

2007 California Foster Youth Education Summit

Recommendations to Improve Foster Youth Education Success in California



Table of Contents

Introduction	1
Background	3
Workgroup Summaries and Recommendations.....	5
I. Workgroup on Early Childhood Education and Care	5
II. Workgroup on Academic Supports.....	6
III. Workgroup on Educational Decisions Making and Parental Notice.....	8
IV. Workgroup on Postsecondary Education and Training Programs	10
V. Workgroup on Data Collection and Sharing	13
VI. Workgroup on AB490 Implementation.....	15
Conclusion	19
Appendices	21
Appendix A: Conference Agenda, Welcome Letter, and Participant List	21
Appendix B: Sample Policy Briefs.....	25
Appendix C: Summit Backgrounder.....	89



“The foster youth that we all care so much about desperately need us to find ways for child welfare workers, judges and educators to work better together to erase the disparities in academic achievement between foster youth and the rest of the school population...Disparities that have been accepted as inevitable for too long.”

—Senator Darrell Steinberg

Opening Remarks, 2007 CA Foster Youth Education Summit



Introduction

The California Foster Youth Education Task Force is a statewide coalition of more than 25 organizations dedicated to addressing the educational needs of children and youth in foster care. Formed in 2004, the task force’s cross-disciplinary action teams invest their agencies’ time and resources to forge solutions at the local and state level.

Since the task force’s inception, one common theme has consistently emerged: the necessity to increase cross-systems communication and awareness about education challenges specific to youth in foster care. Channels of communication must be open among the many sectors and individuals who touch the lives of foster youth. These entities include foster parents, educators and education administrators, child welfare professionals, probation officers, judges, relatives, and foster youth themselves.

The convening of the 2007 California Foster Youth Education Summit was a critical step in this direction. Sponsored by the California Foster Youth Education Task Force, Casey Family Programs, and the Child and Family Policy Institute of California, this summit brought together, for the first time, teams of youth, parents, and professionals representing education, child welfare, probation, and the courts from across the state. After ten months of in-depth, preparatory work by members of the Task Force, on January 23, 2007, more than 300 professionals, youth, and parents gathered to discuss issue briefs identifying complicated issues that continue to affect foster youth education in California. This unprecedented cooperation led to joint recommendations in six areas:

1. Early Childhood Education and Care
2. Academic Supports
3. Educational Decision Making and Parental Notice
4. Postsecondary Education and Training Programs
5. Data Collection and Sharing
6. AB 490 Implementation

During the summit, six cross-disciplinary workgroups discussed a specific issue brief and defined a series of recommendations. Each workgroup then presented its recommendations to a joint panel of thirteen members of the California State Assembly, chaired by Majority Leader Karen Bass and Assemblyman Bill Maze, and members of the California Blue Ribbon Commission on Children in Foster Care, chaired by California Supreme Court Justice Carlos Moreno.

The specific recommendations range from proposing incremental changes to improve local communication and collaboration, to encouraging large-scale data collection to improve our understanding of foster youth educational status and achievement rates. This report provides a summary of the recommendations on each issue. It includes an appendix of the policy briefs prepared for discussion at the summit.



“For a foster youth whose education was not taken seriously while in care, it felt empowering to sit on a panel and make recommendations in front of people that have foster youth’s educational best interests at heart.”

—Zairon Frazier, Advisory Board Chair,
California Youth Connection





When I left foster care on my 18th birthday, I found that the world didn't care about my labels, what was wrong and needed to be fixed. The world still required from me the same things that it required from the highest functioning, successful youth: a place to live, skills to get a job with, to be literate and have a high school diploma, to have money to turn on my lights and phone...of course, I had none of these basic things. I had only the heavy labels placed on me...their expectations were only negative.

—Jennifer Rodriguez, J.D., California Youth Connection

Digital Voices Video



Background

The maxims that hold true for educating all of America's youth take on added urgency for youth in foster care. These young people have suffered the trauma of abuse and neglect. Their time in foster care is often characterized by frequent changes in home and school placement, with a resulting lack of stability on almost every front.

Multiple school placements lead to lost school records, delayed enrollment, neglected special education needs and the absence of critical support services. These impediments serve to undermine academic achievement, self-esteem, and a sense of place within each student's school community. Huge proportions of California's 75,000 foster children are struggling in school. 75 percent are working below grade level, an estimated 83 percent are held back by the third grade, and 46 percent eventually drop out of high school.¹

The link between school stability and educational success is also clear for the thousands of former foster youth struggling to achieve success in vocational arena and in higher education. Two to four years after leaving care, half of these young people still do not have a high school diploma or GED, and fewer than ten percent enter college, although 70 percent express a desire to do so.² Nearly one-third end up on public assistance within 15 months, and eventually, more than one third will be arrested or convicted of a crime.³

Educational success, then, is vital to supporting adult accomplishments, building self-worth and instilling hope for the future. Positive school experiences are critical to grade-level performance, promotion, and high school graduation, as well as successful transition to adulthood. As the Child Welfare League of America states, "for youth leaving the child welfare system, education is their best hope of achieving independence in adulthood." Positive and consistent school experiences and participation in extracurricular activities also provide the opportunity for young people without permanent family ties to form important lasting connections with adults—an important predictor of success in navigating an increasingly complex society.

Fortunately, in California, the poor outcomes these youth often face have received some recent attention and legislative response. In 2003, the California Legislature passed AB 490 (Steinberg), landmark legislation that became effective on January 1, 2004, with the goal of ensuring school stability and educational opportunity for foster children. In 2004, AB 1858 (Steinberg) was passed. This bill was designed to improve the quality of education provided at nonpublic schools by requiring them to meet the same standards as public schools for appropriate curricula, qualified teachers, and adequate materials and supplies. In addition to these efforts, the recent expansion of the California Foster Youth Services Program, run by the California Department of Education, significantly increases the number of foster children who receive educational and support services through grants to 57 counties.



"I was in nine different group homes as a teenager. The one stable thing in my life was my high school... When I got moved to the children's shelter, school staff took turns picking me up to make sure that I got to school. At the time, I was [just] glad to get out of the shelter, but in retrospect I realize that was the most powerful thing somebody could have ever done for me—made sure I got an education."

—Tony, 22 in A Rage to Do Better





“While significant progress has been made to address the educational barriers faced by California’s foster children and improve their opportunities for academic success, there is still much more that needs to be accomplished.”

—Jack O’Connell, California Superintendent for Public Instruction
Opening Remarks, 2007 CA Foster Youth Education Summit



Great advances have also taken place in postsecondary education. Campus liaisons, whose purpose is to shepherd youth from foster care through the intricate maze of postsecondary education, have been established in the California Community Colleges through the recent Foster Youth Success Initiative sponsored by the California Community College Chancellor’s Office. Model programs (such as Guardian Scholars) that provide comprehensive personal and scholarship support services to college students at four-year institutions, meet with growing support and are spreading to campuses throughout the state. These represent some positive strides in responding to the challenges to educational attainment for foster youth.

Despite California’s progress, however, the widespread need and the negative impact on the lives and futures of thousands of children require us to do more. AB 490, while a giant step forward, is still far from being fully understood and implemented by child welfare and education professionals. Strong pockets of innovation and systemic cross-collaboration exist in many counties and local school districts, but they currently reach only a small percentage of youth in need. A lack of communication, cooperation, and integration is still the norm across the many different systems which touch the lives of foster youth daily.

Despite the painful statistics and ongoing struggles, children in foster care, like all young people, are full of talent and potential. When they meet with ongoing encouragement and support, stable home and school environments, high expectations, and the tools to become successful, they have the potential to thrive as adults.

The California Foster Youth Education Task Force meets monthly to ensure implementation of the recommendations below, and teams continue to meet and work across systems at the county level. We invite you to participate in helping our foster children to thrive by supporting full educational opportunities and the implementation of these recommendations.

SUMMIT RECOMMENDATIONS

I. Early Childhood Education and Care

Short and long-term studies demonstrate that children who participate in early education programs have better language, early literacy, and early math skills. Our growing understanding of how early education and care benefits future academic success has led to a number of early education supports and initiatives in California in recent years.

Unfortunately, foster children from birth to age five are often not considered in discussions about early childhood education programs that can provide critical foundational and developmental support to prepare them to learn. This age range includes more than 50 percent of the children who enter foster care for the first time in California.⁴

Yet the children are not systematically provided access to available early childhood education and sources. Moreover, early child care providers and teachers may not be familiar with the challenges faced by children who have been removed from their homes because of abuse or neglect and placed in foster care. Conversely, child welfare workers may not be familiar with the education and care needs of children under age five, the related needs of their care and education providers, or available programs, services and funding possibilities. The Workgroup on Early Childhood Education and Care recommends that policy discussions about both access to early childhood education in California and about foster youth education outcomes include consideration of foster children from birth to age five, and that the following recommendations be implemented to adequately support their early education, care, and development.

Recommendations:

Align Court Proceedings with Early Childhood Development and Educational Milestones

Ensure that court hearings, visitations, and case plans take into account a child’s developmental milestones. Train child welfare workers to incorporate these developmental needs (cognitive, mental health, physical health, and emotional health) when assessing and defining educational needs for all babies and children, not just those in prekindergarten or kindergarten.

Increase Resources for and Attention to Very Young Foster Children

Increase the number of qualified people working with foster children under age six. For example, create incentives for mental health employees to pursue additional training and education credentials for this population. Distribute Prop. 63 training dollars to increase the appropriate services available to these children and to increase training for those who work with children under age 6 who are in or at risk of entering foster care.



“The Foster Youth Education Summit was a tremendous opportunity to learn from the students. As a judge, I came away with a clear understanding of areas where the law is not being implemented or followed, and what I must do in my oversight role to ensure the rights of foster youth are being protected.”

—Honorable Dean T. Stout, Inyo County Superior Court





“I am a former foster youth and a college graduate. We need former foster youth to serve as mentors for foster youth.”

—Amber Lane

Youth testimony to the legislature during the summit



Reinforce Existing State Laws

Define and enforce accountability regarding timely updates of children’s Health and Education Passports (HEPs) for mandatory developmental assessments and provide them in a timely fashion to the courts and to the child’s care provider. Require the courts to ensure that the child’s educational needs are being met, including the appointment of an educational representative to ensure the child’s educational needs are being effectively addressed, if after careful assessment, the parent is found to be unable or unwilling to do so.

Ensure Continued Medi-Cal Eligibility

Realign Medi-Cal eligibility to follow each child. Currently, Medi-Cal funding stops when a child is moved to a placement in a new county, or when court jurisdiction transfers to a new county. This inevitably causes extensive delays in services and violates federal IDEA (Individuals with Disabilities Education Act) regulations. Since Medi-Cal supplies much of the education/development resources for these children, each hiatus results in lost class time and disrupted educational opportunities.

Ensure Access to Quality Preschool for Foster Children

Ensure that foster children under age six have access to free, high quality preschool. Provide resources for transportation, assessments, and training for preschool and childcare providers in the unique emotional needs of children in foster care.

II. Academic Supports

Foster youth who struggle academically are entitled to receive a variety of educational services and programs that address a wide range of academic needs and issues. Nonetheless, the Foster Youth Services (FYS) 2006 Report to the Governor and the Legislature notes that “[a] majority of foster youth students are academically deficient . . . [and that] seventy-five percent of foster youths are working below grade level.”

Our educational system is not designed to respond to the multiple placements and frequent school changes that characterize the lives of youth in care. As we have noted, this is a primary barrier to the delivery of appropriate academic support services. For children in care, frequent moves and inconsistent parental oversight often result in lost school records, delayed enrollment, neglected special education, and other critical support services. With this in mind, the Workgroup on Academic Supports discussed six major issues and defined policy and practice recommendations to help ensure that services are implemented and remain consistent even as children in care move from county to county.

The six major issues are:

- Students at Risk of Retention
- Quality of Services to Meet Academic Needs
- Special Education
- English Learners and Limited English Proficient Students
- Migrant Students
- No Child Left Behind

Recommendations:

Coordinate Child Welfare, Education, Mental Health, and Probation Systems to Improve Communication and Coordination

Align these systems, including data management, on the county level, to enable institutions to work together so that all stakeholders can access timely and up-to-date information. Improve collaboration among these systems by replicating the AB 2216 Child Welfare Leadership Council that was created to improve cross-system functioning at the state level. Implement similar councils at the county level to ensure that leaders in child welfare, education, mental health, and probation conduct regular meetings to address key issues, such as academic support, across all of these systems.

Increase Teachers’ and School Administrators’ Understanding of Foster Youth

Train educators at the school level to understand how the foster care system works and increase their awareness of and sensitivity to the rights and needs of foster youth and the many challenges they face. Include caregivers, foster youth, teachers, administrative staff, and other stakeholders in trainings so that everyone shares a similar foundation of knowledge and understanding.

Ensure Academic Readiness for Graduation

Institute graduation assessments beginning in 9th grade to educate youth about graduation and University of California/California State University credit requirements. Explore statewide standardization of credit calculation and high school graduation requirements. Study the impact of the CAHSEE (California High School Exit Exam) on foster youth and create waiver opportunities for students who have not been adequately prepared.

Expand and Enhance the Role of Foster Youth Liaisons

Clarify the role of dedicated foster youth liaisons as mandated through AB 490 and fully fund them in each district with county, state, and federal support. Ensure that foster youth liaisons are trained and knowledgeable about the services and supports available in their district to children and youth in foster care, including those who are also ELL/LEP students (English Learner/Limited English Proficiency).



“Children in foster care typically don’t have positive family support and guidance and it’s our collective responsibility to provide this for them through public/private partnerships and regional K-18 partnerships that include all affiliated agencies. These are our kids and they are part of all of our futures; we each have a role in filling in the gap left by the absence of consistent parental support. When foster children are given the opportunity and support they need, they can achieve phenomenal success.”

—Jack O’Connell, California Superintendent for Public Instruction

Opening Remarks, 2007 CA Foster Youth Education Summit



Ensure Access to Services Provided by the No Child Left Behind (NCLB) Act

Increase attention to the impact of the federal NCLB act on foster youth and to the need for greater access to services and programs available for foster children and youth under NCLB. Explore the possibility of defining foster youth as a subgroup of the NCLB for purposes of meeting the “adequate yearly progress” benchmark.

Address Issues Affecting Students at “Risk of Retention” Early in the School Year

Amend notice provisions to ensure timely alerts of changes in students’ educational status to all stakeholders, including holders of educational rights (as defined in the following section), social workers, the court, etc. Ensure that Individualized Education Programs (IEPs) and other school documents—report cards, conference notes—follow children from school to school, and are faithfully implemented.

Explore Statewide Implementation of Promising Tutorial and Academic Support Programs

Consider replicating such programs as the Contra Costa County Credit Retrieval program and the San Diego County Tutor Connection, an innovative collaboration between public and private child welfare, K–12 education, and higher education that provides academic tutoring to foster youth while educating future teachers about foster care.



“The Foster Youth Education Task Force that has worked together to secure better educational outcomes for our foster youth is a model for the teams that counties can establish to sustain the momentum that we have created.”

—Robert Taniguchi, Child Welfare Director and former School Board Member



III. Educational Decision Making and Parental Notice

Parental notice is a key element of California’s Education Code. The value of parental involvement in the educational lives of all children, which is also recognized by federal law, is well summarized in the following statute:

The Legislature finds and declares... involving parents and guardians of pupils in the education process is fundamental to a healthy system of public education.... Research has shown conclusively that early and sustained family involvement at home and at school in the education of children results both in improved pupil achievement and in schools that are successful at educating all children, while enabling them to achieve high levels of performance.

EDUC. CODE § 51100(a)-(b)

Parental involvement in the education of foster youth, however, is extremely problematic. Too often, children in foster care are left in a state of limbo concerning the status of their parents and the extent to which their parents retain the right to make educational decisions for them. Other issues that can compound parental notice and educational decision-making problems include:

- Schools and child welfare agencies that do not have information about who is responsible for making educational decisions for foster youth
- Parents, or those who retain the right to make educational decisions, who are not always informed about essential issues, such as discipline (including suspension and expulsion), retention decisions, special education, availability of supplemental services, etc.
- Educational decision makers who do not always receive information about appropriate educational placements and available options

In order for parents and guardians of students enrolled in public schools to stay informed and participate in their children’s education, the Workgroup on Educational Decision Making and Parental Action defined recommendations based on a wide variety of rights that must be ensured. Educational rights include all of the following:

- The right to be notified of absences on a timely basis
- The right to receive the results of their child’s performance on standardized tests
- The right to examine curriculum materials
- The right to be informed of their child’s progress in school
- The right to access school records
- The right to be notified, as early in the school year as practicable, if their child is at risk of retention

Recommendations:

Increase Understanding of Educational Rights in the Delinquency System

Probation officers, public defenders, judges, and others in the court system must understand and receive training about educational rights in order to ensure that youth who come to them from foster care have full educational rights and access, and are fully represented.

Develop Uniform Protocols on Determination of Education Rights Holders

Identify all stakeholders—lawyers, social workers, schools, districts—and work with them in developing protocols to determine who is responsible for overseeing the status of educational rights and training curricula.

Provide Regular Updates of Education Rights Status

Ensure that information on educational rights holder is included in each status review hearing in dependency and delinquency court.



“Next to family, education is the most important foundation for adult success. Because we’ve removed these children from their parents, society owes them every opportunity to attain positive educational outcomes. These workgroup recommendations go a long way toward developing a system which supports educational accomplishments. This is vital both for the children and for our society—we can’t afford to waste a single one of our children.”

—Miryam J. Choca

Casey Family Programs and Chair,
CA Foster Youth Education Task Force





“My goal continues to be to have foster youth treated as we would treat our own children.”

—Assembly Majority Leader
Karen Bass



Develop a Method for Notifying Surrogates

Ensure communication among all individuals responsible for meeting educational needs, making educational decisions, or supporting the educational outcomes for foster children.

Amend JV 535 Form

Simplify the form that the courts use to limit the rights of the parent and appoint a responsible adult as an educational representative.

IV. Postsecondary Education and Training Programs

Youth from foster care who graduate high school and go on to attend postsecondary education or vocational training struggle with a host of practical, psychosocial, and emotional issues. These range from wrestling with complex application and financial aid processes to a lack of parental support, mentoring, and tutoring—and having nowhere to live when dorms are closed during school breaks. According to the Institute for Higher Education Policy, other obstacles that foster youth face include:

- A lack of independent living and study skills
- Financial strain and the resulting preoccupation with these concerns
- A lack of information about available assistance
- A lack of familiarity within the educational systems about the unique concerns facing foster youth

It is not surprising that, given these daunting challenges, combined with previous trauma, low expectations, and frequent disruptions to their schooling, only about three percent of foster youth actually manage to complete a postsecondary degree program within a few years of leaving care.⁵

Comprehensive support programs for former foster youth, however, can make a difference. This has been demonstrated by the Guardian Scholars program. Founded in 1998, this program has a college retention rate of nearly 70 percent for its participants.⁶

The Workgroup on Postsecondary Education and Training Programs defined a series of recommendations in three areas to help improve support for out-of-care youth in postsecondary education or training programs. The group divided its recommendations into statewide policy and two areas—early intervention opportunities and strategies for community colleges and four-year schools—for local practice implementation:

- Statewide Policy Opportunities
- Early Intervention Opportunities
- Strategies for Four-year Schools and Community Colleges

Policy Recommendations:

Learn From Existing Promising Practices

Provide funding through the California Department of Social Services and the California Department of Education to identify promising practices that can be replicated throughout the state.

Expand Non-Academic Support for College Students.

Replicate comprehensive support programs, such as Guardian Scholars, so that they are embedded at all CSU and UC campuses. Provide foster youth with a single point of contact who can help them learn about resources such as year-round housing; medical, dental, and mental health services; fee waivers; tutoring; and priority registration, in order to help them meet graduation requirements within four or five years.

Teach Educational Advocacy

Include information on educational advocacy in foster parent and child welfare worker training.

Separate the Responsibilities of Education Specialists and Social Workers

Create an educational specialist position in each county Office of Child and Family Services (OCFS), rather than using social workers’ time and resources, to ensure individualized attention to help foster youth succeed and to prepare them for postsecondary and vocational education choices.

Create a One-Source Resource in Each District

Establish a single point of contact in all district high schools whom youth, foster parents, group home providers, and others can go to in order to discuss educational issues and learn about postsecondary and vocational education opportunities and preparation.

