



# Education Law Center Testimony:

## School Stability Improves Educational and Life Outcomes for Children in Foster Care

Testimony of Maura McInerney  
Before the House Children & Youth Subcommittee

**October 6, 2014**

Thank you for the opportunity to testify today. My name is Maura McInerney and I am a Senior Staff Attorney at the **Education Law Center (“ELC”)**, a statewide non-profit legal advocacy organization dedicated to ensuring that all of Pennsylvania’s students have access to quality public schools. ELC advocates on behalf of educationally at-risk children, including children who are poor, children of color, children with disabilities, English Language Learners, students experiencing homelessness and children in the child welfare system. Over its almost forty-year history, ELC has been committed to improving educational outcomes for children in foster care through legislative and policy initiatives at the state and national level as well as litigation strategies.<sup>1</sup> Along with the Juvenile Law Center and the ABA Center on Children and the Law, ELC co-founded the **Legal Center for Foster Care and Education**<sup>2</sup> and is a founding member of the National Working Group on Foster Care and Education. ELC is also an active member of the

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<sup>1</sup> In 1987, ELC brought a class action lawsuit that struck down a state statute that had permitted school districts to refuse to educate a non-resident, dependent child living in a foster home. See *Nancy M v. Scanlon*, 666 F.Supp. 723 (E.D. Pa 1987).

<sup>2</sup> See Legal Center for Foster Care and Education website at <http://www.fostercareandeducation.org/>

statewide multi-stakeholder **Pennsylvania State Roundtable on Educational Success and Truancy Prevention** which focuses on improving educational outcomes for children in Pennsylvania's dependency system.<sup>3</sup>

### **What We Are Seeing**

As a staff attorney at ELC, I have been involved in hundreds of individual cases involving children and youth in foster care. I have consistently heard from students, foster parents, child welfare professionals, and school staff about the importance of children in care remaining in the same school even when their living placement changes. Over the years, we have seen what a profound difference school stability makes in the educational trajectory and life outcomes of children in care and have focused statewide and national attention on this issue. Here are a few examples of cases ELC has handled which reflect why remaining in the same school is so important.

In some cases, like Michael's, it can make the difference between a youth graduating or dropping out:<sup>4</sup>

*Michael is a shy youth who experienced significant trauma in his life. In middle school, he bounced around to numerous foster care placements and many schools. Beginning in 9<sup>th</sup> grade, Michael was able to stay in the same school and it became a place where he felt safe and at "home." He told me it was the one thing that "went right" in his life. He was active in school activities, earned good grades, had friends and strong ties to his teachers and guidance counselor. But in his senior year, after three years in the same school, his living placement changed and he received a notice that he would be dis-enrolled from school. Although he was on track to graduate and attend post-secondary school, he said*

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<sup>3</sup> For more information regarding the State Roundtable go to <http://www.ocfpcourts.us/about-ocfc/truancy> See 2012 Report to Pennsylvania State Roundtable (May 2012) available at <http://www.ocfpcourts.us/assets/files/page-382/file-1112.pdf> .

<sup>4</sup> I have attached other youth stories from the Education Law Center and Juvenile Law Center as part of my testimony.

*starting over in a new school, with different graduation requirements, would hurt his chance to graduate on time – or even to remain in school. He desperately wanted to graduate with his classmates from the only high school he had ever attended.*



*In other cases, like Andreas, it can mean the difference between identifying necessary student supports and services and those needed supports go unnoticed.*

*Andrea entered foster care at age 6 and attended 11 schools by age 16 -- staying in only two of those schools for more than one year. She struggled academically and was belatedly identified as eligible for special education services. When she changed placements yet again in high school, her foster mother fought for her to stay in the same school. As a result, during her final three years of school, Andrea thrived. And ultimately graduated?*

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And in cases like Jarrett's it's the difference between academic success and failure:

*During his time in foster care, Jarrett changed schools six times. One of these moves occurred three weeks before the end of the semester. Despite his requests, he was not permitted to stay in the same school and was also prohibited from taking final exams or completing final projects at his prior school. Instead, he was forced to transfer to a new school. As a result of "missing coursework," Jarrett's GPA plummeted from 3.6 to 1.4.*

ELC's support for school stability for children in foster care is not based on our empirical experiences alone, but rather is rooted in research demonstrating that school stability effectively promotes academic success and improves educational and life outcomes for this exceptionally vulnerable student population.

