Educational Stability for Youth In Foster Care in New York State

Presentation to the Board of Regents

December 12, 2016

Panel Discussion about Foster Care Youth in New York State

- Renée Rider, Assistant Commissioner, NYSED

- Stan Hansen, Executive Director, NYSED

- Lisa Ghartey Ogundimu, Assistant Commissioner, NYS Office of Children and Family Services

- John Befus, Deputy Commissioner, Westchester County Department of Social Services

- Dr. Noreen Urso, Assistant Superintendent for Pupil Personnel Services, Eastchester Union Free School District

- Pat White, Education Coordinator, Westchester County Department of Community Mental Health

- Hon. Kathie E. Davidson, Supervising Judge of 9th Judicial District Family Courts

AGENDA

 Overview of guidance provided to school districts and child welfare agencies, including new federal guidance required by the Every Student Succeeds Act of 2015

 Landscape of Youth in Foster Care across New York State

 Local Perspective & Collaborative efforts featuring Westchester County

 Foster Youth College Success Initiative

 Questions & Answers

Recent Federal Guidance to States Regarding Youth In Foster Care

October 2008 - The Fostering Connections Act: State child welfare agencies (SCWAs) and local educational agencies (LEAs) are obligated to coordinate efforts to ensure the educational stability of students in foster care;

January 2013 - Uninterrupted Scholars Act (USA): Permits schools to disclose education records of students in foster care placement, without parental consent, to an agency caseworker or other representative of a State or local child welfare agency;

May 2014 – Guidance from U.S. Departments of Education and Health and Human Services: School districts have an obligation to collaborate and coordinate with social service districts to ensure school stability for students in foster care.

Recent Federal Guidance to States Regarding Youth In Foster Care

December 10, 2015 - The Every Student Succeeds Act (ESSA) was signed, reauthorizing the Elementary and Secondary Education Act (ESEA).

June 23, 2016 – U.S. Departments of Education and Health and Human Services issued "Ensuring Educational Stability for Children in Foster Care" (Non-Regulatory Guidance). Provides guidance about successful implementation of new requirements including joint responsibility and collaborative relationship between educational and child welfare agencies to ensure educational stability for students in foster care.

November 29, 2016 – U.S. Department of Education issued Final Regulations concerning the Every Student Succeeds Act (ESSA), including specific provisions about students in foster care.

Recent Guidance from NYSED to Local Education Agencies and Child Welfare Agencies Regarding Youth In Foster Care

March 2012 - Guidance released from the New York State Education Department (NYSED), Office of Children and Family Services (OCFS), and Office of Court Administration explaining the responsibilities of child welfare agencies, LEAs, and the courts to ensure school stability for students in foster care.

August 2015 - NYSED issues guidance on how transportation should be arranged in various scenarios for students placed in foster care, *including situations involving a student being placed in a foster care setting that is located in a different school district than where the student attended school at the time of placement.*

November 2016 – Notification from NYSED to LEAs issued regarding ESSA changes related to students in Foster Care and critical dates to comply with Title I, Part A requirements.

December 2016 - Joint memo from NYSED and OCFS to LEAs and Local Departments of Social Services (LDSS) issued regarding ESSA changes related to students in foster care.

December 2016 - Statewide list of foster care child welfare points of contact by LDSS is posted at: http://www.p12.nysed.gov/sss/.

December 10, 2016 – Deadline for LEAs to submit assurances and foster care points of contact to NYSED.

ESSA Foster Care Requirements: State Education Department

NYSED will collaborate with the OCFS to ensure agencies adopt practices that facilitate educational stability for students in foster care, including:

1. Children or youth in foster care are enrolled or remain in their school of origin, unless a determination is made that it is not in their best interest.

2. When a determination is made that it is not in the child's best interest to remain in the school of origin, the child will be enrolled immediately in a new school even if the child is unable to produce records normally required for enrollment.

3. The enrolling school must immediately contact the school last attended to obtain relevant academic and other records.

4. NYSED will designate a foster care point of contact for local departments of social services (LDSSs), who will oversee implementation of NYSEDs responsibilities.

