Education Issues for Students in Foster Care

TASB Summer Leadership Institute
June 2014
Presentation Overview

- Facts about students in Foster Care
- Federal Law and Texas response
  - *The Texas Blueprint: Transforming Education Outcomes for Children and Youth in Foster Care*
- Educational outcomes and Texas data
- How can schools help?
- Questions and answers
- Resources
Presenters

- Jenny Hinson, DFPS
- Tiffany Roper, Children’s Commission
- Kelly Kravitz, TEA
- Joy Baskin, TASB
Students in Foster Care
7.16 million children in Texas

1.8 million children in poverty

258,996 alleged victims of abuse and neglect investigated

75,829 children in cases opened for services

55,221 (72.8%) Family Preservation (no children removed)

20,608 (28.2%) Substitute Care (at least 1 child removed)

Source: DFPS 2013 Databook and Texas KIDS Count for Child Poverty (from 2011)
There are almost a half million children in our nation’s foster care system who have experienced abuse and neglect.

- 38.8% Birth – Age 5
- 34.9% Ages 6-13
- 22.5% Ages 14-17
- 3.8% Ages 18-21
- 29.8% Anglo
- 23.1% African-American
- 41.3% Hispanic

30% receiving special education services
946 children with Special Health needs
Who are the Adults Involved with Youth When They are in Care?

- Student
- Family
- Foster Parent
- Court
- Lawyer
- GAL
- DFPS
- Doctor Therapist
- Social Worker
Item for item in measuring academic achievement, children in foster care seriously lag behind their peer group in learning, social and emotional growth.

- A student loses four-six months of emotional and academic growth for every placement change. A student in foster care averages 4 placement and/or school changes while in conservatorship.

- A student in foster care is generally at least two grades behind their peer group in reading and math.

- Frequent school changes result in students not able to complete courses and earn class credit for grade promotion or credit toward high school graduation.

Only 47% of the youth in foster care complete requirements for high school diploma compared to their peer group (87%) not in foster care.
Most Children in Foster Care Live in a Foster Home or with a Relative

Living Arrangement for Children in Substitute Care on August 31, 2013

- Unrelated foster home: 47.7%
- Relative: 36.8%
- Other foster care placement: 11%
- Adoptive Home: 2.6%
- Other: 1.7%

Source: DFPS data warehouse report SA_05
New Home = New School

In 5 years – between 7th and 12th grade:
Mid-Year Moves

- Withdrawal
- Testing calendar
- Course credit
- Graduation requirements
- School activities
Access During the School Day

- Who speaks for the child?
- Visitor policies
- Privacy concerns
Post Secondary Education Opportunities

* Tuition fee waiver for state supported colleges
  * Education Training Voucher (ETV)
    - Extended Care/Return to Care Programs
      - Supported Independent Living
    * Case Management Services
    * College Partnerships
  * Consortia and Community-based Programs
    * GED-Vocational Programs
ACCOUNTABILITY

- DFPS/CPS Transitional Living Services
  - [https://www.dfps.state.tx.us/Child_Protection/Youth_and_Young_Adults/Transitional_Living/](https://www.dfps.state.tx.us/Child_Protection/Youth_and_Young_Adults/Transitional_Living/)
  - Transition Plans and Circles of Support
- HHSC Resources – DFPS, DARS, DSHS, DADS

- Rethink OPTIONS
Fostering Connections to Success and Increasing Adoptions Act of 2008

- Emphasizes the importance of **school stability**, maintaining **school of origin** and the need for **coordination** between **child welfare and education agencies**.

- Assurance that the placement take into account **appropriateness** of current education setting & **proximity** to the school in which the child is enrolled at the time of placement (school of origin).

