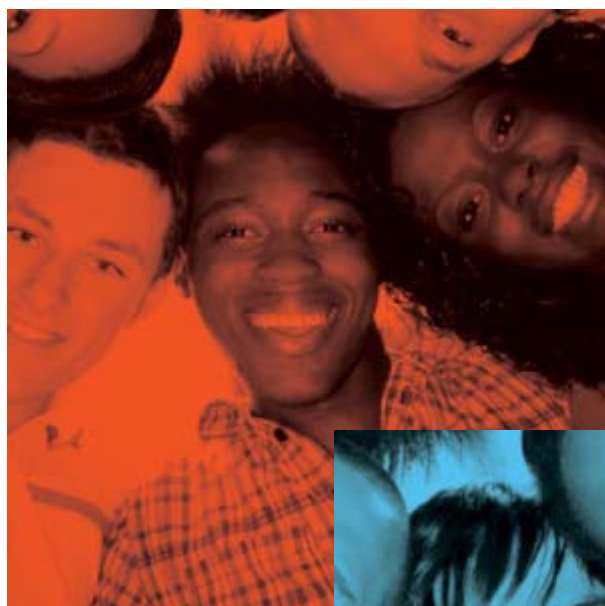# FOSTERING EDUCATIONAL SUCCESS

An Analysis of Investments in School Climate and Foster Youth Through the Local Control Accountability Plan

By Laura Faer and Marjorie Cohen

Public Counsel

FOSTERING EDUCATIONAL SUCCESS:
An Analysis of Investments in School Climate and Foster Youth Through the Local Control Accountability Plan

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EXECUTIVE SUMMARY

Foster youth in California schools have a radically different educational experience than other students — one that requires a unique and coordinated response. They cope with the after-shocks of trauma as a result of abuse and neglect and out of home placement. They may be forced to change schools multiple times, even within the same year, as they move from foster home to foster home. These disruptive transfers reinforce the trauma that such youth experience. Trauma has a significant effect on the ability to regulate emotions, behavior, and concentrate.   Because schools and other systems have not implemented strategies to address the impacts of trauma, foster youth are disproportionately suspended and expelled and placed in the juvenile justice system. In addition, foster youth face barriers to enrollment, attendance, school and after-school transportation, and transfer of credits, all of which stand in the way of their educational success.

In 2013, the California Legislature approved the Local Control Funding Formula (LCFF), a new approach to the state's disjointed and inequitable school funding formula. Legislators identified three subgroups of high-needs students — low-income students, English learners and foster youth — who deserved special attention and additional funding from the state.

The attention on foster youth is long overdue. Previously, despite studies consistently identifying the extremely poor educational outcomes for foster youth, state law did not explicitly require school districts to identify, track or be held accountable for this subgroup. In the 2014-15 school year, for the first time, school districts received specific funding tied to the number of foster youth enrolled.

The LCFF system gave school districts greater spending flexibility in exchange for increased local accountability. Districts received additional "supplemental" and "concentration" funding to allow them to create or expand programs targeted at improving foster youths' educational outcomes.

By law, each district's Local Control Accountability Plan (LCAP) must cover eight state priority areas. Perhaps the most important priority area for foster youth success in school is school climate. The school climate priority area measures whether school districts are reducing their punitive discipline rates while also developing a school environment that supports the social, emotional and mental health of all student populations.

Fostering Educational Success is the first statewide report that investigates how school districts have responded to the school climate and attendance LCFF requirements for foster youth in their LCAPs for the 2014-2015 school year. The districts that are the subject of this report serve approximately 55% of the foster youth enrolled in California schools. We analyzed whether school districts with more than 150 foster youth enrolled have identified specific goals, actions and expenditures for foster youth regarding the school climate priority and attendance areas. We also analyzed expenditures on law enforcement, because foster youth are overly represented in the juvenile justice system and studies show that the presence of law enforcement on campus can negatively impact school climate and contact with law enforcement substantially increases the likelihood of school dropout.

We found that some districts have articulated promising school-climate-related LCAP goals and action steps for students in general, but at least in Year 1, districts have fallen short of collecting and analyzing baseline data, and incorporating in their LCAPs specific interventions to improve school climate for foster youth. While many school districts set goals to increase attendance, reduce suspensions and expulsions, and implement alternatives to harsh school discipline, only a handful have targeted those investments at foster youth or included required baseline metrics specific to foster youth. Unfortunately, it appears that expenditures on law enforcement have increased despite evidence of the extraordinarily negative effect that contact with police has on the outcomes for foster youth and other vulnerable groups.

Some of our major findings include:

♦ **Few school districts identified unique attendance-related goals or actions for foster youth.** Only two of the 64 school districts with more than 150 foster youth enrolled, Sacramento City Unified and Los Angeles Unified, identified baseline attendance rates for foster youth.

♦ **Few school districts developed unique suspension-reduction goals or actions for foster youth.** And, only one district, Los Angeles Unified, provided baseline suspension data for foster youth.

♦ **Only one district identified a goal specifically addressing foster youth expulsion rates.**

♦ **A number of districts spent the same or more on school-site law enforcement officers and equipment as on research-based, whole-school strategies for creating a positive and supportive school climate.**

While this data is discouraging, we recognize that districts were hampered in their ability to effectively identify the needs of foster youth due to local challenges with identifying the foster youth who need to be served. These barriers have now been removed statewide; as of the fall of 2014, the California Department of Education has been providing districts with a data set that identifies their enrolled foster youth. We hope that this year districts across the state will revise their LCAPs to address these deficiencies. To support those revisions, we also highlight five school districts who are already leading the way.

Based on this review, the overall recommendations are concrete, simple and aligned with the letter and intent of the law. We call on school districts with a foster youth population of 15 or more to:

♦ Establish school climate area baseline needs assessment and metrics, goals and actions that account for the unique needs of foster youth.

♦ Increase investments in best practices in discipline, such as social emotional learning, trauma-informed strategies, restorative justice/practices, and Positive Behavior Interventions and Supports.

♦ Invest in staff who can be a single, continuous point of contact and develop strong relationships with foster youth and who are well-versed in the laws protecting foster youth and effective at navigating systems on behalf of such youth.

♦ Show how the investments in law enforcement are "increasing or improving services" for foster youth, who already have disproportionately high rates of juvenile justice involvement and who research shows require strong investments in supportive, trauma informed strategies.

♦ Examine the impact of investments in law enforcement on student outcomes, arrests, and citations and strongly reconsider whether limited school funding should be utilized in this manner.

The vast majority of school districts have made progress in their investments in research-based alternatives to harsh discipline practices. But very few analyze the needs of foster youth and create specific strategies for addressing their unique challenges, which include barriers to enrollment, lack of transportation, disruptive school changes, multiple, disconnected system players, absence of a single and constant adult supporter, and exposure to high levels of trauma, all of which severely impact learning and the ability to regulate emotions and behavior.

It is imperative that all school districts in the state, but especially those who serve the highest populations of foster youth, take a critical look at the unique school climate needs of foster youth and revise their baseline data, goals, actions, and expenditures to address those needs.

INTRODUCTION

In 2013, California overhauled its school funding system. The old system, which was disjointed and inequitable, relied on numerous funding pots for different school programs. It was replaced with the Local Control Funding Formula (LCFF), which allocates a uniform "base" grant for all students and additional "supplemental" and "concentration" grants to districts based on the number of high-needs students enrolled. LCFF provides school districts with more overall spending flexibility in exchange for increased local accountability.[1] It requires every district to create a Local Control Accountability Plan (LCAP) to detail how the funds are spent using a state-developed template. It specifically requires district to demonstrate how the money generated by high-needs students will be used to increase or improve services for those students. The three high-need student groups identified under LCFF are low-income, English learners (EL) and foster youth. It is this last vulnerable group – foster youth – that this is the focus of this report.

Foster youth face a set of unique challenges related to school climate that other students do not.

The inclusion of foster youth as a subgroup in the LCFF marked a significant reform in California. Previously, despite studies consistently identifying the extremely poor educational outcomes for foster youth, state law did not explicitly require school districts to formally identify, track or be held accountable for this subgroup. Last year, for the first time, school districts received specific funding tied to the number of foster youth enrolled. In exchange, they were required to collect baseline data on a host of education factors and develop goals and specific actions to serve foster youth.

This specific attention on foster youth is long overdue. Foster youth face a set of unique challenges that other vulnerable groups do not. These can include:

- disproportionately high levels of exposure to significant adverse trauma and psychiatric disabilities,

- frequent disruptive home placement and school changes,

- the absence of a consistent parent, guardian and/or educational surrogate who can both advocate for an appropriate education and provide historical information about a foster youth's needs,

- lack of a coordinated approach among multiple public systems to effectively address needs, which can result in foster youth not receiving necessary mental health, educational, and social and emotional services or receiving them from multiple or inconsistent providers,

- delays with immediate enrollment and enrollment in appropriate classes, caused in part by lack of proper and timely credit and record transfer, and

- lack of transportation to school and after-school activities.

For a number of years, California law has included strong protections for foster youth to address these needs and challenges. Among other things, the law protects foster youths' right to stay in their school of origin, receive partial credits, and immediately enroll without documents or records.[2] Nevertheless, the data shows both that these laws are not being fully implemented and that the confluence of educational needs has not been effectively addressed. For example, recent data shows that California foster youth attend an average of eight different schools while in foster care.[3] California foster youth have the worst educational outcomes of all subgroups currently tracked by the state. They are less likely to graduate from

high school than low-income, EL, and students with disabilities.[4] They have the highest dropout and lowest graduation rates,[5] and a lower proficiency rate for English language arts than all students and low-income students.[6]

One of the factors that most impacts the educational achievement of foster youth is trauma. Foster youth endure many traumatic experiences, which may include abuse and neglect, in addition to loss of their home, separation from their families, and repeated movement between different placements.[7] Nationally nearly half (48%) of youth in foster care struggle with emotional or behavioral issues.[8] A research study found that more than twenty-five percent of adults who had been foster youth experienced PTSD in the previous year, which is a rate that is twice that of U.S. combat veterans.[9]

There is a clear correlation between exposure to trauma and educational challenges. Research shows that children who have witnessed or experienced abuse or domestic violence or been subjected to other major home-life stresses are more likely to be suspended or expelled.[10] Students subjected to trauma are also significantly more likely to struggle with behavior and learning problems, such as increased anxiety, hypervigilance, and behavioral impulsivity.[11] Trauma also impacts attention, abstract reasoning, long-term memory for verbal information, and problem solving skills.[12]

