



# 2008 Annual Training Conference



## Over-Representation

Mark Jackson, REAP, Inc.





# 2008 Annual Training Conference



Mark Jackson

A native of Portland, Oregon, Mr. Jackson is a 1995 graduate of Portland State University with credentials in Sociology, Communications, English, and Black Studies, and was nominated for the Portland State University Leadership Fellows Program for Nonprofit Management in the same year. He has since worked for reputable non-profit organizations such as Self Enhancement Inc. and the I Have a Dream

Foundation.

In 2001, Mr. Jackson helped found REAP, Inc. (Reaching and Empowering All People), a nonprofit educational mentoring organization. REAP, Inc. provides mentoring, academic coaching and consulting support within the David Douglas, Portland Public, and Beaverton School Districts. Mr. Jackson's work at REAP has been featured in the Oregonian, Beaverton Valley Times, Fox News, The Skanner, The Portland Observer and OPB Radio News.

Mr. Jackson has over fifteen years of youth programming and organizational management experience. Mr. Jackson has provided visionary leadership in both the nonprofit and public sectors that engages business leaders, educators, students, community leaders and parents. He is best known for his passion in the areas of youth advocacy, leadership development, and community organization.



teaching and empowering all people!

change a nation one person at a time  
REAP

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- \. became incorporated in Spring of 2001 as an outgrowth of a school-based mentoring effort between students and community volunteers dating back to 1997 at Thomas Jefferson High School in Portland, Oregon. Nearly three hundred students have been impacted by our services during our growing history.
- \. serves students from different ethnic groups, and varying academic and socio-economic levels. The current services are offered at Grant High School, Franklin High School, Jefferson High School, David Douglas High School and Fir Ridge Campus; an alternative high school within the David Douglas School District. REAP staff and volunteers make up over 15 years of youth development experience.

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- The mission of \. is to inspire, engage, and empower youth and individuals to achieve personal development, maximize performance levels, accomplish academic success and community leadership.

*"What REAP, Inc. is offering the students in our public schools is innovative and highly engaging."*

**-Tom Potter, Mayor, City of Portland**

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- To provide mentoring, academic skills coaching, and educational training assistance to build a community of leaders who will impact the nation.



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We serve high school students who are often “at-risk” of dropping out, come from dysfunctional households, or live in underserved and low-income communities.

\ currently serves Grant High School, Franklin High School, Jefferson High School, David Douglas High School, Fir Ridge, Reynolds High School and Westview High School.

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Solutions is a leadership diversity program designed to motivate students to aspire for excellence. 9th-12th grade students from diverse ethnic groups receive individual support from leadership coaches who provide ongoing support, focused on developing leadership, character and the confidence of the student. Solutions extend its support of students through Parents 4 Success (P4S). Parents are updated regularly on the academic and behavioral progress of their student and are strongly encouraged to be actively involved in their students' education.



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### Reflections

Reflections is a dropout prevention program. Students who are assigned to In-School Suspension benefit from academic support and behavior coaching during their suspension period. Students are able to complete class work, develop a success plan and complete curriculum that reinforces positive behavior and school safety. Reflections has a 75% success rate reflected in students NOT receiving repeated behavior referrals after successfully completing the program.



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### Challenge

Challenge is a day set aside for students to be empowered on how to become a better people. It is designed to create a culture of student leadership that builds from the success of the past, responds to the challenges of the present and embraces the possibilities of the future. Parents, teachers and community guests are strategically engaged with the intent to affirm the potential of student success.



Challenge demonstrates \s commitment to academic achievement and community engagement.

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### Community



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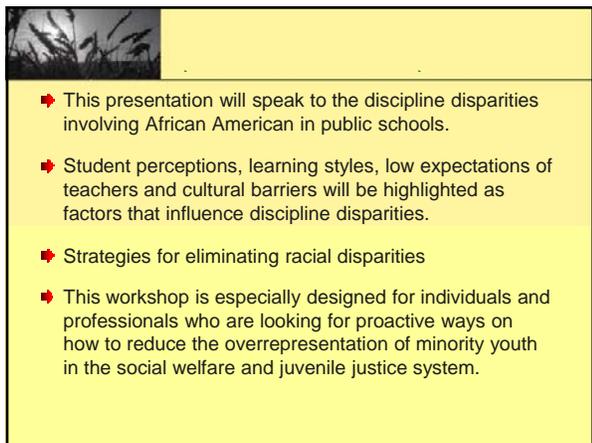
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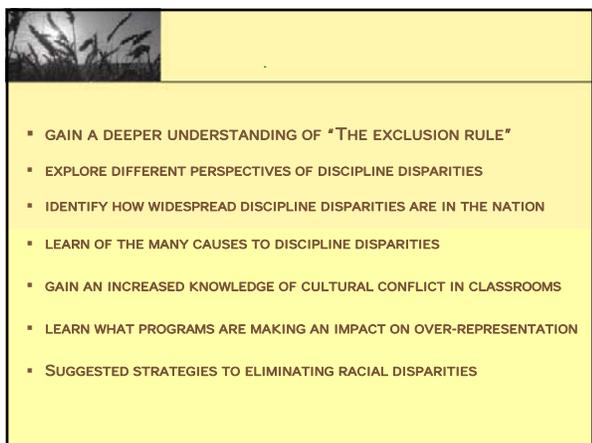
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**IF A STUDENT IS NOT IN SCHOOL  
HOW CAN THEY LEARN?**

