

# ISSUE BRIEF

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## Parental Choice in Education: Creating Stability for Children in Foster Care

*Jonathan Butcher*

Displaced children—those living in foster care—are vulnerable. Federal and state efforts to help foster minors with temporary living arrangements are an important emergency measure to protect children from abuse and neglect. But removing a child from his home and placing him with a new family or in a temporary home causes instability, and research finds that foster children are in danger of negative long-term outcomes, such as failing in school and homelessness. Recent changes to federal education laws to help homeless minors are overdue, and state lawmakers have correctly taken the lead to provide stable learning options for displaced children. States should continue to lead in this area through parental choice in education and not rely on new requirements in federal law to help children who live in foster care.

When 5-year-old Ben was placed with a foster family, it was not long before he started asking about his mom.<sup>1</sup> And his room. And when he would get to go home.

Danielle Cemproma, his foster mother, said in an interview for this *Issue Brief*, “For a week, we had pretty consistent questions and ‘I miss my mom, I miss my room.’ After about two weeks in, it occurred to him that he was not just at a sleepover at our

house.” Fortunately for Ben, Danielle could keep him in the same district school in South Carolina that he attended before placement, providing stability for Ben.

While all foster children like Ben have to adjust to a new home, Ben’s schooling situation is not typical. Studies find that foster children change schools one or two times a year (more frequently in some areas).<sup>2</sup> One study from California found that 75 percent of foster children transferred schools during the year they entered foster care compared to 21 percent of their peers.<sup>3</sup>

“I know a lot of placements in [our area] come from outside the county,” Danielle says, resulting in students changing schools and homes at the same time.

Despite government efforts to help foster children, the challenges persist. Writing on federal and state policies for foster children, Judith Sealander says, “At the end of the [20th] century, after four decades of sustained efforts at every level of government, child abuse and neglect seemed a more dire problem than ever.”<sup>4</sup>

Some 428,000 children are in foster care around the country today.<sup>5</sup> Federal, state, and local governments spend approximately \$29 billion annually on child welfare services, of which foster care is one.<sup>6</sup> Most federal support comes through Title IV-E of the Social Security Act, funded at approximately \$7.6 billion and is administered by the U.S. Department of Health and Human Services.<sup>7</sup>

One reason why foster children are at a disadvantage in terms of life outcomes compared to their peers is because such children have low levels of educational attainment and performance. Research finds that “[almost] all studies of former foster chil-

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dren reveal that their average level of educational attainment is below the average of other citizens of comparable age in their state or country.<sup>8</sup> As a result, individuals who have been in foster care will struggle to overcome the problems of poverty, homelessness, and crime because they do not have a strong educational background to help them find jobs or pursue postsecondary or vocational education.

### Providing Foster Children with a Quality Education

A quality education will not replace a stable, intact biological family. Yet a good education can give individuals more opportunities later in life and help them become self-sufficient adults.

As described above, foster children often change schools, which research finds (for students in general) has a negative impact on student achievement and is a source of instability.<sup>9</sup>

Federal policymakers updated the latest version of the Elementary and Secondary Education Act (ESEA)—currently known as the Every Student Succeeds Act (ESSA)—to allow children to remain at their school of origin even after placement with a foster family.<sup>10</sup> This change is long overdue, and state-based education choice policies are already providing foster children with stable learning options:

- **Arizona.** Under Lexie’s Law, nonprofit scholarship organizations provide K–12 private school scholarships to foster children and children with special needs.<sup>11</sup> Scholarship organizations accept charitable contributions from corporations, and these businesses receive a credit on their taxes worth 100 percent of their contribution, up to \$5 million annually.<sup>12</sup> Nine hundred children with special needs or who were in the foster care system used Lexie’s Law in FY2016.<sup>13</sup>

Students can remain at their chosen school even after they leave the foster system.

- **Florida.** Florida operates the country’s largest tax credit scholarship system (similar to Arizona’s Lexie’s Law).<sup>14</sup> Foster children are eligible, and even if a child is reunited with his family or permanently placed with an adoptive family, he can keep his scholarship and stay at the same private school.<sup>15</sup>

In the 2016–2017 school year, more than 100,000 students used a scholarship to attend a private school, and some 607 of those were foster children.<sup>16</sup>

- **Oklahoma.** Since 2010, Oklahoma students with special needs have been eligible for the Lindsey Nicole Henry Scholarships for Students with Disabilities Program. These scholarships provide eligible K–12 students with a private school voucher to help cover the cost of tuition.<sup>17</sup> This year, state lawmakers expanded the program to include children in the foster care system or those who have been adopted from the state foster system.<sup>18</sup>
- **North Carolina.** North Carolina’s Opportunity Scholarships provide eligible K–12 private school students with scholarships worth up to \$4,200 per year.<sup>19</sup> Eligible students include children in foster care or students adopted from the state foster care system living in homes that qualify as low-income (household income of \$45,510 for a family of four).<sup>20</sup> As with Arizona and Florida’s private-school scholarship laws, foster children can remain at their private school even if they are adopted.