Unfortunately, likely in part due to the effects of trauma, foster youth are disproportionately subjected to punitive discipline.[13] While statewide statistics regarding foster youth punitive discipline rates will not be available until 2016, data from select counties are extremely troubling. A 2009 study focusing on San Mateo County found that one in four youth in foster care had been suspended; such youth were ten times more likely to be expelled and 2.5 times more likely to be suspended than their non-foster care counterparts.[14] 2012-13 Foster Focus data from Sacramento County showed that 15% of foster youth in that county were suspended, a rate three times the state average, and higher than the suspension rates for other subgroups in the county, including low income youth. Further, nearly half (43%) of foster youth in Sacramento County received at least one disciplinary action in the same school year.[15]

Punitive school disciplinary actions such as suspension and expulsion can reinforce and re-traumatize foster youth and cause long-term harm.[16] The American Psychological Association has raised concerns that zero tolerance policies increase "student alienation, anxiety, rejection and breaking of healthy adult bonds."[17] Other studies have shown that students who receive even one out-of- school suspension or expulsion are as much as ten times more likely to drop out and three times more likely to have contact with the juvenile justice system than similarly situated students who were not suspended or expelled.[18] Harsh discipline polices often lead to unnecessary contact with the law enforcement. Such contacts have a detrimental impact on youth involved with the child welfare system, who have a 47 percent greater rate of delinquency than other youth.[19]

The connection between foster youth trauma and school climate

48% of youth in foster care struggle with emotional or behavioral issues

25.2% of foster youth alumni experienced PTSD, up to double the rate of U.S. combat veterans

67% of foster youth have been suspended at least once

1/6 of foster youth had been expelled compared to 5% of the general population

The LCFF presents an opportunity for school districts to do what data strongly suggests has not been done to date, thoroughly understand the significant and unique educational needs and challenges of foster youth and implement research-based strategies to address them. For the first time, state law requires districts with an enrolled population of at least 15 foster youth to develop baseline data or metrics for this student population, establish goals, and identify specific actions and expenditures to reach those goals in their LCAP.[20] It also establishes a statewide system to provide all districts with the identifying information for every foster youth in their schools.

By law, each district's LCAP must cover 8 state priority areas. However, due to disproportionately high rates of school and placement change, exposure to trauma, incidence of mental health disabilities, and punitive discipline and delinquency involvement, perhaps the most important priority area for foster youth is school climate.[21] The school climate priority area focuses on whether school districts are reducing their punitive discipline rates while also developing a school environment that supports the social, emotional and mental health of all student populations.

Given the significance of school climate and the impact that punitive discipline can have on foster youth, the report analyzes the school climate goals and actions in the LCAPs of the 64 California school districts with an enrollment of at least 150 foster youth.[22] These districts serve approximately 55% of the foster youth in California public schools.[23]

Because of their disproportionately high rates of school change, exposure to trauma, incidence of mental health disabilities, and punitive discipline and delinquency involvement, school climate is perhaps the most important priority area for foster youth.

NOTES ON INTRODUCTION

[1] Throughout this report, we use the term school districts to refer to both County Offices of Education and school districts.

[2] *See, e.g.,* Cal. Educ. Code §§ 48553, 48553.5.

[3] Cal. Dep't of Educ., *Report to the Governor and the Legislature: Foster Youth Services Program* 5 (Oct. 2012), http://www.cde.ca.gov/ls/pf/fy/lrlegreport2012.asp.

[4] Vanessa X. Barrat & BethAnn Belriner, *The Invisible Achievement Gap Part 1: Education Outcomes of Students in Foster Care in California's Public Schools* 24 (2013), http://www.wested.org/wp-content/files_mf/1400283692Invisible_Achievement_Gap_Full_Report.pdf.

[5] Vanessa X. Barrat, Joseph Magruder, Barbara Needell, Emily Putnam-Hornstein & Wendy Wiegmann, *The Invisible Achievement Gap Part 2: How the Foster Care Experiences of California Public School Students Are Associated with Their Education Outcomes* 22, 33 (2014), http://www.stuartfoundation.org/docs/default-document-library/IAGpart2.pdf.

[6] *Id.* at 26-30.

[7] Jessica Hieger, Nat'l Res. Ctr. For Permanency and Family Connections, *Information Packet, Post Traumatic Stress Disorder and Children in Foster Care* 1 (Dec. 2012), http://www.nrcpfc.org/is/downloads/info_packets/PTSDandChildren_in_FC.pdf (citing Robert Racusin, Arthur C. Maerlender, Anjana Sengupta, Peter K. Isquith & Martha B. Straus, *Psychosocial treatment of children in foster care: a review,* 41 Cmty. Mental Health J. 199, 199-22 (2005)).

[8] *Id.* at 3 (citing Casey Family Programs, *Foster Care by the Numbers* (2011)).

[9] Peter J. Pecora, Ronald C. Kessler, Jason Williams, Kirk O'Brien, A. Chris Downs, Diana English, James White, Eva Hirpi, Catherine Roller White, Tamera Wiggins, and Kate Holmes, *Improving Family Foster Care: Findings from the Northwest Foster Care Alumni Study* 1, 32 (2005), http://www.casey.org/media/AlumniStudies_NW_Report_FR.pdf.

[10] Comm, on Sch. Health, Am. Acad. Of Pediatrics, *Policy Statement: Out-of-School Suspension and Expulsion*, 112 Pediatrics 1206, 1207 (2003), http://pediatrics.aappublications.org/content/112/5/1206.full.html.

[11] Bruce D. Perry, *Supporting Maltreated Children: Countering the Effects of Neglect and Abuse*, Adoption Advocate, June 2012, at 2.

[12] Sue R. Beers & Michael D. De Bellis, *Neuropsychological Function in Children with Maltreatment-Related Posttrau-*

matic Stress Disorder, 159 Am. J. Psychiatry 483, 483–85 (2002).

[13] Mark E. Courtney, Sherri Terao, & Noel Bost, *Midwest Evaluation of the Adult Functioning of Former Foster Youth: Conditions of Youth Preparing to Leave State Care* (2004), http://www.chapinhall.org/sites/default/files/CS_97.pdf (finding that two-thirds (66.8%) of foster youth had been suspended from school compared to 27.8% in a national sample of general population youth, and that one-sixth (16.5%) of the foster youth had been expelled compared with 4.5% of the general population sample).

[14] Sebastian Castrechini, *Issue Brief: Educational Outcomes for Court-Dependent Youth in San Mateo County* 3 (2009), http://gardnercenter.stanford.edu/resources/publications/JGC_IB_CourtDependentYouth2009.pdf.

[15] Sacramento County, Foster Focus Database, released to Stuart Foundation on April 19, 2013.

[16] *See, e.g.,* Kirwan Inst. for the Study of Race and Ethnicity, Comm. Research Partners, Champion of Children, & United Way of Central Ohio, *2014 Franklin County Children's Report*, 33-34 (2014) (citations omitted).

[17] Am. Psycho. Ass'n Zero Tolerance Task Force, *Are Zero Tolerance Policies Effective in the Schools? An Evidentiary Review and Recommendations* 856 (2008), http://www.apa.org/pubs/info/reports/zero-tolerance.pdf (citing James P. Comer & Alvin F. Poussaint, *Raising Black Children: Two Leading Psychiatrists Confront the Educational, Social, and Emotional Problems Facing Black Children* (1992); Dr. Cecil R. Reynolds & Dr. Randy W. Kamphaus, *Behavior Assessment System for Children* (2nd ed. 2004)).

[18] Council on Sch. Health, Am. Acad. Of Pediatrics, *Policy Statement: Out-of-School Suspension and Expulsion*, 131 Pediatrics e1000, e1001 (2013) (citing Sara E. Wraight, Learning Point Assocs., *Services for Expelled students: Overview of Research and Policy* (2010); Ramona Gonzales, Kinette Richards & Ken Seeley, Colorado Found. For Families & Children, *Youth Out of School: Linking Absence to Delinquency* 2-5 (2002)); Tony Fabelo, Michael D. Thompson, Martha Plotkin, Dottie Carmichael, Miner P Marchbanks III & Eric A. Booth, *Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement* xi-xii (2011); Russell Skiba, Ada Simmons, Lori Staudinger, Marcus Rausch, Gayle Dow & Renae Feggins, Indiana Educ. Policy Ctr., Indiana Univ., *Consistent Removal: Contributions of school discipline to the school-prison pipeline* 8, 11, presented at the School to Prison Pipeline Conference: Harvard Civil Rights Project (2003).

[19] Denise C. Herz & Joseph P. Ryan, *Crossover Youth and Juvenile Justice Processing in Los Angeles County* 3 (December 2008), http://www.courts.ca.gov/documents/AB129-CrossoverResearchUpdate.pdf (citing Joseph P. Ryan & Mark F. Testa, *Child Maltreatment and Juvenile Delinquency: Investigating the Role of Placement and Placement Instability,* 27 Child. & Youth Servs. Rev. 227-49. (2005)); *see also* Counseling, Stud. Support & Service-Learning Office, Cal. Dep't of Educ., *2010 Report to the Legislature and the Governor for the Foster Youth Services Program* 6 (Feb. 15, 2010) (observing that "a study of foster youth indicates that 61 percent of boys and 41 percent of girls have been arrested by the age of seventeen") (citation omitted).

[20] Cal. Educ. Code § 52025(a)(2); *see also* Cal. Educ. Code § 52060.

[21] Cal. Educ. Code § 52060(d); *see also* Cal. Educ. Code § 52066. A traditional definition of school climate would also include an assessment of attendance rates. Thus, we also fo-cused on attendance here, which has been grouped under the category of school engagement instead of climate in state law.

[22] We determined these districts using data from 2009-2010, as reported by WestEd. *See* Vanessa X. Barrat & BethAnn Berliner, WestEd, *The Invisible Achievement Gap: Part One: Education Outcomes of Students in Foster Care in California's Public Schools: Part One* 69-98 (2013), http://www.stuartfoundation.org/docs/default-document-library/the-invisible-achievement-gap-report.pdf.

[23] This statistic was calculated using 2009-2010 data. *See* Vanessa X. Barrat, Joseph Magruder, Barbara Needell, Emily Putnam-Hornstein &Wendy Wiegmann, *The Invisible Achievement Gap: Part Two: How the Foster Care Experiences of California Public School Students Are Associated with Their Education Outcomes* 49 (2014), http://www.stuartfoundation.org/docs/default-document-library/IAGpart2.pdf.

