



## **Education Dialogue with School District Superintendents**

**February 5, 2007**

**10:00 a.m.**

Los Angeles County Office of Education Headquarters  
9300 Imperial Highway, Downey, CA

Present:

- Patti Azevedo, Pomona Unified School District
- Roberto Casas, Lynwood Unified School District
- Samuel Q. Chan, Department of Mental Health
- Dean Conklin, Duarte Unified School District
- Amy Cooper, Los Angeles City Councilmember José Huizar
- Zeff Dena, Rowland Unified School District
- Marsha Evers, Covina Valley Unified School District
- Carmella Franco, Whittier City School District
- Kathy Furnald, El Monte Union High School District
- Norbert Genis, El Rancho Unified School District
- René Gonzalez, Los Angeles Unified School District
- Jitahadi Imara, Probation Department
- Ken Knott, Lennox School District
- Portia Lee, Pomona Unified School District
- Elizabeth Lem, LACOE
- Patricia Levinson, LACOE
- Lillian Maldonado French, Los Nietos School District
- Kari McVeigh, Beverly Hills Unified School District
- Thelma Meléndez de Santa Ana, Pomona Unified School District
- Christopher Moton, Norwalk La Mirada Unified School District
- Hon. Michael Nash, Presiding Judge, Juvenile Court
- Cecilia Ornelas, Bassett Unified School District
- Maria Ott, Rowland Unified School District
- Louis Pappas, Covina Valley Unified School District
- Lisa Parrish, Department of Children and Family Services
- Phillip Perez, Little Lake City School District
- Virginia Peterson, Garvey School District
- Dolores Preciado, Garvey School District
- Darline Robles, LACOE
- Ginger Shattuck, Norwalk La Mirada Unified School District
- Gary Smuts, ABC Unified School District
- Bill Stelzner, Pomona Unified School District

Present Rick Tebbano, Long Beach Unified School District  
(continued): Linda Wagner, Keppel Union School District  
Reid Wagner, Antelope Valley Union High School District  
Robert I. Watanabe, Bassett Unified School District  
Sharon G. Watson, ECC Lead Consultant  
Walker Williams, Palos Verdes Peninsula Unified School District

Darline Robles welcomed everyone to this second meeting of school district superintendents, and asked attendees to introduce themselves. She summarized the reasons the Education Coordinating Council was created, emphasizing that the coordinated efforts of all school districts and departments are necessary for foster and probation youth to receive the adult attention they need to thrive. “Despite our best intentions,” she said, “these youth can sometimes slip through our fingers. We want to keep them as a focus.”

Doing a better job of getting student information into the hands of school staff and administrators, while still recognizing privacy issues, will help school districts appropriately place students so they get the help they need. Focusing on strengths-based models of supporting youth and families, providing staff development, and looking at best practices are other agreements made at the first superintendents’ meeting last April. “Foster and probation youth are mobile,” Robles said, “and we want to make sure that all districts are supportive and welcoming. We’re open to suggestions about ways to help you and ways to work with county department heads.”

### **Background**

Judge Michael Nash provided an overview of the Los Angeles County **juvenile court system**—the largest in the U.S.—which consists of three parts.

- The dependency court provides for the safety and well-being of children abused or neglected by their families, establishing safe and stable permanent homes for them as soon as possible. Approximately 28,000 children are under the jurisdiction of the dependency court in Los Angeles County, a number that is down by half from a decade ago as a result of initiatives implemented by the county’s Department of Children and Family Services. More than three-quarters of dependency children are of preschool or school age, and education is an important component of their case plans.
- The delinquency system deals with youth—currently about 20,000—who commit crimes, including 2,000 housed at the juvenile halls, another 2,000-plus in the 19 probation camps, and about 2,500 in suitable placements (group homes or foster homes). The remainder are at home with their families. Concerns for these youth are similar to those in the dependency system, except that all are of school age.
- The informal juvenile ‘traffic court’ system heard about 180,000 citations last year county-wide for infractions such as loitering and truancy. (No overarching policy regarding truancy yet exists within the county, and Nash would like to see one developed.) This system strives to make a positive impression on youth so they don’t continue offending, and tries to assist their families so they don’t end up in dependency court.

