

Education Advocacy Systems

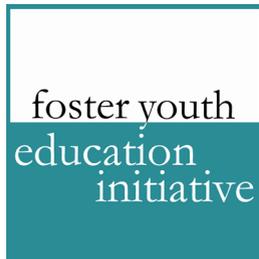
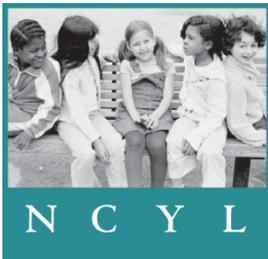
A Study of How
California Counties
Ensure Foster Youth
Receive the Educational
Advocacy and
Opportunities They Need



Summary

Most children have parents who monitor their academic progress, attend parent-teacher conferences, enroll them in appropriate classes, and generally ensure they receive a high quality education. When these children do not receive appropriate educational opportunities, their parents speak up on their behalf. Foster youth frequently lack such educational advocates. As a consequence, they often fail to receive the educational opportunities they need to succeed in school.

This report examines an emerging strategy designed to ensure foster youth receive the educational advocacy and opportunities they need: the creation of education advocacy systems serving foster youth. These systems provide a structure for identifying foster youth facing educational challenges, determining their educational needs, and ensuring they receive appropriate educational advocacy. The report outlines the common components of education advocacy systems, discusses the structural differences between the systems implemented in different California counties, and provides an overview of eleven different education advocacy systems across California. The conclusion offers several concrete recommendations for stakeholders and policymakers working to improve the educational and life outcomes of these children.



Report produced by:
National Center for Youth Law
Foster Youth Education Initiative
405 14th Street, 15th Floor
Oakland, California 94612

Table of Contents

- Education Advocacy Systems: Introduction.4**
- The Educational and Life Outcomes of Foster Youth Are Tragic 5
- Top-Down Efforts: Legislation and Policy. 5
- Bottom-Up Strategies: Individual Educational Advocacy 6

- Education Advocacy Systems: Architecture.7**
- Identification and Referral 7
- Case Management 8
- Specialized Educational Advocates. 9
- System Management. 9

- Education Advocacy Systems: Case Studies 10**
- Aiden 10
- Sara 12
- Dylan 14

- Education Advocacy Systems: Inter-System Comparisons15**
- Three Structural Differences 15
 - System Management 15
 - Intake and Case Management: Centralized v. Decentralized 16
 - Focus on Especially High-Risk Foster Youth. 17
- Butte County: School Ties Program 18
- Contra Costa County. 20
- Fresno County: Collaborative Educational Unit. 22
- Kern County: The Dream Center 24
- Los Angeles County: 317(e) Project 26
- Placer County: Children’s System of Care Program 28
- Sacramento County: Instructional Case Manager Program 30
- San Diego County: School Success Project 32
- San Diego County: Volunteer Lawyer Program 34
- San Francisco County 36
- Santa Clara County: Educational Rights Project 38

- Education Advocacy Systems: Conclusion and Recommendations. 40**

Introduction

There are over half a million foster children in the United States. There are over seventy thousand foster children in California. Children in foster care are taken from their families and placed in state custody because they have experienced abuse or neglect and cannot remain safely at home.

Who Are Foster Youth?

Foster youth are children age 0-18 who have experienced abuse or neglect and cannot remain safely at home. In removing foster children from their families, California assumes responsibility for every aspect of their lives. They become “wards of the state.”

Perhaps more than any other population, foster children are in desperate need of high-quality public education. They depend on the education system to provide positive role models, the role models other children might find at home. They depend on the education system to provide social capital, a network of relationships other children receive through their extended family and friends. And they depend on the education system to provide the educational opportunities they need to succeed in life.

Unfortunately, most foster youth do not receive the education they need. They are frequently bounced from home to home and consequently from school to school. This leads to prolonged absences, inappropriate placements, missing records, lost credits, enrollment in inappropriate classes, and deficient special education services. Foster youth are disproportionately funneled into low-quality and alternative schools. A disproportionately small number participate in extracurricular activities and receive supplementary educational opportunities such as mentoring, tutoring, and test-prep. Many have no adult overseeing their academic progress, returning teacher phone calls, or attending parent-teacher night. These children often have no adult willing and capable of speaking up on their behalf.

Residential and Educational Itinerancy

Studies have found that most foster children are moved once or twice per year while in out-of-home care, leading to frequent school changes. Studies have also found that California high school students who change schools even once are less than half as likely to graduate as their peers, controlling for other variables that effect high-school completion.



The Educational and Life Outcomes of Foster Youth Are Tragic

As a consequence of these systemic failures, the educational outcomes of foster children are tragically poor. Recent studies have found that foster children:

- Have significantly higher rates of absenteeism and disciplinary referrals than their peers
- Are more likely to perform below grade level (75% perform below grade level)
- Are approximately twice as likely to be held back in school (83% are held back by third grade)
- Are almost twice as likely to drop out of school (only 50% obtain a high school diploma or GED)
- Are much less likely to attend a 4-year college (fewer than 3% do so)

The cost to these children, and society, is extraordinary. When foster youth turn eighteen they “age-out” of the child welfare system. This means that by their eighteenth birthday they must have secured a place to live and be able to pay for their lodging, utilities, food, clothing, books, transportation and other necessities.



Without educational success, many are ill-equipped to support themselves. Studies have found that:

- Approximately 25% of former foster children experience homelessness
- Around 25% have been arrested and spent time incarcerated
- About 33% receive public assistance
- Over 50% are unemployed
- Over 70% of California’s adult prison population are former foster youth

The state takes custody of these children because they have been abused or neglected, but all too often California fails them just as surely as their parents did.

Top-Down Efforts: Legislation and Policy

The educational challenges faced by foster youth have not gone unnoticed. At the federal level, the Fostering Connections to Success and Increasing Adoptions Act (2008) includes provisions intended to improve the educational outcomes of this population. Numerous other federal statutes, such as the Individuals with Disabilities Education Act (IDEA) (2004), the Americans with Disabilities Act (ADA) (1990), and Section 504 of the Rehabilitation Act (1973) provide foster youth with substantive and procedural educational entitlements.

California has also passed legislation entitling foster youth to quality education programs, educational stability, and educational supports. Assembly Bill 490 (2004) grants foster youth a number of entitlements intended to mitigate the effects of their educational itinerancy. Assembly Bill 1858 (2004) regulates the Non-Public Schools wherein many foster youth are enrolled. Recent amendments to the Rules of Court (2008) detail the responsibilities of social workers,



dependency attorneys and juvenile court judges to ensure the foster youth in their care receive appropriate educational services.

Assembly Bill 490 Includes Provisions:

- Entitling foster youth to the same educational resources and opportunities as their peers
- Entitling foster youth to remain in their school of origin
- Entitling foster youth to immediate enrollment
- Requiring school districts to transfer the educational records in a timely fashion
- Requiring school districts to have an educational liaison for foster children
- Prohibiting school districts from lowering a foster youth's grades due to absences associated with being a foster child

These entitlements and programs have helped tens of thousands of foster youth, but many youth continue to slip through the cracks. When foster youth fail to receive the educational opportunities they need, there is frequently no one to speak up on their behalf. Without voices demanding that foster youth receive the educational opportunities to which they are entitled, these new laws often become paper promises.

Bottom-Up Strategies: Individual Educational Advocacy

Fortunately, there is a growing effort aimed at transforming these abstract entitlements into real educational opportunities. This strategy focuses on ensuring individual foster youth have educational advocates.

Most children have parents who serve as their educational advocate, attending parent-teacher conferences, returning teacher phone calls, ensuring enrollment in appropriate classes, and generally making sure their children receive a high quality education. Foster youth frequently lack such educational advocacy. Without an

educational advocate many foster children fail to receive the educational opportunities they need.

Bottom-up strategies focus on ensuring foster youth receive the educational advocacy they need. Sometimes this involves training and supporting the adults already in their lives. These adults include the child's:

- Biological Parents
- Foster Parents
- Group Home Staff
- Child Welfare Worker (CWW)
- Dependency Attorney
- Court Appointed Special Advocate (CASA)
- School Staff

Other times, ensuring appropriate educational advocacy involves providing the youth with expert educational advocates, advocates familiar with the highly complex education, child welfare, mental health, dependency, and health care systems.

What Is "Educational Advocacy"?

Educational advocacy refers to monitoring a child's educational progress and speaking up to ensure she receives the educational opportunities she needs. This includes communicating with the school, monitoring the child's class schedule, enrolling the youth in necessary tutoring and mentoring programs, and ensuring she receives the educational opportunities to which she is entitled.

Like many institutions, schools are places where the squeaky wheel gets the grease. With no one speaking up on their behalf, foster children are often ignored. Educational advocacy helps ensure they receive the educational opportunities they need, and to which they are entitled. ■



Education Advocacy Systems:

Architecture

Until recently, educational

advocacy was provided on an ad-hoc basis. Some foster children received educational advocacy from the adults in their lives. Sometimes one of these adults would search for help in the form of an expert educational advocate. Occasionally the adult would succeed in contacting someone capable and willing to help.

The past decade has seen the emergence of education advocacy systems: structures through which foster youth facing educational challenges are identified, their educational needs determined, and appropriate educational advocacy ensured. While the specifics of each system differ, each shares a common four-part architecture: (1) a procedure for identifying and referring foster youth with unmet educational needs; (2) a case management process; (3) a pool of

specialized educational advocates; and (4) system management.

It is worth noting that many education advocacy systems do not identify themselves as such. Most of these systems developed organically over the years in response to the educational needs of local foster youth, without being called anything other than “what we do.” Yet each possesses the four-part architecture described in more detail below. To facilitate analysis, comparison, and the sharing of best practices, this report refers to these structures as “education advocacy systems.”

Identification and Referral

The first architectural component is a process for identifying foster children with unmet educational needs and referring them to the education advocacy system. Sometimes identification and referral are the collective responsibility of the adults working with foster youth: biological parents, foster parents, group home staff, relatives, school staff, judges, dependency attorneys, child welfare workers, CASAs, and others.

Sometimes one of these groups is made pri-

What Are Education Advocacy Systems?