- ◆ **Insubordination** – Failure to comply with a proper and authorized direction or instruction of a staff member.
- ◆ **Open Defiance** – Orally refusing to comply with a direction or instruction of a staff member.
- ◆ **Willful Disobedience** – Repeated refusal or failure to comply with a direction or instruction of a staff member.
- ◆ **Disruptive Conduct** – Behaving in a manner which disrupts or interferes with the educational process, including sexual activity.

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- **"Suspension-Failure Cycle"** - African American and Hispanic students, in many cases already performing poorly become trapped in a suspension-failure cycle that almost certainly guarantees their non-completion. These students, already behind academically, are punished by being deprived of instruction while suspended. *Source: Racial Disparity in Discipline Contributes To Drop-Out Problem by Martha R. Bireta, Ph.D.*
- **"School-to-Prison" Pipeline"** – There's more at stake than just a few bad marks in a student's school record. Studies show that a history of school suspensions or expulsions is a strong predictor of future trouble with the law – and the first step on what civil rights leaders have described as a "school-to-prison pipeline" for black youths, who represent 16 percent of U.S. adolescents but 38 percent of those incarcerated in youth prisons. *Source: 2004-05 Analysis Report of U.S. Dept. of Education, Chicago Tribune, 9/25/07*

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- **Downward Spiral** – Although suspensions can help teachers keep order in class, they also can send students spiraling downward academically. Students lose valuable classroom time with no guarantee that they'll be supervised by adults rather than hanging out on the street. *Source: Analysis on Student Discipline In Seattle Public Schools: An Uneven Hand, Seattle Post-Intelligencer, 3/15/02.*
- **Institutionalized Discrimination** – Paris School District in Texas is currently under investigation by the Federal Education Department to determine whether higher discipline rates for black students there constitute institutionalized discrimination. Black students make up 40% of the school district. *Source: 2004-05 Analysis Report of U.S. Dept. of Education, Chicago Tribune, 9/25/07*
- **Special Ed. Complex** – Students are often referred to special education because of behavior problems. And one out of every three children classified as a special education student in the Seattle Public Schools is AFRICAN AMERICAN. *Source: Analysis on Student Discipline In Seattle Public Schools: An Uneven Hand, Seattle Post-Intelligencer, 3/15/02*

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- On average across the nation, black students are suspended and expelled at nearly THREE TIMES the rate of white students. (Source: 2004-05 Analysis Report of U.S. Dept. of Education, Chicago Tribune, 9/25/07)
- Black pupils in England are three times more likely to be excluded from school because of "systematic racial discrimination", according to The Department for Education Report (Source: BBC News)
- In suburban schools, African Americans were 5 times as likely and Hispanics almost 2 times as likely to experience out-of-school suspension when compared to Whites. (Source: Disproportionality IN School Discipline Among Minority Students In Indiana: Description & Analysis, Center for Evaluation & Education Policy, July, 2004)
- In Salem-Keizer School District, Latino students made up 10.4 percent of the high school population, but represented 22.2 percent of suspensions and expulsions. Both African Americans and Latinos were expelled or suspended in numbers two times greater than their percentage of the high school population. In PPS district, African Americans made up 16.5% of the population, but accounted for 43.5% of all major disciplinary referrals. (Source: Eliminating the Achievement gap: Reducing minority overrepresentation in school discipline: A Collaborative Approach, Juvenile Rights Project, Inc., 2004)

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### Suggested causes of widespread discipline disparities...

