

Charles S. LiMandri (Cal. Bar No. 110841)  
cslimandri@limandri.com  
Paul M. Jonna (Cal. Bar No. 265389)  
pjonna@limandri.com  
Jeffrey M. Trissell (Cal. Bar No. 292480)  
jtrissell@limandri.com  
Milan L. Brandon II (Cal. Bar No. 326953)  
mbrandon@limandri.com  
LiMANDRI & JONNA LLP  
P.O. Box 9120  
Rancho Santa Fe, CA 92067  
Tel: (858) 759-9930  
Fax: (858) 759-9938

Attorneys for Plaintiffs

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO - NORTH COUNTY DIVISION**

NATASHA STRAIN, an individual; CECILIA  
BLEA, an individual; JANE DOE, an  
individual; ANGELA NAVA, an individual;  
JEFFREY WHEAT, an individual; JEAN  
CORNWELL WHEAT, an individual;  
LAUREN PICKARD, an individual; TIA  
MOORE, an individual; and MARK  
DEDERIAN, an individual,

Plaintiffs;

v.

KIMBERLEY JOHNSON, in her official  
capacity as Director of the California  
Department of Social Services; CALIFORNIA  
DEPARTMENT OF SOCIAL SERVICES;  
NICK MACCHIONE, in his official capacity as  
Director of the County of San Diego Health and  
Human Services Agency; COUNTY OF SAN  
DIEGO HEALTH AND HUMAN SERVICES  
AGENCY; and DOES 1-10, inclusive,

Defendants.

**CASE NO.:**

**IMAGED FILE**

**VERIFIED PETITION FOR WRIT OF  
MANDATE AND COMPLAINT FOR**

- (1) Writ of Mandate re: Continuum of  
Care Reform Act**
- (2) Violation of Equal Protection  
Guarantees of the California  
Constitution**
- (3) Violation of the Foster Youth Bill  
of Rights**
- (4) Declaratory Relief**

## INTRODUCTION

1. This is a challenge to the California Department of Social Services’ decision to ignore California law and refuse a license and funding for the operation of San Pasqual Academy in Escondido, California. San Pasqual Academy is a first-of-its-kind comprehensive residential educational program for youth in the foster care system that has the statistically best results for such youth across all measurable categories.

2. Since 2001, the Academy has provided small group cottages for foster youth, with 24-hour parental supervision, and an on-site high school licensed for up to 184 students. In addition to housing and schooling, San Pasqual Academy and its many donors provide a work readiness and self-sufficiency program, and access to on-site social workers. In line with California and federal law emphasizing the need to help foster youth in the transition to adulthood, the Academy also welcomes back alumni to live at the Academy while in college and beyond.

3. Yet, because it is unique—a program with no equal—the California Department of Social Services decided to write it off, and directed San Diego County to find placements for nearly a hundred foster youth and young adults who call San Pasqual Academy their home. The County, in turn, is disinterested in standing up for its youth. Board of Supervisors Chairman Nathan Fletcher, despite promising the youth at the San Pasqual Academy graduation in 2019 that “I have your backs,” decided to inform the San Diego Union Tribune before he informed the students themselves of California’s directive, in violation of the Foster Youth Bill of Rights. (See Welf. & Inst. Code, §§ 16000.1(a)(1), 16001.9(a)(37)–(38).)

4. The State and County’s actions violate both statutory and constitutional law. All California youth have a constitutional right of equal protection in access to education. And California’s LGBTQ+ and racial minority youth have equal protection rights against disparate impacts on their access to education. With San Pasqual Academy’s high school graduation statistics, and college-attendance statistics, exceeding the averages for all California youth and far exceeding the averages for California’s foster youth, shutting down San Pasqual Academy would violate the youth’s constitutional rights.

5. Further, in the most recent set of reforms to California’s child welfare services—the

1 Continuum of Care Reform Act (AB 403)—the California legislature carved out a specific mandate  
2 for the operation of San Pasqual Academy, and ordered the California Department of Social  
3 Services to create a unique licensing and funding category for this unique home. The Department  
4 of Social Services has simply decided to ignore this mandate.

5 6. Thus, Plaintiffs—residents, alumni, and staff of San Pasqual Academy—ask this Court  
6 to issue a writ of mandate ordering the Department to continue licensing and funding San Pasqual  
7 Academy as a home for foster youth. Without judicial relief, hundreds of Academy residents and  
8 alumni, who sought out the Academy as a permanent placement after being shuttled through an  
9 average of eight previous foster homes, will be forced *again* to find a new place to call home. Such  
10 a result is not just morally reprehensible, it is unlawful.

### 11 JURISDICTION & VENUE

12 7. This action arises under applicable state law and the California Constitution. Plaintiffs  
13 allege a violation of Article I, section 7, of the California Constitution, a violation of Chapter 773,  
14 Section 121, of the Statutes of 2015, and a violation of section 16001.9 of the Welfare & Institutions  
15 Code.

16 8. This Court may issue a Writ of Mandate under Code of Civil Procedure section 1085  
17 and because Plaintiffs have no available administrative remedy. This Court may grant declaratory  
18 injunctive relief under Code of Civil Procedure sections 525, 526, and 1060.

19 9. Venue is proper in this Court under sections 393(b) and 401(1) of the Code of Civil  
20 Procedure.

### 21 THE PARTIES

22 10. Plaintiff Natasha Strain is a former resident and 2005 alumna of San Pasqual Academy.  
23 After graduating from San Pasqual Academy, Ms. Strain obtained her B.A. from Cal State San  
24 Marcos in social work. She currently works at San Pasqual Academy as a childcare worker and  
25 supervisor.

26 11. Plaintiff Cecilia Blea is a resident and 2006 alumna of San Pasqual Academy. She  
27 obtained her A.A. in Liberal Arts in 2010. In 2019, she and her four children returned to San  
28 Pasqual Academy to participate in the alumni housing program. With the help of San Pasqual

1 Academy, in 2021 she obtained her B.A. in Psychology.

2 12. Plaintiff Jane Doe is a former resident and 2015 alumna of San Pasqual Academy. After  
3 graduating from San Pasqual Academy in 2019, Ms. Doe obtained her B.A. from UCLA in History  
4 and in 2021, she obtained her M.A. from Cal Poly, San Luis Obispo in Higher Education  
5 Counseling and Student Affairs. Plaintiff Doe is proceeding pseudonymously because the injury  
6 sought to be avoided by this action, *i.e.*, Doe's ability to live in peace at San Pasqual Academy,  
7 would be frustrated if it were publicized that her home is located on the San Pasqual Academy  
8 campus.

9 13. Plaintiff Angela Nava is a current part-time resident and the 2021 valedictorian of San  
10 Pasqual Academy. After graduating on June 11, 2021, Ms. Nava is planning on attending Cal State  
11 Sacramento in the fall. She plans to come home to San Pasqual Academy during her school breaks.

12 14. Plaintiff Jeffrey Wheat is a current resident of San Pasqual Academy. Since the early  
13 2000's Mr. and Mrs. Wheat have been participants in San Pasqual Academy's "grandparents"  
14 program. Mr. Wheat is a retired professor who taught at San Diego Community College.

15 15. Plaintiff Jean Cornwell Wheat is a current resident of San Pasqual Academy. Since the  
16 early 2000's Mr. and Mrs. Wheat have been participants in San Pasqual Academy's  
17 "grandparents" program. Mrs. Wheat is a retired professor of art history and current painter,  
18 sculptor, and multi-media artist.

19 16. Plaintiff Lauren Pickard is a current resident of San Pasqual Academy, and has been a  
20 participant in the Academy's "grandparents" program since 2010. At San Pasqual Academy, Mr.  
21 Pickard spends his time as a chaperone and mentor for the youth. He has served as a softball coach,  
22 assisted in the volleyball program, often organizes the youths' birthday parties, and is currently  
23 assisting with high school science classes. He has also taken foster youths to Padres games, plays,  
24 beach clean-ups, the San Diego County Fair, on hiking trips, and to many other activities.

25 17. Plaintiff Tia Moore is currently employed at San Pasqual Academy as the Academy  
26 Director. Ms. Moore became the Director in 2005, before moving with her family onto campus in  
27 2006 to provide support to the community as a committed employee and community member. She  
28 has also served as head coach of the girls' basketball team, where she has led her teams to win two



1 Citrus League Championships. Ms. Moore has dedicated her life to serving displaced youth and  
2 has been a vital part in creating the ethos of the San Pasqual Academy community, ensuring a safe  
3 space for youth to call home.

4 18. Plaintiff Mark Dederian is currently employed at San Pasqual Academy as the Facilities  
5 Manager. He has been living on the San Pasqual Academy campus and maintaining the facility for  
6 over 20 years. He has also served as a football coach and a softball coach, with the goals of  
7 encouraging San Pasqual Academy foster youth to feel like a member of a team, to overcome  
8 obstacles, and to achieve individual goals. Mr. Dederian has been an integral part of the San Pasqual  
9 Academy community from the inception of the program. He has been serving as a mentor, sharing  
10 his own personal insights, and has been a key part of every foster youth's pathway at San Pasqual  
11 Academy since 2001.

12 19. Defendant Kimberley Johnson is the Director of the California Department of Social  
13 Services. Ms. Johnson is responsible for the Department's administration and operations. Ms.  
14 Johnson is sued only in her official capacity.

15 20. Defendant California Department of Social Services is an executive agency of the  
16 California government. The Department is responsible for administering the State's child welfare  
17 system, which includes regulating San Pasqual Academy.

18 21. Defendant Nick Macchione is the Director of the County of San Diego Health and  
19 Human Services Agency. Mr. Macchione is responsible for overseeing the Agency, including the  
20 Child Welfare Services division. Mr. Macchione is sued only in his official capacity.

21 22. Defendant County of San Diego Health and Human Services Agency is a department of  
22 the County of San Diego. In providing child welfare services, the Agency acts as an administrative  
23 agency of the State executive branch, subject to the California Department of Social Services'  
24 supervision. (See Welf. & Inst. Code, § 202.5; *In re Ashley M.* (2003) 114 Cal. App.4th 1, 7.)

25 23. Plaintiffs believe each designated Doe defendant is legally responsible in some manner  
26 for causing their injuries and damages as alleged. The Doe defendants are fictitiously named, and  
27 Plaintiffs will seek leave to amend this Petition for Writ of Mandate when the true names of these  
28 Defendants are revealed.

## BACKGROUND

### A. San Pasqual Academy

24. In 2001, local philanthropists and nonprofits teamed up with the County of San Diego to purchase a former private boarding school, tear down its dormitories, and convert it into San Pasqual Academy—a first-of-its-kind home for foster youth that combines family-style homes with an on-site high school. Although licensed and funded under California law in 2001 as a “group home,” it provided far more resources than a traditional group home for foster youth. (See former Welf. & Inst. Code, § 11462, et seq. (1990) [discussing group homes]; Dana T. Hartman, Gail S. Goodman, et al., *San Pasqual Academy: Providing Comprehensive Residential Education and Services for Foster Youth and Emerging Adults* (Aug. 2021) pp.56–57 [hereafter “20-YEAR STUDY”] [discussing misleading nature of merely characterizing San Pasqual Academy as a “group home”].)

25. By the time they reach high school, many foster youth have been shuttled through many different foster families and end up, by necessity, in a group home. One of the greatest problems facing foster youth is a lack of permanence. By being shipped off to new foster families every six months, many foster youth simply cannot get the foundation they need to start building their lives up for success in adulthood.

26. Thus, the Academy was “developed to be a place its students can call home,” which can provide permanency both while the student is in the foster care system, and beyond. The Academy focuses on admitting youth who “had difficulty maintaining prior placements,” but is designed to provide a normal high school experience. Therefore, it is not licensed to take youth who are a danger to themselves or others. (See Michael J. Lawler, et al., *A Place to Call Home: Alumni Outcomes for the First 10 years of the San Pasqual Academy* (July 2013) p.9 [hereafter “10-YEAR STUDY”].)

27. The Academy is a partnership of four separate branches, each managed by a different group: (1) residential, (2) educational, (3) work readiness, and (4) child welfare services. The residential program, provided by the nonprofit New Alternatives, Inc., consists of housing in “family-style homes” with one or two house parents, their own children, and up to eight foster youth.



28. The residential program also includes an on-site Mental Health Clinic and an on-site Health and Wellness Clinic. These clinics provide comprehensive health services, including access to trained therapists with whom the students often develop close connections. The residential program also includes a full, licensed, organic garden that the youth care for and manage, and which supplies their homes.

29. The residential program also includes reduced-rent housing for elderly “grandparents” who provide mentorship and sponsor activities such as “cooking, crafts, gardening, and art.” (10-YEAR STUDY, p.7.)



1           30. Unlike traditional foster care, where up to four foster youth can be placed in a single  
2 bedroom, at San Pasqual Academy's homes, each foster youth get his or her own distinct space  
3 with a separate closet (akin to their own bedroom). The house parents' full-time job is caring for  
4 the kids. Unlike foster parents, they do not have separate jobs.



12           31. The only meaningful difference between the family-based housing on the Academy's  
13 campus, and family-based housing in the community, is a determination that labor laws preclude  
14 the Academy's house parents from working more than forty hours a week. Thus, although the  
15 primary house parents live on the campus all the time, additional house parents also come onto the  
16 campus to provide guidance and leadership to the foster youth in additional shifts.

17           32. To help foster youth obtain success in the transition to adulthood, the Academy  
18 provides housing to alumni attending local colleges, or returning from college during holiday  
19 breaks, or who otherwise need a place to stay.

20           33. Approximately half of all alumni return to live on the Academy campus sometime after  
21 graduating—and nearly all maintain their close relationships with Academy staff, parents, and  
22 mentors. None of the Academy staff work there for the money, but rather for the kids; many of the  
23 staff have been at San Pasqual Academy for 20 years, since it opened. Recognizing that the  
24 transition from minor to adult is a gradual one experienced differently by each person, the rent for  
25 alumni housing is often reduced, based on the individual needs of the young adult.

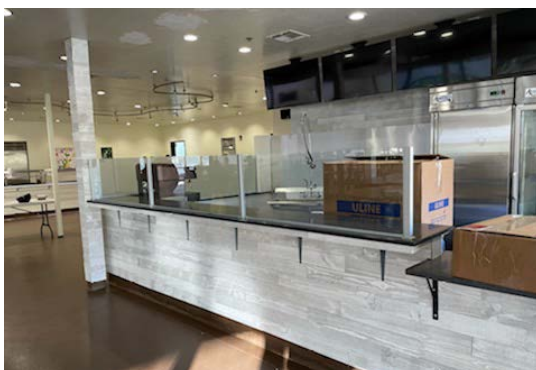
26           34. The educational program consists of an on-site high school, operated by the San Diego  
27 County Office of Education. San Pasqual Academy, Home of the Dragons, is a traditional high  
28 school, with student government, athletics, yearbook, key club, and dances:





35. The Academy is limited to high school youth, but will accept middle school youth into the residential program to keep a sibling group together. These younger residents live on the San Pasqual Academy campus, but receive their education from a local middle school.

36. The work readiness program is operated by the San Diego Workforce Partnership, and provides “tutoring, career counseling, job training, internships, employment, and elective school courses such as business skills, computer applications, and multi-media skills.” (10-YEAR STUDY, p.8.) The work readiness program also provides guidance on financial literacy. Students can obtain technological skills at the Academy’s state-of-the-art tech center and culinary skills at the Academy’s Dragon Lounge:



1 37. Finally, San Diego County Child Welfare Services maintains on-site offices for social  
2 workers who provide case management services for the youth. Oftentimes, it can take days or weeks  
3 for foster youth to get in touch with the social worker managing their case. But at San Pasqual  
4 Academy, the youth can simply walk in to their offices.

5 38. In addition to Child Welfare Services, the students of San Pasqual Academy are  
6 surrounded by a loving and supportive community. Most notably, the non-profit Friends of San  
7 Pasqual Academy—led by President Joan Scott—sponsors many events both to enrich the lives of  
8 the students (such as holiday parties and dances) and to raise funds for helpful items for the youth:



20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///



1 39. Friends of San Pasqual Academy, Inc. donates many such items to the Academy,  
2 including books, computers, school supplies, clothing (sports uniforms and formal dresses), tickets  
3 to off-site events, and birthday and graduation gifts. The Friends also provide all of the furnishings  
4 for the houses on campus, both for students and alumni, and for the recreation centers, at no cost  
5 to the County.



16 40. And the Friends of San Pasqual Academy are not the Academy's only "friends." The  
17 Academy's football field was paid for by the Los Angeles Chargers and their baseball field was paid  
18 for by the San Diego Padres and Major League Baseball. The Academy's swimming pool was also  
19 refurbished through the generosity of local donors.

20 41. Through the Friends of San Pasqual Academy, all Academy graduates who seek to  
21 attend higher education will receive substantial scholarships—many full-ride scholarships—so that  
22 they can graduate debt-free and begin full and rewarding lives.

### 23 **B. The Continuum of Care Reform Act**

24 42. In January 2012, then-California Governor Jerry Brown signed into law Senate Bill 1013.  
25 That Bill required the California Department of Social Services to prepare a comprehensive report  
26 outlining any proposed reforms to the services provided to children in California's foster care  
27 system. (See Chapter 35, Statutes of 2012; Welf. & Inst. Code, §§ 11461.2, 11467.)

28 43. Part of the impetus for this legislation was a Ninth Circuit ruling that California had

1 been illegally underfunding its foster care system. (*California Alliance of Child and Family Services*  
2 *v. Allenby* (9th Cir. 2009) 589 F.3d 1017.) So the legislation was aimed, in part, at finding reforms  
3 that could save money in other ways.

4 44. Because San Pasqual Academy can be more expensive than other placements, around  
5 this same time, New Alternatives decided to commission a report analyzing the outcomes of its  
6 residents, and hopefully prove that the cost of its program was justified. This 10-year report was  
7 published in July 2013. The results of that study were universally positive.

8 45. In the interim, the County began efforts to ensure that San Pasqual Academy could  
9 continue operating. In 2014, two meetings were held at San Pasqual Academy with staff from the  
10 Academy, the County, and the State. The Academy raised the prospect of transitioning into a foster  
11 home setting, where the house parents were individually licensed as foster parents.

12 46. This, however, would require that San Pasqual Academy's cottages be leased directly  
13 from the County to the foster parents. (California law prohibits San Pasqual Academy from leasing  
14 the cottages from the County and then subletting them to the foster parents). It would also require  
15 that a unique funding arrangement be devised as foster families are provided less funding than  
16 group homes (which is a primary reason they are preferred), and the Academy would need funding  
17 provided to it (not the foster parents) to provide the mental health services, cafeteria, and numerous  
18 other services it provides to the students.

19 47. Officials with both the County and the State rejected converting San Pasqual Academy  
20 into a group of foster families, and instead sought to find alternative, creative ways to keep San  
21 Pasqual Academy operating as is. In December 2014, officials from Assembly Speaker Toni Atkins'  
22 office toured San Pasqual Academy in advance of seeking a legislative fix.

23 48. In January 2015, the California Department of Social Services completed its statutorily  
24 mandated report and submitted it to the California Legislature. A significant recommendation of  
25 that report was the prioritization of "home-based family care settings" over "group homes." This  
26 conclusion was based on sociological research indicating that youth in the foster care system  
27 generally have better outcomes if placed with families as opposed to group homes. However, even  
28 this research is mixed and often fails to take into account the wide variety of all "group homes,"



1 some of which simply place youth in dormitories. There is *no equal* to San Pasqual Academy in  
2 providing youth with a full and supportive community and stable, family-style homes.

3 49. In response to California’s Continuum of Care Reform Report, the County of San  
4 Diego prepared its own report discussing how California’s recommendation to do away with group  
5 homes “jeopardizes County of San Diego’s unique residential education program, San Pasqual  
6 Academy.” (Ex. 1, p.2.) “If the Academy were to close as a long-term placement option, the youth  
7 and community would be negatively impacted.” (*Id.*)

8 50. The County proceeded to show how San Pasqual Academy meets or exceeds all of the  
9 goals of the Continuum of Care Reform Report, and therefore closing it would actually frustrate  
10 those goals. (*Id.* at pp.3–4.) Specifically, the County noted that the Academy’s homes are  
11 themselves better than traditional foster homes (*id.* at 8–13), and on top of that, the Academy offers  
12 many more services. (*Id.* at 5–6.) The County then discussed the “legislative strategies” it was  
13 undertaking to save San Pasqual Academy. (*Id.* at p.7.)

14 51. In April 2015, the Continuum of Care Reform Act was first introduced by Assembly  
15 Member Mark Stone as Assembly Bill 2015. In April 2015, the County of San Diego sent a letter to  
16 Assembly Member Stone seeking an explicit exemption for San Pasqual Academy, which it  
17 contended was “not appropriately addressed in the current version o[f] the bill.” (Ex. 2, p.1.) San  
18 Diego County contended that San Pasqual Academy “can work within the structure of the  
19 proposed reforms,” and explained “that a ‘one size fits all’ approach [should] not be used to  
20 exclude, proven, successful programs that benefit youth that needs them the most.” (Ex. 2, p.2.)

21 52. Thus, in light of San Pasqual Academy’s proven track record, the County lobbied for,  
22 and obtained, a specific licensing category just for San Pasqual Academy. In the third amended  
23 version of Assembly Bill 403, dated June 1, 2015, the County obtained an exemption for San Pasqual  
24 Academy. That language of that exemption was tweaked once, and was moved to different sections  
25 of the Bill as the bill was amended. The Section, as ultimately approved, reads as follows:

26  
27 Notwithstanding the provisions of this act, on and after January 1,  
28 2017, facilities with licensed capacity of 184 that were in operation  
prior to January 1, 2015, that offer placements for the purpose of

1 attending an onsite high school, may continue to operate under an  
2 appropriate licensing category determined by the State Department  
3 of Social Services as long as those facilities submit to the department  
4 a transition plan describing how the program will comply with the  
provisions of this act, pursuant to a timeframe to be determined with  
the department.

5 (Ex. 3, Chapter 773, § 121, Statutes of 2015.)

6 53. This provision—despite not specifically naming San Pasqual Academy—was lobbied  
7 for and obtained by then-Assembly Speaker Toni Atkins specifically for San Pasqual Academy. In  
8 debate, it was described as the “San Pascual [sic] Grandfathering language.” (Ex. 2, p.3, ¶ 11.) The  
9 provision required the California Department of Social Services to devise an “appropriate licensing  
10 category” for San Pasqual Academy independent of its other licensing categories. (Ex. 3, § 121.)  
11 San Pasqual Academy, in turn, was required to submit a “transition plan describing how the  
12 program will comply with the provisions of this act.” (*Id.*)

13 54. In October 2015 the Legislature passed, and Governor Brown signed into law, the  
14 Continuum of Care Reform Act. (See Ex. 3, Chapter 773, Statutes of 2015 [relevant portions only].)  
15 That 259 page Bill contains 129 sections. Section 1 contains the Legislature’s findings; Sections 2  
16 through 120 make specific amendments to statutory language in the Welfare & Institutions Code,  
17 the Family Code, the Government Code, etc.; and Sections 121 onward provide guidance on how  
18 to apply the Bill.

19 55. Generally, that Bill required counties, by January 1, 2017, to transition away from using  
20 group homes for long-term placements, to only using group homes for youth with a severe mental  
21 health diagnosis (causing them to be a danger to themselves or others), and who could then only be  
22 placed in a group home for six months or shorter (termed, “Short-Term Residential Therapeutic  
23 Programs”). (See current Welf. & Inst. Code, § 11462, et seq.)

24 56. In late 2015 and early 2016, San Pasqual Academy began negotiating with the State and  
25 County about any needed transitions and the development of its unique licensing category. As part  
26 of these negotiations, San Pasqual Academy made various proposals and changes.

27 57. San Pasqual Academy’s negotiations were primarily with the County, who acted as the  
28 intermediary with the State. During the whole process, the County took the lead. Ultimately, on

1 August 30, 2016, the County sent to the State a proposal regarding how San Pasqual Academy will  
2 continue operating. Due to concerns about whether then-Governor Brown’s successor would take  
3 a similar or different approach to opting in or out of federal funding programs, the County proposed  
4 a “five-year pilot” that could then end and take into account changes in the executive  
5 administration. (Ex. 4, p.1.)

6 58. In its proposal, the County noted that San Pasqual Academy complies with the  
7 Continuum of Care Reform Act because its “family based program fits precisely within the goals  
8 of AB 403 while expanding the definition of ‘Family’.” (*Id.* at 1.) The County further noted that  
9 “[a]t this time there is no reason to believe that San Pasqual cannot meet the core licensing  
10 requirements for any licensing category” and that “all [] health and safety requirements of  
11 licensing should not create a barrier.” (*Id.* at p.5.)

12 59. However, it was not clear whether “the most practical approach to licensing” would be  
13 to license San Pasqual Academy under “[a] new and unique licensing category,” or fit it into an  
14 existing category. (*Id.* at p.5.) Thus, the County proposed that San Pasqual Academy proceed to  
15 commission a further study of the residents and alumni would be undertaken, and after which, the  
16 final determination of whether any transitions are necessary, and the final determination of  
17 licensing procedure, would be made. (*Id.* at 1, 3–5.)

18 60. In the interim, San Pasqual Academy proposed significant changes. These included a  
19 new permanency division tasked with reunifying foster youth with their parents. Due to  
20 California’s concern that youth may only have meaningful, emotional connections to San Pasqual  
21 Academy as an *institution*, as opposed to distinct *families*, the Academy created a new division  
22 tasked with reuniting youth to live with their own families while still permitting them to attend high  
23 school at the Academy if they so wished. This proposal was accepted.

24 61. As a result of these negotiations, the parties then all agreed on “Interim Licensing  
25 Standards” that were unique to San Pasqual Academy, and under which it could be licensed. These  
26 unique standards changed San Pasqual Academy’s designation from being licensed as a group  
27 home under former Welf. & Inst. Code, § 11462, to being licensed and funded simply as San Pasqual  
28 Academy under Section 121.

1           62. After two years of negotiations, on August 17, 2018, California and the County entered  
2 into a Memorandum of Understanding outlining how the County may continue to use San Pasqual  
3 Academy as a placement for foster youth between December 31, 2018 and December 31, 2021.  
4 (Ex. 5.) Because it took two years to negotiate the MOU, its time period was shortened to a three-  
5 year pilot. As part of that MOU, California and the County were to track San Pasqual Academy's  
6 statistics, and ultimately commission an evaluation of the Academy, jointly funded by the County  
7 and San Pasqual Academy. (*Id.* at p.3.)

8           63. Then, after San Pasqual Academy was operating under its new licensing standards for  
9 a few years, California decided to opt into, and implement, the federal Family First Prevention  
10 Services Act, beginning on October 1, 2021. The County and State began discussions around San  
11 Pasqual Academy without informing the Academy or bringing it into the conversation. Then, on  
12 February 8, 2021, the California Department of Social Services wrote to Kim Giardina, Director of  
13 San Diego County's Child Welfare Services, informing her that California had decided to terminate  
14 the Memorandum of Understanding, effective October 1, 2021. (Ex. 6.)

15           64. That letter contained no indication that a new arrangement permitting San Pasqual  
16 Academy to continue operating was forthcoming. Rather, according to that letter, the primary basis  
17 for terminating the MOU was funding issues under the federal Family First Prevention Services  
18 Act, which prioritizes funding for family-style placements over group homes, as well as  
19 "[c]onversations between the County and CDSS." (*Id.* at 2.) Even though San Pasqual Academy  
20 could obtain a federal waiver, the letter contained no indication that an attempt to obtain a federal  
21 waiver was considered or attempted.

22           65. Alarming, the letter also created numerous false impressions through its misleading  
23 characterization of the Continuum of Care Reform Act and the parties' prior dealings. The letter  
24 faulted San Pasqual Academy for not "convert[ing] to a short term residential therapeutic program  
25 (STRTP) or any other licensing category available to foster youth" (*id.* at 1), even though it is  
26 operating under a "licensing category available to foster youth" and it did discuss the option of  
27 converting into a group of foster families. This statement is also illogical, as requiring San Pasqual  
28 Academy to convert into a Short-Term Residential Therapeutic Program would make Section 121

1 a completely superfluous provision with no meaning.

2 66. The County did not apprise the students of San Pasqual Academy of its discussions  
3 with the State, or of Ms. Giardina's receipt of the February 8 letter. Rather, Ms. Giardina gave the  
4 letter to the Board of Supervisors, who informed the students by having Board Chairman Nathan  
5 Fletcher give an interview to the San Diego Union Tribune, who then published an article on  
6 February 21, 2021. Prior to that article being published, nobody at San Pasqual Academy had any  
7 idea that either the County or the State had any problem with its continued operation.

8 67. Delivering the news of San Pasqual Academy's closure to its students through a  
9 sensational Sunday newspaper article was particularly careless, insensitive, and traumatic—  
10 creating much anxiety among students whose homes had always been pulled out from under them,  
11 and who are now simply exclaiming "Where am I going to live now?" and "Why didn't anyone  
12 care enough to talk to us or anyone here about decisions that change our lives?" (Letter from San  
13 Pasqual Academy Clinic Director to County Board of Supervisors (Feb. 23, 2021) p.2.)

14 68. This is particularly the case because several students remembered Supervisor  
15 Fletcher's 2019 promise that "I have your backs," and his abrupt change of heart is reminiscent of  
16 the many foster parents who have failed them over the years. In response to the news article, the  
17 students of San Pasqual Academy published an open letter to officials with California and the  
18 County, pleading to keep their home open.

19 69. Some Supervisors responded positively to this open letter. Supervisor Fletcher, on the  
20 other hand, doubled-down by falsely stating that the school was being illegally operated, grossly  
21 over-estimating its budget and cost to taxpayers, falsely claiming that San Pasqual Academy was  
22 simply "cherry-picking" better students to slant its statistics, and falsely claiming that the County  
23 would find suitable foster families for all of the youth. The fact is that the youth at San Pasqual  
24 Academy are there because there were no appropriate foster families available for them, and there  
25 are still none.

26 70. Nevertheless, at a County Board of Supervisors meeting on March 16, 2021, held by  
27 videoconference, the Board voted to request an extension permitting San Pasqual Academy to  
28 operate until June 30, 2022. According to the County, the Memorandum of Understanding it had

1 entered into with California constituted the “transition plan” envisioned by Section 121 of the  
2 Continuum of Care Reform Act.

3 71. Also according to the County, keeping San Pasqual Academy open required it to set  
4 aside \$1.4 million of its own funds to cover the lost federal funds (for FY 20/21, San Pasqual  
5 Academy’s budget was approximately \$12.8 million, with \$7.5 million paid to New Alternatives,  
6 Inc.), which the Board voted to do. At this meeting, during the section in which the Board received  
7 comment from residents and alumni of San Pasqual Academy, Supervisor Fletcher turned off his  
8 camera and appeared to be tuned out.

9 72. On May 3, 2021, California agreed to the County’s requested extension, but only if the  
10 County accepted certain conditions, including that the County not grant any new foster youths’  
11 requests to be placed at San Pasqual Academy.

12 73. At a County Board of Supervisors meeting on May 16, 2021, Supervisor Jim Desmond  
13 proposed a motion that included: (1) deferring acceptance of California’s conditions pending  
14 negotiations to allow San Pasqual Academy to continue operating as is, and accepting new  
15 placements such as siblings; (2) beginning a dialogue with California and the federal government  
16 about exploring ways to allow San Pasqual Academy to continue operating and continue receiving  
17 federal funding; (3) exploring the option of converting San Pasqual Academy’s homes into official  
18 “foster homes,” or other novel ways of permitting San Pasqual Academy to continue operating;  
19 and (4) exploring the option of new legislation that more clearly permits San Pasqual Academy to  
20 continue operating.

21 74. Instead of considering this motion, Supervisor Fletcher hijacked the meeting and  
22 proposed an alternate motion that included: (1) working to reimagine and restructure foster-youth  
23 services, and alumni services, at San Pasqual Academy as part of converting it away from its current  
24 model; and (2) accepting California’s conditions on the County’s requested extension permitting  
25 San Pasqual Academy to operate until June 2022.

26 75. Following Supervisor’s hijacking of the Board meeting, the Board voted to accept his  
27 motion, and rejected Supervisor Desmond’s motion.

28 76. In September 2020, a Preliminary Report concerning the 20-Year Study was issued; in

1 mid-June 2021, an early version of the Final Report was submitted; and in August 2021 the Final  
2 Report was issued. (Ex. 7.) That report is, like the 10-Year Study, universally positive.

3 77. On June 11, 2021, San Pasqual Academy held its 20th Graduation Ceremony—a  
4 ceremony that hundreds of students, alumni, and community members fervently hope will not be  
5 the last.



### 16 **C. The Results of the San Pasqual Academy Studies**

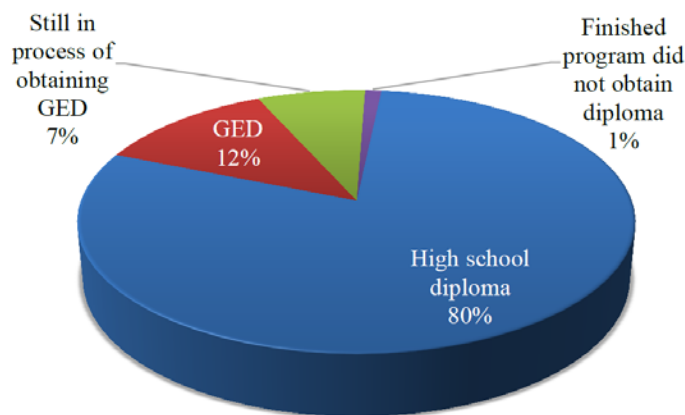
17 78. The 10-year study published in 2013 was primarily authored by Prof. Michael J. Lawler,  
18 MSW, PhD, who at the time was the Dean of the School of Health Sciences at the University of  
19 South Dakota. Dr. Lawler currently serves as the President of the Pacific Northwest University of  
20 Health Sciences, in Yakima, Washington. Dr. Lawler examined 478 alumni of San Pasqual  
21 Academy, who attended the Academy between 2001 and 2012. Of those, 302 alumni turned 18  
22 while at the Academy, and were able to provide more meaningful data.

23 79. The study revealed that the typical San Pasqual Academy resident had gone through an  
24 average of 7.72 prior placements, primarily with foster families. Notably, permanency is generally  
25 a predictor of success, and so the greater number of placements the less likely a youth will have  
26 success in transitioning to adulthood. But at San Pasqual Academy, success was not correlated to  
27 the number of prior placements, which “confirms the Academy’s capacity to ameliorate the  
28 consequences of placement instability.” (10-YEAR STUDY, pp.31-32.)

80. Nearly a fifth (18%) of the residents were either reunited with their family or extended family, and another fifth (22%) left for other reasons, such as placement with a foster family, or mental health problems. Of those who stayed, nearly half (48%) completed the San Pasqual Academy program. An eighth (13%) aged out, but of those, they universally continued accepting assistance from the Academy, and 88% obtained a GED.

81. For youth who attended the Academy to their 18<sup>th</sup> birthday or beyond, 92% obtained either a high school diploma or a GED (80% diploma, 12% GED). In comparison, the average graduation rate for foster youth at the same time was 45%, and the average graduation rate for all youth was 79%.

82. Further, 56% of all alumni had post-high school education, higher than studies for foster youth generally, which range from 10% to 42.7%. This includes 34% attending a 2-year college; 15% attending a 4-year college; and 7% attending a vocational school. And 51% of alumni had employment—higher than 18.7% of foster youth generally.



**Figure 9.** Breakdown of high school graduation for youth at Academy through 18 years old

83. As stated above, as a condition of continued operation, New Alternatives, Inc. and the County of San Diego jointly funded a follow-up, 20-year study. Supported by a team of researchers, Prof. Gail S. Goodman, PhD, Director of the Center for Public Policy Research at the University of California, Davis, and Dana Hartman, graduate student at UC Davis, have been essentially updating the 10-year study with new statistics and conclusions. However, in addition to studying alumni, Dr. Goodman and Ms. Hartman have been studying current students.

84. The study examined the outcomes of 79 current students and 101 randomly selected,

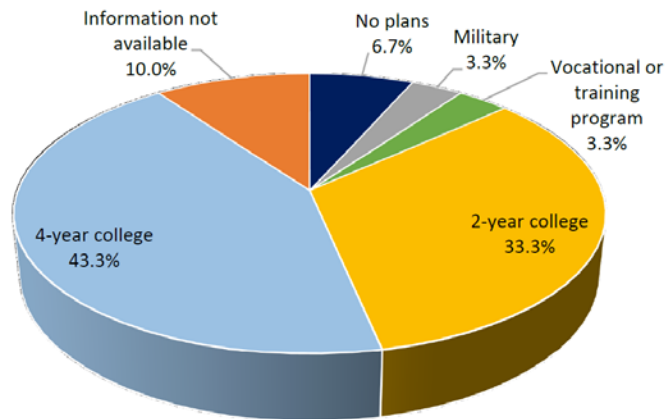


new alumni (who left the Academy after 2012), and added this data to, and compared it with, the 478 alumni from the 10-year study.

