

Support for Students in Foster Care

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Students in foster care face many systemic challenges, including educational disruption caused by multiple moves that may pull them from their school of origin. According to the [National Youth in Transition Database \(NYTD\)](#), children in foster care at age 17 had experienced an average of [four placements](#) during their time in care. Changing placements may affect educational stability, learning readiness and academic attainment. Though there is no national system to track the educational attainment of all children and youth in foster care, the 2019 NYTD found that [55%](#) of the former youths in foster care surveyed obtained a high school diploma or GED by the time they reached age 19. In 2017-18, the [national graduation rate](#) among all students was 85%.

Several systemic factors contribute to the lack of stability and educational opportunities for students in foster care, including lack of transportation to the school of origin (or the schools they enrolled in when they first entered foster care), difficulty enrolling in new schools and transferring credits between school districts, gaps in attendance as a result of disruptions in their lives, and trouble accessing services for both the students and their parents/guardians. States have taken various approaches to addressing these challenges, including policies that directly address barriers for students in foster care and those that indirectly affect this population. This Policy Brief includes examples of federal and state policies intended to support students in foster care and improve their K-12 educational stability and success, as well as opportunities to encourage postsecondary engagement and persistence.

About 62% of the more than 437,000 [children in foster care](#) are school age (5-18 years old), according to the most recent data available.

Coordination between state and local education and child welfare agencies is critical to supporting students in foster care — though this type of coordination is often lacking.

There are opportunities for states to support students in foster care in holistic, direct and indirect ways.

Demographics of Students in Foster Care

While students in foster care face both unique and common challenges, it is critical to understand the diverse makeup of this population. The historical and systemic lack of support for this group of students further exacerbates the barriers youth face as a result of time in foster care and present multiple opportunities for state policymakers to influence the outcomes of multiple subgroups.

LGBTQIA+

- About 30% of youths living in foster care identify as LGBTQIA+.

HOMELESS

- Nearly 4.2 million adolescents and young adults experience some form of homelessness each year. Potentially, 25% to 33% of those youths have a history with foster care.

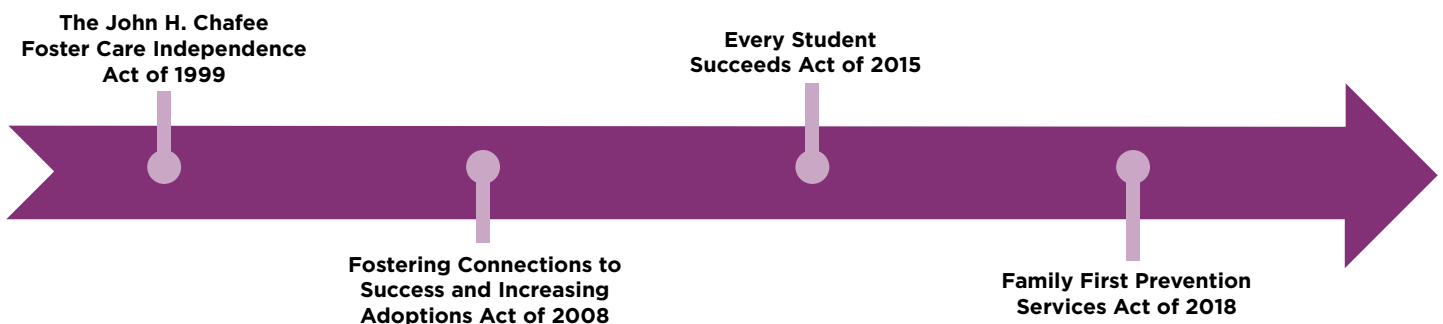
- Nearly 40% of youths who have aged out of foster care have experience with homelessness (couch surfing, one-night homeless, etc.).

