Massachusetts Court Improvement Program

The Massachusetts Court Improvement Program (“MassCIP”) encourages and supports systemic improvements, programmatic initiatives, and ongoing training designed to lead to better outcomes for families involved in child welfare cases in Massachusetts. This is accomplished through collaboration with key Massachusetts child welfare stakeholders, including the Juvenile Court, the Probate and Family Court, the Department of Children and Families, and the Committee for Public Counsel Services (the state public defenders’ office). Administered by the Supreme Judicial Court, this federally funded program is supported by three separate and targeted grants. The CIP Steering Committee, composed of representatives of these courts and agencies, meets regularly to further collaborative efforts.

Acknowledgments

Special thanks to the Boston University School of Social Work consultants for the data analysis: Yoonsook Ha, PhD., Thomas H. Byrne, PhD., and Margaret Thomas, MSW.

Thank you to the CIP Data-Driven Directions Education Research Project Committee:

- Administrative Office of the Juvenile Court: Rachel Wallack*
- Administrative Office of the Probate and Family Court: Ilene Mitchell*
- Children and Family Law Division, Committee for Public Counsel Services: Amy Karp*
- Court Improvement Program, Supreme Judicial Court: Hon. Sally Padden (ret.)* and Jenny Weisz*
- Department of Children and Families: Andrew Rome*, Shirley Fan-Chan, Judith Morrison
- Department of Elementary and Secondary Education: Adrienne Murphy
- Department of Research and Planning, Executive Office of the Trial Court: Melaine Malcolm*
- Department of Youth Services: Jeanne S. Tomich, Kendra Winner
- Essex County Juvenile Court: Hon. Kerry Ahern*
- The EdLaw Project of the Committee for Public Counsel Services: Marlies Spanjaard

* Also members of the Court Improvement Program Steering Committee which provided oversight to the study and made recommendations based on this study.

Thank you to:

- DCF Research and Data Extraction Contributors: Rosalind Walters, Ruben Ferreira, Kim Occhiuti, and Mary Kennedy.
- Staff at the Department of Elementary and Secondary Education: Dianne Curran, Bernard Doherty, Carrie Conaway and Craig Weller.
- Donna M. Brown, Executive Director of the Massachusetts School Counselors Association and school counselors, attorneys, DCF personnel, and social workers who took time to complete surveys.

For more information about MassCIP, contact masscip@jud.state.ma.us or visit: https://www.mass.gov/lists/massachusetts-court-improvement-program-resources.
Introduction

School stability is recognized as a crucial component to maintaining the best interests of children in foster care, and focuses on both reducing school changes and creating seamless transitions for children when they must change schools. Studies show that, on average, students lose four to six months of progress every time they change schools. Moreover, experiences such as removal from home or changes to foster care placements often cause trauma, which impacts a child’s mental, emotional, and physical health, and affects their academic performance and educational outcomes. This study in part attempts to assess the number of times children in foster care change placements and schools and understand the educational outcomes of such experiences. Although there have been many studies on the educational outcomes of children in foster care across the country, this study is the first to focus specifically on children in Massachusetts.

Statewide data from a collaborative group of stakeholders. Researchers from the Boston University School of Social Work matched administrative datasets from the Department of Children and Families (DCF), the courts, and the Department of Elementary and Secondary Education (ESE) in order to analyze the factors associated with school stability and success. The matching process identified 6,269 students in foster care during the 2014-2015 academic school year. The study analyzed various student characteristics and school experiences including: number and type of foster care placements, number of school changes, attendance rates, grade retention rates, discipline rates, and dropout rates. It also examined risk and protective factors associated with dually involved youth – youth in foster care who become involved in the juvenile justice system. A qualitative analysis of surveys from school counselors, DCF personnel, attorneys, and social workers who work with children in care was also conducted to yield insights as to the barriers to school stability and ways to overcome them.

A number of limitations in the data collection process impacted the precision of the analysis. The study did not capture all school changes students experience since school changes are reported by the school of enrollment at three points in the school year. As a result, the number of changes reported in the study is likely to be an undercount. Additionally, the dropout rates reported in the study do not reflect students in DCF custody who dropped out over the summer. Lastly, the study could not compare outcomes between students in DCF custody and students not in DCF custody, given that the study did not have access to educational records for non-DCF involved students. Although aggregate statewide data is provided to make comparisons, outcomes for students in DCF custody are included in the outcomes for the total student population. With that in mind, the recommendations presented below are based on findings from the study and are further informed by current law and practice in order to be practical and effective in improving educational outcomes for children in care.

