

**IMPROVING EDUCATIONAL OPPORTUNITIES FOR YOUTH
IN THE CHILD WELFARE AND JUVENILE JUSTICE
SYSTEMS:**

The Fresno First Year Report and Strategic Plan

February 2004

Approved by the

**FRESNO COUNTY INTERAGENCY COUNCIL
FOR CHILDREN AND FAMILIES**

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IMPROVING EDUCATIONAL OPPORTUNITIES FOR YOUTH IN THE CHILD WELFARE AND JUVENILE JUSTICE SYSTEMS: The Fresno First Year Report and Strategic Plan

EXECUTIVE SUMMARY

In February 2003, key education, probation, and child welfare personnel in Fresno County, California agreed to work with the Youth Law Center as the first site for community-based work in *Expanding Opportunities for At Risk Youth*, a project funded by the Charles Stewart Mott Foundation and the Walter S. Johnson Foundation. This is a report on what has been learned so far and the plan for implementing strategies identified by a broad cross-section of the Fresno community.

Educational Problems of Youth in Out-of-Home Care

Current research is replete with examples of education problems that affect children and youth in the child welfare and juvenile justice systems. To succeed academically, children in foster care must overcome abuse and neglect, the impermanence of foster care placement, and the failure of educational and child welfare bureaucracies to work together to meet their individual needs. Youth in the juvenile justice system have comparable educational needs (indeed, many have moved on to the juvenile justice system after earlier periods in foster care).

Research, focus groups, and interviews conducted as part of this project, identified common problems that youth in out-of-home care face in obtaining an education. They include:

- Frequent moves - both in living situation and educational placement
- Too many days of nonattendance
- Difficulty and delays in enrolling in school
- Inappropriate placement in alternative schools
- Delays in obtaining records and ability to make appropriate placements
- Delays in delivering special education or other special services
- Over and under identification of special education eligibility
- Limited curricula (for example, failure to offer courses necessary for college or University of California admission)
- Discrimination, attitudes, and labeling based on legal status (foster child or on probation) or residence in a group home
- Overly restrictive discipline policies; suspension and expulsion, counterproductive interventions
- Poor coordination between child welfare agencies/probation and education agencies
- Lack of information sharing among agencies that serve children
- Difficulty in obtaining credits, having credits transfer

- Inappropriate schoolwork - too easy, areas already covered
- Lack of information, assistance, and support on getting into college
- Lack of information and support for parents and foster parents.

The challenge in Fresno was to identify which of these problems have a substantial negative effect on the educational achievement of Fresno children and to develop strategies to reduce those effects.

Since March, 2003, a group of probation, child welfare, mental health, and education professionals and interested members of the Fresno community has met regularly to discuss ways of improving educational outcomes for children and youth involved with the child welfare and juvenile justice systems. In January 2004, a significant new law affecting the education rights of youth in out-of-home placement, AB 490, went into effect. The work done thus far puts Fresno ahead in implementing AB 490 and in meeting benchmarks set by the state to improve education for youth in state care.

Mission

The development of a mission statement afforded group members an opportunity to identify common ground and discuss what they could realistically achieve in this project. In crafting the statement, the group wanted to aim high but define an achievable goal.

After several meetings and discussions of drafts, the group adopted the following mission statement:

To improve or establish processes that reduce or eliminate the barriers to school success faced by Fresno County children and families when the children are in out-of-home placement in Fresno County.

Guiding Principles

Discussion of problems and possible solutions revealed significant common ground among all participants on basic principles that should guide approaches to education for children in the child welfare or juvenile justice system.

1. Children in state care should have the same educational opportunities and supports afforded to their peers who have not been removed from home.
2. Every child should have identified educational goals, and individuals in his or her life who can help the child meet those goals.
3. Changes in living arrangements and educational placements should be kept at the minimum needed to meet the needs of the child. Children should be allowed to remain in their home school whenever possible.

4. Decisions concerning placement must take into consideration the educational needs of the child and should be made in consultation with individuals involved with the child's education (such as the parent, foster parent or care giver, regular teacher, special education teacher, service providers, and others involved in the child's education) and should include the child when appropriate.
5. Decisions concerning educational issues should take into consideration the child's living situation (placement) and should be made in consultation with individuals involved with the child (such as the parent, foster parent or care giver, social worker, probation officer, and others involved with the child's placement) and should include the child when appropriate.
6. Records transfer and school enrollment policies and procedures should be streamlined to allow the prompt, appropriate school placement of every student.
7. Care providers (including parents, foster parents, and group homes) and professionals (including child welfare workers, probation officers, and educators) should help to ensure that the child has an appropriate school placement and support the child's educational activities.
8. Data analysis should be used to evaluate interventions and to inform policies and practices.

Community Resources and Progress Thus Far

A significant factor in choosing Fresno as a site for community-based work was the resources available to help improve educational outcome for at risk youth. As more fully articulated in the full report, resources include community-based organizations, advocates, and governmental agencies committed to improving services for children and youth in out-of-home care. Prior to the formal initiation of this project and during the past year, the Fresno community has made and is continuing to make improvements that will help children in out-of-home care succeed in school. Those efforts are described in the full report. Highlights include:

- A commitment by the Fresno Department of Children and Families and the Fresno Probation Department to keeping children in their own communities and reducing placement moves through the Family to Family Initiative.
- Development of a Memorandum of Understanding between Fresno Unified School District, the Fresno Department of Children and Families

and the Fresno Probation Department to share information about the educational status of children in out-of-home care.

- Appointment of foster care liaisons in five Fresno school districts.
- Training by the Fresno County Office of Education on education issues for child welfare professionals and foster care providers and training on foster care for educators.
- Training, discussions, and timely implementation of AB 490, which strengthens education rights for children in out-of-home care.
- Mapping of foster care placements to identify the school districts serving the majority of Fresno foster children.
- Preliminary data analysis to verify assumptions about the educational status of children in out-of-home care.

Core Strategies

The group identified the following core strategies:

1. Use data to inform decisions.
 - a. Use current MOUs between FUSD and DCFS to obtain data to analyze education progress and problems for youth in placement.
 - b. Follow and analyze a discrete number of students.
 - c. Pay particular attention to children with emotional, behavioral, or physical imitations that affect their ability to succeed in regular school settings.
 - d. Implement information sharing strategies in other school districts.
2. Improve record keeping and information sharing.
 - a. Increase the completion of educational passports.
 - b. Increase the use of the Foster Youth Services Placement form.
 - c. Implement information sharing strategies in other school districts.
3. Improve decision making to increase information sharing and collaboration and improve school success.
 - a. Develop ways to make a child's educational goals and educational needs a part of key child welfare decisions at critical points including, entry into care and changes in placement.
 - b. Develop ways to include child welfare participation in key educational decisions.

- c. Include family systems in all decision making.
 - d. Ensure that each school district has appointed a foster care liaison.
 - e. Identify/appoint an educational liaison for DCFS and Probation.
4. Develop a training plan to provide:
 - a. Child welfare and probation staff with information about the education system and their responsibilities with respect to education for children under their supervision.
 - b. Education staff with information about the child welfare and probation systems.
 - c. Care givers with information about the importance of education issues and their role in supporting a child's school success.
 - d. Youth with information about educational opportunities and their rights.
 - e. Everyone with information about available services and resources.
 5. Continue to identify and develop advocacy strategies on state and federal policy issues related to education for children in out-of-home care.
 6. Develop a monitoring system to oversee the process and coordination of services, specifically, to identify problem areas, evaluate what is going well and what is not, and make recommended changes. Include a client satisfaction tool to understand how families and youth are experiencing the process and services. Develop a method for evaluating progress in increasing parental involvement in their children's education.