Education advocacy systems are structures through which foster youth facing educational challenges are identified, their educational needs are determined, and appropriate educational advocacy is ensured.



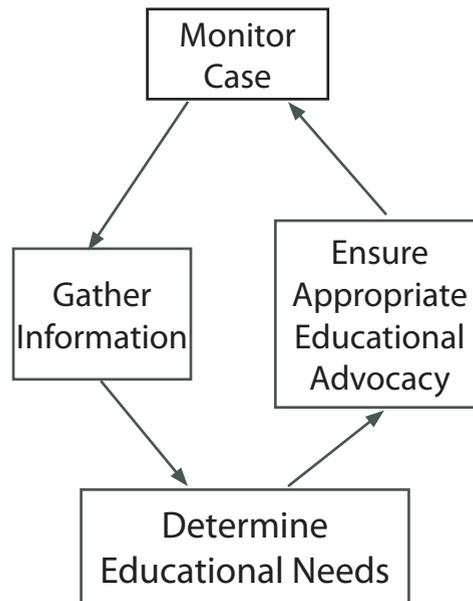
Education Advocacy System: Architecture

System Management

Referral Sources

- Child Welfare Workers
- Group Home Staff
- Foster Family Agencies
- Educators
- Foster Parents
- Dependency Attorneys
- CASAs
- Caregivers

Case Management Process



Specialized Educational Advocates

- Expert Advocates
- Education Attorneys
- Referral Specialists
- Mental Health Professionals
- Special Education Experts

marily responsible. One county discussed below makes CWWs primarily responsible for identifying and referring foster children facing educational challenges. Should a different adult suspect an unmet educational need, they are encouraged to notify the CWW. In other counties identification is the responsibility of individuals operating as part of the education advocacy system itself, usually county foster youth liaisons.

Case Management

The case management process is the core of an education advocacy system. Whether performed by a centralized panel or decentralized administrators, case management consists of a four-stage cycle:

- Gathering information about the referred child and her educational challenges



- Determining the youth’s educational needs
- Ensuring the youth receives appropriate educational advocacy
- Monitoring the situation to ensure the child receives high quality educational opportunities

Most often, ensuring appropriate educational advocacy involves training one or more of the adults in a foster youth’s life on their educational advocacy responsibilities, the educational programs and opportunities available to foster youth, and effective advocacy strategies. Often this support is sufficient to ensure the referred youth receives the educational advocacy needed.

Specialized Educational Advocates

Sometimes, however, the adults in a foster youth’s life are unable to serve as an educational advocate even with training and support. Some children’s needs are sufficiently complex and require a specialized educational advocate, someone with technical knowledge of the child welfare, education, mental health, delinquency, or health care systems. Such advocates include:

- Expert advocates: Individuals with a thorough understanding of

education law and the child welfare system

- Education attorneys: Attorneys trained in education law
- Referral specialists: Individuals with expert knowledge of the local community resources available to foster youth
- Mental health professionals: Psychiatrists and psychologists
- Special education experts: Resource specialists and experts in learning disabilities

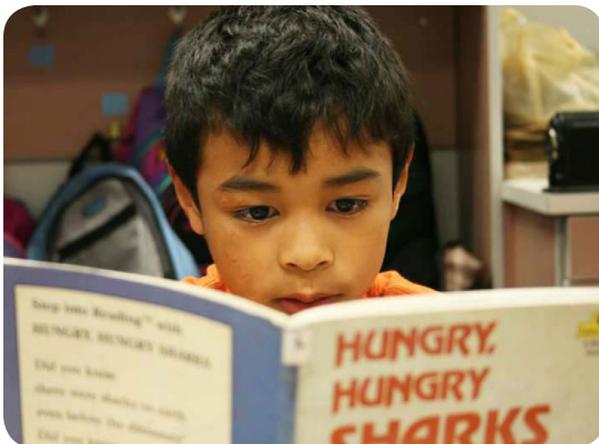
Specialized advocates are connected to a case as needed and advocate directly on behalf of the referred foster youth.

What Is an Education Advocacy Plan?

An education advocacy plan is a collection of procedures detailing how the education advocacy system operates and the responsibilities of each partnering organization and agency. Ideally this plan is in the form of an inter-organizational memorandum of understanding (MOU).

System Management

In addition to procedures for handling individual cases, education advocacy systems require system-level management. Such management includes ensuring compliance with the education advocacy plan, coordinating outreach, managing the budget, locating sustainable sources of funding, monitoring intake, process and success metrics, and initiating data-driven improvement. ■



Case Studies

This section presents a series of case studies illustrating how an education advocacy system might operate. While the names of the children and school districts have been changed, these case studies are based on the educational challenges faced by real foster youth.

The education advocacy system illustrated here is one in which:

- All adults are encouraged to refer foster youth with unmet educational needs to a central case manager
- The case manager collects information about the referred youth, provides training and support to the adults in the referred youth's life, reports to an inter-agency intake panel as to whether specialized advocacy is needed, and continues monitoring the case
- The intake panel connects a specialized educational advocate to the case as needed

This process is illustrated in the accompanying process-chart and would be the basis for an education advocacy plan.

Aiden

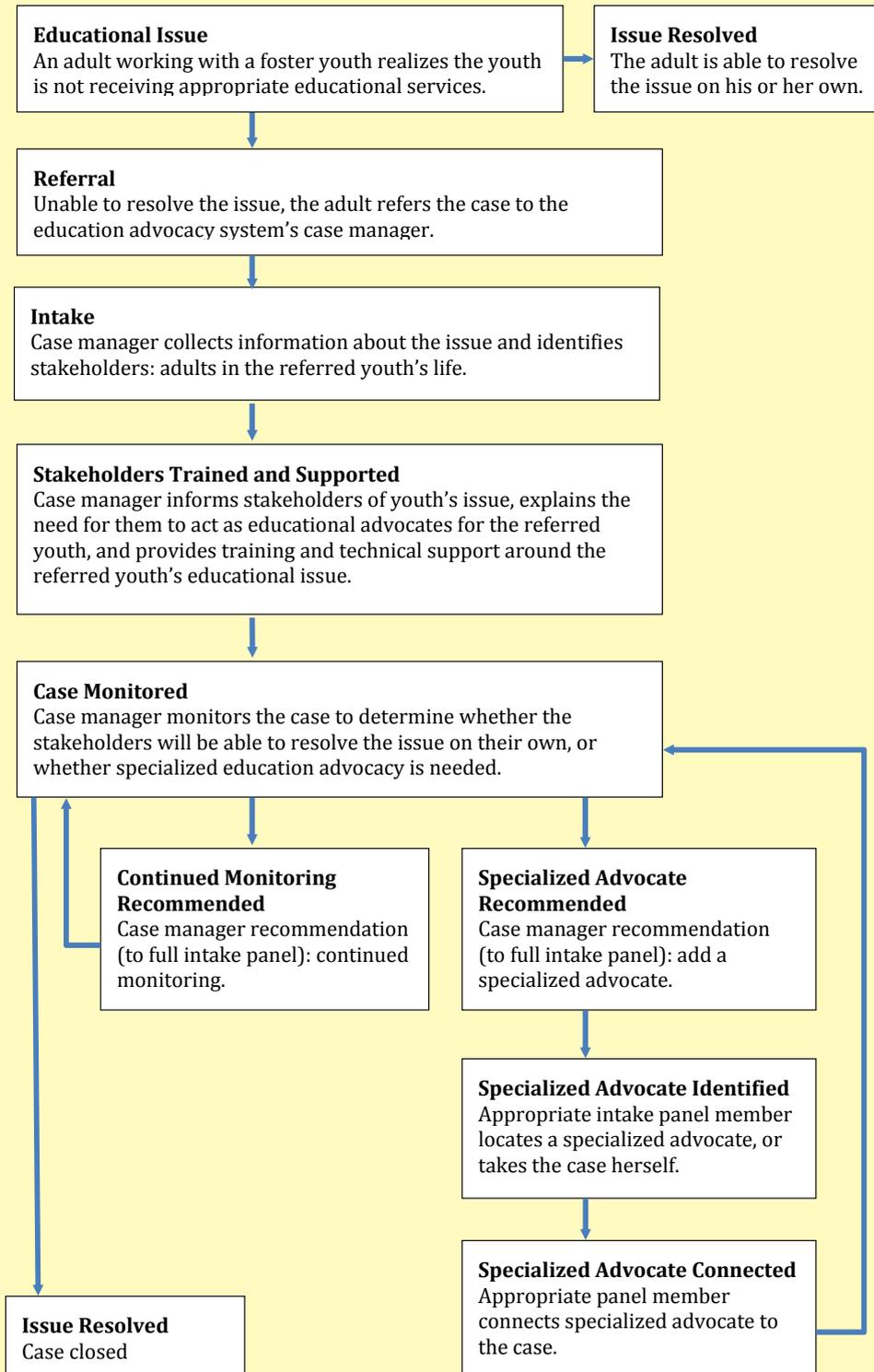
Aiden is sixteen. His foster mother believes he has a learning disability. His after-school tutor suspects the same. But despite the foster mother having called the school to express her concerns, Aiden has yet to be assessed for special education. The school is requesting paperwork the foster mother does not have. She does not know what to do, but she knows that without special services Aiden is unlikely to graduate high school.

Unsure what to do, Aiden's foster mother calls the education advocacy system's case manager and asks for help. Conveniently, the case manager's phone number and email are featured prominently in the list of emergency contacts provided by the county child welfare agency.

During the course of this referral phone call and over the next several days, the system's case manager collects information about the case,



Education Advocacy System: Sample Process



including the name and contact information of Aiden’s CWW and dependency attorney. During the course of her investigation the system’s case manager discovers that Aiden’s educational rights have never been transferred to the foster mother.

The system’s case manager facilitates a conference call between Aiden’s foster mother, after-school tutor, CWW, and dependency attorney. She explains the need to file a JV-535 form transferring educational rights to the foster mother and the need to request a special education assessment in writing. Aiden’s dependency attorney agrees to file the JV-535 form. Aiden’s CWW agrees to help the foster mother write a letter to the school requesting a complete educational assessment.

