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Addressing the Unmet Educational Needs of Children and Youth in the Juvenile Justice and Child Welfare Systems

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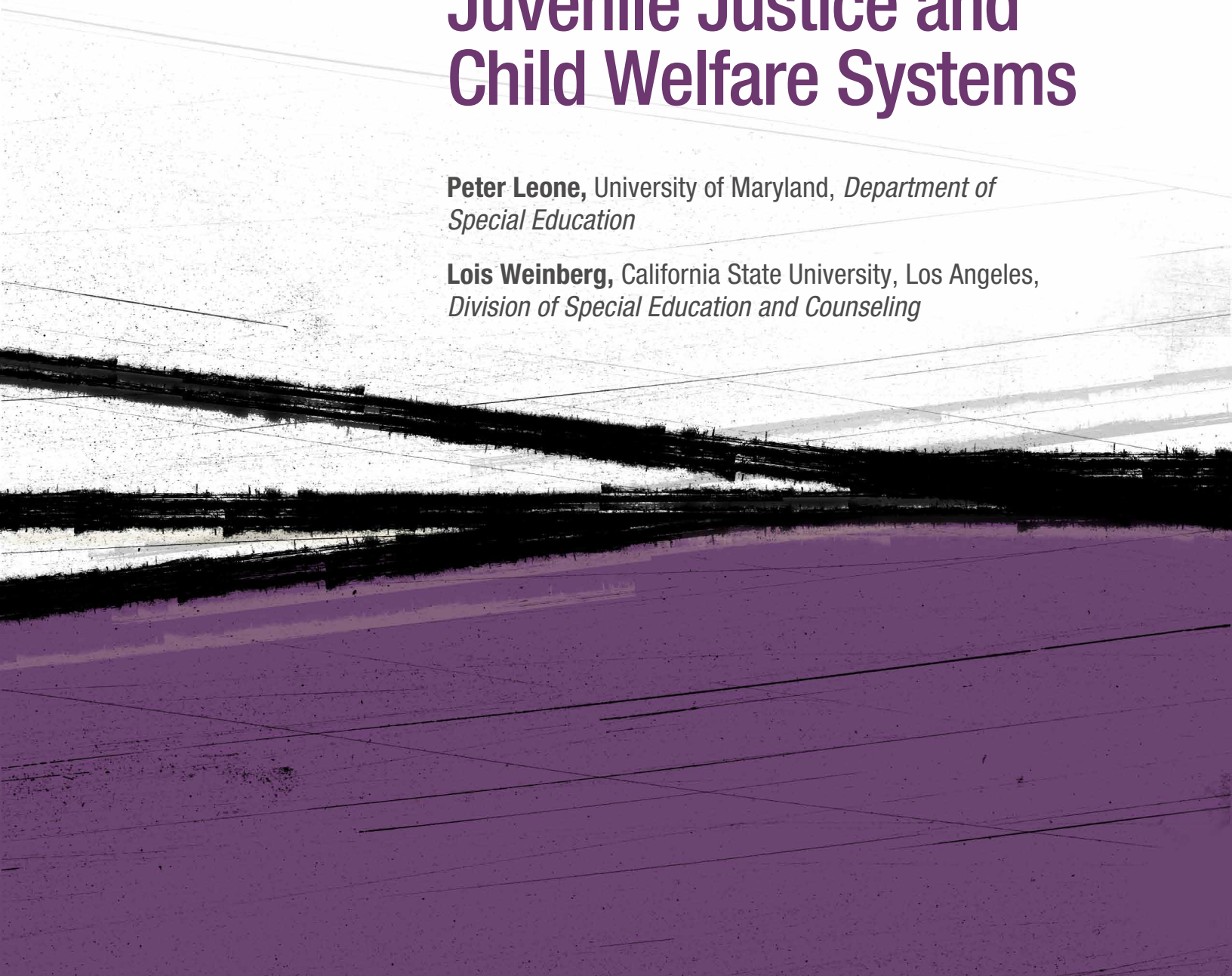

Cover Art:

Children and youth involved in the juvenile justice and child welfare systems require the same quality educational services and support as other children. However, navigating between and among different agencies and disciplines often results in fragmentation and therefore poor educational outcomes for this population. The cover art represents the individual tracks these systems often take to work with children in their care. Working together, these systems can coordinate efforts, recognize deficiencies and eliminate duplicate efforts to improve the educational outcomes of youth involved in child welfare, juvenile justice, or both.

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With a Preface by:
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American Institutes for Research
National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At Risk

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Preface

Children and youth involved in the child welfare and juvenile justice systems, like all children, deserve a quality education that allows them to develop the skills and competencies necessary for them to become productive adults. Regrettably, this is infrequently the case. Many of these children and youth leave school without a regular diploma, and still others graduate without the academic skills and social-emotional competencies that constitute twenty-first century learning skills. In commissioning this paper, the Center for Juvenile Justice Reform (CJJR) at Georgetown University's Public Policy Institute has recognized these poor outcomes and the need for greater cross-system collaboration to correct these negative outcomes.

School-related problems are similar for students in both systems, which frequently serve the same children and youth. However, even when this is not the case, these children and youth often have similar backgrounds, face similar challenges, and require similar services and supports. It makes sense, therefore, that working across systems will lead to higher levels of effectiveness and greater efficiencies in the delivery of services. The paper's authors, Dr. Peter Leone and Dr. Lois Weinberg, make this case by exploring the work that is being done in each system to better meet the educational needs of students within each system and those who are known to both—so-called "crossover youth." They further challenge the two systems to think more holistically about how to operate in a seamless manner in meeting those needs.

When we examine who these children and youth are, we find that—although they may enter each system for different reasons, either as a victim of child abuse and neglect or as an alleged delinquent—they have much in common. They are disproportionately children and youth of color who currently have, or have experienced, a host of risk factors that are associated with poor academic achievement, delinquency, recidivism, substance abuse, and mental health issues. Below are some examples of these risk factors:

- Adverse childhood experiences, whether witnessing or experiencing physical or emotional abuse (Felitti et al., 1998) and/or losing a parent to drugs, jail, or death (Fergusson and Horwood, 1998; Widom and Wilson, 2009; Zabel and Nigro, 1999)
- Poverty
- Emotional and behavioral disorders, including depression, anxiety disorder, disruptive behavioral disorders, and post-traumatic stress disorder
- Learning disabilities (Zabel and Nigro, 1999)
- Substance abuse
- Institutionally driven mobility (Osher, Morrison, and Bailey, 2003)
- Poor mental and physical health care
- Exposure to antisocial peers (Maschi, Bradley, and Morgen, 2008; Dishion, McCord, and Poulin, 1999)
- Poor family-school relationships (Osher and Osher, 1996)

These risk factors intersect and exacerbate one another, resulting in worsening outcomes for children and youth as their needs continually go unaddressed, particularly because they may float from system to system or be dually involved in the child welfare and juvenile justice systems. In addition to these challenges, these children and youth are often exposed to poor experiences in school settings, which include issues with enrollment, the transfer of academic records, retention, inappropriate class placements, restrictive special education placements, suspension, mobility, and a lack of coordination among juvenile justice and child welfare agencies and schools. As noted by Leone and Weinberg, these factors contribute, directly and indirectly, to involvement in the juvenile

justice system and limited educational attainment (Osher, Woodruff, and Sims, 2002; Scherr, 2007; Osher, Morrison, and Bailey, 2003).

Such school experiences are particularly unfortunate because these children and youth need settings that develop and/or support their resiliency (Hart et al., 2007; Kendziora and Osher, 2004). At their worst, schools and classrooms contribute to negative outcomes, which children and youth in the child welfare and juvenile justice systems are already at risk of experiencing. For example, poorly managed schools are risk-prone contexts where children and youth with behavioral problems experience punitive reactions from teachers and peers, where antisocial behavior is reinforced by inappropriate school responses, and where students at risk for behavioral problems can get caught up in a self-sustaining cycle of classroom disruption and negative consequences (Dumas et al., 1999; Reid and Eddy, 1997). This cycle includes academic failure, because teachers ignore or are unable to address the academic needs of students with behavioral problems, and school disorder, because students react to poor conditions for learning with higher levels of negative risk-taking behavior and disengagement from school (Osher, Dwyer, and Jimerson, 2006). This feeling can be heightened in correctional education settings, where students may encounter poor relationships among racial and ethnic groups within the facility, reactive and punitive approaches on the part of institutional staff (e.g., the use of physical restraints), a lack of positive behavioral supports, and poorly treated mental health disorders (Osher, Sidana, and Kelly, 2008).

True Collaboration as a Solution

The incapacity of systems to address the educational barriers that these children and youth face reflects the fact that each system may be overwhelmed by the unmet needs of the students (Sebring et al., 2006; Kendziora and Osher, 2009). Further, agencies working with crossover youth often find that their needs challenge the structures, policies, and capacities that currently exist in each individual system. As such, even though these children and youth require more coordination than others (Osher and Osher, 1996), the mobility of students encourages finger pointing and discourages implementing relevant programming across multiple settings (Spain and Waugh, 2005). However, it is vital that all systems (child welfare, juvenile justice, education, and mental health) work together to ensure that the needs of these children and youth are comprehensively addressed. Not doing so is costly for children and youth, families, and the communities in which they reside.

A lack of integrated services can create a number of negative outcomes, even though such outcomes may be unintended. For example, students involved in the child welfare and juvenile justice systems often are "hidden" from the public educational systems because they may not be enrolled in local district schools. As a result, the responsibility for these students' education becomes diffused or ignored and the students' academic outcomes are no longer a priority. Further, agencies often inefficiently duplicate or fragment services (Knitzer, Steinberg, and Fleisch, 1990; McInerney, Kane, and Pelavin, 1992; U.S. Department of Education, 1994; Gardner, 1990). Duplication occurs when different agencies intentionally guard turf (Swan and Morgan, 1992) or unintentionally provide similar services. This waste of resources increases the burden to the child and family (e.g., undergoing duplicate academic assessments) and may undercut the potency of particular interventions (e.g., when different approaches to counseling cancel each other out). Fragmentation occurs when children and youth require services and supports across multiple domains or, as they develop, across multiple points of time. Because the services provided by different agencies are specialized and delimited, students and their families may fall between the cracks of mandates, protocols, and catchment areas. Fragmentation challenges families who must navigate between and among different agencies and disciplines, each of which has its own language, definitions, and procedures.

As the authors of the following paper explore, to prevent duplication, fragmentation, and the diffusion of responsibility, some jurisdictions around the country have used cross-systems work groups to bring child welfare, juvenile justice, and education agencies together to facilitate coordination. Also, education liaisons have been created to act as a facilitator among systems to advocate

for the educational needs of the children and youth and to ensure monitoring of their educational progress. The paper discusses these initiatives, among others, and gives the reader a clear sense of what needs to be done to address the challenges that these students face. Of particular importance are the six principles the authors identify that should drive education reform for these children and youth:

- Early education is essential.
- Quality education services are critical for successful development of all youth.
- If outcomes matter, they must be measured.
- Support services are needed to help some youth succeed.
- Interagency collaboration and communication is vital.
- Change requires within-agency and cross-agency leadership.

Drs. Leone and Weinberg expand on these principles by detailing what a system that abides by them would look like. As noted by Parrish et al. (2003), the responsibility for educating these children and youth and being accountable for their outcomes needs to be obvious to all staff and families assisting a student—there should be no hesitation when the question of "Who is responsible?" is asked, just as there would be no hesitation for a nonsystem-involved student. Everyone responsible for the well-being of a child is inherently responsible for his or her academic achievement. If a student is not progressing academically, the systems with which the student is involved should have access to data to recognize the problem and have support services available to remedy the situation. Again, for this to occur, the systems serving the child must collaborate.

We suggest that this paper be viewed through this collaborative lens. Indeed, as agencies contemplate true collaboration, they must determine which stage of collaboration (Frey et al., 2006; Hogue, 1993) they are currently operating under and their readiness for such partnerships. An agency's ability to enter into a productive partnership will vary and be dependent on the political will operating within the agency and the willingness of leadership and staff to change practices. If they are ready, their efforts must be strategic and thoughtful—collaboration for the sake of collaboration is useless. Efforts must focus on the things we know are effective for improving education and outcomes for children and youth. Those involved in the collaborative process need to know what true collaboration should look like and be able to recognize pieces of collaboration that may be already working and can be expanded.

If potential partners are operating in silos and the agency leadership and staff have inconsequential knowledge of one another's organization, we can say that the agencies are operating at the **co-existing** stage of collaboration. If the union of the agencies has progressed to the **communication** stage, staff and leadership across the agencies will have an understanding of one another's mission even though no formal partnering is occurring. For example, a student's case plans will not be integrated or logically supportive of the needs of the child and family. Communication between agency staff may exist, although it is typically promoted by action of the courts and may not be voluntary in nature and design. Further, the number of children and youth in "placement" often increases when agencies are operating at the co-existing and communication stages because of the lack of information sharing and integration of services.

Agencies that have moved beyond the communication stage of collaboration are usually operating at the **cooperation** and **coordination** stages. At these stages, agencies are often partnering more substantially, and the dialogue has moved beyond exchanging mission statements and a student's service plans. Much of the conversation pertaining to collaboration is likely occurring at the policymaker or agency-head level, and policies may begin to reflect practices that allow a quick and easy exchange of records. As the agencies move into the coordination stage, agency staff should begin promoting, hosting, and attending cross-agency training and staff development activities; shared decision-making should be occurring on the best way to meet the needs of young people; communication among policymakers should be routine; and case managers, front-line staff, and agencies should be addressing the needs of most children and youth in the community with complementary universal interventions and strategies.

Once agencies merge their efforts and thinking and then empower their staff to collaborate, they have reached the stages of **coalition** and true **collaboration**. A common goal underlies the supports, services, and interventions that are provided to children, youth, and families. Agencies may have adopted common policies that support the funding of evidence-based programs. Agencies may be developing budgets jointly and have assembled their budgets into a larger integrated children's budget for the state or community that promotes a common goal and vision. Blended or braided funding is a common practice when agencies have formed such a collaborative union. As the agencies reach full collaboration, a heightened level of trust is established between and among them, and the partnerships are ultimately sustained. Efforts are purposefully made to connect children and youth with the larger community. The end result is that the community becomes known as a community that takes care of its young people and families.

The Center for Juvenile Justice Reform commissioned this paper with the goal of fostering more collaboration among child-serving agencies in order to improve educational outcomes. Like CJJR, we at the American Institutes for Research and the National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At Risk (NDTAC) believe strongly in the need to support the academic achievement of at-risk youth. Anything less is unacceptable. To do so, changes must be made and the focus must be on evidence-based practices, including the supports and accountability—both in and outside the classroom—that we know are needed to help students succeed in school. This paper serves as an integral resource for agency leaders and policymakers for understanding these issues and identifying those effective practices and supports. It is impossible to claim that the information to begin the process of moving toward true collaboration is unavailable.

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I. Introduction

A good education is the foundation for successful life experiences. Children who receive quality education services, meet age-appropriate education milestones, and earn high school and post-secondary school diplomas have significantly brighter outcomes as adults. On measures of health, income, and employment, adults who have completed more years of formal schooling consistently perform better than those with fewer years of schooling (Bureau of Labor Statistics, 2009; Crissey, 2009; National Poverty Center, 2007). There is broad agreement that, in addition to providing an avenue for employment, education opens doors and provides opportunities to enrich our lives.

One measure of the importance of public education is its prominence in the language of state laws and regulations. All states have provisions in their constitutions or state codes requiring that they provide a system of education (Education Commission of the States, 2000, 2002). Education is a central function of the states; significant federal involvement has only occurred in the past 50 years. In response to unmet needs, federal legislation has targeted the education of special populations such as homeless youth, children with disabilities, and disadvantaged youth in recent years. The obligation of states to comply with statutes such as the Individuals with Disabilities Education Act (IDEA) (2004), the McKinney-Vento Homeless Assistance Act (2002), and the No Child Left Behind Act (NCLB) (2001) is dependent upon states' receipt of federal monies authorized under these acts.[1]

Education and Well-Being Among Adults

Academically competent children become successful adults. Evidence shows that there is a strong relationship between educational attainment and adult outcomes. For example, on measures of health, differences in well-being between those with and without a college education have increased over time (National Poverty Center, 2007). Individuals with higher levels of education have lower rates of chronic illness, such as heart disease and diabetes, and greater life expectancy (National Poverty Center, 2007). Researchers have found these differences independent of demographic and labor market factors.

With regard to annual income, big differences separate those with varying levels of education. Data from the 2007 and 2008 U.S. Census Bureau surveys show that the median income for individuals without a high school diploma was $19,000 per year while the median income for those with a high school diploma was $27,000 per year. For adults with a bachelor's degree, the median income was $47,000 per year (Crissey, 2009). Similarly, the rate of unemployment was highest for those without a high school diploma and lowest for those with advanced graduate degrees. In 2007, individuals with less than a high school diploma had an unemployment rate of 7.1 percent. In contrast, high school graduates averaged a 4.4 percent unemployment rate, and those completing a bachelor's degree had a 2.2 percent unemployment rate (Bureau of Labor Statistics, 2009).

Two groups of children who frequently have complex educational needs are less likely to receive adequate education services than their peers. Youth in foster care and those involved with the juvenile delinquency system[2] too often do not receive the education services to which they are entitled. As a consequence, they are less likely to achieve education milestones, earn diplomas, and experience the health and well-being associated with higher income and stable employment as adults. With quality services and support, children in foster care and

1 Even if states refuse funds under the IDEA, they still have to provide a free, appropriate education in the least restrictive environment to children with qualifying disabilities under the Rehabilitation Act of 1973.

2 In this monograph we use the terms "juvenile justice system" and "juvenile delinquency system" interchangeably.

those involved with the delinquency system should be able to develop age-appropriate academic and social skills and make successful transitions from elementary to middle school and middle school to high school. All of these children and adolescents are capable of graduating from high school and enrolling in post-secondary education or specialized training or entering the workforce.

The negative educational experiences of many youth involved in the child welfare and delinquency systems are directly related to our inability to respond to youth with unique or atypical needs rather than to deficits within youth.