RACE/ETHNICITY

- American Indian/Alaska Native: 2%
- Asian: <1%
- Black or African American: 23%
- Native Hawaiian/Other Pacific Islander: <1%
- Hispanic (of any race): 21%
- White: 44%
- Two or More Races: 8%

Federal Policy Initiatives

For decades, federal policy has targeted funding, guidance and mandates to states to support students in foster care. This legislation has aimed to ensure educational stability and success for students in foster care from K-12 to postsecondary.



The John H. Chafee Foster Care Independence Act of 1999

The [John H. Chafee Foster Care Independence Act](#) (CFCIP) addresses the challenges faced by youths exiting foster care with programs to help them transition to self-sufficiency. One such program is the authorization of Education Training Vouchers, which provide foster youth up to age 21 as much as \$5,000 per year toward postsecondary education. ETV funds can be combined with other grants or scholarships to minimize or eliminate the need for student loans. Though this Policy Brief doesn't go into detail on this topic, this brief, "[Strengthening Policies for Foster Youth Postsecondary Attainment](#)," includes a discussion of the ETV program.

Fostering Connections to Success and Increasing Adoptions Act of 2008

The Fostering Connections to Success and Increasing Adoptions Act made many changes to the administration of child welfare programs in states, including supporting educational stability for students experiencing foster care. The FCA requires coordination between local education and state child welfare agencies; consideration of the student's educational setting when placing them in foster care; a best interest determination about whether the student should stay in their school of origin or transfer based on the placement; and provisions to help the child travel to their school of origin, if it is determined that remaining at that school would be in their best interest.

Every Student Succeeds Act of 2015

The Every Student Succeeds Act made significant changes to several areas of the education system, including provisions to help school districts serve foster youth and provide educational stability. Like the FCA, ESSA requires state plans to specify how states will foster coordination between child welfare and local education agencies. Plans must also describe the process for determining which educational setting is in a child's best interest. If the child remains in the school of origin, ESSA requires the child welfare and education agencies to develop a plan to provide and fund transportation to that school. ESSA further requires that a point of contact be established within the state and/or local education agency to support this coordination. In addition, ESSA requires states' school report cards to disaggregate data on graduation rates and academic performance for students in foster care.

Family First Prevention Services Act of 2018

The [Family First Prevention Services Act](#) makes important changes to the provision of child welfare services in states by emphasizing the importance of prevention and by placing children in the least restrictive, most family-like setting possible. It also allows states to allocate funds, for the first time, to services intended to prevent children from entering the foster care system. The act expands the eligibility age for CFCIP funds to 23 for states that have extended their foster care programs to that age. It also extends eligibility for the ETV program to five years, or until the youth reaches age 26, whichever is sooner.

State Policy Options

States have also been active in setting policy that affects students in foster care, whether in response to federal requirements or by proposing additional initiatives to further improve the educational stability and outlook of students in foster care. State action includes:

- Holistic approaches designed to understand and address the full breadth and depth of policy options to support students in foster care.
- Policies expressly designed to address barriers faced by students in foster care.
- Policies designed for all students that may have greater benefits for students in foster care.

Holistic Policy Approaches

To offer holistic solutions to the instability faced by students in foster care, states have enacted or adopted policies to promote a full understanding of students' barriers, and they work to address them systematically. These efforts include task forces and work groups to study the existing system and make recommendations for improving it, or otherwise engage broad stakeholder groups to improve coordination.

In 2019, **New Mexico** [enacted H.M. 75](#), requesting the secretary of children, youth and families and the secretary of public education to convene a task force to review issues relating to school stability for school-age children in foster care and to recommend statutes, policies and practices to ensure educational stability for those students.

In 2020, **Washington** [enacted H.B. 2711](#), establishing a work group to address the needs of students in foster care, students experiencing homelessness or both. The work group must develop recommendations for improving such students' educational outcomes while eliminating racial and ethnic disparities in those outcomes.

