

**FILED**

OCT 28 2010

DAVID H. YAMASAKI  
Chief Executive Officer/Clerk  
Superior Court of CA County of Santa Clara  
BY  DEPUTY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA  
JUVENILE DIVISION

**ORDER AUTHORIZING SAN JOSE STATE UNIVERSITY'S,  
RESEARCH INSTITUTE ON FOSTER YOUTH INITIATIVES, TO  
CONDUCT A RESEARCH STUDY ON THE SANTA CLARA  
COUNTY MIDDLE SCHOOL EDUCATION COURT, INCLUDING  
INTERVIEWS WITH AND ACCESS TO CONFIDENTIAL  
INFORMATION ABOUT PARTICIPATING JUVENILE DEPENDENT  
YOUTH**

Good cause appearing, the Court hereby authorizes, Dr. Emily J. Bruce, Ph.D., LCSW, Associate Professor, Director for the Research Institute for Foster Youth Initiatives (RIFYI), San Jose State University (SJSU), acting in agreement with the Santa Clara County Social Services Agency, Department of Family and Children's Services (DFCS), to engage in the research activities set forth in detail in the attached application for the proposed research study entitled, "Middle School Education Court (MSEC) Project: Phase 1 – Establishing the Baseline; and Phase 2: Examining Outcomes" in order to assist DFCS and the Court in identifying and addressing concerns about the educational achievement of Middle School aged children who are dependents of Santa Clara County Juvenile Court and reside in out of home placement.


Subject to individual informed consent, Emily Bruce or a member of the RIFYI research staff, is authorized to conduct interviews with the children and adolescents who have agreed to participate in the study and shall have access to information contained within their respective Juvenile Dependency Court and DFCS files which is relevant to the aforementioned research study.

**This order is made on the following conditions:**

1. The identity of the young people who are participating in this project, and who agree to participate and shall be protected by SJSU. SJSU shall be bound by the confidentiality of the information receive, which shall be used exclusively for the purposes described above.
2. The researchers shall not publish, disseminate or otherwise disclose any identifying or placement information pertaining to any dependent child of the court.

3. This order shall expire on August 31, 2011.
4. A copy of this order shall be placed in the court file of the each of the young people randomly chosen for participation in this study.
5. Upon completion of the research activities described above, RIFYI shall destroy or return to DFCS any documents obtained pursuant to this court order.

Date:

  
\_\_\_\_\_  
The Honorable Katherine Lucero  
Supervising Judge of the Juvenile Court

10/28/10  
Date

I. **Application** (See attached)

II. **Project Title:** Middle School Education Court (MSEC) Project: Phase 1 – Establishing the Baseline and Phase 2: Assessing the Impact of the MSEC Intervention

III. **Investigators and Staffing**

<b>NAME OF INDIVIDUAL</b>	<b>QUALIFICATIONS</b>	<b>RESPONSIBILITIES</b>
Emily Bruce	Associate Professor	Principle Investigator
Terry Podesta	MSW Student Intern	Research Assistant
Graduate Student (eff Fall 2010)	MSW Student Intern	Research Assistant

**Primary Investigator(s) Signature:**

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IV. **Involvement of other institutions**

There are other individuals and their agencies involved in this project (Letters from these institutions are attached in Appendix A): Judge Theresa Guerrero-Daley – Santa Clara County Juvenile Court, Department 68; Elise Cutini, Executive Director – Silicon Valley Children’s Fund (SVCF); Sonja House – Santa Clara County Office of Education, Foster Youth Initiatives ; Jennifer Kelleher, J.D (Executive Director) – Legal Advocates for Children and Youth (LACY); Avril Vazquez – Santa Clara County Office of the County Counsel – Educational Rights Project; and Wendy Kinnear-Rausch, MSW – Santa Clara County Social Service Agency, Department of Family and Children’s Services (DFCS)

The attached letters refer to Phase 1 of the project. Rather than ask busy individuals to prepare new letters to address Phase 1 and Phase 2 of this project the Principle Investigator will request letters in support of Phase 2 of this project at the beginning of that portion of the project. Those letters will be submitted to the IRB Committee as an addendum to this IRB Protocol at that time.

