



TEXAS CENTER
—★—
FOR THE JUDICIARY

2018 Foster Care & Education Summit

Foster Care and Education: 2008-2018

Kathleen McNaught and Tiffany Roper

July 9, 2018

“Life can only be understood backwards; but it must be lived forwards.” — Soren Kierkegaard



Why Am I Here?



ABA Center on Children and the Law

- **Mission** - To promote access to justice for children and families.
- **Structure** - Nonprofit grant-funded entity in the American Bar Association with team of attorneys and core staff who work on projects across the country unified by two goals:
 - *to improve legal representation, and*
 - *to improve the legal systems that impact children and families' lives.*
- **Approach** - Collaboration and coalition building at local, state and national levels to build the capacity of legal practices and systems that serve children well and to help change those that do not.



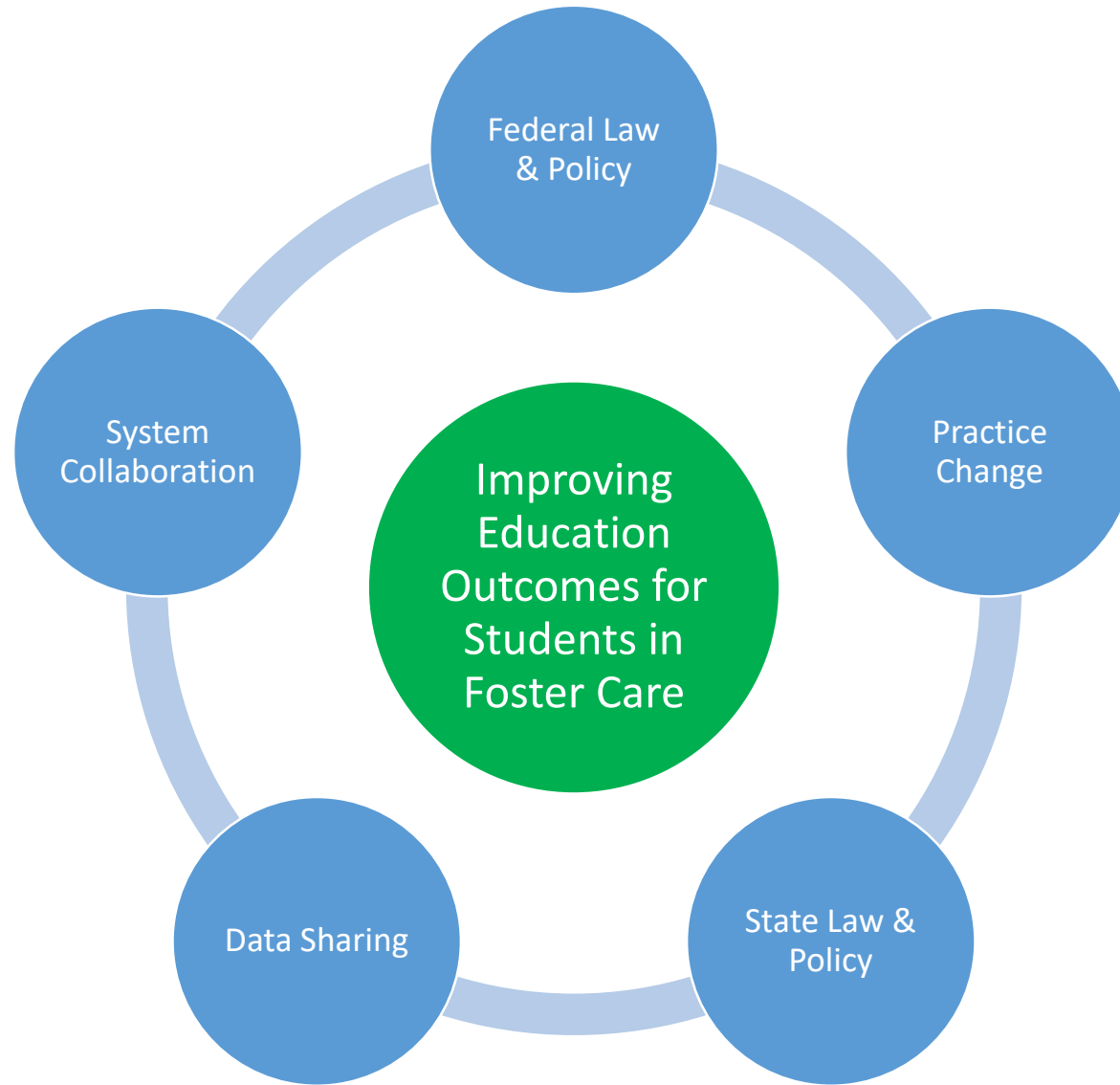
americanbar.org/child



WWW.FOSTERCAREANDEDUCATION.ORG

- Listserv, Training Materials, Webinars, Factsheets and Issue Briefs
- Searchable Database (includes state laws & policies)
- Facilitate Networks: National Working Group/Education Advisory Group
- Provide state and local technical assistance and support

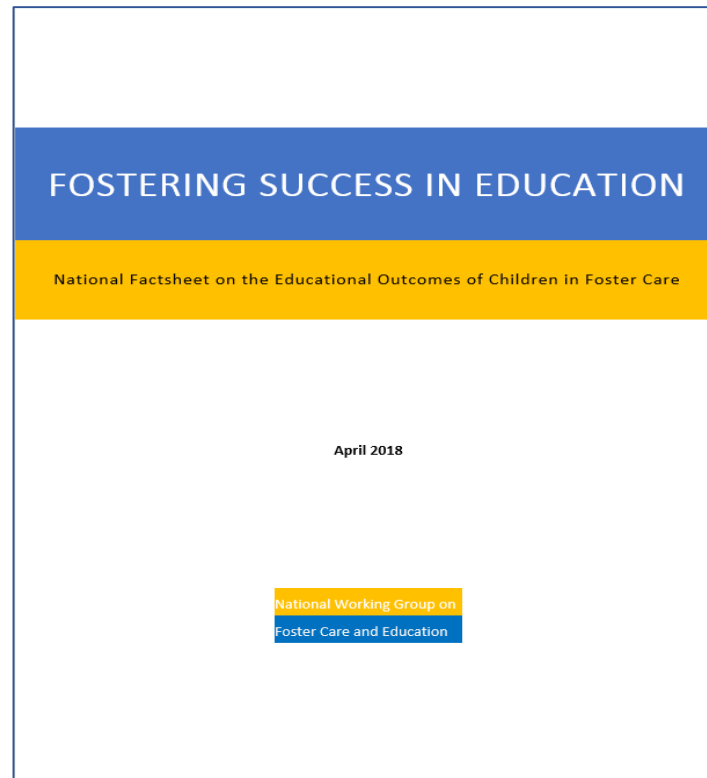




Latest Research Findings

Fostering Success in Education: National Factsheet on the Educational Outcomes of Children in Foster Care

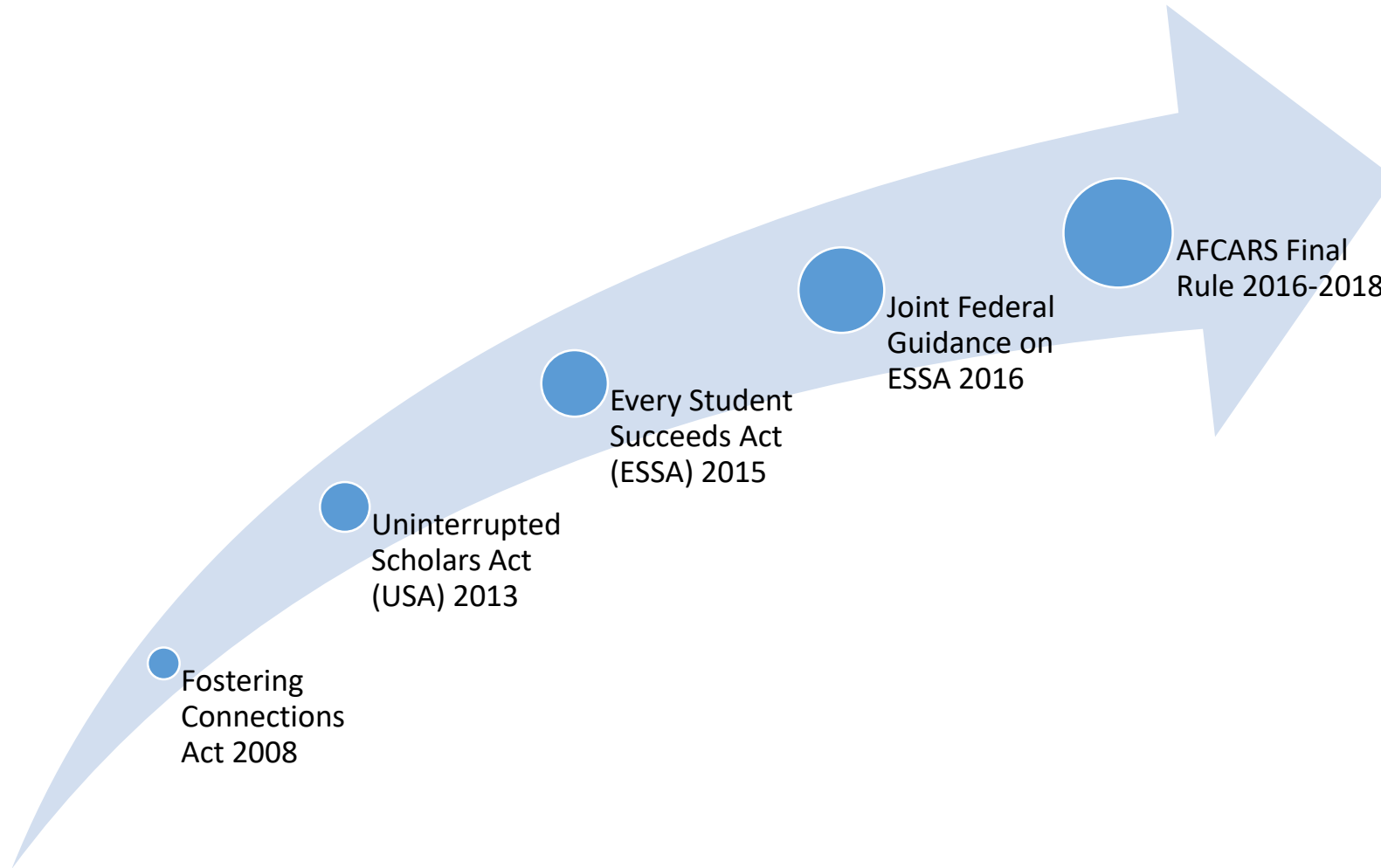
National Working Group on Foster Care and Education (April 2018)

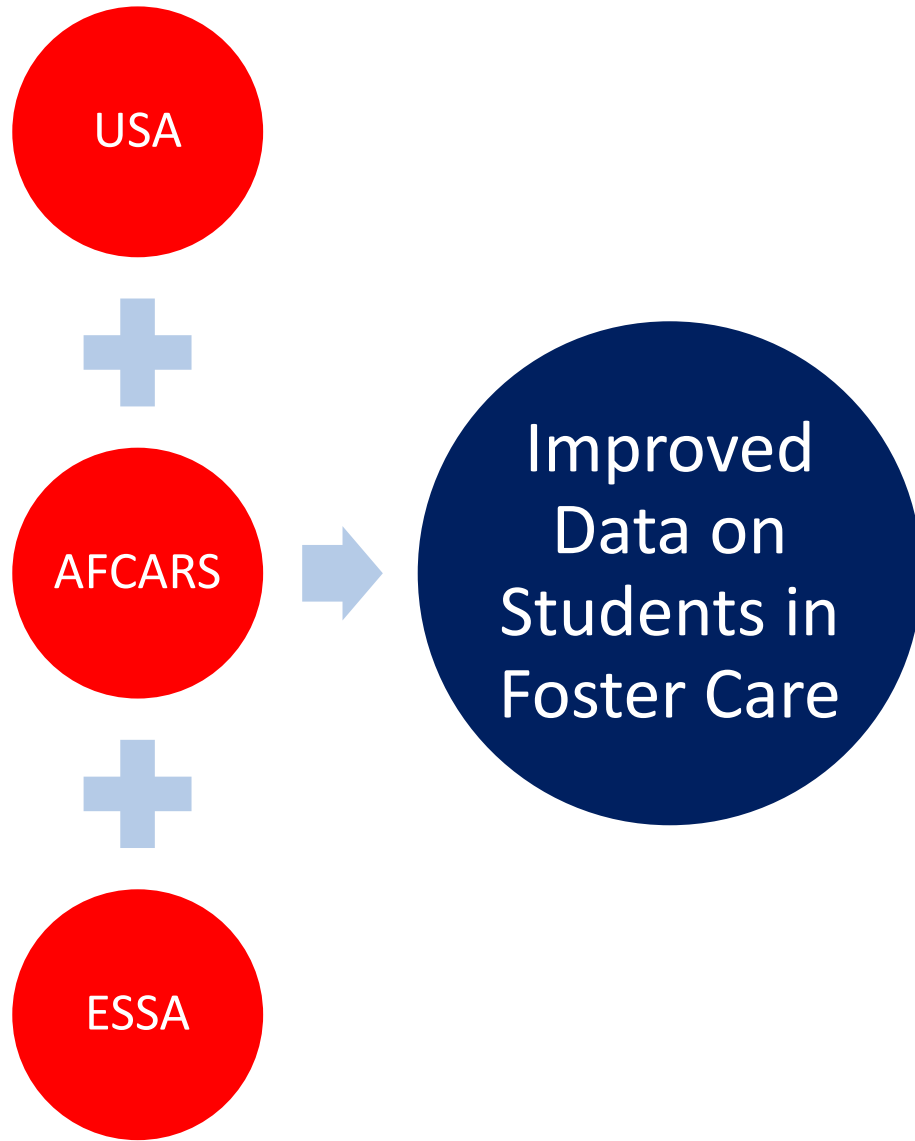


National Datasheet Fast Facts

Educational Experience or Outcome	Findings
School aged children in foster care (5-17)	268,517
% of foster youth w/ 2+ living placements	65%
% of youth who change schools when first entering care	31-75%
% of 17-18 year old who experience 5+ school changes	34%
Likelihood of being absent from school	2x other students
Likelihood of 17-18 year old in care being expelled	3x other students
Reading level of 17-18 year old in foster care	Avg. 7 th grade level (44% HS or higher)
% of foster youth receiving special education services	36-47%
% of 17-18 year old in foster care who want to go to college	70-84%
% of foster youth who complete high school by 21	65%
% of graduated foster youth who enroll in college	32-45%
% of foster care alumni who attain a bachelor's degree	3-11%

A Decade of Federal Law Improvements





Fostering
Connections
Act



Every
Student
Succeeds
Act



Shared
Responsibility
to Support
School
Stability

Texas Decided to Take Action



Our Humble Beginnings



Champions



“Our” Children & Youth



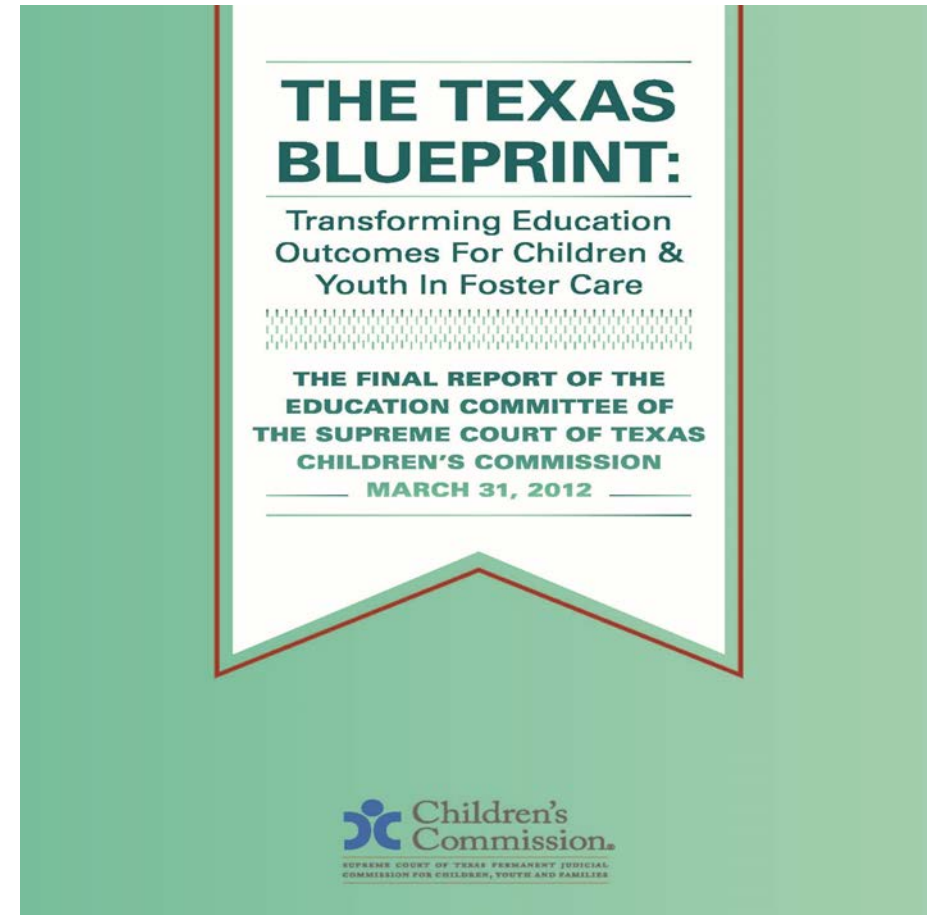
Uniquely Texas

- Our champions increase in number every day
- Laws, laws, laws and policy
- Relationships
- Our Data Story
- A new look at how we do our jobs and how we can better support youth in schools



High-Level Commitment Remains a Constant

- 2010 – 2012
 - Education Committee
- 2012 – 2014
 - Implementation Task Force
- 2015 – present
 - Foster Care & Education Committee



And the Circle Grows Larger

- DFPS Ed Specialists 2006
- LEA Foster Care Liaisons 2009
- ESC Foster Care Champions 2011
- CASA Education Advocacy Toolkit 2014
- Higher Education Champions 2015
- Local Consortia Everyday!