Children in the Foster Care System

Over the course of a year, almost 800,000 abused or neglected children in the United States are in the foster care system (Adoption and Foster Care Analysis and Reporting System [AFCARS], 2008). These are children who have been removed from the custody of their parents for abuse or neglect and placed, by a court, in out-of-home care—typically in a foster home, a small group home, or a large residential treatment facility. The abuse or neglect to which these children and youth have been subjected consists of physical or mental harm, sexual abuse or exploitation, negligent treatment, or an act or failure to act that results in imminent risk, serious harm, or death by a parent or caretaker (Child Abuse Prevention and Treatment Act, 2003).

Differential rates of placement in foster care by race and ethnicity have long been a major concern. Nationally, 40 percent of children in foster care are White, 32 percent are Black, 19 percent are Hispanic, 2 percent are American Indian or Alaskan Native, and 1 percent are Asian (AFCARS, 2006). These percentages are somewhat misleading, however. Because White children comprise 57 percent of the child population in the United States and Hispanic and Black children only comprise 21 percent and 15 percent, respectively (Kaiser Family Foundation, 2007), the disproportionate representation of certain groups of children by race and ethnicity can be better understood by specifying how many children per 1,000 from each group are in the foster care system. These statistics show that 19.5 Black children per 1,000 are in foster care compared to 16.5 American Indian and Alaskan Native children, 16.1 Pacific Islander children, 10.8 White children, and 10.7 Hispanic children (National Indian Child Welfare Association, 2007).

Children in the Juvenile Delinquency System

An estimated 1.6 million youth are referred to juvenile court each year. Approximately 24 percent are charged with offenses against persons, 39 percent are charged with property offenses, 12 percent involve drug law violations, and 25 percent involve public order offenses (Snyder and Sickmund, 2006). Other youth are charged with status offenses such as truancy, underage drinking, and running away from home, but not all of these cases are handled in the delinquency system. Approximately 62 percent of all children and adolescents adjudicated delinquent are placed on probation, while another 23 percent are ordered to residential placement (Snyder and Sickmund, 2006).

The youth in residential placement or custody include those detained pending a hearing in court, those committed to a youth agency following an adjudicatory hearing, and those placed in group homes and specialized treatment facilities by the courts. The most recent census of youth in residential custody for delinquency showed that 94,875 children under age 21 were held in 3,257 publically and privately operated facilities throughout the United States (Livsey, Sickmund, and Sladky, 2009). These youth are held in detention centers, group homes, camps, ranches, and state training schools.

Considerable variability by race and gender exists in both pre-adjudication detention and post-adjudication residential placement. Data suggest that girls are less likely to be detained and committed than boys for most categories of delinquent offenses; African American youth are more likely to be detained and committed than Whites and other racial groups. Although African American youth represent approximately 16 percent of all children in the United States, in 2003 they represented 38 percent of all youth in custody (Snyder and Sickmund, 2006).

Crossover Youth

In this monograph, we use the term "crossover youth" to refer to children and youth who have been abused or neglected and have also committed an offense that brings them into the delinquency system (Herz and Ryan, 2008). These youth are also referred to as dually involved or dual-jurisdiction youth in other parts of the country (Ryan, 2008). Herz and Ryan describe three ways that these youth come to have this status: (1) most frequently they enter the foster care system because of substantiated abuse or neglect and then, while in foster care, commit an offense that brings them into the delinquency system; (2) they enter the delinquency system with a prior contact with the child welfare system because of abuse or neglect, but may not be in foster care at the time of their arrest; and (3) they enter the delinquency system with no prior contact with child welfare but, because of information revealed by the youth, the probation department refers them to child welfare for investigation of abuse or neglect.

Although little has been known about this population, the body of knowledge about the experiences of these youth is growing. The prevalence of crossing over is difficult to estimate because information about these youth is often kept in the separate databases of the child welfare and probation agencies. However, based on research on the relationship between child maltreatment and delinquency, 9 percent to 29 percent of dependent children engage in delinquent behavior (Herz et al., 2009). In their study in Los Angeles County, Herz and Ryan (2008) found that African American youth were overrepresented in this population and that a higher proportion of crossover youth were girls compared to the general delinquency population. Researchers have found that crossover youth enter the delinquency system earlier and penetrate more deeply than other delinquent youth (Herz, 2010).

Obligation to These Youth

Youth in the juvenile delinquency and foster care systems, perhaps more so than other youth, need high-quality education services and supports in order to make successful transitions from adolescence to adulthood. Our obligation to them is great since a court has removed them from their parents' care to keep them safe and provide for their overall well-being, which includes ensuring that they succeed educationally. Public attitudes toward youth in the delinquency system strongly favor rehabilitation and treatment of delinquent youth because such treatment is perceived to save tax dollars and prevent future crime (Krisberg and Marchionna, 2007). In recent years, a significant increase in understanding has occurred within child welfare and among some local and state education agencies that it is not sufficient to focus only on safety for children in the foster care system, but that well-being must include education (Weinberg, 2007). However, education—a critical aspect of rehabilitation services and overall well-being—is woefully inadequate in many states for children and youth in both populations. During the past 30 years, advocates and the U.S. Department of Justice have brought class-action cases and have filed complaints about the adequacy of education services and supports for incarcerated youth (Leone and Meisel, 1997; National Center on Education, Disability, and Juvenile Justice, 2009). In addition, amendments to federal laws (e.g., IDEA; McKinney-Vento) and passage of state laws (e.g., California's AB 490) recognize the importance of education for children in foster care.

This monograph examines a number of topics relevant to the education and experiences of youth in the child welfare and juvenile delinquency systems. Our intent is to review issues concerning and provide information about youth whose needs have been inadequately addressed or ignored by agencies entrusted to serve them. This does not suggest that youth do not need to become more academically or socially proficient. Rather, we believe that the onus for ensuring that all youth become capable and competent within education and social services systems and become successful young adults rests with the agencies and professionals who serve vulnerable youth.

This monograph is primarily designed as a source of information for policymakers and practitioners concerned about the abysmal state of education services for two groups of vulnerable youth, some of whom begin contact in one social service system—child welfare—and subsequently come into contact with another youth agency—the juvenile justice system. In the sections that follow, we discuss the characteristics of these youth, barriers to providing effective services, as well as legislation and evidence-based strategies intended to

improve their educational outcomes. We also examine challenges faced by crossover youth and the policies and practices of several jurisdictions that have attempted to meet the unique needs of and circumstances faced by these youth. We conclude with a discussion of principles and the design of systems to serve these youth and ensure they experience more positive outcomes in school and ultimately, in the community as young adults.

II. Educational and Other Outcomes of Youth in Both Systems

Youth in foster care and youth in the delinquency system typically experience academic and behavioral problems in school, receive special education services at a higher rate, and are more likely to drop out of school than other students. The similarities in school experiences of these two groups are great. Some research indicates that a high percentage of children in the delinquency system have also spent time in foster care. In general, we have a better sense of the early developmental trajectory of young children in foster care because a high percentage of children in foster care are under the age of five. In contrast, it is extremely rare for children to have contact with the juvenile delinquency system before age 10. However, evidence suggests that children in foster care who experience school failure, poverty, and neglect (U.S. Department of Health and Human Services, 2001) as well as African American youth in foster care (Ryan, Testa, and Zhai, 2008) are at great risk for antisocial behavior and involvement in the delinquency system.

Young Children

Approximately 30 percent of almost 800,000 children in foster care are five or under (Adoption and Foster Care Analysis and Reporting System, 2007). Researchers have studied these young foster children so that we have a fairly good understanding of their early health and developmental patterns. We know that approximately 40 percent of young foster children are born low birth weight and/or premature, have serious medical problems, including prenatal drug exposure, and have been found to have clinically significant scores of internalizing behaviors (Halfon, Mendonca, and Berkowitz, 1995; Silver et al., 1999; Berrick, Courtney, and Barth, 1993). Close to half of young children in foster care have or are at risk for developmental delays, which is four to five times the rate found among children in the general population (Rosenberg, Smith, and Levinson, 2007; Silver et al., 1999; Klee, Kronstadt, and Zlotnick, 1997; Urquiza et al., 1994). In a study with a national sample of 1,138 children younger than three years with substantiated cases of abuse or neglect, 46.5 percent were classified as having developmental delays on the basis of assessments (Rosenberg, Smith, and Levinson, 2007). Children who have been maltreated exhibit significant speech and language delays in syntax and receptive vocabulary when compared to nonmaltreated children with similar backgrounds (Eigsti and Cicchetti, 2004). Young children in foster care, compared to children not in foster care, exhibit irregular production of cortisol (a naturally occurring hormone produced by the adrenal glands), which is indicative of a dysregulation of responses and emotions.[3] Longitudinal research has associated this early and lifelong dysregulation with several disorders, including conduct disorder, antisocial personality disorder, substance abuse, and depression (Dozier et al., 2006). Urquiza and colleagues (1994) found that 39 percent of foster children under age four displayed clinically significant behavioral scores on the internalizing domain (e.g., depression, social withdrawal) of the Child Behavior Checklist (CBCL). In a more recent study using a nationally representative sample of children who were being investigated by child welfare agencies after having been reported for maltreatment, Burns and colleagues (2004) found that 32 percent of preschool-age children in foster care had scores in the clinical range on the CBCL.

Maltreated children younger than three who have medical or developmental problems experience more removals from parental care, have longer stays in foster care, are placed in more settings, and are less likely to be reunited with their parents than foster children unaffected by these conditions (Rosenberg and Robinson, 2004). Maltreatment at an early age is related to poor developmental outcomes in many areas—including physical, cognitive,

3 Dysregulation of responses and emotions refers to behavior outside of typical behavioral responses, such as outbursts or aggression.

socioemotional, relational, and psychological—that affect school readiness and later school functioning. These outcomes are similar to those of children living in poverty; however, the rates of these problems among maltreated children are higher (Wiggins, Fenichel, and Mann, 2007). Although early education is essential for this population, many child protective services agencies do not require caregivers to send young foster children to preschool (Zetlin, Weinberg, and Shea, 2006). Data indicate that only 6 percent of foster children under age six attend Head Start (Vandivere, Chalk, and Moore, 2003).

Given that the physical and mental health of young children in foster care is poor and that a high percentage are at risk for developmental disabilities, it is not surprising that a growing body of research documents that foster children are an extremely vulnerable and academically at-risk population and that a high percentage experience poor educational outcomes. These poor educational outcomes arise from a variety of factors, including the children's histories of abuse and neglect and the residential instability that frequently occurs once they enter foster care.

School-Age Children

Just as young children in foster care are at risk academically, school-age children in foster care and in the delinquency system experience considerably lower rates of academic achievement than their peers.

Children in Foster Care

Studies show that children who have been abused or neglected and children who are placed in foster care generally have lower scores on standardized tests, poorer school grades, and more behavior problems and suspensions from school than comparison groups (Aldgate et al., 1992; Courtney, Terao, and Bost, 2004; Crozier and Barth, 2005; Kendall-Tackett and Eckenrode, 1996; Kurtz et al., 1993; Smithgall et al., 2004). A significant relationship exists between instances of maltreatment and a wide range of school outcomes, including poor grades, high rates of absenteeism, misbehavior (particularly in elementary school), retention in grade, and involvement in special education programs (Leiter and Johnsen, 1997). Burns et al. (2004) found that almost 66 percent of adolescents being investigated for maltreatment had behavioral problems within the clinical range on the CBCL. Zima and her colleagues (2000) found that 69 percent of a randomly selected sample of children aged 6 through 12 living in out-of-home placements screened positive for a behavior problem, academic skill delay, or school failure.

> *If the systems responsible for the well-being of foster children—child welfare, education, and the courts—do not place a strong emphasis on the education of foster children and work together to promote success in school, education will fall through the cracks.*
> Foster Children & Education,
> Vera Institute of Justice, 2004

Children in the Delinquency System

The link between academic achievement and delinquency is evident in early school experiences. Zingraff et al. (1994) reviewed studies linking a child's problems in school and his or her subsequent encounter with the delinquency system. In a longitudinal study examining youngsters who did and did not develop a delinquency orientation before second grade, over 25 percent of the delinquent group had failed to acquire basic skills in reading, spelling, and writing relative to the nondelinquent group. By second grade, 45 percent of children who subsequently became delinquents were delayed in reading and 36 percent were delayed in writing. By junior high school, 50 percent of the children who became delinquent were delayed in all academic areas, relative to about 18 percent in the nondelinquent group. Further, youngsters in the delinquent group were more frequently retained in grade at the end of the year (Meltzer et al., 1984).

Academic achievement levels of adolescent-aged delinquents rarely exceed elementary grade levels. A cross-sectional study of 2,000 urban delinquents who were, on average, 14 years old and in the eighth grade, found severe academic deficits. Academic achievement scores in reading, vocabulary, and math ranged from the mid-third grade level to the early fourth grade level (Zagar et al., 1989). In another study, members of remedial

math and reading groups, compared to a control group who were not behind in math or reading, were twice as likely to be recidivists or parole violators (Archwamety and Katsiyannis, 2000). Such findings underscore the importance of academic achievement as a significant factor associated not only with delinquency but with recidivism (Tremblay et al., 1992).

In another study documenting the academic performance of incarcerated youth, Krezmien, Mulcahy, and Leone (2008) assessed 555 males at intake to a juvenile correctional facility in a mid-Atlantic state. They found that their sample scored on average about four years below their age-equivalent peers on standardized tests in reading and math. More than 80 percent of the students had been suspended from school, more than 60 percent had been retained in grade, and more than 50 percent had been expelled from school prior to their incarceration. In a comparable investigation in the same state, Wilson, Zablocki, and Bartolotta (2007) assessed and interviewed 273 incarcerated girls. They found reading and math scores substantially below expected age-level performance for youth. Like their male counterparts, more than 80 percent of the girls had been suspended from school, 55 percent had been retained in grade, and 46 percent had been expelled from school prior to their incarceration.

Several researchers have examined the mental health of youth in detention centers and have documented high levels of emotional and behavioral distress, which are often associated with special education eligibility determinations. Using the Diagnostic Interview Schedule for Children (DISC) with a sample of more than 1,800 youth aged 10 to 18 in juvenile detention in Cook County, Illinois, Teplin and her colleagues (2002) found that approximately two-thirds of the boys and three-quarters of the girls met diagnostic criteria for one or more psychiatric disorders. Similarly, Cauffman (2004) used the Massachusetts Youth Screening Instrument (MAYSI–2) in 15 detention centers throughout Pennsylvania. She found high rates of mental health problems among the more than 18,000 youth assessed. Atkins and her colleagues (1999) found comparable levels of psychopathology (as measured by the DISC) among youth detained in South Carolina and youth receiving community-based mental health services. Wasserman et al. (2002) used the Voice DISC and found high levels of disruptive disorders, anxiety disorders, and mood disorders in a sample of 292 males in secure placements in Illinois and New Jersey. Although Teplin et al. (2002), Cauffman (2004), and Wasserman et al. (2002) did not examine the academic performance of the youth in juvenile corrections they screened for mental health problems, and researchers have found considerable overlap among serious mental health problems, school failure, and special education eligibility (Flaherty, Weist, and Warner, 1996; Forness and Cantwell, 1982).

Children in Special Education

Children in Foster Care

Thirty percent of children ages 6 through 11 in the child welfare system showed a need for special education services based on low scores from cognitive and/or behavioral assessment (Webb et al., 2007). Studies confirm that children in foster care receive special education services at a much higher rate than students in the general student population—between 25 and 52 percent of the populations studied (Berrick, Barth, and Needell, 1994; Goerge et al., 1992; Parrish et al., 2001; Education Coordinating Council, 2006; Sawyer and Dubowitz, 1994; Zima et al., 2000) compared to 11.5 percent of the student population as a whole (Office of Special Education Programs, 2006).

The probability of attending a special education nonpublic school—one of the most restrictive special education placements—is much higher for foster youth in California who reside in group homes than for those who live in other settings, such as in foster homes or with relatives. This relationship held true even when considering those within the same disability category (Parish et al., 2001).

Children in the Delinquency System

A number of studies have documented the high rate of special education identification among incarcerated youth; a disproportionate number are identified as having emotional or behavioral disorders and learning disabilities (Bullock and McArthur, 1994; Linares-Orama, 2005; Quinn et al., 2005; Rutherford and Nelson, 2005; Rutherford, Nelson, and Wolford, 1985).

Children in both the child welfare and delinquency systems are identified as eligible for special education services at three to seven times the rate at which other children are identified for special education services.

Several studies have examined the prevalence of youth with disabilities in the delinquency system. Researchers and practitioners agree that there are disproportionately more students with learning disabilities and emotional or behavioral disorders in the adjudicated youth population than in the average school-age population (Murphy, 1986; Rutherford et al., 1985; Casey and Keilitz, 1990). In a national survey of education services in juvenile corrections, Quinn and her colleagues (2005) found on average 33 percent of youth in education programs were receiving special education services. They found that rates of identification and service delivery varied widely by state. One jurisdiction reported that it provided 78 percent and another just 9 percent of students with special education services. Nationally, of those students receiving special education services, 48 percent were identified as having an emotional disturbance and 39 percent a specific learning disability.

Children Who Drop Out of School

Children in Foster Care

Studies have found that between one-third and two-thirds of current or former foster youth drop out before completing high school, or by age 19, have received neither a high school diploma nor a GED compared to 10 percent of their same-age peers (Blome, 1997; Courtney and Dworsky, 2005; Joiner, 2001). In Blome's study, five years after dropping out from high school, 23 percent of the former foster youth had not received a diploma or certificate compared with only 7 percent of the nonfoster youth dropouts. Thirty-two percent of the comparison group and only 15 percent of the foster group were enrolled in the college preparatory classes that might equip the student for advanced education and promote the importance of a two-year or four-year college degree. This was so even though the high school grades of the foster youth and comparison group were not markedly different (foster youth reported receiving mostly "C" grades in high school; the comparison group reported "mostly Bs and Cs."), and the groups were matched according to their scores on standardized verbal and math inventories.

