

2004 Los Angeles Education Summit
Report and Recommendations

**Closing the Education Achievement Gap for
Foster and Probation Youth**

May 14, 2004



This report was compiled by staff at the Children's Law Center of Los Angeles and produced with generous funding from Casey Family Programs.

Contributing Organizations

The Alliance for Children's Rights
Association of Community Human Services Agencies
California State University, Los Angeles
CASA of Los Angeles
Casey Family Programs
Children's Law Center of Los Angeles
Dubnoff Center for Child Development
Learning Rights Project
L.A. County Commission for Children & Families
L.A. County Dept. of Children & Family Services

Los Angeles County Office of Education
Los Angeles County Probation Department
Los Angeles County Public Defenders Office
Los Angeles Superior Court – Juvenile Division
Los Angeles Unified School District
Mental Health Advocacy Services, Inc.
Office of the County Counsel
Public Counsel Law Center
Western Law Center for Disability Rights

TABLE OF CONTENTS

Introduction	1
Role of the Judiciary – Enhancing Tracking, Accountability, and Implementation of More Proactive Approaches in Relation to the Educational Needs of Probation and Foster Youth	3
Empowering Caregivers and Service Providers to Best Meet Children’s Educational Needs	7
Unique Issues Relating to Probation Youth	10
Special Education – Improving the Appropriateness of Referrals, Identification, Instructional Placement, and Services for Probation and Foster Youth	14
Nonpublic Schools – Assuring Appropriate Educational Placements and Quality Services	19
Early Childhood Education – Meeting the Needs of Children Birth to Five	22
School Stability	27
Data Systems, Data Collection, Measuring Outcomes, and Effective Sharing of Information	30
Conclusion	33
Appendix	
<i>Invitation Letter</i>	
<i>Agenda</i>	
<i>Breakout Panels</i>	

Closing the Education Achievement Gap for Foster and Probation Youth

INTRODUCTION¹

It is doubtful that any child may reasonably be expected to achieve in life, if he is denied the opportunity of an education.

Brown v. Board of Education, (1954)



Los Angeles is home to the largest child welfare system in the country, accounting for an astounding one in ten foster children nationwide. As a community, we all assume the responsibility for "parenting" approximately 30,000 abused and neglected children, and we educate another 12,000 youth under the supervision of the Probation Department. This is not an inconsequential number – the total is greater than the entire population of La Verne, Brea, or Culver City.

We attempt to protect and nurture these young lives, but too often we don't do enough to change them for the better. Life for too many youth in foster care is chaotic, characterized by movement from placement to placement, disruption of schooling, and the severing of ties with all that is familiar. It thus is not surprising that foster youth find it difficult to keep up -- 75% of children in foster care are working below

¹ This report was compiled by staff at the Children's Law Center of Los Angeles and produced with generous funding from Casey Family Programs. The contents of the report and recommendations are based on summaries prepared by the following facilitators and recorders from each of the breakout sessions: Facilitators: Jed Minoff, Andrea Zetlin, Jenny Weisz, Lisa Mandel, Richard Cohen, Gail McFarlane-Sosa, Edwin Egelsee, Lois Weinberg, Sandra Sternig Babcock, Leslie Heimov, Felicia Cotton, Jane Newman, Miriam Krinsky, Douglas Hunter, and Patricia Levinson. Recorders: Laura Lopez, Rosa Hirji, Maria Alvarez, Sharon Harada, Kerri Strunk, Leslie Parrish, and Jane Kwon. Anyone with interest in reading the recorders' notes should contact Lisa Romero, Children's Law Center, at (323) 980-1599.

grade level in school, almost half do not complete high school, and as few as 15% attend college². Youth on probation evidence similar results. The average reading level of probation youth in grades 9 to 12 is lower than children who are in grade 5. Approximately 25 per cent of the probation youth population receive special education due to learning or other qualifying disabilities.

The youth in our care have potential to triumph over difficult childhoods and become the community leaders of our future. They may invent the next Microsoft in someone's garage – but not if they are at risk for educational failure. Without basic education skills and competence, these children have little chance for a stable and productive life. The statistics in many ways speak for themselves. *Within two to four years after young people emancipate from foster care, 51% are unemployed, 40% are on public assistance, 25% become homeless, and one in five are incarcerated.*

The Los Angeles Education Summit was established in 2003 to identify problems and find solutions to turn the corner in regard to these dismaying outcomes. Educators, child welfare experts, advocates, and community leaders came together to identify key issues, challenges, and possible reforms related to the educational needs of foster youth in Los Angeles County. In 2004, recognizing that the educational roadblocks for probation youth mirror those faced by foster youth, the Summit expanded to examine the needs of both populations. The 2004 Los Angeles Education Summit continued the effort by bringing together individuals from a variety of disciplines to share their expertise and perspectives and work toward overcoming the barriers that have resulted in an educational achievement gap for Los Angeles' most vulnerable youth.

“There are a half million human beings who could lose their potential. How many future doctors, how many teachers, how many lawyers, how many public servants are in that group? Because of instability, neglect, and abuse at the very beginning of life, because of no permanency and no family, we lose what they could become. That’s a loss you cannot measure.”

Former Congressman Bill Gray, Vice Chairman of the Pew Commission on Children in Foster Care

This report summarizes the discussion and recommendations of Summit participants in regard to eight critical areas: the role of the judiciary, empowering caregivers, probation youth, special education, nonpublic schools, early childhood education, school stability, and data collection. As a community, there is much we can learn from the combined wisdom of the summit attendees.

The thoughtful recommendations made during this Summit will not be easily or quickly accomplished, but they deserve our consideration and our best efforts. To do less would be to turn our backs on the future and the young people who ask only for a chance to achieve their potential.

²Elisabeth Yu, Pamela Day, and Millicent Williams, *Improving Educational Outcomes for Youth in Care, A National Collaboration*, Child Welfare League of America, 2000.

Role of the Judiciary – Enhancing Tracking, Accountability, and Implementation of More Proactive Approaches in Relation to the Educational Needs of Probation and Foster Youth

INTRODUCTION

This breakout examined the unique role of bench officers in closing the education achievement gap for foster and probation youth. The judiciary bears ultimate responsibility for ensuring children receive the best care possible while under the jurisdiction of our court system. In addressing each child's needs and overall well-being, the court must oversee the educational attainment, progress, and stability of children in out of home care. This panel sought to identify strategies that will enable judges to more effectively fulfill this role.



The group identified three mechanisms through which the judiciary could positively impact the educational progress of foster and probation youth: (1) utilizing judicial authority to hold individuals and agencies accountable for their role in ensuring positive educational outcomes for foster and probation youth, (2) encouraging more proactive judicial involvement and responsibility in relation to education issues, and (3) developing judicial and collaborative cross-system trainings on education law.

BREAKOUT DISCUSSION

1. Accountability

No child enters or leaves foster care without the approval of the court...Judges in these cases make decisions that fundamentally alter the lives of the children and parents before them for better or worse.

"Fostering the Future: Safety, Permanence and Well-Being for Children in Foster Care," The Pew Commission on Children in Foster Care

The judiciary's clout and authority can be an effective tool in holding individuals and agencies accountable for their respective roles in the educational progress of foster and probation youth. Accountability allows the judiciary to "hold people's feet to the fire" and ensure that different agencies are working together and doing their part to meet the educational needs of youth under our court's jurisdiction.

The court cannot, however, effectively act without complete and updated information from all individuals and agencies regarding the child's educational progress; bench officers need as much information as possible in order to make decisions that

will promote the educational interests of the child. Moreover, the court needs to know whom to hold accountable and for what. It is the job of each social worker, probation officer, public

defender, minor’s attorney, caregiver, and any other interested party to timely inform the court of the child’s educational needs and achievement.