METHODOLOGY

To understand how California school districts approached the school climate priority area with respect to foster youth, we first analyzed whether the districts complied with the basic legal requirements.[24] State law requires that school districts identify baseline data and establish goals and actions for each element of the school climate priority area: pupil suspension rates, expulsion rates and other local measures, including surveys of students, parents and teachers regarding safety and school connectedness.[25] State law also requires a description of goals for each pupil subgroup and the actions to meet such goals.[26] Because attendance rates are also indicative of whether a school has created a supportive and welcoming environment and because of the unique school attendance challenges faced by foster youth due in large part to multiple school changes that are beyond their control, we analyzed whether districts addressed the attendance needs of foster youth as required under the school engagement priority area.[27]

Second, we analyzed whether school districts included any goals, actions and expenditures to reduce school-based citations and arrests. In addition, because schools that employ a law enforcement officer often have harsher disciplinary responses,[28] we also analyzed whether school districts paid for law enforcement officers and equipment with LCFF funds.[29] Where possible, we tried to identify when districts funded law enforcement with supplemental and concentration funds, because these sources must be used primarily to increase or improve educational services for high-need students.

Third, because very few school districts established specific school climate or attendance goal(s) to address the unique needs of foster youth, we broadened our focus. We analyzed the school climate and attendance goals, actions, and expenditures for all students. We wanted to see whether school districts' efforts for all students might nevertheless benefit foster youth, if applied consistently across the system to reach this population. We note that the considerable variability in the manner in which districts developed the LCAP made it hard at times to ascertain whether an expenditure, goal or action was or was not intended for foster youth. In general, in calculating the number of districts who addressed each of the areas below, we erred on the side of giving districts the benefit of the doubt, even where goals or actions may have been unclear or slightly ambiguous.

Finally, to assist districts with meeting the foster youth school climate priority area requirements going forward, we also highlighted several districts that are leading the way. We focused on districts that have developed school climate goals and actions supported by funding to focus on the unique needs and challenges of foster youth.

NOTES ON METHODOLOGY

[24] We looked at LCAPs available to the public in September and October 2014. This report does not reflect any changes that may have been included in an updated version or version made available at a later date. For a list of all of the school districts included in this report, please *see* Appendix A.

[25] Cal. Educ. Code §§ 52060(c)(1),(2), (d)(6).

[26] Cal. Educ. Code §§ 52060(c)(1),(2). Under LCFF, the definition of foster youth includes youth subject to a petition under 300, whether or not removed from their home, non-minor dependents, and youth in group homes, who are either in the child welfare or juvenile justice system. Cal. Educ. Code § 42338.01(b).

[27] Cal. Educ. Code § 52060(d)(6).

[28] New York Civil Liberties Union, *A, B, C, D, STPP: How School Discipline Feeds the School-to-Prison Pipeline* 31 *(2013),* http://www.nyclu.org/files/publications/nyclu_STPP_1021_FINAL.pdf (citing Chongmin Na & Denise Gottfreson, *Criminalizing Children at School* 18 (2011)).

[29] This analysis is not conclusive, because a number of districts did not account for all of their base, concentration or supplemental funds in the LCAP. For example, Oakland Unified School District expends more than six millions dollars on its school police department, which includes sworn police officers and unsworn security guards, but that funding is not included in its LCAP.

SUMMARY OF FINDINGS

As evidenced by our analysis, some districts have articulated promising school-climate-related LCAP goals and action steps for students in general, but at least in Year 1, districts have fallen short of collecting and analyzing baseline data, and incorporating in their LCAPS specific interventions to improve school climate for foster youth. We found that:

Few school districts identified attendance-related goals and actions for foster youth

- Only two of the 64 school districts, Sacramento City Unified and Los Angeles Unified, identified baseline attendance rates for foster youth.

- 32% listed foster youth as a target population for attendance-related goals, either with "all students" or with only other subgroups.

- 9% established a unique attendance goal for foster youth.

- 16% included attendance-related actions specific to foster youth.

- 11% specified expenditures targeting foster youth attendance needs.

Few school districts identified suspension goals and actions unique to foster youth

- Only one of the 64 districts, Los Angeles Unified, listed baseline suspension data for foster youth.

- Only 5% provided suspension goals that were unique for foster youth.

- 25% listed foster youth as a targeted subgroup for a suspension goal applicable to all students.

- 17% listed foster youth as a targeted subgroup for a suspension-related action applicable to all students.

- Only two school districts, Temecula Valley and Hacienda La Puente, provided suspension- reduction actions specifically targeting foster youth.

- Only one district, Temecula Valley, allocated funding to specifically target suspension reductions.

Only one district identified a goal specifically addressing foster youth expulsion rate

- No districts provided the current expulsion rate or any expulsion data for foster youth.
- Only one district, Temecula Valley Unified included a stand-alone goal specifically addressing the foster youth expulsion rate.

- 14% provided goals to address subgroup disparities related to expulsion and/or to reduce the expulsion rates for subgroups; five of those specifically list foster youth as a subgroup.

- Only two districts, Temecula Valley and Hacienda La Puente, provided an expulsion reduction action for foster youth, but it was the same as the action for suspension.

- Only Temecula Valley allocated funding to specifically target expulsion reductions for foster youth, though they were the same expenditures as those allocated for suspension reductions.

While this data is discouraging, we recognize that districts were hampered in their ability to effectively identify the needs of foster youth due to local challenges with identifying the foster youth who need to be served. These barriers have now been removed statewide; as of the fall of 2014,the California Department

of Education has been providing districts with a data set that identifies their enrolled foster youth. As such, we hope that this year districts across the state will revise their LCAPs to address these deficiencies.

With respect to referrals to law enforcement, citations and arrests, we were troubled to find that:

- A number of districts expended the same or more on school-site law enforcement officers and equipment than on research-based , whole school strategies for creating a positive and supportive school climate

    o Inglewood Unified allocated $2,500,000 (LCFF supplemental grant) for school security officers and cameras, and spent a much smaller sum, $62,500 (LCFF base grant), on implementing Positive Behavior Interventions and Supports (PBIS) and a portion of $150,000 (LCFF base grant) on professional development for PBIS.

    o Los Angeles Unified budgeted $13.1 million in supplemental and $43,474.470 in base LCFF funding for a total of $56,575,514 for the Los Angeles School Police Department. In comparison, the district allocated just $4.09 million for RJ/P and an unspecified portion of $4.9 million for training on "Alternatives to Suspensions" and "Positive Behavior Support Systems."

Districts expanded school-site law enforcement officers despite strong evidence of poor educational outcomes for youth cited or arrested on campus.

- No school district included baseline referral to law enforcement, citation or arrest data.

- Only LAUSD included a goal to annually review citations and arrests and "establish benchmarks and data sources."

- 38% of the 64 school districts included school resource officers, police officers, probation officers and/or law enforcement equipment in their LCAPs.[30]

When we broadened our analysis to all students, we found that:

Nearly two-thirds of districts identified attendance-related actions for all students

- 34% of the 64 districts included a district-wide attendance rate.

- 24% included the chronic absenteeism rate.

- 59% did not identify either of the required baseline attendance rates but nonetheless identified attendance goals and made a commitment to developing an attendance monitoring system in the coming year.

- 63% provided attendance-related actions.

Nearly 90 percent of districts provided suspension-related goals for all students

- Only 48% of the 64 school districts included some type of overall baseline suspension data.

- 88% provided suspension-related goals.

- 58% reported actions to reduce suspensions.

- o 65% of those identified alternatives to suspension, like School-Wide Positive Behavior Interventions and Supports (PBIS) and restorative justice/practices (RJ/P)
- · 41% of school districts allocated $29,589,921 for positive actions identified to reduce suspensions.

Two-thirds of districts have expulsion-related goals for all students
- · 36% included some type of expulsion baseline data.
- · 66% have expulsion-related goals.
- · 41% provided expulsion related actions;[31] but 21 out of the 26 districts identified actions that are identical to the actions to reduce suspensions.
    - o 6% included actions focused solely on expulsion.
- · 38% included implementation of PBIS, restorative practices or social-emotional learning as actions to reduce expulsions.
- · 27% included expenditures to support their goals and actions to reduce expulsion rates; almost all allocated one sum of money to address both suspension and expulsion.

A vast majority of districts incorporated research-based alternative discipline strategies for all students
- · 81% of the 64 districts proposed at least one type of research-based alternative discipline practice.
- · 78% incorporated PBIS <u>or</u> RJ/P.
    - o 75% incorporated PBIS in some capacity.
    - o 23% incorporated RJ/P.
- · 17% incorporated Social Emotional Learning.
- · Conservative estimates show $41,264,509 allocated for PBIS, RP/J, and SEL.[32]

NOTES ON FINDINGS

[30] For this purpose, law enforcement equipment is defined as metal detectors, cameras, and canine detection programs.

[31] Thus, 25% of districts created an expulsion-related goal, but did not identify how they intended to achieve the goal.

[32] This amount leaves out aggregated sums for which the allocation for an alternative discipline practice was unclear.

FINDINGS AND ANALYSIS: ATTENDANCE

Districts must provide baseline attendance and chronic absenteeism rates, establish goals to reduce those rates, and list actions to reach each goal for all students and for each subgroup, including foster youth.

Absenteeism impacts academic achievement and student engagement as early as kindergarten.[33] Monitoring attendance is especially important for foster youth who on average move schools one to two times a year, face barriers to immediate enrollment, and lose an average of four to six months of education attainment with each move.[34] The impact of school instability (among other factors) is profound: 80% of foster youth have had to repeat a grade by third grade,[35] and only 49% completed high school or received their GED.[36]

In the LCAP, districts must provide baseline attendance and chronic absenteeism rates, enumerate goals to reduce these rates, and actions to reach each goal for all students <u>and</u> for each subgroup.[37]
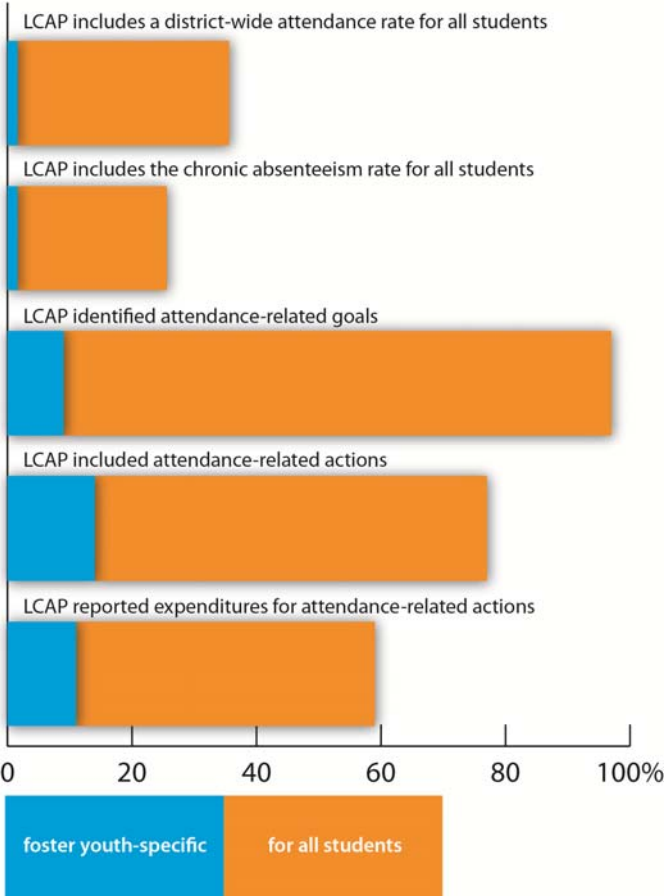
Baseline

34% (22) of the 64 districts included a district-wide attendance rate. 24% (15) included the chronic absenteeism rate.[38] And, only two school districts, Sacramento City and Los Angeles Unified, specified these rates for foster youth.

