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Testimony Supporting H.B. 5842, An Act Concerning Foster Placement and Education

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Human Services Public Hearing  
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Senator Doyle, Representative Walker, and distinguished Members of the Human Services Committee:

We testify on behalf of Connecticut Voices for Children, a research-based public education and advocacy organization that works statewide to promote the well-being of Connecticut's children, youth, and families.

**Connecticut Voices strongly support H.B. 5842, An Act Concerning Foster Placement and Education**

*1. Connecticut's Children Need School Stability*

Foster children in Connecticut are frequently uprooted from their schools when they are removed from their families or shuffled between foster homes or institutions. Although DCF does not keep track of the number of school changes for children in its care, we know from working with youth that five, eight – even ten—school changes are not uncommon.

Frequent school changes are traumatic for foster children. Children in the child protection system already have been traumatized by abuse or neglect in their homes and removal from their families. Uprooting a child from her school community deepens this trauma. Not only does this child lose her parents and possibly her siblings, but she also loses connections to classmates, a favorite teacher, coach, and school activities—the aspects of daily life that create a sense of security, self-worth and belonging.

School disruptions have devastating short and long-term effects on the education of foster children. Abused and neglected youth are particularly vulnerable to school failure,<sup>1</sup> and the poor academic performance of these children contributes to above-average rates of homelessness, drug abuse, and

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<sup>1</sup> See Nat'l Working Group on Foster Care & Educ., Fact Sheet: Educational Outcomes for Children and Youth in Foster and Out-of-Home Care, at 2-5 (2007), available at <http://www.casey.org/FriendsAndFamilies/Partners/NWGFCE/> (foster youth score significantly lower on standardized tests than non-foster youth, have a higher chance of repeating a grade, and may have a lower chance of completing high school); Vera Institute of Justice, Foster Children and Education (July 2004), available at: <http://www.vera.org> (compared to their peers, foster children “have poorer attendance rates, are less likely to perform at grade level, are more likely to have behavior and discipline problems, are more likely to be assigned to special education classes, and are less likely to attend college).

unemployment.<sup>2</sup> Although there are several reasons why foster children are at risk of educational failure, school instability is a dominant factor. Studies have shown that it takes a child approximately three to six months to recover academically from *each* school transfer;<sup>3</sup> and researchers from the University of California found that students who changed schools even *once* during high school were less likely to graduate than their peers who remained in the same school.<sup>4</sup>

Not surprisingly, the educational cost of *multiple transfers* is even more devastating. Extensive research links frequent school changes to an increased risk of failing a grade, repeated behavior problems, and dropping out.<sup>5</sup> For instance, a study published in the Journal of the American Medical Association analyzing national survey data found that children who moved frequently were 77 percent more likely to have behavioral problems and 35 percent more likely to have failed a grade.<sup>6</sup> (This study controlled for other factors, such as poverty, or living in a single-parent home, and its author, a professor of pediatrics, concluded that frequent moving alone is an “important predictor” of a child’s academic performance.)<sup>7</sup> Another study found that by 6<sup>th</sup> grade, students who were highly mobile during elementary school had already fallen as much as a year behind their classmates.<sup>8</sup> Because school performance, including performance in early years, is an important predictor of whether a youth will remain in school or drop out, school mobility has important long-term, as well as short-term, effects. For these reasons, foster care experts have identified ensuring school stability as “*perhaps the single most important*” method of improving educational outcomes for foster children.<sup>9</sup>

School stability for foster children is also important for educators, schools, and other students.<sup>10</sup> High student mobility puts an enormous financial and academic burden on schools and educators. Teachers and administrators must scramble to determine the appropriate education program for each new student, without being able to predict how long that student will remain in the school.<sup>11</sup> Students transferred mid-

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<sup>2</sup> See *21st Century Schools Project Bulletin*, Vol. 5, No. 5 (Progressive Policy Inst., Mar. 8, 2005); Steve Christian, *Educating Children in Foster Care* (Nat’l Conf. of State Legislatures, Children’s Policy Initiative Publication, Dec. 2003), available at <http://www.ncsl.org/programs/cyf/cpieducate.pdf>.

<sup>3</sup> See Inst. for Children & Poverty, *Homeless in America: A Children’s Story (Part One)*, at 12 (1990) (suggesting that four to six months are lost per change in school); Casey Family Services, *Voice*, Summer 2007, Vol. 8, Iss. 3, at 5 (citing a 2004 study of Chicago students which found that youth in foster care experience a loss of roughly three months of academic progress with every change in school).

