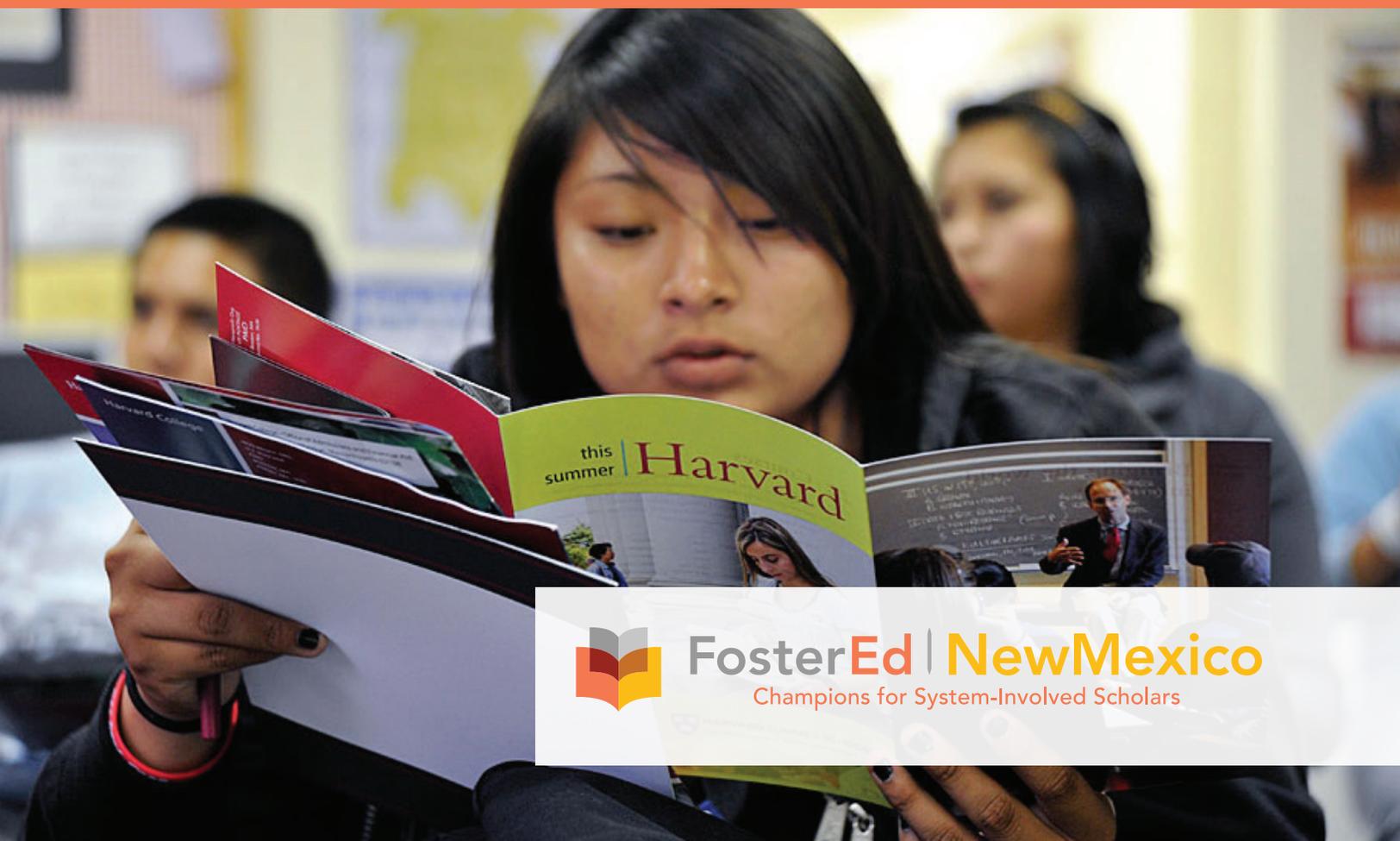




BUILDING CHAMPIONS FOR SYSTEM-INVOLVED STUDENTS: FosterEd Progress Update



FosterEd | NewMexico

Champions for System-Involved Scholars



INTRODUCTION

In December 2012, New Mexico’s Supreme Court and the Office of the Governor established a Joint Education Task Force to address educational disparities faced by system-involved students. The Task Force, co-chaired by Senior Justice Petra Jimenez Maes and Governor Susana Martinez, was charged with recommending inter-agency strategies for addressing the educational needs of children and youth in the State’s custody. In April 2014, the Task Force released a report and associated recommendations. One of the primary recommendations was to partner with FosterEd, an initiative of the National Center for Youth Law, to develop a FosterEd: New Mexico demonstration site and use it as the basis for a statewide FosterEd program. This recommendation was based on preliminary evidence from other states suggesting that such a program would improve the educational outcomes of children in the State’s care.

