

The Education of Foster Youth

Presented by:

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Unique and Daunting Challenges for Foster Youth

WHAT WE KNOW

- Foster Youth may experience multiple changes in placement and support relationships.
- Problems in school and lack of appropriate intervention and support not only impact educational success - they affect placement and prevent permanency and success for many children.

Historic Barriers to Educational Success

Frequent placement and school changes have a detrimental impact on the ability of foster youth to succeed.

- ✓ Education records may not transfer in a complete and timely manner.
- ✓ Youth may sit out of school for days/weeks at a time, or be placed in inappropriate classes.
- ✓ Records are sometimes lost or misplaced, causing youth to lose credits and/or repeat classes.
- ✓ Often no one assumes responsibility for checking the youth out of school, resulting in lowering of youth's grades.

Impact of Changes of Placement

Numerous home or school placement changes are associated with:

- Problems in children's ability to form relationships
- Externalizing & internalizing behavior problems
- Trauma symptoms
- Academic problems
- Involvement with juvenile justice system
- Increased chances of reentering foster care after reunification

Foster Youth in Sonoma County Schools

- CDE Data released 9/18/16
- Large percent of foster youth participated – 84%
- ELA - 20% FY met or exceeded, compared to 49%
- Math - 13% FY met or exceeded, compared to 36%
- Sonoma County FY scored slightly better than the state average for FY 19% met or exceeded the standard for ELA and 12% met or exceeded the standard for math.

There is a significant need to:

- ✓ Train all stakeholders re: effective advocacy, interventions for children in care.
- ✓ Increase interagency collaboration.
- ✓ Focus on providing connections and stability over time.
- ✓ Demystify the educational process.

Increased Risk of Special Education Needs

- Trauma of abuse, neglect, and being removed from caregiver may predispose children to social/emotional/behavioral difficulties.

- Highest rates of abuse and neglect occur in infants and toddlers where impact can be lifelong:

16.1 per 1000 children under age 3

- High rates of developmental delay in this population:

Approx. 30% of children identified as foster youth in Sonoma County have been identified as qualifying for special education verses 10% in the general population.

- ✓ **5 days** after receipt of written request to provide records, the school district must provide them FREE of charge.
- ✓ **30 days** –after receipt of Ed Rights Holder’s written request for a follow-up IEP , another IEP meeting must be convened.
- ✓ Upon change of school placement, immediate enrollment into program
most similar to that designated on current IEP for foster children .
- ✓ Behavior emergency w/restraint requires 24 hour notice to “parent” and IEP meeting within 48 hours.
- ✓ Annual IEP to report on progress.
- ✓ Triennial (**every three years**) to complete reassessment.

High Cost for Not Addressing Needs

- Children not identified as needing early intervention and support continue to struggle.
- They are more likely to:
 - miss developmental milestones
 - enter school already behind peers
 - be retained
 - leave school prematurely, and/or
 - be subject to expulsion if learning challenges manifest in behavior difficulties
- Greater chance of removal from general education/public schools.
- Experience placement/caregiver change due to changes in educational placement, disrupting connections and permanency.

Unaddressed Learning Needs Cost Us All

- ❑ Disabilities related to emotional functioning, attention and impulse control, inability to read/succeed academically contribute to social problems of teen pregnancy, unemployment, homelessness, crime, addiction.
- ❑ 14% of California's prison inmates were in foster care system at some point. (Policy Matters California Senate Office of Research, 2011)
- ❑ Between 30-40% of foster youth have an *identified* disability.

Key Laws to Protect Foster Children

AB490 School Stability



✓ Right to Remain in School of Origin

If the child's placement changes, the child has the right to remain in his or her school of origin, provided it is in the child's best interest to do so.

✓ Immediate Enrollment

When a foster child changes schools, the new school must provide for immediate enrollment and attendance even if the child is missing:

- academic and medical records
- immunization records
- proof of residency
- school uniform

OR

- if fees or materials are owed to the prior school

➤ EC 48853.5

✓ Preference for Mainstream School

Person with educational rights must first consider placement in regular, mainstream public school **before** child is placed in:

- Juvenile court school
- Continuation school
- Alternative school
- Non-public school

✓ Mandates Collaboration

Mandates that educators, school personnel, social workers, probation officers, caregivers, advocates, and juvenile court officers *all* work together to serve the educational needs of children in foster care.