Arizona's [FosterEd](#), an initiative of the National Center for Youth Law, was initially

a pilot program in several counties that provided every student with a team of adults dedicated to their support. An evaluation of the pilot suggested it improved participants' social and emotional well-being, increased their attendance and improved their English language arts proficiency scores on state assessments. These results prompted the Arizona Legislature to expand the program statewide through [H.B. 2665, which Gov. Doug Ducey signed](#) in 2016.

The [Texas Education Agency](#) — along with the department of family and protective services, the Supreme Court of Texas, and the Permanent Judicial Commission for Children, Youth and Families (Children's Commission) — developed a [Foster Care & Student Success Resource Guide](#) for districts and schools. This was the product of Texas' participation in a federal [Children's Bureau demonstration grant program](#) in 2011-13.

These holistic approaches have one thing in common: They brought stakeholder groups together, including education and child welfare agencies, to discuss and find solutions to the barriers to education attainment for youths in foster care.

Policy Examples Supporting Youth in Foster Care

While federal legislation provides guidance and some requirements for states to address the educational stability of students in foster care, states still have flexibility to go above and beyond those federal requirements. States use that flexibility to adopt policies directly impacting students in foster care. This includes outlining their rights within the system, including the right to education. It also ensures support through liaisons and coaches, requires interagency collaboration to share data, provides transportation services and supports students in foster care with the transition from K-12 to postsecondary education.

FOSTER CARE BILL OF RIGHTS

One policy option states have adopted is a foster care bill of rights, which outlines the unique rights and opportunities that must be afforded to children and youths in foster care. Many of them include an educational component ensuring that children in foster care have the right to an appropriate education or to attend school, as well as the right to participate in extracurricular activities. Some states go further by also requiring child-placement agencies and school districts to ensure that students in foster care have educational stability, including the right to access their educational records or opportunities to develop job skills.

Arizona's bill of rights provides broad protections for children in foster care, including the right to attend school activities and the right to go to school and receive an education that fits the child's age and individual needs.

Another example is from **South Carolina**, whose Education Bill of Rights for Children in Foster Care outlines the duties of the school districts and the state department of social services to support the educational rights of students in foster care.

EDUCATION LIAISONS OR COACHES

Federal legislation requires state and local education agencies to collaborate with child welfare agencies to help ensure the educational stability of students in foster care. To do this, states must designate points of contact at the state and local education agencies to coordinate and implement these provisions. Since children in foster care may experience higher levels of housing and educational instability than their peers, these points of contact, or liaisons, are charged with limiting educational disruption through interagency collaboration and coordination. Some states have embedded these or similar requirements in statute and regulation.

Texas requires each school district and open-enrollment charter school to appoint at least one employee to act as a liaison officer to help children in foster care enroll in or transfer to a public school or open-enrollment charter school, if necessary. In **Washington**, each school district is required to designate a foster care liaison to collaborate with the department of children, youth and families. Moreover, the department of children, youth and families is required to identify an educational liaison for each youth in foster care, preferably the youth's parent, guardian or someone related or known to the youth. Statute further identifies the responsibilities of the educational liaison.

Local Program Showing Results

New York City [recently invested \\$10 million](#) of the city's fiscal year 2020 budget in the rollout of a program called [Fair Futures](#) that is designed to provide long-term, comprehensive support for youths in foster care from middle school into adulthood. The program is intended to provide long-term coaching, academic and career development as well as independent living support.

While there aren't results from Fair Futures yet, Graham Windham, a New York City foster care agency, used a similar coaching model in its Graham SLAM program. The program's results showed an [86% graduation rate](#) and nearly doubled college enrollment and persistence rates.

ELECTRONIC BACKPACKS AND DATA SHARING

ESSA requires states to report on the educational outcomes of students in foster care in their annual school report cards. States have experienced challenges in meeting this requirement because of data sharing issues across siloed agencies, in addition to a lack of processes to ensure data collaboration between education and child welfare agencies. These data sharing and collaboration challenges can not only hinder the ability of state education agencies to meet the accountability requirements of ESSA, but also place students experiencing foster care at a significant disadvantage when their education is disrupted because of involvement with foster care.

