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Commentary on "Using State Wide Child and Family Services Review Data to Analyze Policies to Improve Educational Outcomes of Children in Foster Care"

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Dr. Hebert's article not only draws attention to the urgent need for more effective collaboration between the systems that oversee child welfare and education, it also suggests that states could use data from their Child and Family Services Reviews (CFSR) to focus attention, track progress and identify challenges. This is an interesting idea that deserves further deliberation.

Very few professionals in either system doubt the importance of education in preparing foster children for self-sufficiency, but there are also very few jurisdictions where child welfare works effectively with local school districts to assure that children known to the child welfare system (including those who remain at home with their families, as well as those in out- of- home foster care) are prepared to succeed in later life. The primary challenge is that each system works in its own "silo" with different mandates, funding streams and disciplinary affiliations, often governed by system-specific policies and responsive to different stakeholder groups. The difficulties for children and families caused by our nation's seeming inability to coordinate or collaborate across systems has been described many times (Austin, 1997; Gardner, 1989; Schorr, 1998), but our continuing inability to integrate the services provided by different systems still causes huge problems for the most vulnerable children and families served by multiple systems.

Dr. Hebert's article describes the far-sighted revision of state statute through which Louisiana took significant steps toward reducing some of the common challenges that make it so difficult for child welfare and school staff to support the best interests of children— – residency requirements and transportation. Louisiana's 2011 statutory revisions clearly address the "...education of children having no permanent address, certain abandoned children, and children in foster care," specifying that:

- ...the governing authority of each public elementary and secondary school shall establish a policy to provide for the placement in school and for the education of any child temporarily residing within the jurisdiction of the board who... is in foster care...
- No governing authority of a public elementary or secondary school shall deny enrollment in school to any child solely because the child ... is in foster care pursuant to placement through the Department of Social Services; however, nothing in this Section shall require the enrollment of any child not permitted by another school system to attend school, either permanently or temporarily, as a result of disciplinary actions.
- The governing authority of each public elementary and secondary school shall establish a policy to ensure that a child who is in foster care pursuant to placement through [DSS] shall be allowed to remain enrolled in the public school in which the child was enrolled at the time he entered foster care if [DSS]

determines that remaining in such school is in the best interest of the child.

This kind of legislative language clarifies the state's expectations in terms of the division of responsibility between child welfare agencies and local school districts.

An additional barrier to collaboration between child welfare and schools was recently removed by the Uninterrupted Scholars Act signed into law in January 2013, which makes it easier for schools to share educational data with child welfare caseworkers. The law now clearly identifies child welfare workers as exceptions to the protections included in the Federal Educational Rights and Privacy Act (FERPA), so that caseworkers no longer need to obtain parental consent or receive a court order to access educational records of the children they serve.

Hebert wisely suspects that policy changes such as these will not be adequate to assure effective collaboration between child welfare and schools without continuing oversight of system operations and identified mechanisms to track improvements. He suggests that one mechanism to track progress in this area is the system that is already in place to track state improvements to child welfare services overall, the Child and Family Service Reviews (CFSR). While Louisiana has evidently made efforts to improve the education of foster children, including requirements for the educational history that should be included in case files and analysis of the different processes used to protect confidentiality in each system, and could thus use the CFSR process to identify the changes underway.

This, however, may not be the case in all states. To the extent that states decide to use CFSR processes to focus attention on education, however, this strategy could be extremely useful in identifying key issues, developing agreement on needed changes and tracking progress made from the perspective of the child welfare system. This strategy would not necessarily deattract attention or demand accountability from the education system, nor would failure to make progress have the same kind of sway with school decision makers that it would with child welfare. Thus, utilizations of CSFRs may only be only a partial strategy toward enhanced collaboration between child welfare and schools, but it could be a useful step toward improving educational outcomes for our nation's foster youth.

References

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