Texas Law and Policy Highlights

- Family Code sections requires courts/ad litem to inquire and know about education
- School stability
- Education decision-maker
- Surrogate parent
- Credit recovery
- Eligibility for pre-K
- Transfer of records
- Provisional enrollment
- PEIMS code to identify children in foster care
- Tuition and Fee Waiver
- Hiring preference for youth formerly in care
- Changes to Apply Texas

Texas Data Story



Ways Texas Has Been A National Leader

- ✓ 2011 Discretionary Grantee
- ✓ Highlighted in national CIP meetings, American Bar Association publications, and numerous other national conferences
- ✓ Texas Blueprint used as model for other state judicially lead collaborations
- ✓ Highlighted in Federal joint guidance released in 2016
- ✓ Will be featured in US Department of Education webinars in summer and fall of 2018

PRESENT DAY: Celebration of Texas Successes

- ❖ First, and one of only a few, court lead, state level collaborations in the country
- ❖ One of only a few states that has documented 10 years of thoughtful attention, efforts and progress to improve education outcomes for children in care
- ❖ Ongoing agency commitments at the Children's Commission, TEA and DFPS (among many other state agencies and leaders) to maintain staffing, policies and practices to support the work
- ❖ Partners who understand the importance of data, and commit time, energy, and resources to ensuring data is matched, analyzed, and used to guide the work.
- ❖ Tremendous leadership and commitment on the part of the Permanent Judicial Commission to lead this effort and devote staff and resources to continue to address key issue areas through committee and sub-committee work

Looking to the Future



This Photo by Unknown Author is licensed under CC BY-NC-ND

It's a Marathon; Not a Sprint!



National Landscape for the Future

- Glimmers of hope in some of the data—but continued poor outcomes means more work must be done
- Ten years of progress has created more opportunities to focus on the issue of improved education stability and success for children in care—we cannot overlook or miss those opportunities for continued advances
- Data will play a critical role in future efforts—changes to AFCARS and implementation of ESSA data requirements
- Data sharing at the local level will become critical to comply with state data requirements and tracking and accountability of new policies and practices

The Sky is the Limit!



Where Do We Go From Here?

- We are here to support YOU move forward!



Don't Lose Sight of the Forest Through the Trees!





Contact Information

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Department of Family and Protective Services

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Thank you for attending this presentation!



TEXAS CENTER
FOR THE JUDICIARY

2018 Foster Care & Education Summit

Postsecondary Opportunities

Jackie Davis, Dr. Monica Faulkner,

Hon. Katrina Griffith, and Lorena Knight

July 9, 2018

Foster Care and Higher Education Data





THE ROAD TO COLLEGE

TEXAS FOSTER YOUTH & POST-SECONDARY EDUCATION

Presented by
Monica Faulkner, PhD, LMSW

 The University of Texas at Austin
Texas Institute for
Child & Family Wellbeing
Steve Hicks School of Social Work

COHORT OF YOUTH WHO WERE EVER IN CARE

All children who had ever been in foster care

All children who had ever been in foster care who turned 18 between 2008-2009

N= 4,035

Allows us time to calculate

4 year graduation

6 year graduation



2008

2009

2013

2016

147 No SSNs
33 Duplicate SSNs

Limitations of cohort

1. Not all youth “aged out” of foster care
2. Youth may have only been in care for a short period of time
3. Not all youth qualify for a waiver

The following analysis includes 3,855 youth who were ever in foster care & who would have turned 18 in FY 2008-2009. (Not all youth would have qualified for the waiver)

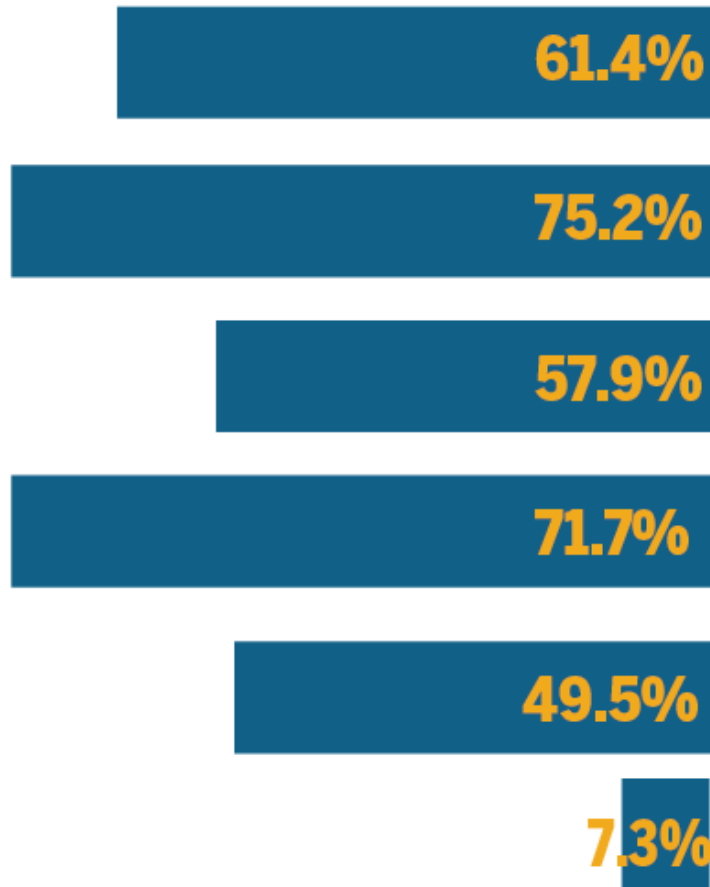
HIGHER EDUCATION ENROLLMENT

33% of former foster youth have **enrolled** in **higher education** within 7 years of turning 18.

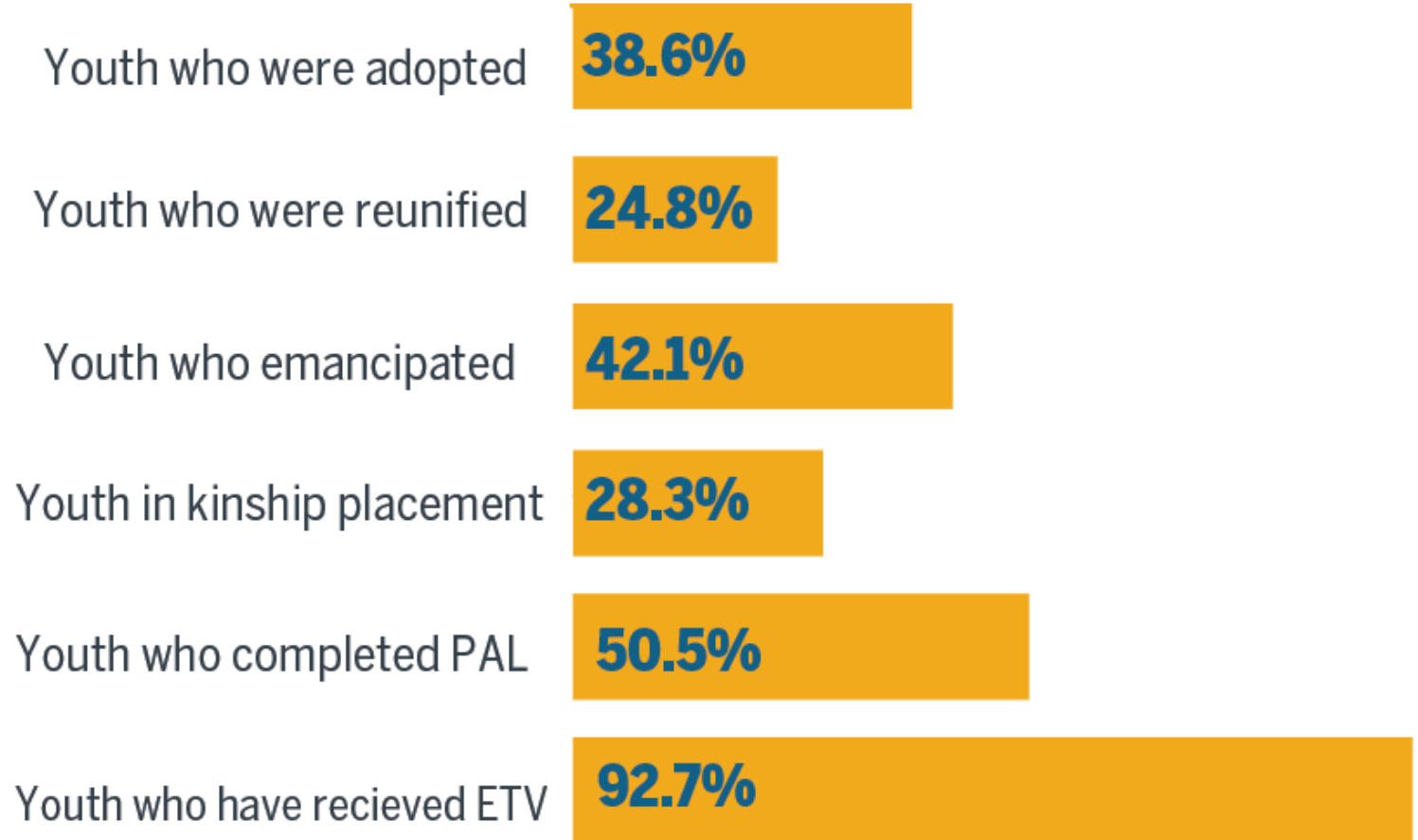
56% of high school graduates **enrolled in 2/4 year institutions** in 2009.

CHARACTERISTICS OF THIS COHORT OF YOUTH WHO WERE EVER IN FOSTER CARE

Youth who have not enrolled in higher education



Youth who have enrolled in higher education



DAYS IN CARE

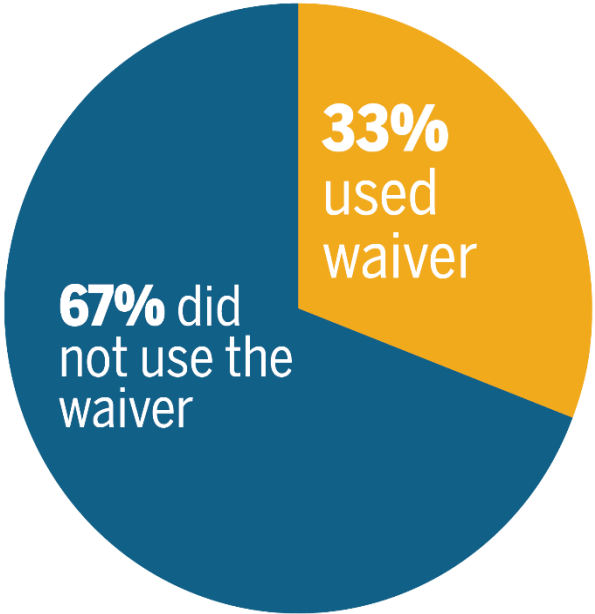
of youth who have enrolled,
youth had an average of:
1,405.3 days in care
5.32 placement changes

of youth who have not enrolled,
youth had an average of:
1,095.1 days in care
5.35 placement changes

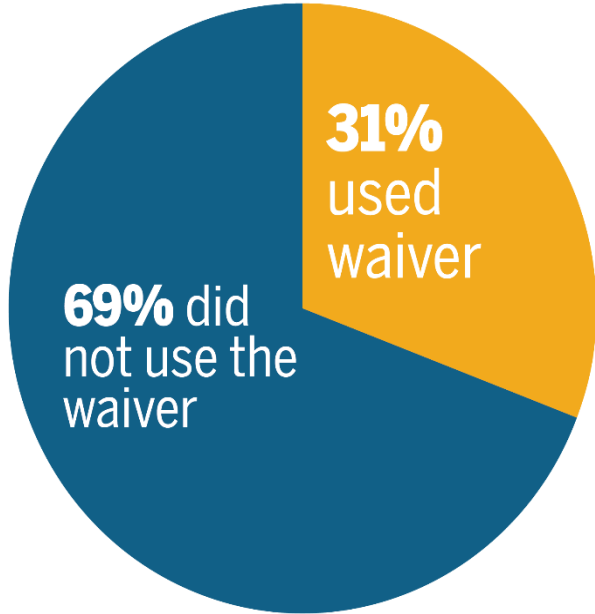
Youth who were in care longer were
● **more likely to enroll** in higher
education. ●

ENROLLMENT & WAIVER USE

“Traditional College Cohort:” Youth who graduated HS and enrolled in 2009



Youth who enrolled sometime after the Fall of 2009



*not all who enrolled would have been eligible for waiver

HOW MANY YOUTH GRADUATE?



1.5% of former foster youth have a **bachelors degree**

0.5% of former foster youth have an **associate degree**

1.5% of former foster youth have a **certificate**

96.4%
have not obtained
a degree.

Other studies have shown 2-3% of former foster youth obtain a bachelors degree

Post-Secondary Supports on Campus



HIGHER EDUCATION LIAISONS



Texas Higher Education Foster Care Liaisons

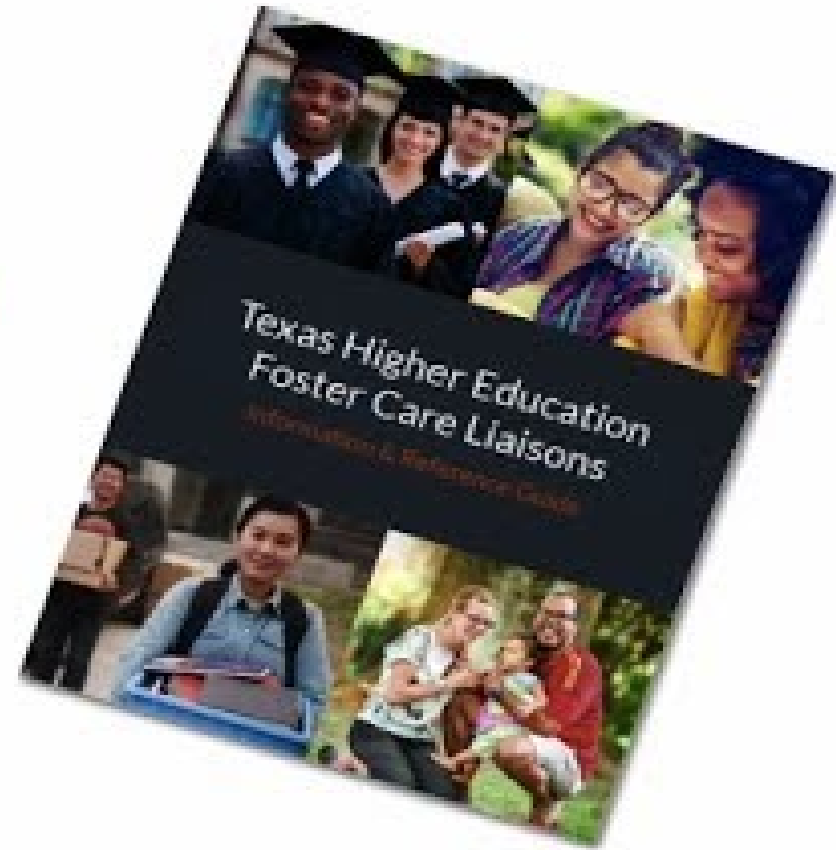
Information & Reference Guide

Under Texas Education Code (TEC) Section 51.9356, each institution of higher **education must appoint at least one employee to serve as a liaison for students formerly in the conservatorship of the Texas Department of Family and Protective Services**

College for All Texans has list of liaisons



To find out how you can help foster youth thrive in higher education, check out this comprehensive guide on providing resources & support.



