



LET HER
LEARN

STOPPING SCHOOL PUSHOUT
for Girls in Foster Care

ABOUT THE NATIONAL WOMEN'S LAW CENTER

The National Women's Law Center is a non-profit organization that has worked for more than 40 years to expand opportunities for women and their families, with a major emphasis on education and employment opportunities, women's health and reproductive rights, and family economic security.

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GIRLS IN FOSTER CARE

Girls in foster care are among the country's most disadvantaged students. Disproportionately girls of color, they experience high rates of abuse and sexual violence, are more likely to be young mothers, and are more likely to be involved in the juvenile justice system. They are also at a higher risk for emotional and behavioral problems than their peers who are not in foster care.¹ Not surprisingly, these problems translate into poorer academic opportunities and outcomes. Girls in foster care experience frequent residential and school changes that affect their ability to stay in school. In particular, Black girls are 22.9 percent of the girls in foster care but are the largest group, or 35.6 percent, of girls experiencing more than 10 residential placements. In addition, girls in foster care lack access to early childhood education and special education services, and have higher discipline rates, lower achievement rates, and lower graduation rates. Policymakers, schools, and communities can make a difference in these girls' lives by ensuring that they receive the attention and supports they need to succeed in school.

This report will provide an overview of the experience of girls in foster care, explore the educational barriers they face, and offer recommendations to increase access to quality education for girls who are or have been in foster care.

METHODOLOGY for Let Her Learn Survey and Focus Groups:

To better understand what healthy and safe schools look like for all girls, the National Women's Law Center collaborated with Lake Research Partners to conduct a study of girls from January 5-19, 2017. The study included an online survey of 1,003 girls ages 14-18 nationwide. Black, Latina, Asian/Pacific Islander, Native American, and LGBTQ girls were oversampled. The data were weighted by age, race, and census region to reflect the actual proportions of the population. Oversamples were weighted down to reflect their proportions in the population. The margin of error is +/- 3.1%. The margin of error is higher among subgroups. The study also included six focus groups on barriers facing girls who are survivors of sexual assault and girls who are either currently pregnant or those who are parenting children. The focus groups were conducted in Washington, D.C., Chicago, IL, and Atlanta, GA. The focus group guide and nationwide survey were reviewed by Schulman Institutional Review Board to ensure they protected the well-being of all girls involved in the study.

Background on Girls in Foster Care

Girls in foster care—the majority of whom are girls of color—have high rates of sexual victimization, exposure to violence and other maltreatment, and teen pregnancy. And given the lack of gender responsive and trauma-informed services, girls are more likely than boys to be criminalized for acting out in response to trauma, creating a vicious cycle where they do not get the help they need to heal and be healthy and successful in school and beyond.

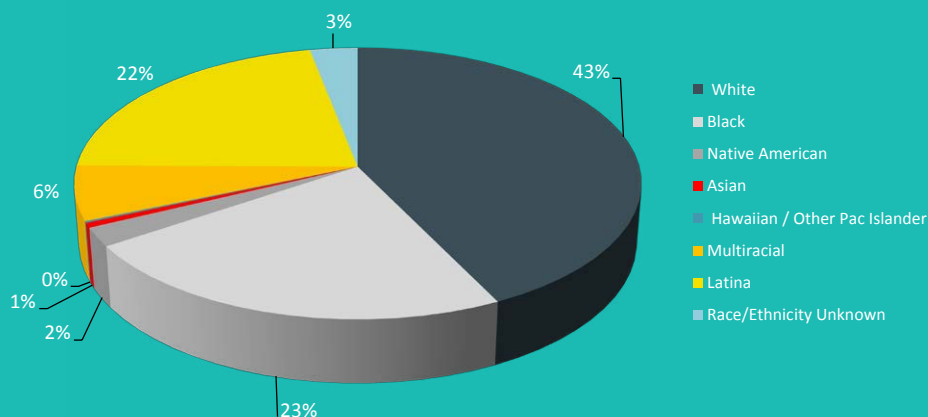
Girls of Color

Research reveals racial disparities in both the foster care population and children's outcomes.

Children of color are often overrepresented in the foster care system. There are a variety of possible reasons for this overrepresentation, including racial bias of reporters and caseworkers, poverty, single parenthood,² and the lack of resources and support given to families of color who interact with the child welfare system.³

In general, Black children are more likely than their white peers to be removed from their homes and experience longer stays in foster care. Once in foster care, Black children ages 6-10 are more likely to lack access to developmental, mental health, and substance abuse services, and to go without them for longer periods of time than their white peers.⁴ Data also show that there are racial disparities in whether children are reunited with family members. For example, studies show that both white infants and youth are more likely than Black infants and youth to be reunited with family members.⁵ While Latino children are underrepresented in national foster care data, they are overrepresented in six states.⁶

There is not a lot of gender-specific data about children in foster care, but available information indicates that there are 189,113⁷ girls in foster care nationwide, and 57 percent are girls of color.⁸ While girls of color are overrepresented in foster care relative to their share of the population, the problem is particularly acute for Native American⁹ and Black girls: Native American girls are 1 percent of the national population but over 2 percent of the girls in foster care, and Black girls are 15 percent of the national population but 23 percent of the girls in foster care (**Figure 1**).

