

**School Stability for Children in Out-of-Home Care:  
Allegheny County's Response to the Every Student Succeeds Act**



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New federal mandates can present challenges for local government agencies, especially when they come without additional funding — and even more so when they require cross-system collaboration. But when new policies governing the education of children in child welfare out-of-home placements were enacted by Congress as part of the Every Student Succeeds Act (ESSA), the Allegheny County Department of Human Services (DHS) made the most of the opportunity to translate a new federal law into improved service at the local level.

As one of its provisions, ESSA mandates that children who are in child welfare out-of-home placements should remain in their school of origin — unless it is determined not to be in the student’s best interest — so as to maximize a student’s stability and educational outcomes. In response to the act, DHS has invested financial and staff resources, as well as its extensive data analysis capacity, in working with Allegheny County school districts to enable hundreds of children in out-of-home care to continue attending their school of origin. As one child advocate put it, DHS’s attitude has been, “If it is good for the kids, we will do it.”

This report summarizes DHS’s actions, the results, and the challenges involved in applying a new federal law and in making the best education decisions for hundreds of children in out-of-home care.

### NEW PROVISIONS, NEW CHALLENGES

Studies have found that children in out-of-home placement are more likely than their peers to face school instability. One study showed that 75 percent of children in out-of-home placement made an unscheduled school change during a school year, compared to less than 40 percent for their peers.<sup>1</sup> Not surprisingly, instability in school can lead to lower assessment scores and lower graduation rates.<sup>2</sup> School instability can also have a negative effect on attendance; in Allegheny County, children in out-of-home placements were almost two times as likely to be chronically absent (missing 10% or more days in the school year) than other students.

1 Frerer, K.; Sosenko, L.D.; Pellegrin, N.; Manchik, V.; & Horowitz, J. (2013). “Foster youth stability: A study of California foster youths’ school and residential changes in relation to education outcomes.” Retrieved from [http://www.iebcnow.org/wp-content/uploads/2016/12/pub\\_foster\\_youth\\_transitions\\_2013\\_03\\_19.pdf](http://www.iebcnow.org/wp-content/uploads/2016/12/pub_foster_youth_transitions_2013_03_19.pdf).

2 National Center for Education Statistics (2014). Digest of education statistics. Retrieved from [https://nces.ed.gov/programs/digest/d15/tables/dt15\\_104.40.asp?current=yes](https://nces.ed.gov/programs/digest/d15/tables/dt15_104.40.asp?current=yes).

Before ESSA, federal law recognized the desirability of school stability — consistent with research showing that changing schools sets back a child’s educational development — but did not place any requirements on school districts to encourage stability.

ESSA became law in December 2015, and its foster care provisions took effect in December 2016. The key relevant provisions are as follows:

- A student should remain in their school of origin unless it is determined that this is not in the student’s best interest.
- Local education agencies (LEAs) and child welfare agencies must collaborate on procedures to arrange transportation so that students can attend school. (Generally, LEAs are school districts, but in Pennsylvania each public charter school is a separate LEA.)
- Each LEA must designate a point of contact in their school dedicated to students who are in child welfare placements.
- The best interest determination (BID) process as to where a child will attend school should consider multiple student-centered factors, such as educational appropriateness and proximity; however, transportation costs should *not* be a factor.
- If transporting the student to the school of origin incurs additional costs, the LEA can agree to cover those costs, the child welfare agency can agree to reimburse the LEA, or the two entities can share the cost.

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These provisions presented inherent challenges. DHS would have to establish procedures for resolving hundreds of cases a year with Allegheny County’s 43 school districts and more than 20 charter schools. Furthermore, even if the parties agree on keeping a child in the school of origin, arranging transportation to that school is often difficult.