The group also acknowledged that, at times, the bench officers themselves need to be held accountable for their oversight responsibilities. Judge Nash recognized that each bench officer is in a unique position to oversee and ensure that all necessary actions are taken on behalf of a child. When bench officers fail to protect the best interests of a child, accountability rests on the shoulders of the parties to invoke the power and role of the court and on the supervising and presiding judges if an individual judge fails to respond adequately.

2. Judicial Role and Responsibility

The judiciary needs to take a proactive role in focusing attention on closing the educational achievement gap for dependent and probation youth. Various tools and procedures have been developed and need to be implemented to increase accountability for children’s educational needs. On the dependency side, an Education Checklist was created to ensure bench officers are asking the right questions about each foster youth’s educational needs. On the delinquency side, education progress reports are required for youth in camps, addressing issues including literacy and special education. Community re-integration plans are also in place for youth exiting the delinquency system and include school and other education issues. Judge Nash continues to encourage bench officers to take a proactive stance on education by obtaining education and school information for children at their detention and disposition hearings. The Court is also overseeing amendments to the Education Checklist, specifically aimed at delinquency bench officers’ oversight of the educational needs of probation youth.

The court ordered a one-day visit with my mom, but it was on the day I was supposed to enroll, so I missed on month of school.

Anonymous, “Getting Out of the Red Zone,” Youth Law Center.

Bench officers must ensure early assessments and identification of educational needs. For foster and probation youth, unaddressed issues of illiteracy and special education detrimentally impact self-esteem and result in behaviors bringing children and youth under the jurisdiction of the delinquency court. Obtaining school and education information early in the process and addressing education issues at the outset may prevent youth from entering the delinquency system, whether from the community at large, through recidivism, or crossing over from the dependency system.

Once children come under the jurisdiction of the court, bench officers must determine who the holder of education rights will be. Some cases may require the limitation of the biological parents’ educational rights and the appointment of a responsible person other than the parent to make education decisions on behalf of the youth. Once an appointment is made, the court must diligently oversee the actions and decisions of the holder of education rights in order to ensure that the educational interests of the youth are being met.

The court should be encouraged to utilize more contempt and joinder proceedings to better meet the educational needs of foster and probation youth. Judge Nash believes the judiciary has an affirmative responsibility to take an aggressive stance on education. Bench officers must “push the envelope” in court by holding individuals and agencies accountable for

their actions or inactions. The court should also exercise its authority and join school districts and other individuals or agencies as parties to the proceedings when necessary. On the dependency side, Judge Nash is currently taking the lead in developing a panel of expert education attorneys under Welfare and Institutions Code Section 317(e) to represent foster youth in complex education proceedings. Judge Nash's vision includes the creation of an education panel for delinquency proceedings as well through Welfare and Institutions Code Section 202.

The group acknowledged that resources for foster and probation youth exist in the community, but bench officers need to help provide critical linkages between resource providers and youth in need. For example, emancipating and transitioning youth want mentors; community organizations and agencies have mentors but no youth to match them with. The judiciary has the authority and power to help bridge that gap between community resources, youth and their families. One resource currently being utilized by the dependency court with positive results is the Court Appointed Special Advocates (CASAs) office. Judge Nash will explore the feasibility of utilizing CASAs in post disposition delinquency cases as well, but acknowledged that the number of foster and probation youth who could benefit from a CASA far outweighs the number of advocates available. Faith based agencies are an untapped community resource that should be explored by the judiciary.

3. Training

In building a judiciary that is fully committed to closing the achievement gap for foster and probation youth, bench officers will need extensive training on the importance of education and how issues including illiteracy and special education directly shape behavior and self-worth for youth in out of home care. The notion of mandatory training for all juvenile court judges on education issues should be explored. Bench officers cannot make effective court orders, nor enforce accountability, without full understanding of the education laws and process. Targeted training will help the judiciary to overcome existing hurdles, and identify what to ask, when, and why.



Judges are not the only group that will require training. Minor's attorneys, public defenders, children's social workers and probation officers would also benefit from training on the importance of education and how the process works. More importantly, the trainings will need to address how the different individuals and agencies can work collaboratively to best meet the needs of each foster or probation youth. This notion of "cross training" the judiciary and other stakeholders in the system is particularly significant given the multi-system, multi-issue nature of foster and probation cases.

RECOMMENDATIONS:

1. Judges need to hold all parts of the system -- including child welfare workers, schools, probation officers, attorneys, and caregivers -- responsible for the educational attainment of probation and dependent youth.

2. Courts need to be more proactive in monitoring and overseeing the educational needs of youth in out of home care, from the time of a child's first entry into the dependency or delinquency system forward.
3. Courts need to be provided with complete and timely information regarding a dependent or probation youth's educational status, ongoing progress, and any developing problems.
4. Both judicial and cross-system training in relation to education issues should be developed.

Empowering Caregivers and Service Providers to Best Meet Children's Educational Needs

INTRODUCTION

This breakout session examined the critical role of caregivers and service providers in providing for the educational needs and safeguarding the rights of children in the foster care and probation system. Although caregivers provide for the day-to-day needs of foster and probation youth, they often times are not empowered to participate in decision-making for the children they care for. This session sought to identify strategies that will enable caregivers and youth alike to participate in the educational process.



The group identified three prominent areas that are essential for caregivers and service providers to address in order to positively impact the educational progress of foster and probation youth: (1) inclusion – by identifying, informing and engaging stakeholders in the educational process, (2) education/training – of youth, caregivers, school personnel and dependency attorneys on the educational rights of youth, and (3) stability – by assessing the child's needs, placement, and supporting caregivers through communication and documentation.

BREAKOUT DISCUSSION

1. Inclusion

I completely disconnected myself from people because I had to.

Shalita, "Voices from the Inside," The Pew Commission on Children in Foster Care.

Caregivers and the foster/probation youth they care for often feel "disconnected" from the education system. Caregivers and youth have difficulties navigating the educational bureaucracy and feel overwhelmed by its lack of accessibility. Caregivers do not feel school administrators respect them, as they are often ignored in the educational decision-making process.

Caregivers and youth are stakeholders and must be moved toward inclusion in the educational process. Caregivers must be recognized as resources since they often know the child's strengths and weaknesses better than anyone else. Caregivers must also accept responsibility for advocating on behalf of children in their charge.

Youth must also participate in their educational decision-making since education planning must incorporate factors that have proven successful. Youth are the experts in their lives; they know and can identify realistic educational goals and the teaching/learning methods that work best for them.

2. Education/Training

Foster and probation youth and their caregivers report that they are often confronted with indifferent attitudes, stereotypes and disenfranchising experiences in the school system. Youth feel that school administrators and teachers fail to understand their situations, trauma, and subsequent behavior. School staff must be educated about the challenges foster youth face so that they recognize that being in foster care or probation is only one facet of a child's life.

Never underestimate the effect you can have on a foster child's life. Never underestimate the strength of a foster child.

Kristy DeWall, "My Arrival,"
Children's Voice

Caregivers similarly feel stereotyped and inadequate in the eyes of school staff and administrators. Many school employees do not appreciate the fact that these individuals' lives revolve around the foster youth in their charge as they attempt to "give them a better life."

Caregivers must be trained about special education, the educational rights of youth and the role of foster/adoptive/legal guardians. They must also be given information about advocacy organizations that can assist them in holding schools accountable and other resources that can provide them the educational support needed by the children in their care. Youth need to be empowered through training on their rights as students and the importance of education. Youth must also receive living skills training prior to emancipation, as well as support and motivation toward higher education. Finally, schools should receive sensitivity training about the fragile yet resilient youth in foster care and probation. This training will help eradicate prejudices, diminish the negative attitudes toward these youth and, perhaps most importantly, address the most productive methods of educating this challenging population.