What's new since the study was completed? During the 2016-2017 school year, Massachusetts began implementing the federal Every Student Succeeds Act (ESSA). The legislation requires that students in foster care remain in the school they were attending at the time of initial DCF placement (school of origin) and that transportation be provided to and from the school of origin from any new foster care placement. If it’s not in the child’s best interest to stay in the school of origin, the student must be immediately enrolled into a new school and the school of origin must immediately transfer the student’s educational records to the new school. Lastly, the legislation mandates the State include foster care status as a student group in the annual reporting of state education data.
1. **There was a disproportionate number of minority students.**

The racial/ethnic makeup of the 6,269 students in foster care differed significantly from the makeup of the general student population. The proportions of Hispanic students and Black students in foster care were much greater than their proportions in the student population.

<table>
<thead>
<tr>
<th>Student Groups</th>
<th>% White</th>
<th>% Black</th>
<th>% Hispanic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students in Foster Care</td>
<td>44%</td>
<td>17%</td>
<td>27%</td>
</tr>
<tr>
<td>All Students</td>
<td>64%</td>
<td>9%</td>
<td>18%</td>
</tr>
</tbody>
</table>

2. **Many children in foster care experienced poor educational outcomes.**

Children in the study had high rates of chronic absenteeism, grade retention, school discipline and school dropouts.

**Chronically Absent.** ESE defines chronically absent as missing 10% or more of the school days. Among all students in Massachusetts, 13% were chronically absent during the course of the 2014-15 school year. In contrast, about one-third of the students in the study were chronically absent and the rate increased as the grade increased.

<table>
<thead>
<tr>
<th>Students in Foster Care</th>
<th>Pre-K–Grade 5</th>
<th>Grades 6-8</th>
<th>Grade 9-12</th>
</tr>
</thead>
<tbody>
<tr>
<td>% Chronically Absent</td>
<td>20%</td>
<td>38%</td>
<td>47%</td>
</tr>
</tbody>
</table>

**Experiencing Grade Retention.** A student who repeats the grade in which he or she was enrolled during the previous school year is considered to have experienced grade retention each year. Throughout the state, about 1.5% of students experience grade retention. About 1 in 10 students in the study cohort experienced grade retention during the academic year. Younger students and older students are more likely to experience grade retention than middle-aged students.

<table>
<thead>
<tr>
<th>Students in Foster Care</th>
<th>Pre-K–Grade 5</th>
<th>Grades 6-8</th>
<th>Grade 9-12</th>
</tr>
</thead>
<tbody>
<tr>
<td>% Experiencing Grade Retention</td>
<td>11%</td>
<td>5%</td>
<td>11%</td>
</tr>
</tbody>
</table>
**School Discipline.** Among all students in Massachusetts, 4% received a disciplinary action and 3% received an out of school suspension. In contrast, about 14% of students in the study received a school disciplinary action and 12% received an out of school suspension. The percentage of those receiving a disciplinary action was highest for students in grades 6 to 8.

<table>
<thead>
<tr>
<th>Student Groups</th>
<th>% School Discipline</th>
<th>% Out-of-School Suspension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students in Foster Care</td>
<td>14%</td>
<td>12%</td>
</tr>
<tr>
<td>All Mass. Students</td>
<td>4%</td>
<td>3%</td>
</tr>
</tbody>
</table>

**Dropout Rates.** The dropout rate for all students in Massachusetts was much lower than the dropout rates for students in the study. Students in grade 9 had the highest dropout rate compared to other grade levels. It is important to note that the study did not capture students in foster care who may have dropped out during the summer while the dropout rate for all students includes summer dropouts. This indicates that the dropout rate for the students in the study may be higher than the reported rates.

<table>
<thead>
<tr>
<th>Dropout Rate</th>
<th>Grade 9</th>
<th>Grade 10</th>
<th>Grade 11</th>
<th>Grade 12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students in Foster Care</td>
<td>6%</td>
<td>5%</td>
<td>4%</td>
<td>3%</td>
</tr>
<tr>
<td>All Students</td>
<td>2%</td>
<td>2%</td>
<td>2%</td>
<td>2%</td>
</tr>
</tbody>
</table>

**3. Many children in state custody experienced multiple foster care placements.**

Placement changes during the academic year were common for the majority of students in the study. About 42% of students experienced one foster care placement, 26% experienced two foster care placements and 30% experienced three or more foster care placements.
4. Many students changed schools while in foster care.