- Socioeconomic Status** – Studies of school suspension have consistently documented that socioeconomic status is a factor. Students who receive free school lunch are at risk for school suspension, according to the Color of Discipline, a 2000 study by Russell Skiba, Professor of Educational Psychology at Indiana University. (Source: 2004-05 Analysis Report of U.S. Dept. of Education, Chicago Tribune, 9/25/07)
- Cultural Miscommunications** – Some experts point to cultural miscommunications between black students and white teachers, who fill 83% of the nation's teaching ranks. In fact, Tribune analysis found, some of the highest rates of racially disproportionate discipline are found in states with the lowest minority populations, where the disconnect between white teachers and black students is potentially the greatest. (Source: 2004-05 Analysis Report of U.S. Dept. of Education, Chicago Tribune, 9/25/07)
- Color Blind Approach** – Dealing with the explosive issue of race, many educators pride themselves on being colorblind. But ignoring color may be part of the problem. (Source: Analysis on Student Discipline In Seattle Public Schools: An Uneven Hand, Seattle Post-Intelligencer, 3/15/02)

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### Suggested causes of widespread discipline disparities cont.'

- Subjectivity** – Many minority students are referred for subjective offenses. Almost everyone agrees that students who are suspended or expelled have genuinely done something wrong. But the definition of "wrong" is rarely as clear-cut as bringing a gun to school or selling drugs.
 

"The open-nature of some of the discipline categories "is so unfair", said West Seattle High School librarian Deborah Arthur, who advocates a more standardized approach. "What is disruptive"? It's anything that irritates me. "It's like we are setting some of our kids up."

Nationwide, "you will find minority students are referred for very subjective behaviors, such as insubordination, such as disruptive behavior," said John Jackson, national director of education for the NAACP. He said an examination of discipline complaints often show that "insubordination for an African American student and insubordination for a white student is different. (For a black student) it's: 'She smacked her lips after I told her to do this,' or, 'She rolled her eyes or rolled her neck.'"

(Source: Analysis on Student Discipline In Seattle Public Schools: An Uneven Hand, Seattle Post-Intelligencer, 3/15/02)

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### Suggested causes of widespread discipline disparities

- **“Acting White” Complex** – I think middle-class black kids who are in predominately black school, are wanting to fit in and not wanting to appear white. (Source: *Analysis on Student Discipline In Seattle Public Schools: An Uneven Hand*, Seattle Post-Intelligencer, 3/15/02)
- **Zero-Tolerance Policies** – Researchers believe that zero-tolerance policies, which encourage teachers and administrators to crack down on even minor, non-violent misbehavior, are exacerbating racial disparities. (Source: *2004-05 Analysis Report of U.S. Dept. of Education*, Chicago Tribune, 9/25/07)
- **Learning Styles & Expectations** – Differences between minority cultures and school cultures can lead to conflicts between learning styles and teacher expectations for student behavior and academic performance. Source: *Eliminating the Achievement gap: Reducing minority overrepresentation in school discipline: A Collaborative Approach*, Juvenile Rights Project, Inc., 2004)

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### The Portrait of the Black Student

Black students enrolled in Black Studies at Grant High School were asked to provide reasons for the achievement gap. Here's what they came up with:

- ◆ Ignorance
- ◆ No self-esteem
- ◆ Poverty
- ◆ Low Attendance
- ◆ Afraid of success
- ◆ Blacks have higher athletic achievements, hence low test scores
- ◆ Afraid of challenges
- ◆ Lazy
- ◆ Afraid of capabilities
- ◆ How a person is raised
- ◆ Low expectations
- ◆ School is not interesting enough (unless friends are in our class)
- ◆ Black students don't care much – “Hood mindset”
- ◆ Black students don't want to be smart (smart = proper)
- ◆ Priorities (values) are not in school (education), but clothes, shoes, money, sports & sex
- ◆ Lack of parent involvement
- ◆ No forward thinking – no goals
- ◆ Afraid to step out of boundaries
- ◆ Different parent academic backgrounds
- ◆ Lack of finances (white families can afford to stay home)
- ◆ Blacks don't take advantage of challenging courses/activities. White students “expand” their curriculum to be able to succeed more.
- ◆ Blacks are perceived as “underdogs” when it comes to education
- ◆ Blacks try hard to fit in and don't challenge ourselves




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### ALTERNATIVES TO STUDENT DISCIPLINE:

- ◆ **Baltimore District Tackles High Suspension Rates:** Community pushes for positive approaches to reduce nonviolent incidents in schools. Source: Education Week, April 25, 2007.
- ◆ **Meet-Me-Halfway mentoring program** at Garrison Middle School, for students who would likely have been given out-of-school suspensions for their bad behavior. Instead, they participate in what is essentially an in-school suspension program, where they receive mentoring, tutoring, and other services, in addition to their regular instruction.
- ◆ **Reflections Program: Finding Fairness in Discipline** – “When students lack a relationship with a teacher, misunderstandings happen. Students wonder, “Why don't you care about me? Is it because of my color? And the defenses go up,” Jackson says. “ Source: Oregonian, April 13, 2007

