permanency or to adulthood.

Data

The 2007 DCF Independent Living Survey found that 33% of the 20 year-olds surveyed had a "highest completed grade" of 11th grade or lower. The 2005 OPPAGA report found that youth in care were twice as likely to have school disciplinary problems and were three times more likely to be involved in drop out prevention programs for youth who are parents, in the delinquency system or otherwise at-risk.

Goal 5: Youth have supports to prevent school dropout, truancy, and disciplinary actions.

Action Requested

- A. Child Welfare: Develop or identify community programs to encourage positive behaviors and engage youth in school.

- B. Child Welfare: Monitor educational progress and contact school at the earliest sign of trouble.
- C. Child Welfare: Ensure that youth have an adult to advocate for them at school, especially in disciplinary proceedings.
- D. Child Welfare: Minimize absences for court appearances and medical appointments. Always write school an excuse letter when such absences must occur.
- E. Child Welfare: Add training for caseworkers and caregivers in drop out prevention strategies.
- F. Both: Develop and implement protocols for rapid notice by schools to child welfare when a child is evidencing at-risk behaviors in school, truancy, lack of school progress.
- G. Schools: Attempt other forms of intervention before expulsion or referring children in care to the delinquency system or alternative schools.
- H. Schools: Train school counselors and other staff in the specific needs of children who have experienced abuse and neglect.
- I. Schools: Ensure that youth with disabilities have behavioral intervention plans and receive procedural protections so they are not punished for behaviors that are a symptom of their disabilities.
- J. Schools: Define missing school or class for documented child welfare purposes as an excused absence and prohibit loss of credit or other negative impact for unavoidable absences.

6. Youth are Involved, Engaged and Empowered

Summary of Problem

Youth in state care are often disconnected from the systems that serve them. Youth experience better outcomes when they are involved in the decisions that affect their lives. Yet, youth in state care change schools frequently and are not given the positive guidance and assistance to see that a good education can result in a better future. They need to have the vision of their future and assistance in the concrete steps that they can take to make it a reality. Moreover, many youth in state care with special educational needs will transition to adulthood without the on-going support of a permanent family – therefore their need to be empowered to advocate for themselves is even more critical.

Data

Youth who participate in their IEPs and education planning experience better outcomes than their non-participating counterparts. See studies collected at, **Implementation of Self-Determination Activities and Student Participation in IEPs** Journal article by Christine Mason, Sharon Field, Shlomo Sawilowsky; *Exceptional Children*, Vol. 70, 2004. These studies show that, “ Youth who are involved in their IEP development or related educational goal setting and planning are more likely to (a) achieve their goals, (b) improve their academic skills, c) develop important self-advocacy and communication skills, (d) graduate from high school, and (e) gain better employment and quality of life as adults.” *Id.* (internal citations omitted)

DCF’s 2007 Independent Living Survey showed that 61% of youth in care between the ages of 13 and 17 did not have a written educational and career path plan.

Goal 6: Youth are involved and engaged in all aspects of their education and educational planning and are empowered to be advocates for their education needs and pursuits.

Action Requested

- A. Both: Work together to train youth on their education rights and on self-advocacy.
- B. Both: Work together to ensure school involvement in child welfare education planning process. Help youth obtain educational mentors who will help them strive to complete school and continue to post-secondary education.
- C. Both: Train all personnel who work directly with youth on how to engage youth in education planning.
- D. Child Welfare: Ensure that youth are consulted about their educational preferences and needs – including about whether they should change schools when their residence changes.
- E. Child Welfare: Ensure that youth are involved in the creation of their “educational and career path plan.”
- F. Schools: Ensure that youth are involved in their IEPs and in their school-based transition plans. Coordinate transition plans with Child Welfare.