In the summer of 2014, FosterEd committed to working in New Mexico and formed a state leadership team comprised of senior staff from New Mexico’s Children, Youth and Families Department (CYFD), Public Education Department (PED), State Supreme Court and Governor’s Office. This leadership team guides and oversees our work in New Mexico. At their request, FosterEd staff investigated Bernalillo, Valencia, Lea and Doña Ana Counties as possible FosterEd New Mexico demonstration sites. In the spring of 2015, our New Mexico leadership team advised selecting Lea County, and in the fall of 2015, the demonstration site was launched.

Early in 2016, Grace Spulak was hired to lead FosterEd’s efforts in New Mexico. Ms. Spulak’s focus has been to support the effective implementation of the demonstration site, lead state policy efforts, build coalitions between public agencies across the state and provide technical assistance that aids in the effective implementation of policy.

Background & Need

In 2012, The New Mexico Children’s Court Improvement Commission worked with the Administrative Office of the Courts, PED, and CYFD to share data about education outcomes for youth in foster care and in the juvenile justice system. An initial report was completed in early 2016 using data from the 2013-2014 school year. The work was supported by funding from Casey Family Programs. The PED and CYFD renewed their memorandum of understanding (MOU) in August 2016. FosterEd is a part of the data sharing meetings regarding the new MOU.

The findings from the 2016 report¹ show that students in foster care and involved in juvenile justice have higher special education involvement than other students. They also have lower scores on state standardized tests and move schools more frequently.

Key findings from that report include:

- **Special education participation:** The statewide special education participation rate was 13.9%; the rate for juvenile justice involved students was 23.2% and the rate for protective services involved students was 31.3%.

¹ New Mexico Children’s Court Improvement Commission. Data Governance Committee, Results of Data Exchange 2013-2014 School Year. This data can be found on pages 2-3. Available at <https://www.nmlegis.gov/handouts/ALESC%20081716%20Item%2013%20FosterEd,%20CCIC%20Data%20Share%20Info.pdf>

- **Mobility:** 32% of juvenile justice involved students and 26% of protective services involved students were in more than one district in the 2013-14 school year. In addition, 69% of juvenile justice involved students and 55% of protective services involved students experienced one or more withdrawals in the 2013-14 school year.
- **Standardized Testing Results:** Juvenile justice involved and protective services involved students score lower than students statewide on a number of tests.

Leaders across New Mexico are working to address these barriers to educational success as well as to refine their data sharing to include information on graduation rates and school discipline for system-involved youth.

FOSTER ED – AN OVERVIEW

Each and every young person is entitled to a quality education. FosterEd is grounded in the belief that all young people deserve to have champions by their side helping them to realize their potential. Young people who come into contact with public systems – especially those who languish in the child welfare and justice systems – have been chronically let down by so many of the adults in their lives. The opportunity to learn has been interrupted by unnecessary home and school moves. They rarely receive credit for all of the coursework they have completed. They are consistently educated in substandard learning environments. They face – every day – countless adults who hold heartbreakingly low expectations for their future. The data substantiating these experiences is stark, revealing a staggering achievement gap, chronic poor attendance, and alarming school mobility. This is a situation that can and must change.

We join in solidarity with a growing movement across New Mexico and the country to ensure equitable opportunities and outcomes for ALL young people. We are working to create a reality where all system-involved youth graduate from high school with the widest array of possibilities for their future. We also envision a future where leaders from multiple public systems – child welfare, education, mental health, probation, and judicial agencies – band together with a sense of urgency and persistence to create the conditions, at large scale, under which:

- **Children and youth** are engaged in learning, empowered to create futures they are excited about, and have champions in their corner for the long run.
- **Parents, family members, mentors, and other trusted adults** are fully invested in their role as education champions and are consistently and meaningfully supported.