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**SUGGESTED STRATEGIES**

- ✓ Adopt systems that support diverse learning styles.
- ✓ Implement alternatives to suspensions.
- ✓ Create a culture of high expectations (In classrooms & course forecasting).
- ✓ Increase faculty of color (outsourcing can't be seen as TABOO).
- ✓ Diversify curriculum.
- ✓ Introduce *WRAP AROUND* support for students

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**TOGETHER WE CAN!**

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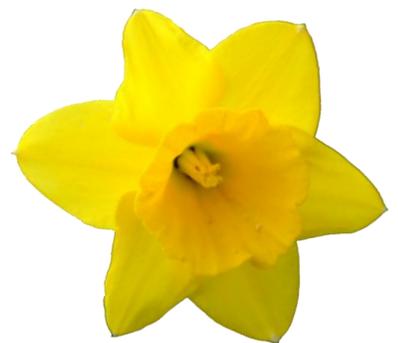


# 2008 Annual Training Conference



## Visitation and Effective Services for Achieving Parental Protective Capacity

Michelle Warden, Center for the Improvement of  
Child and Family Services



# Visitation and Effective Services For Achieving Parental Protective Capacities

Michelle Warden  
Child Welfare Partnership  
Portland State University

03/05/08

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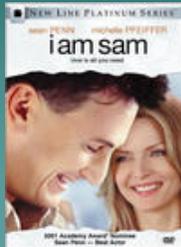
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## Sam and Lucy

- ◆ Video Clip "I am Sam"



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## Training Objectives

- ◆ Understand the important role that visits play for children in out-of-home care.
- ◆ Learn ways to make visits more meaningful by developing sound visitation plans.
- ◆ Explore methods that CRB members can use to review visitation plans.

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“Visiting is a planned intervention and the visiting plan is an essential component of the service plan.”

Hess and Proch  
Family Visiting in Out-Of-Home Care: A Guide to Practice, 1988

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### What's the Purpose of Visits?

- ◆ Preserving Relationships
- ◆ Reassurance
- ◆ Assessment
- ◆ Treatment



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### Ongoing Visit and Contact Plan

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Creating a plan that enhances parental protective capacities and nurturing relationships



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The Casey Family:  
Developing a Meaningful  
Visitation Plan

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### Critical Questions Worksheet

1. What are the safety concerns that brought the children into care?
2. What do these particular children need from their mother to help them feel safe and to help them be safe?

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### Critical Questions Worksheet: (cont)

3. What parental protective capacities can we identify or observe?
4. What is the relationship between the children and the parents?
5. Has there been a pattern of positive parenting? If so, how long has it been sustained? If not, has it always been this way?

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### Critical Questions (cont.)

6. Who is important in the children's lives?
7. What do they understand about why the children are in care?
8. Do they appear willing to support a visitation plan?

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### Consideration of Family Culture



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## Relating the Visit Plan to CRB Findings

- ◆ Reasonable/Active efforts have been made to provide services to make it possible for the child to safely return home.
- ◆ DHS is in compliance with the case plan and court orders.
- ◆ The parents have made sufficient progress with the case plan and court orders.
- ◆ The agency is making sufficient efforts in developing the concurrent plan.

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## What it can look like

- ◆ Video Clip "I am Sam"



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## References

- ◆ Children's Services Practice Notes From the N.C. Division of Social Services and the Family and Children's Resource Program. Vol. 5, No.4 October, 2000
- ◆ Beyer, Marty, Parent Child Visits as an Opportunity for Change
- ◆ Hess, P and Proch, K. Family Visiting in Out of Home Care: A Guide to Practice, 1988
- ◆ Rycus, J. and Hughes, R. Field Guide to Child Welfare, Volume IV, 1988

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## Casey Family Scenario

### Family Members:

Tonya, age 31 (mother)  
Katrina, age 13  
Lacey, age 11  
Joe, age 7  
Steven, age 4  
Ruby, age 70 (grandmother)  
Jed, age 29 (mother's boyfriend)

**Concerns:** Domestic Violence, Drug/Alcohol Abuse, Violence Towards the Children; Instability, Mother has not benefited from previously offered services; family is a flight risk; Jed has a warrant out for his arrest

Tonya and the children have lived with Tonya's mother, Ruby, off and on since the children were born. Tonya has been abusing drugs since she was 13. Katrina and Lacey have the same father. He was abusive to Tonya and has not helped parent the girls. He never established paternity and Tonya does not know where he is. Joe's father lives close by, but never visits. He occasionally pays child support, but has not shown any interest in parenting or visiting with Joe. Steven's father is unknown. Tonya is not sure who the father is. Jed and Tonya have been together for three years. Their relationship has been very violent. According to family members, Tonya and Jed have also been violent with the children. DHS first became involved when Jed assaulted Tonya to the point that she had to be hospitalized. At that time Jed was incarcerated and DHS offered Tonya services. She was provided with funds for housing and asked to participate in drug/alcohol treatment and parenting. Tonya never followed through with services. She moved to Arizona with Jed after he was released from jail.

