

# Congress of the United States

## House of Representatives

Washington, DC 20515

April 23, 2010

The Honorable George Miller  
Chairman  
House Committee on Education and Labor  
2181 Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Miller:

In the 110th Congress we joined together to pass the *Fostering Connections to Success and Increasing Adoptions Act of 2008* (PL 110-351). This historic legislation enacted a number of important reforms to the U.S. child welfare system and builds on the reforms you started in the *Adoption Assistance and Child Welfare Act of 1980*. A critical part of this law seeks to improve the educational stability for children in foster care, a priority we hold in common.

Research on both the educational outcomes and stability of children in care does not provide an encouraging picture. The Child Welfare League of America (CWLA) conducted a symposium in 2002 that pointed to studies that found that 26% to 40% of youth in care repeated one or more grades. In addition, 30% to 96% of students in care were below grade level in reading or math and between 30% and 41% of youth in care receive special education services, although this number may be underreported. A recent study released by Chapin Hall at the University of Chicago and Partners for Our Children at the University of Washington illustrates the longer-term effects of this instability. Compared with their peers, young people who left or aged out of foster care were three times more likely not to have a high school diploma or GED, half as likely to have completed any college, and one-fifth as likely to have a college degree. These kinds of statistics are reflected in numerous studies across the country.

In an attempt to improve the stability and outcomes for children in care, *Fostering Connections* requires that child welfare agencies ensure that the placement of the child in foster care takes into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement. It requires an assurance that the state child welfare agency has coordinated with the local educational agencies to ensure that the child remains in the school in which the child is enrolled at the time of placement. It also directs that if remaining in that school is not in the best interests of the child, the state child welfare agency and the local educational agencies must provide immediate and appropriate enrollment in a new school, with all of the educational records of the child provided to the school.

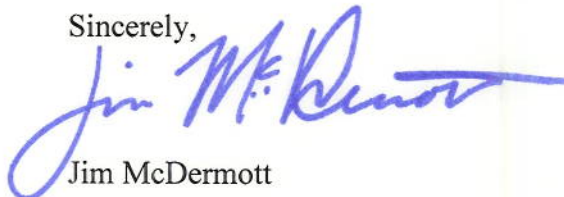
Children in foster care face terrible challenges in overcoming abuse and neglect. These children must already deal with the disruption that accompanies the lack of a supportive family and too frequently are denied a stable education at a time when that stability is most needed. A foster care placement often forces a child away from their school of origin due to safety or geographic concerns and can cause significant enrollment delays. These disruptions almost always result in the loss of valuable days and weeks away from regular classes.

As Members of the House Education and Labor Committee begin to work on the reauthorization of the Elementary and Secondary Education Act (ESEA) and accompanying report language, I urge the inclusion of reciprocal mandates in federal education law for state and local education agencies to ensure coordination with child welfare agencies. It would be particularly helpful if both child welfare employees and educators have a single agency point of contact for foster care issues at the various levels of government, including federal and state coordinators that work with local agency liaisons. These points of contact will provide resources for education agencies and child welfare agencies and ensure accountability on both ends.

I encourage you to include current and former foster youth in the reauthorization process, as these youth truly are the experts. Their first-hand knowledge and expertise should be utilized to address the unique challenges and obstacles that youth in care face and ensure that our policy decisions are well-guided. I would be happy to assist you and your staff in identifying youth to engage in these discussions.

I appreciate your consideration of this request and look forward to working cooperatively to address the educational needs of the more than 460,000 children in foster care. If you or your staff have any questions, please contact Laura Berntsen of my staff at 5-3106 or [laura.berntsen@mail.house.gov](mailto:laura.berntsen@mail.house.gov).

Sincerely,

A handwritten signature in blue ink that reads "Jim McDermott". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jim McDermott