- **System and community leaders** deeply collaborate on a shared vision that systematically lifts up the voices of young people and helps realize equitable opportunities and outcomes for all students.
- **Professionals** working directly with young people in support of their education are appreciated, supported, and connected with one another.

FosterEd New Mexico initiates and facilitates multiple state and regional collective impact campaigns, partnering with deeply invested teams of state and local leaders, students, and families. These campaigns build will and measured progress toward a shared vision for improving the educational conditions and opportunities for this incredible group of young people. This work includes the following four strategies:

- **Demonstration Project.** Launched and implemented a demonstration project in Lea County focused on the engagement of educational champions for system-involved students;
- **Data & Technology.** Leveraged the power of data, technology and research to support the development of policy and implementation of effective practice;
- **Policy.** Led and supported policy wins in New Mexico that promote school stability and supports for system-involved youth; and
- **Technical Assistance.** Provided technical assistance to public agencies across the state to support the effective implementation of key policies impacting system-involved youth.

DEMONSTRATION PROJECT IN LEA COUNTY

FosterEd's Practice Model

Our demonstration sites involve deep partnerships with local communities. Through them, we facilitate a process of building a shared agenda, establishing clear metrics that track progress across systems, and implementing practices that ensure young people are supported in all the ways necessary to succeed. Amy Dunlap, FosterEd's Education Liaison co-located within the local CYFD Hobbs Office, has been leading this work in Lea County.

Our vision is for each and every young person we serve to be positively engaged in school and learning, and empowered to take charge of their educational futures and have meaningful relationships with caring adults who will consistently and effectively support the young person's educational pursuits once they have exited care.

Practice Framework



Promoting student empowerment, connections, and engagement

We believe that in order for young people to graduate with a wide array of possibilities for their futures, they need three key things to succeed:

- **Effective and committed education champions.** System-involved youth, like all youth, need strong educational advocates who have the knowledge, skills, and resources to effectively support their education.
- **Well-coordinated education teams.** System-involved youth are much more likely to succeed in school when the adults involved in their lives – social workers, teachers, therapists, CASAs, and others – are working together in a coordinated, collaborative manner.
- **Student-centered engagement.** Positive engagement and empowerment at school starts with putting the student at the center of their education decision-making. Giving students “voice and choice” in shaping every element of their education leads to educational success. This is particularly true for system-involved youth who have experienced the trauma and loss of control associated with involvement in the child welfare and juvenile justice systems.

“Our experience with FosterEd has opened up a partnership with the local schools. I have had regular communication with school administrative personnel through FosterEd and now better understand the issues that children in foster care often present to the schools as well how the schools are willing to adapt to assist children in foster care.”

Judge Lee Kirksey,
5th Judicial District
Court Judge

Progress & Impact in Lea County

In the fall of 2015, FosterEd launched a demonstration project in Lea County, New Mexico. Lea County is home to approximately 75 students in foster care² and 50 students under court-ordered probation at any given time.³ It is a rural county, with approximately 18% of children living in poverty.⁴

The demonstration project, which is guided by an interagency state leadership team and a local planning team, seeks to ensure that every youth in foster care or under probation supervision has an educational champion, education team, and education success plan. FosterEd works with these youth to help them attain their full potential and achieve educational success. This project mirrors FosterEd’s successful efforts in Indiana, California, and Arizona, but with an important difference: it is the first site to directly serve probation-supervised youth in addition to youth in foster care. We are excited to be serving this population, which often experiences similar barriers to educational success as students in foster care.

Partner Feature



Lovington Municipal Schools and Hobbs Municipal Schools are the two largest school districts in Lea County, serving the majority of Lea County students. Our FosterEd New Mexico Liaison is co-located part-time at Lovington Schools, which has resulted in improved communication

and awareness of the needs of system-involved students within the district. Lovington Schools teachers, counselors, principals, and administrators have all taken active roles in supporting individual students and developing district-level policies to support FosterEd’s work. Hobbs Schools have also been a dedicated partner and source of support for system-involved students, working to modify their existing student support programs such as mentoring programs and alternative education programs to ensure they are tailored to the needs of these young people.

