

# **FOSTER CARE IMPROVING?**

## **COUNTY LEADS THE WAY TOWARD EXPANDING INTERAGENCY COOPERATION**

### **SUMMARY**

Foster care has evolved from the early days of ‘orphanages’ to the present day ‘foster family’. Along with this evolution came problems unforeseen to foster care administrators. The problems focused on in this report deal with the multi-placement of foster children and the frequent delay in transferring school and medical records.

Today’s foster child may reside in an average of ten foster homes. A change in foster homes often results in a change of schools. Waiting for school records means delaying the correct placement of that foster child in the new school. These changes also result in the loss of friendships acquired in past schools.

There are many reasons for these frequent changes in foster homes. Some foster homes take only children of a certain age; others experience discipline problems and initiate a request that the child be placed elsewhere. Whatever the reason for these changes, each change brings new problems!

The Grand Jury’s recommendations include a suggestion that a task force be developed to create a uniform policy for schools, health and social services, probation departments and the courts to expedite the transfer of school and medical records. The Grand Jury also recommends a change in the licensing requirements for San Pasqual Academy and the possible opening of a second similar facility that would include middle school children.

### **PURPOSE OF THE STUDY**

This study was initiated to determine if the educational system can be improved for the 7,000 to 7,500 children in San Diego County’s foster care system (FCS). Children are placed in the FCS as a result of abuse and/or neglect. At age 18 a youth is no longer under FCS supervision unless s/he will receive a high school diploma or a GED by age 19. As recently as the 1997/1998 school year, only 51% of youths in foster care ‘aged out’ of the system with a high school diploma. Today’s average of foster care children graduating has increased to 69% due to innovative programs instituted by the County. (By comparison, the County average of children graduating from high school is 85%.) All parties interviewed for this report expressed frustration with the problems encountered with records transfers. These record delays cause further

disruption in the children's lives and education. Education is a foster child's ticket out of a life of poverty and despair.

## **BACKGROUND INFORMATION**

The present day foster care system arose out of the old 'orphanage system'. There was no problem with school and medical records in that system since children in orphanages usually remained in their initial placements until they came of age. School, socialization and living conditions were all combined within a single institution or complex.

Many good orphanages existed; a well-known example was Boys' Town. For the most part, the children in orphanages were well fed, adequately clothed, and received a good basic education. The occasional horror tales of abuse in orphanages captured the most attention and detracted from the good care provided by most of those early institutions.

Society's attitude toward children needing care evolved rapidly during the last half of the 20<sup>th</sup> Century. Many people felt that such dependent children would do better in a family setting. Thus it was that foster care came into being, along with a set of unforeseen problems.

The FCS is intended to personalize a child's upbringing so s/he can better function in society as an adult. Unlike orphanages, where a child remained in one place until maturity, the current FCS often leads to a child being frequently moved. Today's erratic moves cause disruptions in a child's daily life and often carry over into their schoolwork. The slow movement of their school and medical records has been a major hindrance. Placements in foster care are frequently changed due to a variety of problems. Some foster homes take children only of certain ages. Sometimes discipline problems lead a foster parent to request the child be placed elsewhere. For any number of reasons, foster parents leave the system and new ones are recruited. These situations and many others lead to the high number of placements some children must endure.

The care of dependent children is an important function that has historically been divided among various branches of government. While the day-to-day supervision of dependent children is currently assumed throughout California by county social workers, the overall authority for their family interventions is provided by the Juvenile Court. Other agencies have been developed as new issues came to the forefront; for example, juvenile justice, foster parenting and adoptions.

## **PROCEDURES EMPLOYED**

The Grand Jury interviewed:

- Supervisors and senior staff members of San Pasqual Academy; the Polinsky Center School; Alta Vista Academy; New Alternatives 15 (NA15), which is a part of a network

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of group homes; the Monarch School; and the Toussaint Teen Center

- Two juvenile court judges
- Officials of the San Diego County Office of Education
- Supervisory officials for Health and Human Services Agency (HHS)
- A San Diego County Supervisor
- Several at-risk youths both in and out of the foster care system
- Program Manager Toussaint Teen Center of St. Vincent de Paul Village
- Director of Program Development at St. Vincent de Paul Village

The Grand Jury visited the following educational institutions:

- San Pasqual Academy, a boarding school (group home) developed for high-school aged foster youth;
- The Polinsky Center, a temporary placement for children removed from their homes;
- New Alternatives 15 (NA15), in Hillcrest, a group home with placements of approximately 30 days;
- Alta Vista Academy (NA 16 & 18) a group home for 81 children with high levels of care. They are housed and educated in one location;
- The Monarch School, a public-private collaboration school for homeless children who are not wards of the court, where all their other needs including medical, dental, food, clothing, etc. are met; (While this school is not pertinent to the Foster Care System, it was visited for purposes of comparison.)
- The Toussaint Teen Center, a home and school for 15 boys and 15 girls provided by the St. Vincent de Paul organization for at-risk children who are not wards of the court.