When Nash joined the juvenile court in 1990, the child protection and education systems were on parallel tracks, both here and nationwide. Not much contact existed between the two, and finger-pointing often occurred about responsibilities. This has changed dramatically, especially once the ECC was established to bring all the Los Angeles County players together to increase communication and to agree on their roles in the education of foster and probation youth. “Speaking for the courts,” Nash said, “all we want is for these kids to get the same educational opportunities that everyone else has. We even want to overcompensate a little for some kids, because they are at risk for so much.”

The ECC spent its first year developing *Expecting More: A Blueprint for Raising the Educational Achievement of Foster and Probation Youth* and is making progress on implementing the recommendations in that plan. “These school district dialogues,” Nash concluded, “are a way for us to meet you and figure out what else we should be working on to improve the system.”

ECC lead consultant Sharon Watson reviewed the organization’s **2006 annual report**, which can be downloaded from the Reports page at <http://www.educationcoordinatingcouncil.org>. It will be presented to the Board of Supervisors on February 14, 2007, and includes details on:

- How the Blueprint and its recommendations have been publicized
- Tools and supports for the work—website, legislation, data matches, funding, and staffing
- Implementation efforts in the four focus areas of the Blueprint
  - ① Early childhood education
  - ① Youth development
  - ① Data and information-sharing
  - ① School-based support
- Accountability issues
- Strengthening relationships and role awareness, which Watson said may be the most important part of the Blueprint

Lisa Parrish from the **Department of Children and Family Services (DCFS)**, representing recently appointed director Trish Ploehn, highlighted some departmental initiatives:

- DCFS is developing memoranda of understanding (MOUs) with several school districts, including ABC Unified and East Whittier, to outstation caseworkers in schools. The intent of this is to eliminate the need for formal DCFS intervention, instead linking families with services before a report of child abuse or neglect has to be made. The regional administrators in all 18 DCFS offices are open to co-locating staff, and Parrish encouraged any interested school districts to contact her or their local DCFS office. Darline Robles promised all districts a listing of DCFS regional administrators and office locations.
- Education specialists are being hired in DCFS regional offices, and should all be on board by this spring.
- Education-related performance measures have been added to DCFS contracts with group home and foster family agencies that gauge how quickly children are enrolled in school fol-

lowing their transition to the provider, and what kind of educational attainment is occurring. One very helpful tool has been a letter, signed by the superintendents of seven school districts, directing school-site personnel to enroll AB 490 students immediately, even if they lack the paperwork that is normally required. Caseworkers and contract-agency staff can download those letters from the ECC website, and other school districts are being approached about providing similar directives.

- The ECC has been a venue for DCFS to talk about institutional barriers and ways to break through them, and the department is looking carefully at locations—shown by the ECC’s data matches with the Los Angeles Unified School District and the Pasadena Unified School District—where large numbers of foster youth are living with their families or in out-of-home care. A portion of this year’s state augmentation funds has been set aside for mentoring programs in each service planning area, and mentors will be trained in out-of-home care and educational advocacy. In addition, DCFS has allocated \$500,000 to create five middle-school academic mentoring centers, for which a solicitation will be forthcoming.

ECC program director Carrie Watson passed around a sample of the **AB 490 enrollment letter** that Parrish mentioned, saying that caregivers in the seven participating districts are reporting much success in getting children enrolled with this letter in hand. She is happy to e-mail the text so school districts can put it on their letterheads, and will also post it on the ECC website. “Presented at the school office, it’s meant a night-and-day difference,” she said. “Everyone’s been thrilled with the response. We started by asking districts that are members of the ECC, but we want to include everyone. It’s a simple solution, but it really works.”

### **Blanket Order for Education Records**

Caseworkers for DCFS and the Probation Department have an obligation to report to the juvenile court on the status of the children and youth they supervise, including how they’re doing in school. Every youngster is appointed a lawyer from either the Children’s Law Center or the public defender’s office, and children who meet certain criteria also have volunteers with the court-appointed special advocates (CASA) program assigned to work with them. Having up-to-date education records helps all those parties in making informed case planning decisions and in advocating for ways to meet the needs of these children. “Without that information,” Judge Nash said, “we can’t do our job.” Barriers to sharing those records, however, have arisen as a result of confidentiality concerns and various interpretations of the Family Educational Rights and Privacy Act (FERPA). Other areas of the state and country have fashioned agreements allowing them to share data, but Los Angeles County has historically been unable to do that.