- 2 New Mexico Children, Youth and Families Department Protective Services Division. 360 Quarterly State and County Profiles, First Quarter State Fiscal Year 2018. See Figure 120 on page 96. Available at https://cyfd.org/docs/360_SF18Q1.pdf
- 3 New Mexico Children Youth & Families Department. New Mexico Juvenile Justice Services Fiscal Year 2016 Annual Report. See the figures on page 146. Available at https://cyfd.org/docs/FY16_AnnualReportPublisherDraft8_-_corrected.pdf
- 4 New Mexico Voices for Children. 2017 New Mexico Kids Count Data Book. New Mexico Voices for Children. See page 9 for more information. Available at <http://www.nmvoices.org/wp-content/uploads/2018/01/NMKC-DataBook2017-Web.pdf>

Agencies and non-profits in Lea County have been working closely together to coordinate services and supports for system-involved scholars. FosterEd's Lea County Leadership Team is comprised of key leaders working together to build strong practices that cross system boundaries – the courts, child welfare, districts and schools, behavioral health and other critical youth-serving non-profits. All of these partners have shaped our program processes to ensure that our work is addressing the unique needs of system-involved students in Lea County. These partners in Lea County and their specific roles in FosterEd's work include:

- **CYFD-Protective Services.** Provided FosterEd with referrals for students in foster care; individual workers have participated closely in education team meetings and educational planning for students.
- **CYFD-Juvenile Justice Services.** Provided FosterEd with referrals for students on court-ordered probation; individual probation officers participated closely in education team meetings and planning to ensure FosterEd services meet the needs of justice-involved young people.
- **Fifth Judicial District Court.** Ensured that all students coming before the court had well-developed educational plans and teams via FosterEd services.
- **Hobbs Municipal Schools.** Worked with FosterEd to ensure access to student information via parent portals and education records, and supported individual teachers and other school staff in participating in educational planning for FosterEd students.
- **Lovington Municipal Schools.** Worked with FosterEd to ensure access to student information by providing education records, and supported individual teachers and other school staff in participating in educational planning for FosterEd students.
- **Guidance Center of Lea County.** Behavioral health service providers, including group home staff and Juvenile Community Corrections workers, supported individual students and participated in educational planning for students.

We have contracted with an external evaluator, RTI International, to assess our work in New Mexico and make recommendations for program improvement. The evaluator has reviewed educational case management data entered by the Education Liaison in EdTeamConnect, and has summarized some key highlights in the graphs below. As RTI staff prepare to write their evaluation report, expected by April 2018, they will also be conducting interviews with key stakeholders at both the county and state levels and assessing the extent to which FosterEd has achieved its goals in New Mexico. We also have data-sharing MOUs in place with Hobbs Municipal Schools and Lovington Schools, and are working with both districts to collect educational information that can be shared, in de-identified form, with RTI to inform their evaluation.