- If not in the best interest – state & local education agency provide **immediate** and **appropriate** enrollment in new school with **ALL** of the education records of the child provided to new school.
The Texas Response

- Children’s Commission Education Committee
- *The Texas Blueprint: Transforming Education Outcomes for Children and Youth in Foster Care*
- *Texas Blueprint* Implementation Task Force
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<th>Three Judges</th>
<th>Texas Education Agency (TEA)</th>
<th>Texas Association of School Boards (TASB)</th>
<th>Texas Association of School Administrators (TASA)</th>
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<td>Texas Department of Family and Protective Services (DFPS)</td>
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<td>Parent and Children’s Attorneys</td>
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<td>Former Foster Youth</td>
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<td>Casey Family Programs</td>
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Roadmap for Texas

THE TEXAS BLUEPRINT:
Transforming Education Outcomes For Children & Youth In Foster Care

THE FINAL REPORT OF THE EDUCATION COMMITTEE OF THE SUPREME COURT OF TEXAS CHILDREN’S COMMISSION
MARCH 31, 2012
The State as Parent = These Kids are “Our” Responsibility
Asking Everyone to be Accountable

- No one system can do it alone
- Judges
- Attorneys
- CASA
- DFPS and CPS
- Schools – teachers, principals, counselors, front desks, school boards
- TEA, TASB, TASA, THECB
- Post-Secondary Education Institutions
Texas Blueprint Implementation Task Force Carrying Work Forward

- Also created by Supreme Court order
- 2-year duration
- Task Force plus 3 workgroups:
  - Data
  - School Stability
  - Training and Resources
- Charged with monitoring how *Texas Blueprint* recommendations implemented
Joint Letter from the Department of Ed & HHS about Collaboration

May 30, 2014

Dear Chief State School Officers and Child Welfare Directors:

As National Foster Care Month concludes, the Departments of Education (ED) and Health and Human Services (HHS) would like to take the opportunity to discuss the crucial role we all play in supporting the well-being of students in foster care. We remain committed to the goal that through ongoing collaboration and cross-system coordination we can and will improve the educational outcomes and well-being of these students. To this end, we are writing to remind State educational agencies (SEAs) and State child welfare agencies (SCWAs) that SCWAs and local educational agencies (LEAs) are obligated to coordinate efforts to ensure the educational stability of students in foster care under the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections Act).

Of the approximately 400,000 children in foster care, 260,000 are school aged (5-18). Through the Fostering Connections Act, Congress has determined that children in foster care are entitled to educational stability, and that SCWAs and LEAs play key roles in ensuring the educational stability of children in foster care. In particular, the Fostering Connections Act requires that SCWAs receiving funds under Title IV-E of the Social Security Act include a plan for ensuring the educational stability of children in foster care as part of each child’s case plan. Specifically, pursuant to section 479(h)(6) of the Fostering Connections Act, the plan must include:

1. An assurance that each 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 was enrolled at the time of placement; and
2. An assurance that the SCWA has coordinated with the appropriate LEA(s) to ensure the child can remain in the school in which the child was enrolled at the time of each placement, or, if transferring in that school is not in the best interest of the child, assurances from the SCWA and LEA to enroll the child immediately in a new school, with all of the child’s educational records provided to the school.

ED and HHS applaud the great strides many SCWAs and LEAs have made to implement the educational stability provisions of the Fostering Connections Act. Working in collaboration, educators and child welfare professionals across the country are building strong networks of support for these vulnerable students. In many communities, collaboration between SCWAs and LEAs is already producing significant improvements in the educational outcomes and well-being of children in foster care, while also enhancing the schools in which these children are enrolled.

In spite of the outstanding efforts of many SCWAs and LEAs, it nonetheless has come to our attention that the coordination required by the Fostering Connections Act is not always occurring. In particular, we are aware that some LEAs have concluded that the Fostering Connections Act applies only to State and tribal child welfare agencies receiving funds under
Education Outcomes - Foster Care in Texas

- **Fact:** 40.7% of school leavers (reason for leaving school) for students in foster care are coded as graduated, as compared to 70.7% of school leavers statewide for students not in foster care, in grades 7-12. *This is not a graduation rate.* (PEIMS 2010-11)

- **Fact:** 28.7% of school leavers (reason for leaving school) for students in foster care are coded as dropped out, as compared to 8.4% of school leavers statewide for students not in foster care, in grades 7-12. *This is not a dropout rate.* (PEIMS 2010-11)

- **Fact:** Students in foster care are almost three times more likely (24.5%) to receive special education services compared to students in the general population (8.8%). (PEIMS 2011-12)
Foster Children Compared to the State Population Graduates by Graduation Type 2010-11

- **Minimum**: Foster Children % vs. Statewide %
- **Recommended**: Foster Children % vs. Statewide %
- **Distinguished**: Foster Children % vs. Statewide %
## Education at Age 26

