



## **Appropriate and Best Uses of Foster Youth Directory Information by Local Education Agencies**

### **Why does data sharing matter?**

Foster youth are children who have been removed by the State from their home because of abuse or neglect. The State has a unique responsibility for children in foster care. As their legal parent, the State is responsible for their safety, health, and well-being, which includes their educational success. Unfortunately, research consistently shows that students in foster care have extremely poor educational outcomes, even when compared with their low-income peers.

In Fall 2013, WestEd issued the Invisible Achievement Gap Part 1, a groundbreaking report that found California foster youth:

- Constituted an at-risk subgroup distinct from other low-income students.
- Were far more likely to change schools during the school year.
- Were more likely than the general population to be enrolled in the lowest performing schools.
- Showed a significant achievement gap on statewide testing.
- Had the highest dropout rate and lowest graduation rate of any student subgroup.<sup>1</sup>

The follow-up report released in Spring 2014 demonstrated that all foster youth regardless of living placement experienced poor educational outcomes. The research has demonstrated foster youth need specific services and supports tailored to their experience to help them realize their full potential.

### **New Landscape**

Recognizing this stark reality, California's new local control funding formula (LCFF) added foster youth to California's Academic Performance Index (API) becoming the first state in the nation to hold itself accountable for the education outcomes of foster youth. LCFF contains a number of other provisions aimed at improving the educational outcomes of students in foster care, including one related to data sharing. Now, the California Department of Social Services must provide the California Department of Education with information to identify students in foster care. Further, the CDE must inform school districts which of their students are in foster care on a weekly basis.

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<sup>1</sup> Vanessa X. Barrat, BethAnn Berliner, *The Invisible Achievement Gap, Part One*, The Center for the Future of Teaching and Learning at WestEd, 2013.

## **The Challenge**

While informing districts which of their students are in foster care is critical, providing them guidance to appropriately and effectively use the data is equally as important. It is essential that Local Education Agencies (LEAs) establish data policies and agreements so that foster youth are never lost in the system and their privacy is protected in the process. As such, districts will need to balance the need for district and school staff to know which students are in foster care with the need to keep this highly sensitive information confidential.

## **Who within the LEA should know a student is a foster youth?**

All LEAs will receive weekly updates regarding the foster care status of students in their school districts and County Offices of Education (COE) will know the foster care status and enrollment information of students within county boundaries beginning Fall 2014. District and school site staff should consider who would be better able to provide students in care with the education services, supports and appropriate instruction the youth need. Certain district staff may be essential “need-to-know” staff, such as the central office CALPADS administrator, AB 490 liaison, and academic service officers in charge of the education program and interventions.

There are also important policy decisions concerning who at the school site should be aware of a child’s foster care status. Determining which teachers and counselors should know will greatly impact the classroom experience of foster youth and great care must be made to ensure a child’s status is not disclosed to peers inadvertently. School administrative staff like enrollment secretaries, site academic officers and site CALPADS administrators can help to ensure a child’s AB 490 rights are adhered to and they are immediately enrolled in school and their records transferred in a timely manner to ensure proper class placement.

Many youth do not want their foster care status to be revealed to their peers, and administrators should work to ensure their status is only shared to promote a child’s educational success. This is important so children in care are not bullied by their classmates for their foster care status and so they can focus in class without wondering if they are going to be embarrassed publicly. A developed and consistent policy on how to share this sensitive information will help to allay some of the fears youth have.

## **How will LEA staff know if a student is in foster care?**

CALPADS is the data system through which the state will send notice of a student’s foster care status to LEAs. Districts should develop policies around who will have appropriate access to this sensitive information in CALPADS. The data should then be imported into a school’s Student Information System (SIS), and a similar policy should be developed at the site-level concerning who may have access to the information. CALPADS administrators at schools and at the district should be communicating regularly as the CDE updates its system to reflect a foster youth’s school changes. This is particularly important because foster youth are highly mobile and ensuring a timely transfer of information between schools is essential to minimizing impacts to a youth’s education.

Caregivers and the youth themselves may also wish to be notified that the school is sharing information and coordinating efforts on behalf of the child. An LEA will need to consider what is the best method of communicating with the child’s caregivers, whether it is by email, a written or a verbal notice.

### **What is appropriate use of information related to a student's foster youth status?**

Information should only be used to ensure the student receives appropriate services, supports and instruction. The local policy will need to outline several components. They include if and under what circumstances a district or school site staff shares information with other district/site staff, other students and non-district employees. Moreover the district will need to outline under what circumstances should staff be allowed to tell the students they know he or she is in foster care. A description of what process will be undertaken to ensure effective delivery of the policy in the above circumstances will be crucial to ensuring a child's privacy is respected and is only shared when it has an education-related purpose.

### **What training should staff receive?**

Most districts have not had to systematically build up systems to support staff in providing education services to children in care. To educate staff on the needs of foster youth, trainings that provide a child welfare system overview will give education staff a sense of what it is like for a student to be in foster care. Additionally, training on the common educational challenges facing children in care and what strategies, supports and services are likely to help them succeed in school will better assist educators in placing children in appropriate programs. Lastly, staff should be trained on the basic legal obligations educational agencies have toward foster youth, which include laws on school stability, placement and transfer; school discipline; partial credits and educational entitlements afforded to students in foster care.

Trainings on trauma-informed care and instruction will help staff understand the effects trauma can have on child development, behaviors, and functioning. The trainings should be provided to all those interacting with foster youth—i.e. teachers, aides, counselors, bus drivers, cafeteria staff, school-level administrators. This would better enable staff to identify, recognize and address behavioral issues that could specifically stem from childhood trauma so that school and district personnel respond to situations more effectively and appropriately.

Once the policy has been developed, staff should receive training on the LEA's policies with respect to obtaining, using and sharing foster youth directory information. This will help to ensure all staff – including instructional, support and administrative staff– are aware of the LEA's datasharing processes and policies, and the importance of respecting a youth's information while providing education services.

### **How should the LEA develop and document their policies?**

A district needs to establish a datasharing policy that ensures a foster youth's identity is shared appropriately with staff. There are several agencies that can provide key input throughout the policy development process as they have experience with datasharing, such as the county child welfare agency, county probation agency, and county office of education. Youth, their caregivers and other stakeholders like the education rights holder, dependency attorney, CASA and local advocates should be incorporated into the development process so that they can provide key input into the final product. In order to ensure consistency across school sites so that a youth's information is appropriately protected as they move schools, the school board may want to consider passing a resolution on developing a district policy on the issue.

Foster youth have the lowest educational outcomes of any student in our California public schools, and it is imperative they receive appropriate education services and supports so they

succeed academically. The landmark LCFF created important new state and district responsibilities for foster youth. Now that state-level agencies must data share so education administrators are aware of a foster youth's status, there is a great opportunity to better coordinate and provide the needed education services and supports youth need at the local level, where the students live and learn. These suggestions provide a few ways to ensure the data is used effectively and appropriately to ultimately support efforts to improve foster youth's educational outcomes.