85. The high school graduation rate has improved, to 96.3%—far exceeding both the general population and the general foster youth population. For 11<sup>th</sup> and 12<sup>th</sup> graders, only two students (out of 30) did not have post-graduation plans. “43.3%[] plan to attend a 4-year college; 33.3% plan to attend a 2-year college; 3.3% plan to attend a vocational or training program; and 3.3% plan to join the military.” (20-YEAR STUDY, p.9.) Thus, 76.6% planned to attend college, whereas only 52.8% of foster youth generally even indicate a desire to attend college. For alumni, 83.3% had attended college—substantially improved from the 10-year study, which was already far greater than the average for foster youth.

**Figure 1**

*11<sup>th</sup> and 12<sup>th</sup> Grade Students' Post-Academy Plans (n = 30)*



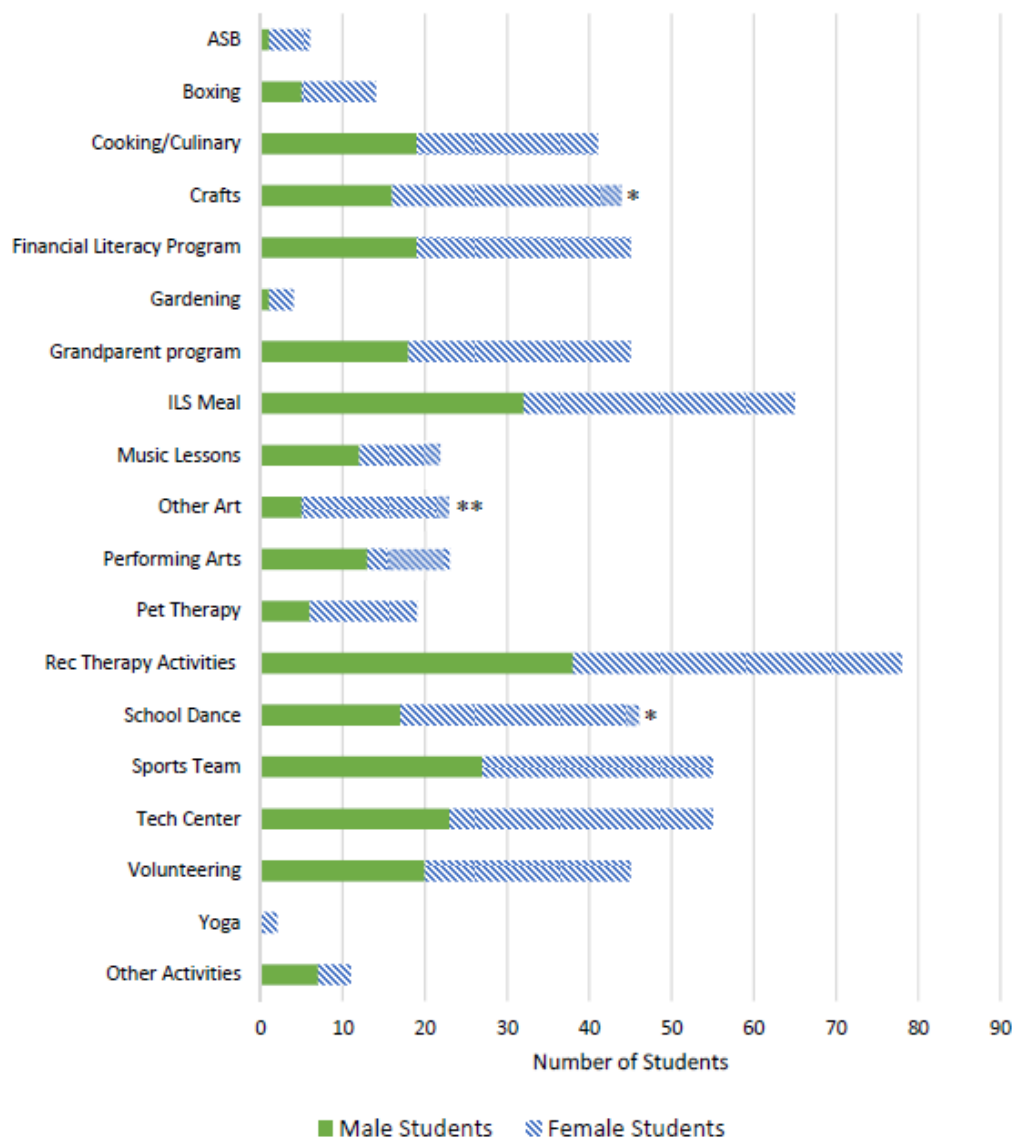
86. Other efforts to prepare the students for success as adults were equally noteworthy. 88.3% of eligible students have participated in job training or had an internship, compared with only 60.6% of foster youth in the general population. Of the alumni for whom data was available, approximately 81.81% had steady employment (before the COVID-19 pandemic), and only 5 alumni had ever had unsafe/substandard housing, couch surfed, or had been homeless for any period of time following graduation. The study authors agreed with the conclusion of the San Diego County Juvenile Justice Commission: “ ‘The job-readiness program run by the San Diego Workforce Partnership at SPA is state of the art and has a very dedicated staff that provides hands-on classes including the Youth Empowerment Services program and extracurricular activities.’ ” (20-YEAR

STUDY, p.10 [quoting 2018 Report of San Diego County Juvenile Justice Commission, p.3].)

87. The students also have a more enriching life at the Academy. Only 60% of high school youth participate in any extracurricular activities, but 100% of Academy youth do. Extracurricular activities, beyond enriching students' lives, are also correlated with greater educational outcomes. Providing extracurricular activities for foster youth is oftentimes difficult, as frequent changes in placements can make joining a group impossible, and traditional group homes often do not have the resources to support such activities. But that is not the case at San Pasqual Academy:

**Figure 2**

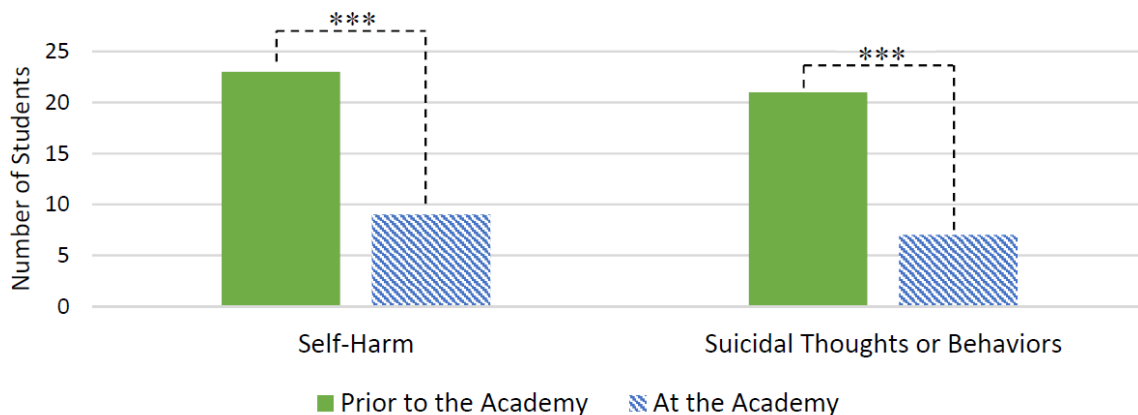
*Current Students' Extracurricular Activity Participation by Gender*



88. This second study also analyzed mental health outcomes. Although many Academy students have mental health problems, in line with foster youth generally, “there is significant *improvement* after entry into the Academy in the areas of self-harm behavior and suicidal thoughts and actions.” (20-YEAR STUDY, Exec. Summ. [original italics]; see also *id.* at pp.13–16.)

**Figure 4**

*Number of Students with Histories of Self-Harm or Suicidal Thoughts/Behaviors Prior to and While Attending the Academy*



89. In sum, as stated by the San Diego County Juvenile Justice Commission, “SPA’s dedication to providing a home-like environment for foster youth, which extends to all aspects of their life (personal growth, healthy development, school, work readiness, life skills, health care, etc.) is exceptional.” (20-YEAR STUDY, p.23 [quoting 2018 Commission Report, p.3].)

90. This “exceptional” result applies to all youth. “For both current residents and alumni, who are highly diverse in racial and ethnic background, there are no gender or ethnic differences in outcomes.” (20-YEAR STUDY, Exec. Summ.) Currently, 40.5% of the students are African American; 20.3% are Latino or Latina; 16.5% are Caucasian; 22.9% are mixed/other; and at least 3 students are sexual minorities (transgender). (*Id.* at 8.)

91. San Pasqual Academy’s positive results are tied directly to its exceptional environment. Across all metrics identified in the studies—safe housing, employment, education, access to health care, and meaningful life relationships—greater success was correlated with longer time spent at San Pasqual Academy. “These positive outcomes are especially notable due to the specific

1 population of foster youth the Academy primarily services—ones who were experiencing  
2 difficulties in more traditional foster placements or for whom a traditional foster placement was not  
3 recommended or possible.” (20-YEAR STUDY, p.51.)

#### 4 **D. The Present Litigation**

5 92. In light of the legislative history and the procedural history, the language of the Section  
6 121 of the Continuum of Care Reform Act is clear. San Pasqual Academy “may continue to operate  
7 under an appropriate licensing category” determined by California. (Ex. 3, p.255.) All that San  
8 Pasqual Academy must do is submit a “transition plan describing how the program will comply  
9 with the provisions” of the Continuum of Care Reform Act. (*Id.*) As properly understood by the  
10 State and County previously, the “provisions” at issue are those which, when applied to San  
11 Pasqual Academy, would not then make Section 121 superfluous—*i.e.*, Section 1, the legislative  
12 findings about improving youth outcomes through family-based care. (*Id.* at 2.)

13 93. San Pasqual Academy complied with this provision through the County’s repeated  
14 memoranda detailing how it already has a “family-based” system with the best statistical outcomes  
15 of any program, nationwide. (See, e.g., Exs. 1, 4, 7.) To resolve this case without litigation, on June  
16 22, 2021, San Pasqual Academy sent a comprehensive demand letter to the State demanding  
17 permission to continue operations.

18 94. The State delayed responding to this letter, but eventually provided a response. That  
19 response did not provide a path forward to maintaining the licensing and funding of San Pasqual  
20 Academy. Thus, on July 20, 2021—despite San Pasqual Academy’s best efforts at informal  
21 resolution—the negotiations fell through. This litigation followed.

22 \* \* \*

23 95. San Pasqual Academy is not an “orphanage,” and it does not provide “dormitories”  
24 with dozens of students packed in on bunk beds. San Pasqual Academy has been a stable home for  
25 hundreds of students over the years, and is currently a stable home for dozens of students—the  
26 only meaningful home they have ever had. “Students often return, considering SPA their home,  
27 and attend community events, live during school breaks or times of need, and simply to visit  
28 students and adults who have been important in their lives.” (20-YEAR STUDY, p.51 [quoting 2017

San Diego Juvenile Justice Commission Report, p.14].) Relief is needed from this Court to keep their home open.



**FIRST CLAIM FOR RELIEF**  
**WRIT OF MANDATE (CODE CIV. PROC., § 1085)**  
**(By All Plaintiffs Against All Defendants)**

96. Plaintiffs incorporate by reference all allegations contained in the preceding paragraphs as though fully set forth herein.

97. A writ of mandate may be issued by any court to a department or agency to compel the performance of an act which the law specially requires. (Code Civ. Proc., § 1085(a).)

98. Mandamus is available to correct an agency's abuse of discretion through action in derogation of the applicable legal standards. (*Ochoa v. Anaheim City School Dist.* (2017) 11 Cal.App.5th 209, 223, fn.3.)

99. The Continuum of Care Reform Act, Chapter 773, Statutes of 2015, provides in Section 1 that "[i]t is the intent of the Legislature in adopting this act to improve California's child welfare system and its outcomes by using comprehensive initial child assessments, increasing the use of home-based family care and the provision of services and supports to home-based family care. . . ."

1 (*Id.* at § 1(a).)

2 100. Further, “[i]t is . . . the intent of the Legislature to maintain children’s safety, well-  
3 being, and healthy development when they are removed from their own families by placing them,  
4 whenever possible and appropriate, with relatives or someone familiar, or, when this is not possible  
5 or appropriate, with other caregiving families that are able to meet their physical, social, and  
6 emotional needs until they can return home.” (*Id.* at § 1(c).)

7 101. “To achieve this intent, the Legislature recognizes the following: . . . That children  
8 and youth in foster care have been affected by trauma, both by the fact that they have been separated  
9 from their family, and by the circumstances that led to their removal. Recognizing this trauma and  
10 minimizing additional trauma should be structured into how practice is implemented for children  
11 and youth in foster care.” (*Id.*)

12 102. The Continuum of Care Reform Act, Chapter 773, Statutes of 2015, provides in  
13 Section 6 that “ ‘Foster family home’ means any residential facility providing 24-hour care for six  
14 or fewer foster children that is owned, leased, or rented and is the residence of the foster parent or  
15 parents, including their family, in whose care the foster children have been placed.” (*Id.* at  
16 § 6(a)(5).)

17 103. Continuing the operation of San Pasqual Academy perfectly satisfies these  
18 provisions from the Continuum of Care Reform Act because the Academy provides “home-based  
19 family care” and “caregiving families that are able to meet [foster youths’] physical, social, and  
20 emotional needs[.]” The homes provided by San Pasqual Academy are “the residence of the []  
21 parent or parents, including their family.” The only difference is that the houses may include 6–8  
22 foster youth. Further, continuing the operation of San Pasqual Academy “minimiz[es] additional  
23 trauma” to foster youth by permitting them to stay in their homes.

24 104. Section 121 of the Continuum of Care Reform Act, Chapter 773, Statutes of 2015  
25 provides that:

26 Notwithstanding the provisions of this act, on and after January 1,  
27 2017, facilities with licensed capacity of 184 that were in operation  
28 prior to January 1, 2015, that offer placements for the purpose of  
attending an onsite high school, may continue to operate under an

appropriate licensing category determined by the State Department of Social Services as long as those facilities submit to the department a transition plan describing how the program will comply with the provisions of this act, pursuant to a timeframe to be determined with the department.

105. As explained in the legislative history, this section is “[g]randfathering language.” A “Grandfather clause” is a “[p]rovision in a new law or regulation exempting those already in or a part of an existing system which is being regulated,” or “[a]n exception to a restriction that allows all those already doing something to continue doing it even if they would be stopped by the new restriction.” (Black’s Law Dict. (6th ed. 1990) p.699, col. 1; see also *Abernathy Valley, Inc. v. County of Solano* (2009) 173 Cal.App.4th 42, 56.)

106. Under this section, San Pasqual Academy was required to submit a “transition plan describing how the program will comply with the provisions of this act.” San Pasqual Academy fully complied with this requirement through the August 30, 2016 memorandum delivered by the County to the State which describes how San Pasqual Academy’s “family based program” satisfies Section 1 of the Continuum of Care Reform Act. San Pasqual Academy further complied with this requirement through the Memorandum of Understanding dated August 17, 2018.

107. Following San Pasqual Academy’s satisfaction of its obligations, the State and County were required to devise an “appropriate licensing category” under which San Pasqual Academy could continue to operate. The State and County did so, but they are now illegally trying to revoke that license and terminate all funding.

108. Although the text of Section 121 is confusing and poorly drafted, the above interpretation of it is the only one that complies with all canons of statutory construction.

109. The State and County were not permitted to simply order San Pasqual Academy to convert into a Short-Term Residential Therapeutic Program, which only accepts residents for six-months or shorter. This reading of the Section 121 makes it superfluous of Section 71 (amending Welf. & Inst. Code, § 11462), and therefore cannot be the correct reading. This would also effectively destroy the Academy’s ability to operate, making Section 121 have no meaning whatsoever.

1           110. For several reasons, Section 121 is also not simply a provision giving San Pasqual  
2 Academy a longer period of time in which to shut down (since it cannot convert into a Short-Term  
3 Residential Therapeutic Program). First, if it were merely an extension provision, Section 121  
4 would be superfluous of Section 81 (amending Welf. & Inst. Code, § 11462.04(e)), which permits  
5 extensions through December 31, 2020.

6           111. Second, it was not the reading of either the County, the State, or San Pasqual  
7 Academy when they entered into the Memorandum of Understanding. That document makes clear  
8 that all parties understood that San Pasqual Academy could continue serving as a home for foster  
9 youth under a new and unique licensing category.

10          112. At no point in the process did the County or State ever indicate to San Pasqual  
11 Academy that it should plan to transition into a Short-Term Residential Therapeutic Program.  
12 Rather, what was needed was an understanding as to what transitions were needed (if any) for the  
13 Academy to comply with Section 1 of the Continuum of Care Reform Act, the Legislative goals.  
14 Thus, the Academy continued operating as it had been, and it and the County jointly commissioned  
15 a study of its practices.

16          113. Third, if Section 121 were read as merely an extension provision, then the clause  
17 “under an appropriate licensing category determined by the State Department of Social Services”  
18 in Section 121 has no purpose. If that clause were omitted, the Section would have the same  
19 erroneous “extension” meaning. But it is not omitted; it has meaning. And its most natural  
20 meaning is that San Pasqual Academy is not to operate under an extension of a prior licensing  
21 category, but can fit into one of the new categories, even if that new category is simply Section 121.

22          114. In accepting that the above “licensing category” clause has meaning—which the  
23 canons of statutory construction require—the clause “pursuant to a timeframe to be determined  
24 with the department” is clear. Taking into account the entire Section, that clause most naturally  
25 modifies “as long as those facilities submit to the department a transition plan,” not “how the  
26 program will comply with the provisions of this act.” Thus, the deadline for San Pasqual Academy  
27 to submit its transition plan is subject to the Department’s discretionary timeline; not the deadline  
28 for San Pasqual Academy to convert into a Short-Term Residential Therapeutic Program or shut



1 down.

2 115. The State and County were further not simply permitted to order San Pasqual  
3 Academy to shut down until a federal waiver were obtained. Federal law is a separate matter for  
4 consideration in a different forum. Moreover, the Family First Prevention Services Act contains  
5 explicit waiver provisions that would permit the continued funding of San Pasqual Academy. In the  
6 meantime, California law directs that San Pasqual Academy continue operating.

7 116. By the State terminating its Memorandum of Understanding with the County, which  
8 permitted San Pasqual Academy to operate, without providing any other means for San Pasqual  
9 Academy to continue to operate, the State has violated the Continuum of Care Reform Act.

10 117. Plaintiffs are entitled to a Writ of Mandate directing the State and County to comply  
11 with the Continuum of Care Reform Act by granting San Pasqual Academy a license and funding  
12 to continue operating.

13 118. Plaintiffs have no adequate remedy at law and will suffer serious and irreparable harm  
14 to their statutorily and constitutionally protected rights unless Defendants are enjoined from acting  
15 to shut down San Pasqual Academy.

16 119. Plaintiffs have found it necessary to engage the services of private counsel to  
17 vindicate their rights under the law. In light of the benefit this action will bring to all students,  
18 residents, and alumni of San Pasqual Academy, Plaintiffs and their counsel are entitled to an award  
19 of attorneys' fees and costs pursuant to Code of Civil Procedure Section 1021.5.

20 **SECOND CLAIM FOR RELIEF**  
21 **VIOLATION OF EQUAL PROTECTION (ART. I, § 7, CAL. CONST.)**  
22 **(By Plaintiffs Tia Moore, Natasha Strain, and Mark Dederian, on behalf of**  
23 **the foster youth in their care, against All Defendants)**

24 120. Plaintiffs incorporate by reference all allegations contained in the preceding  
25 paragraphs as though fully set forth herein.

26 121. The California Constitution's equal-protection guarantees prohibit the State from  
27 discriminating in education on the basis of wealth in a manner that deprives students of a "basically  
28 equivalent" quality of education. (See Cal. Const., art. I, § 7; art. IV, § 16; *Butt v. State of California*  
(1992) 4 Cal.4th 668, 685.)

1           122. Government action discriminates on the basis of wealth if it does so explicitly, or if,  
2 “regardless of how [it is] implemented,” it “inevitably cause[s]” students “to be provided with an  
3 education that is not ‘basically equivalent’ to their . . . peers.” (*Vergara v. State of California* (2016)  
4 246 Cal.App.4th 619, 649.)

5           123. A child’s education is not “basically equivalent” in quality when “the actual quality  
6 of the [school’s] program, viewed as a whole, falls fundamentally below prevailing statewide  
7 standards.” (*Collins v. Thurmond* (2019) 41 Cal.App.5th 879, 898 [citing *Butt, supra*, 4 Cal.4th at  
8 686–687].)

9           124. The California Constitution’s equal-protection guarantees prohibit the State from  
10 adopting policies or taking other actions that disproportionately impact minority students with  
11 respect to education opportunities. (See Cal. Const., art. I, § 7; art. IV, § 16; *Butt, supra*, 4 Cal.4th  
12 at 685.)

13           125. Such a disparate-impact “claim is stated when [1] a policy adopted in California has  
14 a substantial disparate impact on the minority children of its schools, causing de facto segregation  
15 of the schools and [2] an appreciable impact to a district’s educational quality, and [3] no action is  
16 taken to correct that policy when its impacts are identified.” (*Collins, supra*, 41 Cal.App.5th at 896–  
17 897.)

18           126. Here, the State and County’s refusal to permit the continued operation of San  
19 Pasqual Academy discriminates on the basis of wealth because it will “inevitably cause” students  
20 “to be provided with an education that is not basically equivalent to their more affluent . . . peers.”  
21 (*Vergara, supra*, 246 Cal.App.4th at 649.)

22           127. Specifically, the students at San Pasqual Academy currently receive an education that  
23 leads to over a 90% graduation rate, which far exceeds the 45% average graduation rate for foster  
24 students. The average graduation rate for foster youth of 45% is far below the average graduation  
25 rate for all youth generally. By shutting down San Pasqual Academy, the County and State will force  
26 these students to receive a far inferior education leading to fewer graduations. By prohibiting San  
27 Pasqual Academy students from receiving education at San Pasqual Academy, “the actual quality”  
28 of their education, “viewed as a whole, [will] fall[ ] fundamentally below prevailing statewide

standards.” (*Collins, supra*, 41 Cal.App.5th at 898.)

128. Further, the State and County’s refusal to permit the continued operation of San Pasqual Academy is “a policy adopted in California [that] has a substantial disparate impact on the minority children of its schools.” It would force San Pasqual Academy to send its students to other schools, where their educational outcomes will be worse; and the weight of its students are minority students, who will face disparate harms as a result of this policy. (*Collins, supra*, 41 Cal.App.5th at 896–897.)

129. This policy causes “an appreciable impact to a district’s educational quality,” because San Pasqual Academy’s primarily minority, underprivileged students are without sufficient access to the resources of other students needed for better educational outcomes. (*Ibid.*)

130. The State and County have taken “no action . . . to correct th[is] policy when its impacts [were] identified.” Indeed, the State and County were provided with the above scientific studies (the 10-Year Study and the Preliminary 20-Year Study) showing that the majority of San Pasqual Academy residents are minority students, and yet receive far greater educational outcomes than other foster youth. The State was also provided with the law undergirding this equal protection claim during the parties informal negotiations in June and July 2021. Yet the State and County have done nothing to remedy the policy’s obvious constitutional infirmities.

131. The State cannot absolve itself of liability by relying on the County of San Diego, whose actions also violate the Constitution by implementing the State’s directives. (*Butt, supra*, 4 Cal.4th at 681; *Serrano v. Priest* (1971) 5 Cal.3d 584, 613.)

132. The State and County also cannot justify their discriminatory conduct which fails to satisfy strict scrutiny because the policy is not narrowly tailored. Its purported goals are better educational and life outcomes for foster youth, but its effects are the exact opposite.

133. The policy also fails strict scrutiny because it is motivated by a desire for uniformity and simplicity in the State’s child welfare system, without considering the harms of that uniformity on the actual students affected, causing those students to bear the harsh burden of that desired uniformity.

134. Plaintiffs are bringing this action on behalf of all of the foster youth that are under

1 their care. Normally, a plaintiff must assert only his own rights and not the rights of others. But an  
2 exception to this rule exists in the third-party standing doctrine. Under that doctrine, a plaintiff can  
3 assert the rights of another if: (1) the plaintiff suffers a distinct and palpable injury in fact, thus  
4 giving him or her a concrete interest in the outcome of the dispute; (2) the plaintiff has a close  
5 relationship to the third-party such that the two share a common interest; and (3) there is some  
6 hindrance to the third party's ability to protect his or her own interests.

7 135. These factors are necessarily met in the context of the responsible adults bringing  
8 actions on behalf of the foster youth in their care. Here, Plaintiffs have suffered a distinct and  
9 palpable injury in having their community potentially shut down; the Plaintiffs have a very close  
10 relationship to the foster youth in their care by serving as their de facto parents; and the minority  
11 status of the foster youth prevent them from joining this action.

12 136. Plaintiffs have no adequate remedy at law and will suffer serious and irreparable harm  
13 to their statutorily and constitutionally protected rights unless Defendants are enjoined from acting  
14 to shut down San Pasqual Academy.

15 137. Plaintiffs have found it necessary to engage the services of private counsel to  
16 vindicate their rights under the law. In light of the benefit this action will bring to all students,  
17 residents, and alumni of San Pasqual Academy, Plaintiffs and their counsel are entitled to an award  
18 of attorneys' fees and costs pursuant to Code of Civil Procedure Section 1021.5.

19 **THIRD CLAIM FOR RELIEF**  
20 **VIOLATION OF FOSTER YOUTH BILL OF RIGHTS (WELF. & INST. CODE, § 16001.9)**  
21 **(By Plaintiffs Tia Moore, Natasha Strain, and Mark Dederian, on behalf of**  
22 **the foster youth in their care, against All Defendants)**

23 138. Plaintiffs incorporate by reference all allegations contained in the preceding  
24 paragraphs as though fully set forth herein.

25 139. The Foster Youth Bill of Rights provides that "[t]he state has a duty to care for and  
26 protect the children that the state places into foster care, and as a matter of public policy, the state  
27 assumes an obligation of the highest order to ensure the safety of children in foster care." (See  
28 Welf. & Inst. Code, § 16000.1(a)(1).)

140. As a result, Foster Youth have various rights, including the right "to remain in the

1 child's school of origin . . . and to receive all other necessary educational supports and benefits, as  
2 described in the Education Code" (*id.* at § 16001.9(a)(27)), the right "[t]o be involved in the  
3 development of their own case plan, including placement decisions, and plan for permanency" (*id.*  
4 at § 16001.9(a)(37)), and the right "[t]o review the child's own case plan and plan for permanent  
5 placement if the child is 10 years of age or older, and to receive information about their out-of-home  
6 placement and case plan, including being told of changes to the plan" (*Id.* at § 16001.9(a)(38).)

7 141. Here, all youth placed at San Pasqual Academy are only placed there at their express  
8 request. They are also only placed there following the preparation of a case plan for each youth,  
9 and the issuance of a court order, each finding that placement at San Pasqual Academy is the best  
10 option for the specific youth.

11 142. In light of these administrative and legal findings, removing the youth from San  
12 Pasqual Academy over their objection and their right to be involved in their own placement  
13 decisions, and their right to be notified about changes in their placement, violates their rights under  
14 the Foster Youth Bill of Rights.

15 143. Further, in light of the youth's right to continue attending their school of origin, and  
16 their right to receive all other necessary educational supports and benefits, moving them from San  
17 Pasqual Academy—which will result in the shutting down of the school—violates their rights  
18 under the Foster Youth Bill of Rights.

19 144. Further, the County immediately removes youth from San Pasqual Academy to a  
20 foster family if an appropriate foster family placement opens up. This means that not only was there  
21 not an appropriate placement for the youth when they were placed at San Pasqual Academy, there  
22 is not currently an appropriate placement for the youth. There is literally no place else for them.  
23 This will inevitably lead to improper attempts to place the youth at an STRTP, or to attempts to  
24 place the youth with a foster family that is not a good fit. Both situations will lead to runaways and  
25 homeless youth.

26 145. Plaintiffs are bringing this action on behalf of all of the foster youth that are under  
27 their care. Normally, a plaintiff must assert only his own rights and not the rights of others. But an  
28 exception to this rule exists in the third-party standing doctrine. Under that doctrine, a plaintiff can

1 assert the rights of another if: (1) the plaintiff suffers a distinct and palpable injury in fact, thus  
2 giving him or her a concrete interest in the outcome of the dispute; (2) the plaintiff has a close  
3 relationship to the third-party such that the two share a common interest; and (3) there is some  
4 hindrance to the third party's ability to protect his or her own interests.

5 146. These factors are necessarily met in the context of the responsible adults bringing  
6 actions on behalf of the foster youth in their care. Here, Plaintiffs have suffered a distinct and  
7 palpable injury in having their community potentially shut down; the Plaintiffs have a very close  
8 relationship to the foster youth in their care by serving as their de facto parents; and the minority  
9 status of the foster youth prevent them from joining this action.

10 147. Plaintiffs have no adequate remedy at law and will suffer serious and irreparable harm  
11 to their statutorily and constitutionally protected rights unless Defendants are enjoined from acting  
12 to shut down San Pasqual Academy.

13 148. Plaintiffs have found it necessary to engage the services of private counsel to  
14 vindicate their rights under the law. In light of the benefit this action will bring to all students,  
15 residents, and alumni of San Pasqual Academy, Plaintiffs and their counsel are entitled to an award  
16 of attorneys' fees and costs pursuant to Code of Civil Procedure Section 1021.5.

17 **FOURTH CLAIM FOR RELIEF**  
18 **DECLARATORY RELIEF RE: CONTINUUM OF CARE REFORM ACT**  
19 **(By All Plaintiffs Against All Defendants)**

20 149. Plaintiffs incorporate by reference all allegations contained in the preceding  
21 paragraphs as though fully set forth herein.

22 150. The Continuum of Care Reform Act, Chapter 773, Statutes of 2015, provides in  
23 Section 1 that "[i]t is the intent of the Legislature in adopting this act to improve California's child  
24 welfare system and its outcomes by using comprehensive initial child assessments, increasing the  
25 use of home-based family care and the provision of services and supports to home-based family  
26 care. . . ." (*Id.* at § 1(a).)

27 151. Further, "[i]t is . . . the intent of the Legislature to maintain children's safety, well-  
28 being, and healthy development when they are removed from their own families by placing them,  
whenever possible and appropriate, with relatives or someone familiar, or, when this is not possible

1 or appropriate, with other caregiving families that are able to meet their physical, social, and  
2 emotional needs until they can return home.” (*Id.* at § 1(c).)

3 152. “To achieve this intent, the Legislature recognizes the following: . . . That children  
4 and youth in foster care have been affected by trauma, both by the fact that they have been separated  
5 from their family, and by the circumstances that led to their removal. Recognizing this trauma and  
6 minimizing additional trauma should be structured into how practice is implemented for children  
7 and youth in foster care.” (*Id.*)

8 153. The Continuum of Care Reform Act, Chapter 773, Statutes of 2015, provides in  
9 Section 6 that “ ‘Foster family home’ means any residential facility providing 24-hour care for six  
10 or fewer foster children that is owned, leased, or rented and is the residence of the foster parent or  
11 parents, including their family, in whose care the foster children have been placed.” (*Id.* at  
12 § 6(a)(5).)

13 154. Continuing the operation of San Pasqual Academy perfectly satisfies these  
14 provisions from the Continuum of Care Reform Act because the Academy provides “home-based  
15 family care” and “caregiving families that are able to meet [foster youths’] physical, social, and  
16 emotional needs[.]” The homes provided by San Pasqual Academy are “the residence of the []  
17 parent or parents, including their family.” The only difference is that the houses may include 6–8  
18 foster youth. Further, continuing the operation of San Pasqual Academy “minimiz[es] additional  
19 trauma” to foster youth by permitting them to stay in their homes.

20 155. Section 121 of the Continuum of Care Reform Act, Chapter 773, Statutes of 2015  
21 provides that:

22 Notwithstanding the provisions of this act, on and after January 1,  
23 2017, facilities with licensed capacity of 184 that were in operation  
24 prior to January 1, 2015, that offer placements for the purpose of  
25 attending an onsite high school, may continue to operate under an  
26 appropriate licensing category determined by the State Department  
27 of Social Services as long as those facilities submit to the department  
28 a transition plan describing how the program will comply with the  
provisions of this act, pursuant to a timeframe to be determined with  
the department.

156. As explained in the legislative history, this section is “[g]randfathering language.” A

1 “Grandfather clause” is a “[p]rovision in a new law or regulation exempting those already in or a  
2 part of an existing system which is being regulated,” or “[a]n exception to a restriction that allows  
3 all those already doing something to continue doing it even if they would be stopped by the new  
4 restriction.” (Black’s Law Dict. (6th ed. 1990) p.699, col. 1; see also *Abernathy Valley, Inc. v. County*  
5 *of Solano* (2009) 173 Cal.App.4th 42, 56.)

6 157. Under this section, San Pasqual Academy was required to submit a “transition plan  
7 describing how the program will comply with the provisions of this act.” San Pasqual Academy  
8 fully complied with this requirement through the August 30, 2016 memorandum delivered by the  
9 County to the State which describes how San Pasqual Academy’s “family based program” satisfies  
10 Section 1 of the Continuum of Care Reform Act. San Pasqual Academy further complied with this  
11 requirement through the Memorandum of Understanding dated August 17, 2018.

12 158. Following San Pasqual Academy’s satisfaction of its obligations, the State and  
13 County were required to devise an “appropriate licensing category” under which San Pasqual  
14 Academy could continue to operate. The State and County did so, but they are now illegally trying  
15 to revoke that license and terminate all funding.

16 159. Although the text of Section 121 is confusing and poorly drafted, the above  
17 interpretation of it is the only one that complies with all canons of statutory construction.

18 160. The State and County were not permitted to simply order San Pasqual Academy to  
19 convert into a Short-Term Residential Therapeutic Program, which only accepts residents for six-  
20 months or shorter. This reading of the Section 121 makes it superfluous of Section 71 (amending  
21 Welf. & Inst. Code, § 11462), and therefore cannot be the correct reading. This would also  
22 effectively destroy the Academy’s ability to operate, making Section 121 have no meaning  
23 whatsoever.

24 161. For several reasons, Section 121 is also not simply a provision giving San Pasqual  
25 Academy a longer period of time in which to shut down (since it cannot convert into a Short-Term  
26 Residential Therapeutic Program). First, if it were merely an extension provision, Section 121  
27 would be superfluous of Section 81 (amending Welf. & Inst. Code, § 11462.04(e)), which permits  
28 extensions through December 31, 2020.



1           162. Second, it was not the reading of either the County, the State, or San Pasqual  
2 Academy when they entered into the Memorandum of Understanding. That document makes clear  
3 that all parties understood that San Pasqual Academy could continue serving as a home for foster  
4 youth under a new and unique licensing category.

5           163. At no point in the process did the County or State ever indicate to San Pasqual  
6 Academy that it should plan to transition into a Short-Term Residential Therapeutic Program.  
7 Rather, what was needed was an understanding as to what transitions were needed (if any) for the  
8 Academy to comply with Section 1 of the Continuum of Care Reform Act, the Legislative goals.  
9 Thus, the Academy continued operating as it had been, and it and the County jointly commissioned  
10 a study of its practices.

11           164. Third, if Section 121 were read as merely an extension provision, then the clause  
12 “under an appropriate licensing category determined by the State Department of Social Services”  
13 in Section 121 has no purpose. If that clause were omitted, the Section would have the same  
14 erroneous “extension” meaning. But it is not omitted; it has meaning. And its most natural  
15 meaning is that San Pasqual Academy is not to operate under an extension of a prior licensing  
16 category, but can fit into one of the new categories, even if that new category is simply Section 121.

17           165. In accepting that the above “licensing category” clause has meaning—which the  
18 canons of statutory construction require—the clause “pursuant to a timeframe to be determined  
19 with the department” is clear. Taking into account the entire Section, that clause most naturally  
20 modifies “as long as those facilities submit to the department a transition plan,” not “how the  
21 program will comply with the provisions of this act.” Thus, the deadline for San Pasqual Academy  
22 to submit its transition plan is subject to the Department’s discretionary timeline; not the deadline  
23 for San Pasqual Academy to convert into a Short-Term Residential Therapeutic Program or shut  
24 down.