Figure 1. Race/Ethnicity of Girls in Foster Care, 2014¹⁰

Source: Adoption and Foster Care Analysis and Reporting System (AFCARS), Foster Care File 2014.¹¹

Exposure to Trauma and Sexual Violence

Children in foster care experience extremely high rates of trauma¹²—almost 90 percent of children in foster care have been exposed to at least one traumatic event, compared to 66 percent of children not in foster care.¹³ In fact, many children in foster care have extensive histories of maltreatment and exposure to violence that has led authorities to remove them from their homes. Data shows that 5.9 percent of girls in foster care were removed from their homes because a parent abused alcohol, 7.3 percent because a parent was incarcerated, 10 percent because of inadequate housing, 13.8 percent because of physical abuse, and 29 percent of girls in foster care were removed because a parent abused drugs.¹⁴

For girls in foster care, sexual violence is a major source of trauma.¹⁵ They are twice as likely as boys to be removed from their homes and placed in foster care because of sexual abuse (6 percent of girls versus 2.9 percent of boys).¹⁶ Girls in foster care are also particularly vulnerable to becoming victims of sex trafficking given that they often do not have familiar and stable trusted adults to whom they can turn. In 2013, the FBI conducted a nationwide raid of over 70 cities and recovered sex trafficking victims; over 60 percent of these children were from foster care or group homes.¹⁷ Exploiters know where foster care group homes are and have been known to both recruit girls from these settings and coerce those girls to recruit others from their group homes.¹⁸

Figure 2. Percentage of Girls who have Symptoms of PTSD, Anxiety or Depression by Experience

Experience	Symptoms of PTSD	Symptoms of Anxiety	Symptoms of Depression
Hurt or Injured by a Family Member	92.3%	98.1%	96.1%
Someone in My Family Hurt or Injured on Purpose	86.3%	95.7%	90.7%
Someone in My Family Arrested	81.0%	92.7%	86.7%
Survivor of Sexual Assault	91.0%	95.0%	93.0%

Source: National Women's Law Center, Let Her Learn Survey, Conducted by Lake Research Partners (2017). All values statistically significant $p < .001$

Girls also experience and respond to trauma differently from boys, often internalizing it and thus, suffering long-term effects.¹⁹ For example, they may react by harming themselves or abusing drugs and alcohol, which makes them more likely to suffer from depression and post-traumatic stress disorder. In fact, NWLC's 2017 Let Her Learn Survey²⁰ found that girls ages 14-18 who have suffered from violence or sexual assault are more likely to suffer from symptoms of post-traumatic stress disorder (PTSD), depression, and generalized anxiety disorder. Almost all girls who have been hurt or injured by a family member reported having symptoms of PTSD, anxiety and depression. Similarly, an overwhelming majority of girls with a family member who has been arrested or who was hurt or injured on purpose also exhibit symptoms of PTSD, anxiety and depression (**Figure 2**).

Involvement in the Juvenile Justice System

Research reveals a link between the trauma experienced by girls in foster care and behavioral problems,²¹ and the failure of the child welfare system to address girls' needs contributes to their being more likely than boys in foster care to enter the juvenile justice system.²² Although girls make up only 4 percent of incarcerated youth, the rate of incarceration²³ for girls with foster care history is three times the rate of girls of the same age who never have been involved in the child welfare system.²⁴ Moreover, any number of placements for girls increased their likelihood of involvement in the juvenile justice system, while three or more out-of-home placements increased the risk for boys to be incarcerated.²⁵ And once in the justice system, "girls with child welfare involvement are at an increased risk of being detained before trial and of being placed in a correctional facility after a conviction."²⁶

BEST PRACTICE: IN-HOME SERVICES

In-Home Services are services provided to families at home in their communities, which are aimed at preventing the need for future child welfare involvement and/or removal. These services help caseworkers identify strengths and weaknesses and address parenting skills and relationships in the family's natural environment. Ideally, these services are culturally competent and engage the family.²⁷

Early Pregnancy

Girls in foster care are twice as likely as girls not in foster care to have sex and are more likely to not use contraception.²⁸ As a result, girls in foster care are at a higher risk of experiencing early pregnancy: a national study found that twice as many girls in foster care have babies compared to girls not in foster care.²⁹ These early pregnancies can create an additional barrier to education and career opportunities — one study found that one in six girls transitioning out of foster care did not enroll in higher education because of the lack of childcare.³⁰ This can perpetuate a damaging cycle where young parents cannot adequately provide for their children, who then may end up in the child welfare system themselves.³¹ Despite these harsh realities, many foster care programs are ill-equipped to address pregnancy among foster care youth, and child welfare staff report feeling unprepared to support pregnant youth.³²