3. Stability

The participants in this session felt that instability was the largest single contributor to poor academic success for foster and probation youth. Foster care was characterized as a "revolving door." The growing number of placements and the lack of communication and coordination among caregivers and social workers hamper the educational progress of foster youth. Caregivers have difficulty obtaining transcripts, especially when the youth is moved several times over a short period of time. This transience keeps foster youth from establishing healthy relationships and from advancing educationally.

Caregivers need the support of social workers to provide stability for foster children. The session participants agreed that social workers must communicate the child's needs, educational and otherwise, to caregivers in order to attain necessary services and set realistic goals for educational progress. The discussion also pointed to lax DCFS policies on placement decisions and recommended a policy that would make moving the child to another placement a

decision of “last resort”, so that caregivers could receive the support and resources necessary to bring stability to the lives of foster and probation youth.

RECOMMENDATIONS:

Inclusion:

1. Identify and engage potential stakeholders, especially biological parents, in the educational process.
2. Identify at the detention hearing who holds educational rights and provide this and other key information to caregivers and school administrators.
3. Create a mailing list or other communication network for caregivers to inform them about resources, conferences and meetings.

Education/training:

1. Educate youth, caregivers, biological parents and educational rights holders about advocacy by utilizing existing agencies who conduct such trainings.
2. Train school personnel about special education law and the rights of students in addition to the special circumstances of foster/probation youth.
3. Teach dependency attorneys about educational advocacy and how to enhance coordination and dialogue with caregivers.

Stability:

1. Conduct assessments to determine an optimal placement match that promotes school stability and is consistent with the needs of the youth and the ability of the caregiver.
2. Keep children in the school of origin, unless the child wants to move and it is in his or her best interest to do so.
3. Obtain school records and enroll the child in school, when the child must move, and provide school records to the caregiver.
4. Provide support to caregivers and conference with caregivers and youth prior to placement and school disruptions.
5. Provide foster care advocates/liaisons in the schools in order to increase support and awareness of the importance of educational attainment and stability in the lives of foster/probation youth.

Unique Issues Relating to Probation Youth

INTRODUCTION

This breakout group examined the unique issues probation youth face in accessing appropriate educational services. Research indicates these youth are excessively disciplined and segregated due to their probation status. Existing approaches often have been shown to be ineffective in meeting education needs.

The group examined the general and special education needs of children both in detention and in the community, as well as new approaches for improving outcomes.

I talked to the public defenders...and spoke to my counselor about wanting to go to law school. A public defender at the office said that, instead of picking up litter for community service, I could work at her office. The system helped me.

Anonymous youth in the juvenile justice system, "Getting Out of the Red Zone," Youth Law Center.

BREAKOUT DISCUSSION

1. Alternative Schools and Transition

One of the most significant obstacles children on probation face is the ability to attend their home school, particularly when they return home after completing a camp program. Enrollment in a home school is important in order to facilitate integration of a youth back into the community and to ensure that probation youth receive an appropriate education in the least restrictive environment. However, youth returning from camp are often either informally or through a formal school district policy required to attend an alternative school, such as a Community Day School. This occurs even if the offense that led to the juvenile court proceeding is not school related and the youth has not been expelled from the home school. Such placements are often illegal if the child is a special education student.

The group discussed the following strategies to ensure that probation youth are placed in an appropriate education setting:

a. Probation Actions and Oversight

It is critical that probation officers understand a youth's education rights, as well as the circumstances pursuant to which a school can legally require that a student attend an alternative education program. Probation officers should advocate on behalf of youth and connect youth to legal advocates in the community, when necessary, to protect a youth's education rights. Probation has issued a directive instructing probation officers that they should use their best efforts to locate the most appropriate school environment for a youth.

b. Enhanced Communication

I have been the child who the judge spoke to personally before making a ruling. I have also been the child whose foster parents introduced her as their daughter, forgetting to say foster.

Jackie Hammers, "I Was That Child," *Fostering Families Today*

It is important to have open communication among school districts, the probation department, and the student. Schools may not want to admit students because of a perception that probation youth are likely to have disciplinary problems. It is important that a youth's probation officer communicate with school officials and provide support and intervention when school issues arise. Probation officers should also attend the student's IEP meeting in order to ensure that mental health, behavior plans, and other services provided by the school are coordinated and consistent with the youth's probation plan.

One example of a program that can facilitate the integration of probation youth with education services is the camp-returnee program at the Los Angeles Unified School District. Youth who encounter difficulties enrolling in their home school are referred to this program. District personnel work with school officials to resolve issues that impede a student's enrollment in the home school and to find suitable alternative placements when home school enrollment is not appropriate.

c. Transition Planning

Transition planning is crucial in order to ensure that appropriate education services are in place for a youth upon a return home. Although release from juvenile hall may be difficult to predict, release from camps can often be anticipated and provide sufficient time to allow for transition planning.

i. Transfer of Records

It is important for school records to be transferred to the receiving school as soon as possible after a youth enters detention or is released to the community. A delay in transferring records will hinder a student's ability to enroll in school and/or the appropriate classes. Children with special education needs cannot begin receiving special education services until their IEP's are received. For children entering the community, a delay in implementation of appropriate educational services can contribute to probation failure.

ii. Special Education Services

In order to effectively transition into the community, it is important for students to receive appropriate special education services while they are in detention. If children receive a lower-level of special education services while in detention, it will take additional time, sometimes even months, for the receiving school to complete the appropriate assessments, convene an IEP meeting, and begin implementing the services that a student requires to be successful at school. Camp and juvenile hall schools must provide special education services consistent with the child's home school IEP.

iii. Timing of Releases

Youth who are released from detention during a break in the regular school calendar face additional obstacles enrolling in their home school. Courts require that youth be enrolled in school within 48 hours after being released into the community. If the youth is released during a break in the regular school calendar, they may be pressured to attend a year-round program at a CDC in order to facilitate enrollment and comply with their probation conditions.

iv. Support

In order to ensure that a youth succeeds educationally, it is important that supports, such as mental health and wrap-around services, are also in place at home. Probation should link youth to community services that provide after-school mentoring, and counseling services.

v. Credit Calculation

Issues involving credits can often impact a student's education placement. If a student is very low on credits, he may be directed to a continuation school where he has the potential to receive credits more quickly. In addition, although schools in detention provide partial credits to students, this may not translate into what is necessary for graduation. For example, a student may have received two credits in Algebra instead of the required five. Again, a student may be directed to an alternative school in order to complete the partial credits. Although credit issues should be considered in determining an appropriate placement for students, a student should not be directed to an alternative school simply to address credit deficiencies.

2. Discipline



Research confirms that probation youth are targeted disproportionately for discipline at school because of the stigma of being on probation or for racial reasons (a majority of these youth are ethnic minorities). In addition, the practice of many schools of suspending and expelling students, sending them to alternative schools, and pursuing delinquency charges is not effective, and for special education students, may be illegal. The best practice for addressing these issues is positive behavior intervention.

When a student has behavioral issues, school and probation staff should not respond by automatically filing new delinquency charges or probation violations. Instead, the behavior should be addressed by positive behavior intervention at the school. Teachers should be trained in classroom management and crisis intervention. Special education services should be considered including referrals to the Department of Mental Health, and functional behavioral assessments.

Positive behavior interventions must be consistent among the school, home, and probation department. All these individuals should be present at the time a behavior plan is created in order to ensure consistent implementation.