In a study of former foster youth in Illinois, Iowa, and Wisconsin who had aged out of the foster care system, nearly one-quarter of the young adults still had not obtained a high school diploma or a GED by age 21 (Courtney et al., 2007). These young adults were more than twice as likely not to have a high school diploma or GED as their peers. Thirty percent of the young adults in this study had completed some college compared with 53 percent of 21-year-olds nationally. However, educational outcomes of those who remained in foster care past age 18 were much better than those who had left care. Almost 14 percent of those who left care experienced homelessness (Courtney and Dworsky, 2006).

Children in the Delinquency System

Similar to children in foster care, children and youth receiving special education services have disproportionate rates of school dropout and involvement with the delinquency system. Wagner's (1991) analyses of data from the 1991 National Longitudinal Transition Study of Special Education Students identified a dropout rate of over 50 percent for youth with disabilities. Among the findings was that almost 20 percent of the youth with emotional and behavioral disorders were arrested while in secondary school, 35 percent were arrested at least once within two years of leaving school, and 73 percent were arrested within five years. Furthermore, almost 31 percent of the youth identified as learning disabled were arrested within three to five years of leaving school. There were not enough studies on emotionally disturbed offenders to include them. Approximately 13 percent of juvenile offenders had developmental disabilities and 36 percent had learning disabilities. Similar results were found in Burrell and Warboys' (2000) more recent analysis of U.S. Department of Education statistics from 1998. Youth with learning disabilities or an emotional disturbance were arrested at higher rates than their nondisabled peers. In a study of the education experiences of detained and committed youth, Krezmien and his colleagues (2008) and Wilson and his colleagues (2007) found higher than average rates of dropping out of school among incarcerated boys and girls.

Race, Ethnicity, Poverty, and School Quality

While children in the foster care and delinquency systems have higher rates of special education identification and dropping out of school than other youth, other groups of children are also vulnerable to child welfare and delinquency system involvement. Children in poverty and African American and Native American children are overrepresented in both the foster care population (Smith and Devore, 2004; Barth, Wildfire, and Green, 2006) and the juvenile delinquency system. These children not only enter foster care in greater numbers, but they remain in the system longer than other groups of children (U.S. Government Accountability Office, 2007). In recent years, the child welfare community has encouraged that out-of-home placements of foster children be made in their home communities (Berrick, 2006). In fact, the Adoption Assistance and Child Welfare Act of 1980 specifically states that child welfare agencies are to find placement for foster children "in close proximity to the parents' home, consistent with the best interest and special needs of the child." The Fostering Connections to Success and Increasing Adoptions Act of 2008 also emphasizes this idea by requiring that the appropriateness of the school placement where the child was enrolled at the time of entry into foster care be taken into account as well as the proximity of the foster care placement to this school. The motivation for this policy is to keep foster children in familiar surroundings so they do not lose ties with relatives, friends, and important community and cultural connections. However, evidence suggests that children in foster care come from some of the poorest, most distressed communities in the United States (Ernst, 2000; Freisthler, 2004). Schools in these communities tend to have inadequate resources, poorly skilled teachers, weak leadership, inconsistent instruction, and a student body with learning problems left unattended (Murnane, 2007). The question remains whether placing children in foster care in their community of origin supports or undermines efforts to improve their educational outcomes. Although it is not the intention of this paper to deal with this particular issue, research on this topic is sorely needed to help us understand when it is important to keep a child or youth in foster care in the school of origin or when it might be more beneficial educationally to make a change to a higher achieving or safer school.

As noted earlier, children in the delinquency system, with few exceptions, have consistently experienced school failure, behavioral problems, and the need for special education services. These children also disproportionately come from impoverished families and communities, are members of ethnic and racial minority groups, and attend low performing schools. Although the relationships among race, ethnicity, poverty, and attendance at low performing schools are complex, evidence suggests that children in foster care and those in the delinquency system experience negative outcomes relative to their age-mates. These negative education experiences and outcomes make these children more vulnerable to negative adult outcomes such as poor health, unemployment, poverty, homelessness, and involvement in the criminal justice system (Bureau of Labor Statistics, 2009; Crissey, 2009; Leone et al., 2003; National Poverty Center, 2007).

For youth known to both systems, the intersection of race, poverty, and inadequate education, among other factors, is likely to adversely affect their educational outcomes, resulting in truancy, poor academic performance, and behavioral problems (Herz, 2010). Relative to the separate child welfare and juvenile justice populations, a much higher percentage of crossover youth are African American (Herz and Ryan, 2008). Furthermore, crossover youth tend to come from families in which there is a history of criminal behavior, mental health issues, and/or substance abuse problems. They also enter the foster care system early and experience numerous foster care placements, including placement in group homes and residential treatment facilities, which frequently are located in low-income communities (Herz, 2010).

III. Barriers to Improving Education Performance

Section II discussed the characteristics of children and youth that place them at greater risk for school problems, including inadequate levels of achievement, as well as factors associated with delinquency. We turn now to a discussion of some system and youth characteristics that create barriers to improved education performance. Child welfare and juvenile justice agencies are not designed to provide or monitor education services or to manage and document children's academic performance. Yet these agencies may act *in loco parentis* for the children entrusted to them, and this often involves managing children's access to schooling. For child welfare agencies, this responsibility involves coordinating access to education services; juvenile justice agencies often have responsibility for providing direct services or contracting with other agencies or providers for services. Just as child welfare and juvenile corrections agencies do not have education as a primary mission, most schools and school systems are not designed to serve children who are highly mobile and who enter and exit education programs mid-semester and mid-year. The lack of fit between agencies' primary purposes and the education needs of the children in their care places those children at a significant disadvantage. Children enmeshed in the child welfare and juvenile delinquency systems often receive inadequate schooling that is compounded in part by institutional or organizational barriers. Although children involved in both systems face great challenges, they remain quite capable of becoming academically and socially competent.

Mobility in the Foster Care and Delinquency Systems

The length of time spent in foster care and the age at which children enter care are related to placement instability (Proch and Taber, 1985). A report by the Edmund S. Muskie School of Public Service and the National Resource Center for Youth Services (1998) found that youth in foster care for two years or less experienced two to three different foster care placements, while those in foster care for 11 years or more experienced an average of eight foster care placements. Three years in care was identified as the critical point at which the likelihood for multiple foster care placements occurs (Pardeck, 1984). Webster, Barth, and Needell (2000) found the likelihood of multiple placement moves increased over time for children who entered foster care between birth and age six. After eight years in foster care, almost 30 percent of children who were placed with relatives (i.e., kinship care) and more than 50 percent of children who were not placed with relatives but in other foster care settings had experienced three or more placements.

Children who enter care at older ages are more likely to experience multiple foster placement moves (Pardeck, 1984). McMillen and Tucker (1999) reviewed case records and found that 64 percent of youth who entered foster care after age 10 had three or more placements. Webster, Barth, and Needell (2000) also found that children who entered foster care between the ages of 11 and 15 were most likely to have experienced three or more foster placement moves.

A number of studies have documented the effect of residential or school mobility on the academic performance of children in foster care. Eckenrode and colleagues (1995) found that maltreated children have more academic difficulties than their nonmaltreated peers in part because they experienced relatively high levels of residential mobility and school transfers. Another study, in Oregon and Washington, where 65 percent of foster care alumni had experienced seven or more school changes, found that youth who averaged one less foster care placement per year were nearly twice as likely to finish high school (Pecora et al., 2003)

Foster placement instability has been linked to academic skill delays and severe emotional or behavioral problems. Zima and her colleagues (2000) found that the number of changes in foster homes was associated with having at least one severe academic delay (i.e., scoring at or

below the 1st percentile for their age on reading or math standardized tests). Twenty-eight percent of the 302 children studied were found to have lived in five or more out-of-home placements during their time in foster care. Fanshel, Finch, and Grundy (1989) found more severe behavioral problems among children who had been in numerous placements compared to their peers with more stable placements. The precise relationship between the number of placement changes, the severity of behavioral problems, and poor educational outcomes is not clear. Case studies (Weinberg, 2007) suggest that severe behavioral problems do cause caregivers to request removal of foster children and youth from their foster and group homes and that frequent residential moves exacerbate behavioral problems. Both severe behavioral problems and frequent residential moves seem to have an adverse impact on educational performance.

However, not all studies have found placement change for children in foster care to have negative consequences. Relying on administrative records from both the child welfare and school systems, Conger and Rebeck (2001) found a small positive relationship between school transfers and attendance rates for children entering foster care. In this case, the attendance rates of many of the foster children improved after entry into foster care. Younger children, those who remained in care for at least an entire semester after placement, children with stable placements, children in foster boarding homes or kinship homes, and those who entered care on charges of abuse or neglect showed greater gains than other children. This finding indicates that these foster care experiences may improve an important aspect of school stability. Other foster care experiences contributed to declines or smaller gains in attendance. Children with short stays in foster care did not progress as well as children who stayed longer, suggesting room for improvement during discharge planning conferences. The study found that higher attendance rates increased reading and math scores, while school transfers had no effect on reading scores and depressed math scores slightly. Between the two indicators, attendance had a stronger influence on both reading and math scores than did school transfers. Moreover, school transfers appeared to have a small positive influence on attendance rates in the semester following placement, contrary to expectations that school transfers would result in long periods of unenrollment and disruptions that would reduce attendance rates. One possible explanation for this finding is that for some children, particularly those from troubled homes, moving to a new school allows for a fresh start and can actually improve attendance rates and other indicators of school performance.

Colton and Heath (1994) were less convinced of the direct effects on educational attainment of foster care placement or frequent placement breakdowns. Their study found low educational attainment in children residing in long-term, stable, foster care placements with foster parents who appeared to provide a home environment that would be thought conducive to educational progress. They found evidence that children's early histories before entry into care may have a profound effect on their educational attainment in middle childhood, possibly accounting for the unexpectedly low attainment of the foster children.

Youth in the delinquency system are also highly mobile. Nationally, the most recent available data indicate that incarcerated youth spend a median of 15 days in detention. Committed youth spend a median of 105 days in public facilities and 121 days in private facilities before returning to the community or another placement (Snyder and Sickmund, 2006). Across the United States, 87 percent of all juvenile facilities reported that youth attend schools, either in or outside the facilities. However, there is a dearth of published information about the effects of youth mobility and incarceration in juvenile correctional facilities on education performance. However, for children and youth in general, frequent changes in schools are associated with dropping out and school failure (Osher, 2003; Rumberger and Larson, 1998).

Educational Records

Children in foster care and in the delinquency system often miss large portions of the school year because they move from one placement to another. Confidentiality of juvenile education records is mandated by the Family Education Rights and Privacy Act (FERPA, 34 CFR, Part 99). However, this legislation, which was designed to protect children from unauthorized disclosure of school records, is frequently interpreted incorrectly and is cited as a reason why agencies do not transfer school records (Laney,

1996). When the transfer of student records is delayed, administrators and teachers often do not know how to serve highly mobile students (Leone, Price, and Vitolo, 1986; Zetlin, Weinberg, and Luderer, 2004). Consequently, these students may remain out of school for extended periods of time or, if in school, they may be placed in inappropriate programs and classes.

Parrish et al. (2001) reported that education records for children in group homes are typically delayed, unavailable, or incomplete. The average length of time needed to obtain records was reported to range between 40 and 82 days. Group home staff reported receiving little or no information from caseworkers regarding a child's educational records. As a result, many group homes had to hire staff to track down the educational records of foster youth. Many reported they often were unable to obtain transcripts from previous schools, even when multiple calls were made. In reviewing the educational records of foster children at 13 group homes in six California counties, Parrish et al. (2001) reported a lack of information in the files. Only 27 percent had transcripts, and 25 percent had assessments (even though most assessments had been administered by the group home in support of placement in its nonpublic school). Similar to group homes, schools reported that they generally did not receive assessments or transcripts from prior schools. Of the school records reviewed for students from the identified group homes, only 47 percent had transcripts on file and 37 percent had education information at the time of enrollment. Of the transcripts found, many were not current. The group home students reported that missing transcripts caused them to repeat classes or lose credits.

Zetlin, Weinberg, and Luderer (2004) encountered substantial barriers to accessing school records of 120 randomly identified foster youth in Los Angeles County. Fewer than one-fourth of the school files were readily retrievable. For the other three-fourths, the social worker or case file had inaccurate information as to which school the youth currently was attending. Further, for those youth whose school records were located, typically only partial information was available: 56 percent had grades/transcripts, 38 percent had assessment data, 37 percent had attendance data, and 60 percent had number of schools attended. Youth who experienced the most home placement mobility and school transfers were also the most likely to have records that were lost or were not sent from school to school or district to district and to have missing attendance or performance data (e.g., high school credits not transferred). The authors concluded that, for youth in foster care, particularly those with high home-placement mobility profiles, much greater attention should be devoted to ensuring that school data are routinely entered into school records and that school records follow these students as they are placed and re-placed.

Access to the school records of youth in juvenile corrections presents many of the same problems as those experienced by youth in foster care (Leone, Price, and Vitolo, 1986). Advocates challenging education practices in juvenile corrections have cited missing records, lengthy delays in transferring records, and missing academic credits. Litigation challenging inadequate practices has resulted in court orders and settlement agreements with specific timelines for prompt transfer of records from public schools to juvenile corrections and timely transmittal of records to new placements (Alexander S. v. Boyd, 1995; Leone and Meisel, 1997). Findings letters and settlement agreements between the United States and a number of jurisdictions following the investigation of complaints illustrate problems associated with special education services in juvenile corrections, including problems with the transfer of school records (U.S. Department of Justice, 2010). For example, following an investigation of problems at the Rader juvenile facility in Oklahoma, the settlement agreement signed in 2008 required the State Office of Juvenile Affairs to hire an education coordinator; it also required the Rader facility to request records within three business days of a youth's arrival. When records are not received from a youth's prior school districts within 10 business days, the youth services agency is required to initiate procedures with the Oklahoma State Department of Education to obtain the records from the local school district. Similarly, the agreement between the United States and Michigan in 2005 required the Maxey Training School to implement specific procedures. Like other agreements negotiated with the Civil Rights Division of the U.S. Department of Justice, this one required the staff at the Maxey juvenile facility to request youths' records within three business days and to request intervention by the Michigan State

Department of Education if records are not received from local school districts within 10 business days (U.S. Department of Justice, 2010).

School Enrollment

In addition to problems with the transfer of records, system-involved youth also confront barriers when enrolling in a new school. Altshuler (2003) found barriers between the child welfare and education systems that led to problems in school enrollment. These include teacher and student reactions to foster care placements and adversarial, noncollaborative relationships among professionals. Others (Conger and Ross, 2001; Weinberg, 2007) described noncollaborative relationships between child welfare and probation departments in relation to youth involved in both systems and the problems that can result for the youth in terms of legal status and how that in turn can affect the youth's schooling as well as other aspects of life.

Zetlin, Weinberg, and Shea (2006) reported, based on focus group data, that many foster children are not immediately enrolled in their new school when transferring from one home placement to another during the school year. Too often, they are out of school for extended periods of time. Furthermore, when a foster child is transferred from one school to another, the child may not be officially checked out of the first school. This results in the child continuing to be marked absent and ending up with failing grades for classes taken. For foster youth in high school, the frequent mid-semester moves may mean they do not receive credit for classes in which they have been enrolled. When admitted to the new school, they find that the academic classes they need are already full. As a result, they often are placed in any class with an opening and in fewer classes than required for a full schedule. The cumulative effect is that they do not take the courses required either for high school graduation or for entrance to a four-year college or university. Another serious problem is that children who must transfer from one school to another have difficulty getting involved in school activities or making lasting friendships. The lack of social bonding also is predictive of youth crossing over from the foster care to the delinquency system (Herz, 2010).

A recent juvenile justice project involving youth in the Cook County Juvenile Courts sheds light on the significant barriers experienced by youth and their parents as they left juvenile court and juvenile detention and attempted to reenroll in school (Wojcik, Schmetterer, and Naar, 2008). In spite of juvenile court orders requiring that they attend school, youths were regularly denied reentry into their home school. Frequently, they were not removed from the rolls of the Cook County Detention Center school, and parents were not informed about the paperwork needed to reenroll their children in their home schools. Advocates were told that students received no academic credits for their academic work at the detention school unless they were enrolled for a full semester.

A recent report on youth returning to the community from Illinois juvenile correctional facilities sheds light on the reentry experience for youth in the delinquency system, including those served by multiple agencies. An examination of archival data from several human service systems revealed that nearly half of youth left juvenile corrections in Illinois from 1996 to 2003 with little to no involvement with agencies other than the juvenile corrections agency (Cusick, Goerge, and Bell, 2009). The report showed that while two-thirds of youth from Chicago were enrolled in education prior to their incarceration, only 57 percent were enrolled in schools after exiting juvenile corrections, suggesting that these youth had considerable difficulty reenrolling in school (Cusick, Goerge, and Bell, 2009).

Some progress may have been made on the enrollment front in relation to children in foster care, based on a recent study by Shea, Zetlin, and Weinberg (2010) of educational liaisons in local education agencies (LEAs) throughout California. A high percentage reported that some school enrollment problems never occurred (e.g., 65 percent reported that they never found school or district administrators refusing to enroll foster children), and most problems that did occur appeared to be resolvable in less than a week (e.g., 65 percent reported that problems related to the provision of transportation within a school district or county were resolved within a week). Nevertheless, some serious barriers remain that hinder immediate enrollment of foster youth in school, such as (1) school personnel not knowing whether a child is in foster care or about the provisions of state law requiring

immediate enrollment of foster youth in school, and (2) refusal of some school administrators to enroll foster youth in school right away.

Reenrollment of youth in schools following discharge from a juvenile correctional facility has been a perennial challenge as schools and school districts have resisted reenrollment of formerly incarcerated youth. States have employed a number of strategies to facilitate school reentry, including reintegration teams (Maine), reintegration plans 45 days before youth are released from custody (West Virginia), and involvement of school district coordinators and creation of educational passports (Kentucky). In Virginia, the legislature passed HB936 in 1996 requiring the State Board of Education in cooperation with the Department of Correctional Education to develop reenrollment regulations (JustChildren, 2004). However, three years later a study of the reenrollment process in Virginia found that little had changed in spite of the new law. The state agencies required to develop the regulations did not do so, youth and their families continued to struggle to return to school, and services continued to be fragmented (DeFur, Messier, and Potter, 2000).

