

**22<sup>nd</sup> Annual Pennsylvania Permanency Conference**

# **FINDING FUTURES**

**July 9 - 11, 2014 • Lancaster, PA**



**2014 Pennsylvania Permanency Conference | July 9 – 11 | Lancaster, PA**



# **Eliminating Barriers to Finding Educational Futures**

# Who is in the foster care system?

Number of children and youth in foster care on September 30, 2012		399,546	
Characteristics of children and youth in foster care on September 30, 2012		Number	Percentage
Age			
Young children (age 0–4)		132,845	33
School age children and youth (age 5–17)		249,107	62
Young adults (age 18–20)		17,302	4
Race/Ethnicity*			
White		166,195	42
Black		101,938	26
Hispanic (any race)		84,523	21
Other children and youth of color		34,371	9
Gender			
Male		209,131	52
Female		190,355	48

\* Includes 3 percent whose race/ethnicity was unknown

- 60% will return home
- 50% stay in care for less than a year^

2014 National Working Group on Foster Care and Education  
^ U.S. Department of Health and Human Services AFCARS report

# The Whirlwind of System Involvement

- **Removed from home/parents/siblings**
  - May not have had chance to say goodbye
  - Uncertain about where parents/siblings are
- **Living with strangers**
  - In strange house, room, bed and/or institution
  - Different customs/routine, other children in home
  - Institutional settings may be unsafe
- **Few or no personal/familiar possessions**
- **Uncertainty about future**
  - How are my siblings and parents?
  - Where will I live?
  - Will I return home?
- **Ongoing mobility**
- **Including, “WHERE WILL I GO TO SCHOOL?”**





# Barriers to Educational Achievement for Court-Involved Youth

- Lack of placement and school stability
- Delayed enrollment
- Over-representation in alternative education
- Lack of supports/services for children with special education and behavioral support needs
- Poor on-site educational programs (cong. care)
- Poor communication/coordination of services
- Lack of meaningful graduation and transition planning
- Lack of statewide research and data

# National/Multi-State Outcomes for School-Aged Foster Children:

- Twice as likely to be absent from school
- 56-75% change schools upon entering care (avg. 2.8 placements in care)
- Two to four times more likely to receive special education and/or repeat a grade
- Only half complete high school by age 18 (compared to 70% general population)
- 15 yr. olds half as likely to graduate in five years, with significantly higher drop out (55%) and incarceration (10%) rates

# National/Multi-State Outcomes for 17-18 year olds in care:

- Average 7<sup>th</sup> grade reading level after completing 10<sup>th</sup> and 11<sup>th</sup> grade.
- 34% changed schools five or more times.
- Twice as likely to have OOS suspension.
- Three times more likely to be expelled.
- 84% express desire to attend college:
  - Only 20% who graduate go to college;
  - Only 2–9% of former foster youth attain B.A.

Source: ABA Center on Children and the Law, Legal Center for Foster Care and Education. *Fostering Success in Education: National Factsheet on the Educational Outcomes of Children in Foster Care* (January 2014): <http://www.fostercareandeducation.org/NationalWork/NationalWorkGroup.aspx>

# The Importance of Finding Educational Futures

- Give foster children hope, a place to belong, a sense of normalcy, and a vision for their future.
- Prevent further foster care placements or entry into juvenile justice system.





# Pre-Placement/Truancy Lehigh

## Children's Roundtable

- Education Success and Truancy Prevention Committee
  - Universal focus
  - Prevention/Early Intervention
  - OCYS and ASD truancy pilot program
  - OCYS-funded elementary school, home, and community-based outreach to families re: truancy

# Pre-Placement/Truancy Dauphin

## County Macro Level

- Education sub-committee of the Children's Roundtable

## County Micro Level

- School Based Workers
- "Check and Connect"

# Pre-Placement/Truancy Allegheny

## Educ. Success & Truancy Prevention Roundtable Committee:

- 2-year truancy prevention pilot program: “Focus on Attendance”
- Outreach and Intake Specialists in two Pittsburgh Public Schools

## Negative impacts on school attendance:

- Housing
- Transportation
- Late Enrollment
- Inaccurate school documentation
- Poor communication between schools & service providers outside of schools

# Pre-Placement/Truancy Allegheny

What improved school attendance?

- Addressing basic needs
- Helping to teach organizational skills
- Build network of social supports
- Increase knowledge of ‘why school matters and what parents can do about it’
- Common Assessment tool (Child Adolescent Needs & Strengths)



# Pre-Placement/Truancy Allegheny

What we didn't plan for:

- High overlap between students referred to this program and students already involved in formal services (child welfare, homeless, mental health, juvenile probation).

Next Steps:

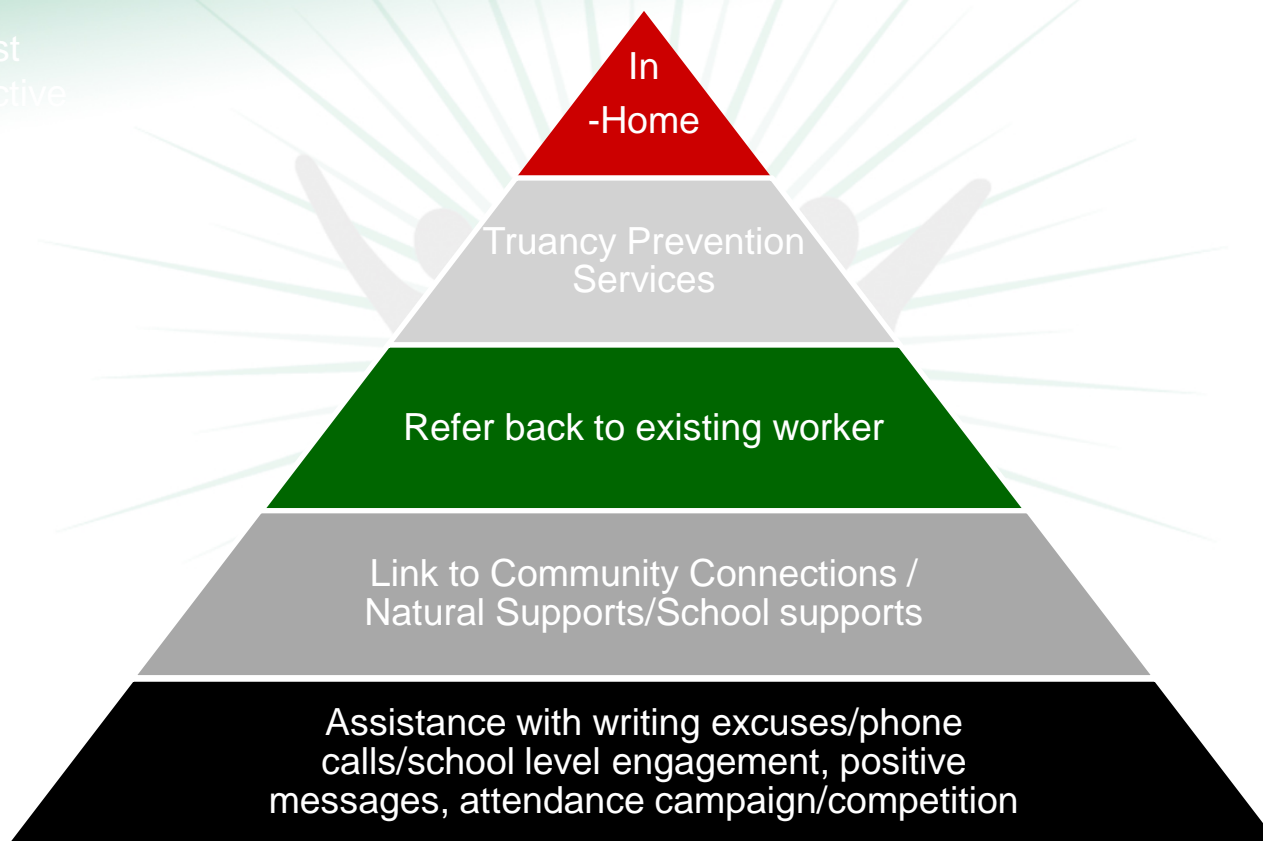
- Shift agenda to broader truancy prevention initiative designed to improve collaboration across systems.
  - Utilize ESTP roundtable as the platform
- Goal: establish a consistent county-wide approach to truancy that encourages positive attendance.



# Pre-Placement/Truancy

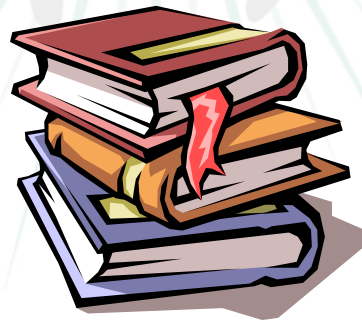
## Focus on Attendance Continuum of Care

Most  
Restrictive



# Out of Home Placement: Legal Tools for School Stability

- **FEDERAL CHILD WELFARE LAW**
  - Fostering Connections to Success and Increasing Adoptions Act (See handout)
- **FEDERAL EDUCATION LAW**
  - McKinney-Vento Homeless Assistance Act



# Fostering Connections

- **Case plans must include** “assurances that the placement of the child...takes into account the **appropriateness** of the current educational setting and the **proximity** to the school in which the child is enrolled at the time of placement.”
- Child welfare agency must coordinate with school to ensure **child remains in the same school unless not in the child’s best interest.**
- Child welfare agency **may use federal funds to provide reasonable travel** for children to remain in their school of origin.



# Fostering Connections

- If same school **not** in child's best interests, case plan must assure that CYS agency and LEA will provide:
  - immediate and appropriate enrollment in a new school; and
  - all of the child's educational records to the new school.
- **All** IV-E eligible children must be full-time elementary or secondary school students, or must have completed secondary school.

# Fostering Connections Questions: What do we do when...



- **Children come into care and need a living placement?**
  - Identify placements that keep child within school catchment area/district
  - Stabilize living placements and minimize placement disruptions
- **Living placements change and child is placed outside of school catchment area/district?**
  - Make best interest determination about which school a child should attend (factors to consider, individuals to involve)

# Fostering Connections Questions:

- **Is it best for a child to stay in the same school even when living out of district?**
  - Address barriers to keeping child in that school
  - Address transportation issues
- **Is it best for a child to be re-enrolled in a new school?**
  - Make enrollment immediate and seamless
  - Make sure records follow accurately and timely

# More Fostering Connections Qs:



- What are the unique needs of our youngest children in foster care and how do we meet those needs?
- How do we ensure the right supports are in place for children in care, particularly supports that are trauma informed?
- How do we support children in foster care who have special education needs?
- How do we put children in care on track for completing high school and entering post secondary or training opportunities?
- How do we ensure that children in care who enter post secondary education successfully complete their education?