CAMPUS PROGRAMS

- Nationally, there is interest in campus programming
 - Michigan has a thriving program
- Some campuses have targeted programming
 - Early examples include FACES at Texas State, PUSH at University of North Texas
 - More programs are popping up
 - Programs usually emerge from Social Work faculty and/or student services departments
 - Programs provide a variety of supports: emergency financial, help with navigation, comradery
- Education Reach for Texas
- Challenges – Financial Support, Information Sharing

Points of Contact – Higher Education

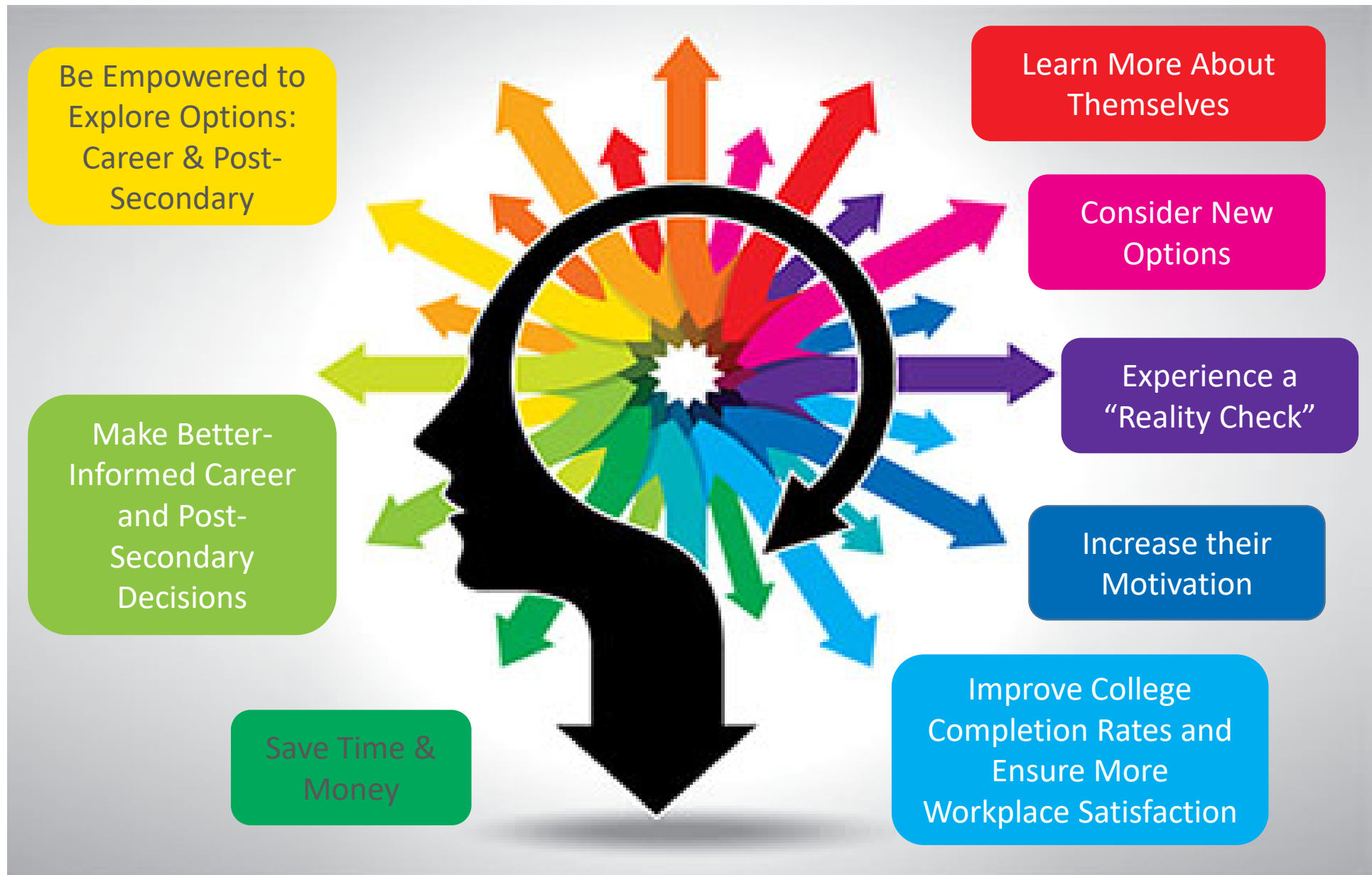
- Higher Education Foster Care Liaisons
 - <http://www.collegeforalltexans.com/apps/financialaid/tofa2.cfm?ID=429>
- THECB Liaison
 - Natalie Coffey - natalie.coffey@thecb.state.tx.us
- Regional PAL staff
 - https://www.dfps.state.tx.us/Child_Protection/Youth_and_Young_Adults/Preparation_For_Adult_Living/PAL_coordinators.asp

TWC Career Education Resources



LMCI Can Help Your Students

...



Texas Career Check:

<http://www.texascareercheck.com/>

- Explore careers options
 - By endorsement
 - By career cluster
 - By hot jobs
 - By career interest assessment
- Explore colleges/universities
- Play a game



HOME

EXPLORE CAREERS ▾

EXPLORE EDUCATION ▾



LEARN MORE!



EXPLORE



CAREERS

EXPLORE



EDUCATION

Follow Texas Workforce Commission

Enter your email address



[Feedback](#) [FAQ](#)

Use the Search Bar to Tie Jobs to Talents



The screenshot shows the top navigation bar of the Texas Career Check website. On the left is the logo, which consists of a blue star with a green checkmark inside, followed by the text "TEXAS Career Check". To the right of the logo is a search bar containing the text "Search Texas Career Check" and a close button "X". A large yellow arrow points from the left towards the search bar. Below the navigation bar are three menu items: "HOME", "EXPLORE CAREERS" with a dropdown arrow, and "EXPLORE EDUCATION" with a dropdown arrow. The main content area features a large photograph of a young boy in a wheelchair sitting in a library. To the right of the photo is a purple box with the text "What's New?" and "Coming Soon!" followed by a list of updates: "- High School Graduation Plan" and "- Pop a Job!". Below this is a blue box with the Texas Workforce Commission logo and the text "Brought to you by: Texas Workforce Commission". At the bottom right is the LMCI logo, which includes a star and the text "LMCI Labor Market and Career Information".

Texas Reality Check:

<http://www.texasrealitycheck.com/>

- Great for \$\$-motivated students
- Great for undecided students
- Career exploration
- Lifestyle options lead exploration

Will you be able to afford the lifestyle you want?

It's difficult to predict the future, but it's never too early to start planning for it. Our tool will show you how much your living expenses will cost, and the amount of money you will need to earn to pay for them.



It's time for a Reality Check.



Lifestyle Calculator

- ✓ Walk through expenses you'll incur each month
- ✓ Decide how much to spend on your lifestyle
- ✓ Determine your minimum salary needs
- ✓ Explore occupations that earn the salary you'll need

Start Your Reality Check



Occupation Calculator

Choose an occupation, then review your expenses to see if its salary can support your lifestyle.

Get Started

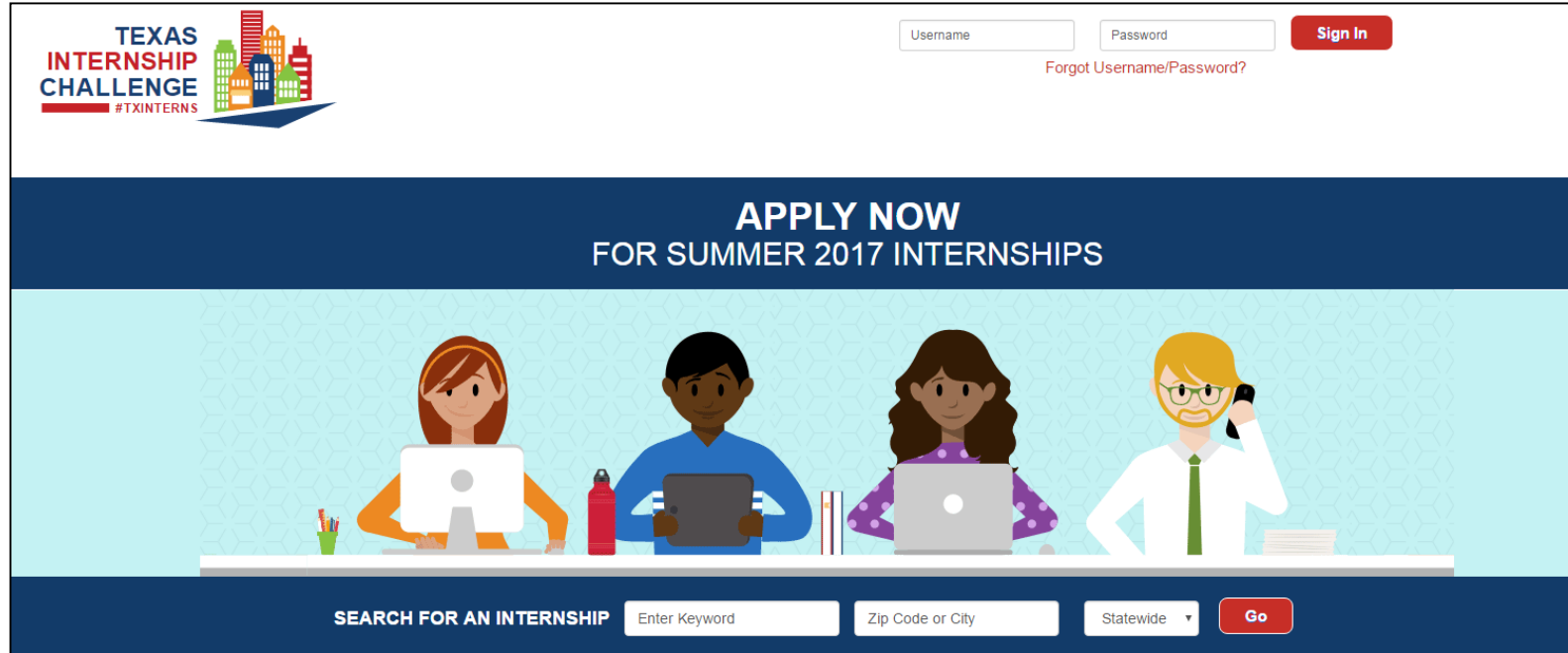


Quick View Calculator

Skip the guided tour & quickly tally up your expenses to compare costs with different occupations.

Get Started

Texas Internship Challenge



A campaign to increase internships
for Texas students

Benefits of Registering

Employers prefer candidates with internship experience.

60% of employers prefer relevant work experience.

Students gain a competitive advantage through internships.

73% of interns are offered a full-time position.



**TEXAS
INTERNSHIP
CHALLENGE**
#TXINTERNS

Apply Today!
TXInternshipChallenge.com

Workforce Systems Support Desk

Phone: 512-463-4210

wfsupportdesk@twc.state.tx.us



TXInternshipChallenge.com

Publications & Alternative Tools We Recommend for Career Exploration Help



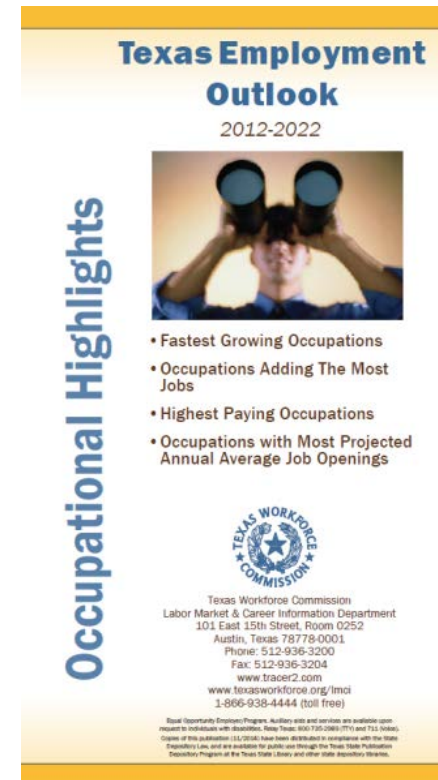
- Telephone Hotline
- Print Publications
- Classroom Poster Sets
- Publications that provide
 - Projections
 - Soft Skill Help
 - College Selection Guidance
 - HB 5 Endorsement Help
 - College Readiness Info

Career Hotline:

- 1-800-822-PLAN (7526)
- 24/7 automated line
- Get career or college information
 - 3 careers
 - 3 colleges/universities
 - Can call more than once
 - Anyone can call
- Counselor Packets

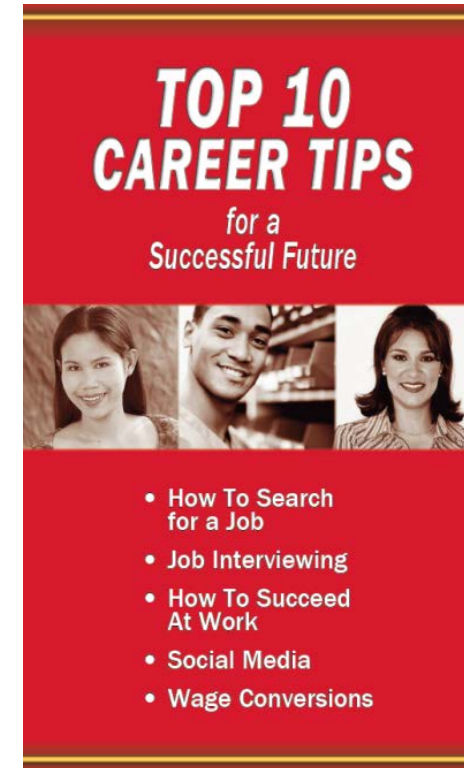
Occupation Outlook Handout

- State Occupation Projections
- Projections through 2024
- Top 30 jobs in several categories:
 - ❑ Fastest growing occupations
 - ❑ Adding the most jobs
 - ❑ Most job postings
 - ❑ Highest paid occupations



Top 10 Career Tips:

- How to find a job
- How to get the job
- How to keep a job
 - ❑ Employability skills
 - ❑ What employers want
 - ❑ Be an asset not a liability
 - ❑ Social Media Tips





Meet the
TWC
Education
Outreach
Team

3 Specialists Available Currently



Malisa Barnes

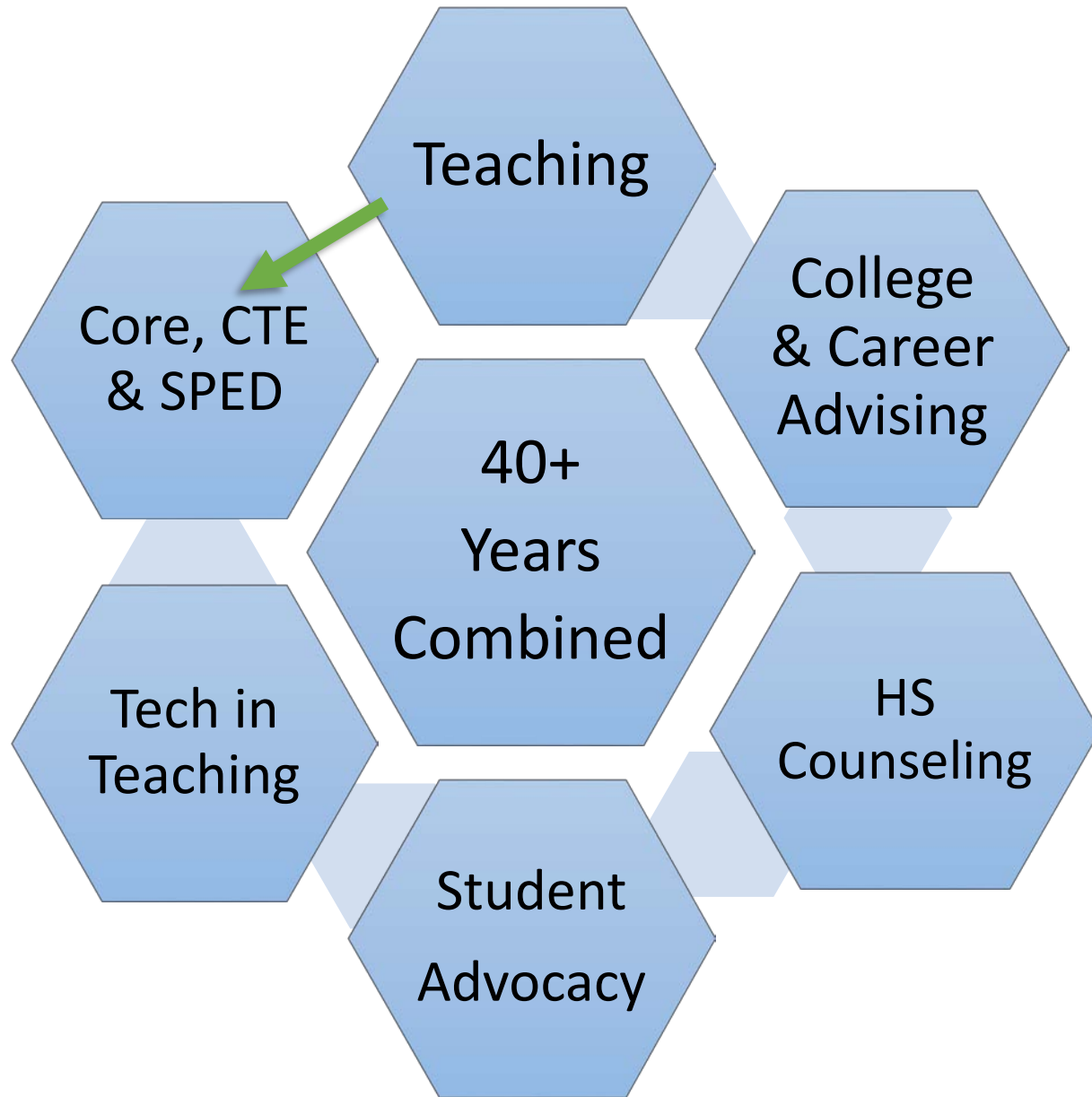


Micah Carpenter



Lori Knight

careerinformation@twc.state.tx.us



Our Collective Experience

Our Services



Presentations



Resource Demo



PD Sessions



Career Fair Table



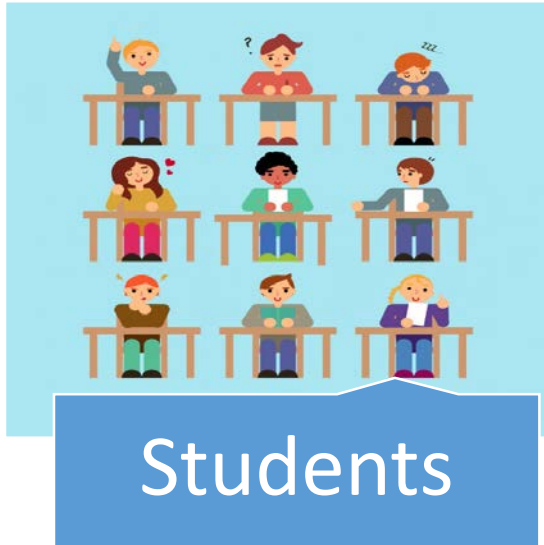
Resource Showcase



Selfie Photo Booth

And more . . .