Conclusion

The first year has produced a strategic plan for improving education for children in out-of-home care and some concrete progress in policies and practices related to educational outcome for children in out-of-home care. The challenge for the Fresno community now is to continue the momentum, implement the recommended strategies, and put in place a system for measuring results.

IMPROVING EDUCATIONAL OPPORTUNITIES FOR YOUTH IN THE CHILD WELFARE AND JUVENILE JUSTICE SYSTEMS: The Fresno First Year Report and Strategic Plan

INTRODUCTION

In February 2003, key education, probation, and child welfare personnel in Fresno County, California agreed to work with the Youth Law Center as the first site for community-based work in *Expanding Opportunities for At Risk Youth*, a project funded by the Charles Stewart Mott Foundation and the Walter S. Johnson Foundation. The goals of the project are (1) to identify barriers faced by young people in the juvenile justice and child welfare systems in completing their secondary education and going on to college or meaningful employment, and (2) to propose strategies to remove those barriers. This is a report on what has been learned so far and the plan for implementing strategies identified by a broad cross-section of the Fresno community.

Educational Problems of Youth in Out-of-Home Care

Current research is replete with examples of education problems that affect children and youth in the child welfare and juvenile justice systems. The problems of foster youth who emancipate from state care are well documented.¹ Many of the problems former foster youth face are related to educational disadvantage. A significant percentage of youth emancipate without obtaining a high school diploma or GED², and few go on to college.

To succeed academically, children in foster care must overcome abuse and neglect, the impermanence of foster care placement, and the failure of educational and child welfare bureaucracies to work together to meet their individual needs. A recent review of the literature by the Center for Social Services Research in the School of Social Welfare at the University of California, Berkeley³ indicates that large numbers of foster children do not win this battle. Many foster children perform below grade level, a large percentage has failed or repeated a grade, and one quarter to one half leave school without obtaining a high school diploma. Not surprisingly, one study also indicates that foster children are significantly less likely to be enrolled in college preparatory classes than their peers. Foster children are also over represented in the special education system. Studies indicate that one quarter to one third of foster children sampled were enrolled in special education and that a significant number of these children lived in group settings. Foster children are also more likely than their peer to have mental health problems.

Youth in the juvenile justice system have comparable educational needs (indeed, many have moved on to the juvenile justice system after earlier periods in foster care). A national study by Project READ found that incarcerated youth at the

average age of 15.5 years and in the 9th grade read, on average, at the 4th grade level. More than a third of juvenile offenders at this age level read below the 4th grade level.⁴ In addition, studies of incarcerated youth reveal that as many as 70 percent suffer from disabling conditions.⁵

In order to give youth and their families an opportunity to express their perspectives on these issues, the Youth Law Center conducted focus groups with youth in foster care, youth involved with the juvenile justice system, families and foster families.⁶ Three of these focus groups occurred in Fresno. In August 2002, the Youth Law Center, in cooperation with the Fresno County Office of Education, Fresno Children and Family Services, Fresno Probation Department, and the Fresno Foster Standards and Oversight Committee, conducted one focus group with parents and foster parents, one focus group with foster youth and one focus group with youth involved in the juvenile justice system. Youth Law Center staff then met with local advocates, representatives from community based groups, and staff from Fresno child welfare, probation and education agencies to gain their perspective on the issues faced by youth in these systems. These discussions revealed a consensus that improving educational outcomes for at risk youth is crucial, and a willingness to work on reducing barriers to achieving that goal.

The research, focus groups, and interviews identified common problems that youth in out-of- home care face in obtaining an education. They include:

- Frequent moves - both in living situation and educational placement
- Too many days of nonattendance
- Difficulty and delays in enrolling in school
- Inappropriate placement in alternative schools
- Delays in obtaining records and ability to make appropriate placements
- Delays in delivering special education or other special services
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- Poor coordination between child welfare agencies/probation and education agencies
- Lack of information sharing among agencies that serve children
- Difficulty in obtaining credits, having credits transfer
- Inappropriate schoolwork - too easy, areas already covered.
- Lack of information, assistance, and support on getting into college
- Lack of information and support for parents and foster parents.⁷

The challenge in Fresno was to identify which of these problems have a substantial negative effect on the educational achievement of Fresno children and to develop strategies to reduce those effects.

Fresno County

Fresno County is located in California's San Joaquin Valley and includes urban, rural, and suburban communities. Fresno is the 10th largest of California's 58 counties. According to the United States Census Bureau, the total population of Fresno County in 2002 was 812,719. Fresno County has a young, diverse population. The population is younger than the state average with 32% under the age of 18 and 44% under the age of 25. Of individuals reporting race and ethnicity, 46% were Hispanic of any race, 63% per cent were white, 9% were Asian, 5% were Black or African American, 1% were American Indian and Alaska Native. Twenty-five percent of the population was foreign born, 44% of people over the age of five spoke a language other than English at home, and 55% reported that they did not speak English very well.

Although Fresno is known as an agricultural center, the leading industries in terms of employment were education, health and social services with 21% of employed individuals, and manufacturing with 10% of employed individuals. The most common occupations reported were management, professional, and related occupations (28%), sales and office occupations (26%), service occupations (17%), and production, transportation and material moving occupations (14%). Fresno has a higher poverty level than California overall. In 2002, 20% of Fresno's total population and 31% percent of Fresno's children lived in poverty. Thirty-four percent of Fresno households received means-tested public assistance or non-cash benefits, and the median household income was \$38,910.

Seventy percent of people 25 years of age and older had at least graduated from high school and 19% had a bachelor's degree or higher. Total school enrollment in Fresno County was 263,000 in 2002, with 35,000 children enrolled in preprimary school and 172,000 enrolled in elementary or high school. Among youth 16 to 19 years old, 15% had dropped out of school (*i.e.* they were not enrolled in school and had not graduated from high school.) College enrollment was 55,000.⁸

Fresno County is served by 35 school districts. Fresno Unified School District (FUSD) is the largest school district in Fresno and the fourth largest school district in California. It ranks third in the nation in the child poverty index, with 73% of students qualifying for school lunch and 75% qualifying for Title I. Eleven and one half per cent of students have been identified as eligible for special education and 32% are English learners. Roughly 8% of the student body is considered at-risk because of one or more factors, and roughly 10% are identified as Gifted and Talented. Only 20.7% of graduating high school seniors

completed coursework required for admittance to University of California and California State University schools in the 2001-2002 school year. Twenty-one percent of graduating high school seniors completed a Vocational Education Course sequence in the 2001-2002 school year.⁹

A recent report card on the well being of children in Fresno rated teacher quality and average daily attendance (ADA) as promising, with ADA showing improvement over the last three years. However, the report indicates that school drop out rates are problematic, that Fresno County students score below the state average on grade level achievement tests, and that the percent of schools meeting academic performance targets was lower than the state overall.¹⁰

As of July 1, 2003, 3,166 children lived in out-of-home placements supervised by the Fresno Department of Children and Family Services. Approximately a third of these children (1,082) were 11-15 years old, 915 were 6-10 years old, 407 were 3-5 years old, 389 were 16-10 years old, 274 were 1-2 years old, and 98 were under the age of one. Most children in out-of-home care were in family care with 29.2% placed with Foster Family Agencies (FFA's), 23.7% with legal guardians, 20.3% with kin, 11.3% with foster families, and 5.8% in group homes. Fresno has a significantly higher percentage of children in guardianship than the state average and has a higher use of FFA's, but rates of kinship care and group home placement are lower.