Practice Recommendations:

Early Intervention Opportunities

Begin Early to Build College Awareness

Instill the idea of college as an attainable and desirable goal for foster youth, beginning in 4th grade and continuing through high school. Create opportunities in the 7th and 8th grades for foster youth to visit college campuses. Educate foster youth regarding the educational programs in which they must participate to be academically prepared for college. Track their academic preparation throughout high school and provide necessary remediation.



“In February 2006, I received rejection letters from the colleges I had applied to. I didn’t know about entry requirements for college and I had not taken the correct classes. So I failed two courses on purpose to stay in the child welfare system until age 19. What am I supposed to do?”

—Sade

Youth testimony to the legislature during the summit





“I will be starting college in a few weeks. I feel like a lucky one. I had a good counselor and a supportive foster mom.”

—Patrice, Riverside County

Youth testimony to the legislature during the summit



Formalize College Preparation in Freshman Year

Begin formal college preparation in the 9th grade, making sure foster youth arrange to take all the necessary courses throughout high school. Connect them with athletic activities, community service, work opportunities, and other activities to ensure a well-rounded portfolio. Offer college fairs twice yearly and ensure that foster youth have access to quality academic advisors in high school.

Maximize the Independent Living Services Program (ILSP)

Extend the ILSP down to 12-year-olds from the current 14-year-olds and incorporate a college preparation component. Develop high school or college credit for ILSP courses to help make up for credits and partial credits lost due to school transfers during high school.

Encourage Student Involvement in College Preparation

Utilize existing college access and preparation programs such as Gear Up and Avid to help increase foster youth’s participation in college preparation.

Make Academic Support Easily Available

Provide state-financed, quality tutorial assistance in high school to help foster youth meet requirements specific to entrance to California State University branches or University of California branches (A–G requirements).

Share Success Stories

Encourage foster youth to view higher education as a viable option through the use of digital story technology that shows the success of students in similar circumstances. Link foster youth who are currently pursuing higher education as peer mentors with foster youth in high school.

Strategies for Community Colleges and Four-Year Schools

Support the Transition From Two- to Four-Year Colleges

Use existing resources such as college transfer centers to improve the transition from community colleges (where former foster youth are most likely to begin their postsecondary education) to four-year schools. Encourage foster youth attending community college to take one or two classes at a four-year school to promote success. Support high school students in taking college courses.

Develop Faculty Mentorships

Create one-on-one mentoring connections between foster youth and faculty members with training in the special needs of these youth. These mentoring connections should be designed to last throughout the youth’s entire postsecondary educational experience.

Develop Peer Mentorships

Employ former foster youth as paid mentors and tutors to assist other foster youth on college campuses.

Block Information Dead-Ends

Train college staff to understand the particular needs of former foster youth in financial aid, housing, counseling, etc., with the goal of achieving a “no wrong door” response so that youth are sure to receive the help they need.

Share Knowledge and Resources

Create cross training opportunities and referrals among community agencies servicing former foster youth in order to maximize educational support.

Use Existing Resources to Educate College Staff

Use such resources as Casey Family Programs’ *It’s My Life: Postsecondary Training and Support* to educate college faculty regarding the foster care system and the issues that former foster youth face.

Expand Opportunities for Growth

Use California Youth Connection (CYC) as a model to create more organizations across the state that offer peer mentorship, youth development, and leadership opportunities.

Make Childcare Available on College Campuses

Provide the services needed by former foster youth who are also parents.

Help Overcome Isolation

Provide year-round clustered housing for former foster youth who want the benefit of a supportive community.

V. Data Collection

One key issue in the foster youth education arena is the lack of accurate data and tracking systems to inform cross-disciplinary decision making and programming. This lack inhibits timely enrollment and academic stability.

Education Code§ 49085 directs the California Department of Education (CDE) to collect disaggregated educational data on foster youth enrolled in California schools.⁷ The Workgroup on Data Collection noted, however, that there is still no inclusive, systematic data on the educational progress of this student population. The Foster Youth Services 2006 Report to the Governor and the Legislature points out that the California School Information Services (CSIS) system “does not currently have the capability to provide disaggregated foster



“Foster youth have the same hopes and dreams for their future that every other child has. What they lack is a supportive parent or other important person to help them set intermediate goals and achieve them. That is what we must find ways to replicate.”

—Senator Darrell Steinberg

Opening Remarks, 2007 CA Foster Youth Education Summit





“We need our education. We can’t just be turned away from school because they say we can’t be enrolled.”

—Claribo

CA Youth Connection, Fresno



youth data.” The report further documents the difficulty encountered by Foster Youth Services’ programs in accessing data from the many, and often incompatible, systems developed and maintained by collaborative agencies.

Systems compatibility and collaboration across agencies at the state and local level are essential to establishing quality educational programming and supports for children and youth in foster care. Also essential are standardized outcome indicators for educational achievement and systematic retrieval of such data. The key recommendation from the working group, therefore, is that the CDE establish a statewide data system to facilitate the academic assessment and evaluation of foster youth in care against other groups of students, to identify the challenges they face, and to improve planning and service implementation.

This system must be able to interface with other state systems, including the Child Welfare Services/Case Management System (CWS/CMS), and it must enable school districts to exchange data with one another through technology-based systems.

The Workgroup on Data Collection also defined additional recommendations to support and facilitate cross-county and cross-system exchanges of information. As the group defined its recommendations, it discussed issues and concerns regarding potential breaches of confidentiality and privacy that could result from an exchange of data. These concerns must be given careful consideration as data systems are developed and must be balanced with the need to improve educational outcomes for foster youth.

Recommendations:

Establish One Statewide System

Establish one statewide data system under the leadership of the California Department of Education (CDE). This system must be compatible with data systems run by the CA Department of Social Services, probation, the Department of Mental Health, other relevant agencies, and the judicial system. The workgroup requests that the CDE (1) select the vendor for a statewide system and (2) define the essential information that needs to be collected for students in foster care enrolled in California schools.

Integrate State and County Databases Across Systems

Develop individual county databases that are compatible with the statewide system, local school district and agency systems, and agencies serving children in foster care. Mandate cooperative agreements between county child welfare and education systems.

Establish an Evaluation System

Establish an evaluation and accountability system so that appropriate data can be gathered, disaggregated, and assessed for all foster youth enrolled in a school district.

Appoint Educational Liaisons

Each child welfare agency should have its own educational liaison to collaborate with the local school district’s AB 490 educational liaisons to improve the overall academic progress of foster youth. Having an educational liaison with a background in child welfare helps with the gathering of necessary data and provides a knowledge base of the child welfare system.

Institute Standing Court Orders

Establish a model standing court order to facilitate the exchange of individual student records between school districts and child welfare agencies.

Set up an Interagency Committee on Foster Youth Education

Establish a streamlined interagency group charged with making recommendations concerning foster youth education issues to the California Child Welfare Council.

Mandate Placement Notification

Ensure that placing agencies know their obligations under the law concerning school placement. A statewide notice should be sent to every agency that places a child in a licensed children’s institution. This notice should highlight the requirement to notify a school district of such a placement and the obligation to provide any available information on immediate past educational placements. Mandated school enrollment and discharge forms should be developed for use by county agencies that place youth in foster homes.

Hold a Future Conference

The workgroup requested an additional two- to three-day data conference focused on developing viable solutions to barriers and challenges affecting data exchange problems for youth in foster care.

VI. AB 490 Implementation

In 2003, the California legislature passed Assembly Bill 490 (AB 490), a historic and comprehensive set of requirements designed to give students in foster care equal access to the same educational opportunities and services available to all students. In response to the disruptions caused by frequent foster home placement changes, the resulting school changes, and other challenges, the California legislature acted on the need to establish school stability in order to maintain educational continuity. In addition to the challenges of adjusting to new schools in new neighborhoods, students in foster care also face enrollment delays, and, in some cases, loss of access to special education services—all due to the problem of lost records.

AB 490 changes the landscape by requiring cross-system collaboration among educators, care providers, advocates, and the juvenile courts. This ensures stable



“I was in foster care at age 1...I had placement changes once every two weeks for awhile and was always pulled out of my classes. Now I am in a stable home and am a senior and will be graduating.”

—Ann, age 17

Youth testimony to the legislature during the summi



school placements and access to services. AB 490 has made significant impact in some locations across the state, but its implementation has been inconsistent, and many barriers remain. The cross-system collaboration requirement, for example, is especially challenging in view of the complexity of the foster care system and the large number of overlapping systems involved.

To assess progress, the AB 490 workgroup came together to examine the status of the law's implementation statewide. The workgroup also examined AB 490's relationship to AB 1858, enacted in 2004 to address special education needs for youth in foster care.

The workgroup consisted of a wide variety of constituents representing a cross-section of the overlapping systems that make up the foster care system: representatives of public and private child welfare agencies, the judiciary, the probation system, alumni of foster care, foster parents, advocates, and educators. As a whole, the workgroup identified one central, overarching issue, that of cross-system collaboration. **Although AB 490 mandated that agencies work together across systems to ensure school stability, no single agency or entity bears the ultimate responsibility of ensuring collaboration.** This is probably the largest stumbling block to consistent implementation of AB 490's provisions.

The workgroup broke into four subgroups to consider each of the following needs of students in foster care:

Immediate enrollment in school: Students placed in foster care generally do better when they remain in the same school. When school changes are necessary, however, enrollment delays often result due to missing academic or immunization records. Immediate enrollment is one step towards maintaining educational continuity.

Transportation: Placement in foster care often removes students from their home neighborhood and school. Youth in foster care are often subjected to frequent school changes, and studies have shown that each school change generally results in a loss of academic skills. Lack of transportation is often the biggest barrier for students hoping to remain in their original school.

Partial credits: When school transfers occur, students should not be penalized for leaving the previous school before the end of a semester. Partial credits would allow work to transfer more readily from school to school.

Least restrictive educational placements: Federal and California law require students in foster care to be placed in the "least restrictive educational programs" that can meet their academic needs. Essentially, a student in foster care must be placed into the most inclusive, comprehensive school setting in which he or she can successfully learn. This means that school districts and educational decision makers cannot place students into alternative educational placements based solely on their foster care status or academic performance. Foster care liaisons within each district would provide valuable reviews of school placements.

Recommendations:

Clarify Responsibility for Enforcing AB490 Provisions

Even the most collaborative jurisdictions have difficulty coordinating efforts without the oversight of a central authority. The workgroup recommends that one single agency be given authority to oversee AB490 compliance.

A related practice recommendation is to train members of all systems on the unique education needs of students in foster care. Training is necessary for child welfare professionals, public K–12 and postsecondary educators, the judiciary, advocacy groups, substitute caregivers, and probation workers. Youth advocates and birth family members (who generally hold education signing rights) also require training. The training should include the mandates and limitations of AB 490 and AB 1858 as well as the significance of educational stability for future outcomes.

Allow Immediate Enrollment When School Placement Change Is Necessary

When foster care placement makes it necessary to change schools, students should be allowed to enroll immediately in the new school without having to wait for records to be sent from the previous school. It is also important for records to be portable so that new school officials will be aware of the particular education needs of youth in foster care. Enhanced collaboration and communication across systems is vital. To avoid confidentiality problems, however, it is necessary to limit cross-system communication to educational issues.

Provide Transportation to the School of Previous Enrollment

Transportation is often the biggest obstacle to keeping students in foster care in their home schools. Funding transportation costs would allow students to remain in their home schools when it is in their best interests to do so.

Calculate and Allow Transfer of Partial Credits

Empower the California School Board Association and the California Department of Education to set and disseminate a standard method of calculating partial credit accumulation so students do not lose credits with each new school placement.

Use Foster Care Liaisons Provided by AB 490 to Monitor School Placements and Progress

Foster care liaisons in each school district should assess whether public or non-public schools in the district can provide the least restrictive environment and whether the current placement is appropriate.

Require Inclusion of Any Information Relevant to AB490 Compliance in Children's Status Review Reports

This would create a process for ensuring appropriate placements congruent with the law and would provide an additional vehicle for timely transition to the least restrictive educational setting.



"I was on the run for a year and a half until someone advocated for me...I couldn't stay at the same school so I ran away. You need someone to advocate for you."

—Sheena

Youth testimony to the legislature during the summit



"Today I came to this foster youth education summit and it changed my mind about college."

—Daniel, Riverside County

Youth testimony to the legislature during the summit





Conclusion

Youth in foster care have the same hopes and dreams for their future that every child has. Unfortunately, their special circumstance—living without the benefit of a supportive parent (or other important adult) and without stability at home or school—places them at a severe disadvantage to achieving their dreams. It is our collective responsibility to provide the support and guidance necessary for our foster children to overcome the disadvantages they face.

Fortunately, awareness of the special needs and challenges of foster children is growing, and much work is underway to address systemic obstacles to their educational achievement and success. But three to four years after passage of landmark legislation to address challenges, we still are struggling to work out barriers to implementation and compliance and to train those involved with foster children about this population's educational rights and needs.

While this report summarizes the specific recommendations of the workgroups at the 2007 California Foster Youth Education Summit, some broad themes emerged to support local implementation and the cross system engagement, collaboration, and resource-sharing needed to ensure academic stability and success for children in foster care.

- Develop measurable systems of Agency/Interagency Accountability
- Implement the best practices to maintain school continuity and seamless school transition
- Improve the court's engagement and oversight of foster youth education issues
- Ensure equal access to quality education and educational support services

The recommendations in this report include important changes that may be acted upon immediately by individuals at the local level, including social workers, judges, educators, and others. We also call for policymakers to continue to work towards lasting, comprehensive, systemic improvements. If we take action on the recommendations made in this report, while maintaining focus on these four major points, we will be much closer to ensuring a successful future for California's foster children. Working together in new ways, stakeholders from all systems, and supporters can provide a supportive and comprehensive educational experience from which foster youth can fulfill their potential and realize their dreams.



"I thought the Summit was very worthwhile; there were so many good ideas, and it highlighted for me the need to collaborate with various entities who work with our children."

—Joyce Jones, CWSM

Department of Children's Services
San Bernardino County



Appendix A: 2007 California Foster Youth Education Summit Agenda

January 23, 2007

Radisson Sacramento
500 Leisure Lane, Sacramento, CA
Edgewater Room

9:30

Welcome and Overview

Miryam J. Choca
California Strategies Director
Casey Family Programs

Plenary Session

Senator Darrell Steinberg
California State Senate

Video Presentation

Jack O'Connell
California State Superintendent of Public Instruction

Digital Story

Jennifer Rodriguez
Legislative and Policy Coordinator
California Youth Connection

Precious Ward

Walk a Mile Project Coordinator
Alameda County Foster Youth Alliance

10:00

Overview: Six Critical Topic Areas

Introduction

Miryam J. Choca
California Strategies Director
Casey Family Programs

Early Childhood Education

Chaired by Chantal M. Sampogna, Attorney
Judicial Council of California — Administrative Office of the Courts

Endnotes

- 1 *CA Foster Youth Services 2006 Report.*
- 2 Courtney et al., "Midwest Evaluation of the Adult Functioning of Former Foster Youth: Outcomes at Age 19," Chapin Hall, 2005.
- 3 Courtney et al., 2005.
- 4 Needell, B., Webster, D., Armijo, M., Lee, S., Cuccaro-Alamin, S., Shaw, T., Dawson, W., Piccus, W., Magruder, J., Exel, M., Smith, J., Dunn, A., Frerer, K., Putnam Hornstein, E., Ataie, Y., Atkinson, L., and Lee, S.H. (2007). *Child Welfare Services Reports for California.* Retrieved April 9, 2008, from the University of California at Berkeley Center for Social Services Research Web site: <http://cssr.berkeley.edu/CWSCMSreports/>
- 5 National Working Group on Foster Care and Education.(2006) *Foster Care and Education: Tools and Resources for Improving the Educational Success of Children and Youth in Foster Care [Brochure].* Seattle, WA: Author
- 6 See the Web site of the Orangewood Children's Foundation. Follow the link to the Guardian Scholars Brief Program Description for more information. Retrieved January 3, 2007, from www.orangewoodfoundation.org/programs_scholars.asp.
- 7 AB 1858, 2004

10:00 (Continued)

Katie M. Ford — Attorney and Equal Justice Works Fellow
Sacramento Child Advocates, Inc.

A.B. 490 Implementation

Chaired by:

Michelle Lustig, Coordinator
Foster Youth Services
San Diego County Office of Education

Linda Zall, Project Specialist
Foster Youth Services
Sacramento County Office of Education

Academic Supports

Chaired by:

Cerise Grice, Management Analyst
Alameda County Children and Family Services

Leecia Welch, Senior Attorney
National Center for Youth Law

Transition/Completion Post-Secondary Education and Training Programs

Chaired by:

Tracy L. Fried, Consultant
Fried and Associates

Gene Howard, Chief Executive Officer
Orangewood Children's Foundation

Educational Decision-Making and Parental Notice

Chaired by:

Sarah Vesecky, Attorney
Children's Law Center of Los Angeles

Data Collection and Sharing

Chaired by:

Kaye Fredrickson, Education Liaison
Fresno County Department of Children and Family Services

Laura Tanner-McBrien, Program Manager
Fresno Unified School District

11:15 **Proposed solutions and action planning** – participants convene in assigned workgroup areas for facilitated discussions and development of proposed solutions.

12:15 **Lunch in workgroups;** box lunches provided

2:00 **Transportation to Capitol;** buses available in front of the hotel

Reports to members of the Assembly Select Committee on Foster Care, Senators and the California Blue Ribbon Commission on Children in Foster Care

California State Capitol, Room 4202

3:00 **Reports on proposed solutions**

Introduced by Stuart Oppenheim and Precious Ward

Early Childhood Education

Presented by Katie M. Ford

A.B. 490 Implementation

Presented by Michelle Lustig

Academic Supports

Presented by Leecia Welch

Transition and Higher Education

Presented by Tracy L. Fried and Gene Howard

Educational Decision-Making and Parental Notice

Presented by Sarah Vesecky

Data Collection and Sharing

Presented by Kaye Fredrickson

3:45 **Discussion and public comment chaired by Assembly Majority Leader Karen Bass**

4:30 **Closing remarks by Select Committee Co-Chairs Karen Bass and Bill Maze**

Buses available to the airport and the hotel



Appendix B Sample Policy Briefs

The briefs in this section were prepared ahead of time for the education summit workgroups to identify needs and guide discussion.



POLICY BRIEF - AB 490 IMPLEMENTATION

LEAST RESTRICTIVE EDUCATIONAL PLACEMENTS:

Students in foster care are entitled under federal and CA laws to be placed in the "**least restrictive** educational programs" that can meet their needs. 20 USC §1412(a)(5)(A); EC §§ 48853(g); 56031. This means that school districts and educational decision makers cannot track students into alternative educational placements based solely on their foster care status or academic performance. Students in foster care are also entitled to have "*access to the academic resources, services, and extracurricular and enrichment activities that are available to all pupils.*" EDUC. CODE § 48850(a). This is especially important because students enrolled in alternative schools generally *do not* have access to the same academic resources, services or enrichment activities that are available in regular comprehensive schools.

- **Placement of Last Resort:** Under AB 490, alternative educational settings are specifically considered the educational placement of last resort for foster youth: "*Before any decision is made to place a pupil in a juvenile court school . . . a community school . . . or other alternative educational setting, the parent or guardian, or person holding the right to make educational decisions for the pupil . . . shall first consider placement in the regular public school.*" EDUC. CODE § 48853(b).
- **Priority Placement - Mainstream Public School:** Children placed in a licensed children's institution or a foster family home shall attend a mainstream public school program unless: the child has an individualized education program (IEP) requiring placement in a non-public school or agency or in another local educational agency; or the person holding educational rights determines that it is in the best interest of the pupil to be placed in another educational program, or that the pupil remains in his or her school of origin pursuant to EDUC. CODE § 48853.5(d). EDUC. CODE § 48853(a)(1)-(3).
- **Non-conditional placements:** Another CA bill (AB 1858, Steinberg, 2004) created a law that specified that group homes/licensed children's institutions (LCIs) may *not* require as a condition of admission that a child be identified as an individual with special needs or attend a non-public school (NPS) affiliated with the LCI. EDUC. CODE §§ 56155.7; 56366.9.