Last spring, Judge Nash drafted a blanket order calling for school districts to share educational information on foster and probation youth with county caseworkers, children’s attorneys, and CASA volunteers. The proposed order was distributed to all 81 school districts (this was prior to the merger of Alhambra’s elementary and high school districts) and to other interested parties for comment. Over the next two or three months, Nash received several endorsements of the proposal from its various beneficiaries, and also heard back from a handful of districts, including two—Los Angeles Unified and LACOE—that objected to the order on the grounds that it violated FERPA. Nash held a hearing in June at which attorneys for those districts appeared, along

with representatives from the Children's Law Center and the Alliance for Children's Rights, a child advocacy organization. Nash, who disagrees with the LAUSD and LACOE position regarding FERPA, issued the ruling, delaying implementation for a month so that appeals could be filed. None were, and the blanket order went into effect on July 15, 2006.

Since that time, judicial officers have reported few issues with regard to the sharing of educational records. LACOE, which is not complying with the blanket order, is making a greater effort to get consent forms signed by parents or holders of education rights; when this isn't possible, LACOE personnel are traveling to court and turning over the records there, maintaining that a direct court order to do so differs from a blanket order. As Dr. Robles noted, LACOE has received and shared official guidance from the United States Department of Education indicating that it does not consider the blanket order to be in compliance with FERPA, and that only a specific court order follows the law. "The bottom line is that we get the records," Nash said. "As long as we get the information we need to provide kids with what *they* need, that's all that matters."

In addition to the blanket order, Judge Nash created a protocol about a year and a half ago that relates to Welfare and Institutions Code section 317(e), which requires attorneys representing a child in dependency court to bring to the court's attention any interest of the child that may necessitate instituting other judicial or administrative proceedings, so the court may take appropriate action. Those proceedings can be complicated, and it's important that attorneys have information about how children are doing in school—whether they need individualized education programs (IEPs), for instance, or whether an existing IEP is being appropriately implemented. Suspension and expulsion often come into play, too, and without someone to advocate for these children, these and other issues may not be resolved to their benefit. The new 317(e) protocol requires the appointment of education advocates when cases fitting specific criteria are brought to the court's attention. Since the protocol's implementation in the dependency court in July 2005, Nash said that in every case he's seen, education advocates have successfully resolved the situation in the child's best interest. A similar protocol is being developed on the delinquency side that will be implemented once training is completed over the next few months.

### **Collaborative Agreement for Sharing Educational Information**

Meeting packets included copies of the collaborative agreement to share the educational records of foster and probation youth that was approved by the ECC at its last meeting. The agreement will be signed by the directors of DCFS, Probation, and the Department of Mental Health, as well as the Children's Law Center, the CASA program, the ECC's chair, and the superintendents of the seven school districts that sit on the ECC.

Carrie Watson highlighted the accompanying student records request form, to be used across districts. (DCFS will continue to use its own form, which asks for more detailed information, but probation officers, attorneys, and CASAs will use the new form.) With the written consent of the parent or holder of education rights, records can be shared within five days. Otherwise, the court order is attached to the request form and submitted to the custodian of records at the school district, and records should be made available in 15 days.

A comparable agreement was reached in San Bernardino County, recalled Roberto Casas, when school personnel were reluctant to release education records to caseworkers who showed up at schools, or allow them to speak to children, fearing their involvement in contentious custody cases, for example. A protocol was developed to definitively identify caseworkers, which Casas will make available to Robles. Unless the educational rights of one or both parents have been limited by the court and someone else appointed to hold those rights, Nash said, both parents—not just the one with custody—have the right to release information about their child.

Robles said that LACOE staff is working hard to get consent forms signed by parents and legal guardians whenever they see them, and is asking the same of superintendents and principals. The Probation Department can help by getting signatures when families are in court and faxing the forms to LACOE. Jitahdi Imara asked about synchronizing court dates with obtaining education information, since the 15-day window may mean that the records are not available when the child goes to court. He suggested putting the receipt of education records in the court report as a deliverable for the next appearance.