Lack of Coordination and Collaboration Across Agencies

Lack of coordination and collaboration among LEAs and child welfare and juvenile detention agencies has proved to be a major barrier to addressing poor educational outcomes for children and youth in the foster care or delinquency system and crossover youth involved in both systems. Contributing to this barrier are confidentiality provisions, lack of understanding across agencies, lack of a single person to advocate for the youth, and lack of adequate coordinated efforts to address youth needs.

Confidentiality Provisions

Laws and policies intended to protect the privacy of school children, children in foster care, and youth in the juvenile delinquency system have often served as barriers to the kind of cross-agency collaboration and information sharing that is required to meet the educational needs of all these children. Weinberg, Zetlin, and Shea (2009) found such barriers in their seven county multiple-case study in California. None of the child welfare agencies in any of the counties had developed a process for systematically sharing data about individual children with the schools in which the foster children were enrolled. This meant that social workers typically did not have school outcome data (e.g., grade point averages, standardized test scores, or accumulated credits) to track the progress of the children for whom they were responsible. In another California multicounty study, Stone, D'Andrade, and Austin (2007) also found serious problems in communication and collaboration between the child welfare and education systems. Maintaining confidentiality limited the type and amount of information that agencies shared with one another. Other studies similarly reported that the issue of confidentiality can interfere with advocating for a child's education since the schools, child welfare, and other agencies are reluctant to share information with each other (Altshuler, 2003; Zetlin, Weinberg, and Shea, 2006). Herz (2010) identified the need for agencies to develop memoranda of understanding so that coordinated case supervision is possible for crossover youth.

A better understanding of the laws that are referenced by caseworkers and educators when discussing confidentiality—e.g., FERPA, the Child Abuse Prevention and Treatment Act, Fostering Connections to Success and Increasing Adoptions Act—and of the ways certain jurisdictions have overcome, in legally tenable ways, concerns about interagency record sharing can help to improve the kind of coordination among agencies that is needed.

Lack of Understanding Across Agencies

Altshuler (2003) documented adversarial and uncooperative relationships between education and child welfare professionals. Stone and her colleagues (2007) found deep mistrust and misunderstanding between child welfare and education agencies in California. Weinberg and her colleagues (2009) found that communication and collaboration difficulties between child welfare and other agencies led to delays or difficulty in foster youth receiving certain educational (e.g., nonpublic school placements) and mental health services.

Zetlin, Weinberg, and Shea (2006) analyzed the results of four focus group sessions held throughout California. Participants—including former foster youth, caregivers,

representatives from school districts and child welfare agencies, researchers, and policymakers—reported that local and state education agencies are infrequently at the table when discussions about services for foster youth are held. The education system is seen as too complicated to understand by other agencies, especially child welfare agencies, and therefore it is often considered easier to simply ignore school issues. By the same token, educators feel similarly lost when dealing with the child welfare system.

Malmgren and Meisel (2002) examined archival records for 93 youth who were identified and served by special education, juvenile justice, and child welfare in a northeast suburban community in the United States. The researchers found that these youth were, on average, identified at age 10 for special education services, at age 11 in child welfare, and at age 13 in the juvenile justice system. Nearly all youth had attendance and school discipline problems and high rates of mobility, and little information was shared among the agencies entrusted to care for and educate these youth.

Lack of a Single Person to Advocate for Youth

Zetlin, Weinberg, and Shea (2006) reported that there is little or no accountability or monitoring of a foster child's educational progress. This problem is most pronounced for children who reside in group homes and is compounded by the fact that social workers often have large caseloads and an extremely high yearly turnover rate. Consequently, no one has specific responsibility for ensuring that students are (1) checked out of school when they move to a different home so they do not receive failing grades in classes they have been taking, (2) immediately enrolled in school once they are placed in a new home, (3) attending school on a regular basis, and (4) enrolled in a school that teaches core academic subjects that meet state curriculum standards. Similarly, findings letters issued by the U.S. Department of Justice consistently identified lack of coordination of education services and supports in juvenile corrections (U.S. Department of Justice, 2010). Difficulties transferring records into and out of institutions, failure to develop and implement individualized education plans (IEPs) for students enrolled in special education, and an inadequate number of staff with professional credentials were common problems.

Lack of Adequate Coordinated Efforts to Address Youth Needs

Shea and her colleagues (2010) found that the greatest challenges for foster youth educational liaisons in California involved communication between child welfare and education agencies. Insufficient coordination between agencies resulted in (1) schools not knowing that a foster child would be entering a school or leaving to go to a different school; (2) delays in getting information about the student to the new school, which made it impossible to place the child in an appropriate program or to quickly set up transportation services; (3) difficulty in contacting child welfare agency social workers; (4) inability to determine who the foster youth in the school district were; and (5) no information on who had the right to make education decisions for the foster child.

Lack of Communication and Collaboration in Juvenile Detention Facilities

A consistent problem with education services in juvenile corrections is inadequate communication and collaboration among agencies serving youth both within facilities and between facilities and the community (National Center on Education, Disability, and Juvenile Justice, 2009; Twomey, 2008). Appropriate access to educational services in juvenile correctional facilities is more likely when security and school personnel cooperate rather than compete for resources (Meisel et al., 1998). The policies and practices of both the education program and the juvenile facility should support and reward consistent school attendance and achievement. This approach fosters a facility-wide priority on education during and after the school day. Moreover, when incarcerated youth are productively engaged in educational programming, they tend to experience fewer disciplinary problems in school and throughout the juvenile facility (Roush, 1996).

Inappropriate School Services

Over- and Underrepresentation in Special Education

Zetlin and colleagues (2006) clarify the issue of over- and underidentification of foster youth for special

education services. Because of the frequency of foster student transfers, some schools fail to identify and make eligible for special education services foster youth who have learning disabilities or emotional disturbances. Instead, some schools repeatedly suspend foster youth for behaviors that might qualify them for special education, where they could receive counseling and other needed services. Other districts, because of the lack of educational supports in general education, over identify for special education foster youth who are at risk for school failure in order to obtain more intensive services. Furthermore, foster youth are often identified as being eligible for special education to facilitate placement in a group home that requires concurrent enrollment in the onsite private special education school.

In a study of 18,416 children in California who resided in group homes, Parrish et al. (2001) found that 47 percent were in special education and that 46 percent of these special education students were being educated in nonpublic schools (private, state-certified special education schools). Nonpublic schools are considered one of the most restrictive special education placement options, since children in these schools do not have the opportunity to interact with children without disabilities (e.g., youth without specific learning disabilities, emotional or behavioral disorders, or mild mental retardation). Children in nonpublic schools also may not have access to the classes needed for entrance into four-year colleges or universities or to extracurricular activities, such as sports teams and school clubs. A concern about group homes that have their own nonpublic schools (frequently attached to the group home) is whether the youth placed in them actually need the restrictive placement or whether they have been placed there either because of convenience to group home staff or because of financial incentives. (Group homes can benefit by collecting money not only from the child welfare agency for the youth's room and board, but also from the school district for the youth's nonpublic school education.) Youth may be placed in these settings because they are thought to provide for the youth's extensive needs; however, these facilities may not be equipped to provide the high-quality services that these youth need.

High Rates of Behavior Referrals

A study that matched the names of children in foster care with students attending the Los Angeles Unified School District found that children in foster care were three times more likely to be suspended or expelled from school than other children in the same schools (Education Coordinating Council, 2006). In juvenile corrections, youth with disabilities, who frequently do not receive appropriate academic or behavioral accommodations in the correctional facility, typically spend more time in disciplinary confinement (Leone, 1994; Buser, Leone, and Bannon, 1987), where their access to special education services is even more limited.

Need for Evidence-Based Educational Services

Education programs in juvenile corrections often do not meet state standards for the operation of public schools. Practices are typically not evidence based, and disruptions to the school and school day are common. For example, the continuity of instruction in correctional facilities may be compromised by chronic disruptions from institutional activities and routines and by the transfer of youth to specialized mental health services, disciplinary segregation, or protective custody housing areas. In short-term facilities, some youth fail to receive services altogether, or alternatively, they may receive considerably less instructional time than youth in public school programs (Leone and Meisel, 1997; U.S. Department of Justice, 2010). All too often, reading and mathematics instruction in juvenile correctional education programs consists of worksheet-based drill and practice (Coffey and Gemignani, 1994), an approach without any documented effectiveness that is particularly troubling in light of the high expectations established by the federal No Child Left Behind legislation.[4] Education programs in juvenile corrections also suffer from inadequate fiscal and administrative support, tension between security and education program staff, and indeterminate lengths of stay for youth (Leone, Price, and Vitolo, 1986). Within some juvenile facilities, security needs are used to justify inadequate access to services and supports (Meisel et al., 1998; U.S. Department of Justice, 2010).

4 Also known as the Elementary and Secondary Education Act (20 U.S.C. ch. 70).

Post-Placement Transition

The lack of transition planning for juveniles makes successful reentry and integration into the community extremely difficult. Service providers often receive inadequate professional development and specialized transition training. Due to a lack of interdisciplinary collaboration, service providers are often unprepared to provide appropriate transition services. A significant lack of communication, coordination, and commitment often exists among agencies that serve at-risk and delinquent youth. Given the fragmentation within many systems, it is difficult to extend continuous, integrated services to juveniles involved in systems of care.

Transition planning in corrections is often delayed due to difficulty obtaining previous educational records. FERPA is often interpreted incorrectly by schools and other agencies and is used to justify failure to transfer youths' records in a timely manner (Laney, 1996). In addition, institutional records are rarely forwarded to educational or vocational aftercare programs once youth return to the community. The lack of family involvement is another challenge to the success of transition, even though professionals involved in providing transition services are generally cognizant of the importance of including families in the transition process. Research on best transition practices underscores the need for family involvement and for strengthened support for parents' participation in the transition process for incarcerated juveniles (JustChildren, 2004).

IV. Legal and Policy Reforms in Recent Years

During the past 20 years, federal legislation has created protection and some entitlements for children and youth in the foster care and delinquency systems. Most notably, the McKinney-Vento Homeless Assistance Act and the Individuals with Disabilities Education Act (IDEA) have shaped the ways in which state and local agencies have responded to the education needs of these youth. Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990 have also created entitlements for children and youth with disabilities. Other legislation, such as the Elementary and Secondary Education Act (reauthorized as No Child Left Behind, NCLB), has allowed school transfers, tutoring, and other services for low performing schools that fail to meet their annual yearly progress (AYP) and set up programs and services to enhance the education of neglected and delinquent children and youth.[5] In recent years, the goals of improving school stability and positively affecting educational outcomes of children in foster care can be seen in such legislation as the Fostering Connections to Success and Increasing Adoptions Act. Class-action lawsuits and investigations by the U.S. Department of Justice have shaped local and state practices when, in spite of existing statutes and regulations, jurisdictions failed to provide adequate services.

Federal Legislation

McKinney-Vento Homeless Assistance Act

The McKinney-Vento Homeless Assistance Act, originally passed in 1987 and reauthorized by the No Child Left Behind Act in 2001, is the principal federal statute that addresses the issue of school stability for children and youth who are homeless—those who lack a fixed, regular, and nighttime residence. The definition of homeless children and youth includes some children in foster care, such as those living in emergency or transitional shelters or awaiting foster care placement. It also includes youth who have run away from home or are homeless if they are "unaccompanied youth" who are not in the physical custody of a parent or guardian. This latter definition might include youth in the foster care or delinquency system or crossover youth in both.

School Stability

According to McKinney-Vento, local education agencies (e.g., school districts) must, to the extent feasible, keep homeless students in their schools of origin. The school of origin is the school the child attended when permanently housed or the one where last enrolled. Homeless children may stay in their school of origin the entire time they are homeless and may remain there until the end of the academic year in which they move into permanent housing. While in their temporary living situations, homeless youth may also choose to enroll in any public school in which children living in the same attendance area are entitled to attend.

If the youth considered homeless under McKinney-Vento chooses to remain in his or her school of origin, transportation must be provided for the youth to and from the youth's school of origin. The local education agency (LEA) serving the area where the youth is currently living and the LEA of the school of origin must decide how to divide the responsibility and cost, or they may simply divide them equally. Congress acknowledged that educational placement of youth defined as homeless under McKinney-Vento might lead to disputes between school districts or individual schools. Consequently, the legislation contains a requirement that every state must establish procedures to promptly resolve disputes regarding the educational placement of such youth

5 Ironically, one piece of legislation, the Gun Free Schools Act of 1994 (20 U.S.C. § 8921 et seq.), has fostered the concept of "zero tolerance" in school discipline and has propelled many at-risk youth, including those not involved in school violence, out the school door. In several states where data are available, the percentage of referrals to juvenile courts originating in the schools has increased dramatically. See Krezmien et al. (in press).

and that whenever a dispute arises the student must immediately be admitted to the school of his or her choice.

Immediate Enrollment

In the past, homeless children and others in temporary living situations often had difficulty enrolling in school because they did not have the documents that many schools require for new entering students, such as proof of residency, record of immunizations, and previous school records. McKinney-Vento requires that schools immediately enroll children in homeless situations even without the required documents and that enrollment means that these students are able to attend classes and participate fully in school activities.

Liaisons

To help troubleshoot issues before they invoke state dispute resolution procedures, McKinney-Vento requires every LEA to designate an appropriate staff person as a liaison for homeless students and allows McKinney-Vento funds to be used to support the salaries of the liaisons.

Individuals with Disabilities Education Act

The 2004 reauthorization of the Individuals with Disabilities Education Act (IDEA) maintained some and added new provisions to the law to improve educational services to children with disabilities, including youth who are wards of the state. The IDEA, Part B, provides entitlements for youth between the ages of 3 and 21 with identified disabilities who are in need of special education, as well as due process rights in school disciplinary exclusions. Youth maintain their rights under the IDEA even when involved in the juvenile justice system and, with some exceptions, even when incarcerated in adult facilities. Under the IDEA, wards of the state include foster children or children in the custody of a public child welfare agency, but not foster children who have foster parents who meet the definition of parent.[6]

6 Foster parents are defined as parents only when the natural parents' rights have been extinguished and when foster parents have long-term parental relationships with the children, are willing to make educational decisions for them, and have no conflict with the interests of the children.

Early Intervention Services for Young Children

To be eligible for funds under Part C of the IDEA, a state must ensure that appropriate early intervention services are available to all infants and toddlers with disabilities who (1) are experiencing developmental delays in cognitive development, physical development, including vision and hearing, communication development, or adaptive development, as measured by appropriate diagnostic instruments and procedures; or (2) have a diagnosed physical or mental condition that has a high probability of resulting in developmental delay (e.g., Down Syndrome, fetal alcohol syndrome, or severe attachment disorders). Specifically included in these eligibility categories are wards of the state. At their discretion, states may also choose to serve children who are at risk of having substantial developmental delays if early intervention services are not provided.

State policies and procedures must require referral for early intervention services for children under age three who are involved in a substantiated case of abuse or neglect. States must also ensure meaningful involvement of older wards of the state in the planning and implementation of Part C of the IDEA. Additionally, states must include a representative of the state child welfare agency on a state interagency coordinating council to provide policy guidance on special education and related services.

Services for School-Age Children

Identify, locate, and evaluate. Congress made clear that children with disabilities who are wards of the state and in need of special education must be identified, located, and evaluated even if those children do not have stable homes or school placements. In order to expedite special education evaluations for children in foster care while still acknowledging the difficulty of locating parents for some of these children, the IDEA does not require LEAs to obtain informed parental consent for an initial evaluation if, despite reasonable efforts, the LEA cannot discover the whereabouts of the parent or if the rights of the parents of the child have been terminated in accordance with state law and the court has not appointed an individual to represent the child who has the authority to provide

consent for an initial evaluation. This provision allows LEAs to initiate an evaluation for special education without having to wait, sometimes for many months, while a surrogate parent is appointed to sign a consent for evaluations. To ensure proper completion of full evaluations of mobile children, LEAs must ensure that assessments of children who change LEAs during the school year are coordinated with prior and subsequent schools as expeditiously as possible. The new LEA must take into account the date on which the child was first referred for an evaluation in any LEA. For children in foster care, assessments must be made in collaboration with parents (including foster parents), surrogate parents, homeless liaisons, court-appointed special advocates (CASAs), *guardians ad litem*, or a judge.

Eligibility for services. Eligibility for special education services extends until youth reach the maximum age of entitlement identified by state law, no longer require special education, or graduate from high school with a regular diploma (34 C.F.R. §300.122 (a)(3)). Youth under age 18 incarcerated in a juvenile correctional facility, and most youth under age 22 convicted in criminal court and confined in an adult correctional facility, are entitled to a free, appropriate, public education (FAPE) to the same extent as students in community schools. The IDEA defines exceptions to FAPE requirements for youth aged 18 to 21 convicted in criminal court and confined in an adult correctional facility who were not identified as disabled and did not have an individualized education program (IEP) in their last educational placement prior to incarceration (Tulman and McGee, 1998). In addition, youth with disabilities in adult facilities who will age out of entitlement to special education before they are likely to be released are not entitled to transition plans and services or to state educational assessment testing. The IDEA also permits modification of the IEP for juveniles in adult facilities based on demonstrated security concerns that cannot be otherwise accommodated.

Free, appropriate, public education. For a child with a disability who has a current IEP and who enrolls in a new school district within a state or in another state within the same academic year, the new LEA must provide the child FAPE, including services comparable to those described in the previous LEA's IEP. Decisions about comparable services are to be made in consultation with the parents (or guardian, surrogate parent, etc.) until the new LEA conducts an evaluation and, if determined to be necessary, develops a new IEP or continues the current IEP.

Transfer of school records. For a child with a disability who has an IEP that is in effect and who enrolls in a new school district within the same academic year, the new school district is to take reasonable steps to promptly obtain from the previous district the child's school records, including IEPs and any other documents related to the provision of special education and related services. The previous school attended must take reasonable steps to promptly respond to the request for records from the new school.

