

FILED
MAY 29 2018

Clerk of the Court
Superior Court of CA County of Santa Clara
BY _____ DEPUTY
G. DUARTE

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA
JUVENILE DEPENDENCY DIVISION

**STANDING ORDER REGARDING AUTHORIZING THE DEPARTMENT OF FAMILY AND CHILDREN'S
SERVICES
TO SHARE EDUCATIONAL INFORMATION AND RECORDS WITH SILICON VALLEY CHILDREN'S
FUND**

Pursuant to California Education Code section 42920 the Court finds that:

- 1) "A high percentage of pupils in foster care are working substantially below grade level, and over one-half of the pupils in foster care are retained at least one year in the same grade level. Pupils in foster care earn lower grades and achieve lower scores on standardized achievements tests in reading and mathematics, have lower levels of engagement in school, and are twice as likely as pupils not in foster care to drop out of school before graduation;"
- 2) "Given their current academic status, pupils in foster care are more likely to achieve their full potential when they are provided services and programs designed to meet their particular needs;" and
- 3) "Foster youth services programs provide pupils in foster care needed educational support and are a state priority."

The Court further finds that the Department of Family and Children's Services (Department) is jointly collaborating with the Santa Clara County Office of Education (SCCOE) and the Silicon Valley Children's Fund (SVCF) on multiple programs aimed at supporting educational well-being for children and youth currently and previously involved in the child welfare system in Santa Clara County. These programs include: Relationships Inspiring Scholar Excellence (RISE), Facilitation Services, Science Technology Engineering and Math (STEM), and summer enrichment programs.

The Emerging Scholars program is aimed at improving the educational outcomes of students who are dependents by pairing each student with a social work intern. The social work intern learns the unique needs and challenges of the youth they are working with, and

then engages and works with the professionals serving the youth within the child welfare, Juvenile Court, education and mental health systems.

The Relationships Inspiring Scholar Excellence (RISE) program was developed to combat the high rates of attrition experienced by youth in out-of-home care in community college by assisting first year students and at-risk second year students in adjusting to the academic demands of college and to help them continue onto the completion of a degree. The RISE program supports youth in out-of-home care by giving scholarships in addition to college coaching services. RISE is currently located at all-seven (7) of the county's community colleges.

The purpose of the Facilitation Services program is to gain a better understanding of the true academic needs of youth in out-of-home care in grades 8 to 12, in order for the County partners, with the support of the Juvenile Court, to develop and implement appropriate supports for the youth. The goal of the project, in accordance with the Education Code and to align with the state priority, is to improve high school completion and graduation rates for youth in out-of-home care.

The Science Technology Engineering and Mathematics (STEM) program creates a pathway for careers in technology for high-school students, including youth in out-of-home care. STEM career and workforce-readiness is offered to youth in out-of-home care using the Mouse Squad STEM curriculum. After completion of training youth are offered paid summer internships at local tech companies located in Silicon Valley.

Summer enrichment programs vary from year to year depending on the needs identified. Any new program would be vetted through the Department to ensure rigor and applicability.

The services that will be provided by this collaboration and the above-described programs include, but are not limited to:

- 1) Work with the Santa Clara County Department of Family and Children's Services to identify eligible youth for each of the collaborative programs;
- 2) Request from identified school district and campus the academic records of the youth, including current transcripts, class schedules, attendance records, disciplinary records, standardized test results, and special education information (including copies of Individual Education Plans (IEPs), SST meeting notes, psychoeducation assessment, and/or 504 plans);
- 3) Analyze academic records and categorize level of need for each youth according to established criteria known to affect academic progress, including consulting with child welfare workers and the Educational Services Unit to address identified needs;

- 4) Generate and distribute a report to the Department that aligns with reporting responsibilities;
- 5) Respond to requests from the Juvenile Court for information and work with the Court to ensure the delivery and coordination of necessary educational services;
- 6) Work to link youth to tutoring, vocational training, and other services designed to enhance the educational prospects of current youth in out-of-home care and former foster youth;
- 7) Meet and collaborate with youth's care provider, holder of educational rights, child welfare social worker, attorney, school guidance counselor, Independent Living Program (ILP) case manager, and other stakeholders involved with the youth, and inform those stakeholders of school-related concerns;
- 8) Participate and advocate in meetings that are held on behalf of students, including Student Attendance Review Board (SARB), Student Study Team (SST), Individualized Education Planning (IEP) meetings, Expulsion Hearings, Team Decision-Making meetings, Emancipation Conferences, and Family Conferences; and
- 7) Train, support and assist Department staff and interns on matters related to higher education, graduation requirements, and financial aid for college for foster youth.

The Court further finds that Santa Clara County Juvenile Court youth who currently reside or have formerly resided in out-of-home placement are in need of the services provided by the SCCOE, Department and SVCF collaboration and that facilitating service delivery will be in the best interest of these youth. The Court also finds that disclosure of the requested information is not detrimental to the safety, protection or emotional well-being of the youth. Disclosure of the requested information must occur to ensure prompt service delivery by the SVCF. Through its supportive services, SVCF working with Department staff will ensure an appropriate educational program and, in turn, facilitate the rise in academic achievement of former and current foster youth particularly as it relates to completing high school and enrolling in college.

The Court further finds that disclosure of the requested information is in accord with the intent of the Legislature as stated in Welfare and Institutions Code section 827(b)(1) to "promote more effective communication among juvenile courts...and schools to...lessen the potential for drug use, violence, other forms of delinquency, and child abuse."

**BASED UPON THESE FINDINGS, THE COURT HEREBY MAKES THE FOLLOWING
STANDING ORDER:**

1. Silicon Valley Children's Fund (SVCF) program staff may have limited access to the juvenile court case file and information about foster youth for the purpose of implementing the educational program services outlined above.
2. The Santa Clara County Department of Family and Children's Services (Department) may release information relating to the education of children residing in out-of-home care under their supervision to SVCF staff for the purpose of implementing the educational program services outlined above.
3. Santa Clara County Office of Education (SCCOE) and SVCF staff shall be bound by the confidentiality provisions of Welfare and Institutions Code sections 827 and 10850. Only SVCF staff affiliated with one of the programs listed above will have access to the information once released by the Department or the SCCOE. Any information received by the SVCF shall be used exclusively for the provision of the services to youth who currently reside in or formerly resided in out-of-home placements through the Santa Clara County Juvenile Court and are participating in the education programs named in this order.
4. SVCF staff shall either destroy or return any documents obtained pursuant to this court order to the Department once the youth is no longer receiving the educational program services outlined above.
5. This order expires 6/1/19

5/29/18
DATE

Shawna Schwarz
The Honorable Shawna Schwarz
Supervising Judge of the Superior Court
Juvenile Dependency Division