Although legally, no student can be *involuntarily* placed in an alternative program without following the procedural protections mandated by the Education Code, many foster youth are involuntarily placed with little regard to such requirements. (See e.g., EDUC. CODE §§ 48430-48438, continuation high schools; EDUC. CODE §§ 1980-1986, community schools; EDUC. CODE §§ 48660-49667, community day schools; EDUC. CODE §§ 51745-51749.3,

independent study). Others are convinced to *voluntarily* enroll in such programs because they lack sufficient credits or are informed, often inaccurately, that they will graduate sooner or more easily make up credits in such programs. Indeed, some advocates would argue that foster youth are placed or “warehoused” in alternative schools inappropriately and contrary to law.

Students in foster care should not be transferred to a continuation high school or other alternative program solely on the basis that they are in foster care, are not performing well academically in school, are behind in their academic work, or have insufficient credits. Rather, these students should be given meaningful access to appropriate educational programs and supplemental services that are funded to ensure that school districts address the needs of *all* academically “at risk” students in the comprehensive school setting.

Possible Courses of Action:

- 1) **Need to Gather Enrollment Data:** To adequately address this issue, it would be extremely helpful for all stakeholders to have more information on students in foster care who are enrolled in mainstream and alternative school programs. Indeed, AB 1858 also created the requirement that the California School Information Services system disaggregate data on students in foster care. EDUC. CODE § 49085. It is imperative that this existing requirement be fulfilled, and that school districts also disaggregate enrollment data per school site and program for students in foster care so the state can adequately assess whether these provisions of AB 490 are being followed.
- 2) **Foster Care Students – Alternative Program Enrollment Survey:** Until enrollment data is routinely disaggregated for foster youth, school districts can conduct their own surveys concerning the enrollment of students in foster care. They should gather at least the following information on enrollment in NPS, Juvenile Court schools, Continuation High Schools, Adult Schools, and other settings:
 - The number of foster care students **not** currently enrolled in a regular school, with the type of alternative placement for each youth by school site and grade level;
 - The race, ethnicity and type of out-of-home placement for these students;
 - For each student:
 - How the student enrolled in the alternative school and whether the placement was handled properly;
 - How long the student has been enrolled and if/when the student is scheduled to return to a comprehensive school site;
 - Whether the student’s needs can currently be met by a comprehensive school and if so, when a move is scheduled to occur;
 - If one is offered, the specific barrier to enrollment in a regular school, e.g.:
 - lack of credits (which may be exacerbated by failure to accept partial credits);
 - need to serve out expulsion term;
 - placement in a group home; or

- need to make up credits or graduation requirements.

Each school district could also survey all alternative education sites within their district boundaries to determine the percentage of their enrolled students who are in foster care.

The results of these surveys should be analyzed to identify whether students have been improperly placed in alternative programs. If such placements have occurred, steps should be taken to immediately facilitate the students’ enrollment in a comprehensive school. Procedures, policies and protocols should also be reevaluated to future placements of foster youth in alternative programs will follow the proper procedures.

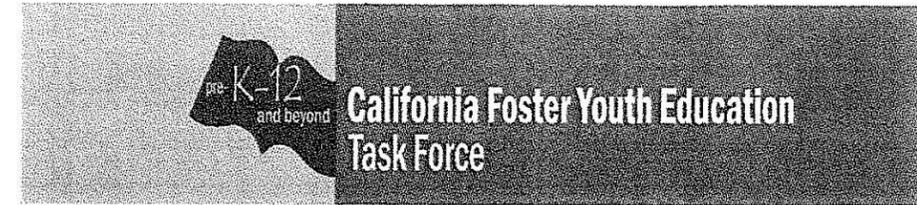
- 3) **State Guidance and Monitoring:** As with other AB-490 implementation issues, the enrollment of foster youth in least restrictive environments could also be supported by state-level guidance and intervention:

- **Statewide educational guidance:** The Superintendent and/or the State Board could encourage school districts to conduct the alternative program enrollment survey and remind them of the provisions of AB 490 related to the enrollment of foster youth in the least restrictive educational program.
- **Regulations:** Through the regulatory process, the State Board could direct school districts to adopt policies and procedures related to the enrollment of foster youth in the least restrictive educational programs and to disaggregate enrollment data for foster youth enrolled in alternative schools. The State Board could also be directed by the Legislature to promulgate regulations to effectuate a specific Education Code provision to accomplish this.
- **Local Policies & Procedures:** School districts could be required by legislation to adopt policies, procedures and protocols governing enrollment of foster youth outside of mainstream schools and/or could be directed to conduct the alternative program enrollment survey described above.
- **Inclusion in CPM:** If AB 490 is included in the CDE’s Categorical Program Monitoring (CPM) process, the proper enrollment of foster youth in least restrictive environments should be included as a compliance item for review.
- **Foster Youth Services Funding:** Until all school districts are required to disaggregate foster youth student enrollment, school districts accepting Foster Youth Services funding can be required to conduct the alternative program enrollment survey. CDE could also survey school districts to identify model policies, procedures and protocols governing alternative school enrollment for foster youth and could post these models on its website.

- 4) **CSBA:** As with the implementation of other AB 490 provisions, CSBA could develop model policies, procedures and protocols concerning the educational placement of

foster youth consistent with the provisions of AB 490 and could encourage its members to conduct the alternative program enrollment survey.

5) CDSS: The California Department of Social Services Community Care Licensing Division can enforce the mandate that licensed children's institutions not require an IEP or attendance at a non-public school as a condition of placement for foster youth through its complaints and unannounced visits procedures. The Department could also release an All-County Letter reiterating these laws.



POLICY BRIEF - AB 490 IMPLEMENTATION

PARTIAL CREDITS:

The calculation and acceptance of partial credits is critical to ensure that foster youth are not academically penalized because they are often transferred from school district to school district. It is not uncommon for these school transfers to take place within the course of the school year without regard for semester or quarter completion dates. Under AB 490, school districts must accept partial credits for entering foster youth (and thus a sending district must be able to calculate partial credits for foster youth who are transferring out).

- **School Credits:** Each public school district and county office of education *shall accept for credit full or partial* coursework satisfactorily completed by a pupil while attending a public school, juvenile court school, or nonpublic, nonsectarian school or agency. EDUC. CODE § 48645.5.
- **Sending School:** Upon receiving a transfer request from a county placing agency, a school district is required to "*compile the complete educational record of the pupil including a determination of seat time, full or partial credits earned, current classes and grades, immunization and other records,*" and, if applicable, a copy of a pupil's 504 Plan and/or IEP. EDUC. CODE § 49069.5(e).
- **Foster Care Liaison:** The AB 490 educational liaison must assist foster youth when transferring from one school to another which includes "*ensuring proper transfer of credits, records, and grades*". EDUC. CODE § 48853.5(b)(2).
- **Person Responsible for Records Transfer:** The person responsible for the transfer of educational records for foster youth must be "*aware of the specific educational recordkeeping needs of homeless, foster, and other transient children who transfer between schools.*" EDUC. CODE § 49069.5(f).

Unfortunately, while some school districts have developed partial credit policies and protocols to ensure this calculation or acceptance of partial credits, most have not yet done so. Eighty-one percent of FYS Countywide Programs reported challenges with partial credit calculation in the "Foster Youth Services Report."¹ This problem may be created or exacerbated by the fact that no uniform, statewide method has been established for calculating partial credits and there is a lack of guidance or suggested

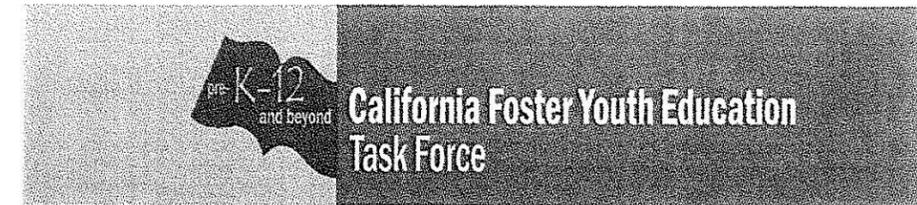
¹ "Report to the Governor and the Legislature" Foster Youth Services Program (Education Code sections 42920-42925) Counseling, Student Support, and Service Learning Office, California Department of Education (February 15, 2006), <http://www.cde.ca.gov/ls/pf/fv/documents/fylegreport2005.pdf>
Education for Foster Youth Summit
AB 490 Implementation – Partial Credits

standards. Also, within some counties there are also school districts with varying credit systems, such as 1 credit per class versus 5 credits per class. This can cause further complications.

Considerations:

State-level guidance and intervention on issuance of partial credits could greatly benefit foster youth in California. For example:

- 1) **Model Guidelines:** The Superintendent and/or the State Board could offer guidance on how to calculate and accept partial credits to school districts.
- 2) **Regulations:** The State Board of Education has broad authority to promulgate and adopt rules and regulations, not inconsistent with state law, concerning the governance of the schools of the state. (See, EDUC. CODE § 33031.) Through the regulatory process, the State Board could direct school districts to comply with the law by adopting policies and procedures for the calculation and acceptance of partial credits and establish minimum standards for such calculations and the procedures that guide them. The State Board can also be directed by the Legislature to promulgate regulations to effectuate a specific Education Code provision to that effect (e.g. EDUC. CODE § 221.1, regulations concerning discrimination; EDUC. CODE § 60005, regulations concerning curriculum framework).
- 3) **Local Policies & Procedures:** It is not unusual for the Legislature to direct school districts to adopt policies, rules and regulations for the purpose of implementing an Education Code requirement. (See e.g., EDUC. CODE § 48070, promotion/retention policies and Educ. Code § 48918, expulsion rules and regulations.) School districts could be required by legislation to adopt policies, procedures and protocols governing the calculation and acceptance of partial credits and seat time.
- 4) **Inclusion in CPM:** If AB 490 is included in the CDE's Categorical Program Monitoring (CPM) process, the acceptance and calculation of partial credits should be included as one of the monitoring items to be reviewed.
- 5) **Survey for Model Policies:** The California Department of Education could survey school districts to identify model policies, procedures and protocols concerning the calculation and processing of partial credits, seat time, etc. and could post these models on its website.
- 6) **CSBA:** CSBA could strengthen their recommendations for Board Policies that guide school districts on how to calculate, transfer and accept partial credits for students in foster care. These policies could also be incorporated into a "Policy Brief" and made widely available on their website.



POLICY BRIEF - AB 490 IMPLEMENTATION

SCHOOL TRANSPORTATION:

Youth in foster care face tremendous barriers to educational success due to frequent disruptions in their home and school placements. In order to address these obstacles, AB 490 provides foster youth with the right to remain in their school of origin (if doing so is in the youth's best interests) for the remainder of the school year when a child welfare or probation agency moves them to a new placement. EDUC. CODE § 48853.5(d)(1). Students in foster care also have the right to remain in their school of origin if any dispute arises as to their school placement, pending the resolution of the dispute. EDUC. CODE § 48853(c). AB 490 also mandates that access to extracurricular and enrichment activities that are available to all students are also available to all foster youth. EDUC. CODE §§ 48850(a) & 48853(g).

The "Foster Youth Services Report"¹ confirms that transportation, or the lack thereof, is a major obstacle to ensuring appropriate educational placement for foster youth. As it states, "[AB 490] did not specify who is responsible for transporting the foster youth to and from the school of origin, how transportation disputes to remain in the school of origin are to be resolved, or provide any funding for transportation . . . The unintended consequence is that school placement decisions are sometimes based on transportation time and cost factors rather than on the best interest of the student." It is also difficult for foster youth to participate in extracurricular and enrichment activities that are available after regular school hours if their transportation options are limited.

To help overcome this challenge to implementation of the laws, AB 490 encourages local educational and county placing agencies "to collaborate to ensure maximum utilization of available federal moneys . . . and access any other funding sources to promote the well-being of foster children through educational stability."

Considerations:

1) School Transportation for Foster Youth – Child Welfare's Responsibility:

The juvenile court places a child in foster care under the care and supervision of the child welfare agency and that agency is ultimately responsible for ensuring that the child receives the care to which she or he is entitled. (e.g. WELF. & INST. CODE §§ 16501-16501.1; CDSS Manual of Policies & Procedures (MPP) 31-405 *et seq.*, 31-320.11). Under existing law the child welfare agency is thus responsible for placement of the child and ensuring that the child is transported to school. Transportation is a component

¹ "Report to the Governor and the Legislature" Foster Youth Services Program (Education Code sections 42920-42925) Counseling, Student Support, and Service Learning Office, California Department of Education (February 15, 2006), <http://www.cde.ca.gov/ls/pf/fv/documents/fylegreport2005.pdf>

of the foster care maintenance payment and is a federally reimbursable cost under Title IV-E, but the basic foster family home rate is not intended to cover the extraordinary expenses of long commutes to school.

Child welfare agencies have low and no cost options to ensure that foster children are transported to their schools of origin. First and foremost the child welfare agency has an obligation to take into consideration the child's school placement and educational needs whenever making a placement decision (WELF. & INST. CODE §§ 16010(a) & 16501.1(c); MPP 31-206.351). If a child cannot be placed near his or her school of origin, the agency can consider whether the caregiver should transport the child to school. (MPP 31-420; 22 Cal. Code Reg. §§ 84078(d) & 84079(a)(4)). If not, the agency may consider:

- whether there is a specialized care rate that may be paid to the caregiver to cover extraordinary transportation costs,
- whether county transportation workers or services are available to transport the child to school,
- whether mandated or discretionary educational funding is available for transportation (e.g. for foster youth who are awaiting placement and who benefit from federal McKinney -Vento laws or whose special education plans specify a need for transportation).

2) School Transportation for Foster Youth: Education's Responsibility:

Education Code provisions already exist concerning school transportation. (See, EDUC. CODE § 39800 *et seq.*). School districts have the discretion to provide home to school transportation for their students and they are allocated monies from the state for doing so. (See, EDUC. CODE § 41850 *et seq.*). During fiscal year 2005-2006, CDE distributed \$563,808,000 (See, <http://www.cde.ca.gov/fg/fo/profile.asp?id=85>) to over a 1000 school districts for "home to school" and special education-related transportation. (See, <http://www.cde.ca.gov/fg/fo/r14/documents/pupiltr06apptsch1.xls>.) While districts are allowed to charge the parents or guardians of transported students a fee for such transportation, they must exempt indigent pupils from such a charge. EDUC. CODE § 39807.5(d).

- What can be done to ensure that county placing agencies take full advantage of transportation services already provided by school districts?
- Would it be beneficial to suggest amendments to existing transportation related statutes and regulations to require that school districts receiving state allocations for school transportation take into account the transportation needs of foster youth enrolled in the district?
- Although no bottom-line responsibility is delineated under AB 490 for the cost of transporting a youth to his or her school of origin, such provisions did exist when the bill was initially introduced. At one point, AB 490 included transportation-related provision similar to the provisions of the McKinney-Vento legislation. These provisions were amended out of the bill by the

Senate Education Committee on the basis that they would likely "result in significant mandated costs to school districts."

- Could appropriate transportation-related language that was amended out of AB 490 be included in current transportation statutes (so that they apply to school districts that receive transportation funding)?
- Could some of the categorical funds distributed for school transportation be set-aside to address the transportation needs of foster youth?

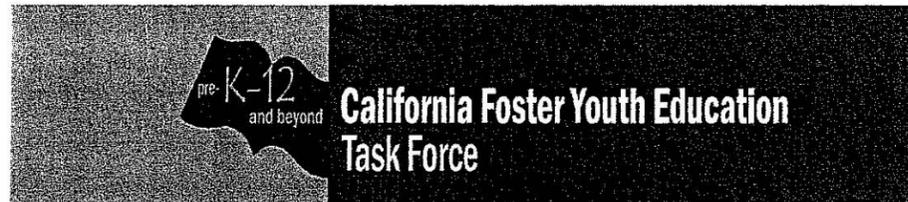
It may be helpful to approach and involve education-related organizations for guidance and/or collaboration on this issue, e.g., the:

- Association of California School Administrators (ACSA),
- California School Boards Association (CSBA),
- CDE Office of School Transportation (CDE), &
- California Association of School Transportation Officials (CASTO).

3) Should the language of AB 490 be clarified to specify which entity has the ultimate responsibility to ensure that transportation needs of students in foster care are met in regard to their right to remain in their school of origin?

4) **Collaboration:** In the absence of statewide changes to the laws, local placing agencies (child welfare and probation), educational agencies and caregivers can and should work together to take advantage of funding available to each of them, and to forge agreements about how they can share the responsibility for foster youth's transportation needs. For instance, stakeholders could:

- Make agreements about which agencies will cover the cost of transportation for foster youth (e.g. this could include an agreement for reciprocity between neighboring school districts);
- Establish a process for promptly holding team meetings, which could include agencies, caregivers and other participants, when transportation questions need to be resolved (and perhaps agree about who will pay for transportation for the brief period until the meeting can be held); and/or
- Partner to create a "volunteer transportation team" made up of retired community members to provide transportation to and from school of origin across district lines. These volunteers could be supervised by one of the stakeholders in partnership with the child welfare agency.



POLICY BRIEF – ACADEMIC SUPPORTS

Academic Support Services:

Many foster youth are entitled to services and programs to address various special academic needs. These include, but are not limited to, the following:

Students “at risk for retention”: All California school districts must have a promotion/retention policy that provides for the identification of pupils who are at risk of being retained in their current grade level. Students so identified may be eligible for interventions, such as tutoring, summer school or other services “to assist the pupil to attain acceptable levels of academic achievement.” Parents must be provided notice when a pupil is identified as being at risk for retention and such notice must be provided as early in the school year as practicable. EDUC. CODE §§ 48070-48070.5.

- Many foster youth are academically “at risk” and, thus, may be “at risk for retention.” It is important that these students have access to the opportunities for remedial instruction mandated by statute and that a parent or the person who retains educational decision-making rights for a foster youth receives proper notice concerning retention, especially since students identified as “at risk for retention” are often given priority enrollment status for summer school.

Access to Quality Services to Meet Academic Needs: The Foster Youth Services (FYS) 2006 Report to the Governor and the Legislature¹ notes that “[a] majority of foster youth students are academically deficient . . . [and that] seventy-five percent of foster youths are working below grade level.” This report also estimates that “approximately 78,800 of foster youth are currently not receiving counseling, tutoring, mentoring, or other vital services provided through the FYS Programs.” In addition, issues arise regarding the quality of such services that are being provided to foster youth.

- Although resources to FYS programs have been increased, many foster youth continue to need supplemental services such as tutoring, before and after-school programs, homework assistance, counseling, and different teaching methodologies to address varying types of learners. There is also a need to examine the quality and duration of services that are being provided.

¹“Report to the Governor and the Legislature” Foster Youth Services Program (Education Code sections 42920-42925) Counseling, Student Support, and Service Learning Office, California Department of Education (February 15, 2006), <http://www.cde.ca.gov/ls/pf/fy/documents/fylegreport2005.pdf>.

- Given the lack of support, foster youth may have challenges passing the high school exit exam. Disaggregated data is needed to assess the extent of the problem. In addition, foster youth need to be educated about and have access to supplemental services to help them pass the exam.

Special Education: Many foster youth are entitled to special education and related services under federal and California law. Studies have estimated that anywhere from 30 and 41% of children in foster care receive some sort of special education services. Elizabeth Yu et al., *Improving Educational Outcomes for Youth in Care, A National Collaboration*, CWLA Press, 2000. Twenty-six percent FYS Countywide Programs report that “untimely receipt of IEPs” is a challenge in their county. FYS 2006 Report at 16.

- Many challenges exist in ensuring that foster youth are appropriately identified for and provided with special education services. Key problems include: significant lags in timing prior to assessments, implementation of IEPs, and receipt of related services; delays caused by requirement that student be assessed for AB 3632 services prior to certain educational placements; holders of educational rights are often not informed of available services; and educational surrogates may lack minimal levels of competency.

English Learner (EL) or Limited English Proficient (LEP) students: A school district must provide specialized programming through which LEP students can acquire the English language skills necessary so that they will be able to eventually participate equally with the students who entered school with an English language background. 20 U.S.C. § 1703(f); EDUC. CODE §§ 300 *et seq.* Parents or guardians of LEP students must be provided a “full written description of . . . any alternative courses of study and all educational opportunities offered by the school district and available to the pupil.” 5 C.C.R. § 11309.

- The State receives funds from the federal government under NCLB for LEP students to provide supplemental services to address the language needs of these students. 20 U.S.C. §§ 6801 *et seq.*²
- LEP students, by grade, language spoken and program placement, are reported to CDE on a form entitled the Language Census Report (R-30) and this data can be found on DATAQUEST. Unfortunately, there is no data concerning the number of foster youth who are LEP.³ Twenty-five (25) percent (1.6 million) of all students enrolled in California schools are classified as LEP and 41% of all students speak a

²General information about LEP students can be found on the CDE’s website at <http://www.cde.ca.gov/sp/el/>.

