

Janice K. Brewer
Governor

Clarence H. Carter
Director

Memorandum of Understanding (MOU)

Between

Arizona Department of Economic Security,
Division of Children, Youth and Families (DCYF)

And

AMPHITHEATER UNIFIED SCHOOL DISTRICT NUMBER 10
OF PIMA COUNTY ARIZONA (School District)

Purpose

The educational outcomes children and youth in foster care are heartbreakingly poor. Recent national studies have found that students in foster care:

- Have significantly higher rates of absenteeism and disciplinary referrals than their peers
- Are more likely to perform below grade level (75% perform below grade level)
- Are about twice as likely to be held back in school (83% are held back by third grade)
- Drop out of school nearly twice as frequently (50% obtain a high school diploma/GED)
- Attend a four-year college at a significantly lower rate (fewer than 3% do so)

Moreover, most foster youth are aged-out of the child welfare system when they turn eighteen. Without educational success, they are ill-equipped to support themselves. The cost to these children and society is extraordinary. National studies have found that over 25% of former foster children experience homelessness, approximately 25% spend time incarcerated, about 33% receive public assistance, and unemployment rates top 50%.

Numerous reports have found a lack of inter-agency data-sharing to be a primary challenge to improving the educational and life outcomes of children and youth in foster care. This MOU is designed to improve the educational outcomes of students in foster care by ensuring critical information is shared between DCYF and School District in a way that is timely, electronic, secure, and sensitive to the child's privacy.

Background

42 U.S.C.A. 675 requires DCYF to create and maintain Title IV-E case plans for all children and youth in foster care. These case plans must include the child's education records, including the names and addresses of the child's educational providers, the child's grade level performance, the child's school record, and any other education information concerning the child determined to be

appropriate by the State agency. To ensure child welfare agencies have access to these records, Congress recently enacted the Uninterrupted Scholars Act (USA). The Act, which became effective on January 14, 2013, amends the Family Education Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, 34 CFR Part 99, allowing schools to release a child's education records to child welfare agencies without the prior written consent of the parents.

The Act also allows the child welfare agency to re-release the information "to an individual or entity engaged in addressing the student's education need." DCYF has recognized the National Center for Youth Law (NCYL), Sacramento County Office of Education (SCOE) and the Pima County Juvenile Court Center (PCJCC) as entities engaged in addressing the educational needs of Arizona foster children and authorizes NCYL, SCOE and PCJCC staff to access educational data consistent with the State or tribal laws applicable to protecting the confidentiality of a student's education records.

School District

Pursuant to this MOU, School District will work with NCYL, SCOE and the PCJCC to regularly export all student level records to a secure server. Whenever possible, such records shall include, but not be limited to:

- Attendance records
- Courses and grades
- School discipline records
- Special education records
- Standardized testing results
- Transcript information

DCYF

Pursuant to this MOU, DCYF will work with NCYL, SCOE and the PCJCC to regularly:

- Identify which School District students are in foster care using only directory level education information.
- Securely and immediately destroy all information related to students not in foster care.
- Make available to key School District employees a current list of which School District students are in foster care.
- Make available to key School District employees information related to these students, including but not limited to the identity and phone number of their social worker, the identity and phone number of their caregiver, and education records from previous schools.
- Make available to DCYF social workers, social work supervisors, and FosterEd education liaisons education information enabling them to better support the educational success of the children on their caseload.
- Provide de-identified data to such external evaluators as may be selected to analyze the success of DCYF's efforts to improve the educational outcomes of Arizona foster children.

Partners

National Center for Youth Law

The National Center for Youth Law (NCYL) is a non-profit law firm that for over four decades has worked to help disadvantaged children. FosterEd is a NCYL initiative that improves the educational outcomes of students in foster care.

Sacramento County Office of Education

The Sacramento County Office of Education (SCOE) maintains Foster Focus, a secure, on-line case management system DCYF is using to support the educational success of Pima County foster children.

Pima County Juvenile Court Center

The Pima County Juvenile Court Center (PCJCC) is an independent branch of government responsible for the protection of abused and neglected children through the provision and oversight of services to children and family involved with the court.

NCYL, SCOE, DCYF and the PCJCC will be facilitating the electronic data-sharing described in this MOU as part of their efforts to address the educational needs of Pima County foster children.

Security

SCOE uses state-of-the-art equipment and industry standard procedures to safeguard the integrity of data and ensure uninterrupted service. These efforts are intended to:

Prevent unauthorized access to databases.

- Minimize service interruptions.
- Restore data and service quickly if lost due to catastrophic hardware failure or disaster.

To prevent unauthorized access to databases (and equipment), SCOE utilizes personnel screening, access control policies and procedures, account management, access enforcement, supervision and review of each access control system, auditable security events, restricted media access, proper media disposal, and a variety of other physical and network-related security methods. Redundant firewalls provide security for the network which is subdivided into eight separate networks. The public servers are isolated.

Firewalls actively monitor network traffic and provide active defenses against most common attacks including catching and stopping network worms, viruses/spyware, denial of service attacks, among many other defenses.

To ensure uninterrupted service, the data center has redundant air conditioners, a battery backup system, and a generator that can keep all systems running 24 hours a day, 7 days a week. Thanks to the use of a cluster server farm, regular maintenance and back-ups on the server hosts can be done with minimal down time avoiding business hours between 8 AM and 5 PM.

To facilitate quick restoration of data in the event of disaster, snapshot technology is used to retain a week's worth of data for each server as well as nightly backups to a separate disk subsystem. Weekly backups to tape are retained for disaster recovery purposes. The tapes are stored offsite in a secured vault. A second set of tapes are stored onsite in a secured, fireproof safe. The local snapshots, daily backups to a separate server, and weekly backups to tape provide three levels of data protection.

Signatures

Flora Sotomayor
Assistant Director
Division of Children, Youth and Families

Date

PATRICK NELSON

Superintendent – Printed Name

Superintendent – Signature

Date