Section 504 of the Rehabilitation Act and the Americans with Disabilities Act

Section 504 of the Rehabilitation Act and the Americans with Disabilities Act also apply to children and youth in the delinquency and foster care systems. Section 504 prohibits discrimination based on disability by entities that receive federal money and by federal agencies. The ADA extends coverage to entities that do not receive federal monies and clearly establishes that individuals with contagious diseases are protected as well as those associated with someone with a disability (e.g., a child whose mother has AIDS could not be excluded from enrolling in school).

Both laws provide that reasonable accommodations must be made for youth to access school and other programs to the same extent as their nondisabled peers. The definition of disability under Section 504 and the ADA is broader than that under the IDEA. Under 504 and the ADA, a qualified individual with a disability is one who (1) has a physical or mental impairment that substantially limits one or more of such person's major life activities, or (2) has a record of such impairment, or (3) is regarded as having such impairment. Section 504, like the IDEA, also has procedural safeguards and provides parents with an opportunity to challenge decisions through impartial hearings.

No Child Left Behind Act, Title I, Part D: Neglected, Delinquent, or At-Risk Youth

Title I, Part D of the No Child Left Behind Act of 2001, also called the Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At Risk, provides supplemental financial assistance to (1) educational programs for youth in state-operated institutions or community day programs, and (2) school districts' programs involving collaboration with locally operated correctional facilities.

The goals of Title I, Part D are to (1) improve educational services for children and youth who are neglected, delinquent, or at risk so they have an opportunity to meet challenging state academic content and achievement standards; (2) provide these children and youth with services to successfully transition from institutionalization to further schooling or employment; (3) prevent them from dropping out of school; and (4) provide dropouts and children and youth returning from correctional facilities with a support system to ensure their continued education.

Transition Services

Specifically, state education agencies (SEAs) are to designate an individual in each correctional facility or institution for neglected or delinquent children and youth to concentrate on providing them with the knowledge and skills needed to make a successful transition to secondary school completion, vocational or technical training, further education, or employment.

As students make the transition from correctional facilities back to their local schools, they are to receive follow-up services to continue their education and meet the same challenging state academic content standards required of all students. SEAs are to encourage correctional facilities to coordinate with school districts or alternative education programs so that student assessments and academic records are shared jointly and used to guide the planning and operation of the Title I Neglected or Delinquent program at the institution level.

Technical Assistance

In 1999, SEAs reported that their greatest need was for technical assistance in the area of program evaluation. In response, Title I, Part D of NCLB of 2001 provides federally supported technical assistance to help with the capacity building of SEAs. The National Evaluation and Technical Assistance Center for the Education of Youth Who Are Neglected, Delinquent, or At Risk provides technical assistance to all programs receiving support under this program.

Accountability for Student Performance

Title I, Part D focuses on improving the effectiveness of programs administered by SEAs by developing a uniform evaluation to assess the educational achievement and outcomes of children who are neglected or delinquent. This uniform evaluation will enable all SEAs to use a common set of evaluation methods and procedures to assess program implementation, student achievement, and the successful transition of students into local educational agencies or employment.

Fostering Connections to Success and Increasing Adoptions Act

The Fostering Connections to Success and Increasing Adoptions Act of 2008 seeks to promote stability—including educational stability—for children in foster care. Within the act, educational stability is comprised of three primary elements: school stability, educational continuity, and interagency coordination.

School Stability

One of the ways the act promotes educational stability is by requiring that child welfare agencies include in every child's case plan a specific strategy for ensuring the educational stability of the child while in foster care. The foster care placement of the child must take into account the appropriateness of the child's current educational setting when entering foster care and the proximity of the foster care placement to the school in which the child is enrolled at the time of placement. Importantly, the law increases the amount of federal funding to child welfare agencies that may be used to cover education-related transportation costs for children in foster care and allows funding to be spent to cover the cost of reasonable transportation to a child's school of origin. If remaining in the school of origin is not in the best interests of the child, the law requires that the child be enrolled immediately and

appropriately in a new school and that all of the child's educational records be provided to the new school. Every school-age child who is in foster care or who is receiving an adoption assistance or subsidized guardianship payment must be a full-time elementary or secondary school student or have completed secondary school.

Educational Continuity

The act extends education training vouchers and independent living services for youth in out-of-home care who, at age 16, have left foster care for kinship, guardianship, or adoption. It also allows states, at their option, to provide care and support to youth in foster care until the age of 19, 20, or 21, provided that the youth is either (1) completing high school or an equivalency program; (2) enrolled in post-secondary or vocational school; (3) participating in a program or activity designed to promote, or remove barriers to, employment; (4) employed for at least 80 hours per month; or (5) incapable of doing any of these activities due to a documented medical condition.

Interagency Coordination

Fostering Connections clearly gives child welfare agencies the responsibility of working with LEAs to ensure the educational stability of youth in foster care. It will be necessary for child welfare agencies to collaborate with state and local education agencies to maintain the school stability of children in foster care and fulfill the requirements of this law.

State Legislation

California Assembly Bill (AB) 490

Passed in 2003, AB 490 was a legislative effort in California based on the federal McKinney-Vento Homeless Assistance Act. The legislation was designed to address some of the educational barriers faced by children who are dependents (in foster care) or wards (in the delinquency system) of the juvenile court, who are in out-of-home placement, and whose cases are supervised by child welfare or probation agencies. The law does not apply to children in detention facilities such as juvenile halls, camps, or facilities operated by the California Division of Juvenile Justice. The focus of AB 490 is to increase school stability, ensure immediate enrollment when a youth changes schools, ensure the timely transfer of school records, and protect grades and course credits.

School Stability

When making an out-of-home placement, the placing agency (child welfare or probation) must consider the placement's proximity to the child's current out-of-home placement and the impact the new placement will have on the child's educational stability. Within 24 hours of determining that a proposed out-of-home placement change would result in a change of school, the social worker or probation officer must notify the court, the child's attorney, and the educational representative or surrogate parent of the child. The child's attorney or educational rights holder may request a court hearing on the proposed placement change.

If a child's out-of-home placement changes, the school district must allow the child to remain in his or her school of origin (usually the current school) for the remainder of the academic school year, provided it is in the child's best interest to do so. The school district's AB 490 liaison, required by the law, may recommend that the right to remain in the school of origin be waived after consulting with the child and the person who holds the educational rights for the child. If a dispute arises, the child has the right to remain in the school of origin until the dispute is resolved.

Immediate Enrollment and Timely Transfer of School Records

If a child changes schools because of a move to another home placement, the child has the right to be enrolled in the new school immediately, even if there are outstanding fees, fines, or other items or money due to a school or if the student does not have the clothing (e.g., school uniform) or school records (e.g., academic or medical records, immunizations, proof of residency) normally required for enrollment. Within two business days of receiving a request for enrollment, the foster youth liaison for the new school must contact the school last attended by the child to obtain all academic and other records. Within two business days of receiving a transfer request, which the social worker or probation officer must provide

to the school, the school district must transfer the child and deliver the student's school records to the new school. The records must include a determination of seat time, full or partial credits earned, current classes and grades, immunization records, and, if applicable, special education or Section 504 records.

Protection of Grades and Course Credit

A child's grades may not be lowered due to absences caused by a change in placement, a court appearance, or a court-ordered activity. LEAs must award all students, not just those in foster care, with credit for full or partial coursework satisfactorily completed at a public school, juvenile court school, or nonpublic, nonsectarian school or agency.

Litigation

The Civil Rights Division of the U.S. Department of Justice (DOJ) has initiated and/or joined a large number of class-action lawsuits that seek to correct a pattern and practice of deficiencies in correctional special education programs. Exercising its authority under the Civil Rights of Institutionalized Persons Act (CRIPA),[7] DOJ conducts investigations, negotiates settlements, and pursues litigation to remedy systemic violations of the constitutional or statutory rights of persons in publicly operated institutions, including juvenile correctional facilities. The only remedy permitted under CRIPA is equitable relief of civil rights violations for institutionalized populations. Similarly, in contrast to other types of civil litigation, class actions concerned with protecting the educational rights of youth in secure custody facilities that have not involved DOJ also typically do not seek compensatory damages.

Class-action suits or memoranda of understanding have been initiated in more than 26 states, the District of Columbia, and the Commonwealth of Puerto Rico on behalf of youth incarcerated in correctional facilities operated by state or local government agencies or their contractors. While the earliest cases were initiated soon after enactment of the Education for All Handicapped Children's Act in 1975,[8] most have been filed since 1990. The record indicates that on average, just over three years elapses from filing of a case to a settlement agreement or consent decree; resolution of the violations raised in a case takes additional time after settlement. The cases raised systemic lack of compliance with one or more federal special education statutes, primarily the IDEA, Section 504, and the ADA. The majority of class-action cases involved failure of correctional facilities to provide services to eligible students under the IDEA. A number of cases also involved (1) failure of juvenile corrections to provide general education services, asserting that academic or vocational programs were not comparable to those provided for noninstitutionalized youth, (2) delayed access to educational services and improper exclusion from school, and (3) a lack of instructional materials and insufficient classroom and administrative space. The complaints also have alleged the failure of correctional education programs to employ a sufficient number of qualified education personnel (National Center on Education, Disability, and Juvenile Justice, 2009; Leone and Meisel, 1997; U.S. Department of Justice, 2010). Litigation in South Dakota and Arkansas illustrate how this mechanism was used to compel state agencies to overhaul the operation and design of education programs in juvenile corrections.

Christina A. v. Bloomberg

In February 2000, following the death of a teenage girl in a boot camp program at the South Dakota State Training School at Plankinton, the Youth Law Center filed suit against the South Dakota Department of Corrections complaining of constitutional and statutory violations, including abuse of youth by staff and failure to provide appropriate education services. At the time the suit was filed, the facility used four-point restraints and pepper spray to discipline youth with emotional and behavioral problems and kept some youth on a lockdown unit 23 hours per day without services. Youths' outgoing mail and reading material were routinely censored for negative comments. Some students spent months in the disciplinary unit without any services (*Christina A. v. Bloomberg*, Civ 00-4036 U.S. Dist. Ct. for the So. Dist. of SD).

7 42 U.S.C. §1997 et seq.

8 The Education for All Handicapped Children's Act was renamed the Individuals with Disabilities Education Act during a subsequent reauthorization.

The general education services at Plankinton failed to meet South Dakota standards for secondary schools, and special education services were woefully inadequate. The school did not have adequate mechanisms in place to retrieve records from students' previous schools, and IEPs were often not available. When IEPs were retrieved from prior schools, they were not implemented or updated, and related services included on IEPs were frequently not available. *Christina A. v. Bloomberg* was settled by an agreement between the parties that was approved by the U.S. District Court in December 2000. Among other things, South Dakota agreed to significant changes in medical, mental health, and education services and training of staff. During a year of monitoring, plaintiff's attorneys and their experts found the State Training School at Plankinton in substantial compliance with the agreement ordered by the court. Because of declining numbers of youth committed to the facility, in December 2001, after more than 100 years of operation, the State Training School at Plankinton was closed.

United States v. Arkansas[9]

Following complaints about the conditions of confinement and lack of education and treatment services at the Alexander Youth Services Center in Bryant, Arkansas, the Civil Rights Division of the U.S. Department of Justice conducted an investigation in June 2002. The Alexander facility is one of several juvenile institutions for youth committed to the Arkansas Department of Human Services. The 140-bed institution serves as an intake center for other facilities in the system as well as a long-term placement for special populations. The Alexander facility houses the state's sex offender unit for juveniles as well as the "JUMP" unit for youth who experienced difficulties in other juvenile facilities or were involved in serious offenses.

In a findings letter issued in November 2002, DOJ identified violations of the statutory and constitutional rights of children at the Alexander facility, including failure to provide appropriate education services. The education program also failed to meet Arkansas State Standards for Accreditation of Arkansas Public Schools. DOJ found that children at Alexander often received no education services for weeks after their arrival while housed in the intake units. Once students entered the school program, services were seriously compromised by general deficiencies such as an insufficient number of textbooks and other instructional materials, inadequate supervision and mentoring of teachers, failure to assign homework, and lack of vocational programs. There was no school counselor at Alexander, no vocational programming, and students did not have the opportunity to earn high school diplomas.

With regard to special education, DOJ found that Alexander did not have an effective "child find" process for determining student eligibility for services. Records from other schools were not regularly obtained, and the intake process did not provide adequate information about students' prior school experiences. DOJ also found that there was an inadequate number of special education teachers to provide services to all youth who were identified as eligible for services. In particular, girls at the facility regularly failed to receive appropriate instruction. The shortage of teachers resulted in most special education students being taught in regular classes without supplemental instruction or support for their regular class teachers.

Arkansas entered into a settlement agreement with DOJ in March 2003 that required that deficiencies in the education program and services to children be corrected. Among other things, the agreement required that the state address the problems identified through the investigation. Under the settlement agreement, new administrative and teaching staff were hired, new procedures for the screening and assessment of youth suspected of being eligible for special education were developed, and the facility was required to place all children in school on the second day following arrival. The state of Arkansas also agreed to place students in an intake classroom where students could be educated for up to 30 days before placement in the regular school program. Other requirements included developing a homework policy, monitoring teaching staff, providing students with greater access to books, developing a vocational program, and meeting Arkansas state education requirements.

9 United States v. Arkansas (Civ-4-03 CV000162, U.S. Dist. Ct., E. Dist. of AR).

Voluntary Initiatives

In addition to federal and state legislation and litigation by the U.S. Department of Justice and public interest law firms, a number of voluntary efforts across the country are responding to the special needs of children and youth placed in out-of-home settings and those at risk for involvement in the delinquency system. The programs described below exemplify the range of initiatives aimed at improving educational outcomes for these children and youth.

Blueprint for Change

Blueprint for Change: Education Success for Children in Foster Care is a comprehensive framework that includes broad goals and specific benchmarks that correspond with national, state, and local examples intended to indicate progress toward achieving education success for children and youth in out-of-home care (Legal Center for Foster Care and Education, 2008). First published in 2007, the framework was expanded as a second edition in 2008.

The idea for *Blueprint for Change* came from members of the National Working Group for Foster Care and Education, a group comprised of national organizations that represent various stakeholders (e.g., foster parents, judges, caseworkers, children's attorneys) involved with children in out-of-home care. They include the American Bar Association, American Public Human Services Association, Association of Administrators of the Interstate Compact on Adoption and Medical Assistance, Casey Family Programs, Center on Children and the Law, Children's Defense Fund, Child Welfare League of America, Education Law Center (Pennsylvania), Juvenile Law Center, National CASA Association, National Child Welfare Resource Center on Legal and Judicial Issues, National Council of Juvenile and Family Court Judges, National Foster Care Coalition, and National Foster Parent Association. The organizations sought to create a common framework that each organization could tailor to its own members' needs.

Blueprint for Change sets forth eight goals that address major systemic barriers that challenge the educational success of children in the foster care system. They include:

- Youth are entitled to remain in their same school when feasible.
- Youth are guaranteed seamless transitions between schools and school districts when school moves occur.
- Young children enter school ready to learn.
- Youth have the opportunity and support to fully participate in all aspects of the school experience.
- Youth have supports to prevent school dropout, truancy, and disciplinary actions.
- Youth are engaged in all aspects of their education and educational planning and are empowered to be advocates for their education needs and pursuits.
- Youth have an adult who is invested in their education both during and after time spent in out-of-home care.
- Youth have supports to enter into, and complete, post-secondary education.

Blueprint for Change can be used in a number of ways. It can serve as a guide for those working on cases of individual children to help them identify issues or barriers that might be adversely affecting a particular child's educational success and suggest possible routes to address the problems. *Blueprint for Change* can also guide system reform efforts by child welfare and education agencies along with court administrators and other community leaders. In addition, the framework can be a valuable tool in directing change in agency practices related to crossover youth.

Ready to Succeed

In 2008 the Stuart Foundation launched Ready to Succeed: Improving Education for Children and Youth in Foster Care, a comprehensive, multicomponent initiative designed to improve education outcomes for California's foster children and youth. The components include the implementation and in-depth study of three unique pilot education liaison models designed to troubleshoot educational barriers for children and youth in foster care in three California counties—Sacramento, Fresno, and Orange—and to bridge the gap between the various agencies and individuals—representing child welfare,

education, mental health, caregivers, and the courts—involved with these youth. In addition to hiring education liaisons, each county is developing innovative data sharing systems that link child welfare and education agencies, enhancing support for and case management of the programs' foster children, and permitting the county's education outcomes to be analyzed in ways not previously possible. To enhance the ability of the pilot projects to affect education outcomes for foster children, the initiative provides individual and cross-county technical assistance that includes supportive materials, planning tools, training, and consultation. Representatives from the counties are brought together throughout the three-year funding period by the Stuart Foundation to engage in peer learning sessions where they share resources, lessons learned, and promising practices.

In addition to the county education liaison pilot projects, Ready to Succeed endeavors to achieve statewide systemic change across the education and child welfare systems by analyzing the educational barriers faced by children and youth in foster care and systematically advocating for needed state department policy and legislation. Other parts of the initiative include developing and launching an interactive website of education resources for teachers, caregivers, social workers, and others working with foster children and implementing a statewide data sharing system that will link aggregate data in student information systems in both child welfare and local education agencies. The Ready to Succeed initiative also involves active partnering with other California education and youth transition initiatives, including the Breakthrough Series Collaborative on Independent Living Program, California Connected by 25 Initiative, California Foster Youth Early Care and Education Collaborative, Co-Investment Partnership, College Pathways, and Foster Youth Education Task Force.