³School districts must follow certain procedures so that EL students will be properly identified, which includes the use of a home language survey, assessment in English and the primary language within certain time periods. EDUC. CODE §§ 62002, 52164; 5 C.C.R. § 11307.

language other than English in the home. We also know that 46% of all students are Latino and that 85% of all LEP students in California are Spanish-speaking. Given these numbers and the fact that approximately 41% of all foster youth in California are Latino,⁴ it would not be unreasonable to assume that a significant number of foster youth are also LEP or formerly LEP.

- For foster youth who are identified as LEP, it is extremely important to consider their language needs when determining what educational placement is in the best interests of the child pursuant to AB 490. Whenever possible, there should be continuity in the type of language program made available to such a youth when changing a placement.

Migrant Students: Foster youth who are migrant students are also eligible for migrant education supplemental services designed to address the special needs of migrant students enrolled in California schools.

- These programs are usually administered by Migrant Regional Offices through county offices of education, often in collaboration with local school districts. These supplemental services may include such things as: academic support services, including academic tutoring, incentives, work study, extended day and academic leadership activities, Saturday schools, and specialized high school programs that may include independent study for credits, and career education. The State receives funds from the federal government under NCLB to serve the specific needs of migrant students. See, 20 U.S.C. §§ 6391-6399 and 34 C.F.R. §§ 200.81-200.89. See also, EDUC. CODE §§ 54441.⁵
- As with our LEP student population, we do not know the number of foster youth who are eligible for migrant education supplemental services.

No Child Left Behind

Under "No Child Left Behind" (NCLB), the State of California receives millions of dollars from the federal government to address the needs of the State's academically "at risk" student groups and those students who attend the State's highest poverty schools. Pursuant to NCLB, a complicated "accountability" system has been developed under which school districts are evaluated on a yearly basis concerning the academic progress of their students. Individual schools and districts that fail to make "adequate yearly progress" for a certain period of time are identified for "Program Improvement" (PI) and are subject to various corrective actions and interventions.⁶ Students attending PI schools are also eligible for certain services and options, which include the following:

⁴See, <http://cssr.berkeley.edu/CWSCMSreports/dynamics/disprop/response.asp?crit=PR&county=0>

⁵General information about Migrant Education can be found on the CDE's website at <http://www.cde.ca.gov/sp/me/mt/>.

⁶For a more thorough explanation of the State's accountability system, see CDE's "2006 Adequate Yearly Progress Report Information Guide (August 2006) found at <http://www.cde.ca.gov/ta/ac/ay/>

- **Supplemental Services:** Eligible low income students who attend Title 1 schools that have been in PI status for two years or more, are entitled to supplemental educational services, which are generally tutoring services provided by State-approved contracted entities outside of the regular school day.⁷

"Neglected and delinquent" children are specifically identified as one of the intended beneficiaries of programs and services provided under NCLB. 20 U.S.C. § 6301(2). Unfortunately, access to supplemental services and school choice is dependent upon the extent to which a school district provides meaningful and adequate notice concerning the availability of such options and a parent's ability to understand such notice and to act upon it. As discussed in the policy brief concerning "Educational Decision Making and Parental Notice", too often the parents of foster youth and those designated to make educational decision for them in lieu of their parents, do not regularly receive such notice and, thus, may have no knowledge concerning the availability of such options. Thus, academically "at risk" foster youth too often do not have access to supplemental educational services or other interventions made available to other students to address academic deficits. The FYS 2006 Report sheds some light on this issue:

- **School Choice:** Students who attend a Title 1 funded school that has been identified for Program Improvement, corrective action, or restructuring must be given the option of school choice. Under school choice, students must be given the option of transferring to another non-PI public school within the district and they must be provided transportation. If transportation funding is limited, then students from low-income families who are the lowest achieving students may be given priority.

Possible Courses of Action:

1) Examine Access and Quality of Academic Support Services: Expand academic support services provided through FYS and other programs to meet the needs of foster youth. Evaluate the quality and timeliness of services provided to foster youth, and the competency of educational surrogates. Examine district policies and the IEP's of youth to promote timely and appropriate provision of tutoring programs, summer school options, and testing supports. Youth need financial and practical support to pass the CAHSEE and to prepare for testing related to post-high school education. Efforts

[documents/infoguide06.pdf](#) or the "Parent/Guardian Guide to School Accountability Progress Reporting System, found at <http://www.cde.ca.gov/ta/ac/ay/documents/parentguide06.pdf>

⁷For more information about school choice and supplemental services, see, <http://www.cde.ca.gov/ta/ac/ti/schoolchoice.asp>, <http://www.cde.ca.gov/ta/ac/ti/supplemental.asp> & <http://www.ed.gov/parents/schools/choice/choice.html>, 20 U.S.C §6316.

should be made to document on-going support services so they are continued in new placements.

2) Amend Parental Notice Provisions: As noted above, access to many of the supplemental services and programs available for academically "at risk" students is triggered through some type of formal notification. In addition to the recommendations set forth in the policy brief addressing "Educational Decision Making and Parental Notice" it may be necessary to carefully review each of the notice requirements for all the programs described above, and suggest that they be amended to ensure that those who are responsible for or those who impact the educational placement of foster youth receive copies of all relevant notices. Other measures should be looked at to effectuate CDE's recommendation to increase foster youths' access to existing services through their local districts.

3) Supplemental Services and School Choice: What protocols can be established to ensure that placing agencies are made aware of which schools have been identified for "program improvement"? As a start, those schools designated for "program improvement" are listed on the CDE website <http://www.cde.ca.gov/ta/ac/ay/tidatafiles.asp>. When determining what is in the best educational interest of a foster youth pursuant to AB 490, what additional protocols are needed to ensure that placing agencies, parents and those responsible for making educational decisions for foster youth take advantage of the school choice options, while students are in out of home care?

4) Categorical Program Monitoring (CPM) Process: The programs described above are subject to the CDE's CPM monitoring process. It may be helpful to review the compliance items reviewed for each of these programs and suggest items that might address the special access needs of foster youth.

5) Local School District Policies: Each school district has policies and procedures that address how students become eligible for and have access to supplemental services, school choice, retention intervention, and program and services designed to address the special needs of LEP and Migrant students, as well as, those students who are Gifted and Talented and those who are having difficulty passing the California High School Exit Exam. Many of these policies are posted on school district websites. What protocols can be established to ensure that placing agencies are made aware of these local policies?

6) The Reauthorization of NCLB: NCLB is slated to undergo the reauthorization process in Congress. This provides an opportunity to suggest amendments to the statute to address the needs of foster youth. State Superintendent O'Connell has been appointed to serve on the federal reauthorization task force and CDE recently held several public hearings to discuss the NCLB reauthorization, with the focus on Accountability, Teacher Quality, Interventions and Corrective Actions, and English Learner Issues. (See <http://www.cde.ca.gov/nr/re/et/yr06ltr1002.asp>). Although the hearings have already been held, it may still be possible to submit written comments or to meet with the Superintendent about these issues. It may be useful to convene a sub-

committee to come up with recommendations concerning how NCLB can be amended or reshaped to better meet the needs of foster youth. Some of the issues to be examined may include:

- What can be done to ensure that foster youth have greater access to the services and programs funded under the act;
- What can be done to ensure that the parents of foster youth and those designated to make educational decisions for them have sufficient information to make informed decisions regarding supplemental education service providers;
- How can NCLB's parental involvement and notice provisions take into account the unique situation of foster youth;
- What criteria should be established to ensure that a certain percentage of the state designated supplemental service providers have the knowledge and skills necessary to address the unique academic needs of foster youth;
- To what extent can monies be set aside to ensure that lack of transportation does not impede access to these services for foster youth;
- Should funding provided under NCLB's "Part D - Prevention and Intervention Programs for Children and Youth Who are Neglected, Delinquent, or At-Risk." (20 U.S.C. §§ 6421-6472) be better targeted to ensure that neglected and delinquent youth are actually benefiting from Part D funded programs;
- Should foster youth be deemed a subgroup for "adequate yearly progress" purposes? This would require school districts to disaggregate certain academic testing information for foster youth students. The subgroups currently included in the AYP process include: various ethnic/racial groups, socio-economically disadvantaged students, English Learners, and students with disabilities.

Special Needs Resources

Disabilities and Special Education

Types of Childhood Disabilities and Other Special Needs

<http://www.ciccparenting.org/ChildhoodDisabilities.aspx>

Explanations, research, and resources for many disabilities/special needs, including: ADHD, Autism, Mental Retardation, Emotional Disturbance, Learning disabilities, speech and language impairments. Prepared by the National Dissemination Center for Children with Disabilities (English and Spanish).

Developmental Delays

<http://www.keepkidshealthy.com/WELCOME/conditions/developmentaldelays.html>

Explanation of identifying factors and resources, including a list of early speech and language milestones.

Protection and Advocacy, Inc.

<http://www.pai-ca.org/index.htm>

Federally mandated and funded, national disability rights advocacy system, with offices serving individuals throughout the United States. This site includes several publications to assist advocates represent clients in obtaining appropriate services and CA Office Directory - <http://www.pai-ca.org/connect/contact.htm>

Special Education Rights and Responsibilities (SERR) Manual

(by PAI, in English, Chinese, Spanish, Korean and Vietnamese)

This 12 chapter manual covers special education and early intervention law and advocacy guidance, for youth ages 0-22. It also includes information on discipline rights for youth with disabilities (ch.8) and inter-agency responsibility for related services (ch. 9).

<http://www.pai-ca.org/PUBS/504001SpecEdIndex.htm>

Regional Centers

<http://www.dds.ca.gov/rc/RCinfo.cfm>

Regional centers help coordinate the services and supports for individuals with developmental disabilities, mental or physical disabilities, such as cerebral palsy or mental retardation, that arise before adulthood and usually lasting throughout life.

Directory of California's 21 Regional Centers

<http://www.dds.ca.gov/rc/rclist.cfm>

California Children's Services

<http://www.dhs.ca.gov/pcfh/cms/ccs/>

CCS is a statewide program that evaluates and treats children with certain physical limitations and chronic health conditions or diseases. CCS can authorize and pay for specific medical services and equipment provided by CCS-approved specialists.

Local/County CCS Office Directory

<http://www.dhs.ca.gov/pcfh/cms/ccs/directory.htm>

Addressing the Effects of Trauma on Education

National Early Childhood Technical Assistance Center

<http://www.nectac.org/partc/partc.asp>

Minibibliography on the Impact of Abuse, Neglect and Foster Care Placement on Infants, Toddlers and Young Children: Selected Resources.

<http://www.nectac.org/~pdfs/pubs/abuseneglect.pdf>

Recognizing Trauma and Helping Traumatized Children Learn

http://www.massadvocates.org/helping_traumatized_children_learn

Downloadable version of 117 page research and policy publication, documenting the effects of trauma on educational progress. Includes a description of the Massachusetts Trauma Sensitive Schools Grant Program.

Childwelfare Information Gateway

<http://www.childwelfare.gov/can/impact/>

<http://www.childwelfare.gov/pubs/focus/earlybrain/>

Information on how child maltreatment during infancy and early childhood has been shown to negatively affect child development, including brain and cognitive development, attachment, and academic achievement. These include enduring physical, intellectual, and psychological repercussions into adolescence and adulthood.

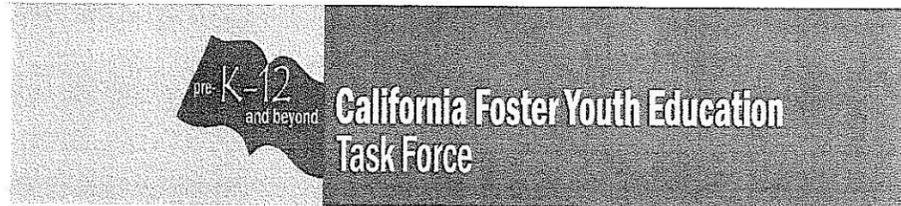
Childhood Trauma Academy

http://www.childtrauma.org/ctamaterials/states_traits.asp

Adapted version of Bruce D. Perry's article on the neurodevelopmental implications of adaptive mental and physical responses to trauma, including physiological hyperarousal and dissociation. Found in *Infant Mental Health J*, 16 (4): 271-291, 1995. Also in *Working with Traumatized Youth in Child Welfare*, edited by Nancy Boyd Webb, 2006

"Foster Care Education Fact Sheets"-revised.

These factsheets, written by members of the California Foster Youth Education Task Force and produced by Casey Family Programs, are included in hard copy and the resource CD, in your Education Summit materials. They will also be available on many websites of the organizations involved in the task force. The updated factsheets provide overviews and key legal cites in several areas, including: AB 490, Education Rights, Special Education, Nonpublic Schools, AB 3632 (mental health), Functional Behavior Assessments and Behavior Intervention Plans, School Discipline, and Special Ed. Discipline.



POLICY BRIEF – COMPLETION OF POSTSECONDARY EDUCATION AND TRAINING PROGRAMS

Former foster youth are most able to succeed in higher education and training programs when they receive supports tailored to the unique challenges they face. According to the Institute for Higher Education Policy,¹ the obstacles that foster youth face to completing a higher education or training program can include:

- A lack of independent living and study skills,
- Financial strain and the resulting preoccupation with these concerns,
- Mental health challenges,
- A lack of information about assistance that is available or resistance to taking advantage of it out of a desire to put the “system” behind them,
- A lack of familiarity within the educational systems about the unique concerns facing foster youth, and
- The need for stable, year-round housing (often in the absence of family supports or other alternatives).

The little data that is available indicates that without comprehensive supports, foster youth’s rates not only of enrollment, but also of college completion are dramatically lower than their peers. Again according to the Institute for Higher Education Policy, five percent or fewer of foster youth complete their degrees, compared to 20 percent of their peers.² On the other hand, one example of a comprehensive support program for former foster youth called Guardian Scholars has had a retention rate of nearly 70% for its former foster youth participants.³

LAWS THAT ADDRESS THE NEED FOR SUPPORT OF FORMER FOSTER YOUTH IN HIGHER EDUCATION AND TRAINING PROGRAMS

As a result of Assembly Bill (AB) 2463 (Caldera, 1996), Cal. Educ. Code § 89342 requires the Trustees of the California State University (CSU) and Board of Governors of the California Community Colleges (CCC) to assist emancipated foster youth by:

- (a) reviewing housing concerns for youth living in college dorms to ensure housing during the school year, including vacations and holidays,

¹ *Higher Education Opportunities for Foster Youth, A Primer for Policymakers*, Thomas R. Wolanin, The Institute for Higher Education Policy (December 2005), p. 44, available online at: <http://www.ihep.com/Pubs/PDF/fosteryouth.pdf> (last retrieved January 2, 2007).

² *Id.* at p. vii.

³ See the website of the Orangewood Children’s Foundation, link to “Guardian Scholars Brief Program Description,” for more information, available at:

http://www.orangewoodfoundation.org/programs_scholars.asp (last retrieved January 3, 2007).

- (b) providing technical assistance and advice to campuses on how to improve the delivery of services to emancipated foster youth, and
- (c) tracking the retention rates of students who voluntarily disclose to the university or community college their status as emancipated foster youth.

Further, as a result of AB 2463 Cal. Educ. Code § 89344 requires that the appropriate CSU Advisory Councils include at least one former foster youth who is a current or former student at the university. Finally, Cal. Educ. Code § 89345 requires the State University Educational Opportunity Program (EOP) and California Community College Extended Opportunity Programs and Services (EOPS) to ensure that identified emancipated foster youth are informed of their services, including mentoring.

Additionally, there are multiple sources of federal and state-level, as well as privately funded, financial aid available to support former foster youth in their pursuit of post-secondary education or training. One federal aid program specifically created for the benefit of foster youth is the Education and Training Voucher (ETV) component of the Chafee Foster Care Independence Act, which provides qualifying former foster youth with up to \$5000 in grant-based aid per year.⁴ In 2006, the California Legislature and Governor allocated an additional \$5.7 million to supplement the federal funds available to meet the needs of qualifying youth who would otherwise have been turned away from this program.

Unfortunately, however, many foster youth do not receive all of the aid for which they are eligible. As the legislature stated in Cal. Educ. Code § 89341(a)(3) when it passed AB 2463, only 10 percent of foster youth who apply for a Cal Grant, California’s need-based financial aid award, actually ever receive that grant. Still other foster youth receive the maximum aid for which they are eligible, but do not receive it in a timely manner or find that it is insufficient to meet their needs.

PUBLIC, PRIVATE AND PARTNERSHIP PROGRAMS TO SUPPORT FORMER FOSTER YOUTH AT HIGHER EDUCATION INSTITUTIONS

Some comprehensive support programs, such as the Guardian Scholars Program in the greater Orange County area mentioned above, provide academic advising, housing assistance, job assistance, tutoring, financial aid assistance and mentoring.⁵ The Orangewood Children’s Foundation offers guidance on the commitment that is required of an educational institution to replicate the success of this program, including: 1) a financial aid specialist to serve as a liaison to

⁴ “Promoting Safe and Stable Families Amendments of 2001,” PL 1-7-133, Sec. 477 (i) of Part E of Title IV of the Social Security Act (2001).

⁵ See Orangewood Children’s Foundation website, *supra*.

program participants, 2) a dedicated program director, 3) assistance for year-round housing, and 4) a mentorship component of the program.⁶

Possible Courses of Action:

- Prioritize former foster youth for existing on-campus support programs and ensure that those programs tailor their services to the unique needs of former foster youth (e.g. EOP/EOPS);
- Provide state support for replication of comprehensive on-campus support programs for former foster youth (tailored by each school);
- Gather and analyze postsecondary education and training enrollment and completion data (including education-related retention data required by laws described above);
- Clarify and/or increase financial aid eligibility for postsecondary education to more fully meet the needs of former foster youth (e.g. via tuition waivers);
- Create policies to ensure that foster youth receive needed financial aid and training vouchers for postsecondary educational pursuits in a timely manner;
- Implement requirement that CSU advisory councils include at least one former foster youth student; and
- Address housing concerns for former foster youth in postsecondary educational programs by developing housing options.

For example:

- Allow foster care payments to be made for on-campus housing of youth who are enrolled in college while still in foster care;
- Create preferences for on-campus housing for former foster youth, similar to those that frequently exist for student-athletes;
- Ensure that existing housing is available to former foster youth year-round.