Fresno has a larger portion of children in permanent placement than the state average. Of all children involved with DCFS, 60.3% were in permanent placement as compared with 50.9% statewide, and 17.4% were in family reunification as compared with 22.8% statewide. The rest of the children were in family maintenance (19.9%) or emergency response (2.4%). Of children who entered care in 2001, Fresno children experienced more placement moves than the state average; 15.1% of Fresno children in child welfare supervised placements experienced three or more placements as compared with 12.1% in the state overall. Fresno children tended to be placed closer to home with 47.8% placed within 5 miles of home as compared with 34.0% in the state overall. Thirty five and two tenths percent of Fresno children were placed more than 11 miles away as compared with 43.7% in the state overall.

While many youth under the supervision of the Fresno Probation Department remain at home, some are detained in juvenile hall pending adjudication and disposition of their cases and some are placed in out-of-home placements, including the juvenile hall; Elkhorn, the county operated camp; and licensed placements, such as group homes. The juvenile hall houses up to 285 youth, and the Elkhorn Camp houses up to 200 youth. As of July 2003, 258 children lived in licensed placements supervised by Fresno County Juvenile Probation. All children in these placements were over the age of 11; 120 youth were 11-15 years old and 138 youth were 16-20 years old. Sixty percent of probation-supervised placements were in group homes. Other placements were in FFA's

(4.3%), with kin (.4%) or in other placements (12.4%.) Twenty two and one tenth percent were on runaway status.¹¹

THE LEGAL AND POLICY FRAMEWORK

Children come into the child welfare or juvenile justice system when the juvenile court determines that intervention is necessary for the protection and safety of the child or the public. In California, children removed from home have a right to care and treatment that is in their best interest, and the government attempts to provide care as nearly as possible equivalent to that which should have been provided by the child's parents.¹² The child's educational needs are an important consideration for both systems.

Child Welfare

The California legislature has identified fostering the educational progress of children in out-of-home care as an important goal of the child welfare system and has instructed the California Department of Social Services (CDSS) to encourage development of approaches that allow children to remain in their own schools, in close proximity to their families.¹³ Even when children are removed from home, parents retain the right to make educational decisions for their children unless specifically limited by the juvenile court. When the court limits those rights, it appoints a responsible adult to make educational decisions.¹⁴

Child welfare placement, supervision, and case plan requirements are designed to ensure that the child's educational needs will be met while the child is in placement. The child's social worker must take any necessary action to safeguard the child's growth and development while the child is in placement, and must make certain that arrangements for and monitoring of the child's educational progress are undertaken.¹⁵

Each child must have a case plan that includes a plan for assuring that care and services are provided to address the needs of the child while in foster care.¹⁶ Specifically, the case plan must describe why the child's placement is the least restrictive, most family-like setting appropriate¹⁷ and include assurances that the child's placement takes into account proximity to the school in which the child is enrolled at the time of placement.¹⁸ The case plan must also include education information, known as the "Education Passport."¹⁹ This information must be reviewed and updated at the time of each placement,²⁰ and must be supplied to the foster care provider.²¹

The care provider is responsible for obtaining and maintaining thorough and accurate information from educators, and the child welfare agency must assist the care provider in obtaining this information.²² Both foster parents and group homes are responsible for ensuring that children are enrolled in school and that they participate in educational and extra curricula activities.²³ When a child is

placed in a group home, the group home must ensure that the child attends school and must develop and implement a plan to ensure that the child participates in an educational program, including supervision of after school study.²⁴

Additional protections are specified for children with disabilities to ensure that children in need of special education are appropriately identified and served. (See Appendix 1 for specific requirements and legal citations.)

The juvenile court has oversight responsibilities with respect to children in foster care. It may make any and all reasonable orders for the care of the child and can bring any agency that has failed to meet a legal obligation to provide services to a child into the juvenile court proceedings.²⁵ The court also has the authority and obligation to take appropriate action to protect the child's interests in administrative or judicial proceedings outside the juvenile court, such as special education hearings.²⁶

Juvenile Justice

When a child is adjudicated as a delinquent or status offender, the probation department must prepare a social study to assist the court in making an appropriate disposition.²⁷ The probation officer must solicit comments from the appropriate local education agency, and must include in the social study a discussion of educational services, including special education for children who qualify. The probation officer must also include in the social study a discussion of whether the child's parents are willing and able to participate in making educational decisions for the child, and if not, whether there is another responsible adult who can make those decisions.²⁸ When more information is needed, the juvenile court may order the probation department to obtain the services of experts needed to determine the appropriate treatment of the child.²⁹

Youth placed by Probation in group homes or foster homes or with foster family agencies or relatives have the same rights as foster youth placed by Child Welfare. They have a right to a case plan that identifies their strengths and needs and the services to be offered to enable the child to return home.³⁰ The case plan must include education information, or the "Education Passport" described above.³¹ As with foster children placed by Child Welfare, foster parents and group homes are responsible for ensuring that children are enrolled in school and that they participate in educational and extra curricula activities.³² Group homes must ensure that youth attend school and must develop and implement a plan to ensure that the child participates in an educational program, including supervision of after school study.³³ Youth detained in juvenile hall or placed in camps or ranches or at the California Youth Authority are entitled to an education, and specific minimum requirements exist for educational services in those facilities. (See Appendix 1 for specific provisions and legal citations.)

Additional protections are specified for children with disabilities to ensure that children in need of special education are appropriately identified and served. (See Appendix 1 for specific requirements and legal citations.)

The juvenile court may make any and all reasonable orders for the care of youth who are adjudicated delinquent or status offenders and may bring any agency that has failed to meet a legal obligation to provide services to the minor into the juvenile court.³⁴

Education

Children in California have the right to a public education. The California Constitution provides for a public education system,³⁵ and the California Supreme Court has recognized education as a fundamental right.³⁶ Children between the ages of 6 and 18 must attend school unless they have completed high school, and the parents or other individuals responsible for the care of the child must send the child to school.³⁷ Students have a right to attend school in the district where a parent or legal guardian lives.³⁸ Children living with a care-giving adult and in licensed placements, such as foster homes and group homes, have a right to attend school in the district in which the caregiver is located.³⁹ California law prohibits discrimination in education on the basis of race, national origin, religion, disability, sex, or gender identification.⁴⁰ State and federal law require a free and appropriate education for children with disabilities that prevent them from benefiting from regular education (special education),⁴¹ provide protection for children who are homeless (McKinney Act),⁴² make available resources to schools serving children who are disadvantaged (Title I),⁴³ and specify education rights for language minority students.⁴⁴

Two recent pieces of legislation target education for children in out-of-home care: AB 2463 and AB 490.

AB 2463 (Caldera) Higher Education Outreach and Assistance Act for Emancipated Foster Youth

In 1996, the California legislature passed the Higher Education Outreach and Assistance Act for Emancipated Youth, which was codified at Education Code § 89340. A goal of the Act is to increase the number of emancipated foster youth who attend the University or community college and remain in school to earn a degree or certificate.

This law requires the Trustees of the California State University and Board of Governors of the Community Colleges to:

- Review housing issues for emancipated foster youth living in college dormitories to ensure basic housing during the regular school year including holidays,

- Provide technical assistance to campuses on ways to improve services for foster youth,
- Track the retention rates of students who voluntarily disclose their status as emancipated foster youth, and
- Evaluate the extent to which their programs are meeting the needs of foster youth and how those services can be improved.

It encourages California State University and Community Colleges to expand access and retention services to include:

- Outreach services to foster youth to encourage their enrollment in a state university or college, and
- Technical assistance to foster youth to assist prospective students in completing admission applications and financial aid applications.