25           166. The State and County were further not simply permitted to order San Pasqual  
26 Academy to shut down unless a federal waiver were obtained. Federal law is a separate matter for  
27 consideration in a different forum. In the meantime, California law directs that San Pasqual  
28 Academy continue operating.

167. By the State terminating its Memorandum of Understanding with the County, which permitted San Pasqual Academy to operate, without providing any other means for San Pasqual Academy to continue to operate, the State has violated the Continuum of Care Reform Act.

168. An actual and immediate controversy exists between Plaintiffs and Defendants. Plaintiffs contend that San Pasqual Academy is permitted to continue operating as is under the Continuum of Care Reform Act, because it provides “home-based family care.” Defendants believe that the Continuum of Care Reform Act requires the discontinuation of San Pasqual Academy in its current form. Plaintiffs are therefore entitled to a declaration of rights with respect to this controversy. Without such a declaration, Plaintiffs will be uncertain of their rights and responsibilities under the law.

169. Plaintiffs have found it necessary to engage the services of private counsel to vindicate their rights under the law. In light of the benefit this action will bring to all students, residents, and alumni of San Pasqual Academy, Plaintiffs and their counsel are entitled to an award of attorneys' fees and costs pursuant to Code of Civil Procedure Section 1021.5.

## PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully pray for judgment against Defendants and request the following relief:

- A. Issue preliminary and permanent injunctions prohibiting Defendants from ceasing licensure of, or funding for, San Pasqual Academy in violation of the California Constitution's equal protection guarantees and the Foster Youth Bill of Rights;
- B. Issue a traditional writ of mandate compelling Defendants to comply with their legal obligations under Chapter 773, Sections 1 and 121, Statutes of 2015, by maintaining the unique licensing program for the operation of San Pasqual Academy;
- C. Issue a declaration that Chapter 773, Sections 1 and 121, Statutes of 2015 provides a means by which San Pasqual Academy may continue operating as is;
- D. Award Plaintiffs the costs of this action and reasonable attorneys' fees pursuant to Code Civ. Proc., § 1021.5; and
- E. Award any other relief the Court considers just and proper.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Respectfully submitted,

LiMANDRI & JONNA LLP



By:

Charles S. LiMandri

Paul M. Jonna

Jeffrey M. Trissell

Milan L. Brandon II

Attorneys for Plaintiffs

Dated: August 3, 2021

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144  
145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203  
204  
205  
206  
207  
208  
209  
210  
211  
212  
213  
214  
215  
216  
217  
218  
219  
220  
221  
222  
223  
224  
225  
226  
227  
228  
229  
230  
231  
232  
233  
234  
235  
236  
237  
238  
239  
240  
241  
242  
243  
244  
245  
246  
247  
248  
249  
250  
251  
252  
253  
254  
255  
256  
257  
258  
259  
260  
261  
262  
263  
264  
265  
266  
267  
268  
269  
270  
271  
272  
273  
274  
275  
276  
277  
278  
279  
280  
281  
282  
283  
284  
285  
286  
287  
288  
289  
290  
291  
292  
293  
294  
295  
296  
297  
298  
299  
300  
301  
302  
303  
304  
305  
306  
307  
308  
309  
310  
311  
312  
313  
314  
315  
316  
317  
318  
319  
320  
321  
322  
323  
324  
325  
326  
327  
328  
329  
330  
331  
332  
333  
334  
335  
336  
337  
338  
339  
340  
341  
342  
343  
344  
345  
346  
347  
348  
349  
350  
351  
352  
353  
354  
355  
356  
357  
358  
359  
360  
361  
362  
363  
364  
365  
366  
367  
368  
369  
370  
371  
372  
373  
374  
375  
376  
377  
378  
379  
380  
381  
382  
383  
384  
385  
386  
387  
388  
389  
390  
391  
392  
393  
394  
395  
396  
397  
398  
399  
400  
401  
402  
403  
404  
405  
406  
407  
408  
409  
410  
411  
412  
413  
414  
415  
416  
417  
418  
419  
420  
421  
422  
423  
424  
425  
426  
427  
428  
429  
430  
431  
432  
433  
434  
435  
436  
437  
438  
439  
440  
441  
442  
443  
444  
445  
446  
447  
448  
449  
450  
451  
452  
453  
454  
455  
456  
457  
458  
459  
460  
461  
462  
463  
464  
465  
466  
467  
468  
469  
470  
471  
472  
473  
474  
475  
476  
477  
478  
479  
480  
481  
482  
483  
484  
485  
486  
487  
488  
489  
490  
491  
492  
493  
494  
495  
496  
497  
498  
499  
500  
501  
502  
503  
504  
505  
506  
507  
508  
509  
510  
511  
512  
513  
514  
515  
516  
517  
518  
519  
520  
521  
522  
523  
524  
525  
526  
527  
528  
529  
530  
531  
532  
533  
534  
535  
536  
537  
538  
539  
540  
541  
542  
543  
544  
545  
546  
547  
548  
549  
550  
551  
552  
553  
554  
555  
556  
557  
558  
559  
560  
561  
562  
563  
564  
565  
566  
567  
568  
569  
570  
571  
572  
573  
574  
575  
576  
577  
578  
579  
580  
581  
582  
583  
584  
585  
586  
587  
588  
589  
590  
591  
592  
593  
594  
595  
596  
597  
598  
599  
600  
601  
602  
603  
604  
605  
606  
607  
608  
609  
610  
611  
612  
613  
614  
615  
616  
617  
618  
619  
620  
621  
622  
623  
624  
625  
626  
627  
628  
629  
630  
631  
632  
633  
634  
635  
636  
637  
638  
639  
640  
641  
642  
643  
644  
645  
646  
647  
648  
649  
650  
651  
652  
653  
654  
655  
656  
657  
658  
659  
660  
661  
662  
663  
664  
665  
666  
667  
668  
669  
670  
671  
672  
673  
674  
675  
676  
677  
678  
679  
680  
681  
682  
683  
684  
685  
686  
687  
688  
689  
690  
691  
692  
693  
694  
695  
696  
697  
698  
699  
700  
701  
702  
703  
704  
705  
706  
707  
708  
709  
710  
711  
712  
713  
714  
715  
716  
717  
718  
719  
720  
721  
722  
723  
724  
725  
726  
727  
728  
729  
730  
731  
732  
733  
734  
735  
736  
737  
738  
739  
740  
741  
742  
743  
744  
745  
746  
747  
748  
749  
750  
751  
752  
753  
754  
755  
756  
757  
758  
759  
760  
761  
762  
763  
764  
765  
766  
767  
768  
769  
770  
771  
772  
773  
774  
775  
776  
777  
778  
779  
780  
781  
782  
783  
784  
785  
786  
787  
788  
789  
790  
791  
792  
793  
794  
795  
796  
797  
798  
799  
800  
801  
802  
803  
804  
805  
806  
807  
808  
809  
810  
811  
812  
813  
814  
815  
816  
817  
818  
819  
820  
821  
822  
823  
824  
825  
826  
827  
828  
829  
830  
831  
832  
833  
834  
835  
836  
837  
838  
839  
840  
84

Tia Moore  
Tia Moore

**EXHIBIT 1**



California's Child Welfare Services  
Continuum of Care Report:  
Impact on County of San Diego's  
San Pasqual Academy (SPA)

## EXECUTIVE SUMMARY

The State's *California's Child Welfare Services Continuum of Care Reform* (CCR) report to the Legislature, released in January 2015, outlines a comprehensive approach to improving the experience and outcomes of children and youth in foster care. The stated goal of the reform is for children to live in their communities in home-based family care settings. The reform effort is focused on improving outcomes and requires significant changes to current out-of-home care placements and supports.

The focus of this paper is to address the issues that arise from Recommendation 7B:

- Group homes that are educationally-based boarding school models will adapt and align their programs to meet the CCR goals supporting home-based family care and permanency.

This recommendation jeopardizes County of San Diego's unique residential education program, San Pasqual Academy, which provides adolescent foster youth safety, stability and overall well being. If the Academy were to close as a long-term placement option, the youth and community would be negatively impacted:

- Over 100 youth would need to move from what they consider home to a new placement
- Youth who are part of a sibling set may likely be separated
- Youth would be re-traumatized by disbanding the Academy community and severing relationships with peers, houseparent's, surrogate grandparents and mentors on campus
- Youth would need to enroll in another school and risk falling behind
- Reduced success for Academy youth in high school completion, acceptance and enrollment in post-secondary education, safe housing, medical care, and self-sufficiency.
- Eliminates a home for alumni to return to during the holidays, college breaks and a time of crisis since the Academy offers 24/7 accessibility to its alumni
- Alumni would lack access to temporary housing, financial assistance, emergency services, and social-emotional support
- Children would experience additional trauma and realize poor outcomes because of additional placement changes (National data shows detriment of multiple placements)
- Placement Stability outcomes would decline, leading to potential corrective action by the State and/or Federal Government
- Would contradict efforts of public and private stakeholders, including foster youth themselves who had a voice in creating this unique program. The Academy was designed to incorporate home-based care in a larger community setting where foster youth could have all needs met in one place, feel safe and thrive

A Ten-Year Evaluation conducted in 2013 indicates that Academy youth have a significant length of stay (placement stability), increased high school completion, considerable enrollment in post-secondary education programs, permanency connections with biological family as well as significant others on and off campus, and increased growth in personal development. The Academy continues as a model to public and private entities across the nation.

**San Pasqual Academy Ten-Year Evaluation Disputes Congregate Care Reform Report:**

**CCR Report:** over the years research has associated poor outcomes with children and youth in group homes: Students in group homes (35 %) were among the least likely to graduate.

**Ten-Year SPA Evaluation:** based on 478 alumni disputes the CCR report graduation data:

- Youth who attended the Academy to their 18<sup>th</sup> birthday or older: 92% graduated with a high school diploma or GED exceeding the high school graduation/GED rates reported by the Stuart Foundation for other California youth populations including the general population of California youth (rate of 79%), a comparison population for California youth (rate of 53%), and a population of California foster youth (rate of 45%).
- Post high school education for youth at the Academy through 18 years old:
  - 15% attending or graduated from 4 year college; 34% attending 2 year college; 7 % attending training or vocational school; 44% unknown

**CCR Report:** many youth who resided in group homes have articulated the need for permanency, normal childhood and teenage experiences, and caregivers who understand their needs and are able to help with conflict resolution, educational support and problem solving.

**Ten-Year SPA Evaluation:** ....“over two thirds of the children placed in group homes by child welfare departments remained there longer than 2 years.”

- The Academy model provides stability, recreation and enrichment opportunities while supporting youth in completing high school, attending college, and permanency connections
- Youth who stayed longer at the Academy were more likely to have safe housing, to be employed, to attain a high school diploma or GED, to attend post high school education, to have health care, and to have a higher number of important relationships with adults.

**CCR Report:** ... “in the current system’s structure, it is the placement setting of the child or youth that drives the available services and supports rather than the individual needs of the child and family.”

**Ten-Year Evaluation:** each child is served based on individual needs through available programs and services. Services include: family style homes, school, work readiness, intergenerational programming, comprehensive health and behavioral health services, extracurricular activities and more

**CCR Report:** Youth should be placed in home based care

**Ten-Year Evaluation:** ... “the prevailing literature on transitioning foster youth stresses the importance of consistent, stable care and support along with relationships with other supportive adults as the critical factors for successful outcomes (e.g. Avery & Freundlich, ...)”

- SPA provides housing much like a foster home; additionally, these homes are clustered in a community surrounded by support and services

Although licensed as a group home by California’s Community Care Licensing, the Academy’s environment is far from the traditional treatment-oriented congregate care setting. At the Academy, safety, stability, and well being are emphasized in the following ways:

- Youth experience a safe and stable living environment, free of abuse and neglect, where they are surrounded by caring adults and peers
- Trauma-informed trained staff are sensitive to the youth’s abuse and neglect histories
- Staff focus on supporting youth with strengths-based services
- Family finding is a priority which increases the youth’s placement options and support network
- Family contact is encouraged and facilitated. Family members are welcome to attend campus events



- Youth attend the Academy which is voluntary; therefore, enabling youth the choice to be placed
- Collaboration among partners ensures youth's needs and services are met
- Child Welfare Services staff are co-located on campus and are readily available to advocate on behalf of youth and address critical needs
- Completing high school, preparing for a vocation/career, and independent living are priorities
- Youth plan and prepare nutritious meals in their home with produce from the on-site organic farm
- The high school athletic program, intramural sports program, recreational therapy services, outdoor adventures program, enrichment activities such as martial arts, hip hop dance, and community youth sports offer a healthy active lifestyle
- Leadership opportunities at SPA, such as student government, community council, Key Club, and other community service activities nurture the youth's personal growth and connections.

### **San Pasqual Academy (SPA)**

The State of California's recent recommendation is for congregate care to serve only as a treatment-oriented placement in which foster youth may reside for no more than six months. If this recommendation is implemented, the unique services and support offered at San Pasqual Academy would be in jeopardy, as well as the placement stability of the youth that call San Pasqual Academy home. Although the Academy is licensed as a group home, the campus is built around a unique residential education environment that promotes independence and self-sufficiency while focusing on completing high school, preparing for the world of work and practicing independent living skills. Youth are continuously assessed for family reunification, opportunities to reside in a lower level of care and adoption (when applicable) while at the Academy. Transportation is provided as needed for youth to have day and/or overnight visits with family and important people in their lives.

### **History**

San Pasqual Academy is the nation's first comprehensive residential educational program created specifically for foster youth, ages 12 – 18 years old. Established in 2001 and located in San Diego, the Academy delivers an array of services to its students through its parent organization, New Alternatives, Inc., and in partnerships with the County of San Diego's Health and Human Services Agency, San Diego Office of Education, and San Diego Workforce Partnership.

The Academy aims to provide a safe, stable, and caring environment where youth can work toward their high school diplomas, prepare for college and/or a vocation, and develop independent living skills. A family-like setting minimizes emotional trauma, disrupted relationships and school changes. Further, the Academy was developed to be a place its students can call home, providing permanency and the stable relationships needed for development of social skills and future relationships during their student experience at the Academy and beyond.

The Academy programs are delivered in four general components: residential, educational, work readiness, and child welfare services. New Alternatives operates the residential program at the Academy, providing family-style homes with house parents for up to eight youth per cottage. Through the San Pasqual Academy Neighbors (SPAN) intergenerational program, foster grandparents, who live on the campus for reduced rent, mentor the youth and engage them in school tutoring and other activities such as cooking, crafts, gardening, and art. The role of the foster grandparents includes sharing their wisdom, insight, friendship, and experience with the youth. Comprehensive health services, including behavioral health, are available to the youth on campus through the Day

Rehabilitation Clinic and Health and Wellness Center. Housing for Academy alumni is available on-campus along with other supportive services to advance youth's goals of higher education and/or employment. The San Diego County Office of Education operates the Academy's on-site high school program. San Diego Workforce Partnership in collaboration with Access, Inc., offer a work readiness services on campus while the County of San Diego's Health and Human Services Agency has child welfare services staff co-located to manage the youth's dependency cases.

Research suggests that foster care models providing stable, continuous care with contextual supports produce better outcomes than placements with less stable and less continuous care for foster youth transitioning to adulthood (Avery & Freundlich, 2009; Barth et al., 2007; Font & Maguire-Jack, 2013; Fowler et al., 2011).

### **Benefits of San Pasqual Academy**

#### **Residential Component:**

- Students reside in family-style homes with house parents who provide a home-based living experience and support. Students participate in family-style meals, have household chores and participate in recreational/cultural outings together.
- The homes have a non-institutional feel, and are decorated like homes in the community. Youth have an opportunity to personalize their space with paint, posters and other décor. Youth have access to the latest technology across campus – in their homes, classrooms, Tech Center, and Cyber Café.
- While the case-carrying Academy social worker is continually assessing the student's placement options (reunification, relatives placement, etc.), most students have a length of stay greater than one year (and some up to seven years) at the Academy allowing them to focus on their academics and preparedness for independent living.
- Since 2001, over 260 siblings have been placed at the Academy. This allows youth to maintain family connections. For students with siblings placed elsewhere, transportation for visits is facilitated by Academy staff. Students are able to invite family and significant others to campus activities such as games, talent shows, and graduation.
- The independent living skills environment prepares the students to transition to living on their own. Students learn to cook healthy meals, do laundry, maintain personal space, set appointments, and manage their time.
- Residential living provides students a safe environment to learn, explore and grow as individuals.
- The Academy understands teen challenges and works with the students during crisis, helping them reflect on their behaviors and encouraging them to make positive healthy choices.

#### **Academics:**

- The accredited school offers small classroom settings, with a low student- to-teacher ratio, which contributes to one-on-one assistance. This is critical since many of the students are deficient in credits or are below grade level.
- Individualized academic plans are developed for students to ensure they are on track to complete high school, and each campus partner participates in the freshman, sophomore, junior and senior meetings several times throughout the year.
- Supplemental learning support services assist students to enhance reading, writing and mathematics skills.
- Extracurricular activities such as yearbook, student government, California Interscholastic Federation athletics and Playwrights Project are offered to students who in a much larger school



setting may not participate or qualify for the activity. The students' participation in these activities contributes to increased self-confidence.

- Based on the Academy's Ten-Year Evaluation, 92% of Academy youth obtained their high school diploma or GED, and over 50% of graduates continued onto post-secondary education including four year universities. These represent rates higher than state and national averages.
- Academy students are able to study abroad with support from the Academy partners and generous donors.

#### **Work Readiness:**

- Students enroll in the on-campus work readiness program, which supports on-campus and off-campus internships. Students are able to develop their employment skills and explore different career options.
- Students receive financial literacy education to help them gain the skills necessary to manage their earnings.
- College exploration is offered in collaboration with the residential and educational component on campus, including "road trips" to visit colleges in California.

#### **Relationships:**

- Academy students have a unique opportunity to develop permanency connections with a host of individuals on campus. Students engage in meaningful relationships with campus staff, older adults in the intergenerational neighbors (grandparent) program, their classmates, and housemates.
- Passes are encouraged and facilitated for youth to maintain relationships with family members and other significant individuals such as former foster parents, and friends.
- Youth have the ability to build long-term lasting relationships at the Academy.
- Child Welfare Services social workers are co-located on campus providing greater accessibility for the students and opportunity to collaborate readily with partners to meet students' needs.

#### **Health and Clinical Services:**

- On-site Health and Wellness Center located on campus to meet youth's basic health care needs and minimizes absences from school.
- Day rehabilitation services are provided on campus. Milieu therapy is offered to meet students' needs via individual, group, conjoint and family work.

#### **Alumni Services:**

- Alumni services include scholarship support, transitional housing, and employment opportunities.
- Many alumni consider the Academy "home" and return to on-campus Alumni Housing during the holidays and school breaks.
- Alumni serve as peer mentors to current students.

#### **Trauma-Informed Care:**

- Academy staff is trained in trauma-informed care.

#### **Transportation:**

- Transportation is facilitated for family connections, enrichment activities, and employment activities.

#### **Leadership and Growth Opportunities:**

- All campus partners contribute to leadership opportunities for students including community service, Key Club, Urban Surf 4 Kids and community council.
- The Academy provides opportunities for students to participate in leadership and growth activities such as music, drama, martial arts and youth sports.

### **Ongoing Advocacy Efforts**

- March 2011 to present – Patric Ashby (Ashby Consulting Group) provides consulting services to New Alternatives, Inc. to advocate for the continued existence of San Pasqual Academy as a residential education program. Mr. Ashby served as the CWS Assistant Deputy Director overseeing the Academy's development and initial operation
- CWS program, financial and policy representatives participated on Congregate Care Reform (CCR) Subcommittee at the State level.
- 2014 – CWS Director met with CDSS Gregory Rose on two separate occasions
- 2014 - CWS Director met with CDSS Director Will Lightbourne on two separate occasions
- 2014 – New Alternatives, Inc. Executive Director Michael Bruich met with California Department of Social Services (CDSS) Director Will Lightbourne
- January 2015 – HHSA Director Nick Macchione, HHSA Executive Finance Director Andrew Pease and CWS Director spoke with Toni Atkins' legislative staff
- February 2014 – CWS Director met with County Welfare Director's Association (CWDA) Executive Director Frank Mecca to convey San Diego's perspective on CCR
- March 2014 – Child Welfare Services participated Conference Call with CDSS Independent Living Coordinator Theresa Thurmond and other state representatives regarding San Pasqual Academy and support services offered to students
- March 2014 – CDSS Chief of Children's Services Outcomes and Accountability Branch Dave McDowell and Chief of Children's Services Operations and Evaluations Branch Ellie Jones toured the Academy
- March 2014 – CWS Director presented at the monthly CWDA meeting on the benefits of San Pasqual Academy to foster youth and distributed the Ten Year Evaluation report to all counties and State representatives present
- June 2014 - CDSS consultants Joti Bolina and Kelly Winston with the Outcomes and Accountability Branch toured San Pasqual Academy
- June 2014 – Representatives from the following offices attended San Pasqual Academy Graduation Ceremony and acknowledged the graduating class:
  - Representative Duncan Hunter
  - State Senator Joel Anderson
  - State Senator Mark Wyland
  - CA Speaker of the Assembly Toni Atkins
  - Assembly member Shirley Weber
  - Congressman Scott Peters
- December 2014 –Gail Gronert (Principal Consultant) and Rachel Gregg (Principal Field Representative) from the Office of Assembly Speaker Toni Atkins toured San Pasqual Academy
- February 2015 – CWS Director meeting with County of San Diego Board of Supervisors Sub-Committee regarding San Pasqual Academy
- February 2015 – CWS Director and New Alternatives, Inc. Executive Director Michael Bruich to meet with CDSS Director Will Lightbourne
- February 2015 – CWS working with County's Office of Strategy and Intergovernmental Affairs to determine action plan on legislative strategies for San Pasqual Academy

## The Distinction of a SPA Home

### Resource Homes

### SPA Homes

1

Youth are often separated from siblings. Contact in general with extended family and informal supports can be complicated and difficult in these settings. Youth who come to SPA often report not having seen or visited with siblings or approved family members in months. Resource families can choose not to coordinate family visitation if this is their preference unless it is court ordered.

Siblings sets 12+ can be kept together in SPA homes. SPA encourages and supports contact with family members and immediately allows youth to start approved family passes and visits as soon as they enter the program. Family members are invited and included in campus activities such as sports games and shows, on campus visits, meetings, holiday events, etc. In addition, family therapy can be provided and SPA caregivers provide planning and transportation to all parts of the county to support family relationships and continued connection.

2

Most youth attend public schools with limited understanding of trauma-informed practices and youth needs, large classrooms, and minimal support.

Smaller school with easy access to supports, trauma-sensitive environment, catered to unique needs, and significant support.

3

Often therapy is not utilized, therapeutic services are short term, usually 1hr session per week, typically only individual therapy.

All youth are evaluated for behavioral health needs. 80% + receive therapy services. Services last as long as needed, therapists are available and in contact daily. Services are trauma-informed and offered in individual, group, family, and experiential modalities.

4

Youth usually do not play school sports or sports in the community. Obstacles include convenience, funding, transportation, scheduling, inexperience with the sport, skills needing to be developed, etc

Many youth in SPA homes play sports. There is easy access on campus, funding is secured, opportunities include school CIF and rec therapy, work with all levels of skills (can play if willing to commit, school sports offered Include volleyball, football, basketball, track, and softball. Recreational options offered include swimming, watersports, soccer, kickball, biking, hiking, weightlifting, self-defense, etc.

5

Youth often do not have young adult mentors with lived experience.

Mentorship opportunities are extensive and include formal peer mentoring, contact with alumni throughout year, college road trips to visit SPA alumni attending universities throughout the state, and many former SPA alumni who not work in SPA homes and across all programs.

6

Youth often have frequent placement changes and do not find permanency in a resource home. They commonly report many failed placements, being re-traumatized in resource homes, having to take on caretaker responsibilities, not being provided transportation to activities, not being treated the same as other children in the home, and not feeling accepted.

Youth in SPA homes usually achieve permanency, rarely experience any further placement changes, re-establish bonds and healthy attachments, feel accepted and a part of a community, receive support for personal interests and preferred activities, are accepted regardless of their identity, and are able to explore their own culture and values rather than take on those which are well entrenched within a family, etc.

7

Youth seldom report being able to have paid jobs or being able to explore vocational goals while in foster homes.

Every youth is able and encouraged to gain work experience. This can include a variety of on and off campus jobs, pre-employment training, resume development, interviewing skills, career exploration, internships, financial literacy, continued education and trade school options, career assessment, etc.

8

Youth and families report having minimal and limited contact with their regional CSW. It is often reported that CSWs don't call back, are slow to respond, and are not available for meetings when needed.

CSWs are co-located and youth and caregivers have direct access to them daily and face to face. They are quick to respond visit youth face to face, and can be available for necessary meetings at a moment's notice. Because of this, case management, continuity of care, collaboration, pro-active and preventative plans are all enhanced due to the SPA design.

9

Youth report often not having the educational support needed for academic success. Very few youth report receiving tutoring when in foster care and often report foster parents not having the knowledge or willingness to help them. It is also commonly shared that there was not a quiet or calm space in previous foster homes to do schoolwork.

Nearly all caregivers in SPA homes have a B.A. degree and are available and willing to help youth academically. Specific staff are available for daily tutoring and tutors are brought in and individually matched with any student who desires this support. Teachers themselves are often available for individually help students and there are many places accessible that are quiet, calm, and conducive for studying.

Foster homes are designed and tasked with raising foster children until the age of majority. Transitional planning is typically limited to identifying housing options once the youth is no longer in the home.

Transitional planning is a core element and value of the program. SPA caregivers help youth acquire and practice ILS skills within a natural setting, not an artificial class-based environment. Plans for continued education, employment, housing, needed services, family contact, budgetary needs, self-care, savings, etc, are all explored and discussed well in advance of the transition time. Available resources are made known and available to TAY, support with documentation and applications is offered, and tours and visits to transitional sites are coordinate. And when our young people struggle or face obstacles like we expect them to, they have ongoing access to the SPA community and all of their supportive relationships including employment support, housing, connection to supportive services, advise and encouragement, etc.

One of the most common situations shared about referred youth is that they lost previous placements because the resource home could not handle normal behaviors associated with youth who have experienced trauma. These include non-compliance, defiance, over-sexualized behaviors, anger and explosive reactions, school refusal, etc. In short, many youth report that they couldn't make mistakes and if they did then they would probably have to leave the "home."

In SPA homes, youth have these same behaviors and we anticipate and expect it as part of their process of working through trauma. Caregivers are not only trained but held accountable for using trauma-sensitive practices with youth including looking past the behavior in the moment and understanding where it comes from. Discipline is reasonable and goes through checks and balances to avoid unnecessary or excessive punishment. Youth are able to work through trust issues, anger, guilt, mood fluctuations, periods of instability, anxiety, and self-sabotage patterns without having to lose their home because of reactions and behaviors that are part of their normal trauma healing process.



Another frequently reported experience is minimal supervision in many foster homes. This is often shared indirectly when youth first come to SPA and say that our structure and expectations are far more than they are used to having in prior resource families and/relative care settings. This is particularly concerning given the risks and vulnerabilities of these youth including self-harm/suicide risks, potential sexual exploitation and/or CSEC involvement, extensive substance use risks, etc. It has become quickly clear in many cases that many youth have been left to fend for themselves with very little guidance or oversight.

Although SPA homes are designed to be less structured as a family/community style home rather than a group home or treatment facility, SPA supplies a degree of structure that is able to protect vulnerable youth while at the same time giving enough freedom and independence to grow while still making mistakes. While direct monitoring is not constant and youth are given moderate levels of freedom and choices, direct caregivers and supportive caregivers know and track where they are, are there to intervene if social situations are beyond their ability to manage, provide safe alternatives for activities, encourage and process with them as they make decisions, hold them accountable for their choices, and assess and evaluate risk to strategically plan for safety.

Resource homes are rarely able to be matched with youth's culture and identity, let alone characteristics like personality, values and beliefs, and styles of communication. This often leads to difficulties managing conflict, parts of youth's identity being misunderstood or judged, an expectation of the youth to take on and adopt the family's values and belief systems, and limited options and resources for the youth if they don't "mesh" with the resource family.

Because of its community, SPA homes offer all the benefits of a family within the context of a diverse, tolerant, and accepting community. Youth always have the caregivers within their SPA home as their closest and most accessible support system, but during those times when the cultures, beliefs and values, communication styles, situational stressors, and even the intimacy of those family relationships are uncomfortable or not ideal, they have a whole community of other caregivers at their disposal. This community includes other parents, coaches, peers, teachers, mentors, therapists, etc.

In terms of cost to the county and state, there is no doubt that short-term, front end costs of resource homes costs less than placement in the home setting of SPA. However, what are the psychological, emotional, social, educational, cultural, and generational costs of this subset of foster youth being unable to be stabilized, not achieving permanency, not being provided the support and services they require, being re-traumatized, not developing healthy long-term relationships, not finding and experiencing a sense of belonging, not being adequately prepared for adulthood, and not having a true community to fall back on when they inevitably struggle in young adulthood? We know the costs on the back end and they are far greater in terms of both actual dollars and the human cost to individuals and the community. They include increased rates of incarceration, homelessness, early pregnancy, generational child abuse, addiction, unemployment, exploitation and human trafficking, mental illness, and many others.

Placing youth in homes at SPA incurs a greater expense on the front end but with a compassionate and thoughtful vision for the future. We know that our unique and innovative design, the stability and permanency that we can provide, and the community that has been cultivated leads directly to raising young people who overcome past challenges and traumas and become healthy, productive members of our local local community and state. We have done this and proven this for over 20 years with among the best sustained outcomes for foster youth anywhere in the whole country. While the cost savings to the county and state is not seen in the immediately, the larger picture of longitudinal and exponential savings to the county and state is dramatic and substantial. It will undeniably be seen through decreased incarceration, homelessness, rates of early pregnancy, addiction, unemployment, exploitation, and mental illness. Even if the human element is taken out of the equation, the long-term and generational fiscal impact for the county is overwhelming. What it takes are leaders who are properly informed, who listen, and willing to take a wide and long view vs. a myopic one. Those who do will see what is right in front of them and has been for the last 20 years. SPA.

**EXHIBIT 2**

APR 22 2015



JGC Government Relations  
Sacramento Representatives  
County of San Diego  
1100 K Street, Suite 100  
Sacramento, CA 95814

(916) 441-0202 Fax (916) 441-1222

Nielsen Merksamer Parrinello Gross & Leoni LLP  
Sacramento Representatives  
County of San Diego  
1415 L Street, Suite 1200  
Sacramento, CA 95814

(916) 446-6752 Fax (916) 446-6106

April 22, 2015

The Honorable Kansen Chu, Chair  
Assembly Committee on Human Services  
1020 N Street, Room 124  
Sacramento, CA 95814

**Re: AB 403 (Stone): CONCERN**  
**As amended April 21, 2015**  
**Set for hearing April 28, 2015**

Dear Chair Chu:

On behalf of the County of San Diego, I am writing to express concerns we have with Assembly Bill 403 regarding Continuum of Care Reform for foster care. We applaud Assembly Member Stone for taking on this important and challenging task, and support much of what is proposed in AB 403, however, as Mr. Stone is aware, San Diego County has two facilities that serve foster and at risk youth that are not appropriately addressed in the current version on the bill.

The first is the San Pasqual Academy (SPA), which is the nation's first comprehensive residential educational program created specifically for older foster youth who have not been able to adjust to multiple foster home placements and have opted to enroll in SPA. Established in 2001 and located in San Diego County, SPA delivers an array of services to its students in four general components: residential, education, work readiness, and child welfare services. Foster youth attend the on-site high school, which offers a wide array of activities in which youth are able to participate. They live on campus in a family-like setting which helps minimize emotional trauma, confrontational relationships and personal problems associated with multiple changes in schools attended. SPA aims to provide a safe, stable, and caring environment where youth can work toward their high school diplomas, prepare for college and/or vocation, and develop independent living skills. Further, SPA was developed as a direct result of public input from older foster youth who suffered because of the instability in their placements. SPA was designed to be a place that its students can feel safe and settled during their formative years, providing permanency and the stable relationships needed for development of social coping skills.

The second facility is the County of San Diego's emergency shelter, the A.B. and Jessie Polinsky Children's Center (PCC). PCC has been a resource for the San Diego community since 1994, and provides a safe, stable emergency placement for children,

(800) 666-1917

LEGISLATIVE INTENT SERVICE



medical and mental healthcare, on-site schooling through San Diego Unified School District, healthy meal options, home-like residential cottages, and Developmental Screening and Enhancement Program (DSEP) services. This emergency placement has the benefit of enabling the County of San Diego to keep large sibling groups together during a crisis.

We agree that the best and first option for the placement of a child unable to return to a biological family or a permanent adoptive home is a foster home. The County of San Diego strives to place children with relative caregivers or in a licensed foster home whenever possible. However, we are all aware that there are children who have needs that require different types of placements at different times in their lives. For this small subset of foster youth, SPA and PCC are vital to the success of some of our most vulnerable youth.

That the April 21, 2015 amendments do acknowledge the need for more work on both emergency shelters and residential education facilities. **Generally, both of these facilities can work within the structure of the proposed reforms.** However, these are specific changes that are required in order for the facilities to continue their important role in San Diego's foster care system, but it is the county's intention to work with the author to incorporate those changes.

We look forward to working with the author and committee in the future to further define and develop those points to ensure that careful consideration is given to the merits of a variety of placement options, and **that a "one size fits all" approach is not used to exclude proven, successful programs that benefit youth that needs them the most.**

Sincerely,

  
James S. Gross  
Nielsen Merksamer Parrinello Gross & Leoni

CC: Members, Assembly Committee on Human Services  
The Honorable Mark Stone  
Ms. Myesha Jackson, Chief Consultant, Assembly Committee on Human Services  
Ms. Mary Bellamy, Consultant, Assembly Republican Caucus

(800) 666-1917

LEGISLATIVE INTENT SERVICE





AB 403/Stone  
Continuum of Care Reform  
Draft List of Potential Amendments

1. Psychotropic meds training
2. Audits for STRTCs –additional authority or specificity for STRTCs
3. Consistency in training topics and approaches across all provider and caregiver categories
4. Due process *RFA'S*
5. Implementation process
6. Core Services
7. CFT & IPC relationship
8. MH Certification: using the current RCL 13/14 MH cert for non-SED youth; provider appeals; dates
9. Safety Issues: mixing populations and drawing down fed funds for mixed population
10. Special education funding tie to RCL
11. San Pascual Grandfathering language
12. RBS Extension to 1/1/2017
13. DOJ: Dual notification language
14. ACLs, emergency regulations, regulations
15. Various technical and cross-reference fixes



## AB 403: SUMMARY OF AMENDMENTS TO BE TAKEN IN SENATE HEALTH COMMITTEE

This round (in attached):

- 1) Intent language - expanded to include suggestions from stakeholders
- 2) Cleanup parallel requirements for STRTC and FFA plan of operations
- 3) RFA - grandfathering language for existing certified homes
- 4) SED cross-reference
- 5) Provisional rate language - additional year for up to two years to accommodate accreditation process
- 6) Probation benchmarks requested by CPOC
- 7) Regional Center rep added to CFT when child is dual agency
- 8) Pre-relative approval so that expedited ARC process can apply to emergency placement
- 9) Retention, recruitment and support for foster parents, relative caregivers and resource families (new section, WIC 16003.5)
- 10) Treatment/non-treatment FFAs - remove distinction (more to do here)
- 11) Other cleanup, including changing "family-like" to "a family setting promoting normal childhood experiences"

Next/Future round:

- 1) Training - possibly more aligning/adjusting across provider and caregiver categories
- 2) Audits for STRTCs - may need additional authority or specificity
- 3) Due process for resource families - possible revisions from Alliance for Children's Rights re: Harris
- 4) Core services
- 5) CFT & IPC
- 6) CFT intent language
- 7) Treatment/non-treatment FFAs - ensure distinction is removed throughout
- 8) Mental Health certification and contracting
- 9) SELPAs - funding mechanism
- 10) Runaway and homeless shelters - discuss with California Coalition for Youth (Kim Lewis' request)
- 11) Implementation process
- 12) Cleanup of miscellaneous licensing provisions



**EXHIBIT 3**



## **Assembly Bill No. 403**

### **CHAPTER 773**

An act to amend Sections 7911, 7911.1, and 7912 of the Family Code, to amend Section 6276.38 of the Government Code, to amend Sections 1502, 1506, 1507.25, 1520.1, 1520.5, 1522.2, 1522.4, 1522.41, 1522.43, 1524, 1524.6, 1525.5, 1530.7, 1530.8, 1531.1, 1531.15, 1534, 1536, 1538.3, 1538.5, 1538.6, 1538.7, 1548, 1562, 1562.35, 1563, and 1567.4 of, to amend, repeal, and add Sections 1502.4 and 1529.2 of, to add Sections 1506.1, 1517, and 1562.01 to, and to add and repeal Section 1502.45 of, the Health and Safety Code, to amend Sections 11105.08, 11105.2, 11105.3, and 11170 of the Penal Code, and to amend Sections 319.3, 706.6, 727, 727.1, 4094.2, 5600.3, 10553.12, 11400, 11403.2, 11460, 11461.2, 11465, 11466.21, 11466.22, 11466.25, 11466.3, 11466.31, 11466.32, 11466.33, 11466.34, 11466.35, 11466.36, 11466.5, 11466.6, 11468, 16000, 16501, 16501.1, 16514, 16519.5, 18251, and 18987.72 of, to amend and repeal Section 16003 of, to amend, repeal, and add Sections 361.2, 4096, 4096.5, 11402, 11462, 11462.01, 11462.02, 11462.04, 11463, 11466.2, and 18254 of, to add Sections 827.11, 832, 11253.2, 11462.022, 11462.041, 11466, 16003.5, 16519.52, 16519.53, 16519.54, 16519.55, and 16519.6 to, and to add and repeal Sections 4096.1, 4096.55, 11402.01, 11462.001, 11462.015, 11462.021, 11463.01, and 11463.1 of, the Welfare and Institutions Code, relating to public social services.