Grand Jurors attended several workshops at the 7<sup>th</sup> International Conference on Family Violence held in San Diego, September 25-28, 2002. The workshops dealt with foster care and related issues.

## **FACTS AND FINDINGS**

A typical foster child in San Diego County will be placed in an average of ten different foster homes before reaching the age of 18. In extreme cases, a child may be placed in as many as 25 or more homes by the time s/he reaches 18.<sup>1</sup> Medical and school records, which include credit for courses taken, often do not follow a child promptly when there is a change of placement. The Grand Jury's investigations led to a variety of situations pertinent to this issue.

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<sup>1</sup> San Diego County Office of Education: "The Future Is Yours!"

## **Educational Achievement**

According to one San Diego County Supervisor, 85% of all children attending high school in the County graduate. Even though there is improvement in graduation rates for foster care children, it is still currently at 69%. The majority of children from foster care homes enter the high school system scholastically behind their peers. One reason is due to the many placements they experience and the resulting school-to-school changes. Foster children in San Diego attend an average of five to six high schools during their teenage years.<sup>2</sup> Those many changes affect both self-esteem and bonding with adults. In some cases, it is left to the child to find his or her records and/or to know what classes s/he has completed. Further, the new school's officials do not always accept the child's recollections.

Another concern is the problem of dis-enrolling a child from the former school when the new placement is made. If the child is moved without the proper procedures being followed, unexcused absences may be recorded at the former school. Those unexcused absences lower the child's grades, causing some unmerited failures and great frustration for a child who knows that s/he has done well in school.

## **Health and Human Services Agency**

HHSA has the responsibility, through its social workers (SW), for distributing school and medical records on all foster children. HHSA has developed the Health and Education Passport (HEP), as a response to this need. HEP is a comprehensive documentation of all obtainable health and education information from birth to the present time for children in out-of-home care. Information in the HEP system includes the child's immunization record, a prime necessity when enrolling a child in school. It also includes the following educational information:

- Grade level and performance
- School(s) attended
- Parental education rights
- Attendance
- Report card(s)
- Special needs

According to HHSA, the social workers have responsibility to make sure that the records follow the child from foster home to foster home as well as from school to school. In the HHSA manual it is emphasized that "the SW must make every effort to provide the health and education information at the time of placement." Since HEP is a closed system due to confidentiality issues, HHSA and Foster Youth Services (FYS), a segment of the County Office of Education, do not have access to each other's records; however, social workers can send updated education and medical records directly to the FYS Education Liaison. This needs to be continued for all foster youths in the HHSA system.

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<sup>2</sup> *ibid.*

## **McKinney-Vento Act**

The McKinney-Vento Homeless Assistance Act is new Federal legislation. The act came into being in 2001 and was reauthorized in January 2002. It insures the educational rights of children experiencing homelessness so that no child will be academically left behind. The Grand Jury finds that the school at Polinsky Center is for short-term placement of children who may go into foster care and thus is subject to this law. Monarch High School in San Diego also comes under this legislation which is specifically directed at local education agencies (LEAs). The legislation says that

LEAs must immediately enroll students in homeless situations, even if they do not have required documents such as school records, medical records [and others]. . . . Enrolling schools must obtain school records from the previous school, and students must be enrolled in school while records are obtained.<sup>3</sup>

## **Pending Legislation**

On April 23, 2003, California Assembly Bill 490 (Steinberg) Helping Foster Children Make the Grade was pending legislation in Sacramento. AB 490 includes the following:

- Creates school stability for foster children by allowing them to remain in, and be transported to, their school of origin for the duration of the school year when doing so will be in the child's best interest.
- Requires LEAs to designate a staff person as an education liaison to ensure proper placement, records transfer, and enrollment for foster youth.
- Makes LEAs, county social workers and probation officers jointly responsible for the timely transfer of students and their records when a change of schools is in the child's best interest.
- Requires that a comprehensive public school be considered as the first school placement option for foster youth.
- Allows a foster child to be enrolled in school even if not all typically required records are immediately available.
- Requires school districts to calculate and accept credit for full or partial coursework satisfactorily completed by the youth.
- Authorizes the release of educational records of foster youth to their social workers.