Following this conversation, the system’s case manager feels confident the adults in Aiden’s life will be able to resolve the current set of educational issues on their own. During that week’s intake panel meeting, composed of representatives from the child welfare agency, county office of education, and independent public-interest organizations, she recommends continued

monitoring. The intake panel adopts her recommendation.

The case manager follows up the conference call with an email asking Aiden’s foster mother, CWW, and dependency attorney to keep her

apprised of the situation and to contact her as issues arise. She also schedules follow-up communication with each of them if she hasn’t heard back within two weeks.

“Unsure what to do, Aiden’s foster mother calls the education advocacy system’s case manager and asks for help.”

Aiden’s dependency attorney subsequently files a JV-535 form transferring educational rights to the foster mother. Aiden’s CWW helps his foster mother submit a letter requesting special educational assessment along with the JV-535 form. Aiden is assessed by the school district, an IEP is held, and Aiden is provided the services necessary to help him graduate.

Upon learning of these developments, the system’s case manager recommends closing the case. The intake panel agrees and the case is closed.

Sara

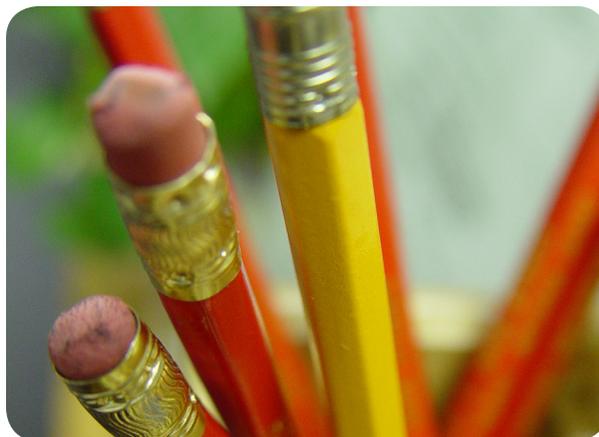
Sara is a fourteen-year-old special needs foster youth. For the past three months she has been living in a level-12 residential facility (group home) in Imagine Unified School District (IUSD). Sara’s individual education plan (IEP) specifies she is to have a one-on-one aid to help her manage her emotions at school. Such an aid helps Sara manage the anger stemming from the abuse she suffered while living with her parents and allows her to succeed in a mainstream educational environment.



IUSD has enrolled Sara in a mainstream school but refuses to provide her a one-on-one aid until they have performed their own assessment and determined it necessary. They have asked the group home director to consent to a new assessment but the director has refused, arguing she doesn't hold educational rights. Sara has been suspended numerous times as a result of her emotional outbursts. IUSD blames Sara's predicament on the director's refusal to consent to a new special education assessment and requests that the director attend an upcoming IEP meeting in which the district will recommend placing Sara in a more restrictive educational environment. The group home director is opposed to such a move in theory, but doesn't want Sara to sit at home, suspended.

Unsure what to do, the group home director contacts the education advocacy system's case manager who quickly initiates an email conversation between herself, the group home director, Sara's CWW, and IUSD's AB 490 foster youth liaison. The CWW confirms that Sara's mother retains her educational rights. The case manager then explains why the mother, not the group home director, must sign the assessment and any IEP. The district liaison understands, but asks that the mother consent to assessment, maintaining that it is IUSD policy not to provide resources as expensive as one-on-one aids prior to IUSD performing its own assessment.

These exchanges persuade the system's case manager that Sara would benefit from an attorney advocating on Sara's behalf. The intake panel agrees. The education attorney on the intake panel assumes responsibility for finding



such an attorney or taking the case herself. In the end, the panel's education attorney is able to enlist the aid of an attorney at a local public-interest organization who previously expressed her willingness to occasionally advocate on behalf of individual foster youth.

This attorney is connected to the case. She is provided contact information for Sara, the group home director, Sara's CWW, the district liaison, and Sara's mother. Sara's mother is excited to have an attorney advocating on Sara's behalf and consents to the attorney having access to all

of Sara's educational records. The attorney files a compliance complaint with California's Department of Education, begins negotiating with IUSD, and quickly obtains a one-on-one aid for Sara as well as after-

school tutoring to compensate for the school she missed while suspended.

With the support of the one-on-one aid, Sara is able to manage her outbursts and do well in school. The education advocacy system's case manager recommends closing the case and soon thereafter the case is closed.

“With the support of the one-on-one aid, Sara is able to manage her outbursts and do well in school.”



Dylan

Dylan is fifteen years old. In October he was moved from One Unified School District (OUSD) to Another Unified School District (AUSD). Dylan would like to continue attending his OUSD school. Dylan's CWW also thinks it would be best for him to remain at his OUSD school. The director of Dylan's group home was originally open to the idea of Dylan attending the OUSD school, but neither OUSD nor AUSD has offered transportation so Dylan has been sitting at home for a week. The director has decided to enroll Dylan in the local AUSD school, claiming it will be better for him to make friends in his new community.

Dylan's CWW knows Dylan is entitled to stay in his "school of origin" if it's in his best interests, as determined in part by whoever holds his educational rights. Unfortunately, the CWW has discovered that while the court removed educational rights from Dylan's parents when he entered the child welfare system, they were never assigned to a different responsible adult. Unsure what to do, Dylan's CWW contacts the education advocacy system's case manager and asks for help.

The intake manager speaks to the CWW, the group home director and Dylan, and recom-

mends connecting a number of specialized educational advocates to the case.

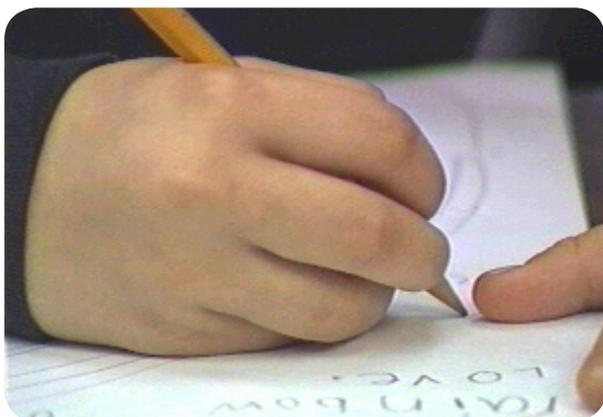
The intake panel agrees to connect an expert educational advocate to the case. This person facilitates a conversation between OUSD's and AUSD's AB 490 liaisons and helps develop an inter-district policy regarding the transportation of foster youth choosing to remain in their school of origin. This policy dictates that the district of origin will be responsible for transportation costs.

"Dylan's CWW knows

*Dylan is entitled to stay
in his 'school of origin'
if it's in his best interests ..."*

The intake panel also agrees to connect a referral specialist to the case. The referral specialist finds a responsible adult to hold Dylan's educational rights and works with Dylan's CWW to ensure the JV-535 is filed. The referral specialist also locates and enrolls Dylan in several after-school and weekend enrichment programs in his new neighborhood, allowing him to make friends with children in his new community even while attending school in OUSD.

The education advocacy system's case manager continues monitoring the case until it is clear that all of Dylan's educational needs are being met. Once this occurs, Dylan's case is closed. ■



Education Advocacy Systems:

Inter-System Comparisons

Section II presented the architectural components common to all education advocacy systems. The previous section used case studies to illustrate how an education advocacy system might operate. But the process outlined above represents just one way an education advocacy system might be structured.

California's county-based approach to both child welfare and education has led to the development of numerous very different education advocacy systems. Each system is shaped by local needs, the relationships between local agencies, and the unique constellation of local public-interest organizations. While each education advocacy system possesses the four-part architecture outlined above, a comparison reveals important structural differences.

This section examines some of these differences and then provides an overview of eleven different education advocacy systems. These eleven systems are not an exhaustive list of the education advocacy systems throughout California. Nor does any system constitute or encompass the totality of education advocacy efforts taking place in its county. But together they represent

the spectrum and scope of existing structures designed to identify foster youth with unmet educational needs and ensure foster youth receive appropriate educational advocacy.

Three Structural Differences

System Management

Every education advocacy system requires system management, and thus a system manager. This managing organization is responsible for monitoring the system's operation, ensuring the



identification, referral, and case management processes are followed, managing the budget, coordinating outreach, and initiating data-driven improvement. The system manager is ultimately responsible for the education advocacy system.

California's education advocacy systems can be roughly categorized according to the organization that has taken on system management responsibilities. Usually this is the county agency or department that saw itself best positioned to create the education advocacy system in the first place. Often this occurred at the impetus of a particularly concerned and energized individual or small group of individuals.

The county office of education, department of foster youth services; the county child welfare agency; or the county juvenile courts are the entities most likely to manage an education advocacy system. For instance:

- Sacramento County's Instructional Case Manager Program is managed by its County Office of Education, Department of Foster Youth Services.
- Santa Clara County's Educational Rights Project is managed by its County Department of Family & Children's Services.
- Los Angeles County's 317(e) Project is managed by L.A. County Juvenile Courts.

Intake and Case Management: Centralized v. Decentralized

A second important structural difference involves the extent to which an education advocacy system's intake process and case management process are centralized. A centralized system requires all referrals to be made to a common intake office. Case management is also conducted in a centralized fashion, with important case decisions made by a common group of people.

Decentralized education advocacy systems tend to route referrals to different offices based on either geography (the office to contact for help depends upon where in the county the youth lives or attends school) or issue area (the office to contact for help depends on the nature of the youth's unmet



educational need). In such systems the case management process tends to be similarly decentralized, with the responsible office handling the case in isolation from the rest of the system.

Because many systems operate a hybrid centralized-decentralized intake and case management process, it is useful to think of this category as more of a spectrum than a dichotomy. Yet this spectrum represents an important area of difference between education advocacy systems. For instance:



- Kern County’s education advocacy system is highly centralized, with all referrals and case management handled by the Dream Center, a one-stop resource center.
- San Diego County’s School Success Project is largely decentralized, with referral and case-management spread among seven Child Welfare Services offices.

Common Hybrid Structures

Many hybrid counties operate decentralized intake systems in which intake personnel/case managers are authorized to manage cases independently but encouraged to discuss particularly difficult cases during periodic staff meetings.