Linkages to Learning

Linkages to Learning (LTL), an interagency program serving low-income and immigrant families and their school-age children in Montgomery County, Maryland, was founded nearly 20 years ago. In response to inefficient and costly service delivery to children and families in need of services from several agencies, the Department of Human Services began serving children and families in two elementary schools and one health center in 1993. By 2000, the program had expanded to seven elementary and two middle schools. Currently LTL serves students and families at more than 30 elementary schools, middle schools, and health centers at 28 sites in the county. Although initially designed to provide a flexible and coordinated service delivery system, LTL has evolved at some sites into a community development model in which public and private agencies collaborate to support families, develop neighborhoods that foster the healthy development and educational achievement of children, and prevent negative school outcomes. In general, families participating in the program reported a high degree of satisfaction with services (Leone et al., 1996; Meisel, 1997). A quasi-experimental study at one LTL site and a control school site showed improved social behavior and decreased emotional distress among children whose families were enrolled in the program (Fox et al., 1999).

Federal and state laws have shaped education services and supports for children and youth involved in the child welfare and/or juvenile delinquency systems. Litigation has also prompted more adequate responses to the education needs of these children and youth. Voluntary initiatives, particularly for youth in foster care, have created new ways of serving children and youth and addressing the gaps in service and lack of agency coordination.

V. Evidence-Based Interventions

The agencies that are responsible for serving children and youth in the child welfare and juvenile justice systems have an obligation to address the educational needs of these populations. Although legislation and litigation have helped to define and enforce the rights of these children and reduce some of the systemic barriers described earlier, there still is a tremendous need for interventions that target the individual educational needs of these children and youth and their readiness to learn. This section describes studies of interventions that have shown positive results either with groups of children in foster care or the delinquency system or with other at-risk populations with characteristics similar to these children. We first present interventions for young children and their caregivers because high-quality early education programs show strong promise in preventing the dire educational outcomes that are typical of children and youth in foster care, the delinquency system, or both. These programs frequently are not provided to young children in foster care. Therapeutic early education programs may reduce the prevalence of severe behavioral problems as children get older and may prevent children in foster care from subsequent involvement in the delinquency system.

We next target programs to improve the academic performance and school outcomes of school-age children and youth in foster care, the delinquency system, or both. While much has been made in recent years about the poor educational outcomes of youth in foster care and the delinquency system, and more recent efforts are looking at the outcomes for crossover youth, little attention has been focused on specific interventions that show evidence of changing the trajectory for these youth. We have compiled descriptions of several evidence-based interventions to encourage those providing schooling for these children and youth to implement some of these practices, and to identify areas where more research is needed.

Interventions for Young Children

High-quality early intervention and preschool programs have been shown to make a significant difference in cognitive development, academic achievement, language development, and social and emotional behavior. Because many child welfare agencies do not require that young children in foster care attend preschool, it is important to describe the substantial benefits that accrue to young children who attend high-quality early intervention and preschool programs. This is particularly true for young children from poor minority backgrounds who are considered at risk for school failure. Longitudinal studies of poor minority children show important long-term positive effects for those attending early intervention and preschool programs (see, for example, the Abecedarian Project, described in Campbell et al., 2002; Early Head Start, described in Love et al., 2005; High/Scope Perry Preschool, described in Schweinhart et al., 2005; and Chicago Child-Parent Centers, described in Smokowski et al., 2004). It is crucial that children in foster care attend early education programs of similar quality to those described here.

Early Intervention Programs

As we described in Section IV, the Individuals with Disabilities Education Act (IDEA) mandates early intervention services for children younger than three who are assessed as having a developmental delay or who have a condition with a high probability of resulting in a developmental delay. However, research strongly indicates that other at-risk children should receive these services as well. Love and colleagues (2005) conducted a large-scale study on the effects of 17 Early Head Start (EHS) programs nationally on child and family outcomes. Low-income families that had a child 12 months of age or younger or were expecting a child were randomly selected for either the EHS program (1,513 families) or for the control group

(1,488 families) that received no program. The children and parents were assessed when the children were 14, 24, and 36 months old. The EHS program consisted of a wide range of services, including child development services, home visits, child care, parenting education, case management, health care and referrals, and family support. Children in the EHS program showed greater cognitive and language development and less aggressive behavior compared with control group children. The parents of children in the EHS group exhibited greater emotional engagement; increased sustained attention to their children's play; were more emotionally supportive; provided increased stimulation; read to their children more; and spanked them less. The strongest impact was found in programs that offered both home-based and center-based services and that had full and early implementation of performance standards. This type of program may improve the functioning of young children in foster care and help their caregivers provide the kind of support they need. Greater focus on the early intervention needs of young children in foster care is necessary. Better linkage between child welfare and early intervention agencies must occur, either through voluntary efforts or, if not sufficient, through federal and state legislation.

Preschool Programs

The classic High/Scope Perry Preschool study (Schweinhart et al., 2005) showed important gains over time for children who received the program. The study took place in Ypsilanti, Michigan, starting in 1962. It involved 123 low-income African American three- and four-year-old children who were considered at risk for school failure. The children were randomly assigned to either a preschool group (58 children) or a non-preschool group (65 children). The preschool group attended a preschool program with certified teachers (in early childhood and special education); a low student-teacher ratio (1:8); and a nurturing, enriched environment where children made and discussed their choices about activities they would engage in and teachers made weekly home visits. Data were collected annually on both groups for a number of years and then periodically (i.e., ages 3–11, 14, 15, 19, 27, and 40).

Among those who had received preschool services, the percentage arrested was significantly lower than the comparison non-preschool group, and the preschool group were involved in fewer violent crimes, property crimes, and drug crimes. As adults, the preschool group had higher incomes and were more likely to be employed, to own their own homes, and to have graduated from high school. More had grade-level academic achievement at age 14 and did more homework at age 15. The preschool group outperformed the non-preschool group on various intellectual and language measures in early years, and on literacy tests at ages 19 and 27. The random assignment of students to the preschool or non-preschool group provides assurance that the differences seen in later years were attributable in part to the preschool experience. The High/Scope Perry Preschool study and others (e.g., Abecedarian Project, Chicago Child-Parent Centers) show that high-quality early education can make a major difference for children at high risk for school failure. In a study of 26 programs in California, Michigan, and New York that implemented the High/Scope Perry Preschool model, Epstein (1993) found that 72 percent of children in these programs, compared to 57 percent in comparison programs, scored high on measures of emotional, social, cognitive, and motor development.

Programs like these are so valuable for young children in foster care to attend—and may help prevent them from becoming involved in the delinquency system when they are older. Child welfare, education, and other agencies must work together, either voluntarily or in compliance with new federal or state mandates or incentives, to ensure that a sufficient number of high-quality preschool programs are available and that caregivers are required to enroll their young children in them.

Therapeutic Preschool Programs

Some children in foster care are not able to be successful in a regular preschool program because of severe behavior problems that can be attributed to an early history of abuse or neglect. Consequently, it is important to look at the effect of participation in high-quality therapeutic preschool programs for these children. The Hand in Hand Therapeutic Preschool Program in Portland, Oregon, is one program that has shown positive results. A study investigated the outcome of the program on 129 preschoolers, two to six years old, who had been abused or neglected (70 percent had been physically abused, and

54 percent had been sexually abused). All the children had severe behavior problems, delays in their development, and, on average, had been in 2.8 foster care placements. Ninety-six percent had come from poverty backgrounds. The program consisted of day treatment, special education, case management, and psychological therapy. Sixty percent of the children were placed in foster homes with in-home psychological treatment. Whitemore, Ford, and Sack (2003) found that four years after the children had finished the program, 69 percent were attending regular classes in elementary school (rather than special education classes) and had significant improvement in their behavior, development, and language.

School districts and child welfare agencies should work together to create programs like Hand in Hand in their local communities. It would seem that young children with severe behavior problems would likely be eligible for services under the IDEA. Because IDEA emphasizes the use of scientifically based instruction, programs such as Hand in Hand could be developed as a preschool special education option. It seems likely, however, that programs such as Hand in Hand, with research indicating the program's ability to significantly improve behavior, would ultimately be a good way to reduce the high percentage of children in foster care that receive special education.

Parent/Caregiver Training

Attachment and Biobehavioral Catch-Up

Programs that train parents and caregivers to interact in new ways with their infants and young children have shown positive results in reducing the behavior problems of children. Dozier and colleagues (2006), using a program they call Attachment and Biobehavioral Catch-Up (ABC), help foster caregivers learn to create an environment that enhances children's ability to regulate their own stress levels. The 10 in-home, highly interactive training sessions, which follow a structured manual, teach foster caregivers to provide nurturing care. The first subcomponent of the training helps caregivers learn to follow the child's lead; the second to appreciate the value of touching, cuddling, and hugging the child; and the third subcomponent helps caregivers create conditions that enable the child to learn to recognize, understand, and express emotions. The training helps caregivers learn to reinterpret children's alienating behaviors, override their own issues that interfere with providing nurturing care, and maintain an open environment that helps children develop regulatory capabilities.

In the 2006 study by Dozier et al., 60 children and their caregivers were randomly assigned to either the ABC group or the control condition called Developmental Education for Families Intervention (an education intervention that targets the cognitive development of young children with a particular focus on the development of language). In addition, 104 children who were not in foster care and who received no intervention were used as a comparison group. The study showed that ABC improved the regulatory capabilities of young foster children, based on each child's cortisol production (a stress hormone). Children whose caregivers received the ABC intervention showed more typical production of cortisol than children whose caregivers received the control intervention, and children in the ABC group resembled the children who had never been in foster care. Foster parents also reported fewer behavior problems among children older than those in the control group. If studies of these children continue to show that those in the ABC group have more normal cortisol production and thereby improved behavior, then the ABC training program should be offered widely to caregivers of young children in foster care as well as to caregivers of other young children from stressful backgrounds and environments.

Incredible Years Training Series

Another program that has been studied extensively and has shown strong results is the Incredible Years Training Series, which features three comprehensive, multifaceted, developmentally based curricula for parents, teachers, and children (U.S. Department of Health and Human Services, 2007). The program components are designed to work jointly to promote emotional and social competence and to prevent, reduce, and treat behavioral and emotional problems in young children. One replication study (Brotman et al., 2005) focused on children between the ages of 2 years 9 months and 5 years 3 months who had an older sibling who had been adjudicated for a juvenile crime, who were biologically related to or lived with the adjudicated youth for at least a year, and whose caregiver also raised the adjudicated

youth. In this study 50 preschoolers were randomly assigned to receive the program and 49 to receive the control condition, which consisted of assessments and monthly phone calls to evaluate family service use and changes in family circumstances. The Incredible Years intervention program was designed to improve parenting practices and preschoolers' social competence with the goal of preventing later conduct problems. The program consisted of 22 weekly two-hour group sessions for parents and preschoolers (90 minutes for parent and child groups and 30 minutes for parent-child interaction), 10 biweekly 90-minute home visits, and up to six additional family visits over a six- to eight-month period. Relative to the control group, parents in the intervention group were significantly less negative in their parenting and provided greater stimulation for learning in the home, both of which are important child-rearing behaviors in helping to promote school readiness and positive school outcomes. Preschoolers in the intervention group displayed greater social competence with peers relative to the children assigned to the control condition. This greater social competence contributed significantly to positive peer-group engagement and constructive interaction with teachers and other school personnel. Parents were satisfied with the multicomponent prevention approach, which seems to bode well for their continuing with the program to the end.

The Incredible Years program is a model that should be implemented in local communities with attendance required for parents of young children whose older minor children are being adjudicated for a crime. The program shows promise for reducing juvenile delinquency and preventing young children in foster care from becoming crossover youth when they are older.

Interventions for School-Age Children and Youth

It is time for school districts, child welfare agencies, and probation departments to work together to assess the academic skill levels of children and youth in foster care and the delinquency system and then to identify programs that research shows have a good chance of strengthening the skills of academically struggling students. This is not only sound practice, it is required by No Child Left Behind (NCLB). NCLB requires that school districts evaluate students and provide appropriate education that is based on peer-reviewed studies using rigorous research designs. The programs described below are supported by strong, convincing research or research that shows significant promise.

Literacy Programs

Success in school requires adequate literacy skills. For students who have not attained such skills in reading or math, a number of programs and interventions have been shown to make a difference.

Read 180 and SuccessMaker

The What Works Clearinghouse (WWC) of the Institute of Education Sciences of the U.S. Department of Education reviewed a number of interventions designed to boost literacy among struggling readers in grades 4 through 12. Two interventions that met WWC's rigorous standards for evidence and effectiveness with reservations were Read 180 (Institute of Education Sciences, 2009a) and SuccessMaker (Institute of Education Sciences, 2009b). Widely adopted throughout the United States, Read 180 combines individual and small-group direct instruction with a computer-based intervention. Studies have documented student achievement gains in reading comprehension and general literacy using Read 180.

In contrast to Read 180, the SuccessMaker program is a set of computer-based courses designed to supplement reading instruction in grades K–8. Using adaptive lessons tailored to a student's reading level, SuccessMaker aims to improve understanding of phonological awareness, phonics, fluency, vocabulary, comprehension, and concepts of print. "Foundations" courses help students develop and maintain reading skills. "Exploreware" courses provide opportunities for exploration, open-ended instruction, and development of analytical skills. The computer analyzes students' skills development and assigns specific segments of the program, introducing new skills as appropriate.

Corrective Reading

Despite the fundamental importance of education in correctional settings and the large proportion of

incarcerated youth with severely deficient academic skills, research on effective strategies for teaching literacy in juvenile facilities and evaluating outcomes has been extremely limited (Leone et al., 2005). Moreover, many correctional education programs lack the awareness and resources necessary to organize and deliver appropriate general, remedial, and special education services. Although empirically based instructional practices used in public schools may readily transfer to correctional settings, the structure and implementation of educational services in juvenile facilities must be responsive both to the complexity and the intensity of the needs of incarcerated youth and to the challenges associated with educational programming in secure settings.

Malmgren and Leone (2000) examined the effects of a short-term auxiliary reading program in juvenile corrections. The researchers implemented the Corrective Reading program, an empirically based curriculum that promotes decoding and fluency skills among older struggling readers and combines direct instruction in decoding and comprehension, fluency-building activities, and whole language instruction comprising student summarization and prediction in an intensive six-week program. Malmgren and Leone reported significant gains in reading rate and accuracy as measured by the Gray Oral Reading Test–Third Edition, concluding that specific reading skills of low-achieving incarcerated juveniles can be significantly improved over a short but intensive period of intervention. Because overall mean reading scores remained below grade level following the intervention, however, the researchers stressed the need for sustained reading instruction in correctional education programs.

Out-of-School Time Programs

It is not only in-school programs that can improve academic skills, but also programs that are referred to as out-of-school time (OST) programs, which take place after school or in the summer. Significant study of OST programs has shown positive results in improving academic achievement in math and reading of at-risk school-age children. In a meta-analysis of 35 studies of OST programs (35 reading and 22 math), Lauer and colleagues (2006) found that such programs are unlikely to close the achievement gap between at-risk and more advantaged students. Nevertheless, at-risk students who participated showed improved outcomes compared to those who did not. The timeframe when the programs were delivered (i.e., in summer versus after school) was not significant, and programs did not have to focus solely on academic activities to have positive outcomes. However, programs did have to provide a minimum of 45 hours to be effective. Working with students one-on-one in reading had the largest positive effect. For math, small group activities or a combination of student groupings had stronger effects than large group instruction or individual tutoring. For reading, significant positive effects were highest among lower elementary school students, although reading/language arts improvement was possible in OST programs for high school students. For math, significant positive effects were highest in middle and high school, although fewer elementary OST programs in math were studied.

Other OST programs have also shown positive academic achievement outcomes (e.g., Vandell, Reisner, and Pierce, 2007; Reisner et al., 2001; Klein and Bolus, 2002). The critical factors to achieving successful outcomes for OST programs include: (1) access to and sustained participation in the program, (2) quality programming and staffing, and (3) strong partnerships among program staff and the families, schools, and other community institutions where students are engaged in learning (Harvard Family Research Project, 2008).

Although OST programs have been shown to be successful for children considered at risk, children from families with higher incomes and more education tend to participate in these programs in greater numbers and with more frequency (Harvard Family Research Project, 2008). Whether children in foster care or on probation are able to participate in after-school programs on a regular basis to some extent depends on the willingness of caregivers and group home staff to provide transportation despite having other children to care for. Child welfare agencies and probation departments must require youth in their systems to attend such programs. Title I transition services for youth returning from correctional institutions should connect these youth not only to school services but also to OST services, which can support academic success and help prevent students from dropping out of school.

Tutoring Programs

Two tutoring studies (Staub and Lenz, 2000; Halcon and Lustig, n.d.) using the same tutoring approach were conducted with children and youth in foster care. Staub and Lenz studied a sample of at-risk youth in foster care and a comparison group of youth in foster care with similar profiles and academic needs. They assessed the students' knowledge of how to do their school assignments and the effectiveness of their approach. They then provided learning strategy instruction based on materials from the University of Kansas' Center for Research on Learning. Trained tutors provided the instruction 2 to 3 times per week for 30 minutes for 4 to 12 weeks. Children in the intervention group increased their grade point average and their grade-level achievement. Students in the strategic tutoring group closed the achievement gap, whereas comparison group students fell further behind.

Halcon and Lustig (n.d.) trained pre-teacher education students who then provided 20 to 25 hours of tutoring over a semester either in the home of a child in foster care or in the community. The tutors received instruction on child welfare issues as well as on tutoring using strategy instruction. The tutors showed statistically significant increases in their knowledge of child welfare, which may strengthen their ability to understand and support children and youth in the system when they become certified teachers. The foster youth showed statistically significant increases in reading, math, and spelling.

These studies indicate that tutoring is an intervention that can effectively improve academic performance for children and youth in foster care (and likely those in the delinquency system), but that it is a specific type of tutoring that is important. Tutors must be trained in the use of effective learning strategies, and tutoring sessions must be of sufficient intensity.

Mentoring Programs

An ongoing mentoring relationship with an adult other than a youth's parent or caregiver can lead to positive outcomes for at-risk youth. Jekielek, Moore, and Hair (2002) synthesized the results of 10 mentoring studies. In these studies mentors were often recruited from the community, and mentees consisted of at-risk youth. The researchers found that youth who participated in a mentoring program had fewer unexcused absences from school, better attitudes at school, and a better chance of attending college than similar youth who did not participate in a mentoring program. Compared with nonparticipants, youth who participated in a mentoring program had less drug and alcohol use (especially among minority youth) and—in some but not all studies—fewer delinquent behaviors. The research also suggested that mentoring improved the relationships youth had with their parents.

