

Facts About Education and Children in Out-of-Home Care:

A quality education is important for the future success of all children.

- Recent U.S. Census Bureau statistics reveal that adults age 18 and over with a high school diploma earn an average of \$28,645 per year. Those without a high school diploma earn an average of \$19,169 per year.¹
- People who graduate from high school on average live six to nine years longer than those who drop out of high school due to a variety of factors, including income, living conditions, occupational safety and access to health insurance.²

Children in foster care are struggling academically.

- Students who are in foster care at age 15 are about half as likely as their peers to graduate high school within five years; they are also significantly more likely than their peers to drop out (55%) or be incarcerated (10%).³
- Only 54% of young adults who age out of care have completed high school.⁴ **In Kansas, 29.6% of youth ending custody of the Secretary in SFY 2013 had completed the 12th grade by age 18.**⁵
- Youth in foster care attending public schools score 16 to 20 percentile points below youth in the general population on statewide standardized tests.⁶
- Youth in foster care on average read at only a 7th grade level after completing 10th or 11th grade.⁷

Children in foster care are often highly mobile.

- Children and youth in out-of-home care experience on average one or two foster care placement changes per year.⁸ **In Kansas, in SFY 2012, 43% of children in care for less than a year experienced one or more placement changes during the year. For Kansas children who had been in care at least 12 months but less than 24 months, 66% experienced one or more placement changes during SFY 2012.**⁹
- One third of children in foster care stay in care for less than five months, and another 17% remain in care for one year or less.⁸ **In Kansas, of all youth that exited care in SFY 2012, 22% were in care less than five months, and another 27% were in care less than one year.**¹⁰
- Over a third of young adults reported having had five or more school changes.¹¹

Mobility is affecting the education outcomes for children in foster care.

- Frequent school changes are associated with an increased risk of failing a grade in school and of repeated behavior problems.¹²
- By the 6th grade, students who change schools four or more times lose approximately one year of educational growth.¹³
- In a national study of 1,087 foster care alumni, youth who had one fewer placement change per year were almost twice as likely to graduate from high school before leaving care.¹⁴

Efforts are underway to improve education outcomes for children in foster care, but much more work is needed.

The National Working Group on Foster Care and Education¹⁵ has identified the following four objectives with the potential for improving educational opportunities and outcomes for children in foster care:

- 1) Improved educational stability for children and youth in foster care;
- 2) Seamless educational transitions for children and youth when school changes do occur;
- 3) High quality educational experiences, expectations, and aspirations for young people in foster care;
- 4) Greater national attention to the disparate educational outcomes for young people in foster care, particularly youth of color.

The Kansas Child Welfare Community Based Service Provider contracts for Foster Care include outcomes and success indicators that are measured as part of the contracts. A new outcome measuring progression of children in foster care to the next grade level was included in contracts starting July 2013. Success indicators included in the contracts include children attending the same school in out of home placement and the percentage of adults completing the 12th grade before ending custody with the Secretary.

Facts about the McKinney-Vento Act (42 U.S.C. § 11431 et seq):

The Act helps to reduce the barriers that eligible children and youth face in enrolling, attending, and succeeding in school.

- The Act provides educational stability, continuity, and a unique system of support to help children in transition navigate the education system with greater ease and helps to enhance their academic and social growth.
- The McKinney-Vento Act provides funding for McKinney-Vento programs in many school districts across the country that help to ensure that the rights of eligible children are protected and that appropriate services are delivered.
- Currently, some children in out-of-home care are eligible for the benefits of the McKinney-Vento Act.
- The definition of children eligible under the McKinney-Vento Act includes “children awaiting foster care placement.” This term has not been defined in the federal law or regulations.
- The definition of children eligible under the McKinney-Vento Act includes children who lack a “fixed, regular, and adequate nighttime residence.” Because foster care by definition is temporary, many children in care have placements that may not be fixed or regular.

Students eligible under the McKinney-Vento Act (including some children in out-of-home care) are entitled to numerous specific educational rights and benefits.

- **Educational Stability.** Children in out-of-home care benefit tremendously when allowed to stay in their original school when their living placements are changing or in flux. The Act entitles students to remain in their original school even when they move to a foster placement in a different school district, to the extent feasible, unless it is against the parent or guardian's wishes. In these situations, school districts must provide transportation to the original school at the request of the parent or guardian.
- **Immediate School Access.** Children and youth in foster care, like homeless students, often lack the documents required for school enrollment, such as school records, medical records, or proof of residency. Without legal protections, children moving to new foster care placements can experience days, weeks, or even months of exclusion from school while waiting for documents to be located. The McKinney-Vento Act requires schools to enroll eligible students immediately, even if they do not have required documents. The children must not only be enrolled in classes, they must also be permitted to participate fully in school activities.
- **Liaison for McKinney-Vento Eligible Students.** Liaisons are school staff who play a critical role in stabilizing students and promoting their academic achievement. The McKinney-Vento Act requires each school to designate an appropriate staff person as a liaison, whose role is to ensure that eligible students are identified, enrolled in school, and have full and equal opportunity to succeed in school activities.
- **Title I Eligibility.** Children who are eligible for McKinney-Vento protections are also eligible for Title I benefits, without needing to qualify based on their current academic performance.

