



sustaining momentum

Improving Educational Stability
for Young People in Foster Care

The Annie E. Casey Foundation is a private philanthropy that creates a brighter future for the nation's children by developing solutions to strengthen families, build paths to economic opportunity and transform struggling communities into safer and healthier places to live, work and grow. For more information, visit www.aecf.org.

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Contents

- p2** Introduction
- p4** School Instability and
Poor Educational Outcomes
- p8** The Push for Progress:
Building on Fostering Connections
- p14** Successes and Lessons Learned
- p20** The Work Ahead: Guidance and
Reflections for Funders and the Field
- p22** Conclusion
- p23** Organizations and Partners
- p24** Endnotes



introduction

“There weren’t a lot of efforts made to keep me on a stable path in school, and I really didn’t understand what was going on half the time.” — *Ollie Hernandez*

These words, spoken by a young woman who attended nine schools between elementary school and high school, reflect the experience of far too many young people in foster care who face overwhelming odds in completing their education and achieving their goals amid frequent disruptions. For children already reeling from family trauma, separation and instability, these school interruptions often exacerbate the risk that they will drop out and never reach their potential to live productive and fulfilling adult lives — at great cost not only to themselves but also to society.

It is not just the moves but also the lack of consistent attention to what happens to these children when they change schools that jeopardizes their success. Issues include delays in school enrollment that result in increased school absences; omissions and errors in transferring credits from one school to another; children being placed in the wrong classes and programs for their abilities; and difficulties accessing or continuing to receive special education and other needed services from one school to the next. (See the Foundation’s companion report, “Youth in Foster Care Share Their School Experiences.”)

The Fostering Connections to Success and Increasing Adoptions Act of 2008 brought unprecedented national attention to the educational struggles of children in foster care. The Annie E. Casey Foundation — already involved in efforts to promote school stability for children in foster care as part of its mission to build a brighter future for children, families and communities — joined forces with and supported a number of efforts to help guide and encourage states in implementing the law’s educational stability provisions and in developing state and local policies to overcome continuing challenges and obstacles.

The comprehensive child welfare reform legislation contains provisions that direct public child welfare agencies to coordinate with education agencies to help children stay in their original school when placed in foster care unless it is not in their best interests. If changing schools is in a child's best interests, the state must ensure his or her immediate enrollment in the new school and swift transfer of all records.

The law marked a major breakthrough in recognizing the impact of educational instability on young people in foster care. But it left many questions unanswered and some important gaps to be filled. Because the law put the onus on child welfare agencies without putting in place mechanisms to involve the education system or encouraging collaborative efforts to address this issue, more work was needed at the federal, state and local levels to make a measurable difference for the majority of youth the law was designed to reach. The Foundation and its partners set out to use the opportunity moment provided by the law's passage to strengthen policy solutions for what had often been an issue addressed child by child, dependent on individual educators and caseworkers to solve a systemic problem.

LISA HAMILTON > **success in school at every level is vitally important for children to achieve their potential as adults.**

“Success in school at every level is vitally important for children to achieve their potential as adults. Schools provide learning environments to build critical skills, expose kids to the world beyond their homes or neighborhoods and foster relationships with caring teachers, coaches and community leaders whose support and encouragement can inspire a child for a lifetime,” says Lisa Hamilton, vice president of external affairs for the Casey Foundation, who oversees its policy work. “Through its work with children in foster care, families, child welfare systems and communities, the Casey Foundation understands why we must work to keep children stable in school and has joined other funders and leaders to implement policies that will help ensure this happens.”

This report describes Casey's efforts to enhance educational stability

for youth in foster care during the period between the 2008 passage of Fostering Connections and 2013, when the federal Uninterrupted Scholars Act paved the way for social workers to more easily access student records. The report examines successes and milestones achieved by the Foundation, its partners and other advocates, along with examples of collaboration among many kinds of decision makers and stakeholders — federal policymakers, education and child welfare agency leaders, judges and state and local officials — to provide children and youth the best chance for a stable and successful school experience. Finally, it offers lessons learned, specific recommendations and next steps for funders, advocates and system leaders to carry out this important work as the Foundation prepares to close its time-limited investment.



SCHOOL INSTABILITY AND POOR

educational outcomes

Because child welfare systems historically have focused on child safety, with the assumption that education systems would handle children’s educational needs, services for children in this country have traditionally been provided in separate “silos.”



The educational needs of children in foster care as a whole have been overlooked because there was no clear mandate, standard of accountability or systematic tracking of their progress and challenges.

Existing studies do show clearly that young people in foster care have among the poorest educational outcomes of all student populations. They experience lower academic achievement, lower standardized test scores, higher rates of grade

retention, more behavioral issues, higher chronic absence and higher dropout rates than children who are not in foster care. Data cited in a January 2014 fact sheet synthesizing national and state studies, compiled by Chapin Hall at the University of Chicago and published by the National Working Group on Foster Care and Education, show that:

- Only 50 percent of youth in foster care complete high school by age 18, compared with 70 percent of the general population.

- The average reading level of 17- to 18-year-olds in foster care is that of a seventh grader.
- Young people in foster care are 2½ to 3½ times more likely to be receiving special education services than young people not in foster care.
- Youth in foster care ages 17 to 18 are twice as likely to be suspended from school as students not in foster care, and their likelihood of being expelled is three times as high.

While 84 percent of youth in foster care report wanting to go to college, only 20 percent of those who graduate from high school ever attend, and only a small percentage go on to earn a bachelor's degree.¹

While examples can be found of young people who overcame myriad obstacles thanks to the concerted efforts of a caring teacher or case-worker, too many youth in foster care have to fight drawn-out battles to complete their education. And for every child who achieves a measure of success, many others cannot overcome the hurdles of a system that does not place a high priority on school stability, continuity or success.

“None of the kids I know who were in my situation succeeded in education, and a lot of them are in jail,” says Maurissa Sorenson, who attended high school in a residential treatment program and faced many struggles in pursuing a college

degree as a result of gaps in her education.

