

SCHOOL CHOICE FOR MARYLAND'S FOSTER CARE CHILDREN: FOSTERING STABILITY, SATISFACTION, AND ACHIEVEMENT

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MPPI

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EXECUTIVE SUMMARY

School choice policies have been designed to target specific populations of students. Means-tested voucher programs exist in Cleveland, Milwaukee, and Washington, D.C., and children with special needs have access to scholarships in Florida and Utah. Florida also offers opportunity scholarships to children in schools with persistently low test scores. Other targeted programs, such as scholarships for English language learners, have been proposed across the nation.

This paper presents a proposal for a new targeted school choice program: opportunity scholarships for foster care children. There are an estimated 523,000 children in foster care in the U.S. and 11,500 of these children are in Maryland.¹ Approximately 7,000 of these children are in Baltimore City.² For a variety of reasons, these children have been removed from the homes of their birth families and placed under state care. Some children are ultimately returned to their birth family or placed for adoption. Others end up in long-term foster care. Roughly half of all foster children will spend at least one year in foster care, with 20 percent staying longer than three years.³

The children in foster care are among the most at-risk in our society.⁴ Adults who were formerly in foster care are more likely to be homeless, incarcerated, and dependent on state services than the general population.⁵ Foster children face a number of unique disadvantages and require specially tailored assistance during the school years and with the difficult transition from youth to adulthood.⁶

One key factor that determines whether a foster child will achieve a successful transition is the quality of primary and secondary education he or she receives. Unfortunately, too many foster children receive a substandard education. Compared to the general population, foster children have lower scores on standardized tests and higher absenteeism, tardiness, truancy, and dropout rates.⁷

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1. "Foster Care FY1999-FY2003," Administration for Children and Families, Department of Health and Human Services, accessed at www.acf.hhs.gov/programs/cb/dis/tables/entryexit2002.htm (August 29, 2005).
 2. "Baltimore City Child Welfare Briefing," March 10, 2005, available at www.acy.org/web_data/Child%20welfare%20briefing.ppt (accessed August 29, 2005). According to this report, there were 7,262 children in foster care in Baltimore at the time of the briefing.
 3. "Foster Care National Statistics," National Clearing House on Child Abuse and Neglect Information, U.S. Department of Health and Human Services, http://nccanch.acf.hhs.gov/search/view_pub.cfm?recno=42180&simple=1&criteria=foster%20care%20national%20statistics&cb_website=1&rps=1&uberorgs=1&cb_express=1&calendar=1 (accessed September 12, 2005). According to HHS, 542,000 children were in foster care as of September 30, 2001. Fifty percent of these children will remain in foster care for longer than one year.
 4. For a summary of the risk factors facing children in foster care, see: Thomas P. McDonald, et al., *Assessing the Long-Term Effects of Foster Care: A Research Synthesis* (Child Welfare League of America, Washington, D.C.: 1996).
 5. *Ibid.*
 6. Emilie Stoltzfus, "Child Welfare: The Chafee Foster Care Independence Program," CRS Report RS20230, Congressional Research Service, January 13, 2004.
 7. Steve Christian, "Educating Children in Foster Care," National Conference of State Legislatures, Children's Policy Initiative, Washington, D.C., December 2003, available at www.ncsl.org/programs/cyf/CPleducate.htm (accessed August 29, 2005).

Offering children in foster care opportunity scholarships to attend a chosen school could address some of the common problems plaguing the educational experience of foster care children, such as instability and persistent low expectations. Moreover, it would encourage schools to tailor education services to the unique needs of foster care children, such as the requirement for greater life skills and self-sufficiency training.

This paper outlines a specific proposal for how policymakers could create the nation's first opportunity scholarship program for children in foster care. The proposal calls for offering opportunity scholarships worth \$8,000 apiece to the estimated 11,500 children currently in foster care in the state of Maryland. It discusses how this program can be administered at no additional cost to taxpayers. In addition, there is reason to believe that this program may reduce taxpayer costs over time by empowering foster children with the necessary skills to gain independence as adults, rather than remain dependent on state services.

