

**EDUCATIONAL STABILITY: IMPROVING OUTCOMES FOR
FOSTER CHILDREN & YOUTH**

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Connie Hickman Tanner

Abstract

The national statistics are alarming. Children and youth in foster care who are in need of stability and continuity often continue to face more instability while in state custody. This instability leads to school changes that negatively affect their academic progress, prospects for self-sufficiency, and ultimately their ability to lead healthy and productive adult lives. Arkansas has a history of foster children and youth having multiple changes in placement while in foster care which contributes to an increase in the number of school changes. This is the first state-wide study in Arkansas to examine these placement changes as they relate to educational continuity. It is important to examine how Arkansas complies with legislation requiring educational stability, but also to begin to examine the effects that school changes have on educational and permanency outcomes when school changes occur with this population of students.

This research study draws upon existing studies and data to address the following research questions:

- What percentage of children/youth in dependency-neglect cases in FY 2012 experienced educational stability by remaining in their same school while in foster care?

- What factors can be attributed to children/youth that remain in their same school while in foster care? For children/youth that do not remain in their same school, what barriers can be identified?
- For children in foster care in dependency-neglect cases in FY 2012, what implications did educational stability have on core educational outcomes including GPA, benchmark testing scores, and graduation rates?
- For dependency-neglect cases that the Circuit Court closed in FY 2012, what implications did educational stability have for foster children as it relates to the time to achieve permanency as identified by the “Toolkit”¹ permanency measures?

The study’s findings are the results compiled from an analysis of data obtained from three agency databases and a series of four focus groups. Data from the Arkansas Supreme Court and Department of Human Services (DHS), child welfare agency, were first matched with one another and then matched with data maintained by the Arkansas Department of Education. Matching the data was an important step in the study so that each youth/child’s educational experience was tracked individually. As the court and child welfare data were merged with educational data, the identifier for the youth/child was encrypted so that no youth/child could be individually identified. Information was also collected from 143 judicial stakeholders and 100 foster youth through focus groups. Of these foster youth, 86 also participated in a follow-up survey. All stakeholders confirmed the data analysis that foster children/youth experience

educational instability prior to entering foster care and that the instability continues after entering foster care. Stakeholders also confirmed data as to placement changes as a primary factor that attributed to educational instability. Finally, they provided concrete examples of factors that contributed to stability and identified barriers to achieving placement and educational stability.

Key findings from the study include that foster children and youth in dependency-neglect (DN) cases have 4.8 placement changes a year, more than double the national standard. As a result, a majority of the students in dependency-neglect cases change schools an average of 2.3 times per year. The impact of these school changes is cumulative. Each school change results in an average decrease in GPA of .093. The average GPA for these students is 2.13 and these students fall behind other students in benchmark testing and are more likely to test below basic than other students. This dramatically impacts the foster youths' ability to graduate, with only 23% of the students age 17 and above earning a high school diploma. Instability also impacts the likelihood that youth/children will be placed in a permanent placement in a timely manner.

The Arkansas Supreme Court Commission on Children, Youth and Families is charged with identifying, recommending, implementing, and evaluating improvements for courts to be more effective in achieving safety, permanency, and well-being for children and youth and promoting data-driven and evidence-based practices. This research is a crucial step in providing data to begin to assess educational well-being and permanency outcomes for children and youth in foster care. This data will be used to encourage local judicial, child welfare, and educational

¹ The Toolkit permanency measures are based on the permanency outcomes delineated in the Adoption and Safe Families Act of 1997 (Toolkit for Court Performance Measures in Child

leadership teams to develop local improvement plans to improve placement and educational stability for these foster children and youth.

The research will also be used to educate stakeholders as to Arkansas' efforts in achieving educational continuity for foster children and youth, and instrumental in providing evidence to help shape the dialogue toward improved policy and practice decisions. This will require continued interagency and inter-branch collaboration committed to improving the placement and educational outcomes of children and youth in foster care, ongoing leadership, and a commitment to continue to share and evaluate data and outcomes relevant to foster children and youth. A focused effort is needed to guarantee that these children/youth have the educational stability as required by law. Education stability correlates to these children/youth's educational and permanency outcomes, which in turn increases their prospects to become successful and productive adults.

Introduction

Sally² grew up in foster care and has aspirations to graduate high school and go to college. In fact, Sally recently opted to stay in care beyond the age of 18 to continue her educational goals. Currently, Sally is in the 11th grade and it is unclear if she has enough credits to move to the 12th grade. It is still unknown how many of her most recent academic credits earned while in a residential placement will transfer to her public school. Prior to coming into care, Sally's mother moved 17 times in one and a half years. There were issues of neglect, including lack of food and clothing, when the child welfare agency filed a petition with the court and requested in-home services. Despite the provision of these services, including therapy, in-home parenting, therapeutic day care, and counseling, Sally, at the age of three, was ordered into care as a result of inadequate supervision and failure to protect. Shortly after entering care, evidence of sexual abuse was discovered and Sally's therapist identified her as a sexually reactive child.

Sally's instability with placements began with removal from her first placement on her first day in care and led to a roller coaster of placement instability. To date, Sally has had 66 placements, 21 of which were in residential treatment and acute hospital settings. Despite psychological and educational assessments in 1998, 2004, 2007, and 2009 there is little evidence that educational issues identified were addressed in Sally's Individualized Education Plan (IEP).

² Sally is a real youth in foster care in FY 2012; however, her name is changed in the report to protect her identity. Unfortunately, at the time the paper was completed, Sally left foster care without a permanency plan and did not accomplish her educational goals.

Yet, through all of this, Sally still dreams of graduating from high school and continuing her education in college.

As Sally's case demonstrates, foster children encounter significant challenges to positive educational opportunities and achievement prior to entering foster care. Most children and youth who enter foster care have already been exposed to a number of factors that are barriers to healthy development. These factors include, but are not limited to, abuse, neglect, instability, domestic violence, exposure to illegal drugs, and poverty that impacts their safety and well-being. Once they enter care, many encounter placement instability at home and school. Education can improve their chances for successful outcomes. Schools are all too often the only opportunity for children/youth to maintain some normalcy in their otherwise chaotic lives by maintaining relationships with familiar teachers, counselors, and friends.

Child welfare agencies are charged with ensuring that children have stable placements while in care. The standard for review is that there are no more than two placements during a foster care stay. In 2000, the U.S. Department of Health and Human Services began monitoring child welfare agencies for substantial conformity through Child and Family Services Reviews (CFSRs) that focused on seven outcome measures in the areas of safety, permanency, and well-being. The following two outcomes are related to educational stability: (a) Permanency Outcome 1: Children have permanency and stability in their living situations; and (b) Well-Being Outcome 2: Children receive appropriate services to meet their educational needs. The CFSR consists of statewide assessments and onsite reviews, including case record reviews and

stakeholder interviews. States found not to be in substantial conformity are required to develop and implement a Program Improvement Plan (PIP). States that do not achieve the improvements outlined in their PIP may be subject to financial penalties.

Round One of the CFSRs took place between federal fiscal years 2001 and 2004. The second round of CFSRs was conducted during federal fiscal years 2007-2010. In rounds one and two, no state achieved substantial conformity as to Permanency Outcome 1. In round one, sixteen states achieved substantial conformity as to Well-Being Outcome 2, but that number dropped to ten states in round two (General Findings from the Federal Child and Family Service Reviews, 2005, p. 5; Federal Child and Family Service Reviews Aggregate Report Round 2, 2011, pp. 18, 31).

The CFSR reports noted the following challenges in achieving substantial conformity with the educational well-being measure, Well-Being Outcome 2:

- Children in foster care experienced multiple school changes as a result of placement changes.
- The child welfare agencies are not consistent in obtaining services to meet children's needs with respect to identified education-related problems.
- The educational needs of children were not assessed or addressed.
- Lack of communication among schools and agencies.

- Problems with delays in transferring enrollment, credits and IEPs (General Findings from the Federal Child and Family Service Reviews, 2005, p. 10; Child and Family Service Review Aggregate Report, 2011, p. 33).

Arkansas, like the majority of states, has struggled with these outcomes and has failed to meet substantial conformity in both measures in both rounds. The Final Report: Arkansas Child and Family Services Review found that, “Placement changes generally were due to placements of children in foster homes that were not adequately matched to meet their needs” (2008, p. 18). The report further noted that placement stability continues to be a challenge for Arkansas and that performance was in the bottom twenty-five percent of states nationally (2008, p. 21). The federal review also noted that: “Educational needs were assessed; however, there was no evidence that the agency followed up or provided any of the recommended services” (2008, p. 55).

The federal CFSRs indicate that states are not meeting the educational needs of children and youth in foster care and that these students are not succeeding in school (Education is the Lifeline for Youth in Foster Care, 2011, p. 1). National data also indicate that students in foster care experienced an average of 3.38 placement changes per year in FY 2009 (Education is the Lifeline for Youth in Foster Care, 2011, p. 1). Of the 408,425 children in care in FY 2009, only 35% of the children/youth in foster care clearly met the national standard of no more than two placement changes. More concerning was that 16% of these children/youth had six or more

placements during this same period (Education is the Lifeline for Youth in Foster Care, 2011, pp.

1-2). Research has identified the following alarming findings:

School changes are a significant problem for children and youth in foster care.

Numerous studies have found that children in foster care frequently experience school changes. These school changes often occur when children are initially removed from home, or when they move from one foster care placement to another. The rate of school mobility for children in foster care is greater than their non-foster care peers. Children who change schools frequently make less academic progress than their peers, and each time they change schools, they fall farther and farther behind. School mobility has negative effects on academic achievement and is associated with dropping out (Education is the Lifeline for Youth in Foster Care, 2011, p. 2).

While there has been significant research in this area, greater need exists for data to be collected and analyzed. No state has completed a state-wide data analysis of educational stability of the children/youth in foster care as a result of abuse or neglect. Nor has there been any state-wide analysis of educational and permanency outcome data. This is a difficult task because of the lack of collaboration and inability to exchange and analyze data across child welfare agencies, schools, and courts. Yet, there are examples of stakeholders working through these concerns and successfully sharing information.

This research study draws upon existing data, expands its scope, and tailors it to Arkansas' school age foster care population. Specifically, the following research questions are addressed:

1. What percentage of children/youth in dependency-neglect cases in FY 2012 experienced educational stability by remaining in their same school while in foster care?
2. What factors can be attributed to children/youth who remain in their same school while in foster care? For children/youth who do not remain in their same school, what barriers can be identified?
3. For children in foster care in FY 2012, what implications did education stability have on core educational outcomes, including GPA, benchmark testing scores, and graduation rates?
4. For dependency-neglect cases that the Circuit Court closed in 2012, what implications did educational stability have for foster children as it relates to the time to achieve permanency and their outcome as identified by the “Tool Kit” permanency measures?

In 2005, the Arkansas Judicial Council, comprised of all circuit and appellate judges, sponsored legislation on education continuity for students in foster care. The Arkansas Supreme Court has created a Commission on Children, Youth and Families charged with identifying, recommending, implementing, and evaluating improvements for courts to be more effective in achieving safety, permanency, and well-being for children and youth and to promote data-driven and evidence-based practices. This research is a crucial step toward providing data to assess educational well-being and permanency outcomes for children and youth in foster care. The findings of this research will be used to educate stakeholders as to Arkansas’ efforts in achieving

educational continuity for foster children. Finally, it provides much-needed evidence to help shape the dialogue to achieve better outcomes for Arkansas' foster children and youth.

The first part of this report is a literature review and historical analysis of relevant national and state laws. The vast majority of the research identified in the literature identifies placement stability as an issue for achievement of educational stability. Specifically, the literature notes a correlation between educational stability and educational outcomes. The second portion of the report describes the methodology used to answer the research questions posed in the introduction. Data was collected from three agency data management systems in addition to data obtained from four stakeholder focus groups. The third part of the report includes a discussion of the findings based on the data collected from these sources. Finally, the last section of the report provides conclusions and recommendations to attain education continuity and achieve improved outcomes for children/youth in foster care.

Literature Review

This literature review examines relevant national and state laws concerning educational stability for children and youth in foster care. It reviews national resources available from the National Council of Juvenile and Family Court Judges (NCJFCJ) and the American Bar Association (ABA). It analyzes national research conducted by Chapin Hall and Casey Family Programs and local research in the Pima County Juvenile Court in Tucson, Arizona and in San Mateo, California in addition to Minnesota's IV-E Waiver Permanency Demonstration Project. It also examines the recommendations presented by the Education Committee of the Texas Permanent Judicial Commission for Children, Youth and Families.

Federal Laws

McKinney-Vento Act: Homeless Youth Right to Remain In School.

Congress passed the McKinney-Vento Homeless Assistance Act (McKinney-Vento) in 1987, guaranteeing homeless youth the right to remain in their original school and immediate enrollment in a new school if a change in school placement is necessary (42 U.S.C. §11431 et seq.). The definition of homeless youth includes youth "living in emergency or transitional shelters" and "awaiting foster care placement" (42 U.S.C. §11434(a)(1)(B)(i)). Awaiting foster care placement is not defined in the Act or regulations. Since McKinney-Vento covers only a fraction of the foster care population, there have been attempts to include all foster children and youth in out-of-home placements within the definition of "awaiting foster care placement."

Some states have defined this term as to who is eligible under McKinney Vento. For example, Delaware defines “awaiting foster care placement” for purposes of McKinney-Vento by state statute as applying to all children and youth in out-of home care (14 Del. C. § 202(c)).

The American Bar Association (ABA) developed a chart of existing state law and policies that details how each state has implemented McKinney Vento. In the District of Columbia “awaiting foster care placement” has been defined as “the time when a child is removed from their home until they enter a permanent placement. If a child is legally adopted or placed in a permanent placement, they are no longer entitled to the McKinney-Vento Act.” This includes all children in foster care (Act 18-0298 of 2010).

In Connecticut “awaiting foster care placement” has been defined as:

Emergency or transitional shelter placements, including Short Term Assessment and Respite Homes (STAR Homes), Placements on an “emergency basis in a transitional foster home with the plan of being moved within 30 days to a more permanent foster or adoptive home...on a case-by-case basis. SDE and DCF will also consider applying McKinney-Vento on a case-by-case basis to children who have experienced more than three placements in a 12-month period” (Joint Memorandum Between Dept of Children and Families (DCF) and Dept of Education (DOE), 2005).

There are a variety of approaches to how states have defined “ awaiting foster care placements.” Delaware covers all foster children while other states require a case-by-case

analysis. Some states have enacted laws designed to improve the education outcomes of children in foster care by defining “awaiting foster care placement” under the McKinney-Vento Act or through the state’s adaptation of federal requirements under the Fostering Connections Act.

Fostering Connections Act: Foster Youth Right to Educational Stability.

To address the needs of foster youth, Congress passed the Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351), known as “Fostering Connections.” This Act has numerous provisions relating to improving permanency and well-being outcomes for foster children/youth. For example, Section 204 of the Act specifically addresses educational stability for these children and youth. The Fostering Connections Act requires child welfare agencies to assure that children’s and youth’s current educational setting is considered when making placement decisions and to include a plan to ensure foster youth educational stability in every case plan (42 U.S.C. §675(1)(G)). The Act further provides that the child welfare agency coordinate with local schools to ensure that a child/youth remains in the school where enrolled at the time the child/youth came into care, unless it is not in the child/youth’s best interest to remain at the original school (42 U.S.C. §675(1)(G)). The Act requires states to provide assurance in their Title IV-E state plans that all children and youth in foster care or that receive adoption or guardian assistance payments are full-time students or have completed secondary school (42 U.S.C. §671(a)). The Act also expands the definition of foster care maintenance payments to include reasonable transportation to a child’s school of origin (42 U.S.C. §675(4)(A)). Foster care maintenance payments are the costs associated with maintaining

a child in a foster care placement. The federal government reimburses states for a portion of the foster care maintenance costs for eligible children at a set rate for each state (42 U.S.C. § 1396(d)). The Program Instruction that followed the Act clarified child welfare agencies' authority to draw federal funds for school stability when a child is initially placed and for all subsequent moves while the child is in care (ACYF-CB-PI-10-11, p. 20 (July 9, 2010)). The Program Instruction specifically stated: "the cost of school transportation should not be a factor in determining the best interest of the child for school selection" (2010, p. 20).

Many state laws provide similar rights and protections for educational stability as provided under the McKinney-Vento or Fostering Connections. The American Bar Association (ABA) has developed numerous resources in this area of the law and maintains a database of these resources at <http://www.fostercareandeducation.org/Database.aspx>. Among these resources is included a document on state and federal implementation of the Fostering Connections Act (see Appendix A).

National Resources

National Council of Juvenile and Family Court Judges: Judicial Resources.

The Program Instruction (ACYF-CB-P1-10-11) on Fostering Connections acknowledges the important role that courts play in educational stability (2010, p. 19). *The Judicial Guide to Implementing the Fostering Connections Act of 2008* recognizes the important role of judges in attaining educational stability for foster children and youth and encourages judges to take an active role on the bench by asking specific questions about educational stability and school

progress of children and youth (ABA Center on Children and the Law, 2011, pp. 20-21). The National Council of Juvenile and Family Court Judges (NCJFCJ) has published a second edition of a judicial checklist entitled *Asking the Right Questions II: A Judicial Checklist to Ensure that the Educational Needs of Children and Youth in Foster Care Are Being Addressed* (Gattowski, Medina, & Warren, 2008).

American Bar Association: Foster Care and Education.