Although school moves are not the only factor affecting the performance of children in foster care, they play a significant role. Studies synthesized by the National Working Group show that 56 percent to 75 percent of youth in foster care change schools at the time they first enter care, and that 34 percent of 17- to 18-year-olds in care have experienced five or more school changes.

The PolicyLab at the Research Institute of the Children's Hospital of Philadelphia released a brief in 2013 highlighting results from two recent analyses conducted as part of the Children's Stability and Well-Being (CSAW) study, a longitudinal study exploring the impact of child welfare system involvement on children's stability and educational experiences. The brief, “Improving Education Outcomes for Children in Child Welfare,” highlights alarmingly high rates of chronic absenteeism and school shifts for children in foster

care.² On average, children in the CSAW study missed 25 days of school, or five weeks, per year, and a quarter of the children missed at least 33 days. The brief cites ineffective communication across systems, confusion about policies and difficulty obtaining behavioral health services as some of the key obstacles.

One barrier in meeting the educational needs of children in foster care is that they are not counted as a group in the way English language learners, racial and ethnic minority groups, students raised in poverty and those with disabilities are.

“A critical first step in this effort is to ensure that educators and policymakers become aware of students in foster care as a distinct at-risk student population that is similar to, but different from, other at-risk student subgroups,” the Stuart Foundation argues in a report on children in foster care in California.³ “For this to happen, these students must be counted. Then, educators and policymakers must be held accountable

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for supporting the success of this vulnerable student group.”

The report, called “The Invisible Achievement Gap,” reflects a study that links statewide individual student education data and child welfare data. It shows that two-thirds of the children in the state’s foster care system are concentrated in 10 school districts. They have characteristics distinct from students in other disadvantaged categories, with higher rates of school mobility and emotional disturbance, a greater likelihood of being enrolled in low-performing schools and the highest

high school dropout rate of students in any other category.

When combined with the trauma that many young people in foster care have experienced in their family lives and in shifting placements and living arrangements, the end result is a legacy of unrealized potential. Educational instability is one of many factors that contribute to a wide range of adverse outcomes in later life for youth transitioning from foster care to adulthood.⁴

Research also reinforces the unique and supportive role that stable

schooling can play in the life of a child in foster care. “When supported by strong practices and policies, positive school experiences can counteract the negative effects of abuse, neglect, separation and impermanence experienced by the nearly 400,000 U.S. children and youth in foster care,” notes the National Working Group’s fact sheet.⁵

“People need to realize that each year, each term and each semester is very important for students because it shapes their path for years to come,” says Joshua Grubb, who entered foster care at age 12 and attended seven different middle schools and two high schools before graduating. “For youth in foster care, the school they go to is so much more than just the place they go to learn. It also builds opportunities to make connections with friends, adults and people who can become advocates for them, so it is that much more detrimental when you have that kind of disruption.”

LEGAL CENTER FOR FOSTER CARE AND EDUCATION PLAYS

catalytic role

The Legal Center for Foster Care and Education has played a catalytic role in providing information, technical assistance and advocacy in efforts to improve the educational stability of children and youth in foster care.

The Legal Center “has the tools and resources to help lawyers, guardians ad litem, judges and others understand the educational needs of children and youth in foster care and to ensure that those needs are met,” says Robert Schwartz, executive director of the Juvenile Law Center.

Established in 2007, the Legal Center serves as a national resource and information clearinghouse on legal and policy matters affecting the education of children in the foster care system, providing expertise to states and constituents, networking opportunities to advance promising practices and reforms, and technical assistance and training. The Legal Center was formed by and marshals the expertise of the Washington, D.C.-based American Bar Association Center on Children and the Law and the Philadelphia-based Education Law Center and Juvenile Law Center. Currently supported by Casey Family Programs and the Annie E. Casey Foundation, the Legal Center was instrumental in identifying school stability as a policy priority before Fostering Connections was enacted and has worked with officials at the federal, state and local levels to bolster implementation efforts since the law’s passage.

“The role we’ve played over the last several years has been to provide a centralized place where folks can rely on our expertise and send consistent messages to the field and other audiences about kids in care and what some of the barriers and solutions are,” says Kathleen McNaught, project director for the Legal Center and assistant staff director of child welfare at the American Bar Association Center on Children and the Law.

Notable examples of the Legal Center’s resources include its “Fostering Connections State Implementation Toolkit,” a step-by-step guide to implementing the education provisions of the law, and the “Blueprint for Change,” a series of goals and benchmarks for the educational success of children in foster care. The Blueprint’s eight goals and corresponding benchmarks can be used as a framework to identify a jurisdiction’s strengths and areas needing improvement.

- GOAL 1** Youth are entitled to remain in their same school if in their best interest
- GOAL 2** Youth have seamless transitions between schools
- GOAL 3** Young children enter school ready to learn
- GOAL 4** Youth have the support to fully participate in school
- GOAL 5** Youth have support to prevent school dropout, truancy and disciplinary actions
- GOAL 6** Youth are involved and empowered
- GOAL 7** Youth have education advocates and decision makers
- GOAL 8** Youth have support to enter into and complete postsecondary education

The full Blueprint for Change can be found at www.fostercareandeducation.org/AreasofFocus/BlueprintforChange.aspx.

THE PUSH FOR PROGRESS:

building on fostering connections

Providing continuity and stability for young people in the child welfare system has been a core mission of the Casey Foundation since its founding. The Foundation works with public agencies, private providers and child advocates to better support families so that fewer children enter the child welfare system. It also works to limit the amount of time children spend in institutional settings and to ensure that children who are removed from their homes are reunited with kin or connected to lifelong families as quickly as possible.

A critical part of the Foundation's child welfare reform agenda has been supporting policy and advocacy work to ensure not only the safety but also the well-being and long-term success of children who enter the child welfare system. While strong, stable and supportive families and communities in children's lives are pivotal to their well-being, schools also are essential to children's educational and social growth, particularly for those lacking consistent family support. Recognizing that educational success plays a key role in a child's prospects for permanency and eventual success, and that young people in foster care are especially vulnerable to disruptions in their education, the Foundation has been working with grantees and partners

to promote improvements in school stability for youth in foster care.

