

This document pre-dates an amendment to the Family Educational Rights and Privacy Act, which allows for easier access of school records to child welfare agencies. 20 U.S.C. § 1232(g)(L).

For more information, see “Q&A How do Recent Changes to FERPA Help Child Welfare Agencies Get Access to Education Records” available at http://www.fostercareandeducation.org/Database.aspx?EntryId=1833&Command=Core_Download&method=inline.

Learn more about data and information sharing between child welfare and education agencies at <http://www.fostercareandeducation.org/AreasofFocus/DataInformationSharing.aspx>.

Foster Care & Education Q&A

COLLECTING DATA TO IMPROVE EDUCATIONAL OUTCOMES FOR CHILDREN IN OUT-OF-HOME CARE

Q: Why is it important to collect data on the educational performance of children in care?

A: While in recent years there has been some attention paid to the educational performance of children in care, most studies have been limited to snapshots of specific geographic regions. Education data about youth in out-of-home care can substantiate the need for new laws and policies, support targeted funding, increase accountability among state and local agencies, and educate stakeholders regarding the unique needs of this highly vulnerable population. On an individual level, data can be used to inform a child's placement decisions and transition goals, help judges intervene appropriately, and ensure that remedial services and help for children with disabilities, English Language Learners, homeless youth, and other disadvantaged students is available.

Q: What statistical data does the education system collect regarding children in out-of-home care?

A: The No Child Left Behind Act (NCLB) 20 U.S.C. § 6301 *et seq.* requires *all* states to collect significant data regarding the academic progress and needs of their students, but does not require that states disaggregate student data for children in care (as it does, for example, for children with disabilities, children of color, etc.).

In addition to the school, district, and state data required for NCLB, forty-five states have developed statewide "student identifiers" that connect student-specific data across key databases and across years.

Some of the data that states are collecting (only some of which is mandated by NCLB) includes:

- attendance in school and number of school changes;
- state proficiency testing in core subjects;
- grade retention;
- special education participation;
- eligibility for NCLB mandated supplemental education services;
- participation in remedial programs; and
- graduation status.

Q: What statistical data does the child welfare system collect?

A: Federal law requires child welfare agencies to collect and report data about children in out-of-home care through the Adoption and Foster Care Analysis and Reporting System (AFCARS). AFCARS does not currently collect any education data about the children in out-of-home care. However, proposed amendments to AFCARS would require states to report (1) whether a child has a learning or developmental disability; (2) whether he receives special education services and (3) whether he has repeated one or more grades.

Federal law requires states to assess whether children are receiving appropriate services to meet their



educational needs as part of their Child & Family Service Reviews (CFSRs). 42 U.S.C.A. § 1320a-2a. Thirty-four states are NOT in substantial conformity with the CFSR education requirement. Few child welfare agencies voluntarily collect non-mandated education data.

Q: What types of data should education and child welfare collect?

A: Data collection efforts should focus on factors suspected to contribute to poor educational outcomes for children in out-of-home care.

Education should consider collecting, among other items, information on: the number of school changes, enrollment delays, truancy rates, grade performance and below-grade course enrollment, eligibility for special education, participation in NCLB mandated supplemental educational programs or other remedial programs, enrollment in vocational programs, participation in after-school, extended school year and extra curricular programs, credit transfer problems, discipline placements and participation in higher education and other post secondary programs.

Child Welfare should consider collecting: referrals to early intervention, participation in early childhood programs, dropout and graduation rates, and student achievement on statewide tests. Some child welfare studies have also disaggregated education data by type of living arrangement (e.g., foster care, kinship care, congregate care) and by type of educational placement (e.g., alternative discipline schools, public charter schools, private academic schools).

Q: What are some examples of data collection efforts that have improved student outcomes?

A: Some jurisdictions, including Florida, Utah and California, have undertaken data collection efforts to improve educational outcomes for children in care. The Legal Center for Foster Care and Education will be publishing an article about data collection efforts that currently exist, and ways that child welfare and education can better collect data and share information. This publication will be available soon at the Legal Center on Foster Care and Education Website: www.abanet.org/child/education.

Q: What can I do to encourage my state or county to collect data on educational outcomes for children in out-of-home care?

A: There are many ways to encourage your jurisdiction to collect information, but three are critical:

- **Find out what your state is currently collecting.**

The Data Quality Campaign provides a state-by-state analysis of education data systems. To learn what data is collected in your state, go to:

<http://www.dataqualitycampaign.org/>.

- **Talk to your Department of Education about its data collection system.**

There may be a way to cull significant data regarding children in out-of-home care by using existing residency codes or enrollment information.

- **Talk to your Child Welfare Department about what data they are collecting.**

Consider proposing one or two education-related questions that all Children & Youth caseworkers could collect.

Q: Where can I learn more about collecting data to improve education outcomes for children in out-of-home care?

A: The Legal Center for Foster Care and Education developed an article, *Solving the Data Puzzle: A How To Guide on Collecting and Sharing Information to Improve Educational Outcomes for Children in Out-of-Home Care*. The article includes an in depth discussion of these issues and includes tools to evaluate your jurisdiction's current data collection efforts and develop and implement a program to meet your needs. It will be available in January 2009 at www.abanet.org/child/education/dataexchange.