## ***Children in Foster Care Are in Educational Crisis***

Children and youth in foster care are in educational crisis. It is well documented that they experience lower academic achievement, lower standardized test scores, higher rates of grade retention and higher dropout rates than their non-foster care peers.<sup>5</sup> One study in New York found that eighty percent of children in foster care were held back in school at least once by the time they reached 3rd grade.<sup>6</sup> A recent study conducted by the PolicyLab at The Children’s Hospital of Philadelphia (CHOP PolicyLab), which examined the educational outcomes of over 68,000 students in the School District of Philadelphia during the 2011-12 school year disclosed that DHS-involved students had substantially lower PSSA scores and promotion rates; higher rates of special education eligibility and absenteeism; and accumulated fewer credits than their non-DHS involved peers.<sup>7</sup> A national review of studies conducted between 1995 and 2005 revealed that approximately half of foster youth complete high school by age 18 compared to over 70% of youth in the general population.<sup>8</sup> According to a 2005 study, 75.2% of children placed in foster care in Philadelphia dropped out of school.<sup>9</sup> Youth in foster care who drop out of school are far more likely to be unemployed, live in poverty, receive public assistance and become homeless or incarcerated.<sup>10</sup>

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<sup>5</sup>National Factsheet on the Educational Outcomes of Children in Foster Care (January, 2014) available at [http://www.fostercareandeducation.org/DesktopModules/Bring2mind/DMX/Download.aspx?EntryId=1937&Command=Core\\_Download&method=inline&PortalId=0&TabId=124](http://www.fostercareandeducation.org/DesktopModules/Bring2mind/DMX/Download.aspx?EntryId=1937&Command=Core_Download&method=inline&PortalId=0&TabId=124).. attached to this testimony as Attachment “B”.

<sup>6</sup> Vera Institute of Justice, “What Keeps Children In Foster Care From Succeeding in School?,” (2002), available at <http://www.aecf.org/upload/publicationfiles/what%20keeps%20children.pdf>.

<sup>7</sup> The full report, *Supporting the Needs of Students Involved with the Child Welfare and Juvenile Justice System in the School District of Philadelphia* is available at [http://policylab.chop.edu/sites/default/files/pdf/publications/PolicyLab\\_Report\\_Supporting\\_Students\\_Involved\\_with\\_Child\\_Welfare\\_June\\_2014.pdf](http://policylab.chop.edu/sites/default/files/pdf/publications/PolicyLab_Report_Supporting_Students_Involved_with_Child_Welfare_June_2014.pdf).

<sup>8</sup> Wolanin, T. R. (2005). *Higher education opportunities for foster youth: A primer for policymakers*. Washington, DC: The Institute for Higher Education Policy.

<sup>9</sup> See RC Neild, R Balfanz, Philadelphia Youth Network, The Johns Hopkins University, *Unfulfilled Promise: The Dimensions and Characteristics of Philadelphia’s Dropout Crisis, 2000–2005* (2006), available at [http://www.pyninc.org/download/pdf/Unfulfilled\\_Promise\\_Project\\_U-turn.pdf](http://www.pyninc.org/download/pdf/Unfulfilled_Promise_Project_U-turn.pdf).

<sup>10</sup> Harlow, C.W. (2003, January. Revised April 15, 2003). *Education and Correctional Populations*. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics.

## ***Why School Stability Matters***

Research shows that one of the most significant barriers to school success is school mobility.<sup>11</sup> It is estimated that school age children in foster care commonly experience 2.8 living arrangement changes during their first foster care stay.<sup>12</sup> These children frequently change schools – on average 2.7 times in two years, with over a third of young adults in foster care reporting having five or more school changes.<sup>13</sup> Children who change schools lose critical academic progress with every school move, which can be devastating to a child’s education.<sup>14</sup> Research indicates that students may lose four to six months of educational progress each time they change schools.<sup>15</sup> Moreover, it is estimated that it takes the average child many months to recover academically from each school change and as a result, many children in foster care not only fail to recover, but they lose ground.<sup>16</sup> When they fall behind, they also lose hope, give up and drop out. As one study explained, five or more school moves makes academic progress

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<sup>11</sup> National Factsheet on the Educational Outcomes of Children in Foster Care (January, 2014) available at [http://www.fostercareandeducation.org/DesktopModules/Bring2mind/DMX/Download.aspx?EntryId=1937&Command=Core\\_Download&method=inline&PortalId=0&TabId=124](http://www.fostercareandeducation.org/DesktopModules/Bring2mind/DMX/Download.aspx?EntryId=1937&Command=Core_Download&method=inline&PortalId=0&TabId=124)

<sup>12</sup> *Source: The Center for State Child Welfare’s 2011 data.* The Center draws data from 29 states and two counties. Each youth who first entered care between 2005-2009 is represented in this data. The number of living arrangements was counted from entry date through the end of 2011.