V. **Abstract**

The goal of this exploratory project is to assess the implementation of a new approach to providing services to children and youth in out-of-home care by having the Juvenile Court coordinating and monitoring close supervision of these children and youth. To facilitate this assessment, this project will implement two primary research efforts. Phase 1 is initiated to establish a baseline that explores the current state of administrative procedures and functioning by interview system stakeholders. The research questions to system stakeholders would be as follows: As a stakeholder in the system of services to children in out of home care, what is your perception of how the child welfare system works? What components of the child welfare system do you see as facilitating children’s progress while in care? What are those components of the child welfare system you see as limiting the progress of children in out-of-home care?

Phase 2 of the project (scheduled to begin in the fall of 2010) will include a number of tasks to assess the impact of the MSEC intervention. These tasks will include identifying the perceptions



of a sample of foster children and youth in long term foster care prior to their participation in the intervention services and a year after their participation in the MSEC intervention. These assessments will include asking young people about their experiences in school; their assessment of their experiences in court, and in their experiences in foster care placement. Examples of questions directed to young people in Middle School would be as follows: How do you think you are doing in school this year so far? What do you think would help you do better in school? Can you tell me what you think of going to court?

This research project seeks to determine if there are changes in the level of functioning for the sample of children in the study and their perceptions of their experiences. The parameters that specify participation in this project are children who are in middle school in Santa Clara County; whose child welfare cases are in Long Term Foster Care (LTFC), a status where the parents are no longer receiving services to facilitate reunification; who are in a placement that is located in Santa Clara County, and who are able to speak English.

The second task of Phase 2 of this project will include following up on perceptions of the stakeholder agencies' interactions as a result of the MSEC intervention.

## **VI. Human Subjects Involvement**

### **A. Subject Population**

There are two groups involved in this study; a group of adults and a group of young people. Phase 1 of the project involves adult representatives of agency stakeholders in the public child welfare system. Those adults would include at least one of the Santa Clara County Juvenile Court Judges; representatives from the attorneys who represent children in Juvenile Court and attorneys who represent children in care in terms of their Educational Rights proceedings; representatives from the Santa Clara County Department of Family and Children's Services (DFCS), as well as case carrying social workers from the DFCS; the Coordinator of the Foster Youth Services Initiative at the Santa Clara County Office of Education; the Executive Director of Silicon Valley Children's Fund, representatives from the Silicon Valley Court Appointed Special Advocates (CASA) from Santa Clara County, and representatives from local school district offices. These individuals make up the system of agency stakeholders for this project. The estimate is that between 10 and 15 adults may participate in the interviews.

Phase 2 of the project involves both the young people and the adults. In Phase 2 of the project the young people will be members of a random sample of students identified to participate in the Middle School Education Court (MSEC) Project. The random sample should be representative of the entire group of children who fit the parameters for the study. In addition a subset of those identified for the full assessment will be asked to participate in individual interviews for a baseline assessment prior to their participation in the MSEC project. This subset will include approximately 10 to 15 young people. The goal will be to have these same 10 to 15 youths interviewed after a full school year of

services. The ages of the youth participants are expected to be between 10 and 14, their race/ethnicity and gender are unknown at this time, but expected to reflect the racial/ethnic and gender parameters of the general population of children and youth who fit the specified criteria.

B. Recruitment Plan

Adult participants will be selected from the MSEC Project Collaborative. In addition, other key informants may be identified by members of the collaborative. According to the Santa Clara County Juvenile Court, there are approximately 100 young people who fit the parameters outlined by this project; specifically, youths who are in middle school in Santa Clara County; whose child welfare cases are in Long Term Foster Care (LTFC), a status where the parents are no longer receiving services to facilitate reunification; and who are in a placement that is located in Santa Clara County. A random sample of 40 young people will be identified as potential child participants. The goal will be to have 30 youths who will be able to participate in the project. The Santa Clara County Juvenile Court will be asked to provide authorization for the participation of the young people in this study.