**NORTHERN & SOUTHERN CALIFORNIA CONSORTIUM
OF
UNIVERSITY FOSTER YOUTH SUPPORT PROGRAMS**

The mission of the California University Foster Youth Consortium is to provide a forum for post secondary professionals who are involved in providing and creating support programs for current and former foster youth who want to achieve a college education. The Consortium will encourage intercampus program development, collaboration, and create an arena to share information and resources to better serve foster youth

Ismana Carney, Program Coordinator
Consortium Founding Member
Renaissance Scholars Program
UC Santa Cruz
1156 High Street
Santa Cruz, CA 95064
831-459-2424
jacarney@ucsc.edu

Arnette Bates, Interim Director
Educational Opportunity Program
UC Davis
One Shields Avenue
Davis, CA 95616
(530) 752-9301
atbates@ucdavis.edu

Carolina Gonzalez-Lujan, Program Coordinator
TRiO Program
CSU Monterey Bay
100 Campus Center, Bldg. 47, 1st Floor
Seaside, CA 93955-8001
Tel: 831-582-4323
carolina_gonzalezlujan@csumb.edu

Wanda Bonnell, Program Coordinator
Promise Scholars
CSU Stanislaus
801 West Monte Vista Avenue
Turlock, CA 95382
Tel: 209-667-3108
wbonnell@csustan.edu

Xochitl V. Sanchez-Zarama, Director
Guardian Scholars Program
San Francisco State University
1600 Holloway Avenue
San Francisco, CA 94132-4028
Tel: 415-405-0546
xvsz@sfsu.edu

⁶ *Id.*

Connie Hernandez-Robbins, Director
CME (Connect, Motivate, Educate) Society
San Jose State University
One Washington Square
San Jose, CA 95192-0031
Tel: 408-924-1089
Connie.Hernandez-Robbins@sjsu.edu

Diana Balgas, Director
Educational Opportunity Program
Renaissance Scholars Program
CSU East Bay
25800 Carlos Bee Boulevard
Tel: 530-898-6831
Hayward, CA 94542-3056
diana.balgas@csueastbay.edu

Uraci Mathews, EOP Advisor
CSU Chico
400 West First Street
Chico, CA 95929-0710
Tel: 510-885-3751
umathews@csuchico.edu

Kizzy Lopez, EOP Advisor
CSU Fresno
5150 N. Maple Ave, M/S IA 62
Fresno, CA
559-278-5055
kizzyl@csufresno.edu

Dr. Joy Salvetti Wolfe, Director
Guardian Scholars Program
Sacramento State University
6000 J Street, Sacramento Hall 259
Sacramento, CA 95819-6016
(916) 278-3643
salvettiwolfe@csus.edu

Freda Elliott, Assistant to the Director
Academic Support Programs/EOP
Humboldt State University
1 Harpft Street
Arcata, CA 95521
(707) 826-4781
elliotts@humboldt.edu

M. Michelle Kniffin, Assistant Director
Residential and Student Service Programs
UC Berkeley
2610 Channing Way, #2272
Berkeley, CA 94720-2272
Phone: (510) 642-4108
kniffin@berkeley.edu

Diana LaMar, Higher Education Liaison
Orangewood Children's Foundation
1575 E 17th Street
Santa Ana, CA 92705
(714) 619-0200 x 233
DLaMar@orangewoodfoundation.org

Koji Uesugi, Interim Executive Director
Student Support & Equity Programs
3801 West Temple Avenue
Pomona, CA 91768
(909) 869-4690
kmuesugi@csupomona.edu

Jenny Vinopal, Program Director
Renaissance Scholars Program
Cal Poly Pomona
3801 West Temple Avenue
Pomona, CA 91768
(909) 869-4690
jdvinopal@csupomona.edu

Grace Johnson, Interim Director
P.O. Box 6828
CSU Fullerton, CA 92834
(714) 278-4900
gjohnson@fullerton.edu

Jerry Moore, Director
Student Academic Services
CSU Fullerton
800 North State College
Fullerton, CA 92834-9480
(714) 278-2419
jmoore@fullerton.edu

Javier Ramirez, Coordinator
Educational Opportunity Program
800 North State College
Fullerton, CA 92834-9480
(714) 278-4534
javramirez@fullerton.edu



GUARDIAN SCHOLARS "Making Dreams Come True"

Keith Powell, Director
Educational Support Services
CSU Bakersfield
9001 Stockdale Highway
Bakersfield, CA 93311-1099

Andy Espinoza, Director
Educational Opportunity Program
CSU Long Beach
1250 Bellflower Boulevard
Long Beach, CA 90840
(562) 985-5637
aespinoz@csulb.edu

José Luis Vargas, Director
Educational Opportunity Program
1811 Northhoff Street
Northridge, CA 91330
(818) 677-4151
jose.luis.vargas@csun.edu

Nadine Chavez, Director
Educational Opportunity Program
CSU San Bernadino
5500 University Parkway
San Bernardino, CA 92407
(909) 880-5042
echavez@csusb.edu

Tristan Garcia, Counselor
Educational Opportunity Program
CSU San Bernadino
5500 University Parkway
San Bernardino, CA 92407
(909) 537-3051
tgarcia@csusb.edu

Lorena Meza, Senior Director
Centers for Learning and Academic Support Services
CSU San Marcos
333 South Twin Oaks Valley Road
San Marcos, CA 92096-0001
(760) 750-4861
lmeza@csusm.edu

The Program

The Guardian Scholars program is a comprehensive program of financial aid, life coaching, mentoring, housing and personalized attention. It enables emancipated foster youth to successfully engage in attending a college, university or vocational school, which fits their educational preparedness, degree objectives and long-term career goals. Its mission is: "Making Dreams Come True".

History and Current Status

The program started in 1998 at California State University at Fullerton (CSUF) with three students. It was created through a cooperative effort of the University, Orangewood Children's Foundation and Ron Davis, a member of the CSUF Advancement Board. The team members combined their experience and perspective to develop the program model and funding options and to secure a home for the program within the University structure. The Stuart Foundation has made a three-year grant to support the efforts of the Orangewood Children's Foundation to expand the program to other schools. The Stuart Foundation has also funded three staff positions at two of the schools to enhance the support for the students at those institutions.

With the assistance of the Stuart Foundation, the Orangewood Children's Foundation and the individual Champions at specific schools, the Guardian Scholars Program has expanded to 14 additional institutions in the greater Orange County area. There have been 79 graduates. The retention rate for the current students is nearly 70%, a better rate than is experienced by youth from the community at-large. Presently, there are 119 students enrolled in 15 schools in the greater Orange County area.

Interest in the program has expanded beyond Orange County. Eight schools in San Diego are in the process of developing programs, and in the San Francisco and Sacramento areas several schools have joined the effort. Ball State University and Ivy Tech in Indiana also have Guardian Scholars on their campuses with the support of the Lumina Foundation, and Mesa State is the first Colorado partner. In addition, a variety of other jurisdictions have expressed an interest in exploring the implementation of the program.

Why Guardian Scholars?

Emancipated Foster Youth have many special needs because of their challenging life experiences and their lack of a supportive family structure. These life challenges are often insurmountable without adult mentoring, educational opportunities, financial support and caring role models. Nationally, only 40% to 50% of foster youth will graduate from high school. Only 1% to 2% of the foster care youth who graduate from high school graduate from college. Yet, we are at a point today where a college degree is often a key factor in achieving long-term success.

Guardian Scholars provides a unique opportunity for colleges, universities, foundations, companies and private individuals to join together to provide significant financial aid and personalized loving assistance to young adults who have nowhere else to turn for support.

The youth involved with the program are given hope that they can achieve their dreams, a very powerful motivator. A great deal of personal mentoring and coaching time is spent with students to ensure that they are receiving the assistance they need. It is the blending and leveraging of the resources brought by the various partners that make the program successful and unique.

The Guardian Scholar Model

The model is designed to provide each student individual attention and access to supportive resources to assist in achieving academic success. No one sector is able to provide the unique ingredients of this program. So, the success of the endeavor is predicated upon a team effort that joins the educational institution, the donors and mentors. Scholars receive a great deal of individual attention, have access to a variety of educational supports, receive assistance with housing, are linked with a mentor and are encouraged to become part of a community of learning. Combining education with life-skill development and loving support differentiates this program from other scholarships.

The Educational Institution

The educational institution provides the four key components listed below. In order to gain and maintain the partnership of the educational institution it is necessary to engage the commitment of the senior administration of the college or university, preferably the President or Chancellor. The commitment should be based upon understanding the unique needs of foster youth, the challenges of serving them and a desire to ensure the success of the program. Schools have competing demands for their human and financial resources. Our goal is to make Guardian Scholars a significant priority.

1. **Financial Aid** - A specialist from the Financial Aid Department becomes a liaison to Guardian Scholars students to assist each youth in: completing the

necessary forms and applications, maximizing all available public and private aid and avoiding, to the extent possible, student loans. The students need to know that they have access to a friendly and helpful person to lend them a hand with the tedious, confusing and challenging process of accessing financial aid. In the past, many foster care youth have not entered school or have dropped out of the process due to an inability to navigate this aspect of college.

2. **Program Support** - A dedicated Program Director is necessary. Depending on the size of the foster care student complement, this person does not have to be full-time, but some portion of a person's time must be defined as assigned to this program. This individual is a counselor, coach, disciplinarian, and friend, providing care and support to the students. In addition, he/she arranges and coordinates extracurricular programs and events where students can gain important life and social skills.
3. **Housing** - A safe and affordable place to live is critical. Because most students do not have a home to return to in the summer, twelve-month housing is very important. Housing is a challenge at most schools. In the absence of available dormitory-type settings, the Champions can often be helpful with other arrangements such as pooled funding for first and last months' rent and security deposits. The housing component can be tailored to fit the unique circumstances at each school.
4. **Mentoring** - The students have continually expressed the value of a relationship with an adult who makes an unconditional commitment to helping them navigate the obstacles to success. This can be one of the most challenging aspects of the program, and needs to be implemented with attention to the need for structure, education and support for the mentors.

In addition to the program components detailed above, the selection process for the scholars at each school is critical. Not all students who are desirous of attending will have the necessary focus and commitment to enter into a contract for success, even though they may have the necessary intellectual capacity. That is not to say students considered must be effectively managing their lives at an exceptional level. There is room for students who are struggling in some aspects of their lives, but there seems to be a still-to-be-defined "spark" that resides in those who achieve success in the program. Each currently existing "admissions committee" has discovered, through trial and error, how to tease this quality out in their interview process.

The Champions

Whether it is one person or a number of individuals, preferably it would be a group, it is critical that each institution has external support for the effort. These individuals are significant to the success of the program for the following reasons:

- 1 They are the ones most likely to be able to engage the required high-level leadership at the school.
- 2 They chart the program's direction.
- 3 They assist in the selection of students.
- 4 They bring financial resources to assist with scholarships, housing, and infrastructure support.
- 5 They provide on-going advocacy for the program both at the school and in the local community.
- 6 They can be a resource as mentors for the youth.
- 7 They interact with and inspire students and staff.
- 8 They often support graduating students in a variety of ways.

The Catalyst Organization

Each school that participates in the program offers a complete system of academic, social and emotional support. Even with these components, there is a need for an external organization that continues to provide support to the staff at the schools. In addition, for the overall Guardian Scholar Program to expand beyond that specific school, there needs to be an external mechanism that engages other educational institutions in the effort, a keeper of the Guardian Scholar larger vision.

There are a number of things that the catalyst organization should bring to the effort:

- 1 Identification and cultivation of both the internal school leadership and the external champion support
- 2 Education for the school about structure and the lessons learned
- 3 Continued advice and guidance on best practices
- 4 Assistance with managing difficult circumstances as they arise
- 5 Creating unity among the schools through a Council of Colleges approach
- 6 Assisting with the effort to provide financial resources to the students and the schools
- 7 Assistance in the recruitment and selection of students

Conclusion

In conclusion, a few words of caution are required. The model sets forth three key components of a successful program based on our current level of experience. It is important that each school "tweak" the model to fit its culture and structure. We believe that an organization must maintain creativity, flexibility and spontaneity, if it is to achieve success. There is no cookie-cutter model that will fit all situations. The youth will bring you situations that you could not have imagined in your wildest dreams.

The learning in this program is continuous. The more partners that engage in the effort the more likely it is that a program will capture all of the factors necessary for success. The bottom line is that this program, even in its infancy, offers foster youth a true chance to rise above the circumstances of their birth and create a new life.

Revised 10/05

Essential Elements of On-Campus Support Programs For Former Foster Youth

Throughout California, a number of colleges and universities are making special efforts to support former foster youth on campus. Many of these programs are modeled after the Guardian Scholars Program launched at Cal State Fullerton, which offers a comprehensive scholarship package and supportive services. Many campuses have adopted the term "Guardian Scholars" to signal the presence of a support program for former foster youth; other program names include Renaissance Scholars (UC Santa Cruz, Cal Poly Pomona), and the Connect Motivate Educate (CME) Society at San Jose State. While it is important for each campus program to meet the specific needs of its student body, there is growing consensus about the importance of providing certain services to support former foster youth students. According to California Youth Connection (CYC), "When foster youth hear that a campus offers a 'Guardian Scholars' type program, they often expect that the campus offers a key combination of comprehensive services."¹

This document seeks to outline this key combination of "essential elements" with demonstrated effectiveness at serving former foster youth students at campuses throughout the state. These elements are recommended by former foster youth and are drawn from four primary sources: *California Youth Connection: What Youth Need From a Guardian Scholars Program*; the CSU Fullerton Guardian Scholars Program Description; the Northern California Council of Colleges; and recommendations from the First National Convening of Postsecondary Education Support Programs for Former Foster Youth, held November 7-8, 2005 in Fullerton. This document should be considered a working paper that will benefit from continued input and discussion.

Recommended Program Elements

- (1) **Dedicated Campus Support Staff:** A caring staff person whose primary responsibility is the program and students. This individual is a counselor, coach, disciplinarian, and friend, providing care and support to the students. In addition, he/she arranges and coordinates extracurricular programs and events where students can gain important life and social skills.
- (2) **One-Stop Shopping:** A program structure offering former foster youth (FFY) students access to all campus supports through one person at one site.
- (3) **Housing:** Priority for campus housing, and availability of year-round housing, either on- or off-campus. Housing should begin directly after emancipation, and continue until graduation. For schools without on-campus dormitories, off-campus partnerships can provide subsidized housing. Examples of off-campus partnerships include: apartments with guaranteed first and last month's rent; host homes; local former foster youth inviting students to stay with them during holidays; subsidized housing (i.e. Rising Tides); and roommate and mentor housing arrangements, in which roommates are selected and given support for their mentoring roles for FFY students.
- (4) **Full Financial Aid Package:** A grant and scholarship package covering tuition and living expenses. At CSU Fullerton, for example, a specialist from the Financial Aid Department becomes a liaison to Guardian Scholars students to assist each youth in: completing the necessary forms and

applications, maximizing all available public and private aid and avoiding, to the extent possible, student loans. This specialist should be aware of all benefits available to foster youth, including Medi-Cal, food stamps, welfare, and outside scholarships. In addition, it is critical that the specialist have the compassion and patience to explain all options. The specialist should offer the information, because the youth may not ask all the necessary questions.

(5) **Planned Transition to College:** There is a housing gap for many former foster youth in the period between emancipation and the fall semester. It is important to assist students with summer housing by extending current foster care placements, including them in Summerbridge, etc. It is important for to set up a system to assist with the transition from foster care to college.

(6) **Academic and Career Counseling and Support:** Regular contact with a consistent counselor to develop and monitor an education plan and tutoring to support students' academic progress. Academic support should also include an early alert system to identify students at risk of failing or dropping out through attendance records and progress reports. Students should also receive job placement, shadowing and advising opportunities. This element includes extensive advice, a pre- and post- interview debriefing, encouragement, and often connections to jobs.

(7) **Personal Guidance, Counseling, & Supplemental Supports:** Personal guidance and counseling may include connections to on-campus mental health services or off-campus partnership including crisis response. Students also benefit from connections with mentors who have committed to providing unconditional support. Students will also benefit from the provision of support services like child care, transportation help and book and supply vouchers. Program should provide regular opportunities for FFY students to experience inclusion and connection with campus and peers. It is important to provide opportunities for FFY students to develop, advise, give feedback on and support the program.

(8) **Data:** Programs should collect information on how program participants are faring, including persistence and graduation rates and internal/external services accessed

(9) **Internal & External Champion:** Establishing and maintaining a successful program depends on the support of champions that are both internal and external to the university or college. An internal champion may be a President, Chancellor, or similar person with the authority to create a culture of support and cultivate advocates throughout the campus. External champions may include alumni, donors, service providers, and/or advocacy groups who can assist with program and fund development and connections with community services.

(10) **Connections with Social Services & ILP:** Support programs should have explicit connections with local social services and Independent Living Programs to ensure that students receive the full range of supportive services available in their county of residence.

(11) **Connections to local community colleges:** Many former foster youth start their college career at a local community college. By formalizing relationships between two- and four-year schools, programs can facilitate student transfer to 4-year schools.

(12) Sustainability: Successful programs usually rely on a variety of funding sources. Foundations may be interested in providing planning or start-up funding, but co-investment from the campus is necessary to ensure program sustainability. Programs should work with the school's development department to create a long-term sustainability plan.

¹ California Youth Connection: What Youth Need From a Guardian Scholars Program



Improving Higher Education Outcomes for Young Adults from Foster Care Selected Bibliography

- Calderón, S.I. (2005). Foster care project promotes higher ed *The Stanford Dailey*, May 2. Retrieved September 1, 2006 from <http://daily.stanford.edu/article/2005/5/2/fosterCareProjectPromotesHigherEd>
- Casey Family Programs (2003) *Higher education reform: Incorporating the needs of foster youth* Seattle, WA. Retrieved December 15, 2006 from www.casey.org (Enter **higher education** in the search box)
- Davis, R. J. (2006). *College access, financial aid, and college success for undergraduates from foster care*. Washington, DC, National Association of Student Financial Aid Administrators, July. www.nasfaa.org/publications/2006/infosterkids072506.html
- Emerson, J. (2006). Strategies for working with college students from foster care. *E-source for College Transitions* National Resource Center for the First-Year Experience and Students in Transition, 3(4), 3-4 <http://fyesit.metapress.com/content/8354x240j2j24673/>
- Emerson, J. (2007). From foster care to college. *Leadership Exchange. solutions for student affairs management*, NASPA, Student Affairs Administrators in Higher Education, Winter, 4(4), 6-11.
- Emerson, J & Lovitt, I (2003). Encouraging news for college-bound foster youth. *Focus*, Third Quarter, 1, 6-7, Rancho Cordova, CA: EdFund. www.edfund.org/pdfs/focus2003_third.pdf
- Foster youth offer strategies for postsecondary success* Lumina Foundation for Education, Retrieved September 1, 2006 from www.luminafoundation.org/newsroom/newsletter/April2004/fosteryouth.html.
- Fostering higher education success (2005). *Inside Higher Ed News*, December 15. Retrieved September 1, 2006 from www.insidehighered.com/news/2005/12/15/fostercare.
- Garcia, C. (2004). *Helping foster grads move on to college*. Connect for Kids, December 13. www.connectforkids.org/node/2576
- Improving college prospects for foster care youth*, (2006), National Public Radio, News and Notes with Ed Gordon, Retrieved September 1, 2006 from www.npr.org/templates/story/story.php?storyId=5225094.
- Martin, J. (2003). Foster youth desire college, study shows, but face roadblocks to learning. *News and Information*, University Communications, Washington University in St. Louis, October 2. Retrieved September 6, 2006 from <http://mednews.wustl.edu/tips/page/normal/452.html>

McMillen, C., Auslander, W., Elze, D., White, I. & Thompson, R. (2003). Educational experiences and aspirations of older youth in foster care. *Child Welfare*, 82, 475-495. www.cwla.org/articles/cwjabstracts.htm

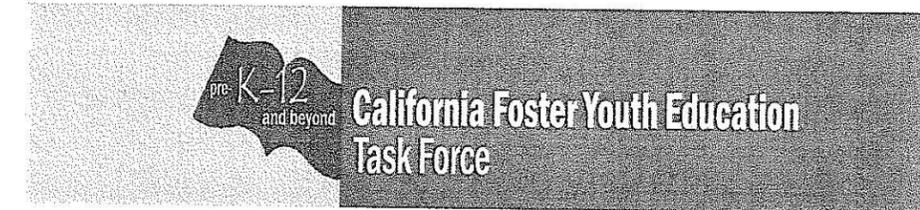
New MSU program will help foster care youth realize their dream of a college education (2006). Newsroom.msu.edu, Michigan State University News Release, August 22. Retrieved September 1, 2006 from <http://newsroom.msu.edu/site/indexer/742/content.htm>

Newberger, J. (2001). *From foster care to college life*. Connect for Kids, March 23. www.connectforkids.org/node/261?&tn=hp/1f/3

Walters, A. K. (2005). Helping foster children feel at home in college. *Chronicle of Higher Education*, (51)49, pg. A21. <http://chronicle.com/weekly/v51/i49/49a02101.htm>

Wolanin, I. R. (2005). *Higher education opportunities for foster youth: a primer for policymakers*. Washington, DC, The Institute for Higher Education Policy, December. www.ihep.com/Pubs/PDF/fosteryouth.pdf

John Emerson
Senior Manager of Education
Casey Family Program
1300 Dexter Ave N., Suite 300
Seattle, WA 98109
jemerson@casey.org
(206) 270-4921



POLICY BRIEF – EDUCATIONAL DECISION- MAKING & PARENTAL NOTICE

EDUCATIONAL DECISION-MAKING & PARENTAL NOTICE:

Parental notice is a key element of the statutory framework of California's Education Code. The various provisions of the Education Code that mandate parental notice are too numerous to list. However, Education Code § 51100 provides a good summary of parental rights, including the right to receive notice on issues and policies that may impact their children. The underlying intent of this statute is expressed as follows:

"The Legislature finds and declares . . . involving parents and guardians of pupils in the education process is fundamental to a healthy system of public education. . . . Research has shown conclusively that early and sustained family involvement at home and at school in the education of children results both in improved pupil achievement and in schools that are successful at educating all children, while enabling them to achieve high levels of performance." EDUC. CODE § 51100(a)-(b).