Focus on Especially High-Risk Foster Youth

A third distinguishing feature is the degree to which an education advocacy system differentiates between different populations of foster youth. This frequently takes the form of a focus

on especially high-risk foster children. Sometimes this involves devoting more resources toward identifying foster children with unmet educational needs in particularly low-performing schools, other times it involves assigning scarce expert educational advocates only to certain populations of foster youth. For instance:



- Butte County’s School Ties Program assigns staff to closely monitor the most educationally at-risk foster youth.
- Contra Costa County’s education advocacy system places foster youth liaisons directly in the lowest performing schools (which also have relatively high percentages of foster youth).

The following pages provide an overview of eleven education advocacy systems operating throughout California. ■



Butte County: School Ties Program

System Management

Butte County's School Ties Program is operated through the County Office of Education. The initiative focuses on connecting homeless and foster youth with educational support and services. Program staff includes a coordinator, case manager, and administrator.

Identification and Referrals

School Ties Program staff train every county CWW and district AB 490 liaison, staff in approximately half of Butte County's schools, students in Chico State's teacher training program, staff in each foster family agency (FFA), as well as foster parents, group home staff, and CASAs. Trainees learn how to identify and help foster youth with unmet educational needs and are instructed to contact the School Ties Program case manager should they need assistance. These trainings lead to a significant number of referrals.

Referrals are also self-generated by the program's case manager. This case manager occasionally works directly with foster youth, some of whom are experiencing educational challenges.

Case Management

Each referral leads to the opening of a "case," which is managed by School Ties Program staff. Case management includes identifying the educational challenges facing referred foster youth, ensuring they receive appropriate educational advocacy, and monitoring their situations until all educational needs have been met.

Specialized Educational Advocates

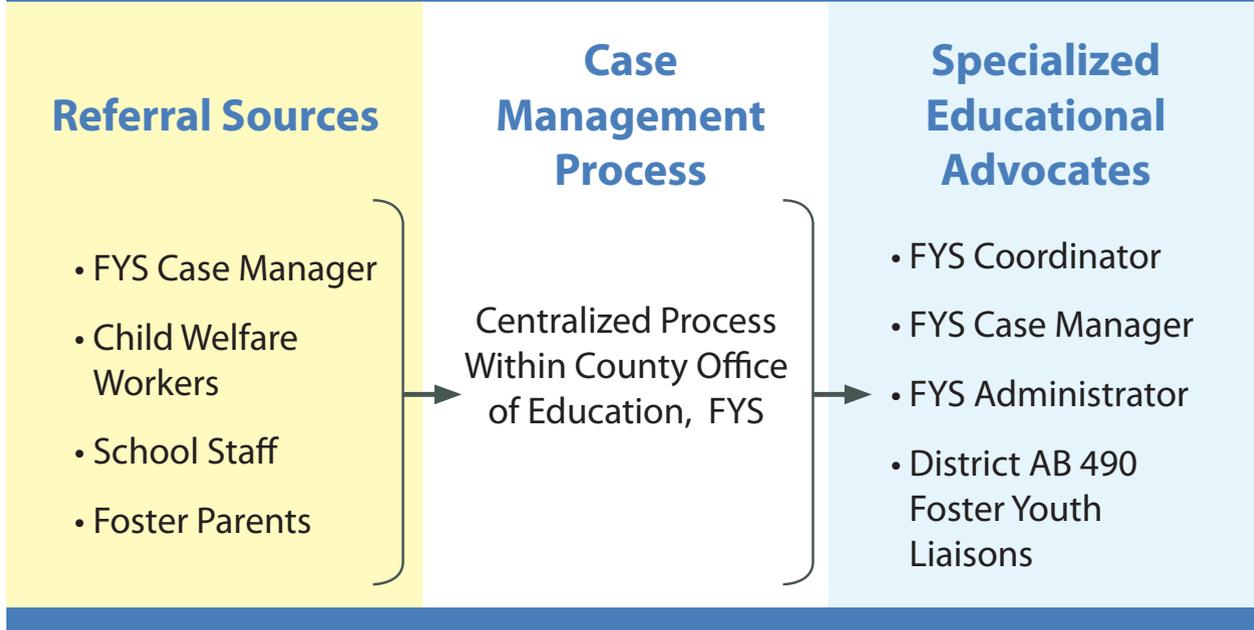
School Ties Program staff frequently provides any needed specialized educational advocacy. The program coordinator, case manager, and administrator all advocate directly on behalf of referred foster youth when the advocacy provided by the adults in the child's life is insufficient.

In some instances, however, specialized advocates outside the School Ties Program are utilized. The program works with the Butte County juvenile courts to prioritize CASA assignments for those youth in need of an educational representative. In some instances project staff will call upon the appropriate district AB 490 liaison to advocate for a foster child with unmet educational needs. Moreover, program staff sometimes refer cases to Rowell Family Empowerment, a



System Architecture: Butte County

System Management County Office of Education, Foster Youth Services Program



Northern California non-profit that provides advocacy for families of children with disabilities.

Centralized v. Decentralized

Butte County's referral and case management process is centralized within the School Ties Program.

Focus on Especially High-Risk Foster Youth

The School Ties Program case manager closely monitors the educational progress of each Independent Living Program (ILP)-aged foster youth and all youth living in residential facili-

ties. The case manager meets with each of these approximately 50 youth once or twice a month and is thus often the first to identify an unmet educational need. This bifurcated method of identifying foster youth with unmet educational needs, assigning staff to closely monitor the most educationally at-risk youth while relying on trained stakeholders to identify and refer youth less likely to need advocacy, has proved extremely successful.



Contra Costa County

System Management

Contra Costa County Office of Education, Foster Youth Services (FYS) manages Contra Costa's education advocacy system in collaboration with county Children and Family Services (CFS). FYS staff include the FYS coordinator and three foster youth liaisons (FYs).

Identification and Referrals

Most of the system's referrals come from child welfare workers. Contra Costa CFS has divided the county into three geographic zones. Each zone is served by one of the foster youth liaisons, who is employed by FYS but located within the CFS office for that zone. Being physically located within the CFS offices helps increase CWW awareness of FYS and facilitates collaboration between child welfare workers and foster youth liaisons.

Two of the three foster youth liaisons spend part of each week located within one or more schools with especially large populations of foster youth. These liaisons meet regularly with the foster youth in these schools and are thus often the first to know when a child is not receiving the educational advocacy or opportunities he or she needs, resulting in the foster youth liaison generating a self-referral.

Moreover, placing foster youth liaisons inside of schools increases awareness of the education advocacy system within these schools. Teachers, counselors, and school psychiatrists are all sources of referrals.

Case Management

Once a foster youth has been identified as facing an educational challenge and is referred to the appropriate FYL, that liaison is responsible for managing the case. Management includes gathering information about the youth and associated educational issues, updating the health and education passport, determining the educational services and advocacy needed by the foster child, and ensuring the youth receives the required educational advocacy. The liaison is also responsible for continuing to monitor the referral until all educational issues are resolved.

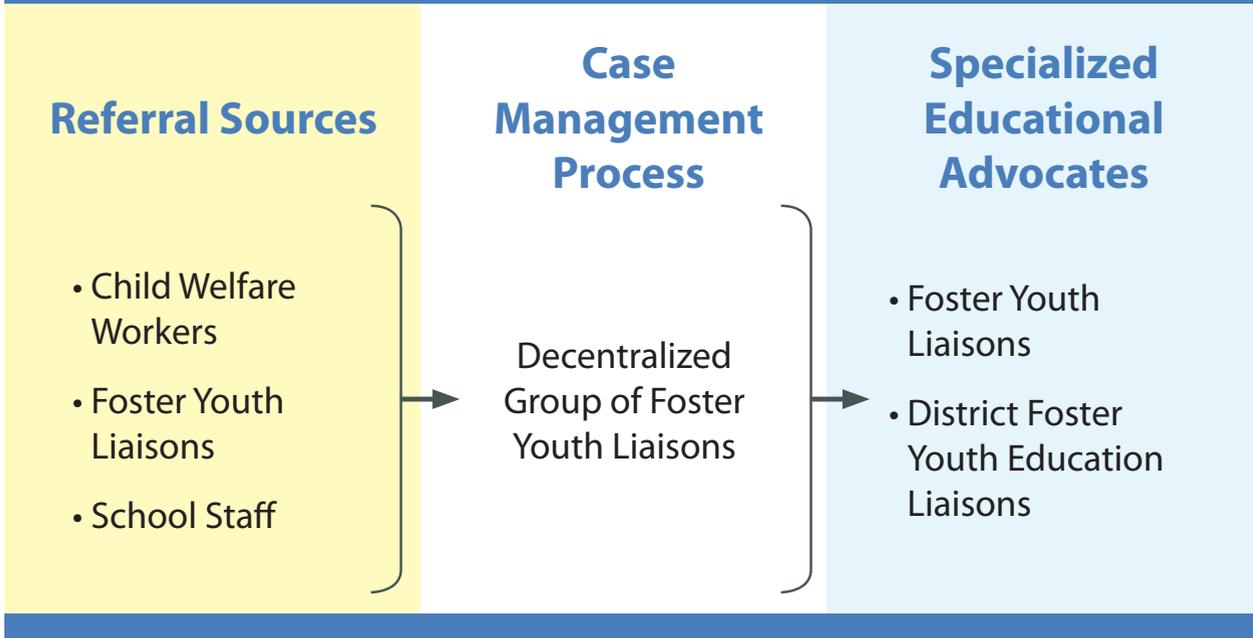
Specialized Educational Advocates

Foster youth liaisons train foster parents, caregivers, and child welfare workers on educational advocacy strategies and work collaboratively with school district administrators. When necessary, each foster youth liaison also serves as an expert advocate and referral specialist; attends TDMs, SST meetings, and IEP meetings; and



System Architecture: Contra Costa County

System Management County Office of Education, Foster Youth Services



refers foster youth for tutoring and other after-school programs as appropriate. Should these strategies fail, foster youth liaisons will sometimes refer a case to a Special Education Local Plan Area (SELPA) or to the county FYS coordinator. At this time there is no process for enlisting the aid of an education attorney.