Program characteristics that appeared to promote the effectiveness of the mentoring approach included relationship duration, with the best results for relationships lasting longer than 12 months; frequent contact between the mentee and mentor; a youth-centered mentor-mentee relationship; and the mentee's positive perception of the mentoring relationship. Cross-race matches were as successful as same-race matches. Finally, mentees who were the most disadvantaged or at risk were especially likely to gain from the mentoring program.

DuBois et al. (2002) conducted a meta-analysis of 55 mentoring studies with 574 youth-mentor pairs. They found modest benefits for youth who had mentors. However, the strongest predictors of greater positive effects were in programs that had ongoing training for mentors, structured activities for mentors and mentees, expectations for frequency of contact, support and involvement of the youth's parents, and overall program monitoring.

Tolan and colleagues (2008) completed an extensive review of mentoring interventions designed to decrease delinquency and related problems. In a rigorous meta-analysis of 39 studies, they found mentoring programs had a significant positive effect in reducing delinquency, aggression, and drug use and improving academic achievement. They found the strongest support for mentoring when emotional support was an integral part of the intervention and when mentors participated because of opportunities for professional development.

Child welfare and juvenile justice agencies should be proactive in linking children and youth in these systems

to mentors affiliated with well-designed and well-implemented mentoring programs. Examples of mentoring programs that have been shown to be effective are described below. Some of the programs are designed to be implemented in schools. They would seem to provide valuable opportunities for the three systems—child welfare, delinquency, and education—to work together on program implementation and to identify the youth who would likely benefit.

Big Brothers/Big Sisters

The best-known mentoring program (and one that was included in Jekielek, Moore, and Hair's synthesis) is Big Brothers/Big Sisters (BB/BS). Grossman and Rhodes (2002) studied 1,138 urban adolescents who applied to BB/BS. Students were randomly assigned either to a treatment group that received a mentor or were placed on a waiting list. After 18 months, Grossman and Rhodes found that mentor relationships lasting longer than a year reported the largest number of improvements. Older adolescents and those who had sustained emotional, sexual, or physical abuse were most likely to terminate a mentor relationship early.

ALAS ("Wings" in Spanish)

ALAS (Institute of Education Sciences, 2006a) is an intervention for middle and high school students that is designed to address multiple factors related to students dropping out of school. The intervention centers on assigning each student a counselor/mentor who monitors attendance, behavior, and academic achievement. The counselor/mentor provides feedback and coordinates interventions and resources for the students, their families, and their teachers. The counselors/mentors also serve as advocates for the students. ALAS provides training to the students in problem-solving strategies, self-control, and assertiveness skills. Parents receive training in how to solve common parent-child problems, how to participate in school activities, and how to contact teachers and school administrators to address problems and concerns.

Larson and Rumberger (1995) studied 94 high-risk seventh grade students, with 46 students randomly assigned to ALAS and 48 assigned to a control group. At the end of the intervention (the end of ninth grade), ALAS students were significantly more likely than control students to be enrolled in school (98 percent compared with 83 percent). Two years after the intervention had ended (the end of eleventh grade), a larger percentage of ALAS students than control students were enrolled in school (75 percent compared with 67 percent), although the difference was not statistically significant.

Twelve Together

Twelve Together (Institute of Education Sciences, 2007) is a mentoring and peer support program for middle school and early high school students. The program provides weekly after-school discussion groups led by trained volunteer adult facilitators. Discussion groups mix students at high risk of academic failure with others at lower academic risk. Student interests guide the discussion topics, which usually focus on personal, family, and social issues. The program also provides homework assistance, trips to college campuses, and an annual weekend retreat.

Dynarski et al. (1998) studied eleventh grade students in nine middle school districts who had participated in Twelve Together in the eighth grade. At the end of the three-year follow-up period, Dynarski and colleagues found that 8 percent of the Twelve Together students had dropped out of school compared with 13 percent of control group students. Although this difference was not statistically significant, it was considered substantial enough to meet WWC standards (Institute of Education Sciences, 2007).

Check & Connect

Check & Connect (Institute of Education Sciences, 2006b) is an in-school intervention that relies on mentoring, case management, close monitoring of school performance, and other supports. Students enrolled in Check & Connect are assigned a "monitor" who regularly reviews their attendance, behavior, and academic progress and intervenes when problems are identified. The monitor offers ongoing feedback and encouragement to the students while emphasizing the importance of staying in school, coordinates services, and serves as an advocate when needed.

Sinclair, Christenson, and Thurlow (2005) found that students who had received the Check & Connect intervention were significantly less likely to have dropped out of school at the end of the fourth follow-up year, which corresponded to the senior year for students making normal progress. Only 39 percent of the Check & Connect students dropped out of school, compared with 58 percent of the control group.

College Preparatory Programs

Too frequently, college attendance at a four-year institution of higher education is not the goal for youth in the foster care and juvenile justice systems. Moreover, for many youth in these systems, gaining acceptance to college will require significant support and rigorous academic preparation. One program that has shown promise in providing the needed support and academic rigor is Advancement Via Determination (AVID), a college-readiness program intended to increase the number of students who enroll in four-year colleges. Designed for students in the academic middle, rather than high achieving students, AVID focuses on students who would not traditionally attend a four-year college or university. AVID students enroll in rigorous classes; receive support in an academic elective class called AVID, which is taught within the school day by a trained AVID teacher; and have ongoing tutoring. AVID elective teachers support AVID students by providing academic training, managing their tutorials, working with faculty and parents, and helping students develop long-range academic and personal plans.

Guthrie and Guthrie (2000) conducted a study of middle and high school AVID programs. The study found that students enrolled in two-year middle school AVID programs earned significantly more high school credits than those not enrolled. Enrollment in a certified AVID high school program for at least four years resulted in 95 percent of students enrolling in a college or university, 80 percent remaining continuously enrolled after leaving high school, and 66 percent on track to graduate in four or five years. Watt, Powell, and Mendiola (2004) found that students enrolled in tenth and eleventh grade AVID programs attended school at higher rates than their classmates and outperformed them academically. In California, the Foster Youth Services program in Orange County has been trying to increase the number of youth in foster care who participate in AVID programs.

A number of evidence-based practices have been developed for very young children and their caregivers and for school-aged children and youth. These practices have as their goals to support the healthy development and well-being of young children and to decrease behaviors that are counterproductive to their positive growth and readiness for school. Interventions for school-aged children and youth further support the academic growth and positive social and emotional development of these youngsters and help remediate skill deficits and other school challenges. It is our sincere hope that these interventions become incorporated into educational and other settings for children and youth in the foster care and delinquency systems and for other children and youth who are considered to be at risk for school failure.

Certain challenges clearly exist in trying to implement these practices for children and youth in foster care or the delinquency system. Agencies—including child welfare, juvenile justice, and education—have strained budgets and too few staff to do the jobs for which they are charged. This makes it difficult to focus time and resources on programs intended to improve the school readiness, academic performance, and education outcomes of children and youth in these systems. Who will identify existing programs, have the expertise to determine their effectiveness, link appropriate children and youth to them, and encourage and monitor the progress of those in the programs? Significant residential mobility among the children and youth we have been describing adds another layer of difficulty in keeping them in programs over time. When appropriate interventions are not available, building programs and specific interventions takes leadership and the ability to work effectively across systems, which, as we have described previously, is frequently quite challenging in itself.

VI. Multisystems Perspective: Emerging Options and Alternatives

We have made the case that children and youth involved in the child welfare system and those in the delinquency system are more likely to experience poor adolescent and adult outcomes when compared to their peers. Because of the multiplicity of needs of these children and youth, it is vital that we take a multisystems approach to meeting their needs since it is clear that the child welfare and delinquency agencies cannot do it themselves. School districts, departments of mental health, juvenile and family courts, and other agencies have responsibilities for these children and youth and must play a part in ensuring their well-being.

As indicated earlier, youth involved in both systems have been referred to as crossover youth (Herz and Ryan, 2008)—that is, they have been abused or neglected and have also committed an offense that brings them into the delinquency system. With high rates of mobility and the concomitant disruption to their school careers, these youth are more likely to experience school failure, diminished opportunities for academic growth, and more negative life events. Improving services for crossover children and youth involves direct service and support, typically provided collaboratively by direct service providers. However, opportunities to collaborate and work across agency and professional boundaries begin with administrators and administrative structures that address the complexities of serving youth whose needs transcend agency mandates and professional responsibilities. For these youth, a collaborative approach to service delivery is not just a good idea; it is the only way to do business if we are sincere about improving the dismal outcomes experienced by many of these youth.

Federal Collaborative Efforts

Several departments have launched initiatives to promote collaborative efforts among federal agencies and among grant recipients at the state and local level. The Juvenile Justice and Delinquency Prevention Act of 1974 established the Coordinating Council on Juvenile Justice and Delinquency Prevention (2008) to coordinate federal efforts designed to prevent delinquency and coordinate efforts with state and local agencies. The Coordinating Council includes juvenile justice practitioners as well as representatives of nine federal agencies concerned about preventing delinquency and improving outcomes for youth. In 2005, the Coordinating Council adopted many of the recommendations of the White House Conference on Disadvantaged Youth, which was held in 2003. Among other things, these recommendations called for efforts to serve particularly vulnerable youth, including those in foster care and juvenile corrections.

The Coordinating Council also worked as part of the Federal Partnership Project to improve the implementation and support of comprehensive community initiatives (CCIs). These efforts, designed to improve outcomes for children, youth, and their families, involved coordinated federal assistance in support of CCIs and of states and local jurisdictions to improve practice and service delivery.

In addition to fostering CCIs, a second outcome of the White House Conference on Disadvantaged Youth in 2003 was the formation of Shared Youth Vision, a multiagency federal partnership designed to develop collaborative and integrated systems at the federal, state, and local levels to support the transition of the neediest youth into adulthood. The federal agencies involved in Shared Youth Vision were charged with developing effective interagency collaborations for vulnerable youth, with priority given to those in greatest need. In 2004, with the support of the U.S. Departments of Education and Health and Human Services, the Department of Labor formed a Shared Youth Vision Federal Partnership (U.S. Department of Labor, 2009).

The Federal Shared Youth Vision Partnership has awarded planning grants to 16 states to pilot more intensive and targeted collaborative support for youth. Additionally, 30 states have developed Youth Vision teams or similar collaborative efforts with technical assistance and information sharing for strategic reform of youth services (U.S. Department of Labor, 2009). In supporting state-level partnerships, federal Shared Youth Vision efforts have emphasized the importance of leveraging existing resources, networking within and across states, and building upon common needs and priorities of state agencies such as improving outcomes for youth, including improved school performance. A review of the impact of these federal initiatives on several states illustrates the potential of renewed efforts on behalf of crossover youth.

State-Level Collaborative Efforts

The Iowa Collaboration for Youth Development is a network of 10 state agencies and offices committed to improving outcomes for youth through the adoption of positive youth development principles and practices at the state level and in local communities. Although the Iowa Collaboration predates the Federal Shared Youth Vision Partnership, in the past few years the Iowa Collaboration has leveraged more than $4.5 million in federal and private foundation support to improve coordination of youth policies and programs across the state. Iowa's initiative is built on four strategies for change: (1) align policies, (2) build capacity, (3) engage youth, and (4) mobilize Iowans. The underlying premise of the Iowa Collaboration is that all youth will be prepared for productive adulthood. With regard to crossover youth, the second strategy, build capacity, includes the development of joint strategies across systems to "address vulnerable youth populations and high priority issues and ensure that every youth has the core resources necessary for success" (Iowa Collaboration for Youth Development, 2010).

In Alabama, the Federal Shared Youth Vision Partnership prompted a state-level interagency team to conduct strategic planning activities and develop cross-agency systems designed to serve Alabama's neediest youth. The interagency group identified youth aging out of foster care, court-involved youth, youth with disabilities, and out-of-school youth as its priorities. A major focus of the Alabama collaborative work was to integrate a collaborative culture of service delivery into existing state and local initiatives targeting youth. Alabama's Children's Policy Councils showed that collaboration within the state and among county infrastructures could be a more efficient way of providing an array of resources to youth. The Children's Policy Councils provided a vehicle for coordination and collaboration as well as an opportunity for workforce development (U.S. Department of Labor, 2009).

Other Collaborative Efforts

Cross-Systems Work Groups

A number of local initiatives illustrate the possibility of collaborative partnerships to serve children and youth in the foster care or delinquency system or both. Sometimes local communities must bring together representatives from the various agencies that serve these children and youth in order to identify the barriers to meeting their educational, social, and other needs and fashion solutions to address them.

Interagency work groups are one way for local jurisdictions such as counties to identify and start addressing barriers to education for children and youth in foster care. One example of the use of an interagency work group for this purpose is described in a study by Weinberg, Zetlin, and Shea (2009). Interagency work groups were formed in six California counties that were implementing the Annie E. Casey Family-to-Family Initiative.[10] Each work group typically included representatives from one or more school districts, the county office of education, and the child welfare agency. Some work groups also included representatives from county departments of mental health and probation, the court-appointed special advocates organization, and the court, among others. The barriers identified fell into the following general categories: agency attitudes and organizational structures that impeded making changes; difficult or adversarial communication or collaboration within and across agencies; legal violations or other issues involving child welfare or local education agencies (LEAs); lack of knowledge about one another's

10 The Annie E. Casey Foundation Family-to-Family Initiative (2001) focuses on keeping children who are in the foster care system in their home communities, strengthening support in those communities, and involving birthparents and other caregivers as team members with the child welfare agency in making placement decisions.

agencies and procedures and the laws that govern them; and lack of focus on educational resources or interventions to address skill deficits in children in foster care. In addition to these barriers, it was understood in each of the counties that placement instability (i.e., frequent movement of foster children to a different home and consequently to a different school) was a barrier to education and that reducing instability was a major goal of their work as part of the Family-to-Family program. The findings of the study indicate that in all of the counties where a reduction of barriers occurred (e.g., where foster children were allowed to enroll in school promptly), collaboration between child welfare and other agencies had played an important role. The interagency education work group became an important vehicle through which much of the interagency collaboration happened and members worked together to create concrete outcomes—for example, developing forms and procedures for the child welfare agency to use to notify the school when a foster child would be entering or leaving a school, compiling a list of education advocates for the court to appoint as a foster child's "responsible adult," and initiating a memorandum of understanding so that school records could be shared across agencies.

These types of work groups can be used at different administrative and direct-services levels to address the multiagency issues that affect policies and practices related to removing educational barriers and improving educational outcomes for children and youth in the child welfare and delinquency systems and for crossover youth. Existing interagency relationships can help bring together agency representatives, but strong leadership—along with a willingness to expend resources such as funding and staff time—is crucial to bringing about necessary changes (Weinberg, Zetlin, and Shea, 2009). Agencies are more likely to make changes when they see that "sister" agencies in other jurisdictions have made changes successfully and can share their procedures, policies, and other documents related to the changes.

Education Liaisons

Child welfare and juvenile justice agencies typically do not have structures or procedures in place to closely monitor the educational progress or advocate for the academic needs of children and youth in the foster care or delinquency system, and particularly those who are involved in both systems. Local education agencies generally do not see this as their responsibility either. One model that has shown promise in helping to address the educational needs of children in foster care and the delinquency system is the Education Liaison Model (Weinberg, Zetlin, and Shea, 2004). This model initially was implemented in Los Angeles County where education liaisons from the county LEA were co-located in the offices of the child welfare agency. Results of this model showed that it was effective in (1) increasing the level of knowledge of social workers about educational procedures and programs for supporting the educational needs of foster youth, (2) increasing the social workers' level of participation in the educational process of children on their caseloads, (3) increasing the social workers' documentation of up-to-date education information included in the children's case files, and (4) improving the math and reading achievement test scores of children served by the education liaisons.

Legislation in California mandates that LEAs have foster youth liaisons through two different programs—Foster Youth Services (FYS) and AB 490. FYS is a grant program for county offices of education and selected school districts to increase interagency support for youth in foster care residing in group homes, foster homes, foster family agencies, court-specified placements, and juvenile detention facilities. FYS liaisons now serve 57 of the 58 counties in California (California Department of Education, 2008). Sacramento County FYS calls its education liaisons instructional case managers, or ICMs, and charges them with providing ongoing support and close monitoring of children in foster care. The program also provides ICM services to some crossover youth transitioning from a juvenile detention facility to the home community and school.

A significant change to the FYS program was the inclusion of funding to serve foster youth in county-operated juvenile detention facilities (California Department of Education, 2008). Recognizing that a large number of foster youth enter the juvenile justice system, the legislature included a budget augmentation to expand services to foster youth in juvenile detention facilities. As of the 2007–2008 fiscal year, 28 FYS programs had expanded to focus on foster youth in these facilities.

The goals of FYS are to (1) identify the educational, physical, social, and emotional needs of foster youth; (2) determine gaps in the provision of educational and social support services and provide those services, either directly or through referral to collaborative partners; (3) identify inadequacies in the completion and timely transfer of health and education records to facilitate appropriate and stable care and educational placement; (4) improve student academic achievement and reduce student truancy, dropout rates, and delinquent behavior; and (5) provide advocacy to promote the best interests of foster youth throughout California.

AB 490 mandates that educators, school personnel, social workers, probation officers, caregivers, advocates, and juvenile court officers work together to serve the educational needs of children in foster care and the probation system. However, the law does not cover youth in detention facilities. Each LEA must designate a staff person as a foster care education liaison (AB 490 liaisons) to ensure proper school placement, transfer of records within two days, and enrollment of foster and probation youth (AB 490, 2003). Shea, Zetlin, and Weinberg (2010) conducted the first statewide survey of AB 490 liaisons since the law went into effect in January 2004. One of the purposes of the survey was to understand better the roles and duties that have been assigned to the AB 490 liaisons.

