**Pennsylvania Bar Association
Children’s Rights Committee**

**Resolution Regarding the Education of Children in Foster Care**

**WHEREAS**, the Pennsylvania Bar Association has made a commitment to access justice and support the well-being of all youth in foster care.

**WHEREAS**, educational success is central to a child’s well-being, long-term stability and life outcomes.

**WHEREAS,** children in foster care are among the most educationally at risk of all student populations and national and statewide research shows that children in foster care are far more likely to drop out of school, repeat a grade, and score poorly on state assessments than their peers who are not in foster care.[[1]](#footnote-1)

**WHEREAS,** only one third of children in foster care in Pennsylvania graduate on time.

**WHEREAS,** frequent school changes are significant contributing factor to poor academic outcomes as research indicates that a child falls three to six months behind academically with every school move and children in foster care change schools two to three times per year on average.

**WHEREAS**, national studies demonstrate that foster children are fifty percent more likely to graduate from high school when remaining in the same school.

**WHEREAS,** in 2008, Congress enacted the Fostering Connections to Success and Increasing Adoptions Act (“Fostering Connections”), which includes provisions intended to improve the educational outcomes for this population by requiring caseworkers to coordinate with local education agencies to ensure that children remain in the same school whenever it is in their best interest.

**WHEREAS**, the Pennsylvania Supreme Court has promulgated Juvenile Court Rules which require judges to consider the educational needs of children before them and specifically to ensure school stability for children in foster care.

**WHEREAS**, Pennsylvania’s School Code and school residency laws do not require nor facilitate school stability for children in foster care consistent with the mandates of Fostering Connections.

**WHEREAS**, despite the enactment of Fostering Connections, many children and youth in foster care across Pennsylvania continue to experience frequent school moves which significantly undermine school success and contributes to poor educational outcomes.

RESOLVED, that the Pennsylvania Bar Association urges the General Assembly to adopt legislation and the State Board of Education to promulgate regulations to ensure school stability and educational success for all children in foster care through the following means:

1. Mandate that local education agencies must permit children in foster care to remain in the school in which they were enrolled at the time of placement or any change in placement.
2. Ensure that transportation is provided to children in foster care so that they can continue to attend the same school.
3. Modify child accounting rules to support school stability and ensure continuous funding of students who remain in the same school.
4. Ensure that full and partial credits earned in public schools, licensed private schools, residential placements etc. are recognized and accepted towards graduation in Pennsylvania and that where appropriate children in foster care can receive a credit waiver for non-core subjects so that high school graduation does not remain beyond the reach of children in foster care.
5. Ensure that children in foster care who meet state graduation requirements but are not eligible for school district- issued diploma as a result of that particular district’s requirements have access to a State-issued diploma.

Respectfully Submitted,

Andrea Marceca Strong

Chair, Children’s Rights Committee

1. *Education is the Lifeline for Youth in Foster Care*,National Working Group Factsheet on Foster Care and Education (July 2011) at <http://www.casey.org/Resources/Publications/pdf/EducationalOutcomesFactSheet.pdf>; Steve Christian, "Educating Children in Foster Care," National Conference of State Legislatures, Children's Policy Initiative(December 2003) at <http://www.ncsl.org/Portals/1/documents/cyf/cpieducate.pdf>. [↑](#footnote-ref-1)