#### **DHS’S RESPONSE**

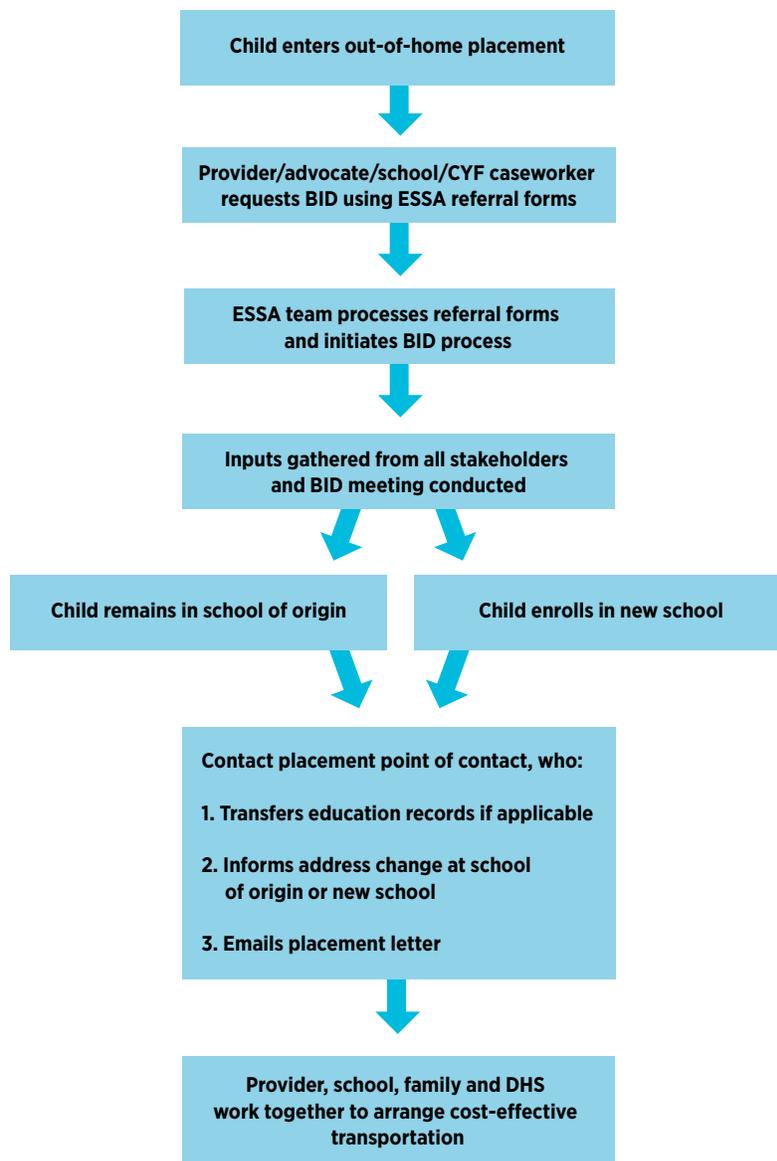
To deal with this significant policy change, DHS created a four-member Education Stability Team, who also receive support from DHS data analysts. Two team members, Samantha Murphy and Brooke Goulde, took the lead in developing internal processes within DHS’s Child Welfare office (CYF) and then interfacing with schools.

Murphy, an education liaison for DHS since 2011, had experience in working with school systems and in interpreting education issues for agency staff. About Allegheny County’s response to ESSA, she said, “The expectations for supporting the educational needs of children in foster care were finally what they should be, because moving them to a new school without a thoughtful, child-centered decision as to what is in the child’s best interest is harmful.”

Goulde became DHS's point of contact for BID processes. With 13 years of experience in DHS contract monitoring, she had strong relationships with out-of-home care providers, who play a key role as the entity that most frequently initiates the BID process. If a care provider does not act quickly, a foster parent may take the initiative and enroll the child immediately in a new school, an action that is hard to undo.

First, Goulde and her colleagues developed a process and standard forms to guide what should happen each time a child enters an out-of-home placement or moves to a new placement (Figure 1).