McKinney-Vento is a successful program, with positive outcome evaluations and good progress being reported.

- A March 2006 U.S. Department of Education report concluded that: "States and local educational agencies (LEAs) have generally made significant progress in reducing the barriers that homeless children and youth face in enrolling, attending, and succeeding in school. The legislation has prompted States and LEAs to focus more on the needs of homeless students and has helped facilitate the expansion of local support networks to meet those needs. Although the appropriation levels for this program are relatively small, the impact of the program has been very widespread."¹⁶
- Federal data also reveals that, over the past 4 years, the participation and proficiency rates of homeless students have increased in reading and math assessments. **In Kansas, proficiency in reading increased from 54% to 74% in 4 years, and in math the increase was from 49% to 69%.**¹⁷

Note: This publication is an adaptation of one provided by the Legal Center for Foster Care and Education, an initiative generously supported by Casey Family Programs as part of a collaboration with the American Bar Association Center on Children and the Law, in conjunction with the Education Law Center-PA and the Juvenile Law Center. For more information on the Legal Center for Foster Care and Education, visit the website at www.abanet.org/child/education.

References

- ¹ See <http://www.census.gov/>.
- ² Wong, M., Shapiro, M., Boscardin, W. & Ettner, S. (2002). Contribution of major diseases to disparities in mortality. *New England Journal of Medicine*, 347, 1585-1592.
- ³ Smithgall, C., Gladden, R.M., Howard, E., Goerge, R., Courtney, M. (2004). *Educational experiences of children in out-of-home care*. Chicago, IL: Chapin Hall Center for Children at the University of Chicago. This report compared children in the Illinois Chicago Public Schools system.
- ⁴ Cook, R. (1994). Are we helping foster care youth prepare for the future? *Children and Youth Services Review*. 16(3/4), 213-229. Data were collected via in-person and telephone interviews of 810 young adults aged 18-24 years old 2.5 to 4 years after leaving foster care.
- ⁵ Kansas Department for Children and Families, Prevention and Protection Services Website. *Adults ending custody with the secretary will have completed grade 12 SFY2013*. Retrieved December 26, 2012, from <http://www.dcf.ks.gov/services/PPS/Pages/HistoricalSuccessInd.aspx>.
- ⁶ Burley, M., & Halpern, M. (2001). *Educational attainment of foster youth: Achievement and graduation outcomes for children in state care*. Olympia, WA: Washington State Institute for Public Policy.
- ⁷ Courtney, M.E., Terao, S. & Bost, N. (2004). *Midwest evaluation of the adult functioning of former foster youth: Conditions of youth preparing to leave state care*. Chicago, IL: Chapin Hall Center for Children at the University of Chicago. Wave One of Longitudinal study in three waves following 732 youth age 17 or 18 still in jurisdiction in Illinois, Iowa and Wisconsin as they age out of foster care.
- ⁸ AFCARS Report #13: Preliminary 2005 Estimates as of September 2006, U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau, http://www.acf.hhs.gov/programs/cb/stats_research/afcars/tar/report13.htm.
- ⁹ Kansas Department for Children and Families, Prevention and Protection Services Data Unit. Data available upon request.
- ¹⁰ Kansas Department for Children and Families, Prevention and Protection Services Data Unit. Data available upon request.
- ¹¹ Courtney, M.E., Terao, S. & Bost, N. (2004).
- ¹² Wood, D., Halfon, N., Scarlata, D., Newacheck, P., & Nessim, S. (1993). Impact of family relocation on children's growth, development, school function, and behavior. *Journal of American Medical Association*, 270(11), 1134-1338.
- ¹³ Kerbow, D. (1996). *Patterns of urban student mobility and local school reform*. Technical Report No. 5, October. Washington, DC: Center for Research on the Education of Children Placed at Risk. The data used included students in a stratified, random sample of public elementary schools and sixth-grade students in the Chicago Public Schools in the spring of 1994.
- ¹⁴ Pecora, P.J., Williams, J., Kessler, R.C., Downs, A.C., O'Brien, K., Hiripi, E., & Morello, S. (2003). *Assessing the effects of foster care: Early results from the Casey National Alumni Study*. Seattle, WA: Casey Family Programs. Case record reviews and interviews were conducted for 1087 alumni served by the 23 Casey Field offices in operation in 1998.
- ¹⁵ For more information about the National Working Group on Foster Care and Education and resources from this group visit www.casey.org/friendsandfamilies/partners.
- ¹⁶ U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau. (2006). *The AF-CARS report No. 13: Preliminary FY 2005 estimates as of September 2006*. Washington DC: U.S. Department of Health and Human Services. Retrieved November 7, 2006, from http://www.acf.hhs.gov/programs/cb/stats_research/afcars/tar/report13.htm.
- ¹⁷ National Center for Homelessness Consolidated State Performance Reports.