[Approved by Governor October 11, 2015. Filed with  
Secretary of State October 11, 2015.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

AB 403, Mark Stone. Public social services: foster care placement: funding.

Existing law, the California Community Care Facilities Act, requires the State Department of Social Services to license and regulate various out-of-home facilities and entities responsible for children and nonminor dependents in foster care, including foster family homes, group homes, and out-of-state group homes, and imposes training requirements on foster parents. A violation of the act is a misdemeanor.

Existing law provides for the placement of certain children in foster care under the supervision of the department and county welfare departments. Existing law also establishes the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, under which counties provide payments to foster care providers on behalf of qualified children in foster care. Existing law requires the department to establish procedures to recover overpayments made to providers.

This bill would provide for the reclassification of treatment facilities and the transition from the use of group homes for children in foster care to the use of short-term residential treatment centers, as defined. The bill would impose licensing requirements on those facilities, the violation of which would be a crime pursuant to the act, thereby imposing a state-mandated local program.

The bill would revise the foster parent training requirements imposed by the act. The bill would also provide for the development of child and family teams, as defined, to inform the process of placement and services to foster children and to children at risk of foster care placement. The bill would make conforming and related changes, including requiring the department to develop a new payment structure for funding placement options for children in foster care. The bill would also revise the procedures for recovering overpayments, and would make the failure to repay an overpayment grounds for termination of the provider's rate and cause the referral of the provider for license revocation.

The bill would require, on and after January 1, 2017, all licensed foster family agencies to approve resource families, in lieu of certifying foster homes, in accordance with specified standards and requirements set forth in the bill.

The bill would require the State Department of Social Services to provide periodic progress updates to the Legislature on the implementation of the provisions of the bill. The bill would also include a statement of legislative intent.

This bill would incorporate additional changes made by AB 1387, SB 238, SB 484, SB 524, and SB 794, that would become operative only if this bill is chaptered last.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

*The people of the State of California do enact as follows:*

SECTION 1. (a) It is the intent of the Legislature in adopting this act to improve California's child welfare system and its outcomes by using

comprehensive initial child assessments, increasing the use of home-based family care and the provision of services and supports to home-based family care, reducing the use of congregate care placement settings, and creating faster paths to permanency resulting in shorter durations of involvement in the child welfare and juvenile justice systems. These changes, along with other provisions in this act, require initial investments in the child welfare system. It is expected that this act, and the initial short-term funding provided by the state to local agencies to implement this act, will reduce overall costs to local agencies and allow local savings to be reinvested in child welfare services. If overall costs to a local agency are reduced, annual funding by the state to the local agency will only be provided as described in Section 36 of Article XIII of the California Constitution.

(b) Federal law requires that placements of children in foster care be in the least restrictive, most family-like environment. Federal law requires the review of the child's case plan to assess the necessity for and appropriateness of the placement, to assess the progress that has been made toward the case plan goals, and project a likely date by which the child can be safely reunified, or placed for adoption or legal guardianship. Federal law requires the court to periodically, but no less frequently than every six months, review the case plan, the child's status, and the extent of compliance with the case plan.

(c) It is therefore the intent of the Legislature to maintain children's safety, well-being, and healthy development when they are removed from their own families by placing them, whenever possible and appropriate, with relatives or someone familiar, or, when this is not possible or appropriate, with other caregiving families that are able to meet their physical, social, and emotional needs until they can return home. When reunifying children with their family is not possible, the obligation remains to seek other forms of permanency, such as adoption or guardianship. To achieve this intent, the Legislature recognizes the following:

(1) That the experience and outcomes of foster youth will be improved by assessing the individual needs of each child and youth at the outset of his or her entry into foster care in order to identify and secure the most appropriate services and placement setting to meet those individualized needs.

(A) Services are consistent with the objectives of the Katie A. Settlement Agreement, which include the timely provision of an array of appropriate services that are coordinated, comprehensive, and community-based, and which address the needs of children and youth with more intensive needs requiring medically necessary specialty mental health services in their own home, or an appropriate homelike setting in order to facilitate reunification and to ensure their safety, permanence, and well-being. Children in need of services are identified and assessed promptly. Child welfare and mental health agencies work together in the provision of coordinated services to these children and youth, and the child's or youth's family's voice and choice are taken into account as demonstrated through the Core Practice Model.

(B) Efforts to achieve legal permanency and emotional permanency are necessary for every child and youth. These include establishing and maintaining connections to siblings, extended family, culture, and, if applicable, tribes.

(C) If necessary to meet their treatment and safety needs, some youth who enter foster care may benefit from an initial, upfront, short-term residential care placement to provide crisis stabilization and the structure they require, with the goal of returning them back home or to a less restrictive, family-based setting as soon as possible. Children should not have to first exhaust a number and variety of less restrictive placements regardless of their individual need, which would be detrimental to their well-being.

(2) That children and youth in foster care have been affected by trauma, both by the fact that they have been separated from their family, and by the circumstances that led to their removal. Recognizing this trauma and minimizing additional trauma should be structured into how practice is implemented for children and youth in foster care.

(3) That youth in foster care under the supervision of county probation departments may require additional considerations when being placed outside of the parental home. When ordering placement, the court and probation officers must consider the safety and needs of the youth and the public safety of the community. Significant reforms have been adopted in the juvenile justice system by the state and by the counties in recognition of the fact that detaining youth far from home is not ideal, but may be necessary for a small percentage of probation youth who have committed the most serious offenses. At the same time, in order to serve those probation youth whose needs can be appropriately met safely in least restrictive, family-based settings, sufficient capacity in home-based family care must be developed.

(4) That research demonstrates that being cared for in a family improves outcomes for children who have experienced abuse and neglect. Therefore, children who cannot safely be placed in home-based family care can go into residentially based care with individualized, specific care plans and intensive therapeutic interventions, while emphasizing continuity of care, as demonstrated by the residentially based services pilot program, established pursuant to Chapter 12.87 (commencing with Section 18987.7) of Part 6 of Division 9 of the Welfare and Institutions Code. These placements should be short-term in nature and designed to enable children and youth to return to their birth, kin, foster, or adoptive families as quickly and safely as possible, supported by services designed to help the child, youth, and family in this transition. With these services, relatives and foster families can care for children and youth with behavioral and mental health challenges that often are associated with neglect and abuse. Placing agency decisions regarding a specific family need to be based on a determination that the family has the ability and capacity to meet the needs of the specific child or youth.

(5) That working with the child, youth, and family as part of a team results in better outcomes. The child and family team, including extended

family and community or tribe, is the primary vehicle for collaboration on the assessment, case planning, and placement decisions that are made by placing agencies. Use of these teams is based upon the wraparound model of care and is intended to support social work, practice, and decisionmaking.

(6) That culturally relevant services and supports need to be made available to children, youth, and their caregivers, regardless of the placement setting, and individually tailored to their needs.

(7) That the practice of public agencies, private agencies, and service providers should be aligned through a common core practice model, with county child welfare and probation agencies retaining their case management responsibilities.

(8) That there is a shift in the terminology used with respect to foster care to describe “resource families” as “home-based family care.” These families must parent and nurture vulnerable, traumatized children in emergencies, through transitions and crises, and sometimes make them a permanent part of their own families. These families are inclusive of related or unrelated caregivers who are approved to foster, adopt, or take guardianship of children in foster care, regardless of whether they are approved by a public or private agency.

(9) That the needs of children placed in residential group placements can most effectively be met when there is system accountability. Placement decisions should be informed by the provider’s performance on common indicators that are publicly available. Providers should continuously work to improve the quality of the care they provide by using available data to manage performance.

(d) The Legislature further declares its intent to continue to adhere to the declarations in Section 175 of the Family Code, Section 1459 of the Probate Code, and Section 224 of the Welfare and Institutions Code pertaining to Indian children, including that the state is committed to protecting the essential tribal relations and best interests of an Indian child by promoting practices, in accordance with the federal Indian Child Welfare Act (25 U.S.C. Sec. 1901 et seq.) and other applicable laws, designed to prevent the child’s involuntary out-of-home placement and, whenever that placement is necessary or ordered, by placing the child, whenever possible, in a placement that reflects the unique values of the child’s tribal culture and is best able to assist the child in establishing, developing, and maintaining a political, cultural, and social relationship with the child’s tribe and tribal community. To that end this legislation is not intended to displace or preclude options available to Indian children, such as placement in tribally approved homes as allowed under the federal Indian Child Welfare Act, or tribal customary adoptions pursuant to Section 366.24 of the Welfare and Institutions Code.

SEC. 2. Section 7911 of the Family Code is amended to read:

7911. The Legislature finds and declares all of the following:

(a) The health and safety of California children placed by a county social services agency or probation department out of state pursuant to the

under an agreement described in subdivision (b) are not eligible for federal financial participation as foster care maintenance payments under Part E (commencing with Section 470) of Title IV of the federal Social Security Act (42 U.S.C. Sec. 670 et seq.), but may be eligible for federal financial participation as administration or training, or may be eligible for federal financial participation under other programs, including, but not limited to, Title XIX of the federal Social Security Act (42 U.S.C. Sec. 1396 et seq.), the appropriate state departments shall take measures to obtain that federal funding.

(2) Provide that, prior to approving any waiver or alternative funding model pursuant to subdivision (d), the director shall make a determination that the design of the residentially based services program to be operated under the agreement described in subdivision (b) would ensure the health and safety of children or youth to be served.

(f) Agreements entered into pursuant to this section shall terminate on or before January 1, 2017, or may be extended until January 1, 2019, upon approval by the department, on a case-by-case basis, unless a later enacted statute extends or removes this limitation.

(g) The department shall report during the legislative budget hearings on the status of any county agreements entered into pursuant to subdivision (b), and on the development of statewide residentially based services programs. This report shall be submitted with the recommendations made pursuant to Section 11461.2.

SEC. 121. Notwithstanding the provisions of this act, on and after January 1, 2017, facilities with licensed capacity of 184 that were in operation prior to January 1, 2015, that offer placements for the purpose of attending an onsite high school, may continue to operate under an appropriate licensing category determined by the State Department of Social Services as long as those facilities submit to the department a transition plan describing how the program will comply with the provisions of this act, pursuant to a timeframe to be determined with the department.

SEC. 122. The State Department of Social Services, State Department of Education, and special education local plan area (SELPA) directors shall work together to address the funding formula currently based in part on the State Department of Social Services rate classification level system. The rate classification level for group homes set by the State Department of Social Services shall sunset pursuant to this act. Section 56836.165 of the Education Code takes into account the rate classification level in Section 11462 of the Welfare and Institutions Code in setting its severity rating for purposes of its bed allowances. Prior to the sunset of the rate classification level, the departments and SELPA directors shall work together to develop an alternative basis for its bed allowance formula.

SEC. 123. (a) The State Department of Social Services and the State Department of Health Care Services shall adopt regulations as required to implement the provisions of this act.

(b) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of

Division 3 of Title 2 of the Government Code), the departments identified in subdivision (a) may implement and administer the changes made by this act through all-county letters or similar written instructions until regulations are adopted.

SEC. 124. The State Department of Social Services shall provide periodic progress updates to the Legislature on the implementation of this act.

SEC. 125. The State Department of Social Services shall work with counties that operate shelters, probation agencies, homeless shelter providers, residential education providers, and others as determined by the department to identify jointly developed alternative timeframes or criteria to be met in order to address the unique circumstances and needs of the populations they serve, while remaining consistent with the principles of this act.

SEC. 126. (a) In order to accomplish the goals set forth in this act, the State Department of Social Services shall work with stakeholders, including other state departments, such as the State Department of Health Care Services, legislative staff, counties, and advocates, to address critical issues in the initial and ongoing implementation of this act. This work with stakeholders shall include the development of timelines and key milestones for implementation of this act, including a process to monitor progress. This work shall also include, but not be limited to, the identification of major implementation tasks and action steps, monitoring achievements, and developing recommendations for addressing issues that arise during implementation. The department, in consultation with the stakeholder groups, shall measure and track changes in the numbers of out-of-home placements that are available to county placing agencies, including the geographic distribution of providers. The State Department of Health Care Services and the State Department of Social Services, as appropriate, shall also measure and track, in consultation with stakeholders, the availability and utilization of services, including, but not limited to, medical and behavioral health and child welfare services for children in out-of-home placements.

(b) The stakeholder process described in subdivision (a) may include the convening of a large workgroup or smaller workgroups that would address specific subject areas that may include, but are not limited to, the following:

- (1) Rate development for short-term residential treatment centers, foster family agencies, and other caregivers across the continuum of care.
- (2) Assessments.
- (3) Retention and recruitment of home-based family caregivers.
- (4) Availability of core services, including specialty mental health services, across placement types.
- (5) Meeting the needs of special populations within the child welfare system.
- (6) The mental health certification process.
- (7) Simplification of the licensure and approval process for resource families.
- (8) Outcomes, accountability measures, and data collection.

SEC. 127. The Legislature finds and declares that this act, which adds Section 16519.55 to the Welfare and Institutions Code, imposes a limitation



on the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

In order to encourage the recruitment of resource families, to protect their personal privacy, and to preserve the security of confidentiality of the placements with resource families, it is necessary that the names, addresses, and other identifying information of resource families not be disclosed by any state or local agency pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code), except as necessary for administering the resource family approval program, facilitating the placement of children with resource families, and providing names and addresses only to bona fide professional foster parent organizations upon request.

SEC. 128. (a) Section 6.5 of this bill incorporates amendments to Section 1502 of the Health and Safety Code proposed by both this bill and Senate Bill 524. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2016, (2) each bill amends Section 1502 of the Health and Safety Code, and (3) this bill is enacted after Senate Bill 524, in which case Section 6 of this bill shall not become operative.

(b) Section 18.5 of this bill incorporates amendments to Section 1522.41 of the Health and Safety Code proposed by both this bill and Senate Bill 238. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2016, (2) each bill amends Section 1522.41 of the Health and Safety Code, and (3) this bill is enacted after Senate Bill 238, in which case Section 18 of this bill shall not become operative.

(c) Sections 23.5 and 24.5 of this bill incorporate statutory changes to Section 1529.2 of the Health and Safety Code proposed by both this bill and Senate Bill 238. They shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2016, (2) each bill makes changes to Section 1529.2 of the Health and Safety Code, and (3) this bill is enacted after Senate Bill 238, in which case Sections 23 and 24 of this bill shall not become operative.

(d) Section 31.5 of this bill incorporates amendments to Section 1536 of the Health and Safety Code proposed by both this bill and Senate Bill 484. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2016, (2) each bill amends Section 1536 of the Health and Safety Code, and (3) this bill is enacted after Senate Bill 484, in which case Section 31 of this bill shall not become operative.

(e) Section 36.5 of this bill incorporates amendments to Section 1548 of the Health and Safety Code proposed by both this bill and Assembly Bill 1387. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2016, (2) each bill amends Section 1548 of the Health and Safety Code, and (3) this bill is enacted after Assembly Bill 1387, in which case Section 36 of this bill shall not become operative.



(f) Section 49.5 of this bill incorporates amendments to Section 706.6 of the Welfare and Institutions Code proposed by both this bill and Senate Bill 794. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2016, (2) each bill amends Section 706.6 of the Welfare and Institutions Code, and (3) this bill is enacted after Senate Bill 794, in which case Section 49 of this bill shall not become operative.

(g)(1) Section 106.1 of this bill incorporates amendments to Section 16003 of the Welfare and Institutions Code proposed by both this bill and Senate Bill 238. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2016, (2) each bill amends Section 16003 of the Welfare and Institutions Code, and (3) Senate Bill 794 is not enacted or as enacted does not amend that section, and (4) this bill is enacted after Senate Bill 238, in which case Sections 106, 106.2, and 106.3 of this bill shall not become operative.

(2) Section 106.2 of this bill incorporates amendments to Section 16003 of the Welfare and Institutions Code proposed by both this bill and Senate Bill 794. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2016, (2) each bill amends Section 16003 of the Welfare and Institutions Code, (3) Senate Bill 238 is not enacted or as enacted does not amend that section, and (4) this bill is enacted after Senate Bill 794 in which case Sections 106, 106.1 and 106.3 of this bill shall not become operative.

(3) Section 106.3 of this bill incorporates amendments to Section 16003 of the Welfare and Institutions Code proposed by this bill, Senate Bill 238, and Senate Bill 794. It shall only become operative if (1) all three bills are enacted and become effective on or before January 1, 2016, (2) each bill amends Section 16003 of the Welfare and Institutions Code, and (3) this bill is enacted after Senate Bill 238 and Senate Bill 794, in which case Sections 106, 106.1, and 106.2 of this bill shall not become operative.

(h) Section 108.5 of this bill incorporates amendments to Section 16501 of the Welfare and Institutions Code proposed by both this bill and Senate Bill 794. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2016, (2) each bill amends Section 16501 of the Welfare and Institutions Code, and (3) this bill is enacted after Senate Bill 794, in which case Section 108 of this bill shall not become operative.

(i) Section 109.5 of this bill incorporates amendments to Section 16501.1 of the Welfare and Institutions Code proposed by both this bill and Senate Bill 794. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2016, (2) each bill amends Section 16501.1 of the Welfare and Institutions Code, and (3) this bill is enacted after Senate Bill 794, in which case Section 109 of this bill shall not become operative.

SEC. 129. (a) To the extent that this act has an overall effect of increasing the costs already borne by a local agency for programs or levels of service mandated by the 2011 Realignment Legislation, Section 36 of

Article XIII of the California Constitution shall govern this act's application to local agencies and the state's funding of those programs or levels of service.

(b) However, if the Commission on State Mandates determines that this act contains other costs mandated by the state for programs or levels of service not described in subdivision (a), reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

**EXHIBIT 4**

To: Cheryl Treadwell  
Foster Care Audits and Rates Branch  
744 P St. M.S. 8-11-39

From: Cathi Palatella, County of San Diego Child Welfare Director  
cathi.palatella@sdcounty.ca.gov

Michael E. Bruich, New Alternatives, Incorporated  
michael.bruich@newalternatives.org

Subject: Proposal Summary for Pilot the San Pasqual Model of Care Pursuant to  
AB 403

Date: August 30, 2016

## **I. Proposal Description**

The Academy Program will operate as a five year pilot. The Academy Program Model centers around the concept of creating a living community of support, borrowing from the work of Princeton's John Dilelio in which he described a need for "a community that will wrap their collective arms around foster youth".

The centerpiece of the model is an enhanced family based program made up of cottages in which houseparents, supported by clinical staff, behavioral staff, and even a foster grandparent program, create a unique, safe, supportive family and community environment for the youth. This alternative family based program fits precisely within the goals of AB 403 while expanding the definition of "Family". Additionally the Academy Program will include a formal Family and Relational Permanency Program. All SPA youth have in place a "Family Placement Agreement" within 90 days of coming to the Academy with an identified family that will become part of their placement at SPA. Once a Family Placement Agreement has been executed the "family" will become active partners in the youth's life. Incentives will be established to ensure that the "family" is fully trained in trauma informed care and trauma informed practices. Realistic goals in this regard will be established by the treatment team recognizing the varying degrees of damage that the youth have suffered. Over time the "Family Placement" will likely include, at the very least, part time caregiver responsibilities to ensure that a long-term family connection is established. Study after study demonstrates that until the youth has some belief that the caretaker has the capacity to keep them safe, no such emotional connection can take place.

The Academy will remain the therapeutic community for both the youth and the "family" even when a youth is successfully transitioned into a day student status, as a result of being able to be permanently placed in the Family Placement. This Family Placement will meet the newly established Resource Family Approval Standards and be certified by the New Alternatives' FFA. Further, due to the significant levels of damage endured

by the youth from the childhood trauma, this process may include extended periods of shared caregiver responsibilities between the "Family Placement" and the Academy.

#### Population

- Youth have documented failed/ multiple placements; youth suffer from attachment syndrome.
- Age group are primarily high school age but the program will accommodate younger youth when part of a sibling group or when determined by County CWD as appropriate.
- Current cohort of youth have been victims of long term repeated trauma.

#### Program Model – Key Features

1. Four Components: Residential, Educational, Work Readiness and Child Welfare/Foster Care Services
2. Program is not a traditional group home model and therefore advocates for a group home category that supports campus based type programs that will offer a full array of supports and services to youth and their families.
3. Promotes a concept of "relational permanence" defined as the establishment of long lasting, lifetime connections, and relationship with caring adults (Lawler, Goodman et al 2014) and create a therapeutic community. Interventions help to ameliorate the "attachment syndrome" by providing the appropriate services to avoid the lifetime serious, long term behavior, relationship and development problems.
4. "Family permanency" is supported by promoting active and consistent family involvement while at the Academy and post placement. The goal first is to promote reunification when feasible. Youth are engaged to address permanency by using a Family Placement Agreement.
5. House parents, clinical staff, foster grandparents offer a unique alternative family based environment that have positive outcomes for youth.
6. Creates an "it takes a village" concept that includes intergenerational supports.
7. Small cottages setting with family like environment. House parents live on site and support youth needs. Aftercare options for Alumni.
8. Provides a full array of therapeutic supports
9. EPDST funded Mental Health Services, are available.
10. Provides a full array of core services required by AB 403 including aftercare, transitional services, job readiness and college options are available. The educational program offers academic acceleration, enrichment, technology, and

remediation supports to address the youth's educational needs and well-being. San Diego County Office of Education operates the onsite high school program.

## II. Describe how the pilot's performance will be measured or evaluated.

The question of what outcome measures should be considered has to be asked in the context of the specific foster youth population targeted by the Academy Program. The specific population cared for at the Academy are represented as those youth that have suffered extensive and chronic trauma resulting in an impaired development of the prefrontal cortex which is the region of the brain critical and essential to "autonomous functioning and engagement in relationships", (Cook, Blaustein, Spinazzola & Van der Kolk, 2003). "These executive functions are necessary to successfully managing school, work and healthy relationships" (ACF 2012). The most critical outcomes will be the measurable improvements in these areas which may be best articulated by the "Well-Being Framework" established by Lou, Anthony, Stone, Uu & Austin in 2008, and adapted by the ACYF (See below):

Intermediate Outcome Domains		Well-Being Outcome Domains			
Environmental Supports	Personal Characteristics	Cognitive Functioning	Physical Health and Development	Emotional/Behavioral Functioning	Social Functioning
Family income, family social capital, social support, community factors (e.g., institutional resources, collective socialization, community organization, neighborhood SES)	Identity development, self-concept, self-esteem, self-efficacy, cognitive ability	Academic achievement, school engagement, school attachment, problem solving skills, decision-making	Overall health, BMI, risk-avoidance behavior related to health	Emotional intelligence, self-efficacy, motivation, self-control, prosocial behavior, positive outlook, coping, internalizing and externalizing behaviors, trauma symptoms	Social competence, social connections and relationships, social skills, adaptive behavior
Social and Emotional Well-Being Domains					

The Academy is fully committed to continuing and expanding the 2013 Academy evaluation that was authored by Drs. Lawler and Goodman. This continued and expanded research design has been discussed with Dr. Lawler. The preliminary research approach Dr. Lawler has suggested includes the following:

## **Research Questions**

The research questions will center on the role of kin and non-kin relationships in producing successful program outcomes in child safety, permanency, and well-being.

1. Does regular contact with kin or other loved ones contribute to successful program outcomes for students at San Pasqual Academy or other similar residential education programs?
2. Do students at San Pasqual Academy or other similar residential education programs have relational permanence?

## **Methods**

To assess the research questions, primary and secondary analysis will be conducted with data collected through interviews with San Pasqual alumni and on-site record reviews, which will be compared with existing county, state, and/or federal data. The proposed research design will be reviewed and approved by the Human Subjects Committees of the Institutional Review Boards (IRB) where required. The data to be collected will generally be demographic, background, and Academy-related variables (or independent variables) and outcome (or dependent) variables, including but not limited to the following:

### **Independent variables**

- Demographics and history of students
- Amount of time students attended the Academy
- Contact with kin or non-kin family outside of program
- Number of foster placements before attending the Academy
- Health diagnosis
- Educational status (grade level, IEP)

### **Dependent Variables**

- Employment
- Schooling and educational attainment
- Cognitive and emotional functioning
- Youth Self Report
- Assessments of relationships and social skills
- Healthcare
- Financial self-sufficiency

Further in accordance with the Federal Government's position on child well being ". . .scientific findings clearly demonstrate the profound impact that maltreatment has on social and emotional well-being. As such, focusing on ensuring safety and permanency alone for children who have experienced abuse or neglect is



unlikely to resolve these complex biological and psychosocial issues". Outcome measures will necessarily include improved mental and emotional health.

**III. A description of projected costs including and at what rate.**

- a. See attached budget.

**IV. Describe any existing regulatory requirements (program, licensing, rates, etc.) that may prevent the implementation of the model.**

At this time there is no reason to believe that San Pasqual cannot meet the core licensing requirements for any licensing category. The primary difference will be in the program statement that San Pasqual will submit but all other health and safety requirements of licensing should not create a barrier regardless of whether it is an existing or newly created category. A new and unique licensing category would certainly be great but may not be practical. The Academy is committed to working with the State to determine the most practical approach to licensing.

**V. How will the requesting county monitor the project?**

New Alternatives would propose that a reporting tool be developed that will be submitted to CDSS on an annual basis which addresses not only the Child Well Being outcomes but the family permanency outcomes that have been achieved as well. Further educational outcomes of both residential students as well as "Day Students" (under the new Family Permanency Program component being proposed) would be reported. Once again, New Alternatives is open to whatever agreement works best for the State.

**EXHIBIT 5**

**MEMORANDUM OF UNDERSTANDING**  
**between**  
**California Department of Social Services**  
**and**  
**County of San Diego**

This Memorandum of Understanding, hereinafter referred to as the Agreement, is entered into by and between the California Department of Social Services, hereinafter referred to as the Department, or the State, and the County of San Diego, hereinafter referred to as the County. For the purposes of this Agreement, the County and State may be referred collectively as the Parties or individually as a Party.

**A. BACKGROUND**

Assembly Bill No. 403, Chapter 773, enacted on October 11, 2015, known as the Continuum of Care Reform Act, advances California's goal of reducing the use of long-term group homes by increasing youth placements in family settings and by transforming existing group home care into places where youth who are not ready to live with families can receive short term, intensive treatment.

Section 121 of AB 403 provides, "Notwithstanding the provisions of this act, on and after January 1, 2017, facilities with licensed capacity of 184 that were in operation prior to January 1, 2015, that offer placements for the purpose of attending an onsite high school, may continue to operate under an appropriate licensing category determined by the State Department of Social Services as long as those facilities submit to the department a transition plan describing how the program will comply with the provisions of this act, pursuant to a timeframe to be determined with the department."

San Pasqual Academy (SPA), operated by New Alternatives, Inc. (NA) and located in Escondido, San Diego County, qualifies under AB 403 as a facility with a licensed capacity of 184 which was in operation prior to January 1, 2015. SPA is designed as an educational residential program which allows foster youth to attend an onsite high school and provides foster youth with a stable, caring home, an individualized education, and the skills needed for independent living.

**B. PURPOSE**

The purpose of this Agreement is to:

1. Authorize the County to continue to utilize SPA as an eligible foster care placement for youth under the jurisdiction of the juvenile court of San Diego County and supervised by the County child welfare agency or probation department.

2. Make available to the County the federal share of foster care funds to provide for the care and supervision of children suitably placed at SPA during the Pilot Project.
3. Provide State support in evaluating the Pilot Program to be submitted by SPA.
4. Specify the roles and responsibilities of all Parties.

**C. TERM**

The term of this Agreement shall be from December 1, 2018 through December 31, 2021, unless terminated earlier by operation of effect of federal or state law. Should the State elect to implement the federal Bipartisan Budget Act of 2018, Title VII – Family First Prevention Services Act (FFPSA) before the end of the term, the State and County mutually agree to examine the viability and financial impact of continuing the Pilot Program through the end of the term.

**D. COUNTY RESPONSIBILITIES**

The County:

1. Shall implement a Pilot Project that is consistent with the County's proposal dated August 30, 2016, and any amended proposal, which is incorporated herein by this reference and made a part hereof as if set forth in full.
2. Agrees to determine eligibility for children and families using existing criteria as specified in the Eligibility and Assistance Standards Manual, Sections 45-200 et seq. 45-201 et seq., 45-202 et seq., 45-203 et seq., 45-300 et seq.
3. Agrees to develop and maintain adequate administrative support structures for implementation.
4. Agrees to comply with the State Manual of Policies and Procedures, Division 31 Regulations.
5. Acknowledges that SPA is expected to remain licensed, in good standing, as a group home and comply with the Interim Licensing Standards (ILS) developed specifically for SPA by the State, which is incorporated herein by this reference <http://www.cdss.ca.gov/inforesources/Childrens-Residential/Resources-for-Providers/Laws-and-Regulations> and made a part hereof as if set forth in full.
6. Agrees to maintain all documentation necessary to support the cost of service delivery and track the children participating in the Pilot Project.
7. Shall allow the State access to confidential case records, statistics and other confidential documents for review as required by the State to carry out its responsibilities.

8. Agrees to comply with any audit requirements as set forth in the State Manual of Policies and Procedures, Division 11. .
9. Agrees to provide SPA with a copy of this Agreement within 10 days of its establishment and assist with the Pilot Project.

**E. EVALUATION**

1. The County agrees to evaluate the Pilot Project according to the detailed Evaluation Plan. The evaluation plan includes:
  - a) Description of program goals as outlined in the SPA Program Statement, attached hereto as **Exhibit A**;
  - b) Anticipated outcomes;
  - c) Evaluation questions;
  - d) Evaluation measures;
  - e) Data sources including administrative data, special surveys and evaluation specific data to be collected;
  - f) Data collection instruments including descriptions of who will collect data, how data is to be collected and when data is to be collected;
  - g) Methods of analysis and interpretation; and
  - h) Evaluation time lines.
2. The County agrees to enter all necessary evaluation information in the Child Welfare Services/Case Management System.
3. The County shall require the authorized contractor and researchers with access to personal, confidential, or sensitive data for the purposes of the Pilot Project Evaluation to comply with confidentiality and security requirements that include, but are not limited to, the application of administrative, physical, and technical safeguards that reasonably and appropriately protect the confidentiality, integrity, and availability of such data.
4. To the extent authorized by law, the County shall provide access to case records of the adult clients, including parents and caregivers, who received child welfare services through SPA, to the researchers conducting the Pilot Project Evaluation.
5. The County shall appoint an evaluation coordinator who will serve as a liaison with the State.

#### **F. STATE RESPONSIBILITIES**

The California Department of Social Services:

1. Agrees to provide administrative and program technical assistance and oversight of County operations with respect to the Pilot Project, as needed.
2. Agrees to provide oversight and monitoring as required by law.
3. Agrees to continue the group home Rate Classification Level 9 rate for SPA during the Pilot Project, subject to the following conditions:
  - a) The approval of a SPA Program Statement and any and all group home extension requests.
  - b) The continued licensure in good standing of SPA as a group home.

#### **G. JOINT RESPONSIBILITIES**

1. Each Party agrees to establish mutually satisfactory methods for the exchange of information, as may be necessary, in order that each Party may perform its duties, functions and appropriate procedures.
2. Both Parties agree to comply with the provisions of the W&I C Section 10850 and Sections(s) 827, 827.1 and 830, to ensure that all information concerning children and families in the Pilot Project will be kept confidential in accordance with federal and State laws and policies.

#### **H. FISCAL PROVISIONS**

Both the State and the County understand that there are no new or additional funds provided for this Pilot Project. The cost of placements in the SPA during this Pilot Project is from the Title IV-E Federal Foster Care funds and the San Diego County Local Revenue Fund.

1. The reimbursement rates will be paid according the group home Rate Classification Level 9.
2. Under this Agreement, the State and the County must ensure that all maintenance and administrative costs associated with the Pilot Project are cost neutral to the State and Federal government. This agreement is subject to any additional restrictions, limitations, or conditions enacted by the State Legislature or Federal Law that may affect the provisions, terms, implementation, or funding of the Pilot Project. As the implementation of the FFPSA will impact the ability to draw down Title IV-E funding, should State's implementation of FFPSA occur prior to the end of this Pilot Project, the State and County will jointly examine the fiscal impact and advisability of continuing the Pilot through the end of the term and amend or terminate this agreement accordingly.



3. Any federal audit exception(s), disallowance(s), or deferral(s), resulting from a federal audit of the County's Pilot Project; or any and all liability, under this Agreement, shall be borne by the County based on the percentage of the total costs claimed during the time period in question. In no case shall the State assume financial liability for the County's share of federal audit exception(s), disallowance(s), or deferral(s).

#### **I. GENERAL PROVISIONS**

1. This Agreement may be amended by written agreement between both Parties. No alteration of the terms herein shall be valid unless made in writing and signed by the Parties hereto, and no oral understanding or agreement not incorporated herein shall be binding on either Party.
2. Either Party shall have the right to terminate this Agreement upon sixty (60) days prior written notice to the other Party.

#### **J. CONTACT PERSONS**

The individuals listed below shall be the contact persons for the Department and County for the purpose of this Pilot Project.

A. The Department contact is:

**Cheryl Treadwell, Chief  
Foster Care Audits and Rates Branch  
744 P St, Sacramento, CA 95814  
Cheryl.Treadwell@dss.ca.gov**

B. The County contact is:

**Kimberly Giardina, Acting Director  
County of San Diego Child Welfare Services  
8965 Balboa Ave, San Diego, CA 92123  
Kimberly.Giardina@sdcounty.ca.gov**

The contacts may be changed by either the Department or the County.



MOU #18-6017

CDSS/County of San Diego Health and Human Services Agency

CALIFORNIA DEPARTMENT OF  
SOCIAL SERVICES

By



SIMONE DUMAS, Chief  
Contracts and Purchasing Bureau

Date: 10/18/17

COUNTY OF SAN DIEGO

By



NICK MACCHIONE  
Agency Director,  
County of San Diego Health  
and Human Services Agency

Date:

9/23/15

APPROVED AS TO FORM AND LEGALITY  
COUNTY COUNSEL

BY



DEPUTY

**EXHIBIT 6**



KIM JOHNSON  
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**  
744 P Street • Sacramento, CA 95814 • [www.cdss.ca.gov](http://www.cdss.ca.gov)



GAVIN NEWSOM  
GOVERNOR

Kim Giardina, DSW  
Director, Child Welfare Services  
1600 Pacific Highway  
San Diego, CA 92101

**SUBJECT: NOTICE OF TERMINATION OF SAN PASQUAL ACADEMY (SPA)  
PILOT PROGRAM EFFECTIVE OCTOBER 1, 2021**

Dear Dr. Giardina:

This letter is written to provide notification of the termination of the San Pasqual Academy (SPA) Pilot Program, effective October 1, 2021.

On October 2019, San Diego County (the County) and California Department of Social Services (CDSS) executed a Memorandum of Understanding (MOU) that allowed New Alternatives to operate an educationally based residential program called the SPA Pilot Program.

As you are aware, AB 403 (Chapter 773, Statutes of 2015) codified the Continuum of Care Reform (CCR) Act, which advances California's goal of reducing the use of long-term congregated care programs by emphasizing the importance youth residing in family settings. In situations in which the youth may need structure to heal from trauma or stabilize a crisis, residential programs were designed to be short-term with intensive integrated mental health services. The AB 403 eliminated the use of licensed group homes as a placement option for foster youth. Given SPA's decision not to convert to a short term residential therapeutic program (STRTP) or any other licensing category available to foster youth, its educationally based residential program would have become unsustainable for foster care under CCR.