C. Research Methods and Design/Procedures

Phase 1 of this project will use qualitative research methods to implement a cross-sectional exploratory analysis of the current state of experiences and perceptions of adults who are stakeholders in the public child welfare system.

Phase 2 of this project will employ a mixed methods approach to the research project by using both qualitative and quantitative methods to implement a cross sectional exploratory analysis of the current state of experiences and perceptions of Middle School youths who are dependents of Santa Clara County, in out-of-home care, and who are able to speak English. The plan will be to conduct individual interviews with the each study participant. A short demographic survey will be provided in order to provide demographic information the group of participants.

Exclusive use of qualitative research methods will be used to re-assess the experiences and perceptions of adult agency stakeholders a year after their participation in the MSEC project.



D. Materials and Devices

a. Data Instruments

Materials to be used to implement Phase 1 of this project include an interview protocol for the adult participants (See Appendix B).

Material to be used for implementation of Phase 2 of this project include a data collection tool to review case files of the sample (See Appendix C)<sup>1</sup>; and an interview schedule for qualitative interviews with the young people (See Appendix D). Both protocols will be in English, as there is a limit to the language capacity of the researchers. ; Finally, for Phase 2 of the project there is also a follow-up interview protocol for use with the adult study participants (See Appendix E).

b. Assessments/Tests

No cognitive or psychological tests will be used in the implementation of this project. Scores from standardized educational testing used by the respective school districts will be included as a part of the quantitative analysis. These tests that will be administered will be determined by the respective local school districts and/or the state of California. These outcomes will be included in court reports and thus made available for the research project.

c. Process of Recording Data

A recording device (i.e., either a tape recorder and/or an MP3 player); and notes will be taken during all one-to-one interviews to ensure that ideas and contexts that are difficult to capture in audio will be captured in the observation notes. Tapes and/or digital recordings will be transcribed for analysis. A phenomenological approach to analyzing the data will be utilized; specifically, analyzing “the data by reducing the information to significant statements or quotes and combines the statements into themes. . . . to convey an overall essence of the experience” (Creswell, 2007, p. 60).

E. Confidentiality

a. Identifying Information

Identifying information regarding adult and child participants will be collected in this study. Each of the participants will be given a study identification number. The list of identifying information and the study identification number will be kept locked in a file cabinet in the locked office of the principal investigator. There is no way in which any information that would identify a young person participant will be included in this report. Every attempt will be made to ensure that adults representing specific stakeholder agencies in the public child welfare system are not identified. There is now way to anticipate the responses from the adult stakeholders, thus their potential responses to the qualitative interview questions might suggest a specific

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<sup>1</sup> NOTE: The data collection tool is designed based on the proposed draft developed by the Santa Clara County Social Services Agency – Department of Family and Children’s Services for use by county child welfare workers supervising cases that will come before the *Education Court*.

type of component of the child welfare system. However, no personal names or names of represented agencies will be used in reporting the findings from this research project. The adult stakeholder participants will be advised of the efforts to ensure that their confidentiality is protected in the process of this study. All the Middle School Education Court Collaborative stakeholders know of the potential for them to be interviewed as a part of this research project.

b. Managing Identifying Information

The adult and youth participants' names and study identification numbers will be stored in hard copy format, in a locked file cabinet located in the locked office of the primary researcher. In addition to the list of names and study identification numbers, completed consent forms and court authorizations (i.e., *ex parte* orders) for specific youth participants will also be stored in this same manner, but these informational documents will not all be stored in the same locked file. No one, but this researcher will have access to the respective file cabinets. In addition, the names and study identification numbers of the participants will be saved using encryption on a jump drive that will be stored separate from the hard copy in case of natural disaster (i.e., fire, earthquake, flood, etc.). This list of names with the respective study identification numbers, the completed consent forms, and the court authorizations will not be stored on any computer.