Parents and guardians of students enrolled in public schools "have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children" to be informed and to participate in their children's education, including, but not limited to, the following:

- To be notified on a timely basis if their child is absent from school;
- To receive the results of their child's performance on standardized tests and information on the performance of the school that their child attends;
- To request a particular school for their child, and to receive a response;
- To examine curriculum materials;
- To be informed of their child's progress in school and of the appropriate school personnel whom they should contact if problems arise with their child;
- To have access to the school records of their child;
- To receive information concerning the academic performance standards, proficiencies, or skills their child is expected to accomplish;

- To be informed in advance about school rules, including disciplinary rules and procedures, attendance policies, dress codes, and procedures for visiting the school;
- To question anything in their child's school records that a parent feels is inaccurate or misleading and to receive a response from the school;
- To be notified, as early in the school year as practicable, if their child is identified as being at risk of retention;

EDUC. CODE § 51101(a)(1)-(16).

Federal law also recognizes the importance of parental involvement in the education of their children. One of the underlying goals of the federal "No Child Left Behind Act" (NCLB) is to afford "parents substantial and meaningful opportunities to participate in the education of their children." 20 U.S.C. §6301(12). NCLB has numerous provisions mandating that parents be involved and that they be provided meaningful notice concerning the programs and special services available to students who are not performing well academically and for those who are attending underperforming schools, such as the right to school choice and the availability of supplemental services.¹

Parental Notice for Foster Youth

Parental involvement in the educational lives of foster youth is extremely problematic. Too often foster children are left in a state of limbo concerning the status of their parents and to what extent their parents retain the right to make educational decisions for them. Issues concerning notice and educational decision making with respect to foster youth include, but are not limited to, the following:

- Schools and child welfare agencies too often do not have information about whether the juvenile court has limited the educational rights of the parent and, if so, who is responsible for making education decisions for foster youth.
- Parents and/or those who retain the right to make educational decisions are not always informed about essential developments, such as discipline (including suspension and expulsion), retention decisions, special education, availability of supplemental services, etc.
- Parents and/or education decision makers do not always receive information about appropriate educational placements and all options available.

¹See, 20 U.S.C. §§ 6311(h)(6), 6312(g), 6316(b)(6), 6318, 6394(c)(3), 6812(6) and 6826(b)(4).

Possible Courses of Action:

A. Developing Coordination and Cooperation on a Local Level.

Ensuring the educational needs of foster youth are met and the relevant statutes are complied with requires the cooperation of the juvenile court, child advocates and attorneys, county placing agencies, caregivers, parents, and the local education agencies. Because these issues are often complicated, these agencies need to develop protocols in order to effectively communicate with each other.

For example, the juvenile court is responsible for determining which adult has the authority to make education decisions on behalf of dependent children. This decision is crucial for children with special needs since the person who holds education rights should play a key role in the process that determines the type of special educational services available to a student. The decision also impacts other decisions such as enrollment issues pursuant to AB 490 and discipline-related matters. Once the court makes this determination, it is critical that this information is immediately provided to the school district in order to ensure the district provides appropriate and timely notice of Individualized Education Program (IEP) meetings, disciplinary proceedings, etc.

The coordination of services and sharing of information required to effectively implement existing law will require the court, school districts, children's attorneys, and local education agencies to commit the necessary resources and time to develop protocols and policies tailored to meet the particular county's needs.

B. Possible Legislative Action

1. Need to Re-Examine the Definition of "Parent":

There is no single definition of "parent" within the California Education Code, which may result in some adverse consequences for foster youth. For instance, the Discipline Code refers to a "pupil", which includes "a pupil's parent or guardian or legal counsel". EDUC. CODE § 48925(e).² No where is it stated that expulsion or suspension notices should be sent to a person holding educational decision making rights for a foster care youth. The failure to receive such a notice may result in a youth being expelled from school without being afforded the right to attend a due process hearing. Do we need to examine the Education Code and provide suggested amendments to ensure that those holding educational rights for foster youth receive all relevant notices? If so, below is a summary of some possible amendments:

- Amend Education Code § 48852 to add the requirement that placing agencies notify the local education agency of any limitations on the parent's right to make educational decisions for the pupil and that they provide the name and contact

²For other examples of "parent" definitions, see Education Code §§ 51131, 8208(u), 68014, 49061(a) and 56028(a).

Possible Courses of Action:

A. Developing Coordination and Cooperation on a Local Level.

Ensuring the educational needs of foster youth are met and the relevant statutes are complied with requires the cooperation of the juvenile court, child advocates and attorneys, county placing agencies, caregivers, parents, and the local education agencies. Because these issues are often complicated, these agencies need to develop protocols in order to effectively communicate with each other.

For example, the juvenile court is responsible for determining which adult has the authority to make education decisions on behalf of dependent children. This decision is crucial for children with special needs since the person who holds education rights should play a key role in the process that determines the type of special educational services available to a student. The decision also impacts other decisions such as enrollment issues pursuant to AB 490 and discipline-related matters. Once the court makes this determination, it is critical that this information is immediately provided to the school district in order to ensure the district provides appropriate and timely notice of Individualized Education Program (IEP) meetings, disciplinary proceedings, etc.

The coordination of services and sharing of information required to effectively implement existing law will require the court, school districts, children's attorneys, and local education agencies to commit the necessary resources and time to develop protocols and policies tailored to meet the particular county's needs.

B. Possible Legislative Action

1. Need to Re-Examine the Definition of "Parent":

There is no single definition of "parent" within the California Education Code, which may result in some adverse consequences for foster youth. For instance, the Discipline Code refers to a "pupil", which includes "a pupil's parent or guardian or legal counsel". EDUC. CODE § 48925(e).² No where is it stated that expulsion or suspension notices should be sent to a person holding educational decision making rights for a foster care youth. The failure to receive such a notice may result in a youth being expelled from school without being afforded the right to attend a due process hearing. Do we need to examine the Education Code and provide suggested amendments to ensure that those holding educational rights for foster youth receive all relevant notices? If so, below is a summary of some possible amendments:

- Amend Education Code § 48852 to add the requirement that placing agencies notify the local education agency of any limitations on the parent's right to make educational decisions for the pupil and that they provide the name and contact

²For other examples of "parent" definitions, see Education Code §§ 51131, 8208(u), 68014, 49061(a) and 56028(a).

information of any responsible adult appointed to make those decisions pursuant to Welfare & Institutions Code §§ 319(g), 366.27, 361(a), 366.1(e), or 726.

- Amend Education Code § 49069.5(e) to add information concerning any limitations on a parent's right to make educational decisions for the pupil and the name and contact information of any responsible adult appointed to make those decisions pursuant to Welfare & Institutions Code §§ 319(g), 366.27, 361(a), 366.1(e), or 726 to the list of things that have to be included in a pupil's education record that is transferred to a new school. In addition, Title 5 regulations could be amended so that such information is deemed to be a "mandatory permanent pupil record" which must be transferred with a student's record to any subsequent school district. (See, 5 C.C.R. § 430 et seq).
- Strengthen Education Code § 56156(b) to require the placing agencies to provide the name and contact information of any person appointed to make educational decisions, if the rights of the parents are limited by the court. Revise to make it clear that the information must not only be in writing but must also be provided to the appropriate district/entity and must be included in the student's permanent educational records.
- Amend Education Code § 56156(c) to require licensed child care institution administrators to provide specific information to the school district, e.g., any limitations on the parent's right to make educational decisions for the pupil and the name and contact information of any responsible adult appointed to make those decisions pursuant to Welfare & Institutions Code §§ 319(g), 366.27, 361(a), 366.1(e), or 726 when it notifies the district about a child. (Also see Government Code § 7579(a) - maybe add specific information to that section.)

Educational Liaison

- Amend Education Code § 48853.5(b) to add a requirement that the education liaison determine whether parental rights have been limited pursuant to Welfare & Institutions Code §§ 319(g), 366.27, 361(a), 366.1(e), or 726, and if so, to include the name and contact information of any responsible adult appointed to make education decisions for a pupil in the pupil's record. If a parent retains educational rights, they should also record the name and contact information for the parent.

Expulsion/Suspension Notices

- Add to notice, meeting, and conferences requirements in Education Code §§ 48900, et seq., a provision that all obligations/rights extend to an adult appointed to make educational decisions for a pupil when parental rights have been limited.
- It is recommended that similar provisions be added throughout the Education Code or a single definition section to make clear that "parent or guardian" also

means the responsible adult appointed to make education decisions for the pupil when parental rights are limited.

2. Need to Re-Examine Court Forms JV 535-536:

The court must use JV-535 to limit the rights of the parent and to appoint a responsible adult as an educational representative. CAL. RULES CT., R 5650 (a) & (b). When the court makes a referral, it must order that JV-536 be served by first class mail on the local education agency, along with form JV-535, and the local education agency must notify the court of the appointment or termination of appointment of the surrogate parent. CAL. RULES CT. R. 5650 (d).

- Should these forms, the rules of court and/or the Title 5 regulations be amended to require that copies of both of these forms be deemed "mandatory permanent pupil records" which must be transferred with a student's record to any subsequent school district. (See, 5 C.C.R. § 430 et seq).?
- Should other entities or individuals be served these forms, such as the school site in which the youth is enrolled, the district's AB-490 liaison, and, where appropriate, a school district's special education office?
- Amend the JV-535 to specifically include a section to note that parents retain education rights. This section should contain the parents contact information.
- The JV-535 should include a section to note that education rights have been limited, the court has been unable to identify a responsible adult, and the child is not eligible for special education so the court holds education rights. In such cases, protocols should also be developed so that the court is made aware of all relevant educational related notices that may impact a youth's academic progress and/or eligibility for special programs or services.

Relevant Education Code Provisions

Education Code § 48852 - Every agency that places a child in a licensed children's institution shall notify the local educational agency at the time a pupil is placed in a licensed children's institution. As part of that notification, the placing agency shall provide any available information on immediate past educational placements to facilitate prompt transfer of records and appropriate educational placement. Nothing in this section shall be construed to prohibit prompt educational placement prior to notification.

Education Code Section § 56055 (c) - Foster parent has right to make education decisions if the court has limited the parents' rights to make education decisions and the child has been permanently planned.

Welfare and Institution Code §§ 319(g), 361, 366.27, 366.1(e), 726 - Address the juvenile court's authority to limit parents' education rights and appointment a responsible adult to make education decisions.

Government Code § 7979.5 - Addresses a local educational agency's responsibility to appoint a surrogate parent for special education purposes.

Education Code § 56156(b) - At the time of placement in a licensed children's institution or foster family home, each court, regional center for the developmentally disabled, or public agency shall identify all of the following:

- (1) Whether the courts have specifically limited the rights of the parent or guardian to make educational decisions for a child who is a ward or dependent of the court.
- (2) The location of the parents, in the event that the parents retain the right to make educational decisions.
- (3) Whether the location of the parents is unknown.

Education Code § 56156 (c) - Each person licensed by the state to operate a licensed children's institution, or his or her designee, shall notify the special education administrator of the district, special education local plan area, or county office in which the licensed children's institution is located of any child potentially eligible for special education who resides at the facility.

Education Code § 48853.5 (b) - Each local educational agency shall designate a staff person as the educational liaison for foster children. In a school district that operates a foster children services program pursuant to Chapter 11.3 (commencing with Section 42920) of Part 24, the educational liaison shall be affiliated with the local foster children services program. The liaison shall do all of the following:

- (1) Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of foster children.
- (2) Assist foster children when transferring from one school to another or from one school district to another in ensuring proper transfer of credits, records, and grades.

Education Code § 49069.5 (a) - The Legislature finds and declares that the mobility

of pupils in foster care often disrupts their educational experience. The Legislature also finds that efficient transfer procedures and transfer of pupil records is a critical factor in the swift placement of foster children in educational settings.

Education Code § 49069.5 (e) - As part of the transfer process described under subdivisions (c) and (d), the local educational agency shall compile the complete educational record of the pupil including a determination of seat time, full or partial credits earned, current classes and grades, immunization and other records, and, if applicable, a copy of the pupil's plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794 et seq.) or individualized education program adopted pursuant to the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.).

LOCAL EDUCATIONAL AGENCY REPRESENTATIVE (Name and address): TELEPHONE NO (Optional) FAX NO (Optional) E-MAIL ADDRESS (Optional):	FOR COURT USE ONLY CASE NUMBER:
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S NAME:	
LOCAL EDUCATIONAL AGENCY RESPONSE TO JV-535—APPOINTMENT OF SURROGATE PARENT	

This form must be completed and returned to the court at the address listed above within 21 calendar days of the date of the appointment, termination, or replacement of a surrogate parent.

1. Child's name:
2. Child's school:
3. Address of child's school:
4. School personnel contact (name, title, and telephone no.):
5. a. Appointed surrogate parent's name: New Replacement
- b. Appointed surrogate parent's address:
- c. Appointed surrogate parent's telephone number:
- d. Appointed surrogate parent's relationship to the child:
6. The previous surrogate parent was terminated under section 7579.5(h) of the Government Code
 Name of previous surrogate parent: _____

Date:

(TYPE OR PRINT NAME) (SIGNATURE)

(TITLE)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):		FOR COURT USE ONLY	
TELEPHONE NO: _____ FAX NO (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____			
STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____			
CHILD'S NAME: _____			
ORDER LIMITING PARENT'S RIGHT TO MAKE EDUCATIONAL DECISIONS FOR THE CHILD and APPOINTING RESPONSIBLE ADULT AS EDUCATIONAL REPRESENTATIVE—JUVENILE		CASE NUMBER: _____	

- 1 a. Date of hearing: _____ Dept: _____ Room: _____
 b. Judicial officer (name): _____
 c. Persons present:
 Child Child's attorney Mother Mother's attorney Father
 Father's attorney Guardian Deputy district attorney Probation officer/social worker
 Deputy county counsel CASA Other: _____
2. Child's name: _____ Date of birth: _____
 General Education
 Referred for assessment
- 3 Child's school district: _____
 Special Education
4. Child's school (name and address): _____
- 5 Child's social worker: _____
- 6 Child's supervising social worker: _____
- 7 Child's probation officer: _____
8. **After consideration of the evidence, the court finds and orders under Welfare and Institutions Code section 361(a) or 726(b):**

The right of the mother father mother and father guardian to make educational decisions for the child is specifically limited by this court.
 Parent or legal guardian whose right to make educational decisions for the child is being limited (name each): _____

- a The child is placed in a planned permanent living arrangement under Welfare and Institutions Code section 366 21(g)(3), 366 22, 366 26, 727 3(b)(5), or 727 3(b)(6) and:
- (1) the following foster parents, relative caregivers, or nonrelative extended family members may represent the child in educational matters under Education Code section 56055(a) without court appointment
- (2) the following foster parents, relative caregivers, or nonrelative extended family members may not make educational decisions for the child under Education Code section 56055(b).
- Name: _____
 Address: _____
 Telephone No: _____
 Relationship to child: _____

CHILD'S NAME: _____	CASE NUMBER: _____
---------------------	--------------------

- b The following responsible adult, who has no apparent conflict of interest, is appointed to make educational decisions for the child until the next hearing in this matter the court orders otherwise
- Name: _____
 Address: _____
 Telephone No: _____
 Relationship to child: _____
- c The court cannot identify a responsible adult to make educational decisions for the child, and the child is potentially eligible for special education and related services or already has an individualized education program. Therefore, the court refers the child to the local educational agency for prompt appointment of a surrogate parent for the child under Government Code section 7579.5 The local educational agency must notify the court of the identity of the appointee on attached form JV-536 within 21 calendar days of the date of the appointment, termination, or replacement of a surrogate parent
- d. The court cannot identify a responsible adult to make educational decisions for the child, and the appointment of a surrogate parent is not legally warranted The court, with input from any interested person, will make educational decisions for the child.
9. A copy of this order must be served on the local educational agency by:
- a a representative of the county welfare department.
 b a representative of the county probation department.
 c the clerk of this court
- Attachments (If box 8 c. is checked, form JV-536, Local Educational Agency Response to JV-535—Appointment of Surrogate Parent, must be attached.)

10. This order applies to any school or school district in the State of California.

Date: _____

 JUDICIAL OFFICER



POLICY BRIEF – EARLY CHILDHOOD EDUCATION PROGRAMS

Early childhood education programs can provide critical education and other services for children in foster care, but not all eligible foster children are enrolled in an appropriate program. Early child care providers and teachers may not be familiar with the challenges faced by children who have been removed from home because of abuse or neglect and placed in foster care. Similarly, persons working in the child welfare system may not be familiar with the educational and care needs of children zero to five years old, the related needs of their care and education providers, available programs and services, funding possibilities, or even with the educational rights of these children.

Please find below a list of early childhood education policy issues and proposed courses of action. We look forward to working with you at the 2007 California Foster Youth Education Summit where we will develop local action plans and recommendations for statewide policy to improve early childhood education and care for children in foster care.

POLICY ISSUES

Identification of Early Childhood Education and Care Needs

- Court participants often lack education in the identification of early education, care, and developmental needs and the potential consequences if a child does not receive early childhood education and other related services.
- California has a statewide computer system known as the Child Welfare Services/Court Management System (CWS/CMS) that is available for use by county social services departments. This template provides for reporting on a child's education and development, however these areas are frequently not addressed for children zero to five years old.
- The child welfare system does not have a comprehensive policy or procedures to ensure that all children with disabilities are identified, located, and evaluated and that a practical method is developed and implemented to determine which children are currently receiving needed special education and related services. 20 U.S.C. § 1412(a)(3); 34 C.F.R. § 300.111; Gov. Code §95022; Ed. Code § 56300

Ensuring Early Childhood Education and Care

Comprehensive policies or procedures currently do not exist in the child welfare system to ensure the following early childhood education and care rights:

- Ongoing primary and preventive health-care services. Welf. & Inst. Code § 16001.9(a)(4); Cal. Code Regs, tit. 17, § 6847, <http://files.medical.ca.gov/pubsdoco/publications/Masters->

Other/CHDP/forms/periodhealth_c01.pdf; California Department of Social Services All County Information Notice No. 1-82-05; 42 U.S.C. § 1396 et seq.; MPP 31-405.1(n)

- If the child is at least 1 year old, dental examinations every six months. CHDP Provider Information Notice 04-13, Welf. & Inst. Code § 14132.88; http://www.aapd.org/media/Policies_Guidelines/G_Periodicity.pdf
- Follow-up on identified health-care needs with appropriate referrals and treatment. Cal. Code Regs., tit. 17, § 6850
- If the child's current IEP shows that mental health services are necessary for the child to benefit from education, a referral for AB 3632/AB 2726 mental health services. Gov. Code §§ 7572, 7576; Cal. Code Regs., tit. 2, § 60100
- To have someone hold educational rights. If the parent's educational rights are limited, an education representative must be appointed. *Note:* County social workers and probation officers do not have the authority to make decisions regarding the child's educational rights and may not be appointed to make educational decisions for the child. If a nonpublic agency is providing the child with education, care or has a conflict of interest, neither it nor any person employed by it may be appointed to make educational decisions for the child. See 34 C.F.R. § 300.30 (2006); Gov. Code § 7579.5(i)-(j), 7579.6; Welf. & Inst. Code §§ 319, 361(a)(5), 366.27; Ed. Code, § 56055.
- If eligible for services or accommodations for a physical, mental, or learning disability as defined by the Americans With Disabilities Act (ADA), the Individuals With Disabilities Education Act (IDEA), or section 504, the receipt of appropriate services to meet the child's needs. 20 U.S.C. § 1400; Ed. Code § 56000; 34 C.F.R. § 104.3(j)
- If the child is under age 3 and is developmentally delayed, or meets eligibility criteria for being considered "at risk of developmental delay," a referral to the Early Intervention Program to determine eligibility for an Individualized Family Service Plan (IFSP)? 20 U.S.C. § 1436; Ed. Code §§ 56425-56426.9; Gov. Code § 95000 et seq., 5 CCR 3031, 17 CCR 52020; 17 CCR 52022 see 34 C.F.R. § 300.25 and Gov. Code § 95014 for the definition of infant or toddler.
- If the child is between 3 and 5 years old and has not met these developmental markers, a referral to the district to be assessed for special education services? Ed. Code § 56001
- The receipt of any related services that are necessary to help the child benefit from the special education program (e.g., transportation; psychological services; and physical, speech, and occupational therapy). 20 U.S.C. § 1401(26); 34 C.F.R. § 300.34; 34 C.F.R. § 104.3(j); Ed. Code § 56363; Gov. Code §§ 7573, 7575
- If the child has a developmental disability (e.g., mental retardation, autistic spectrum disorder, cerebral palsy, epilepsy), the receipt of appropriate developmental services from the regional center. Welf. & Inst. Code §§ 4512 (a), 4512 (b)

- If the child is suspected of having a developmental disability, a referral for these services. Gov. Code §§ 95014, 95016
- The child's foster parent or placement be provided with the following:
 - The child's medical history. Welf. & Inst. Code § 16010(c); MPP 31-405.1(s)(2)
 - Information about CHDP services. MPP 31-405.1(m)
 - If a permanent plan has been ordered for the child, the foster parent may be appointed as the child's educational representative. The educational representative has the right to be fully informed of, and provided consent in writing for, the activity for which consent is sought. 34 CFR 300.9; 71 FR 46540, 46551; Ed. Code §§ 56321, 56341(h), 56346

Available Services

- **Child Care and Development Programs:** Children in foster care are eligible for child care and development program services and have first priority in obtaining these services. If an agency is unable to enroll a child with this priority, it must refer the family to resource and referral services to locate services for the child. Ed. Code § 8263(a) and (b).
- **Head Start and Early Head Start:** Children in foster care may also be eligible for Head Start or Early Head Start (for children birth to three.) 42 U.S.C. §§ 9831, *et seq.*, 45 C.F.R. §§ 1301, *et seq.*
- **Early Intervention Services:** Children under the age of three who have disabilities, or are at risk of having disabilities, are eligible for early intervention services. Ed. Code § 56001(c); Gov. Code §§ 95000, *et seq.* The Child Abuse Prevention and Treatment Act (CAPTA) requires procedures for referring a child under the age of 3 who is involved in a substantiated case of child abuse or neglect to early intervention services. 42 U.S.C. § 5106a(b)(2)(A)(xxi).
- **Pre-School Special Education:** California children three to five years old who have a disability are eligible for preschool special education services. Ed. Code §§ 56001(b), 56440, *et seq.*

POSSIBLE COURSES OF ACTION:

- Working with potential service recipients, develop local needs assessment/asset mapping.
- Develop local means of identification of children not yet benefiting from early childhood education and care.
- Develop policies for the referral of foster children to appropriate early childhood care and education programs.
- Provide training for social workers and foster care providers on the importance and benefits of early childhood care and education programs.
- Provide early childhood care and education teachers with information about the child welfare system and the experiences of children in foster care.
- Preschool for All – Children who are at risk of entering the foster care system and children currently in the foster care system should be afforded the opportunity to

take advantage of preschool. AB 172 Preschool for All benefits from the Governor signing a \$50 million preschool expansion bill. Communities must advocate for expansion of preschool services in their communities.