"Young people in foster care shouldn't need to be lucky to succeed in school," says Karina Jiménez Lewis, a senior policy associate with the Casey Foundation. "Our primary goal has been to use the Fostering Connections Act's educational stability mandate to systematize the policies and practices that make a difference in stabilizing children in foster care. Very early on we viewed educational stability as a pathway to decrease unnecessary changes in school placements so that children's school experience does not get disrupted."

The Fostering Connections law marked a major victory in raising awareness of the importance of the issue and taking initial steps to address it. Specifically, it sought to minimize educational disruptions by requiring that child welfare agencies:

- Include a strategy for ensuring the educational stability of children in foster care as part of every child's case plan and consider school appropriateness and proximity in making decisions about foster care placement.
- Coordinate with education agencies to help children stay in their original school when they are placed

in foster care if it is in their best interests.

- Ensure "immediate and appropriate enrollment" in a new school, with swift provision of all of the child's educational records, if staying in the original school is determined not to be in his or her best interests.
- Document that every school-age child who is in foster care is enrolled in school full time or has completed secondary school.

The law also increased the amount of federal funding that may be used to cover education-related transportation costs for children in foster care.

But the law had important limitations. "Fostering Connections was the first legislation to truly address the issue of child well-being in child welfare, and it was a clear win in recognizing the need to address the educational needs of children in foster care," notes Rob Geen, director of policy reform and advocacy for the Casey Foundation. "But translating it into policy and action and holding states accountable for sustaining educational stability for youth in foster care has been a challenge."

The law left critical work unfinished and gaps in the level of coordination,

technical assistance, data and research needed for states and jurisdictions to fulfill the law’s potential.

Lewis notes that one major obstacle the law did not address was the lack of a “collaborating mechanism” to join child welfare and education systems in addressing the education of children in foster care. “There are specific mechanisms for children who are homeless and for children in military families, but not for this also-vulnerable population,” she says.

For example, the McKinney-Vento Homeless Assistance Act of 1987 mandates multiple steps that state education agencies and school districts must take to remove barriers to swift enrollment in school for all children and youth who are homeless, including the provision of preschool and any services youth who are homeless need to meet the same standards as other students. The act mandates that children who are homeless be kept in their school of origin to the extent feasible, with a specified process for determining and resolving disputes about the child’s best interests. It also requires school systems to ensure that transportation is provided and that every district has a liaison to make sure the needs of children who are homeless are met.

Alexandra “Lexie” Grüber, who entered foster care at age 14, chose to live in a homeless shelter for a time so that she would qualify under the McKinney-Vento Homeless Assistance Act to stay in the high school where she was flourishing. “I reasoned that if I graduated from

high school, I could one day get a good job and maybe create my own family,” says Grüber. While living in the shelter was difficult, it strengthened her resolve. “When you live in a place like that, you see what will happen if you don’t go to school. There are all these visual reminders.”

For children whose parents are in the military in this country, a structure called the Interstate Compact on Educational Opportunity for Military Children provides comprehensive, uniform policies across school districts and states on a variety of issues related to educational stability and school success. If a member state does not comply with the compact, there is a governance structure at both the state and national levels for enforcement and compliance. School districts that enroll large numbers of military-connected students also receive support through a U.S. Department of Defense grant program that provides funding to address the academic, social and emotional needs of these students.

These kinds of supports may be one reason, as research shows, that children in military families have similar achievement levels and

slightly higher attendance levels than children in the general population — even when controls are applied for differences in demographic and school characteristics.⁶

“There is not the evidence of a detrimental impact of frequent school moves on overall achievement that you see for young people in foster care,” notes Cheryl Smithgall, a research fellow at Chapin Hall at the University of Chicago and one of the foremost researchers on the education of children in foster care. “This may be due in part to the infrastructure, policy guidance and procedures in place to address the needs of military-connected children.”

To try to reap the kinds of benefits that similar legislation had provided for other groups of children, the Casey Foundation and its grantees and partners set in motion a variety of efforts to guide states in implementing Fostering Connections and closing the gaps that remained. The Foundation focused on four key areas of strategic investment:

- funding data collection and research to fill gaps in information about school stability, educational

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performance and permanency outcomes for students in foster care;

- building and strengthening state networks of policy advocates;
- providing intensive technical assistance to selected states; and
- convening stakeholders, disseminating resources and promoting the exchange of information about best practices.

1 Funding data collection and research

It became clear that even after Fostering Connections, the field had a great need for more detailed data on what happens to children when they change foster care placements and schools — including how many children were affected by such moves and what the specific impacts were.

“Researchers, scholars and others in academia are important allies in helping to advance the policy agenda, since a data trend line on this issue has been difficult to establish,” says Casey’s Lewis. “Without accurate and timely data, policies and practices are not likely to be implemented as they should.”

Through its work in Pennsylvania, for example, the Foundation knew that Allegheny County was involved in data collection and analysis to dig deeper into the characteristics of students in foster care. So the Foundation commissioned the state Department of Human Services to examine the impact of different

levels of involvement in the child welfare system and different types of foster care placement on rates of school changes and absences.

To help build knowledge about the relationship between school changes and the ability to find a permanent home for children in foster care, the Foundation also commissioned a study by Partners for Our Children at the University of Washington’s School of Social Work to distinguish how both placement changes and school changes affect children in foster care. This study is particularly significant because it is looking at how these changes affect or predict whether and how long it takes for children to be placed in a permanent home.

Research supported by other funders, such as the Stuart Foundation’s “Invisible Achievement Gap” study, is also complementing the field’s efforts to better understand how school stability issues affect children’s school outcomes.

Such research efforts, combined with inroads achieved in overcoming information-sharing barriers through the Uninterrupted Scholars Act, are sparking reforms in the ability to collect better data. For example, California, which is a leader in addressing the issue of educational stability and has been funding state-wide efforts to provide educational support services for youth in foster care for a number of years, in June 2013 passed a school funding reform measure that will require school

systems to disaggregate data down to the foster care level. “This is a huge victory and a massive policy change,” notes Teri Kook, child welfare policy director for the Stuart Foundation.