### **School District Efforts**

**Pasadena Unified School District** Carrie Watson reviewed the Pasadena Unified School District data match, included in meeting packets, which compared active DCFS caseloads from November 2005 with enrollment as of February 2006. Of the total 21,321 students enrolled in Pasadena public schools, 361 were found to be under the supervision of DCFS, according to matches made with student names, addresses, and birthdates. That number is very likely an underestimation, Watson said, since mistakes in any of those fields would prevent a match. Also, students enrolled in nonpublic schools in the area were not included in the Pasadena database.

A data match performed around the same time with Los Angeles Unified School District data (including both DCFS and Probation students) found—despite the vast difference in size between the two districts—very similar patterns: lower achievement scores for system youth, more foster and probation students enrolled in special education programs, fewer identified as gifted and talented, and nearly identical school attendance rates (in Pasadena, 94 percent for DCFS youth and 95 percent for other youth), belying the assumption that foster youth perform poorly because they miss classes for court appearances and other reasons. The breakout of numbers of foster youth in the district by individual school (in the report's appendix) may also be useful as, for example, DCFS issues its RFP for the middle-school academic mentoring centers.

The ECC is eager to perform data matches with more school districts to discover if these patterns persist, and interested districts were asked to contact Carrie Watson at the ECC office. Confidentiality issues regarding sharing aggregate data were dealt with in a court order issued prior to the LAUSD data match, and districts can, depending on the resources they have available, perform the match themselves, as LAUSD did, or have the ECC consultant team handle it.

**Pomona Unified School District** Bill Stelzner summarized efforts being implemented in Pomona on behalf of foster youth:

- They are being immediately enrolled, even when documentation is not on hand (usually the case).

- Health services, including immunizations and examinations, are available to them through the district clinic, and case management nurses deal with specific health issues.
- Backpacks, uniforms, and school supplies are supplied by the local family resource center.
- As a lead agency in the local family preservation and family support programs through DCFS, the district is committed to maintaining and strengthening families and to participating in team decision-making conferences. It joins numerous community agencies to identify services that can help maintain families in their homes, attending monthly discussions among DCFS, community agencies, foster care providers, and foster youth themselves.

The Pomona district also has a good relationship with its local probation office, which is part of the Safe Schools/Healthy Students initiative. Stelzner recognized Dr. Portia Lee, the grantwriter responsible for getting \$9 million from the Federal government over three years for that initiative, and introduced Patti Azevedo to give more detail.

Safe Schools/Healthy Students is a collaborative with five county agencies—including Probation, DCFS, and the Department of Mental Health—that just completed its first year. Its student assistance program has placed intervention specialists and case managers in the district's middle and high schools to accept referrals from teachers, students, parents, nurses, and the family resource center, and to offer support groups for children of incarcerated parents, students with drug and alcohol issues, etc. Following a referral, staff interview parents, talk to students, and study other information, then bring a core team to the site to plan with the parent and the student. The intervention team is responsible for supporting, monitoring, and following up to make sure that services are received.

A process is also being established to begin supporting students returning from probation camps and juvenile hall. Thirty to 45 days prior to release, an intervention specialist/case manager, a school-based probation officer, and the youth's family will meet with the facility's probation staff to develop a plan for the youth's return to school so there is no delay in enrollment and so that needed services (anger management, substance abuse support groups, recreation programs, and so on) are in place. The team also will look at students' strengths and ambitions and monitor their progress. "They can be pretty vulnerable when they come out of camp," Azevedo said. "We want to catch them then and support them."

**Long Beach Unified School District** Rick Tebbano listed his district's AB 490 implementation efforts:

- A strong partnership with the Long Beach DCFS office, Probation, the Long Beach juvenile court, LACOE, and outside agencies provides support for parents and students, and meets every two months at Long Beach City College.
- Staff development with regard to enrolling system youth is ongoing, and the superintendent's letter is very useful.
- A mentorship program is being started to connect foster and probation youth with business people in the community and administrators and teachers within the school district.