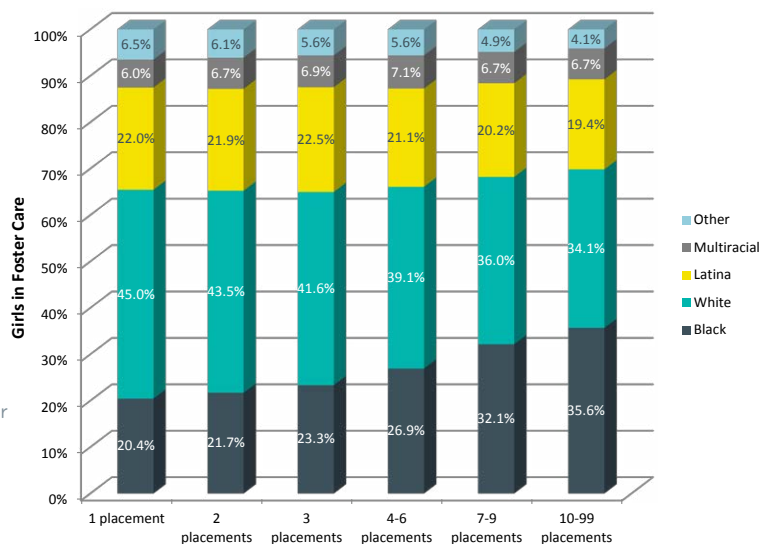
Barriers to Education for Girls in Foster Care

As described above, children in foster care are more likely than other children to have emotional and behavioral problems that result from the stress and trauma they endure.³³ Being in the child welfare system also has a negative effect on their ability to succeed in school, as they have greater school mobility, lack of access to early childhood education and special education services, higher school discipline rates, lower standardized test scores, and lower graduation rates.

Frequent School Changes (School Mobility)

While there is very little gender-specific data available about children in foster care, one fact that is clear is that girls are moved around frequently and often experience multiple residential placements.³⁴ In particular, Black girls make up only 22.9 percent of the girls in foster care but are the largest group of girls experiencing over-placement, making up 35.6 percent of girls experiencing between 10-99 residential placements (**Figure 3**). Residential changes often result in school changes and educational disruption; one study found that children with unstable placement histories averaged 3.6 schools in two years.³⁵

Figure 3. Number of Girls' Foster Care Placements by Race



Source: Adoption and Foster Care Analysis and Reporting System (AFCARS) 2014.³⁶



Children in foster care who have unstable placement histories are also more likely to be absent from school than children who experience early stability in placements.³⁷ Children in foster care often spend large amounts of time out of school due to lack of coordination between schools and the child welfare system—for example, waiting for the transfer of school records.³⁸ And students in foster care already miss twice the number of days of school as their peers (an average 25 missed days of school compared to 12 days for other students in the same district) with the number of absences increasing as children enter adolescence.³⁹ Coupled with the other reasons girls cite for being absent—for example, the Let Her Learn Survey indicated that many girls miss school because they feel unsafe on their way to or while in school.⁴⁰ Girls in foster care are at a heightened risk for being chronically absent due to the increased school mobility they face, which causes them to fall even further behind in their classes and increases the chance that they will not graduate.⁴¹

Lack of Access to Early Childhood Education

Early childhood education is critical for long-term academic success, especially for low-income children. Young children who have experienced toxic stress, abuse or trauma have a particular need for early childhood and intervention programs. Yet research shows that only six percent of foster care children under the age of six are enrolled in Head Start and 29 percent are enrolled in some type of child care center.⁴² According to a New York study, half of foster parents surveyed said they were not familiar with early intervention programs; 38 percent of foster parents indicated that fewer than 1 and 4 of their children who were eligible for early intervention services received them.⁴³ In particular, studies have found that Black children in foster care are less likely to receive early childhood developmental services than white children, even when controlling for need.⁴⁴

Higher Discipline Rates

Unfortunately, the behavior problems of students in foster care—which can stem from experiences of stress, trauma and abuse⁴⁵—affects their academic achievement and chances for school success.⁴⁶ Students in foster care are suspended and expelled at higher rates than non-foster youth. One study of a school district found that 1 in 4 students (25 percent) in foster care were suspended, compared to 1 in 10 (10 percent) of students not in the system. Similarly, 10 percent of the foster care students were expelled compared to 1 percent of the students not in foster care.⁴⁷

Low Achievement Rates

Foster care youth have lower achievement rates compared to those not in foster care. For example:

- Even controlling for the fact that foster care youth often attend low performing schools, they still lag almost half a year behind students not in foster care.⁴⁸
- A study of foster care youth in Chicago found that nearly half of elementary and middle school students scored in the bottom quartile on standardized tests.⁴⁹

- A California study showed that only two percent of foster students attended the state's top performing schools, and achievement rates for students in foster care are equal to or lower than other at-risk subgroups such as students with disabilities, students from low socioeconomic status, and English language learners.⁵⁰ The same study found that when students took a high school exit exam in the 10th grade to be eligible for graduation, the passing rate for students in foster care was below 50 percent, while the passing rate statewide was 76 percent for all students and 66 percent for students from low socioeconomic status.⁵¹