About 1 in 4 students attended two or more schools during the academic year with a small share of this group (4.1%) attending three or more schools. The number of school changes is under-reported as this information is collected by ESE only three times during the school year.

![Number of Schools Attended in Academic Year 2014 - 2015](chart)

5. Number of school moves increased when foster care placements increased.

About 23% of students experienced a school change when they were moved to a new foster care placement. Children in the younger grades were more likely than older students to change schools when they were removed from home or when they moved to a new placement. It's important to note that the number of school changes is under-reported as this information is collected by ESE only three times during the school year.

![Students Changing Schools After Home Removal or Foster Home Change](chart)
6. The number of foster care placements affected school experiences.

Children with fewer foster care placement changes had better school experiences. They were less likely to attend 2 or more schools, less likely to be chronically absent, less likely to have a disciplinary action, and less likely to be held back a grade at the end of the school year.

**SCHOOL EXPERIENCES BY NUMBER OF FOSTER CARE PLACEMENTS**

- **Attend 2 or more schools**
  - 1 placement: 14.9%
  - 2 placements: 29.3%
  - 3 placements: 38.8%
  - 4 to 6 placements: 44.5%
  - 7 or more placements: 48.7%

- **Chronically absent**
  - 1 placement: 21.6%
  - 2 placements: 34.0%
  - 3 placements: 38.5%
  - 4 to 6 placements: 51.4%
  - 7 or more placements: 60.1%

- **Any Discipline**
  - 1 placement: 9.3%
  - 2 placements: 14.9%
  - 3 placements: 17.5%
  - 4 to 6 placements: 19.7%
  - 7 or more placements: 26.6%

- **Grade Retention**
  - 1 placement: 8.6%
  - 2 placements: 8.3%
  - 3 placements: 10.8%
  - 4 to 6 placements: 11.0%
  - 7 or more placements: 11.4%
7. Students in kinship homes had better school outcomes than students in non-kinship placements.

Students placed in kinship homes had fewer school changes, better school attendance, lower rates of discipline, and lower grade retention rates than students in non-kinship homes. In contrast, students in congregate care placements had higher rates of attending two or more schools, higher rates of chronic absenteeism, received more disciplinary actions, and were retained at higher rates than other types of foster care placements.

### SCHOOL EXPERIENCES, COMPARING TYPES OF FOSTER CARE TO CONGREGATE CARE

<table>
<thead>
<tr>
<th>Category</th>
<th>Foster Care Kinship</th>
<th>Unrestricted Foster Care</th>
<th>Congregate Care - STARR</th>
<th>Congregate Care - Residential</th>
<th>Congregate Care - Teen Parenting</th>
<th>Congregate Care - Group Home</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attend 2+ Schools</td>
<td>19.1%</td>
<td>22.8%</td>
<td>29.8%</td>
<td>34.6%</td>
<td>41.7%</td>
<td>38.1%</td>
</tr>
<tr>
<td>Chronically absent</td>
<td>22.6%</td>
<td>24.7%</td>
<td>30.7%</td>
<td>46.5%</td>
<td>65.7%</td>
<td>76.2%</td>
</tr>
<tr>
<td>Any discipline</td>
<td>7.2%</td>
<td>8.9%</td>
<td>9.5%</td>
<td>6.8%</td>
<td>27.0%</td>
<td>26.7%</td>
</tr>
<tr>
<td>Grade Retention</td>
<td>8.1%</td>
<td>9.1%</td>
<td>10.1%</td>
<td>6.0%</td>
<td>10.2%</td>
<td>25.0%</td>
</tr>
</tbody>
</table>
8. Dually involved youth had more placements and poorer educational experience than all other children in foster care.

The study examined the educational records of 474 students in DCF custody who were also the subject of a delinquency proceeding during the academic year. The charts below compare the number of out of home placements and the education experiences of dually involved students to those in the study who were not dually involved.