INTRODUCTION

There are an estimated 523,000 foster care children in the U.S. Maryland has approximately 11,500 foster care children, 7,000 of whom are in Baltimore City. This paper is based on the understanding that these children require specially tailored education and assistance to help with the difficult transition from youth to adulthood. Unlike their peers in traditional families, foster children often do not have an adequate safety net or social network. They are unable to rely on parents and other relatives for support during the school years and to facilitate a smooth transition out of the home and into adulthood.

Research suggests that children in foster care are among the most at-risk for poor life outcomes in our society.⁸ For example, research has found that adults who were formerly foster children are more likely to be homeless, unprepared for employment and limited to low-skill jobs, and dependent on welfare or Medicaid.⁹ Research has also found that foster care children are more likely than the general population to be convicted of crimes and incarcerated, susceptible to drug and alcohol abuse, and to have poor physical or mental health.¹⁰ Among young women formerly in foster care, there is a high rate of early pregnancy.¹¹ Evidence suggests that being placed in foster care may be a generational cycle. Adults who were formerly foster care children are more likely to have their own children placed in foster care; nearly one in five foster care women who have children will have to place their children in foster care according to one survey.¹²

EARLY WARNING SIGNS: POOR PERFORMANCE IN THE CLASSROOM

An early warning sign of these negative outcomes is found in the poor performance of foster care children in the education system. While there are no comprehensive data available on the performance of foster children, numerous sources suggest that their performance is below that of the general population.

According to the National Conference of State Legislatures, foster children's poor performance compared to the general population is reflected in "high rates of grade retention; lower scores on standardized tests; and higher absenteeism, tardiness, truancy, and dropout rates."¹³ A study published by the *American School Board Journal* found that "foster children often repeat a grade and are twice as likely as the rest of the population to drop out before graduation."¹⁴ Among dropouts, "fewer foster children eventually earn their GED than non-foster dropouts."¹⁵ According to a research synthesis published by the Child Welfare League, "Almost all of the reviewed studies of those who were in out-of-home care reveal that the subject's average level of educational attainment is below that of other citizens of comparable age."¹⁶

8. McDonald, et al., *Assessing the Long-Term Effects of Foster Care: A Research Synthesis*, p. 41-69, 119, 129.

9. *Ibid.*, p. 41-69.

10. *Ibid.*, p. 71-80.

11. *Ibid.*, p. 125.

12. *Ibid.*

13. Christian, "Educating Children in Foster Care," December 2003.

14. "How You Can Create a Positive Educational Experience for the Foster Child," Vera Institute of Justice, available online at www.vera.org/publication_pdf/241_452.pdf (accessed August 29, 2005), p.1.

15. *Ibid.*, p. 2.

16. McDonald, et al., *Assessing the Long-Term Effects of Foster Care: A Research Synthesis*, p. 41.

BACKGROUND ON EDUCATION AND FOSTER CHILDREN

The reason for this poor performance may be found in general problems that researchers have identified in meeting the following unique educational needs and circumstances of foster care children.

Instability

Children placed in foster care often change schools as they change homes or settings. As a number of researchers have concluded, changing schools results in emotional instability as well as practical disruptions in the educational process. According to a synthesis of foster care research, “fewer placements while in care were associated with better adult functioning,”—specifically—“living with fewer placements was found to be associated with better school achievement and more years of education.”¹⁷ It is not surprising, therefore, that a survey of adults who had formerly been in foster care found that “these former foster children strongly believed that they had been shifted around too much while in foster care, and as a result, they suffered, especially in terms of education.”¹⁸

Practically, school transfers can impose gaps in the learning cycle, as children change from different classrooms and must adjust to new settings, teachers, students, and, in many cases, special services. Such changes might be dramatic compared with each prior situation. According to the Vera Institute, a non-profit group and advocacy organization in support of foster care children, “too many transfers can cause a child to disengage and give up on school.”¹⁹ The U.S. Department of Education estimates that students lose between four to six months each time they transfer to a new school.²⁰

In addition to educational setbacks, school transfers cause emotional instability and disruption. According to Nebraska University researchers, “foster children’s social network often broke down as a result of placement disruption and the collapse of their peer relationships once they switched neighborhoods or schools.”²¹ Given that children in foster care already lack the stability and emotional support of a natural or adoptive family or permanent guardian, this loss of stability from their school community can be particularly damaging. Researchers and policymakers suggest that, for both practical and emotional reasons, instability and too many school transfers should be avoided.