7. Consistent Adult Support & Educational Decision Maker

Summary of Problem

Children in care may not have a consistent adult to advocate for educational services and support educational goals the way a parent typically would. For children with (or suspected of having) disabilities, the need for an education decision maker is even more acute because federal law specifies that only certain individuals can act as a “parent” to make special education decisions and provides for the appointment of a surrogate parent when necessary. Not having a legally authorized education decision maker can hold up evaluations and appropriate special education services. In addition, confusion results when the custodian or caseworker can sign consents for school activities, but may not hold parent status for purposes of IDEA.

Data

One study found that the education and transition plans of youth with disabilities in care were lower quality than their peers, and youth in foster care were less likely to have an advocate (family member, foster parent or educational surrogate) present at their education planning meetings. National Working Group on Foster Care and Education, Educational Outcomes for Youth in Foster and Out-of-Home Care (September 2007)

Goal 7: Youth have an adult who is invested in his or her education during and after his or her time in Out-Of-Home Care including a Surrogate Parent where appropriate.

Action Requested

- A. Child Welfare: Ensure that case workers, foster parents and/or education liaisons reinforce the value of education and advocate at school for children in care
- B. Child Welfare: At shelter, disposition and judicial reviews, determine who is the legally authorized decision maker for children with or suspected of having a disability. If there is no educational decision maker, ask the Court to designate someone or appoint a surrogate parent.
- C. Schools: Appoint surrogate parents for all eligible children. Review current TAP to ensure it is consistent with existing law. Courts may now appoint surrogate parents.
- D. Schools: Recruit and train qualified surrogate parents. If the school is seeking to use a foster parent as an educational decision maker, ensure that the foster parent has knowledge of the child and more than a fleeting interest in the child’s education. Develop an updated technical assistance paper consistent with the law

and best practices to provide guidance to local schools to avoid short term shelter and foster parents, group home staff and other inappropriate persons from making education decisions for the child.

- E. Schools: Ensure that training for surrogates is offered to caregivers, GALs, and others who may act as parent, whether appointed by schools or Courts.
- F. Schools: Review the surrogate parent training material used by schools such as Broward and Palm Beach and incorporate best material for distribution to others, especially the material on the effects of abuse and neglect on accessing and benefitting from the educational environment. (FDLRS prepared)

8. Post-Secondary Education & Employment

Summary of Problem

Youth in state care want post-secondary education, but they are far less likely than their peers to achieve it. They need support and opportunities to overcome the numerous barriers that impede progress toward completion. This may be as simple as not having the requisite documents to enroll in school, or as complicated as not having a place to live when campus housing is closed for vacation. Moreover, youth who succeed in post-secondary education often attribute their success to adults who took the time to encourage them to keep going – they must have mentors, cheerleaders or coaches to help them envision their own potential.

Youth are also ill-prepared for work and likewise need assistance with barriers to meaningful employment. Group home rules, and rapidly changing placements, make it difficult for youth to obtain employment and gain real-world work experience. Without good mentoring, they may find it difficult to adapt to workplace norms.

Data

DCF's Independent Living survey showed that
 55% of 17 year olds are below grade level
 58% of 17 year olds failed the FCAT

One regional study showed that 80% of youth in out-of-home care hoped and expected to graduate from college. Courtney, M.E., Terao, S. & Bost, N. (2004). *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. Yet National data shows that only 9% of former foster youth complete college in comparison with 24% of the general population. National Working Group on Foster Care and Education, *Educational Outcomes for Youth in Foster and Out-of-Home Care* (September 2007)

A 1997 national study showed that teens in foster care were enrolled in college

preparatory classes at half the rate (15% to 32%) of students not in foster care. Blome, W. (1997). What happens to foster kids: Educational experiences of a random sample of foster care youth and a matched group of foster care youth. *Child and Adolescent Social Work Journal*, 14(1), 41-53.

DCF's 2007 Independent Living Survey found that more than half the under age 18 have not been provided the opportunity for job training activities. Only 30% of 15 year olds, 39% of 16 year olds and 45% of 17 year olds had such opportunities. For those youth (ages 16-23) who were working for an hourly wage at the time of the study, the median wage was \$7.00 an hour

Goal 8: Youth have supports to enter into, and complete, postsecondary education.