The ABA has also published its second edition of the *Blueprint for Change: Educational Success for Children in Foster Care* (2008). The *Blueprint for Change* sets eight goals. The first goal relates to educational stability and is: “Youth Are Entitled to Remain in Their Same School When Feasible” (Blueprint for Change, 2008, p. 1). The *Blueprint for Change* then sets out the following specific strategies that indicate progress toward achieving this goal:

- Children/youth’s foster care placement decisions take school stability into account, and school stability is a priority whenever possible, and it is in the child’s best interest.
- Children/youth have sufficient foster home and permanent living options available in their home communities to reduce the need for school moves.
- When it is in their best interest children/youth have a legal right to remain in their school of origin even when the move outside the school district and schools that retain children are not financially penalized.
- Youth are entitled to necessary transportation to their school of origin, with responsibilities clearly designated for transportation costs.

- Children/youth have necessary support and information to make school origin decisions and that youths' birth parents, caseworkers, foster parents, courts, attorneys, schools, and educators are trained about entitlements, appeal and dispute procedures.
- Children/youth with disabilities continue in an appropriate educational setting, regardless of changes in foster care placements, and transportation is provided in accordance with the student's Individualized Education Plan (IEP) (Blueprint for Change, 2008, p. 1).

National Center for State Courts: Educational Court Measures.

The ABA has also worked with the National Center for State Courts (NCSC), and NCJFCJ to develop court performance measures, commonly referred to as the "Toolkit." The Toolkit focuses primarily on safety, due process, timeliness, and permanency measures (Toolkit for Court Performance Measures in Child Abuse and Neglect Cases, 2009). Courts receiving federal Court Improvement funding are required to track these performance measures. The NCSC, ABA, and NCJFCJ, now partners in the National Child Welfare Resource Center on Legal and Judicial Issues, have also worked on well-being measures, including educational court measures. Two measures that relate directly to school stability are:

- 5A: Percentage of Children under Court Jurisdiction Who Did Not Have a School Change When They Had a Change in Living Placement, and
- 5B: Median Number of School Transfers while under Court Jurisdiction. (Flango, & Sydow, 2011, pp. 126-127).

Studies and Reports

Chapin Hall: Midwest & Chicago Illinois Public School Studies.

In addition to the federal law and national resources, there has been some notable research on the educational well-being of children and youth in foster care. Chapin Hall conducted a longitudinal study, known as the Chapin Hall Midwest Study, involving a sample of 732 foster youth from the following states: Illinois (474 youth), Iowa (63 youth), and Wisconsin (195 youth). The study focused on employment outcomes of former foster youth. Eligibility criteria included that the youth entered foster care before their 16th birthday and for reasons other than delinquency. Former foster youth were interviewed at the ages of 17 and 18, 82% were re-interviewed at age 19, 81% were re-interviewed at age 21, and 52% were re-interviewed at ages 23 and 24 (Courtney, Terao, & Bost, 2004). The research revealed a correlation between school mobility and placements in out-of-home care. Over a third of the adolescents interviewed in the three state study reported five or more school changes while in foster care (Courtney, Terao, & Bost, 2004, p. 4).

Researchers also discovered a correlation between a youth's reading recognition score on the Wide Range Achievement Test (WRAT) and employment. Youth scoring above the sixth grade level were 40 to 70 percent more likely than youth scoring below the sixth grade level to be employed at least 20 hours a week. Furthermore, employed youth scoring at the post high-school level at age 17 earned seven percent higher wages (Hook, & Courtney, 2010, p. 8).

Chapin Hall researchers also conducted a study in collaboration with the Chicago Public Schools (CPS) and the child welfare agency as a result of findings from the Illinois CFPSR that

indicated that Illinois did not achieve substantial conformity with Well-Being Outcome 2. The research matched education data (current as of December 31, 2003) and agency data (current as of September 2003) with children/youth ages 6-17 from Chapin Hall's integrated database. Of the 19,371 children/youth with agency involvement, there was an 82% match with the school data based on age and residency in Chicago between February 1, 2000 and May 1, 2000. Academic performance was evaluated for children/youth in out-of-home care based on three criteria: the reading section of the Iowa Test of Basic Skills (ITBS), the percent of elementary students who were at least one grade behind their same aged peers, and high school dropout rates. Interviews were also conducted with caseworkers, foster parents, and school personnel (Smithgall, Gladden, Howard, George, & Courtney, 2004).

Almost half of the third through eighth grade students in out-of-home care scored in the bottom quartile on the ITBS reading section in June 2003. Researchers found that of the third through eighth grade students in care, 40% of the students were older than their peers in their respective grade levels. After controlling for demographics, these students were compared to those enrolled in CPS. It was discovered that these out-of-home care students were 1.8 times more likely to be older for their grade when compared with other CPS students. Youth in institutional settings were 2.3 times more likely to be older for their grade than other CPS students (Smithgall, et al., 2004, pp. 21-27).

To assess dropout rates, researchers looked at students ages 13-15 in out-of-home care and followed them from September 1998 through September 2003 to track dropout and graduation rates. In all three age groups, students in care were 50% or more likely to dropout compared to other CPS students (Smithgall, et al., 2004, pp. 27-30).

Chapin Hall researchers took the Midwest Study and the Chicago Illinois Public School Study and focused on the educational status of children and youth in out-of-home care.

Significant findings included:

- Most foster youth have high educational aspiration and hope and expect to graduate from college eventually (Courtney, Terao, & Boast 2004; Courtney, Roderick, Smithgall, Gladden, & Nagaoka, 2004, p. 1).
- A significant number of children and youth enter care with significant delays and never catch up (Smithgall, Gladden, Howard, George, & Courtney, 2004; Courtney, et al., 2004, p. 2).
- A significant number of foster youth are classified with a disability that inhibits their ability to learn (nearly half of students met this classification in the Midwest study) (Courtney, et al., 2004).
- Between sixth and eighth grade, foster youth were classified for special education three times more than other students. Further, by eighth grade, youth in care were scoring below national reading norms at higher rates than other CPS students (Smithgall, et. al., 2004; Courtney, et al., 2004, pp. 3-4).
- Longer stays in care impact placement instability and risk school changes that disrupt the educational process of learning and social relationships. In the Midwest study, one-third of youth reported five or more school changes. In Chicago, school changes were highest among elementary students entering care, with over two-thirds of children changing

schools; this finding was lower for children in care for two or more years at 28% and for those exiting care at 25% (Smithgall, et al., 2004; Courtney, et al., 2004, p. 4).

The researchers from the Chapin Hall studies conclude that academic difficulties impact success for children and youth in foster care. This highlights the need to address the educational needs of children and youth as they enter and remain in care. Efforts to improve educational outcomes for children/youth in care will require ongoing collaboration to target a variety of interventions (Courtney, et al., 2004).

Casey Family Program Studies Foster Care Alumni Studies.

The Foster Care Alumni Studies were the result of data collected from case records and interviews concerning educational outcomes and current functioning of more than a thousand Casey Family Programs foster care alumni (Pecora, et al., 2003). Data were collected from alumni in 23 communities across 12 states between 1966 and 1998. The study includes all youth who received services from Casey Family Programs (Pecora, et al., 2003). Casey Family Programs focus on attachment and developmental theories and building healthy relationships with a variety of adults to help ameliorate the effects of trauma from abuse and neglect. This is accomplished by providing qualified professionals with lower caseloads to work with youth and an array of services and interventions designed to meet their needs. Youth are eligible to apply for post-secondary scholarships. The Alumni report highlights educational challenges of students in foster care and their specific experiences. Results of the study indicate that:

- Sixty-eight percent attended three or more different elementary schools;

- Thirty-seven percent repeated a grade in school; and
- Thirty-eight percent were classified as needing special education (Pecora, et al., 2003, pp. 27-36).

The Northwest Foster Care Alumni Study reviewed case records for 659 foster youth alumni. In addition, 479 youth were interviewed who were in the care of Casey Family Programs of Oregon or Washington State between 1988 and 1998 (Pecora, et al., 2005). The interview questions focused on education history, activities, and achievements (Pecora, et al., 2005). Study findings were broken into mental health, education, employment, and finances. As to education, the study specifically found the following concerning foster youth alumni:

- Graduation rates were similar to the general population; however, a general equivalency diploma (GED) was used six times the rate of the general population to complete graduation requirements.
- Sixty-five percent of youth experienced seven or more school changes from elementary to high school.
- Post-secondary completion rates for alumni were low. Less than one in five alumni or 16.1% completed a vocational degree; however, this rate increased among alumni who were 25 years or older to 21.9%. The rate for completing a bachelor's or higher degree was 1.8%; for alumni ages 25 and older, the bachelor's completion rate was 2.7% (Pecora, et al., 2005, pp. 35-36).

This study used statistical simulations to determine the effect of certain factors in order to affect the trajectory for improved educational outcomes. For example, education factors were primarily optimized, such as school stability and short time in care. Statistical optimization reduced negative educational outcomes (Pecora, et al., 2005, pp. 40-42).

The study also developed recommendations to address how to improve outcomes for youth in foster care. Recommendations were based on the outcomes of the study, the foster care experience statistical simulations, and stakeholder input. Stakeholders included foster care alumni, foster parents, representatives from child welfare, and clinical and policy specialists. Recommendations included:

- Minimize school changes.
- Emphasize the importance of obtaining a high school diploma, not settling for a GED.
- Support, encourage, and prepare for successful completion of post-secondary education and promote vocational education.
- Provide timely educational supports targeting educational outcomes.
- Provide concrete resources to youth when they leave care (Pecora, et al., pp. 47-49).

Pima County, Arizona Juvenile Court Model Court Project.

Casey Family Programs also supported research for a NCJFCJ Model Court Project at the Pima County Juvenile Court in Tucson, Arizona. In 2003, the Pima County Juvenile Court established a Committee to Improve Educational Outcomes for Court Involved Youth to explore educational outcomes for youth in foster care and to suggest improvements. Thirty case files

were reviewed and focus groups were conducted with foster youth and alumni, foster parents, and case managers. A report was prepared chronicling the court's reform efforts in hopes that other jurisdictions could learn from the process (Taitano, 2007). Stakeholders indicated that school stability was critical to ensure successful educational outcomes (Taitano, 2007, p. 10). They also recognized the importance of judicial training and taking measures to ensure that education of foster students is being addressed by the court (Taitano, 2007, pp. 6-7).

San Mateo County, California Youth Data Archive Research

Various stakeholders in San Mateo County, California formed a committee to identify strategies for improving educational outcomes for the youth that they serve. The John W. Gardner Center for Youth and Their Communities (JGC) at Stanford University operates a youth data archive with data acquired by various agencies. JGC linked data from Child Welfare Services (CWS) with data in four county school districts during the 2003-2004 and 2007-2008 academic years (Castrechini, 2009). A total of 1,015 CWS students were compared with 34,724 other students to explore the relationship between dependency and school outcomes (Castrechini, 2009). The research showed substantial differences by placement type and duration when compared to proficiency in English and language arts, math, and annual average credits earned. Students who were reunited or adopted had higher proficiency rates than students in foster care, group homes, or shelter care. Proficiency rates were also poor for students who spent more than two years in care but were better for students who spent six months to two years in care (Castrechini, 2009, pp. 2-4). Credits earned were highest among students in foster care or those

placed with kin and who had spent more than two years in care (Castrechini, 2009, pp.4-5). The author makes an important point that the research may provide an opportunity to analyze data for correlations between child welfare and education to identify patterns, but the findings cannot be used to infer that certain dependency experiences cause differences in educational outcomes (Castrechini, 2009, p. 5). The data offer opportunities to identify issues to provide targeted academic supports for CWS youth. It also highlights the importance of the need to share data between agencies at both the system and the individual level to improve outcomes for youth and allocate resources to areas in highest need (Castrechini, 2009, pp. 5-6).

Minnesota Permanency Demonstration: Educational Stability and Permanency

The Minnesota Title IV-E waiver demonstration, known as the Minnesota Permanency Demonstration, examined programs to determine the impact on permanency rates and time in care. The demonstration took place in six counties; it examined implementation issues and their effects by surveying foster parents over a five year period to compare the experience of children who achieved permanency with those who remained in care (Minnesota Permanency Demonstration: Final Report, 2011). A small part of this study examined educational stability and permanency. The final evaluation report found that students who achieved permanency were:

- More likely to have attended school and more likely to talk to their caregivers about school work and school-related activities while they were in care; and

- Less likely to have changed school during the previous two years (Minnesota Permanency Demonstration: Final Report, 2011, p. 106).

Texas Supreme Court Commission: Education Committee.

In 2010, the Texas Supreme Court established the Education Committee of the Permanent Judicial Commission for Children, Youth and Families, known as the Texas Children’s Commission. The Education Committee consisted of over 100 stakeholders charged with identifying issues and developing recommendations to improve educational outcomes in eight areas for children/youth in foster care. One of these areas focused on school stability and transitions. *The Texas Blueprint: Transforming Education Outcomes for Children & Youth in Foster Care* was published in March 2012. The final report included the following recommendation regarding school stability: “Children and youth should remain in their schools of origin, when feasible” (The Texas Blueprint, 2012, p.18). This recommendation mirrors the first goal outlined in the *Blueprint for Change* (2008, p. 1). The report then outlines the following strategies to achieve educational stability for Texas foster youth by:

- Creating alternatives and expanding the use of transportation to keep children in their schools of origin when it is in their best interest.
- Improving decision making regarding keeping children and youth in their school of origin.
- Increasing foster care capacity through targeted foster care recruitment and expanding the definitions of fictive kin to expand the number of persons eligible to become a

foster parent and eligible for the expedited process (The Texas Blueprint, 2012, pp. 43-44).

Achieving Educational Stability for Arkansas Children and Youth.

Arkansas passed the Education Stability Act for Foster Youth in 2005. It requires that individuals involved in the care, custody, and education of foster children work together to guarantee continuity of educational services to ensure that foster children remain in their schools whenever possible (Ark. Code Ann. §9-28-112(a)(1)(A)). It also requires that the child welfare agency, DHS, shall consider continuity of educational services and school stability in making foster care placements, and that local school districts shall allow a foster child to remain in his/her current school to continue education unless the court finds that the placement is not in the child's best interest and it conflicts with other law, excluding residency requirements (Ark. Code Ann. §9-28-112(b)). If a foster child or youth is moved from their original school, the Act requires that the move occur in a timely manner and only when determined appropriate and in the child/youth's best interest (Ark. Code Ann. §9-28-112(a)(1)(A-B)).

The research undertaken in Arkansas is informed by this body of literature. In fact, the literature has shaped this study in two important ways. First, the research identifies that a relationship exists between placement and educational stability that is worth further exploration. Second, the research provides a number of lessons learned.

Upon close examination of the literature, almost every research study identified correlates placement stability with improving educational stability. The literature also links educational

stability to improved educational outcomes. However, prior research is limited to sample groups, due to the difficulty in obtaining and matching data from numerous agencies.

Therefore, this study seeks to build on prior research by exploring the correlation between placement stability and educational stability for all of Arkansas' foster children, ages six through eighteen, during academic year 2010-2011. An anticipated outcome of the study is a finding that examines compliance with Arkansas's law on educational stability, which provides that children shall remain in their schools of origin unless it is not in their best interest.

To incorporate valuable lessons learned, the study builds on the research conducted by Chapin Hall and in San Mateo County, California, which explores the correlation between foster care stability and educational outcomes. As demonstrated in the Casey Family Programs Foster Care Alumni Studies, input from youth is an essential component of this research, and is represented in this study through the use of youth focus groups. The study also considers the Minnesota Permanency Demonstration evaluation's finding that children who achieve permanency have more stable educational placements.

To further test this finding, the study uses the educational stability and permanency outcomes identified in the Toolkit to operationalize these variables. However, as cautioned in the San Mateo study, this research will not infer that a student's foster care experiences cause certain educational outcomes. Rather, it provides data to analyze the educational and permanency outcomes of Arkansas's foster children and youth on a state-wide level. Finally, the study recognizes the importance of working with stakeholders as demonstrated by the Casey

Family Programs Foster Care Alumni Studies; the Pima County, Arizona Juvenile Court Model Court Project; and the Texas Supreme Court Commission - Education Committee.

This study draws upon the relevant literature to inform its research design and methodology. The primary goal is to gather and analyze data that address critical questions surrounding placement and educational stability, and the resulting implications for educational and permanency outcomes.

Methods

To gather the data necessary to complete a research project of this magnitude, intergovernmental agency collaboration is critical. In May of 2011, Arkansas Chief Justice Jim Hannah convened a meeting with Arkansas State Education Commissioner, Tom Kimbrell. Chief Justice Hannah explained the critical role courts play in ensuring the well-being and permanency for foster children and youth and requested Commissioner Kimbrell's assistance in sharing state educational data with our courts to address educational stability for Arkansas's foster children and youth in abuse and neglect cases. Following this meeting, a commitment emerged to share data and to work together to resolve any privacy issues that most agencies encounter when sharing data across agencies. In addition, the Arkansas Supreme Court established a data exchange with DCFS through Arkansas's Court Improvement Program, known as DNet. The commitment from leadership at each agency set the tone for the evaluation and sharing of information on the education of foster children and youth as an essential component to improving their educational outcomes.

The Family Educational Rights and Privacy Act (FERPA) protects the privacy of a student's education records and as a general rule these records cannot be released without parental consent (20 U.S.C. 1232(g)). FERPA is often a barrier to schools sharing information with child welfare agencies. However, there are exceptions outlined in FERPA and its regulations and means to share data that does not trigger FERPA. For example, information obtained from a source other than the students' education records can be shared without

triggering FERPA. For states that do not have the expertise or willingness of stakeholders to address FERPA issues, there is pending bi-partisan legislation in Congress to address this issue that will be of assistance.