However, when AB 403 was signed into law, the California legislature included an uncodified section which permitted SPA to continue as a pilot for a residential educationally based model of care under specified conditions. Section 121 of AB 403 states that "notwithstanding the provisions of this act, on and after January 1, 2017, facilities with licensed capacity of 184 that were in operation prior to January 1, 2015, that offer placements for the purpose of attending an onsite high school, may continue to operate under an appropriate licensing category determined by CDSS as long as those facilities submit to the Department a transition plan describing how the program will comply with the provisions of this act, pursuant to a timeframe to be determined with the department." The SPA Pilot was never intended to be a substitute for an STRTP. Rather, it was established to test out a model that centered around the concept of

creating a living community of support, while advancing relational permanency and promoting educational achievement.

The MOU for SPA provides its term "shall be from December 1, 2018, through December 2021, unless terminated earlier by operation of effect of federal or state law." The MOU specifically anticipates an impact on the term resulting from the implementation of the Family First Prevention Services Act (FFPSA) Public Law 115-123 and provides for CDSS and the County to "jointly examine the viability and financial impact of FFPSA, of continuing the Pilot Program through the end of the term." The MOU acknowledges that the implementation of the FFPSA will impact the ability to draw down Title IV-E funding should it be implemented by the State and provides for an amendment or termination of the MOU prior to the end of the term. Furthermore, the MOU provides that either CDSS or the County has the "right to terminate the MOU upon sixty (60) days prior written notice to the other."

The California legislature is implementing FFPSA effective October 1, 2021. Conversations between the County and CDSS have determined that federal funding for the pilot will be unavailable following the implementation of FFPSA. Given the overall reduction in the county's foster care population and the very limited number of appropriate referrals, it appears that continuation of the pilot is no longer viable or prudent. Therefore, the MOU is hereby terminated effective October 1, 2021. While only 60 days' notice of termination is required under the MOU, CDSS is providing notice at this time to provide the County additional time to transition the foster youth participating in the pilot into suitable placements.

If you have any questions regarding this action, please do not hesitate to contact Cheryl Treadwell at 916-651-9152 or by email at [cheryl.treadwell@dss.ca.gov](mailto:cheryl.treadwell@dss.ca.gov).

Sincerely,



Gregory E. Rose  
Deputy Director

c: Diana Boyer, CWDA  
Julie Ann Queijo, CCLD  
Jaynetta Christian, CalWin

bc: M. Ford  
H. Afiff (provider has other programs) F. Polk-Reaves  
C. Coleman  
M. Ezslinger  
C. Fang  
B. Griffin - Case file (2)

**EXHIBIT 7**



# **San Pasqual Academy:**

## **Providing Comprehensive Residential Education and Services for Foster Youth and Emerging Adults**



**Dana T. Hartman | Gail S. Goodman | Jaxon Grandchamp |  
Daisy Vidales | Phillip R. Shaver |**  
University of California, Davis

**Michael J. Lawler**  
Pacific Northwest University of Health Sciences

**Sue D. Hobbs**  
California State University, Sacramento

August 2021

Authors' Affiliations:

Dana Hartman, BA, Doctoral Researcher, Department of Psychology, University of California, Davis

Gail S. Goodman, PhD, Distinguished Professor and Director, Center for Public Policy Research, Department of Psychology, University of California, Davis

Jaxon Grandchamp, BA, Junior Specialist, Department of Psychology, University of California, Davis

Daisy Vidales, BA, Junior Specialist, Department of Psychology, University of California, Davis

Phillip R. Shaver, PhD, Distinguished Professor Emeritus, Department of Psychology, University of California, Davis

Michael J. Lawler, MSW, PhD, President, Pacific Northwest University of Health Sciences, Yakima, Washington

Sue D. Hobbs, PhD, Assistant Professor, Child and Adolescent Development Program, California State University, Sacramento



### Author Note

This evaluation was funded by New Alternatives, Inc., and the County of San Diego Health and Human Services Agency. The authors acknowledge the research assistance of Lily Brown, BA; Lauren C. Gonzalves, MSW; Yan Wang, PhD; and Yuerui Wu, BA. In addition, the authors acknowledge that some of the data (and tabulations) utilized in this report were made available (in part) by the National Data Archive on Child Abuse and Neglect, Cornell University, Ithaca, New York. The data from the Substantiation of Child Abuse and Neglect Reports Project were originally collected by John Doris and John Eckenrode. Funding support for preparing the data for public distribution was provided by a contract (90-CA-1370) between the National Center on Child Abuse and Neglect and Cornell University. Neither the collector of the original data, funding agency, nor the National Data Archive on Child Abuse and Neglect bears any responsibility for the analyses or interpretations presented here.

Address correspondence to Dr. Gail S. Goodman, Department of Psychology,  
University of California, 1 Shields Avenue, Davis, CA 95616 (ggoodman@ucdavis.edu).

## **Executive Summary**

This report presents an evaluation of San Pasqual Academy's success in supporting positive outcomes for current foster youth residing at the Academy, and for a sample of recent Academy alumni. San Pasqual Academy, located in Escondido, California, provides a comprehensive residential education program and wrap-around services for high-school-aged foster youth, as well as a home base and follow-up support for Academy alumni.

Although extensive research has identified adolescence and "emerging adulthood" as unique developmental periods for all youth, they can be especially challenging for foster youth. To address these important scientific insights, the Academy is designed to provide a stable and caring environment where youth can securely work toward educational and independent-living-goals and then transition successfully into adult roles.

The Academy is widely considered a model for adolescents and emerging adults transitioning from foster care. The present evaluation examines how current students and recent alumni are faring with respect to the multicomponent mission for child welfare services: providing safety, permanency, and well-being (the latter encompassing education, employment, and health).

The study participants were 79 current Academy student/residents (in 2020), who ranged in age from 13 to 19 years; 101 recent alumni (who left the Academy between 2015 and 2019), who ranged in age from 17 to 28 years; and 478 alumni included in a previous study (Lawler et al., 2013, 2014), who ranged in age from 14 to 29 years. With guidance provided by the University of California, Davis, evaluation team, data were gathered by Academy staff and sent to the university's Center for Public Policy Research for analysis and interpretation. Complementary and comparison data were drawn from an earlier study by researchers at the University of South Dakota, in collaboration with researchers at the

University of California, Davis (Lawler et al., 2013), and other national and California foster care outcome studies.

The results indicate that current residents of the Academy are safely housed, receiving a sound education, developing plans for post-graduate education and employment, participating in numerous extracurricular activities, establishing positive relationships with adults, and receiving beneficial physical and mental health services. For example, there is a significant *improvement* after entry into the Academy in terms of reduced self-harm behavior and reduced suicidal thoughts and actions.

The results for the sample of alumni show that they are furthering their education (especially those who spent more time at the Academy and participated extensively in extracurricular activities), have health insurance and access to health care, continue to maintain positive relationships established at the Academy, and are living in safe conditions. Like other Americans in their age group, their employment status has been adversely affected by the COVID-19 pandemic. Of note, for youth who were at least 18 years of age when discharged from the Academy, 96.3% have earned a high school diploma or GED, which greatly exceeds nationwide high school graduation/GED rates for foster youth of 65%-70% by age 21, and even for the general United States population of youth (86% for 18- to 24-year-olds) (National Factsheet, 2018; National Youth in Transition Database, 2020). We are not aware of any other program serving foster youth in the United States with such high rates of high school diploma/GED completion. In Courtney et al.'s (2018) Wave 3 of the CalYouth study of foster youth, 84% of their sample had achieved a high school diploma or equivalency certificate by age 21, which is a lower rate than for the Academy. (The average age of alumni in our recent Academy alumni sample is quite comparable to Courtney et al.'s, at a little over 20 years (21.55 to be exact)).

For both current residents and alumni, who are highly diverse in racial and ethnic background, there are no gender or ethnic differences in outcomes. This suggests that the Academy treats all of its students equally.

Overall, the results indicate that the Academy does an excellent job of providing its students with high-quality, comprehensive residential support and education programs. The Academy also helps its alumni transition successfully into adulthood.

## Table of Contents

Introduction.....	1
The Present Evaluation .....	4
Method .....	5
Participants.....	5
Procedure and Measures .....	5
Results for Current Residents ( $N = 79$ ).....	6
Education and Training (Current Residents) .....	8
Extracurricular Activities (Current Residents) .....	10
Mental Health (Current Residents) .....	13
Overall Health Ratings (Current Residents) .....	16
Placements and Close Connections (Current Residents) .....	17
Correlations Among Key Variables (Current Residents) .....	18
Ethnicity (Current Residents) .....	22
Educational Aspirations and Participation in Extracurricular Activities .....	22
Summary (Current Residents).....	23
Results for Alumni Who Left the Academy After 2012 ( $N = 101$ ) .....	24
Education at SPA and Post-Secondary Enrollment (Alumni) .....	27
Internships/Job Training and Extracurricular Activity Participation at SPA (Alumni).....	32
Mental and Physical Health (Alumni) .....	32
Significant Positive Relationships (Alumni) .....	35
Post-SPA Communications and Assistance (Alumni).....	39

Employment (Alumni).....	40
Housing (Alumni) .....	42
Social Welfare Benefits (Alumni) .....	43
Correlation Table (Alumni) .....	44
Ethnicity (Alumni).....	49
Gender (Alumni).....	50
Summary (Alumni) .....	50
Comparing Cohorts: Current Students versus Alumni .....	52
Comparing Cohorts: Current Alumni versus Past Alumni .....	53
Comparing the Academy with Other Residential Group Homes and Family Foster Care.....	56
Conclusion .....	57
Addendum.....	59
References.....	66

## **Introduction**

Research on both American foster youth and American youth more generally indicates that adolescence and “emerging adulthood” (the latter period extending from roughly 18 to 25 years of age) are critical periods of development with important implications for the remainder of a person’s life (e.g., Arnett, 2007; Furstenberg, 2010). Earlier in American history, and still today in many countries, the transition through adolescence and into adulthood is fairly abrupt, often marking an end to formal education and entrance into demanding adult roles such as full-time employment, marriage, and parenthood. In contrast, in modern industrialized societies, education is often extended through and beyond high school, making it necessary to rely on parents and family for continued social, emotional, and material support. At the same time, marriage and parenthood are, by previous standards, delayed.

In the United States, a high school diploma is necessary for most jobs, and many jobs require post-secondary education and training. Moreover, high school is important for more than its academic content. It is a time when youth learn important social skills; develop important friendships and close relationships; participate in sports, clubs, and the arts; and begin to explore and develop a personal identity and possible paths into a future life involving work, family, and a place in the larger community. It is also a time when many challenges arise, such as exploring and dealing with sexuality, alcohol, and drugs.

The periods of adolescence and emerging adulthood are especially important for foster youth, who in previous generations received little assistance or direction after reaching age 18 and “aging out” of foster care. Today, both federal and California policies acknowledge that foster youth who are in high school and then emerging into adulthood may need services for an extended period, emphasizing “interdependent” living rather than independent living (e.g., Curry & Abrams, 2015; Smith, 2011). San Pasqual Academy



(hereafter the Academy or SPA) offers one important model for delivering a range of important services to foster youth who are completing high school and emerging into adulthood. Given the important wraparound and educational services SPA provides, it is much more than a common “residential group home.”

The Academy, located in Escondido, California, was established in 2001 to address the needs of foster youth, including adolescents (14-18 years of age) in foster care and those emerging into adulthood after leaving foster care. It is the nation’s first comprehensive residential education program created specifically for foster youth who are currently in or just entering high school. The Academy delivers services to its students through a parent organization, New Alternatives, Inc., which operates in partnerships with the County of San Diego Health and Human Services Agency, San Diego County Office of Education, and San Diego Workforce Partnership. Additionally, the Academy was developed with the support of a range of community leaders in San Diego, including the San Diego County Board of Supervisors, San Diego County Child Welfare Director, San Diego County Office of Education, and the San Diego Presiding Juvenile Court Judge, as well as groups of stakeholders such as attorneys, social workers, healthcare providers, educators, law enforcement agencies, former foster youth, and other community members.

The Academy was established to provide a safe, stable, and caring environment in which foster youth can obtain a high school diploma, prepare for college or a vocation, and work on independent living skills. Further, the Academy was designed to be a place where students enjoy stable relationships with peers and adults, which are important for the development of social skills and the conduct of successful relationships beyond the years at the Academy (Thompson, Greeson, & Brunsink, 2016). As Lawler et al. (2013) explained, the Academy is a place that foster youth can call home.

The Academy's programs are delivered in four general domains: residential, educational, work readiness, and child welfare services. The residential program provides family-style homes with house parents for up to eight youth per cottage. Through an intergenerational program, foster grandparents, who live on campus in exchange for reduced rent, mentor the youth and engage them in activities, such as cooking, crafts, gardening, and art. The foster grandparents' role includes sharing their wisdom, friendship, and experience with the youth. Most of the students have a court appointed special advocate (CASA), a trained volunteer who monitors a particular student's progress, advocates for the student with the courts and various service providers, and helps the student master academic and life skills (see [Californiacasa.org](http://Californiacasa.org), 2020). Comprehensive health services, including behavioral health and a Day Rehabilitation Clinic, are available to the youth through an on-campus health and wellness center. Around three-fourths of the students participate in weekly psychotherapy. Housing for Academy alumni is available on campus along with other supportive services to advance foster youth's goals of higher education or employment after they leave the Academy.

The Academy's on-site high school program is operated by the San Diego County Office of Education. The school's curriculum is based on the standards and entrance requirements for the University of California and California State University systems, which some of the Academy graduates enter each year. Extracurricular activities include student government, California Interscholastic Federation athletics (e.g., baseball, basketball, football, softball, track and field, and volleyball), yearbook, and dances. Facilities for these activities are all of high quality, and academic classrooms are equipped with modern technology.

The Workforce Partnership at the Academy offers a program in work readiness and self-sufficiency that includes tutoring, career counseling, job training, internships, employment, and relevant elective school courses, such as business skills, computer applications, and multi-media skills. Workforce Partnership staff members also assist students in creating resumes and portfolios for college admission applications as well as for employment interviews.

Offices of San Diego County Child Welfare Services, on-site at the Academy, provide social workers and a supervisor to address case management for Academy youths' dependency cases. When services and advocacy are needed, social workers are there to provide them for the youth.

### **The Present Evaluation**

This report is intended to provide an evaluation of the Academy's programs in the year 2020 and the first part of 2021, with special emphasis on how well the programs are preparing resident students for life beyond the Academy. Relevant to the present evaluation are outcomes delineated in previous studies, such as the ongoing federal National Youth in Transition Database (NYTD; Children's Bureau, 2020b) and the CalYouth evaluation (Courtney et al., 2018). These outcomes include: (1) positive connections with adults; (2) educational attainment; (3) financial self-sufficiency; (4) access to health insurance; (5) experience with homelessness; and (6) high risk behavior.

These and other variables, as they pertain to the San Pasqual Academy graduates, were assessed in a previous evaluation (Lawler et al., 2013). The authors of that study stated that because "the Academy aims to provide safety, significant relationships with adults, and well-being for foster youth emerging into adulthood," it is important to focus on the mission and outcomes of federal foster care policies: (1) Does the Academy provide safety,

significant relationships with adults, and well-being for its students? (2) Does the Academy produce educational well-being outcomes for its students that exceed relevant standards? We address those same questions in this 2020-2021 assessment of both a sample of current student residents and a sample of recent alumni.

## **Method**

### *Participants*

Participants in our evaluation included 79 students who currently reside at the Academy as well as 101 recent alumni. The first group (38 males and 41 females) ranged in age from 13 to 19 ( $M = 16.06$ ,  $SD = 1.76$ ). The second group (41 males and 60 females) ranged in age from 17 to 28 ( $M = 21.55$ ,  $SD = 2.33$ ). To collect data on alumni, academy staff members were instructed to randomly select approximately 100 alumni who had left the Academy between 2015 and 2019. In the end, data on 101 alumni were obtained. Further demographic characteristics of the two samples are presented later in this report.

### *Procedure and Measures*

Following approval from the Institutional Review Board at the University of California, Davis, data were gathered by Academy staff between January 2020 and February 2021 and sent to our research team for compilation and analysis. The data primarily consisted of information drawn from the Academy's administrative records. Additionally, on several occasions, through in-person visits, phone calls, or email communications, research team members informally interviewed Academy administration and staff.

Variables included in the analyses of data for the current students and alumni were some of the indicators of federal outcome standards (e.g., used by the National Youth in Transition Database) of safety, significant relationships with adults, and well-being:

<i>Safety:</i>	Alumni safe housing arrangements
<i>Significant Relationships with Adults:</i>	Current residents' and alumni's significant relationships with adults

<i>Well-being – Employment:</i>	Alumni employment
<i>Well-being – Health:</i>	Current residents' and alumni's access to health care
<i>Well-being – Secondary education:</i>	Alumni diploma or GED
<i>Well-being – Higher education:</i>	Current residents' plans for and alumni involvement in post high school education

### Results for Current Residents ( $N = 79$ )

Table 1 presents the variables and answer codes for the study of current residents, as well as new composite variables created for the purpose of statistical analyses. Comparison data were drawn from applicable national and state studies of foster care outcomes (e.g., Children's Bureau, 2020a, 2020b; Courtney, Charles, et al., 2014; Courtney, Dworsky et al., 2011; Courtney, Okpych, et al., 2018; Frerer, Sosenko, & Henke, 2013; Gypen et al., 2017; Kidsdata.org, 2019; Needell et al., 2013; Pecora, 2012; Pecora et al., 2006).

**Table 1**

#### *Questions and Answer Codes Used in the Examination of Current Residents*

Variable Name	Variable Description	Variable Values
<b>Gender</b>	What is the student's gender identity?	0 = Not female 1 = Female
<b>Age</b>	The student's current age in years.	
<b>Time at the Academy</b>	Total amount of time the student has been at the Academy (in months).	
<b>Number of placements <sup>a</sup></b>	Total number of placements the student has lived in, including the Academy.	
<b>Current grade</b>	Grade student was in at time of data collection.	
<b>Extracurricular activity participation</b>	Proportion score of how many extracurricular activities the student has participated in. For example, if the student was eligible to participate in 5 extracurricular activities and participated in 4 of those activities, their score would be 4/5.	
<b>Job training/internship participation</b>	Has the student ever participated in some form of job training or internship program while at the Academy?	0 = No 1 = Yes

Table 1 Continued

Variable Name	Variable Description	Variable Values
<b>IEP</b>	At the time of data collection, did the student have an active Individualized Education Plan?	0 = No 1 = Yes
<b>Plans to attend college/university<sup>b</sup></b>	Does the student have plans to attend a 2-year or 4-year college/university after leaving the Academy?	0 = No 1 = Yes
<b>Mental health diagnoses</b>	The student's total number of mental health diagnoses.	
<b>Risky behaviors/thought patterns before the Academy</b>	Prior to attending the Academy, how many of the following behaviors and/or thought patterns did the student display: self-harm, suicidal thoughts or behaviors, and/or substance or alcohol use problems?	
<b>Risky behaviors/thought patterns at the Academy</b>	While at the Academy, how many of the following behaviors and/or thought patterns has the student displayed: self-harm, suicidal thoughts or behaviors, and/or substance or alcohol use problems?	
<b>Medication use</b>	Is the student currently on psychiatric medication?	0 = No 1 = Yes
<b>Weekly therapy</b>	Does the student participate in some form of weekly therapy (group or individual)?	0 = No 1 = Yes
<b>Age removed from biological parent</b>	Age at which the student was first removed from their biological parent.	
<b>CASA</b>	Does the student have a Court Appointed Special Advocate (CASA)?	0 = No 1 = Yes
<b>Close connections</b>	The total number of close connections the student has with adults.	
<b>Overall physical health at the Academy</b>	The student's overall physical health while at the Academy, as rated by Academy staff.	1 = Very poor 2 = Poor 3 = Good 4 = Very good
<b>Overall mental health at the Academy</b>	The student's overall mental health while at the Academy, as rated by Academy staff.	1 = Very poor 2 = Poor 3 = Good 4 = Very good

<sup>a</sup> This underwent a log10 transformation to address non-normality before inclusion in the correlation matrix.

<sup>b</sup> Data for this question were collected only on students who were currently in 11<sup>th</sup> or 12<sup>th</sup> grade.

Table 2 summarizes demographic characteristics of the sample of current residents.

**Table 2**

*Demographic Characteristics of the Current Resident Sample (N = 79)*

Variable	Category	N	Percent (%)
<b>Gender</b>	Female	41	51.9
	Male <sup>a</sup>	38	48.1
<b>Ethnicity</b>	Black or African American	32	40.5
	Hispanic or Latino/a	16	20.3
	White/Caucasian (non-Hispanic)	13	16.5
	Mixed Ethnicity/Race or Other <sup>b</sup>	18	22.8
<b>Dependency case status</b>	Family Reunification	24	30.4
	Family maintenance	1	1.3
	Permanency Placement	47	59.5
	Non-minor Dependent	6	7.6
	Other	1	1.3
<b>Current Grade</b>	7 <sup>th</sup>	4	5.1
	8 <sup>th</sup>	14	17.7
	9 <sup>th</sup>	15	19.0
	10 <sup>th</sup>	13	16.5
	11 <sup>th</sup>	10	12.7
	12 <sup>th</sup>	20	25.3
	Student has graduated	3	3.8

<sup>a</sup> Included in this category are 3 transgender males, a category too small to treat separately in analyses.

<sup>b</sup> “Other” refers to a single student whom SPA staff classified as “Non-White, Non-Caucasian.”

### *Education and Training (Current Residents)*

At the time of data collection, 30.3% of the students had an active Individualized Education Plan (IEP) listing the special services that, by law, a school must provide. (By comparison, 5.3% of children on welfare have an IEP; Webster et al., 2020.) An IEP is developed by a team consisting of each student’s parent or surrogate parent, teachers, and district administrators. For students who qualify, an IEP can be very helpful: The IEP may

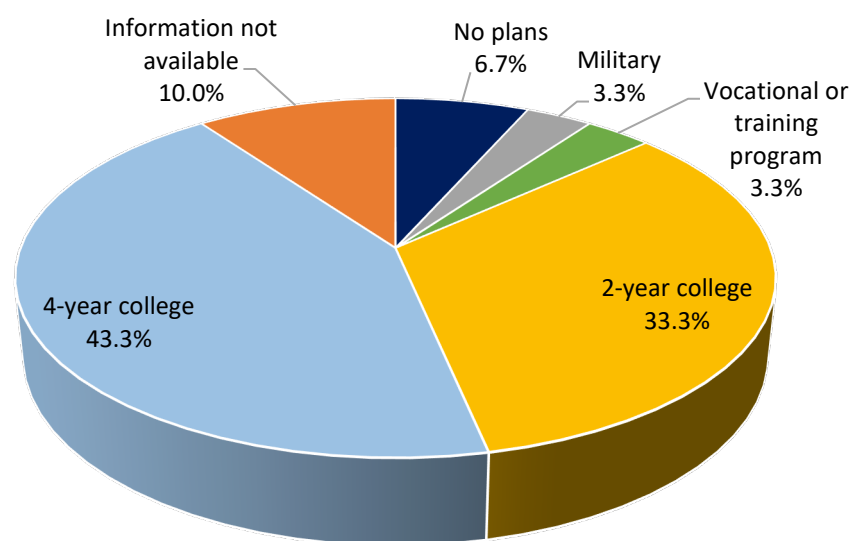


include specialized academic instruction, special attention from teachers, speech therapy, physical therapy, counseling, or behavioral intervention (California Foster Youth Task Force, 2019; LAO, 2020). By and beyond age 16, the IEP includes an ITP (an individualized transition plan).

Of the Academy students in the 11<sup>th</sup> or 12<sup>th</sup> grade ( $n = 30$ ), only two do not have a job or transitional education plan for the period after leaving the Academy. Nearly half of the students in the 11<sup>th</sup> or 12<sup>th</sup> grade, 43.3%, plan to attend a 4-year college; 33.3% plan to attend a 2-year college; 3.3% plan to attend a vocational or training program; and 3.3% plan to join the military. (See Figure 1.) Adding the percentages for 2-year and 4-year college plans, we obtain a figure of 76.6%. By comparison, of 763 foster youth aged 16.75 to 17.75 participating in the CalYouth study<sup>1</sup> (Courtney, Charles, et al., 2014), 52.8% “would attend college if [they] could go as far in school as [they] wanted.” So the Academy is doing an excellent of job motivating students to pursue higher education.

**Figure 1**

*11<sup>th</sup> and 12<sup>th</sup> Grade Students' Post-Academy Plans ( $n = 30$ )*



<sup>1</sup> The CalYouth study is a major longitudinal evaluation of the impact of the California Fostering Connections to Success Act. Funded in part by the California Department of Social Services, the CalYouth study is described in detail at the following website: <https://www.chapinhall.org/research/cal youth/>

Of the students who are eligible (and for whom we have information), 88.3% have participated in a job training and/or internship program. By comparison, of 596 26-year-old former foster youth followed up by Courtney, Dworsky, et al. (2011), 60.6% had received job training and received a certificate or license as a result, and much of the training occurred at a later age than that of the Academy students we studied. So the provision of this kind of training is another important asset of the Academy program (made possible in part by support from the local business community).

The San Diego County Juvenile Justice Commission has agreed that the job training component of the Academy's program is excellent: "The job-readiness program run by the San Diego Workforce Partnership at SPA is state of the art and has a very dedicated staff that provides hands-on classes including the Youth Empowerment Services program and extracurricular activities" (2018, p. 3).

#### *Extracurricular Activities (Current Residents)*

On average, students at the Academy have participated in 7.92 extracurricular activities ( $SD = 3.40$ ), and all have participated in at least two such activities. The three extracurricular activities with the greatest student participation are Independent Living Services (ILS) Meals, Tech Center, and Recreational "Rec" Therapy (all but 1 student participated in Rec Therapy activities; see Figure 2). Other extracurricular activities not listed in Figure 2 include Junior Guardian Scholars, community theater, and LGBTQ+ events.

Not all students were eligible to participate in all types of extracurricular activities offered, and for some students, information was not available concerning whether they had participated in a particular extracurricular activity. Of the 79 residents in the sample, staff had full information available on extracurricular activity participation for 59 residents. Of those 59 residents, 55 were eligible to participate in all extracurricular activities. Therefore, a proportion score was created for each student. This score reflects the number of

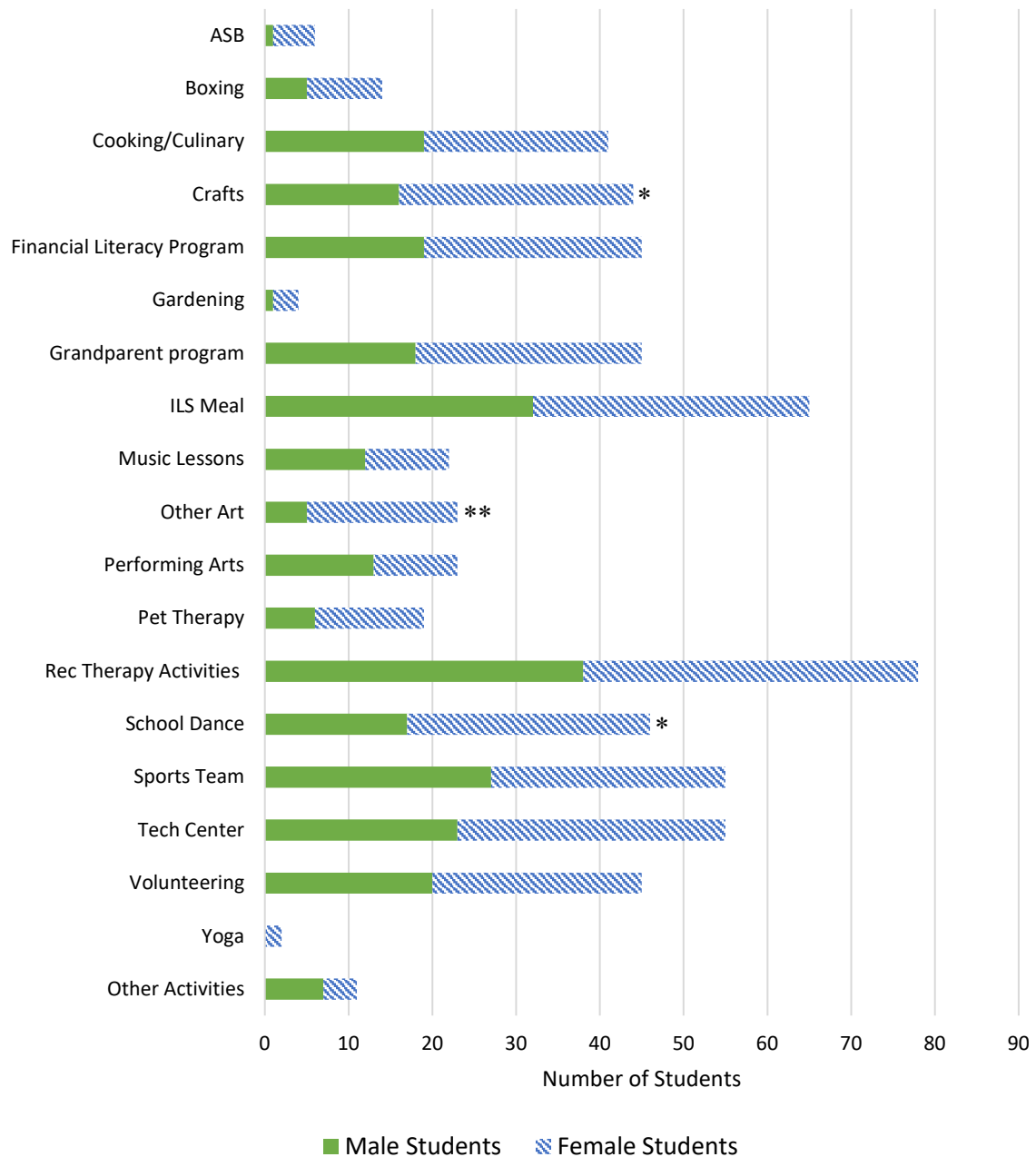
extracurricular activities in which the student had participated, from the total number of activities for which he or she was eligible (and for which we had the relevant information). A *t*-test (a comparison of group means) was performed to determine whether there were gender differences in the proportion of extracurricular activities students participated in. The *t*-test was not quite statistically significant,  $t(77) = -1.94, p = .06$ , indicating that there was not much difference between female and male students in the proportion of extracurricular activities they participated in. Further *t*-tests were conducted to determine the specific extracurricular activities for which there was greater female or male participation. This included: Crafts,  $t(73) = -2.17, p = .03$ ; Other Art,  $t(72) = -3.11, p = .003$ ; and School Dance,  $t(71) = -2.30, p = .03$ . For all three of these activities, females had a significantly higher rate of participation than males (see Figure 2). Males did not have a significantly higher rate of participation for any activity categories.

Overall, what stands out is the 100% rate of participation in extracurricular activities at the Academy (compared with roughly 60% in the general population, not focusing on foster youth, according to the U.S. Census Bureau, 2014), an experience that is known to be associated with subsequent educational outcomes. For example, White, Scott, and Munson (2018) studied extracurricular activity participation and educational outcomes in a sample of 312 Missouri youth transitioning from foster care. Their outcome measure was completion of high school with a diploma or GED and starting college. The researchers found that better grades and higher educational aspirations were significantly related to extracurricular participation, as was graduating from high school with a diploma. They concluded that “efforts to make extracurricular participation a normative aspect of foster youth’s developmental experience are important” (p. 1). As explained later in this report, we found that participation in extracurricular activities at the Academy was related to alumni’s

attainment of a high school diploma or GED. Note that for children in family foster homes, extracurricular activities are not always possible due to inconvenience and expense.

**Figure 2**

*Current Students' Extracurricular Activity Participation by Gender*

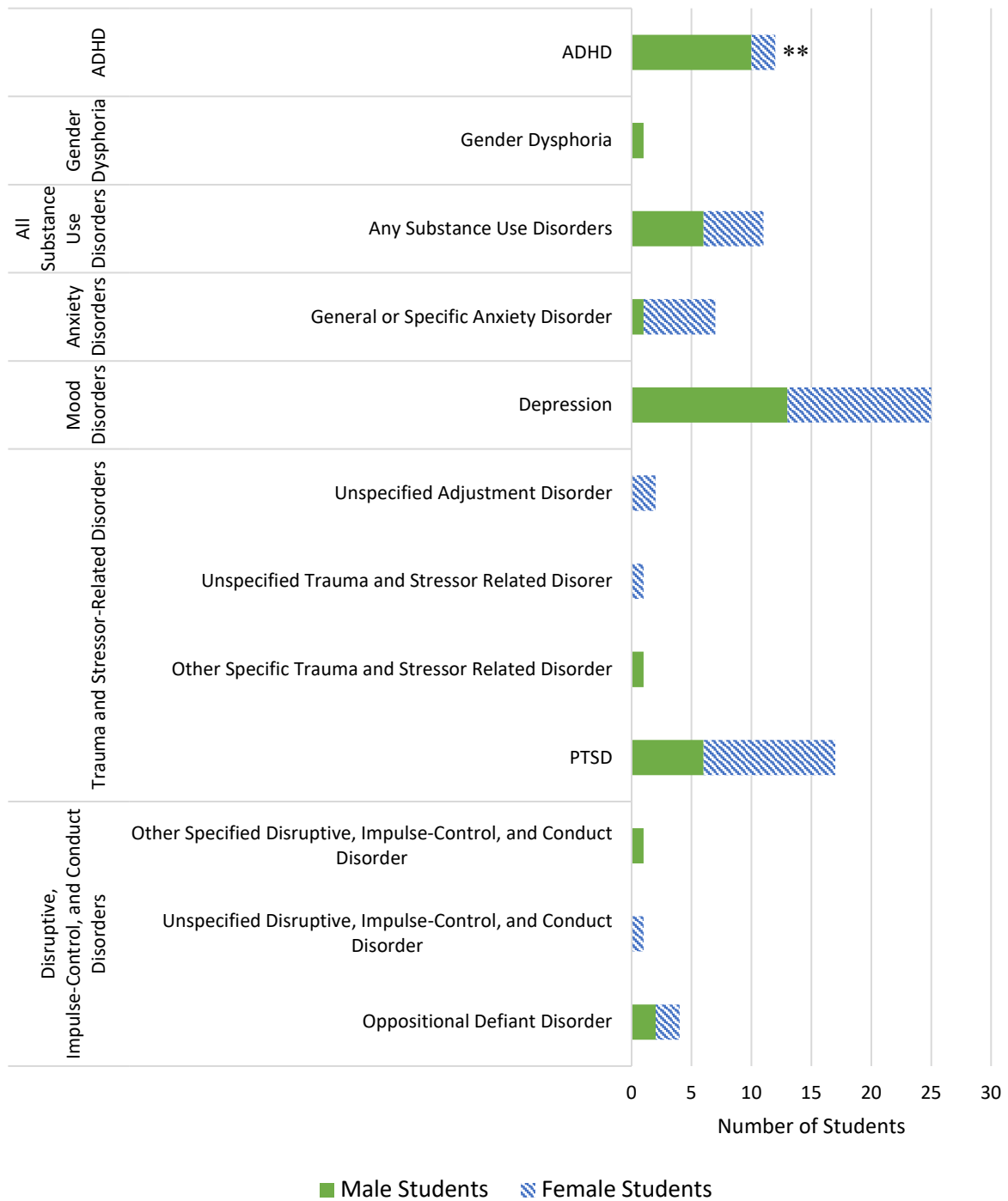


\*  $p < .05$ .    \*\*  $p < .01$ .

### *Mental Health (Current Residents)*

Mental health difficulties are understandably a concern for most of the students at the Academy, with 72.2% of our sample having an “open case” for mental health services, and 73.4% having a current mental health diagnosis (Figure 3). This compares with a rate of 53% in Courtney and Charles’s (2015) CalYouth study, a rate of 33-45% in a review of studies of foster youth (Gypen et al., 2017), and a rate of 16.5% among US children and adolescents in general, aged 0-17 (Whitney & Peterson, 2019; based on the National Survey of Children’s Health, 2016). Given the level of trauma experienced by the students before coming to SPA, it is not surprising that there is a high percentage with open cases. It is to the Academy’s great credit that it can provide needed mental health services to the students.