F. Compensation

In Phase 1 of this project there will be no compensation provided to any of the adult participants. The young people who are participating in this project may be provided with small remunerations in the form of gift cards, not to exceed \$5.00 for each youth.

G. Potential Benefits

There are no specific tangible benefits for any of the participants in this project. Specifically, there is no reward or enhancement to for the children/youth who participate in this research project. There should be no impact on the position or condition of the adult participants as a result of their participation in either Phase 1 or Phase 2 of this project. There may be intangible benefits to the youth participants which might occur as a result of close and consistent attention to how the youth feel about court, school and their placement. A potential benefit for adult representatives for agency stakeholders involved in the child welfare component systems might be that these agencies may become more attentive than they currently are to the needs of not only these young people in out-of-home care.

H. Potential Risks

There are potential risks for adults representing specific agency stakeholders involved in this project. These research participants may be concerned about speaking openly and honestly about their perceptions and the potential for repercussions that might emerge for them as individuals. Young people who are participating in this study might be afraid to speak openly and honestly about their perceptions for fear of repercussions. However, in



the process of maintaining confidentiality and protecting the anonymity of the youth participants, there will be little to no ability of these young people being identified as a function of their data from their files or as a result of their responses to the interviews.

I. Risk Reduction

Attempts will mad to reduce the potential risk for adult participants by keeping all interview comments confidential, by keeping references to specific agencies and offices to a minimum (i.e., Santa Clara County Department of Family and Children’s Services will be involve in this project – however, responses may be referred to as comments by representatives from the local child welfare agency). That way neither the specific individual nor the specific agency will be referenced. The most that can be done is to encourage people to be as candid as they feel they can be, but that they will not be pressured to answer any question that makes them uncomfortable. As indicated above, youth participants might be afraid to speak openly and honestly about their perceptions for fear of repercussions. In the case of youth participants, there will be no difficulty at making sure that there will be no information about a specific individual participating in this study. Managers of this research project will reiterate to youth participants the steps that will be taken to ensure that their responses will be considered without reference to their identity. Also, to ensure that the youth are not distressed or afraid, they will be advised that they do not have to answer any question that concerns or upsets them. If a young person does become distressed, he or she will be offered an opportunity to stop the interview; and they will be advised that if they want to terminate their participation in the study, they can do so at any time without any consequences to them. The young person will be asked if they would like to speak with someone about their concerns; and if so, they will be given an opportunity to speak with a therapist and/or a CASA volunteer will be made available for any youth participant who is distressed.

VII. Informed Consent

A. Consent Process

Each adult participant will be provided with a consent form before the interview begins (See Appendix F). They will be asked to sign two consent forms; one they will be able to keep, the second form will be kept by the researcher. The researcher’s copy of the consent form will be kept confidential using the same process for all the other hard copy forms of identifying information generated as result of this phase of the project. The court will be asked for an *ex parte* order adequately specific for the youth identified for participation in Phase 2 of the project. The court orders will be kept confidential using the same process as all the other hard copy documents that have identifying information. (NOTE: Since face-to-face interviews with the youth will be scheduled to begin in Fall 2010, at that time the project will request an *Ex Parte* Order from the Juvenile Court to allow youth participation in the study. This court order will be submitted as an addendum to this protocol; see Appendix G).

B. Special Consent Provisions

A special Young Person’s Agreement to Participate has been developed that provides young people participating in the study with the information about the project and their



entitlements as participants. While an *ex parte* order from the court provides permission for the young person to participate in the study, the young person's signature on the agreement indicates that they have been given the information about the research in a way that they understand, and that they themselves have an opportunity to make a decision about whether or not they want to participate in the project (See Appendix H).

- C. Waiver of Written Consent  
N/A
- D. Debriefing  
N/A
- E. Consent Forms  
The consent forms are attached in the Appendices Section.

**VIII. Other**  
N/A

**Reference**

Creswell, J. W. (2007). *Qualitative inquiry and research design: Choosing among five approaches* (2<sup>nd</sup> Ed.). Thousand Oaks, CA: Sage Publications