The law requires the State Department of Social Services, in coordination with the California State University and Community Colleges to communicate with foster youth at two grade levels to facilitate the outreach and technical assistance efforts. In addition, the Student Aid Commission must provide technical assistance and outreach to foster youth in those grade levels to facilitate student aid outreach and technical assistance. The State University Educational Opportunity Program and California Community College Extended Opportunity Programs and Services must ensure that identified emancipated foster youth are informed of services, including mentoring, provided by these programs.

The law also provides for the expansion of the California State University Advisory Councils to include at least one former foster youth who is a current or former student at the University.

AB 490 (Steinberg)

Effective January 1, 2004, AB 490 imposes new duties and rights related to the education of youth placed in foster care by the child welfare and juvenile justice systems. The new law:

- Establishes legislative intent that foster youth are ensured access to the same opportunities to meet academic achievement standards to which all students are held, maintain stable school placements, be placed in the least restrictive educational placement and have access to the same academic resources, services and extracurricular and enrichment activities as all other children.
- Creates school stability for foster children by allowing them to remain in their school of origin for the duration of the school year when their residential placement changes.

- Requires Local Educational Agencies (LEAs) to designate a staff person as a foster care education liaison to ensure proper placement, transfer and enrollment in school for foster youth.
- Makes LEAs and county social workers or probation officers jointly responsible for the timely transfer of students and their records when a change of schools is in the child's best interest and requires an LEA to transfer a pupil and deliver the pupil's educational information and records to the next educational placement within 2 days of receiving a transfer request from a county placing agency
- Requires that a regular public school be considered as the first school placement option for foster youth.
- Requires that the foster child be enrolled in the school of origin pending resolution of school placement disputes.
- Allows a foster child to be enrolled in school even if not all typically required records are immediately available.
- Requires school districts to calculate and accept credit for full or partial coursework satisfactorily completed by student earned while attending a public school, juvenile court school or nonpublic, nonsectarian school.
- Authorizes the release of educational records of foster youth or to county placing agency without the consent of parent or a court order.

Family and Children's Services Review, AB 636, and CWS Redesign

Three different but related activities are taking place with respect to child welfare services, including those provided to youth in the juvenile justice system, in California. First, the United States Department of Health and Human Services has conducted a review of California's child welfare system and has found that California needs to make improvements in many areas.⁴⁵ In response, CDSS has designed a program improvement plan (PIP) that will require counties to make self improvement plans (SIPs) and measure results in identified areas. Second, the California legislature passed a law (AB 636) that requires a new Child Welfare Outcomes and Accountability System. CDSS has developed an implementation plan with the assistance of a work group that included representatives from the California Department of Education and a local school district.⁴⁶ Third, CDSS has developed a Child Welfare Redesign that, if implemented, will make significant changes in the California Child Welfare System.⁴⁷ Each of these processes has an education component.

Family and Children's Services Review

HHS found that California needs improvement in the following well-being outcome for children:

Children receive appropriate services to meet their educational needs.

CDSS identified two sources of this problem: 1) barriers between some Local Education Agencies and counties regarding access to services, and 2) complete family assessments and referrals may not occur for all children in in-home cases. CDSS proposes to increase by three percentage points the number of children who are assessed and receive services for educational needs by June 30, 2005. CDSS proposes to reach this benchmark by 1) training child welfare and probation supervisors on good case planning practice, 2) issuing an All-County Letter instructing counties to ensure that educational needs are assessed and to document how the identified needs were addressed in the case plan, 3) working with the California Department of Education to develop protocols for counties and local school districts to implement to improve educational services to children with identified needs, and 4) periodically surveying results. (See Appendix 2.)

AB 636

One of the core outcomes of the AB 636 Accountability System is an educational outcome:

Children receive services appropriate to their educational needs.

Other outcomes are related to education, for example: 1) youth emancipating from foster care are prepared to transition to adulthood, and 2) children receive services adequate to their physical, emotional, and mental health needs. Specific indicators to be measured include completion of the education passport, school stability, time for school enrollment, school attendance, performance at grade level, number of youth emancipating from foster care with a high school diploma, and number of emancipated youth enrolled in college or higher education program. (See Appendix 3.)

CWS Redesign

Although the Redesign focuses mainly on how children move through the child welfare system, an objective related to education while children are in care is:

Systemically prepare youth for success in adulthood.

Specifically, the Redesign proposes to provide every youth who leaves the system at age 18 with a guaranteed preparation package that includes a high school diploma, equivalency certificate, or GED.

DEVELOPMENT OF THE STRATEGIC PLAN

In March 2003, Dr. Gary Zomalt, Director of the Fresno Department of Children and Family Services convened a meeting of probation, child welfare, mental health, and education professionals and interested members of the Fresno community to begin the discussion. The group has continued to meet regularly, with the assistance of Juanita Fiorello as facilitator, to discuss ways of improving educational outcomes for children and youth involved with the child welfare and juvenile justice systems. As described below the group has not limited itself to making plans - members have taken action as well. The work done thus far puts Fresno ahead in implementing AB 490 and in meeting benchmarks in the state Program Improvement Plan in response to the federal Child and Family Services Review and the AB 636 Accountability System.

Mission

The development of a mission statement afforded group members an opportunity to identify common ground and discuss what they could realistically achieve in this project. In crafting the statement, the group wanted to aim high but define an achievable goal.

First, the group decided to concentrate on barriers children face because they are in out-of-home care, rather than the broad issues involved in setting overall education policy. Although Fresno, like other jurisdictions, faces many challenges in providing high quality education to all children, those broader challenges are not the focus of the project. Rather, the project is designed to make sure that children in care have the same educational opportunities afforded to children who live at home.

Second, the group decided to focus on children who are the responsibility of Fresno County and are placed in Fresno County. Although the group identified problems related to children placed in Fresno by other child welfare agencies or children placed by Fresno in other counties, Fresno agencies do not have control over many of the issues that affect these out-of-county children. To some extent these issues are being addressed elsewhere. For example, the Family to Family Initiative, which emphasizes keeping children within their communities whenever that is a safe option, should, over time, result in fewer out-of-county placements by Fresno County. Fresno is also implementing an SB 163 Children's Wrap-around Project to provide support to eligible youth in order to allow them to remain at home or a lower level of placement in a family foster home rather than group care.

Third, the group felt it was important to pay attention not only to children, but also their families. Therefore "families" were explicitly included in the mission statement to emphasize that birth and foster families should participate in

decision making and training and should be helped to support school success for their children.

Fourth, the group chose language that includes youth involved in the Juvenile Justice System. Children in probation placements face many of same barriers as those in child welfare placements; often these are the same children in a different legal status. Linda Penner, Probation Division Director, Juvenile Probation Services, has been an active participant in the planning group and has expressed a commitment to ensuring school success for youth under the jurisdiction of the Probation Department.

After several meetings and discussions of drafts, the group adopted the following mission statement:

To improve or establish processes that reduce or eliminate the barriers to school success faced by Fresno County children and families when the children are in out-of-home placement in Fresno County.

Guiding Principles

Discussion of problems and possible solutions revealed significant common ground among all participants on basic principles that should guide approaches to education for children in the child welfare or juvenile justice system.

1. Children in state care should have the same educational opportunities and supports afforded to their peers who have not been removed from home.
2. Every child should have identified educational goals, and individuals in his or her life who can help the child meet those goals.
3. Changes in living arrangements and educational placements should be kept at the minimum needed to meet the needs of the child. Children should be allowed to remain in their home school whenever possible.
4. Decisions concerning placement must take into consideration the educational needs of the child and should be made in consultation with individuals involved with the child's education (such as the parent, foster parent or care giver, regular teacher, special education teacher, service providers, and others involved in the child's education) and should include the child when appropriate.
5. Decisions concerning educational issues should take into consideration the child's living situation (placement) and should be made in consultation with individuals involved with the child (such as the parent, foster parent or care giver, social worker, probation officer, and others involved with the child's placement) and should include the child when appropriate.