Our Audiences



- ★ Administrators
- ★ Policy Makers

- ★ CTE Faculty & Staff
- ★ Education Partners

And more . . .

Sample Topics

Exploring
Careers

What
Employers
Want

Career
Fit

Navigating
Our Tools

VR
Resources

Exploring
After-HS
Options

Soft
Skills

Alternative
Pathways

Career +
Education
Connection

Foster
Youth
Resources

Local LMI

Partnering
with
Workforce

Using LMI
Data

Interview
Skills

Doing
What
You Love

Career
Assessments

And
more . . .

Flexibility in All We Do

Participation
Type

Audience

Venue

Content

Time Constraints



Invitation Requests

Information We MUST Have to Obtain Travel Approval



Date



Participation Type



Time



Presentation Topic



Physical Location



Expected to attend

#AdultingUpTX



Contact Us

www.lmci.state.tx.us

careerinformation@twc.state.tx.us

#AdultingUpTX

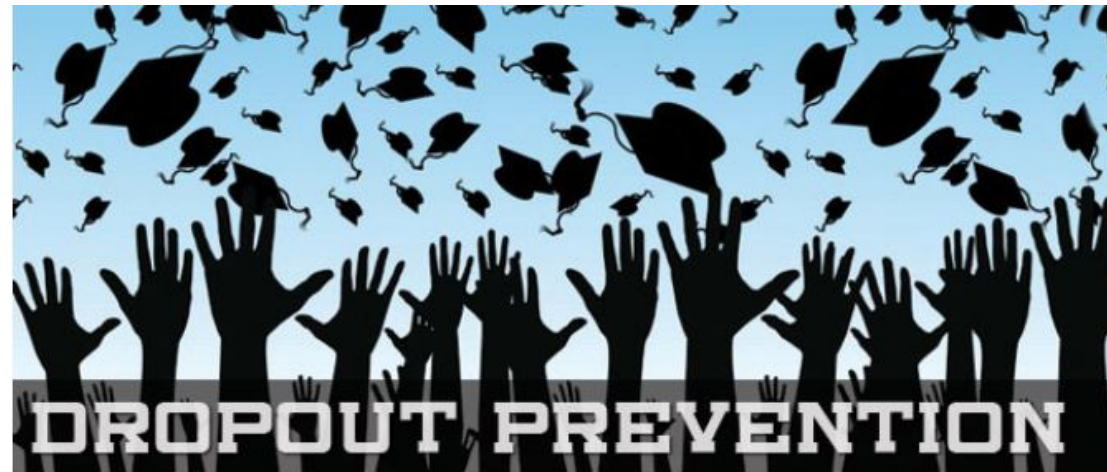
TWC Foster Care Initiatives



Foster Youth Education Pilot

Dropout prevention and recovery services to current and former foster care youth.

Provides pathways to post-secondary education and work.



Pilot Runs 08/17 - 06/19

- Approx. \$1,500,000 in Temporary Assistance for Needy Families (TANF) funds are identified for the program
- 4 Grant recipients in pilot



Texas Statewide Foster Youth Conference

Support the multi-agency Foster Youth Initiative to increase the partnership between:

- Transition Centers
- Workforce Development Boards
- Community Colleges
- Schools, and
- Industry



Conference Topics

- Foster youth perspective on successful transition support
- Training on Labor Market & Career Information tools
- Coordinating local services, focusing on the perspectives of staff in the field





Resources



- WD 43-11 Priority of Service for Eligible Foster Youth
 - Executive directive to prioritize foster youth for workforce center services (2011/Currently in review for 2018 update)
 - <http://www.twc.state.tx.us/files/partners/43-11.pdf>
- WD 38-11 Change 1 MOU with DFPS to Serve Foster Youth
 - Executive directive to establish MOUs and formal partnerships with DFPS (2011)
 - <http://www.twc.state.tx.us/files/partners/38-11c1.pdf>



Resources



- WD 31-04 Coordination of Services to Foster Youth
 - Executive directive to inform local workforce boards about the needs of foster youth (2004)
 - <http://www.twc.state.tx.us/files/partners/31-04.pdf>
- TAB 274 Coordination of Services to Foster Youth
 - Technical and interpretive details regarding implementation of 38-11 and 43-11 (2016)
 - <http://www.twc.state.tx.us/files/partners/tab-274-twc.pdf>

Related Laws



Tuition and Fee Waiver

- Available at any Texas state supported institution of higher education;
- For eligible students formerly in foster care, reunified, and adopted;
- Lifetime benefit;
- As long as the student enrolls in at least one college or dual credit;
- Before turning 25.

Texas Education Code §§ 54.366, 54.367

Education & Training Voucher

- Under federal law, eligible youth entitled to up to \$5,000/year to cover education-related expenses (i.e. college related expenses including rent, books, utilities, childcare, computers, personal expenses).

42 U.S. Code § 677

Extended Foster Care

- Federal law (Fostering Connections Act) allows a youth to voluntarily remain in foster care after their 18th birthday.
- Youth ages 18 –21 must meet certain requirements such as staying in school, working, or participating in a job training program.
- Supervised independent living (SIL) allows a youth to live in residential foster care in a more independent setting (e.g. college dorm).

See Texas Family Code Ch. 263, Subch. G

Creating a College Going Culture



Creating a College Culture from the Bench

- Frequent Permanency Hearings After Final Order for High School (PAL DOCKET)
- Small Dockets allow for personalization
- Feed the body to feed the mind



Supporting Educational Needs and Goals

- Ask them
- Teach them
- Create a Plan
- Repeat

what
are
your
goals?



Local SIL Programs in Colleges

- Engage an established local SIL
- Set meeting between College Leaders and SIL
- Engage Larry Burgess at DFPS State Office

Contact Information

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www.iamjackiedavis.com

Hon. Katrina Griffith

Judge

CPS Project Court

Katrina_Griffith@Justex.net

Dr. Monica Faulkner

Director

TX Institute for Child & Family

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2018 Foster Care & Education Summit

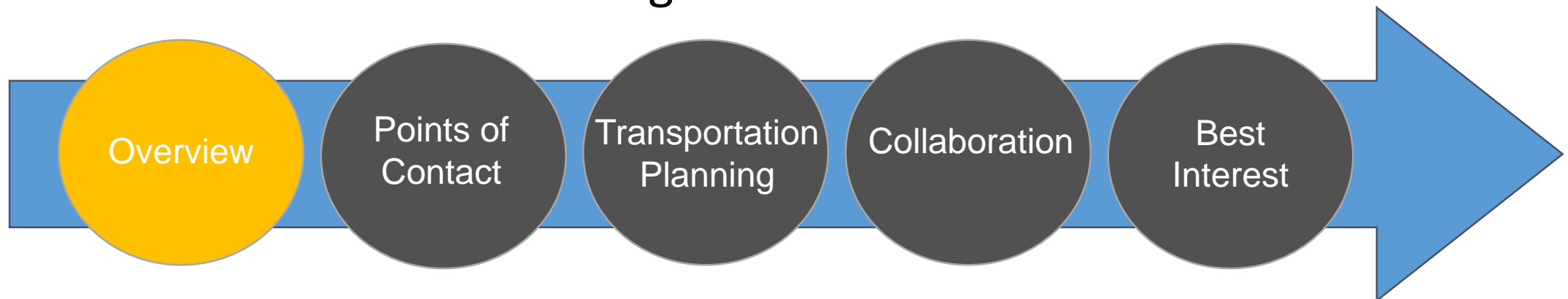
Every Student Succeeds Act

Kelly Kravitz, Felicia Penn, Don Schmidt, and Jasmine Wightman

July 9, 2018

Agenda

- Overview of ESSA for Foster Care
- Points of Contact
- Transportation Planning
- Collaboration
- Best Interest Decision Making



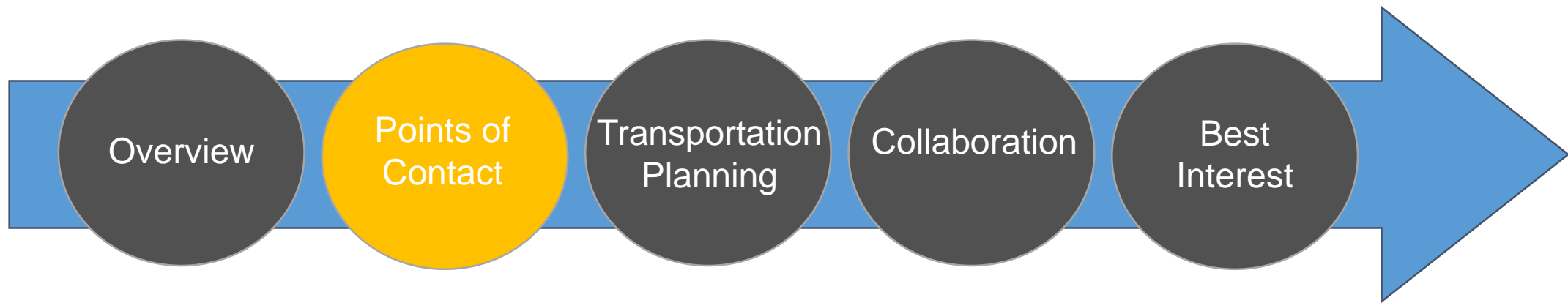
ESSA for Foster Care

- New requirements for points of contact and transportation
- Collaboration and coordination
- Published data



TEA Support

- Increased capacity and focus on serving highly mobile students.
- Dedication of additional resources
- Comprehensive data and trends report
- Data sharing
- Expanded resources
- ESSA State Plan
- Collaboration with TASB Resources



How to Look up Your Education Point of Contact

- AskTED
- www.tea.texas.gov/FosterCareStudentSuccess/liaisons/

The screenshot shows the AskTED search interface. At the top, there is a navigation bar with links for TEA Home, TEA District Locator, TEA Index A-Z, and TEA Divisions. Below this is the AskTED header and a menu with options: Home, Search by, Quick District Lookup, Reports and Directories, Search RESCs, Administrative Logon, and Help.

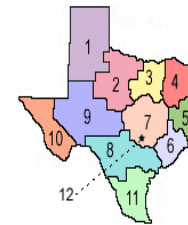
The main search area is titled "Search by Region" and includes a "Search Criteria" section. The "Regions:" dropdown menu is open, showing options for REGION 1, REGION 2, REGION 3, REGION 4, and REGION 5. The "Information Type:" section has radio buttons for "Organization" and "Personnel". The "Include School Principal(s):" and "Include District Superintendent(s):" checkboxes are unchecked. The "Include Other District Roles:" checkbox is checked. The "Select Roles:" dropdown menu is open, showing a list of roles including AT-RISK/DROPOUT PREVENTION, BILINGUAL/ESL, CFO/BUSINESS MANAGER, CHILD FIND CONTACT, CURRICULUM, FOSTER CARE LIAISON, HUMAN RESOURCES, and NCLB/FEDERAL PROGRAMS.

Red circles highlight the following elements: the "Personnel" radio button, the "Include Other District Roles:" checkbox, the "REGION 3" option in the "Regions:" dropdown, and the "FOSTER CARE LIAISON" option in the "Select Roles:" dropdown. A note on the right states: "Note: To make multiple selections, hold down the" (likely the Ctrl key).

How to Look up Your CPS Point of Contact

- To view a list of CPS regional education specialists and service program administrators:
- www.dfps.state.tx.us/ChildProtection/StateCare/education.asp

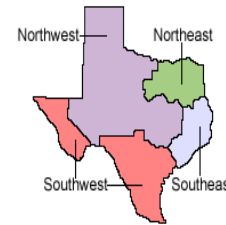
DFPS Regions



Browse by Region

1-Lubbock	Home	Locations
2-Abilene	Home	Locations
3-Arlington	Home	Locations
4-Tyler	Home	Locations
5-Beaumont	Home	Locations
6-Houston	Home	Locations
7-Austin	Home	Locations
8-San Antonio	Home	Locations
9-Midland	Home	Locations
10-El Paso	Home	Locations
11-Edinburg	Home	Locations
12-State Office		Locations

DFPS CCL Districts



Browse by CCL District

Northwest	Home	Locations
Northeast	Home	Locations
Southeast	Home	Locations
Southwest	Home	Locations

DFPS APS Districts



Browse by APS District

Northwest	Home	Locations
DFW	Home	Locations
East Central	Home	Locations
Houston	Home	Locations
South	Home	Locations

[In which region and district is my county located?](#)

TASB FFC(REGULATION)

District Foster Care Liaison

The District foster care liaison is a District employee who facilitates the enrollment in or transfer to a public school of a student in the District who is in the conservatorship of the state. The District's foster care liaison is considered the designated point of contact for collaboration with DFPS on transportation procedures.