FIGURE 2

Number of Students Served, by Age at Referral⁵

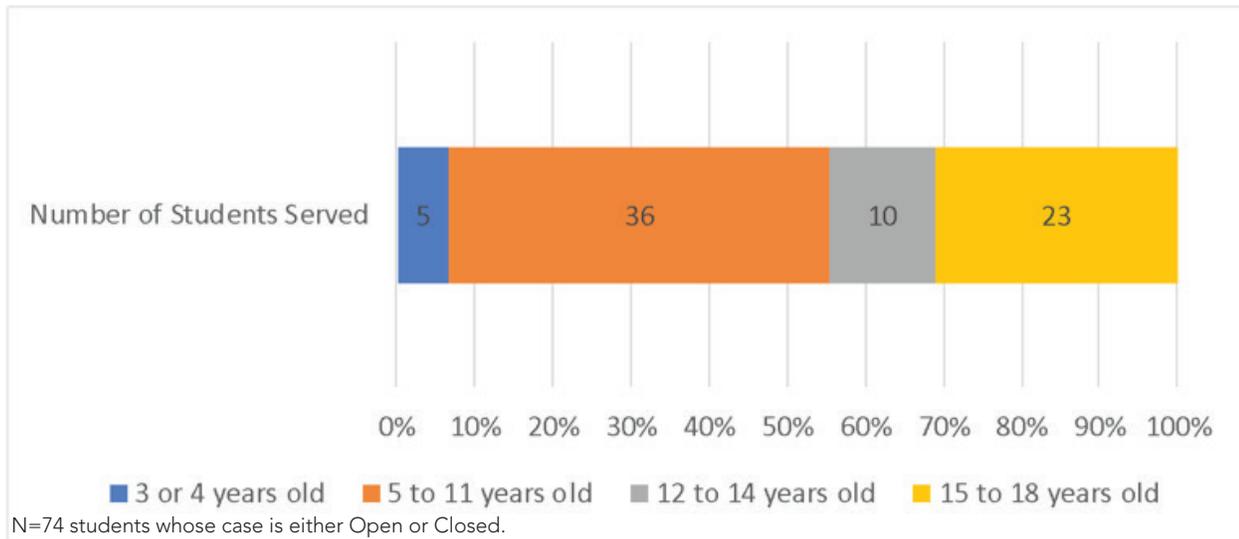


FIGURE 3

Characteristics of Students Served⁶

	Number of students	Percent
Sex		
Female	32	43%
Male	42	57%
Race/ethnicity		
White, non-Hispanic	22	30%
Black, non-Hispanic	4	5%
Hispanic ¹	47	64%
Multiracial or Unknown/Other	1	1%
Child has special education needs		
Yes (either 504 or IEP)	20	27%
No (neither 504 or IEP)	44	59%
Under evaluation ²	10	14%
Total	74	100%

N=74 students whose case is either Open or Closed.

1 Hispanic students may be of any racial background.

2 A child is considered "Under evaluation" if s/he is not receiving any services and still needs to be evaluated for either a 504 or IEP or both.

5 Source: Laird, J., Warkentien, S. This figure presents selected summary information for youth served by FosterEd New Mexico from when the program began receiving referrals in March 2016 through January 2018. It is based on data extracted from EdTeam Connect, FosterEd's case management data system, and transferred to RTI International for analysis.

6 Ibid.

FIGURE 4

Length of Time Served⁷

	Number of students	Percent
<3 months	5	12%
3-6 months	11	27%
6-12 months	13	32%
1 year or more	12	29%
Total	41	100%

N=41 students who were served and whose case has since Closed.

DATA AND TECHNOLOGY

EdTeamConnect

Another key piece of FosterEd’s work in New Mexico included the implementation of a new data system, EdTeamConnect (ETC).

The FosterEd Education Liaison in Lea County used ETC, a case management and communication tool designed to track student progress, encourage teaming, and allow for the evaluation of FosterEd’s work. ETC is an open source technology developed by FosterEd to support effective practices and sharing of information. This tool provides a central location for a wide range of information for each student served by FosterEd, including educational information, key education-related documents, education team membership and contact information for those team members.

In July of 2017, FosterEd released additional enhancements to ETC to better support Education Liaisons’ work with students across FosterEd sites. The first major enhancement

7 Ibid.

is a data dashboard, which allows Education Liaisons to quickly determine whether all of the students they are serving are supported by: 1) a complete education team, as measured by having representatives from key partner agencies, including education and child welfare; 2) an identified Education Champion and identified Education Decision Maker; and 3) for students with special education needs, an up-to-date Individual Education Program (IEP). The second major enhancement was the addition of a feature to track the frequency and regularity of one-on-one meetings with individual students and their Education Champions, and what is discussed in each meeting. This feature helps ensure consistency and quality of direct engagement between a Liaison and the students served.

POLICY

The Power of Policy as a Lever for Change

Over the past three years, FosterEd has been working with our partners to ensure that New Mexico law, regulation, and practice give students in foster care and in the juvenile justice system a wide array of supports for educational success. Our focus has been on the areas that research tells us are the greatest barriers for system-involved youth in their educational pathways:

- Supporting a statewide infrastructure to support students in foster care and in the juvenile justice system;
- Developing support for Every Student Succeeds Act (ESSA) points of contact and Education Decision Makers (EDMs);
- Ensuring school stability and success;
- Ensuring students remain in their school of origin and state agencies have clear plans to ensure transportation;
- Ensuring students who move schools mid-semester receive credit for work done at their previous school;
- Ensuring students in foster care and involved with juvenile justice have opportunities to participate in extracurricular activities;
- Keeping students safe in school;
- Ensuring school discipline does not create barriers to education;

- Ensuring students who have prior disciplinary history or juvenile justice involvement are able to enroll in school; and
- Ensuring students have access to education when they are expelled or suspended long-term.

In 2017, FosterEd successfully sponsored legislation to begin to address these policy priorities.

During the 2017 New Mexico Legislative Session, FosterEd worked with our partners NMCAN, Representatives Gail Chasey and Doreen Gallegos, and Senator Gay Kernan to develop and pass legislation to ensure that system-involved students in New Mexico have a wide range of protections and supports to help them complete their education.