The Uninterrupted Scholars Act of 2012 amends FERPA to provide child welfare agencies that have responsibility for children's placement and care access to the children's education records and the personally identifiable information contained in such records. Disclosure is limited to addressing the student's educational needs and is consistent with the confidentiality laws in the State applicable to an individual's personal records (H.R. 5871 and S. 3472 amending Section 444(b) of FERPA).

Although privacy issues did arise in conducting this research, laws had to be followed and regulations had to be checked (and double checked) by privacy attorneys at each agency, there was a commitment to finding solutions to privacy issues and overcoming barriers that prevent sharing data between multiple agencies. This resulted in research data mined from three agency databases. Data from the courts and the child welfare agency were matched first and then taken to the Department of Education. As the court and child welfare data were merged with educational data, the identifier for each child was encrypted so that no child could be individually identified. Information was also collected from 143 judicial stakeholders and 100 foster youth through four focus groups. Of these foster youth, 86 also participated in a follow-up survey.

Data Compiled from Agencies.

Data for this research were gathered from three agency databases: (a) DNet - Arkansas Supreme Court; (b) Children's Reporting Information System (CHRIS) – DCFS; and (c) Arkansas Department of Education (ADE) Statewide Information System. DNet is a state-wide database maintained by the Arkansas Supreme Court to collect data on all child abuse and neglect (dependency-neglect) cases in Arkansas. DNet includes data for all of the legal proceedings and the court performance measures recommended in the Toolkit (Toolkit for Court Performance Measures in Child Abuse and Neglect Cases, 2009). DNet also provides all of the attorneys to the proceedings access to legal and child welfare information that they would be entitled to under the law. It is the official data source for all dependency-neglect proceedings for the Court and is used to generate state and federal reporting.

CHRIS is DCFS's state-wide automated child welfare information system (SACWIS). CHRIS stores all child welfare client information and is accessible to DCFS caseworkers 24 hours a day. It compiles all agency data for state and federal reports and is the official data source for DCFS. DNet and CHRIS exchange information four times daily, with DNet providing information about hearings, outcomes, and legal participants in the case and CHRIS providing information about children, family members, caseworker assignments, and removals.

The ADE Statewide Information System is maintained by the Arkansas Department of Education's Research and Technology Division and is the official data source for the Arkansas Department of Education. School districts enter data including, but not limited to, student

demographic information, grades, and assessment data. In Arkansas, student assessments require the administration of criterion referenced tests (CRT) and norm referenced tests (NRT). The Arkansas Comprehensive Testing, Assessment and Accountability Program include both of these types of tests with the Augmented Benchmark Exams at grades 3-8 and the Iowa Tests at grades 1-2 and 9.

Data Matching.

Data on all of the dependency-neglect cases and children and youth open during FY 2011-2012 were pulled from DNet as part of a larger (three year) data review involving 13,054 children. This data also included the county with case jurisdiction, the child's date of birth, the start and end date of the court case, and the permanency outcomes for cases closed by the court in FY 2012 based on the Toolkit permanency measures.

Of the 13,054 records sent to DCFS, 11,179 had sufficient information to match them to a CHRIS case (85.64%). The 11,179 records sent to DCFS matched 11,263 cases due to some children being present in multiple cases simultaneously. Placement data were included for these children, resulting in 43,457 placement records for 10,350 children (92.6%). Limitations on data matching included missing or multiple CHRIS identification numbers, variations in spellings of names, and errors in entries of birth dates. The unmatched cases were removed from the study.

Information on the matched children, including first name, last name, court and CHRIS identifiers, date of birth, and social security was then provided to the Arkansas Department of Education. The Department of Education was able to match educational records with 9,446 of

the 13,504 students, resulting in a 69.95% match rate. The court's data included children not yet of school age, so this indicates a very successful match. ADE provided data on educational stability, grade point averages (GPAs), benchmark testing, and graduation rates for the 2008/2009, 2009/2010, 2010/2011, and 2011/2012 school years.

Education Stability.

DNet FY 2012 case records for 3,691 school age children were merged with 19,276 ADE records on school enrollment and withdrawal dates for school years 2008-2012. The number of schools attended for each child was based on entry dates and exit dates of schools. Duplicate entries were deleted. A missing exit date was assumed to mean that the child completed the school year in the school. School entry data were then compared to court case start and end dates. To measure changes in schools proximate to court case start dates, the difference between the school entry date and the start of the court case date was calculated. If the changes occurred in a range less than 7 to 30 days after the court case start date, it was counted as a school change proximate to the court case start date. A school change was counted as prior to the court case if it occurred more than 7 days prior to the start of the court case. It was counted during a court case if it occurred between 7 days prior to the start of the court case and the end of the court case. It was counted as after the court case if it occurred after the end date of the court case. The number of school changes per fiscal year was then grouped into whether the fiscal year was before, during, or after the court case. As a result, some years are counted in more than one category if the court case began or ended during the school year.

Grade Point Average.

The ADE only collects GPAs for students in the 9th through 12th grades. As a result, only youth in these grades who had dependency-neglect cases open during FY 2012 were included for analysis. GPA was available for a total of 1,644 records of which 1,379 records had sufficient data for analysis. GPA records were included for students before and during their court cases as well as after the court case closed for those whose cases closed during FY 2012.

The dependent variable was the GPA assigned by the school and sent to ADE. The primary independent variable of interest was the total number of placements children had while in foster care. Additional individual variables included gender, race, and number of schools attended per fiscal year. These independent variables were included as control measures. School attendance data were obtained from the Department of Education and the number of schools attended per fiscal year was calculated from those records. Some children had GPAs for more than one year. This is likely to cause a problem with autocorrelation, in that a child's GPA one year is likely to be closely linked to his/her GPA the following year. For the purposes of this analysis, autocorrelation was not corrected.

Benchmark Testing.

The dataset began with 3,691 school age children in DNet and when matched with DCFS placement data yielded a population of 3,204. Cases were limited to students in foster care prior to April 9, 2012, to correspond with the start of benchmark testing, resulting in 2,484 observations. For each grade third-eighth and for each type of exam, a t-test was conducted to

determine if the average score of children in foster children was significantly different from the mean score of children in that grade taking that exam statewide.

Benchmark exams in Arkansas are given to all children in third-eighth grades. Children take math and literacy benchmark exams in each grade and also have science exams in fifth and seventh grades. The scores are vertically scaled, so that scores can be compared year to year. A fourth-grader should score higher than a third-grader, for example, and this pattern is evident in the data. Cutoffs are used to determine whether children's scores are below basic, basic, proficient, or advanced. Additionally, for third and sixth grades, ordered logit models were used to examine the effect of school stability and placement stability on benchmark exam scores.

Graduation Rates.

ADE data was limited to graduation rates and did not include youth who received a general equivalency diploma (GED) administered by Arkansas Workforce Education. For purposes of analysis, foster youth in dependency-neglect cases age 17 or older as of August 1, 2011 were included, totaling 160 youth. The likelihood of graduating from high school was calculated using a maximum likelihood model. This model is appropriate in cases where the dependent variable is categorical, as in this case where the question of interest is the probability of graduating versus not graduating.

Permanency Outcomes.

Due to the preference in terms of court permanency outcomes, an ordered logit model was used. An ordered logit model is a maximum likelihood model used in such cases. The

dependent variable was the outcome of the closed court case. In the first model, the primary variable of interest was the number of placements. In the second model, the primary variable of interest was the average length of the placement. The primary independent variable of interest was the total number of placements the child had while in foster care. Other independent variables included the age of the child at the start of the case, the length of the case (from the start date of the case until the child's court case was closed), the gender of the child, and the judicial district in which the case occurred. Case closure information was available for 2,964 children whose cases closed in FY 2012. Placement information was available for 2,267 of these children (76.5%).

A retrospective cohort study of children who left foster care between July 1, 2011 and June 30, 2012 was used. All data were analyzed using Stata (version 12; Statacorp, College Station, TX). Because there is a clearly stated legal preference for outcomes in court cases involving child abuse and neglect, and because the outcomes are mutually exclusive, an ordered logit model was chosen for the second stage. The dependent variable was the permanency outcome of the court case: return home, adoption, guardianship, permanent custody, APPLA, or no finding of "DN" or dismissal.

The equation used the outcome of the case as the dependent variable of interest. The primary independent variable of interest was the total number of placements the child had while in foster care. Other independent variables included the age of the child at the start of the case,

the length of the case (from the start date of the case until the child's court case was closed), the gender of the child, and the judicial district in which the case occurred.

Because some of the counties had small numbers of cases, some of the observations were completely determined and standard errors were questionable. Because of this, counties were combined into judicial districts. A likelihood ratio test was conducted on the race variables as a group and on the judicial district variables as a group in order to test whether these variables are jointly significant in the model. The race variables were not significant as a group ($\chi^2(3)=4.24$, $p=.2367$) and were omitted. The judicial district variables were significant as a group ($\chi^2(27)=76.79$, $p<.001$). The judicial district containing Pulaski County was chosen as the reference category since it has more cases than any other county. The judicial districts can be considered as fixed effects variables as they control for some of the unmeasured and time-invariant differences across the state, such as access to services and socioeconomic status. Using judicial districts as dummy variables reduces the risk of spatial autocorrelation.

In order to test for problems with non-linear functional forms, an unrestricted model including higher order terms for age of the child and length of the case was developed and compared to the restricted model omitting the higher order terms. The higher order terms were significant and therefore indicate a non-linear relationship between age and outcome and length of the case and outcome. Because it was suspected that the number of placements might have a different effect on children of different ages, an interaction term was introduced. The interaction

term and total number of placements were jointly significant ($\chi^2(2)=6.59, p<.05$), though the total number of placements was not significant on its own.

Data Compiled from Focus Groups.

The four focus groups were designed to target stakeholders from the judiciary to provide feedback on educational stability issues for foster youth. Stakeholders included judges who hear dependency-neglect cases in Arkansas. Stakeholders also included attorneys' ad litem (AALs), attorneys appointed by the court in all dependency-neglect cases to represent the best interest of foster children and youth in these proceedings. Court Appointed Special Advocates (CASA) Volunteer Coordinators who work directly with volunteers appointed by the court and advocate for foster youth and children in these cases were also included. Most importantly, foster youth, including youth from across the state ages 15-19 and attending either secondary or post-secondary school, participated in focus groups and completed a follow-up survey.

Two former foster youth, Kyle Acosta and Janna Holloway Perry, who contract with the Arkansas Court Improvement Program as Youth Engagement Specialists, known as the YES Team, and Gabrielle Russ, CASA Volunteer, reviewed the focus group instruments and foster youth survey instrument and provided feedback to ensure that the instruments were centered on the foster children and youth. They also facilitated or assisted in facilitating the focus groups. While the focus group questions had similar questions for each focus group on educational stability, there were also unique questions specific to each stakeholder included (see Appendices

B-E: Focus Group Questions and Foster Youth Survey Questionnaire for copies of the focus group instruments).

To maximize participation, focus groups were conducted in conjunction with regularly scheduled meetings or conferences as illustrated in Table 1 below:

Table 1. Stakeholder Focus Groups

Stakeholders	Event/ Date	Participants	Facilitators
CASA Volunteer Coordinators	CASA Program Meeting August 7, 2012	50	Acosta/Hickman Tanner/Russ
Foster Youth	State Foster Youth Conference October 13, 2012	100	Acosta/Holloway- Perry/Russ
AALs	Fall Annual Conference October 18, 2012	50	Acosta
Judges	Annual Conference November 8, 2012	28	Acosta/Hickman Tanner/Russ

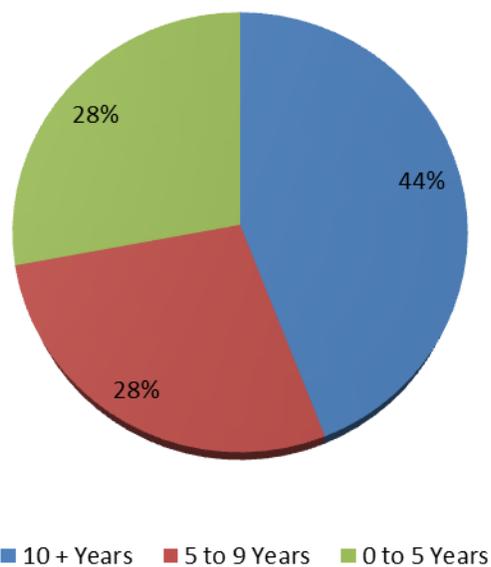
The first focus group was conducted with CASA Volunteer Coordinators who work directly with CASA volunteers appointed in dependency-neglect cases. These Coordinators have an average of 7.5 years experience in child welfare and an average of 4.5 years experience working with CASA. Volunteer Coordinators were randomly selected into two groups of 25 for an hour and fifteen minute focus group scheduled during their Fall program meeting. The focus group was facilitated by Acosta with the assistance of Hickman Tanner and Russ.

One hundred foster youth from across the state attended a foster youth conference and participated in one of three focus groups scheduled during the state-wide conference facilitated by Acosta and Holloway Perry. Eighty four of these youth completed a follow-up survey, of

which 71 were included for analysis because these youth were in care at some point during FY 2012, the period of time examined by the study. The questionnaire contained the same questions asked in the focus group but included a few additional questions to gain more information about placement and educational stability for those youth who might not be comfortable speaking out. A benefit of cross-checking data in this manner allows it to be compared with the responses from the focus group; such cross-checking incorporates an additional element of validity for this self-reported data. In order to encourage foster youth participation in the focus groups and to complete the surveys during the conference, foster youth had the opportunity to sign up for a drawing to win educational prizes, including backpacks, school supplies, and a laptop computer.

The majority of the full-time and part-time AALs participated in the focus group scheduled during the AAL Annual Fall Conference. Full-time AALs have a caseload of 75 cases and part-time attorneys have an average caseload of 25 cases. AAL qualifications and standards are governed by Arkansas Supreme Court Administrative Order No. 15. Seventy-eight percent of these attorneys have been practicing law for ten years or more. Figure 1 shows how long these attorneys have been qualified as AALs pursuant to the Arkansas Supreme Court's Administrative Order No. 15:

Figure 1. Attorney Experience Qualified as DN Attorney Ad Litem

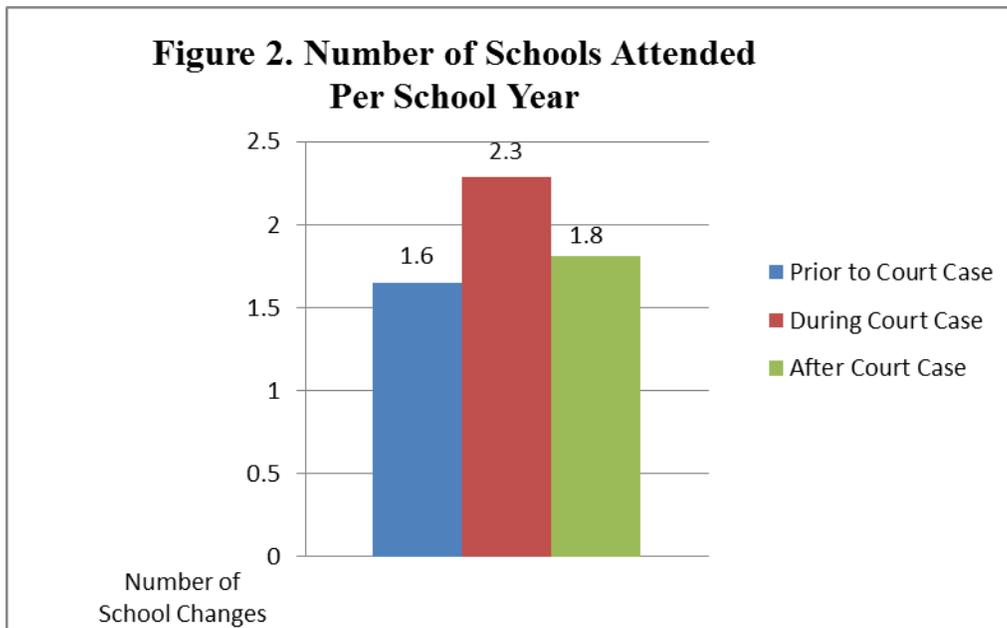


All the judges who attended the Annual Juvenile Judges' Conference participated in a focus group scheduled for the judges. These judges have an average number of 13 years of experience on the bench hearing dependency-neglect cases ranging from 4 years to 24 years. Several of these judges are senior judges and have had the opportunity to hear other types of cases in their judicial districts under their Administrative Plans, but have elected to continue to hear dependency-neglect cases while serving on the bench because of their understanding of the magnitude and importance of these cases.

Findings

The findings will be divided into three sections based on the research questions and following the order of the methods presented above. First, the focus group findings are presented; this discussion is limited to educational stability results. Second, a discussion of the factors that contribute to foster youth being able to remain in their original school and barriers to educational stability is presented. Finally, findings relating to linkages between educational stability and core educational and permanency outcomes are presented.

Finding 1. In FY 2012, students in dependency-neglect cases changed schools an average of two times; 41% of these students experienced school changes in their first week in foster care.



As Figure 2 illustrates, in FY 2012, students changed schools more frequently when they are in a dependency-neglect case compared to school changes prior to entering care or after they leave care. Prior to entering care and the start of a dependency-neglect case, 84.09% of students attended one school during the school year and averaged 1.6 schools per year. However, less than half (47%) of the students in dependency-neglect cases in FY 2012 attended one school during FY 2012. Students involved in court cases in FY 2012 averaged 2.3 school changes per year and 1.8 school changes after their cases were closed and they were no longer in foster care.

For foster children/youth who were school age as of August 1, 2012, with active court cases open during FY 2012, 41% experienced a change in school close to the start of the court case. There were 1,761 school changes that occurred within an average of 5.56 days between the start of the dependency-neglect case and a change of school. This occurred for 1,512 students, with some students having more than one change during this time period.