One factor influencing the low achievement rates of students in foster care is the lack of support they receive from foster families; studies have found that foster parents are most concerned with behavior issues and often less concerned with academic issues such as grades and homework.⁵²

Special Education

Large numbers of foster care children are identified as having special needs, but research shows that they may not receive all of the services and supports to which they are entitled.⁵³ Some research shows that 30-40 percent of children in foster care may qualify for special education services, yet only 16 percent receive the services outlined by their Individualized Education Plan (IEP).⁵⁴ One reason may be the lack of consistent educational advocates for children in foster care.⁵⁵ The Individuals with Disabilities Education Act (IDEA) gives parents a significant role in identifying special needs and securing services to help address them, but children in foster care lack stable homes and often stable parents, which may lead to a lack of identification of special needs or lack of consistent services. “[T]oo frequently, birth parents are not included in educational planning activities; foster parents do not understand the importance of their role, and caseworkers do not have the time to participate in regular meetings.”⁵⁶

Another reason the needs of children with disabilities are not met is the frequent changes in placements for children in foster care. Frequent school changes for children with disabilities in foster care can lead to delays in testing and record transfers that can add an additional barrier to students who require specialized services. Stability and familiarity is important for students with disabilities, yet children who experience multiple placements often find themselves in new educational settings with new requirements and challenges.⁵⁷

Lower Graduation Rates/Grade Retention

Foster care youth are at a high risk for not graduating from high school.⁵⁸ For example, the graduation rate for high school seniors in California in 2010-11 was 80 percent for all students but just 58 percent for students in foster care.⁵⁹ Several state studies have also found that foster care students are likely to be older for their grade than all other students, which suggests they have been retained at least one grade.⁶⁰ In California, over 8 percent of foster care students in 9th grade were one year older than the median age, compared to 4 percent of students of low socioeconomic status who were one year older than their median age.⁶¹

Recommendations for Helping Girls in Foster Care Succeed in School

Girls in foster care are at a particular disadvantage because they often lack support and guidance that can lead them down the path towards educational success. With the necessary supports,⁶² girls in foster care can thrive in school and overcome the stress and trauma they experience, making it less likely that they engage in violence or end up in the criminal justice system.⁶³ Below are some recommendations for helping this extremely vulnerable population of students

Policymakers

- Policymakers should engage a diverse set of girls in the process of crafting solutions to the educational barriers faced by girls in foster care. (One way of doing this is by creating youth advisory committees like the Young Women's Initiatives, first launched in New York City, <http://www.shewillbe.nyc/>.)
- Congress should allow funding for Title IV-E of the Social Security Act—the main source of federal foster care funding—to be used more flexibly for prevention and support services to ensure that the educational and related needs of youth in foster care are met.
- Congress should ask the General Accounting Office to study the disparities facing and educational outcomes of girls in foster care, particularly those who are pregnant and parenting.
- State and local agencies can help set students in foster care on the right path, with a strong foundation, by:
 - Ensuring that foster families and parents have access to quality preschools and early childhood education programs.
 - Equipping foster parents with information on quality early childhood programs such as Head Start and Pre-kindergarten programs.
 - Encouraging head start programs to involve both birth parents and foster families.
 - For those states that have not already done so, providing children in foster care priority for enrolling in programs, including Head Start, Early Head Start and other quality preschool programs.
 - Ensuring that infants and young children are evaluated and provided with appropriate mental health and developmental services.

- States should increase collaboration and communication between schools, the child welfare agency, and family and juvenile courts.
 - Child welfare agencies need to work with educators to keep foster children in school and to provide appropriate and individualized services. This is especially important to prevent crossover into the juvenile justice system and to provide timely and specialized intervention when a child has already crossed over into multiple systems.⁶⁴
 - Child welfare agencies should work with courts to schedule the timing and frequency of appointments, visits and court appearances for foster care youth in a way that minimizes out-of-class time and the impact on their education, including extracurricular activities.
 - Child welfare agencies should make foster parents aware of the importance of participation in school activities to social and academic success and should provide families with funds to offset the costs of participation.
- States and child welfare agencies should take a holistic view when considering placements and services for girls, including:
 - Allowing girls to stay in their schools of origin when it is in their best interests and allowing them to change schools when quality home placements are outside of their current school districts, as required by federal law.
 - Allowing girls who are at-risk for sex trafficking to change schools and placements to ensure their safety.
- Child Welfare agencies should provide girls with personalized education and graduation plans.
- Child Welfare agencies should support girls in foster care who are pregnant or parenting by:
 - Eliminating laws that prevent girls from seeing the fathers of their children and limit opportunities for fathers to co-parent.
 - Working with schools to ensure accommodations as required by Title IX (leave to recover and go to doctor's appointments, ability to make up missed work and take advantage of in-home instruction services, etc.).⁶⁵
 - Providing funds for educational supports such as tutoring, homebound instruction, increased access to technology, and individualized plans to help them stay in school and on track for graduation.
 - Helping secure child care through graduation and beyond.
 - Providing funds for college application fees and helping students identify available child care options, housing opportunities (especially during school vacations), funding when there is a gap in financial aid, and other necessary supports and services.⁶⁶
- As they implement the requirements of the Every Student Succeeds Act, states should ensure that they are complying with the law by doing the following:⁶⁷
 - State education agencies must collect and make publicly available aggregate data—and should cross-tabulate it by race, gender, English proficiency, disability and graduation rates—to monitor the educational stability and outcomes of children in foster care.