Centralized v. Decentralized

Contra Costa's education advocacy system is decentralized. The county is split into three geographic zones, with referrals from each zone directed toward that zone's foster youth liaison. Each case is managed by the liaison for that zone.

Focus on Especially High-Risk Foster Youth

Two of Contra Costa's foster youth liaisons spend part of their week in schools with high numbers of foster youth. The foster youth in these schools are thus more likely to be identified as having unmet educational needs, and to receive educational advocacy.



Fresno County: Collaborative Educational Unit

System Management

Fresno County's education advocacy system is managed by an educational unit operated collaboratively by Fresno County Office of Education, Foster Youth Education Services (FYES) and Fresno County Department of Children and Family Services (DCFS). This collaborative educational unit consists of two FYES school psychologists, three FYES education specialists, and four DCFS social work practitioners/educational liaisons, all co-located so as to facilitate collaboration.

Identification and Referrals

In Fresno County, every adult in a foster youth's life is encouraged to serve as an educational advocate for that foster youth. Adults unable to help a foster youth overcome an educational challenge are encouraged to seek help. The system receives referrals from child welfare workers, mental health clinicians, school personnel, judges, dependency attorneys, CASAs, foster parents, probation officers, foster youth services liaisons in other counties, group home staff, and foster youth themselves.

Fresno County employs a decentralized intake process. An adult seeking to help a foster youth with an unmet educational need might contact the youth's child welfare worker, the appropriate AB 490 liaison, or ILP school-based social worker, or someone in the collaborative educational unit. The case is then forwarded to the appropriate person for case management.

Case Management

Fresno County's case management system is similarly decentralized. The county's education advocacy system is composed of three tiers: child welfare workers are responsible for helping foster youth with straightforward educational issues, AB 490 liaisons and ILP school-based social workers are responsible for helping with more complicated problems, while the collaborative educational unit manages the most complex cases.

Within the educational unit each individual has a somewhat specialized role. The FYES school psychologists come from education backgrounds and specialize in special education issues. The FYES educational specialists handle cases requiring specialized advocacy in relation to the school system. The four DCFS educational liaisons each focus on a different age range: one assists foster children age 0-6, the second helps elementary-aged children, the third focuses on foster youth in middle school, and the fourth assists all high school-aged children and youth.

Specialized Educational Advocates

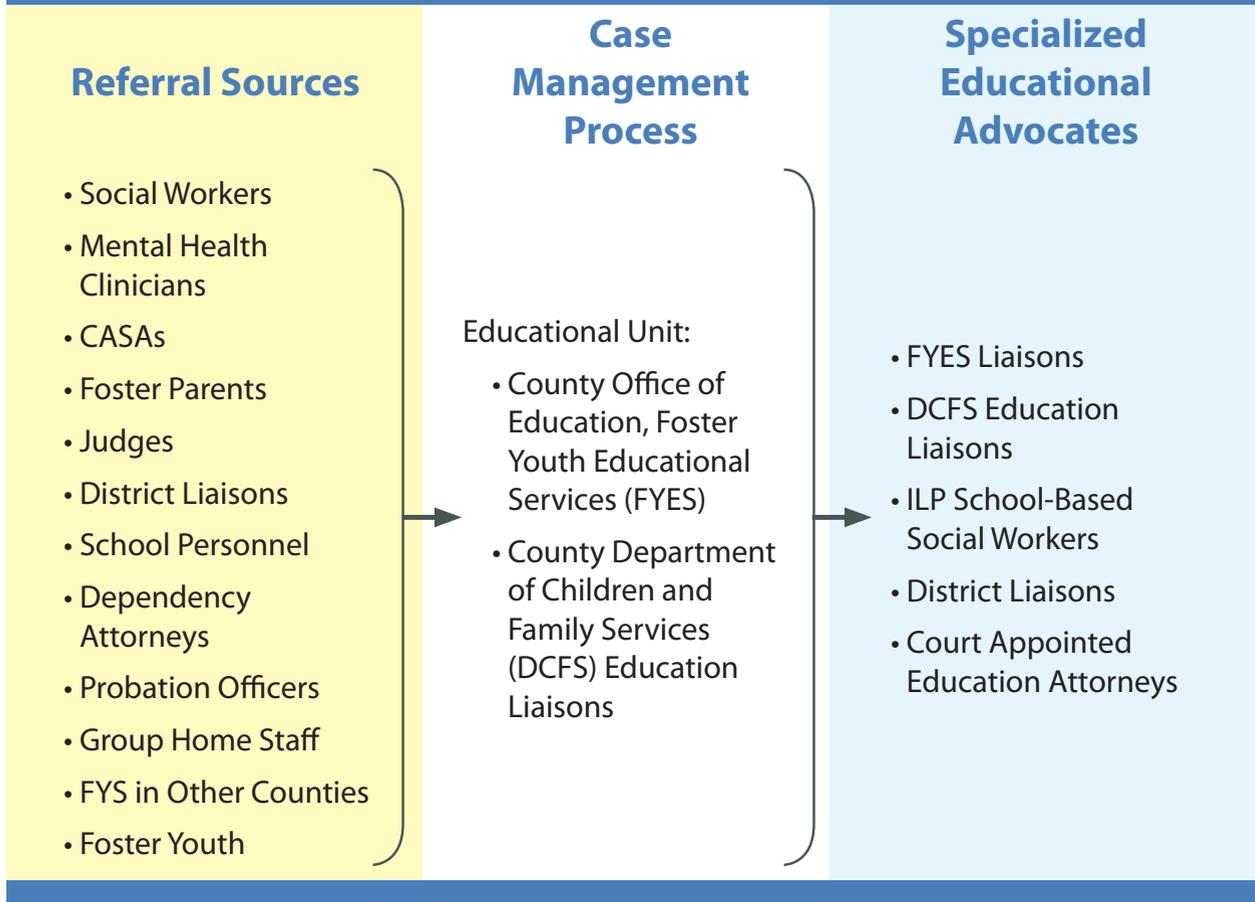
Once the case is transferred to the appropriate person within the education advocacy system, that person manages the case and provides specialized educational advocacy if necessary. The appropriate member of the collaborative educational unit, the appropriate AB 490 liaison, or an ILP school-based social worker thus serves as the primary specialized educational advocate.



System Architecture: Fresno County

System Management

County Office of Education, FYES and DCFS, Education Liaisons



When a foster youth requires legal advocacy, the youth’s dependency judge is asked to assign an education attorney. This happens infrequently.

Centralized v. Decentralized

Fresno County’s intake and case management processes are largely decentralized, with cases referred to, and managed by, the appropriate AB 490 liaison, ILP school-based social worker, or collaborative educational unit member.

Focus on Especially High-Risk Foster Youth

Each ILP school-based social worker works within one of the eleven Fresno County high schools with the largest population of foster youth. Foster youth in these schools are thus more likely to be identified as having unmet educational needs and to receive specialized educational advocacy.



Kern County: The Dream Center

System Management

Kern County's Dream Center is a one-stop resource center operated by Kern County Office of Education, Foster Youth Services (FYS). The goals of the Dream Center are: to respond to the needs of foster youth; to create a centralized hub for youth to meet and receive services; to stimulate career readiness, vocational trades, and hands-on work experience; and to provide linkages to the community.

Identification and Referrals

Kern County's FYS coordinator facilitates foster care education forums: discussions of the common educational barriers facing foster youth and the laws and programs designed to help them succeed in school. These forums, along with extensive community outreach, help raise awareness of the Dream Center, leading to increased identification of foster youth with unmet educational needs and referrals from caregivers, child welfare workers, group home staff, CASAs, and probation officers.

Case Management

Once a foster youth has been referred to the Dream Center, FYS manages the case using Social Solution's Efforts to Outcomes (ETO) software. Foster youth services staff diagnoses the youth's educational needs, ensures the youth receives the educational advocacy needed, and continues monitoring the case until the youth's educational needs have been met.

Specialized Educational Advocates

In all cases the FYS coordinator strives to provide technical assistance and support to the referring adult in an attempt to build that person's capacity, enabling the adult to successfully advocate on behalf of the foster youth.

When the coordinator determines that specialized educational advocacy is needed, the case is typically referred to the appropriate AB 490 liaison. There are 47 district liaisons in Kern County, and the FYS coordinator meets with them monthly to ensure they are well-equipped to advocate on behalf of the foster youth in their districts. When necessary, the FYS coordinator



System Architecture: Kern County

System Management County Office of Education, Foster Youth Services Program

Referral Sources

- Caregivers
- Child Welfare Workers
- Group Home Staff
- CASAs
- Probation Officers

Case Management Process

Centralized
Within Foster
Youth Services

Specialized Educational Advocates

- FYS Coordinator
- AB 490 District Foster Youth Liaisons

will advocate directly on behalf of a referred foster youth.

Kern County's education advocacy system is a highly collaborative approach ensuring foster youth receive appropriate educational advocacy. At this time there is no process for providing foster youth with education attorneys or other expert advocates who might take a more adversarial approach.

Centralized v. Decentralized

Kern County's education advocacy system is highly centralized within the Dream Center. All

referrals are directed to the Center and all cases are managed within the Center.

Focus on Especially High-Risk Foster Youth

Kern County's education advocacy system has no separate process for helping especially high-risk foster youth.



Los Angeles County: 317(e) Project

System Management

Los Angeles County has leveraged Welfare and Institution Code (WIC) section 317(e) to implement an education advocacy system within the county's dependency courts. WIC section 317(e) requires the court to "take whatever appropriate action is necessary to fully protect the interests of the child."

Identification and Referrals

Los Angeles County's 317(e) Project operates by encouraging all adults working with a foster youth to inform the youth's dependency attorney of any unmet educational needs. Such adults include the youth's child welfare worker, CASA, caretaker and parents. WIC section 317(e) requires the child's dependency attorney to "investigate the interests of the child beyond the scope of the juvenile proceeding and report to the court other interests of the child that may need to be protected by the institution of other administrative or judicial proceedings."