ESSA Foster Care Requirements: Local Education Agencies (LEAs)

A school district must provide assurances that it will collaborate with the LDSS to:

1. Develop and implement clear written procedures for how transportation to maintain children in foster care in their school of origin when in their best interest will be provided, arranged, and funded for the duration of the children's time in foster care. These procedures must ensure that:

   a) children and youth in foster care who need transportation to the school of origin promptly receive it in a cost-effective manner; and

   b) if there are additional costs incurred in providing transportation to the school of origin, school districts will provide transportation if:

      i. The LDSS agrees to reimburse the school district;

      ii. The school district agrees to pay the costs; or

      iii. The school district and the LDSS agree to share the costs.

ESSA Foster Care Requirements: Local Educational Agencies (LEAs)

A school district must provide assurances that it will collaborate with the LDSS to:

2. Designate a school district Foster Care Point of Contact to work collaboratively with representatives from the local child welfare agency. When a school district has designated a school district Foster Care Point of Contact, they must submit that information to NYSED, post on the school district website, and notify the LDSS in writing.

   NYSED has posted the list of school district Foster Care Points of Contact on its website. Visit: http://www.p12.nysed.gov/sss/.

ESSA Foster Care Requirements: State and Local Child Welfare Agencies/Departments of Social Services

➢ OCFS and NYSED have identified State Contacts for child welfare education matters.

➢ OCFS has gathered the Point of Contact information from each LDSS, and the list has been posted on both the OCFS and NYSED websites.

➢ Each LDSS must post contact information for the Point of Contact on their respective websites.

➢ NYSED has posted the contact information for the LDSS Points of Contact (http://www.p12.nysed.gov/sss/) for district convenience.

School-Age Youth In Foster Care in New York State

Memorandum of Understanding between NYSED and OCFS

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- Records of children in the OCFS system are "matched" with public school district reported records in NYSEDs statewide Student Information Repository System (SIRS) for OCFS case management and research purposes. The match rate is approximately 92%.

- OCFS securely transmits a student-level file that includes directory information for students in foster care to NYSED; NYSED securely returns education records for students that were "matched."

- Each September, the record "match" and data exchange occurs for all children in foster care; in addition, as children come into care, bi-weekly "matches" and data exchange occurs throughout the year.

- Only public school data is permitted through the MOU.