<sup>13</sup> Zorc, C.S., O’Reilly, A.L.R., Matone, M., Long, J., Watts, C.L., Rubin, D. (2013). The relationship of placement experience to school absenteeism and changing schools in young, school-aged children in foster care. *Children and Youth Services Review*, 35(5), 826-833 (students in care changed school an average of 2.7 times in two-year period).

<sup>14</sup> Kerbow, D. (1996). *Patterns of urban student mobility and local school reform*. Technical Report No. 5, October. Washington, DC: Center for Research on the Education of Children Placed at Risk.

<sup>15</sup> See Rogers, J. (1991). Education Report of Rule 706 Expert Panel, presented in *B.H. v. Johnson*, 715 F. Supp. 1387 (N.D. Ill. 1989). Chicago, IL: Department of Education, Loyola University.

<sup>16</sup> Burley, M. & Halpern, M. (2001). *Educational attainment of foster youth: Achievement and graduation outcomes for children in state care*. Olympia, WA: Washington State Institute for Public Policy. The sample of 4,559 children and youth in foster care in Washington State was generated by merging foster care data from the Division of Children and Family Services with Iowa Standardized Test Scores received from the Office of Superintendent of Public Instruction for grades 3, 6, and 9.

virtually impossible.<sup>17</sup> The negative impact of high school mobility rates include higher rates of grade retention.<sup>18</sup>

Other collateral difficulties faced by youth in foster care stem from or are exacerbated by high rates of school mobility. These include delays in school enrollment, inappropriate school placements mid-year, failure to receive full course credits and difficulties accessing appropriate special education and other services. For example, delays in school enrollment for this highly mobile population often occur upon a child's initial entry into foster care or when a subsequent placement change involves changing schools.<sup>19 20</sup> In addition, children who experience frequent school changes may also face challenges in developing and sustaining supportive relationships with teachers or with peers and are negatively impacted socially. Analysis of a six-year study reported a tendency for highly mobile students to suffer psychologically, socially, and academically.<sup>21</sup> High rates of mobility among students also negatively impact classrooms and schools, impacting non-mobile as well as mobile students.<sup>22</sup> As a result of all of these factors, children in care face an uphill battle to learn and to graduate.

Correlatively, educational stability improves academic achievement. In a national study of 1,087 foster care alumni, youth who had even one fewer placement change per year were

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<sup>17</sup> *Id.*

<sup>18</sup> Gerber, J. & Dicker, S. (2005). Children adrift: Addressing the educational needs of New York's foster children. *Albany Law Review*, 69(1), 1-74; Courtney, M.E., Terao, S. & Bost, N. (2004a). *Midwest evaluation of the adult functioning of former foster youth: Conditions of youth preparing to leave state care*. Chicago, IL: Chapin Hall Center for Children at the University of Chicago.

<sup>19</sup> One-fifth of the Illinois children aged 11 to 17 years old who entered foster care without first receiving in-home services were either not enrolled in school or had been absent for so long that they were effectively not enrolled. Many of these youth had become disengaged from school and remained disengaged after entering foster care (Smithgall, et al., 2010).

<sup>20</sup> Approximately half of the caregivers of school-aged foster children in nine San Francisco Bay Area counties who were interviewed in 2000 had had to enroll their foster child in school, and 12% of those caregivers had experienced enrollment delays of at least two weeks (Choice, et al., 2001 [response rate; 28%]).

<sup>21</sup> Rumberger, R. W., Larson, K. A., Ream, R. K., & Palardy, G. J. (1999). The educational consequences of mobility for California students and schools. PACE Policy Brief, 1(1). Available at [http://pace.berkeley.edu/pace\\_mobility\\_final.pdf](http://pace.berkeley.edu/pace_mobility_final.pdf). p. 3.