The educational issues subject to referral include:

- Individual Education Plan (IEP) development and implementation
- Mediation and due process hearings for IEP issues
- Filing of compliance complaints with the State Department of Education
- Filing of Office of Civil Rights complaints
- Assistance in filing of Joinder Motions in the Dependency Court pursuant to WIC section 362(a)

- Assistance in pre-expulsion, expulsion and manifestation hearings for regular and special education students
- Assistance with Rehabilitation Act of 1973 section 504 contract development and implementation

After investigating the issue, dependency attorneys may refer the case to the education advocacy system by submitting a 317(e) Education Referral Form to the Office of the Presiding Judge of the Juvenile Court (Juvenile PJ).

Case Management

Upon receiving an Education Referral Form, the staff at the Office of the Juvenile PJ sends the form to the bench officer who heads the court's Education Committee. The bench officer's staff, which includes several research attorneys, reviews the referral within one court day to determine whether or not the case warrants an education attorney or expert educational advocate.

If the foster youth requires a specialized educational advocate, the bench officer's staff is responsible for locating an appropriate advocate. The bench officer's staff is also responsible for monitoring the case to ensure all educational issues are successfully resolved.

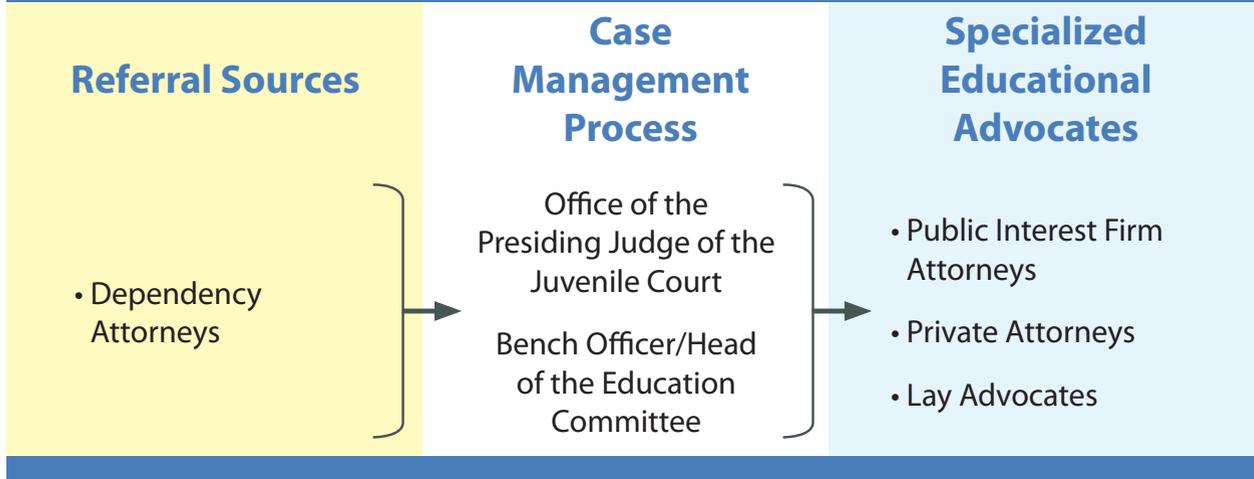
Specialized Educational Advocates

Approximately once a week the bench officer's staff sends an email containing a list of the Los Angeles County foster youth needing specialized educational advocacy. Along with each pseudo-name is a summary of that child's situation and needs. This email is sent to a panel of attorneys and expert advocates who are trained



System Architecture: Los Angeles County

System Management Juvenile Dependency Courts



in education law and have expressed interest in accepting foster youth cases. Participants include attorneys from public-interest firms:

- Learning Rights Law Center
- The Alliance for Children’s Rights
- Public Counsel
- Disability Rights California (formerly PAI)
- Mental Health Advocacy Services
- Disability Rights Legal Center

Private attorneys, such as Adams, Esq. and the Law Firm of Daniel J. Kim, also participate on the panel. These education attorneys are not reimbursed for their work but sometimes recover their fees when successful in due process hearings or as part of a settlement agreement.

These education attorneys and expert advocates can inspect the Juvenile Court file before deciding whether to accept a case, but must notify the Juvenile PJ as soon as possible of their decision. Once a specialized advocate accepts a case, the Juvenile PJ issues an order appointing the ad-

vocate to address the educational issues in the referral pursuant to WIC section 317(e). The education attorney or lay advocate then contacts the holder of the youth’s educational rights to obtain authority to proceed on behalf of the child. Upon receiving permission from the educational rights holder, the advocate handles the education matter to completion in collaboration with the child’s dependency attorney.

Centralized v. Decentralized

Los Angeles County’s 317(e) Project is centralized within the county’s Juvenile Courts. All referrals are directed to the appropriate bench officer and all cases are managed by the bench officer’s staff.

Focus on Especially High-Risk Foster Youth

All Los Angeles County foster youth are subject to the same 317(e) processes; there are no special provisions or procedures for especially high-risk foster youth.



Placer County: Children's System of Care Program

System Management

Placer County's education advocacy system is operated by the Placer County Office of Education, Foster Youth Services (FYS) program as part of the county's Children's System of Care Program. Placer County FYS staff include the FYS coordinator; two full-time FYS casework specialists, master's-level school social workers with Pupil Personnel Services credentials; two full-time master's-level practitioners; six full-time and two half-time tutors; a full-time administrative secretary; and social work and psychology college interns.

Identification and Referrals

Foster youth with unmet educational needs are identified and referred to the education advocacy system in one of three ways:

- Oftentimes, educational issues are recognized by the foster youth's child welfare worker, mental health case-carrying social worker, probation officer, public health nurse, or Independent Living Program counselor. Each of these professionals raise educational issues at weekly inter-disciplinary team meetings conducted as part of the Children's System of Care (CSOC) Program
- Whenever a foster child has a suspected unmet educational need, the adult is encouraged to notify any member of the child's inter-disciplinary team of the professionals listed above, who then raise the issue in the inter-disciplinary team meeting. Such "outside" referrals

frequently come from caregivers, teachers, and other school staff

- Occasionally, an unmet educational need is identified by the FYS representative on the inter-disciplinary team through discussion of the child's situation or examination of the case file

Case Management

At the core of Placer's education advocacy system are weekly CSOC inter-disciplinary team meetings. Teams include case-carrying child welfare workers, case-carrying mental health social workers, probation officers, public health nurses, Independent Living Program counselors, parent and youth advocates, and Placer County FYS staff. They meet weekly to discuss the challenges and obstacles facing individual youth.

Thus, there is no separate case management process for children with unmet educational needs. Rather, education is discussed in the broader context of the child's life and remains a focus of the team meetings for as long as unmet educational needs remain.

Specialized Educational Advocates

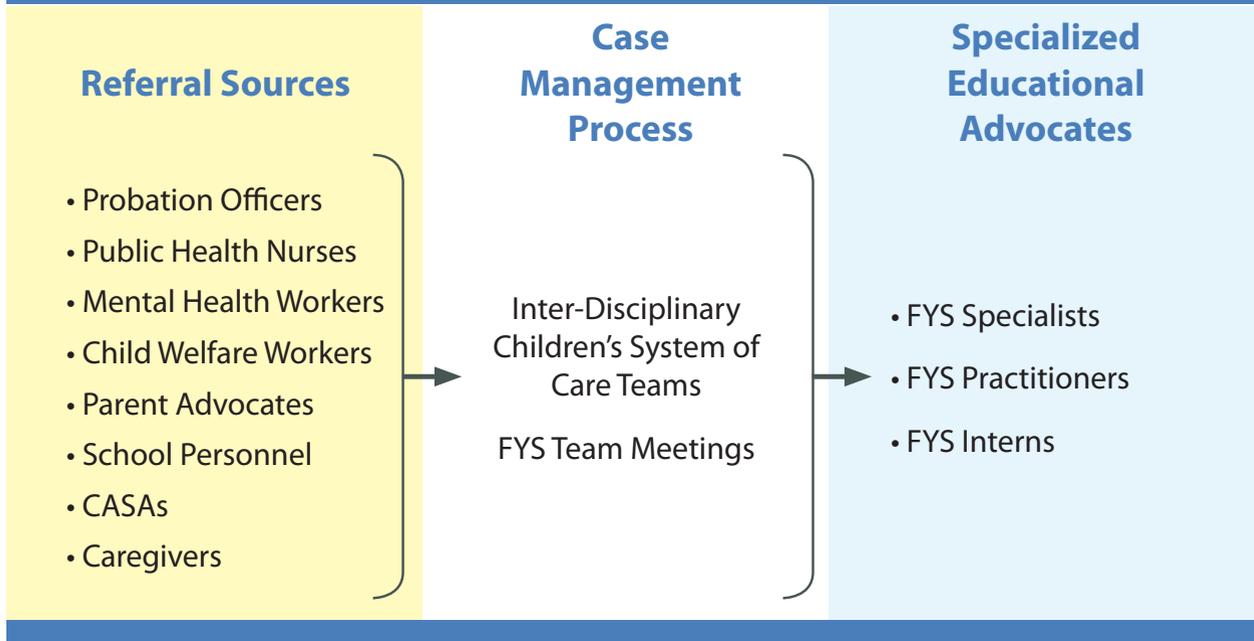
FYS specialists and interns serve as specialized educational advocates within the inter-disciplinary meetings. Their role is to:

- Ensure all team members act as educational advocates, doing what they can to help the child succeed in school
- Facilitate a holistic approach in coordinating a comprehensive ar-



System Architecture: Placer County

System Management County Office of Education, Foster Youth Services Program



ray of integrated services for foster children, including advocacy to ensure timely and appropriate school placement; records search; tutoring, mentoring, and school adjustment counseling; vocational, transition and emancipation services; and supplemental enrichment activities

FYS staff members also serve as specialized educational advocates outside the team meeting as needed, attending IEP meetings as the Placer County Office of Education liaison to the Expanded IEP team, for example.

At this time there is no formalized process for enlisting the aid of educational advocates outside of Placer County FYS.

Centralized v. Decentralized

Because each inter-disciplinary team discusses

only a limited number of cases, those on the caseload of the team's members, Placer's education advocacy system is largely decentralized. The exception to this are monthly FYS staff meetings during which common problems and best practices are shared.