Low Expectations and the Failure of Adult Advocacy

In 1983, a researcher surveyed 277 former foster children in New York City about their experience in foster care. The results of this survey, documented in the landmark *No One Ever Asked Us* report, shed light on former foster children’s opinions of their educational opportunities. The

17. *Ibid.*, p. 135.

18. Findings from Trudy Festinger, *No One Ever Asked Us* (Columbia University: 1984). Research cited in: Patrick A. Curtis, et al., eds, *The Foster Care Crisis: Translating Research into Policy and Practice* (University of Nebraska: 1999), p. 109.

19. “How You Can Create a Positive Educational Experience for the Foster Child,” Vera Institute of Justice, p. 3.

20. “Foster children prone to drop out, statistics show,” *Education Daily* newsletter, July 27, 2005.

21. *Ibid.*

former foster care children reported that, in many cases, the foster care system failed to place a high standard on their education.²²

The Vera Institute also reported that surveys of older youth in foster care revealed that these children often “have high educational aspirations, resent the fact that more is not expected of them, and would benefit from adult encouragement.”²³ In many cases, the report suggests, it seems these children would have benefited from alternative educational environments that offered different and more challenging and/or individualized opportunities.

Unfortunately, some of the blame may fall on the adults who should help ensure that these children's educational experience is a success. According to the Vera Institute, “too often teachers, guidance counselors, and other school staff do not expect foster children to excel in school...and few are encouraged to participate in the extra-curricular activities that are associated with higher academic achievement.”²⁴ Likewise, the National Conference of State Legislatures found that the “lines of responsibility and accountability for the educational outcomes of children in foster care are unclear” and that often “no single person or agency ultimately is held accountable for results.”²⁵

The Need for Life Skills Instruction

It is also important to recognize the unique needs of foster children, who, in many cases, lack the family and social network necessary to learn basic life skills. A 1990 survey of former foster care children in the San Francisco Bay Area found that the subjects in general agreed that it is “imperative that social workers put more emphasis on teaching youth life skills as well as providing more tools to secure adequate and affordable housing upon emancipation.”²⁶ The New York City *No One Ever Asked Us* survey concluded that education services and preparation for independent living were two of the three factors stressed for improvement by former foster children.²⁷

Special Education

Approximately 30 to 40 percent of all children in foster care are also in special education, a higher percentage than the general population.²⁸ Many more foster care children may be eligible for or in need of special education services, since both the identification of and tracking of foster care children may be inadequate. It is also possible that, since foster care children often lack a consistent advocate, some children placed in foster care may be better served in mainstream classrooms.²⁹

22. *Ibid.*

23. “How You Can Create a Positive Educational Experience for the Foster Child,” Vera Institute.

24. *Ibid.* p. 4.

25. Christian, “Educating Children in Foster Care,” December 2003.

26. Curtis, et al., *The Foster Care Crisis*, p. 111.

27. *Ibid.*, p. 110.

28. Claire van Windgerden, John Emerson, and Dennis Ichikawa, “Improving Special Education for Children with Disabilities in Foster Care,” *Education Issue Brief*, Casey Family Programs, 2002, p. 1, available at www.fosterclub.org/training/upload/fosterclub_219.pdf (accessed August 29, 2005).

29. Researchers have identified systemic problems of specific populations of students being over-identified in special education. For example, see: Matthew Ladner, Christopher Hammons, “Special But Unequal: Race and Special Education,” in *Rethinking Special Education for a New Century* (Fordham Foundation: 2001), Chapter 5, available at www.edexcellence.net/library/special_ed/special_ed_ch5.pdf (accessed August 29, 2005).