2 Building and strengthening state networks of policy advocates

After Fostering Connections was passed, the Casey Foundation saw the need to raise awareness among states about the law’s school stability provisions, share information about implementing them, bridge gaps in the law and overcome barriers. The Foundation recognized that advocacy at the state level would be key to creating reforms consistent with Fostering Connections — and that the presence of strong networks to connect the state efforts would make that advocacy more consistent and effective.

Along with Casey Family Programs, the Foundation provided support to the Legal Center for Foster Care and Education, a project of several Casey grantees that provides expertise and consultation on the policy and practice implications of Fostering Connections. The Legal Center, formed by the American Bar Association Center on Children and the Law, the Education Law Center and the Juvenile Law Center, provides technical assistance and serves as a clearinghouse of information on foster care and education and federal and state policies on educational stability. (See *Legal Center for Foster Care and Education Plays Catalytic Role* on page 7.)



The Legal Center joined forces with the National Working Group on Foster Care and Education, comprised of 23 national organizations collaborating to advance knowledge about state policies and strategies to improve outcomes for children and youth in foster care. The Working Group promotes promising practices and cross-system collaboration, heightens visibility of these issues and helps disseminate tools and resources from each of its member groups.

Another tool that helped support state reform efforts related to school stability for children in foster care was the State Policy Advocacy and Reform Center (SPARC), launched by the Casey Foundation and the Jim Casey Youth Opportunities Initiative. SPARC provides assistance in state advocacy and support on a variety of child welfare policies and reforms. It is managed by First Focus, a bipartisan advocacy organization dedicated to making children and families the priority in federal policy and budget decisions.

The power of state advocates and networks resulted in improvements in the implementation of Fostering

Connections in several states. New Jersey, for example, was one of the first states to enact its own legislation to help enforce the federal law. Advocates for Children of New Jersey (ACNJ), which is the Casey Foundation's state grantee for KIDS COUNT, the Foundation's annual effort to assess child well-being across the United States, was one of the organizations involved in a joint advocacy effort that led to these reforms.

The state law "required children to remain in their home district unless it is not in their best interest, and our state child welfare and education officials worked together to set up a process to make those decisions actually doable," says Cecilia Zalkind, executive director of ACNJ. The state child welfare agency also hired a state coordinator to focus on the education provisions and placed staff in the agency's area offices to help ensure that the school stability requirements are being met.

The work of Casey grantees in Pennsylvania also played a role in helping that state institute an educational screening process to guide caseworkers, notes Jessica Feierman, a supervising attorney at the Juvenile Law Center and co-chair of the policy subcommittee of the National Working Group on Foster Care and Education. "We've also been able to support the development and implementation of new court rules requiring judges to ask specific questions and make findings at each stage regarding children's education," she says.

3 Providing technical assistance to selected states

In addition to supporting networks to connect state advocates across the country, Casey grantees and partners provided specific technical assistance to help two states implement Fostering Connections and adopt their own measures to promote school stability. The goal of this approach was not only to improve the process for children in these states, but also to develop, capture and share successful strategies as models for others.

Connecticut passed a comprehensive state law on school stability and continuity to mirror and strengthen the impact of Fostering Connections in 2010. Casey's technical assistance focused on implementing that law while measuring success and publicizing the state as a national example. Child welfare and education agencies began working collaboratively to address transportation issues to help ensure that youth in foster care could participate in extracurricular activities, and the child welfare agency trained workers to take young people's extracurricular needs into account when developing transportation plans. Education, child welfare and court officials developed strategies for sharing information on students in foster care, including a memorandum of understanding between the agencies. The child welfare agency also began using Geographic Information System (GIS) mapping, a tool to capture and analyze geographic data, in an effort to recruit foster families more strategically so that children

could be placed in closer proximity to their home school districts. Key government representatives attended an information-sharing certification program at Georgetown University to gain further technical knowledge and cement their collaboration.

Marilou Giovannucci, the manager of court operations for the Connecticut Judicial Branch and Court Improvement Project, says her court system's work with relevant agencies has elevated judges' decision making and understanding of the issue of educational stability for children in foster care. "We have gotten everyone to the table and we are now paying more attention to all the important things about a child's education that need to be addressed," says Giovannucci. "We are now addressing the issue of educational placement at every conference we have, and we are working toward understanding much more about children's attendance, reading levels and performance."

While there is still more work to be done, these efforts have greatly increased the level of commitment and coordination in addressing the educational needs of children and youth in care, says Sarah Eagan, the former director of the Child Abuse Project with the Center for Children's Advocacy in Hartford, Connecticut, who is now Child Advocate for the State of Connecticut. Before Fostering Connections and the state's own school stability law were enacted, Eagan recalls a colleague asking her how to help a youth stay in the school where he was thriving

when he had to move just one town over as a result of a placement change. "She asked, 'What argument can I make?' and I replied, 'Call up the superintendent and beg,'" Eagan recalls. "That was the only advocacy strategy we had."

In Maryland, Casey worked with the Legal Center for Foster Care and Education to assist the state Department of Human Resources (DHR) in its effort to engage with the Maryland State Department of Education (MSDE) and the Maryland Court Improvement Project on the issue, and provided resources to train judges, attorneys and case-workers. That interaction led to changes in the state's data collection and documentation system (known as the Maryland Children Electronic Social Services Information Exchange, or CHESSIE) to track the number of school disruptions related to foster care placements. Representatives of the three state agencies then attended the information-sharing certification program at Georgetown and developed a state plan for policy and program changes and improved data collection, tracking, information sharing and other CHESSIE functionalities to build accountability for addressing school stability issues.

To date, key Maryland policy wins resulting from this work have included the adoption in 2011 of Maryland SB 605, a law eliminating residency requirements for students placed in foster care; the release of DHR regulations for determining the best interest of children in foster

care with regard to the school they attend; and a joint guidance letter from MSDE and DHR on information sharing under the Uninterrupted Scholars Act of 2013.