The data obtained from database records are consistent with what stakeholders reported in focus groups. All stakeholders reported that the vast majority of children and youth experience educational instability prior to entering foster care and that the instability continues after entering care. Judges, AALs, and CASA Coordinators reported that these students far too often have poor attendance and multiple school changes prior to coming to the courts' attention. Judges and AALs noted that there were a few exceptions where students excelled prior to entering care; these students may see school as an escape and thus do well.

The foster youth who participated in the focus groups generally reported between 1 to 6 school changes while in foster care, with the most common responses noting 3-4 changes in school placement after entering care. Foster youth who completed the survey averaged 2.6 school changes prior to entering care and 2.3 school changes after they entered foster care. While the survey responses from the foster youth concerning school changes prior to care is higher than the database results reflect, their responses concerning school changes after entering care is consistent with the database results.

All stakeholders reported that educational stability was important. For students who were able to remain in their original schools, the stakeholders noted positive impacts not only in academics, but also in being able to continue relationships with peers, teachers, counselors, and coaches. Judges reported that school is often the only stable factor in these children's lives. One judge reported that she included language in court orders that: "the juvenile shall remain in the same school unless the court determines that it is no longer in the juvenile's best interest to remain at that school." This is consistent with what is required under Arkansas state law.

Stakeholders also reported that students are more likely to remain in their same school when there are enough appropriate foster care placements in the community and when there is collaboration between the child welfare agency, foster parent, and school. Judges and AALs reported on cases when a student was removed from the community, but was able to remain in the original school placement because transportation issues were worked out between the schools

and foster parents. AALs reported working with multiple schools to accommodate transportation to and from school.

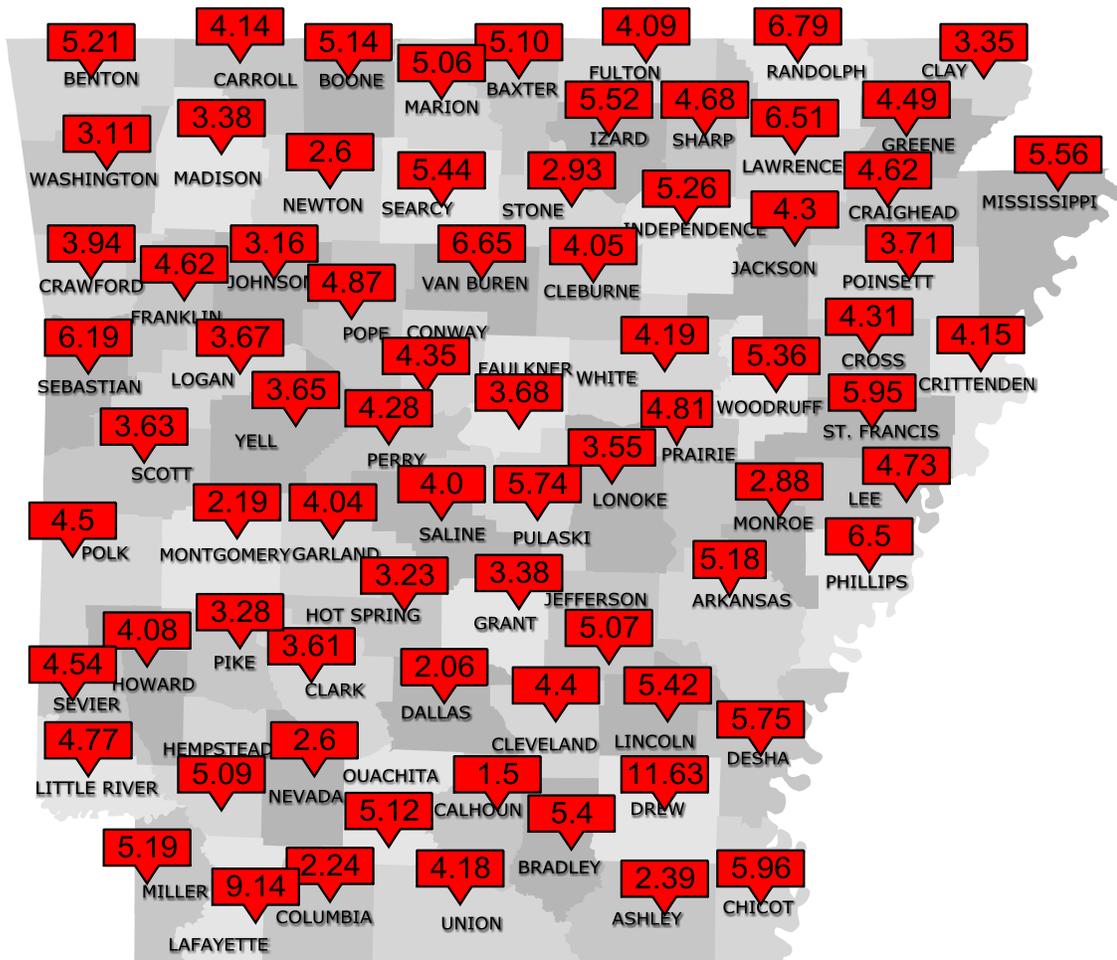
Resoundingly, all stakeholders indicated that the number one barrier to remaining in the same school were issues concerning placements while in care. Specifically, stakeholders reported that school instability arises from a lack of appropriate placements in the community from which the child or youth was removed, resulting in the child having multiple placement changes while in care. This is consistent with DCFS's 2012 Annual Report. The report found that while the agency had 7,739 children in care at any time during SY 2012, with 3,997 children in care at the end of the fiscal year, it only had 1,150 foster homes that were active at that time (DCFS Annual Report, 2012, pp. 16, 22). The agency recruited 500 foster homes in FY 2012, but closed 480 homes (p. 25).

All stakeholders indicated that foster children and youth encounter too many moves while in care, resulting in school placement changes. Unless there is a specific order from the court, AALs and judges reported they rarely received notice of whether or not there is a placement change resulting in a school change, thus limiting the court's ability to control the number of school placements.

The 71 foster youth surveyed who had an open court case in FY 2012 averaged 5.4 placement changes, while the state-wide data for children and youth in dependency-neglect cases indicated 4.8 placement changes, more than double the national standard. Figure 3 illustrates the FY 2012 DCFS average placement data by county. Of Arkansas's 75 counties, only one county,

Calhoun County, was below the national standard with an average of 1.5 placements. Four counties met or were very close to the national standard with average placements as follows: Ashley 2.39, Columbia 2.24, Dallas 2.06, and Montgomery 2.19.

Figure 3. FY 2012 DCFS Average Number of Placement Changes by County for Children and Youth with Dependency-Neglect Cases



Two counties, Pulaski and Sebastian, have the highest caseload representing 24% of the dependency-neglect caseload for FY 2012. These two counties exceeded the state average for

number of placement changes. Pulaski County averaged 5.7 placements per child and Sebastian County averaged 6.1 placements. The two counties with the highest average number of placements were Lafayette with 9.14 and Drew with 11.63.

Another educational issue identified by the stakeholder focus groups included issues with transportation, particularly in rural areas. Judges, AALs, and foster youth also raised concerns about credits not transferring from one school to the next school when a school change is made. There were also experiences in which students had to repeat classes which they had already taken and passed in one school. However, after a transfer to a new school and missing classes, the students fell further behind. One foster youth stated, “I had troubles with my grades because I had transferred 4 schools in one year and it was hard to stay on task.” Another student stated, “I wasn’t able to finish all my classes.” AALs and foster youth also reported that foster youth are taken out of the classroom too much and that this disrupts their education. Foster youth suggested that caseworker visits and medical and mental health appointments should be scheduled after school or on weekends so that students could stay in school during the day.

Finding 2A: Students with open dependency-neglect cases in FY 2012 experienced an average GPA of 2.13; each school placement change corresponds to a .093 drop in GPA.

As the following graph indicates, GPAs were roughly normally distributed, with peaks occurring at 2.0 and at 3.0. The average GPA was 2.13, with a range from .1 to 4.14 (accounting for advanced placement classes) for students in dependency-neglect cases in FY 2012. The

smooth curve represents how data would be distributed if they were completely normal and the curve below that represents the students in dependency-neglect cases in FY2012.

Figure 4. FY 2012 DN Case Student GPAs

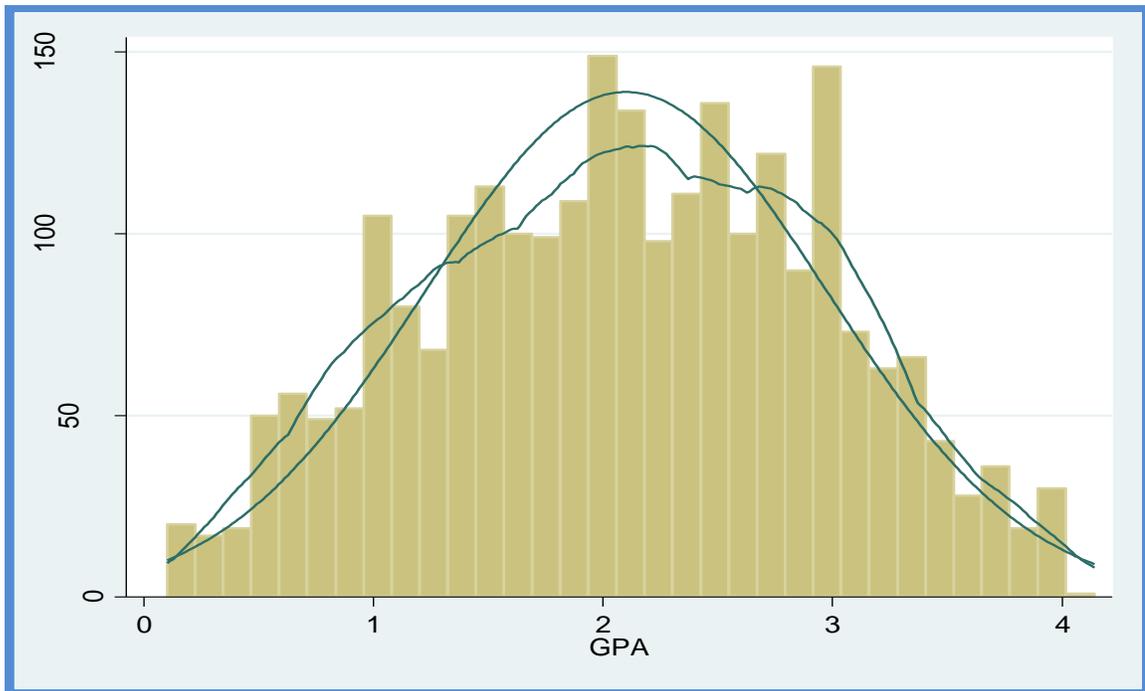
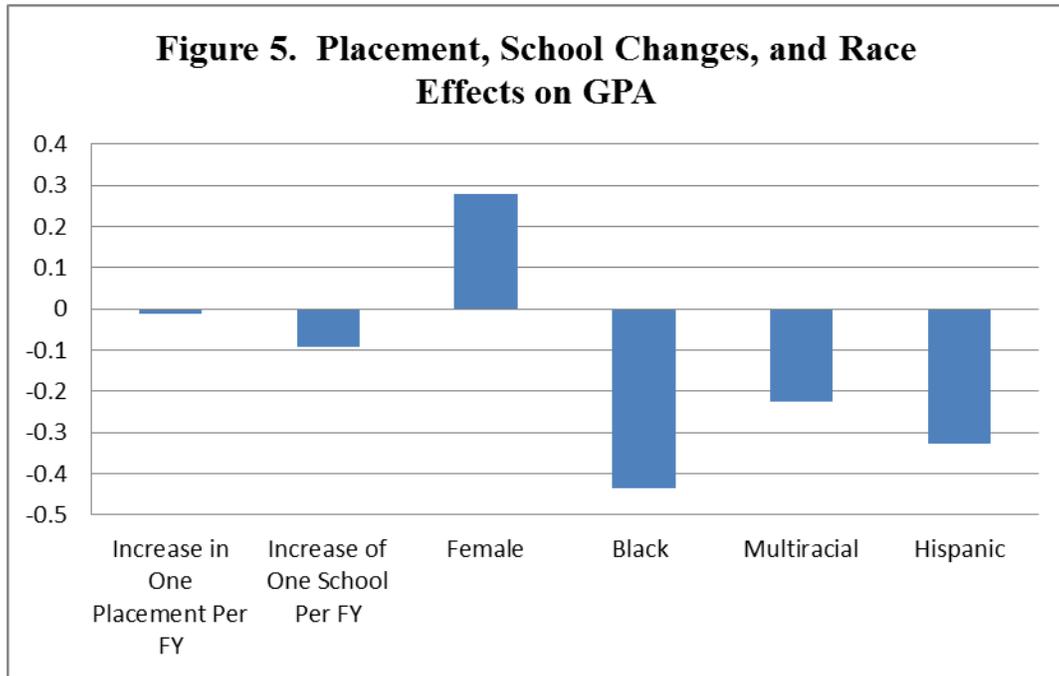


Figure 5 shows that the total number of placements had a weak negative effect on GPA, with a decrease of .013 in GPA correlated with each placement change. Yet the number of school placement changes within a fiscal year indicated that each school placement change was correlated with a drop of .093 in GPA when other variables were held constant. For students in dependency-neglect cases who average 2.8 school changes per year, this is significant. Gender was also a strong predictor, with girls having GPAs .278 points higher when other factors were held constant. Race was also a strong predictor, with black students having GPAs .436 points

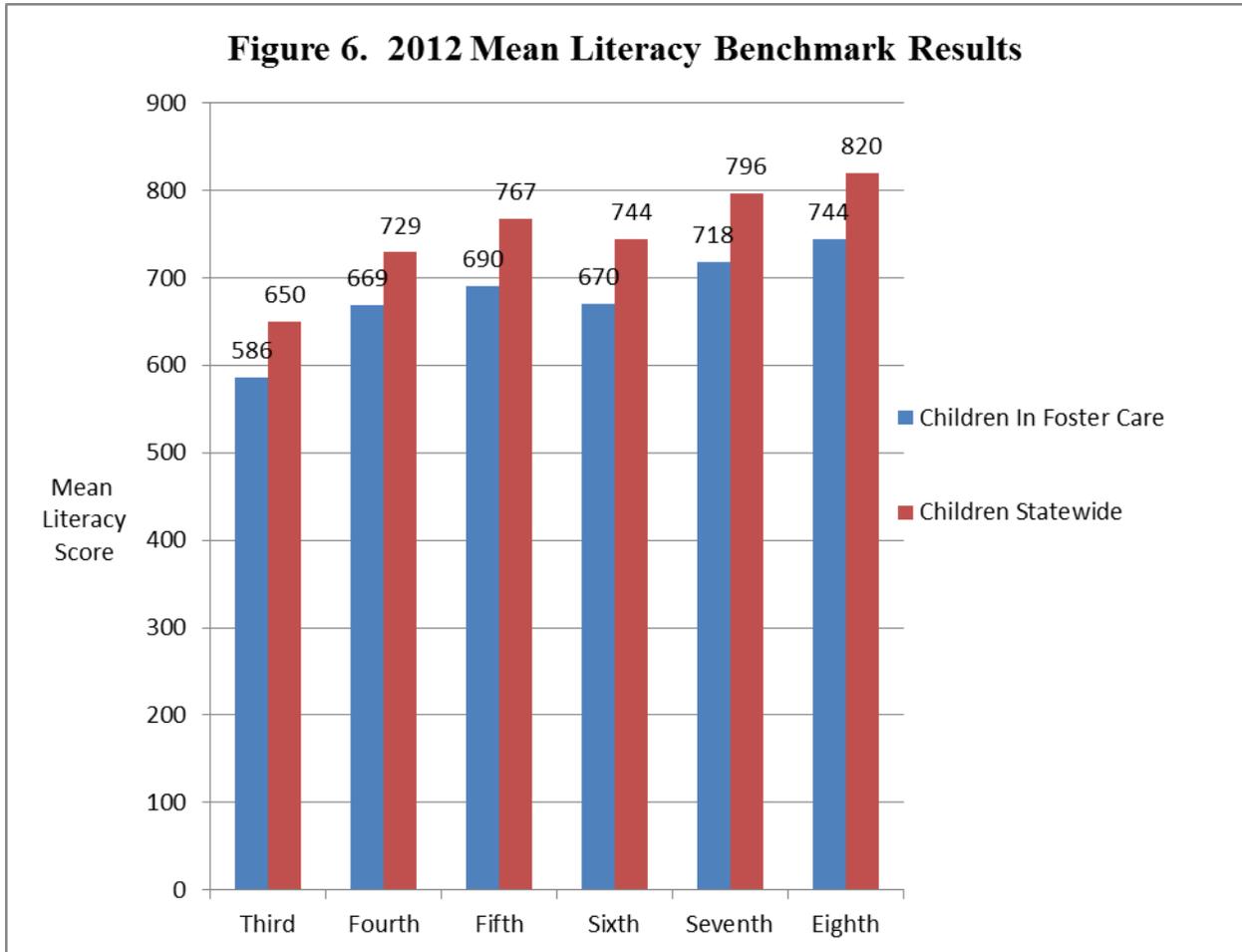
lower than white students and multiracial students attaining GPAs .224 points lower. Ethnicity was also marginally significant. Hispanic students had GPAs .327 points lower than non-Hispanic students when other variables were held constant.



Finding 2B: In 2012, children in foster care scored a lower mean and were more likely to score below basic than children statewide in literacy, math, and science in all benchmark performance exams.