According to researchers of the Casey Family Program, “A review of the literature and anecdotal data from the field suggests that the stories of foster children in special education are, all too often, stories of un-served or underserved children, lost records, minimal interagency communication, and confusion over the roles of birth parents, foster parents, and social workers.”³⁰

It stands to reason that children in foster care are at risk of being underserved by the special education system. Special education is an area in education that often requires greater parental advocacy to be effective. Children in multiple placements are at great risk of failing to have their special education needs identified in their IEP (individual education program) placed into action. Among the areas suggested for improvement in meeting the needs of foster care children are: providing more access to early intervention; greater tracking and coordination of special needs children; and empowering guardians with greater advocacy and decision-making authority.³¹

Cultural Sensitivities

Ethnic minority children are overrepresented in the foster care population. In 2001, 54 percent of the children in foster care were ethnic minorities.³² In many cases, ethnic minority children are placed in mixed cultural settings. These children may possibly be at greater risk than non-minority children in the foster system. Researchers have identified providing “culturally sensitive and culturally competent” services for minority children as an important goal for our child welfare system, since they might “lessen the traumatic impact of being separated from both their families and from being in a majority culture public child welfare system.”³³

Why School Choice?

As described in detail above, children in foster care in the K–12 education system have a number of unique needs that are different than the general school population. Providing education choice and flexibility to K–12 foster care children would help provide a more solid educational foundation that will help them better achieve academic success, social stability, and adult self-sufficiency. As described in detail below, there are a number of reasons why school choice may lead to better outcomes for foster care children.

BACKGROUND ON SCHOOL CHOICE: HISTORY AND EMPIRICAL EVIDENCE

Simply defined, school choice policies allow students to use taxpayer funds that would have been spent on their education in public school to choose from among a number of schools, including public, private (sectarian or secular), or charter schools. For decades, economists and policy analysts have argued that student-centered reforms such as vouchers would benefit both participating children and the entire school system through market competition.

Today, the argument for school choice rests on more than economic theory. In all, 11 states and municipalities have enacted 14 publicly-funded school choice programs.³⁴ Thanks to the gener-

30. Windergerden, “Improving Special Education for Children with Disabilities in Foster Care,” 2002, p. 3.

31. *Ibid.*

32. “Foster Care National Statistics,” National Clearinghouse on Child Abuse and Neglect Information, U.S. Department of Health and Human Services.

33. See Curtis, et al., *The Foster Care Crisis*, p. 84-95.

osity of philanthropists, tens of thousands of children have been able to experience school choice through privately-funded scholarship programs.³⁵ The growing number of publicly and privately-funded school choice programs across America have afforded researchers with ample opportunity to study the effects of school choice on outcomes such as parental satisfaction, student achievement, and public school performance. This research is surveyed below.

Across the board, research suggests that school choice reforms have a positive impact on student outcomes. For example, Columbia University scholars recently examined 35 empirical studies testing the effects of competition in the educational marketplace. Overall, they found that “a sizable majority of these studies report beneficial effects of competition across all outcomes.”³⁶

Family Satisfaction

There is general agreement that the ability to choose a child's school increases a family's satisfaction with that school. This commonsense idea has been proven in numerous studies. For example, in 2003, the Goldwater Institute surveyed approximately 2,600 low-income families participating in Arizona School Choice Trust's scholarship program and found that parents able to choose their child's school were happier than those parents who were unable to choose their child's school.³⁷

Several other studies have reached the same conclusion.³⁸ For example, the U.S. Department of Education's National Household Education Survey Program also found that school choice increases parental satisfaction in a national survey of parents:

Parents whose children attended either public, chosen schools or private schools were more likely to say they were very satisfied with their children's schools, teachers, academic standards, and order and discipline than were parents whose children attended public, assigned schools. Parents whose children attended private schools were more involved in activities at their children's schools than were parents whose children attended public, assigned and public, chosen schools.³⁹

Policymakers implementing a school voucher program should be confident that school choice will boost the participating family's satisfaction.

34. Krista Kafer, “School Choice 2003: How States are Providing Greater Opportunity in Education,” Heritage Foundation, 2003, p. ix.

35. An example is the Children's Scholarship Fund. Since 1998, the non-profit organization has awarded 67,000 private school scholarships to low-income children. For information on CSF, visit www.scholarshipfund.org.

36. Clive R. Belfield, Henry M. Levin, “Analyzing School Choice Reforms,” National Center for the Study of Privatization, Columbia University, March 2002, p. 2.