John McGinnis, a pupil personnel and school social work specialist at MSDE who attended the Georgetown program, is working with DHR and in some cases the Department of Juvenile Services on two projects involving sharing educational information. "The MSDE collects students' educational data three times a year, but social workers need that data on a daily basis" in helping to make decisions on children in care, says McGinnis, who is working with two local jurisdictions on a memorandum of understanding to share data much more frequently.

McGinnis also has worked with his counterparts at DHR to deliver presentations to a variety of audiences on the ramifications of Fostering Connections and the state's school stability law for school systems, local social services officials, judges, lawyers and child welfare advocates. "There is a learning curve for school systems because this has not really been our arena," says McGinnis.

4 Convening stakeholders and disseminating best practices

In addition to supporting state advocates and representatives of government systems to work together, providing the right information and resources to those acting on behalf of children was important to the

Foundation's approach. Creating and disseminating information about best practices empowered champions to deliver consistent messages and to reach the decision makers in their states with specific suggestions on how to improve school stability for young people in foster care.

"We saw a need to be a convener and build relationships among all of these different disciplines," says Casey's Karina Jiménez Lewis. "Funders have a unique opportunity to help develop those relationships and play the role of a broker, objectively and catalyze."

"People need to see examples of approaches that work in a variety of environments, with concrete details of the specifics and mechanics of how they make it work on a day-to-day basis," says Lynn Tiede, senior associate policy director of the Jim Casey Youth Opportunities Initiative, a key Casey Foundation partner in educational stability work.

The strategy included the development of the Foundation's June 2011 convening, presented with the National Education Association and Casey Family Programs in collaboration with the National Working Group on Foster Care and Education, that brought

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together presenters and participants from the U.S. Department of Education and the Health and Human Services Department as well as leaders, researchers and child advocates representing a wide range of education and child welfare organizations.

That meeting helped lay important groundwork for the federally sponsored convening in November 2011 that brought state teams together to begin formulating concrete plans for interagency collaboration.⁷ "The meeting generated a lot of momentum in formulating specific plans to improve school stability, and that progress has been ongoing," notes Kristin Kelly, an attorney with the American Bar Association Center on Children and the Law.

The facilitation of smaller and more regular convenings helped to maintain the momentum. Monthly calls and annual meetings of the National

Working Group on Foster Care and Education and quarterly meetings with its education advisory group provided a regular connection for key players to follow up and share tactics and lessons.

To give its champions quick access to information that would help them make the case in states, the Foundation and its partners also supported the development of fact sheets surveying the existing research and data on education and child care, as well as longer literature reviews to bring awareness to key studies. Fosteringconnections.org, a website supported by several funders that operated from 2009 to 2012, provided data, technical assistance, federal and state policy and regulations, and interactive discussions on all aspects of the Fostering Connections law, including those related to education.



SUCCESSSES AND **lessons learned**

As highlighted throughout this report, the four-pronged strategy to support the field in effectively fulfilling the promise of Fostering Connections resulted in both important policy wins and the identification of ongoing barriers. The lessons of these wins and challenges are instructive as funders and advocates continue to take up this work.



Policy Wins

The passage of Fostering Connections and subsequent efforts of Casey and other nonprofit organizations, advocacy groups and federal agencies collectively spurred significant momentum in the adoption of state laws, programs and practices to address school stability for children in foster care. The National Conference of State Legislatures summarizes and categorizes progress on this

issue in a report called “Educating Children in Foster Care: State Legislation, 2008–2012.”⁸

The report notes that during this period, a number of states and the District of Columbia enacted new legislation related to school stability, including Connecticut, Florida, Georgia, Iowa, Louisiana, Maine, Maryland, Missouri, New Jersey, Rhode Island and Utah. Several states that had passed laws regarding

school stability prior to Fostering Connections enacted additional provisions to strengthen their legislation after the federal law was adopted, including Arkansas, California, Oregon and Virginia.

To help clarify and enforce Fostering Connections' provisions requiring immediate enrollment and transfer of records for children who do switch schools, several states enacted legislation that provided a better definition of "immediate and appropriate enrollment."

Dozens more laws were passed across the country to improve the educational outcomes of children and youth in foster care, including provisions on transportation; collaboration and communication between schools and child welfare agencies; reports and oversight on the educational status and performance of children in foster care; resources for early childhood education assistance for children in foster care; and financial assistance for postsecondary education.

Of a total of 64 laws related to educating children and youth in foster care, at least 39 were directly related to the provisions of Fostering Connections, according to the NCSL report. In 2013, for example, Connecticut enacted a second implementation measure, this time enhancing the federal requirement for a court-required social study of children in foster care to include a report on their educational status, progress and school stability. The measure also required child welfare

and education officials to establish a pilot program called "Raise the Grade" in Hartford, Bridgeport and New Haven. This program employs full-time coordinators to help identify students in state custody or under juvenile justice supervision who are performing below grade level; develop plans to improve their performance; ensure prompt transfer and review of school records; and track issues related to student progress, absenteeism and discipline.

Even in states that have not passed specific laws on school stability for children in foster care, agencies have issued policies and guidelines to help implement Fostering Connections. For example, Pennsylvania was able to secure policy guidance that requires an education liaison in each county to help overcome educational obstacles faced by children in foster care. Coordinators assigned to school systems have helped assist in the transfer of records and in ensuring that children in foster care are in the appropriate classes and programs to meet their needs and receive all the credits they have earned.

"I would love to see every district have at least one person who helps coordinate the educational needs for young people in the foster care and juvenile justice systems," says Sarah Eagan, the Child Advocate in Connecticut.

