

April 22, 2019

The Honorable Bill de Blasio
Mayor of the City of New York
City Hall
New York, NY 10007

Re: Educational Support for Students in Foster Care

Dear Mayor de Blasio:

As organizations working on child welfare and education, we are writing to urge you to increase support for students in foster care by providing funding in the Fiscal Year 2020 budget for the following initiatives:

- 1) **Provide Bus Transportation for K-6th Grade Students in Foster Care (\$5M)**
- 2) **Establish a Department of Education (DOE) Office for Students in Foster Care (\$1.5M)**

Approximately 5,600 New York City students are in foster care. For students who have been separated from their families and placed in foster homes, school has the potential to be an important stabilizing factor in their lives. Recognizing the importance of school stability for students in foster care, two federal laws, the Every Student Succeeds Act (ESSA) and the Fostering Connections to Success and Increasing Adoptions Act (Fostering Connections), require local school districts and child welfare agencies to collaborate to keep students in their original schools when they enter foster care or change foster care placements, unless it is in their best interests to transfer to a new school. In New York City, however, 44 percent of students in foster care changed schools at least once during the 2016-2017 school year. Research shows that educational outcomes are particularly poor for students who must transfer schools frequently.

Students in foster care are among the most likely to be suspended, need special education services, repeat a grade, or leave high school without a diploma. In fact, in New York City, only 16 percent of third through eighth grade students in foster care score proficiently in reading, more than half of students in foster care have Individualized Education Programs (IEPs), and only 8 percent of 16-to-18-year-old students in foster care are on track to graduate on time. As such, the DOE must focus more attention and resources on the needs of students in foster care.

1. Provide Bus Transportation for K-6th Grade Students in Foster Care (\$5 million)

As the DOE seeks to fix longstanding problems with yellow bus service, the DOE must develop a system for providing transportation to students in foster care, including providing bus service to kindergarten through sixth grade students in foster care. When students enter foster care, the City has a legal obligation to provide transportation so they can stay in their school of origin, unless it is in their best interest to transfer to a different school. Currently, New York City guarantees bus service only to students in foster care who have special transportation recommended on their Individualized Education Programs. The City allows other students who do not meet the general busing eligibility criteria to apply for busing through an emergency

busing request form and will provide bus service if a student can be added easily to an existing route. However, the DOE often denies these requests, offering only a MetroCard.

When the City does not provide bus service, the only way young students in foster care can get to school is if foster parents or foster care case planners are available to transport them. However, many foster parents are unable to spend hours each day transporting a student to and from school due to competing child care and job-related obligations. Case planners have full-time jobs focused on reunifying families and keeping children safe; they should not be serving as transportation chaperones. Moreover, while ACS will reimburse foster care agencies for the cost of car service, they will not reimburse agencies for chaperones to accompany the students and will not even reimburse agencies for the transportation cost of the return trip for the foster parent. In all, these measures address only a small portion of the demand and are not reliable or effective long-term solutions for transporting students to school.

Without bus service, too many young children in foster care are forced to change schools even though such a transfer is not in their best interests. Transferring schools causes additional disruption in the lives of children in foster care at a time when school could supply an essential source of academic and emotional stability. These students are required to cope with separation from siblings, parents, and communities at the same time as they are abruptly transferred into an unfamiliar school environment with new teachers, peers, and curriculums. Furthermore, the lack of reliable transportation options is having a negative impact on foster parent recruitment and on ACS's ability to match children to foster homes in a timely manner. Some prospective foster parents are unable to accept foster children into their homes unless they know how the child will be transported to school.

We are pleased that the City now guarantees bus transportation to kindergarten through sixth grade students living in shelters. It is crucial for the City to extend this service, or other door-to-door transportation, to the relatively small number of students in foster care who need safe, appropriate transportation to school and cannot access it. No student placed in foster care should be forced to change schools due to lack of transportation. **We recommend that the FY 2020 budget include \$5 million per year for bus service or other door-to-door transportation for kindergarten through sixth grade students in foster care.** Additionally, the DOE must work with ACS to develop policies and create feasible transportation options for students in foster care of all ages.

2. Establish a DOE Office for Students in Foster Care (\$1.5 million)

Despite the significant educational barriers faced by students in foster care, the DOE does not have a senior-level leader, team, or indeed a single staff member at any level focused solely on students in foster care. As a result, the DOE has not developed and implemented needed policies to assist students in foster care. In addition, schools, foster care agencies, and families do not have a DOE point person to contact with questions or concerns regarding students in foster care.

In March 2018, the City's Interagency Foster Care Task Force, whose membership included the DOE Chief Operating Officer and the Commissioner of the Administration for Children's Services (ACS), recommended that the DOE establish an infrastructure to focus on students in

foster care, similar to the DOE’s Office of Students in Temporary Housing, that would “oversee and advise a team of borough-based foster care content experts” who would be responsible for providing schools with individual case consultation and professional development regarding students in foster care—filling a gap that has long existed.

Given the laws and policies that apply to students in foster care and the barriers they face, we propose that the City move forward with this recommendation. We recommend that the DOE hire a central manager and policy advisor and borough-based regional managers. The central staff would work across city agencies and DOE divisions to develop policies to better serve students in foster care, including issues of school stability, transportation, parental consent, and counseling and mental health. The central staff would also oversee a team of borough-based regional managers who would train and support school staff on the needs and rights of students in foster care and their families; communicate and monitor implementation of policies related to students in foster care; serve as a point person for schools, families, and professionals with questions about students in foster care; and work to track and improve educational outcomes for these students. **We recommend that the FY 2020 budget include \$1.5 million per year to establish a DOE office focused on students in foster care.**

For too long, the DOE has overlooked the needs of students in foster care. We strongly urge you to start reversing this trend by establishing a DOE Office for Students in Foster Care and providing bus transportation for students in foster care.

Respectfully,

Advocates for Children of New York

Alliance for Quality Education

Brooklyn Defender Services

Cardinal McCloskey Community Services

Catholic Guardian Services

The Child Center of New York

Children’s Aid

Children's Defense Fund-New York

The Children’s Law Center

Citizens’ Committee for Children of New York

Council of Family and Child Caring Agencies (COFCCA)

Court Appointed Special Advocates of New York City (CASA-NYC)

Good Shepherd Services

Graham Windham

Harlem Dowling-West Side Center

HeartShare St. Vincent's Services

JCCA

Jewish Board of Family & Children's Services

Lawyers for Children, Inc.

The Legal Aid Society

Little Flower Children and Family Services of NY

MercyFirst

New Alternatives for Children, Inc.

The New York Foundling

NYU Family Defense Clinic

Rising Ground

Saint Dominic's Family Services

SCO Family of Services

Seamen's Society for Children and Families

Sheltering Arms

UJA-Federation of NY