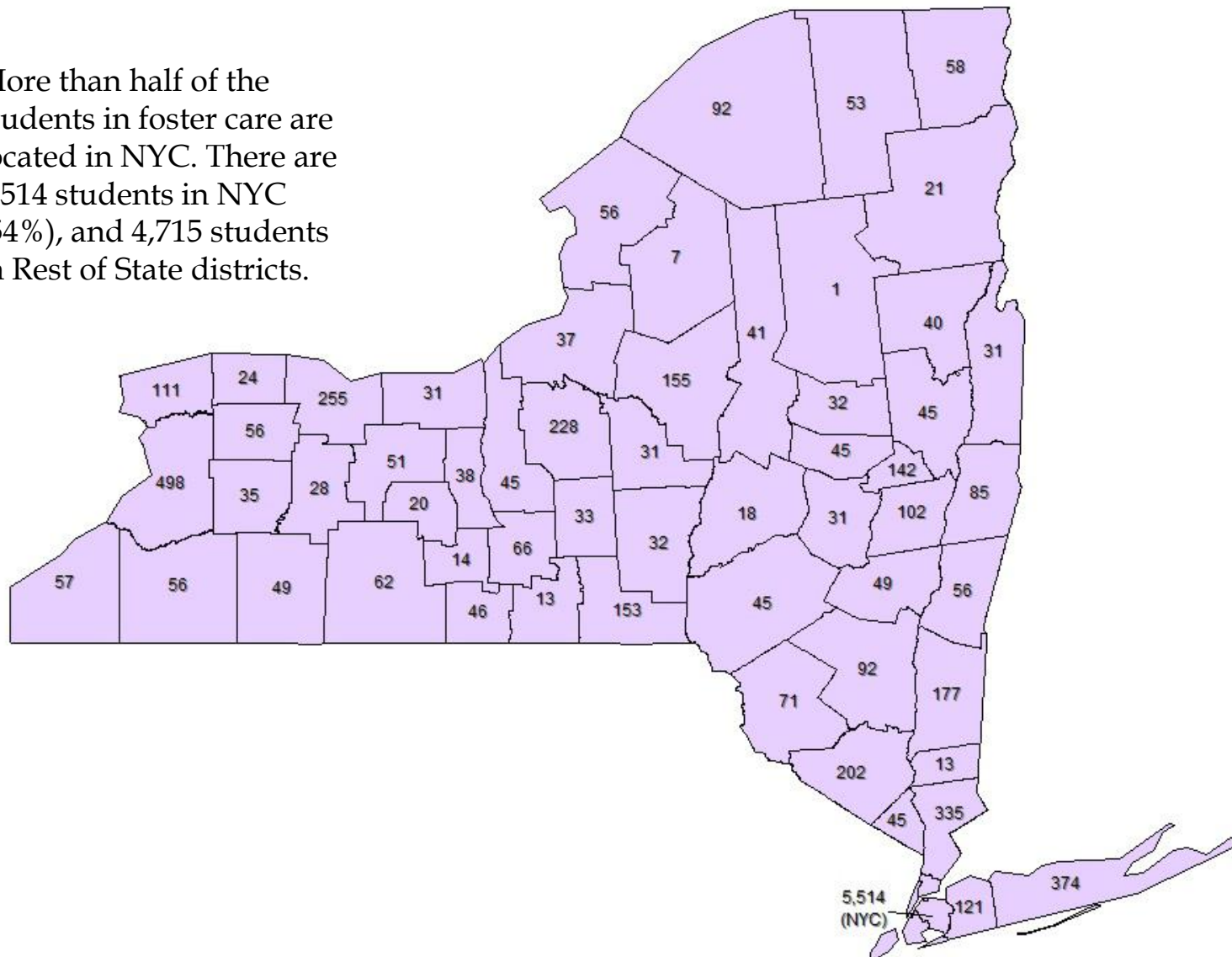- NYSED data includes students enrolled in public schools (preK-12) and preschool students with disabilities.

Characteristics of School-Age Youth In Foster Care in New York State as of Dec 31, 2015

- There were over 10,000 school-age children in foster care in this state at the end of last year.
- Students in foster care are disproportionately classified as students with disabilities (51%) compared to 17% of all students in public schools statewide.
- Likewise, students in foster care are disproportionately from low-income families (83%) compared to 54% of students statewide.
- 41% of students in foster care are black or African American compared to 18% of all students in public schools statewide.
- Educational outcomes (test performance, graduation rate) for students in foster care are significantly lower than their peers not in foster care.

* Note that these data are based on "matched" data described in slide 12 and includes students in foster care who were either enrolled in preK-12 in a public school, or was a preschool student with a disability in the 2015-16 school year.