- Local education and child welfare agencies must develop a plan to provide cost-effective transportation to students in foster care to allow them to remain in the same school when in their best interests.
- Allow students in foster care to enroll immediately in a new school even without enrollment documents and records.
- Each state education agency must designate a point of contact to communicate and collaborate with the state child welfare agency, ensure that foster students' rights are protected, identify best practices and oversee implementation at the local level and with public charter schools.
- Child welfare agencies should provide early interventions and screening, and developmentally appropriate counseling and supports to all foster care children with identified needs (e.g., substance abuse, prenatal drug exposure, family violence and other trauma).
- Child welfare agencies should coordinate with schools to ensure that foster care youth who may have disabilities are evaluated, identified as eligible, and receive the proper services.
- Child welfare agencies should eliminate the use of temporary schools within group homes to ensure that children are receiving equitable and quality education in traditional school settings.
- Child welfare agencies should provide advocacy training to caregivers so that they can ensure schools are meeting their foster youth's educational needs.

Schools

- As required by the Every Student Succeeds Act, local education agencies must designate a point of contact for the education of children in foster care to help communicate and collaborate with the child welfare agency and help with any school transitions.⁶⁸
- Schools and teachers can help address some of the educational barriers faced by children in foster care by not penalizing them for missing assignments or time spent out of class because of court or child welfare activities, but rather providing them extra opportunities to make up lost work or receive extra credit.
- Schools should make sure that they have adequately trained staff, including crisis counselors and behavior specialists, to provide foster youth with gender responsive, culturally competent and trauma-informed support, such as mental health services. Schools should also be prepared to refer students to community-based services.
- To help address the needs of students who have faced trauma and have an emotional disturbance as recognized under the Individuals with Disabilities Education Act, schools should provide a trauma identification checklist and trauma-sensitive training for parents and teachers.⁶⁹
- Schools can ensure seamless transitions for foster care youth when it is not possible for them to remain in their original school.
 - Schools should allow temporary guardians to immediately enroll foster youth.
 - Schools should waive enrollment procedures for foster youth so that enrollment is not delayed due to school or record requirements (immunization records, school uniforms, identification forms).

- Schools should allow foster youth to participate in academic and extracurricular programs even if deadlines have passed and programs are full.
- Schools should give foster youth credit for all work completed at their previous school.⁷⁰
- State colleges and universities should provide support (help with housing, including during summer vacation and holidays, tuition, transportation and childcare) for former foster care students who go on to pursue higher education.
- All school faculty and staff should be trained to recognize the signs of sex trafficking. (Many groups provide information on the signs of trafficking – see, for example, <https://polarisproject.org/recognize-signs>.)

Pittsburgh County has successfully increased collaboration between child welfare services and school districts by creating an Education Screen that allows child welfare agencies to monitor education stability and services-including academic records and disability accommodations -for all school aged children.⁷¹

Parents/Guardians and Advocates

- Parents/ caretakers and advocates can push for greater coordination among schools, courts and child welfare agencies to help keep children in foster care in school and ensure that they receive the gender-responsive, trauma-informed services they need.
- Parents/caretakers and advocates should advocate for more counseling services in schools to help address trauma and should learn the signs of sex trafficking. (Many groups provide information on the signs of trafficking – see, for example, <https://polarisproject.org/recognize-signs>.)
- Parents/caretakers and advocates can look at the new data required by the Every Student Succeeds Act to make sure children are receiving the services guaranteed to them by law.