3. LACOE/JCCS Issues

Children at the juvenile halls and camps need to be provided with quality general and special education services. Special education services at the juvenile halls and camps must be comprehensive and individually tailored for students. Students should not be given a different level of service simply because they are in an alternative setting. LACOE needs to ensure that they are providing placement and services consistent with the child's home school IEP and the child's individual needs.

*He who opens a
school door, closes
a prison.*

Victor Hugo

With regard to discipline issues, an individualized behavior intervention program should be implemented across the school and the living units. Behavior plans must be consistent in order to be effective. Probation staff and school personnel should work together in implementing behavior/incentive programs for the youth.

RECOMMENDATIONS

1. Parents of probation youth should receive a memorandum that (a) discusses the educational rights of students, including the right to attend home-schools, (b) instructs parents on how they can effectively advocates on behalf of their child; and (c) provides a list of referrals for legal advocacy groups.
2. Create a multi-agency planning team to develop a "blueprint" plan to ensure continuity in the delivery of integrated education services at home, school, and detention. Local teams would use the "blueprint" to develop education plans for each child, including appropriate support, behavior intervention, and transition services.
3. Provide training to schools, parents, and probation staff regarding the best practice for addressing behavior issues of probation youth.

Special Education – Improving the Appropriateness of Referrals, Identification, Instructional Placement, and Services for Probation and Foster Youth

INTRODUCTION

This breakout session examined the factors that contribute to both the under- and over-identification of probation and foster youth in special education. It also considered under what circumstances it is appropriate to refer foster and probation youth for assessment to determine if they have a disability making them eligible for special education services. A concern related to assessment is how to view ongoing inappropriate behavior from probation and foster youth. How can it be determined whether such behavior is a manifestation of a learning disability or an emotional disturbance or whether the behavior is simply indicative of difficult emotional circumstances in the lives of the youth? Other issues discussed by session participants concerned ensuring that probation and foster youth who are eligible for special education services receive them promptly, in the least restrictive environment, and are provided with appropriate transition services.



The participants identified the following mechanisms to ensure appropriate identification of foster and probation youth for special education services and, once identified, receipt of services: (1) designation of an education specialist or liaison to oversee the education of foster and probation youth; (2) ongoing training in special education law and practice for foster and probation youth, caregivers, social workers, probation officers, biological parents, and others; (3) comprehensive screening of foster and probation youth, including developmental histories; and (4) development of transition services resources, specifically geared toward this population of students.

BREAKOUT DISCUSSION

1. Over/Under Identification

In order to prevent the over- and under-identification of foster and probation youth in special education, it is essential to obtain a detailed developmental history of the child. This history should include: developmental milestones; health information, including current and former medical conditions and medications; the child's strengths; how often the child has moved, including how much schooling the child has missed; and the child's cultural and linguistic background. It may be difficult to determine, for some children, who can provide accurate information about the child's developmental history. Those who might be able to provide such information include, as appropriate, a child's parents, extended family members, neighbors, former caregivers, social workers, therapists, teachers, and coaches, among others.

To prevent both over- and under-identification of foster and probation youth in special education, school psychologists, special education teachers, and other school personnel involved in the special education assessment process will need to receive specific training on how to compile an accurate developmental history for this population of students.

Among the foster youth population, there may be over-identification of children with attention-deficit-hyperactivity disorder because caregivers have a financial incentive to have children in their homes diagnosed in order to receive additional money for their care. Furthermore, some doctors diagnosing and prescribing medication for these youth may not be adequately trained to accurately diagnose this population of youngsters. Once a child has been inappropriately diagnosed with ADHD, it often is an uphill battle to get the diagnosis removed.

It is important, when using assessment instruments as part of a comprehensive evaluation of a child, to ensure that the instruments are appropriate for this population of children. Some assessment instruments used to identify emotional and behavioral disorders may not be valid assessment tools for foster and probation youth, consequently, over-identifying them as having a disability in this area. Furthermore, sometimes focusing solely on a child's behavioral problems obscures a serious learning disability. Frequently, once the learning disability is addressed, the behavior problems subside.

I needed more support in school. I was by myself. No one came and asked how I was. I went off into the cracks. Teachers see kids hanging their heads; they need to really sit down and talk to kids. They shouldn't call the police; they shouldn't give up on kids.

Anonymous foster youth, "Getting Out of the Red Zone," Youth Law Center.

When an IEP team is uncertain, based on an evaluation, as to whether a child has a qualifying disability, one solution to ensuring accurate identification and that the child does not "fall through the cracks" is to indicate on the IEP the areas in which the child will continue to be assessed and when the IEP team will meet again to discuss the child's special education eligibility.

2. Referral for Assessment and Ongoing Monitoring

When a child has trouble academically, interventions should be initiated—both at school and at home—and the child's progress should be monitored to determine whether there are patterns that would indicate a special education eligible disability. If such patterns exist, then a referral for an assessment for special education is in order. In addition, when different people who know the child all indicate that the child may have a disability-related problem and when everyone seems to be seeing the same problem in the child, then a referral for a special education assessment is appropriate.

Some children, however, are inappropriately referred for a special education evaluation when they have trouble doing their homework independently. In some foster homes, caregivers inappropriately assume that children can study and do their school work on their own when the reality is that, even though they might not have needs that would warrant special education services, they still require significant help from caregivers and others in order to function adequately in their academic subjects. Caregivers must receive training so that they

understand that it may be necessary to sit with a child while the child does his or her homework and provide structure and help as necessary. A concern, however, is that many caregivers are themselves not well educated and have difficulty providing the help that these youngsters require.

Sometimes the reason that children in foster care or probation do not receive referrals for special education when, in fact, it would be appropriate is that there is no consistent person in many of their lives to oversee their education. Consequently, we cannot rely on “the system” to ensure that children with learning or emotional disabilities are properly referred for special education assessment. For children who have court-appointed-special advocates (CASAs), they typically take on the responsibility of making referrals for special education assessment for children for whom they are responsible. However, very few children in the County are assigned CASAs because there are simply not enough of them. In other instances, a child’s attorney will fill this void, but caseloads counsel seek to juggle make attention to education issues and concerns challenging. Consequently, the County must take responsibility for funding education specialists or liaisons who will assume this role and make proper special education referrals for foster and probation children. In addition, there should be universal mental health screenings for all foster and probation youth since this is an extremely high-risk population of children.

3. Strategies to Determine whether Behaviors Indicate a Learning Disability or an Emotional Disturbance

In order to determine whether a foster or probation child’s inappropriate behavior is a manifestation of a learning disability or due to behavioral and/or emotional issues, it is important to know which interventions have previously been tried (e.g., counseling, tutoring, stress management group) and how the child responded to the interventions. Did the interventions bring about any changes in the child’s behavior?

It is important to conduct observations across settings in which the child functions, talk to those who can provide accurate information about the child’s behavior across settings, and to conduct a thorough clinical interview of the child. Also important is not solely focusing on the child’s behavior but really getting to know the child and understanding the child’s background.

A problem that adversely affects the ability to accurately observe and assess a child’s behavior is that some children, particularly those exhibiting inappropriate behavior, frequently move from living situation to living situation. Stabilization of such children is essential to being able to put interventions in place and have sufficient time to accurately observe the effects of the interventions on the child’s behavior.

4. Advocating for Appropriate Placement and Needed Services

It is often necessary to have someone who can advocate across all relevant agencies, if youth who change placements and enter a new school are to have their IEPs implemented immediately and receive services in the least restrictive environment appropriate to their needs. The education advocate must be knowledgeable, because the relevant systems are not “user friendly.” Even though school districts must adhere to special education law, school personnel

who attend IEP meetings for foster and probation youth may not be knowledgeable or have the authority to carry out the requirements of the law, specifically in regard to least restrictive environment and immediate implementation of a child's IEP. School districts tend to offer services based on what they have, rather than what services might, in fact, be least restrictive and most appropriate to meet the child's needs.