6. Records transfer and school enrollment policies and procedures should be streamlined to allow the prompt, appropriate school placement of every student.
7. Care providers (including parents, foster parents, and group homes) and professionals (including child welfare workers, probation officers, and educators) should help to ensure that the child has an appropriate school placement and support the child's educational activities.
8. Data analysis should be used to evaluate interventions and to inform policies and practices. (For example, we assume that reducing placement moves will improve educational outcomes, but we need to verify that assumption. We do not know what effect abuse and neglect, rather than educational or child welfare policies have on school success. We need to be sure that any changes or interventions have the desired effect.)

Target Population

The group defined a target population for two reasons: 1) Although Fresno plans to improve educational outcomes for all children in out-of-home care, some strategies may have to be phased in. 2) In order to measure progress, it will be important to track specific children to determine whether changed policies and practices are having the desired effect.

The educators and child welfare and juvenile justice professionals agreed that middle school presents the most challenging time for children, especially if they are experiencing transitions in their living situation as well as school. This population is also young enough that interventions will have time to make an impact on their progress.

Although early childhood development was recognized as very important, the group realized that the effects of early childhood interventions would take a long time to impact project objectives (finishing high school and going on to post secondary education or training.) Furthermore, significant efforts are underway with respect to early childhood development in Fresno. Examples include: The Fresno Interagency Council for Children and Families, The Children and Families Commission of Fresno, the Early Childhood Help and Outreach (ECHO) Project, and the Comprehensive Infant Toddler Enrichment (CITE) project. Fresno is also scheduled to begin implementation of the Incredible Years curricula in April, 2004. The Incredible Years Training Series is a comprehensive set of curricula designed to promote social competence and prevent, reduce, and treat aggression and related conduct problems in young children (ages 4 to 8 years). The interventions, which include parent, teacher, and child training programs are guided by developmental theory concerning the role of multiple interacting risk and protective factors (child, family, and school) in the development of conduct problem

The group identified the following target population:

Children in middle school - grades 7-9.

Community Resources and Progress Thus Far

A significant factor in choosing Fresno as a site for community-based work was the resources available to help improve educational outcome for at risk youth. Prior to the formal initiation of this project and during the past year, the Fresno community has made and is continuing to make improvements that will help children in out-of-home care succeed in school.

Advocates for Children and Families - In Fresno, children in dependency cases are represented by the District Attorney's office, and children in the delinquency system are represented by the Public Defender. Both offices use panel attorneys when conflicts prevent them from representing an individual child. Fresno has three civil legal services programs for low-income individuals: Central California Legal Services (CCLS), California Rural Legal Assistance (CRLA) and Centro La Familia Advocacy Services. Statewide programs, California Indian Legal Services, the Lawyers Committee for Civil Rights, and Protection and Advocacy, also serve Fresno. One CCLS attorney devotes her time primarily to education issues; CRLA staff have extensive experience with education issues, especially for delinquent youth and youth with limited English proficiency; and Protection and Advocacy has considerable expertise on special education and other issues that affect children with disabilities. Protection and Advocacy has just initiated a project focused on the rights of Native American children in the child welfare system and will be working on education issues, especially special education, for that population.

Fresno has an active California Youth Connection (CYC) chapter. CYC⁴⁸ is an advocacy and youth leadership organization for current and former foster youth. CYC is made up of young people, who because of their experiences with the child welfare system, work to improve foster care, educate the public and policy makers about the unique needs of foster youth, and change the negative stereotypes many people have of foster youth. CYC was a sponsor of AB 490, described above.

Fresno has an active Court Appointed Special Advocates (CASA)⁴⁹ program that serves children in the child welfare system, and the California Foster Care Ombudsman program⁵⁰ serves Fresno youth in probation as well as child welfare placements. Several community-based groups have an interest in education, including Barrios Unidos, the California Latino Civil Rights Network, and the Chicano Youth Center.

Family to Family Initiative - In 2003, the Fresno Department of Children and Family Services and the Fresno Probation Department became participants in

the Family to Family Initiative,⁵¹ a national initiative spearheaded by the Annie E. Casey Foundation, which emphasizes family-centered, community-based services for children and team decision making for all placement decisions. Family to Family is grounded in the belief that foster care must take a family-centered approach that is (1) tailored to the individual needs of children and families, (2) rooted in the child's community or neighborhood, (3) sensitive to cultural differences, and (4) able to serve many of the children now placed in group homes and institutions.

The Family to Family Initiative shares many of objectives of the education project, such as keeping children in their home schools and communities when possible, and reducing moves and disruptions. The Fresno Family to Family Initiative is paying particular attention to education issues in making placements for a child and has created an education committee that will develop recommendations for improving school success for children in out-of-home care. These efforts can have a broader impact as Fresno shares lessons learned with other California counties and Family to Family sites across the country. Twenty three California counties, representing 85% of the children in foster care in the state, now participate in Family to Family. Part of the work of the California Family to Family sites is to network and to share information and ideas.

Foster Care Standards and Oversight Committee - The Fresno Board of Supervisors first appointed an Ad Hoc Foster Care Oversight Committee in 2001 to look into specific placement problems brought to light by the *Fresno Bee*. In 2003, recognizing that the immediate problems were part of larger foster care systems issues and that DCFS could benefit from ongoing citizen oversight, the Board of Supervisors made the Committee a permanent advisory committee known as the Foster Care Standards and Oversight Committee.⁵² The Committee has included representatives from the Board of Supervisors, the Fresno Business Council, the Boys and Girls Club, Fresno State University, the Fresno CASA (Court Appointed Special Advocate) program, the Fresno Juvenile Justice Commission, Central California Legal Services, and members of the business community and the general public. The Committee was instrumental in helping the Youth Law Center conduct the focus groups held in Fresno and in bringing the Family to Family Initiative to Fresno. Committee members have continued to participate in the education project, and the Committee regularly includes education issues in its agenda.

Community Conversation On Protecting Child Victims of Neglect and Abuse in a Time of Diminishing Resources - In March 2003, this Conversation brought together a broad cross section of over 200 members of the Fresno community to discuss child welfare issue, including education problems faced by children in out-of-home placements. The event was sponsored by the Fresno County Foster Care Standards and Oversight Committee, Court Appointed Special Advocates (CASA) of Fresno County, and the Fresno Council on Child Abuse

Prevention and was supported by the Fresno County Office of Education Student Advocacy Programs.

Foster Youth Services Program - The Fresno County Office of Education Foster Youth Services Program provides training and technical assistance to increase academic achievement and reduce truancy and disciplinary referrals for children in group homes. Program Manager Amy Buster provides technical assistance to youth, child welfare workers, probation staff, and educators. She has designed and delivered training on a variety of topics related to education for youth in state care. She has also developed several creative initiatives such as a Notice of Placement form that provides important information to facilitate appropriate educational placements for children in group homes. (See Appendix 4.)

Fresno Department of Children and Family Services - The Fresno Children and Family Services Department (FDCFS) has embraced community involvement and a commitment to high quality child welfare services by supporting the Foster Care Standards and Oversight Committee and actively engaging in the Family to Family initiative. DCFS is itself a model of collaboration, combining child welfare and children's mental health services in one department. DCFS uses a number of multidisciplinary teams to serve children and families. For example, the Collaborative Consultation Team (CCT) provides an alternative to the more formal AB 3632 process for children in special education who need mental health services. With the permission of the family, mental health staff participates early in the process to help get the children and the families what they need and have been able to avoid residential placement in a number of cases. The project was begun with Fresno Unified School District (FUSD) and is adding Clovis and the Fresno County Office of Education this year. A wide variety of other multidisciplinary teams exist in Fresno to address child welfare and education issues. A 2000 report by the Early Childhood Help and Outreach Project reported on 14 such teams that serve children and their families and address various child welfare and education issues.