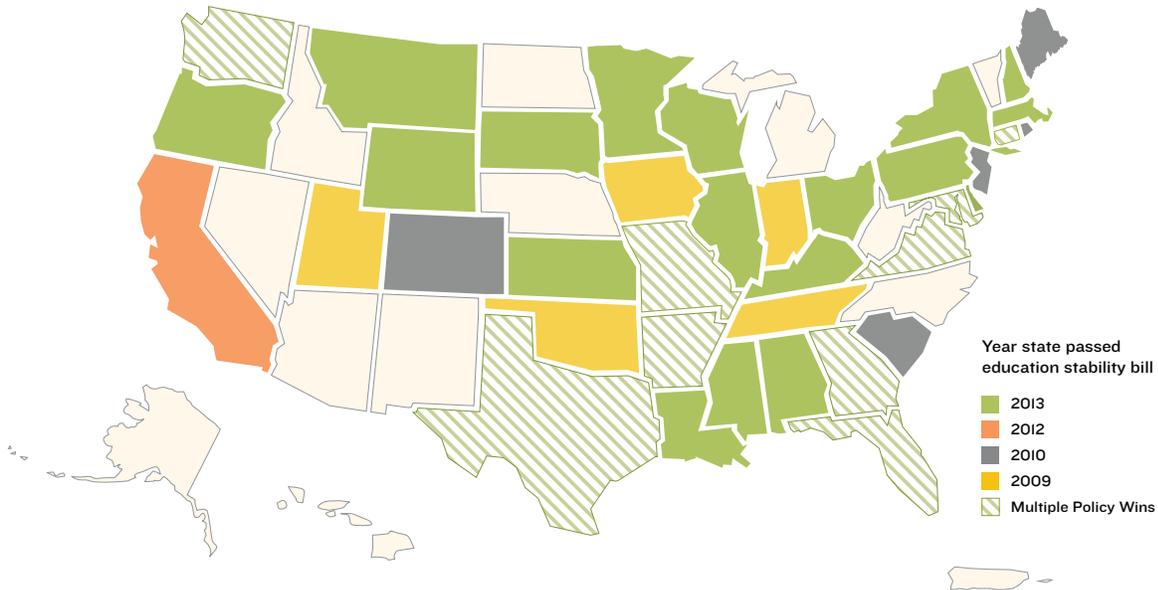
The efforts of state networks, support for state-level advocacy and coordination with Washington, D.C.-based advocates also led to the 2013 passage of the federal

Uninterrupted Scholars Act, which addressed one of the most troublesome roadblocks in meeting the educational needs of children in foster care — social workers' ability to access school records. The law made it easier for social workers to see the records by recognizing parental consent authorizations already on file with the child welfare agency. This was an important step in forging communication across sectors to ensure swift placement in appropriate classes and programs.

"We no longer have quite the obstacle we used to have with records," notes Jessica Feierman of the Juvenile Law Center. "Implementation was very quick in Pennsylvania, and education and child welfare officials issued guidance right away to clarify how and when education agencies can release records to caseworkers. We still have more work to do on how data can be shared for research, but this has been a big win in terms of direct services."

Other states, such as Maryland and Florida, have issued memoranda from their state education and human services agencies to local school districts and child welfare agencies to inform and guide them in implementing the Uninterrupted Scholars Act. The measure "is a huge help in advancing the purposes of Fostering Connections," notes Jacqueline La Fiandra, assistant attorney general for the Maryland State Department of Education.

EDUCATIONAL STABILITY PROGRESS IN STATES, 2009–2013



SOURCE: National Conference of State Legislatures

Lessons Learned

Clear executive mandates are key to implementing complex policy across systems, especially when those systems do not have corresponding obligations. Without such clarity, implementation of policies is likely to be one-sided and uneven. The U.S. departments of Education and Health and Human Services reflected this need in May 2014 when they released a joint letter to state child welfare and education agencies clarifying that the obligation to ensure school stability in the Fostering Connections Act applies to local education agencies as well as child welfare agencies; asking state education agencies to remind their local counterparts of these specific and important obligations; and urging child welfare and education agencies to work together to develop policies and procedures.

The philanthropic approach to investing at the state level proved more influential than investing at the national level. States that adopted promising implementation methods and policies early became models for others. While supporting national influence strategies proved helpful, the impact of investments on the ground was widely recognized. Policy implementation activities supported through philanthropy yielded timely results that helped stabilize children’s school experiences.

A more convincing case is needed to persuade the educational sector that fully implementing Fostering Connections’ school stability provisions and prompt enrollment mandates will help improve educational outcomes that school districts care about. For too long, the emphasis has been on the favorable impact that a stable school experience may have on a

child’s path to a permanent home, and even increased chances of success overall. While this still resonates with the child welfare field, the case has not been made that school districts can make important educational gains through policies that maintain consistency for foster care. Also, while they are essential, school stability and prompt enrollment, by themselves, are not enough to close the achievement gap. “You could have school stability but still have poor school performance,” says Janet Stotland, former executive director of the Education Law Center. “The real goal is for kids in the system to come out of the education system with the skills to succeed.”

Continuing Challenges

Advocacy work since the passage of Fostering Connections also has shed

light on a number of challenges that still need to be overcome. Some of the most commonly cited barriers to progress in ensuring educational stability for children in foster care include:

Limitations in the school stability provisions of Fostering Connections.

One of the most significant gaps in Fostering Connections was that while it requires child welfare agencies to collaborate with schools to address children's educational needs, it is not complemented by similar conditions imposed through educational law on state or local education systems. While a number of states have found ways to create necessary working relationships across systems, an overall legislative solution has yet to be passed. A companion provision requiring collaboration by state and local education agencies has been included in several pending congressional proposals for the reauthorization of the Elementary and Secondary Education Act, but that legislation has been stalled since 2008.

Difficulty in gaining recognition for children in foster care as a distinct population in need, and in garnering support where the population of children in foster care is small. The relatively low numbers of children in foster care in many school districts means it can be difficult to draw consistent attention from the education sector. California has an advantage in garnering support for school stability measures not only because it has greater numbers of children

in care, but also because it has a county-based education system that aligns more closely with its child welfare system than in many states. "In most cases, a child welfare area of service must develop multiple, and often different, agreements and work with multiple school boards to implement school stability policies," says Jane Morgan, director of the child welfare capacity building division of the Children's Bureau.