As Figures 6 and 7 show, foster youth scored lower than children statewide in literacy and math in all benchmark testing results for third, fourth, fifth, sixth, seventh and eighth grades.

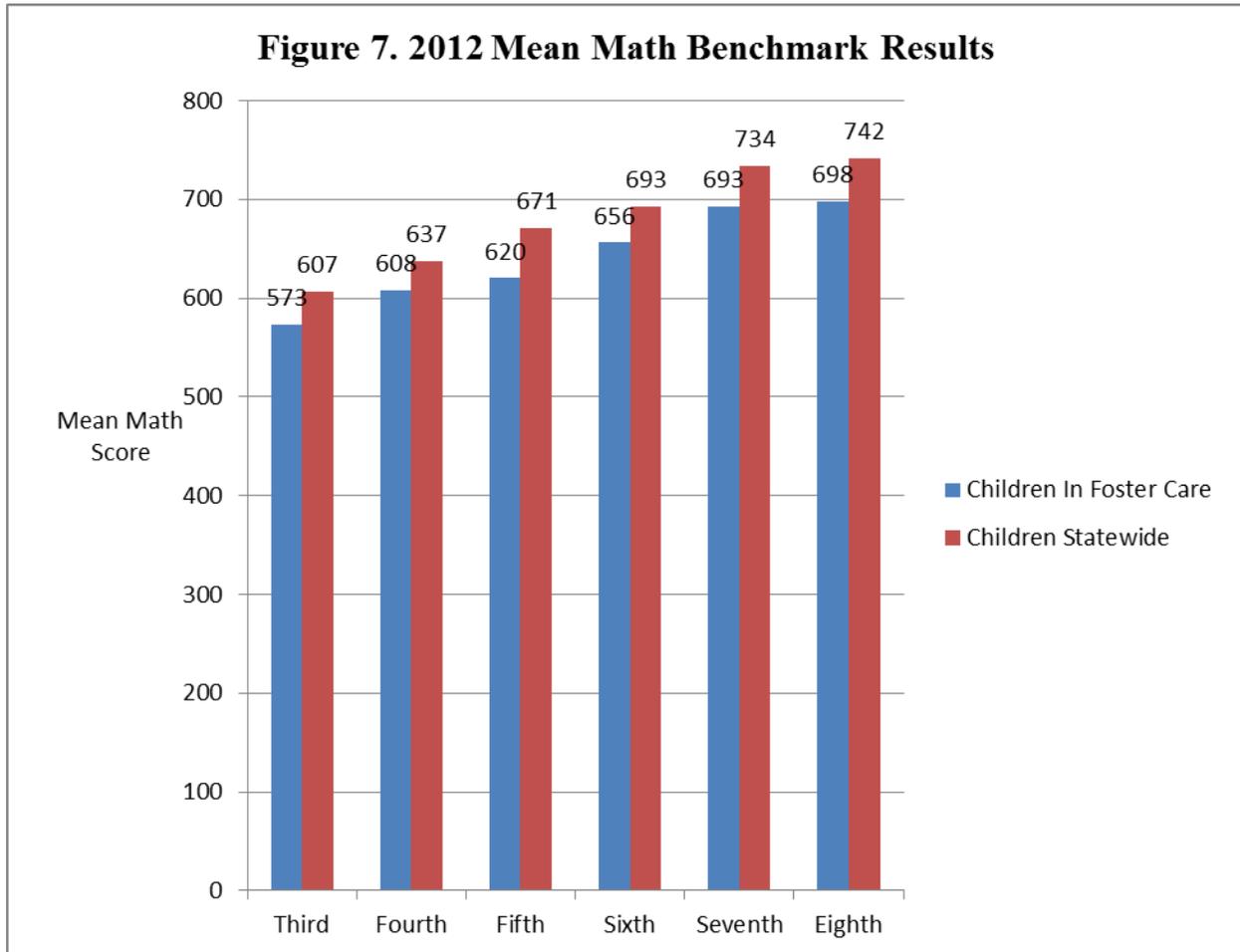
Figure 6. 2012 Mean Literacy Benchmark Results



- Third grade foster children scored lower with a mean score of 586, compared to children statewide with a mean score of 650, and this is statistically significant ($t=4.7555, p<.001$).
- Fourth grade foster children scored lower with a mean score of 669, compared to children statewide with a mean score of 729, and this is statistically significant ($t=4.7719, p<.001$).

- Fifth grade foster children scored lower with a mean score of 690, compared to children statewide with a mean score of 767, and this is statistically significant ($t=5.6435$, $p<.001$).
- Sixth grade foster children scored lower with a mean score of 670, compared to children statewide with a mean score of 744, and this is statistically significant ($t=5.7029$, $p<.001$).
- Seventh grade foster children scored lower with a mean score of 718, compared to children statewide with a mean score of 796, and this is statistically significant ($t=5.4074$, $p<.001$).
- Eighth grade foster children scored lower with a mean score of 744, compared to children statewide with a mean score of 820, and this is statistically significant ($t=5.4253$, $p<.001$).

Figure 7. 2012 Mean Math Benchmark Results

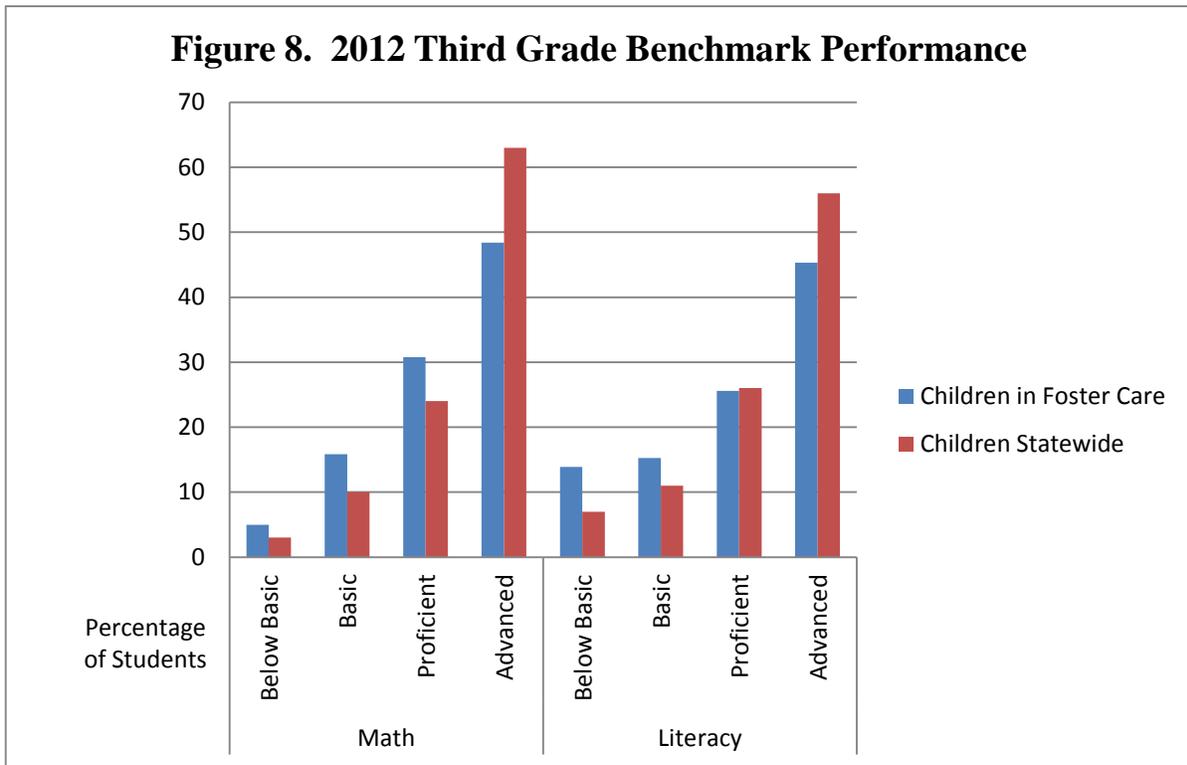


- Third grade foster children scored lower with a mean score of 573, compared to children statewide with a mean score of 607, and this is statistically significant ($t=-5.4946$, $p<.001$).
- Fourth grade foster children scored lower with a mean score of 608, compared to children statewide with a mean score of 637, and this is statistically significant ($t=-4.6262$, $p<.001$).

- Fifth grade foster children scored lower with a mean score of 620, compared to children statewide with a mean score of 671, and this is statistically significant ($t=-4.7555$, $p<.001$).
- Sixth grade foster children scored lower with a mean score of 656, compared to children statewide with a mean score of 693, and this is statistically significant ($t=-7.1202$, $p<.001$).
- Seventh grade foster children scored lower with a mean score of 693, compared to children statewide with a mean score of 734, and this is statistically significant ($t=-6.2246$, $p<.001$).
- Eighth grade foster children scored lower with a mean score of 698, compared to children statewide with a mean score of 742, and this is statistically significant ($t=-6.7513$, $p<.001$).

The science benchmark testing occurs in the fifth and seventh grades. Again, foster children scored statistically lower than children statewide. Fifth grade foster children on the science benchmark exam scored a mean of 191, compared to a mean score in the general population of 210, and this is statistically significant ($t=-6.2636$, $p<.001$). The mean score of seventh-grade foster children on the science benchmark exam was 170, compared to a mean score in the general population of 187, and this is statistically significant ($t=-5.2524$, $p<.001$).

Foster children also were more likely to test below basic as illustrated by the performance testing results by grade level for each grade.



As shown in Figure 8, third-grade children are more likely to score below basic, basic, or proficient on the math benchmark, and are less likely to score advanced. On the English benchmark, they are more likely to score below basic or basic and less likely to have a score considered proficient or advanced. This sample included 221 foster children who took the literacy benchmark scores and 223 foster children who took the math benchmark scores in the third grade; 35,701 children took the third grade benchmark tests statewide.

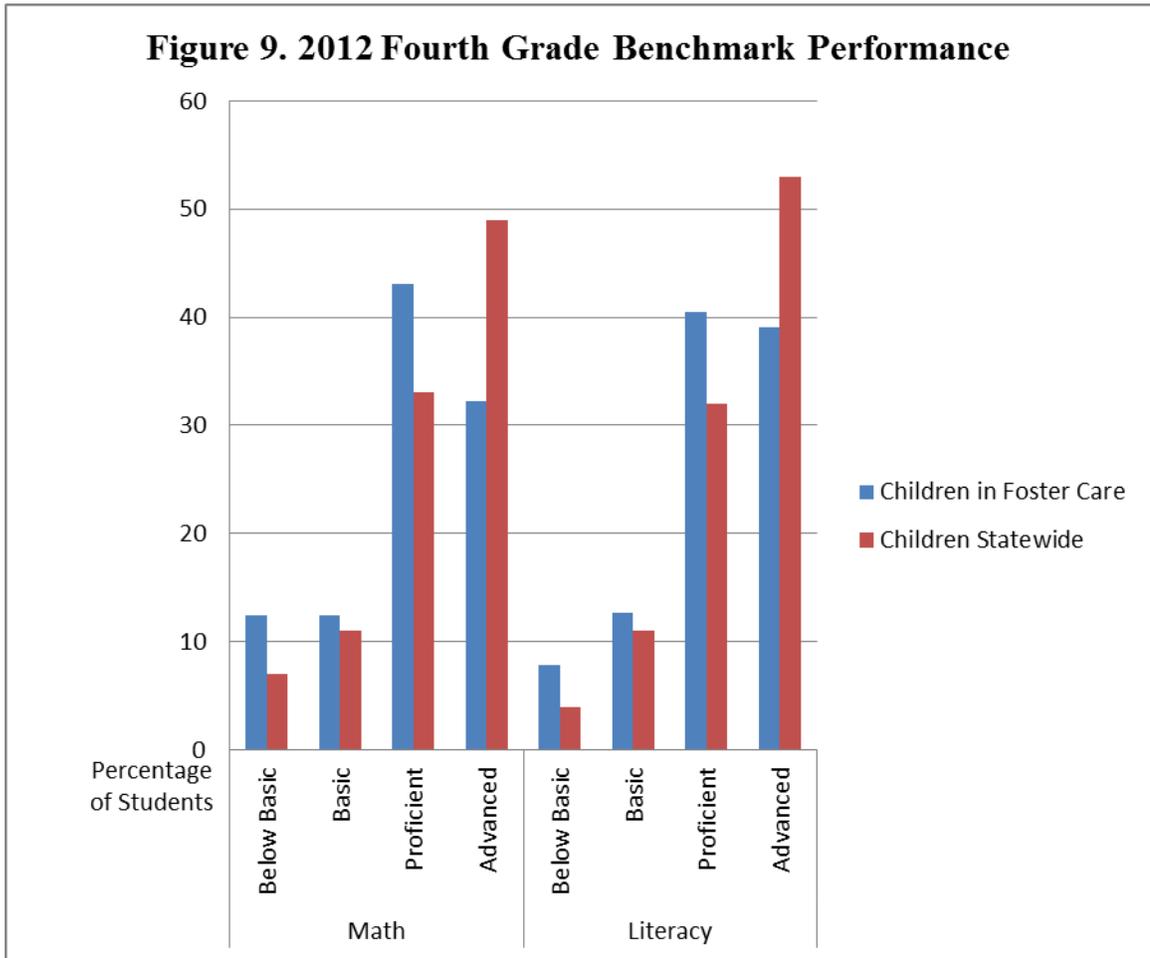
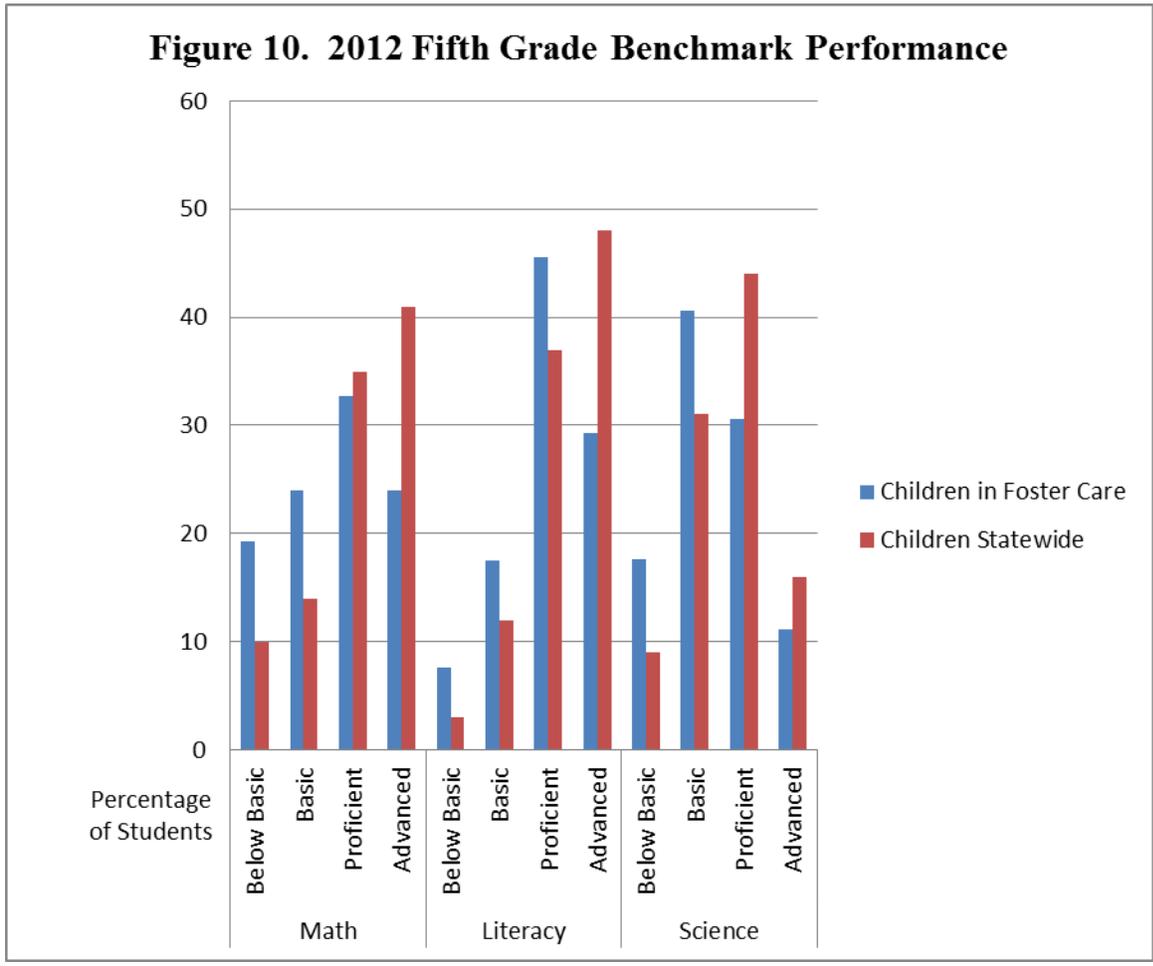


Figure 9 indicates that fourth grade children are more likely to score below basic, basic, or proficient on both the math and literacy benchmark exams, and are less likely to score advanced. This sample represented 35,924 children statewide who took the fourth grade benchmark tests, including 202 foster children with literacy benchmark scores and 205 foster children with math benchmark scores.

Figure 10. 2012 Fifth Grade Benchmark Performance



As shown in Figure 10, fifth grade children are more likely to score below basic, basic, or proficient on the literacy benchmark exam, and are less likely to score advanced. On the science and math benchmark exams, they are more likely to score below basic or basic and less likely to score proficient or advanced. This sample included 171 foster children with literacy benchmark scores, 171 with math benchmark scores, and 170 with science benchmark scores; 36,051 children took the fifth grade benchmark tests statewide.