Fresno Probation Department - The Fresno Probation Department has demonstrated a commitment to improving services for children under its jurisdiction by active involvement in the Family to Family Initiative and the education project. Probation staff met early with Youth Law Center staff to provide an overview of their educational services and to share ideas about how to improve education for youth under their supervision. Juvenile Probation has detailed data on youth in placement and keeps educational information on all youth under its supervision. (See Appendix 5.)

The Probation Department provides educational services through the Fresno County Office of Education at its facilities, which include Juvenile Hall, the Elkhorn Correctional Facility, and Teilman School for youth transitioning into the community. Both school programs are WASC (Western Association of Schools and Colleges) accredited. In 2002, thirty-three youth at Elkhorn attained their

high school diploma, thirty six earned their General Education Equivalency Diploma, and one received his diploma by passing the California High School Proficiency Exam. The County awarded scholarships to four Elkhorn Graduates in 2002. All are attending college, as are other Elkhorn graduates.

Fresno Unified School District - Fresno Unified School District attendance officer Benita Washington, a former child welfare social worker, serves as an educational liaison with DCFS and the Probation Department. FUSD has implemented several local policies designed to help foster children. For example, FUSD policy allows children to remain in their home school to finish the school year even if they are placed outside of the school catchment area. FUSD has entered into a Memorandum of Understanding with DCFS to allow sharing of information and tracking of student progress when a student is identified by DCFS or Probation. (See Appendix 6.) FUSD and DCFS are working on an additional MOU that will allow FUSD to identify students who are in state care and give social workers access to a child individual education records by computer. In January 2004, Fresno named Laura McBrien, Project Access Coordinator for Homeless Children,⁵³ as the foster care liaison as required by AB 490.

FUSD has recently received \$137,035 in Title I, part D funds to serve neglected and delinquent children living in group homes. The funding requires supplemental academic interventions to promote school retention and graduation. The program pilot, called "Passport to Life" will begin March 1 at Hoover and Fresno High. N&D students will receive a seventh period tutorial for credit. They may also make up credit using the PASS program either as an independent study or during the tutorial. The PASS program is developed for migrant children and gives partial credit for completed units. FUSD already has a means to record partial PASS Program credit. A third of the funds will be devoted to developing transitional plans and students will have access to a career specialist and Discover software. Students will be assessed every thirty days using the state approved STAR reading and math assessment instrument. Literacy tutors at Fresno High and Hoover Academic Mentors will be used at no cost to assist students in developing connections with significant adults to supplement the classroom teachers selected for the program. A parent component will be developed later in the semester. Plans include a summer school in collaboration with the ILP Unit of DCFS and expansion to other FUSD high schools in late fall. Monthly coordination meetings with Student Services and the Foster Care Liaison are set to develop a cohesive program. Contacts for "Passport to Life" are Dolores Amato and Ray Martin in the Office of State and Federal Programs.

The FUSD special education department is especially committed to helping children in out-of-home placement. Acting SELPA director Mark Allen was an active participant in the education project and this year has consulted with Youth

Law Center staff on amendments to a bill that will facilitate involvement of group home staff in IEP meetings for special education students.

Post Secondary Resources - Fresno City College Relations Office provides outreach services to schools and community organizations and orientation sessions for new students. During the spring, the staff visits area high schools to provide on-site orientation and registration services for the fall semester at Fresno City College through the Registration-To-Go program. Assistance with course selection is available. Community presentations include application and financial aid workshops. Representatives present at alternative schools from time to time as well. The City College Extended Opportunity and Services Program (EOPS) is a state-supported project that provides a comprehensive program of services for low-income and academically disadvantaged students. The project includes academic counseling, personal advisement, special instruction, summer readiness, career guidance, tutorial assistance, academic mentoring, financial aid, college transfer counseling, book grants, emergency loans, vocational internship, CARE (a program for single head of household parents) and priority registration.

Fresno State University's project, Providing Opportunities Where Education Is Reached (POWER) project is designed to promote post secondary educational opportunities for foster youth. POWER is in its fifth year of operation and provides outreach and support to foster youth. POWER conducts an annual conference for high school age foster youth to promote post secondary educational opportunities and provides additional outreach and support including campus tours, and assistance in completing applications for admissions, financial aid, housing and EOP. Once admitted to FSU, foster youth are provided with support services through EOP. The Summer Bridge program is an FSU 4-week residential program for first time freshman to experience college life at FSU. Students also are provided with counseling and advising services and are assigned a peer mentor.

Initial Inquiries

In determining what steps to take, the group wanted to verify initial assumptions with data, but did not want to get bogged down in statistically significant sampling that would take time and resources away from making progress. Members of the group did some quick research to get information that was useful and had some degree of confidence.

Mapping Placements by School District

The Fresno Department of Children and Family Services mapped foster care placements by school district showing the child's original address and the address of the current placement. Although Fresno County is served by 35 school districts and the Fresno County Office of Education (FCOE), most of the

children were served by Fresno Unified School District (FUSD), Clovis Unified School District (Clovis), and Central Unified School District (Central), with the largest number served by FUSD. A large proportion of the children placed in group homes are served by FCOE, regardless of the school district in which they live. Therefore, the group invited representatives from all four local education agencies (FUSD, Clovis, Central, and FCOE) to participate in the strategic planning. The team decided to pilot policies, data sharing, and coordination with FUSD, which had preexisting relationships with DCFS and Probation, and then adapt successful strategies in the other districts.

Identification of Data Available

Each of the agencies keep data on the children they serve. The first step was to identify what data is available.

DCFS is required to maintain data concerning placement and services in the Child Welfare Services Case Management System (CWS/CMS). The Child Welfare Research Center at the University of California maintains the data, which is available on its website, and is able to conduct additional queries. CWRC has also posted data to allow analysis of improvements related to the expected outcomes of the federal Child and Family Services Review. Data may be searched by county or the state as a whole and may be sorted by age or race. The information includes both point in time data (e.g. how many children of a particular age are in group homes) as well as cohort data (e.g. how many children who entered care in 2002 remain in care.) CMS/CWS data provides information, such as number of placement moves, which will be useful to the group in tracking progress. By using address information the CWS/CMS data allows for mapping, such as identifying the school districts in which children are placed and the distance children are placed from home.⁵⁴

FUSD maintains data on school mobility, discipline, enrollment, attendance, credits, reading and math scores, GPA, and special education placement. The FUSD data system allows sorting by gender, grade level, and race/ethnicity. Detailed information allows for targeted inquiries. For example, it is possible to compare days a student is enrolled with days he or she attended school, and credits attempted to credits earned. (See Appendix 7.)

Probation maintains information on the location of all youth placed by the Probation Department and basic education information for each youth, including school placement, math and reading level, language and other barriers, and graduation, GED or other certification. Data on probation-supervised placements that are paid for with foster care funds is also available in the CWS/CMS system.