In terms of identifying what strategies and services are appropriate in addressing the inappropriate behavior of foster or probation youth, it is important that the child involved has some say in the selection process. In addition, all appropriate resources must be explored, rather than focusing only on a narrow range of options.

5. Transition Services

For students receiving special education services, when they turn 14 (and earlier if appropriate), transition service needs must be discussed at their IEP meetings. No later than when the students turn 16, the law requires that they have individual transition plans that include goals, objectives (and/or benchmarks), and services they require to meet their transition needs. Someone must be assigned to help the youths identify what their postsecondary goals are, what steps are required to attain the goals, and what skills they need developed or strengthened.

Each agency that has responsibility for a foster or probation youth who receives special education services should indicate on the youth's transition plan IEP what specific services the agency is responsible for providing the child (e.g. specific Independent Living Services from the Department of Children and Family Services). Even though some foster youth are provided Independent Living Programs through DCFS, that does not absolve school districts from providing these youth with the full range of transition services they require to meet their unique needs. Community resources should be explored and, when appropriate, made part of a student's transition plan if they will help the youth develop skills needed for post secondary education. Youth, even those with high cognitive ability, typically will need skill development in dealing with financial issues. They also will need help in identifying and becoming involved in social and recreational activities so they will not feel isolated once they leave foster care.

When my client, who had been the mainstay for her brothers and sister throughout a horrific childhood, learned she received the scholarship, she wept -- and so did I. It was her chance to set an example for her siblings and envision a future for the first time ever.

Lisa Mandel, Children's Law
Center of Los Angeles

For many foster youth, it will be important to identify, as part of the transition plan, mentors who can have an ongoing relationship with the youth. Faith-based and other volunteer organizations may play an important role in providing mentors. Current legislation requires connecting foster youth with mentors. San Diego has a model-mentoring program for youth 14 to 22 to help in their transition.

One of the aspects of the transition plan that is particularly important for foster youth, but frequently overlooked, is where they will live once they leave high school. This issue needs to be addressed early on in a youth's transition planning. Frequently, transition plans

are dealt with in the last few minutes of a child's IEP meeting and those on the team are not aware of the community resources available and the child's unique needs. There should be more training on doing transition plans and on the community resources available. Furthermore, who will manage a youth's transition plan must be clear and a child's social worker should attend transition planning IEP meetings.

RECOMMENDATIONS

1. Children's social workers should receive training on special education law and practice as part of their Academy training.
2. Schools of Social Work should integrate special education training into their curriculum.
3. Probation officers, foster parents, foster and probation youth, social workers, caregivers, and biological parents all need ongoing training on special education law and practice as well as particular training at the point a child is to be reunified with his or her family.
4. Children's social workers should be invited to all IEP meetings for children on their caseloads.
5. There should be a designated person (e.g., education liaison, education specialist), appropriately trained, who is responsible for the educational interests of foster and probation youth.
6. Sometime after the disposition hearing, all foster youth should be screened in the following areas: academic, language development, psychosocial functioning, etc. A full developmental history of the child should be compiled and contact should be made with a treating mental health professional, if appropriate.
7. School district assessment personnel should receive training on assessment techniques and strategies for assessment of foster and probation youth for special education services.
8. Expand Foster Youth Services to foster and probation youth living in settings other than group homes (e.g., with relatives or biological parents, in foster homes, etc.).
9. Social workers and probation officers must officially remove ("disenroll") children from school and obtain the child's school records when a child's placement is changed.
10. Foster and probation youth should receive copies of their complete school records starting when they enter high school.
11. A transition services checklist should be developed for probation and foster youth that covers all required transition planning areas.
12. A list of community resources should be developed to help in transition planning for

Nonpublic Schools – Assuring Appropriate Educational Placements and Quality Services

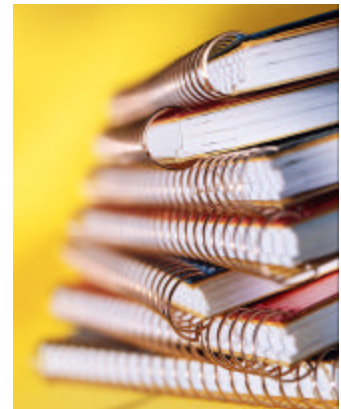
INTRODUCTION

This session discussed the factors that should be considered when choosing an educational placement for a child living in a licensed children's institution or a group home co-located with a nonpublic school. In addition, participants discussed appropriate considerations for the determination that the child's educational needs cannot be met in a public school. Finally, participants discussed what constitutes a quality nonpublic school and how we can ensure that each child placed in a nonpublic school is in a quality school with a program designed to meet that child's particular educational needs.

BREAKOUT DISCUSSION

1. Ensuring a Quality Nonpublic School

Although state law requires nonpublic schools to be inspected every four years, there does not seem to be an effective system in place to identify quality nonpublic schools or to weed out those that are not meeting the needs of the students they purport to serve. Local educational agencies are required to: (1) monitor placement, (2) ensure a least restrictive environment, (3) ensure quality curriculum, and (4) ensure compliance with the Individualized Education Plan. However, the existing review systems are infrequent and inadequate.



2. Availability of Records

When a child is placed in a nonpublic school, the school has a difficult time receiving records from the school district. Nonpublic schools have reported they do not receive records in a timely manner, if at all. When nonpublic schools do receive records, they report that the records are often incomplete. Lack of timely, accurate, and complete records may prevent the implementation of the IEP and result in students being placed in the wrong setting. This obviously frustrates educational attainment and progress. Similarly, the school may end up expending resources and time to re-test, re-assess and re-evaluate in order to develop an appropriate educational plan for the child.

3. Ensuring Proper Placement

It is often unclear who has the responsibility to ensure that students are in the correct educational placement. It was generally agreed that the holder of education rights (usually the parent), along with the school district, has the responsibility to ensure that the educational placement is appropriate; however the placing agency, former caregiver, the child's therapist

and child's attorney may all have useful information regarding this decision. Moreover, parents can be difficult to locate and, when located, they may have difficulty navigating the complicated education system.

I have been in 47 placements, through three agencies. I did not have a lot of school options. I kept talking to social workers and eventually got to go to regular school.

Anonymous foster youth, "Getting Out of the Red Zone," Youth Law Center.

A second problem involves licensed children's institutions requiring educational placement of residents in an on-grounds nonpublic school, despite the fact that the student's IEP does not reflect a need for a nonpublic school. Two issues arise: (1) the legal requirement for placement in the least restrictive environment, and (2) a child who eventually leaves a licensed children's institution with an IEP dictating a nonpublic school will require a new IEP in order to attend a public program.

Finally, concern was expressed in regard to our State's current structure for funding nonpublic school placements. Existing laws may create an incentive for the district to push for placement in a nonpublic school even when inappropriate.

4. Helping Nonpublic Schools Find Quality Personnel

Currently, nonpublic schools are only required to have one special education credentialed teacher per facility. Students in nonpublic schools therefore may not be getting instruction from teachers with specialized knowledge, despite the fact that the students, by definition of being in a nonpublic school, are the population most in need of specialized instruction.

A related problem is the difficulty nonpublic schools face in finding, attracting, and retaining qualified personnel. Nonpublic schools are not competitive with school districts with respect to salary and benefits. This problem is exacerbated by a national and statewide shortage of special education teachers.