SB 213/HB 301 Support for Transferring Students

SB 213/HB 301 ensures that students who transfer school and are involved in the juvenile justice, protective services, or mental health systems or who are experiencing homelessness have supports they need to ensure a smooth transition between schools. This includes record transfer within four days, priority placement in classes required for graduation, equal rights to participate in sports and other extracurricular activities, and the option for students to graduate high school in four years if they meet state graduation requirements as opposed to district requirements.

HB 411 Points of Contact for Certain Students

HB 411 incorporates requirements of the federal Every Student Succeeds Act (ESSA) that all school districts have a point of contact for students in foster care into New Mexico law, and expands support from the point of contact to students who are involved in the juvenile justice system. This legislation made New Mexico one of the first states in the nation to recognize that students involved in juvenile justice need and deserve the same types of educational supports and continuity as students in foster care. This legislation was the result of collaboration between our state agency partners, legislators, and advocates, all of whom shared the vision of ensuring that all of New Mexico's students who are made vulnerable by system involvement have the opportunity to graduate with the widest array of possibilities for their futures.

New Mexico Legislative Implementation

FosterEd has worked with CYFD and PED to develop training and outreach materials to help school districts implement this legislation. In September 2017, FosterEd, CYFD, PED, and young people with foster care experience developed and presented a webinar outlining the requirements of SB 213/HB 301 and HB 411, which was attended by school professionals, child welfare professionals, and juvenile justice professionals, and which continues to be available online. FosterEd is also partnering with PED to develop fact sheets for schools and juvenile courts to distribute to students informing them of their specific rights if they are involved in the juvenile justice system.

Every Student Succeeds Act

New Mexico has been at the forefront nationally in ensuring that the foster care provisions in ESSA are implemented in a meaningful way. FosterEd has been privileged to work with our partners at CYFD, and at the Public Education Department (PED) to develop New Mexico's statewide plan regarding the foster care provisions in ESSA. During this process, CYFD has worked tirelessly to develop partnerships with former foster youth, school districts, mental health providers, and foster parents to ensure that students remain in their school of origin and have meaningful connections in school.

FosterEd has worked closely with CYFD, PED, the University of New Mexico School of Law's Corrine Wolfe Center for Child and Family Justice, the Children's Court Improvement Commission, NMCAN, and Pegasus Legal Services for Children to develop trainings for school professionals, judges, protective service staff, juvenile probation officers and child welfare professionals. FosterEd has developed fact sheets for school district and child welfare points of contact at the request of our state leadership team and is in the process of developing a webinar specific to the Best Interest Determination requirements in ESSA. FosterEd will continue to support implementation efforts and provide training and technical assistance in service to our New Mexico partners.

LOOKING AHEAD

Through our demonstration site work, we have helped identify needs and have developed ideas and solutions to help create lasting systems change and improved practices. The county is committed to implementing these ideas and solutions after FosterEd New Mexico's involvement ends. Further, although the pilot is ending, FosterEd continues to explore

opportunities to sustain the work, such as through a partnership with the CYFD wraparound services program.

Sustaining Lea County Practices

An infrastructure has been developed in Lea County that prioritizes education in case planning for system-involved youth. Leaders in Lea County have identified a number of practices that are critical to the continued educational success of these young people and to which they are committed to implementing and sustaining. We will work with Lea County on these items as part of our transition efforts. They include:

- Developing MOUs and consent forms with Education Decision Makers (EDMs) to ensure that Permanency Planning Workers (PPWs) have access to parent portals for students in their custody;
- Developing MOUs to ensure ongoing communication between schools and CYFD about the status and educational needs of students in foster care; and
- Ensuring that CYFD offices have a designated worker to act as a point person for education needs and facilitation between CYFD and school districts.

Youth Success Story

In the fall of 2016, our FosterEd Education Liaison received a referral for Robert,* a sixteen year old student on probation and in foster care. The Education Liaison started working with Robert two weeks before the fall semester ended. At this time, this young man was failing all his classes, and his Education Liaison noticed that he stopped turning in his work around the same time that his CYFD caseworker changed. "I contacted all of his teachers and as a result they were willing to help him make up his work, in an effort to bring his grades up," said Amy Dunlap, Robert's FosterEd Education Liaison. Dunlap continued, "Due to this support and engagement from teachers and his foster parent, he was able to pass some of his classes for the semester." The following semester, Robert and his Education Liaison worked to make sure he has strong adult relationships and feels empowered to reach his goals and realize his strengths.