Action Requested

- A. Both: Create uniform documentation for residency and tuition exemption purposes so that the Child Welfare System can ensure that all youth exit care with the required documents to enroll in post-secondary institutions.
- B. Both: Coordinate school based and child welfare transition plans for each youth.
- C. Both: Enter into inter-agency agreement with AWI, Vocational Rehabilitation, APD and the Division of Blind Services to:
 - create a means for all youth in state care to obtain skills and career inventories/assessments to assist in their career planning
 - use information to help develop employment opportunities for youth
 - Share information on tax credits and other programs available to encourage employers to hire former foster youth.
- D. Both: Issue a yearly report on education and employment progress of children and youth in care to include items identified that could be improved.
- E. Both: Collaborate on employment programs such as Operation Full Employment.
- F. Both: Examine as promising practice, designation of specific guidance counselors to serve only children in state care.
- G. Schools: provide access to college, career and guidance counselors who are understand the unique needs of students in state care vis a vis enrollment in post-secondary education.
- H. Schools: provide access to housing for youth during vacations and other times when school housing is unavailable.

9. Children with Disabilities are Identified Early & Served Appropriately

Summary of Problem

A large number of children in the child welfare system have undiagnosed disabilities. Although more youth are receiving comprehensive assessments upon entry into licensed care than in past years, not all children who are removed from their families receive assessments. Nor do all assessed children receive the services recommended.

Moreover, many youth who have been in care for years have slipped through the cracks and have not been diagnosed or treated for disabilities.

DCF does not currently track data on disabilities at a level of specificity that facilitates identification of trends and problems.

In the school setting, numerous factors contribute to the under-identification of children with educational disabilities. These children may not have educational advocates to take the place of parents in requesting evaluation. Children may change schools so rapidly that teachers don't have enough time to identify concerns, let alone obtain assessments. Trauma related behaviors might mask educational disabilities.

Data

In response to a public records request, DCF generated data in June 2008 that showed that only 7% of youth in care under age 18 had a documented disability. In contrast, DOE data from February 2008 shows that 14% of the school aged population had a documented disability. Florida Dept. of Education, Education Information & Accountability Services, Statistical Brief, Series 2008-21B (February 2008). National data shows that children in state care have disabilities at a greater rate than the general population – perhaps as high as 28% or more. The Well-being of Children Involved in the Child Welfare System: A National Overview, Katherine Kortenkamp and Jennifer Ehrle, The Urban Institute, January 2002.

http://www.urban.org/uploadedpdf/310413_anf_b43.pdf

Goal 9: Youth who have, or are suspected of having, a disability that interferes with their learning receive prompt and appropriate assessments, Individualized Education Plans, accommodations, supports and related services consistent with IDEA, Section 504 of the Rehabilitation Act and applicable state law.

Action Requested

- A. Both: Identify screening and assessment resources for children in care who do not automatically receiving comprehensive assessments.

- B. Both: Share results of assessments to ensure that each system is working with all available information about children.
- C. Both: Undertake to review status of all children who are academically one or more grade levels behind their peers to ascertain whether they have been currently and appropriately assessed for educational disabilities.
- D. Schools: Give children in state care priority in scheduling assessments and evaluations. Ensure that youth are assessed even if school placement changes within District. When youth are moved out of District ensure that the new District is aware of the need for assessment.

10. Trauma-Sensitive School Environments: Stem the School to Jail Pipeline

Summary of Problem

Most youth who enter state care have experienced some form of trauma that will have long lasting effects on their physical, developmental and mental health. School personnel who are not aware of the child's background may not understand reactive behaviors and refer youth to law enforcement for criminal prosecution. Such conduct has the consequence placing children who are the victims of abuse and neglect into school to jail pipeline.