School-Aged Students Out-of-Home Placed in Foster Care by County, 2015

More than half of the students in foster care are located in NYC. There are 5,514 students in NYC (54%), and 4,715 students in Rest of State districts.
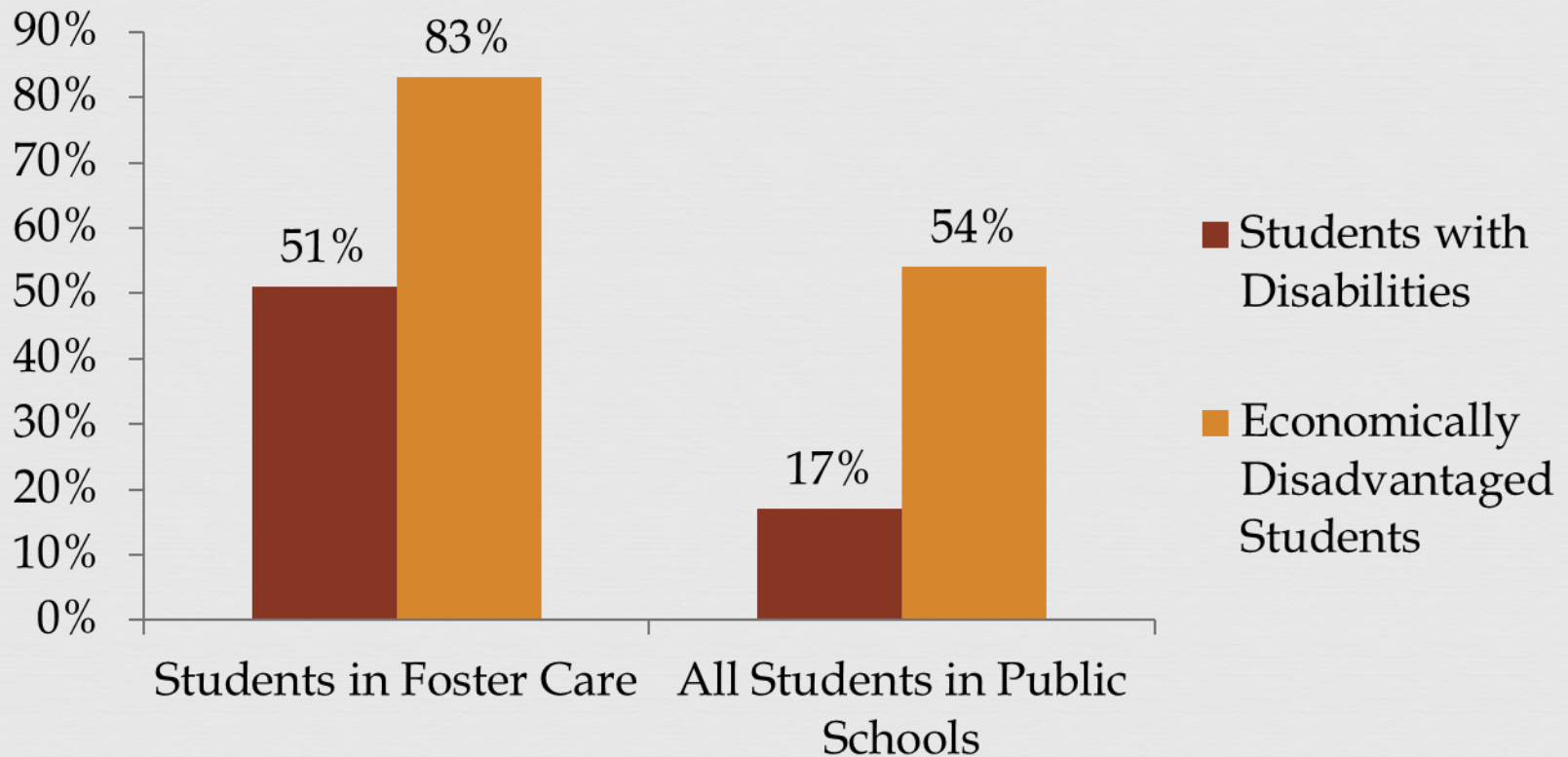

* Note that these data are based on "matched" data described in slide 12 and includes students in foster care who were either enrolled in preK-12 in a public school, or was a preschool student with a disability in the 2015-16 school year.

Characteristics of School-Age Youth In Foster Care in New York State as of Dec 31, 2015