The District has designated the following staff person as the District foster care liaison in the TEA AskTED system:

Name: _____

Position: _____

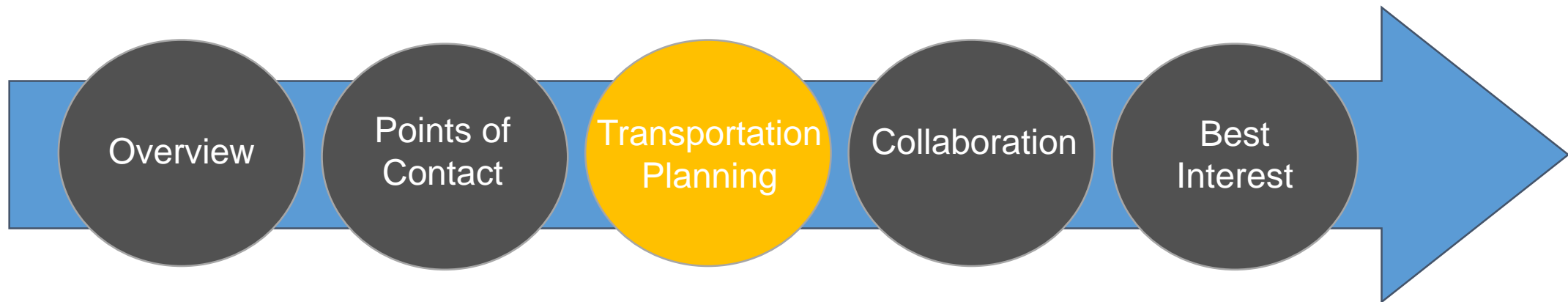
E-mail: _____

Address: _____

Phone number: _____

Points of Contact – Effective Strategies

- Communication with CPS Regional Education Specialist
 - Call
 - Email
 - Arrange a meeting/staffing/conference
- Communication with school district Foster Care Liaisons



Written Transportation Planning

- Procedures for planning
- Funding
- Opportunities for coordination

Collaborative Planning

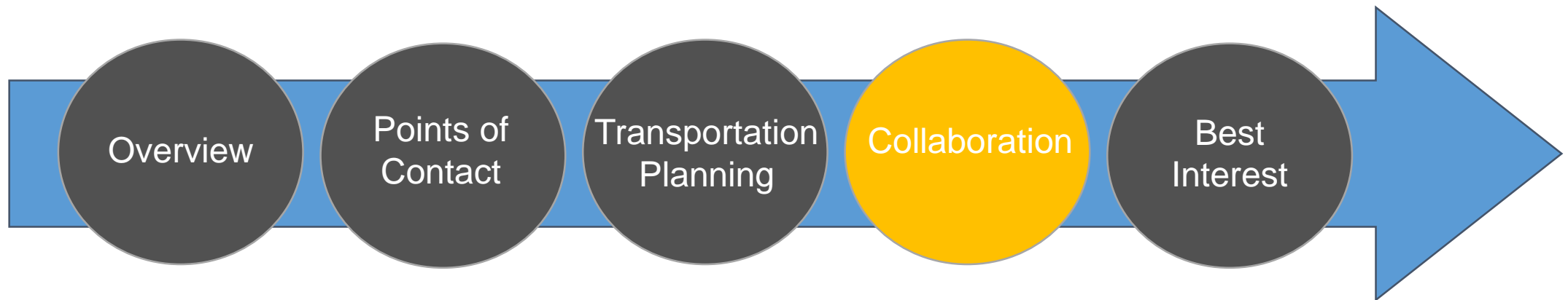
1. Average number of students in your LEA? Is this number increasing or decreasing from the previous year?
2. Are students remaining in their schools of origin within your community?
3. How many students reside in a foster home in a different LEA but still attend school in your LEA?
4. What type of placement setting exist in your LEA (kinship, caregiver, foster homes, emergency shelter, residential treatment center, other)
5. What patterns do you observe regarding school mobility and student entering/exiting schools within your community and LEA?

Best Practices and Helpful Examples

- Communication between two districts
- Collaboration with CPS
- What's required?

Individual Transportation Plan Template

- **TASB FFC EXHIBIT B**
 - Daily and alternative transportation plan
 - Additional costs
 - Cost estimate
 - Afterschool activities

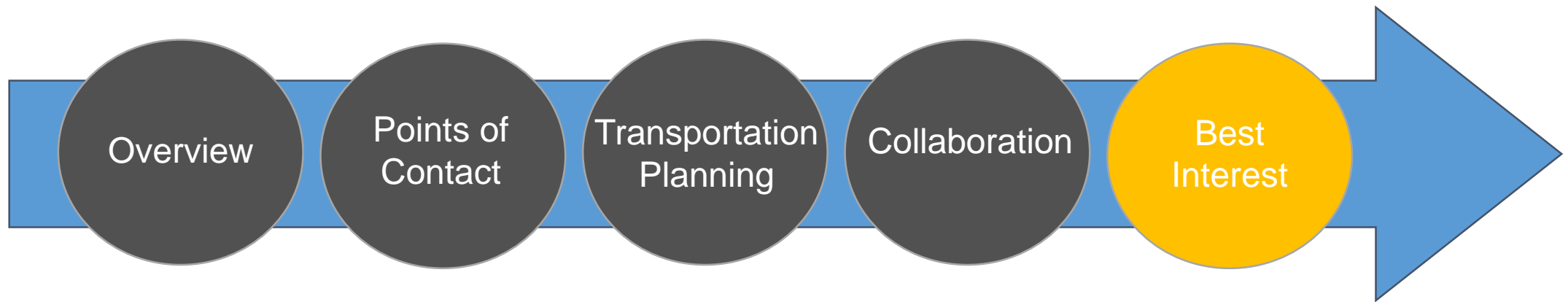


Collaboration

- Local consortiums, trainings, and workshops
- Cost-sharing
- Examples and scenarios

Collaborative Planning

- School communication with the regional education specialist, caseworker and/or caregiver
- Information sharing to support best-interest decision-making



Education Best Interest Decision-Making

- Collaboration examples and scenarios
- Smooth transitions
- Best interest considerations form, TASB Guidance

Education Best Interest Decision Considerations

- How is the child currently performing in school?
- Does the child have strong interpersonal relationships, connections, and support networks (e.g. friends, coaches, mentors, etc.)?
- What extra-curricular activities, academic programs, and interventions is the child participating in?
- Where is the student in the academic calendar year, academic testing window, grading period, etc.? (*critical for course completion, continuity of instruction, on-time promotion, and graduation*)
- Attendance factors, including numbers of absences and tardies.
- Distance from school to placement.
- What are the resources and services provided at either school? Do they meet the child's academic and non-academic needs?

FFC Exhibit A

- Best Interest Decision Making Form
 - Student Preferences
 - Academic Factors
 - Social Emotional Factors
 - Conclusion

TASB Resources

- Policies
 - FD, CNA
- Regulations and Exhibits
 - FFC
- Contact your district's Policy Services contact!

FFC(REGULATION) - STUDENT WELFARE: STUDENT SUPPORT SERVICES

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[Determining Additional Costs](#)

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TEA Resources

- TEA website
 - School District Liaisons
 - Laws and Guidance
 - State Efforts
 - Collaboration
 - Child Protective Services
 - Information and Resources
- www.tea.texas.gov/FosterCareStudentSuccess/

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2018 Foster Care & Education Summit

Special Education

Denise Brady and Heather Reisman

July 10, 2018

Presentation Overview

- Education Decision-Making
- Special Education
- Information Sharing
- School Discipline
- Transition Planning
- Key Education Provisions
- Additional Resources

Education Decision-Making



Education Decision-Maker

- Makes day to day education decisions (ex: field trip).
- Required for all children and youth in conservatorship.
- Using Form 2085-E, DFPS must name and include contact information for Education Decision-Maker, Surrogate Parent (if applicable), Caseworker, and Supervisor.
- DFPS must file Notice of EDM with the court. Form 2085-E must be provided to the school within 5 days of any change.

Tex. Fam. Code § 263.004

- Per contract, providers must bring Placement Authorization Form (Form 2085) and Form 2085-E to the school at the time of the child's enrollment and at the beginning of each school year.

DFPS Form 2085-E

Revised September 2015



DESIGNATION OF EDUCATION DECISION-MAKER CHILD PROTECTIVE SERVICES (CPS) - PERMANENCY

Purpose: DFPS must ensure that this form is provided to the court and the child's school under Texas Family Code [§263.004](#) within five days of the Adversary Hearing. DFPS must inform the court of any changes in the Education Decision-Maker or Surrogate Parent, if applicable, in the next permanency hearing report. DFPS must provide the updated information to the school no later than five days after any changes in the Education Decision-Maker or Surrogate Parent, if applicable.

Directions: To complete this form, fill in all applicable fields. For additional questions, contact your Regional Education Specialist. DFPS staff may not appoint a surrogate parent. DFPS staff may only list the name of the surrogate parent appointed by the court or the school.

SECTION 1: AUTHORITY TO MAKE EDUCATION DECISIONS

The Texas Department of Family and Protective Services (DFPS) is authorized by court order as provided in the Texas Family Code [§153.371](#) to make education decisions on behalf of the following child currently in the conservatorship of DFPS.

Child's Full Name:	Child's DFPS IMPACT Person ID:	Child's Medicaid Number:
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Date of Birth:	County:	Court Number:	Cause Number:
----------------	---------	---------------	---------------

DFPS delegates to the following individual(s) (hereinafter referred to as the Education Decision-Maker) the education decision-making responsibilities on behalf of the child as described in this form. **Note: A representative of DFPS may be named as a primary and and/or backup Education Decision-Maker.**

Designated primary Education Decision-Maker (and spouse, if applicable):	Date of designation:
--------------------------------------------------------------------------	----------------------

Email:	Telephone Number(s):
--------	----------------------

Backup Education Decision-Maker:	Date of designation:
----------------------------------	----------------------

Surrogate Education Decision-Maker for special education decisions:	Date of designation:	Designated by:
---------------------------------------------------------------------	----------------------	----------------

	<input type="checkbox"/> Court
	<input type="checkbox"/> ISD

Email:	Telephone Number(s):
--------	----------------------

SECTION 2: SPECIAL EDUCATION RIGHTS AND RESPONSIBILITIES — IF APPLICABLE

Federal and state law authorize the individual who is acting in the role of the child's parent or who is appointed by the school or the court to be the "surrogate parent" for the child to exercise the rights and responsibilities as outlined by the Individuals with Disabilities Education Act and state law and rule. The individual is usually the foster parent or daily caregiver, but may be a Court Appointed Special Advocate or other individual with knowledge of the child. In some cases the biological parent may retain the right to make certain special education decisions.

The law does not allow a DFPS staff person, school district staff, or anyone employed to provide care or treatment for the child to act as the parent or surrogate for special education decision-making. A foster parent is not considered a person employed to provide care for the child.

At age 18, the rights of the parent to make education decisions are transferred to the child, except for the child with a disability who has been determined to be incapacitated under state law.



Who is Considered a “Parent” Under IDEA?

- Biological or adoptive parent,
- Foster parent unless prohibited by state law,
- Legal guardian (not the state),
- Person acting in place of a parent and who the child lives with (can be non-relative),
- Person legally responsible for the child, or
- Surrogate parent (Ex: a child in foster care is placed in RTC).

34 C.F.R. § 300.30(a)

Requirements for Surrogate Parents

- District must make “reasonable efforts” to ensure assignment of a surrogate parent not more than 30 days after the need arises.
- Criteria for selection:
 - NOT a school district employee or any agency involved in care or education of the child (DFPS, TJJD, State Supported Living Center, RTC, etc.).
 - No personal or professional interest that conflicts with the interests of the child.
 - Has knowledge and skills to ensure adequate representation of the child.

Requirements for Surrogate Parents

- Represents the child in all matters relating to:
 - Identification, evaluation, placement, and
 - Provision of FAPE to the child.

34 C.F.R. § 300.519; Tex. Educ. Code § 29.015

- The court may appoint a surrogate parent for a child in foster care.

34 C.F.R. § 300.519(c); Tex. Fam. Code § 263.0025

Duties of Surrogate Parent Under Texas Law

- A surrogate parent must:
 - Complete a training program for surrogate parents,
 - Visit the child and the child's school,
 - Consult with persons involved in the child's education, including teachers, caseworkers, court-appointed volunteers, guardians ad litem, attorneys ad litem, foster parents, and caretakers,
 - Review the child's educational records,
 - Attend the child's ARD committee meetings,
 - Exercise independent judgment in pursuing the child's interests, and
 - Exercise the child's due process rights under state and federal special education law.

Tex. Educ. Code § 29.001(10)

CASA as a Surrogate Parent?

- Under Texas law, a CASA volunteer may serve as surrogate parent if:
 - The child is under the conservatorship of DFPS,
 - CASA volunteer is the child's guardian ad litem,
 - The foster parent is not acting as the child's parent under Section 29.015 of the Texas Education Code, and
 - The CASA completes a surrogate parent training program.

Tex. Fam. Code § 107.031(c)

Special Education



IDEA Eligibility

- To be eligible, the student must have a qualifying disability and because of that disability need special education and related services.

IDEA Eligibility

- These disabilities include:

- Intellectual disabilities
- Hearing impairments, including deafness
- Speech or language impairments
- Visual impairments, including blindness
- Serious emotional disturbance
- Orthopedic impairments
- Autism
- Traumatic brain injury
- Other health impairments
- Specific learning disabilities

20 U.S.C. § 1401(3)

IDEA Purpose

- To ensure that all children with disabilities have available to them a free appropriate public education (“FAPE”) that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living.

20 U.S.C. § 1400(d)(1)(A)

- Applies to all public schools, including open-enrollment charter schools.

20 U.S.C. § 1413 (a)(5)

Entitlement and FAPE

- IDEA guarantees that all students with disabilities age 3 through 21 have the right to FAPE. 21 means 21 at the beginning of a school year. Thus, a 22 year old student can often be served in a district.
- The right to a FAPE ends when a student graduates with a regular high school diploma. FAPE is still required for students who have received a certificate of attendance or a certificate of graduation that is not a regular high school diploma.

20 U.S.C. § 1412; 34 C.F.R. § 300.102(a)(3)

- School districts deliver FAPE by providing “special education services” and “related services.” They are required to do so in all settings including RTCs, hospitals, jails, juvenile facilities, etc.

Child Find

- IDEA’s “child find” mandate imposes an affirmative duty on every school district to:
 - identify,
 - locate, and
 - refer for evaluation
- Each student residing in the district who is suspected of having a disability and, because of that disability, requires specially designed instruction in order to access the general curriculum.

20 U.S.C. §§ 1401(3) and 1412(a)(3)

Admission, Review, and Dismissal (ARD) Committee

- Members of Committee:
 - Parents (or surrogate parent)
 - Student, whenever appropriate,
 - Representative of school district knowledgeable about special ed services,
 - 1+ special ed teacher or provider,
 - 1+ regular ed teacher (if student is or may be in regular ed classes), and
 - Someone who can interpret evaluations.

34 C.F.R. § 300.321; 19 Tex. Admin. Code § 89.1050

ARD Committee's Purpose

- Primary duties of a student's ARD committee include:
 - Determining eligibility for special education;
 - Developing the student's IEP;
 - Reviewing and revising the IEP, at least annually.

34 C.F.R. § § 300.306; 300.324;
Tex. Educ. Code § 29.005;
19 Tex.Admin. Code § 89.1050

ARD Meeting

- Meets at least annually to develop student's individualized education program (IEP).
- Parent/surrogate must receive 5+ school days notice of meeting, unless waived, and school must attempt to work with parent's schedule.

ARD Process

- School districts must actively seek parent participation at all ARD committee meetings.
- A parent may request an ARD committee meeting at any time.
- Committee decisions must be reached by consensus; state law does not allow the committee to reach decisions by majority vote.
- If the ARD committee cannot agree on the substance of the IEP, the parent is offered an opportunity to recess and reconvene.
- If, upon reconvening, the parties still disagree, the school district must implement the IEP that it determines to be appropriate for the student.

Tex. Educ. Code §29.005(b); 19 TAC 89.1050

Dispute Resolution

- The IDEA requires the state education agency (TEA) to offer dispute resolution options to assist with disagreements over eligibility and the special education and related services offered to a student.
 - These include:
 - Mediation,
 - State complaint investigation, and
 - Due process hearings.

34 CFR § §300.151-153; 300.506-518

Contents of the IEP

- The IEP is the written statement developed by the ARD committee of the student's education program that contains certain components, including:
 - Present levels of academic achievement and functional performance;
 - Statement of goals;
 - Method of measuring progress;
 - Special education, related services, & supplementary aids/services;
 - Participation in general education class and activities;
 - Accommodations for assessments;
 - Time, place, and duration of services;
 - Transition services;
 - Transfer of rights at age of majority

20 U.S.C. §§ 1414(d)(1)(A) and (d)(6)

Model IEP Form

- State law requires TEA to post a model individualized education program (IEP) form.
- It provides a helpful guide to what must be included in a student's IEP.
- Available online at:
 - https://tea.texas.gov/Academics/Special_Student_Populations/Special_Education/Programs_and_Services/IEP_Model_Form/

Least Restrictive Environment (LRE)

- School districts must ensure that students with disabilities, including students in public or private institutions or other care facilities, are educated with their peers who are not disabled to the extent appropriate.
- School districts must offer a continuum of alternative placements, including instruction in:
 - regular classes;
 - special classes;
 - special schools;
 - home instruction; and
 - instruction in hospitals and institutions.

20 U.S.C. § 1412(a)(5); 19 Tex. Admin. Code § 89.63

IEP and School Transfer

- If a child with an IEP transfers to a new school district in Texas within the same school year, the new district must provide FAPE to the student until the new district:
 - Adopts the child's IEP from the previous school district; or
 - Develops, adopts, and implements a new IEP that meets the applicable federal requirements.

34 C.F.R. §§ 300.320-300.324

§504 v. Special Education

- §504 requires accommodations for students' disabilities, regardless of whether they have an educational need for special education.
- To be eligible a student must have a physical or mental impairment that substantially limits a major life activity.
- There is no funding that comes with §504.
- There is no standard for what a §504 plan looks like, though one must exist.
- §504 teams meet on an annual basis, similar to ARD committees.

See 29 U.S.C. § 794

Information Sharing



Confidentiality - Education

- Under the Uninterrupted Scholars Act of 2013 amendment to the Family Educational Rights and Privacy Act, schools can disclose records to child welfare agency representative without parental consent.