RECOMMENDATIONS

1. Implement legislation requiring more frequent, meaningful and effective monitoring and review of nonpublic schools.
2. Ensure that IDEA is enforced, requiring that districts (or local educational agencies) undertake responsibility to ensure that any nonpublic school they contract with is adequate.
3. Create a new web-based system (or improve the existing CDE Web site) and add more information for parents, students, school districts and advocates to better identify and understand the services provided by each school.

4. Create a ratings system similar to restaurants whereby nonpublic schools are rated on facilities, programs, student to teacher ratio, number of credentialed teachers, graduation rates, etc.
5. Improve communication and information-sharing between the placing agency (child welfare or probation) and the nonpublic school to ensure that at a minimum the social worker or probation officer and the student always have a copy of the current IEP, are aware of the child's educational progress and planning and that nonpublic schools have contact information for the parent or holder of educational rights for each student.
6. Make sure that school districts are made aware of a child's placement in a nonpublic school if the child enters the district due to a housing placement change. Ensure that nonpublic schools have contact information for the parent or holder of educational rights of each student
7. Make sure there is enforcement of the least restrictive environment requirement. If a child is eligible for special education with an IEP, the public school options are to be considered first.
8. Ensure the local educational agency in which the licensed children's institution is located is aware that the child has moved into the district so that the district can implement the IEP.
9. Ensure that, if the child does not have an IEP, the local educational agency conducts an assessment to determine eligibility after receiving consent from the person who holds educational rights. Neither the placement nor the nonpublic school may unilaterally assess the student or unilaterally decide to remove the student from the mainstream environment.
10. Nonpublic schools should be required to have the same ratio of credentialed special education teachers as districts.
11. Local educational agencies should be required to provide the nonpublic schools' personnel with access to staff training, up to date textbooks, and other local agency programs.
12. Local educational agencies should work with the nonpublic school to facilitate transitions into a less restrictive educational placement.

Early Childhood Education – Meeting the Needs of Children Birth to Five

INTRODUCTION

This breakout focused on the needs of preschoolers in relationship to school readiness. According to DCFS statistics dated March 2004, 24% or 9,132 of the dependent children receiving services are between the ages of birth and four years. There is strong research that reinforces the importance of quality early childhood education programs and their potential to positively impact the educational outcomes for children.



The discussion addressed issues of developmental milestones, components of quality child care programs, benefits to the child, resources needed for caregivers, and the need for systems collaborations.

The group identified two priority issues:

1. Give participation in high quality early childhood education heightened attention and importance; and
2. Develop a judicial checklist related to early childhood development issues and services directed toward the birth to 5 population.

BREAKOUT DISCUSSION

1. Developmental Milestones and Service Interventions

Achievement of developmental milestones is critical for preschoolers and indisputably impacts learning. Research shows that birth to 4 years is the major growth time of the brain.

For foster youth, a key element of development revolves around issues of attachment. It is important to identify to whom the child has developed an attachment; having a healthy attachment with a caring adult is critical to language development, a foundation to learning. The issue of consistency must be met to create a strong bond that, if not established with the parent, must be provided by a relative or foster care provider. Preschoolers in foster care have experienced abuse and/or neglect, parental loss and are attempting to cope with separation. The caregiver needs the support of the community, including quality early childhood education programs, to learn about and provide strong attachments with the children in their care.

At risk preschoolers are reported by teachers to have behavioral differences such as maladaptive attachment and very severe attachment issues including: crying in the class, withdrawal, hypervigilance to indicators of a change in their lives, early depression, and

Foster kids start questioning at a really young age. People should be affirmed that they are not a bad kid, that they did not do anything wrong.

Anonymous foster youth, "Youth Perspectives," California Youth Connection.

aggression or acting out. Early childhood education programs can work with the preschooler, the child care provider, and the caregiver. One of the most useful service interventions identified focused on mental health issues and early childhood intervention to help the preschooler adapt to the transition into the classroom. It was also important to work with the teacher to help him or her

effectively address the needs of a child who brings stress into the classroom and whom the teacher perceives as "more work." As part of this program, teachers are being taught strategies on mental health and early prevention, including how to appropriately discipline, how to adapt to a child's delays, and how to work with caregivers.

Language development is fundamental to a child's school readiness. Research has demonstrated that educating a child in a language different from the primary language spoken in the home will have significant negative effects on learning in all domains, including language and literacy. The child's first language is the strongest foundation for learning. Children who learn to read in their first language and then learn the second language are more able to apply their literacy skills and advance quickly. Accordingly, it is important for foster children to be placed in homes that support the preschooler's first language.

2. Stability and Parental or Caregiver Engagement

DCFS is in the process of implementing AB 490 to support keeping the school age child in his/her school of origin. This will necessitate a cultural change in the decision-making process for placement. An equal cultural change for preschoolers needs to take place, since continuity of care is a major predictor of good outcomes, which include keeping the preschooler in a quality early childhood education program. Early childhood education is intertwined with the social, emotional, and cognitive building of relationships with the preschooler.

The biological parents need to be advised they have the right and responsibility to remain involved in their preschooler's education, unless an order of the court prevents their participation. Some early childhood education programs provide family preservation services to the foster parent and biological parent to enable them to fuel the child's development and learning. Westsides similarly seeks to model to the parent how to engage the child. Other programs have in-home developmental services that have shown good outcomes for the preschooler's advancement to meet milestones. However, most programs lack the capacity to provide families with a full range of support. Significantly, 85% of families receiving quality comprehensive services for family preservation and an early childhood education program did not have further contact with DCFS after one year.

3. Responsibilities and Knowledge

When a preschooler is a dependent, who is responsible to ensure the child is meeting his/her developmental milestones and is ready for school? The response is "the village," which encompasses the parent, caregiver, social worker, child's and parent's attorneys, Foster Family Agencies, local early childhood education providers, schools, and the judge.

What do these individuals need to know to help? One should begin with normal developmental milestones and move to what defines school readiness. In the middle is knowledge of the components of a quality early childhood education program, funding resources, community specific program resources, and creative problem solving skills.

Collaboration is key to meeting the needs of the most vulnerable population in the dependency system.

4. Early Childhood Education

Quality early childhood education programs can provide the preschooler with social, cognitive, emotional, and physical activities that would support school readiness and developmental skills. Research studies confirm the academic success of children who participated in early childhood education.

If the child is enrolled in a Head Start program, the child's skills, including pre-literacy skills, are noted in the Developmental Profile. Currently, this information is shared with the parent, caregivers, Los Angeles County Office of Education, and often the transfer elementary school.

The parent lays the foundation for literacy. The early childhood educator can be a mentor to the parent and caregiver and model techniques to support the child's learning. This mentor relationship model creates a less challenging environment than a formalized training session.



Elementary schools need to have relationships with early childhood education programs and educators. This is necessary for sharing information, preparing the children for elementary school experiences, and transitioning the family to the new school. Educational attainment is founded in the quality of the child's relationships. Kindergarten through 12th grade educators and administration have little training related to early childhood development and the significant role of educators in setting the foundation for the child's learning.

5. Community Supports and Services

Parents, foster parents, and social workers need to know the developmental milestones and by what age they are normally achieved, as well as what resources exist and how the families can take advantage of resources in the community. Collaboration is needed to provide training and improve access to community resources. Training needs to include recent changes in child care services.

All children in foster care qualify for federally funded Head Start programs, which are required to provide a screening of the child's developmental skills within a 45 day period of time and to have a meeting with caregivers. Head Start programs include services useful to the

parent and caregiver, which can include a literacy program, nutritionist, health specialist, mental health expert, as well as parent education to enable the parent to get a GED and attend community colleges.