Data

“Trauma may lead to psychiatric conditions such as post-traumatic stress disorder, depressive disorder, and anxiety disorders. Traumatic experiences in childhood can also have profound effects on developmental progression, relationships with peers and family members, academic achievement and motivation for learning, memory, and full participation in society.” Helping Children in the Child Welfare System Heal from Trauma: A Systems Integration Approach National Child Traumatic Stress Network NCTSN.org.

After conducting its study, the National Child Traumatic Stress Network notes that the ways in which systems share information about a child's trauma history and treatment can have a direct impact on the quality of care given to the child and on the child's well-being.

Goal 10: Youth are educated in a trauma-sensitive environment that recognizes the root cause of inappropriate behaviors and provides appropriate behavioral supports that create a safe environment conducive to learning rather than punishing children for acting in response to their anger and hurt.

Action Requested

- A. Both: Devise strategies to enhance communications between schools, foster care providers, child welfare, and mental health systems to share information about a child's experience and trauma reactivity, while still being sensitive to confidentiality issues.
- B. Both: Retrieve the data and study the incidents of school dropout, truancy, and disciplinary actions occurring for children in DCF custody. Examine whether the cause of inappropriate behaviors is trauma related and develop proposed solutions to the over representation of children in state care who are dropping out, truant, or subjected to disciplinary actions.
- C. Child Welfare: compile complete information on each child's trauma history so that staff can see the impact of trauma on a child's development, skills, and competencies.
- D. Child Welfare: Integrate into child assessment and interview protocols the completion of a child trauma profile instrument so that workers have a complete understanding of the child's trauma history.
- E. Schools: Educate teachers about the incidence, prevalence, and impact of child trauma and how to work effectively with children who have trauma histories.
- F. Schools: Educate teachers and staff so that they can recognize traumatic reactions, reminders, and triggers and identify when a child may be having a traumatic reaction as opposed to behavioral problems for other reasons. Include training on some of the more subtle or invisible symptoms seen with children who become depressed or withdrawn following a trauma.

11. All Children Attend & Complete School

Summary of Problem

The child welfare system has traditionally focused on the physical well-being of children. All too often, while children are in safe places during the school day, they are not in school. Emphasis must be placed on the importance of continuous education of children in care. Caregivers must be trained, and if necessary incentivized or penalized, to ensure that they understand and support efforts to ensure that children attend school. Extra efforts are needed to ensure that teens remain in school.

Data

“Youth who have not graduated from high school are 3 times more likely to be unemployed, under employed or working for low wages.” Spotlight on Florida's Youth At Risk, Report to the Eckerd Family Foundation (2007) citing Sum, et. al, 2003,

Confronting the Youth Demographic Challenge: The Labor Prospects of Out-of-School Young Adults, The Sar Levitan Center, Johns Hopkins University, Baltimore, MD.

DCF's own test analysis of youth who aged out of care in 2007 showed that 40% had dropped out of school in contrast to 16% of all children. Only 26% of youth aging out of care that year received a standard high school diploma compared to 47% of all children that year.

In DCF's Independent Living Survey, 130 youth between the ages of 13 and 17 with a written education plan had a goal that included no further education. This was an alternate answer to high school diploma, GED, college and vocational options.

Goal 11: Florida must support the well-being of children by ensuring that every school-age child in foster care, and every school-age child receiving an adoption assistance or subsidized guardianship payment, is a full-time elementary or secondary school student or has completed secondary school.

Action Requested

- A. Both: Create incentives directed to youth to encourage school attendance and completion and make the incentives known to the youth.
- B. Child Welfare: Train all staff and caregivers on the importance of school attendance and completion.
- C. Schools: Examine current drop out prevention programs to determine whether they are applicable to youth in state care. If not revise or create new programs that meet unique needs of youth in care.

Strategies to Achieve Implementation

DOE Issuance of Technical Assistance Papers

Enhance Efforts to Share Information at Multiple Levels

Report on Implementation of InterAgency Agreements

Ascertain Opportunities to Target Issues Where DCF is Out of Compliance with Child Welfare Law

Use of only evidence based programs and use data to drive decisions.