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<tr>
<th>Education Level</th>
<th>Alumni of Foster Care</th>
<th>National Sample</th>
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<tbody>
<tr>
<td>No high school diploma or GED</td>
<td>20%</td>
<td>6%</td>
</tr>
<tr>
<td>2-year college degree</td>
<td>4%</td>
<td>10%</td>
</tr>
<tr>
<td>4-year college degree</td>
<td>3%</td>
<td>24%</td>
</tr>
<tr>
<td>One or more year of graduate school</td>
<td>1%</td>
<td>13%</td>
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"Outcomes of Midwest Evaluation of the Adult Functioning of Former Foster Youth: Outcomes at Age 26”
## Employment and Earning at Age 26

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<th>Alumni of Foster Care</th>
<th>vs.</th>
<th>National Sample</th>
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<tr>
<td>Currently employed</td>
<td>46%</td>
<td>80%</td>
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<tr>
<td>Mean income</td>
<td>$13,989</td>
<td>$32,312</td>
</tr>
<tr>
<td>Home ownership</td>
<td>9%</td>
<td>30%</td>
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<tr>
<td>Economic hardship</td>
<td>45%</td>
<td>18%</td>
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Source: Courtney et al, 2011
Committed staff position within Division of Federal and State Education Policy, since March 2012.

Integration and collaboration among numerous statewide programs and initiatives: Title I; College and Career; Special Education; Communities in Schools; 21st Century; Gear Up; Compensatory Education; Career and Technical Education; Curriculum; Data; PEIMS, and others.
**GOAL:** End the academic performance gap between poor, Hispanic, black, ELL, and rural students and their counterparts and prepare all students to be college, career and service ready for the 21st century.

- 7 Key Priorities
TO THE ADMINISTRATOR ADDRESSED (TAA) Letters regarding students in foster care

- **Subject: Foster Care Awareness, May 17, 2013** available online: [http://www.tea.state.tx.us/index4.aspx?id=25769804968](http://www.tea.state.tx.us/index4.aspx?id=25769804968)

- **Subject: Child Abuse and Neglect Reporting Requirements, March 6, 2013** available online: [http://www.tea.state.tx.us/index4.aspx?id=25769803997](http://www.tea.state.tx.us/index4.aspx?id=25769803997)

- **Subject: Importance of Maintaining the Education Stability for Children and Youth in the Foster Care System, August 22, 2012** available online: [http://www.tea.state.tx.us/index4.aspx?id=2147508587](http://www.tea.state.tx.us/index4.aspx?id=2147508587)


- **TEA Listserv sign-up:** [http://miller.tea.state.tx.us/list/](http://miller.tea.state.tx.us/list/) select ‘To the Administrator Addressed Correspondence.’
May 2014
U.S. Department of Education

- Joint USDE and HHSC letter addressing Fostering Connections letter and school stability
- USDE Uninterrupted Scholars Act (USA) letter addressing amendments to FERPA
- USDE USA guidance document and FAQ addressing amendments to FERPA
- USDE New Foster Care and Education website: http://www2.ed.gov/about/inits/ed/foster-care/index.html
Training Opportunities for K-12

- Texas Online College & Career Readiness Resource Center Course – Project Share, anticipated *Fall 2014*.
- ESC Title I – Foster Care Education Training Resource – Project Share.
- Ongoing technical assistance provided to Foster Care Liaisons and school districts.
- Training with numerous education groups: Communities in Schools, 21st Century Programs, McKinney-Vento, Education Service Centers, Title I – Parental Engagement, Special Education and others.
- Response to Intervention (RTI) Training Institute–University of Texas, Meadows Center for Preventing Educational Risk [http://buildingrti.utexas.org/resources/](http://buildingrti.utexas.org/resources/)
Comprehensive resource and training guide, released in October 2013; Co-written with TEA, DFPS and Children’s Commission.

- Research based: Codifies foster care education practice, policy, laws and resources in one central location.

- Foundational resource for education community, foster care liaisons, and all who support the education of students in foster care.

- Guidebook provides foundation for district training and development on foster care.
School Districts & Open Enrollment Charter Schools must identify and report to TEA a foster care liaison. TEA to provide information for facilitating enrollment and transfers.