Goals

While 59% (38) of districts did not identify either of the required specific attendance rates,[39] these districts nonetheless identified attendance goals,[40] including making a commitment to establish some form of baseline data and attendance monitoring systems for the following years.

As such, 88% (56) of the districts provided one or more attendance goals directed to all students.[41] 32% (18) of these districts list foster youth as a target population, either with "all students" or with only other subgroups. Examples of such broad goals include "increase school attendance rates"[42] or "decrease chronic absenteeism to 9.4% and increase attendance rate to 96.1%"; there is no disaggregation amongst subgroups.[43] The goals do not reflect any of the unique needs of foster youth, for example, exposure to trauma or multiple school placements.

Figure 1: District LCAP attendance findings

LCAP includes a district-wide attendance rate for all students

LCAP includes the chronic absenteeism rate for all students

LCAP identified attendance-related goals

LCAP included attendance-related actions

LCAP reported expenditures for attendance-related actions

0   20   40   60   80   100%

foster youth-specific   for all students

A mere 9% (5) of districts established a unique attendance goal for foster youth.[44] For the 5 districts that provided unique goals for foster youth:

- Los Angeles Unified and Sacramento City Unified included target attendance and chronic absenteeism rates for foster youth;[45]

- Riverside Unified's goal is "to be determined" due to lack of access to foster youth specific data;[46]

- Compton Unified included a goal that foster youth attendance rates will mirror the general population and a goal to address immediate enrollment and transfer of credits, which hamper attendance;[47]

- Pasadena Unified's attendance goals address immediate enrollment and transfer of credits, but do not provide objective target rates for improvement.[48]

Actions

Even fewer districts, 63% (40), provided attendance-related actions. 22.5% (9) of those specifically targeted foster youth. In other words, 16% (9) of the 64 districts included attendance-related actions specific to foster youth.

It should be noted that five districts that did not have unique attendance goals for foster youth nevertheless created specific attendance actions targeting foster youth.[49] For example, Hacienda La Puente Unified's LCAP provides:

> There will be a Foster Youth Liaison to identify, support and monitor district foster youth; ensure proper educational placement, enrollment, checkout from school; …. Counselors on each Middle School and High School will collaborate with Student Support Staff to ensure appropriate services foster youth. There will be on-going training for counselors, School Office Managers, registrars, administrators and teachers on addressing the issues and needs of foster youth and the district will provide responsive and appropriate services to foster youth based on identified need, such as attendance support and mentoring, counseling social/emotional and/or behavior intervention.[50]

Figure 2: Attendance Findings

Baseline	
34%	Included a district-wide attendance rate
24%	Included the chronic absenteeism rate
1.6%	Specified attendance rates for foster youth*
Goals	
59%	Did not identify required attendance rates
88%	Provided attendance goals for all students
32%	List foster youth as a target group on attendance
9%	Set a unique attendance goal for foster youth
Actions	
63%	Provided attendance-related actions
16%	Targeted attendance actions for foster youth
Expenditures	
48%	Reported funds for attendance actions
11%	Reported spending for foster youth

* Sacramento City Unified and Los Angeles Unified School Districts

Expenditures

48% (31) of districts completed the expenditure section[51] for attendance related actions, but only 11% (7) specified expenditures targeting foster youth.[52]

Compton Unified is among the 11% and stated in its LCAP: "ensure L[ocal] E[ducation] A[gency] foster youth liaison has adequate resources" to address goal of 100% foster youth attendance. To achieve this goal, among other things, the district allocated $100,000 for transportation/tokens/[bus/metro] cards, gas vouchers, costs and fees for sports and extracurricular programs. This expenditure should help students stay in their school origin, thereby reducing school transfers, which can result in delays in enrollment and attendance losses. The investments will also help ensure that foster youth can participate in after-school programs that are likely to increase their engagement and attendance at school.

Districts leading the way on attendance

Los Angeles Unified School District (LAUSD)

LAUSD is a good example of a district taking steps to specifically address the attendance-related needs of foster youth. LAUSD provides numerical attendance rate goals for foster youth (55%) and all students (70%), and chronic absenteeism rate goals for foster youth (20%) and all students (11%), so one can easily compare the rates. For the specific actions to reach these goals, all foster youth will have comprehensive academic assessments and an Individual Learning and Culmination/Graduation Plan that will support school attendance. Family Source Centers will house additional psychiatric social workers, behavior specialists, a pupil services and attendance counselor and aides, to specifically support foster youth. The district has also committed to develop a method to understand foster youth school transfers, implement tracking infrastructure, and identify baseline data necessary to minimize the foster youth transfer rate. To meet these and other foster youth related goals, the district invested $9.9 million dollars in the first year of implementation.[54]

San Diego Unified School District (SDUSD)

Although SDUSD did not provide attendance data and goals specific to foster youth,[55] it nonetheless developed specific foster youth focused attendance actions. Notably, SDUSD devoted an unspecified portion of $2.1 million to provide resource and mentor teachers to monitor academic progress, behavioral data, and attendance rates at high "incidence" schools and to monitor enrollment and articulation to feeder schools to provide stability for foster youth.

Reflections and Recommendations on Attendance

We hope that districts will use the LCAP update process to closely review foster youth related attendance data, establish baseline information, goals and specific actions that address their unique barriers to attendance. For foster youth, these barriers include multiple and mid-year school and placement transfers, delays with enrollment and class placement after a school transfer, a struggle to feel supported and welcomed in yet another new school, and difficulties with transportation to school, after-school and extracurricular activities, if the foster youth has been moved out of the immediate school area. In addition, while the practice is almost always unlawful, foster youth continue to report that group homes are unwilling to transport youth to activities after school hours. Like LAUSD and several other districts have done, we also recommend using the LCAP goals and actions to eliminate barriers to full implementation of state laws that facilitate strong attendance, including the right to remain in the "school of origin", immediate enrollment without records, a uniform, or other documents, and speedy and complete record and credit transfer.[53] Finally, to help foster youth feel welcomed at school, we recommend identifying a mentor counselor who can act as a single point of contact to assist that youth and help acclimate them to their new school. Of course, that person could be the school's foster youth liaison, but it might be another staff member who has a special connection with that youth.

FINDINGS AND ANALYSIS: SUSPENSION

School districts must identify baseline suspension and office discipline referral data and develop targeted goals and actions for foster youth that reflect their unique needs.

Suspension rates tell us a lot about a school's overall culture and climate, as well as the effectiveness of districts' disciplinary methods.[56] Suspensions and zero-tolerance discipline policies do not make schools safer or reduce misbehavior.[57] Instead, it is the schools with the highest suspension rates that have the lowest academic outcomes, when compared with similarly situated schools.[58] These schools are also characterized by high student-teacher ratios, low academic quality, reactive disciplinary policies, and a lack of strong and supportive relationships within the school building.[59]

There are proven alternatives to these harsh disciplinary methods that hold students accountable while supporting their social and emotional development. These methods, which include Social Emotional Learning (SEL), School-wide Positive Behavior Interventions and Supports (PBIS), and Restorative Justices/Practices (RJ/P) center around teaching and rewarding positive behavior, giving all parties involved a voice in repairing harms, strengthening relationships in the school building and communication to repair harm, and developing self and social awareness.[60] The framework for implementation is a three tier system with universal supports at the first level and higher levels of intervention and support for students who need additional help.

Figure 3: Positive Behavior Support
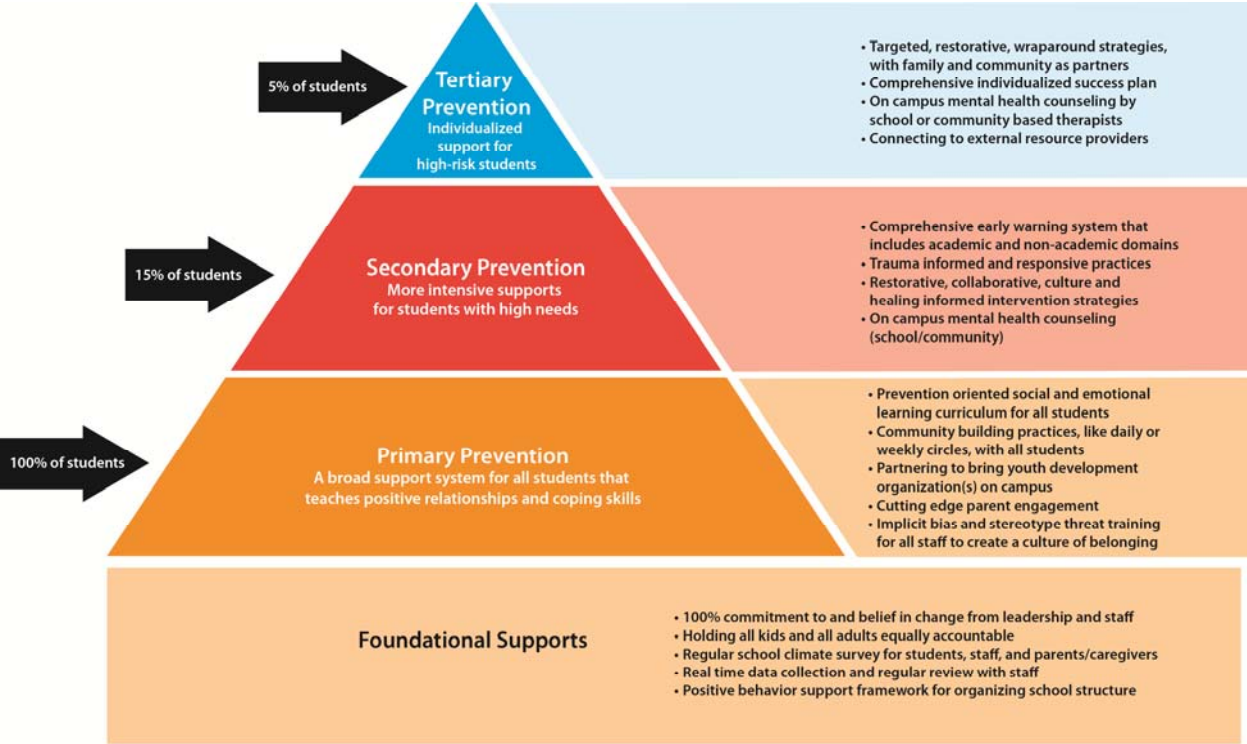
These alternatives are working:

- At the 24 schools that implemented RJ/P in Oakland Unified School District over the last three years:

  o The discipline gap between white and African-American students decreased significantly, but stayed the same for students at non-RJ/P schools.

  o Reading levels of 9th graders increased by 128%, compared to only a 11% increase at non-RJ/P schools;

  o Graduation rates increased by 60%, compared to 7% for other non-RJ/P schools.[61]

- Garfield High School in East Los Angeles took suspensions off the menu and instead committed to full implementation of PBIS. It reduced suspensions from more than 600 per year to 1, increased its graduation rate by over 18 points, and dramatically improved attendance and academic achievement.