FIGURE 1: Process When a Child Moves to an Out-of-Home Placement



Key aspects of the decision-making process include the following:

- The child is entitled to continue attending the school of origin until a permanent BID is made.
- When a change in placement occurs, the provider should immediately submit an ESSA referral form to Goulde, who coordinates discussions among all stakeholders (child, family, school, DHS, provider, advocates). Providers should also assume that the child will continue attending his or her school of origin until the BID process is finalized, and that they are to arrange transportation themselves until the parties determine a longer-term transportation plan.
- DHS aims for a 72-hour BID turnaround — i.e., a decision on where the child will attend school — within three days of the notification of placement change.
- The decision should be based on the child's needs, not system concerns such as the difficulty of arranging transportation.

Murphy worked with LEAs to achieve memoranda of understanding (MOUs). The MOUs governed identification of points of contact, data sharing, BIDs, school enrollment, transportation planning and dispute resolution.

Increased transportation costs were a sensitive issue for school districts, which are keenly aware of budget limitations and political pressures. DHS anticipated shouldering additional costs for transportation, staffing and data management, but no one could reliably predict what those costs would be. "There was no guidance on how to implement ESSA in a cost-effective way, and no one had any experience in doing this," noted DARE data and process analyst Julia Reuben.

### THE CASES FLOW IN

By the beginning of the 2017–2018 school year, DHS was ready to handle the steady flow of cases, which would result in over 1,000 BIDs (or about five per school day for a whole year).

Goulde found that providers contacted DHS quickly when a case arose, because of their interest in resolving the student's transportation arrangements promptly and facilitating educational stability. She responded immediately to each new case by sending an email to all involved: the DHS caseworker and supervisor, placement provider, parent, new caregiver, school, child advocate, and attorneys for any of the parties. Usually conference calls can be scheduled within two days because participants recognize the importance of enabling the child to attend school.

BIDs conducted under the new law resulted in a significant increase in the percentage of students remaining enrolled in their school of origin. Transportation arrangements presented the main barrier, however. The first preference is for the school to handle transportation, with partial reimbursement from DHS if necessary. But when a child moves outside district boundaries, schools may lack capacity to meet the need, especially given the shortage of qualified drivers.

As a result, Goulde and her fellow BID participants often made creative use of other means of transportation, including a child's relatives, foster parents, public transit, placement providers, and DHS staff.

"DHS operates a transportation unit staffed with 35 drivers," explained DHS analyst Eddy Jones, "who go through the same clearance requirements as all our other staff and are trained to work with children. Much of their work involves transporting children to and supervising visitations, but these drivers are now also assisting with school transportation when possible to support the implementation of ESSA."

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Even with all these options, the placement provider — who is responsible for the child's transportation to school immediately after the move — often continues to fulfill that temporary role for six or eight weeks until a permanent solution is in place.

One specific case vividly illustrated the budding collaboration between DHS and school districts. A high-school student was placed with relatives in a neighboring county but argued persuasively for the right to remain in that school. The school district objected to paying the transportation cost. "In the past," Murphy stated, "we could have bulldozed over the school district with a court order. Instead, we scheduled a thoughtful meeting. The district realized that it truly was in the girl's best interest to remain in her school and that we had to provide reimbursement for half of the cost. That made all the difference." The student has maintained excellent school performance while catching up on sleep during the long rides back and forth.

### **INVESTMENT IN DATA MANAGEMENT SHOWS ITS VALUE**

Consider the logistical complexities involved in each individual case: getting a referral, identifying all the players, scheduling a conference call, determining which school enrollment is in the child's best interest, finding a transportation solution to suit that decision, communicating the result to all parties, and documenting it. Then multiply that by 1,000, and you can understand why a clear, consistent process needed to be implemented.

DHS developed a customized database to record BID information, which has greatly facilitated reporting. A few days of intense data-entry effort were needed to transfer the 400 cases that had previously been recorded manually.