37. Dan Lips, “The Impact of Tuition Scholarships on Low-Income Families: A Survey of Arizona School Choice Trust Parents,” Policy Report No. 187, Goldwater Institute, December 11, 2003, available at www.goldwaterinstitute.org/article.php/392.html (accessed August 29, 2005).

38. Phillip Vassalo, “More Than Grades: How School Choice Boosts Parental Satisfaction,” Cato Institute, October 27, 2000.

39. “Trends in the Use of School Choice: 1993 to 1999,” Statistical Analysis Report, National Center for Education Statistics, U.S. Department of Education, May 2003, available at <http://nces.ed.gov/pubs2003/2003031.pdf> (accessed August 29, 2005), p. vii.

Effect on Academic Achievement of Students Receiving Vouchers

A growing body of research also suggests that school choice programs have a positive impact on student achievement. For example, a study conducted by researchers from Harvard and Georgetown Universities and the University of Wisconsin released in 2001 found that African-American students receiving private scholarships in Ohio, New York, and Washington, D.C. scored significantly higher than their peers who remained in public schools.⁴⁰ Overall, dozens of independent studies have found that school choice programs benefit the students who participate.⁴¹ For example, Dr. Jay Greene, the head of the newly endowed department of education reform at the University of Arkansas, recently examined the effects of school choice on high school graduation rates in Milwaukee and found that 64 percent of low-income students using vouchers to enroll at 10 private high schools in 1999 graduated, whereas only 36 percent of their public school peers received diplomas.⁴²

HOW SCHOOL CHOICE COULD ADDRESS THE SPECIAL NEEDS OF FOSTER CHILDREN

As described above, research suggests that children participating in school choice programs benefit from higher academic achievement. It is likely that providing foster children with vouchers to attend a chosen private or parochial school would lead to higher academic achievement or, at least, greater satisfaction.

In a sense, school choice provides children with a money-back guarantee, since the student could always use his opportunity scholarship to transfer to a new school that affords better opportunities. In addition to academic achievement and higher satisfaction, a system of school choice could address foster children's specific needs in a number of ways.

Fostering Stability and Building Friendships and Peer Groups

Instability caused by too many transfers from different out-of-home placements, as described earlier, is one of the biggest challenges facing foster children. As the Vera Institute recently recommended, "keeping school as a point of stability can help foster children succeed educationally and give them peers and caring adults to help them weather the changes at home."⁴³ An opportunity scholarship would empower a child, in many cases, to remain at the same school despite transferring to a new out-of-home placement. Assuming that the placement is in the same general geographical location, the child could in many cases continue to attend the same school. As a number of researchers have advised, providing permanency in school leads to better educational outcomes and greater emotional stability for foster children.⁴⁴

Long-term Friendships

Creating a long-term relationship with a chosen school could help build a long-term sense of community for a child. A survey of alumni of the Boise Division of the Casey Family Program for

40. William Howell, et al., "School Vouchers and Academic Performance: Results from Three Randomized Field Trials," *Journal of Policy Analysts and Management*, Spring 2002.

41. Belfield and Levin, "Analyzing School Choice Reforms."

42. "How You Can Create a Positive Educational Experience for the Foster Child," Vera Institute, p. 3.

43. *Ibid.* p. 10.

44. Curtis, *The Foster Care Crisis*, p. 113.

children in foster care found that many of the alumni “expressed a desire to connect with other alumni...to be involved in alumni activities...and a willingness to contribute to the division and to help ‘Casey kids’ currently in foster homes.”⁴⁵ This suggests that a positive experience with an association or community can make a positive impact on a foster child. By helping a child remain in the same school community for a lengthy period, an opportunity scholarship could purchase an important sense of belonging and community for a foster child.

Ownership and Decision-making

A primary challenge facing foster care children in the education system is the lack of an advocate. Similarly, former foster care children have expressed frustration over a lack of control over their lives and education. By offering students vouchers and the power of being a customer shopping within the education system, an opportunity scholarship would provide foster care students a greater sense of ownership over their education and future. A system of school choice for foster care children would need to include adult guardianship and accountability (discussed in greater detail below). Nevertheless, providing foster care children with some autonomy in the process of seeking education services would likely improve the child’s experience in the system. Education providers would have an additional financial incentive to meet the student’s needs or risk losing the student’s funding, since the student and his family would have control over his education future.