An examination of a school district's suspension rate can provide insight into overall school health and should be part of any assessment of how to address school climate.

Baseline

Only one school district, Los Angeles Unified, provided baseline suspension data for foster youth. Only 48% (32) of school districts included overall suspension data, but there was significant variation in how it was reported:

32% (21) of the districts provided the suspension rate (numbers of suspensions issued vs. enrollment).

Some broke the rate down by school type (elementary, middle and/or high) or for other subgroups, such as African-American students.

Some districts provided the percentage of students suspended, the raw number of students suspended, and the number of days of instruction lost to suspension. One district provided a summary of overall incidents over the past few years.

Goals

88% (56) of districts provided suspension goals. 25% (16) of districts provided suspension goals applicable to all students and listed foster youth as a targeted subgroup.

Only 5% (3) of districts provided suspension goals that were unique for foster youth:[62]

- Los Angeles Unified's foster youth goal is numerical, a general reduction in the number of foster youth suspended (517 to 491 in year one);[63]

Figure 4: District LCAP suspension findings
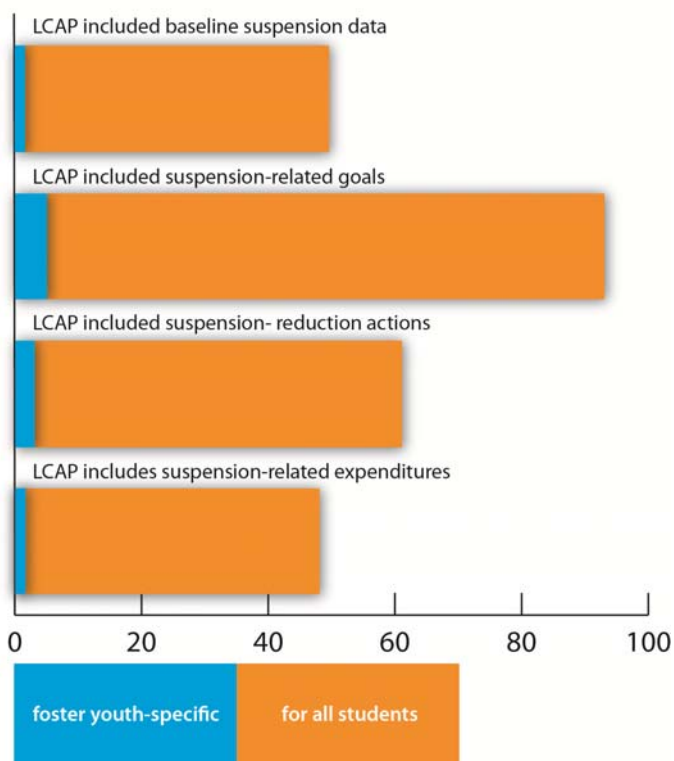
- Riverside Unified's goal is a to-be-determined numerical reduction (it identifies foster youth, but states that foster youth data is unavailable);[64] and

- Temecula Valley's goals is numerical, stating that the foster youth suspension rate will decrease by 1%.[65]

Actions

Although 88% of districts had *goals* to reduce suspensions, only 58% (37) reported *actions* to reduce suspensions. 65% (24) of those included alternatives to suspension, like PBIS and RJ/P.[66]

17% (11) of school districts listed foster youth as a subgroup with all students or other subgroups for a general action. Only two school districts, Temecula Valley Unified and Hacienda La Puente, provided suspension-reduction actions specifically targeting foster youth.[67] As part of a detailed plan for implementing PBIS, Temecula Valley targeted these actions to meet the needs of foster youth:

PBIS Tier II Student Assistance Program Facilitator; Students will be provided Tier II Behavior Support; individual council, group council,[68] parent consult and classroom; consult will be available, Foster Youth will have group sessions to meet needs of students... planning and providing training to administration and teachers specifically for needs of F[oster] Y[outh] students; providing individual and group council to F[oster] Y[outh] students.

Hacienda La Puente's LCAP provided the following: "Foster Youth Liaison will collaborate with sites to assist in monitoring and support of foster youth's behavioral and/or social-emotional needs to decrease suspension and expulsion rates."[69]

Expenditures

While 58% of districts listed actions related to reducing suspension, only 41% (26) of school districts allocate funding for such actions.[70] 35% (23) of the school districts provide the source of the funding (i.e., base, supplemental, or concentration). Only Temecula Valley allocated funding specifically to target foster youth suspension reductions.

These 26 school districts identified a total expenditure of $29,589,921 for actions that a district linked to its actions and goals for reducing suspensions (and expulsions).[71]

Reflections and Recommendations

Very few of the districts identified specific and unique actions to reduce suspensions for foster youth, a population proven to be disproportionately suspended and in need of strong, coordinated supports and alternative disciplinary methods. However, a significant number of school districts are implementing PBIS, RJ/P, or SEL to address suspension.[72] While full implementation of alternatives should help to reduce suspension rates for foster youth, without subgroup specific baseline information and goals it will be impossible for educators and stakeholders to prove this assumption or modify practices if it proves false.

In this year's LCAP update, given evidence of the disproportionate rate of suspension for foster youth, we call on school districts to identify baseline suspension (and office discipline referral) data and develop targeted goals and actions for foster youth that reflect the unique needs of this population with respect to high levels of exposure to trauma, school and home instability, the absence of a consistent adult supporter, and barriers to attendance and enrollment. Such unique goals and/or actions could include:

- **Adult Staff Mentor:** Ensure every foster youth has an assigned adult staff mentor who has received training regarding the effects of trauma and about the education rights of foster youth.

- **Early Warning and Intervention:** Develop an early warning and intervention system for foster youth who may exhibit signs of learning, emotional and behavioral struggles that includes notice and a meeting with caregivers and child welfare.

· **Coordinated Multi-System Approach:** Develop a coordinated and tiered school-based approach to foster youth's mental health and emotional needs with child welfare. Similar to LAUSD's approach, this could include placing child welfare social workers or more foster youth education liaisons with expertise in the education system at schools with high numbers of foster youth to provide case management and advocacy, coordinate in and outside of school mental health and other services, and assist with credit and record transfer.

· **Trauma-Informed Training for Care Providers:** Reach out to and provide training in alternatives to discipline, trauma, and social emotional learning to foster parents, guardians, and group home providers to help stop the trauma triggers that may cause a foster youth to move quickly into fight or flight mode.

· **Expanding Notice to Social Worker and Attorney:** Expanding the notice provisions to the foster youth's attorney and social worker in AB 1909 beyond school change to school suspensions, and invite these system players to school early to develop a strong, coordinated plan.

FINDINGS AND ANALYSIS: EXPULSION

School districts must analyze their baseline data on expulsions and set specific goals with targeted actions for foster youth.

Monitoring expulsion rates is an important mechanism for assessing school culture and policies. Research shows students who are expelled are more likely to drop out, have contact with the juvenile justice system and become victims of violent crime.[73] Expulsion is the harshest penalty and involves removal from the entire school district and placement in an alternative school for a year or more. Expulsion deprives a student of community, friends, mentors, activities, structure and routine, and its impact can be both severe and long-term.[74] A San Mateo County study showed that foster youth were ten times more likely to be expelled than their non-foster youth counterparts.[75] For youth who are already subjected to instability and school changes, expulsion compounds these existing harms.[76]

Baseline

Much like district reporting of suspension data, there was significant variation in how districts reported expulsion data. No school district provides baseline expulsion rate or data for foster youth. 36% (23) of the districts included some type of expulsion data. While many provided the rate, other districts provided the number of students expelled or expulsions issued.

Districts varied with respect to whether they addressed the needs of subgroups. For example, Riverside Unified provided the rates for a number of subgroups and noted that it did not have the data for foster youth. Mt. Diablo Unified dis-aggregated its expulsion data by school type, elementary, middle, high and alter-native. Lancaster Elementary provided the total days of expulsion by race.[77] Some districts did not provide the time frame they relied on for the data collected and others differed with respect to the period examined.

Goals

While 66% (42) of districts have expulsion-related goals, only one district, Temecula Valley Unified provided a stand-alone goal to address the foster youth expulsion rate. The district seeks to reduce the unspecified current foster youth expulsion rate by 1%. Riverside Unified had a to-be-determined goal for foster youth once the data are available.