DHS just got a report that Tonya and Jed are back in town and staying in a trailer on Ruby's property. There is a warrant out for Jed's arrest. The reporter, who is Tonya's sister, said that Tonya and Jed had a big fight last night. The children were present and one of them got hit in the middle of the fight. Tonya's sister is worried about Ruby,

because she cannot set limits with Tonya. The sister is worried about Ruby's safety as well, because Tonya and Jed steal from her to get their drugs and Jed has threatened to shoot Ruby in the past.

The three older children were interviewed at school and disclosed that Jed has thrown Katrina against the wall on at least two occasions. He has also thrown Lacey against the wall and hit Steven on the head. Once when Katrina and Lacey were fighting, Jed made them go into their bedroom and fight until they were bloody. All the children disclosed that Jed has spanked them with a coat hanger and a leather belt. They also reported that they have witnessed Jed rape their mother. The children report that they believe that their mother loves Jed more than them and that she would rather be with Jed than with them. They also report that they have seen her use drugs and that when she drinks alcohol and uses drugs she is very mean to them and hits them and yells at them. Despite the children's disclosures, they report that they love their mother and think that if she would leave Jed and quit using drugs and alcohol, she would be nicer to them. The children are very attached to their grandmother Ruby and state that they feel safe with her. After speaking with collateral contacts and interviewing the children at school, a decision is made to remove the children.

The children had to be placed in two separate foster homes. There were no relative resources available. Ruby desperately wanted the children to stay with her, but since Tonya was staying there and Ruby is not able to set limits with her, the children could not be left with Ruby. The girls were very angry with DHS and with their mother. The boys were sad and confused. Ruby was distraught about not being able to care for the children. Tonya was extremely angry with DHS and upset that Jed was being arrested. The children were most upset about having to be separated from their grandmother.

The foster parents who took the boys are brand new. This is their first placement. The foster parents who took the girls have been providing care for teen girls for 15 years.

## **Critical Questions Worksheet**

(Worksheet for Citizen Review Board's training purposes only)

1. What are the safety concerns that brought the children into care?
2. What do these children need from their mother to help them feel safe and to help them be safe?
3. What parental capacities can we identify or observe?
4. What is the relationship between the children and the parents?
5. Has there been a pattern of positive parenting? If so, how long has it been sustained? If not, has it always been this way?
6. Who is important in the children's lives?
7. What do they understand about why the children are in care?
8. Do they appear to be willing to support a visitation plan?



# ONGOING VISIT AND CONTACT PLAN



Case Name: \_\_\_\_\_

Child(ren)'s Name: \_\_\_\_\_

Ongoing visitation plan established within 30 days from the date that the child enters substitute care.

### Specifications of Person(s) allowed Contact:

Name(s): \_\_\_\_\_ Supervised visits:  NO  YES

If supervised, who will supervise: \_\_\_\_\_

If supervised, reason supervision is required: \_\_\_\_\_

Day and time visitation is scheduled for this person:

DAY	START TIME	END TIME	LOCATION

Purpose of visit: \_\_\_\_\_

Name(s): \_\_\_\_\_ Supervised visits:  NO  YES

If supervised, who will supervise: \_\_\_\_\_

If supervised, reason supervision is required: \_\_\_\_\_

Day and time visitation is scheduled for this person:

DAY	START TIME	END TIME	LOCATION

Purpose of visit: \_\_\_\_\_

### Other Visit Information:

Transportation arrangements: \_\_\_\_\_

Activities that can occur during the visit: \_\_\_\_\_

Reasons that a visit may be canceled: \_\_\_\_\_

Rescheduling visit procedure: \_\_\_\_\_

Contact Person for rescheduling a visit: \_\_\_\_\_ Person's Phone No.: (     )

Reasons that a visit may be ended: \_\_\_\_\_

Ways in which a visit may be ended: \_\_\_\_\_

THIS FORM IS AVAILABLE IN ALTERNATE FORMAT UPON REQUEST

How will missed visits be handled:  
When and how the visitation plan will be reviewed:

**Other visitation consideration:** (i.e., contact through e-mail, letters, phone calls, or at appointments with providers.)