Cultural Considerations

Meeting the cultural needs of ethnic minority children has been identified by researchers as an important goal in the child welfare system. Increasing flexibility in the delivery of education service may provide an opportunity to meet these cultural needs, either in choosing a child’s school or, perhaps, by allocating resources to educational, after-school or summer programs designed to help meet a child’s cultural needs. Greater flexibility through school choice will likely facilitate new opportunities to meet specific needs like cultural considerations.

Special Education and Special Needs

Since between 30 to 40 percent of the children in foster care are also in special education, it is important to consider how school choice programs have been designed to benefit children with special needs. In Florida, all of the states’ nearly 400,000 special education students are eligible to receive a school voucher to attend a private or public school of their parents’ choice.⁴⁶ This year, 13,700 students are participating in the program.⁴⁷ According to a Manhattan Institute survey of parents currently using McKay vouchers and parents who previously used a McKay voucher and who no longer do, “parents are much more satisfied with their experiences in private McKay schools than they were with their experience in public schools.”⁴⁸ Importantly, the survey also

45. Jay Greene, Greg Forster, “Vouchers for Special Education Students: An Evaluation of Florida’s McKay Scholarship Program,” *Civic Report No. 38*, Manhattan Institute, June 2003, p. 1.

46. Facts on school choice compiled by School Choice Wisconsin, available at www.schoolchoiceinfo.org/facts/index.cfm?fl_id=3 (accessed August 29, 2005).

47. Greene and Forster, “Vouchers for Special Education Students,” June 2003, p. 1.

48. For background on Arizona’s experience with charter schools, visit the U.S. Department of Education’s website on charter schools: www.uscharterschools.org.

found that over 90 percent of the parents who left the program believe it should continue to be available to those who wish to use it.

The evidence from the McKay program suggests that offering vouchers to students in special education improves the students' educational experience by providing the power to exercise choice and preference. Offering children in foster care similar school choice options may help solve some of the general problems identified by researchers and child advocates, such as children generally falling through the cracks of the special education system.

Innovation: Meeting Special Needs Such as Life Skills Instruction

One of the likely benefits of providing students with school choice options is innovation within the education system. For example, in 1994, Arizona enacted what is considered the nation's strongest charter school law. Charter schools are public schools that are operated privately instead of by a school district. Over the past decade, the number of charter schools in Arizona has grown to more than 500, and nearly 10 percent of public school children now attend a charter school because they offer unique education services: for example, schools that focus on character education, back-to-basics, or the Montessori teaching method.⁴⁹

Providing an incentive or opportunity to meet the very specific needs of foster care children could possibly result in the creation of innovative instruction methods that would both benefit participating children and provide a model that other education providers could imitate. The Cato Institute reported in 2001 that the field of "edupreneurs"—or for-profit educators—has expanded to constitute approximately 10 percent of the nation's \$740 billion education industry.⁵⁰ Rapid innovation occurs in nearly all aspects of human life that are open to the forces of market competition. Encouraging edupreneurs to seek ways to provide superior education services to children in foster care could lead to a number of unforeseen innovations that may benefit children and society.

Numerous research reports and surveys of former foster children suggest that children in foster care need more life-skills preparation. Since an opportunity scholarship would empower the foster care children and their families to choose their education services, foster care children would be able to choose facilities that offer these services. Other school choice programs, including charter schools as well as vouchers, have led to the development of innovative education providers. Some schools specialize in at-risk youth; others use a Montessori method of teaching; still others specialize in international education and provide additional language training. By turning foster care students into education consumers, educational providers will have an incentive to address these important needs.

49. Carrie Lips, "Edupreneurs: A Survey of For-Profit Education," *Policy Analysis* No. 386, Cato Institute November 20, 2000.

50. Steve Christian, "Supporting and Retaining Foster Parents," *Legislative Report*, Vol. No. 7, No. 11, National Conference of State Legislatures, April 2002, p. 1.