59% (38) of the districts set goals to maintain or decrease the current rate, achieve a specific numerical target, or be below the state average. For example, Visalia Unified's LCAP says "reduce incidents that lead to suspension and expulsion."[78] 14% (9) of the districts set goals

Figure 5: District LCAP expulsion findings
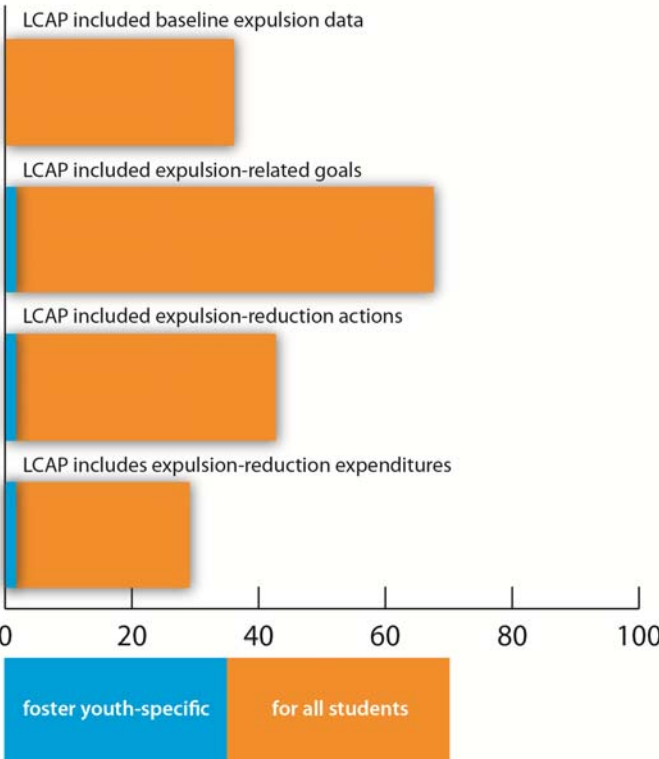
for addressing subgroup disparities related to expulsion and/or to reduce the expulsion rates for subgroups; five school districts specifically list foster youth as a subgroup related to the overall goal. For example:

- · Lancaster Elementary discusses elimination of disproportionality amongst subgroups but does not specifically list foster youth as a subgroup.

- · West Contra Costa has a goal targeting Foster Youth, Low Income and English Language Learners and seeks to decrease suspensions and expulsions by 5% in the 2014-15 academic year.

- · Chaffey Joint Union High's goal is to "decrease suspension, expulsion and drop-out rates for overrepresented subgroups. Increase counseling services (guidance, mental health, foster youth) by 20%" in 2016-17.

In sum, a majority of school districts seek to maintain or decrease their expulsion rates, but lack goals specifically targeting foster youth.

Actions

Only 41% (26) districts provided expulsion related actions.[79] For 21 out of these 26 districts, the identified actions are identical to the actions to reduce suspensions. Only 6% (4) of the districts included actions focused solely on expulsion.

Only Hacienda La Puente Unified and Temecula Valley, included actions specifically targeting foster youth and they are identical to the actions included to reduce suspensions.

38% (24) of the districts included implementation of PBIS, restorative practices or social-emotional learning as actions to reduce expulsions.

Expenditures

Only 27% (17) of districts included expenditures to support their goals and actions to reduce expulsion rates.[80] 14 of the 17 districts allocated one sum of money to address both their suspension and expulsion goals and actions. Only Temecula Valley appears to have allocated funding to specifically target expulsion reductions for foster youth, although these expenditures are the same expenditures that were targeted for suspension reductions.

Reflections and Recommendations

There is significant overlap in the plans to reduce suspension and expulsion. This may be appropriate in some cases. However, statistics show that foster youth experience a disproportionately high rate of expulsion. For foster youth, state law includes specific requirements for addressing expulsions and IEP-related school placement changes that take into account the fact that foster youth need a strong advocate and a system of coordinated interventions with child welfare and the Court.[81] In addition, a change in school placement often triggers a change in home placement, which exacerbates a foster youth's sense of abandonment and reinforces the existing trauma associated with loss and separation.

As such, we call on districts to analyze their baseline data. If disproportionality exists, districts should set specific goals with targeted actions to address this unique set of challenges and requirements. Such actions could include improving the system of notifications for the social worker and attorney for the foster youth who is facing a potential expulsion or setting up Memoranda of Understanding with services providers and the child welfare system to implement Wrap-Around or Therapeutic Behavior Services for the youth and their foster family, instead of proceeding with an expulsion or expulsion referral.

FINDINGS AND ANALYSIS: RESEARCH-BASED ALTERNATIVES TO PUNITIVE DISCIPLINE

While many school districts are pursuing alternatives to harsh and punitive discipline, districts should prioritize early implementation at sites where foster youth may be concentrated.

As discussed above, when fully implemented, alternatives to punitive discipline improve overall school climate and attendance and achievement rates, help address students' social emotional learning needs, and reduce out-of-school removals.

81% (52) of the school districts proposed at least one type of alternative disciplinary practice.[82] 75% (48) of districts incorporated PBIS[83] in some capacity. 23% (15) identified restorative justice/practices. 78% (50) districts identified PBIS or RJ/RP. 17% (11) included social-emotional learning supports or curricula.[84] 15% (10) districts included social emotional learning/supports/programs (SEL), only 1 included this approach by itself not in combination with PBIS or RP.

Expenditures

It was difficult to determine how much money school districts were proposing to expend on alternatives to harsh disciplinary practices. Many school districts failed to identify funding for the actions. Many districts aggregated actions together and allocated one large lump funding sum. Including all of the lump sums and disaggregated expenditures, a total of $138,119,097 was spent on alternatives to suspension. However, factoring in these impediments and leaving out aggregated sums for which the allocation for an alternative discipline practice was unclear, the districts allocated $41,264,509 for PBIS, RP/J, and SEL. See Appendix A (expenditure comparison chart by district).

Reflections and Recommendations

It is very encouraging to see that the vast majority of school districts made investments in alternative discipline practices. However, as discussed above, very few had specific plans for using these funds to address the unique needs of foster youth. Given their disproportionate rates of suspension, expulsion, and involvement with the juvenile justice, we recommend that districts review their data to identify the schools where foster youth may be concentrated and focus early implementation efforts at these sites. We also recommends that districts understand the types of placements – relative placement, non-relative foster home, or group home – where foster youth are most likely to reside and offer specific training and support for the relatives, foster parents and/or group home providers, so they can utilize these practices at home. In addition, we recommend that district leaders develop partnerships with local child welfare and the bench to offer cross training and identify how best to integrate higher level interventions, particularly for youth who need Tier III intensive supports for school success.

Districts leading the way on research-based alternatives to punitive discipline

Here we highlight four districts who stood out in our analysis either because of their specific focus on foster youth and school climate, or because of the way in which their on-paper investment in and planning for school climate and culture improvements are likely to improve outcomes for foster youth.

Lancaster Unified School District

Lancaster Unified developed a comprehensive research-based school climate and culture plan and discusses foster youth throughout its LCAP. To achieve its goals of an annual decrease in office referrals, suspensions and expulsions for all subgroups and an annual decrease in the disproportionality between and for all subgroups and to provide a safe, secure environment, the district commits to:

- Implement school wide positive behavior supports and anti-bullying programs at all school sites;

- Ambassador classes at middle schools;

- Encourage peer-to-peer mediation programs;

- Develop a plan for culturally responsive and safe school climates at all school sites;

- Provide professional development in PBIS to all staff;

- Collaborate between mentors, new teachers, site and district administrators to provide consistency of positive culture and climate;

- Hire and train additional psychologists/counselors to provide direct support to students with behavioral risk facts and additional support to FY;

- Add advisory period in daily schedules to build teacher/student relationships;

- Celebrations and acknowledgment at all school sites;

- Hold assemblies on tolerance, bullying and safety; and

- Open after school mentor programs for at risk students for low income, foster, English learner and re-designated, fluent English proficient students.

Districts leading the way on research-based alternatives to punitive discipline

Vallejo City Unified School District

Vallejo City Unified created overall goals to reduce referrals, suspensions and expulsions for every subgroup, including foster youth, and to decrease disproportionality of referrals, suspensions and expulsion for every subgroup, including foster youth. The district linked its specific action of increasing the use of restorative justice circles by 10% to its referral, suspension and expulsion related goals. The LCAP also includes a multi-faceted plan to provide:

- · Professional Development-School Climate: Positive Behavioral Intervention and Supports (PBIS), Classroom Management;

- · Counselors and social workers to support social and emotional wellbeing of students;

- · Trauma Informed Care: training and support to students experiencing trauma;

- · Restorative Justice Training;

- · Positive Youth Justice Initiative: systems to support students involved in child welfare and juvenile justice system;

- · Youth Court: Restorative Justice Through Peer Accountability (grades 9-12);

- · Address disproportionate (African-American) suspensions; and

- · Positive Student Incentive Program: develop and implement academic and behavioral incentive and celebration program.

Both Vallejo City and Lancaster included office referrals as a measure for analyzing school climate, specifically addressed disproportionality for foster youth, and created detailed plans to reduce referrals, suspensions and expulsions, including a number of programs and services to strengthen the school community and improve the overall school climate. Neither district used LCFF funding for law enforcement on campus.

Temecula Valley Unified

Temecula Valley established a specific goal and a set of actions to reduce foster youth suspensions and expulsions and will measure school connectedness for foster youth on the California Healthy Kids School Climate survey. The district also committed to provide a PBIS tier II facilitator, focus individual attention on the needs of foster youth in counseling, and establish a safe place for foster youth to store things during transitions and a resource center to welcome foster youth to school.

FINDINGS AND ANALYSIS: SCHOOL-BASED REFERRALS, ARRESTS AND CITATION BY LAW ENFORCEMENT

We strongly question whether expenditures of LCFF high-need student directed funds on law enforcement are legally permissible and recommend that school districts establish data systems to track outcomes related to these expenditures and assess the efficacy.

As discussed above, foster youth have highly disproportionate rates of involvement in the juvenile and criminal justice system. In fact, early child abuse and neglect increases the risk for juvenile arrests by 55 percent and the risk of violent crime arrests by 96 percent.[85] Because foster youth are disproportionately referred to law enforcement and the juvenile justice system, we examined whether school districts were investing in law enforcement on campuses and monitoring school-based referral, citation, and arrest data.

The United States Department of Education requires districts to collect and report referrals to law enforcement and school-based arrest data through the Civil Rights Data Collection process.[86] For school districts with a School Resource Officer or school police department, such data should be easily accessible. For other school districts that work with outside law enforcement agencies, incident reports on campus can include referrals to police, citations issued, and arrests and Memoranda of Understanding can be developed to receive aggregate information, while still protecting confidentiality.[87]

No school district included baseline referral to law enforcement, citation or arrest data. However, LAUSD's LCAP included an "annual review of citations and arrests" and a goal to "establish benchmarks and data sources." Other than LAUSD, no district had any goals or actions related to reducing referrals to police, citations or arrests, either for all students or any subgroup.