**COMPARISON OF DUALLY INVOLVED TO OTHERS IN STUDY: NUMBER OF PLACEMENTS DURING ACADEMIC YEAR**

<table>
<thead>
<tr>
<th>Number of Placements</th>
<th>Dually Involved</th>
<th>Not Dually Involved</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>20.9%</td>
<td>42.0%</td>
</tr>
<tr>
<td>2</td>
<td>38.4%</td>
<td>26.3%</td>
</tr>
<tr>
<td>3</td>
<td>15.6%</td>
<td>11.3%</td>
</tr>
<tr>
<td>4+</td>
<td>37.4%</td>
<td>18.1%</td>
</tr>
</tbody>
</table>

**COMPARISON OF EDUCATION EXPERIENCES OF DUALLY INVOLVED TO OTHERS IN STUDY**

<table>
<thead>
<tr>
<th>Education Experience</th>
<th>Dually Involved</th>
<th>Not Dually Involved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attend 2+ Schools</td>
<td>35.4%</td>
<td>26.4%</td>
</tr>
<tr>
<td>Chronically absent</td>
<td>72.8%</td>
<td>30.1%</td>
</tr>
<tr>
<td>Any discipline</td>
<td>35.9%</td>
<td>12.3%</td>
</tr>
<tr>
<td>Grade Retention</td>
<td>14.2%</td>
<td>8.8%</td>
</tr>
</tbody>
</table>
School counselors, attorneys, and DCF social workers, who participated in the qualitative survey, identified the following barriers to school success:

- Lack of financial resources to transport students to their school of origin;
- Difficulties in transitioning students to new schools due to challenges with enrollment, transferring credits due to curriculum differences, varying resources for child’s specific needs, and social disruption for students changing schools;
- A lack of communication between school and DCF personnel about student’s educational status and needs;
- Complex and burdensome procedures for sharing child’s information among professionals.

To assist in determining whether to share educational information as well as other personal information, the Court Improvement Program worked with key stakeholders to develop a resource for confidentiality and information sharing for children and youth in care. Completed in 2018, the guide is now available online at: https://www.mass.gov/service-details/massachusetts-court-improvement-program-masscip.
1. **Keep children at home with in-home supports.**
   - Reduce the number of children placed in foster care by expanding and utilizing community resources to provide more in-home support to families.

2. **If children must be removed from their families, expand the use of kinship placements.**
   - Identify kin early to involve them in the foster care approval process.
   - Reduce barriers to placing children with kin by reviewing policies and procedures.
   - Provide kinship foster parents with appropriate supports and services.

3. **If children cannot be placed with kin, place children in other family foster homes.**
   - Increase recruitment and training of foster parents so that children who cannot be with kin are placed in family foster homes.
   - Place all children in DCF custody in family foster homes unless it is determined that the child is in need of special care, treatment or education and that their best interest would be served by placement in a group setting.
   - Focus recruitment efforts for families in the communities where children are removed to increase likelihood that children will remain in their school of origin.

4. **Reduce number of foster care placements changes by providing intensive support to foster parents.**
   - Increase support and services including high quality mental health services, to foster care providers and the children in their care.

5. **Develop trauma-sensitive school environments to support children in foster care.**
   - Ensure students have access to school counselors and staff familiar with the needs of children who have experienced abuse and/or neglect.
   - Encourage schools to provide all students with a trauma-sensitive, safe, and supportive school environment.
   - Provide training, resources, and support to school personnel about the impact of trauma and the particular needs of children in foster care.
6. **Comply with the requirements of ESSA to improve education stability and outcomes.**
   - Develop processes to ensure timely best interest determinations are made with input from the school, the student, parents, and others.
   - Develop a statewide form that documents best interest determinations which is kept in student records and DCF case file.
   - Create a process for notifying parties of school placement decisions.
   - Create a dispute resolution process when schools, students, parents, or DCF disagree with the decision.
   - When students change schools, ensure a seamless transition by enrolling students immediately in the new school with appropriate classes, educational services, and transfer of credits.
   - Support continued collaboration between DCF, ESE, and local school districts to ensure timely transportation is provided to students to their school of origin.
   - Expand funding for transportation. Explore ways to leverage federal IV-E funds and increase state transportation funding.

7. **Reduce the number of dually involved youth.**
   - Increase community and school supports for students at risk of crossing over into the juvenile justice system.
   - Continue to reduce school and placement based delinquency referrals.
   - Expand juvenile delinquency diversion programs.
   - Expand court based dually involved youth initiatives.
   - Reduce congregate care and multiple placements.
   - Provide youth in group placements pro-social activities.
   - Provide training and support to group home staff to reduce incidents which result in delinquency filings.

8. **Improve data collection on educational experiences of children in foster care.**