# McKinney-Vento Homeless Assistance Act

- **Rights:**
  - Remain in school of origin, regardless of residency
  - Transportation
  - Immediate enrollment without typically required documents
  - District liaisons and state coordinator
- **Eligibility (among other factors):**
  - Children in emergency or transitional shelters
  - Children abandoned in hospitals
  - Children “awaiting foster care placement”

# McKinney-Vento Homeless Assistance Act

- Requires school districts to continue the child's education in the school of origin...
  - **for the duration of the homelessness** when child becomes homeless either between academic years or during an academic year; and
  - **for the remainder of the academic year** if the child becomes permanently housed during that academic year.

**School of Origin** defined as the school the child attended when permanently housed, or the school in which the child was last enrolled.

# Educational Liaisons

- Education Point of Contact appointed in each county child welfare agency per 2010 DPW bulletin.



# Dauphin School Placement Practices

- Team determines the most appropriate school setting.
  - Comprised of school personnel, caseworkers, supervision, parents, education decision maker (if not parent or GAL).
- Educational Liaison is brought in if questions or concerns arise.
- Educational Liaison consults with Agency solicitors and/or the Education Law Center when necessary.



# Placement Disruption Considerations Dauphin

- Distance to the current school
- Seek shelter in the county where the placement has been disrupted
- If the education in the shelter is not adequate, attempt to enroll youth at the local school

# Allegheny School Placement Practices

- Collaborative relationship between services & schools
- Allegheny County DHS Education Point of Contact
  - Allegheny Intermediate Unit, Education for Children & Youth Experiencing Homelessness Program
  - Joint training
  - Ongoing coaching for school staff and child welfare staff
  - Consistent messages

# Allegheny School Placement Practices

## Education Screening Tool (see handout)

- PA State Bulletin in September 2010; Appoint CW Education Point of Contact
- Training from May 2011 – Jan. 2013; has continued
- Electronic completion in web-based case management program
- Completed by provider agencies for every child actively receiving services (1 x per year for kids at home, 2 x per year for kids in care)
- Integrated with court addendum paperwork

GENERAL AND SPECIAL EDUCATION/DISABILITY ACCOMMODATION SCREEN	
Family/Case Name : Hodge	Case Number : 47096
Education Decision-Maker:	Student ID Number:
Current School:	Special Education Decision-Maker:
Agency Name :Auberle	School Grade:
Address : 1 Smithfield St Pittsburgh, PA 15222	Phone No :(255) 555-5555
Initiated by : Charon F Crawford-PCW Initial <input checked="" type="checkbox"/>	Update <input type="checkbox"/>
Child Name: [REDACTED]	
<b>1. EDUCATION RECORDS</b>	
A. Parent consent/Judge's order to obtain education records is on file.	N/A
B. Up-to-date education records are on file.	N/A
<b>2. EDUCATION DECISION-MAKER (A special education decision maker cannot be a child welfare professional, except when appointed by a court to request and consent to an initial evaluation.)</b>	
A. The child has an education decision maker who is acting or attempting to act	N/A
B. The child has a special education decision maker who is acting or attempting to act.	N/A
<b>3. SCHOOL STABILITY/PROMPT ENROLLMENT</b>	
A. The child shall remain in the same school he/she is currently attending.	N/A
B. If child is not remaining in the same school, child was enrolled in new school promptly	N/A
<b>4. SPECIAL SCHOOL SETTINGS/SITUATIONS</b>	
A. Child is attending a regular public school (including charter school) or private or parochial school.	N/A
B. Child receives full day of instruction in accordance with the law.	N/A
C. Child is in Advanced Placement (AP), vocational-technical (vo-tech) or involved in extra-curricular activities.	N/A
<b>5. PROGRESS TOWARD PROMOTION/GRADUATION</b>	
A. Child attends school regularly.	N/A
B. Child is placed at appropriate grade level for age/development.	N/A
C. Child is receiving remedial services as needed.	N/A
D. Child is making adequate academic progress (i.e., child has a C-average or better).	N/A
E. Child received all credits earned for classes successfully completed (applies only to students grades 9-12).	N/A
F. Child completed high school requirements and diploma or GED was or will be issued.	N/A
<b>6. PREPARATION FOR POSTSECONDARY EDUCATION (Applies, at a minimum, to students age 16 or older)</b>	

# Allegheny School Placement Practices Best Interest Placement Tool

- Matches child's info. to required provider info. on all active homes.
- Generates list of available non-kinship homes ranked by best fit.

A home that is in the child's best interest will:

- be the most family-like setting;
- be located in the child's community and school catchment area (if preferred);
- be willing to care for the child's identified behavioral challenges, mental health and/or medical needs, etc.

**Objective:** increase placement stability and improve permanency/well-being outcomes for children in care through better, more informed placement decisions.

**Expected results:**

- Reduce congregate care placements (foster ranked above group homes)
- Improve neighborhood/school stability (homes ranked by proximity to child's removal address)



# Allegheny School Placement Practices Diligent Recruitment Grant



## GOALS:

- Create and sustain more representative network of resource families;
- Ensure DHS has best-fit home for all children in care;
- Cultivate resource family network better prepared to serve youth, including the most vulnerable (behavioral/medical needs);
- Improve partnership between providers, DHS, and resource families to ensure families are fully engaged and supported;
- Increase placement stability;
- Reduce reliance on group/congregate care; and
- Provide stakeholders with a meaningful role and voice that:
  - influences the policy/practice of child welfare; and
  - improves the recruiting and engagement continuum.