We performed a *t*-test to determine whether there was a significant gender difference in the average number of mental health diagnoses, and there was not,  $t(77) = 0.43, p = .67$ . This is interesting because Gypen et al. (2017; based on Villegas & Pecora, 2012) say that “women [very consistently] show poorer [mental health] outcomes than men” (p. 79). We performed additional *t*-tests to determine whether there are gender differences within specific diagnostic categories (Figure 3). The only diagnosis that yielded a significant gender difference was ADHD, with significantly more male than female students receiving this diagnosis,  $t(77) = 2.74, p = .01$ . At present, 35.1% of students in the sample are taking a prescribed psychiatric medication (which is fairly typical of foster youth samples; e.g., Webster et al., 2020), and 51.9% are consistently participating in weekly psychotherapy, with another 21.5% participating in therapy inconsistently. In this study, we did not collect detailed data on the particular “psychotropic medications” in use.

**Figure 3***Current Students' Mental Health Diagnoses by Gender*\*\*  $p < .01$

Prior to entering the Academy, 28% of the students had engaged in self-harm behavior, but only 11.5% had done so while at the Academy. Similarly, 29.9% of the students had engaged in suicidal thoughts or behavior prior to entering, which is fairly typical for foster youth (Courtney, Charles, et al., 2014), but only 9% had engaged in suicidal thoughts or behaviors while at the Academy. Figure 4 shows that, on average, students improved while at SPA with respect to self-harm,  $t(74) = 3.80, p < .001$ , and suicidal tendencies,  $t(76) = 4.47, p < .001$ .

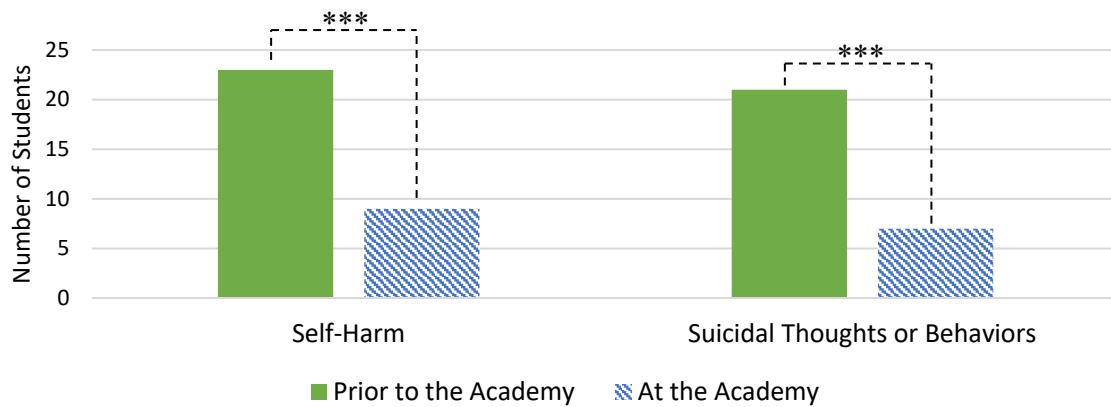
Regarding substance and alcohol abuse, SPA does not accept students who, at the time of admittance, use “hard” drugs. Potential residents with a history of hard drug use are required to complete substance abuse treatment and “stay clean” (avoiding those substances) for a period of time before entering the Academy. Hence our reference to substance abuse refers mainly to marijuana. Prior to entering, it was unknown to us how many qualifying students had a history of substance abuse (i.e., marijuana) or alcohol abuse. However, at SPA, the rate of substance and alcohol problems (28.2%) is roughly the same as the prevalence rate for alcohol abuse in the general population (e.g., 30%-33%) and is lower than the rate for foster care alumni nationally (e.g., 40%-49%; see Gyphen et al., 2017; White, Brien, et al., 2008). These findings depend on how “problem” is defined. Given these measurement issues, we decided not to delve further into this issue.

We wondered whether the students who have mental health problems while at the Academy are primarily the same ones who had them before entering. Results of chi-square (cross-tabulation) analyses provide an affirmative answer to this question. The same students who entered SPA with histories of self-harm, suicidality, and/or substance abuse were the same students who continued to struggle with these problems at SPA (all  $ps \leq .004$ ).



**Figure 4**

*Number of Students with Histories of Self-Harm or Suicidal Thoughts/Behaviors Prior to and While Attending the Academy*



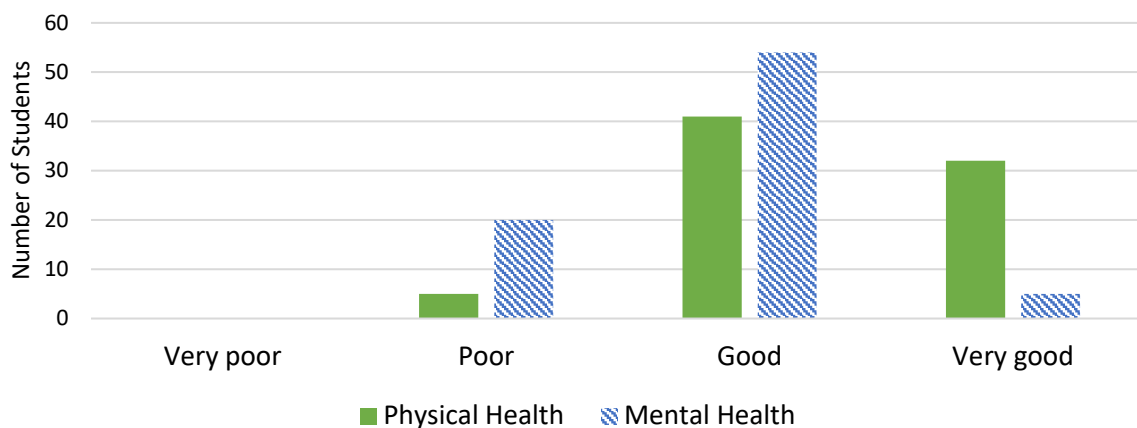
\*\*\*  $p < .001$ .

#### *Overall Health Ratings (Current Residents)*

On scales ranging from 1 = *Very Poor* to 4 = *Very Good*, staff ratings of students' overall physical health were as follows: *Poor* (5.4%), *Good* (51.4%), and *Very Good* (43.2%; see Figure 5). Staff rated students' overall mental health on the same 4-point scale. The mental health ratings were as follows: *Poor* (26.7%), *Good* (66.7%), and *Very Good* (6.7%; see Figure 5). On average, then, staff reported that the students had better physical health ( $M = 3.35$ ,  $SD = 0.60$ ) than mental health ( $M = 2.79$ ,  $SD = 0.52$ ). A *t*-test confirmed that this difference is statistically significant,  $t(77) = 6.82$ ,  $p < .001$ .

**Figure 5**

*Current Students' Overall Physical and Mental Health*



*Placements and Close Connections (Current Residents)*

The students in our sample had experienced between 2 and 27 foster placements, counting the Academy, with an average of 5.41 placements ( $SD = 3.78$ ), a little lower than the average of 7.72 in Lawler et al.'s (2013) study of SPA residents. These numbers are fairly typical of older foster youth. As explained by Sepulveda and Williams (2019):

Older youth have vastly different experiences than other age groups once they enter foster care. They are more likely to experience placement instability, with 40 percent having four or more placements during their most recent stay in foster care, compared to only 15 percent of children under age 14. Increased placement instability can be explained in part by older youths' longer stays in foster care: 30 percent of older youth had spent 2 years or more in care since their most recent removal, compared to 15 percent of children under age 14. Placement instability reduces the chances that young people will develop the permanent, supportive connections with caring adults that are needed during adolescence. It also can negatively affect behavioral health and education outcomes. (p. 1)

We performed a partial-correlation analysis, controlling for the age at which a student was first removed from biological parent(s), because age at first removal could affect the number of placements a student has experienced. The analysis examined associations between the number of placements students experienced, prescribed psychiatric medication (or not), number of mental health diagnoses, thought and behavior problems prior to attending the Academy, and thought and behavior problems while at the Academy (Table 3). When the age at which a student was first removed from biological parent(s) was controlled, the number of placements did not significantly correlate with mental health diagnoses or risky behavior, although it did correlate with medication use.

**Table 3**

*Correlations Between Number of Placements and Mental Health/Behavioral Issues Controlling for Age When Removed from Biological Parent(s)*

	1	2	3	4
1 Number of placements				
2 Medication use	<b>.28*</b>			
3 Mental health diagnoses	.20	<b>.39***</b>		
4 Risky behaviors/thought patterns before the Academy	.03	.18	<b>.29*</b>	
5 Risky behaviors/thought patterns at the Academy	.17	<b>.25*</b>	<b>.42***</b>	<b>.33**</b>

\*  $p < .05$ . \*\*  $p < .01$ . \*\*\*  $p \leq .001$ .

A large majority of students in the sample, 79.5%, have a Court Appointed Special Advocate (CASA), with whom most of them have formed an important relationship. Overall, students in the sample have from 1 to 12 self-reported close connections with adults, with an average of 5.99 ( $SD = 2.49$ ), and 93.3% of the students have 3 or more close connections with adults. Every student has at least one close connection with an adult affiliated with the Academy.

*Correlations Among Key Variables (Current Residents)*

Table 4 displays the results of inter-correlating the key variables for our sample of current Academy residents. (Refer back to Table 1 for a description of the variables and the ways in which they were coded.) The statistically significant correlations are shown in bold font. Because Table 4 is large and difficult to understand at a glance, some of the significant findings and notable lack of differences are summarized below.

**Gender** has no significant correlates. This suggests that the Academy treats male and female students equally, both while at the Academy and when considering them for admission to the program.

**Table 4***Correlations Among Scaled Variables for the Current SPA Residents*

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
1 Gender																		
2 Age	.05																	
3 Time at SPA	-.17	<b>.50***</b>																
4 Number of placements	-.21	.14	.11															
5 Current grade	.07	<b>.90***</b>	<b>.43***</b>	.09														
6 Extracurricular activity participation	.22	<b>.50***</b>	<b>.49***</b>	-.11	<b>.48***</b>													
7 Job training/internship participation	.16	<b>.31*</b>	.03	.07	<b>.41***</b>	.21												
8 IEP	-.18	.00	-.13	.20	.02	-.16	.03											
9 Plans to attend college/university	.15	<b>.56***</b>	<b>.36*</b>	-.11	<b>.58***</b>	<b>.60***</b>	-.09	-.08										
10 Mental health diagnoses	-.05	.13	-.01	.15	.05	.16	-.03	<b>.34**</b>	.20									
11 Risky behaviors/thought patterns before SPA	.18	<b>.23*</b>	-.12	-.07	.21	.11	.23	.04	.12	<b>.29*</b>								
12 Risky behaviors/thought patterns at SPA	.00	<b>.35**</b>	<b>.42***</b>	.03	<b>.31*</b>	<b>.43***</b>	.06	.05	<b>.33*</b>	<b>.40***</b>	<b>.30**</b>							
13 Medication use	-.15	.02	.03	<b>.23*</b>	-.01	.02	-.15	<b>.39***</b>	.20	<b>.35**</b>	.14	<b>.24*</b>						
14 Weekly therapy	.05	-.07	-.21	.13	-.12	.01	.00	<b>.25*</b>	.12	<b>.78**</b>	<b>.30**</b>	.17	<b>.36***</b>					
15 Age removed from biological parent	.21	<b>.28*</b>	.00	<b>-.43**</b>	<b>.25*</b>	.14	.13	-.12	-.11	-.07	.05	.04	-.09	-.19				
16 CASA	.09	.12	.04	.07	.08	<b>.35**</b>	-.07	-.02	<b>.52***</b>	.18	.03	.17	-.04	.12	-.23			
17 Close connections	-.05	.15	<b>.33**</b>	.16	.17	<b>.29**</b>	.21	.10	<b>.33*</b>	.15	.10	.22	<b>.24*</b>	.08	-.12	.17		
18 Overall physical health at SPA	-.16	-.08	.02	-.13	-.02	-.06	.08	-.03	-.10	<b>-.28*</b>	-.10	-.07	<b>-.20*</b>	<b>-.25*</b>	.15	-.07	.03	
19 Overall mental health at SPA	.09	<b>-.27*</b>	<b>-.33**</b>	.06	<b>-.23*</b>	.13	-.06	-.05	.01	<b>-.46***</b>	-.13	<b>-.48***</b>	-.14	<b>-.32**</b>	-.03	.12	-.04	.19

\*  $p < .05$ . \*\*  $p < .01$ . \*\*\*  $p \leq .001$ .

**Age** has nine significant correlates, most of which fit with common sense (e.g., older students are at higher grade levels, have been at the Academy (SPA) longer, have received more job training, have participated in more extracurricular activities, and are more likely to plan to attend college), but two of the correlations are less straightforward: (a) engaging in risky behavior/thoughts while at SPA and (b) having poorer mental health. This may be a result of more troubled individuals being kept at SPA longer to complete their high school education.

**Time at SPA** has several predictable correlates, among which is having more close connections with adults. This may be important both while students are at the Academy and as they make the transition into post-SPA young-adult life. (See later findings concerning this issue in the sections dealing with our sample of SPA alumni.)

**Number of placements before entering SPA** has only two significant correlates: (a) age when first removed from parents (the students who were removed earlier have had more placements), and (b) being on a prescribed medication. Although the latter correlation suggests that students with more placements might be more troubled psychologically, number of placements was not significantly correlated with our other indicators of mental health (although this is different with respect to alumni, as explained later in this report).

**Extracurricular participation** is, as mentioned to some extent already, correlated with age, time spent at SPA, and current grade. It is also related to: (a) planning to attend college; (b) risky behaviors/thought patterns at SPA; (c) having a CASA; and (d) the total number of close connections. When age is taken into account, through partialing age from the correlation, extracurricular activity participation and risky behavior/thoughts at SPA were *not* significantly correlated, partial  $r = .09$ ,  $p = .53$ . For this relation, then, the issue is age, not participation in extracurricular activities: Older students are more likely to engage in risky behavior, as is well documented for adolescents generally (Steinberg, 2007).

**Having an IEP** is related to only three variables: (a) having a mental health diagnosis; (b) being on medication; and (c) participating in therapy. A benefit of SPA is that having a diagnosed disorder and/or being on medication is associated with receiving the special services that an IEP mandates.

**Planning to attend college** is related to a number of expected variables, as mentioned above, but it is also strongly related to having more close connections and having a CASA. This may be the case because CASA volunteers are instructed to act as advocates for their assigned foster youth and to help them become successful. (This may also explain the significant correlation between having a CASA and engaging in extracurricular activities, mentioned earlier). One way in which CASA volunteers encourage success is by introducing their foster youth to the idea of attending college and making it seem to be an attainable goal. (See [Californiacasa.org](http://Californiacasa.org), 2020, for details.)

**Having a mental health diagnosis**, as mentioned above, is related to having an IEP. It is also related to: (a) risky behavior/thoughts before SPA; (b) risky behavior/thoughts at SPA; (c) being on medication; (d) being in weekly therapy; (e) poorer overall physical health; and (f) poorer overall mental health.

Overall, the correlations in Table 4 suggest that mental health is a central issue underlying many of the variables in this evaluation. This centrality of mental health was confirmed statistically by a principal components factor analysis, which revealed a major factor on which the following variables had loadings above .40 (a standard cutoff for evaluating factor analyses): number of mental health diagnoses, whether the student was taking a psychiatric medication, risky behaviors and/or thought patterns prior to attending SPA, risky behaviors and/or thought patterns while at SPA, participation in some form of weekly therapy, whether the student has an IEP, the student's age in years, and whether the

student has a CASA. The statistical centrality of this factor suggests that addressing SPA students' mental health issues may be one of the most important ways to improve their short- and long-term educational and life outcomes.

#### *Ethnicity (Current Residents)*

The ethnic distribution of the student sample (Table 2) differs from statistics from the Children's Bureau's (2019a) AFCAR study of over 400,000 children in foster care nationwide (44% White/Caucasian [non-Hispanic], 23% African American, 21% Hispanic, 8% mixed race; compared to our 16.5% White/Caucasian [non-Hispanic], 40.5% African American, 20.3% Hispanic, and 22.8% mixed race/ethnicity). In our sample, there are fewer Whites/Caucasians (non-Hispanics), more African Americans, and more children of mixed ethnicity.

To determine whether there were significant ethnic differences in students' experiences at the Academy, we computed analyses of variance (ANOVAs) on several key variables: participation in extracurricular activities, number of close connections with adults, and overall mental health. Ethnicity was treated as the independent variable. Fortunately for ease of interpreting our other analyses, there were no significant ethnicity differences, a sign that students from different backgrounds are being treated equally at the Academy.

#### *Educational Aspirations and Participation in Extracurricular Activities*

The opportunity to participate in a range of extracurricular activities is an asset of SPA, compared with other living arrangements for teenage foster youth. As explained by Morris (2015):

Participating in extra-curricular activities is challenging for youth in foster care due to systemic barriers such as multiple placement moves, especially if some of them are in group facilities known as congregate care. Each move can necessitate changing schools, which makes involvement with school sports or clubs difficult; group homes often do not



have the time or staff resources to coordinate, transport, or encourage such participation of every young person in their care. (<https://www.childtrends.org/blog/the-importance-of-permanent-connections-for-youth-in-foster-care>)

San Pasqual Academy is clearly different from the group homes referred to by Morris, in that the Academy *does* provide strong support for engaging in extracurricular activities.

The correlation between participation in extracurricular activities and planning to attend college (either a 2-year or a 4-year college) after leaving SPA,  $r = .60$ ,  $p < .001$ , was shown earlier in Table 4. Because these two variables were also correlated with gender, age, and time at SPA, we computed a partial correlation coefficient controlling for those three variables. The result was  $r = .40$ ,  $p = .02$ , which is smaller than .60, but still substantial. It indicates that the two variables are associated, but we cannot tell whether one influences the other or there is two-way (reciprocal) influence.

### **Summary (Current Residents)**

Generally, our findings concur with those of the earlier, 2013, evaluation (Lawler et al., 2013), and with a recent summary by the San Diego County Juvenile Justice Commission: “SPA’s dedication to providing a home-like environment for foster youth, which extends to all aspects of their life (personal growth, healthy development, school, work readiness, life skills, health care, etc.) is exceptional” (2018, p. 3). In fact, as intended, San Pasqual Academy offers a uniquely valuable home and school environment for foster youth who are emerging into adulthood. The Academy traditionally admits students who have had difficulty in previous placements, and it provides them with a safe home-like environment, connections with multiple caring adults, interactions with compassionate teachers, and many educational, recreational, and career-training opportunities. Our data suggest that youth who enter with a history of suicidal thoughts and behaviors or self-harm behaviors improve while at the Academy. The vast majority of students also develop optimistic yet attainable educational goals. The ethnic

composition of the student body is diverse, reflective of California's diversity and the disproportionality of minorities in California's foster care population. It is to SPA's credit that there is no indication that one ethnic group fares better or worse than another at the Academy. There are roughly equal numbers of male and female students, and the genders seem to be treated equally, although the females may enter with slightly less severe problems than the males, and they seem to become involved in more activities, although this does not mean that the males are less invested in their activities. The most concerning problem is our inability to adequately measure pre-Academy substance and alcohol abuse. Its pre-SPA rate remains undetermined. This is an important area for further investigation.

### **Results for Alumni Who Left the Academy After 2012 ( $N = 101$ )**

In addition to collecting data on the current group of students at the Academy, data were also collected on a sample of recent alumni. Analyses for this report are based on 101 alumni who left or were discharged from the Academy between 2015 and 2019. Table 5 presents the variables and answer codes used for characterizing the 101 alumni, as well as new composite variables created for the purpose of statistical analyses.

**Table 5**

#### *Questions and Answer Codes Used in the Examination of Alumni*

<b>Variable Name</b>	<b>Variable Description</b>	<b>Variable Values</b>
<b>Gender</b>	What is the alum's gender identity?	0 = Male 1 = Female
<b>Age at entry</b>	The alum's age at entry to the Academy.	
<b>Time at SPA</b>	The alum's total length of time living at the Academy. This includes any second entrances to the program.	
<b>Extracurricular activity participation</b>	Number of extracurricular activities the alum participated in while at the Academy	0 = None 1 = A few (1 to 3) 2 = Many (4 or more)
<b>IEP</b>	Did the alum have an Individualized Education Plan while at SPA?	0 = No 1 = Yes

Table 5 Continued

Variable Name	Variable Description	Variable Values
<b><i>Interventions<sup>a</sup></i></b>	The number of interventions for problems the alum had during stay at SPA. Possible interventions included: substance abuse treatment, alcohol abuse treatment, getting arrested, hospitalization, going AWOL, and removal from the program.	
<b><i>Therapy</i></b>	Did the alum participate in some form of weekly therapy (group or individual) while at the Academy?	0 = No 1 = Yes
<b><i>Mental health diagnoses</i></b>	Number of mental health diagnoses the alum had while at the Academy.	
<b><i>Number of placements<sup>a</sup></i></b>	Total number of placements the alum had lived in, including the Academy.	
<b><i>Number of physical health problems</i></b>	The number of physical health problems the alum had during their time at the Academy. Possible physical health problems included: asthma, obesity, diabetes, etc.	
<b><i>Overall physical health at SPA</i></b>	The alum's overall physical health while at the Academy, as rated by Academy staff.	1 = Very poor 2 = Poor 3 = Good 4 = Very good
<b><i>Overall mental health at SPA</i></b>	The alum's overall mental health while at the Academy, as rated by Academy staff.	1 = Very poor 2 = Poor 3 = Good 4 = Very good
<b><i>HS diploma or GED</i></b>	Has the alum obtained a high school diploma or GED, either at the Academy or after leaving the Academy?	0 = No 1 = Yes
<b><i>Communication</i></b>	Since leaving the Academy, how many times has the alum communicated with the Academy?	0 = Never 1 = 1 or 2 times 2 = 3 to 5 times 3 = More than 5 times
<b><i>Employment status</i></b>	The alum's employment status (if known).	0 = Not employed 1 = Employed
<b><i>Post-secondary education enrollment<sup>b</sup></i></b>	Has the alum ever been enrolled in a 2-year or 4-year college/university, even if they are not currently enrolled?	0 = No 1 = Yes

Table 5 Continued

Variable Name	Variable Description	Variable Values
<b>Children</b>	Does the alum have children (either biological or adopted)?	0 = No 1 = Yes
<b>Social welfare benefits <sup>b</sup></b>	Does the alum receive any social welfare benefits?	0 = No 1 = Yes
<b>Significant positive relationships at SPA</b>	Number of different categories in which the alum had significant positive relationships while at the Academy. These categories were: biological relative, foster parent, social worker, SPA staff, Grandparent Program, CASA, mentor, and other.	
<b>Significant positive continuing relationships</b>	Number of different categories in which the alum had significant positive relationships both while at the Academy and after leaving the Academy. These categories were: biological relative, foster parent, social worker, SPA staff, Grandparent Program, CASA, mentor, and other.	

<sup>a</sup> These variables underwent a log10 transformation to address non-normality before inclusion in the correlation matrix.

<sup>b</sup> This does not include extended foster care benefits (SILP payments)

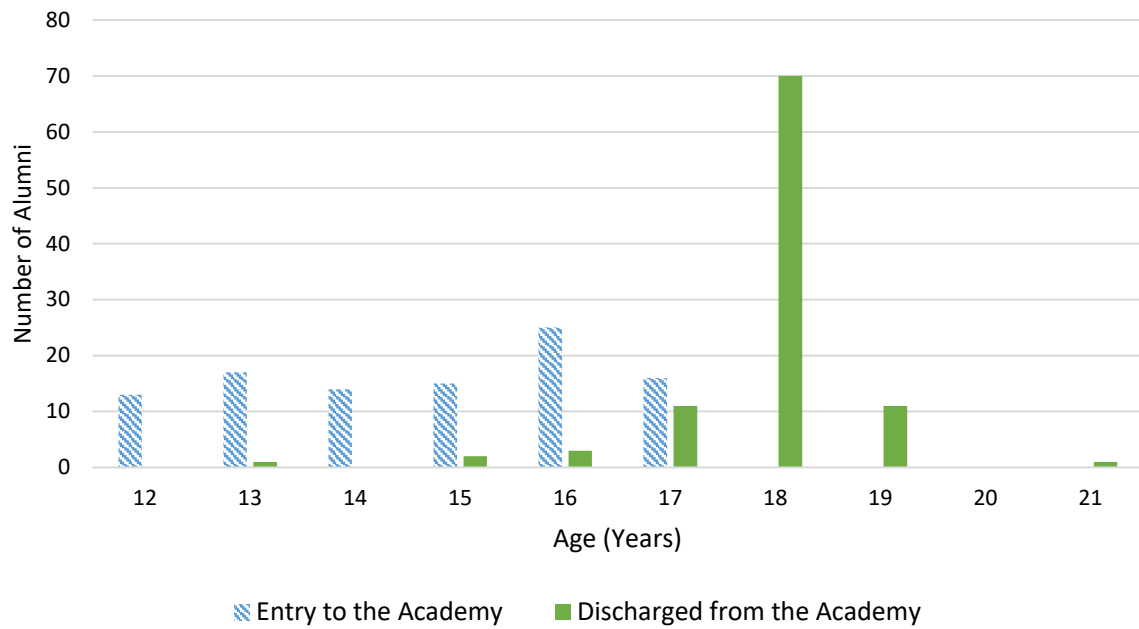
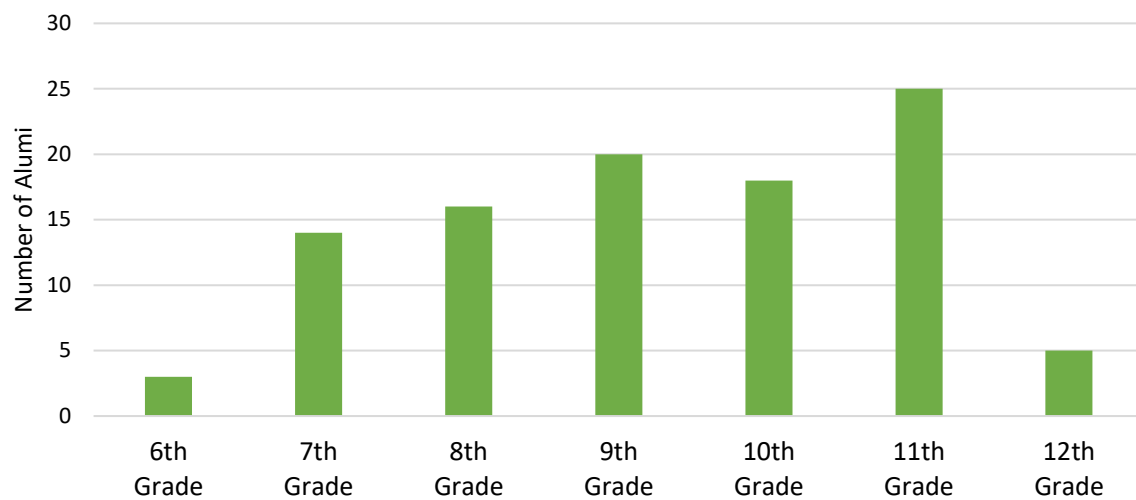
Table 6 presents the demographic characteristics of individuals in the alumni sample. The average age of the alumni at first entry into the Academy was 15.01 years ( $SD = 2.44$ ); the average age when they stopped living at the Academy for the first time was 18.33 years ( $SD = 0.87$ ) (see Figure 6); and the average age at the time of data collection was 21.55 years ( $SD = 2.33$ ). Whereas 100 of the 101 alumni had an uninterrupted residency at the Academy, one alum left the Academy and then rejoined approximately 8 months later. About a third of the sample, 35.4%, returned to the Academy to live on campus after being discharged from the program (e.g., for holidays). This continuing contact with the Academy is an important feature of its program.

**Table 6***Demographic Characteristics of the Alumni Sample (N = 101)*

Variable	Category	N	Percent (%)
<b>Gender</b>	Female <sup>a</sup>	60	59.4
	Male	41	40.6
<b>Ethnicity</b>	Asian or Asian American	1	1.0
	Black or African American	38	37.6
	Hispanic or Latino/a	41	40.6
	Native Hawaiian or Pacific Islander	1	1.0
	White/Caucasian (non-Hispanic)	16	15.8
	Mixed Ethnicity/Race	4	4.0
<b>Dependency case status when alumni entered the Academy</b>			
	Family Reunification	21	20.8
	Family Maintenance	2	2.0
	Permanency Placement	74	73.3
	Other	3	3.0
	Information not available	1	1.0
<b>Grade when alumni entered the Academy</b>			
	6 <sup>th</sup>	3	3.0
	7 <sup>th</sup>	14	13.9
	8 <sup>th</sup>	16	15.8
	9 <sup>th</sup>	20	19.8
	10 <sup>th</sup>	18	17.8
	11 <sup>th</sup>	25	24.8
	12 <sup>th</sup>	5	5.0

<sup>a</sup> includes 1 transgender female*Education at SPA and Post-Secondary Enrollment (Alumni)*

An alum's grade level upon entering the Academy ranged from 6<sup>th</sup> to 12<sup>th</sup> (see Figure 7), and about a third of the sample (31.3%) had an active Individualized Education Plan (IEP) while at the Academy. As discussed with respect to our current resident sample, the Academy educates a much higher percentage of students with active IEPs than a comparison sample of 50,180 children in California on welfare (5.3% had an active IEP; Webster et al., 2020).

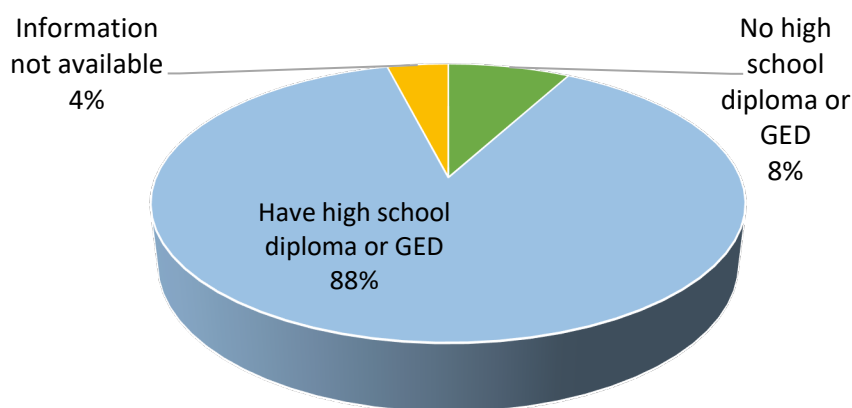
**Figure 6***Alumni Ages at Entry to and Exit from the Academy***Figure 7***Alumni Grade Level at Entry to the Academy*

Eighty-five (85%) of the alumni in our sample ( $n = 100$ ) earned a high school diploma or GED while attending the Academy; 15 left before obtaining a high school diploma or GED. Staff reported that these alumni left the Academy for a variety of reasons, and there was often more than one contributing factor (see Table 7). The most common reason provided by Academy staff members was simply that the alum decided to leave before graduating. Motivation was not specified.

Of the 15 alumni who left before obtaining a high school diploma or GED, Academy staff are aware of four who are actively working toward acquiring a high school diploma or GED, and of another four alumni who have since obtained a high school diploma or GED (see Figure 8). This brings our sample's high school diploma/GED rate to 88.1% which is greater than comparison figures from Wave 3 of the CalYouth Study (Courtney et al., 2018), which involved 616 21-year-old former foster youth who had participated in the previous two waves of the CalYouth study. Courtney et al. found that 84% of their sample had earned a high school diploma or high school equivalency certificate.<sup>2</sup> (Note that later in this report we examine the high school diploma and GED rate for the subset of alumni who stayed at SPA until their 18th birthday or beyond, which shows an even higher high school diploma/GED rate than indicated here.)

**Figure 8**

*High School Diploma or GED Status ( $N = 101$ )*



<sup>2</sup> This can be obtained by passing the GED, HiSet, or TASC



**Table 7***Reason for Discharge from the Academy (No GED or HS Diploma)*

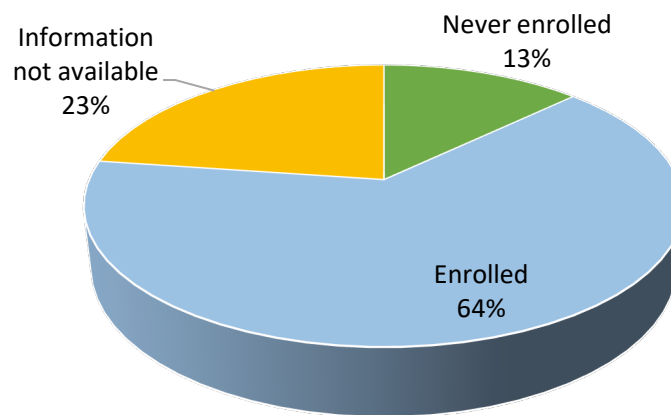
Participant	Reason 1	Reason 2	Reason 3
SA810	Discharged to Transitional Housing Program		
SA826	Behavioral reasons		
SA827	Aged out of program	Entered Transitional Housing Program	
SA830	Decided to leave before graduating	Was emancipated	Entered Transitional Housing Program
SA831	Decided to leave before graduating		
SA832	Decided to leave before graduating	Returned to or placed with foster family	
SA836	Decided to leave before graduating		
SA839	Returned to or placed with foster family		
SA844	Substance and/or alcohol abuse issues	Behavioral reasons	
SA858	Substance and/or alcohol abuse issues		
SA866	Returned to biological family		
SA869	Decided to leave before graduating		
SA870	Decided to leave before graduating	Entered Transitional Housing Program	
SA871	Physical health issues	Returned to or placed with foster family	
SA872	Aged out of the program	Entered Transitional Housing Program	

Enrollment in post-secondary education was high in our sample, with 83.3% (65 alumni) enrolling in either a 2-year or a 4-year college or university at some point after leaving the Academy ( $n = 78$ ; see Figure 9). At the time of data collection, 40.3% were currently enrolled in a 2-year or 4-year college or university ( $n = 72$ ; see Figure 10).

In comparison, Okpych, Courtney, and Dennis (2017) found that 54.8% of their CalYouth sample had enrolled in a 2- or 4-year college at some point prior to their 20<sup>th</sup> birthday. This fits with our impression that the Academy is especially successful at encouraging its residents to pursue higher education.