EC 48850(a)

✓ Foster Care Liaison

Every **County Office of Education** and **School District** must have an educational liaison for foster children.

Duties:

- Ensure proper school placement, enrollment and checkout from school
- Assist with transfer of grades, credits, and records when youth transfer schools
- Complete school transfers within 2 business days

EC 48853.5

✓ Final Highlights of AB490

- Timely transfer of educational information.
- Protection of credits, grades, graduation.
- Case worker/probation officer access to school records.
- Foster youth must have access to academic resources, services, and extracurricular activities.
- Education and placement decisions dictated by best interests of the child.

School of Origin and Transportation

AB490 permitted foster children whose home residence changed in the middle of the school to remain in their school of origin for the remainder of the school year. Transportation costs were not addressed.

AB1933

- Gives foster child the right to stay in the school of origin for as long as the court has jurisdiction over the student.
- Specifically provides that school districts do not pay the cost of transportation unless they choose to do so.
- Fostering Connections Act of 2008 (PL110-351) provides federal provisions for social services to be reimbursed for reasonable travel to school of origin.

Holder of Educational Rights

Parents/guardians hold educational rights for their children.

When parents are unwilling or unable to exercise their educational rights, the court may assign educational rights to someone else.

WIC 358.1(e)

Appointing a Responsible Adult

At the time the court limits the parent's educational rights, the judge must appoint a responsible adult to hold these rights.

Responsible Adult might be:

Foster Parent – CASA- Relative Caregiver - other adult in child's life

WIC 361(a)

Responsible Adults cannot have a conflict of interest.

A conflict of interest exists where an individual receives compensation or attorneys fees for acting as a responsible adult.

Foster parents do not have a conflict of interest solely because they receive compensation.

WIC 361(a)(5)

Holder of Educational Rights

Appointing a Surrogate Parent:

If the court is unable to find a responsible adult for a student referred to or receiving special education, the local school district must appoint a **Surrogate Parent**.

School district must appoint relative caregivers, foster parents, or CASAs; if none available, district can appoint a **Surrogate Parent** of choice.

GC 7579.5

All those holding educational rights have the same rights as a parent to advocate for and monitor the child's education.

Most importantly:

- May sign for special education services.
- Can make decisions about school placement.

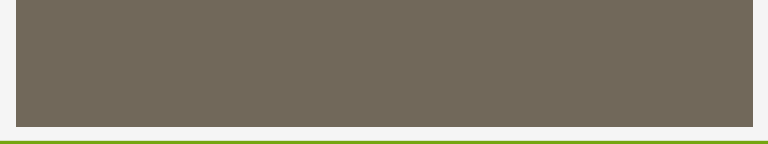
Appointment of Responsible Adult/Surrogate Parent lasts until:

- Child reaches 18.
- Another adult is appointed.
- Educational rights of parent/guardian are fully restored.
- Child is placed in planned permanent living arrangement.

WIC 361, GC 7579.5

We Need Everyone At The Table!





SCOE urges Districts to consider policies that could help Foster Youth and other children undergoing change or trauma, such as:

- Ease a student's transition between schools or school districts and generally reducing student absence.
- Promote a culture of positive discipline that focuses on keeping kids in the classroom, rather than expulsion or suspension.
- Provide on-site resources to address trauma.
- Work to provide a stable, welcoming and secure environment where students feel safe to learn, regardless of their home life.

SCOE FYSCP supports students directly by providing:

- **Digital toolkits** (computer, printer, and WiFi hot spot)
- **Education kits** (age-appropriate materials, such as calculators, paper, pens, markers, and pencils.)
- SCOE & SELPA hosted a two-day **Mental Health First Aid** workshop for school districts, spring 2016.
- SCOE is hosting an eight-part series on Adverse Childhood Experiences, or **ACEs**, and how childhood trauma impacts student learning.
- SCOE also provides ongoing support to districts through regular meetings with **Foster Youth Liaisons** that have been appointed by each district.