# Allegheny Diligent Recruitment Grant (cont'd)

As of April 30, 2014 in Allegheny County:

- 4,388 were active with CYF
- 1,523 were active in a CYF placement
- 1,126 were in CYF foster care:
  - 714 in kinship care
  - 360 in non-kinship care
  - 52 in emergency foster care

# Lehigh School Placement Practices

- County-Wide Enrollment Training
- Enrollment Brochure
- Outreach to School Superintendents
- Directory of Contacts
- Transition Planning

# Enrollment Requirements

1. **Proof of Age** (birth or baptismal certificate, prior school record, passport, etc..)
2. **Immunizations** (immunization and/or prior school record)
3. **Proof of Residency** (deed, utility bill, ID card)
  - a. Agency can verify residence with a letter
  - b. Not required of homeless students
4. **Parent Registration Statement** (sworn statement of child's disciplinary record)
  - a. Cannot deny or delay enrollment based on content

*Enrollment should be immediate and must not be more than five (5) business days after providing these documents.*



# Enrollment: Districts may not request...

- Reason for out of home placement
- Agency records
- Dependency court orders or records
- Picture identification\*
- Health or physical examination\*
- Academic Records\*
- Attendance Records\*
- IEP/Special Education Records\*

*\*Denotes documents that may be requested overall, but not as a condition of enrollment. Others entirely prohibited.*

# Out of County Placements Lehigh

- Education Success and Truancy Prevention Committee outreach
  - Cross-County Meeting of Schools, OCYS, Providers planned for Fall 2014
    - Enrollment brochure
    - Points of contact
    - CRT engagement
    - MDJ Outreach and Education

# Out of Home Placement: Credit Transfers/Grad. Waivers

Foster youth may  
be able to get  
certain graduation  
requirements  
waived due to  
frequent transfers  
(22 Pa. Code § 4.51d)



# Out of Home Placement: Credit Transfers/Grad. Waivers

Allegheny County Independent Living Initiative

<http://www.alleghenycounty.us/dhs/independentliving.aspx>

- Assists foster youth interested in/qualified for post-secondary ed.
- Staffed by DHS Caseworkers and Educational Liaisons.
  - 5 people dedicated to the educational needs of IL aged youth
- Helps youth remain in school and supports graduation goals.
- For youth ages 16 to 24 years, helps with applications for:
  - admission to academic, vocational or other institutions for post-secondary education;
  - employment and vocational training;
  - housing; and
  - financial aid and scholarships.
  - Also helps youth enroll in programs and services to enhance post-secondary success.



# Out of Home Placement: Credit Transfers/Grad. Waivers

- Allegheny County IL Initiative
- Academic Passport (see handout)

Record Information					
	Record Obtained	Record In Progress	Barrier to Obtaining	Not Applicable	Comments
Report Card/Grades	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Obtained transcripts from Avonworth.
Attendance Records	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Obtained transcripts from Avonworth.
IEP	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Judy does not have an IEP.
Schedule	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Judy provided Educational Liaison with her class schedule.

Credit Information					
Subject	9th Grade	10th Grade	11th Grade	12th Grade	
Math	0.50	1.00	1.00	1.00	
English	1	1	1	1	
Science	1	1	1	1	
Social Studies	1	1	1	1	
Electives	1	1	1	1	
Foreign Language	1	1	1	1	
Other 1					
Other 2					

Comments  
 Judy moved in the middle of the 2nd semester in 9th grade and was not able to keep her credits from one school to the next.

Other Activities	
Activity	Activity Details
<input checked="" type="checkbox"/> Senior Project	Her senior project was about her dance troupe.
<input checked="" type="checkbox"/> Current Extra-Curricular Activities	Judy is in dance and is a cheerleader.
<input checked="" type="checkbox"/> Past Extra-Curricular Activities	Judy was in track.
<input type="checkbox"/> Current Volunteer/Community Service	
<input checked="" type="checkbox"/> Past Volunteer/Community Service	Volunteered at church.

SAT/ACT Information				
Scheduled Date	Completion Date	Waiver	Waiver Number	
10/13/2012	10/13/2012	Yes	1	<input type="button" value="New"/> <input type="button" value="Save"/>

# Ensuring Proper Educational Programming

- Foster children may not be placed into special or alternative education automatically.
  - Ensure that IEP is specifically tailored to meet the individual student's needs
  - Evaluate for Gifted IEP when appropriate
  - Consider 504 Plan when needed
  - Only children “currently expelled” for weapons offenses (i.e. did not serve out expulsion at former school) can be placed in alternative education by default during the expulsion period.

# Ensuring Proper Educational Programming

- Children in congregate care have the right to attend local public school, if in their best interest.
  - Institutionalized youth do not have to default to attending on-site alternative education programs.



# Integrating Foster Children into a New School

- Promote extracurricular involvement.
- Improve transportation (i.e. activity bus) to increase participation.
- Appoint foster care liaison at each school/district to greet & integrate students in activities (Cincinnati).
- Utilize special programs to target foster children and promote community and higher ed. goals.
  - Calif.: Advancement via Individual Determination (AVID)
- Inform teachers of foster child status and share other details that might help educators connect and support.
- Lehigh – “the old school is a new school.”



# Educational Decision Making

- Understanding the Roles
  - Birth and Adoptive Parents
  - Surrogate Parents
    - Who qualifies as an “IDEA parent”?
  - Educational Decision-Makers
    - Juvenile Court Rule 1147
      - “Make appropriate inquiries and take appropriate actions”
      - In re: J.J., Superior Court Decision

# FERPA

- Family Education Rights and Privacy Act:
  - Protects privacy interests of students' education records.
  - Prohibits schools from disclosing **personally identifiable information** from students' education records **without the written consent of a parent** or eligible student, unless an exception to general consent rule applies.