- 1 Kathy Barbell & Madelyn Freundlich, Casey Family Programs, *Foster Care Today* (2001), 6, available at http://www.hunter.cuny.edu/socwork/nrcfcpp/downloads/policy-issues/foster_care_today.pdf.
- 2 Elizabeth Bartholet et al., *Race and Child Welfare* (2011), 3, available at http://www.chapinhall.org/sites/default/files/publications/O6_27_11_Issue%20Brief_F.pdf.
- 3 U.S. Dept. of Health and Human Services, Children's Bureau, *Racial Disproportionality and Disparity in Child Welfare* (2016), 5, available at https://www.childwelfare.gov/pubPDFs/racial_disproportionality.pdf.
- 4 Keesha Dunbar & Richard Barth, Casey-CSSP Alliance for Racial Equity in Child Welfare, *Racial Disproportionality, Race Disparity, and Other Race-Related Findings in Published Works Derived from the National Survey of Child and Adolescent Well-Being* (2007), 22, available at <http://www.aecf.org/m/resourcedoc/aecf-CFP-RacialDisproportionalityRaceDisparity-AndOtherRaceRelatedFindingsInPublishedWorksDerivedFromTheNationalSurveyOfChildAndAdolescentWellBeing-2008.pdf>.
- 5 Ibid. 37.
- 6 Martha Raimon, Kristen Weber & Amelia Esentad, "Better Outcomes for Older Youth of Color in Foster Care," *Children's Rights Litigation*, March 25, 2015, available at <http://apps.americanbar.org/litigation/committees/childrights/content/articles/spring2015-0315-older-youth-of-color-in-foster-care.html>.
- 7 Children's Bureau, U.S. Department of Health and Human Services, *The AFCARS Report* (2013), 1, available at <https://www.acf.hhs.gov/sites/default/files/cb/afcarsreport20.pdf>.
- 8 National Women's Law Center (NWLC) Calculations from Adoption and Foster Care Analysis and Reporting System (AFCARS) Foster Care File 2014 and CRDC Data.
- 9 Different data sources identify girls' race or ethnicity in different ways. In this analysis, "Native American" girls refer to girls who identify as "American Indian or Alaskan Native," "Native American," or just "Native." Please refer to each individual source for more information.
- 10 Native Americans had the highest rate of children in foster care (13.9 per 1000 Native children) and Asians had the lowest rate (0.6 per 1000 Asian children). There have been significant racial shifts in recent years. Black children in care decreased from 11.3 per 1,000 in 2010 to 9.7 per 1,000 in 2013. The percentage of Native American children increased significantly between 2010 and 2013.
- 11 NWLC calculations of unpublished data by National Data Archive on Child Abuse and Neglect, Adoption and Foster Care Analysis and Reporting System (AFCARS), Foster Care File 2014.
- 12 Trauma includes child abuse and neglect and exposure to community and familial violence.
- 13 Shannon Dorsey et al., "Prior Trauma Exposure for Youth in Treatment Foster Care," *Journal of Child and Family Studies* 21 no. 5 (2013), 1-2 available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3667554/pdf/nihms422913.pdf>.
- 14 These numbers are similar for boys.
- 15 Karen Banes-Dunning & Karen Worthington, "Responding to the Needs of Girls in Foster Care," *Georgetown Journal on Law & Poverty* 20 no. 2 (2013), 321-49, available at http://www.karenworthington.com/uploads/2/8/3/9/2839680/adolescent_girls_in_foster_care.pdf.
- 16 NWLC calculations of unpublished data by National Data Archive on Child Abuse and Neglect.
- 17 Malika Saada, "The Disturbing Link Between Foster Children and Sex Trafficking," *HuffPost Politics*, February 27, 2015, available at <http://justiceproject.org/disturbing-link-foster-children-sex-trafficking/>.
- 18 Dawn Post, "Why Human Traffickers Prey on Foster-Care Kids," *CityLimits.org*, January 23, 2015, available at <http://citylimits.org/2015/01/23/why-traffickers-prey-on-foster-care-kids/>.
- 19 There are several differences in both the types of trauma boys and girls experience and how they respond to them. Boys are more likely to experience non-sexual assaults, illness, injury, or witness violence. Some studies have found that boys are more likely than girls to externalize behavior. Tuppert Yates et al., "Exposure to Partner Violence and Child Behavior Problems: A Prospective Study Controlling for Child Physical Abuse and Neglect, Child Cognitive Ability, Socioeconomic Status, and Life Stress," *Development and Psychopathology* 15 no. 1 (2003), 199-218, available at <https://www.ncbi.nlm.nih.gov/pubmed/12848442>. Furthermore, girls are more likely to be affected by firsthand experience of trauma and witnessing trauma whereas boys are more likely to be only affected by experiencing trauma directly. Ibid.
- 20 NWLC's Let Her Learn Survey was conducted online from January 5-19, 2017 by Lake Research Partners. The questions reached a total of 1,000 girls ages 14 to 18 nationwide. Black girls, Latinas, Asian/Pacific Islander girls, Native American girls, and LGBTQ girls were oversampled. The samples were drawn from online panels. The data were weighted by age, race, and census region to reflect the actual proportions of the population. Oversamples were weighted down to reflect their proportions in the population. The margin of error is +/-3.1%. The margin of error is higher among subgroups. NWLC's survey asked respondents to indicate their race as white, Black/African American, Hispanic/Latino, Asian or Pacific Islander, Native American, Multiracial, or other. Respondents could select all options that applied to them. "Black" is used to refer to girls who self-identified as "Black/African American" and "Latina" is used to refer to girls who self-identified as "Hispanic/Latino."
- 21 Elizabeth Dowdell et al., "Girls in Foster Care: A Vulnerable and High-Risk Group," *American Journal of Maternal/Child Nursing* 34 no. 3 (2009), 172-78, available at <https://www.ncbi.nlm.nih.gov/pubmed/19550260>.
- 22 Baynes-Dunning & Worthington, "Responding to the Needs of Adolescent Girls in Foster Care," 326.
- 23 Data on girls in the adult criminal system is very limited. There is no accurate count of girls due to state variation in the age at which youth are considered an adult and variation in states' mechanisms for prosecuting minors in the adult system.