LIAISON INTRODUCTION AND OVERVIEW:

LAW: Each school district and open enrollment charter school shall appoint at least one employee to act as a liaison to facilitate the enrollment in or transfer to a public school of a child in the district who is in the conservatorship of the state.\(^\text{39}\)
Foster Care & Student Success - Texas School District Foster Care Liaisons

Designated District Liaison:

Each School District and open-enrollment charter school in Texas is required to appoint at least one employee to act as a liaison officer to facilitate the enrollment or transfer to a public school or open-enrollment charter school of a child in the district or area served by the charter school who in the conservatorship of the state (TEC § 33.904).

During the 83rd Texas Legislative session, open-enrollment charter schools were added to an existing law that required districts to designate foster care liaisons. In this legislative session it became a requirement that both districts and charters are required to submit their foster care liaison’s name and contact information to TEA (see below).

TEA is developing a comprehensive list of foster care liaisons to support both liaisons and stakeholders in coordinating successful enrollment, efficient transfers and academic support for students in foster care. Many Education Service Centers (ESCs) have also voluntarily designated a Foster Care Champion to support districts and coordinate efforts in addressing the educational success of students. The names and contact information of identified liaisons are provided below:

1) Foster Care Liaisons organized alphabetically by district
2) Foster Care Liaisons organized by ESC Region
3) ESC Foster Care Champions
4) Foster Care Liaisons listed by each ESC Region:

Region 1, Region 2, Region 3, Region 4, Region 5, Region 6, Region 7, Region 8, Region 9, Region 10, Region 11, Region 12, Region 13, Region 14, Region 15, Region 16, Region 17, Region 18, Region 19, Region 20

Appoint a Liaison:
**Foster Care status must be handled with the utmost sensitivity and in accordance with all FERPA guidelines!**
Take Action | Next Steps:

- Increase awareness – Share information from today’s training within your region, district, schools, community and parent networks.

- Ensure local policies are aligned with state and federal laws and guidance to promote education stability and the educational advancement of students in foster care.

- View foster care liaison registry and ensure that your district has a liaison appointed: [http://www.tea.state.tx.us/FosterCareStudentSuccess/liaisons/](http://www.tea.state.tx.us/FosterCareStudentSuccess/liaisons/)

- Sign-up for Foster Care Education Listserv - select ‘foster care education’ [http://miller.tea.state.tx.us/list/](http://miller.tea.state.tx.us/list/)

- Distribute *Foster Care & Student Success Resource Guide* across your networks: [http://www.tea.state.tx.us/FosterCareStudentSuccess/resource-guide.pdf](http://www.tea.state.tx.us/FosterCareStudentSuccess/resource-guide.pdf)
How can schools help?
Five key action items for school boards and administrators
1. Encourage stability

School boards can:

- Know the statutory rights in FD(LEGAL)
  - A student placed in foster care can continue in attendance through the last grade at campus
- Include foster care as a reason for a transfer under FDA(LOCAL)
1. Encourage stability

Administrators can:

- To the extent possible, help inform CPS’s assessment of a child’s best interests
- Work with CPS, foster parents, and other school districts to arrange transportation
2. Reduce the negative effects of relocation

School boards can:

- Make sure your district has a foster care liaison
2. Reduce the negative effects of relocation

Administrators can:

- Look for the new CPS form 2085E
- Prioritize the transfer of school records
- Work with all of the people involved in decision making for a child in foster care
School boards can:

- Use local policy, educational supports, and partnerships to maximize opportunities for credit recovery
- Support the use of Personal Graduation Plans to keep students on track for graduation
3. Connect students with programs ASAP

Administrators can:

- Identify foster care students in PEIMS
- Connect students with special programs
- Follow through with child find and FAPE for students with disabilities
- Extend opportunities for students to join extracurricular activities
4. Support appropriate disciplinary practices

School boards can:

- Adopt policies and support practices that focus on correcting (not just punishing) misconduct
- Understand DFPS restriction on corporal punishment
4. Support appropriate disciplinary practices

Administrators can:

- Understand the effects of trauma on student behavior
- Consider forming student support teams for at-risk students
5. Create a culture of trust

School boards can:

- Use the influence of your leadership team to create an environment that is inclusive with high expectations for every child’s success
5. Create a culture of trust

Administrators can:

- Insist on confidentiality in record keeping, staff interactions, and communications around students
Questions & Answers
Thank you for joining today’s presentation and the important role you play in advancing the education of students in foster care!