

Testimony in Support of S.B. 31: An Act Implementing the Budget Recommendations of the Governor Concerning the Educational Placement of Children in the Care and Custody of the Department of Children and Families and H.B. 5066: An Act Concerning Educational Stability for Children in the Care and Custody of the Department of Children and Families

Tamara Kramer and Jamey Bell, JD
Human Services Committee
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Senator Doyle, Representative Walker and distinguished Members of the Human Services Committee:

We submit this written testimony on behalf of Connecticut Voices for Children, an independent, research-based nonprofit organization dedicated to speaking up for children and youth in the policymaking process that has such a great impact on their lives.

I. Connecticut Voices for Children strongly supports S.B. 31 and H.B. 5066, which would bring Connecticut into compliance with new federal legislation which requires states to provide educational stability for children in the care of the Department of Children and Families.

In October of 2008, the federal Fostering Connections to Success and Increasing Adoptions Act was signed into law.¹ This landmark legislation included a requirement that all states adopt an educational stability program by July 1, 2010. The legislation specifically obligates states to factor the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled into all placement decisions.² Further, in the event that a child is moved into a placement that is outside of the district of his school of origin, the legislation requires the child welfare department to coordinate with local education agencies to keep the child in his school of origin, as long as it is in the child's best interest.³ The legislation puts the responsibility of arranging the transportation and paying for it on each state's child welfare agency.⁴ The Governor appropriated

¹ See Pub. L. 110-351, Oct. 7, 2008, 122 Stat. 3949, 42 U.S.C. § 1305

² See Section 204, Part A, Paragraph 1 of the Fostering Connections to Success and Increasing Adoptions Act.

("[provides] assurances that the placement of the child in foster care 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.")

³ See Section 204, Part A, Paragraph 1 of the Fostering Connections to Success and Increasing Adoptions Act.

("[provides] assurances that the placement of the child in foster care 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.")

⁴ *Id.* ("[provides] an assurance that the State agency has coordinated with appropriate local educational agencies (as defined under section 9101 of the Elementary and Secondary Education Act of 1965) to ensure that the child remains in the school in which the child is enrolled at the time of placement; or if remaining in such school is not in the best

almost \$2.9 million dollars in her budget to be used to cover this cost. Portions of Title IV-E, a section of the Social Security Act that provides federal reimbursement to states for the costs of children placed out-of-home by court order, are amended by the legislation to allow for states to collect on reasonable costs associated with the implementation of this new requirement.⁵

The federal legislation also provides that in cases in which remaining in the school of origin is not in the child's best interest, the child welfare department and the local education agencies are required to immediately and appropriately enroll the child in the new school and assure the prompt transfer of educational records.⁶

Studies show that school disruptions have a devastating effect on the educational achievement of children, and that these disruptions are especially traumatic for children in foster care. 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.⁷ Testing on seventh grade students has showed that school mobility can create large learning deficits for younger children as well. Researchers compared students who had been at the same school since first grade to students who had moved at least once and found that the non-mobile group was outscoring the mobile group by an average of one year and six months in reading.⁸

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.⁹ 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.¹⁰

The costs of frequent school transfers are most dramatic when viewed through the eyes of those who experience it. Current and former foster youth have testified before the Connecticut Legislature on multiple occasions to explain the challenges they face from educational disruptions. Indeed, youth in Connecticut's system have consistently identified school stability as one of their top priorities for policy reform.

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⁵ See Pub. L. 110-351, Oct. 7, 2008, 122 Stat. 3949, 42 U.S.C. § 1305

⁶ See Section 204, Part A, Paragraph 1 of the Fostering Connections to Success and Increasing Adoptions Act. ("[provides] an assurance that the State agency has coordinated with appropriate local educational agencies (as defined under section 9101 of the Elementary and Secondary Education Act of 1965) to ensure that the child remains in the school in which the child is enrolled at the time of placement; or if remaining in such school is not in the best interests of the child, assurances by the State agency and the local educational agencies to provide immediate and appropriate enrollment in a new school.")