- 24 Jennifer Woolard, "Crossing Over: Girls at the Intersection of Juvenile Justice, Criminal Justice and Child Welfare," in *Delinquent Girls: Contexts, Relationships, and Adaptation*, ed. Shair Miller et al. (New York: Springer-Verlag, 2012), 34, available at http://link.springer.com/chapter/10.1007%2F978-1-4614-0415-6_2.
- 25 Advocates for Children and Youth, "Unique Risk Factors Signal Dual Involvement for Female Youth in Child Welfare and Juvenile Justice Systems," *Voices for Maryland's Children* 10 no. 4 (2013), 2, available at https://acy.org/wp-content/uploads/2014/03/Issue-Brief-Draft_Crossover-Girls-almost-FINAL1.pdf.
- 26 Jennifer Woolard, "Crossing Over," 32.
- 27 Child Welfare Information Gateway, "In-Home Services," available at <https://www.childwelfare.gov/topics/supporting/inhome/>.
- 28 Alison Stewart Ng & Kelleen Kaye, The National Campaign to Prevent Teen and Unplanned Pregnancy, *Teen Childbearing and Child Welfare* (2013), 1, available at <https://thenationalcampaign.org/sites/default/files/resource-primary-download/childbearing-childwelfare.pdf>.
- 29 Lois Thiessen Love et al., The National Campaign to Prevent Teen Pregnancy, *Fostering Hope: Preventing Teen Pregnancy Among Youth in Foster Care* (2005), 7, available at https://thenationalcampaign.org/sites/default/files/resource-primary-download/FosteringHope_FINAL.pdf.
- 30 Ng & Kaye, *Teen Childbearing and Child Welfare*, 1.
- 31 *Ibid.* 4.
- 32 Heather D. Boonstra, "Teen Pregnancy Among Young Women in Foster Care: A Primer," *Guttmacher Policy Review* 14 no. 2 (2011), 12, available at https://www.guttmacher.org/sites/default/files/article_files/gpr140208.pdf.
- 33 Barbell & Freundlich, *Foster Care Today*, 6; American Academy of Pediatrics Committee on Early Childhood, Adoption and Dependent Care, "Developmental Issues for Young Children in Foster Care," *Pediatrics* 106 no. 5 (2000), 1147, available at <http://pediatrics.aappublications.org/content/106/5/1145.full-text.pdf>.
- 34 NWLC calculations of unpublished data by National Data Archive on Child Abuse and Neglect.
- 35 David Rubin et al., PolicyLab, *Improving Educational Outcomes for Children in Child Welfare* (2013), 4, available at http://policylab.chop.edu/sites/default/files/pdf/publications/PolicyLab_EtoA_%20Improving_Education_Outcomes_for_Children_in_Child%20Welfare_2013.pdf.
- 36 Other includes girls identified as "Race Unknown," "Asian," "Hawaiian/Pacific Islander," and "Native American." Placement counts refer to single foster episodes. Girls may experience multiple episodes.
- 37 Catherine Zorc et al., "The Relationship of Placement Experience to School Absenteeism and Changing Schools in Young, School-Aged Children in Foster Care," *Child Youth Services Review* 35 no. 5 (2013), 1-2, available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3640564/pdf/nihms458480.pdf>.
- 38 Mark Courtney et al., Chapin Hall Center for Children, *The Educational Status of Foster Children* (2004), 4, available at <http://www.chapinhall.org/sites/default/files/publications/152.pdf>.
- 39 Rubin et al., *Improving Educational Outcomes for Children in Child Welfare*, 3.
- 40 National Women's Law Center, Let Her Learn Survey.
- 41 The University of Utah, Utah Education Policy Center, *Research Brief: Chronic Absenteeism* (2012), 4, available at <http://www.utahdataalliance.org/downloads/ChronicAbsenteeismResearchBrief.pdf>; Robert Balfanz & Vaughn Byrnes, The John Hopkins University, *The Importance of Being in School: A Report on Absenteeism in the Nation's Public Schools* (2012), 30, available at http://new.every1graduates.org/wp-content/uploads/2012/05/FINALChronicAbsenteeismReport_May16.pdf.
- 42 Sharon Vandivere, Rosemary Chalk & Kristin Anderson Moore, Child Trends, *Children in Foster Homes: How are they Fairing* (2003), 3, available at <https://www.childtrends.org/wp-content/uploads/2013/03/FosterHomesRB.pdf>.
- 43 Advocates for Children of New York, *Educational Neglect: The Delivery of Educational Services to Children in New York City's Foster Care System* (2000), 30, available at http://www.advocatesforchildren.org/sites/default/files/library/educational_neglect_2000.pdf?pt=1.
- 44 Dunbar & Barth, *Racial Disproportionality, Race Disparity and Other Race-Related Findings*, 22.
- 45 Marni Finkelstein, Mark Wamsley & Doreen Miranda, Vera Institute of Justice, *What Keeps Children in Foster Care from Succeeding in School?* (2002), 39, available at http://archive.vera.org/sites/default/files/resources/downloads/School_success.pdf.
- 46 Sabastian Casterechini, John W. Gardner Center for Youth and Their Communities, *Educational Outcomes for Court-Dependent Youth in San Mateo County* (2009), 1, available at <https://gardnercenter.stanford.edu/sites/default/files/Educational%20Outcomes%20for%20Court%20Dependent%20Youth%20Issue%20Brief.pdf>.
- 47 *Ibid.*
- 48 Courtney et al., *The Educational Status of Foster Children*, 2.
- 49 Mark E. Courtney et al., Chapin Hall, *The Educational Status of Foster Children* (2004), 2-3, available at <http://www.chapinhall.org/sites/default/files/publications/152.pdf>.
- 50 Vanessa Barrat & BethAnn Berliner, The Center for the Future of Teaching & Learning, *The Invisible Achievement Gap: Education Outcomes of Students in Foster Care in California's Public Schools* (2013), i, available at https://www.wested.org/wp-content/files_mf/1400283692Invisible_Achievement_Gap_Full_Report.pdf.
- 51 *Ibid.*
- 52 Finkelstein, Wamsley & Miranda, *What Keeps Children in Foster Care from Succeeding in School?*, 27-28.
- 53 Sara Munson, United Cerebral Palsy and Children's Rights, *Forgotten Children: A Case for Action for Children and Youth with Disabilities in Foster Care* (2006), 3, available at http://www.childrensrights.org/wp-content/uploads/2008/06/forgotten_children_children_with_disabilities_in_foster_care_2006.pdf.