Progress takes many forms. For young people like Robert, knowing he will be supported becomes the foundation of continued positive engagement with school and learning.

*Name has been changed to protect privacy.

There is a unique opportunity to continue this work and ensure that young people have educational supports and access to coordinated planning that includes education through CYFD's wraparound service programs. As described below, FosterEd is well-positioned to support this work.

Publishing Evaluation Report

Consistent with our approach in California and Arizona, and as noted above, we have contracted with an external evaluator to assess our work in New Mexico. We expect the evaluation report to be completed by April 2018.

Continuing Technical Assistance

FosterEd is proud to have partnered with many agency and advocacy partners over the past four years to develop programs and policies that support and reflect the unique needs of New Mexico's young people. These partners include CYFD, PED, the Legislative Education Study Committee, the Administrative Office of the Courts, the New Mexico Supreme Court, the Fifth Judicial District Court in Lea County, Lovington Municipal Schools, Hobbs Municipal Schools, Albuquerque Public Schools, NMCAN, Pegasus Legal Services for Children, the UNM School of Law's Corinne Wolfe Center for Child and Family Justice.

FosterEd continues to take a leadership role in ensuring that critical federal and New Mexico legislation is fully implemented such that students are able to remain in their school of origin, all school districts have engaged and supportive points of contact for system-involved students, and all students have smooth transitions between schools when they must move and the ability to graduate in a timely way. Although the 2017 legislation creates a key vision for system-involved students, this vision cannot be fully realized without practice changes across the state.

FosterEd hopes to continue to work with our agency partners in 2018 to ensure that New Mexico has a plan to expand support for system-involved students moving into the future. This technical assistance can take many forms: direct training for school districts and CYFD offices, informational webinars, development and distribution of model local policies, support of transportation planning and best interest determination practices, establishing statewide best practices for the engagement of Education Decision Makers in IEP or other critical education discussions, and promoting collaboration with regional probation agencies and school districts to support youth on probation.

Ensuring Youth Receive Appropriate Credit for Their Work

Ensuring that young people who must transfer schools during the middle of a semester receive credit for their work at a previous school is critical to ensuring that the 2017 legislation is meaningful and that students are able to graduate and achieve their self-identified education and life goals. When young people must move schools and they are not able to receive credit for the work they have done, they often give up. FosterEd has worked with a number of incredible young people who have described their frustration and demoralization due to credits lost when they transferred schools. As a state, New Mexico embraced its responsibility to ensure that these students receive credit for the work they have done.

FosterEd has worked closely with the Children's Court Improvement Commission and our State Leadership Advisory Team to identify policies and best practices that support partial credit for these students. FosterEd is well-placed to continue to lead efforts to develop policies for New Mexico students due to the expertise at the National Center for Youth Law in creating and implementing similar policies in California, and our relationships with education and agency partners in New Mexico. To this end, FosterEd has taken the lead in proposing and developing a state-wide work group to make recommendations about credit policies for New Mexico students. This work group will consist of representation from CYFD, PED, school districts of various sizes and from various geographic locations, school professional associations, advocacy organizations, and young people. This group may be convened under the auspices of a Legislative Memorial or through the Children's Court Improvement Commission and will meet throughout 2018 to develop recommendations to be presented to the Legislative Education Study Committee.

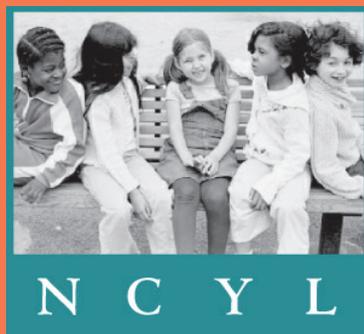


FOSTER ED NEW MEXICO CONTACT INFORMATION

Michelle Francois Traiman, FosterEd Senior Director
mfrancoistraiman@youthlaw.org
510.835.8098 x 3056

Grace Spulak, FosterEd New Mexico Director
gspulak@youthlaw.org

FosterEd New Mexico is an initiative
of the National Center for Youth Law



3201 4th Street NW,
Albuquerque, NM 87107