- http://www.childrennow.org/issues/education/preschool_for_all.html
- <http://www.preschoolcalifornia.org/>
- <http://www.iir.berkeley.edu/cscce/pdf/credentialing.pdf>
- Concerted efforts focused on prevention – Communities must collaborate with institutions of education, child welfare agencies, First Five and others in the development of community based school readiness programs. These resources will be available for "Differential Response" programs in Child Welfare redesign. Path one in Differential Response is designed as pre-placement prevention and early intervention.
 - http://www.americanhumane.org/site/PageServer?pagename=pc_initiatives_differential
 - http://www.co.olmsted.mn.us/upload_dir/cs/differentialresponse.pdf
- Kinship Care Support – Training and support programs for kinship care must include specialized training in educational advocacy for kin caregivers. The recent presentation at the California School Board Association on AB 490 identified this issue as a gap in service for caregivers. Funding for this may come from enhanced title IV-E (Training) and/or KSSP (Kinship Support Services Program).
 - http://cssr.berkeley.edu/childwelfare/pdfs/kssp_March03_v21.pdf
 - <http://www.childsworld.ca.gov/res/pdf/KinshpList.pdf>
- Education Training – Training on all aspects of Education, Educational Rights, Advocacy, Special Education and Educational Requirements should be made available for parents, Social Workers, Probation Officers, Caregivers (Kin and Non-kin), Administrators, CASA, attorneys, judicial officers, and other community providers.
 - http://www.ssa.gov/OP_Home/ssact/title04/0426.htm
 - http://www.childsworld.ca.gov/res/pdf/2002TitleIV-EStatePlan4_03.pdf
- Increased attention to Health and Education Passport – compliance for the documentation in the Health and Education Passport should be a collaborative effort. Currently the completion of this requirement falls on the case carrying social worker. Some counties have educational liaisons who attend to this issue.
 - <http://www.hwcws.cahwnet.gov/training/hep/c-mapguides/3-condguide/clcondguide.doc>
 - <http://www.hwcws.cahwnet.gov/training/hep/d-heptemplate/health%20and%20education%20passport.doc>
 - <http://www.hwcws.cahwnet.gov/training/hep/b-process/9d-heppres/heppres.doc>
- Determine Prop 63 fund availability.

Children's Health Programs

100% Campaign - for health insurance for all CA children.

<http://www.100percentcampaign.org>

Fact sheets on higher educational performance rates for children with health insurance.

<http://www.100percentcampaign.org/resources/factsheets/fs-061130.htm>

Medi-Cal - <http://www.medi-cal.ca.gov/>

Comprehensive medical, dental, and vision coverage for low-income, uninsured children.

Medi-Cal is California's public health insurance for low-income children and families.

Healthy Families - <http://www.healthyfamilies.ca.gov/English/downloadHndbk.html>

Low cost insurance for children and teens. It provides health, dental and vision coverage to children who do not have insurance and do not qualify for free Medi-Cal.

To Apply for Medi-Cal or Healthy Families call (800) 880-5305 or (888) 747-1222

Local Child Health Insurance Initiatives

http://ihpsca.org/localcovsol/cov_initiatives.html

For those not eligible for Medi-cal or Healthy Families, i.e. because of income or immigration status.

Child Health and Disability Prevention Program

<http://www.dhs.ca.gov/pcfh/cms/chdp/>

The CHDP program is a preventive health program serving California's children and youth. CHDP makes early health care available to children and youth with health problems as well as to those who seem well.

CHDP Directory <http://www.dhs.ca.gov/pcfh/cms/chdp/directory.htm>

Health Care Program for Children in Foster Care

<http://www.dhs.ca.gov/pcfh/cms/hcpcfc/>

HCPCFC is a public health nursing program located in county child welfare service agencies and probation departments to provide public health nurse expertise to meet the medical, dental, mental and developmental needs of children and youth in foster care.

CA Foster Care Public Health Nurse Directory

<http://www.dhs.ca.gov/pcfh/cms/hcpcfc/pdf/hcpcfdirectory.pdf>

Access for Infants and Mothers

<http://www.aim.ca.gov/english/welcome.html>

AIM phone:(800) 433-2611

Health insurance for mothers less than 30 weeks pregnant, and their children under age 2.

California Childrens Services- <http://www.dhs.ca.gov/pcfh/cms/ccs/>

CCS is a statewide program that treats children with certain physical limitations and chronic health conditions or diseases. CCS can authorize and pay for specific medical services and equipment provided by CCS-approved specialists.

Local/County CCS Office Directory <http://www.dhs.ca.gov/pcfh/cms/ccs/directory.htm>

Child Care and Development Programs

The National Child Care Information Center (NCCIC)

<http://nccic.org/>

A national clearinghouse and technical assistance center that links parents, providers, policy-makers, researchers, and the public to early care and education information.

Child Care Law Center

<http://www.childcarelaw.org/index.shtml>

A legal resource for the local, state, and national child care communities, as well as a legal resource for local legal services programs on child care issues in California. Our primary clients are families and children. CCLC offers legal training and information to parents, non-profit child care centers, family child care providers, policy makers, community, and government agencies

Cal Childcare Resource and Referral Network

<http://www.rnetwork.org/welcome/index.html>

A resource for parents and providers, including childcare tips, childcare payment information, policy statements and advocacy.

R&R Agency office directory by county

<http://www.rnetwork.org/resources-and-links/counties.html>

First 5 - California Children and Families Commission

<http://www.ccfca.gov/pig.htm>

Information on the First 5 Programs under the California Children and Families Act of 1998, legislation designed to provide, on a community-by-community basis, all children prenatal to five years of age with a comprehensive, integrated system of early childhood development services: health care, quality child care, parent education and effective intervention programs for families at risk.

Cal. Dept. of Education

<http://www.cde.ca.gov/sp/cd/op/>

<http://www.cde.ca.gov/sp/cd/op/cdprograms.asp>

Overview of state Child Care and Development programs, operated under both state and federal funds.

Child Care and Development Office phone: (916) 322-6233

National Office of Head Start

<http://www.acf.hhs.gov/programs/hsb/>

Head Start is a national program that promotes school readiness by enhancing the social and cognitive development of children through the provision of educational, health, nutritional, social and other services to enrolled children and families. It provides grants to local public and private non-profit and for-profit agencies to provide comprehensive child development services to economically disadvantaged children and families, with a

special focus on helping preschoolers develop early reading and math skills.

Early Childhood Learning and Knowledge Center

<http://eclkc.ohs.acf.hhs.gov/hslc>

This website, offered by the Administration for Children & Families, Head Start Office, includes links to information on child health and development for parents, the community and professionals, with specific resources in curriculum and child development that the Head Start community has found most useful to prepare children for school success.

http://eclkc.ohs.acf.hhs.gov/hslc/ecdh/eecd/Early_Childhood_Intro_Textrev1.html

Cal. Head Start State Collaboration Office

<http://www.cde.ca.gov/sp/cd/re/chssco.asp>

Operated under a federal grant to create a visible presence for Head Start at the state level and to assist in the development of multi-agency and public-private partnerships among Head Start and other interested stakeholders, and to coordinate state and federal funds.

California Head Start Association

<http://www.caheadstart.org/index.html>

Support for State Head Start programs, including conference information and community resources to encourage unified state programs.

Early Start National Resource Center

<http://www.ehsnrc.org/>

Early Head Start (EHS) is a federally funded community-based program for low-income families with infants and toddlers and pregnant women, to promote healthy prenatal outcomes, enhance the development of very young children, and promote healthy family functioning.

Early Start - CA

<http://www.dds.ca.gov/EarlyStart/ESHome.cfm>

Information on eligibility for the Early Start program, for infants and toddlers, birth to 36 months, who have developmental delays or at risk of such delays.

<http://www.dds.ca.gov/EarlyStart/ESStatutes.cfm>

Key state and federal statutes regarding the interagency systems that provide early intervention services for infants and toddlers with disabilities and their families.

2006 Central Directory of Early Intervention Resources, CA.

http://www.dds.ca.gov/EarlyStart/PDF/central_directory2006.pdf

Includes agency and county listings for Early Start Programs as well as specific information about the program and related services.

Ounce of Prevention Fund

<http://www.ounceofprevention.org/index.php>

Resources from The Ounce of Prevention Fund, which implements and informs a network of early childhood programs, educates state and federal policymakers about the best ways to help at-risk children and families succeed, and provides extensive training

and consultation to professionals working with at-risk families (in Illinois).

Title 1 Preschool programs

<http://www.cde.ca.gov/sp/sw/t1/title1preschool.asp>

For preschool-age children at risk of failing to meet the State's academic achievement standards. Children who participate in Head Start, Even Start, Early Reading First, or Title I preschool at any time during the two preceding years, homeless children, and children in institutions for neglected/delinquent children are eligible for Title I programs.

Special Needs Identification and Services

Disability Rights Statutes

http://www.dds.ca.gov/statutes/Statutes_Main.cfm

A searchable site including specific information for the Lanterman Developmental Disabilities Services Act and the California Early Intervention Services Act. This site includes a Consumer's guide and links to the California Code of Regulations, legislative updates, and other related areas of practice.

Protection and Advocacy

<http://www.pai-ca.org/index.htm>

Federally mandated and funded, national disability rights advocacy organization with offices serving individuals throughout the United States.

[CA Office Directory - http://www.pai-ca.org/connect/contact.htm](http://www.pai-ca.org/connect/contact.htm)

Special Education Rights and Responsibilities (SERR) Manual

(in English, Chinese, Spanish, Korean and Vietnamese)

<http://www.pai-ca.org/PUBS/504001SpecEdIndex.htm>

See Chapter 11- Preschool Education specifics - <http://www.pai-ca.org/PUBS/505101.pdf>

See Chapter 12, Early Intervention specifics - <http://www.pai-ca.org/PUBS/505201.pdf>

Regional Centers

<http://www.dds.ca.gov/rc/RCinfo.cfm>

Regional centers help coordinate the services and supports that are needed because of a developmental disability.

Directory of California's 21 Regional Centers

<http://www.dds.ca.gov/rc/rclist.cfm>

California Children's Services

<http://www.dhs.ca.gov/pcfh/cms/ccs/>

CCS is a statewide program that evaluates and treats children with certain physical limitations and chronic health conditions or diseases. CCS can authorize and pay for specific medical services and equipment provided by CCS-approved specialists.

Local/County CCS Office Directory

<http://www.dhs.ca.gov/pcfh/cms/ccs/directory.htm>

Center for the Improvement of Child Caring

http://www.cicparenting.org/cicc_What_Is.aspx

Resource on tools and methods of diagnosis for identifying children with special needs.

Types of Childhood Disabilities and Other Special Needs

<http://www.ciccparenting.org/ChildhoodDisabilities.aspx>

Explanations, research, and resources for many disabilities/special needs, including: ADHD, Autism, Mental Retardation, Emotional Disturbance, Learning disabilities, speech and language impairments. Prepared by the National Dissemination Center for Children with Disabilities (English and Spanish).

Developmental Delays

<http://www.keepkidshealthy.com/WELCOME/conditions/developmentaldelays.html>

Explanation of identifying factors and resources, including a list of early speech and language milestones.

Children with Fetal Alcohol Syndrome

<http://www.cdc.gov/ncbddd/fas/fasask.htm#character>

Center for Disease Control and Prevention's FAS and FASD pages include definitions, common characteristics, prevention, and links to factsheets.

National Organization on FAS

<http://www.nofas.org/educator/teaching.aspx>

Common classroom concerns and strategies for teachers (careproviders); Information for recognizing, treating and educating children with FAS.

Understanding and Addressing the Effects of Maltreatment on Early Brain Development

National Early Childhood Technical Assistance Center

<http://www.nectac.org/partc/partc.asp>

Minibibliography on the Impact of Abuse, Neglect and Foster Care Placement on Infants, Toddlers and Young Children. Selected Resources.

<http://www.nectac.org/~pdfs/pubs/abuseneglect.pdf>

Recognizing Trauma and Helping Traumatized Children Learn

http://www.massadvocates.org/helping_traumatized_children_learn

Downloadable version of 117 page research and policy publication, documenting the effects of trauma on educational progress. Includes a description of the Massachusetts Trauma Sensitive Schools Grant Program.

Childwelfare Information Gateway

<http://www.childwelfare.gov/can/impact/>

<http://www.childwelfare.gov/pubs/focus/earlybrain/>

Information on how child maltreatment during infancy and early childhood has been shown to negatively affect child development, including brain and cognitive development, attachment, and academic achievement. These include enduring physical,

intellectual, and psychological repercussions into adolescence and adulthood.

Zero to Three – Infant Mental Health

<http://www.zerotothree.org/>

Provides information on trainings, resources for children age birth to three, with a focus on infant mental health- diagnosing and prevention.

Childhood Trauma Academy

http://www.childtrauma.org/ctamaterials/states_traits.asp

Adapted version of Bruce D. Perry's article on the neurodevelopmental implications of adaptive mental and physical responses to trauma, including physiological hyperarousal and dissociation. Found in *Infant Mental Health J*, 16 (4): 271-291, 1995. Also in *Working with Traumatized Youth in Child Welfare*, edited by Nancy Boyd Webb, 2006.

Funding Early Childhood Care and Education

How States can Plan and Fund Programs for Babies and Toddlers, pdf.

<http://www.ounceofprevention.org/downloads/publications/Foundations.pdf>

CDE Finance and Grants

<http://www.cde.ca.gov/fg/fo/>

Grants, contracts and apportionments from the CDE, including links to outside funding sources and tools for writing effective proposals.

DHHS- Administrative Office of Children and Families

<http://www.acf.hhs.gov/programs/hsb/grant/index.htm>

Grant information and funding opportunities, including funding for the operation of Head Start and Early Head Start programs by either public or private, for profit or nonprofit organizations, or public school systems.

Article: Education Reform

<http://www.ewa.org/files/docs/prek%20finance%20brief.pdf>

On funding early childhood education.

National Conference of State Legislatures

<http://www.ncsl.org/programs/cyf/ccfinancing.htm>

On Financing Early Childhood Education and Child Care.

Coordinating State and Federal Funding

www.financeprojectinfo.org/Publications/FP%20Blending%20Funds%201_24.pdf

A new strategy brief, *Blending and Braiding Funds to Support Early Care and Education Initiatives*, presents financing strategies that state and local policymakers can use to coordinate, align and integrate funds.

Additional Resources, Guidelines and Model Programs

CDE- Family Involvement and Partnerships

<http://www.cde.ca.gov/sp/cd/re/parentresources.asp>

Childcare and education rights information for parents, with CDE policy information on parent involvement, California First 5, and English/Spanish links to specific education rights resources for parents and families.

<http://www.cde.ca.gov/sp/se/fp/index.asp>

Early childhood education resources for parents and guardians of children with disabilities (focus on age 3-21).

US DHHS -Administration for Children and Families

Comprehensive Family Assessment Guidelines for Child Welfare

http://www.acf.hhs.gov/programs/cb/pubs/family_assessment/index.htm

Healthy Kids, Healthy Care

<http://www.healthykids.us/>

Information about child physical/emotional health and safety, and evaluation tools for parents of children in childcare programs, by the National Resource Center for Health and Child Care and Early Education.

National Education Association

<http://www.nea.org/earlychildhood/index.html>

Research and Resources about the impact of early education, model programs and development.

West Ed.

<http://www.wested.org/cs/we/print/docs/we/home.htm>

A nonprofit research, development, and service agency that provides training, consulting, and technical assistance in education and human development, including a specific focus area in Early Childhood and Early Intervention.

Preschool California

http://www.preschoolcalifornia.org/preschool_efforts/local_efforts.html

Information on model programs in CA, including LA UP and First 5 San Mateo; Includes *Preschool for All- Step by Step Planning Guide and Toolkit*, pdf.

Example County First 5 Program collaboration, grants and initiatives

First 5 Monterey County

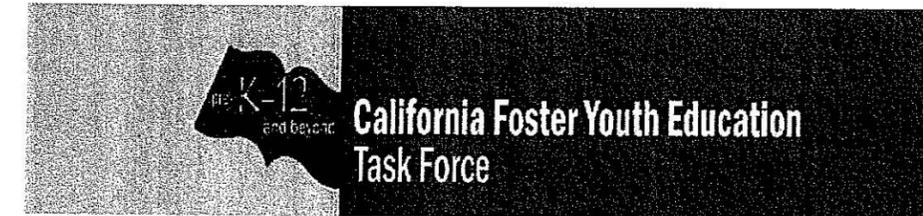
<http://first5monterey.org/home/first5m/programs.htm>

First 5 Los Angeles

<http://www.first5la.org/>

First 5 San Mateo

http://www.first5sanmateo.org/smc/departments/home/0,,4313274_4522401,00.html



POLICY BRIEF – DATA COLLECTION & SHARING

FOSTER YOUTH STATE-WIDE EDUCATION DATA

Although statewide educational data is collected for several subgroups of students enrolled in California, there is no systematic statewide educational data collected, disaggregated, and submitted to the California Department of Education (CDE) for foster youth students.¹ In 2004, AB 1858 directed the collection of foster youth disaggregated educational data by adding the following section to the Education Code:

“The department [CDE] shall ensure that the California School Information Services² system meets the needs of pupils in foster care and includes disaggregated data on pupils in foster care.” Educ. Code § 49085

Despite the intention of the Legislature in passing this provision, obstacles remain which have prevented its implementation to date. The FYS 2006 Report to the Governor and the Legislature³ states that the CSIS “does not currently have the capability to provide disaggregated foster youth data” and cites issues of mandate regarding data collection. Additionally, the report addressed the lack of and difficulty in accessing data stating:

“... a large number of FYS Programs must rely on data systems developed and maintained by collaborative agencies. These programs report ongoing difficulties with importing and consolidating information from multiple data systems that often are incompatible with FYS Program needs. FYS Programs report that the mobility of foster youth is too great to be tracked by counties that cannot share data in a timely manner and recommend the creation of a statewide database capable of linking all school districts and placing agencies to the same foster youth data. ... CDE recognizes the need for FYS Programs to have access to a uniform database containing up-to-date health and education information on foster youths. Such a statewide system is not currently available nor is there funding for such a system at the statewide level....”