"Quick and Dirty" Data Analysis

The group wanted to verify that children in placement do in fact have educational problems beyond those experienced by their peers. DCFS selected 50 children each from family foster care, group care, and kinship care, and Probation selected 50 children in probation-supervised placement currently in FUSD. FUSD then ran data on these student to identify school mobility, days enrolled and days attended, days suspended and days expelled, Grade Point Average, and reading and math scores. Even without a comparison group, the educators noted significant issues. For example, most children had a "solid D" GPA; the median GPA was 1.79 for children in group homes, 1.89 for children in relative placements, 1.76 for children in probation placements, and 2.0 for children in foster homes.

The group then decided to add some data queries and compare these children to their peers. Socioeconomic factors were taken into consideration by comparing the children in out-of-home care to children living at home who qualify for the school lunch program. A comparison of reading, math and language scores showed that children in out-of-home care fall in the bottom third of the overall FUSD student body. Average GPA was 1.74, and these scores go down considerably for youth as they move from middle school to high school. Children in out-of-home care attended school slightly less often than the comparison group, with variations according to the type of placement. However, enrollment problems are a likely contributing factor because the number of times a student enrolled in school (changed schools) was higher among children in out-of-home care. Students in out- of-home care attempted an average of 31 credits in a school year but completed only an average of 22. Suspensions were greater among students in out-of-home care, but expulsions were not significantly higher.

CORE STRATEGIES

The group identified the following core strategies:

1. Use data to inform decisions.
 - a. Use current MOU between FUSD and DCFS to obtain data to analyze education progress and problems for youth in placement.
 - b. Follow and analyze a discrete number of students.
 - c. Pay particular attention to children with emotional, behavioral, or physical imitations that affect their ability to succeed in regular school settings.
 - d. Implement information sharing strategies in other school districts.
2. Improve record keeping and information sharing.
 - a. Increase the completion of educational passports.
 - b. Increase the use of the Foster Youth Services Placement form.

- c. Implement information sharing strategies piloted FSUDS in other school districts.
3. Improve decision making to increase information sharing and collaboration and improve school success.
 - a. Develop ways to make a child's educational goals and educational needs a part of key child welfare decisions at critical points including, entry into care and changes in placement.
 - b. Develop ways to include child welfare participation in key educational decisions.
 - c. Include family systems in all decision making.
 - d. Ensure that each school district has appointed a foster care liaison.
 - e. Identify/appoint an educational liaison for DCFS and Probation.
4. Develop a training plan to provide:
 - a. Child welfare and probation staff with information about the education system and their responsibilities with respect to education for children under their supervision.
 - b. Education staff with information about the child welfare and probation systems.
 - c. Care givers with information about the importance of education issues and their role in supporting a child's school success.
 - d. Youth with information about educational opportunities and their rights.
 - e. Everyone with information about available services and resources.
5. Continue to identify and develop advocacy strategies on state and federal policy issues related to education for children in out-of-home care.
6. Develop a monitoring system to oversee the process and coordination of services, specifically, to identify problem areas, evaluate what is going well and what is not, and make recommended changes. Include a client satisfaction tool to understand how families and youth are experiencing the process and services. Develop a method for evaluating progress in increasing parental involvement in their children's education.

Two committees were formed to begin discussion of how to implement the decision-making and training strategies, number 3 and 4 above.

Decision-making - The committee agreed a multidisciplinary approach that is familial and culturally relevant should address the needs of the child and the child's parents in the following areas: social educational, health, mental health,

placement, and education. The Family to Family Initiative uses a similar approach called Team Decision Making to ensure that critical decisions (such as removal from home, changes in placement, and return home) include information and input from important people in the child's life. Although all decisions need not follow the formal TDM process, the TDM concept is useful in thinking about how to ensure that placement decisions include consideration of a child's educational needs and that educational decisions include consideration of issues related to the child's placement in out-of-home care.

Given that multidisciplinary teams now meet in many cases, a new decision-making system may not be necessary. However, key individuals and issues related to education should be incorporated in making decisions at critical points in a child's life. Some thought must be given to how this can happen, given that education and child welfare staff are already overburdened and under resourced. In many cases, consideration of educational issues can be included in meetings and decision points that are already occurring. The physical presence of all parties (e.g. the child's teacher) may not be necessary for every decision as long as there is an effective mechanism for gathering the information and input of all necessary parties.

The AB 490 requirement that each school district have a foster care liaison will help to coordinate these efforts. In addition, DCFS and Probation may want to consider identifying an education coordinator or point person to facilitate interagency communication and cooperation.

Data and information should be gathered for use in making systemic changes. The committee should develop a tool to measure improvement including 1) whether the decision making process is implementing expected changes, 2) whether new decision-making process is improving educational placements.

Training - Training is important in helping all of the individuals in a child's life understand their own responsibilities, the structure and responsibilities of other individuals and agencies, and the resources that are available to help children in out-of-home care achieve school success. While a lot of training is currently being delivered in Fresno, there are some weaknesses and gaps. A consistent message, approach, and information about education for children in out-of-home care should exist for all training. In many cases, education issues can be added to or strengthened in training that already exists, such as that for foster parents and social workers. In some areas, such as educating youth about their rights, training may need to be developed. Since the committee met a statewide group of child advocates has begun to develop training to implement AB 490. We should evaluate whether the materials and training developed by this group can fulfill some of the needs identified by the committee.

In designing a training plan, the committee should develop a tool to measure effectiveness of training including 1) whether training meets the needs of the

trainees, 2) whether training is improving compliance with recommended practices and legal requirements and 3) effects on youth and families.

CONCLUSION

The first year has produced a strategic plan for improving education for children in out-of-home care and some concrete progress in policies and practices related to educational outcome for children in out-of-home care. The challenge for the Fresno community now is to continue the momentum, implement the recommended strategies, and put in place a system for measuring results.

End Notes

¹ See, e.g., Reilly, T. *Transition from Care: Status and Outcomes of Youth Who Age Out of Foster Care*, 82 CHILD WELFARE 727-746 (November/December 2003).

² Id. 735 (Fifty percent of youth emancipated without a high school diploma.) Children's Rights, Inc., et al, TIME RUNNING OUT: TEENS IN FOSTER CARE, 44-45 (2003) (Reviewing studies indicating that from 34-58% of teens leave foster care with a high school diploma.)

http://www.childrensrights.org/Policy/resources_CRresources_time_running_out.htm

³ Choice, P., et al. EDUCATION FOR FOSTER CHILDREN: REMOVING BARRIERS TO ACADEMIC SUCCESS. (Center for Social Services Research, School of Social Welfare, University of California, 2001) 1, 13-14. <http://cssr.berkeley.edu/BASSC/pdfs/educf27.pdf>

⁴ Project READ. TO MAKE A DIFFERENCE. (Silver Sprints, MD., 1978) p. 27. In Brunner, M.S. REDUCED RECIDIVISM AND INCREASED EMPLOYMENT OPPORTUNITY THROUGH RESEARCH-BASED READING INSTRUCTION. (NCJ Publication No. 141324). (Office of Juvenile Justice and Delinquency Prevention, 1993) p. 5.

⁵ Leone, P.E., Zaremba, B.A., Chapin, M.S. and Iseli, C. *Understanding the Overrepresentation of Youths with Disabilities in Juvenile Detention*. 3 DISTRICT OF COLUMBIA LAW REVIEW 389-401, (Fall, 1995).

⁶ See, Burrell, S. GETTING OUT OF THE RED ZONE (Youth Law Center, 2002).

