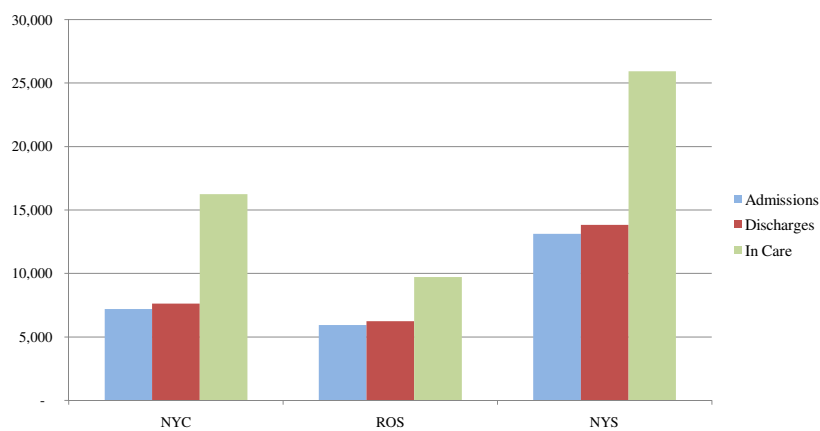


EDUCATION STABILITY FOR CHILDREN IN FOSTER CARE

*Opportunities for New York State
under the 2008 Fostering Connections to
Success and Increasing Adoptions Act*

**Kathleen DeCataldo, Esq., Executive Director
NYS Permanent Judicial Commission on Justice for Children**

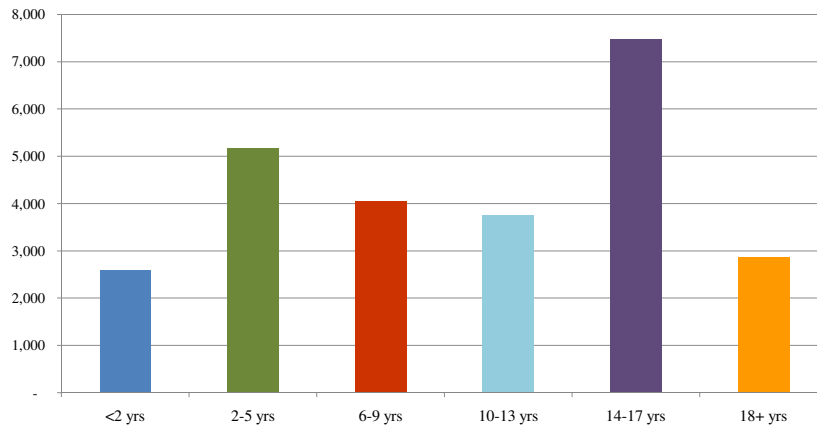
Admissions, Discharges and Children in Foster Care: NYS, NYC, Rest of State, 2008



Note: Does not include PINS or JDs

Source: NYS Office of Children and Families MAPS.

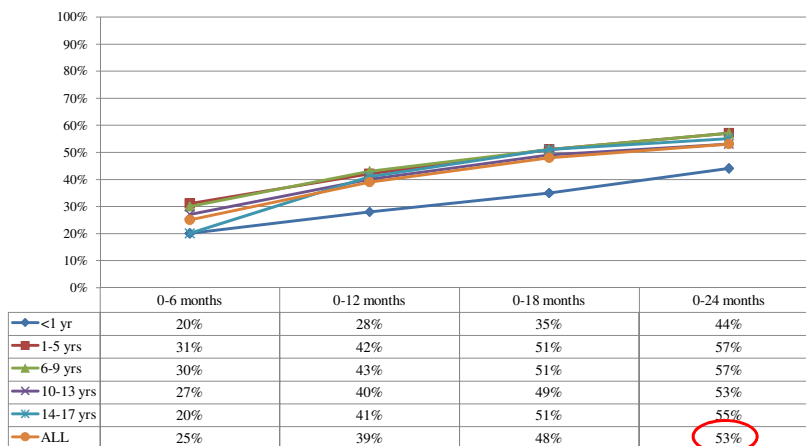
Children in Foster Care by Age: New York State, 12/31/08 (N=25,925)



Note: Does not include PINS or JDs

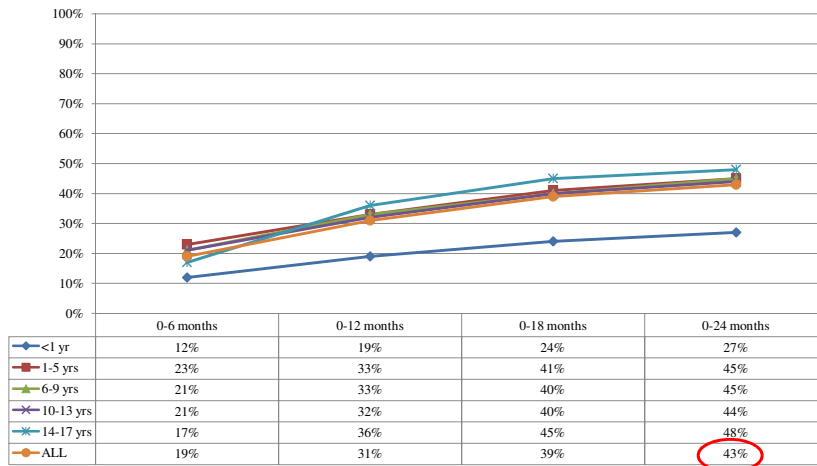
Source: NYS Office of Children and Families MAPS.