- With the help of DCFS, a comprehensive database is being created so information can be mailed to students when appropriate; Tebbano requested the help of the ECC on issues around respecting confidentiality, especially for high school students.
- A tiered approach is improving communication about system students transitioning between schools, beginning with the school-site enrollment office and including school counselors, the district's five social workers, and Tebbano as the education liaison, who all meet regularly to iron out problems.
- To eliminate confusion for school-site personnel, a comparison of requirements for qualification under AB 490 and under the McKinney-Vento Homeless Assistance Act has been created and distributed.
- The Long Beach school board adopted a policy last year with regard to system youth, which is available to all district administrators.
- A Long Beach health care program provides in-home assistance for caregivers and youth.
- A central-office gatekeeper meets with all probation youth to identify special-education or foster-care needs, finding the most appropriate, least restrictive environment for that student.
- For the first time, coordinated foster agency outreach is being piloted through a \$25,000 ChildNet grant, providing an online listing through the Long Beach city public library foundation of 150 Long Beach agencies offering services and programs that benefit foster youth and foster families.

**Los Angeles Unified School District** The LAUSD school board has evidenced its support for foster and probation youth through policies, resolutions, and increased services, René Gonzalez said, and last year's data match was important in helping the board look at aligning resources to areas of need and identifying key locations in the district with high concentrations of system youth—for example, high schools with large numbers of students in licensed children's institutions, or LCIs, which are organized differently from small caregivers and present unique challenges to schools. In addition:

- LAUSD is now in the process of doing a second data match, counting LCI students who may attend nonpublic schools. The original study found about 8,000 DCFS students within the district, and the second study is finding approximately 13,000—a more reasonable estimate.
- The district has entered into an MOU with LACOE to electronically exchange the education records of approximately 2,400 students in juvenile justice facilities. This will help both entities in record-keeping, and will assist LAUSD in accounting for dropouts.
- A November meeting brought together stakeholders from DCFS, Probation, and LAUSD to discuss issues pertinent to foster and probation youth in the five service planning areas over which LAUSD spreads. District-wide and countywide strategies can fail to trickle down to the school level, and the group wants to bring school-site personnel to the SPA Councils and implement district policies there. Too, planning at the upper level is sometimes not sensitive



to the needs of those on the frontline, such as social workers, teachers, and principals. “We want to hear the voices of people on the ground, doing the work,” Gonzalez said.

- An April training with DCFS for foster family agency supervisors, LCI supervisors, and foster parents will help connect guardians and schools, emphasizing the guardian’s role in getting the student to school on time, helping with homework, attending parent conferences, etc.
- The district’s goal of identifying 700 school advocates is half-way complete, and another training session is scheduled in April for new and continuing advocates.
- LAUSD’s liaisons to the traffic and dependency courts experience the same problems accessing student records as everyone else does, which Gonzalez finds amazing in this era of technology. “We will make sure that those advocates have immediate access to records at the court site,” he said, “starting with special education records.” An online IEP and data collection system has been functional for three years through which all of the 83,000 IEPs for current or former special education students can be accessed, and having the proper releases in place will enable court liaisons to get that data. A more comprehensive student information system is planned within the next year and a half, so records will automatically move from school to school with the youngster (something that often doesn’t happen now).

### **Cross-System Dialogue**

Facilitator Cecilia Sandoval asked attendees to identify barriers and challenges that superintendents and county representatives face with regard to the foster and probation youth population, and what short-term efforts in cooperation could make a difference.

- Rick Tebbano mentioned difficulties in **identifying the holder of education rights**, especially when IEPs for special education students must be signed. If the normal paperwork from the social worker or caregiver could show that information, it would be helpful. Judge Nash said that all players in dependency—and on the delinquency side soon—have been provided with a checklist, and one of the first things a judicial officer should do routinely is identify the holder of education rights. “We have it and the social worker has it,” Nash said. “The issue then becomes how to make sure the information gets to you.”

Sharon Watson outlined a project underway at one of the county’s five medical hubs, where detained children receive examinations and care. Health records are already being maintained electronically within the hubs, and a pilot at LAC+USC would add educational records to that database for approximately 250 DCFS students from the Roosevelt High School cluster. The holder of education rights is one data element to be included, along with the child’s name, caseworker, and other information. If the pilot goes well, probation youth will be added and the electronic education record program will be expanded across the rest of the county’s medical hubs.

- A question arose regarding paying for **district-to-district transportation**, since even districts that receive transportation vouchers for McKinney-Vento students don’t have them for AB 490 students. Some believe that the home and target districts should split the cost of transporting McKinney-Vento students to their schools of origin, but that DCFS is fully

responsible for transporting AB 490 students. Lisa Parrish said that DCFS has some flexible funds available, and that she would look into clarifying the issue.