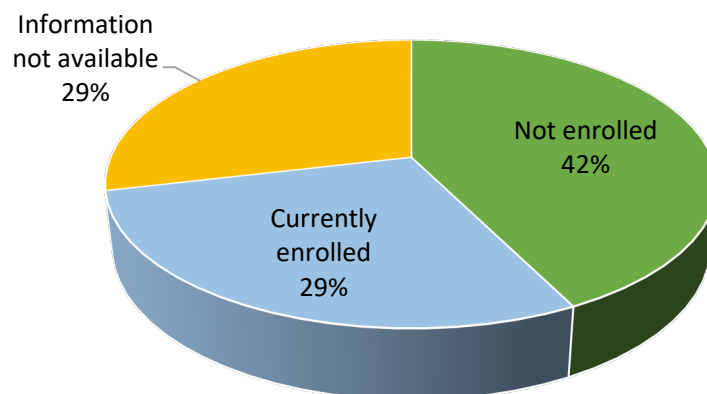
**Figure 9**

*Ever Enrolled in Post-Secondary Education (N = 101)*



**Figure 10**

*Current Enrollment in Post-Secondary Education (N = 101)*



#### *Internships/Job Training and Extracurricular Activity Participation at SPA (Alumni)*

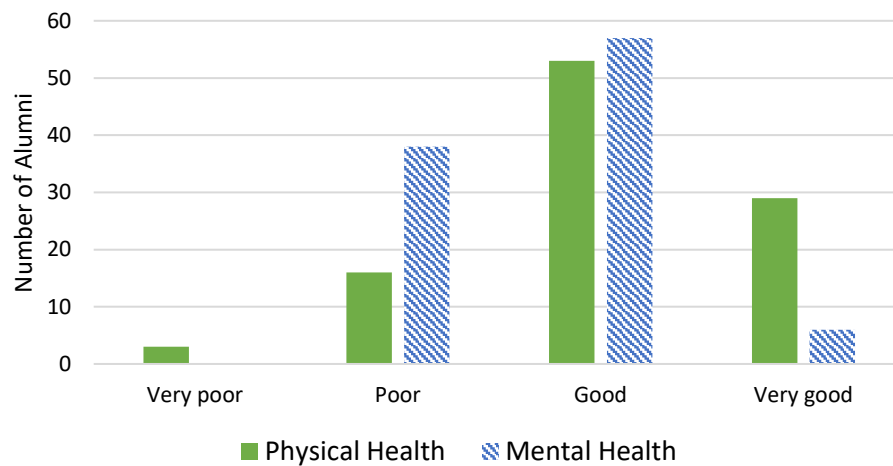
During their time at the Academy, all alumni in our sample participated in at least one extracurricular activity; 50.5% of the sample participated in 1-3 extracurricular activities, and 49.5% of the sample participated in 4 or more extracurricular activities. Most of the sample, 97%, participated in some form of job training and/or internship while at the Academy. Two

of the alumni (2% of the sample) were too young to participate in job training or internships while at the Academy. As discussed with respect to the current students, and replicated here, SPA students' involvement in extracurricular activities and access to job training programs is especially noteworthy, as has been recognized by the San Diego County Juvenile Justice Commission (2018) which stated:

The job readiness program run by the San Diego Workforce Partnership at SPA is state of the art and has very dedicated staff that provides hands-on classes including the Youth Empowerment Services program.... In conjunction with the extracurricular activities on campus...these services truly make SPA a model facility. (p. 3)

#### *Mental and Physical Health (Alumni)*

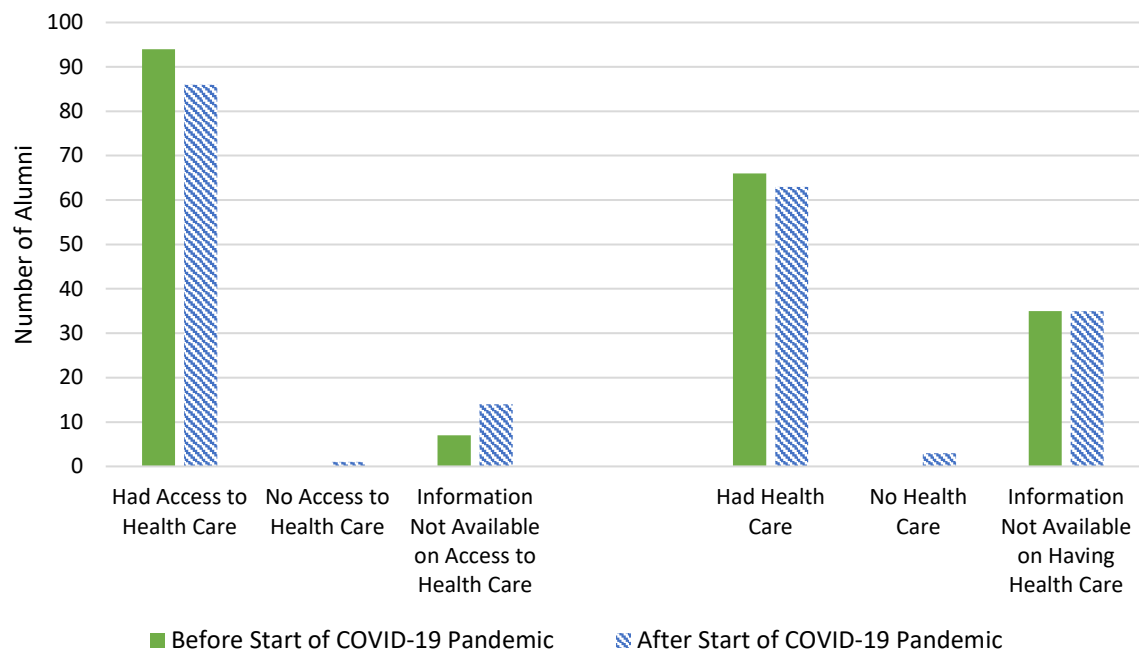
On scales ranging from 1 = *Very Poor* to 4 = *Very Good*, staff ratings of alumni's overall physical health while attending the Academy were as follows: *Very Poor* (3%), *Poor* (15.8%), *Good* (52.5%) and *Very Good* (28.7%; see Figure 11). Staff reported students' overall mental health at the Academy on the same rating scale. The reported mental health ratings were *Poor* (37.6%), *Good* (56.4%), and *Very Good* (5.9%; also in Figure 11). On average, as with current students, staff reported that the alumni had better physical health ( $M = 3.07$ ,  $SD = 0.75$ ) than mental health ( $M = 2.68$ ,  $SD = 0.58$ ). A  $t$ -test showed that this difference was significant,  $t(100) = 4.93$ ,  $p < .001$ . All alumni in our sample had yearly well-child doctor and dental visits while at the Academy.

**Figure 11***Alumni's Overall Physical and Mental Health at the Academy*

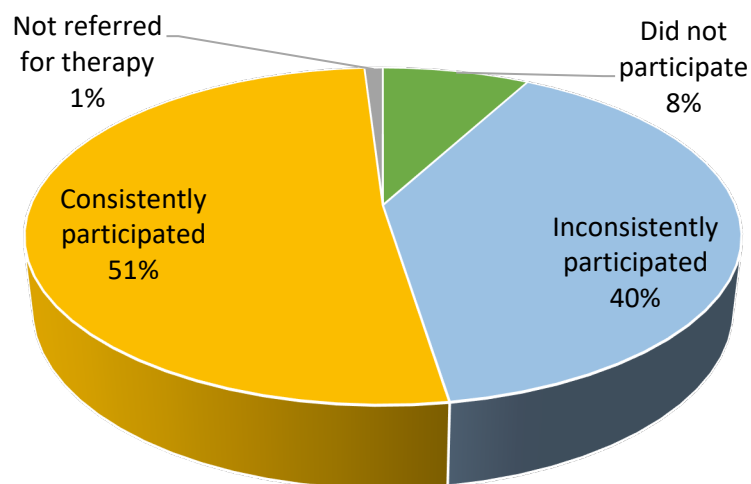
Pecora et al. (2005) in a study of youth from family foster care homes found lack of health insurance to be a frequent issue for the former foster youth in their sample – only 47.4% reported having health insurance when exiting foster care, and only 67% had health insurance at the time of data collection. We were interested in determining whether this was also an issue for Academy alumni, and whether access to quality health insurance and health care changed due to the COVID-19 pandemic.<sup>3</sup> Therefore, we asked whether each alum had *access* to health care and whether the alum *had* health care prior to the COVID-19 pandemic and after the onset of the COVID-19 pandemic.<sup>4</sup> Staff had information on access to health care prior to the pandemic for 94 of the alumni in our sample. All 94 alumni had *access* to healthcare. Staff had information on whether the alum *had* health care for 66 of the alumni in our sample; all 66 had health care. After the onset of the pandemic, staff had information on 87 alumni's *access* to health care. Of these 87, 86 had access to healthcare (99%). We had information on whether 66 of them *had* health care, and 63 of the 66 had health care (95%; see Figure 12). To SPA's credit, this is a much higher rate than found by Pecora et al. (2005).

<sup>3</sup> In this study, the start of the COVID-19 pandemic was defined as March 4, 2020.

<sup>4</sup> Staff were asked to differentiate between an alum having access to health care and the alum actually having health care. For example, many foster youth under the age of 26 are eligible to receive Medicaid. However, a former foster youth might not realize or not actualize this and therefore not enroll in the program.

**Figure 12***Alumni's Health Care Status*

As mentioned earlier, 50% of the current SPA residents we studied participated consistently in weekly psychotherapy, and 22.7% participated in therapy, but inconsistently. In comparison, 51.5% of the alumni consistently participated in weekly psychotherapy while at SPA, and 39.6% participated, but inconsistently (Figure 13).

**Figure 13***Alumni's Participation in Weekly Therapy at the Academy (N = 101)*

### *Significant Positive Relationships (Alumni)*

Academy staff members were asked to provide data on eight categories in which alumni could potentially have one or more significant positive relationships. The eight categories were: biological relative(s), foster parent(s), social worker(s), Academy staff member(s), volunteer(s) in the Academy's grandparent program,<sup>5</sup> CASA, mentor, and other.<sup>6</sup> For each category, staff indicated whether the alum had at least one significant positive relationship that fell within that category. If the alum did have at least one, staff were asked to specify whether that significant positive relationship lasted only while the alum was attending the Academy, if the significant positive relationship occurred only after the alum had left the Academy, or if the alum had that significant positive relationship both while attending the Academy and after leaving the Academy (i.e., the alum had a significant positive continuing relationship). Staff reported that, with the exception of one alum who formed a significant positive relationship with his foster parents *after* leaving the Academy, all other significant positive relationships after leaving the Academy were also ongoing while the alum was attending the Academy.

We performed a *t*-test to determine whether there was a significant reduction in the number of categories of positive relationships alumni had while at SPA and after leaving SPA. The result was significant,  $t(100) = 10.56, p < .001$ , and is indicated by the growing distance between the two lines in the graph shown in Figure 14. There was a significant gender difference in the number of categories of positive relationships while sample members were at SPA,  $t(99) = -5.08, p < .001$ , as indicated by the upper of the two lines in Figure 14. Women had more such categories of positive relationships than men. The parallel gender

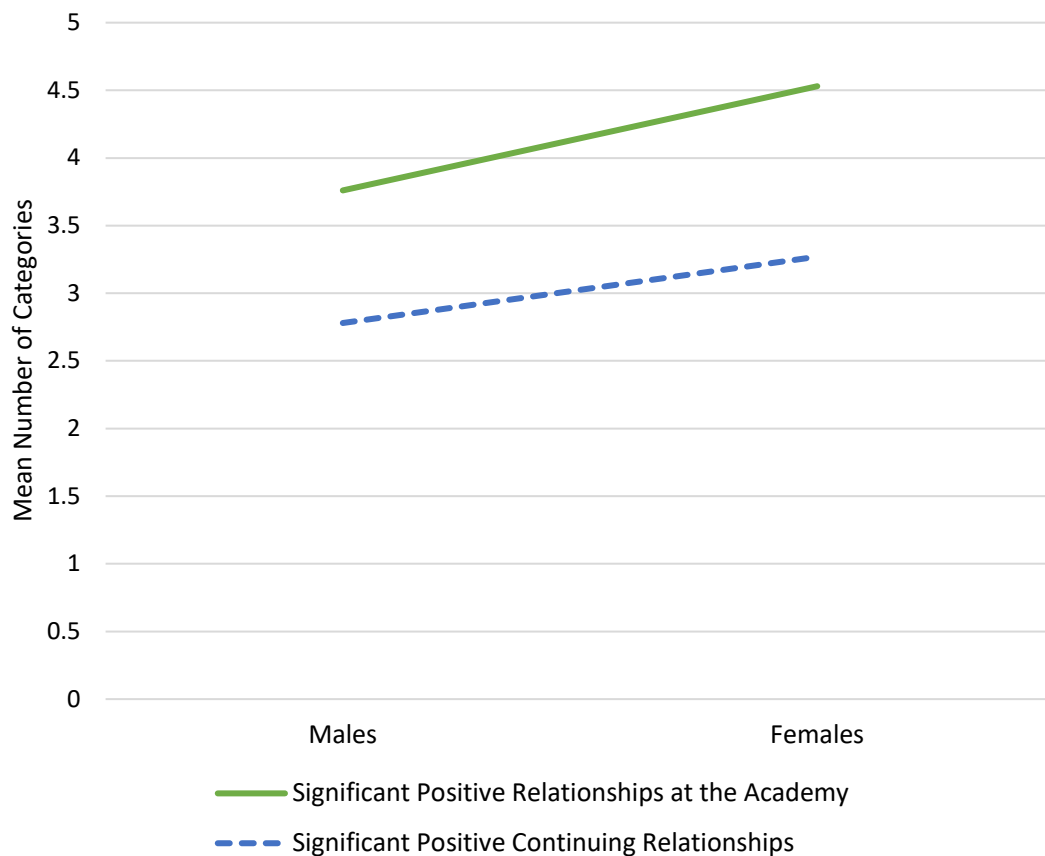
<sup>5</sup> The Grandparent Program was designed to encourage and help Academy students to build positive relationships with adults. Foster grandparents live on the Academy's campus for reduced rent in return for mentoring Academy students.

<sup>6</sup> The "other" category includes relationships, such as a sibling's foster parents, fellow alumni from the Academy, etc.

difference in the number of continuing relationships was in the same direction (see the lower line in Figure 14) and was also statistically significant,  $t(99) = -2.12, p = .04$ .

**Figure 14**

*Mean Number of Categories in which Alumni had Significant Positive Relationships at the Academy and Significant Positive Continuing Relationships by Gender*



*Note:* The categories were biological relative(s), foster parent(s), social worker(s), Academy staff member(s), volunteer(s) in the Academy's grandparent program, CASA, mentor, and other.

In addition to the overall number of categories in which alumni had significant positive relationships, we were particularly interested in two categories: significant positive relationships alumni had with Academy staff, and significant positive relationships alumni had with their assigned CASAs.

Academy staff had information on 99 alumni regarding whether or not they had significant positive relationships with one or more Academy staff members. Ninety-eight

percent had at least one staff member with whom they had a significant positive relationship. Only two alumni were reported *not* to have had a significant positive relationship with a staff member at the Academy. Courtney et al. (2014) asked a similar question in Wave 1 of their CalYouth study. Their participants were asked to rate their level of closeness to one or more people in a given category on a 4-point scale from *Very close* to *Not at all close*. Of the 163 participants who had spent time in a group home, 34.60% and 42.90% (i.e., 78%) reported having a *very close* or *somewhat close* relationship with an adult in the group home, respectively. The difference between 98 and 78 percent suggests that the Academy is doing an excellent job of providing close relationships with adults, many of which continue after residents graduate.

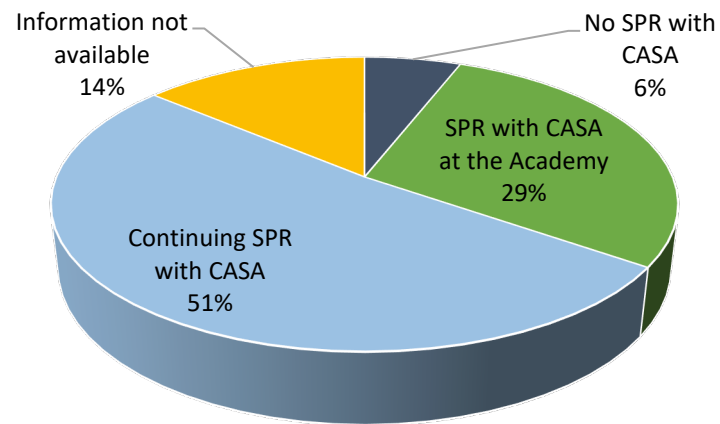
Information was available on whether an alum had a CASA while at the Academy for 92 of the alumni in our sample. The majority of them, 88 alumni (95.7%), had an active CASA while at the Academy, a rate much higher than California's general foster youth population (17.4%; CaliforniaCasa.org, 2020). Of those 88 alumni, Academy staff reported that only 6 did not have a significant positive relationship with their CASA. Figure 15 shows that 51.5% of the alumni maintained their relationship with their CASA after leaving the Academy.

A large majority of the alumni (89.6%) in our sample were single and had never married ( $n = 77$ ; Figure 16); only 17.5% had children (biological or adopted,  $n = 80$ ; see Figure 17). In comparison, Courtney et al. (2018) found that 92.5% of their CalYouth sample had never been married, but 32.2% had children. These figures suggest that the SPA experience, which encourages focusing on post-secondary education, slows students' rush into youthful marriage and parenting.

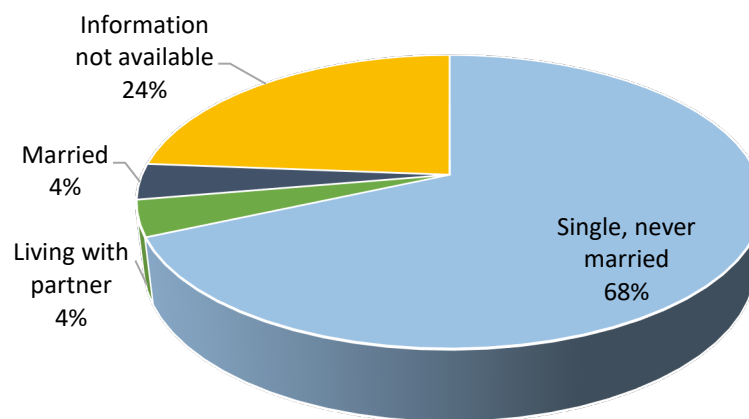


**Figure 15**

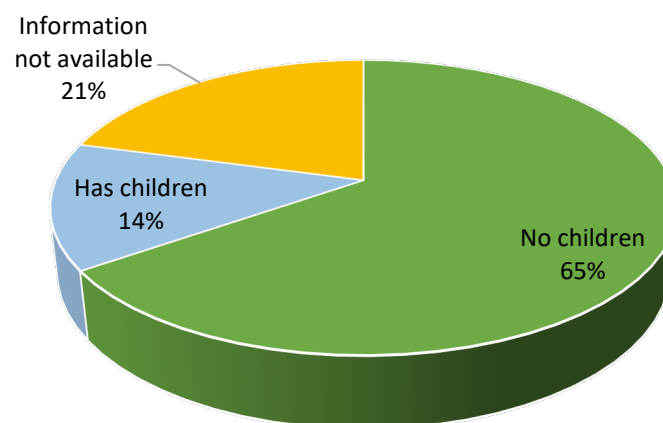
*Breakdown of Alumni's Significant Positive Relationships (SPR) with their CASA (N = 101)*

**Figure 16**

*Alumni's Marital Status (N = 101)*

**Figure 17**

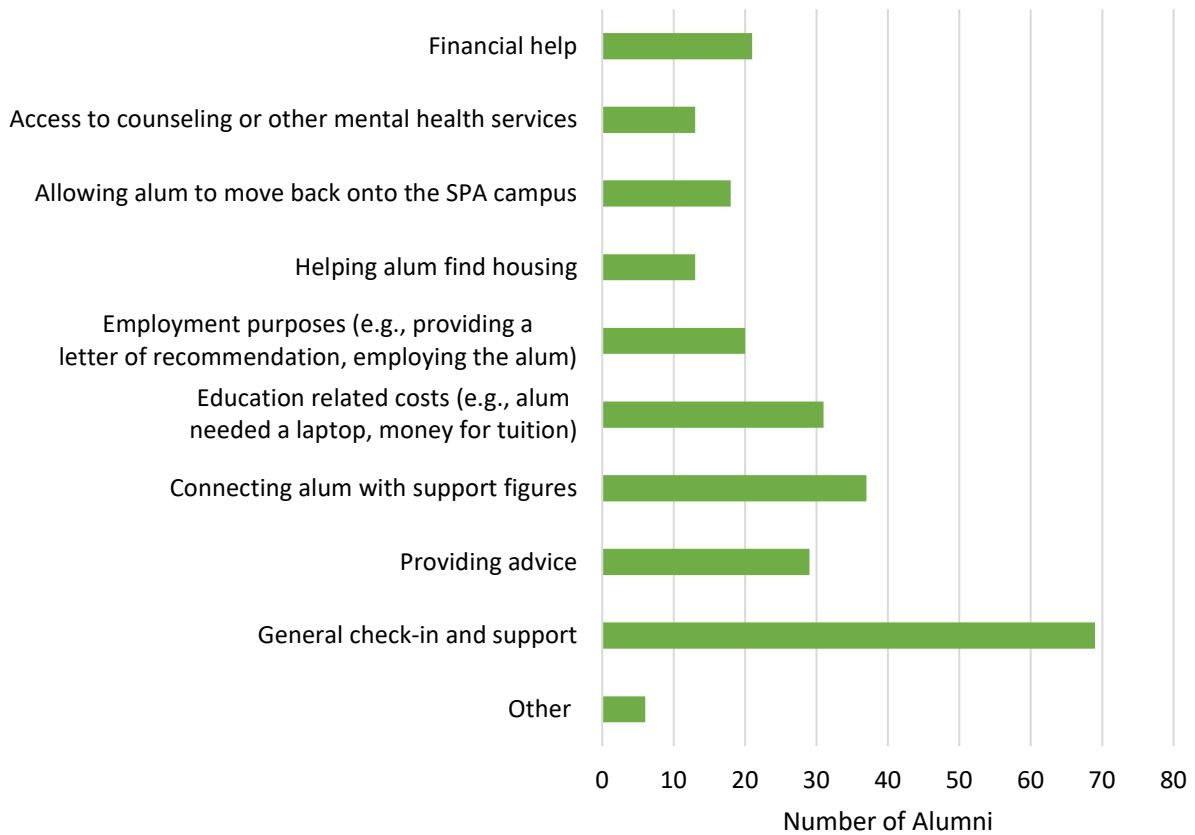
*Percentage of Alumni With and Without Children (N = 101)*



*Post-SPA Communications and Assistance (Alumni)*

Many adolescents who remain in the care of family members benefit from a very gradual transition to adulthood, an option not always available to foster youth. Researchers and politicians alike have recognized that many foster youth experience adverse consequences at least partially related to an abrupt end of care. For example, a lack of connections and familial support has been linked with increased rates of homelessness in foster youth after they leave care (Fowler, Toro, & Miles, 2009). We were therefore interested in the levels of support and communication SPA provides its alumni after they leave the program.

A little over a third of our sample (36.1%) have returned to SPA to briefly reside as a non-SPA student. Additionally, the vast majority of our sample have stayed in contact with SPA to varying degrees. Out of the 93 alumni for whom we have information, only five have not had any communication with SPA since leaving the program. The purpose of most of the communication has largely been to provide advice and support to the alum (see Figure 18 for more details on the variety of communication purposes). It is noteworthy that of the 15 alumni who left SPA before obtaining a high school diploma or GED, 9 have been in contact with SPA at least once or twice since leaving. Communication information was not available for the other 5 alumni.

**Figure 18***Alumni's Reasons for Communicating with the Academy After Leaving**Employment (Alumni)*

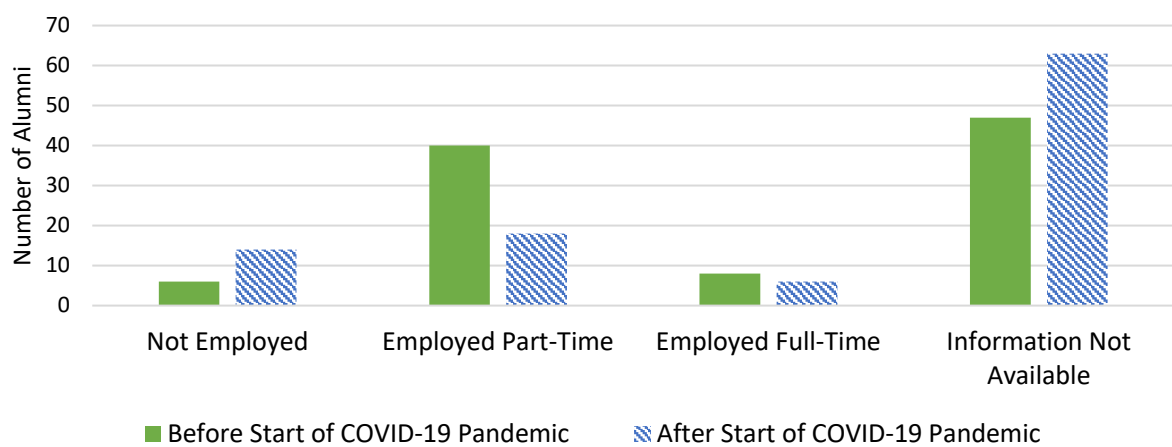
The unforeseen arrival of the COVID-19 pandemic introduced a new variable into our data collection and analysis. For many adults in the general population, COVID-19 brought adverse health conditions, financial instability, and job insecurity or job loss. For foster youth, this situation adds to the difficulties they may face in finding employment (Hook & Courtney, 2011; Pecora et al., 2005). Consequently, we felt it was important to analyze alumni's employment statuses in terms of two time periods: 1) after leaving the Academy and before the beginning of the pandemic, and 2) after the onset of the pandemic.

Employment information was unavailable pre- and post- pandemic onset for 46.5% and 62.4% of our sample, respectively. There were 33 alumni for whom we had employment

information at both times. Of these 33 alumni, 81.81% were employed before the start of the pandemic, and 18.19% were not (compared with 57.1% employed in Courtney et al.'s., 2018, study). However, after the start of the pandemic, alumni employment rates dropped to 66.67% (see Figure 19 for the full sample and Figure 20 for the abbreviated 33 alumni sample).

**Figure 19**

*Alumni's Employment Status Pre- and Post-Pandemic Onset – Full Sample (N = 101)*



**Figure 20**

*Alumni's Employment Status Pre- and Post-Pandemic Onset – Partial Sample (n = 33)*



*Note:* This graph represents data for alumni we had employment information on at both time points.

### *Housing (Alumni)*

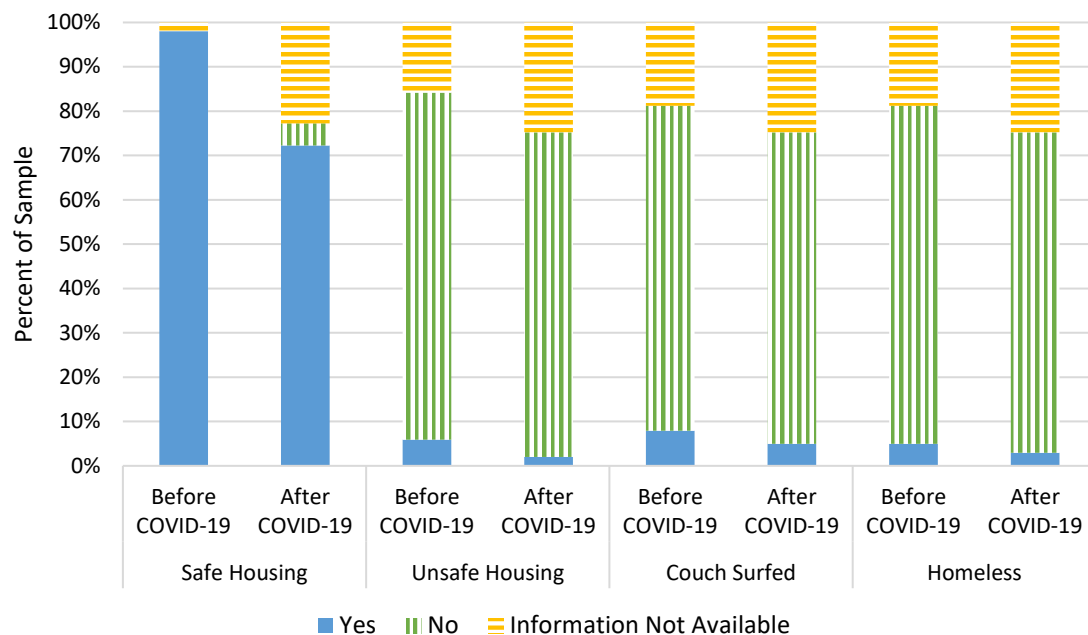
Housing information was also broken down by pre- and post-pandemic onset.

Unsurprisingly, there was an increase in unavailable information post-pandemic onset.

However, we still had information on at least one time-point for 99 alumni. All 99 had lived in safe housing at some point after leaving the Academy. Only five alumni in our sample had ever (since leaving the Academy) lived in unsafe/substandard housing,<sup>7</sup> couch surfed (4 alumni),<sup>8</sup> or been homeless (4 alumni)<sup>9</sup> (Figure 21): These rates are much lower than reported in other studies of foster youth. Pecora et al. (2005) found that 22.2% of their sample had experienced homelessness for at least one day. Courtney et al. (2018) found that 24.6% of their sample had experienced homelessness, and 36% had couch surfed.

**Figure 21**

#### *Alumni's Housing Experiences Pre- and Post-Pandemic Onset*



*Note:* This graph reflects whether the alum *ever* experienced that type of housing situation after leaving the Academy (e.g., had the alum *ever* experienced unsafe housing prior to the onset of the COVID-19 pandemic).

<sup>7</sup> Unsafe/substandard housing was defined as living in a place with excessive heat or cold, or lack of clean water or plumbing.

<sup>8</sup> Couch-surfing was defined as moving from one temporary housing arrangement provided by friends, family, or strangers to another.

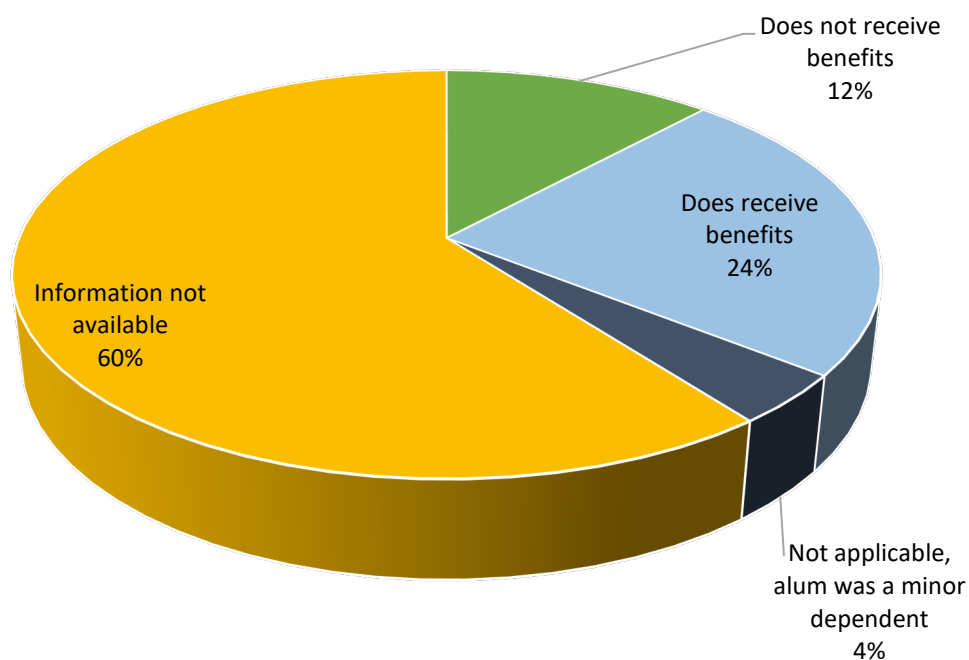
<sup>9</sup> Homeless was defined as sleeping in a homeless shelter or in a place where people were not meant to sleep because they did not have a place to stay.

### *Social Welfare Benefits (Alumni)*

SPA did not have detailed information concerning whether alumni were collecting social welfare benefits.<sup>10</sup> Of the 101 alumni in our sample, SPA had social welfare benefit information for only 40, so Figure 22 should be interpreted with caution. However, the data indicate that of those 40, 24 (60%) receive some form of social welfare benefits. In comparison, the Children's Bureau found that 31% of former foster youth nationwide were receiving some form of public assistance at age 21 (2019b).

**Figure 22**

*Percentage of Alumni Receiving Social Welfare Benefits (N = 101)*



<sup>10</sup> This did not include any extended foster care benefits the alumni might be receiving

### *Correlation Table (Alumni)*

Table 8 displays the correlation coefficients from an analysis in which the majority of key variables in the alumni data set were included. (See Table 5 for more detailed information on the variables included in this table and how they were coded.) Several variables, such as those related to housing or having a CASA, were not included in the correlation table because of restricted variation in responses. The statistically significant correlations are shown in bold font. Some of the key findings are discussed below.

**Gender** had four significant correlates: (a) therapy; (b) mental health; (c) significant positive relationships at SPA; and (d) continuing significant positive relationships. As in our current student sample, described earlier, females were scored as 1 and males as 0. Therefore, the directions of the correlations indicate that female alumni were more likely to participate in therapy and have some form of mental health diagnosis, and are more likely to have had significant positive relationships in more categories while at the Academy, and maintained these relationships after leaving SPA.

**Age at entry** has six significant correlates: (a) time at SPA; (b) extracurricular activity participation; (c) communication; (d) having children; (e) receiving welfare benefits; and (f) significant positive relationships at and after SPA. Alumni who were younger when they entered the Academy spent more time in the program and participated in more extracurricular activities while there. Younger alumni at entry to the Academy also had more communication with SPA staff after discharge, were less likely to have children, were less likely to receive welfare benefits, and were more likely to have more categories of significant positive relationships while at the Academy as well as after leaving the Academy. These correlations point to benefits of SPA attendance.

**Table 8***Correlations Among Key Variables for SPA Alumni*

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
1 Gender																			
2 Age at entry	.04																		
3 Time at SPA	.01	<b>.86***</b>																	
4 Extracurricular activity participation	.13	<b>-.37***</b>	<b>.46**</b>																
5 IEP	-.18	.16	-.17	.02															
6 Interventions	-.01	.08	-.19	-.14	.00														
7 Therapy	<b>.31**</b>	.12	-.09	.03	-.01	.11													
8 Mental health diagnoses	<b>.21*</b>	.07	-.13	-.06	.07	<b>.45***</b>	<b>.62***</b>												
9 # of placements	.12	.10	-.07	-.03	<b>.27*</b>	-.04	<b>.22*</b>	<b>.23*</b>											
10 # of physical health problems	.18	-.15	.11	-.01	-.10	.02	.10	.13	.15										
11 Overall physical health at SPA	-.11	-.10	.13	<b>.28**</b>	-.09	-.11	<b>-.25*</b>	<b>-.36***</b>	-.21	<b>-.55***</b>									
12 Overall mental health at SPA	.17	-.10	.19	<b>.20*</b>	-.01	<b>-.51***</b>	<b>-.47***</b>	<b>-.58***</b>	<b>-.26*</b>	-.14	<b>.33***</b>								
13 HS diploma or GED	-.02	.03	<b>.22*</b>	<b>.30**</b>	-.05	-.05	.03	.04	.06	.04	.02	.18							
14 Communication	.05	<b>-.29**</b>	<b>.36***</b>	<b>.46***</b>	-.01	-.04	-.07	<b>-.25*</b>	-.15	-.06	<b>.32**</b>	<b>.21*</b>	<b>.25*</b>						
15 Employment status	-.11	-.10	.11	.03	.06	-.02	-.06	.04	<b>.33*</b>	.18	.05	.01	.24	-.12					
16 Post-secondary education enrollment	-.08	.00	.19	.17	<b>-.27*</b>	-.19	-.05	-.22	-.13	-.04	.02	<b>.25*</b>	<b>.52***</b>	<b>.25*</b>	.10				
17 Children	.09	<b>.28*</b>	<b>-.25*</b>	-.07	<b>.27*</b>	.13	.14	.20	.20	.07	-.19	<b>-.25*</b>	-.04	<b>-.28*</b>	-.03	.15			
18 Social welfare benefits	.30	<b>.35*</b>	<b>-.41*</b>	-.18	-.04	.06	.00	.28	.16	.19	-.12	<b>-.33*</b>	-.12	-.28	-.02	-.13	.30		
19 Significant positive relationship at SPA	<b>.46***</b>	-.20	<b>.23*</b>	<b>.31**</b>	-.10	.05	.04	.01	-.11	-.05	<b>.23*</b>	.10	.17	<b>.34***</b>	.04	.01	-.05	.03	
20 Significant positive continuing relationships	<b>.21*</b>	<b>-.29**</b>	<b>.32***</b>	<b>.37***</b>	-.10	<b>-.32***</b>	-.04	-.17	-.11	<b>-.12*</b>	<b>.24**</b>	<b>.29**</b>	<b>.25*</b>	<b>.53***</b>	-.02	.14	-.08	-.19	<b>.48***</b>

\*  $p < .05$ . \*\*  $p < .01$ . \*\*\*  $p \leq .001$



**Time at SPA** has eight significant correlates: (a) age at entry; (b) extracurricular activity participation; (c) earning a high school diploma or GED; (d) communication; (e) having children; (f) receiving welfare; (g) significant positive relationships at the Academy; and (h) significant positive relationships while at and after the Academy. Alumni who spent more time at the Academy participated in more extracurricular activities, were more likely to have their high school diploma or GED, had more communication with SPA staff after leaving, were less likely to have children, were less likely to be receiving welfare, and have a greater number of categories of positive significant relationships while at the academy and after leaving the Academy. This suggests that years at the Academy have cumulative beneficial effects on residents.

**Extracurricular activity participation** has a number of significant correlates, several of particular interest: (a) better overall physical health; (b) better overall mental health; (c) higher rates of HS diploma or GED attainment; (d) more communication with the Academy; (e) greater post-secondary education enrollment; (f) more categories of significant positive relationships at the Academy; and (g) more categories of continuing significant positive relationships. For example, alumni who participated in more extracurricular activities at the Academy exhibited better physical health and mental health, were more likely to have attained their high school diploma or GED, were more likely to stay in contact with the Academy, and had significant positive relationships in more categories while at the Academy and after leaving the Academy.

**IEP** has three significant correlates: (a) number of placements; (b) enrollment in post-secondary education; and (c) having children. Alumni who had experienced more foster care placements were more likely to have an IEP. This relation was not unexpected, because as discussed earlier, greater placement instability can “negatively affect behavioral health and educational outcomes” (Bederian-Gardner et al., 2018; Sepulveda & Williams, 2019).

Additionally, alumni who had an IEP at the Academy were less likely to enroll in a 2- or 4-year college and were more likely to have children later.

**Interventions for problems while at SPA** had three significant correlates: (a) mental health diagnoses; (b) overall poorer mental health; and (c) fewer continuing significant positive relationships. It makes sense that alumni who experienced more interventions for problems, such as problematic behavior, also had a greater number of mental health diagnoses and had poorer overall mental health while at the Academy.

