

February 21, 2013

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The Honorable Mark Leno  
Chair, Senate Budget and Fiscal Review Committee  
State Capitol, Room 5019  
Sacramento, CA 95814-4900  
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**Re: 2013-14 K-12 Education Budget: Overview of the Governor's Local Control Funding Formula and Accountability Plan**

**Oppose - Proposal to Eliminate Foster Youth Services (Line Item 6110-119-0001)**

Dear Senator Leno:

The Youth Law Center is a national, public interest advocacy organization that works to protect the rights of children in the child welfare and juvenile justice systems. We write to voice our opposition to the current budget proposal that would essentially eliminate Foster Youth Services. Since inception, Foster Youth Services has never been fully funded to meet the needs of the state's foster care population. Foster youth are one of the most academically vulnerable student groups enrolled in California schools and Foster Youth Services is the only categorical program that is specifically targeted to meet their unique academic needs.

In its annual report to the State Legislature, the California Department of Education (CDE) documented the poor academic status of California's foster care student population, as well as, the acute need for the services provided by the Foster Youth Services program. According to the CDE, foster youth often experience multiple placements when they are in the foster care system (with an average frequency of one placement change every six months) and "due to this movement, foster youth lose an average of four to six months of educational attainment." Citing to numerous studies, CDE's report documents the following with respect to the academic status of foster youth enrolled in our schools:

'Three-quarters perform below their grade level and over half are held back in school at least one year. Foster youth earn lower grades and achieve lower scores on standardized achievement tests in reading and mathematics, they have lower levels of engagement in school (39 percent versus 20 percent), high levels of behavioral and emotional problems (27 percent versus 7 percent), and are half as likely to be involved in extracurricular activities. Many foster youth have mental health problems, which may be associated with behavioral problems and special-education placement. Foster youth are placed in special education at a much higher rate (30 to 52 percent) than their peers (10 to 12 percent), and one study found foster youth were twice as likely to be suspended and four times as

likely to be expelled as non-foster youth. . . The long-term consequences of poor academic experiences are significant. Foster youth are twice as likely as other students to drop out of school before graduation. Only 45 percent have graduated from high school at the time of emancipation, in comparison to an estimated public school graduation rate in the United States of 71 percent and in California of 68 percent in 1998. . . ' (Citations omitted.)

The report further confirms that "75 percent of foster youth students are working below grade level, 83 percent are being held back by the third grade, and 46 percent become high school dropouts."<sup>1</sup>

Although AB 490 was a comprehensive bill designed to address the unique educational needs of foster youth, not enough has been done to ensure that its provisions are, in fact, being implemented. Notwithstanding the explicit provisions of the law, foster care students continue to be: denied immediate enrollment in school; denied access to meaningful opportunities to meet state academic standards; warehoused in restrictive educational programs; and, denied access to the academic resources, services and extracurricular and enrichment activities available to other students. Little has been done to monitor the implementation of AB 490 or other education code provisions that address the educational needs of foster youth, nor is there any effective administrative mechanism in place at the state or local level to enforce the law's provisions.

Although the concept of "local control" may resonant for some discreet groups of students, it only has meaning when the parents or guardians of these students have a voice and/or a seat at the policy setting table at the local school district level. Nothing could be further from the truth for foster youth, one of the most disenfranchised student groups enrolled in California schools. California's foster youth are disproportionately youth of color, and school boards generally do not reflect the racial and ethnic makeup of these children. Many of these children are placed out of county and do not attend their school of origin where their parents or relatives reside. Many of these families, who are struggling with the foster care system and with efforts to unite their families, do not have the time to attend school board meetings or to voice their concerns regarding educational policies or budget decisions that may impact their children. Older foster youth who are aging out of the system, are struggling to find a way to graduate and to live normal productive lives as adults with little or no family support. These youth can hardly be expected to have a voice in influencing local school budget priorities that may impact their educational status.

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<sup>1</sup> See, pages 1-4, "2010 Report to the Legislature and the Governor for the Foster Youth Services Program- Foster Youth Services Program" (February 15, 2010 - Counseling, Student Support, and Service-Learning Office, CDE), citing to "California Connected by 25: Efforts to Address the K-12 Needs of Transitioning Foster Youth" (January, 2009) Sommer, Wu and Mauldon.

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For many of these youth, the services they receive under the current Foster Youth Services program are the only services available to address their unique and profound educational needs.

For all the foregoing reasons, Youth Law Center strongly urges you to reject the current budget proposal concerning Foster Youth Services. Rather than eliminate this program, the state should expand it and should further direct school districts to maintain meaningful data to ensure that all the educational needs of all foster youth enrolled in California schools are in fact met.

Sincerely,



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cc: Members, Senate Committee on Budget and Fiscal Review