States have used various approaches to facilitate greater data sharing across child welfare and education agencies. Some states and localities have explored the use of electronic backpacks for students to carry with them from district to district, [giving parents and guardians](#) access to a virtual backpack containing their children's secure educational records and data. The backpack remains with students throughout their education, and it gives parents and guardians a measure of control over who can see the information. Other states have directed state agencies to share information about students in foster care.

Also, in 2020, **Kansas** Gov. Laura Kelly issued [Executive Order 20-53](#), which requires the department for children and families, in collaboration with the department of education, to develop an annual academic report card for students in foster care. The report card must include specified educational outcome measures of students in foster care, including enrollment, graduation rates, and race and ethnicity.

In 2020, the **Massachusetts** Legislature is [considering several measures](#) to provide electronic backpacks to students in foster care specifically. In 2013, **Utah** ([S.B. 82; Utah Code § 53E-3-511](#)) created Student Achievement Backpacks using data from the state's Student Record Store, part of the state's longitudinal data system. These virtual backpacks give parents and guardians access to their children's secure educational data. The backpacks are not exclusively for students in foster care, though the information contained in the backpacks may benefit this population when foster care involvement requires them to move among school districts.

TRANSPORTATION TO SCHOOL OF ORIGIN

Though efforts are made within child welfare agencies to place children close to their schools of origin, such placement is not always possible or in children's best interest. When a child is placed outside of their home school or district, federal law requires child welfare and education agencies to make a best interest determination about whether the student should be transported to the school of origin or enrolled in the new school district. If it is determined that remaining in the school of origin is in the best interest of the student, [federal law requires](#) state and/or local education and child welfare agencies to develop written procedures for how to arrange, provide and fund transportation for that student. [One way](#) states have done this is through cost-sharing interagency agreements or [memoranda of understanding](#) and dispute resolution processes if necessary.

In 2018, **Kentucky** enacted [H.B. 527](#) requiring the department for community based services to keep a student in foster care in their school of origin when practicable, or otherwise make a best interest determination on where the child should be enrolled. The bill also prohibits the department from using the cost of transporting the student to the school of origin as a factor in the best interest determination.

In 2017, **Oregon** enacted [S.B. 20](#) requiring the department of education and human services to collaborate to ensure that a student in foster care is provided, free of charge, transportation between the student's home and school.

SUPPORTING YOUTH IN THE TRANSITION FROM SECONDARY TO POSTSECONDARY EDUCATION

Postsecondary enrollment and persistence are additional challenges for students in

foster care. In [one study](#), 24% of students in foster care were enrolled in college at age 19, compared to 55% of 19-year-olds nationwide. This disparity may be due to barriers in the secondary and postsecondary education systems. One way to assist students in preparing for postsecondary education, and to build their confidence in their ability to succeed in that environment, is through dual enrollment and advanced placement classes. These educational opportunities allow students to participate in advanced academic experiences while gaining valuable postsecondary credit.

One significant barrier to students in foster care having access to dual enrollment or advanced placement classes is the tuition or fees required for participation in those programs. **Texas** [exempts students in foster care](#) from tuition and fees at institutions of postsecondary education for dual credit courses or other courses where students may earn joint high school and college credit. Students in foster care are also [required to be notified](#) about this tuition exemption upon transfer from one school to another.

States can also use tuition assistance programs to help students in foster care make the transition to postsecondary education. These programs can help alleviate financial barriers that prevent foster youths from accessing postsecondary education. As of 2017, 28 states had some sort of [tuition assistance program](#) specifically targeted to youths in foster care. Twenty of those states had a tuition waiver program and eight states had a scholarship program. States may also have grant programs and/or federally funded, but state administered, ETV programs.