AB 490 liaisons reported that they performed a variety of services for the foster youth in their schools, including facilitating the transfer of school records; informing parents and caregivers about educational opportunities; participating in enrollment discussions related to transportation needs (i.e., remaining in school of origin); assisting in the school enrollment of students in foster care; calculating partial school credits; and attending meetings related to foster youth. Less than a fourth said that they attended meetings convened by the child welfare agency to address home placement issues (i.e., team decision-making meetings, wraparound meetings, or family group decision-making meetings), indicating that the child welfare agency did not seek their input on the child's education when making home placement decisions. Almost half of the respondents noted their helpfulness as a resource to the school staff and remarked that working with foster youth was the most satisfying part of their job as AB 490 liaison. They kept foster parents, foster youth, and school personnel informed about the foster youth's progress in school and about services that the foster youth needed. They identified who the foster youth were at the school, advocated for them, and helped schools identify services and programs that would benefit them. They served as the contact person for various agencies and personnel who needed to communicate with the school. Some liaisons met individually with foster youth and helped connect them to tutoring services, school clubs, and after-school programs. Some liaisons helped foster youth, especially foster youth residing in group homes, transition to a new school or continue to attend a school when their group home placement changed. Liaisons also led staff in-service trainings about the requirements of AB 490 and kept staff informed about changes in the laws related to foster and homeless youth.

Shea et al. (2010) concluded that the AB 490 liaison position appears to provide the structure and organization to facilitate at least some collaboration between the child welfare and education systems. In some local education agencies, students in foster care—including those living in group or foster homes and under the jurisdiction of the probation department—now have an advocate at the school to help them enroll, see that their records are transferred, and troubleshoot for them if things go awry. The data show that, in California, through the work of the AB 490 liaison, some counties and districts are moving in a positive direction toward compliance with the law and supporting the education of foster youth and some youth on probation.

In 2006–2007, Washington state's Office of Superintendent of Public Instruction (OSPI) implemented an education advocate program to provide transition services for youth exiting juvenile detention facilities, with the intention of creating a continuum of support services for these youth (K. Sande, personal communication, April 5, 2010). The program started with three education advocates statewide who were placed in the state's three largest juvenile detention facilities. During the first year of the program, the education advocates served as mentors to the highest risk youth. In the second year, the state built upon its education advocate model by expanding training and professional development for the advocates while adding

requirements for cross-system work. In 2008–2009, OSPI hired additional education advocates, for a total of 16, to work with youth in 22 of the state's juvenile detention centers. The education advocates work with the youth as they leave the juvenile detention centers, helping them to get back in school successfully, enter a post-secondary school, or obtain employment. The source of funding for the education advocate program is Title I, Part D of the No Child Left Behind Act.

Shared Databases

Efforts have begun to link databases between child welfare and education agencies. Some of these databases also are linked with other agencies, such as the courts, probation departments, and mental health agencies. The purpose of database linkage is to ensure that the records of individual children and youth in the foster care and delinquency systems can be monitored and that everyone who has some responsibility for the child or youth can be made aware of how he or she is functioning in school. When databases are linked among agencies, there is no lag time when students move into a new foster or group home and/or into a new school. Aggregate data, on the other hand, is needed to understand how these children and youth are functioning as a group and what systemic changes might be needed to improve their school outcomes.

Several counties in California have linked databases among LEAs, child welfare, and other agencies. Sacramento, Fresno, and San Diego counties have developed databases that allow secure access to authorized users (California Education Collaborative for Children in Foster Care, 2008). Sacramento's database, called Foster Focus, stores transcript, attendance, and disciplinary records, as well as standardized test scores, among other information. The system immediately notifies school districts about new out-of-home placements and changes in placement. This database can provide aggregate data as well.

The Los Angeles County Department of Children and Family Services and the Los Angeles Unified School District (LAUSD) matched their databases as part of a pilot project to identify aggregate data of children and youth in foster care in LAUSD (Education Coordinating Council, 2006). This data match revealed, for example, that 30 percent of the general LAUSD elementary student population was proficient in English language arts on the state proficiency test, but less than 10 percent of elementary school children in foster care had attained proficiency.

A pilot project, undertaken by the California Partnership for Achieving Student Success (Cal-PASS) and the Center for Social Services Research (CSSR), School of Social Welfare, University of California at Berkeley, and funded by the Stuart Foundation as part of the Ready to Succeed Initiative, has linked child welfare, school district, and college data over a 10-year period (Frerer, Sosenko, and Pellegrin, 2010). The linked data from Fresno, Sacramento, San Bernardino, and San Diego counties are being analyzed to identify the school trajectories of students found in both education and child welfare data systems from kindergarten through high school and then continuing through the community college and university levels. More than 42,485 unique school-aged foster youth were matched to the school data. Cal-PASS and CSSR will look at the educational outcomes for the foster youth and the factors that facilitate or challenge those outcomes in relation to a comparison group of children and youth who, other than not being in (or having been in) the foster care system, are like them in other ways. This information—and other information attainable through aggregate data—can lead to further analysis of the problems faced by foster children and youth and to solutions to improve their education outcomes.

Federal and state initiatives have fostered collaborative efforts to address the education of youth whose needs span traditional service delivery systems. Across several states, child welfare and delinquency agencies are finding new ways to collaborate and more effectively serve youth. When states and local communities want to make changes in the way they address the education of children and youth in the child welfare or delinquency system and of crossover youth who touch both systems, a good strategy is to read about and observe innovative practices in other communities. By doing this, they then can understand the challenges in making changes as well as the benefits of moving forward in new ways. Pilot projects are always a good way to make change and adapt innovative models to local needs. Grants from governmental agencies or private foundations can also motivate change by providing additional resources.

VII. From Principles to Practice

Addressing the Education Needs of Vulnerable Children and Youth

Developing systems and practices designed to meet the education needs of vulnerable children and youth requires a rethinking of the ways in which professionals and agencies do business. A growing body of evidence suggests that current practices are associated with foster care youth, those in the juvenile delinquency system, and multiagency youth performing poorly on measures of academic and school performance relative to their peers. In earlier sections of this monograph, we described legislation, policy initiatives, and evidence-based practices that can guide the development of more effective services and supports for these youth. An important step in the process is identification of principles to guide system reform and service delivery. Our experience with the child welfare and juvenile delinquency systems suggests that the underlying principles that drive services should include:

- Early education is essential.
- Quality education services are critical for successful development of all youth.
- If outcomes matter, they must be measured.
- Support services are needed to help some youth succeed.
- Interagency collaboration and communication is vital.
- Change requires within-agency and cross-agency leadership.

Early Education Is Essential

As described in Section V, studies have shown that high-quality early intervention and preschool programs can make a major difference in school readiness, school success, and later life outcomes. This is particularly true for children who are at risk for school failure and other poor outcomes, such as juvenile delinquency. It is essential that all young children in foster care receive early education services. Just as successful high school experiences are a prelude to successful post-secondary education, quality early intervention and preschool programs set the stage for successful elementary school and secondary school experiences.

Quality Education Services Are Critical for Successful Development of All Youth

As noted earlier, education is the foundation for successful life experiences. Quality education services assist youth in meeting age-appropriate goals, developing academic and social skills, and becoming responsible adult members of our communities. The evidence suggests that the current system of education services and supports is inadequate. All agencies serving these youth need to ensure that the quality of education provided to youth enmeshed in the child welfare and/or juvenile delinquency system is at least comparable to services provided to other youth.

If Outcomes Matter, They Must Be Measured

In matters of health, safety, and finance, professionals regularly collect data on key performance indicators. Sometimes daily and sometimes hourly, these professionals measure indices of patients' health, the security of vessels and buildings, and the value of assets. Too often in education and human services, we decry the dismal outcomes of our most vulnerable youth but do little to gather data and act on information indicating when vulnerable children and youth in the foster care or delinquency system and crossover youth are failing. Rhetoric about the value of all children and our support for their development needs to be paired with the collection of data on key academic performance indicators.

Support Services Are Needed to Help Some Youth Succeed

The education careers and academic development of some youth are disrupted by changes in foster care placement, family mobility, disabling conditions, economic disadvantage, and involvement in the delinquency system.

Specific, individually tailored supports are essential if these youth are to succeed. The evidence-based academic and social skill interventions described earlier need to become standard practice for these youth. Just as schools and school districts find ways to ensure that all youth receive required vaccinations prior to entering school, we need to ensure that the most vulnerable youth receive supports essential to their success in school. To do otherwise ignores the considerable evidence about the impact of school failure on life outcomes described earlier in this monograph. Further, as a society, we cannot continue to fail a considerable number of our children because our service delivery system is inadequate to meet the needs of crossover and other disadvantaged youth, specifically those in the child welfare and delinquency systems.

Interagency Collaboration and Communication Is Vital

If we believe that all youth should reach age-appropriate social and academic milestones and make successful transitions to post-secondary education, employment, and adulthood, collaboration and communication across the agencies and professionals working with these youth is essential. The importance of this principle was illustrated in a recent report from Chapin Hall on families in Illinois involved with multiple systems of care. Among other things, the report described service providers as seeing their clients through their agency's services and supports and not with a coordinated approach across agencies and systems (Goerge et al., 2010). Youth involved in the child welfare and juvenile delinquency systems have needs that transcend professional boundaries and agency mandates. As such, they require collaboration and communication across agencies.

Change Requires Within-Agency and Cross-Agency Leadership

Addressing the unmet educational needs of children and youth in the juvenile delinquency and child welfare systems and those involved with both requires leadership. New legislation, policy initiatives, and work groups formed to develop more effective responses to the needs of youth may be a necessary step toward more effective practice, but they are insufficient by themselves. Adequately serving crossover youth requires both within-agency and cross-agency leadership. Within agencies, administrators need to provide unambiguous expectations about how youth are served; in most cases, this will involve doing things differently and challenging common practices. Across juvenile justice, child welfare, and education agencies, administrative and direct service staff need to lead through redesign of service delivery and perhaps most importantly, by example.

When states and local communities want to make changes in the way they address the education of children and youth in the child welfare or delinquency system and of crossover youth who touch both systems, a good strategy is to read about and observe innovative practices in other communities.

Designing Systems That More Adequately Serve Vulnerable Youth

Developing a system that adequately addresses the education needs of children and youth in foster care and the delinquency system involves both building on existing programs and structures and redesigning the ways in which systems and agencies operate. It is beyond the scope of this monograph to identify and describe all of the program elements and practices associated with a collaborative service delivery system for youth. However, in this final section we describe some important elements and several practices that should be included in a redesigned system. Ultimately, the true test of any reform is whether the most vulnerable youth receive appropriate services and achieve the education outcomes we expect for all youth.

Early Childhood Education

The Individuals with Disabilities Education Act (IDEA) requires that children who enter the child welfare system as infants or toddlers with substantiated cases of abuse or neglect be referred for screening and possible assessment to determine whether they qualify for early intervention services. This piece of legislation, through individualized services and supports, can be a vehicle for shaping services for a substantial number of young children involved in child welfare and juvenile courts. For

example, social workers or education liaisons working with social workers must be knowledgeable about the criteria for eligibility for early intervention services and ensure that all children below the age of three years who have developmental disabilities or have established risk conditions for such disabilities are made eligible. Once eligible, the child welfare agency must then ensure that these young children receive appropriate early intervention services. Social workers or education liaisons with sufficient expertise to make eligibility determinations and referrals are essential.

For young children in foster care who may not be eligible for early intervention services under IDEA, research shows that they still need quality early education services. Child welfare agencies and juvenile and family courts that have jurisdiction over child welfare cases must require that caregivers of young children in foster care enroll their children in quality preschool and other early education settings. To make this happen, child welfare agencies must work closely with Head Start, Early Head Start, and other early education providers to ensure that there are sufficient quality services for these children in the local community.

Children who have needs beyond the capabilities of regular early education programs must be enrolled in therapeutic preschool and other early education programs. Participation of the children's caregivers in these programs is often essential to the child's long-term well-being. If a child's biological parents have not had their parental rights terminated or visitation denied, they too should be required to participate in these programs. Short-term parenting programs have been successful in teaching parents and caregivers new ways to interact with their infants and young children in foster care. Such programs must be available in local communities and required for caregivers.

To prevent the younger siblings of youth adjudicated for juvenile crimes from following in the footsteps of their adjudicated siblings, juvenile courts overseeing

Figure 1. Principles, Practices, and Outcomes Associated with Meeting the Education Needs of Youth in the Child Welfare and Juvenile Justice Systems

Principles	Quality Education Services Are Critical	Early Education is Essential	Outcomes That Matter Are Measured	Individually Tailored Support Services for Youth Are Provided	Interagency Communication and Collaboration is Vital	Change Requires Within-Agency and Cross-Agency Leadership
Practices	Provide high-quality evidence-based services comparable to those available to other youth	Ensure that vulnerable youth enter school well prepared; address emotional and behavioral problems early on	Identify, quantify and measure outcomes associated with student well-being	Employ evidence-based academic and behavioral interventions	Engage in collaborative decision making; share resources and expertise; target services to meet the needs of children, youth, parents, and caregivers	Clarify expectations about how youth are served; exercise strong leadership when redesigning the service system
Outcomes	Improved literacy and high school graduation rates; increased numbers of youth enrolled in post-secondary education	Vulnerable children achieve greater success in the primary grades; children who need support upon entering school are identified early on	Greater accountability and efficiency in providing effective programs and services; improved program management and support	Improved performance on academic and social measures of student performance; improved attendance and engagement	Duplicative efforts are minimized or eliminated; fewer students fall through cracks in the various systems	Improved access of children to services; improved academic performance and lower rates of special education identification; fewer crossover youth

delinquency cases should identify the families and require that any younger children and their parents attend combined early education and parenting programs. These programs are designed to improve parenting practices and preschoolers' social competence and to prevent later conduct problems.

Quality Education Services

Significant barriers to quality education services exist for youth involved in the child welfare and delinquency systems. Creating and maintaining school stability for these children and youth includes ensuring that their records transfer quickly and that they are immediately enrolled in a new school when a home placement change necessitates a school move. Children and youth need to earn partial credits for work they complete prior to a change in school placement. Although some of these problems have been addressed in recent federal and state legislation and collaborative agreements between agencies, by themselves, these actions are simply not sufficient.

All youth need to have access to quality, evidence-based academic services that improve literacy, boost high school graduation rates, and increase the likelihood that youth will enroll in post-secondary education or successfully enter the workforce. These children and youth must also be enrolled in schools with effective, caring teachers who can build their trust and challenge them academically. It is also important that school-age children and youth in the child welfare and juvenile justice systems have their academic skills assessed early and on a periodic basis using appropriate diagnostic measures. If academic skill deficits are identified, students then must receive individually tailored instruction and ongoing assessments to determine if the instruction they are receiving is effective. Some of this instruction could occur as part of response-to-intervention models being implemented in many schools. Literacy programs that have been found to be effective for children considered to be at risk are described in Section V.

Tutoring models and after-school programs also have been found to be effective in helping improve academic achievement and, in some cases, helping to close the achievement gap between students who are at risk and those who are achieving at grade level. These programs must be available to children within both systems, especially as youth transition from one setting and primary service system to another. Tutoring and academic support could provide an opportunity for staff across agencies to collaborate and promote more successful transitions for youth. In addition to participating in interventions to improve academic performance, these children and youth must attend schools that have powerful positive behavior intervention programs and appropriate mental health interventions to address their needs. Schools should adopt early screening for behavioral and conduct disorders as part of these programs and provide targeted interventions to address them if identified.

Monitoring Performance and Outcomes

If the education outcomes of children and youth in the child welfare and juvenile justice systems matter, they must be assessed regularly. Unfortunately, the caregivers of many children and youth in these systems do not have sufficient know-how to do this or the youth live in group homes with frequently changing child care staff. Social workers and probation officers typically have extremely large caseloads and therefore do not have the time to properly monitor the education of children and youth on their caseloads, and furthermore may not have the expertise needed to do so. In some jurisdictions, education, child welfare, and juvenile justice agencies use education liaisons for this function. These specialists not only meet regularly with the students in these systems but also work with caregivers to help them learn how to set proper limits, oversee homework completion, and monitor school attendance. Volunteer mentors can also perform some of these functions and can help bring about positive school outcomes for at-risk youth. The point is that someone must have this responsibility.

In order to properly oversee the education of individual children and youth and to identify broad needs among the populations as a whole, regular performance data must be available and reviewed. The most efficient way for this to happen is for school, child welfare, probation, and juvenile and family court databases to be linked and school data automatically uploaded to the other agencies.

Although assessments and reviews of individual student performance is a critical part of system reform, analysis of the performance of groups of vulnerable students in the aggregate provides information about interventions and supports needed and whether those in place are achieving their intended goals. If they are not, other interventions must be implemented.

Ensuring Interagency Collaboration and Communication

To effect the kind of close monitoring of children and youth that we are recommending and the implementation of individually tailored interventions and supports requires significant collaboration and communication across agencies. This is something that traditionally has been difficult. Consequently, a variety of strategies are needed to make good communication and collaboration a reality. Monetary incentives and technical support are needed to make agencies respond to and interact with each other in new ways. Federal and state laws can require collaboration, and grant monies can be awarded contingent upon evidence of collaboration across youth-serving agencies. This approach was part of the Federal Shared Youth Vision Partnership, a central feature of which was interagency collaboration and communication (U.S. Department of Labor, 2009). Private foundations have played an important role in this regard too, but they cannot be the only source of support.

This monograph reviewed the education and experiences of youth in the child welfare and juvenile delinquency systems. The evidence indicates that, on the whole, children in these two systems and those who crossover from foster care to the delinquency system receive inadequate education services, and consequently inadequate preparation for adulthood and post-secondary education. Responsibility for rectifying the dismal academic experiences of these youth rests with professionals and policymakers in child welfare, education, juvenile justice, and the juvenile courts. Traditional ways of organizing and delivering services have been largely ineffective.

We have described the characteristics of youth, the barriers to providing effective services, as well as legislation and evidence-based strategies intended to improve educational outcomes. We have highlighted policies and practices in several jurisdictions that have begun to address the unique needs of and the circumstances faced by dual agency youth. The principles discussed in the final section are meant to be a starting point for agencies and systems to design and implement services that will enable youth involved in the foster care and juvenile delinquency systems to receive the quality education services and support we expect for all children.

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