¹The California Longitudinal Pupil Achievement Data System (CALPADS) requires statewide assessment and enrollment data and other information disaggregated for certain student groups. See, Educ. Code § 60900 and the CDE website at <http://www.cde.ca.gov/ds/sp/cl/index.asp>

² For more information about the CSIS program see the CDE website at <http://www.cde.ca.gov/ds/sd/cs/>

³“Report to the Governor and the Legislature” Foster Youth Services Program (Education Code sections 42920-42925) Counseling, Student Support, and Service Learning Office, California Department of Education (February 15, 2006), <http://www.cde.ca.gov/ls/pf/fy/documents/fylegreport2005.pdf>.

Notwithstanding the lack of statewide data, there can be no doubt that foster youth comprise one of the most academically at risk student groups enrolled in California schools. The FYS 2006 Report states that "a majority of foster youth students are academically deficient . . . Seventy-five percent of foster youths are working below grade level. . . ." Other reports and Legislative findings have estimated that 83% are being held back by the third grade and 46% become high school dropouts.

POSSIBLE COURSES OF ACTION (Statewide)

Implementation of Section 49085

Work with the Data Management Division of CDE to explore disaggregated data gathering and submission through CALPADS and the CSIS program.

- This issue should be viewed as a priority, since CDE is currently scheduled to have a vendor on board to build the CALPADS system by summer 2007. Therefore, it might be helpful to form a subcommittee to meet with CDE's Data Management Division personnel, as soon as possible, concerning this issue.

California Child Welfare Services Case Management System

Child welfare agencies must include specified education information in a foster child's case plan and must update that information periodically. 42 U.S.C. § 671(a)(16), 675(1)(C) & 5 (D); MPP 3-206.35. The California Child Welfare Services Case Management System (CWS/CMS) is the single statewide data system for this and other information about foster children. However, the education information captured by CWS/CMS does not include all the information necessary for good case management.

The California Department of Social Services is currently reevaluating the CWS/CMS. Those concerned about foster youth education issues should be involved in the CWS/CMS redesign so that the system 1) provides the social worker and care giver with information necessary to plan services and assist the child in obtaining a good education and 2) permits the tracking of foster youth educational status and trends.

State Guidance:

- **Program Advisory:** The Superintendent and/or the State Board could issue a Program Advisory, a manual or report that discusses all of the practices mentioned above, identifying best practices in each of these areas;
- **Regulations:** Through the regulatory process, the State Board could direct school districts to adopt policies and procedures related to the sharing and collection of information and relevant data for foster youth.
- **Inclusion in CPM:** If AB 490 is included in the CDE's Categorical Program Monitoring (CPM) process, all records and data-related sharing provisions should be included as compliance items to be reviewed.

- **Foster Care Student Census Report:** Currently school districts must report the number of English Learner students enrolled by language group, grade level, program placement, along with other pertinent information to CDE on a yearly basis through the Language Census (R30-LC) report. Such a census report could also be developed by CDE for foster care students, which could include enrollment and other relevant data unique and of importance to foster youth educational issues.
- **Foster Youth Services:** Education Code § 42923 requires the State Superintendent to submit a report to the Legislature and the Governor which must include information concerning certain specified indicators for those foster youth served by the programs, which include the following: pupil academic achievement; pupil discipline problems or juvenile delinquency; and drop out or truancy rates. Currently, these indicators are only discussed with respect to the six FYS Core District Programs. There should be a discussion concerning to what extent similar data should be discussed and reported with respect to the FYS Countywide Programs.

LOCAL DATA COLLECTION AND SHARING

AB 490 requires that educators, county placing agencies, care providers, advocates, and the juvenile courts work together to maintain stable school placements and to ensure that foster youth are placed in "the least restrictive educational programs, and have access to the academic resources, services, and extracurricular and enrichment activities that are available to all pupils." EDUC. CODE § 48850(a). This obligation cannot be adequately carried out unless these agencies develop clear protocols and procedures for ensuring that relevant educational data and information concerning a foster care student is shared in a manner that fully protects state and federal privacy rights afforded to each student.

Other responsibilities and obligations set forth under law underscores the need for such data sharing procedures and protocols:

- **Notification:** Every agency that places a child in a licensed children's institution must notify a school district of such a placement and must provide any available information on immediate past educational placements. EDUC. CODE § 48852. See also, EDUC. CODE § 49069.5(c) & (e).
- **Access to Student Records:** Any county placing agency, without parental consent or court order, is authorized to access student records for the purpose of compiling a child's health and education summary, fulfilling educational case management responsibilities, or assisting with the school transfer or enrollment of a pupil. EDUC. CODE § 49076(a)(11).
- **Cooperative Agreements:** School districts and county placing agencies may develop cooperative agreements to facilitate access to and exchange of the pupil information by electronic or other secure means. EDUC. CODE § 49076(a)(11).

- **Social Workers:** Must base placement decisions to promote educational stability by taking into consideration proximity to a child's school. WELF. & INST. CODE § 16501.1(c).
 - Case plan must include such things as: school records; known educational providers; the youth's grade level performance; and other relevant educational information. WELF. & INST. CODE § 16010(a), MPP 31 -206.351.
 - Care providers must be provided current education information and be assisted in obtaining relevant education records. MPP 31-405.1 (o); WELF. & INST. CODE § 16010(c) & 16010(e).
 - Must report to school personnel any referral or admission of a child who is potentially eligible for special education and must identify who has the rights to make educational decisions. EDUC. CODE § 56156(a) & (b).

Notwithstanding all the responsibilities and obligations set forth above, local jurisdictions and counties vary widely with respect to education information sharing. The FYS 2006 Report confirms the inconsistency of records and data sharing at the local level:

- "Resistance to sharing records" reported by 16% of FYS Countywide Programs as a "challenge."
- "Lack of up-to-date student records" reported by 23% of FYS Countywide Programs as a "challenge."
- "Counties report that HEPs [Health and Education Passports] frequently are incomplete and that the length of time necessary to locate prior school records remains a common barrier."
- "Issues of confidentiality related to the Health Insurance Portability and Accountability Act (HIPAA) of 1996 and the Family Educational Rights and Privacy Act (FERPA) of 2000 have resulted in resistance to sharing foster youths' records."

POSSIBLE COURSES OF ACTION - Local

Formation of Inter-Agency Committees on Foster Youth Education: Encourage local counties to form inter-agency committees that meet regularly to discuss ways to improve educational outcomes for foster youth, facilitate the exchange of information concerning foster youth educational issues, develop policies and procedures to facilitate the implementation of AB 490's provisions, develop data sharing mechanisms, and to develop common goals and objectives upon which to evaluate their actions.

Cooperative Agreements Between School Districts and Child Welfare Agencies: Encourage school districts and child welfare agencies to develop and enter the cooperative formal agreements. Efforts should be undertaken to disseminate sample

and model agreements throughout the state and they should be posted at a designated website (perhaps that of Foster Youth Services) to facilitate dissemination.

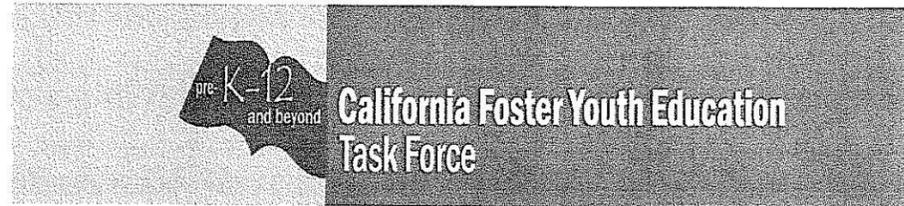
Standing Court Orders: Several counties have secured and issued standing court orders to facilitate the exchange of information between school districts and county placing agencies and to address any confidentiality concerns. These court orders should be collected and reviewed and a model court order should be drafted and disseminated to all jurisdictions.

Data Sharing Process: Implement the following protocols to better serve foster youth educational needs and to gather district-wide disaggregated data for all foster youth students enrolled in a district:

- The county placing agency to provide the school district with a monthly list of children living in foster care within the district;
- The school district to uniquely computer code the information to ensure that the youth's identification as a foster child is not compromised;
- Designate a computer within a county placing agency to be used for the sole purpose of accessing educational information. Limit access to certain designated staff, link to a school district's mainframe by the district, load appropriate software to allow access to the district's student data and records system;
- This system should allow designated staff to inquire about and have access to educational records of foster youth enrolled in the district.

Evaluation System: An evaluation system should be developed so that appropriate data can be gathered and evaluated for all foster youth enrolled in a school district. This system should provide pertinent information so that the agencies can evaluate how foster youth are performing academically, to what degree they are maintaining educational stability, how the type of out of home placement may be impacting educational achievement, and to what degree foster youth are provided access to academic resources, services, and extracurricular and enrichment activities that are available to all other pupils. A database should include, but not be limited to, the following: absences; average GPA; credits attempted and earned; days enrolled and attended; type of school attended, address moves; suspensions/ expulsions, including the grounds for each; California standardized testing information, the number of foster youth identified as English Learners, migrant students, special education students; CAHSEE passing rate information, the numbers identified as at risk for retention and the number actually retained, graduation rates, and post-secondary enrollment data. This data should be gathered and grouped by student foster-care placement, race/ethnicity and language status.

Educational Liaisons: Each child welfare agency should have its own Educational Liaison to work with the local school district's AB 490 Educational Liaisons to resolve potential problems in individual cases in a mutual effort between students, care providers, school districts, child welfare, probation, and other collaborative agencies.



POLICY BRIEF – TRANSITION TO POSTSECONDARY EDUCATION AND TRAINING PROGRAMS

Many foster youth succeed academically and in other capacities despite the trauma they have been exposed to, a lack of family support, low expectations others and the youth themselves may have had, and frequent disruptions to their education. It is, however, no surprise that many youth in out-of-home care struggle greatly in the face of these challenges to not only succeed in secondary school but continue on and enroll in postsecondary education or training. In addition to the suggestions made in the Special Academic Needs and Assembly Bill (AB) 490-related Policy Briefs, we must better support foster youth *and* those who work with or care for them to have increased aspirations and information about how to access higher education and training opportunities.

Even among foster youth who are college-eligible (high school graduates), only 20 percent attend postsecondary education, compared with 60 percent of their peers.¹ Foster youth and those who work with them need to believe that they are “college material,” to make the connection between the youth’s career goals and postsecondary education or training, and to understand and tackle complex application and financial aid processes.

LAWS THAT SUPPORT INCREASED ACCESS TO INFORMATION ABOUT POSTSECONDARY OPTIONS

California’s leadership took steps toward addressing the needs of foster youth and their caregivers for greater access to information about postsecondary options in AB 2463 (Caldera & Alpert, 1996) and Senate Bill (SB) 1639 (Alarcon, 2004).

As a result of AB 2463, Cal. Educ. Code §§ 89346 & 89347 require the California Department of Social Services (CDSS) and county welfare departments, in coordination with the California State University (CSU), the California Community Colleges (CCC) and the California Student Aid Commission (CSAC), to communicate with foster youth at two grade levels designated jointly by the California State University and the California Community Colleges in order to facilitate outreach and technical assistance efforts for these prospective students.

¹ *Higher Education Opportunities for Foster Youth, A Primer for Policymakers*, Thomas R. Wolanin, The Institute for Higher Education Policy (December 2005), Executive Summary, p. xiv, available online at: <http://www.ihep.com/Pubs/PDF/fosteryouth.pdf> (last retrieved January 2, 2007).

As a result of SB 1639, Cal. Welfare & Inst. Code § 16001.9 (23) states that foster youth have the right at 16 or older to have access to information “regarding the educational options available, including, but not limited to, the coursework necessary for vocational and postsecondary educational programs, and information regarding financial aid for postsecondary education.” Cal. Educ. Code § 66019.3 (a) also encourages CSU and CCC to disseminate information about admissions requirements and financial aid to foster care agencies. Finally, Cal. Educ. Code § 66019.3 (b) requests that the Regents of the University of California and the Trustees of CSU explore methods of using the admissions-by-exemption category to assist the transition of students in foster care into four-year public institutions of higher education.

Possible Courses of Action:

- Designate two days each year that are designed for exposing foster youth to college. These days would include events that provide significant exposure to college life and enhance the opportunity for foster youth to make a successful application to college through the provision of activities such as; application workshops, FASFA workshops and college success workshops. These events would be implemented collaboratively at the local level with vested county partners i.e. universities, community colleges, FYS and AB 490 foster care liaisons, foster care providers, foster care youth, county child welfare departments, etc. Gather and analyze how these activities impact college awareness and college enrollment for those participating;
- Provide information to care providers and foster youth regarding the college application process and timelines;
- Train foster youth, caregivers and other professionals who work with them to know and share information on career and postsecondary education options available to youth, including the coursework necessary for vocational and higher education programs and information regarding financial aid;
- Provide technical assistance and training for care providers and foster youth in filling out college applications and other necessary paperwork;
- Educate foster youth and those who work with them i.e. foster parents, social workers, court personnel, etc in the knowledge and understanding that foster youth can be successful in pursuit of postsecondary education.
- Recruit advocates and mentors, including peer mentors who can support and guide foster youth toward their career and educational goals (e.g. through Court Appointed Special Advocate or local mentorship programs);

- Create mechanisms for better coordination of special education transition plans (IEP-related) and transitional independent living plans (TILP) for foster youth;
- Strengthen and expand the availability of services provided by Independent Living Programs (ILP) and Foster Youth Services (FYS) or other programs to help youth apply for and enroll in postsecondary education and training (e.g. tracking of secondary education progress, assistance and review of applications);
- Establish policies that ensure payment for examinations that provide an alternative to high school graduation as well as college entrance examination (ACT or SAT) registration fees and preparation costs; &
- Ensure that CDSS, county welfare departments, CSU, CCC and CSAC implement the laws created by AB 2463 and SB 1639 (including provision of outreach, information and technical assistance to foster youth, as well as the encouraged exploration of admissions by exemption).

Appendix C: Summit Backgrounder

The Summit

The 2007 California Foster Youth Education Summit is the first statewide convening of foster youth, former foster youth and leaders and professionals from education, child welfare, probation and the courts to address critical issues in foster youth education.

This gathering is an extension of work begun in 2003 when five California teams from across disciplines attended the first national Higher Education and Child Welfare Summit sponsored by Casey Family Programs in Washington, D.C. The teams returned home to Los Angeles, Sacramento, San Diego, San Francisco and the Bay Area, to spearhead multi-disciplinary communication and problem solving on behalf of foster youth educational needs at the local and state level. That same year, a collaborative in Los Angeles led by the Children's Law Center of Los Angeles, sponsored the first Los Angeles Education Summit on needs and challenges facing foster youth education in Los Angeles. In 2004 and 2005 teams traveled to Seattle for two more national meetings addressing foster youth education issues and continued work in their respective counties. A second Los Angeles Summit was held in 2004 and a first annual Sacramento County summit was held in 2006.

All of this work contributed to the establishment of the California Foster Youth Education Task Force, a coalition of 21 organizations co-chaired by Casey Family Programs and the Children's Law Center of Los Angeles, working to implement practice and policy change to benefit foster youth educational outcomes in California. Since 2004, the California Foster Youth Education Task Force has convened representatives from each of the teams that attended the national summits to address issues at the state level and to share best practices and forge solutions collectively.

The Challenge

In California today, there are 75,000 foster children and youth in the foster care system. The educational progress of this staggering number of children is a crucial factor in ensuring that each one of them reaches his or her full potential. While a quality education is key to every child's successful development and adulthood, it is especially crucial for children in foster care. Educational success is a source of resiliency, sparks a variety of other opportunities and becomes a positive counterweight to abuse, neglect, separation and lack of permanent caring family connections. Stable and positive school experiences can enhance children's well-being and increase their chances for a successful transition to adulthood and their ability to contribute to society.

Unfortunately, the educational outcomes for foster youth lag far behind the average student. Although national and state data are limited, research makes it clear that there are serious issues that must be addressed to ensure the educational success of our children and youth in foster care.

Foster youth face overwhelming challenges in attaining a successful education:

- A recent study conducted in connection with legislation to mandate the Foster Youth Service Program showed that:
 - 75% of foster students in California function below their grade level
 - 83% are being held back by grade three
 - 46% become high school dropouts, compared with 16% of non-foster youth
 - Fewer than 10% of foster youth enroll in college

Roots of these challenges include:

- Instability - multiple home removals and placements resulting in numerous school changes and poor academic performance due to time missed in school and readjustment to new school environments.
 - 43% of California's foster youth are moved 3 or more times and 11% are moved 5 or more times
- Lack of consistent educational monitoring, intervention and support –caretakers such as foster parents and group home staff often lack the expectations, resources, training and support to systematically provide educational advocacy for children in their care.
- Systemic issues - a lack of clarity between child welfare and education personnel about shared responsibility for the educational outcomes of foster youth and specific role clarity, and barriers to information sharing such as incompatible data systems and perceived confidentiality constraints.

Not surprisingly, these poor educational outcomes contribute to instability in future adult life. Challenges faced by youth within 2 years of leaving foster care include:

- 51% are unemployed
- 62% have not maintained a job for at least one year
- Approximately 40% of former foster youth receive public assistance
- Approximately 25% experience homelessness
- 1 in 5 former foster youth will be incarcerated

Recent Progress

- Assembly Bill AB490, the landmark legislation authored by then Assemblyman Darrell Steinberg and passed in 2003, signified a new commitment in California to ensuring school stability and educational opportunity for foster children in California.
- The recent expansion of the Foster Youth Services Program (FYS) administered by the California Department of Education will now provide grants to 57 counties for educational and support services and increase service from approximately 14,000 children to approximately 35,000 in 2007.
- The Guardian Scholars Program, a comprehensive program for foster youth in college that combines scholarship and personalized life support (e.g., housing, counseling, mentoring, employment and peer assistance), has grown from serving three students when it first began in 1997 at Cal State Fullerton to serving hundreds in 20 colleges in California, Washington, Colorado, Indiana and Massachusetts. Momentum is growing to expand and standardize the highly successful model program statewide.

Conclusion

Though there have been important policy and funding improvements recently, a number of areas remain that need policy attention, and implementation remains an on-going challenge. The intent of this summit, then, is to draw attention to the urgency of foster youth education outcomes, provide policy makers with the tools they need to address policy issues, and support local implementation through action planning, resource sharing and support.

Working together in new ways, we hope to help the young people raised in our foster care system overcome the numerous daily challenges and obstacles they face in attaining an education and their dreams of lifelong happiness and success.

Acknowledgments

Thank you to the members of the CA Foster Youth Education Task Force, the Summit Planning Committee and the chairs of the Summit Work Groups:

Chantal Sampogna and Katie Ford—Early Childhood Education

Cerise Grice and Leecia Welch—Academic Supports

Deborah Escobedo, Sarah Vesecky, Amy Levine—Educational Decision Making

Michelle Lustig and Linda Zall—AB 490

Gene Howard and Tracy Fried—Higher Education

Kay Frederickson and Laura Tannen McBrien—Data

We would like to recognize the following individuals who gave generously of their time over many months:

Alicia Carner	Miryam Choca
Karen Dotson	Kathy Dresslar
Deborah Escobedo	Katherine Evanson
Jessica Gunderson	Karen Grace-Kaho
Kirstina Kling	Michelle Lustig
Stuart Oppenheim	Jonathan Pearson
Jennifer Rodriguez	Erin Saberi
Debbie Staub	Britton Steel
Jen Troia	Sarah Vesecky
Chris Wu	



The California Foster Youth Education Task Force is a coalition of 21 organizations dedicated to improving educational outcomes for foster youth. For more information, please contact Sarah Vesecky or Leslie Heimov, Children's Law Center of Los Angeles, at 323.980.1700 or Erin Saberi, Casey Family Programs, at 916.646.3646 ext. 3007.



The Child and Family Policy Institute of California (CFPIC) is a private non-profit organization incorporated in 2004 as a 501 c 3 entity under the auspices of the County Welfare Directors Association (CWDA). The purpose of the CFPIC is to “advance the development of sound public policy and promote program excellence in county Human Services Agencies through research, education, training and technical assistance.”



Casey Family Programs' mission is to provide and improve—and ultimately to prevent the need for—foster care. Established by UPS founder Jim Casey in 1966, the foundation provides direct services and promotes advances in child welfare practice and policy.