Transportation issues. Transportation is often cited as a barrier in helping children to remain in the same school when they move to a different district. While Fostering Connections requires the provision of transportation to keep children at their school of origin when it is in their best interest and provides some funding toward those costs, many states are still trying to determine responsibilities for logistics and expense. Connecticut is one of the leading states in allocating dollars to cover these transportation costs; other states, such as New Jersey, offer guidance on how education and social services should share responsibility and costs for

transportation depending on the timing and circumstances.

"Zero tolerance" school suspension and expulsion policies. Falling behind in school as a result of absences and school moves can contribute to school behavior issues, but the automatic suspensions and expulsions that some school districts impose for disruptive behavior can have unintended consequences.

"Suspensions and expulsions are problems for young people in foster care that need to be documented. The consequences for them are significant, because not only do they get pushed out of school if they are suspended or expelled, but also they may be pushed out of their foster home and end up having to move again," notes MaryLee Allen, director of child welfare and mental health for the Children's Defense Fund. "We need to know more about how many and how frequently these children are being suspended or expelled and the special implications for this population," says Allen, who also co-chairs the policy subcommittee of the National

JANET STOTLAND > **the real goal is for kids in the system to come out of the education system with the skills to succeed.**

Working Group on Foster Care and Education.

Questions about school quality and best interests. Cheryl Smithgall of Chapin Hall says the field should consider data on the quality of the schools that children in foster care move in and out of, as well as the interrelationships between other factors, such as length of time in care and case goals, in weighing the best interests of the child. She cites a study by the *Journal of Child and Family Studies* that suggests that the quality of the schools in areas where foster care families are located has tended to be higher overall than their schools of origin, albeit by small margins and with some important caveats.⁹

The study showed that, “on average, placement schools were higher performing than birth parent schools for African-American and Hispanic children, but slightly lower performing for white children. On the surface, this seems to suggest that

maintaining African-American and Hispanic children in their ‘schools of origin’ may not be in their best interest, and that, when doing so, educational stability may come at the expense of school quality. However, the mean difference between school of origin and placement school performance for all of the racial/ethnic groups was quite small, which raises a question about how much higher a school’s performance needs to be before the benefits of attending a better performing placement school outweigh the negative impact of school disruption.”

“We need to move the conversation to consider a variety of factors in determining the best interest of the child,” notes Smithgall. She also cites a 2004 study in which she and her colleagues interviewed foster parents who said that they would be more likely to be engaged and advocate for their children in schools that are close by, and that they would also be more likely to enroll them in

extracurricular activities for which they would need rides.¹⁰

Limited data on child outcomes. A continuing stumbling block is the collection and tracking of data to measure progress in determining not only how effectively school stability policies are being implemented, but also how well children in foster care are doing in school. To date, there is no measure that captures education in the Adoption and Foster Care Analysis and Reporting System, the federal data collection system that tracks case-level information from states and tribes. In a May 2014 report, the Government Accountability Office strongly called for this measure.¹¹ “We need much better data to track trends and see how well the federal and state laws are being implemented, where kids are moving and how well records are being transferred, and compare achievement levels for kids who move versus those who don’t,” says Connecticut’s Sarah Eagan.

CINCINNATI SCHOOLS LEAD INNOVATIVE

educational stability partnership

A program of the Cincinnati Public Schools, Kids in School Rule! (KISR!), is designed to maintain continuity and minimize school disruptions as a result of foster care moves or disciplinary actions, improve coordination across systems and foster communication to address the specific challenges of each child.

The program is a partnership between the school system; the Hamilton County Department of Job and Family Services (JFS), which is the local child welfare agency; Hamilton County Juvenile Court; and the Legal Aid Society of Greater Cincinnati.

Key components include:

- A liaison identified by the principal of every school in the district to monitor the academic progress and needs of children involved in the child welfare system and to maintain communication with JFS. Liaisons can be a school social worker, a psychologist, a teacher or a principal, as long as they work in the building at least three times a week.
- Two education specialists assigned by JFS to work with the liaisons at every school and facilitate communication between the liaisons, caseworkers and foster families to resolve education-related issues and promote school success.
- A “no barrier” enrollment protocol that requires students placed in the custody of JFS to be enrolled in school immediately, which eliminates undue delays while records are being transferred.
- A shift in standard practice to ensure that services such as psychological counseling and case planning are provided outside of school hours so that students do not have to be taken out of classes to receive these services.
- Immediate access for the education specialists to updated educational information for children in care

so that information can be shared among the KISR! partners.

- Mechanisms to ensure that juvenile court magistrates focus on educational issues every time a student in the program comes before the court.
- Training by the Legal Aid Society for caseworkers, juvenile court magistrates, guardians ad litem, mentors and foster parents about education law and issues.
- Coordination to promote KISR! student participation in a partnership between the University of Cincinnati and JFS to provide mentors who encourage and support youth in foster care in pursuing higher education.

Kids in School Rule! — first developed by a juvenile court magistrate and a lawyer at the Legal Aid Society of Southwest Ohio in collaboration with JFS — was launched in 22 Cincinnati Public Schools in 2008 and expanded to all Cincinnati Public Schools in January 2012. Before it started, children in foster care often were stymied by enrollment delays, frequent absences and school disruptions and seldom were able to attend after-school or summer programs or participate in arts programs because of fees or transportation issues.

“Through this partnership, we have found ways to overcome these barriers, and more children are succeeding and graduating as a result,” says William Myles, assistant superintendent of the Cincinnati Public Schools.



the work ahead:

GUIDANCE AND REFLECTIONS FOR FUNDERS AND THE FIELD

While significant challenges remain, the level of progress, interest and action by multiple players since the passage of Fostering Connections signifies promising momentum in implementing educational stability policies to improve the long-term success of children in foster care. “Today, there is a growing number of committed partners who can help move this agenda forward effectively,” notes Casey’s Karina Jiménez Lewis.

The Foundation encourages those partners to take the next steps to improve educational stability for young people in foster care. Based on its five years of learning since the passage of Fostering Connections, the Foundation synthesized the following observations from the field on opportunities for funders, advocates and system leaders to advance the effort:

1. Promote continued dialogue among child welfare agencies, local and state education agencies and the courts to resolve existing challenges and barriers. For example:

- Establish clear and regular processes to determine the best interests of children with regard to their schooling and clear mechanisms for resolving disputes.