Defining how foster children qualify for different programs is also a problem. Even if a child has been in one foster home for a long period of time, and plans to stay there, some team members maintain that the child is still in transition and should be treated as a McKinney-Vento student. Others say that the child's situation does not fall under the McKinney-Vento definition of transitional housing. If remaining in their school of origin is in foster children's best interests, do they qualify for McKinney-Vento transportation assistance? Is foster care considered a permanent placement? In the past, Sharon Watson acknowledged, long-term foster care was indeed synonymous with 'permanency,' but DCFS does not now define any placement as permanent except when it is with a child's family or a legal guardian. McKinney-Vento, on the other hand, was designed to benefit children who are homeless or at risk of becoming homeless.

Pat Levinson, from LACOE's Foster Youth Services program, said that AB 490 was patterned after the McKinney-Vento act, but there are differences, one of which is the question of placement. Shelter care is considered temporary by the Department of Education and McKinney-Vento applies to students there, but not to children in foster care or group homes. (Group homes, Watson put in, have clauses in their contracts requiring them to transport students to school.) The transportation issue was deliberately omitted from AB 490 because of the costs involved—especially in Los Angeles—and clean-up legislation also failed to address it. Districts are essentially expected to fend for themselves. "We try for reciprocity here," Levinson said, "because the chances are that if you pay for a given student's transportation, another student will want to stay in your district, and that transportation will be paid for by someone else." That situation may not hold true, she admitted, for districts with large numbers of foster children.

Levinson proposed contacting Assemblymember Karen Bass to pursue a resolution, and Rick Tebbano suggested posing the question to the Children's Law Center for clarification.

- Raising the achievement level of foster and probation youth is the bottom line of the ECC, but what should districts do about long-time **foster parents who do little to help their charges in school**? Bob Watanabe cited his personal experiences with this issue, asking about the interview and training process for foster parents, what limits there are to the number of children who can be placed with one family, and what should happen if school personnel feel strongly that children are being short-changed academically through the foster parents' lack of engagement. Judge Nash explained the licensing and training processes for foster parents, acknowledging that some people think that the standards are too low or not being implemented appropriately. He believes there should be some mechanism for school districts to communicate with DCFS about concerns that don't rise to the level of abuse or neglect within the meaning of the mandated reporting requirements. On the form provided to DCFS prior to periodic court reviews of a child's case, he suggested, school districts could inform the department that students are not making the progress they could because of issues with their foster parents. That information would then get to the child's social worker and attorney, and alert the judge in the case to the issue. "That's not a perfect system, since the next

hearing might not be scheduled right away,” Nash said, “and these kinds of things should be reported to the court when they come up. We need to work on something that allows you to provide that information on a more timely basis.”

Lisa Parrish recommended going to the local DCFS regional administrator or contacting Parrish herself directly. She admitted that the department has not done a good enough job of being in contact with all caregivers, and knows it needs to better support its kin caregivers in particular. “As fewer and fewer children are placed in out-of-home care, we can afford to be choosier with our foster parents,” she said. DCFS is currently working with the state on a new structured decision-making tool to assess the strengths of caregivers and their ability to meet the needs of the children placed with them, which should be implemented within the next two years.

René Gonzalez sees the issue as an important one, and suggested developing a ‘frequently asked questions’ handout for social workers to give to families when they place a child, giving contact names and numbers for different scenarios. “Often, people don’t know who to communicate with,” he said. Similar information could also be provided to schools, and Lisa Parrish said a contact sheet could be distributed to school districts very quickly. Cecilia Sandoval suggested that DCFS send a list of regional administrators and education liaisons to all superintendents and to Darline Robles at LACOE. Regular meetings between school districts and county departments, locally or by SPA, were also suggested.

### **Closing Comments**

Darline Robles thanked everyone for their participation, and recommitted to holding these meetings twice a year, in the spring and fall. “With the leadership of the ECC, we have moved in major ways during the last year,” she said, “and we want to continue this conversation.” Judge Nash encouraged anyone with questions to give him a call, and thanked Robles for hosting the meeting.