20 U.S.C. § 1233g; 34 CFR Part 99

# FERPA: Uninterrupted Scholars Act (USA)

- Effective January 14, 2013, the Uninterrupted Scholars Act includes two important changes:
  - Creates a new “child welfare exception”
  - Eliminates duplicative notice for the “court order exception”



# FERPA: New Provisions

- Information can be released without parental consent to:
  - an **agency caseworker or other representative** of a State or local child welfare agency, or tribal organization... who has the **right to access a student's case plan**;
  - when such agency or organization is **legally responsible**, in accordance with State or tribal law, for the **care and protection** of the student;
  - provided that the education records, or the personally identifiable information contained in such records, of the student will **not be disclosed ... except to an individual or entity engaged in addressing the student's education needs....**



# Data and Information Sharing

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"So things are good, stuff is OK, and I reiterate  
my request for more specific data."

# Data and Information Sharing:

Different types to support foster children

- State level efforts to identify aggregate level data on outcomes for children in care (CA's Invisible Achievement Gap; NE and AR)
- Local level real-time data sharing across agencies
  - Designed to be tool to front line staff who work directly with children and youth
  - Separate data system to identify placement options in school districts (Allegheny; Cincinnati; San Diego and Sacramento)

# Data and Information Sharing

- Child/student specific data sharing models
  - Real time access to records by caseworkers
  - Frequent data exchange for case management and reporting
- System level sharing and accountability
  - SACWIS education elements (Education Identifier)
  - State or LEAs disaggregating educational outcome data for children in care

# Allegheny County Data Sharing with School Districts

Action  
Research  
Approach



First legal agreement with Pittsburgh Public Schools (2009)

School Districts (13 of 43 districts as of 5/2014):

Pittsburgh Public, Clairton, Woodland Hills, Elizabeth Forward, Gateway, Penn Hills, Sto-Rox, McKeesport, Steel Valley, Allegheny Intermediate Unit, Baldwin Whitehall, Duquesne, West Mifflin

[www.alleghenycounty.us/dhs/research-education.aspx](http://www.alleghenycounty.us/dhs/research-education.aspx)



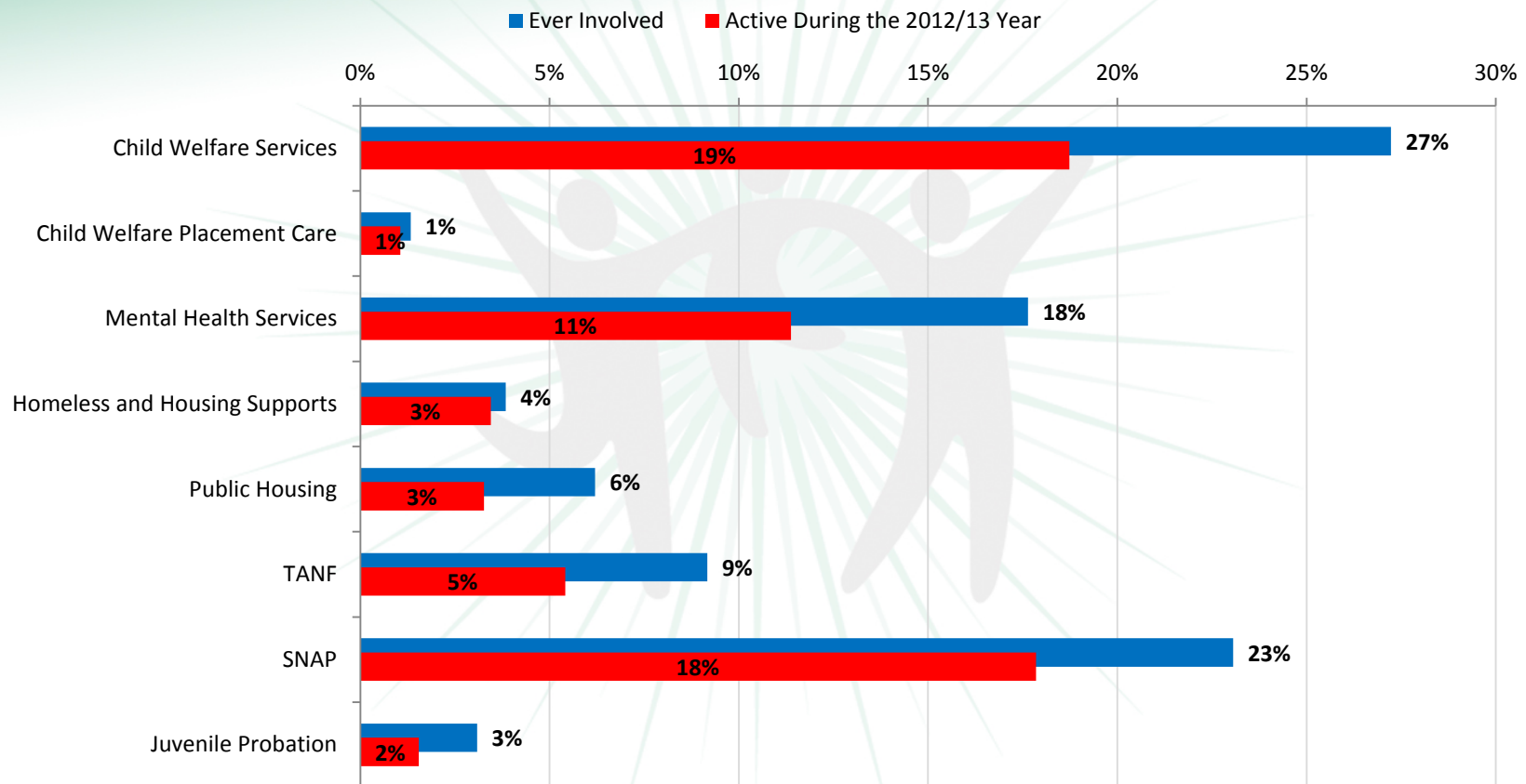
# Allegheny County Data Sharing Practices