Moreover, the project benefited greatly from DHS's pioneering Data Warehouse, which brings together and integrates client and service data from a wide variety of sources both internal and external to the County. The Data Warehouse contains 21 categories of data, including data from nearly 20 county school districts. DHS data-sharing agreements with LEAs started with the Pittsburgh Public Schools in 2009. Now, many Allegheny County districts export data to DHS

on a weekly basis. This data sharing has direct practical impact on service quality; for example, a CYF caseworker serving a particular child and family has access to up-to-date information on that child's school attendance and performance.

Peter Sloan, DHS manager for education and fiscal analytics, commented that the cross-system discussions sparked by ESSA regarding children in out-of-home placement have strengthened DHS-school collaborations. "This process bred respect between DHS and school districts," he said. "Districts have greater familiarity with our expertise in working with children in trauma or foster care. They can partner with us to ensure that students are properly served."

DHS data analyst Sanjeev Baidyaroy added, "Our effective data culture made communication between us and school districts much easier. It showed that our investment in data analytics structure and technology is worthwhile and really helps children."

### **SATISFYING RESULTS**

As of April 2018, the results of the new process were as follows:

- Of 2,213 instances of children entering or changing placement, 800 BIDs had taken place or were in process.
- Of the 709 completed BIDs and transportation records in the database at that time, 80 percent had kept the child in his or her school of origin — far above the 30–40 percent that was typical before the new ESSA provisions took effect.
- Transportation decisions had been made in 642 BIDs, with the school providing the transportation in 63 percent of cases and DHS or placement providers in 24 percent. The remaining 13 percent of cases involved shared responsibility, reliance on natural supports (i.e., family or friends), or students being able to walk to school.

Complementing these quantitative data, Cheryl Kleiman, staff attorney at the Education Law Center (ELC) of Pennsylvania's Pittsburgh office, offered appreciation of DHS's coordination. "DHS immediately perceived the task before them [when ESSA was enacted] and devoted resources proactively to it," Kleiman observed. "They resolved to lead the charge rather than waiting for others to help them figure out what should happen." Kleiman noted that DHS's existing relationships with the ELC, other legal experts and Allegheny County school districts facilitated planning activities.

## BUILDING ON INITIAL SUCCESS

DHS's first-year success in implementing a logistically challenging program has depended on robust data resources, strong cross-system connections, dedicated staff, and a readiness to embrace additional expenditures for a good cause. (Team members indicated that DHS expended \$250,000 on student transportation in 2017–2018.) Nevertheless, the team sees further room for improvement as they prepare for the 2018–2019 school year.

Many of the more than 2,000 child placement changes that occur each year in Allegheny County do not require BIDs, because the student can easily remain in the same school. But DHS staff worry that some children are missing the opportunity to maintain school stability because no one initiates a BID process. Further outreach was planned for summer 2018, to encourage schools and providers to involve DHS immediately when an initial placement or a change in placement occurs.

**“This was an opportunity to see federal law applied at the local level. We examined the law, determined how we could integrate it with our practices, tried to understand the concerns of stakeholders, and got everything streamlined better than we expected.”**

Next year will likely be smoother than the first, with the processes largely in place and additional staff supports added. However, other challenges remain. As the team prepares for the upcoming school year, the CYF transportation unit is already at full capacity, in terms of its ability to complete school trips. Meanwhile, providers frequently indicate that the transportation demands they face at the time of a child's school change impose significant strain.

Guiding multiple stakeholders to a child-centered consensus in about a thousand cases a year will remain challenging, even with the increased staff capacity. But in addition to seeing the practical impact of their work on the lives of hundreds of students, the team has enjoyed the rewarding, all-too-rare pleasure of implementing new policy and seeing it achieve what it was designed to do.

“This was an opportunity to see federal law applied at the local level,” data analyst Sumiya Tarannum said. “We examined the law, determined how we could integrate it with our practices, tried to understand the concerns of stakeholders, and got everything streamlined better than we expected.”

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