**Plan Developed With:**

- |   |                                  |   |
|---|----------------------------------|---|
| <input type="checkbox"/> Parent(s)            | <input type="checkbox"/> SSA     | <input type="checkbox"/> Child or Young adult |
| <input type="checkbox"/> Substitute Caregiver | <input type="checkbox"/> CASA    | <input type="checkbox"/> Legal Guardians      |
| <input type="checkbox"/> Extended Family      | <input type="checkbox"/> Friends | <input type="checkbox"/> Other: _____         |

**Copies Provided To:**

- |   |                                  |   |
|---|----------------------------------|---|
| <input type="checkbox"/> Parent(s)            | <input type="checkbox"/> SSA     | <input type="checkbox"/> Child or Young adult |
| <input type="checkbox"/> Substitute Caregiver | <input type="checkbox"/> CASA    | <input type="checkbox"/> Legal Guardians      |
| <input type="checkbox"/> Extended Family      | <input type="checkbox"/> Friends | <input type="checkbox"/> Other: _____         |

- This plan does support the ongoing safety plan.
- The parents or legal guardians do understand the language of this visitation plan.
- Visits are arranged to maximize contact between the parents or legal guardians and the child or young adult.
- This plan does take into consideration the child or young adult's age, developmental level, and attachments needs related to the parents legal guardians and others.
- As possible, this plan does not disrupt the child or young adult's school schedule.
- Any identified barriers to visitation have been addressed during the development of this plan.
- Development of this plan has taken into consideration the parent's or legal guardian's employment and treatment obligations.
- Safety considerations such as domestic violence have been considered in the development of this plan.

 \_\_\_\_\_ /      /  
Parent  
Print Name: \_\_\_\_\_ Date

 \_\_\_\_\_ /      /  
Parent  
Print Name: \_\_\_\_\_ Date

 \_\_\_\_\_ /      /  
Legal Guardian  
Print Name: \_\_\_\_\_ Date

 \_\_\_\_\_ /      /  
Caseworker  
Print Name: \_\_\_\_\_ Date



# 2008 Annual Training Conference



## Achieving Educational Goals

Brian Baker, Juvenile Rights Project



## Promoting Education Stability for Children in Foster Care: HB 3075 & the Oregon Experience

Brian V. Baker, Staff Attorney  
Juvenile Rights Project, Inc.  
Portland, Oregon

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### The Problem: lack of academic success

- 83% of children in foster care are held back in school by the third grade;
- 46% of youth in foster care do not complete high school;
- 75% of youth in foster care are working below grade level.

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### The Problem: student/school mobility

- Student mobility negatively impacts reading and math skills acquisition; and diminishes prospects for high school graduation;
- School mobility between 1<sup>st</sup> and 8<sup>th</sup> grade increases the odds of dropping out of school during high school.
- It takes a child 4 to 6 months to recover academically from the disruption of a school change.

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### The problem: foster care moves

- 32.3% of NW foster care alumni experienced 8 or more foster placements;
- 65% of NW foster care alumni experienced 7 or more school changes from elementary through high school;
- 30% had 10 or more school changes from elementary through high school.

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### The Problem: Long-Term Impact of High Student Mobility

- Lower Achievement Levels
- Slower Academic Pacing
- Reduced likelihood of H.S. completion
- Decrease in social/educational attachments to fellow students
- Teaching/teacher satisfaction suffer due to less stable school environment

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### Educational Profile: children & youth in foster care

- Children of Color are overrepresented in foster care, special education and school disciplinary proceedings;
- Special Education referral rates are **three times greater** for students in foster care than non-court involved students.
- (30%-50%) of children in foster care are eligible for special education.

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### Educational Profile: children & youth in foster care

- Foster children with disabilities in Portland have lower GPA's; have higher rates of alternative education placement; are exempted at higher rates from state testing; and experience greater numbers of education placements than similarly situated peers with the same disabilities who are not in out-of-home care.



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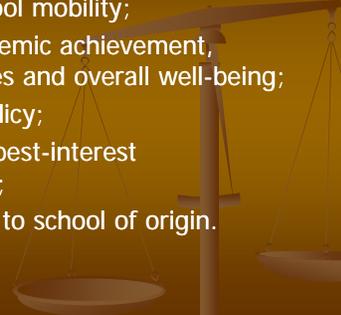
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### The Solution: HB 3075 (ORS 339.133(4) )

- Decreases school mobility;
- Increases academic achievement, graduation rates and overall well-being;
- Good public policy;
- Individualized best-interest determinations;
- Transportation to school of origin.



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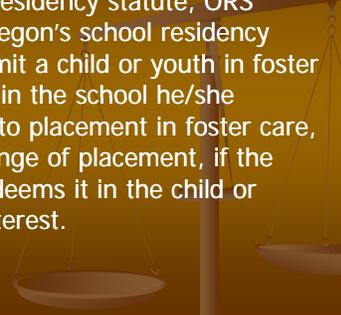
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### The Solution: HB 3075

- Amends state residency statute, ORS 339.133(4), Oregon's school residency statute, to permit a child or youth in foster care to remain in the school he/she attended prior to placement in foster care, or through change of placement, if the juvenile court deems it in the child or youth's best interest.