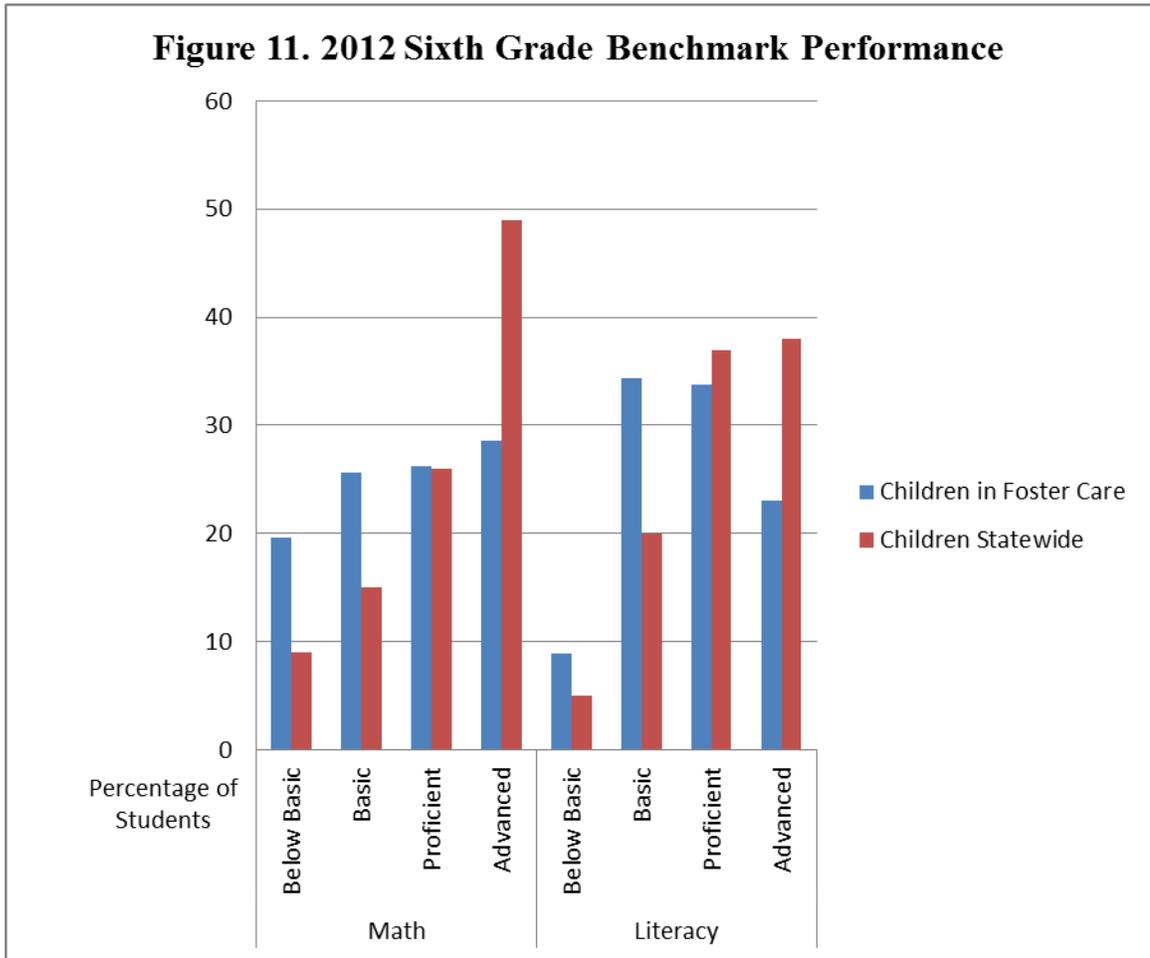
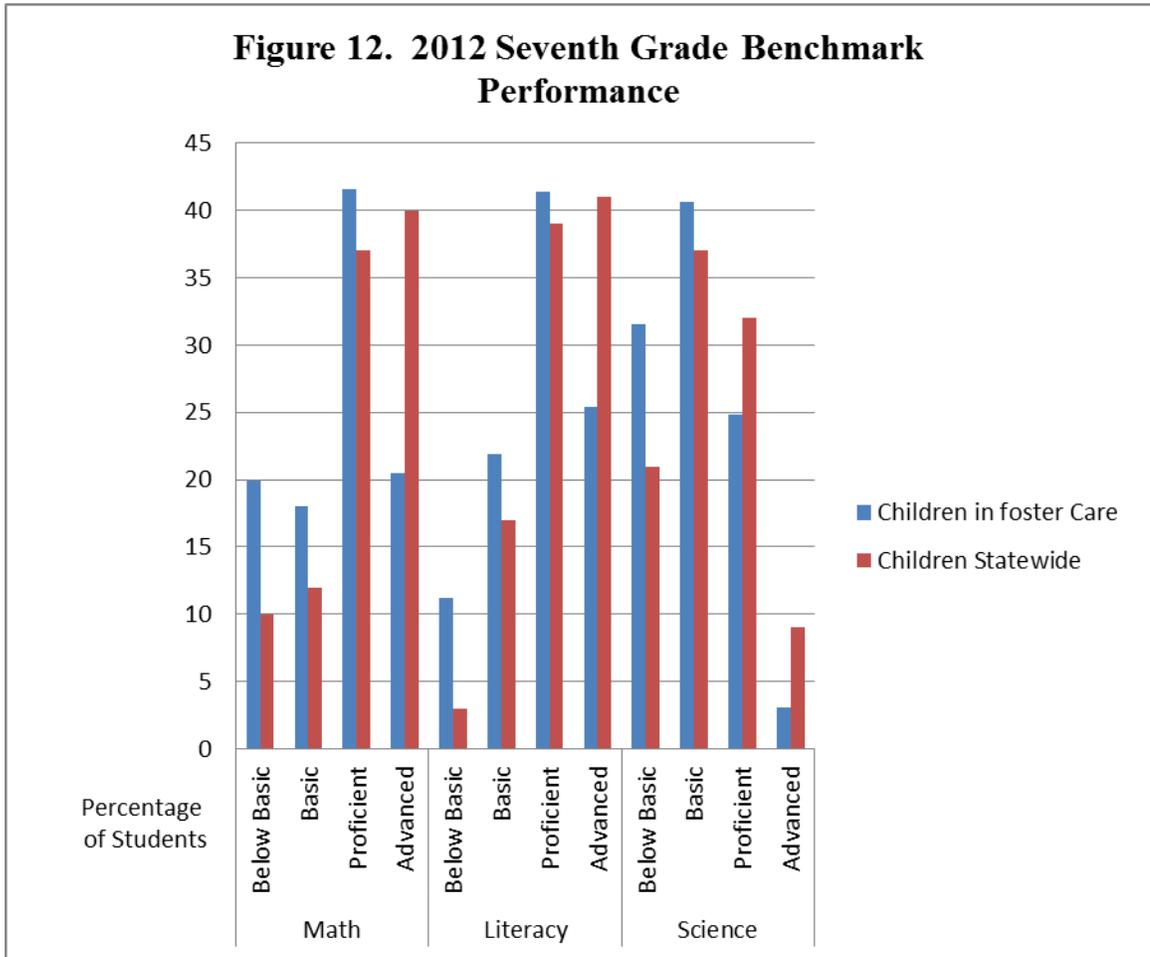
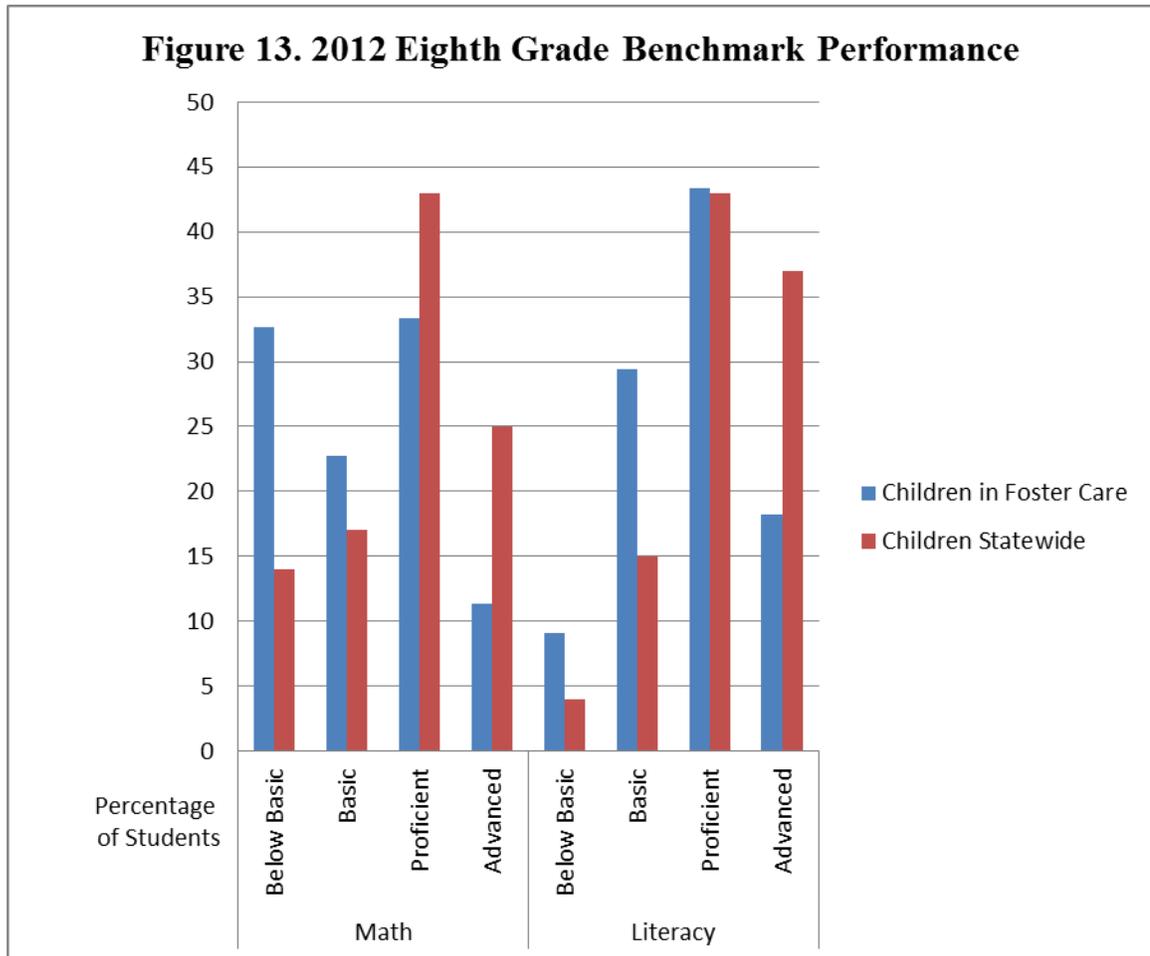


Figure 11 shows that sixth grade children are more likely to score below basic or basic on the literacy and math benchmark exams, and are less likely to score advanced. There were 35,824 children who took the sixth grade benchmark tests statewide and 169 foster children with literacy benchmark scores and 170 foster children with math benchmark scores in this sample.



As shown in Figure 12, seventh grade children are more likely to score below basic, basic, or proficient on the literacy and math benchmark exams, and are less likely to score advanced. On the science benchmark exam, their scores are more likely to be in the below basic or basic range, and less likely to be in the proficient or advanced range. This sample included 35,888 children statewide who took the seventh grade benchmark tests statewide, including 169

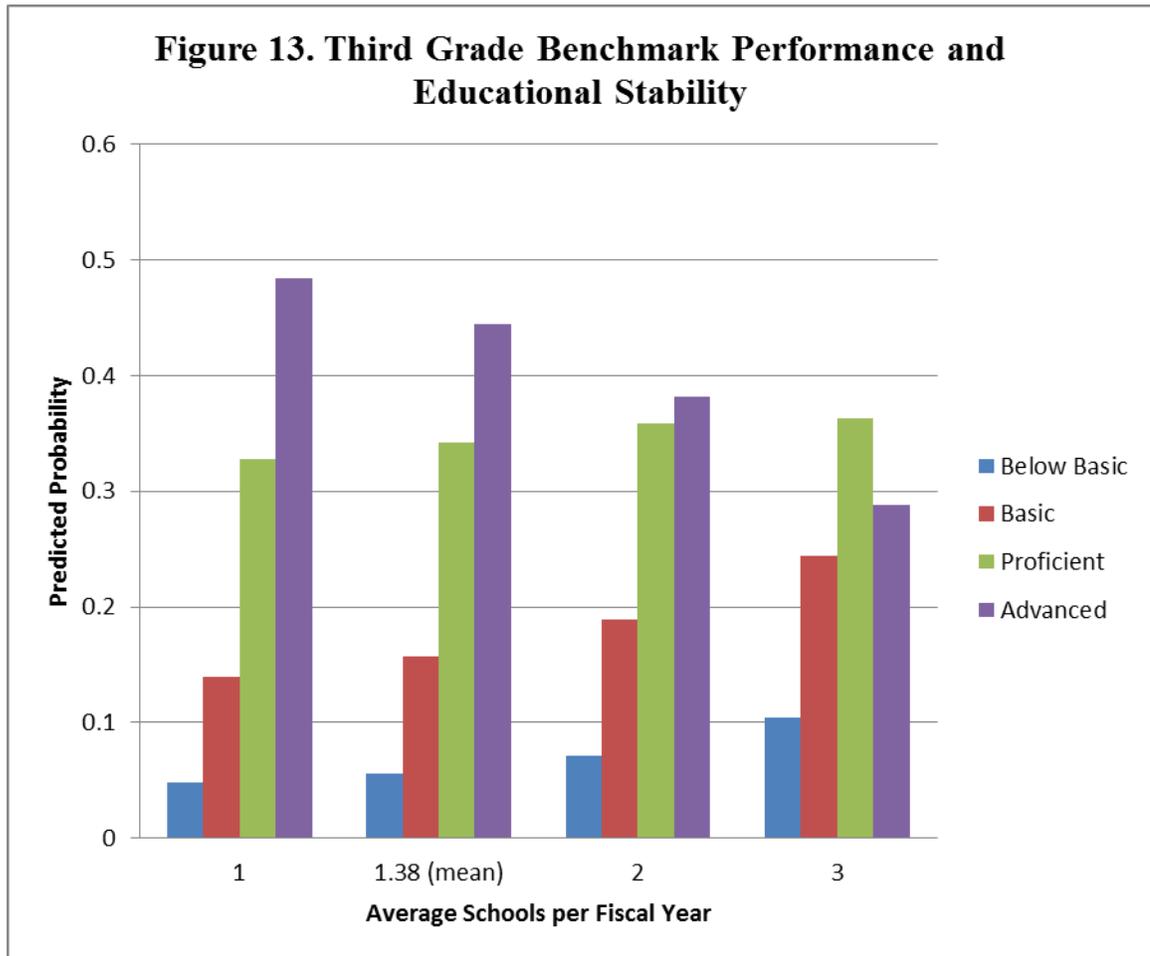
foster children with literacy benchmark scores, 166 foster children with math benchmark scores, and 165 foster children with science benchmark scores.



Finally, Figure 12 shows that eighth grade foster children are more likely to score below basic or basic on the literacy and math benchmark exams, and are less likely to score advanced. This sample included 141 foster children with literacy benchmark scores and 143 foster children with math benchmark scores and 35,320 children took the sixth grade benchmark tests statewide.

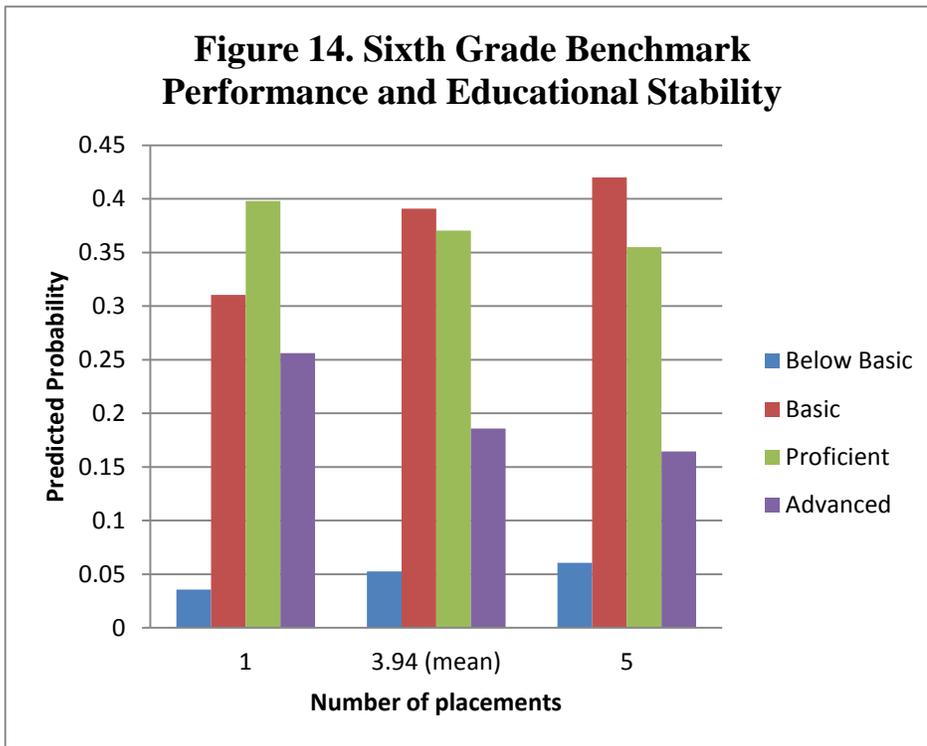
Finding 2C: Foster children were less likely to score proficient on third grade benchmark exams and literacy exams in the sixth grade when attending multiple schools during the school year.