⁷ See Linda Jacobson, *Moving Targets*, Education Week, April 4, 2001, Vo. 20, Issue 29, p. 2.

⁸ See Kealey, Robert J. "Student Mobility and Its Effects on Achievement." *The Phi Delta Kappan*, Vol. 63, No. 5 (Jan., 1982), pp. 358-359, (Jan., 1982). See also Linda Jacobson, *Moving Targets*, Education Week, April 4, 2001, Vo. 20, Issue 29, p. 2 which describes a study that found that by sixth grade, students who were highly mobile during elementary school had already fallen as much as a year behind their classmates.

⁹ See 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".

¹⁰ See Casey Family Programs, *A Road Map for Learning: Improving Educational Outcomes in Foster Care* (2004), p. 9.

Aisha, a youth currently involved in care, told the General Assembly's Education Committee, "In the abundance of schools I went to, there were different expectations in each, and now as a junior in high school, I am not even sure I have the right amount of credits to graduate because they didn't always transfer. The curriculum was different in each school, which caused me to repeat some of the classes I already took."¹¹

Shenice, another youth currently in the custody of the Department, shared the difficult decision that pitted her desire to live with a family member against her desire to attend school: "...Currently I'm living with my aunt. I was very happy when she asked me to come live with her, but it also meant that I would have to change schools yet again. I really loved Hamden High, where I spent my sophomore year, but I had to choose between a permanent home and a school I wanted. This was really hard, because most kids don't have to make this kind of choice."¹²

Vanessa Gonzales, a 21 year-old former foster youth and current student at St. Joseph's University in West Hartford, has been extremely active in the push for the creation of a school stability program at the Department of Children and Families (DCF). Vanessa was placed into the care of the department at four months and experienced over twenty placement changes and ten school moves during her time in the foster care system. She has said, "...the goal for most foster youth is to go on to college, and if you move you do not have a solid foundation." She has also described the obstacles to student success when a child is constantly moving through a revolving door of teachers, classrooms and peer groups. Her experiences have led her to identify educational instability as "one of the most challenging problems facing Connecticut's foster youth today."¹³

Under the new federal requirements, the failure of the state to implement educational stability by July 1, 2010 could be potentially catastrophic for the state's budget. Without state legislation in place there is the potential to jeopardize federal Title IV-E dollars, which the federal government reimburses to the state for eligible child welfare expenses. Title IV-E reimbursement in 2009 was estimated to be over \$230 million dollars.¹⁴

We ask the committee to adopt the language for this program that is included in Senate Bill 31, An Act Implementing the Budget Recommendations of the Governor Concerning the Educational Placement of Children in the Care and Custody of the Department of Children and Families. This language was crafted using the careful recommendations of a Joint Task Force on school stability, which was brought together by the State Department of Education and the Department of Children and Families, and is not substantively different from H.B. 5066. This language meets the requirements of the federal law and reflects an agreement of the state agencies as well as children's advocates. We thank you for your continued work on this important initiative for the state's most vulnerable children.

Thank you very much.

¹¹ Aisha's testimony was submitted in support of S.B. 159, An Act Concerning Foster Care and Education, that was heard during a Committee on Children's Public Hearing on 2/28/08.

¹² Cheniece's testimony was submitted in support of S.B. 159, An Act Concerning Foster Care and Education, that was heard during a Committee on Children's Public Hearing on 2/28/08.

¹³ See testimonial of Vanessa Gonzales at <http://www.ctkidslink.org/stability.html> (Vanessa estimates that she changed schools at least ten times while in the custody of the Department of Children and Families).

¹⁴ Number was obtained from Shelley Geballe, Distinguished Senior Fellow at Connecticut Voices for Children, in an email correspondence dated 2/25/09; email is on file with the author.