<sup>22</sup> Mao, M. S., Whitsett, M. D., & Mellor, L. T. (1998). Student mobility, academic performance, and school accountability. *ERS Spectrum*, Winter 1998, 3-15.

almost twice as likely to graduate from high school before leaving foster care.<sup>23</sup> Researchers in a later study reported that the odds of graduating from high school were 4.6 times higher if students had experienced a low rate of placement change (*i.e.*, less than .5 per year) and 2.7 times higher if they had experienced a moderate rate of placement change (*i.e.*, .50 to .99 per year) than if they had experienced a high rate of placement change (*i.e.*, at least 1 per year). In addition, the odds of graduating from college were 3.7 higher for students who experienced 6 or fewer school changes compared with 10 or more school changes.<sup>24</sup> Academic achievement has also been correlated with living placement and school stability. In a Minneapolis study that compared homeless and highly mobile children in 2<sup>nd</sup> to 5<sup>th</sup> grades over a three-year period, the importance of stability was also highlighted. Researchers found that even after controlling for sex, ethnicity, English as a second language (ELL status), and attendance, homeless and highly mobile students still scored lower in reading and math as compared to their stably housed peers and these differences were evident as early as second grade.<sup>25</sup>

### ***Federal Laws Establishing a Presumption in Favor of School Stability***

Recognizing the importance of school stability, Congress has enacted two federal laws to address this issue: the McKinney-Vento Homeless Assistance Act<sup>26</sup> and the Fostering Connections to Success and Increasing Adoptions Act of 2008<sup>27</sup> both seek to ensure school stability for populations of children who are highly mobile. Since 1987, the *McKinney-Vento Act* has supported school stability and immediate enrollment for students experiencing homelessness. In 2008, the *Fostering Connections to Success and Increasing Adoptions Act of*

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<sup>23</sup> Pecora et al., 2006, Northwest Alumni Study and Pecora, P., Williams, J., Kessler, R.C., Downs, A.C., O'Brien, K., Hiripi, E., & Morello, S. (2003). *Assessing the Effects of Foster Care: Early Results from the Casey National Alumni Study*. Seattle, WA: Casey Family Programs

<sup>24</sup> Pecora, P.J., Kessler, R.J., Williams, J., Downs, A. C., English, D.J., White, J. & O'Brien, K. (2009). *What Works in Foster Care?: Key Components of Success From the Northwest Foster Care Alumni Study*. New York: Oxford University Press.

<sup>25</sup> Obradovic, J., J. Long, J. Cutuli, C-K. Chan, E. Hinz, D. Heistad, and S. Masten. 2009. "Academic Achievement of Homeless and Highly Mobile Children in an Urban School District: Longitudinal Evidence on Risk, Growth, and Resilience." *Development and Psychopathology* 21:493–518

<sup>26</sup> 42 U.S.C. § 11431, et seq.

<sup>27</sup> Pub. L. 110-351, 122 Stat. 3949 (codified as amended in scattered sections of 42 U.S.C.).

2008,<sup>28</sup> (*Fostering Connections*) went into effect, requiring child welfare agencies to collaborate with local education agencies (“LEAs”) to ensure school stability for children in foster care unless this is not in the child’s best interest. Specifically, *Fostering Connections* requires child welfare agencies to develop a school stability plan as part of each child’s case plan and, when making a placement decision, a child welfare agency take into account the appropriateness of a child’s present educational setting and its proximity to the school in which the child was enrolled at the time of placement.<sup>29</sup> The Act specifically mandates that a child’s case plan include assurances that the child welfare agency has “coordinated” with local educational agencies to ensure that a child remains in his current school, or, if this is not in the child’s best interest, that the child is immediately and appropriately enrolled in a new school with all school records.<sup>30</sup> The Act also expressly provides that Title IV-E maintenance dollars may be used to provide “reasonable travel for the child to remain in the school in which the child is enrolled at the time of placement.”<sup>31</sup> If a child does change schools, the Act expressly requires child welfare agencies to collaborate with LEAs to ensure that the child is immediately enrolled in a new school.<sup>32</sup>

### ***Making School Stability a Reality in Pennsylvania***

ELC believes that the school stability and immediate enrollment provisions of the *Fostering Connections Act* offer vital protections to improve educational outcomes for children and youth in foster care. Since the *Fostering Connections Act* went into effect in 2008, more than 20 states have enacted legislation to make school stability a reality for children in foster care.<sup>33</sup> However, these provisions have not been fully implemented in Pennsylvania, in part due to the absence of clearly defined obligations applicable to school districts, child welfare agencies and

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<sup>28</sup> *Fostering Connections to Success and Increasing Adoptions Act of 2008* (hereinafter “*Fostering Connections*”), Pub. L. 110-351, 122 Stat. 3949 (codified as amended in scattered sections of 42 U.S.C.).