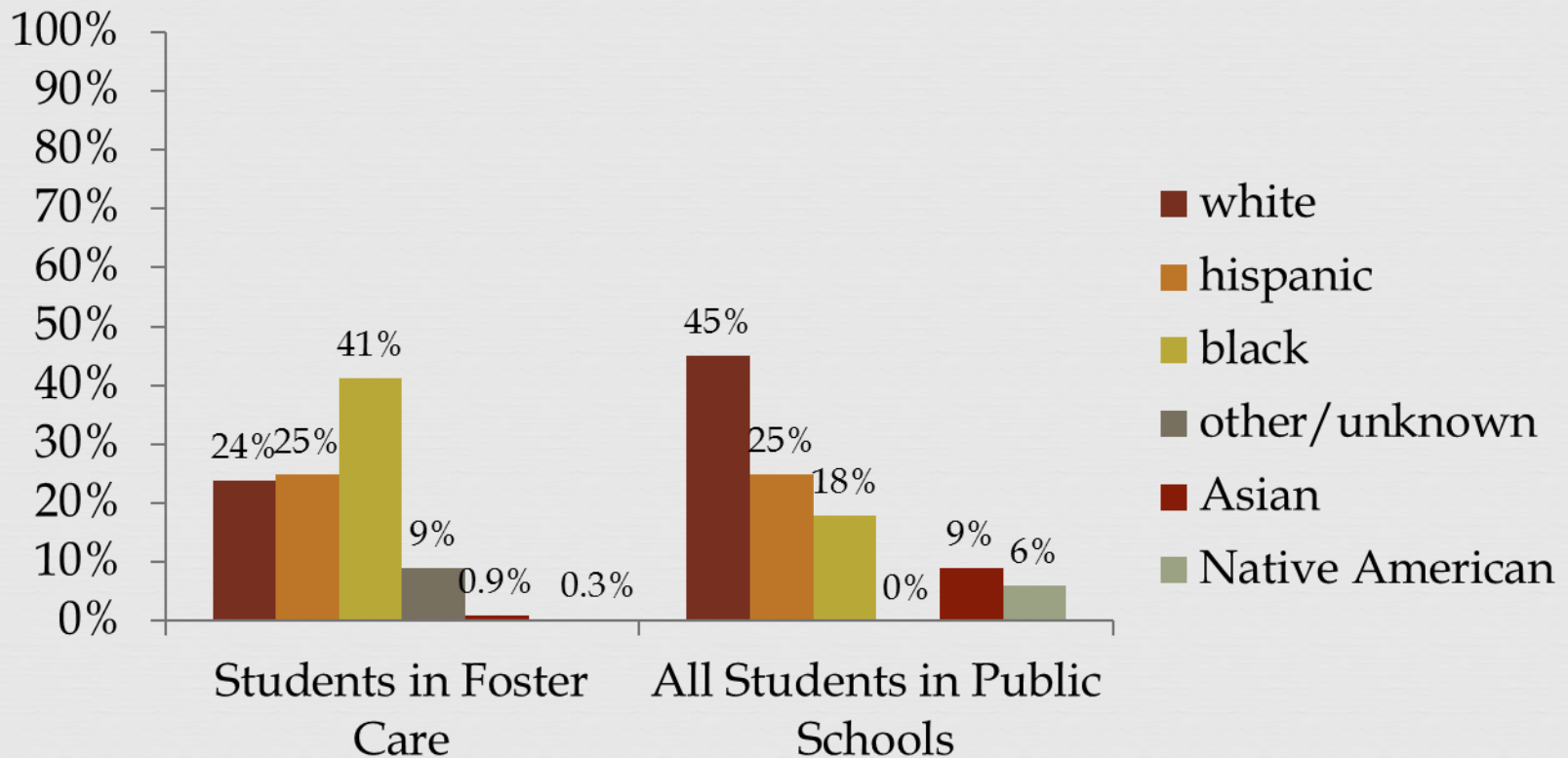|	NYC		Rest Of State		State	
	number	%	number	%	number	%
males	2,766	50%	2,660	56%	5,426	53%
females	2,748	50%	2,055	44%	4,803	47%
less than 2 *	1	0%	1	0%	2	0%
2 to 5 years *	583	11%	460	10%	1,043	10%
6 to 9 years	1,371	25%	1,055	22%	2,426	24%
10 to 13 years	1,114	20%	928	20%	2,042	20%
14 to 17 years	1,628	30%	1,935	41%	3,563	35%
18 years and older *	817	15%	336	7%	1,153	11%
white (not hispanic)	256	5%	2,182	46%	2,438	24%
black/african american (not hispanic)	2,955	54%	1,255	27%	4,210	41%
hispanic/latino	1,839	33%	699	15%	2,538	25%
native American/Alaskan native	4	0%	26	1%	30	0%
Asian	67	1%	24	1%	91	1%
Native Hawaiian/Pacific islander	-	0%	-	0%	-	0%
Other/unknown	393	7%	529	11%	922	9%
Total Students in Foster Care	**5,514**		**4,715**		**10,229**	

* Note that these data are based on "matched" data described in slide 12 and does not include students in foster care who [15] were older or younger than school-age (data includes students in foster care who were either enrolled in preK-12 in a public school, or was a preschool student with a disability in the 2015-16 school year).