In the 2018–2019 school year, the state will allow foster students to use education savings accounts.<sup>21</sup> With an account, the state deposits a portion of a child’s funds from the state funding formula into a private account that foster parents can use to buy educational products and services for the children. Families can choose a private school for their foster child or customize his education.

The accounts will be worth \$9,000, and foster parents can use the funds to buy textbooks, pay private school tuition, hire a personal tutor, or find education therapies their foster child may need, to name a few possible uses.<sup>22</sup>

### Conclusion

If only one child must enter the foster care system, that is too many. However, in cases of neglect or abuse, the foster system is designed to provide safe alternatives for nearly a half-million children around the country.

More states should allow foster children and children adopted from the foster care system to use private school scholarships and education savings accounts. State policymakers should take the lead with such policies. Private school choice can help provide a measure of stability in the altogether unstable lives of displaced children.

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## Endnotes

1. Since “Ben” is in foster care, his name has been changed to protect the identity of a child who is a ward of the state.
2. Legal Center for Foster Care & Education, “Questions and Answers: Credit Transfer and School Completion,” [https://www.americanbar.org/content/dam/aba/migrated/child/education/QA\\_2\\_Credits\\_FINAL.authcheckdam.pdf](https://www.americanbar.org/content/dam/aba/migrated/child/education/QA_2_Credits_FINAL.authcheckdam.pdf) (accessed October 5, 2017); Children’s Rights, “The Long Road Home: A Study of Children Stranded in New York City Foster Care,” November 2009, p. 58, [http://www.childrensrights.org/wp-content/uploads/2009/11/2009-11-02\\_long\\_road\\_home\\_full\\_report\\_final.pdf](http://www.childrensrights.org/wp-content/uploads/2009/11/2009-11-02_long_road_home_full_report_final.pdf) (accessed October 5, 2017); and The Foster Care Alumni Studies, “Improving Family Foster Care: Findings from the Northwest Foster Care Alumni Study,” March 14, 2005, p. 34, [https://www.casey.org/media/AlumniStudies\\_NW\\_Report\\_FR.pdf](https://www.casey.org/media/AlumniStudies_NW_Report_FR.pdf) (accessed October 5, 2017).
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5. Emilie Stoltzfus, “Child Welfare: An Overview of Federal Programs and Their Current Funding,” Congressional Research Service Report for Congress No. 43458, January 10, 2017, <https://fas.org/sgp/crs/misc/R43458.pdf> (accessed October 5, 2017); U.S. Department of Health and Human Services, Administration for Children and Families, *The AFCARS Report: Preliminary FY 2015 Estimates as of June 2016*, No. 23, <https://www.acf.hhs.gov/sites/default/files/cb/afcarsreport23.pdf> (accessed October 5, 2017).
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7. Stoltzfus, “Child Welfare: An Overview of Federal Programs and Their Current Funding.”
8. Thomas P. MacDonald, et al., “Assessing the Long-Term Effects of Foster Care: A Research Synthesis,” University of Wisconsin-Madison, Institute for Research on Poverty, July 1993, p. 39, <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.208.7316&rep=rep1&type=pdf> (accessed October 16, 2017).
9. See, for example, Carol C. Bradley, “Notre Dame Research Shows Switching Schools Affects Student Achievement,” *Notre Dame News*, July 6, 2009, <https://news.nd.edu/news/notre-dame-research-shows-switching-schools-affects-student-achievement/> (accessed October 13, 2017), and Russell W. Rumberger and Katherine A. Larson, “Student Mobility and the Increased Risk of High School Dropout,” *American Journal of Education*, Vol. 107, No. 1 (November 1998), <http://www.journals.uchicago.edu/doi/abs/10.1086/444201> (accessed October 5, 2017).
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13. Arizona Department of Revenue, “School Tuition Organization Income Tax Credits in Arizona, Summary of Activity: FY 2015/2016,” p. 38, <https://www.azdor.gov/Portals/0/Reports/FY2016%20Private%20School%20Tuition%20Org%20Credit%20Report.pdf> (accessed October 5, 2017).
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22. For more information, see Jonathan Butcher, "A Primer on Education Savings Accounts: Giving Every Child the Chance to Succeed," Heritage Foundation *Backgrounder* No. 3245, September 15, 2017, <http://www.heritage.org/sites/default/files/2017-09/BG3245.pdf>.