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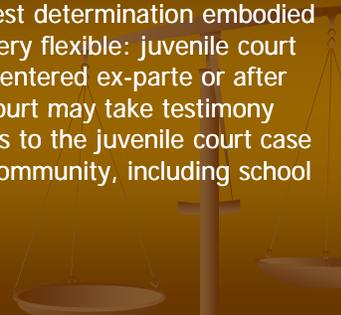
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### HB 3075: Best Interest

- The Best Interest determination embodied in HB 3075 is very flexible: juvenile court orders may be entered ex-parte or after hearing. The court may take testimony from the parties to the juvenile court case and from the community, including school district input.



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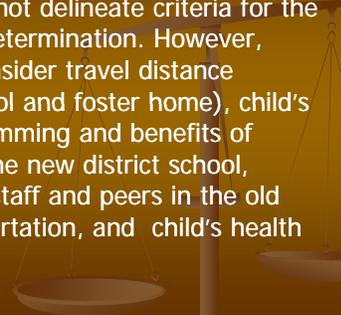
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### HB 3075: Best Interest

- HB 3075 does not delineate criteria for the best interest determination. However, courts may consider travel distance (between school and foster home), child's current programming and benefits of placement in the new district school, connection to staff and peers in the old school, transportation, and child's health and safety.



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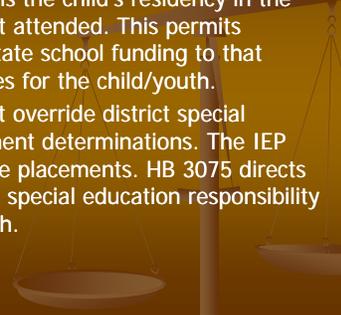
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### HB 3075: funding and federal law

- HB 3075 maintains the child's residency in the last school district attended. This permits continuation of state school funding to that district for services for the child/youth.
- HB 3075 does not override district special education placement determinations. The IEP team makes these placements. HB 3075 directs which district has special education responsibility for the child/youth.



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### HB 3075: Transportation

- The bill requires the state child welfare agency to provide transportation to school of origin through a reservation of system of care flex funds for the 2005-2007 biennium. The agency allocated \$350K for this purpose to serve a projected 375 children each year.



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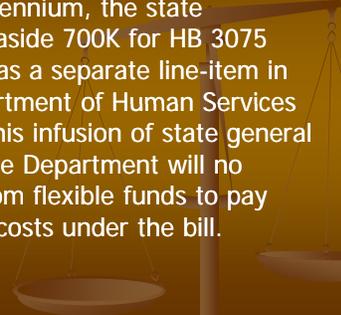
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### HB 3075 Transportation

- In the 07-09 biennium, the state legislature set aside 700K for HB 3075 transportation as a separate line-item in the state Department of Human Services budget. With this infusion of state general fund dollars, the Department will no longer draw from flexible funds to pay transportation costs under the bill.



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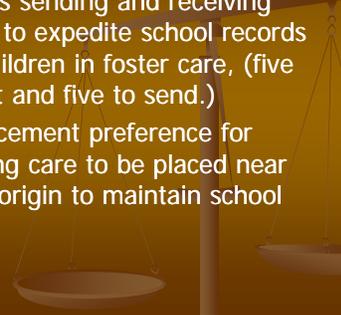
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### HB 3075: records and placement preference

- The bill requires sending and receiving school districts to expedite school records transfers for children in foster care, (five days to request and five to send.)
- The adds a placement preference for children entering care to be placed near their school of origin to maintain school residency.



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### HB 3075 Recap

- HB 3075 became law in July, 2005. The state Department of Human Services expended approximately \$210,000 in transportation costs during the 2005-2007 biennium, ending June, 2007. In a November, 2006 report to the state legislature, DHS acknowledged the importance of school stability for children in care.

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### HB 3075 Recap

- The DHS legislative report noted further that in addition to transportation funding, the department must have local resources available to purchase transportation through public transportation systems, utilization of volunteer programs, foster parent availability and department staff, in order to meet the goals of the legislation.

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Achieving Educational Goals: court and community advocacy

Brian V. Baker  
Staff Attorney,  
Juvenile Right Project, Inc.