- 54 Ibid. 7.
- 55 Ibid.
- 56 Ibid.
- 57 Ibid.
- 58 U.S. Department of Education, "Students in Foster Care," available at <https://www2.ed.gov/about/inits/ed/foster-care/index.html>.
- 59 Barrat & Berliner, *The Invisible Achievement Gap*, iv.
- 60 Ibid. 14; Jill Barshay, "New Research Suggests Repeating Elementary School Grades, Even Kindergarten is Harmful," *Education by the Numbers*, October 13, 2014, available at http://educationbythenumbers.org/content/new-research-failing-students_2034/.
- 61 Barrat & Berliner, *The Invisible Achievement Gap*, iv.
- 62 Hyoun Kim and Leslie Leve, "Substance Use and Delinquency Among Middle School Girls in Foster Care: A Three-Year Follow-Up of a Randomized Controlled Trial," *Journal of Consulting and Clinical Psychology* 79 no. 6 (2012), 740-50, available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3226884/pdf/nihms328543.pdf>.
- 63 Finkelstein, Wamsley & Miranda, *What Keeps Children in Foster Care from Succeeding in School?*, 48.
- 64 Shay Bilchik and Judge Michael Nash, "Child Welfare and Juvenile Justice: Two Sides of the Same Coin," *Juvenile and Family Justice Today* (2008), 18, available at http://jbcc.harvard.edu/sites/default/files/two_sides_of_the_same_coin_fall_08_ncjfcj_today_feature1.pdf.
- 65 NWLC, *Pregnant and Parenting Students' Rights* (2016), 1, available at https://nwlc.org/wp-content/uploads/2016/08/FactSheet_nwlc_PPToolkitAug2016.pdf.
- 66 Center for the Study of Social Policy, *Twice the Opportunity: Policy recommendations to support expectant and parenting youth in foster care and their children* (2011), 14, available at <http://www.cssp.org/reform/child-welfare/pregnant-and-parenting-youth/ Twice-the-Opportunity.pdf>.
- 67 Legal Center for Foster Care & Education, *How Will the Every Student Succeeds Act (ESSA) Support Students in Foster Care?* (2015), available at <http://www.fostercareandeducation.org/Portals/0/documents/QA%20ESSA%202015%20FINAL%202%2019%2016.pdf>; see also U.S. Department of Education & U.S. Department of Health and Human Services, *Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care* (June 23, 2016), available at <https://www2.ed.gov/policy/elsec/leg/essa/edhhsfostercarenonregulatorguide.pdf>.
- 68 Legal Center for Foster Care & Education, *How Will the Every Student Succeeds Act (ESSA) Support Students in Foster Care?*, 2.
- 69 Felicia Windler, "Childhood Trauma and Special Education," *Hofstra Law Review* 44, 628 available at http://www.hofstralawreview.org/wp-content/uploads/2016/03/EE.2.Winder.final1_.pdf.
- 70 American Bar Association, *Blueprint for Change: Educational Success for Children in Foster Care* (2008), vii available at http://www.americanbar.org/content/dam/aba/publications/center_on_children_and_the_law/education/blueprint_second_edition_final.authcheckdam.pdf.
- 71 See generally Ellen Skakalski, Samantha Murphy & Evelyn Whitehill, Allegheny County Department of Human Services, *Improving Educational Outcomes for Child-Welfare Involved Youth: Allegheny County's Implementation of the Child Welfare Education Screen* (2013), available at http://www.fostercareandeducation.org/DesktopModules/Bring2mind/DMX/Download.aspx?EntryId=1915&Command=Core_Download&method=inline&PortalId=0&TabId=124.



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