

BASF ENGAGES IN EDUCATION SUMMIT FOR DEPENDENCY PANEL ATTORNEYS

Jill McNerney

In September 2018, San Francisco's Unified Family Court partnered with the Bar Association of San Francisco's (BASF) Dependency Representation Program to hold an all-day summit on the education rights of children in foster care for court-appointed counsel.

The School Experience of Foster Youth

40%

Percentage of foster youth chronically absent from school

11%

Overall percentage of students chronically absent from school

65%

Percentage of foster youth who graduated from school

97%

Overall percentage of students who graduated from school

Source: 2018 San Francisco Unified School District data, rounded

Given the high percentages of poverty, trauma, and family instability, foster youth face extraordinary educational challenges. Many of California's preeminent experts in education law volunteered their time for the day to ensure that all attorneys working with children in foster care are properly prepared to identify and enforce children's education rights.

The summit addressed not only the education rights that disproportionately affect foster youth, such as school discipline and special education law, but also the education rights that are specifically afforded to foster youth due to their unique circumstances. Ensuring that every foster youth has an identified education rights holder who is able and willing to make educational decisions, and understanding the various rights and roadblocks to maintaining a child in his or her school of origin when that child is removed from a parent, relative, or foster parent are only two of the many

challenges facing these children. This multidisciplinary legal community shared specific trauma-informed strategies and services available for these youth to thrive academically.

Judge Monica Wiley, the supervising judge of San Francisco Unified Family Court, oversees both the Juvenile Dependency and Juvenile Delinquency Courts. Judge Wiley is dedicated to protecting the educational needs of youth in foster care, and her active role in the summit ensured that all attendees received the tools necessary to best advocate for their clients' educational needs. Judge Wiley reflects, "I was thrilled to be able to work with San Francisco's dedicated juvenile attorneys to address this important issue. The statistics speak for themselves. Active engagement and participation in the educational development of children can and will make a difference."



“I WAS THRILLED TO BE ABLE TO WORK WITH SAN FRANCISCO’S DEDICATED JUVENILE ATTORNEYS TO ADDRESS THIS IMPORTANT ISSUE. THE STATISTICS SPEAK FOR THEMSELVES. ACTIVE ENGAGEMENT AND PARTICIPATION IN THE EDUCATIONAL DEVELOPMENT OF CHILDREN CAN AND WILL MAKE A DIFFERENCE.”

Hon. Monica Wiley
San Francisco Unified Family Court

Foster youth experience significant disruptions to their school placements when removed from their homes and tragically suffer trauma at significantly higher rates than any of their peers. The school experience and academic outcomes for foster youth are startling; San Francisco Unified School District (SFUSD) reports that foster youth outcomes are the single worst of all identified subgroups tracked in 2018: 39.8 percent of foster youth were chronically absent from school, compared with 11.2 percent overall, and only 64.6 percent of foster youth graduated from high school, compared to 86.6 percent of all students. Although only 1.9 percent of the general student population was suspended at least once during the 2017-2018 school year, 9.8 percent of the foster youth population was suspended during this same time. In addition, foster youth are the single lowest performing cohort of students in the school district on English and mathematics assessments, performing at 105.3 points below the standard in English language arts, compared with 5.9 points above the standard in the general student population and in mathematics, foster youth are 125.4 points below

the standard, compared with 9.1 points below the standard in the general population. Clearly, we need significantly more support for our foster youth.

Elizabeth Estes, founder and director of Breaking Barriers, served as one of the summit’s trainers and organizers. Breaking Barriers is a collaborative of leaders in child-serving systems throughout California, dedicated to creating collaborative planning and problem-solving through interdisciplinary pathways. Estes described the summit’s success: “The education forum was an incredible and unique opportunity to educate children’s experts and advocates regarding the entitlements of our children across our child-serving systems, including education and child welfare. In our siloed infrastructure, this is critical and yet often overlooked work as it allows those who are representing children and families to not only maximize access to the care they require but also to unite so we can align resources in the most effective way possible. Such a forum should be annual and include all of the entitlements

of our children across our child-serving system so those working in the system are educated in these entitlements, and so they can unite to ensure the most comprehensive effective system possible.”

San Francisco school district’s Foster Youth Services Coordinator Shira Andron also played a key role in organizing and training at the summit: “The education summit was such a great opportunity to bring together attorneys and other advocates to build their knowledge of different educational laws and best practices for supporting their clients. There were great speakers and it was a pleasure to present on the educational rights of foster youth. I still get contacted by attorneys who were there or watched it and now know who to reach out to for support. I look forward to doing it again.”

BASF’s Dependency Representation Program has heard these sentiments echoed from a wide range of participants. We look forward to our continued partnership with the court and our well-networked experts to ensure that San Francisco’s court-appointed lawyers have the best tools available to continue the stellar advocacy they provide to our most vulnerable children and families every day in the foster care system.

Jill McInerney is the attorney administrator for BASF’s Dependency Representation Program. She is a Child Welfare Law Specialist, certified by the National Association of Counsel for Children and the American Bar Association and accredited by the State Bar of California, Board of Legal Specialization. Prior to her position at BASF, Jill served as an attorney on BASF’s court-appointed juvenile dependency panel for fifteen years.

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