Creating an Incentive for Foster Families to Become or Remain Caregivers

Recruiting and retaining quality foster parents is one of the many challenges facing America's foster care system. According to a research report published by the National Council of State Legislatures, "Turnover among foster parents is extremely high; some agencies lose from 30 to 50 percent of their caregivers every year."⁵¹ This problem is apparent in Maryland and Baltimore City. In recent years, the number of foster families in Maryland dropped from 5,500 in 2002 to about 3,900 in 2005.⁵² In Baltimore, the number of foster care homes dropped from 2,796 in 2002 to 1,948 in 2004.⁵³

One common reason cited for the drop in number of homes is insufficient financial incentive for parents to become foster parents. But other factors, such as the ability to help guide the child's future, also contribute to foster family's dissatisfaction. The U.S. Department of Health and Human Services surveyed foster parents who had planned to quit and found that the top reason for why they decided to quit fostering, cited by 46 percent, was "no say in the child's future."⁵⁴ Providing students with better educational opportunities through an opportunity scholarship program could make the fostering experience more enjoyable for both adults and children, as foster families would be given the opportunity to have more say in the child's future.

A PROPOSAL FOR MARYLAND: OPPORTUNITY SCHOLARSHIPS FOR FOSTER CARE CHILDREN

Maryland policymakers could enact an opportunity scholarship program for children in foster care by re-allocating the resources that were being spent on these students' education in public schools. According to the Maryland State Department of Education, the average per-student expenditure in Maryland public schools is \$8,765.⁵⁵ Opportunity scholarships worth \$8,000 could be awarded to children in foster care to pay for tuition at a private school, as well as for transportation and other costs. This amount is slightly more than the current voucher programs for low-income students in Cleveland, Milwaukee, and Washington, D.C. and would likely facilitate widespread choice of schools.

The U.S. Department of Education reported in 2000 that the average private school tuition across the country was \$4,689. The Cato Institute, in 2003, surveyed private schools in five metropolitan cities and found that, in each case, the median private school tuition was below \$5,000. In Washington, D.C., the median private school tuition was \$4,500.⁵⁶ For Catholic schools in particular, tuition is typically below \$4,000 for an elementary school child and less than \$7,000 for a high school student.⁵⁷ All of this suggests that a scholarship worth \$8,000 would facilitate widespread school choice.

51. Lynn Anderson, "Answers elusive in foster care crisis," *Baltimore Sun*, June 20, 2005.

52. "Still Waiting," *Baltimore Sun*, editorial, August 15, 2004.

53. Christian, "Supporting and Retaining Foster Parents," p. 2.

54. Maryland State Report Card, www.mdreportcard.org.

55. David Salisbury, "Most Private Schools Aren't Expensive," Cato Institute, August 29, 2003.

56. See Valerie Strauss, "Area Catholic Schools Grow, Bucking Trend," *Washington Post*, August 29, 2004, p. C01.

57. Foster Care National Statistics, National Clearinghouse on Child Abuse and Neglect Information, available at <http://nccanch.acf.hhs.gov/pubs/factsheets/foster.pdf> (accessed August 29, 2005), p. 3.

Moreover, if the cost of tuition is lower than the \$8,000 scholarship amount, the savings could be used for other education services such as tutoring or after-school development programs. Or it could also be invested in an education savings account for future use, such as higher education or job training programs. Given the unique needs of foster care children, a generous \$8,000 voucher would afford the flexibility to create an education program tailored to the needs of the student.

This program could be overseen by the Maryland State Department of Education, another state child services agency, or a private non-profit organization chosen by the state. Administrative costs can be covered by the difference between the per-pupil expenditure (\$8,765) and the (\$8,000) voucher—\$765 per student or approximately 9 percent of the students' per-pupil expenditure. Moreover, the existing infrastructure of child welfare administrators overseeing the state's foster care program could help manage the program.

FINANCIAL CONSIDERATIONS

Since the per-pupil expenditure that would have been spent on behalf of this child would be used to fund the opportunity scholarships, this program could be created at no additional cost to the state. However, since per-pupil spending in public schools is funded by state and local tax revenues, a state-funded opportunity scholarship program would require that state lawmakers recoup savings realized at the local level in order to ensure that the program does not cause a net increase in government expenditures.