<sup>4</sup> See Linda Jacobson, *Moving Targets*, Education Week, April 4, 2001, Vol. 20, Issue 29, p. 2.

<sup>5</sup> See generally the following reports and studies cited therein: Lily T. Alpert, *School Mobility and Issues of Educational Access for Children in Foster Care*, at 6 (School of Family Studies, University of Connecticut, 2005) (citing studies associating “frequent school changes” with (1) “higher rates of absenteeism,” (2) “lower scores in reading and mathematics,” (3) “increased rates of high school dropout,” and (4) “elevated likelihood of retention and enrollment in special education”).

<sup>6</sup> See D. Wood et al., *Impact of Family Relocation on Children’s Growth, Development, School Function, and Behavior*, 270 JAMA 1134 (1993).

<sup>7</sup> *Id.* See also Linda Jacobson, *Moving Targets*, Education Week, April 4, 2001, Vol. 20, Issue 29, p. 2.

<sup>8</sup> *Id.*

<sup>9</sup> See Casey Family Programs, *A Road Map for Learning: Improving Educational Outcomes in Foster Care* (2004), p. 9.

<sup>10</sup> See generally Rumberger, Larson, Ream, Palardy, *The Educational Consequences of Mobility for California Students and Schools*, (University of California, Santa Barbara: February 1999), pp.50-61 (discussing in detail the severe negative academic and financial consequences of high student mobility on schools and educators, through school survey data and interviews with school personnel); Hartman, *Students on the Move* (Educational Leadership, February 2006), Vol. 63, issue 5, pp. 20-24 (reviewing and discussing literature showing negative academic, financial and emotional effects of high mobility rates on entire school community).

<sup>11</sup> See Mason Burley and Mina Halpern, *Educational Attainment of Foster Youth: Achievement and Graduation Outcomes for Children in State Care*, at 9 (Wash. State Inst. for Public Policy, 2001) (citing studies regarding instability and concluding that “records are often lost or are not transferred in a timely manner, which can result in a delay in student enrollment or difficulties in receiving needed services for special needs students,” and “[d]ifferent curricula, standards, and teachers” mean that students may “have

year often must be enrolled in expensive special education programs to catch up with their new classmates.<sup>12</sup> High turnover rates slow down the pace of instruction and lead to behavioral and social disruptions.<sup>13</sup> Moreover, even the most extraordinary and devoted teachers cannot educate foster children effectively without stability and continuity.<sup>14</sup> For this reason, education experts outside the foster care field recommend school stability for foster children as an important step in improving the educational opportunities of *all* children.<sup>15</sup>

## 2. *A New Federal Law Requires Connecticut to Ensure School Stability for the Children in its Care*

In recognition of the importance of school stability for foster children, Congress enacted the *Fostering Connections to Success and Increasing Adoptions Act* in October 2008<sup>16</sup>. The goal of the Fostering Connections law is to help hundreds of thousands of children and youth in foster care find permanent families and improve their educational outcomes.

The law *requires* state child welfare agencies to include “a plan for ensuring the educational stability of the child while in foster care.” Specifically, the agency must include assurances that: (a) the child’s foster care placement takes into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement; and (b) the state child welfare agency has coordinated with appropriate local educational agencies *to ensure that the child remains in the school in which the child is enrolled at the time of placement, if that is in the child’s best interest.*<sup>17</sup> In addition, the new law provides that reasonable travel costs for the child to remain in his or her home school be subject to Title IV-E reimbursement.<sup>18</sup>

## 3. *Given the New Federal Law, Connecticut Should Act Quickly to Enact Legislation to Ensure School Stability*

Given the federal law requiring school stability, and the devastating effects of school instability on Connecticut's children, Connecticut should act promptly to enact school stability legislation, such as Bill 5842.

School stability should be ensured, and the costs associated with it paid by, the custodial parent of the foster youth—the State of Connecticut. This avoids putting an unfunded mandate on the towns. The

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to repeat material already covered at the previous school” or may “have missed various credits and are behind the rest of the class”); *Highly Mobile Students: Educational Problems and Possible Solutions* (1991) (ERIC/CUE Digest, No. 73), available at <http://www.eric.ed.gov/> (suggesting that high student mobility puts an enormous burden on schools because: (1) services developed for the primary school population need to be adjusted and new students must often be enrolled in special education programs to catch up with their new classmates; (2) attempts to monitor school performance are also hampered by changes in the school population; and (3) record keeping becomes more difficult, placing a greater burden on the teachers and the students themselves to determine the appropriate courses, grade level, and education program for each new student).