Limited funding is available to pay for child care of foster children placed with relative caregivers. The California Department of Education contracts with DCFS and CALworks/GAIN and can fund subsidized child care for foster families working directly with the County. The caregiver has the option of choosing the child care provider, which many include a babysitter or a center-based early childhood center. It appears that general child care funds are underused for this purpose. Many caregivers are not aware of the characteristics of quality child care centers and providers. They may also be unaware that they qualify for community services since they did not participate in relative training or were not informed by the social worker, child's attorney, or judge. First 5 LA has provided information regarding what to look for in a quality child care program. Assessment tools such as the Early Childhood Education Environment Rating Scale (ECERS) are also used by professionals to assess quality programs.

Some relative caregivers have developed organizations that provide training and share resource information. Licensed caregivers are required to take 24 hours training, followed by 12 continuing education units per year. Consistency of training and emphasis on developmental milestones and school readiness should be part of the ongoing curriculum.

6. Access to Resources

Some barriers to consider in relation to parents utilizing community supports and services are:

- a. Parents, foster parents, social workers, and early childhood educators are not collaborating or coordinating to utilize and maximize community services;
- b. Transportation issues impact services and placements; and
- c. Parents and caregivers believe they don't need training to raise a child.

Resource information regarding what programs are available and where they are located is available through:

- a. DCFS Child Care team located in the regional offices;
- b. Resource and referral agencies;
- c. SPA Councils;
- d. Internet through Los Angeles County Office of Education and Los Angeles Unified School District; and
- e. Public library (the information center for every community).

RECOMMENDATIONS

1. Give quality early childhood education for preschoolers heightened importance. This will assist in meeting the preschooler's major milestones and development of school readiness skills that are built on stability and attachment that is critical to language development, literacy skills, and social development.
2. Develop a judicial checklist related to early childhood development issues and services directed toward the birth to 5 population.
3. Establish a collaborative system to address family needs and more effectively utilize resources.
4. Address the needs of teen mother and preschoolers as a unit and endeavor to promote continuity of care, stability, attachment, and services addressing the fundamental needs of preschoolers.
5. Issues to be considered in placement decisions:
 - a. Maintain continuity of first language development to prevent major developmental delay;
 - b. Encourage the caregiver to enroll the child in a quality child care center with comprehensive services; and
 - c. Be sure the child care center is supporting attachment relationships.
6. Make available and encourage the use of infant mental health, with a trained infant mental health clinician that provides treatment services for the entire family, including the current caregiver.

School Stability

INTRODUCTION

This breakout session examined whether progress has been made in stabilizing youth in schools, as well as the various roles and responsibilities of caregivers, placing agencies, courts, and schools in enhancing school stability. The group also discussed how agencies and schools can ensure full compliance with new state law (AB 490) and how schools, the courts, and placing agencies can work together to ensure a seamless transition from one school placement to the next.

I was in 52 placements. I did not do 8th grade.

Anonymous. "Getting Out of the Red Zone," Youth Law Center.

The participants examined whether caregivers have the information they need in order for children in their care to function appropriately in school. A critical area of discussion centered on how to make sure that partial credits are assigned to children who leave schools mid-semester and who should be responsible for making this occur. Finally, the group considered how systems can work together to resolve the transportation issues that arise when children move from school to school.

BREAKOUT DISCUSSION

1. Recent Progress



DCFS is endeavoring to improve school stability by, as an initial matter, reducing the number of children removed from the home. This is being implemented by initiating intensive community based services for the family, which in turn enables children to remain in the home of a parent while the family receives services and support. Clearly, children can remain at their school of origin if they are kept at home. Moreover, although high-risk dependent children continue to be placed in group homes, DCFS is working more closely with the group homes to reduce the number of removals from placement and ensure that each child is placed in an appropriate and stable school setting.

Caregivers, placing agencies and the courts are working harder to avoid both dependent and probation youth being removed from placements and subject to placement disruptions. For example, placements utilized by the Probation Department have agreed to hold a youth's bed space open for at least 30 days following that youth's absence from the placement. Thus, the youth may return to the same placement following their time spent in custody. Moreover, probation officers are being trained to monitor a youth's school performance to ensure that educational needs are met. Finally, placing agencies and the courts routinely remind schools,

parents, guardians and caregivers that it is their responsibility to enroll youth at school in a timely matter and that they will be monitored closely to ensure that this responsibility is met.

I went to placement in three different counties. When I got back to (original county), I lost all my 9th grade credits. I graduated, but had to go an extra year.

Anonymous. "Getting Out of the Red Zone," Youth Law Center.

In an effort to address the educational needs of foster youth, DCFS is in the process of developing a foster care education unit to work with specific LAUSD schools. LAUSD similarly has designated foster care advocates to serve the needs of foster children.

2. Compliance with AB 490

AB 490 creates new opportunities as well as new challenges for school districts. One particularly challenging implementation area stems from the mandated calculation of partial credits. Specifically, there is no existing policy regarding the calculation of partial credits. As such, the school districts appear to be operating in a vacuum. To address these concerns, LAUSD has created a task force to draft a protocol concerning the calculation of partial credits. Moreover, LAUSD has stressed that technology systems must be implemented to assist and keep track of services provided to foster youth.

Schools complain that they often are not given critical foster care information about children during the time of enrollment. In response, DCFS developed a form that will provide each school with important education-related foster care information. DCFS is also developing a form that will be used to notify schools when a youth needs to be transferred to a new school. The Probation Department is interested in and committed to creating a similar form.

DCFS has developed a power point presentation on LA KIDS that is used to train social workers on AB 490. Similar training materials have been developed, and are available, for schools, advocates, caregivers, and others.

3. Collaboration to Ease Transitions

There has been collaboration among agencies concerning AB 490 and educational issues affecting foster youth. More court case plans are stressing the importance of each foster youth's education. Thus, parents, guardians, and caregivers are encouraged to ensure that educational needs are met. Moreover, courts and placing agencies have been more diligent in clarifying who holds each youth's educational rights.

4. Informing Caregivers

Training for caregivers regarding AB 490 is being developed and will be available through a power point presentation. LAUSD has educational liaisons assigned to the dependency court. These liaisons can assist the caregivers with school stability, immunization records, IEPs, and provide access to other resources that could assist caregivers.

5. Transportation Issues

Placing agencies should ask the schools and caregivers (relatives, foster parents, FFAs, and group homes) to assist in transporting foster youth to school. Alternative methods of transportation also need to be developed to fill the void when neither the school nor the caregiver can provide transportation. Transportation options may involve public transportation, public-private partnerships, and other creative alternatives that should be explored. Placing agencies and courts should be conscientious in avoiding school movement of foster youth mid-semester. In dependency court cases, Family Group Decision Making (FGDM) can help families arrange transportation and identify outside resources.

I was in 8th grade for 2 months, doing well, but then was moved 11 times in 9 months. It was almost impossible to go to school.

Anonymous. "Getting Out of the Red Zone," Youth Law Center.

RECOMMENDATIONS

Training: To ensure that foster youth receive appropriate services and protection under the law, it is important that training be comprehensive, on-going, and readily available.

1. The ECC should maintain a list of available trainers and upcoming trainings posted on a website. Moreover, the ECC should serve as a central place for the collection and distribution of education related training materials.
2. Caregivers must be empowered through trainings.
3. Placing agencies must routinely be trained.

Identification of Foster Youth in Schools: To ensure that foster youth receive appropriate services and protection under the law, it is important that foster youth be identified to school personnel designated by the district superintendent to receive such information. In particular, schools should have the following:

1. DCFS 1399 form - "Notification to school of pupil's foster care status." The form will provide the school with pertinent education-related foster care information and will become a part of the youth's educational record.
2. A clear indication as to the identity of the holder of the youth's educational rights. This may be evidenced on the DCFS 1399 form or a court order.
3. A uniform protocol for calculating and assigning partial credits.