<http://www.youthlawcenter.com/redzone.pdf>

⁷ Various reports and studies have come up with similar lists of problems. See, e.g., Children's Rights, Inc. *supra*; Choice, P. et al., *supra*; Yu, E., Day, P., & Williams, M. IMPROVING EDUCATIONAL OUTCOMES FOR YOUTH IN CARE: A NATIONAL COLLABORATION (Child Welfare League of America, 2002); Yu, E., Day, P., & Williams, M. IMPROVING EDUCATIONAL OUTCOMES FOR YOUTH IN CARE: SYMPOSIUM SUMMARY REPORT (Child Welfare League of America, 2002); Powers, P. and Stotland, J. LOST IN THE SHUFFLE REVISITED (The Education Law Center, 2002), <http://www.elc-pa.org/Lost%20in%20the%20Shuffle%20Revisited%2012.02.pdf>; Advocates for Children of New York, EDUCATIONAL NEGLECT: THE DELIVERY OF EDUCATIONAL SERVICES TO CHILDREN IN NEW YORK CITY'S FOSTER CARE SYSTEM (2000) <http://www.advocatesforchildren.org/pubs/FCrep7-11.doc>; Finkelstein, M., Wamsley, M., and Miranda, D. WHAT KEEPS CHILDREN IN FOSTER CARE FROM SUCCEEDING IN SCHOOL? (Vera Institute of Justice, 2002)

http://www.vera.org/publication_pdf/169_280.pdf; Conger, D. and Rebeck, A. HOW CHILDREN'S FOSTER CARE EXPERIENCES AFFECT THEIR EDUCATION (Vera Institute of Justice, 2001)

http://www.vera.org/publication_pdf/147_183.pdf; Burley M. and Halpern, M. EDUCATIONAL ATTAINMENT OF FOSTER YOUTH: ACHIEVEMENT AND GRADUATION OUTCOMES FOR CHILDREN IN STATE CARE (Washington State Policy Institute for Public Policy, 2001) <http://www.wsipp.wa.gov/rptfiles/FCEDreport.pdf>.

⁸ United States Census Bureau, 2002 AMERICAN COMMUNITY SURVEY PROFILE,

<http://www.census.gov/acs/www/Products/Profiles/Single/2002/ACS/CA.htm>

⁹ Fresno Unified School District, NOVEMBER 2002 ANNUAL REPORT, downloaded September 16, 2003 from <http://www.fresno.k12.ca.us/annualreport.html>, Fresno Unified School District, Office of

Research, EVALUATION AND ASSESSMENT, FACTS AND TRENDS: 2001-2002, downloaded September 16, 2003 from <http://rea.fresno.k12.ca.us/District/Facts0102.pdf>, Data compiled from various reports available on <http://rea.fresno.k12.ca.us/Reports.cfm>.

¹⁰ Children's Institute, California State Fresno, CHILDREN COUNT! 2002-2003 REPORT CARD: THE WELL-BEING OF CHILDREN IN FRESNO COUNTY (Fresno County Interagency Council for Children and Families 2003) 34 -61 <http://www.co.fresno.ca.us/0122/ReportCard.pdf>.

¹¹ Needell, B., Webster, D., Cuccaro-Alamin, S., Armijo, M., Lee, S., Brookhart, A., Lery, B., Shaw, T., Dawson, W., Piccus, W., Magruder, J., & Kim, H. (2003). CHILD WELFARE SERVICES REPORTS FOR CALIFORNIA, from University of California at Berkeley Center for Social Services Research website. URL: <http://cssr.berkeley.edu/CWSCMSreports>.

¹² California Welfare and Institutions Code (WIC) § 202(a).

¹³ WIC § 16500.1(a)&(b).

¹⁴ WIC § 361(a).

¹⁵ California Department of Social Services Manual of Policies and Procedures (MPP) 31-405.1(o).

¹⁶ 42 USC § 675(1)(B), WIC §16501.1(b).

¹⁷ Federal and state law require foster care placement in the least restrictive (most family like) and most appropriate setting available in close proximity to the parents' home, consistent with the best interest and special needs of the child. 42 USC § 675(5)(A). WIC §16501.1(c). If the child is placed at a substantial distance from the home of the parents, the plan must set forth the reasons why such placement is in the child's best interest. 42 USC § 675(5)(A)(i), WIC §16501.1(f)(7), MPP 31-206.313.

¹⁸ 42 USC § 675(1)(C)(iv), MPP 31-420.16 ("the appropriateness of attempting to maintain the child in his/her current school").

¹⁹ 42 USC § 675(1)(C), MPP 31-206.35.

²⁰ 42 USC § 675(5)(D).

²¹ 42 USC § 675(5)(D), MPP 31-405(s)(1).

²² WIC § 16010(e).

²³ 22 California Code of Regulations (CCR) §§ 89379(a), 84078(d), 84079(a)(4).

²⁴ 22 CCR §§ 84068.2(b)(2), 84078(d), 84079(a)(4).

²⁵ WIC §§ 362.

²⁶ WIC § 317(e).

²⁷ WIC § 706.

²⁸ WIC §§ 706.5(c)(5)&(6).

²⁹ WIC § 741.

³⁰ WIC §§ 636.1 & 706.6.

³¹ WIC § 706.6(j).

³² 22 CCR §§89379(a), 84078(d), 84079(a)(4).

³³ 22 CCR §§ 84068.2(b)(2), 84078(d), 84079(a)(4).

³⁴ WIC § 727(a).

³⁵ California Constitution, Article 9.

³⁶ *Serrano v. Priest*, (1977) 20 Cal. 3d 25.

³⁷ California Education Code (Ed. Code) §§ 48200 & 48400, *et seq.*

³⁸ Ed. Code § 48200.

³⁹ Ed. Code § 48204.

⁴⁰ Ed. Code §§ 200, *et seq.*

⁴¹ Ed. Code §§ 56000, *et seq.*

⁴² 42 U.S.C. §§ 11431-11435. The McKinney Act provides protections to homeless children and youth, including foster youth who are living in emergency or transitional shelters or are awaiting foster care placement. McKinney Act protections include, among other things, the right to remain in the school of origin through the end of the school year when that placement is in the child's best interest, transportation to that school, the right to enroll in school even if all required documents are not available, and the right to educational services that are comparable to those provided to other students.

⁴³ 20 U.S.C. §§ 6301-6514, Ed. Code §§ 54000, *et seq.*

⁴⁴ Ed. Code §§ 300, *et seq.*

⁴⁵ United States Department of Health and Human Services, FINAL REPORT: CALIFORNIA CHILD AND FAMILY SERVICES REVIEW (January, 2003.)

<http://www.dss.cahwnet.gov/cfsr/res/pdf/011303/CFsRfinalreport.pdf>

⁴⁶ California Health and Human Services Agency, California Department of Social Services, THE CALIFORNIA CHILD WELFARE OUTCOMES AND ACCOUNTABILITY SYSTEM (April 2003).

⁴⁷ California Department of Social Services, CHILD WELFARE SERVICES STAKEHOLDER GROUP, CWS REDESIGN: THE FUTURE OF CALIFORNIA'S CHILD WELFARE SERVICES, FINAL REPORT (September, 2003.) <http://www.cwsredesign.ca.gov/res/pdf/CWSReport.pdf>

⁴⁸ <http://www.calyouthconn.org>

⁴⁹ <http://www.casafresno.org>

⁵⁰ <http://www.fosteryouthhelp.ca.gov>

⁵¹ Annie E. Casey Family to Family Website: <http://www.aecf.org/initiatives/familytofamily>

California Family-to-Family Website: <http://www.f2f.ca.gov>

Fresno Family to Family Website:

<http://www.fresnohumanservices.org/ChildrenandFamilyServices/FamilytoFamily/default.htm>

⁵² <http://www.fresnohumanservices.org/ChildrenandFamilyServices/FosterCareCommittee>

⁵³ Project Access Website: <http://www.dauterman.com/fusd/parent.htm>

⁵⁴ <http://cssr.berkeley.edu/childwelfare>