Some of the requirements for these programs are relatively common across states, such as submitting a Free Application for Federal Student Aid, maintaining satisfactory

academic performance and using the aid at a public community college or four-year institution. Additional eligibility requirements may include age limits for participation, the amount of time a student was in foster care, personal financial requirements and additional scholarship applications. Other parameters for the programs consist of what the financial aid includes or covers, the amount of funding and the number of awards. It is important to note that these programs may only apply to students that have been involved in the foster care system or that are adopted after a certain age.

Learn and Earn to Achieve Potential

In addition to supporting students in foster care with tuition and fees for dual enrollment or joint credit programs, some states and localities have created programs specifically designed for students in foster care or those who experience significant barriers to secondary education achievement and postsecondary enrollment. [The Learn and Earn to Achieve Potential program](#) is implementing two evidence-based programs through local partnerships in 10 states. These programs focus on building academic credentials, job skills and connections to community resources to fully support students in high school and those transitioning to college or postsecondary training.

Michigan's [Fostering Futures Scholarship](#) provides funds to students who have been in foster care on or after their 13th birthday. There is no age limit to apply for the

scholarship, and the financial support may cover tuition, fees, room and board, books and supplies.

Oregon has a [tuition and fee waiver program](#) that provides financial support to current or former youths in foster care pursuing postsecondary education. Students may receive the waiver until the student has received four years of undergraduate education, and award amounts may be reduced by other financial aid scholarships and grants that the student receives.

Universal Policies That Benefit Youth in Foster Care

In addition to barriers that are unique to students in foster care, there are more universal challenges that affect students in foster care more intensely than other students. For instance, chronic absenteeism, trauma and financial constraints are all challenges that many students across the educational spectrum, from pre-K through the workforce, experience. However, these challenges may be more pronounced for students in foster care, making the policy solutions even more important to ensuring those students' educational stability.

CHRONIC ABSENTEEISM

[Chronic absenteeism](#) is a measure of how much school a student misses for any reason, including excused, unexcused and discipline-related absences. While many students struggle with attending school on a consistent basis, systemic barriers put youths in foster care at particular risk for significant time missed. Youths currently in care will likely experience two to five distinct residential transitions and are [two times more likely](#), on average, to be absent from school.

System Challenges

The Government Accountability Office [issued a report](#) in 2019 highlighting some challenges faced by the education and child welfare systems in ensuring educational stability for students in foster care. The report summarized results from a survey of state education agencies, including three challenges discussed in this brief: (1) identifying educational liaisons; (2) sharing data between the two systems; and (3) providing transportation to students in foster care. The survey found that:

- 32 state education agency survey respondents identified maintaining an accurate list of school district foster care points-of-contact for their state as a challenge and further suggested that turnover in staff makes it difficult to keep those contact lists updated.
- Child welfare agencies don't have a process for notifying schools when a student enters foster care, and education data systems are not set up to track students in foster care across districts.
- Most states identified arranging and funding appropriate transportation as a significant challenge. One challenge is finding the appropriate mode of transportation (ride share, public transportation, foster parent, caseworker, etc.). Another is the significant cost this may pose to already strained budgets.

Furthermore, a 2004 study found that about [34% of youths in foster care](#) experienced five or more nonpromotional school changes during their K-12 education.

Federal and state policies help support or ensure the educational stability of students in foster care in part by addressing some of the causes of absences common within the foster care system, including residential transitions, transportation challenges and potentially inaccurate attendance data because of incorrect or out-of-date information about a student's transfer or enrollment in another school. Additional systemic barriers that may result in further absenteeism are frequent court hearings, home visits or other requirements of the child welfare system. Communication between the education and child welfare systems could facilitate better attendance and engagement of students in foster care and ensure educational stability for those students.

TRAUMA-INFORMED CARE

Research shows that [nearly half](#) of children in the U.S. have experienced at least one [Adverse Childhood Experience](#) (ACE) or a potentially traumatic event in childhood that may impact lifelong health and well-being. All youths in foster care have experienced trauma in one form or another, whether through the circumstances that brought them into care, the removal from their home or family, or multiple moves to other homes, families and schools during their time in care. These experiences are not left at the classroom door and can have a significant impact on a student's ability to focus, learn and engage in the classroom.