Characteristics of School-Age Youth In Foster Care in New York State on December 31, 2015

Data are based on "matched" data described in slide 12 and includes students in foster care who were either enrolled in preK-12 in a public school, or was a preschool student with a disability in the 2015-16 school year.

Characteristics of School-Age Youth In Foster Care in New York State on December 31, 2015

Data are based on "matched" data described in slide 12 and includes students in foster care who were either enrolled in preK-12 in a public school, or was a preschool student with a disability in the 2015-16 school year.

Westchester County Collaborative Efforts to Support Youth in Foster Care

Representatives from the Following Westchester County Agencies are Joining us Today

ଓ Department of Social Services – ensures the health, safety and protection of vulnerable adults and children,

ଓ Eastchester Union Free School District along with Southern Westchester BOCES – engaged in partnerships to employ best practices, including social service liaisons, cross-training, data sharing, avoid unnecessary school moves, and planning.

ଓ Department of Community Mental Health – partners to coordinate community-based preventive services, promote developmental normalcy and opportunities, and transitional/aftercare services.

ଓ Westchester County Family Court – engaged in preventive policy development to improve outcomes for youth.

Westchester County

 The primary goal is to work with public and private partners to promote the safety, permanency, and well being of children, youth, and families in the county.

 Westchester's Child Welfare Division receives nearly 7,000 reports of abuse or neglect annually, provides preventive services to 1,300 children and their families per month, and cares for 540 children and youth in foster care.

Westhester County

- There are 540 Westchester children and youth in foster care (Oct 2016), down 43% from a high of 941 in 2008.
- 400 are in a family-based or small group community setting, 367 (71%) are school age, 221 (44%) are age 14 or older, and 58% have a goal of safely returning home.
- 61% are African American. The Department is working with State and community partners to continue providing training to further address disproportionate minority representation.
- More than 60% of children in care have identified disabilities (learning or emotional).
- 42% experienced a school transfer during the school year.
- On standardized tests, Only 21-23% of children in grades 3-8 were passing or proficient in math and ELA, compared to nearly 75% statewide; and only 19% of High School students had passing math scores compared to more than 70% statewide, with 35% passing ELA tests, compared to more than 80% statewide.

Westchester County Partners Action and Engagement Plan Includes:

1. Engage schools, courts, government agencies, community-based service providers, youth and families, supportive adults and advocates, and the faith-based community to invest in strength-based alternatives.

2. Invest in and coordinate community-based preventive services to avoid unnecessary placements in CSE residential or foster care.

3. Review and employ best practices, including school/social services liaisons, cross-training, record/data sharing, and placement/transportation planning.

4. Avoid unnecessary school moves through foster care population geomapping and enhanced foster family recruitment, training, and support.

Westchester County Partners
Action and Engagement Plan Includes:

5. Promote developmental normalcy and opportunities for youth in foster care.
6. Decrease length of stay and increase permanency for youth in foster care or CSE placement.
7. Improve educational and well-being outcomes for youth in foster care and their families.
8. Further focus on youth aging out of foster care and at risk for homelessness and other poor outcomes, including opportunities for post-secondary education.
9. Lastly, continue invaluable investments in transitional/aftercare services.

Foster Youth College Success Initiative

ଔ The 2015 – 2016 State budget appropriated $1.5 million for the Foster Youth College Success Initiative. The law provides for awards to public institutions, including institutions of the State University of New York (SUNY), and The City University of New York (CUNY), and requires the Commissioner to enter into contracts with degree-granting institutions currently funded by the Arthur O. Eve Higher Education Opportunity Program (HEOP) for the purpose of providing additional services and expenses to expand opportunities for foster youth attending college.

ଔ The 2016 – 2017 State Budget appropriated $3 million for this same initiative. There are currently 500 foster youth participating in the initiative receiving additional financial support, counseling, tutoring, and other services to assist them in completing their college education.

Questions & Answers