When special education status, length of case, gender, and race were held constant, foster children/youth were less likely to score proficient on the third grade benchmark exam. In 2012 when attending more schools per average school year as illustrated by Figure 13; they were more likely to score at the basic or below basic level.



Other significant predictors were placement in special education, length of time in foster care prior to the benchmark exam, and race. Students in special education were more likely to score lower on benchmark exams. Children in foster care longer as of the date of the exam had a greater predicted probability of scoring advanced on a benchmark exam. Non-white children had a greater predicted probability of scoring below basic or basic on the benchmark exam and a lower predicted probability of scoring advanced. Caution should be used when interpreting these findings, as they were not robust. When math and literacy scores were examined separately, neither the average number of schools attended per fiscal year nor total number of placements were found to be statistically significant predictors of benchmark scores, likely due to the very small number of students (184 and 185 respectively) taking each exam.

In examining educational stability as it relates to benchmark performance for sixth graders, the average number of schools attended per fiscal year was not a statistically significant predictor, likely due to the small sample size. Substituting total number of placements resulted in a statistically significant result for literacy exams, but not for math as illustrated by Figure 14. When special education status, length of case, gender, and race were held constant, children were more likely to score below basic or basic on the literacy exam when they had a greater number of foster care placements. They were less likely to score proficient or advanced



Surprisingly, the average number of schools attended per fiscal year was not a statistically significant predictor, likely due to the small sample size. Substituting total number of placements resulted in a statistically significant result for literacy exams, but not for math. When special education status, length of case, gender, and race were held constant, children were more likely to score below basic or basic on the literacy exam when they had a greater number of foster care placements. They were less likely to score proficient or advanced.

Finding 2D: Twenty-three percent of youth with open dependency-neglect cases who were 17 or older graduated in FY 2012; 77% did not graduate.

Of the 160 children who were age appropriate for graduation, only 23% graduated. In school year 2011-2012, the average grade level of these students was 10.81 and they were in

grades 7th through 12th. Of the 52 students in 12th grade and eligible for graduation, 38 students graduated. These children attended an average of 1.4 schools per fiscal year between 2008 and 2012.

GPA's were available for only 93 of the students age 17 or older, in part because the ADE collects GPA only for grades 9-12 grades. For these students, the average GPA was 2.16, slightly higher than the average GPA for all foster students in dependency-neglect cases in FY 2012 at 2.13. Sixteen of the 160 youth (9.7%) were in special education; only one of the special education students graduated.

According to a maximum likelihood model, including the average number of schools attended per fiscal year in 2008-2012, GPA, gender, and race, a child in a court case for dependency-neglect who was at least 17 years old as of August 1, 2011 had a 29.37% predicted probability of graduating in 2012. The average number of schools attended per fiscal year was a marginally significant predictor ($p < .1$). When other variables were held at their mean, a decrease in the average number of schools attended per school year from 1.4 to 1 was correlated with increased predicted probability of graduation to 41.7%. Conversely, a student who attends an average of two schools per school year only has a 17.77% predicted probability of graduation when other variables were held at their means.

The student's GPA was the most statistically significant predictor of graduation ($p < .01$). An increase of one tenth of a point in the student's GPA increases the predicted probability of graduation from 29.37% to 32.04%. A student with a B average (3.0 GPA) has a predicted

probability of graduation of 54.51%, while one with a C average (2.0 GPA) has a predicted probability of graduation of 25.48%.

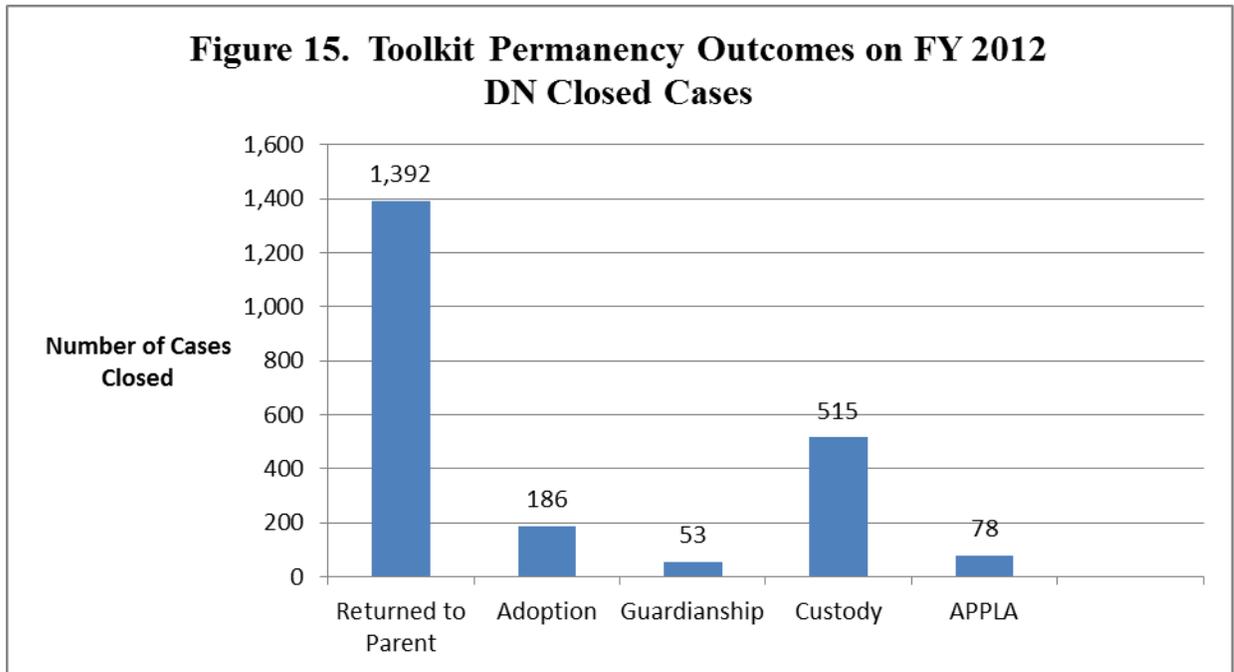
Finding 3. The permanency outcomes of children and youth in dependency-neglect cases that closed in FY 2012 are correlated with placement and school stability.

The Adoption and Safe Families Act (ASFA) requires that a permanency hearing must be held no later than 12 months after the date a child enters care or within 30 days of a judicial determination that reasonable efforts to reunify the family are not required (42 U.S.C. §671(a)(15)). Under ASFA, there is a stated legal preference for foster children and youth based on their best interest, health, and safety. The court shall determine the following in order of preference:

- 1) Return to the parent;
- 2) Placement for adoption with the state, filing a petition for termination of parental rights, unless an exception applies;
- 3) Guardianship;
- 4) Custody, including permanent placement with a fit and willing relative; and
- 5) Placement in another planned permanent living arrangement (APPLA) but only when the state has documented a compelling reason and other plans would not be in the child's best interest (45 C.F.R. § 1355.20(a); 45 C.F.R. § 1356.21(h)(3)).

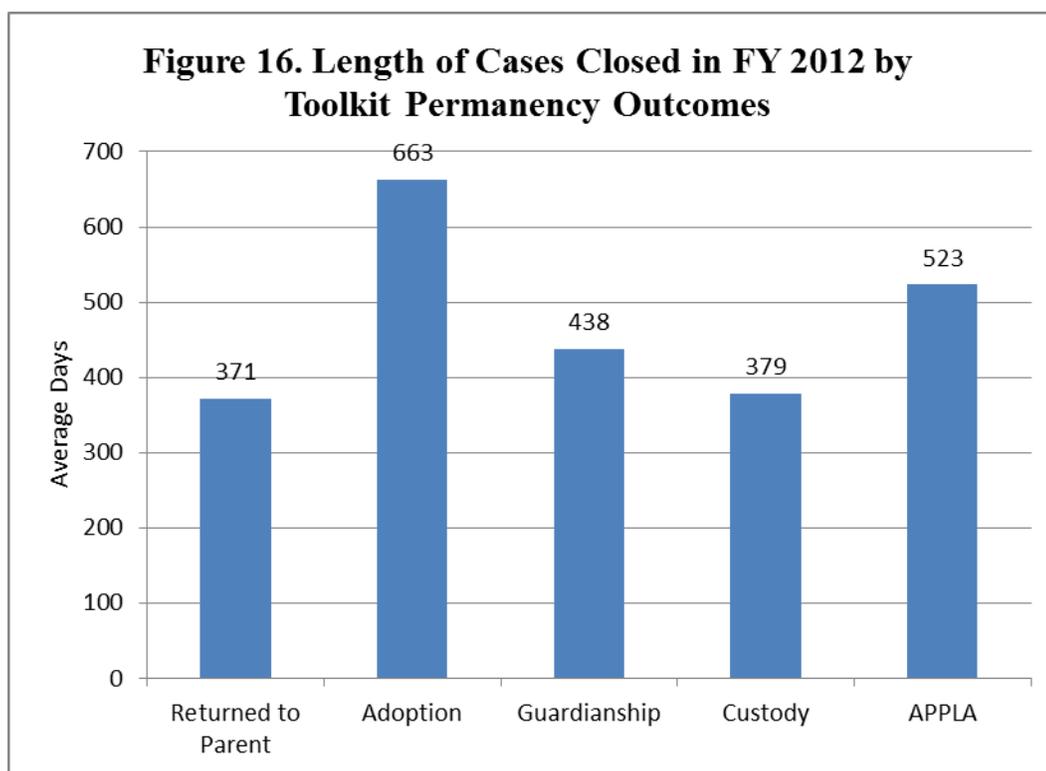
Arkansas codified ASFA in Ark. Code Ann. §9-27-328. The first four plans are considered preferable because they not only provide a home for the youth to reside in, but someone who will

be in charge of the young person, exercise certain powers and responsibilities, and provide a continuing familial relationship.



In FY 2012, 2,343 dependency-neglect cases were closed. Figure 15 illustrates that the majority of children and youth were returned to a parent, which is the first preference for children and youth if it is in their best interest and safe to do so. In fact, 59% of the cases closed in FY 2012 were returned to a parent, while only 2% of the cases closed resulted in guardianship and 5% of the cases were dismissed.

Figure 16 shows that children/youth who had cases closed in FY 2012 entered foster care between 2009 and 2012 and spent, on average, 394.55 days in the court system. The following chart indicates the length of the court cases closed in FY 2012 based on the reason the case was closed using the Toolkit measures for permanency.



As illustrated by Figure 17, youth who exited care without a permanency placement (retrun to parent, adoption, guardianship, or custody) had more than double the number of placements experienced by children/youth with a permanent placement. All children/youth had greater than two placements on average. However, youth whose case closed as a result of an adoption experienced an average of four placements. It should be noted that one child who was

adopted and in this group of cases experienced over 150 placements. In contrast, youth whose case closed as a result of a permanency plan goal of APPLA averaged 7.2 placements.

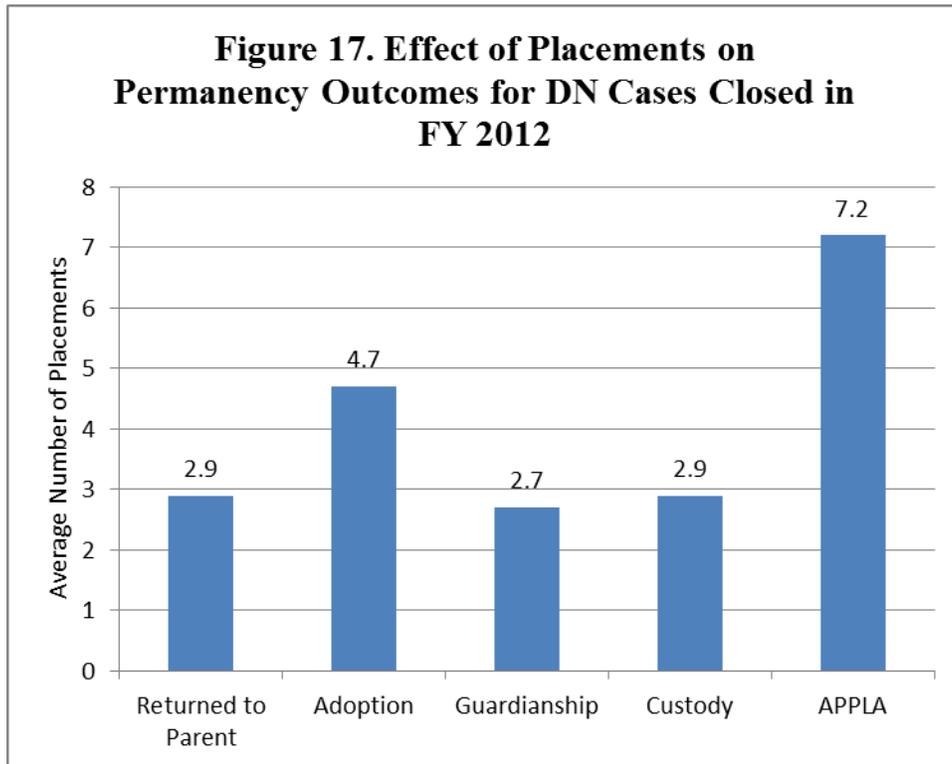
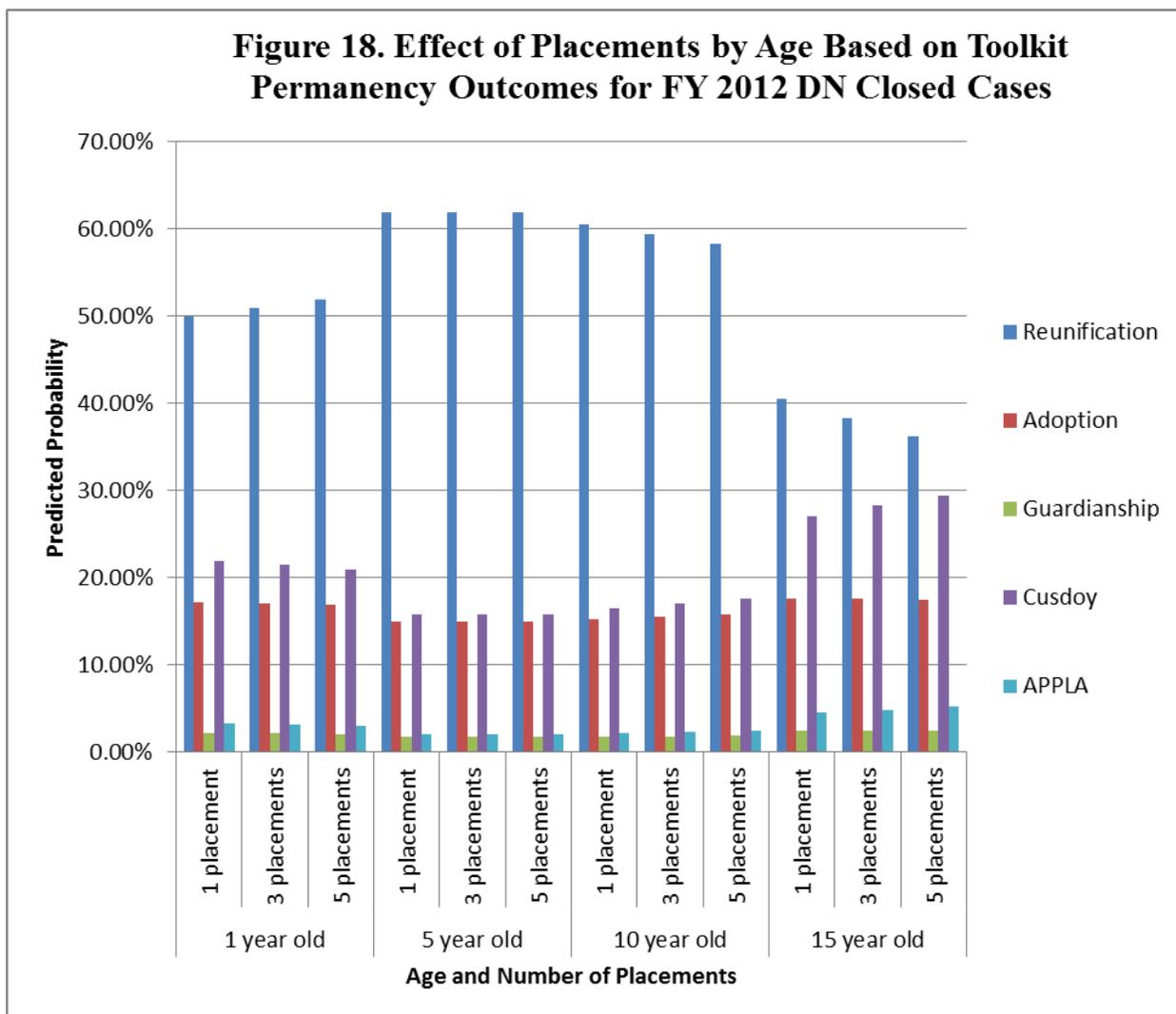


Figure 18 illustrates the number of placements a child experienced correlates differently with outcomes based on age, with a greater negative effect for older children. For example, a one-year-old's predicted probability of reunification with a parent increases slightly (from 49.99% to 51.89%) as the number of placements increase from one to five. For a 15-year-old, the effect is opposite: a 15-year-old with one placement has a 40.53% predicted probability of return home, while one with five placements has a 36.12% predicted probability of return home.