While all districts failed to analyze the impact that law enforcement has on school-based referrals of students to law enforcement, citations and arrests, they nevertheless developed other goals and actions, and allocated funding for school resource officers (SROs) and police, probation officers, and law enforcement equipment.[88]

38% (24) school districts included school resource officers, police officers, probation officers and other law enforcement equipment in their LCAPs.[89] 79% (19) of those 24 school districts also invested in alternatives that reduce punitive school removals. Too often, however, the investment in law enforcement exceeded the investment in research-based strategies to keep youth in school and out of Court. For example, Inglewood Unified allocated $2,500,000 (LCFF supplemental grant) for school security officers and cameras, and a much smaller sum, $62,500 (LCFF base grant), on implementing PBIS and a portion of $150,000 (LCFF base grant) on professional development for PBIS.

Many school districts did not provide specific expenditures for each law enforcement related action, but rather lumped various law enforcement and non-law enforcements actions together and stated an aggregate sum. If such aggregate sums are included, then school districts allocated a total of $100,420,089 for costs related to school resources officers, police, probation officers and law enforcement related equipment. This figure includes the aggregate funding amounts from West Contra Costa and San Diego Unified School Districts. West Contra Costa allocated $3,643,394 in base budget funds and $3,263,395 in supple-

mental and concentration grant funds in 2014-15 to "provide for basic student safety and social-emotional support-Psychologists, SROs, Campus Safety Officers, Safe, Supporting Schools Program."[90] San Diego allocates $77,400,000 for 5 different actions, one of which is: "Assure that school safety is a priority and led by school staff with the support of Police Services...."[91] If we exclude aggregate sums in the LCAP and add up only discrete expenditures identified for specific actions, districts allocated a minimum of $14,013,300 toward law enforcement measures such as probation officers, school resource officers, security cameras and canine detection.

Analyzing expenditures is further compromised because some school districts do not provide any funding or source of funding for the law enforcement action listed. For example, Adelanto Elementary's LCAP stated that it will "provide sufficient staffing at each school site to ensure student safety, including Proctors, Campus Security, School Resource Officer" but includes no funding source or amount. Palmdale allocated $489,805 for school resource officers, but does not specify the source of those funds. See Appendix A.

In addition, a number of the LCAPs reviewed failed to include all of the LCFF funding and all of the district's budget expenditures. As such, the number above significantly underestimates the total education and even LCFF dollars spent on law enforcement. For example, Oakland Unified budgeted $6,969,504 for the Oakland School Police Department in 2014-15 in comparison to $470,000 ($350K from LCFF base) specifically for RJ and $530,000 (non-LCFF funding) for PBIS. The district also budgeted about $1.75 million for unspecified site-based actions to increase student engagement, which could but was not required be used for PBIS implementation. The amount for the police department, which includes both sworn police officers and unsworn security guards, was not identified in the LCAP. Los Angeles Unified budgeted $13.1 million in supplemental and $43,474.470 in base LCFF funding for a total of $56,575,514 in 2014-15 for the Los Angeles School Police Department (LASPD). It only included that expenditure in the "LCFF Resources Only" line item, so there was no reference to specific actions and goals for LASPD in the LCAP itself. In comparison, the district allocated just $4.09 million for RJ/P and $4.9 million for a large professional development lump sum that included training on "Alternatives to Suspensions" and "Positive Behavior Support Systems," among a number of other actions.[92]

Reflections and Recommendations

Districts made significant investments in punitive disciplinary actions, such as increased security and law enforcement on campus in spite of evidence that such practices are harmful to opportunities for our highest need students and without providing evidence or support to the contrary. Some school districts are spending far more money on law enforcement than they are on research-based whole-school methods for building strong and supportive school climates, such as PBIS and RJ/P.

The use of supplemental and concentration funds for law enforcement is problematic, particularly without an analysis of school-based referrals, arrests or citations or the impact of law enforcement on student outcomes. The law generally requires that supplemental and concentration funds be spent primarily "to increase or improve services" for high needs subgroups.[93] Districts failed to explain how such officers specifically improve educational services or outcomes for foster youth, low-income youth and English Language Learners. We strongly question whether such expenditures of high-need student targeted dollars are legally permissible and recommend that school districts establish data systems to track outcomes related to law enforcement expenditures and mechanisms to assess the efficacy, as existing research does not support positive student outcomes for vulnerable groups and students of color when the presence of law enforcement increases on campus.

NOTES ON FINDINGS AND ANALYSIS

[33] Kamala D. Harris, Cal. Atty. Gen., *In School + On Track 2014: Attorney General's 2014 Report on California's Elementary School Truancy & Absenteeism Crisis* (2014), http://oag.ca.gov/truancy/2014 (citing Michael A. Gottfried, *Chronic Absenteeism and Its Effects on Students' Academic and Socio-emotional Outcomes*, 19 J. of Educ. for Studs. Placed at Risk 53, 53-75 (2014)).

[34] *Id.* (citing Legal Center for Foster Care & Education, *Questions and Answers: Credit Transfer and School Completion* 1 (2008), http://www.americanbar.org/content/dam/aba/migrated/child/education/QA_2_Credits_FINAL.pdf; Thomas R. Wolanin, The Inst. for Higher Educ. Policy, *Higher Education Opportunities for Foster Youth: A Primer for Policy Makers* vi, 29 (2005), http://www.ihep.org/research/publications/higher-education-opportunities-foster-youth).

[35] *Id.*; *see also* Cal. Legislative Analyst's Office, *Educ. of Foster Youth in Cal.* 9 (2009), http://www.lao.ca.gov/2009/edu/foster_children/foster_ed_052809.pdf.

[36] *Id.* (citing Ca. Child Welfare Co-Investment P'ship, *Understanding Foster Youth Educational Outcomes* 4 (2011), http://www.courageousconnection.org/uploads/files/Insights_InDepth_Vol5_FINAL.pdf; Children Now, *2014 California Children's Report Card* 1 (2014), http://www.childrennow.org/uploads/documents/CN2014_education_foster_youth.pdf.

[37] Cal. Educ. Code §§ 52060(c)(1)(2), (d)(5)(a).

[38] A few districts included truancy data, and one provided data about chronically poor and irregular attendance that were not included in this tally.

[39] This number includes only districts that provided attendance rates, not districts that provided only the chronic absenteeism rate.

[40] Some of these goals were very broad general principles but are noted because the attendance related action corresponded to that goal.

[41] This statistic includes all students, when subgroups were listed with all students and when only subgroups were listed.

[42] Moreno Valley Unified LCAP, at 9.

[43] Elk Grove Unified LCAP, at 21.

[44] This statistic includes only LCAPs that identified goals specific to foster youth and does not include districts that listed "foster youth" among other subgroups or all students without goals directly targeting foster youth.

[45] Los Angeles Unified LCAP, at. 9; Sacramento City Unified LCAP, at. 12-13.

[46] Riverside Unified LCAP, at 23.

[47] Compton Unified LCAP, at 16-17.

[48] Pasadena Unified LCAP, at. 82-83.

[49] Hacienda La Puente Unified and San Diego Unified list foster youth as a subgroup for attendance goals, San Juan Unified and Antelope Valley Unified set goals for all students, and Bakersfield has no attendance goal.

[50] The LCAP examined for Hacienda La Puente Unified was the one approved by the District in June 2014.

[51] This number includes instances in which a district put a zero in the expenditure column to identify that it was not allocating any funding to the action.

[52] This number does not include the Antelope Valley Union High School District, which states in its LCAP that its attendance action does not require any additional expenditure.

[53] Cal. Educ. Code §§ 48553, 48553.5.

[54] Los Angeles Unified's strong focus on foster youth in its Year 1 LCAP is due in part to highly organized advocacy efforts by the Coalition for Educational Equity for Foster Youth, a group of youth advocates and stakeholders who organized early in the LCAP planning process and actively engaged with district leadership. For more information, please go to http://www.publiccounsel.org/tools/assets/files/0492.pdf.

[55] San Diego Unified, like many other school districts, identified foster youth as one of the many applicable subgroups, but did not provide information specific to the foster youth population.

[56] *See, e.g.,* Christine A. Christle, C. Michael Nelson & Kristine Jolivette, *School Characteristics Related to the Use of Suspension* 1-2 (2003), https://www.kycss.org/pdfs-docs/clearpdf/issuesbriefs/EDJJresearch.pdf; Fabelo, et al., *supra* note 18, at 7; M. Karega Rausch & Russell Skiba, *The Academic Cost of Discipline: The Relationship Between Suspension/Expulsion and School Achievement* 24-25, 27 (2005), http://www.indiana.edu/~atlantic/wp-content/uploads/2014/03/Academic-Cost-of-School-Discipline.pdf.

[57] Laura Faer & Sarah Omojola, *Fix School Discipline: How We Can Fix School Discipline Toolkit for Educators*, 3, 6, http://fixschooldiscipline.org/educator-toolkit.

[58] *See* Christle et al., *supra* note 56, at 3, 4, 7; Rausch & Skiba, *supra* note 56, at 19-20.

[59] *See, e.g.,* Christle et al., *supra* note 56, at 4-6; Faer & Omojola, *supra* note 57, at 4.

[60] *See* Faer & Omojola, *supra* note 57, at 6, 7 (collecting citations).

[61] Sonia Jain, *Restorative Justice in Oakland Schools: Implementation and Impacts: An Effective Strategy to Reduce Racially Disproportionate Discipline, Suspensions and Improve Outcomes* vi (2015), http://www.ousd.k12.ca.us/cms/lib07/CA01001176/Centricity/Domain/134/OUSD-RJ%20Report%20revised%20Final.pdf.

[62] These numbers do not include goals where foster youth were listed with all students or other subgroups.

[63] Los Angeles Unified LCAP, at 10.

[64] Riverside Unified LCAP, at 24.

[65] Temecula Valley Unified LCAP, at 16.

[66] As discussed previously, Restorative Justice in schools is sometimes also called Restorative Practices, so we use RJ/P throughout the report.

[67] These numbers do not include actions where foster youth were listed with all students or other subgroups.

[68] We caution districts to be careful about segregating foster youth into groups for counseling, as many foster youth may not want to be publicly identified. Group support or counseling may be very helpful for foster youth who want to create a con-

nection with similarly situated peers. However, in developing such a group, schools must be careful to respect the privacy rights of foster youth and have confidential meetings with each foster youth to determine whether they would like to participate in a group structure.

[69] Hacienda La Puente Unified LCAP, at 63.

[70] 20 of those 26 districts allocate funding for every action identified. The other 6 districts list multiple actions, but only identify funding for some of them. Antioch Unified identifies where the funding would come from (supplemental, concentration and categorical) without detailing the amount of the expenditure.

[71] The expenditures included in this calculation vary from investments in professional development for PBIS and social emotional learning to hiring social workers or School Resource Officers.