<sup>29</sup> 42 U.S.C. 675(1)(G)(i) (2010).

<sup>30</sup> 42 U.S.C. § 675(1)(G)(ii)(II).

<sup>31</sup> *Fostering Connections Act*, 42 U.S.C. § 675(4)(A).

<sup>32</sup> *Fostering Connections Act*, 42 U.S.C. § 675(1)(G)(ii).

<sup>33</sup> A summary of state legislation is available at “*Fostering Connections.org*” [http://www.fosteringconnections.org/resources/topic\\_legislation?id=0002](http://www.fosteringconnections.org/resources/topic_legislation?id=0002).



the courts. We know from our work that enacting such legislation is a much-needed reform initiative because school stability has the power to vastly improve educational outcomes for children in foster care and yet Pennsylvania students continue to face significant barriers to achieving this goal. ELC strongly supports H.B. 569 and 973 as a critical first step in fully implementing school stability protections for children in foster care in the Commonwealth.

H.B. 973 proposes amendments to the Public Welfare Code that accurately reflect and clarify the duties of child welfare professionals to ensure school stability when this is the child's best interest and to facilitate the immediate enrollment of a child in a new school with education records provided. H.B. 569 proposes amendments to the Judiciary and Judicial Procedure Act which direct courts to play a critical role in ensuring school stability in the best interest of the child at every stage of the adjudicatory process. In order to further strengthen the impact and scope of these important amendments, we recommend that the Committee consider the following recommended revisions:

- ***Establish a consistent, strong presumption in favor of school stability:*** We propose that both bills be amended to state that a child shall remain in the same school unless a court or county agency determines that "remaining in the same school is contrary to the child's well-being or safety." This "well-being" prong includes the impact of travel time on the child. Certainly, there will be many instances in which the duration of travel time to and from school will support a finding that school stability is not in a child's best interest, but, as it is in the McKinney-Vento context, this should be a child-centered best interest determination and should not rest on a county agency's determination that school stability is impracticable for the agency.
- ***Clarify the term "change in placement" and use a consistent definition of "original school"*** We recommend that the legislation be modified to specifically reference "original school" as the school the child attended prior to any transfer of physical custody or change in placement. This would parallel the options in the McKinney-Vento Act which includes a child's current school and the school the child attended

prior to becoming homeless. We would also clarify that a change in placement encompasses “any change any transfer of physical custody (to a relative, for example) or formal change in placement and includes an emergency modification in placement made pursuant to PA R.J.C.P. 1606.

- ***Ensure immediate enrollment in a new school.*** We would recommend referencing the school code regulations which require enrollment to occur “the next business day” and in no case more than five days of submission of enrollment documents. We would also recommend referencing the county agency’s obligation to maintain education records in the case file which is often critical to ensuring immediate enrollment.
  
- ***Revise the legislation to ensure that transportation costs are provided or shared in a cost-effective manner.*** We recommend that the proposed legislation be amended to clarify that the county agency placing the child must collaborate with local education agencies to arrange for the provision of transportation. We further propose that the transportation provisions of H.B. 973 be amended to reference that transportation costs may be “provided by any other method approved by the county agency” which may include a voluntary agreement between a county agency and an LEA regarding shared the cost of transportation. Moreover, the legislation should reference that the county agency pays unless transportation can be or is agreed to be provided by the school district where “the child lives” or is enrolled in school at “no minimal cost.” This provision should also acknowledge current School Code’s transportation statutes. These recommendations emanate from our experience in working directly with county agencies and school districts across Pennsylvania in individual cases and through the development of Memorandums of Understanding to address transportation costs in an efficient and cost-effective manner. For example, we have been involved in situations where a county agency

can arrange for a child to be transported to a bus stop and a district can then transport the child to school incurring no additional cost. Our proposed revisions also reflect ELC's experience in working with other states and local agencies to address transportation costs in other jurisdictions. As reflected in an issue brief authored by the **Legal Center For Foster Care and Education**, there are a many ways to address transportation costs that should be explored to support school stability in a the most cost-effective manner.<sup>34</sup>