Children Discharged within 2 Years of 2006 First Admission by Age: NYS, as of 12/31/08



Source: NYS Office of Children and Families.

Of Children Discharged within 2 Years, Percent Reunified by Age: NYS, as of 12/31/08



Source: NYS Office of Children and Families.

Trauma and Children in Foster Care

- Child in NYS is removed from his/her home to avoid “imminent danger to the child's life or health”
 - Physical and Sexual Abuse
 - Neglect
 - Abandonment

Source: Family Court Act § 1022.

Trauma and Children in Foster Care

- Children removed from home also experience
 - ▣ Rupture of relationships with caregivers
 - ▣ Rupture of relationships with other family members
 - ▣ Loss of friends
 - ▣ Loss of familiar surroundings
 - ▣ Loss of daily routines

Source: Walker & Weaver, 2007.

Education Outcomes for Children in Care

- Children in care compared to peers not in care
 - ▣ Higher rates of grade retention
 - ▣ Lower scores on standardized tests
 - ▣ Higher rates of absenteeism
 - ▣ Higher rates of tardiness
 - ▣ Higher rates of truancy
 - ▣ More likely to dropout

Source: Pecora et al., 2005; Smithgall et al., 2004; Vera Institute, 2004; Yu, Day & Williams, 2002.

Placement Stability

- Children in care experience
 - ▣ 3 to 4 placements while in care (median)
 - ▣ 1 to 2 placement changes per year (average)

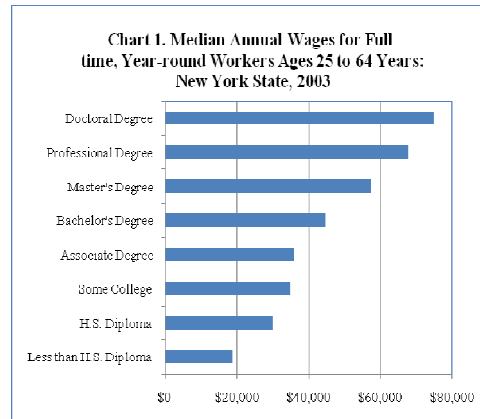
Source: Yu, Day & Williams, 2002; U.S. Department of Health and Human Services, 2005.

Educational Stability

- School mobility
 - ▣ Disrupts exposure to key concepts
 - ▣ Is linked to lower tests scores
 - ▣ Is linked to repeating grades
 - ▣ Is linked to dropping out of school
 - ▣ Takes months to recover from a single move
 - ▣ Puts child one year of educational growth behind stable peers with four or more moves

Source: Yu, Day & Williams, 2002; U.S. DHHS, 2005; Wood et al., 1993; Rumberger et al., 1999; Rumberger & Larson, 1998; Audette, Algozzine & Warden, 1993; Benson et al., 1979; Kerbow, 1996.

Education – Employment – Wages



Source: Jack, 2004 - CPS 2004 March Supplement.

What is it about Schools?

- Keeping children in the same school when removed from home maintains connections
 - Teachers
 - Friends
 - School nurse
 - Counselors
 - Coaches
 - Extracurricular activities
 - Consistency in curriculum

Benefits of School Connectedness

- Students who feel connected to their schools
 - ▣ More likely to succeed academically
 - ▣ More likely to graduate
 - ▣ Less likely to be truant
 - ▣ Less likely to be involved in fighting, bullying, vandalism
 - ▣ Less likely to use substances
 - ▣ Less likely to become pregnant

Source: Lonzak et al, 2002; Samdel et al, 1998; Cannell et al, 1995; Schapps, 2003.
(students in the general population.)

School Stability as a Strategy

- The McKinney-Vento Homeless Assistance Act
42 U.S.C. § 11431 *et seq.*
 - ▣ Educational stability for homeless children
 - ▣ Liaisons to assist homeless students in navigating schools systems, including transportation and enrollment
 - ▣ Funding
 - ▣ Definition includes “Awaiting Foster Care Placement”

School Stability as a Strategy

- Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351)
 - Child's Case Plan must include a plan for educational stability that takes into account
 - appropriateness of the child's current educational setting
 - proximity to the school in which the child is enrolled at the time of placement