Focus on Especially High-Risk Foster Youth

While there is no separate process for identifying or managing especially high-risk foster youth, these youth are given priority when allocating services. Determination of services is prioritized according to an assessment of the child's existing resources and imminent risk. Foster youth with severe or multiple concerns are identified, and those with the greatest need are served in accordance with California Education Code section 42921(b).



Sacramento County: Instructional Case Manager Program

System Management

Sacramento County's Instructional Case Manager Program is managed by Sacramento County Office of Education, Foster Youth Services (FYS). The program employs four instructional case managers (ICMs), employees of FYS, and is managed by the FYS coordinator.

Identification and Referrals

In Sacramento County, identification and referral of foster youth with unmet educational needs is primarily the responsibility of the four ICMs. Currently, each ICM monitors the progress of approximately 35 foster youth. This represents all 7th and 8th grade Sacramento County foster children not living in an FYS core program area (Elk Grove, Sacramento, and San Juan Unified School Districts). The caseload of each ICM increases every year as each continues monitoring his existing caseload while adding a new group of 7th graders.

ICMs track the academic progress of the foster youth on their caseload by meeting regularly with the youth and their child welfare worker, teachers, and school staff, attending school meetings, and frequently checking and updat-

ing the Foster Focus database. In this way ICMs are able to detect educational challenges before they become educational crises. When an ICM recognizes that a foster youth on his or her caseload has an unmet educational need, the ICM records the issue and begins working to resolve it, essentially referring the case to him or herself.

Case Management

Once an ICM has recognized that one of the youth on their caseload has an unmet educational need, that ICM will determine the type of educational advocacy needed and will ensure appropriate educational advocacy is provided. The ICM will continue monitoring the case and the child until the issue is resolved, and afterward, as the child remains on his caseload. Difficult or particularly problematic cases are discussed during bi-weekly FYS meetings attended by ICMs and FYS management. Discussion of these cases leads to the development of protocols for handling similar cases in the future.

Specialized Educational Advocates

For the most part, specialized educational advocacy is provided by the ICMs, who serve as both expert advocates and referral specialists for the



System Architecture: Sacramento County

System Management

County Office of Education, Foster Youth Services

Referral Sources

- Instructional Case Managers
- Foster Focus Database Manager

Case Management Process

Decentralized Group of Instructional Case Managers
SCOE, FYS Staff

Specialized Educational Advocates

- Instructional Case Managers

foster youth on their caseload. ICMs work collaboratively with child welfare workers, school staff, CASAs, caretakers, foster parents and other stakeholders to resolve the foster youth's educational issues. While FYS works closely with Sacramento Child Advocates, at this point there is no formal process for enlisting the aid of an education attorney or other specialized advocate should this collaborative approach prove unsuccessful.

Centralized v. Decentralized

Sacramento County's Instructional Case Manager Program is largely decentralized, with each ICM working with a discrete population of foster

youth. Oversight by the FYS coordinator and bi-weekly ICM/FYS staff meetings make the case management process somewhat centralized.

Focus on Especially High-Risk Foster Youth

The program's focus on foster youth in middle school reflects a belief that these youth are particularly high-risk and responsive to intervention. Should the program prove successful, the plan is to expand it to include younger children.



San Diego County: School Success Project

System Management

The School Success Project is a joint effort of San Diego County Child Welfare Services (CWS) and San Diego County Office of Education, Foster Youth Services (FYS). The project is managed by FYS pursuant to a contract with CWS and employs a collaborative advocacy model.

Identification and Referrals

Child welfare workers (CWWs) are the primary source of referrals to the system. Once a CWW identifies a foster youth as having an unmet educational need, the CWW refers the foster youth to the educational liaison stationed in his or her office.

Case Management

San Diego's FYS educational liaisons are stationed and co-located with CWWs at seven CWS offices. This physical proximity fosters collaboration between CWS and FYS, which is particularly important as CWWs are the primary source of referrals to the system. After a foster youth has been referred to an educational liaison, the liaison collects information about referred youth,

identifies their educational needs, and determines whether they need specialized educational advocacy.

Specialized Educational Advocates

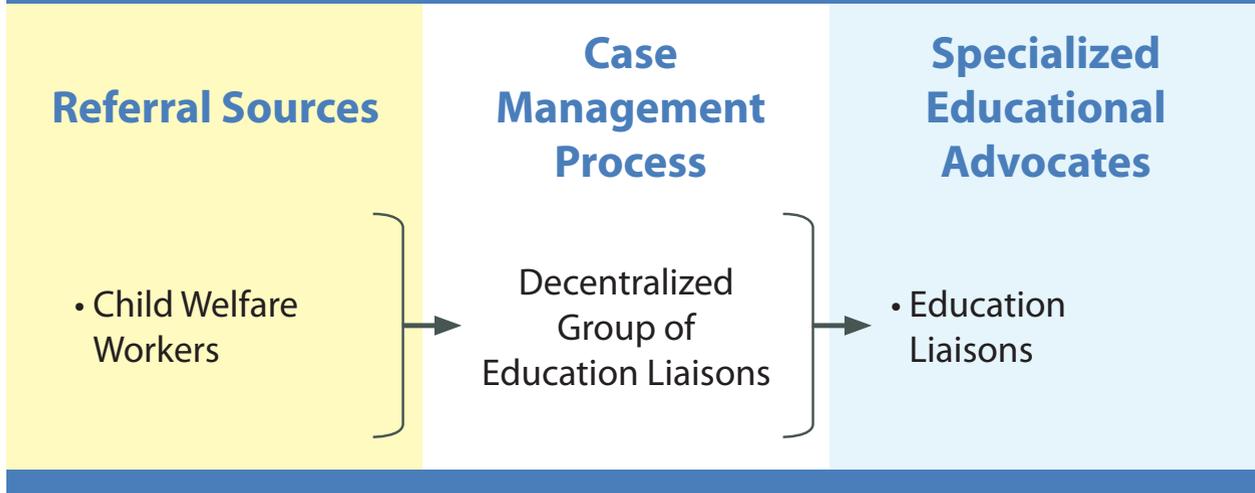
When necessary to help a referred foster youth, educational liaisons:

- Obtain school records from previous schools and conduct transcript reviews
- Assess academic processes (enrollment, discipline and placement issues)
- Attend Team Decision Making (TDM) meetings and assist in evaluating school placement decisions
- Provide support and information regarding the Special Education process and 504 plan eligibility
- Advocate for the youth if he or she has been suspended or expelled
- Provide guidance to CWS staff, school district and school site personnel



System Architecture: San Diego County

System Management County Office of Education



- Issue referrals to FYS tutoring and mentoring programs
- Provide referrals to community based organizations

At this time there is no formal process for obtaining specialized educational advocates other than the FYS educational liaisons.

Centralized v. Decentralized

The School Success Project is a decentralized education advocacy system. Each FYS educational liaison accepts referrals from their CWS office and manages these cases.

Focus on Especially High-Risk Foster Youth

There is no separate process for identifying or helping especially high-risk foster youth. All youth are given priority when allocating services.



San Diego County: Volunteer Lawyer Program

System Management

The San Diego Volunteer Lawyer Program (SDVLP) provides technical support and legal representation to foster youth (and youth whose parents are receiving voluntary CWS services) in situations where a more adversarial approach to educational advocacy may be needed. This parallel education advocacy system is also operated pursuant to a contract with CWS.

Identification and Referrals

Any CWW, dependency attorney, foster parent, FYS educational liaison, CASA, or other adult who has identified a foster youth as having an unmet educational need may refer the case to SDVLP. A single staff attorney handles all intakes.

Case Management

The SDVLP attorney evaluates the educational needs of each referred foster youth and determines the type of educational advocacy required. Whenever possible, the attorney provides technical support over the phone, building the capacity of the referring adult to successfully

advocate on behalf of the foster youth. When needed, the attorney ensures the youth receives legal representation at:

- IEP team meetings
- Formal and informal mediations
- Expulsion hearings
- Manifestation determination hearings
- Dependency court proceedings
- Due process hearings

Specialized Educational Advocacy

Legal representation comes from one of two sources:

- The SDVLP staff attorney represents approximately half of the youth needing legal representation. Law-student interns assist with these cases, working in SDVLP's offices under the supervision of the staff attorney.
- Complicated special education cases are referred to a panel of pro



System Architecture: San Diego County

System Management San Diego Volunteer Lawyer Program

Referral Sources

- Child Welfare Workers
- Dependency Attorneys
- Foster Parents
- CASAs
- Educational Liaisons

Case Management Process

Staff Attorney
at the
San Diego
Volunteer
Lawyer Program

Specialized Educational Advocates

- Pro Bono Attorneys
- Legal Interns
- Staff Attorney

bono attorneys who have expressed willingness to help with these cases. The SDVLP staff attorney continually recruits and trains private attorneys in San Diego County to work on these cases. Some of these pro bono attorneys are private special education attorneys.

Focus on Especially High-Risk Foster Youth

There is no separate process for identifying especially high-risk foster youth. All youth are given priority when allocating services.

Centralized v. Decentralized

The San Diego Volunteer Lawyer Program is highly centralized, with all referrals directed toward a single attorney at SDVLP who also manages the cases.



San Francisco County

System Management

San Francisco's education advocacy system is managed by San Francisco Unified School District (SFUSD), the only school district in San Francisco County. At the system's core are 120 school-site liaisons — one at each SFUSD school. These school-site liaisons are SFUSD employees, usually the school's guidance counselor, learning-support professional, or wellness coordinator. Each is provided a small stipend by San Francisco County Office of Education, Foster Youth Services (FYS).

Identification and Referrals

At the beginning of each school year, school-site liaisons are provided with a list of the foster youth enrolled in their school. This list is confidential, but allows the liaison to monitor the educational progress of their school's foster youth and detect when educational challenges arise. School-site liaisons are thus a primary source of referrals to the education advocacy system. Moreover, the liaison's presence increases awareness of the system at the school, increasing referrals from SFUSD teachers and administrators. Finally, FYS works closely with San Francisco's Human Services Agency (HSA), resulting in a significant number of referrals from Protective Services Workers (PSWs).