<sup>12</sup> *Id.*

<sup>13</sup> Hartman, *Students on the Move* (Educational Leadership, February 2006), Vo. 63, issue 5, pp. 20-24 (reviewing and discussing literature showing negative academic, financial and emotional effects of high mobility rates on entire school community).

<sup>14</sup> Cf. Mason Burley and Mina Halpern, *Educational Attainment of Foster Youth: Achievement and Graduation Outcomes for Children in State Care*, at 9 (Wash. State Inst. for Public Policy, 2001) (discussing severe challenges of teaching and ever-shifting student body, and the negative impacts of excessive student mobility on teacher morale).

<sup>15</sup> See Hartman, *Students on the Move* (Educational Leadership, February 2006), Vo. 63, issue 5, p. 24.

<sup>16</sup> See H.R. 6893, *Fostering Connections to Success and Increasing Adoptions Act of 2008* available at <http://www.govtrack.us/congress/bill.xpd?bill=h110-6893>

<sup>17</sup> See Section 204, Subsection A of H.R. 6893, *Fostering Connections to Success and Increasing Adoptions Act of 2008* available at <http://www.govtrack.us/congress/billtext.xpd?bill=h110-6893>

<sup>18</sup> *Id.*

state Department of Children and Families (DCF) already is intimately involved in other aspects of the child's placement. DCF is in the best position to arrange for transportation to the child's previous school district if that is in the child's best interest. Transportation can be provided in a cost-effective manner appropriate for the age of the child. Foster parents or volunteers could drive younger children, while older children could be provided bus passes.<sup>19</sup> The safety of the child always comes first, but the expense of providing private contract transportation for each child can be avoided in most circumstances.

The program is relatively inexpensive and can likely be funded through DCF's current board and care account. Oregon, which adopted similar legislation in 2005, reported that it spent \$210,000 out of existing funds to implement the program for 2005-2007.<sup>20</sup> For 2007-2009, Oregon's DHS was given \$375,000 per year earmarked for implementation of this successful and well-received initiative.<sup>21</sup> Oregon's average daily foster care population in 2006 was 7,734, compared with Connecticut's approximately 5,880.<sup>22</sup> Although comprehensive comparative data is not yet available, it is reasonable to conclude that the costs of this program in Connecticut would be relatively modest.

Many challenges that face Connecticut's schools and schoolchildren, particularly low-income children, are difficult to fix. Likewise, improving the child welfare system is inherently a difficult and complex enterprise. However, every once in a while, there is a problem facing foster children and schools that is relatively easy and cost-effective to solve. Unnecessary and costly school transfers for foster children is one such example. We support H.B. 5842, An Act Concerning Foster Placement and Education, because it is a practical and cost-efficient investment in Connecticut's children.

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See Oregon House Bill 3075, H.B. 73-3075 (2005).

<sup>18</sup> Oregon is following this model for the provision of transportation. See Oregon Department Human Services, Report to the 74th Legislative Assembly, at 2 (2007).

<sup>19</sup> Id. at 4.

<sup>20</sup> Email, dated December 7, 2007, from Brian V. Baker, Staff Attorney, Juvenile Right Project, Inc. to Sarah Eagan, Staff Attorney, Center for Children's Advocacy, (on file with authors) (noting that Oregon earmarked \$750,000 for the 2007-2009 biennium).

<sup>22</sup> Connecticut averaged roughly 5880 children in care each day in 2006. See Conn. Dep't of Children & Families, Overview, at 22 (2007), available at [http://www.ct.gov/dcf/lib/dcf/agency/pdf/about\\_dcf\\_presentation.pdf](http://www.ct.gov/dcf/lib/dcf/agency/pdf/about_dcf_presentation.pdf). Oregon averaged 7734 children in family foster care and 10,548 total children in foster care each day in 2006. Or. Dept. of Human Servs., Foster Care 2006, at 1 (2006), available at <http://dhsforms.hr.state.or.us/Forms/Served/DE9607.pdf>.