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For Immediate Release:

Oregon Legislature Passes Bill Promoting School Stability for Foster Children

The Oregon Senate on July 1, 2005, passed House Bill 3075-A with a 25-1 vote. The bill had previously passed the House unanimously. The bill promotes school stability and continuity for children in Oregon's public foster care system and will take effect upon the signature of the Governor.

The bill had strong bi-partisan support in both chambers, including the backing of Republican Reps. Debi Farr and Billy Dalto and Democratic Rep. Steve March in the House and Sen. Kate Brown, D-Portland. Rep. Farr told her colleagues in the House: "Too many of our foster children become disconnected from school. They fail to graduate and to reach their potentials. It's an unnecessary waste."

The centerpiece of the legislation is a new exception to the state school residency statute for children in foster care. Under the bill, the juvenile court can make a finding that it is in a foster child's best interest to remain in the same school after being taken into foster care or moved between foster homes. Such an order from a judge will cause the state school funding for the foster child to continue to flow to the school the child attends, even if the child has moved into a different school district.

Under current law, foster children who move into new school districts generally have to change schools or seek an inter-district transfer, which requires the consent of the two involved school districts. Advocates for the bill said that the transfer process is confusing and inconsistent, and it is cumbersome for children who may move more than once in a school year.

Amendments to the bill adopted by the House Education Committee helped garner support from the Oregon Departments of Education and Human Services.

Various studies show that foster children change schools more often than most children. These studies also show that they face much poorer educational outcomes as a result of mobility and other risk factors.

Two studies released this year – one from the Casey Family Foundation in Seattle and one from the University of Chicago's Chapin Hall Center for Children -- examine the lives of young adults who are exiting or have exited foster care systems. The Casey study followed up on the lives of adults who had spent an average of six years in foster care in Oregon and Washington.

These and other studies show that many foster children lag well behind their peers in academic achievement, graduation rates and higher education. The mobility of foster children was highlighted as a particular problem in the Casey Foundation's "Improving Family Foster Care: Findings from the Northwest Foster Care Alumni Study."

The study showed that 65% of foster care alumni experienced seven or more school changes, including 30.2% who experienced ten or more school changes, from elementary through high school. One of the Casey Foundation recommendations was to reduce the mobility and the number of school changes experienced by children in foster care.

Brian Baker, an attorney at the Juvenile Rights Project in Portland who has represented foster children in court and in school cases for 10 years, said he is thrilled by the passage of HB 3075. Mr. Baker, who helped develop and promote the legislation, said that he finds school mobility to be one of the biggest challenges he faces in advocating for the educational needs of children in foster care.

Mr. Baker explained that children who change schools can lose months of academic progress. “Mobility takes a great toll on foster children, in particular, who may lose as much as six months of academic progress from each school change. Different schools and different districts vary in their curricula and the textbooks they use. Some children miss out on learning basic math and reading skills, which are the building blocks for later learning. Unless they can stay in one place, they may never recoup the skills they will need in high school, in college and in adult life.”

Mr. Baker also noted that some children in foster care lack consistent adult relationships. “Sometimes relationships with teachers or other school staff take on extra significance for this group of children. With this bill, we have removed a major barrier to preserving some of those relationships,” explained Mr. Baker.

The legislation was also supported by Children First for Oregon and the Oregon Foster Parents Association. Don Darland, OFPA president and a foster parent from Scio, said that foster parents are very concerned that children in their care get the educational services they need. He noted, “When a child is not doing well in school, it has an impact on them at home, as well. Foster parents see the frustration children experience when they fall behind and can’t catch up. Keeping children in the same schools when it’s possible to do so just makes sense. I think this law will benefit the children, their foster parents and their schools.”

The bill also directs the Department of Human Services to consider foster homes that can maintain the child’s school placement when they are placing them in foster care. It also directs schools to transfer records more quickly when foster children do have to change schools. Current law requires records be transferred in no more than 20 days. This new law cuts the timeline in half for foster children’s educational records.