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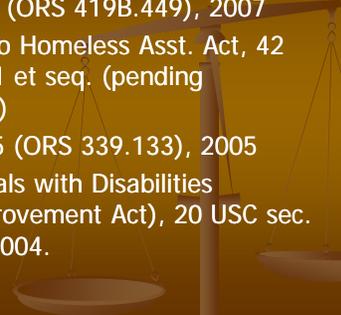
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Legal Framework:

- Senate Bill 414 (ORS 419B.449), 2007
- McKinney-Vento Homeless Asst. Act, 42 USC sec. 11431 et seq. (pending reauthorization)
- House Bill 3075 (ORS 339.133), 2005
- IDEA (Individuals with Disabilities Education Improvement Act), 20 USC sec. 1400 et seq., 2004.



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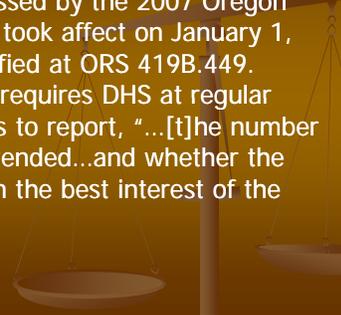
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SB 414

- SB 414 was passed by the 2007 Oregon legislature and took affect on January 1, 2008. It is codified at ORS 419B.449. Section (3)( c) requires DHS at regular review hearings to report, "...[t]he number of ...schools attended...and whether the frequency...is in the best interest of the child or ward."



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### SB 414

- ORS 419B.449 (3)(d), “[f]or a child or ward 14 years of age or older, whether the child or ward is progressing adequately toward graduation from high school and, if not, the efforts that have been made by the agency having custody or guardianship to assist the child or ward to graduate.

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### SB 414

- **Philosophy** behind the act: generate better tracking of educational mobility and progress, or lack thereof; review by the court and parties, intervention planning, and increased participation in school advocacy by agency and parties to the juvenile court case.

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### SB 414

- **Research** shows youth who change placements less than one time per year are twice as likely to graduate. School placement stability is the most important factor in improving educational outcomes for children in foster care.

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### SB 414

- "As children are moved from one placement to another, there are generally new schools, new teachers, new classmates and new curriculums to navigate—if they are enrolled at all. This is particularly troubling in light of research that demonstrates that school stability is an important factor in school success...

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### SB 414

- ...A child's school environment plays a key role in a child's social and academic development by establishing positive relationships with supportive teachers, school-based counselors, and classmates. These types of relationships cultivate in children and youth a sense of support and a desire to achieve. For foster youth, these relationships also can provide a measure...

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### SB 414

- ...of protection from the disruption and uncertainty associated with out-of-home placements." Hon. Danny Davis, D-III., member of the House Education and Labor Committee, Sept. 18, 2007.

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### SB 414

- SB 414 identifies child welfare practices that have been demonstrated to have a positive impact on children and families. Through the existing mechanism of agency reports and court oversight, it focuses efforts of DHS, courts, CASAs, attorneys on cases where additional attention is needed.

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### SB 414

- In Multnomah County, a task force comprised of school district and Education Service District representatives, DHS, and child advocates has developed a Memorandum of Understanding between DHS and the districts, as well as an electronically-based access process, by which the agency, upon presentation of court order, can access the electronic school record of a child to gather SB 414 data. Widespread implementation will begin in May, 2008.

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### McKinney-Vento

- Federal act permits "homeless" children, including children in foster care who are "...awaiting foster care placement..." the right to continue attending their last school of origin prior to becoming homeless and requires school districts to work collaboratively to make transportation available to the school of origin.

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### McKinney-Vento: foster care and homelessness?

- 22% of homeless children are put into foster care and stay in care longer
- 30% of children in foster care could return home if their parents had access to housing
- Approximately 27% of homeless adults and 41% of homeless youth report a history of foster care
- 25% of youth "aging out" of foster care experience homelessness

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### McKinney-Vento: when does it apply?

- Children "awaiting foster care placement" are McKinney eligible
- No clear definition of "awaiting foster care placement"
- Depending on your state or jurisdiction's interpretation (where you are on the continuum), McKinney may apply to some or all children in the foster care.

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### McKinney-Vento: eligibility determinations

- When child is in foster care they are not "awaiting foster care placement" and therefore are not eligible
- Children in foster care in certain particularly unstable placements are considered eligible
- All children pre-adjudication or disposition are considered McKinney eligible
- All children pre finalization of permanency plan (e.g. adoption; guardianship; reunification) are eligible
- All children in foster care are eligible
  - Example: new Delaware law

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## McKinney-Vento and HB 3075

- McKinney may still apply IN ADDITION to McKinney-type provision for youth in foster care i.e., some children in foster care may be McKinney eligible, while others may be eligible under McKinney-type provision
- Difference between McKinney and McKinney-type provisions must be determined

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