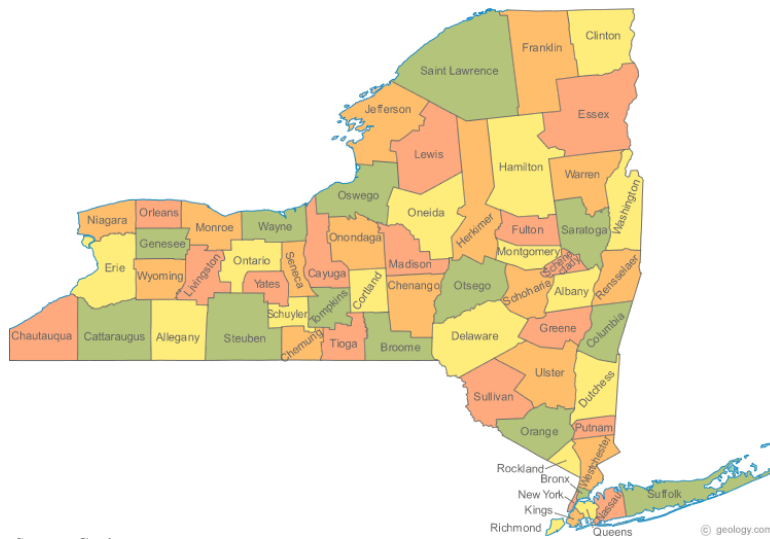
School Stability as a Strategy

- Fostering Connections also requires
 - Determination that remaining in school of origin is not in child's best interests before a child may be enrolled in another school
 - If not in child's best interests, assurances by State agency and local educational entities to provide immediate and appropriate enrollment in a new school with all of the child's educational records provided to the school

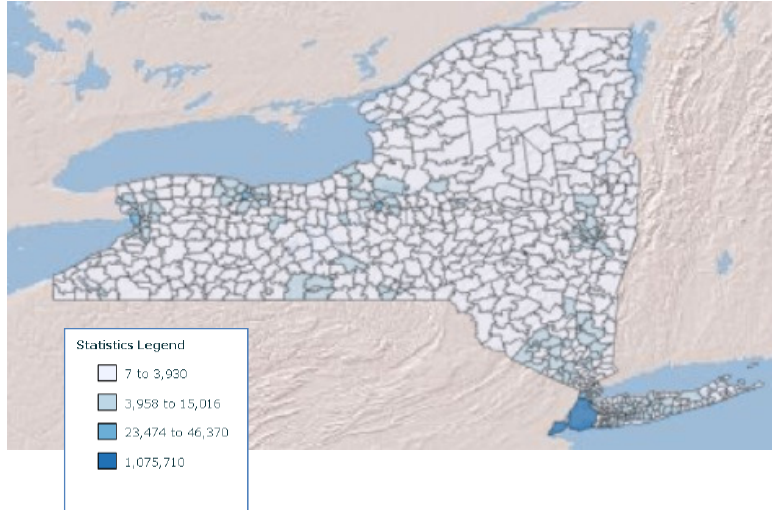
School Stability as a Strategy

- Fostering Connections also requires
 - An assurance that the State agency has coordinated with appropriate local educational agencies to ensure that the child remains in the school in which the child is enrolled at the time of placement

New York State Counties



School Districts by Number of Students: New York State, 2000



Source: National Center for Education Statistics (unified school districts).

New York's Efforts

- 2005 Roundtable on the Education of Foster Children
 - ▣ Two Subcommittees
 - FERPA and Education Records of Children in Foster Care
 - “McKinney Vento-Like” Subcommittee

Magnitude of Mobility

Percent of Students Changing Schools and Requiring Transportation to Remain in School of Origin	
Sites	Percent
Erie (phase 1)	30.1
Erie (phase 2)	26.9
Tompkins (phase 1)	55.0
Tompkins (phase 2)	21.1
Albany (phase 2)	38.5
Average Percent of School Age Children Changing Schools and Require Transportation to Remain in School of Origin	34.3

Source: NYS Permanent Judicial Commission on Justice for Children, 2008.

New York's Efforts

- Emergency Regulations (18 NYCRR § 430.11(c)(1) (i))
 - Placement must take into account the appropriateness of the child's school of origin and the proximity of the school to the placement
 - When it is in the child's best interests, the "agency with case management responsibility" must coordinate with local school authorities to ensure the child remains in the school

New York's Efforts

- Emergency Regulations (18 NYCRR § 430.11(c)(1) (i)) cont.
 - ▣ When it is not in the child's best interests, the "agency with case management responsibility" must coordinate with applicable local school authorities where the child is placed to ensure immediate and appropriate enrollment and with local school officials of the school of origin to ensure all applicable school records are provided to the new school

New York's Efforts

- Issues not addressed
 - ▣ Who makes the decision what is in the child's best interests?
 - ▣ What if everyone doesn't agree with the best interests determination?
 - ▣ How will the LDSS "coordinate" with up to 69 distinct school districts?
 - ▣ What is the role of the local educational agency?
 - ▣ Who will provide transportation?
 - ▣ Who will pay for transportation?

Contact Information

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