[72] This may be in part due to the efforts of the broader Fix School Discipline Policy Coalition (read more at FixSchoolDiscipline.org), the Boys and Men of Color Alliance, and community organizing and advocacy efforts locally and statewide to partner with and raise districts' awareness about the critical importance of positive research-based alternatives to suspension and expulsion.

[73] *See* Faer & Omojola, *supra* note 57, at 5 (citing Fabelo, et al., *supra* note 18, at xi, xii, 56, 66-72; Skiba, et al., *supra* note 18, at 11, 28-29; Comm, on Sch. Health, Am. Acad. Of Pediatrics, *supra* note 10, at 1206-1209).

[74] See the aforementioned research showing how harsh disciplinary practices increase the dropout rate and involvement in the juvenile justice system, as well as cause psychological harm.

[75] Faer & Omojola, *supra* note 57, at 4 (citing Castrechini, *supra* note 14, at 3).

[76] *See id.* (citing Comm, on Sch. Health, Am. Acad. Of Pediatrics, *supra* note 10, at 1206-1209).

[77] Specifically, the district included baseline data for African American, Hispanic and Caucasian students.

[78] Visalia Unified LCAP, at 30, 36.

[79] Thus, 25% (16) of districts created an expulsion-related goal, but did not identify any actions to achieve the goal.

[80] One additional school district did not provide a specific expenditure, but rather the source of funding.

[81] *See* A.B. 1909, 2011-12 Reg. Sess. (Cal. 2012), http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_1901-1950/ab_1909_bill_20120911_enrolled.html.

[82] Of those 51 school districts, 27 identified PBIS, RJ/P, and/or SEL as actions to reduce suspension and/or expulsions. 24 districts mention those practices in support of other school climate goals.

[83] This number includes one district that included "behavioral interventions."

[84] We did not include districts that only increased the number of mental health professionals. We also did not search for "trauma-informed" as a term separate and apart from SEL, PBIS, or RJ/P.

[85] Cal. Dep't of Educ., *supra* note 3, at 11 (citing Cathy S. Widom, *Child abuse, neglect, and violent criminal behavior*, 27 Criminology 251, 251-71 (1989)).

[86] Office of Civil Rights, U.S. Dep't of Educ., *Civil Rights Data Collection,* http://ocrdata.ed.gov.

[87] *See* Fix School Discipline, *San Francisco Schools Pass Agreement to Reduce Arrests on Campus and Racial Gap in Policing Data,* http://fixschooldiscipline.org/san-francisco-schools-target-arrests (discussing San Francisco Unified and San Francisco Police Department MOU that required regular data reporting).

[88] To the best of our ability, we excluded general campus security, custodians or money spent on maintaining a safe, clean facility from this count.

[89] For this purpose, law enforcement equipment is defined as metal detectors, cameras and canine detection programs.

[90] West Contra Costa Unified LCAP, at 12.

[91] San Diego Unified LCAP, at 49

[92] LAUSD LCAP, at 18, 27, 64-66.

[93] Cal. Code Regs. tit. 5 § 15496(a).

SUMMARY OF RECOMMENDATIONS

B ased on this review, the overall recommendations are concrete and simple and aligned with the letter and intent of the law. School districts should:

· Establish school climate area baseline needs data and metrics and unique goals, actions and expenditures when a district has a population of 15 or more foster youth and needs/outcomes differ from other subgroups.

· Increase investments in best practices in discipline, such as social emotional learning, trauma informed strategies, restorative justice/ practices, and Positive Behavior Interventions and Supports.

· Invest in staff who can develop strong relationships with foster youth, are well-versed in the specific challenges that foster youth face, the laws protecting foster youth, and are effective at navigating systems on behalf of such youth.

· Demonstrate how investments in law enforcement are "increasing or improving services" for foster youth, who already have disproportionately high rates of juvenile justice involvement and who research shows need strong investments in supportive, trauma informed strategies.

· Closely examine the impact of investments in law enforcement on student outcomes, arrests, and citations and reconsider whether limited school funding should be utilized in this manner.

The law requires school districts to address the needs of foster youth. But few analyze the unique needs of foster youth and create strategies to meet them. It is time for districts to take a critical look at the school climate needs of foster youth.

CONCLUSION

The LCAP provides a foundational tool for school districts and community to create a meaningful plan of action to meet the key outcomes for school success and to address the unique needs of vulnerable populations with lower educational outcomes. Districts are required to evaluate the first year of implementation and make their first annual update to their LCAP by July of this year.[94]

Lack of access to a complete data set regarding the foster youth population likely contributed to school districts' efforts to appropriately address the needs of this population. However, as of the fall of 2014, the California Department of Education has provided all school districts in the state with data for its foster youth population.

State law requires school districts to analyze and address the needs of foster youth. The vast majority of school districts have made progress in their investments in research-based alternatives to harsh discipline practices. But very few analyze the needs of foster youth and create specific strategies for addressing their unique challenges, which include barriers to enrollment, lack of transportation, disruptive school changes, multiple, disconnected system players, absence of a single and constant adult supporter, and exposure to high levels of trauma, all of which severely impact learning and the ability to regulate emotions and behavior.

It is imperative that all school districts in the state, but especially those who serve the highest populations of foster youth, take a critical look at the unique school climate and attendance needs of foster youth and revise their baseline data, goals, actions, and expenditures to address those needs.

We call on school districts to devote greater attention and funding in this year's LCAP update to:

- develop a trauma-informed, safe and supportive school climate through specifically targeted positive interventions and supports for foster youth, rather than reliance on punitive measures such as suspension, expulsion, and referral to law enforcement,

- Establish baseline data for foster youth and develop goals and actions to address their unique needs and challenges,

- develop a coordinated approached to social, emotional and mental health support with child welfare,

- ensure prompt enrollment in appropriate classes and minimize school changes, and

- reassess increased investments in school-site law enforcement and refocus funding on research-based strategies that support the social and emotional well-being of foster youth.

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[94] Cal. Educ. Code § 52061(a).

Appendix A: LCAP Expenditures Reported for
Alternatives Discipline Practices and Law Enforcement/Security

Expenditures in RED are aggregated sums of money where the district did not specify the exact portion of a large funding pot with multiple actions that would be spent on law enforcement and/or alternatives to discipline	Expenditures in BLACK are sums where the district allocated a clear line item	Expenditures in BLUE are sums not in the LCAP itself but in district budgets or LCAP attachments that have been brought to PC's attention.

School District	Total Expenditures on PBIS, RJ, or SEL	Total Expenditures on Law Enforcement and Other Security Measures
Los Angeles USD	$9,900,000.00	$56,575,514.00
Fresno USD	$5,000,000.00	$0.00
San Diego USD	$86,500,000.00	$79,500,000.00
Elk Grove USD	$2,900,000.00	$0.00
Long Beach USD	$100,000.00	$2,400,000.00
Sacramento City USD	$200,000.00	$100,000.00
	$163,000.00	
Moreno Valley USD	$315,000.00	$0.00
Antelope Valley Union High	$0.00	$0.00
San Bernardino City USD	$0.00	$0.00
San Francisco USD	$3,500,000.00	$0.00
Oakland USD	$1,000,000.00	$6,969,504
Compton Unified	$330,000.00	$285,000.00
Palmdale Elementary	$0.00	$489,805.00
Twin Rivers Unified	$184,919.00	$2,845,103.00
Fontana Unified	$449,344.00	$301,275.00
San Juan Unified	$110,000.00	$0.00
Kern County Office of Education	$10,000.00	$10,000.00
Lancaster Elementary	$2,798,455.00	$0.00
Rialto Unified	$84,610.00	$90,650.00
Corona-Norco Unified	$103,934.00	$736,000.00
Sweetwater Union High	$0.00	$0.00
Pasadena Unified	$575,000.00	$0.00
Riverside Unified	$617,377.00	$0.00

Appendix A (page 2): LCAP Expenditures Reported for Alternatives Discipline Practices and Law Enforcement/Security

School District	Total Expenditures on PBIS, RJ, or SEL	Total Expenditures on Law Enforcement and Other Security Measures
Pomona Unified	$1,775,814.00	$0.00
Bakersfield City	$5,981,406.00	$0.00
Val Verde Unified	$180,220.00	$0.00
West Contra Costa Unified	$6,906,789.00	$6,906,789.00
	$235,000.00	
Clovis Unified	$0.00	$288,000.00
Stockton Unified	$339,804.00	$0.00
Hemet Unified	$0.00	$0.00
Hesperia Unified	$300,000.00	$0.00
Victor Valley Union High	$35,000.00	$0.00
Manteca Unified	$0.00	$0.00
Antioch Unified	$0.00	$0.00
Hacienda la Puente Unified	$13,000.00	$1,367,365.00
Fairfield-Suisun Unified	$136,000.00	$0.00
Montebello Unified	$0.00	$0.00
Merced City Elementary	$0.00	$46,710.00
Lodi Unified	$0.00	$0.00
Jurupa Unified	$145,000.00	$0.00
Inglewood Unified	$212,500.00	$2,500,000.00
Mt. Diablo Unified	$985,726.00	$0.00
Visalia Unified	$0.00	$0.00
Colton Joint Unified	$161,000.00	$28,000.00
Grossmont Union High	$20,000.00	$1,331,204.00
Baldwin Park Unified	$0.00	$0.00
Los Angeles County Office of Education	$420,000.00	$0.00
Panama-Buena Vista Union	$0.00	$0.00
Santa Ana Unified	$1,585,858.00	$0.00
Central Unified	$0.00	$0.00
Chaffey Joint Union High	$0.00	$0.00
Downey Unified	$2,234,175.00	$837,355.00
Alvord Unified	$0.00	$66,853.00
Apple Valley Unified	$65,000.00	$0.00
Vallejo City Unified	$705,000.00	$0.00

Appendix A (page 3): LCAP Expenditures Reported for Alternatives Discipline Practices and Law Enforcement/Security

School District	Total Expenditures on PBIS, RJ, or SEL	Total Expenditures on Law Enforcement and Other Security Measures
Chico Unified*	$299,000.00	$5,000.00
Beaumont Unified	$51,000.00	$0.00
Palm Springs Unified	$15,000.00	$0.00
Norwalk-La Mirada Unified	$34,917.00	$0.00
Adelanto Elementary	$50,000.00	$0.00
Chula Vista Elementary	$0.00	$526,000.00
Anaheim Union High	$109,247.00	$0.00
Temecula Valley Unified	$281,002.00	$0.00
Lynwood Unified	$60,000.00	$0.00
Totals	**$138,179,097.00**	**$164,206,127.00**
* Chico Unified's LCAP indicates it it may provide funding for School Resource Officers		
Disaggregated Sums:	**$41,324,509.00**	