States continue to strive to not only understand the impact of trauma on school experiences but also help address student needs. [States can adopt trauma-informed approaches](#) in both schools and communities, including mental and behavioral health

services for students, or educator training and screening for ACEs.

COMMUNITY SCHOOLS

A community school is an integrated K-12 school model with a focus on [academics](#), health and social services, youth and community development, and community engagement. [Some community schools](#) are open all day for up to six days a week, serving as hubs in the community for students and their families to receive education, supports and connections to the larger community. This is particularly relevant for youths in foster care as they continue to navigate multiple systems, such as education settings and human service interventions. This holistic approach to caring for the [whole student](#) could provide the stable, integrative support structure that most youths in foster care need.

ASSET-BUILDING TOOLS

Financial asset-building tools or savings accounts for educational expenses may be another way to support students in foster care and improve their educational opportunities. Children in foster care tend to [experience poverty at higher rates](#) than children living with their biological parents. Asset-building tools such as Children's Savings Accounts and other financial vehicles may help youths in foster care overcome barriers to educational opportunities, especially when pursuing postsecondary education. According to [research](#), CSAs help improve social and emotional skills for children, better positioning them for academic achievement. They may also help students see themselves as people who save for college, which may improve students' likelihood of attending and completing college.

Nearly [every state offers at least one 529 education savings plan](#), which is a tax-advantaged account designed to help families

save for educational expenses. [It is a type of CSA](#) that allows individuals to invest post-federal-tax dollars into managed growth funds that are not subject to additional federal taxes if the funds are used for certain education expenses. Typically, those qualified expenses include college tuition and fees, room and board, books and supplies. Federal legislation in 2017 modified the definition of qualified expenses to include certain K-12 expenses.

These financial asset-building tools could serve as powerful incentives to postsecondary engagement and success for students in foster care.

Pennsylvania's Keystone Scholars Program

Pennsylvania was the first state to pass legislation to provide an [automatic CSA upon birth](#) to all children born in the state. The Keystone Scholars Program provides \$100 to every baby born to a Pennsylvania family after Dec. 31, 2018, including babies born after Dec. 31, 2018, subsequently adopted by a Pennsylvania resident. The funds may be used toward qualified educational expenses for the child. Qualified expenses include tuition, fees and books at vocational or technical schools, community college, two-year college or four-year university. The program is administered through the PA 529 College and Career Savings Program. A pilot of the Keystone Scholars Program showed that families receiving the \$100 starter deposit were twice as likely to open a PA 529 savings plan as families that did not receive the incentive.

Final Thoughts

Students in the foster care system face significant challenges in attaining educational stability and success. With those challenges come opportunities for state policymakers to have a tremendous impact on those students' lives. States have taken various approaches to improving educational stability for students in foster care, including identifying barriers and recommendations for improvement, designing policies that respond to and expand upon federal requirements, and addressing broader issues that disproportionately impact students in foster care. The state-level policies discussed here provide examples for states to support and ensure educational stability for students in foster care.

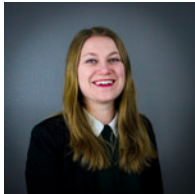
Resources

- [State Education Policy Tracking, Student Populations: Foster Students, 2017-20](#)
- [State-Level Tuition Assistance Programs for Foster Youth in Postsecondary Education, 2017](#)
- [Tuition Assistance Programs for Foster Youth Pursuing Postsecondary Education, 2017](#)
- [Building Policy Momentum for Foster Youth Support in Postsecondary Education, 2017](#)
- [Strengthening Policies for Foster Youth Postsecondary Attainment, 2016](#)
- [Educational Supports for Older Youth in Foster Care \(State Statutes\), 2020](#) (Child Welfare Information Gateway)
- [Family First Prevention Services Act Fiscal Analysis, 2020](#) (The Annie E. Casey Foundation)

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