It may also be the case that increasing educational opportunities for foster care children would warrant a new state expenditure. Nevertheless, it is helpful for policymakers to recognize that this does not require new expenditures.

ADDITIONAL CONSIDERATIONS

Oversight, Advocacy, and Checks and Balances

One of the challenges of designing a school choice program for foster care children is this: who will have the power to choose the child's school? Children in the foster care system are charges of the state. The state should carefully design a system of checks and balances to ensure that foster children and families make wise decisions with their education resources. A number of examples that demonstrate how such a system of check and balances can be drawn from the already existing accountability measures within the child welfare system.

One possible solution would be to create a panel of commissioners to review the foster child's education plan for the year in the summer preceding the school year. Reviewing this plan could ensure that the opportunity scholarship resources would be put to good use. A proposed education plan could be developed through a cooperative process that includes the opinions of the child, the child's designated guardian, and other mentors or caseworkers appointed to supervise the child's well-being. Prior to the school year, the commission could hold a hearing to review the plan. (While the commission would have ultimate decision-making authority, in extreme cases these decisions could be appealed to another authority within the state's child welfare system.) Once the plan is put into place, the state could require that the commission receive periodic updates about the child's progress to ensure that the chosen plan is being executed.

Adoption and Placement Incentives

Policymakers should structure the opportunity scholarship program to ensure that it does not provide adverse incentives for placement and adoption. For example, it would be problematic if adoption—the goal of 22 percent of foster care children⁵⁸—was seen as a deterrent to a child's schooling. One option would be to continue to provide the foster child a scholarship after she has been adopted, therefore enabling the child to continue with her previous schooling. Similarly, while it is unlikely that any family would seek to place their child in foster care due to the opportunity provided by a voucher program, policymakers could eliminate any incentive by offering similar school choice options to all parents or specific populations, such as students from low-income families.

RELIGIOUS AND CONSTITUTIONAL CONSIDERATIONS

Policymakers must determine whether to allow foster children in the opportunity scholarship program to attend private parochial schools. The decision presents interesting questions. First, there is the consideration that states like Maryland have a clause in their state constitutions that restrict public funds be used to fund religious institutions. Numerous programs have been designed to allow individuals to independently choose to use state funds at religious institutions, such as government subsidies for higher education or health care that are used in religious institutions. However, in this case, since the state is providing a supervisory role, it may practically require the state to determine whether to choose religious instruction for the child.

On the other hand, a parochial education may be a valuable option for some children in foster care. Religious institutions have a long history in caring for orphans or parent-less children. In the case where a child in foster care has family guardians, states could consider allowing children to attend parochial schools. Policymakers should carefully weigh these considerations to determine the best program for the state's foster care children.

CONCLUSION

Maryland's 11,500 children in foster care, along with the 540,000 foster children nationwide, are among the most at-risk in our society. Adults who were formerly in foster care are more likely to be homeless, incarcerated, and dependent on the state than the general population. One of the primary reasons for these risks is that many foster care children do not receive a high-quality education.

Offering opportunity scholarships to children in foster care to attend a chosen school could address some of the common problems plaguing the educational experience of foster care children, such as instability and persistent low expectations. Moreover, it would encourage schools to tailor education services to the unique needs of foster care children, such as the need for greater life skills and self-sufficiency training.

Maryland could implement a first-in-the-nation opportunity scholarship program for foster care children. This program would give students scholarships worth \$8,000 to attend a school of their

58. Jay Greene, "Graduation Rates for Choice and Public School Students in Milwaukee," Manhattan Institute for Policy Research, September 2004, p. 2, available at www.schoolchoicewi.org/data/currdev_links/grad_rate.pdf (accessed September 12, 2005).

choice—a choice that would factor in the opinions of the student, his guardian, and caseworker. This program could be created at no additional cost to the state. Over the long term, an opportunity scholarship program may actually save the state additional resources as at-risk children are given the necessary skills to become independent adults, rather than dependent on the state.

School choice policies like the opportunity scholarship program outlined in this report have been found to boost student outcomes on test scores and increase family satisfaction with their child's education experience. It is likely that foster care children could also benefit from school choice.