- Determine responsibility for transportation costs when a child is placed outside of his or her original school district.

2. Support research and information sharing to measure progress in implementation of federal and state school policies. For example:

- Use data to gauge the impact of school stability efforts in improving outcomes for children and youth in foster care.
- Use data to explore the correlation between educational stability and permanency outcomes.
- Use data to identify children who are changing schools unnecessarily and the reasons why the changes occurred, and to inform work to avoid future unnecessary changes.

3. Establish clear policies and guidelines that clarify for staff and families areas of difference and overlap between the school stability mandate in Fostering Connections and mandates for children and youth who are homeless under the McKinney-Vento Homeless Assistance Act; explore policies and protocols that help other children, such as those in military families, achieve academic success amid frequent moves. For example:

- Outline differences and overlap in procedures and individuals involved in determining a child's best interests, responsibility for transportation, school enrollment requirements and the use of liaisons to ensure smooth school transitions and monitor the progress of children in foster care.
- Identify and disseminate successful practices for social workers, educators, communities and families to help children in foster care

negotiate school changes and succeed in school.

4. Work with public agencies to build momentum across systems to collaborate in shared strategies, such as memoranda of understanding and placing child welfare liaisons in schools, to support the educational needs of children and youth in care.

5. Increase the use of tools that provide accurate data regarding the characteristics of neighborhoods that children in care come from, and use this information to develop general, targeted and child-specific recruitment strategies to increase the pool of resource families available in the neighborhoods of origin of children that enter foster care.

6. Incorporate educational stability into a broader agenda for meeting the educational needs of children and youth in foster care. For example:

- Foster collaboration between national and state networks of child welfare officials, educators and advocates in using school stability as an entry point to focus more broadly on the opportunities and supports young people in care need to succeed in school and beyond.

Avoiding unnecessary interruptions in the education of young people in foster care and ensuring smooth transitions when school moves do occur is a critical step in promoting school success, but it is not sufficient.

“This is a huge problem that requires much more attention than keeping children in their own school, and that means broadening the advocacy and the solution,” says Hope Cooper, a partner with the True North Group who consults on federal policy issues for the Casey Foundation and the Jim Casey Youth Opportunities Initiative. “The Fostering Connections agenda was a really good start, but we need a much bigger education agenda.”

“The job is not done,” notes Stotland, formerly of the Education Law Center. “We’ve come a long way in highlighting this population and its needs, but if we stop before the full implementation of school stability and seamless transitions for youth in care, it will be a very incomplete reform and we will fall short.”

“One of the key challenges is keeping this at the forefront,” says Kathleen McNaught, project director for the Legal Center for Foster Care and Education. “There are so many competing issues when you are trying to meet the needs of kids in foster care, and education stability is especially challenging because it involves multiple systems. We have made some good advances on the issue of school stability, but the work is just beginning.”



conclusion

After five years of strategic investment to advance the implementation of policies and practices that improve stability and continuity in the education of children and youth in foster care, the Foundation and the partners, coalitions and networks it has supported have reaped significant policy gains and changes in child welfare practice.

This work also has helped to identify specific barriers and challenges that still need to be overcome at the federal, state and local levels.

While the Foundation is closing its investments to promote educational stability for youth in foster care, its goal is to engage others and equip them with helpful insights that will lead to continuing progress on this vital issue. Casey is not an education foundation, and the next steps are best taken by education funders and

policy experts with greater influence over that sector. Armed with the resources, lessons and recommendations that have resulted from this work, the field is well positioned to take on many of the challenges that have been outlined in this report. But finding ways to sustain the momentum of the past five years is critical.

“We are delighted with the attention being paid to this issue over the last several years and see signs that

we are making progress,” notes the Foundation’s Lisa Hamilton. “We know that there is still work to do, but feel confident that we’ve helped to gather data, build new partnerships between education and child welfare systems and generate a renewed commitment to educational stability that will provide momentum for years to come.”

ORGANIZATIONS AND PARTNERS

The Administration for Children and Families is a division of the U.S. Department of Health and Human Services that promotes the economic and social well-being of families, children, individuals and communities. www.acf.hhs.gov/

The American Bar Association Center on Children and the Law provides technical assistance, training and research to improve children's lives through advances in law, justice, knowledge, practice and public policy. www.americanbar.org/groups/child_law/child_law.html

The Annie E. Casey Foundation is a private philanthropic organization that works to build a better future for children, families and communities in the United States. www.aecf.org

Casey Family Programs works to provide and improve — and ultimately prevent the need for — foster care in the United States. <http://casey.org/>

Chapin Hall at the University of Chicago is a research and policy center focused on improving the well-being of children and youth, families and their communities. www.chapinhall.org/

The Children's Defense Fund is a nonprofit child advocacy organization that champions policies and programs to ensure a level playing field for all children. www.childrensdefense.org

The Education Law Center is a statewide legal advocacy group working to ensure that all of Pennsylvania's children have access to quality public schools. www.elc-pa.org/

The Jim Casey Youth Opportunities Initiative is dedicated to ensuring that young people — primarily those between ages 14 and 25 — make successful transitions from foster care to adulthood. <http://jimcaseyyouth.org/>

The Juvenile Law Center works to enforce and promote the rights and well-being of children who come into contact with the justice, child welfare and other public systems. <http://jlc.org/>

The Legal Center for Foster Care and Education serves as a national technical assistance resource and information clearinghouse on legal and policy matters affecting the education of children in the foster care system. www.americanbar.org/groups/child_law/what_we_do/projects/education/what_we_do.html

The National Working Group on Foster Care and Education is a coalition of 23 national organizations working to ensure successful educational outcomes for children and youth in foster care across the country. <http://fostercareandeducation.org>

The Stuart Foundation supports efforts in California and Washington State to ensure that children grow up in caring families, learn in vibrant and effective schools, and have opportunities to become productive members of their communities. www.stuartfoundation.org/

ENDNOTES

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