## **Family-to-Family Program**

A new program, Family-to-Family, founded in 1992 by the Annie E. Casey Foundation and child welfare leaders, is a national movement, begun by private initiative that is now expanding to cities across the country. It was undertaken as an effort to keep students in the same neighborhood, thus eliminating the psychological trauma of changing schools. It also allows them to maintain the same friends and social continuity while eliminating the need to transfer

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<sup>3</sup> <http://www.nationalhomeless.org/shortsunstable.html>

records. The goal of the new program is to increase (by 15%) the number of students receiving high school diplomas by keeping each one close to his or her original home. The Family-to-Family program also enables siblings to stay in close contact since they remain in the same neighborhood even if placed in different homes by necessity.

### **Foster Parenting Workshops Through the Community College System**

The California Community Colleges Foster, Adoptive and Kinship Care Education Program at Grossmont College sponsors 'Support Group Workshops'. Classes are provided that cover many areas of foster care. Of particular interest to the Grand Jury is a class titled "How to Advocate for Your Foster/Kinship Child in the School System", a program that deals with enhancing the school experience for a foster child; it includes updating school and medical records when the child goes into a foster home. The year-round program is available for foster parents, those who want to become foster parents, and for those who need additional training. Since there are more children in individual foster homes than in group homes, the program is timely and needed.

### **San Pasqual Academy**

San Diego County has approximately 1,000 children residing in group homes. The Grand Jury chose to visit San Pasqual Academy (SPA) on several occasions because it is so new and unique. The Academy occupies approximately 238 acres in the North County's Escondido area; it is state licensed as a group home for 136 students, mostly of high-school age, though some younger siblings are also living there. SPA opened on September 28, 2001, as a placement for foster youths in order to provide a stable home life as well as a typical four-year high school program. This is unlike anything done before for foster youth in the nation and provides high school programs similar to the other county schools. The Academy is a unique public-private partnership between New Alternatives, the County, charitable organizations, individual donors and local businesses.<sup>4</sup> Some social workers from the Escondido office of HHSA work exclusively with the SPA children. In the future, an office will be provided on the SPA campus for these workers. The social workers maintain and update school and medical records using the Health and Education Passport (HEP) which is generated from the Case Management System-Child Welfare System (CMS-CWS).

As of April 21, 2003, 106 students reside at SPA. The student:staff ratio is 15:1. Twenty SPA students will graduate high school in June of 2003. All of SPA's future graduates have plans to go to college, with a few having been accepted into four-year colleges and universities. The rest will go to community colleges.

Students at SPA revealed many concerns during Grand Jury interviews. The most frequently voiced complaints about life before SPA were:

- Waiting up to one week or more for school records to arrive
- Transcripts, when received, not being up to date

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<sup>4</sup> Flyer issued by San Pasqual Academy, A Residential Education Campus for Foster Youth, A program of New Alternatives, Inc.

- Credit for work completed often missing

Due to recurrent problems that relate to the delay of school and medical records transfer, a uniform policy needs to be formed regarding the transfer of both medical and scholastic records for these foster children not residing in group homes.

### **Interagency Agreement for Group Homes**

The San Diego County Office of Education, through the Senior Director and the Safe Schools Coordinator for Foster Youth Services, has developed an “Interagency Agreement” between its office and the San Diego County Probation Department, HHSA, Sweetwater Union High School District, Chula Vista Elementary School District, San Diego Unified School District, Oceanside Unified School District, Ramona Unified School District and three licensed Children’s Institutions (LCIs)—New Alternatives, Devereux, and Broad Horizons. This agreement was made:

...to develop a plan for the purpose of providing improved educational outcomes for students in foster care. The SDCOE-FYS and Participants will work together to ensure students’ health and education records are current and accurate, that transfer of records occurs in a timely manner, and that students in foster care are educated in the appropriate educational placement in the least restrictive environment. (Ed. Code 49069.5, Gov. Code 7579.1)<sup>5</sup>

The transfer of records is done through a FYS Educational Liaison “who assists schools, placing agencies, and group home providers in locating missing health and education records.”<sup>6</sup> The Liaison also assists the various group homes in the timely transfer of school and medical records, and ensures that the youth’s education is minimally disrupted when a change of placement occurs. San Diego is one of the few California counties that has this benefit, just one of the many improvements done to alleviate problems and improve conditions of children when they come into the FCS.

### **Polinsky Children’s Center**

Polinsky is a short-term placement for children removed from their homes due to abuse and/ or neglect. Some of the children are awaiting placement in a foster home. Their education continues while they reside at Polinsky. According to the Polinsky school staff, getting education and medical records for the children, even if it takes only one week, is a problem because some of the children may have been sent on to their new placements by the time the records arrive. However, at Polinsky, a child is admitted to the on-site school immediately without waiting for the records to arrive. Whatever credit the child earns at Polinsky is sent with him or her to the new foster home placement. The new school district decides whether or not to accept that partial credit

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<sup>5</sup> FYS, “Interagency Agreement” page 5.