42 U.S.C. § 1232g(b)(1)(L)

Confidentiality - Child Welfare

- When necessary to meet a child's needs, DFPS staff and providers may share child information with those responsible for the child's:
 - protection,
 - diagnosis,
 - care,
 - treatment,
 - supervision, or
 - education
- Case by case decision. "Need to know."
- Share minimum amount needed.

Confidentiality –Child Welfare

- Information generally appropriate for CPS to share with school personnel:
 - 2085 Placement Authorization and 2085-E Designation of Education Decision-Maker forms.
 - CPS caseworker and supervisor contact information.
 - Fact that the student is in DFPS care.
 - Important documents needed for enrollment or services.
 - Vision & hearing evaluations.
 - Medications administered during the school day.
 - Medicaid eligibility/number.
 - Information for transition planning.

Confidentiality – Child Welfare

- Okay to share if it relates to the child’s care and needs in the educational setting:
 - Medical, disability, or health information.
 - Psychological evaluations (redacted).
 - Behavior supports used in the home.
 - Juvenile justice information.
 - Information about the impact of abuse or neglect history when related to school behavior (effects of trauma and triggering events).

Confidentiality – Child Welfare

- Information that should never be shared:
 - Reporter name or identity.
 - The fact that the child was adopted.
 - Alcohol or substance abuse history and treatment.
 - Biological or foster family income.

School Discipline



Federal Law Protections

- Under IDEA, removal means more than 10 consecutive school days OR a pattern (because removals total 10+ days/year, the behavior is substantially similar, and removals are close in time).

20 U.S.C. § 1415(k)

- School must:
 - Notify parent of disciplinary decision and give them a copy of their procedural safeguards on the same day the school decides to take the disciplinary action; and
 - Assemble parents and relevant ARD members for a manifestation determination.

Disciplinary Removals

- In all disciplinary removals, schools “consider” the following:
 - Self-defense,
 - Intent or lack of intent at the time the student engaged in the conduct,
 - A student ’s disciplinary history, or
 - A disability that substantially impairs the student ’s capacity to appreciate the wrongfulness of the student’s conduct.

Tex. Educ. Code § 37.001(a)(4)

- Exclusionary discipline only available in certain circumstances below Grade 3.

Tex. Educ. Code § 37.005(c)

Manifestation Determination

- The school district, the parent, and relevant members of the ARD committee must decide if the student's conduct:
 - Was caused by, or had a direct and substantial relationship to the student's disability, or
 - Was the direct result of the school's failure to implement the student's IEP.
- If yes: The student's conduct is a manifestation of the student's disability and the school must:
 - Conduct a functional behavioral assessment (FBA) (unless one has already been conducted),
 - Implement a behavior intervention plan (BIP), and
 - Return the student to his prior placement.

20 U.S.C. § 1415; Tex. Educ. Code § 37.004

- **EXCEPTION:** Even if conduct was a manifestation, if the behavior involved drugs, weapons, or substantial bodily injury, the student can be placed in a DAEP for up to 45 days.

Education Services During Suspension or Expulsion

- A district may be required to provide FAPE during suspensions and expulsions.
- If the removal is less than 10 days, the school is only required to provide the same services it provides to non-IDEA students.
- If the removal is for more than 10 days then the school must provide services.
 - The services provided don't have to be exactly the same services but the school must enable the child to continue to participate in the general curriculum.

20 U.S.C. § 1415

Transition Planning



What are transition services?

CPS

- Coordinated set of activities
- Assists youth in DFPS conservatorship
- Includes PAL supports (e.g. life skills class, workforce readiness)
- To transition from foster care to independent living

Special Education

- Coordinated set of activities
- Based on the individual needs of a student with a disability
- Focus on improving the academic and functional achievement
- To facilitate movement from school to post-school activities

At what age is a student's transition plan first developed?

CPS

- Age 14; OR
- The age of the youth upon entering conservatorship if the youth is older than 14

Special Education

- No later than 14; OR
- If the student is not eligible before 14, when the student becomes eligible for special education

At what age is transition planning no longer required?

CPS

- Once the youth or young adult exits foster care

Special Education

- Once the student is ineligible for special education

How is the transition plan developed?

CPS

- Transition Plan attached to youth's plan of service
- Developed at a Permanency Conference, Circles of Support, or Transition Plan meetings

Special Education

- Individual transition plan (ITP) is a component of the student's IEP
- Developed at the admission, review, and dismissal (ARD) committee meeting

Who participates in developing the transition plan?

CPS

- The youth determines who should be invited
- May include:
 - Youth
 - Caregiver
 - Education Decision-maker and/or surrogate parent
 - Biological parents, siblings, extended family
 - Other caring adults who can provide support
 - Attorney, guardian ad litem

Special Education

- Student (as appropriate)
- Parents
- Regular education teacher (s), Special education teacher(s) or provider(s) (as appropriate)
- District representative
- Individuals with knowledge or special expertise re: student (at discretion of parent and district)
- Individual to interpret evaluations

What information is included in the transition plan?

CPS

- Personalized at the direction of the youth. Includes specific information regarding:
 - Housing
 - Health insurance
 - Education
 - Local opportunities for mentors and continuing support service
 - Workforce supports and employment services

Special Education

- Outlined in TEC § 29.011
- Includes appropriate:
 - Postsecondary education options, including preparation for postsecondary-level coursework
 - Functional vocational evaluation
 - Employment goals and objectives
 - Independent living goals and objectives

Transitions-Best Practices

- Collaborate and Coordinate
- Start early
- Engage youth and caregivers
- Be realistic
- Meet regularly
- Share information and documents, while respecting privacy
- Recognize individual student needs and goals
- Add informal pre-planning to formal meeting structure
- Use resources efficiently

Other Key Education Provisions

Excused Absences

- Student in care excused, including travel, if activity:
 - Ordered by court under Texas Family Code Chapters 262 or 263 (if not practicable outside of school hours), or
 - Required under DFPS service plan.
- If excused, must be allowed reasonable time to make up school work.

Tex. Educ. Code § 25.087
- Per contract, Providers must schedule therapy, visitation, and other appointments outside of school hours whenever possible.

Award of Credit

- School districts must make credit by examination available, at any point during the school year, to students who are homeless or in foster care.

19 Tex. Admin. Code § 74.24

- School districts must award credit proportionally to a student who is homeless or in substitute care who successfully completes one semester of a two semester course.

19 Tex. Admin. Code § 74.26

Additional Resources



Helpful Links

- Children's Commission
 - <http://texaschildrenscommission.gov/our-work/foster-care-education/>
- Department of Family & Protective Services
 - https://www.dfps.state.tx.us/Child_Protection/State_Care/education.asp
 - https://www.dfps.state.tx.us/PCS/Residential_Contracts/contract_forms.asp
- Texas Education Agency
 - <https://tea.texas.gov/FosterCareStudentSuccess/>
 - https://tea.texas.gov/Academics/Special_Student_Populations/Special_Education/Special_Education/

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2018 Foster Care & Education Summit

Behavior, School Discipline, and Trauma

Clynita Grafenreed, Shelley Williams, and Mary Young

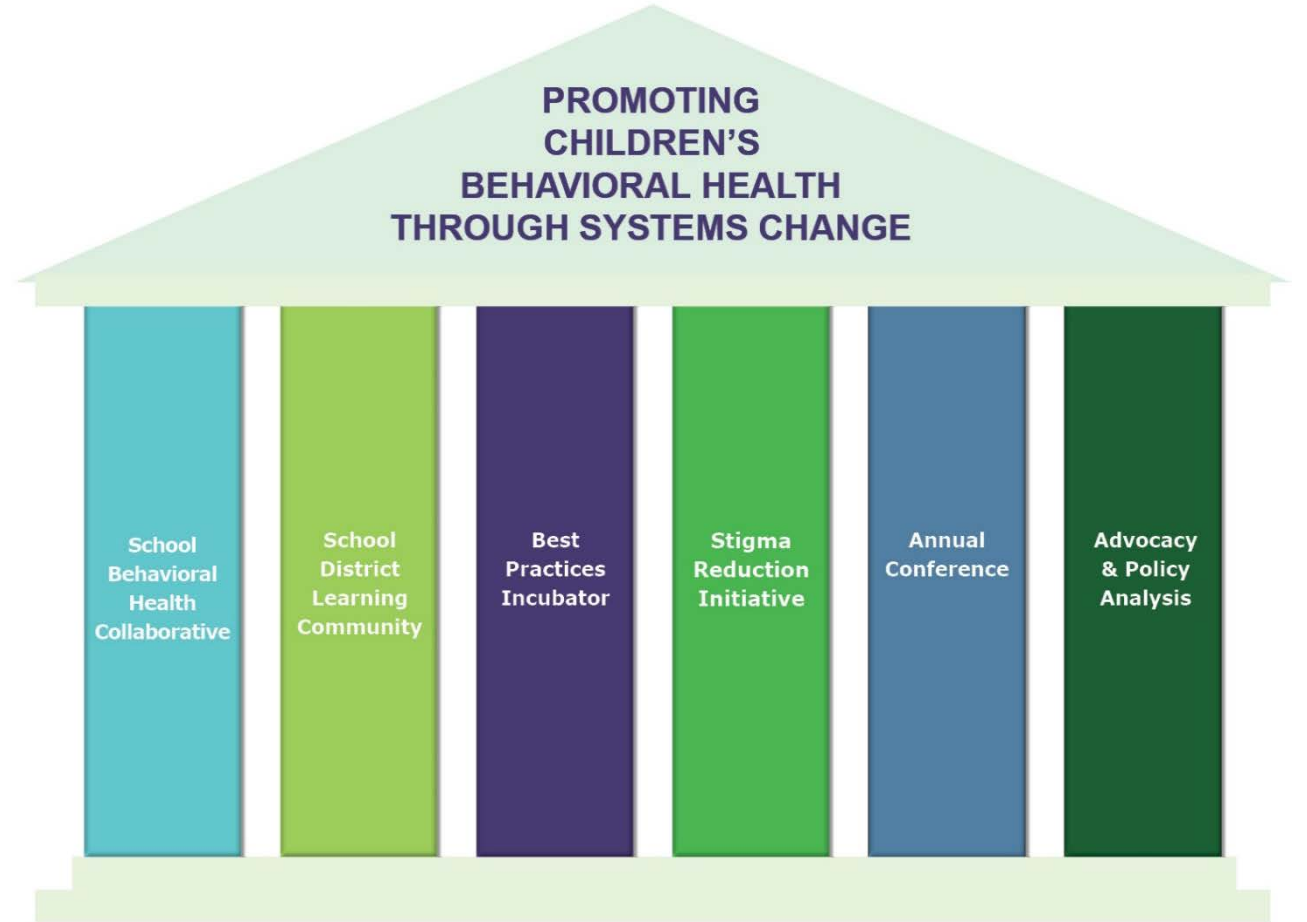
July 10, 2018

School Based Mental Health





CENTER FOR | **MENTAL HEALTH AMERICA
OF GREATER HOUSTON**
SCHOOL BEHAVIORAL HEALTH



What's happening?

“. . . an ever increasing problem of **elementary school age** children with **out of control** behaviors **so severe** that they are currently being sent to a NeuroPsychiatric Center **via ambulance** because they are **destroying classrooms** and **attacking teachers**. The number of teens sent to the District Alternative Education Program for drug and alcohol abuse has continued to increase. The current drugs of choice include **Xanax and heroin**. One teen tried to **hang herself** in the bathroom at the alternative school. Teachers, police officers and nurses report that **self-cutting** is on the rise. The district-wide School Health Advisory Council **unanimously identified mental health as the number one health issue needing to be addressed in the district.**”

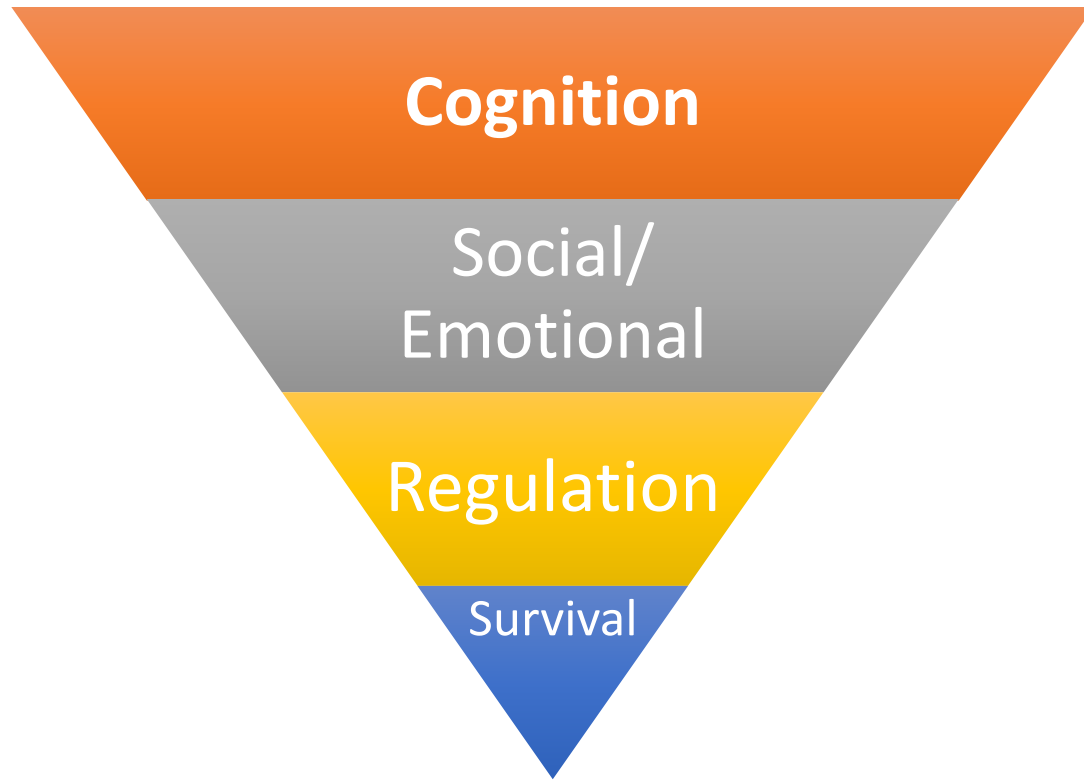
All children face some mental health problems/issues, including:

- Anxiety about school performance
- Problems dealing with parents & teachers
- Unhealthy peer pressure
- Common developmental, adjustment problems
- Fears about starting school
- School phobia
- Dealing with death or divorce
- Feeling depressed or overwhelmed
- Drug or alcohol use
- Suicidal ideation
- Worrying about sexuality
- Facing tough decisions
- Considering dropping out of school

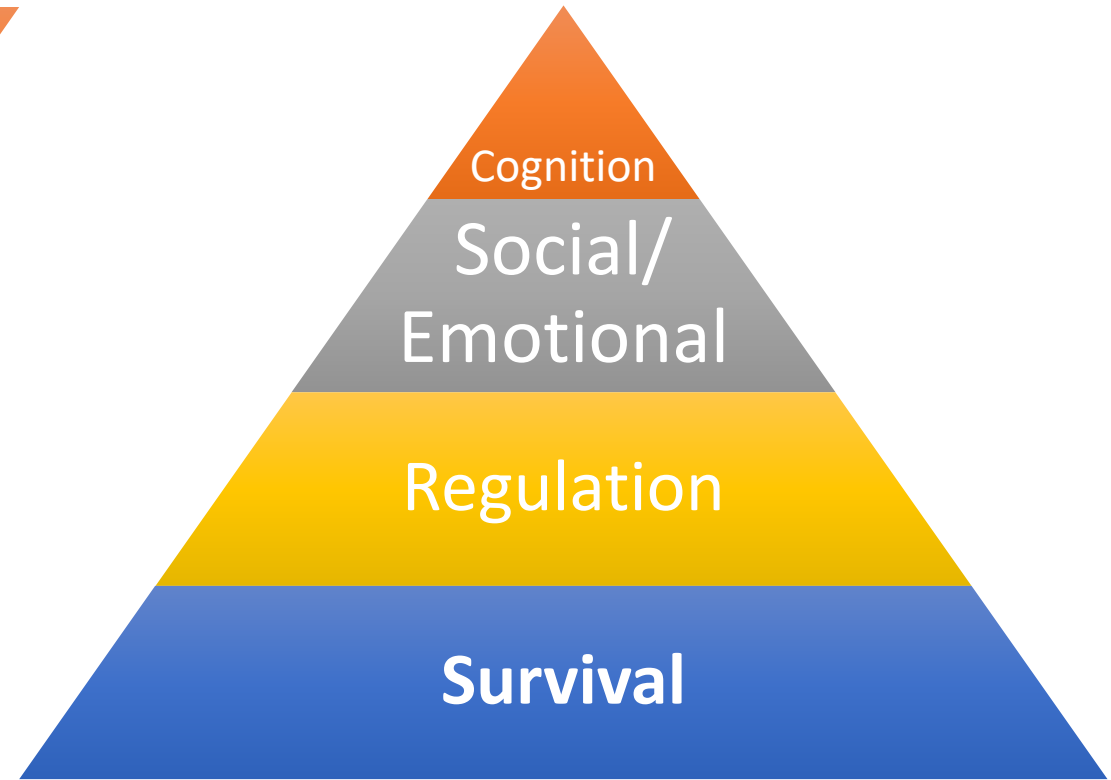
- **50%** of lifetime cases of mental illness **begin by age 14**
- **71%** of children **referred to Juvenile Probation** have a diagnosable **mental illness**
- **2/3** of U.S. children **have experienced one or more traumatic incidents** in their lives

2003 Texas Juvenile Probation Commission

Typical Development



Developmental Trauma



The kids who need the most love will ask for it in the most unloving ways!