- Legal team of cross-system advisors and Community Stakeholder group advising the work
- Directory level education data shared more broadly
- Child level data published weekly in web-based case management system where legally appropriate (child adjud. dependent or caseworker has signed consent)
- Snapshot integrated into family court addendum paperwork
- Building caseworker alerts (i.e. child missed school, child withdrawn from school)
- Legal framework in place to share back with schools (names of children in foster care, contact information for caseworker/supervisor)

# Example of a school district in Allegheny County

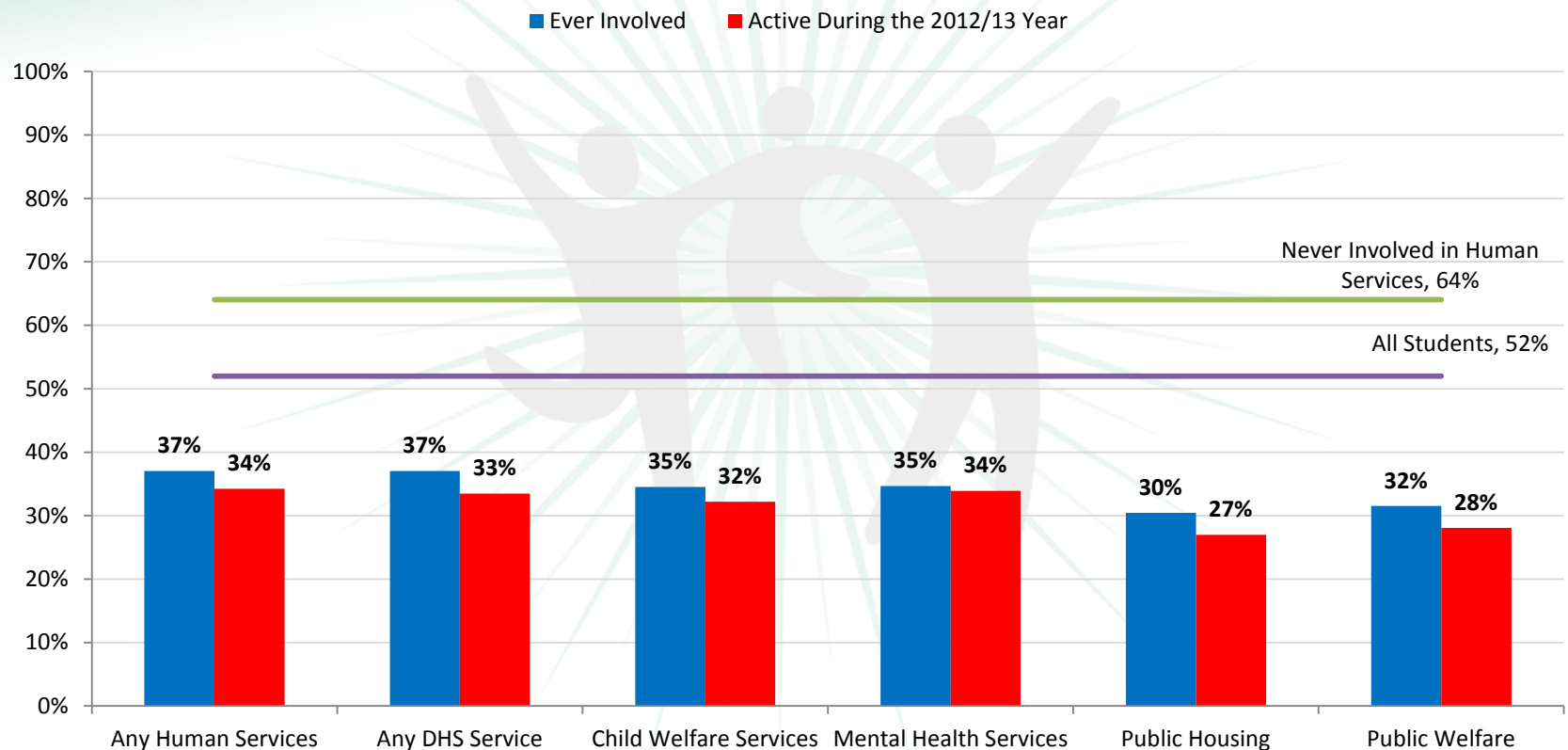
## Detailed Program Involvement

**Human Service Involvement by Program Area**



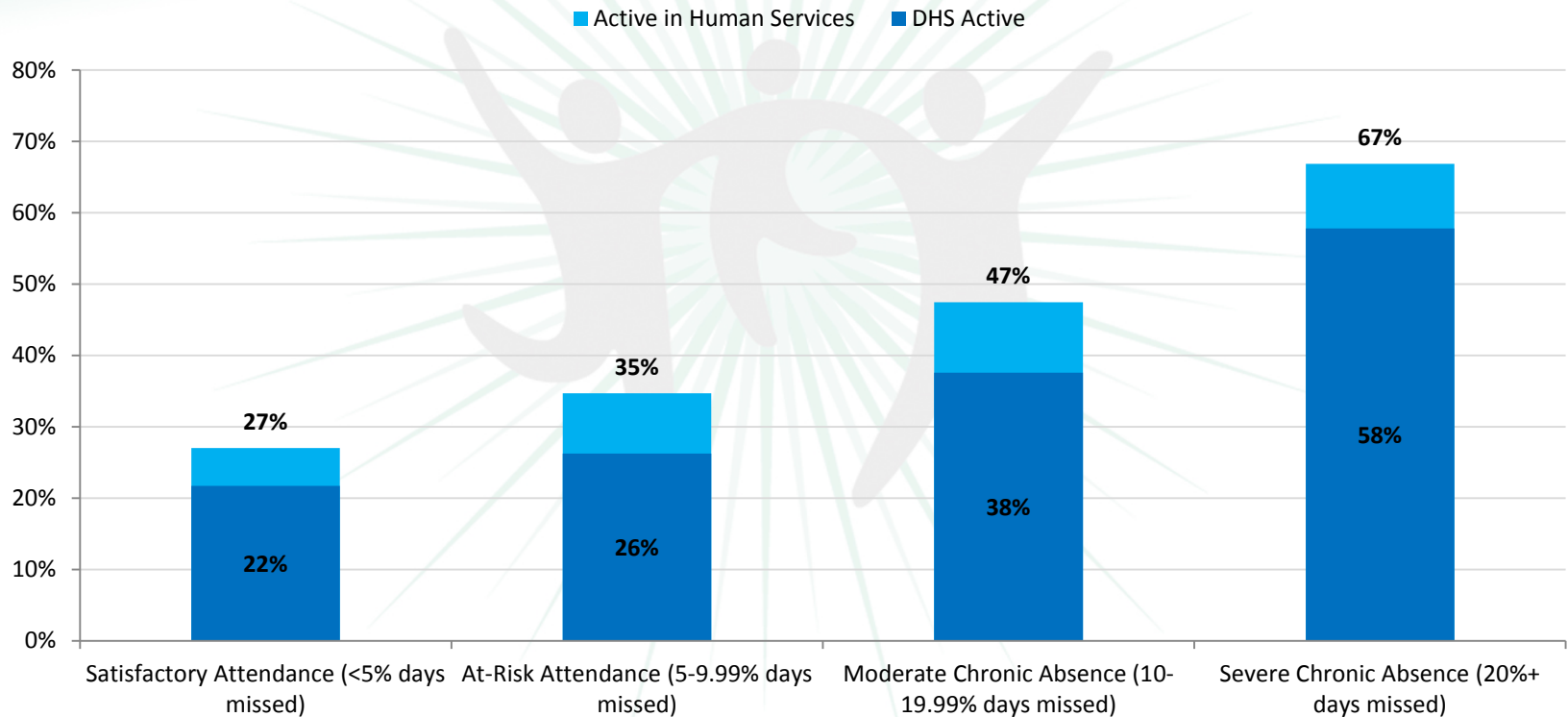
# Educational Outcomes - GPA

## Percent of Students with GPAs Greater Than or Equal to 2.5 by Service Type



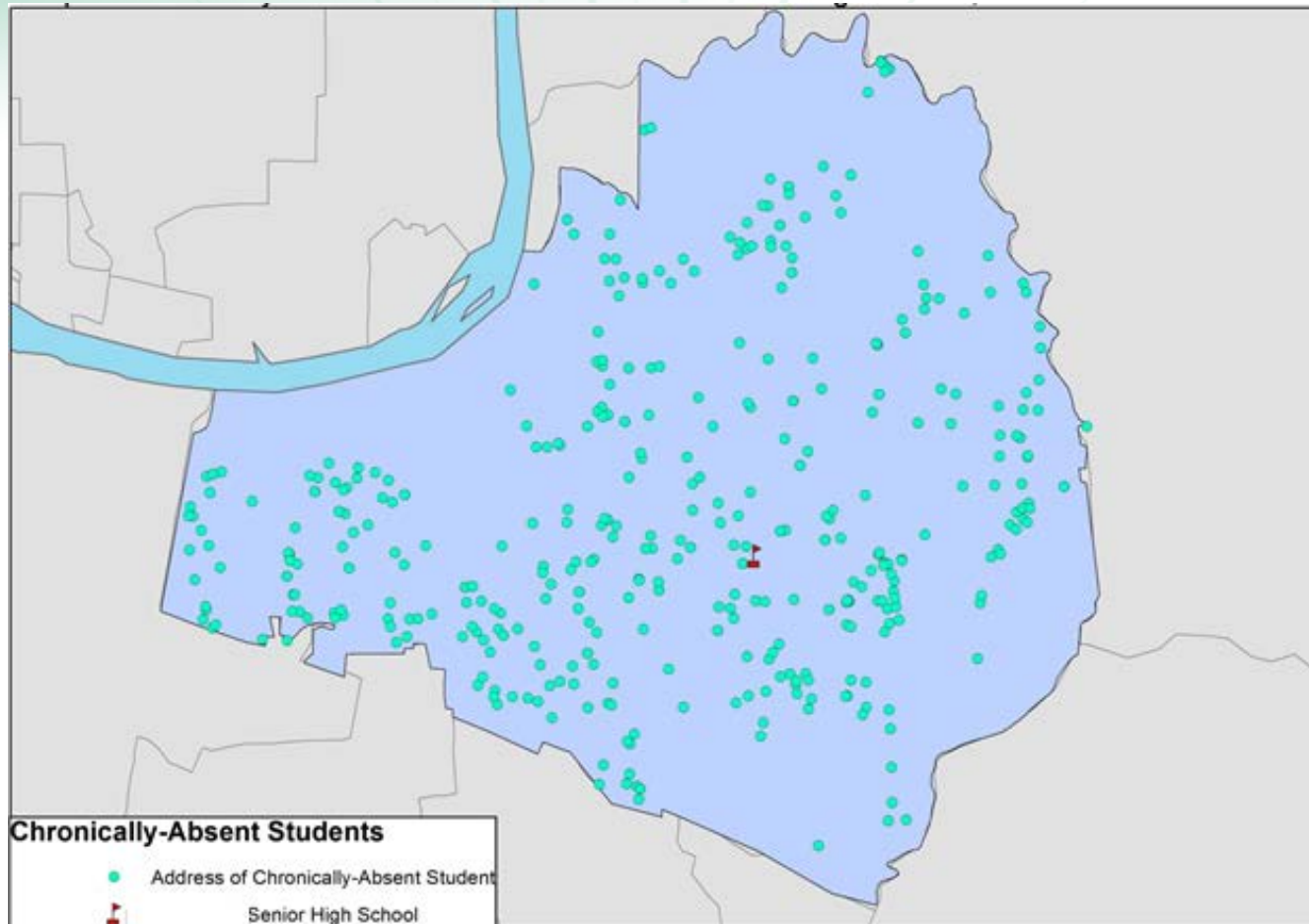
# Active in Human Services by Attendance Category