Figure 18. Effect of Placements by Age Based on Toolkit Permanency Outcomes for FY 2012 DN Closed Cases



School stability is strongly correlated with case outcomes, controlling for age, length of case, and judicial district. Children who attend just one school in a fiscal year are predicted to have a 56.71% probability of return home, while those attending three schools in a fiscal year have a 46.96% predicted probability of return home. Those with more school instability are also

more likely to age out of the system: 4.76% of those with one school and 6.54% of those attending three schools in a year aged out of the system.

Table 2. Effect of School Placement Changes Based on Toolkit Permanency Outcomes for DN Cases Closed in FY 2012

Toolkit Permanency Outcome	One School/ School Year	Two Schools/ School Year	Three Schools/ School Year
Return to Parent	0.567121	0.518543	0.469611
Adoption	0.084058	0.086928	0.08823
Guardianship	0.020325	0.021462	0.022256
Custody	0.225832	0.250898	0.275123
APPLA	0.047599	0.055974	0.065397

Conclusions and Recommendations

It is the intent that this study educate stakeholders and inform policy and practice to achieve better outcomes for children and youth in dependency-neglect proceedings. This study builds on current literature and research in the field and provides state-wide data to assess how Arkansas's foster children and youth compare to their national peers with regard to placement stability, educational stability, educational outcomes, and permanency outcomes.

Conclusion 1: Arkansas foster children and youth in dependency-neglect cases have more school placement changes when they enter foster care; agency placement changes are a contributing factor to the higher number of school placement changes.

Students involved in dependency-neglect court cases in FY 2012 averaged 2.3 school changes per school year. These students encountered more school changes when they entered foster care than prior to coming into the foster care system or when they left the foster care system. Educational placement changes while in foster care occur because of issues stemming from an insufficient number of appropriate placements, issues with foster homes resulting in changes in placements, and issues that arise with foster youth. All stakeholders indicated that lack of placement stability was a contributing factor to increased number of school placement changes and the data indicated that placement stability is still an issue.

Placement stability of children in foster care is measured by the percentage of children with two or fewer placements. Arkansas, like the majority of states, has struggled to meet this measure but has made progress since the CFSR stated that “ placement stability continues to be a

challenge for Arkansas and that performance was in the bottom twenty-five percent of states nationally” (The Final Report: Arkansas Child and Family Services Review, 2008, p. 21).

Despite these efforts, Arkansas still fails to meet the national standard of two or fewer placements while in care, with an average of 4.8 placements a year. While Arkansas has made strides in reducing the number of placement changes for foster children, the average number is still more than double the national standard and exceeds the national average. The stakeholders' concerns that children continue to have too many placements while in foster care is consistent with the data for all children and youth in foster care as indicated by the DCFS Annual Report and an analysis of the DCFS CHRIS placement data. These placement changes are a contributing factor to the increased number of school changes that children and youth encounter while in foster care in dependency-neglect proceedings.

Recommendation 1.1: Increase foster care capacity through targeted recruitment and expand kinship placements in areas where children and youth are removed from home so that they may remain in their community and original school.

Arkansas does not have enough appropriate foster homes to meet the needs of the foster children/youth in its care. Nor is there a target recruitment effort for foster care placement in students' original school districts. This results in children/youth being moved from their original schools on a frequent basis.

Recommendation 1.2: Implement the Arkansas Educational Stability Act for foster youth passed in 2005; and improve decision making to keep children and youth in their original schools.

Arkansas law requires that stakeholders work together to ensure educational continuity for students to remain in their schools whenever possible. It also requires that the child welfare agency consider educational stability in making foster care placements and for these students to continue in their original home school placements unless the court finds that such school placements are not in their best interests. Compliance with this Act could have a dramatic impact on limiting the number of school changes that these students encounter. It would immediately address the 1,761 school changes that occurred within the first week of a dependency-neglect case, in addition to the other school changes that occur during the school year that impact these children and youth.

Conclusion 2: Changes in school placement affect academic achievement and permanency outcomes for children and youth in dependency-neglect cases.

As stakeholders indicated, education is a significant cornerstone for these children and youth, offering opportunity for future self-sufficiency and the ability to function as healthy and productive adults. When children and youth come into the state's custody, the state should do no harm. The results from this report indicate that Arkansas is failing in the area of educational stability. While foster children and youth experience instability prior to entering foster care, they have greater educational instability after they enter care. The impact of school changes is

cumulative. School changes result in decreases in GPA and benchmark exams which then impacts the youth's ability to graduate. Not surprisingly, school placement changes also correlate with a youth's ability to be placed in a permanent placement in a timely manner. Youth who attended just one school a year had a higher probability to attain permanency by returning home. Youth with greater educational instability were more likely to age out of the system with no permanency.

Recommendation 2.1: Educate stakeholders about the impact of educational instability to guide policy and develop improvement plans for Judicial Districts.

All stakeholders in all branches of government should become familiar with the findings of this report. The findings should be distributed to the Arkansas Supreme Court Committee on Children, Youth and Families. The state-wide data should be further distilled by judicial district and county to provide to local stakeholders so that they can review the findings, and meet to develop plans for improvement.

Recommendation 2.2: Provide ongoing multi-disciplinary educational opportunities about promising practices for foster youth educational stability.

The Arkansas Court Improvement Project provides opportunities for judicial and multi-disciplinary training. Programs offered by the project should bring experts together to develop training and resources for judicial districts and stakeholders, including but not limited to judges, attorneys, CASA volunteers, child welfare staff, educators, and foster parents. Training and resources at a minimum should include information about relevant laws, dynamics of educational

stability, and evidence-based practices in judicial districts and across the county on how to achieve educational stability and improve educational and permanency outcomes for children and youth.

Recommendation 2.3: Explore options to prevent court cases from removing foster youth from school during the school day.

Data should be gathered to quantify how often a child or youth misses school due to a court proceeding or court ordered activities. Alternatives should be explored to limit the amount of time that foster youth are removed from school as a result of court proceedings. For example, can court dates be scheduled after school for these youth? Can the youth participate by teleconference to cut down on transportation? Can appointments with caseworkers and providers be scheduled after school hours or on the weekend? Attorneys should advocate for their clients to remain in school during the school day when it is in the best interest of the youth.

Conclusion 3: Ongoing assessment, evaluation, and review of placement and educational stability data is needed and the impact stability has on educational and permanency outcomes.

While this study is a good start to shape the dialogue, more data are needed to address the educational issues encountered by these foster children and youth. This study examined court cases limited to FY 2012; additional study over a longer period of time would be beneficial to stakeholders. One limitation of the study that the author would like to see addressed by future

research is thorough analysis of data that reflects educational stability on all benchmark exams, attendance records, dropout rates, and GEDs.

Recommendation 3: Encourage stakeholders to continue to collect, share, and examine data to guide policy and inform decision making using evidence-based practices.

Interagency and inter-branch collaboration committed to improving the educational outcomes of Arkansas's foster children/youth requires ongoing leadership as well as a firm commitment among the stakeholders to continue to share and evaluate available data. The Arkansas Supreme Court Committee on Children, Youth and Families is a vehicle that can be utilized to promote this worthy goal and share promising developments that will lead to better educational and permanency outcomes for children/youth in foster care.

All stakeholders must take ownership in demanding data to inform decision making using evidence-based practices. We must reduce the number of placements and educational instability for children. Education is the gateway for these children and youth to have an opportunity to become successful and productive adults. A concentrated effort by all stakeholders is needed to turn the tide, if significant progress is to be made in our children/youth's educational and permanency outcomes.

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APPENDICES

Appendix A

State and Federal Implementation of the Education Provisions of the Fostering Connections Act: Progress and Challenges

Background

The education provisions of the Fostering Connections Act are essential to breaking the cycle of poor educational outcomes for children in foster care. The Act requires the child welfare agency to coordinate with local education agencies to ensure that children remain in their same school even if their living placement changes, unless that would not be in the child's best interest. If it is not in the child's best interest, the agencies must coordinate to ensure immediate and appropriate enrollment in a new school with all of the education records of the child provided to that new school. Critically, the Act also clarifies that federal IV-E funds may be used by states for reasonable travel costs to allow children in foster care eligible for IV-E reimbursement to stay in the same school.

State Implementation To Date

The Fostering Connections Act has brought much needed attention at both the federal and state levels to the poor education outcomes of children in care, and the critical need for collaboration between child welfare and education agencies to improve these outcomes. Many state and local child welfare agencies are now mobilizing to implement the Act in their states. Some have tried to organize state or local interagency workgroups and or plan to develop interagency agreements to address education stability and continuity for children in care at the local level. Some states have adopted, or are in the process of adopting, legislation, regulations, or guidance to identify the responsibilities of each agency in implementing this Act. As a result of these efforts, some students in foster care are beginning to benefit from the Act. However, many states are reporting common and sometimes insurmountable barriers to effective implementation of these new mandates.

Necessary Next Steps

Despite the education provisions in the law and significant efforts in the states, there are still several barriers to full and effective implementation of the education provisions of Fostering Connections and ensuring that children in foster care have school stability and continuity. The education provisions in the Fostering Connections Act were a critical first step that must now be expanded and enhanced through education and child welfare legislation, regulations, and policy to achieve positive education outcomes for children in foster care. The following next steps are needed:

- 1) **Education agencies must explicitly be required to coordinate with child welfare agencies to ensure education stability and continuity for children in foster care.** Fostering Connections places a clear mandate on child welfare agencies to act to ensure school stability and continuity and to coordinate with local education agencies. However, without a reciprocal mandate on the education side, in some jurisdictions, school stability and prompt enrollment – and ultimately better education outcomes for these students – cannot become a reality. For example, without reciprocal mandates, many education agencies feel that residency requirements bar them from accepting foster youth from out of district, and documentation or record requirements bar them from immediately enrolling students changing schools. Furthermore, they may be otherwise unwilling or unable to collaborate successfully with child welfare agencies, thereby denying vulnerable foster youth an opportunity for school stability and success.
- 2) **The current mandate to keep children in their current schools (unless not in their best interest) must be enhanced.** Fostering Connections requires that child welfare agencies ensure that children remain in their schools unless not in their best interest. Importantly, it authorizes states to use federal IV-E funds for transportation for IV-E eligible children. Further clarification is vital to ensure that child welfare and education agencies work together to ensure the cost-effective transportation of all children.
- 3) **Promote interagency collaborations and identify clear responsibilities of each agency and identify points of contact.** Fostering Connections requires close collaboration between the child welfare and education agencies, but does not provide guidance as to how the collaboration should work. Interagency collaboration is always challenging, and states need support and guidance on how to best work together. Some of the issues that states need further support and guidance on include:
 - Which agency/entity will make the best interest determination for the child to remain in the same school (child welfare or education agency, or the juvenile court) and what factors should be considered and individuals involved in that determination?
 - How to create and fund clearly identified points of contact in each agency, at the state and local level? These identified individuals are desperately needed to ensure education stability and continuity and appropriate services and to resolve disputes that may arise. Several states, both before and after the Fostering Connections Act, have created such positions (either through legislative or practice change) that have had a significant impact on coordination.
 - How to ensure a child's right to transportation to school, and how to coordinate to provide and pay for the transportation efficiently and effectively?
 - What is the role of the juvenile courts overseeing the child's case related to the implementation of the Act and providing educational stability and continuity?

Child welfare and education agencies must be supported in their collaborative efforts and without more direction and guidance on these issues, education and child welfare agencies will struggle to reach appropriate policies and agreements, or, in many cases, will fail to reach *any* agreement about how to coordinate with each other to ensure school stability and continuity for children in foster care.

4) Collect data to improve education outcomes for children in care. Even in the states that have already made great strides to improve education stability and continuity for children in care, there is minimal data to document these advances and ensure uniform compliance with legal requirements. States must collect this critical data, and receive support and guidance to track improvements for children in care. Tracking data such as attendance, the number of school changes, and enrollment delays is necessary to show improvements in education outcomes for children in care and must be addressed

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Appendix B: CASA Volunteer Coordinators Focus Group Instrument

Introduction

Brief overview of Educational Stability Research Study

CASA's important role as a stakeholder

Ice Breaker

- Names
- How long have you worked in child welfare?
- How long have you worked with the CASA program?
- Why is education important?

Discussion Questions

How many cases have on average have you worked with volunteer on during your time at CASA?

Based on your knowledge, generally what are foster children/youth's educational experiences prior to coming in care and after coming in care?

Why is school stability important for foster children and youth?

Is education stability considered in placement decisions (by the agency, attorneys, court)?

What percentage of time would you say children/youth remain in their same school when they come into care?

How often and how is education addressed at hearings?

What factors help children/youth remain in their same school?

What problems/barriers are there to children/youth remaining in their same school?

What would make things better for foster children/youth with regard to their education?

Is there anything else we should know about foster children/youth educational stability?

How did this process work for you and suggestions for future focus groups?

Appendix C: Foster Youth Focus Group Instrument

Introduction

Brief overview of Educational Stability Research Study

Youth input an important role as a stakeholder

Ice Breaker (pair into groups)

- Names
- Current grade
- Describe your favorite thing about school and something you would like to change

Discussion Questions

What type of school do you attend?

Does school relate to your life and how?

Is your school work hard?

How many different schools have you attended?

prior to foster care?

after foster care?

Has school better or worse since coming into the system?

Do you plan to graduate from high school?

How? Diploma GED

What are your plans after high school?

Work?

Vocational or technical school?

Attending a 4-year college?

Attending a 2-year community college

Other:

Who asks you where you want to go to school and about your educational issues?

Foster parent? Teachers?

Your attorney? CASA?

Parents? Friends?

Caseworker? Judges?

Other:

Appendix C: Foster Youth Focus Group Instrument

Have you ever talked to someone about problems with education – who and how did that go?

What dreams do you have for you and your friends and what would it take to make those dreams happen?

What would make things better for foster children/youth with regard to their education?

Is there anything else we should know about foster children/youth educational stability?

Provide information to contact Youth Engagement Specialist (YES) Team Specialist for further information.

Appendix D: Attorney Ad Litem Focus Group Instrument

Introduction

Brief overview of Educational Stability Research Study & AAL's important role as a stakeholder
Ice Breaker

- Names
- How long have you worked in child welfare?
- How long have you represented children
- Briefly Describe an educational success story with one of your clients

Discussion Questions

What is your average caseload?

Based on your knowledge, generally what are foster children/youth's educational experiences prior to coming in care and after coming in care?

Why is school stability important for foster children and youth?

Is education stability considered in placement decisions (by the agency, attorneys, court)?

What percentage of time would you say children/youth remain in their same school when they come into care?

How often and how is education addressed at case staffings?

Do you get notice as required by law of your client's change in foster care placement?

Do you get notice of your client's change in school placements?

How often and how is education addressed at hearings?

What factors are considered in a best interest determination to remove a child/youth from his/her school of origin?

What factors help children/youth remain in their same school?

What problems/barriers are there to children/youth remaining in their same school?

What would make things better for foster children/youth with regard to their education?

Is there anything else we should know about foster children/youth educational stability?

Appendix E: Judges Focus Group Instrument

Introduction

Brief overview of Educational Stability Research Study

Judges important role as a stakeholder

Ice Breaker

- Names
- How long have you worked in child welfare?
- How long have you been a Circuit, Juvenile Division Judge
- Briefly Describe an educational success story with one of kids in your court

Discussion Questions

Based on your knowledge, generally what are foster children/youth's educational experiences prior to coming in care and after coming in care?

Why is school stability important for foster children and youth?

Is education stability considered in placement decisions (by the agency, attorneys, court)?

What percentage of time would you say children/youth remain in their same school when they come into care?

Do you get notice as required by law of children/youth's change in foster care placement?

Do you get notice of children/youth's change in school placements?

How often and how is education addressed at hearings?

What factors do you considered in a best interest determination to remove a child/youth from his/her school of origin?

What factors help children/youth remain in their same school?

What problems/barriers are there to children/youth remaining in their same school?

What would make things better for foster children/youth with regard to their education?

Is there anything else we should know about foster children/youth educational stability?

Appendix F: Foster Youth Educational Outcome Survey
All survey data will remain confidential and will only be used for statistical data.

Name: _____ **Birthdate:** _____

How long have you been in foster care? (please estimate number of years or months _____)

Were you in foster care from July 1, 2011 – June 30, 2012? Yes No (please check correct answer)

How many different placements have you lived in since you came into foster care? (please estimate number of placements you have lived in _____)

How many different schools have you attended?

- Prior to entering foster care (please list number of schools _____)
- After entering foster care (please list number of schools _____)

Do you currently have an Individualized Educational Plan (IEP)? Yes No (please check correct answer)

What type of school are you currently enrolled in? Junior High High School
 Alternative School Community College Technical/Vocational/Trade 4-Year College
 Other (please describe: _____)

What type of extracurricular school activities do you participate in (please check all that apply)

- Sports Music (band/choir) Clubs Drama
- Journalism (school paper/school annual) Debate Arts
- Other (please describe: _____)

Appendix F: Foster Youth Educational Outcome Survey

Did you graduate from high school?

- If yes, how? Diploma GED
 If no, do you plan do so? If yes, how? Diploma GED

What are your plans after high school? (please check all that apply)

- Work? Vocational School Technical/Trade School Attending a 4-year college?
 Attending a 2-year community college Other (please describe:_____)

Who asks you where you want to go to school and about your educational issues (check all that apply)?

- Foster parent Teachers Your attorney CASA Parents Friends
 Caseworker Judge Other (please describe:_____)

If you have transferred schools please describe any problems with your classes or credits transferring from one school to the next school.

What would make things better for you with regard to your education?

Thank you for your input! Please complete this survey along with the YES survey. Turn the surveys into Kyle Acosta or Jana Holloway-Perry at the conference to be eligible for a drawing for prizes, including a laptop computer to be announced at dinner Saturday evening.