Adapted from Holt & Jordan, Ohio Dept. of Education

Of students who DO receive mental health services, over 75% receive those services in schools



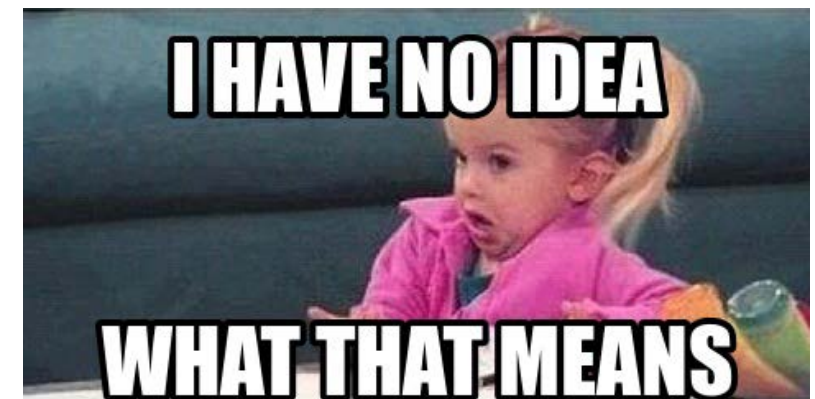
(Duchnowski, Kutash, & Friedman, 2002; Power, Eiraldi, Clarke, Mazzuca & Krain, 2005; Rones & Hoagwood, 2000; Wade, Mansour, & Guo, 2008)

What is the continuum of “School Mental Health” Services?

- **Universal prevention services** provided to all students that seek to promote positive mental health and educational success
- **Targeted prevention and intervention services** that seek to improve social-emotional skills and behaviors linked to positive mental health and educational success
- **Intensive intervention services** that seek to help students effectively cope with social-emotional and behavioral issues that impact positive mental health and educational success

Acronyms

- **PBIS:** Positive Behavioral Interventions and Supports
- **Restorative Justice**
- **CIS:** Community In Schools
- **SEL:** Social and Emotional Learning
- **CBITS:** Cognitive Behavioral Intervention for Trauma in Schools



TIER 3 • INTENSIVE:

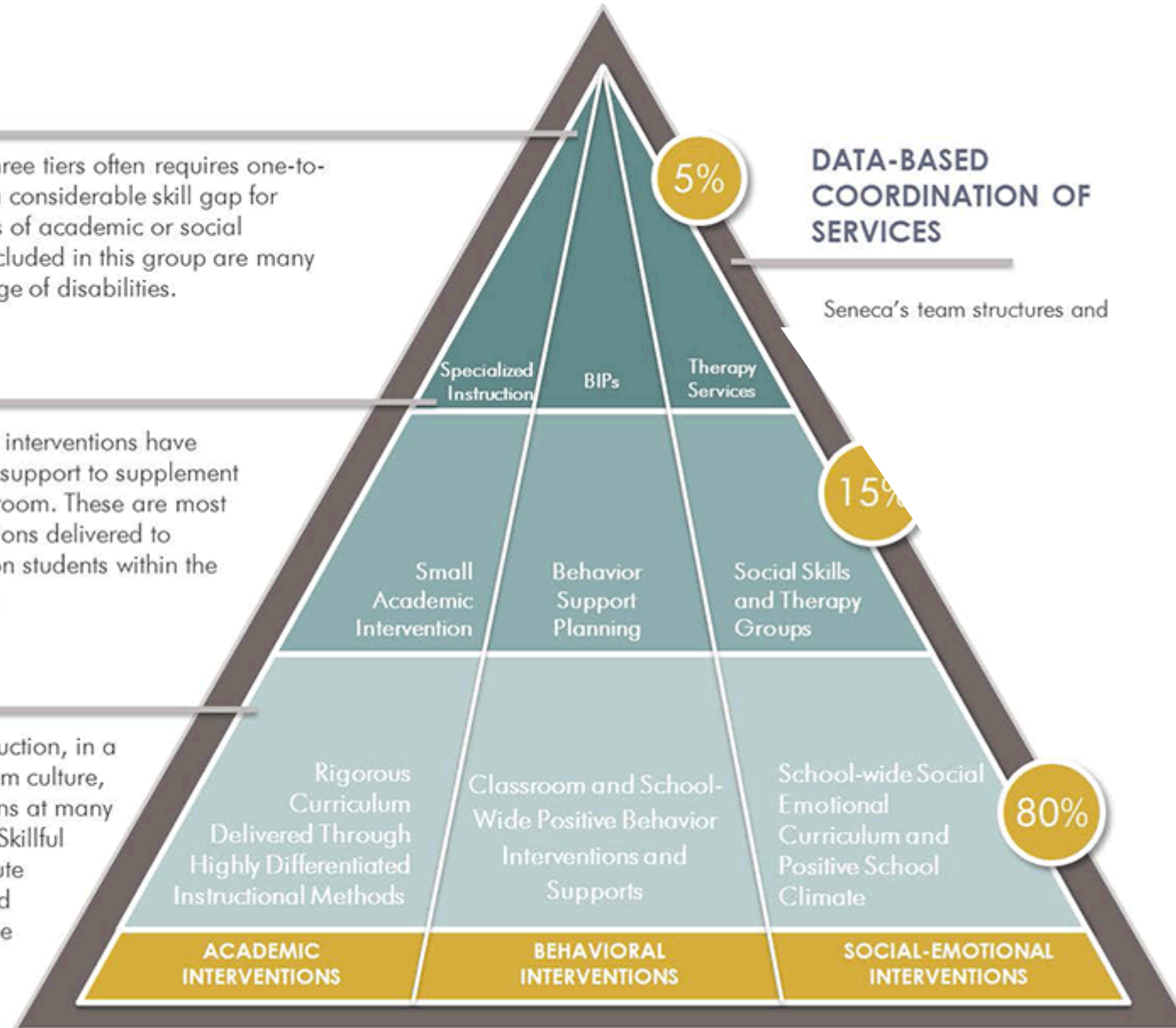
The most intensive of the three tiers often requires one-to-one support or addresses a considerable skill gap for students at the lowest levels of academic or social emotional achievement. Included in this group are many students with IEPs for a range of disabilities.

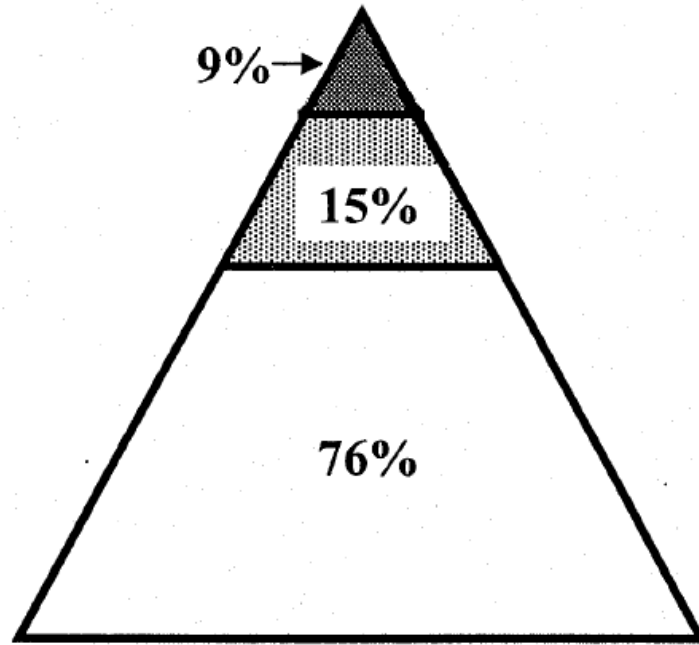
TIER 2 • TARGETED:

Students receiving targeted interventions have demonstrated the need for support to supplement what is offered in the classroom. These are most often small group interventions delivered to special or general education students within the classroom or as a pull-out.

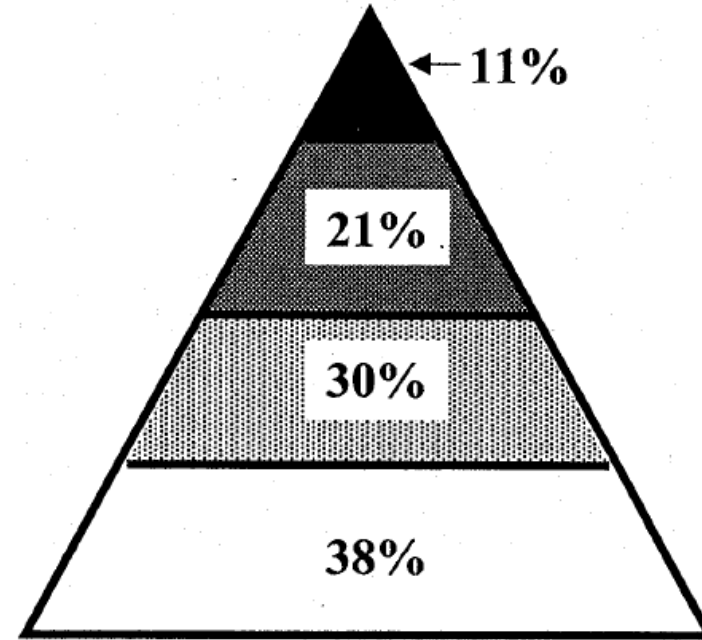
TIER 1 • UNIVERSAL:

As part of high quality instruction, in a climate of positive classroom culture, students receive interventions at many points throughout the day. Skillful teachers plan for and execute interventions that adjust and accommodate to the unique behavioral and academic needs of their students.





“Typical” Schools



Three Inner-city Schools

- Students with 15+ Referrals
- ▒ Students with 6-14 Referrals
- ▓ Students with 2-5 Referrals
- Students with 0-1 Referrals

Urban Applications of School-Wide Positive Behavior Support

What can you do???



Trauma-Sensitive Schools

- Recognize the prevalence & impact of traumatic occurrence in students' lives
- Create a flexible framework that provides universal supports, is sensitive to the unique needs of students & is mindful of avoiding re-traumatization.

Adapted from Helping Traumatized Children Learn

Discipline

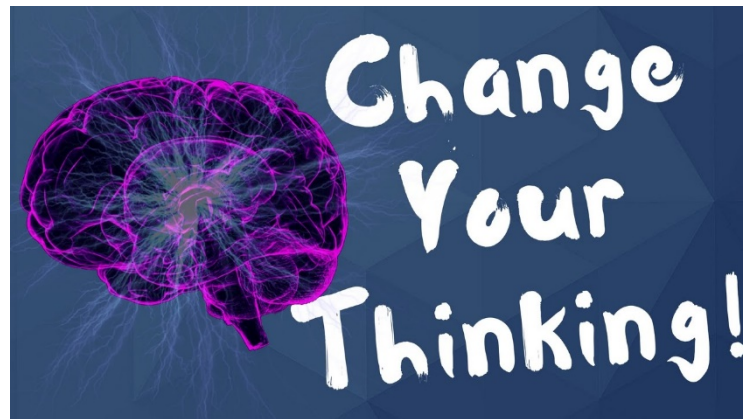
- Discipline provides guidance, focuses on prevention, enhances communication, models respect, and embraces natural consequences. It teaches fairness, responsibility, life skills, and problem solving.

Shift your thinking

“What’s happening here?”

VERSUS

“What’s wrong with this child?”



Trainings

- Greater Houston Area:
 - Center for School Behavioral Health
- State Wide: Mental Health First Aid
 - Local Mental Health Authorities and Mental Health of America
 - <http://www.txbehaviorsupport.org/>
 - <https://texas.kognito.com/>
- Austin
 - <https://www.traumatexas.com/trauma-trainings/>
- Dallas/Statewide
 - <https://child.tcu.edu/about-us/tbri/>

Restorative Practice, Administrative and Teacher Perspectives



Restorative Discipline

- A paradigm shift in how we think about student discipline.
- An offshoot of “Restorative Justice” in the criminal justice system.
- An alternative to “exclusionary” discipline.
- Not a quick or easy fix.
- Something you need to learn about.



Shift From...

Traditional system asks:

- What rule was broken?
- Who did it?
- What is the punishment?



WALSH, ANDERSON,
GALLEGOS, GREEN
and TREVIÑO, P.C.
ATTORNEYS AT LAW

Shift To...

Restorative Discipline asks:

- What happened?
- Who has been affected?
- What are we going to do to make things right?



Restorative Discipline Is	Restorative Discipline Is Not
A Process	A Product or a Program
A Tool to Change a School's Climate	A Tool to Fix "Broken" Children
Contextual	Standardized- One Size Fits All



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Accountability

Traditional: Accountability means the student who broke the rule is punished.

- ❖ **Restorative**: Accountability means the student who caused harm comes to understand the harm caused and has the duty to repair the damage to the relationship.



Compare Approaches

Traditional

- A school rule is broken.
- Focus in on establishing guilt (who?)
- Accountability= Punishment
- Focus in on offender and victim is ignored
- Rules and intent outweigh whether outcome is positive or negative



Restorative

- People and relationships are harmed.
- Focus in on problem solving by expressing feelings and needs.
- Accountability=Understanding impact of actions and repairing the harm.
- Victim, offender, and school community have a role in justice.
- Offender responsible for behavior and repairing the harm, working toward positive outcomes.

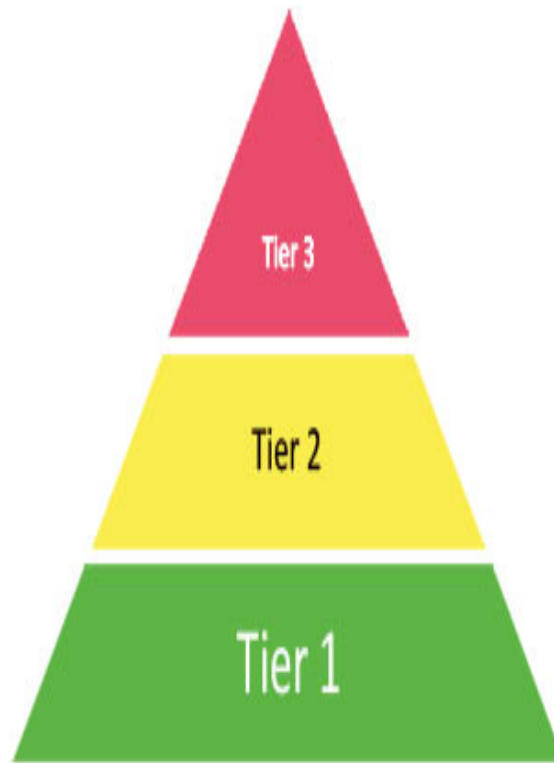
Cheri Kahn Region 20

Tiered Approach

Tier 1

Practices/Approaches

- Occur before anything goes wrong
- Are more proactive in nature
- Focus on the building of connections, relationships, and community



Tier 2 & Tier 3

Practices/Approaches

- Most often occur in response to something that has gone wrong
- Are more reactive in nature
- Focus on meaningful accountability, restoration, and building support systems for change

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New Horizons School

- Unique as in country setting
- Residential Treatment Facility
- Charter School with Orenda Education
- K-12 Campus
- Enrollment 70 (2016-2017 educated 110)
- Teachers certified in Special Education and ESL
- 68% Mobility Rate
- Most children enter school at Tier 3 if comparing to PBIS
- 2nd year of Restorative Discipline
- Trauma Informed Care Training



Teacher Perspective

Positive

- RS has made our children aware of how their actions (positive and negative) can effect other peers in the class.
- RS has directly contributed to the decline of absences on campus.
- RS has taught our children self-accountability i.e. taking responsibility for their own actions.



Challenge

- Trying to motivate teachers to believe in RS and to trust it works.
- Making sure that RS is applied correctly and it's concepts are understood.
- Making sure teachers WANT to build relationships with students so RS will work in the first place.

Teacher Perspective

Positive

- Students do not get "kicked out of school" and are given chances to "regulate" rather than belonging in an all or nothing system.
- The focus is shifted to looking for the growth in students rather than the black/white, right/wrong.
- Classroom building circles, respect agreement circles, content circles, are all happening formally and informally at our campus.