Once a foster youth is identified as having an unmet educational need, the referral is directed to their school-site liaison, who is likely to be familiar with both the youth and the school. Foster youth residing in San Francisco but not enrolled in school, and San Francisco foster youth residing outside of San Francisco, are referred directly to the FYS coordinator.

Case Management

Once a liaison identifies a foster youth in her school as facing an educational challenge, or if such a challenge is brought to the liaison's attention, the liaison is responsible for gathering information about the youth's educational needs, determining the type of educational advocacy required, and ensuring the student receives such advocacy.

If the youth resides in San Francisco but is not enrolled in school, the FYS coordinator manages the case until the youth is enrolled, at which point the case is transferred to the school site liaison. If the San Francisco foster youth resides outside of San Francisco, the FYS coordinator manages the case until all educational issues have been resolved.

Specialized Educational Advocates

School-site liaisons also provide specialized educational advocacy for the foster youth in their school. This includes:

- Meeting with the caregiver, foster parent, and group home staff to make sure they understand their educational responsibilities
- Attending TDM, SST, and IEP meetings
- Advocating for the foster youth in school discipline matters

FYS also has Master's of Social Work (MSW) interns stationed at eight to fifteen SFUSD schools with the highest percentage of foster youth. These MSW interns serve as expert educational advocates for those foster youth in their school



System Architecture: San Francisco County

System Management School District

Referral Sources

- Child Welfare Workers
- Caregivers
- School Site Liaisons
- School Staff

Case Management Process

Decentralized
Group of School
Site Liaisons
FYS Coordinator

Specialized Educational Advocates

- School Site Liaisons
- MSW Interns
- HSA Education Liaison
- Enrollment Liaisons

facing more difficult or complex educational challenges.

Those foster youth residing in San Francisco but not enrolled in school are aided by one of three enrollment liaisons: specialized educational advocates working in the district's central offices. One enrollment liaison helps enroll special education foster youth, one helps enroll foster youth in alternative schools, and one helps with general enrollment challenges.

San Francisco foster youth living in other counties are provided specialized educational advocacy by San Francisco HSA's educational liaison, a full time HSA employee. This person provides these out-of-county youth with expert educational advocacy.

Centralized v. Decentralized

San Francisco's case management process is decentralized to the school level, with most referrals flowing to school-site foster youth liaisons.

Focus on Especially High-Risk Foster Youth

Foster youth in schools with MSW interns, those schools with the highest populations of foster youth, are more likely to receive expert educational advocacy.



Santa Clara County: Educational Rights Project

System Management

Santa Clara County's Department of Family and Children Services (DFCS), and more specifically DFCS' Educational Services Unit (EdSU), operates the Educational Rights Project (ERP). The ERP's core is an intake panel composed of child welfare workers (CWWs), special education experts and education attorneys.

Identification and Referrals

CWWs, parents, caretakers, child advocates, and attorneys are all encouraged to contact EdSU regarding individual foster youth facing educational challenges. (EdSU also serves non-dependent children who are referred through Emergency Response CWWs and post-guardianship and adoption cases.) EdSU attempts to resolve issues by providing technical assistance to referring adults. When this is impractical or fails, a formal referral must be made to EdSU. This referral must come from the foster youth's CWW and must be submitted on the EdSU Referral Form. This helps the EdSU gather background information on the foster youth and his or her educational challenges.

Case Management

Once a case is referred to EdSU, a consultation is conducted to determine the educational advocacy and services needed by the foster youth. This consultation includes members of the intake panel:

- An EdSU coordinator, social worker, and/or social work intern
- Special education experts from Morrissey/Compton Educational Center, Inc., a non-profit that provides di-

agnostic and treatment services for children with learning disabilities

- An education attorney from Legal Advocates for Children and Youth (LACY), a public interest law firm

Whenever possible, the consultation also includes others with information about the educational challenges facing the referred foster youth, such as:

- The youth's CWW
- The youth's educational rights holder
- Child advocates or caretakers involved in the case

Once this consultation is complete, the case is assigned to an EdSU coordinator, social worker, or social work intern; an education specialist from Morrissey/Compton; or an education attorney from LACY for case management. The case manager is responsible for ensuring the foster youth receives appropriate educational advocacy.

Each case is reviewed every three months at a monthly ERP meeting. These meetings are attended by the members of the intake panel. After reviewing a case, the panel determines whether to close the case or keep it open with or without additional interventions.

Specialized Educational Advocates

EdSU staff serve as referral specialists and expert educational advocates, training referring CWWs on effective education advocacy strategies.

The special education experts from Morrissey/



System Architecture: Santa Clara County

System Management

Department of Family and Children Services

Referral Sources

- Child Welfare Workers

Intake Panel

EdSU Coordinators,
Social Workers, and
Social Work Interns

Education Experts

Education Attorneys

Educational Advocates

- EdSU Coordinators, Social Workers, and Social Work Interns
- Education Experts
- Education Attorneys

Compton review individual education plans (IEPs), assessments and/or evaluations and make recommendations as to necessary interventions.

When a foster youth is referred to LACY, he or she is enrolled in the Youth Educational Advocates Project (Project YEA). As needed, Project YEA will:

- Ascertain whether the youth can get special education or testing
- Meet with the youth's social worker and educational rights holder
- Communicate with the youth's teachers and watch the child in school
- Attend the youth's Individualized Education Plan (IEP) meeting
- Strategize with the youth and their educational rights holder

- Analyze the child's IEP, ensuring he or she is receiving appropriate services
- Represent the youth in expulsion hearings

Centralized v. Decentralized

Santa Clara's Educational Rights Project is centralized within DFCS's Educational Services Unit (EdSU). All referrals are directed to the EdSU intake panel.

Focus on Especially High-Risk Foster Youth

There is no separate process for identifying or helping especially high-risk foster youth. All youth are given priority when allocating services.



Conclusion and Recommendations

In establishing county-based child welfare and education systems California has recognized that each county is unique, with different populations of children, different inter-agency relationships, and different constellations of public interest and community organizations. Counties have been made responsible for ensuring foster youth receive the educational advocacy and opportunities they need to succeed. In response, very different structures have developed throughout the state, each focused on identifying foster children with unmet needs and ensuring they receive appropriate educational advocacy.

Thus, while each education advocacy system possesses a common four-tiered architecture; including: (1) procedures for identifying and referring foster youth with unmet educational needs, (2) a case management process, (3) a pool of specialized educational advocates, and (4) a system manager; each is structured differently. Different agencies manage these education advocacy systems. Each system has a different level of centralization. Agencies have taken

different approaches toward identifying and helping particularly high-risk foster youth. There is no single best solution, but this report does conclude with three recommendations:

Recommendation #1:

Examine how your county ensures foster youth receive the educational advocacy and opportunities they need in comparison with other counties' education advocacy systems. While there is no single best solution, there is always room to learn from the experiences and approaches taken by others. The variety of efforts currently in place provides a wealth of models to consider, and careful scrutiny of local efforts is likely to reveal areas for improvement.

Recommendation #2:

Memorialize your education advocacy system in an education advocacy plan: an inter-agency memorandum of understanding (MOU) detailing the education advocacy system's processes and the roles and responsibilities of each part-

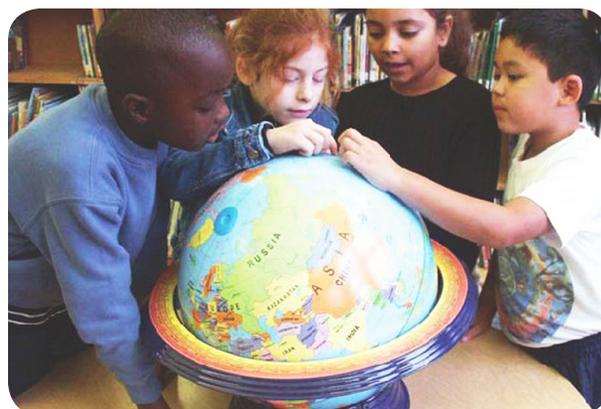


nering organization. Inter-agency collaboration is difficult, especially when it involves more than periodic meetings and collocation. Memorializing procedures and responsibilities ensures a more robust, successful education advocacy system, one less dependent on specific personnel and personal relationships.

Recommendation #3:

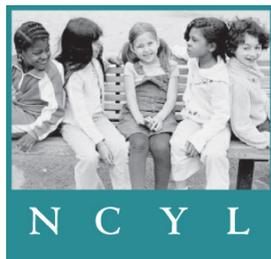
Contact the Foster Youth Education Initiative if you would like help creating or improving your education advocacy system. The Foster Youth Education Initiative is a project of the National Center for Youth Law focused on ensuring foster youth receive the educational advocacy and opportunities they need. More information about the initiative, and contact information, can be found at:

www.youthlaw.org/child_welfare/foster_youth_education_initiative



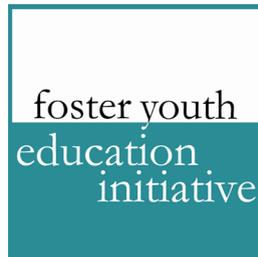
National Center for Youth Law

The National Center for Youth Law (NCYL) is a national non-profit organization that has been working for over four decades to improve the lives of poor children. Employing a range of strategies, NCYL works to ensure that low-income children have the resources, support, and opportunities they need for healthy and productive lives.



Foster Youth Education Initiative

The Foster Youth Education Initiative improves the educational outcomes of children and youth in the foster care system by ensuring they have the educational advocacy and opportunities they need. To that end, the initiative helps localities develop and operate education advocacy systems and advocates for state-level policies focused on helping foster youth succeed in school.



Acknowledgments

This report would not have been possible without the support of numerous individuals and organizations. In particular, the authors wish to thank:

The many people who volunteered their time and expertise to help us understand the education advocacy systems operating throughout California. Your assistance was invaluable.

The [Skadden Fellowship Foundation](#), for their support of the National Center for Youth Law, the Foster Youth Education Initiative, and this report in particular. For over twenty years, the Foundation has been supporting innovative approaches to providing legal services to the poor (including the working poor), the elderly, the homeless and the disabled, as well as those deprived of their civil or human rights.



Skadden, Arps, Slate, Meagher & Flom LLP