By delineating the roles and responsibilities of county children and youth agencies and courts, the proposed legislation fills an important void in ensuring school stability for children in foster care. However, local education agencies also have an essential role -- and stake<sup>35</sup> -- in improving educational outcomes for children in foster care by supporting school stability. ELC has been involved in many cases where children have been unable to remain in the same school as many school districts are unaware of or uncertain about the application of *Fostering Connections* to local education agencies and how to obtain tuition reimbursement for a non-resident student seeking school stability in accordance with applicable state auditing requirements. It is ELC's view that there are significant issues that need to be addressed through amendments to Pennsylvania's School Code in order to make school stability a reality for children in foster care. Accordingly, in addition to supporting House Bills 569 and 973, we urge legislators to consider amendments to Pennsylvania's education statutes and regulations to accomplish the following objectives:

- **Ensure that school districts permit children in foster care to remain in the same school when this is in their best interest;**

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<sup>34</sup> See *When School Stability Requires Transportation* available at [http://www.americanbar.org/content/dam/aba/publications/center\\_on\\_children\\_and\\_the\\_law/education/transportation\\_brief\\_final\\_revised.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/publications/center_on_children_and_the_law/education/transportation_brief_final_revised.authcheckdam.pdf)

<sup>35</sup> See e.g., NCLB's "Statement of Purpose" describes the intent of the law in part as "closing the achievement gap between high- and low-performing children, especially the achievement gaps between minority and nonminority students, and between disadvantaged children and their more advantaged peers . . . holding schools, local educational agencies, and States accountable for improving the academic achievement of all students . . ." 20 U.S.C. § 6301.

- **Ensure that an educating school district is authorized to obtain tuition reimbursement from a fostering school district;**
- **Ensure immediate enrollment of these students in a new school, with prompt transfer of education records;**
- **Ensure that transportation to support school stability is promptly provided and that the cost of transportation is paid for either by children and youth or by the school district where the child is enrolled in school or living either by agreement of the district(s) or in cases where there is no or minimal cost to a school district;**
- **Ensure equal access to educational and extra-curricular opportunities;**
- **Establish a point of contact at school districts for children in foster care to assist students in accessing appropriate classes, ensuring that credits earned are counted or that certain credit requirements are waived as appropriate and to assist in developing a plan so that these students are able to stay on track to graduate;**
- **Provide access to a state-issued diploma for children in foster care who meet state graduation requirements but are unable to obtain a school-district issued diploma after exhausting all other options.**
- **Promote interagency collaboration between child welfare and education agencies.**

### ***Conclusion***

Educational achievement is critical to a child's current well-being and his future success. Ensuring the well-being of children in foster care is an important responsibility for child welfare

agencies and is not just a theoretical obligation. Titles IV-B and IV-E of the Social Security Act include education as an important “well-being” factor, and all states are evaluated on the extent to which children in care have received appropriate education service during the Child and Family Service Reviews. (CFSRs).<sup>36</sup> Local education agencies also have an essential stake in improving educational outcomes of children in care – not only because they are charged with the duty of educating school-aged students, but also because federal and state laws obligate them to focus attention on closing the achievement gap between high and low performing students.<sup>37</sup> Schools cannot meet such requirements without addressing the educational needs of one of the most educationally at-risk of all student populations – students in foster care. Child welfare agencies and school districts must work together, in tandem based on clearly delineated and complimentary legal requirements in order to accomplish the common goal of improving educational and life outcomes for children in foster care.

We support the proposed legislation as well as recommendations for amendments to Pennsylvania’s school laws to ensure that a quality education and high school graduation does not remain beyond the reach of Pennsylvania’s most vulnerable student population. By moving forward to provide school stability we can break the cycle of failure and poor life outcomes for children in foster care. As Michael – who is now in college asked me to tell you: “Without school stability I would have dropped out. It would have changed everything for me.”

Thank you for the opportunity to comment. Please feel free to contact me with any questions you may have regarding this submission.

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<sup>36</sup> Child and Family Service Reviews (CFSRs) are conducted by the Children's Bureau of the U.S. Department of Health and Human Services Administration for Children and Families and specifically include whether each State has met the educational needs of children in care as Well-being Outcome No. 2, Item 21. To learn more about CFSRs go to <http://www.acf.hhs.gov/programs/cb/cwmonitoring/index.htm#cfsr>.

<sup>37</sup> NCLB’s “Statement of Purpose” describes the intent of the law in part as “closing the achievement gap between high- and low-performing children, especially the achievement gaps between minority and nonminority students, and between disadvantaged children and their more advantaged peers . . . holding schools, local educational agencies, and States accountable for improving the academic achievement of all students . . .” 20 U.S.C. § 6301.

Date:

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Maura McInerney, Esq.

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On behalf of the **Education Law Center-PA**