Data Systems, Data Collection, Measuring Outcomes and Effective Sharing of Information

INTRODUCTION



This breakout session acknowledged the connection between delivering and establishing quality educational programming for children and youth under the County’s supervision and having accurate data and tracking systems with which to measure the effectiveness of those programs. The session also examined the essential outcomes, indicators, measurement strategies and best practices necessary to establish an “Education Data Dashboard,” and the information sharing between stakeholders that would be required to know if we are adequately tracking and assessing the positive educational outcomes we want for our children and young people in care.

BREAKOUT DISCUSSION

1. Outcomes and Indicators

The breakout group arrived at a multitude of key educational outcomes necessary to ensure educational well-being for all youth in County care, from preschool through secondary school. The most critical educational outcomes are as follows: (1) increase school readiness skills among the 0-5 population; (2) increase school placement stability; (3) increase school systems’ understanding of the unique needs of foster youth; (4) decrease disparate outcomes for youth of color; (5) increase literacy rates, acquisition of basic education skills and extracurricular activities; (6) increase youth preparedness to achieve post secondary education, training and career goals; (7) decrease recidivism rates among probation youth; (8) increase the number of academic honors, AP class enrollment and GPA; and (9) increase enrollment in and passage rate of critical math classes. Some of the outcomes, such as school readiness (the percentage of placements in preschool Head Start programs) and post secondary goals (two year vs. four year college placement) need to be defined in greater detail.

In order to determine whether these outcomes are being met, a set of indicators should be developed and examined. The breakout group came up with the following suggested key indicators: (1) school enrollment (negated by suspensions and expulsions); (2) school attendance (if metrics used are consistent across schools and are reliable); (3) special education designation (disproportionate designations as compared with general population, disproportionate among youth of color and within foster youth population); (4) school placement and Special Education designation; (5) school records available and up to date; (6) MAP reading scores (over time); (7) MAP math scores (over

It took me three weeks to get enrolled in school because of the delay in transfer of transcripts and credits when I moved.

Anonymous. “Getting Out of the Red Zone,” Youth Law Center

time); (8) earning sufficient number of credits to proceed to next grade (in lieu of GPA); (9) number of school changes per child; (10) youth involvement in extracurricular activities; (11) percentage of youth who began and completed high school (GED and other special completion routes calculated separately); (12) percentage of youth who have a vocational, college or career-based plan; (13) appropriate grade level relative age or developmental ability; (14) suspension and expulsion rates (as compared to general population); (15) acquisition of financial aid to advance post-secondary educational and vocational goals; (16) comparison of GPA, honors and AP enrollment (comparison with general population and among youth of color, within foster care system); and (17) high school exit exam passage rate.

Similar to the outcomes, some indicators should be further delineated and defined. Moreover, certain outcomes could be used as indicators for other outcomes. In addition to the outcome specific indicators listed above, the breakout group also discussed other data that may increase understanding of certain educational outcomes. Additional data elements include: (1) type of probation or DCFS placement; (2) educational level of parents and caregivers; (3) Regional Center enrollment; (4) pre-natal drug or alcohol exposure; (5) involvement in special child welfare projects; (6) mentor relationships; (7) tutoring; (8) ILP and ESTEP life skills class enrollment; and (9) employment experience.

2. Strategies and Barriers

The group next examined sources where indicator information could be obtained and the barriers that must be overcome to aid the data gathering process. The group composed the following non-exhaustive list of where data could be found and with whom collection could occur: (1) school report cards; (2) case progress notes (County and foster care agency); (3) school records (transcript, attendance records, etc.); (4) court report and minute orders; CSW interim report; (5) notes from additional programs (extracurricular, Regional Center based programs, etc.); (6) Special Education records; (7) emancipation services database (being created); (8) FAFSA database (federal financial aid); (9) Juvenile Case Management System - probation database; and (10) CWS/CMS – child welfare database

Barriers to producing positive outcomes for youth in care, particularly on a systemic level, can seem insurmountable. With multiple governmental agencies trying to abide by a range of seemingly contradictory mandates regulating how to care for and/or educate these children, the necessary level of collaboration required to adequately meet reasonable educational outcomes is both challenging and critical. The group recognized that, in order to effectively access and share key educational data to establish and measure outcomes, the following barriers must be addressed: (1) differing data collection schedules (e.g. schools collect attendance data by semester while probation needs to collect monthly); (2) the lack of tracking of extracurricular activities; (3) confidentiality issues; (4) inaccurate school attendance records due to court

Both the court and public agencies in the executive branch must be aware of the status of every child under their supervision...so that all state and local entities involved in children's lives, including the court, the child welfare agency, law enforcement agencies, and schools, can identify and track data about a child involved in the child welfare or juvenile justice systems.

"Fostering the Future: Safety, Permanence and Well-Being for Children in Foster Care," The Pew Commission on Children in Foster Care

When systems do not share and compare data, or do not have access to the same information, mistrust and inefficiency can result.

"Fostering the Future: Safety, Permanence and Well-Being for Children in Foster Care," The Pew Commission on Children in Foster Care

visits, doctor visits and mandatory counseling; (5) difficulties in accessing federal data (e.g. FAFSA); (6) discreet and varying enrollment forms from district to district; (7) the size and scope of county, school, and governmental bureaucracies; and (8) the number of school districts within the County (81).

RECOMMENDATIONS

1. In order to establish and measure educational outcomes from which all stakeholders can learn, address areas of deficiencies, and celebrate positive results, a high degree of good faith and collaboration among child welfare, probation, mental health, school systems, the judiciary and legal representative agencies must be instituted and promoted.
2. The Children's Planning Council or other neutral entity can act as a receptor for information in order to address confidentiality barriers and concerns. Data on foster youth attending public schools could then be flagged, collected and an electronic file could be forwarded to the neutral body.
3. Best practice models for educational assessments and data collection should be explored. Some models to consider are: (1) LA County's DMH's MAT programs; (2) *Child Welfare League of America: Action Strategy for Improved Outcomes*; and (3) Seattle Washington's Education Collaboration where data is effectively shared between that County's DMH, foster care departments and schools.

CONCLUSION

Much has been accomplished since the first Los Angeles Education Summit in 2003. The Summit was a significant achievement in itself, bringing together people who represent a variety of disciplines and a wide range of governmental systems. The Summit also underscored the need to break down the institutional walls that too often prevent our community from taking effective action. The creation of the Education Coordinating Council constitutes a critical step in that direction and will facilitate the development of mechanisms that will enable our entire community, working together, to turn young lives around.

But these are only the first steps. Much more remains to be done. Now we must rise to the challenges at hand and begin to implement the many invaluable ideas generated by the dedicated participants at the Education Summits. The recommendations coming out of these gatherings provide a thoughtful and thorough guide for the Education Coordinating Council as it explores new and effective ways to move ahead and improve the educational achievement of our foster and probation youth.

The recommendations from this past year's Summit focus on a myriad of challenges, great and small, as our educational system struggles with this Herculean task. Certain themes resonated throughout the day. If we are to be successful, disparate organizations must be brought together through ongoing communication and collaboration; training for individuals and agencies throughout the system must focus on the unique problems faced by these vulnerable youth; and stability and sensitivity must become the watchword as we make decisions for our children.

The path will not be easy, but it is one that Los Angeles must undertake together for the sake of our whole community. Los Angeles is uniquely positioned to turn a new corner. With one of the largest child welfare systems in the country, we have enormous challenges, but we also have the exciting opportunity to build a model that can become a template for the rest of the country. To do anything less is to forsake our communal future and abandon our most vulnerable youth. We must not fail them.

**Los Angeles, California
May 14, 2004**