## Percent of Human Service Active Students in each Attendance Category





# Chronically-Absent Students at XYZ High School



# County Data Sharing Practices

Dauphin:

- Lessons Learned/the MOU process

Lehigh:

- Established points of contact at Allentown School District and OCYS expedite enrollment, records release, transfer, etc....

# Older Youth

- Transition Planning
  - Transition Assessments
  - Incorporated into IEP
    - Age 14 and youth's participation
    - Set individualized and measureable goals
    - Instruction related to the goals
    - Overlap with child welfare IL Plan
    - Consider graduation at age 21

# Older Youth

- School records and transcripts
- PA Office of Vocational Rehabilitation
- Higher Education
  - By age 19, only 18% of foster youth are pursuing a four year degree compared to 62% of their peers (Center for the Study of Social Policy, 2009)
  - Accommodations for youth with disabilities
  - JobCorps



# Older Youth: Remaining in Care

- Criteria to remain in care after age 18
  - Completing secondary education or equivalent
  - Enrolled in institution which provides postsecondary education or vocational education;
  - Participating in a program designed to promote or remove barriers to employment;
  - Employed for at least 80 hours per month; or
  - Incapable of doing any of the activities described above due to a medical or behavioral health condition; (42 Pa.C.S.A. Sec. 6302)

# Older Youth: Returning to Care

- Resumption of Jurisdiction
  - Available anytime prior to age 21 to a child who meets the criteria of a youth remaining in care and...
  - IF Dependency Jurisdiction was terminated
    - Within 90 days of the child's 18<sup>th</sup> birthday OR
    - On or after the child's 18<sup>th</sup> birthday, but before the child turns 21 years of age

(42 Pa.C.S.A. Sec. 6351)
- Educational Concerns
  - Records, Enrollment, Educational Decision-Maker

# Who to contact for help in eliminating educational barriers?

- County Child Welfare Agency Education Liaison (handout)
- LEA's McKinney-Vento Coordinator
- Agency Solicitor and/or Child's Guardian ad Litem
- SWAN LSI Warmline/Legal Training Specialists
- ABA Center on Children and the Law, Permanency Project (Kathleen McNaught, Esq.)
- Educational Law Center (Maura McInerney, Esq.)
- Juvenile Law Center (Jenny Pokempner, Esq.)
- PA Dept. of Educ.'s Basic Education Circulars (BECs):  
[http://www.education.state.pa.us/portal/server.pt/community/basic\\_education\\_circulars/7497](http://www.education.state.pa.us/portal/server.pt/community/basic_education_circulars/7497)
- PDE School Services Unit: 333 Market St., Harrisburg, PA 19126, (717) 787-4860

# American Bar Association Center on Children and the Law



## **Pennsylvania Permanency Project**

- Helps PA move children through the foster care system into permanency in a timely and cost-effective manner.
- Focus areas include improving court & agency relationships, streamlining the legal process, providing PA-specific legal training.

## **Legal Center for Foster Care and Education**

- Collaboration with Casey Family Programs and Annie E. Casey Foundations, in conjunction with the Juvenile Law Center and Education Law Center (PA).
- A national technical assistance resource and information clearinghouse on legal and policy matters affecting the education of children and youth in foster care
- Listserv, Training Materials, Conference Calls and Webinars, Publications, Searchable Database (includes state laws & policies)
- Website: [www.fostercareandeducation.org](http://www.fostercareandeducation.org)



# Legal Presenters

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# County Panelists

- **Nicole Anderson**, Region 4 Coordinator, Pennsylvania's Education for Children and Youth Experiencing Homelessness Program/Allegheny Intermediate Unit, (412) 394-5894, [nicole.anderson@aiu3.net](mailto:nicole.anderson@aiu3.net)
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