<sup>6</sup> Flyer issued by FYS Educational Liaison.

## COMMENDATIONS

The Grand Jury commends the following people for their dedication, perseverance and hard work on behalf of all San Diego County foster children:

Nory Behana, Program Director Foster, Adoptive & Kinship Care Education Program; Dr. Rudy M. Castruita, San Diego County Superintendent of Schools; Greg Cox, Chairman San Diego County Board of Supervisors; Ana Espana, Supervising Attorney Dependency; Tracy Fried, Foster Youth Services Coordinator of Safe Schools; Honorable Susan D. Huguenor, San Diego Superior Court Juvenile Division; Claudette Inge, Assistant Superintendent for Foster Youth Services; Liz Lebron, Senior Director Safe School Unit of Foster Care; Shana Jennings, Program Director, New Alternatives; Thomas G. Logsdon, Assistant Principal Alta Vista Academy; Honorable James R. Milliken, Presiding Judge of Juvenile Court Division; Bobbi Plough, Principal of San Pasqual Academy; Kristen Richetti, Principal of Polinsky School; Ron Roberts, District 4 Supervisor of San Diego County Board of Supervisors; Barbara Berry-Waldon, Program Director, San Pasqual Academy; Debra Zanders-Willis, Assistant Deputy Director San Pasqual Project Health and Human Services Agency.

They are all making a positive contribution.

## RECOMMENDATIONS

**The San Diego County Grand Jury recommends that the County Board of Supervisors:**

- 03-46:** Immediately form a task force to develop, within six to eight months, a uniform mandate that clearly defines policy and procedures to ensure continuity across agencies and school districts in order to provide quality educational outcomes for San Diego County foster youth. The mandate would include uniform procedures for schools, Health and Human Services, Probation, the Courts and substitute care providers to assure the complete and timely transfer of school and medical records of children who are dependents of the Court. The policies would be developed in conjunction with the San Diego County Office of Education's Foster Youth Services Program.
- 03-47:** In partnership with the San Diego County Superintendent of Schools, establish a task force to ensure shared responsibility and accountability for all San Diego County foster care children.
- 03-48:** Seek legislation to modify the licensing requirements for the unique situations at San Pasqual Academy to reflect the realities of a boarding school as compared to a group home. These modifications would remove barriers that prevent youth from participating in enrichment activities due to licensing regulations.



- 03-49:** Consider establishing a second San Pasqual Academy type of facility, to accept middle-school aged youth as well as high school students, not only to serve more students but to intervene earlier in their educational life.

**The San Diego County Grand Jury recommends that the Department of Health and Human Services Agency:**

- 03-50:** Provide each school-age foster child with multiple copies of his/her HEP before a placement change.
- 03-51:** Require that social workers document the record transfer of both education and medical records whenever there is a change of placement, whether the change involves group or individual homes.

## **REQUIREMENTS AND INSTRUCTIONS**

The California Penal Code §933(c) requires any public agency which the Grand Jury has reviewed, and about which it has issued a final report, to comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the agency. Such comment shall be made *no later than 90 days* after the Grand Jury publishes its report (filed with the Clerk of the Court); except that in the case of a report containing findings and recommendations pertaining to a department or agency headed by an elected County official (e.g. District Attorney, Sheriff, etc.), such comment shall be made *within 60 days* to the Presiding Judge with an information copy sent to the Board of Supervisors.

Furthermore, California Penal Code §933.05(a), (b), (c), details, as follows, the manner in which such comment(s) are to be made:

- (a) As to each grand jury finding, the responding person or entity shall indicate one of the following:
  - (1) The respondent agrees with the finding
  - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
- (b) As to each grand jury recommendation, the responding person or entity shall report one of the following actions:
  - (1) The recommendation has been implemented, with a summary regarding the implemented action.
  - (2) The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
  - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed,

including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of publication of the grand jury report.

- (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
- (c) If a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the Board of Supervisors shall respond if requested by the grand jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

Comments to the Presiding Judge of the Superior Court in compliance with the Penal Code §933.05 are required by the date indicated from:

| <b><u>RESPONDING AGENCY</u></b>                              | <b><u>RECOMMENDATIONS</u></b>     | <b><u>DATE</u></b> |
|--|-----------------------------------|--------------------|
| <b>SAN DIEGO COUNTY BOARD OF SUPERVISORS</b>                 | <b>03-46, 03-47, 03-48, 03-49</b> | <b>08/04/03</b>    |
| <b>HEALTH AND HUMAN SERVICES AGENCY, COUNTY OF SAN DIEGO</b> | <b>03-50, 03-51</b>               | <b>08/04/03</b>    |