Challenge

- When a student returns to class and there is not a platform established for this conversation, there is tension built rather than relationships restored.

Teacher Perspective

Positive

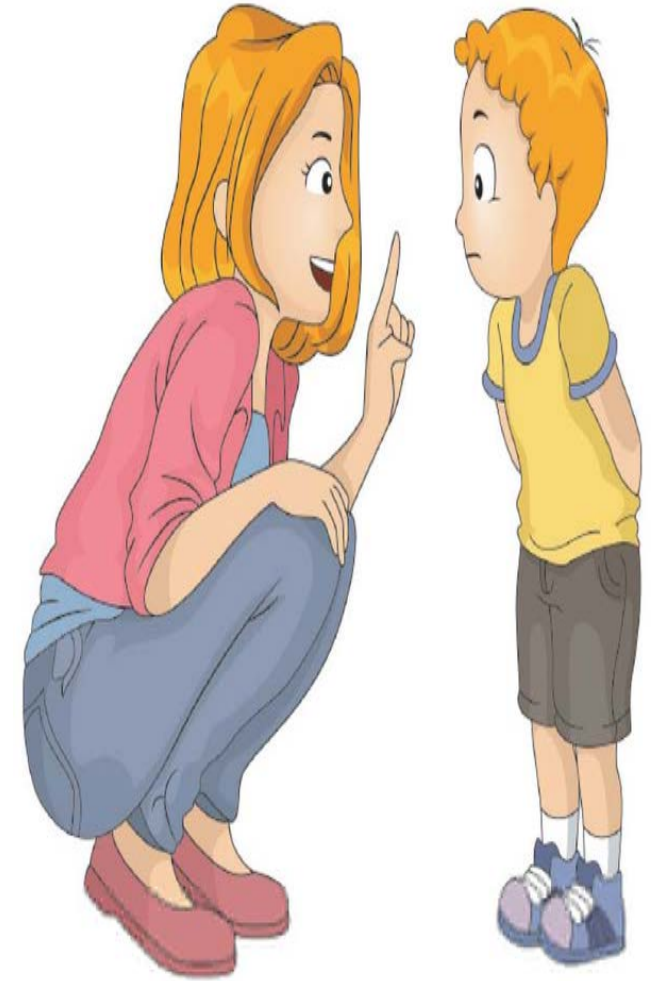
- Restorative is relationship based is a driving force with dealing with our student population.
- This connection piece is vital when trying to hold students accountable.
- Students are able to de-escalate a lot easier because of this relationship.
- Is it perfect? No. Has it fixed all of our discipline problems ? No.
- I am able to teach and have less disruptions for the most part which allows for the students to feel safe, and feel they are actually at school to learn.



Teacher Perspective

Challenge

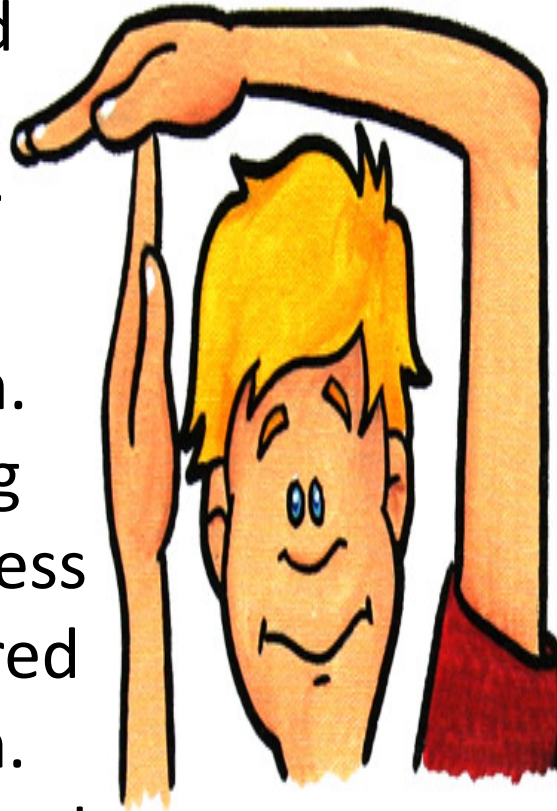
- The challenging piece for me personally is having those conversations when they return to class, or when I'm wanting the students to be accountable for their actions.
- To have one on one time with a student when they return to school , shouldn't be a rushed process.
- I should have time with these students, if I truly want the behavior to change. I need conversations to happen at this point.



Success Story

Incident

Student (Len) was cussing and screaming at his peer. Len would walk over to the student to intimidate the peer. The teacher attempted to redirect, but Len refused to follow the redirection. Len was adamant about harming peer. Teacher continued to address Len in a soft voice. Teacher offered the cool down area in classroom. Len refused. Finally student agreed to take a break outside classroom.



Result

Len went to break area. Talked about big feelings. Len was upset because peer kept talking about his dad. Len stated that his dad died in June and this would be the 1 year anniversary of his death. (Dad committed suicide) Len calmed down and was able to return to class and be successful.

Success Story

Incident

Tina had shown great improvement, lately she has been loud, talkative, and has had a bit of an attitude. Today for math when a few students were being loud, she was laughing very loudly with them. When the class was asked to quiet down, she turned up her volume on the computer. She stood up and asked to see Mr. Randy. She was sent to him.

SOCIAL EMOTIONAL



Result

I pulled her from PLP to discuss why the change in behavior. She said there were things at home bothering her. She added that she felt everyone was ganging up on me (the teacher) and that she didn't want any part of it and that's why she asked to go see Mr. Randy.

Resources

Re-Thinking Discipline

An Introduction to Restorative Discipline & Restorative Practices

Recommended Reading List

Amstutz, L. S., Mullet, J., 2005, *The Little Book of Restorative Discipline for Schools*, Intercourse, PA.: Good Books.

Holtham, J. (2009). *Taking Restorative Justice to Schools: A Doorway to Discipline*. Colorado Springs, CO: Homestead Press.

Hopkins, B. (2004). *Just Schools: A Whole-School Approach To Restorative Justice*. London: Jessica Kingsley Publishers.

Kidde, J. & Alfred, R. (2011). *Restorative Justice: A Working Guide for Our Schools*. Alameda County School Health Services Coalition. <http://healthyschoolsandcommunities.org/Docs/Restorative-Justice-Paper.pdf>

Morrison, Brenda (2006). *School Bullying and Restorative Justice: Toward a Theoretical Understanding of the Role of Respect, Pride, and Shame*. *Journal of Social Issues*. 62(2): 371-392.

Morrison, B. (2007). *Restoring Safe School communities; A Whole School Response to Bullying, Violence and Alienation*. Federation Press.

Morrison, B., Thorsborne, M. & Blood, P. (2005). *Practicing Restorative Justice in School Communities: The Challenge of Culture Change*. *Public Organization Review: A Global Journal*. 5: 335–357.

Morrison, B.E. & Vaandering, D. (2012). Restorative justice: Pedagogy, praxis and discipline. *Journal of School Violence* 11, 138-155.

Pranis, K. 2005, *The Little Book of Circle Processes*, Intercourse, PA: Good Books.

Riestenberg, N. (2012). *Circle in the Square*. St Paul, MN: Living Justice Press.

Thorsborne, M. & Blood, P. (2013). *Implementing Restorative Practices in Schools*. Philadelphia, PA: Jessica Kingsley.

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Positive Behavioral Interventions and Supports (PBIS): Supporting ALL Students

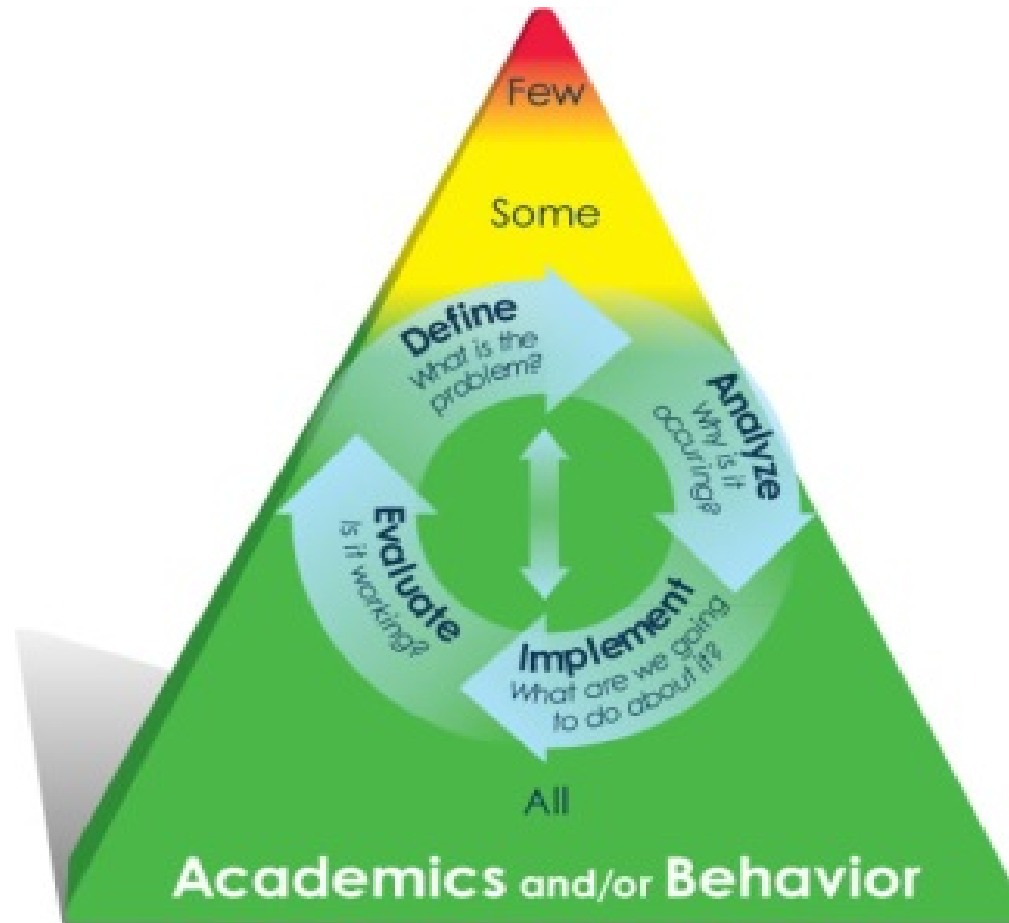
PBIS is

Framework for enhancing adoption & implementation of a

Continuum of evidence-based interventions to achieve

Academically & behaviorally important outcomes for

All students



PBIS is a ***framework*** for support delivery.

Experimental Research on SWPBIS

Bradshaw, C.P., Koth, C.W., Thornton
a group-randomized effective

Bradshaw, C.P., Koth, C.W., Bevans,
organizational health of ele

Bradshaw, C. P., Mitchell, M. M., &
from a randomized control

Bradshaw, C.P., Reinke, W. M., Bro
elementary schools: Obser

Bradshaw, C., Waasdorp, T., Leaf.
Pediatrics, 130(5) 1136-1

Horner, R., Sugai, G., Smolkowsk
positive behavior suppor

Horner, R. H., Sugai, G., & Ande
Ross, S. W., Endrulat, N. R., & H
Journal of Positive Beha

Waasdorp, T., Bradshaw, C., &
Supports on Bullying and
Pediatric Adolescent Med

Bradshaw, C. P., Pas, E. T., Goldw
Supports with tier 2 coachi
177-193. doi:10.1080/1754736

Freeman, J., Simonsen, B., McCoach D.B., Sugai, G., Lombardi
Positive Behavior Interventions and Supports on Academic, Attendance, and

SWPBIS Experimentally Related to:

1. Reduction in **problem behavior**
2. Increased **academic performance**
3. Increased **attendance**
4. Improved perception of **safety**
5. Reduction in **bullying behaviors**
6. Improved **organizational efficiency**
7. Reduction in **staff turnover**
8. Increased perception of **teacher efficacy**
9. Improved **Social Emotional competence**

Behavioral Interventions and Supports: Findings from

arts (PBIS) on the

udent outcomes: Results

nd Supports (PBIS) in

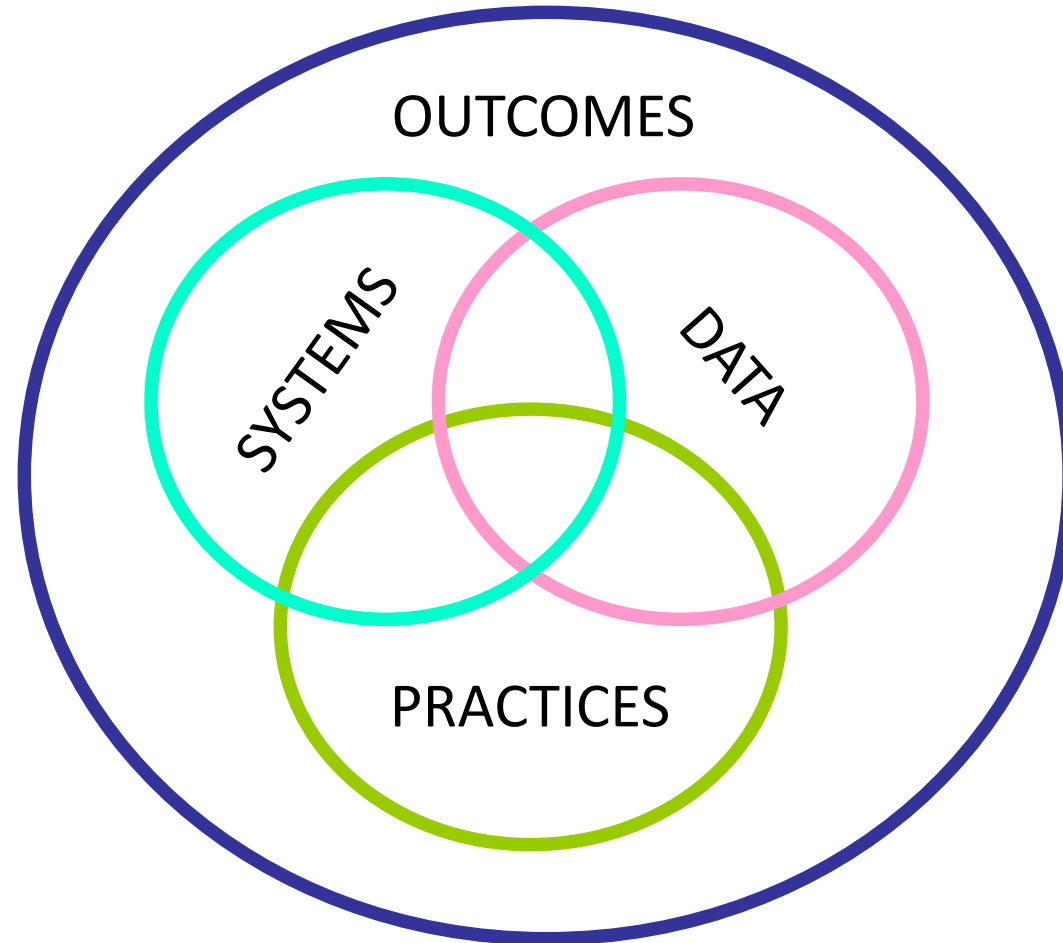
nd adjustment.

al assessing school-wide

ality, 42(8), 1-14.

Supporting Important **Culturally Equitable** Academic & Social Behavior Competence

Supporting
Culturally
Knowledgeable
Staff Behavior



Supporting
Culturally Valid
Decision
Making

Supporting **Culturally Relevant**
Evidence-based Interventions

PBIS Implementation Framework

- **We organize our resources**
 - Multi-Tier Mapping, Gap Analysis
- **So kids get help early**
 - Actions based on outcomes (data!), not procedures
- **We do stuff that's likely to work**
 - Evidence-Based interventions
- **We provide supports to staff to do it right**
 - Fidelity: Benchmarks of Quality
- **And make sure they're successful**
 - Coaching and Support
 - Progress monitoring and performance feedback
 - Problem-Solving process
 - Increasing levels of intensity

The Educator's Intervention Tire Shop



PBIS provides the Framework to Install Evidenced Based Practices



Tertiary Prevention:

- Function based support
- Wraparound services
- Person-centered planning

1-5%

Secondary Prevention:

- Check in/Check out
- Targeted social skills instruction
- Peer-based supports
- Social skills club

10-15%

Primary Prevention:

- Teach school –wide expectations
- Proactive school-wide discipline
- Positive reinforcement
- Effective instruction
- Parent engagement

80-90%

Big Ideas

- PBIS promotes effective decision making
- PBIS focuses on measurable outcomes
- PBIS provides systems to support effective implementation
- PBIS is a framework to install evidence-based practices such as mental health, trauma-informed care, restorative practices, and SEL

Contact Information

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TEXAS CENTER
—★—
FOR THE JUDICIARY

Thank you for attending this presentation!