**Mental health diagnoses** had seven significant correlates. Several of the correlates, (a) interventions; (b) overall mental health; and (c) participation in therapy, were not surprising. Gender was also significantly correlated, with female alumni having more mental health diagnoses than male alumni. Alumni who had more mental health diagnoses communicated less with Academy staff after leaving. Mental health was also significantly correlated with overall physical health. This indicates that physical health and mental health are related within our alumni sample. We do not have additional information to help with interpreting this connection.

**Number of placements** has five significant correlates, several of which have already been discussed. Of interest is that alumni with a greater number of placements had poorer overall mental health while at the Academy, were more likely to participate in therapy while at the Academy, and were more likely to be employed after leaving the Academy. This suggests that the Academy does a good job of helping residents who have struggled with previous, more traditional placements.

**Overall physical health** had several significant correlates, many of which have already been discussed. However, one correlate of special interest is that alumni who had better overall physical health while attending the Academy communicate more with the Academy after leaving than their colleagues with poorer physical health. Additionally,

alumni with better overall physical health had positive relationships in more categories (e.g., with social workers, CASA, SPA grandparents) both while at the Academy and after leaving the Academy. (It's possible that better physical health made it easier to participate on sports teams, providing additional opportunities for alumni to form and maintain positive relationships.)

**Overall mental health** was also significantly correlated with the number of categories in which the alumni had significant positive relationships after attending the Academy. However, there was not a significant correlation with the number of categories in which the alumni had significant positive relationships at the Academy. This indicates that the Academy provided the opportunities and support required for students to form significant positive relationships with adults while in the program. Then, when the alumni left the Academy and were no longer aided by these higher levels of support, those with poorer overall mental health had a harder time maintaining the significant positive relationships. Alumni with better overall mental health at the Academy also communicated more with Academy staff after discharge and were more likely to enroll in a 2-year or 4-year college or university. (Without greater resources given to SPA, it isn't clear how the Academy could provide more help to such students after they leave the campus.)

**Significant positive relationships at SPA** had six significant correlates: (a) gender; (b) time at SPA; (c) extracurricular activity participation; (d) communication with SPA; and (e) significant positive continuing relationships. Based on the direction of the correlation coefficients, females had more significant positive relationships at the Academy compared to males. Greater extracurricular activity participation is related to having more categories in which alumni have significant positive relationships at the Academy. This is not surprising: By participating in extracurricular activities the alumni were provided with opportunities to meet and interact with more people on a consistent basis. Having more categories in which

the alumni had significant positive relationships at the Academy might also have provided alumni with a wider support network that encouraged them to study hard and obtain a high school diploma or GED. It would also encourage the alumni to stay in contact with the Academy if those significant positive relationships were with Academy staff or other Academy affiliates.

**Significant positive *continuing* relationships**, not surprisingly, shared a number of significant correlates with significant positive relationships at the Academy. Alumni who entered the Academy at a younger age, stayed longer at the Academy, and were more involved in extracurricular activities had more categories in which they had significant positive relationships that continued after leaving the Academy. The alumni with more continuing significant positive relationships also had better physical and mental health while at the Academy and were more likely to have obtained a high school diploma or GED, and to have communicated with the Academy more often.

#### *Ethnicity (Alumni)*

The ethnic distribution in the alumni sample (refer back to Table 6) is comparable to statistics from the Children's Bureau's (2020a) AFCAR figures for over 400,000 children in foster care nationwide (44% White/Caucasian [non-Hispanic], 23% African American, 21% Hispanic, 0% Asian, 0% Native Hawaiian or Pacific Islander, 8% mixed race; compared to our 15.8% White/Caucasian [non-Hispanic], 37.6% African American, 40.6% Hispanic, 1% Asian, 1% Native Hawaiian or Pacific Islander, and 4% mixed race/ethnicity), although there were fewer whites in our sample and more alumni who identify as African American or Hispanic.

As with our student sample, in order to determine whether there were significant ethnic differences, we computed analyses of variance (ANOVAs) on several key variables: communication with the Academy, significant positive relationships at the Academy, and

significant positive continuing relationships. Ethnicity was treated as the independent variable. Once again there were no significant differences due to ethnicity. Finding the same result in the alumni sample as in the student sample provides support for the idea that the lack of ethnicity differences indicates that youth with different ethnic backgrounds are treated equally well at the Academy.

#### *Gender (Alumni)*

The gender make-up of the alumni sample (40.6% male, 59.4% female) differs slightly from the Children's Bureau's (2020a) AFCAR figures (52% male, 48% female) and the figures for our current student sample (48.1% male, 51.9% female).

#### **Summary (Alumni)**

Our findings for the alumni who have been assessed so far indicate that the Academy does a good job of preparing its students to be successful, both while attending the Academy and after leaving the program. In a 2017 Juvenile Justice Commission report, inspectors made particular note of the many programs the Academy has created to help students with the transition out of foster care and the continued support and services provided to alumni:

Everyday activities and life skills include managing money, doing laundry, cooking, cleaning, using transportation, and using available vocational services. Specific transitional planning activities are emphasized during a student's junior and senior years, and there are events such as college visits and educational trips, tours of transitional living programs including TLPs, THP+, THP+FC, AB12 and other housing programs, and an increased focus on saving earned money, interviewing and applying for scholarships, and accessing services and resources after exiting the Academy. It is common for residential and clinical staff to transport and help students move into new housing and/or college dormitories, ensure that they have their basic needs met, and continue to support and be available to the students long after the

transition. Students often return, considering SPA their home, and attend community events, live during school breaks or times of need, and simply to visit students and adults who have been important in their lives. (p. 14)

Our alumni data support what has been noted by Juvenile Justice Commission inspectors. Many of the alumni stay in contact with the Academy and continue to access services provided by the Academy even after leaving the program. Academy alumni had much lower rates of homelessness and couch surfing than a comparison sample, and all of the alumni had lived in safe housing at some point after leaving the Academy. Academy alumni obtained high school diplomas/GEDs at rates higher than those in comparison samples, and they enrolled in post-secondary education at twice the rate seen in those samples. Prior to the COVID-19 pandemic, largely after as well, alumni had access to health care and health insurance. These positive outcomes are especially notable due to the specific population of foster youth the Academy primarily serves – ones who were experiencing difficulties in more traditional foster placements or for whom a traditional foster placement was not recommended or possible. Indeed, when compared to a nationwide sample of foster youth ( $N = 3,785$ ) Academy alumni were more likely to be employed, more likely to have a high school diploma or GED, less likely to have experienced homelessness, and less likely to experience parenthood at a young age (Children's Bureau, 2016).

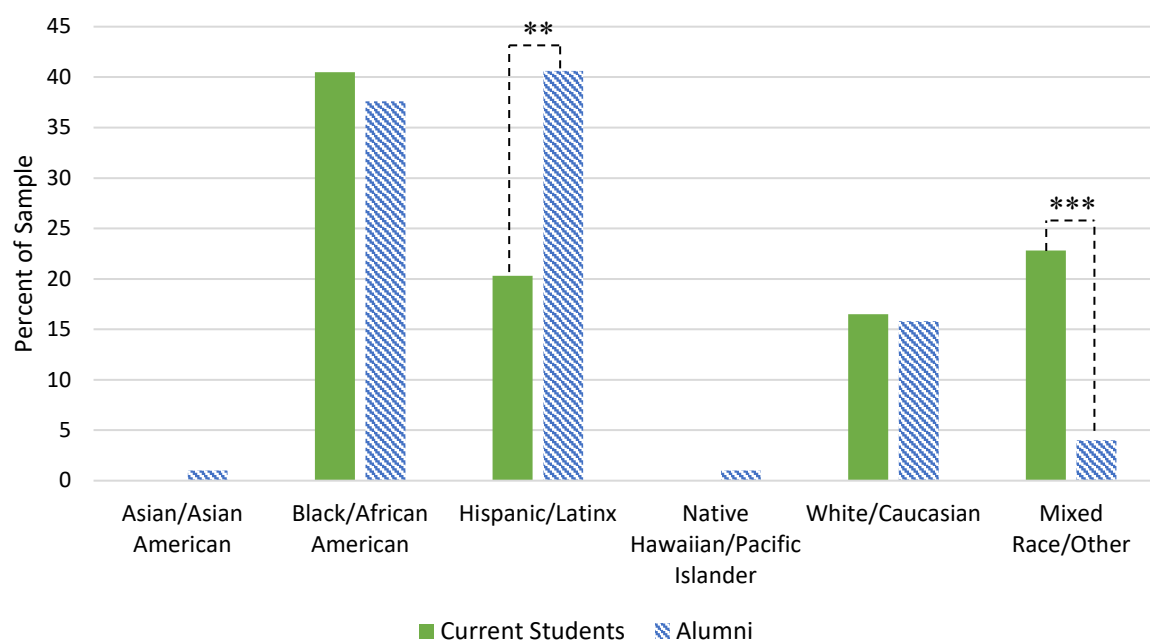
There was not much information available concerning whether the alumni collect social welfare benefits. More data are needed on this matter. There is a similar problem with regard to employment status; the Academy's records were limited on this important issue.

### Comparing Cohorts: Current Students versus Alumni

Because we have presented data from two groups of SPA attenders – a current student sample and an alumni sample – we wanted to determine whether these two groups of study participants are similar. On several of the variables, there were no significant differences: gender composition; ethnicity (except that there was a higher proportion of mixed race individuals in the current student sample, 22.8% vs. 4%,  $t(178) = 3.97, p < .001$ ; and Hispanic/Latinx individuals in the alumni sample, 20.3% vs. 40.6%,  $t(178) = -2.30, p = .003$ ; see Figure 23); number of foster placements; and overall mental health. There were, however, differences in the following variables: age at entry,  $t(177) = -2.21, p = .03$  (alumni were older at entry); having a CASA,  $t(168) = -3.35, p = .001$  (alumni more likely to have had a CASA while at the Academy); participation in therapy,  $t(178) = -3.23, p = .001$  (alumni were more likely to participate in therapy); number of mental health diagnoses,  $t(178) = -3.82, p < .001$  (alumni had more mental health diagnoses); and overall physical health,  $t(177) = 2.66, p = .008$  (alumni had worse overall physical health).

**Figure 23**

*Ethnic Composition of the Current Student Sample versus Alumni Sample*



### Comparing Cohorts: Current Alumni versus Past Alumni

In 2013, Lawler and colleagues completed an evaluation of the Academy. In this section, we compare our findings to theirs.

Lawler et al. analyzed staff-completed surveys about alumni who had attended SPA at any time between its opening in 2001 and 2013. Lawler et al.'s final sample size (the number of alumni for whom the researchers had data) was 478. Thus, these researchers could detect statistically reliable relations that we could not, given our sample size of only 101. Statistical tests are very sensitive to the number of individuals in the sample.

The following are some of Lawler et al.'s (2013) key findings:

- *Safety*: Safe housing was significantly predicted by the length of stay at the Academy and by participation in extracurricular activities.
- *Permanence*: Significant relationships with adults were predicted by duration of stay at the Academy and extracurricular activities at the Academy.
- *Well-being – Employment*: Employment was significantly predicted by Academy program completion and extracurricular activities at the Academy.
- *Well-being – Health care*: Access to health care was significantly predicted by being in the permanency planning program of child welfare services, Academy program completion, and extracurricular activities at the Academy.
- *Well-being – Secondary education*: Nearly every youth (92%) who was able to attend the Academy through his or her 18<sup>th</sup> birthday attained a high school diploma or graduate equivalency diploma (GED). *This is the highest known rate of high school diploma/GED graduation for foster youth in the country.* High school graduation/GED was significantly predicted by duration of stay at the Academy, extracurricular activities at the Academy, and not having interventions (i.e., arrests,



being absent without leave, hospitalization, being removed, substance abuse treatment) at the Academy.

- *Well-being – Higher education:* Post high school education was significantly predicted by Academy program completion, duration of stay at the Academy, and extracurricular activities at the Academy.

Our findings for recent alumni are similar to those of the former evaluation in that the alums in our sample are living in safe housing, are furthering their education, have access to health insurance, and maintain positive relationships established at the Academy. Moreover, the Academy provided us with data on current students. They are also safely housed and obtaining a good education, have access to numerous extracurricular activities, and are developing plans for post-graduate education and employment, establishing positive relationships with adults, and receiving physical and mental health services. In the Lawler et al. study and in the current data analyses, participation in extracurricular activities (enabled by the Academy's programs and facilities) is related to an assortment of positive characteristics and outcomes.

Lawler et al. (2013) found that, for foster youth who attended the Academy to their 18<sup>th</sup> birthday or older ( $n = 302$ ), 92% graduated from the Academy with a high school diploma (80%) or GED (12%). This was the highest rate of graduation/GED reported for any foster care group in the country. Specifically, Lawler et al. (2013) commented that, "Of the youth who were at least 18 years old when discharged from the Academy, 92% of them graduated with a high school diploma or GED, which greatly exceeds California's high school graduation/GED rates for foster youth of 45% and for the general population of California youth of 79% (Frerer et al., 2013). In fact, we are not aware of any other program serving foster youth in the United States (e.g., Pecora, 2012) with such high rates of high school diploma/GED completion" (p. 33).

In the present subsample of alums that is comparable to the subset analyzed by Lawler et al., this high rate was maintained: 93.8% ( $n = 81$ ). Obviously, a  $t$ -test comparing Lawler et al.'s findings on high school graduation/GED rates with those of our findings, despite the large number of alums included in the statistical test ( $n = 383$ ), indicated no significant difference, as the rates are almost identical. Our findings can be compared to present nationwide high school graduation/GED rates for foster youth of 65%-70% by age 21 and even for the general United States population of youth of 86% for 18- to 24-year-olds (National Factsheet, 2018; National Youth in Transition Database, 2020). Like Lawler et al., we are not aware of any other program serving foster youth in the United States with such high rates of high school diploma/GED completion. For example, as noted earlier, in Courtney et al.'s (2018) Wave 3 of the CalYouth study, 84% of their sample had achieved a high school diploma or equivalency certificate by age 21, which is a lower rate than the Academy's. (The average age of alumni in our Academy sample is quite comparable to Courtney et al.'s, at a little over 20 years old.) It should be noted as well that of the 5 alumni in this 81-person subsample who did not graduate SPA with a high school diploma or GED, 2 of the alumni have since earned their high school diploma or GED, showing a new success rate of 96.3% within the sample that remained at the Academy at least to 18 years of age.

Since the Lawler et al. (2013) evaluation, the student composition of the Academy has changed somewhat. For example, more teenagers than before enter the Academy as their first foster care placement, and there are now a few more teenagers present who are on probation. However, these changes in student characteristics have not changed the Academy's high success rate.

### **Comparing the Academy with Other Residential Group Homes and Family Foster Care**

Do foster children fare better in family foster homes than in the Academy, which is licensed as a residential group care facility? Although some research and research teams argue in favor of family foster homes (e.g., Dozier et al., 2014), the research findings based on comparing outcomes for foster youth who are placed in family foster homes versus in residential group homes are mixed (e.g., James, Roesch, & Zhang, 2012). At present, policy makers currently tend to prefer the less expensive family foster home alternative, as reflected in federal policy.

However, a crucially important point is that studies comparing family foster homes to residential group homes generally fail to include facilities like the Academy in their group home category. As James (2011) states, “Group care is a very broad term that encompasses many different forms of residentially-based placement and treatment services provided to children and youth with a wide range of needs... Clear operational distinctions between different group care settings do not exist in the research literature (Curtis, Alexander, & Lunghofer, 2001; Lee, 2008), leading to the aggregation of diverse programs under one umbrella term as if group care were a monolithic construct” (p. 308).

Perhaps one of the most “on point” comparisons was conducted by Lee and Thompson (2008) who found that, compared to youth in treatment foster care, group care youth from Girls and Boys Town were more likely to be favorably discharged, more likely to return home, and less likely to experience subsequent placement in the first 6 months following discharge. Thus, some special residential facilities have favorable outcomes. In general, however, it is unlikely that the overall body of knowledge in this area of study focuses on successful residential group homes like the Academy.

Our evaluation shows that the Academy is quite unusual, combining wrap-around services with education and other supports, and should not be combined for analysis with other “residential group homes.” This conclusion is echoed in a recent San Diego County Juvenile Justice Commission report, which states that SPA provides a “unique service and residential model” for both its current and former residents, and “truly represent[s] something much stronger, and richer, than traditional congregate care” (2020, p. 4). As shown in this report, when compared to national and California statistics (e.g., the CalYouth study), the outcomes for foster youth at the Academy are impressive.

### **Conclusion**

San Pasqual Academy was created as a residential education program to provide a nurturing, supportive environment for youth in foster care who struggled in more traditional placements. The need for mental health services is not surprising given the past traumas in the lives of youth who arrive at the Academy. It is clear from the scientific and clinical literature that childhood maltreatment and trauma are associated with long-term emotional upset (Klika & Conte, 2018).

It is to the Academy’s credit that its staff is able to identify and provide resources to residents suffering from past trauma. Compared to other programs that deal with extensive and complex relational trauma, the fact that the Academy is able to screen, assess, diagnose, and treat these conditions should be celebrated: It is unclear how often foster youth would have access to sufficient resources if placed in regular foster family care, especially given the youth’s ages. In contrast, the Academy is successful in helping the youth deal with past trauma and current mental health difficulties. As an example, rather than increases in suicidality and self-harm behaviors, these behaviors both improved (i.e., lessened) when students began attending the Academy. This is very important, because self-harm in this population and in this age period is a serious problem.

Despite its residents' pre-existing mental health issues, the Academy does an excellent job of preparing its students for life beyond the years spent there. A much higher percentage of Academy students go on to enroll in post-secondary education than comparison samples. Rates of homelessness and couch-surfing are also much lower among Academy alumni.

While at the Academy, students engage in an extensive program of extracurricular activities and excellent job-training and internships programs, which we found strongly correlated with their later academic success. Transitional programs, such as college visits and tours of transitional living programs, have been created specifically for older students to prepare them for life after the Academy. Moreover, even after officially leaving the program, many Academy alumni continue to benefit from Academy support. The Academy does an excellent job of promoting close positive connections with adults, and many of the Academy's students continue to maintain positive relationships with Academy staff after leaving the program.

It is important to note that our analyses indicate that, across many domains of diversity (ethnicity, gender, age), the Academy provides equitable treatment for the youth. As the present socio-cultural milieu attests, the topics of social justice, racial inequities, and disproportionality are critical; greater societal attention to these needs is long overdue. The equitable treatment of youth at the Academy likely exceeds that in other foster care and school settings. This is a particularly important finding of our study.

We should note that there are several limitations of this evaluation. First, due to confidentiality considerations, data on both samples were provided by Academy staff. We were unable to interview the current students or alumni directly, although an alumni survey study is currently being considered. Second, our analyses were largely correlational. Therefore, any conclusions about causation must be drawn with care.

In any case, our evaluation strongly indicates that foster youth benefit greatly from their time at the Academy. Based on the data collected to date, our findings support the conclusion that the Academy is a model program for adolescents and emerging adults transitioning from foster care. It's difficult for us to imagine that a continuing revolving door through foster family placements would have produced as many desirable outcomes as the Academy has.

### **Addendum**

Throughout this report we have tried to provide an objective overview of the San Pasqual Academy program and the outcomes for its current students and alumni. However, after having conducted a thorough review of the data collected from the Academy and the current scientific literature, we have concluded that the Academy is a unique program and fills an important role within California's foster care and child welfare systems; it should not be automatically categorized with other group homes, many of which have received criticism. Unfortunately, our literature review has turned up very little research that distinguishes among the different types of congregate care, and it appears that critics of group care have not been sufficiently cognizant of the different forms available. In certain important ways, the Academy is more like a family-based home (with house parents, cottage living quarters of 6-8 youth), but it offers much more than most family-based foster care can provide, especially for troubled youth. Most of the group homes evaluated do not compare well with the Academy, as we will explain briefly here.

As documented in this report, Academy residents have access to high-quality on-campus mental health resources, dedicated mentors, excellent educational opportunities, and transitional programs and trainings. Moreover, many students who have had difficulty in previous conventional foster families are able, at the Academy, to form positive long-lasting relationships with Academy staff and other Academy attendees. A significant number of

Academy alumni continue to maintain contact with the Academy and benefit from continued support even after leaving the program. This opportunity for continuing contact is an important part of the Academy's program.

Academy students are more likely to graduate with a high school diploma or GED than other foster youth in California, and even than other adolescents not in foster care, despite the significant challenges that bring them to the Academy in the first place. Academy students are encouraged to pursue post-secondary education, and many go on to do so. In fact, a binary logistic regression of all Academy alumni (for whom we had data) from this current report and the previous Lawler et al. (2013) report ( $n = 492$ ), found that alumni who had spent more time in the Academy's program were 33% more likely to go on to enroll in a 2-year or 4-year college ( $OR = 1.33$ , 95% CI [1.09, 1.62],  $p = .004$ ), even when gender, age, and ethnicity were statistically controlled.

As discussed earlier in this report, extracurricular activity participation has been associated with positive educational outcomes for all youth (e.g., Eccles et al., 2003), in foster care or not, but extracurricular programs are not always easily accessible to foster youth due to changing placements, lack of consistent transportation, cost, foster parent priorities, and so forth (White, Scott, & Munson, 2018). To help address this problem, in 2019 California State Senator Scott Wilk authored a bill (the California Foster Youth Enrichment Grant Pilot Program; SB219) that would have provided up to \$1,000 per year in grant money for foster youth to participate in extracurricular activities. Unfortunately, this bill did not get off the ground in the legislature. Virtually all of SPA residents and alumni participated in well-supported extracurricular activities. Our analyses of Academy alumni showed that participation in several extracurricular activities while attending the Academy was related to obtaining a high school diploma or GED, and current Academy residents and Academy alumni had greater participation in extracurricular activities than many family-

based (as traditionally defined) foster youth (Morris, 2015) – even greater than youth in the general (non-foster) population (U.S. Census Bureau, 2014).

Additionally, the COVID-19 pandemic erected additional barriers to participation in extracurricular activities for all youth. Social distancing and stay-at-home orders meant that many youth could no longer attend in-person meetings or practices for their sports teams, school clubs, etc. However, students at the Academy were still able to engage in in-person extracurricular activities while minimizing the risk of infection due to the Academy's program size and the variety of programs offered, the staff's creativity, and the fact that students were living at the Academy. The students attending the Academy during the COVID-19 pandemic faced fewer disruptions to their schooling and extracurricular activity participation than many of their compatriots in family foster homes.

In sum, throughout our analyses we have found that Academy students and alumni often do better than comparison groups of foster youth. This is to be commended, especially when considering the large, systemic challenges facing the United States' foster care and child welfare systems (e.g., a large number of foster children [especially minority children], an insufficient number of suitable foster parents, lack of sufficient training for foster parents, neglect and maltreatment by foster parents, abuse of psychotropic medication, shortage of therapy providers, and misuse of funding). Researchers and politicians alike have recognized these problems, and over the course of the last decade have made significant policy changes at both the state and federal level to try to address some of them. It is our impression that the Academy bypasses most of these difficulties. It is a model of what is possible in well-designed and managed residential facilities.

In fact, at least one other California educational and residential facility for foster youth, the Samueli Academy in Santa Ana, operated by the Orangewood Foundation, has been created with SPA as a model. On their website ([samueliacademy.org](http://samueliacademy.org)) they say:



“Initially, our school model was based on San Pasqual Academy in San Diego County. Set on a large rural campus, San Pasqual Academy blends a County Department of Education school with a private, nonprofit agency offering a residential model serving exclusively foster youth. Their results in emotional growth, and college and career readiness, are exemplary.”

The federal Family First Prevention Services Act (FFPSA) in 2018 encourages the use of more traditional, family-based foster care over congregate care (passed as part of the Bipartisan Budget Act; H.R. 1892, 2018). This resulted in states effectively no longer receiving federal funding for youth placed in long-term congregate care settings. In California, the implementation of the Continuum of Care Reform Act (CCR) also precludes long-term group care options in favor of short-term residential treatment programs and placement in foster families (California Department of Social Services, n.d.).

A major drawback of both these policies is the serious shortage of foster families with openings for new placements. In 2018, California had 33,985 total licensed foster homes and 53,411 youth in care. In 2020 the number of licensed foster homes dropped to 30,755 and the number of youths in care to 51,310. Of those total licensed foster homes, in 2018, only 23,655 were licensed as non-relative foster homes. Once again, that number dropped to 19,560 in 2020 (The Imprint, 2020). In San Diego County (where San Pasqual Academy is located), in 2015 there were 2,212 licensed, active foster homes, but in 2019 that number had dropped by almost 50%, to 1,344.

Both the FFPSA and the CCR allocated funds for the recruitment of foster families. In California, however, there was little oversight as to how this money was actually spent, and many counties did not use the entirety of their recruitment budget. For example, San Mateo County was given \$446,895, but in 2017 \$426,295 of that was still left unspent. Ultimately, many counties in California struggled to increase the number of available foster homes despite significant funding (Adams, n.d.). On the CDSS website, it is acknowledged that

“County placing agencies have indicated a particular need for foster homes that will provide homes for adolescents” (<https://www.cdss.ca.gov/inforesources/foster-care/foster-care-and-adoptive-resource/frequently-asked-questions>). Minority teenagers are particularly difficult to place, and it is especially difficult for Black youth to attain permanency (Chapin Hall, 2017; <https://fda.chapinhall.org/data-center-research/adolescents-non-permanent-exits-foster-care/>). If SPA is closed, there will be many disoriented foster youths in need of immediate placement, but they will have few favorable placement options. (Remember, many of the Academy residents had been cycled through a high number of family placements and moves before coming to SPA.)

Researchers have found that many foster parents feel underprepared to handle youths with significant social, emotional, and behavioral needs (Cooley, Farineau, & Mullis, 2015; Hebert & Kulkin, 2017). It is important to note that the foster youth the Academy serves have typically struggled with behavioral and mental health issues and may continue to need special support and access to therapy and, perhaps, to medication. This set of burdens on potential foster parents probably makes it more difficult to find skilled and willing foster parents for these youths, and it may lead to further changes of placement during their high school years. For youths in crisis, California will now utilize short-term residential treatment centers before attempting to re-integrate the youths back into foster families (California Department of Social Services, n.d.). If we compare this kind of instability with the more stable, continuous supportive environment of the Academy, it is difficult to see why the family placement mandate makes sense for SPA residents and future SPA candidates.

Furthermore, it is important to consider the effects of the COVID-19 pandemic on placement options. Many foster families were unwilling to accept new placements, and some even terminated existing placements, due to fears of COVID-19 entering the household. Consider this one example (Loudenback, 2020): In Southern California, Natalia (a pseudo

name for an older adolescent “in the system”), and her two younger sisters entered foster care about 9 years ago, when a judge deemed it was no longer safe for them to live with their biological parents. The children were eventually placed with foster families, but at the beginning of the pandemic, Natalia’s foster parents voiced concerns for the safety of some elderly family members living in the home, and it was decided that Natalia and her two sisters would return to live with their biological parents until COVID-19 no longer posed a significant threat. This was despite Natalia and her sisters stating that they would not feel safe living with their biological parents. The move back home lasted only 2 weeks before the situation deteriorated so badly that the three girls had to be moved out yet again. In contrast, throughout the pandemic, Academy residents avoided being placed in dangerous situations like that and were able to continue living safely and attending the same school on the Academy campus.

A further consideration is that families and youth served by California’s child welfare and foster care systems come disproportionately from marginalized groups (National Conference of State Legislatures, 2021; Puzzanchera & Taylor, 2021), and researchers are finding that members of these groups have been disproportionately affected adversely by the pandemic (Cooper & Williams, 2020; Czeisler et al., 2020; Gould & Wilson, 2020; Selden & Berdahl, 2020; Wiemers et al., 2020; Yu et al., 2021). As a result of the chronic stress and trauma caused by the COVID-19 pandemic for these families, many foster youth may require additional help and services in the coming years. Those most severely affected may be best served by programs like the Academy, which makes now an especially inopportune time to consider closing it down.

We recognize that congregate care is not the correct placement option for many foster youth, especially young children. In an influential “consensus statement,” Dozier et al. (2014) argued that “group care should only be used when it is the least detrimental alternative” (p.

219). We agree. However, Dozier et al. (2014) then go on to state that “institutional care is nonoptimal for children of all ages, including teenagers, and that even smaller group care settings can be detrimental to the growth and well-being of youth” (p. 220). But most of the research on which their consensus statement was based dealt with infants and young children, not with adolescents and young adults. For some foster youth, such as older teenagers with behavioral and emotional problems and with histories of placement instability, high-quality group care, is likely to be the correct placement option, and high-quality programs like the Academy should be allowed to continue providing model services to those youth.

## References

- Adams, H. (n.d.). *California's \$140 million bet on foster parent recruitment*. The Imprint. Retrieved July 20, 2021. <https://www.fostercarecapacity.com/stories/californias-100-million-bet-on-foster-parent-recruitment>
- Arnett, J. J. (2000). Emerging adulthood: A theory of development from the late teens through the twenties. *American Psychologist*, 55, 469-480.
- Arnett, J. J. (2007). *Adolescence and emerging adulthood: A cultural approach* (3rd ed.). Upper Saddle, NJ: Pearson-Prentice Hall.
- Bederian-Gardner, D., Hobbs, S., Ogle, C. M., Goodman, G. S., Córdón, I. M., Bakanosky, S., Narr, R., Chae, Y., Chong, J. Y., & the NYTD/CYTD Research Group (2018). Instability in the lives of foster and non-foster youth: Mental health impediments and attachment insecurities. *Children and Youth Services Review*, 84, 159-167.
- Californiacasa.org. (2020). *Serve every child California CASA impact report*. <https://www.californiacasa.org/wp-content/uploads/2020/02/CaliforniaCASA-Impact-Report-2018-2019.pdf>
- California Department of Social Services. (n.d.). *Continuum of Care Reform*. Retrieved July 20, 2021. <https://www.cdss.ca.gov/resource-families/continuum-of-care-reform>.
- California Foster Youth Task Force. (2019). *California foster youth education law fact sheets*. Retrieved online: <https://www.jbaforyouth.org/wp-content/uploads/2019/07/CFYETF-Fact-sheets-v7-June-2019-Final.pdf>
- Center for the Study of Social Policy. (2014). *Supporting youth aging out of foster care through SNAP – 2014*. Retrieved online: <https://cssp.org/wp-content/uploads/2018/08/supporting-youth-aging-out-of-foster-care-through-SNAP.pdf>

Children's Bureau, Administration on Children, Youth and Families, Administration for Children and Families, U. S. Department of Health and Human Services (2016).

*National Youth in Transition Database (NYTD) - Outcomes File, Cohort Age 17 in FY2011, Waves 1-3 (Complete)* [Dataset]. National Data Archive on Child Abuse and Neglect. <https://doi.org/10.34681/M39M-N341>

Children's Bureau. (2019a). *National Youth in Transition Database*. Washington, D.C.:

Office of the Administration for Children and Families, U.S. Department of Health and Human Services. Retrieved online:

<https://www.acf.hhs.gov/sites/default/files/cb/afcarsreport26.pdf>

Children's Bureau. (2019b). *Highlights from the NYTD* [National Youth in Transition

Database] *Survey: Outcomes reported by young people at ages 17, 19, and 21 (cohort 2)*. Washington, D.C.: Office of the Administration for Children and Families, U.S.

Department of Health and Human Services. Retrieved online:

[https://www.acf.hhs.gov/sites/default/files/cb/nytd\\_data\\_brief\\_7.pdf](https://www.acf.hhs.gov/sites/default/files/cb/nytd_data_brief_7.pdf)

Children's Bureau. (2020a). *The AFCARS* [Adoption and Foster Care Analysis and Reporting System] *report*. Washington, D.C.: Office the Administration for Children and

Families, U.S. Department of Health and Human Services. Retrieved online:

<https://www.acf.hhs.gov/cb/research-data-technology/reporting-systems/afcars>

Children's Bureau. (2020b). *National Youth in Transition Database*. Washington, D.C.:

Office of the Administration for Children & Families, U.S. Department of Health and Human Services. Retrieved online: [https://www.acf.hhs.gov/cb/research-data-](https://www.acf.hhs.gov/cb/research-data-technology/statistics-research)

[technology/statistics-research](https://www.acf.hhs.gov/cb/research-data-technology/statistics-research)

Cooley, M. E., Farineau, H. M., & Mullis, A. K. (2015). Child behaviors as a moderator:

Examining the relationship between foster parent supports, satisfaction, and the intent to continue fostering. *Child Abuse & Neglect*, 45, 46-56.

- Cooper, L. A., & Williams, D. R. (2020). Excess deaths from COVID-19, community bereavement, and restorative justice for communities of color. *JAMA*, 324(15), 1491. <https://doi.org/10.1001/jama.2020.19567>
- Courtney, M. E., & Charles, P. (2015). *Mental health and substance use problems and service utilization by transition-age foster youth: Early findings from CalYOUTH*. Chicago, IL: Chapin Hall at the University of Chicago.
- Courtney, M. E., Charles, P., Okpych, N. J., Napolitano, L., & Halsted, K. (2014). *Findings from the California Youth Transitions to Adulthood Study (CalYOUTH): Conditions of foster youth at age 17*. Chicago, IL: Chapin Hall at the University of Chicago.
- Courtney, M., Dworsky, A., Brown, A., Cary, C., Love, K., & Vorhies, V. (2011). *Midwest evaluation of the adult functioning of former foster youth: Outcomes at age 26*. Chicago, IL: Chapin Hall at the University of Chicago.
- Courtney, M. E., Okpych, N. J., Park, K., Harty, J., Feng, H., Torres-Garcia, A., & Sayed, S. (2018). *Findings from the California Youth Transitions to Adulthood Study (CalYOUTH): Conditions of youth at age 21*. Chicago, IL: Chapin Hall at the University of Chicago.
- Curry, S., & Abrams, L. (2015). Housing and social support for youth aging out of foster care: State of the research literature and directions for future inquiry. *Child & Adolescent Social Work Journal*, 32, 143-153. <https://doi.org/10.1007/s10560-014-0346-4>
- Curtis, P. A., Alexander, G., & Lunghofer, L. (2001). A literature review comparing the outcomes of residential group care and therapeutic foster care. *Child and Adolescent Social Work Journal*, 18(5), 377-392. DOI:10.1023/A:1012507407702

- Czeisler, M. É., Lane, R. I., Petrosky, E., Wiley, J. F., Christensen, A., Njai, R., ... & Rajaratnam, S. M. W. (2020). Mental health, substance use, and suicidal ideation during the COVID-19 pandemic—United States, June 24–30, 2020. *Morbidity and Mortality Weekly Report*, 69(32), 1049–1057.  
<https://doi.org/10.15585/mmwr.mm6932a1>
- Dozier, M., Kaufman, J., Kobak, R., O'Connor, T. G., Sagi-Schwartz, A., Scott, S., Shaffer, C., Smetana, J., van Ijzendoorn, M. H., & Zeanah, C. H. (2014). Consensus statement on group care for children and adolescents: A statement of policy of the American Orthopsychiatric Association. *American Journal of Orthopsychiatry*, 84, 219-225.  
DOI: 10.1037/ort0000005.
- Eccles, J. S., Barber, B. L., Stone, M., & Hunt, J. (2003). Extracurricular activities and adolescent development. *Journal of Social Issues*, 59, 865-889.  
[doi.org/10.1046/j.0022-4537.2003.00095.x](https://doi.org/10.1046/j.0022-4537.2003.00095.x)
- Foster youth: enrichment activities, S.B. 219, 2019-2020 Reg. Sess. (Cal. 2019).  
[https://leginfo.ca.gov/faces/billTextClient.xhtml?bill\\_id=201920200SB219](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB219)
- Fowler, P. J., Toro, P. A., & Miles, B. W. (2009). Pathways to and from homelessness and associated psychosocial outcomes among adolescents leaving the foster care system. *American Journal of Public Health*, 99, 1453-1458.
- Frerer, K., Sosenko, L. D., & Henke, R. R. (2013). *At greater risk: California foster youth and the path from high school to college*. Retrieved from Stuart Foundation web site:  
<http://www.stuartfoundation.org/docs/default-document-library/at-greater-risk-californiafoster-youth-and-the-path-from-high-school-to-college.pdf?sfvrsn=6>
- Furstenberg, F. F. (2010). On a new schedule: Transitions to adulthood and family change. *Future of Children*, 20, 67-87.



Gould, E., & Wilson, V. (2020, June 1). *Black workers face two of the most lethal preexisting conditions for coronavirus—Racism and economic inequality.*

<https://www.epi.org/publication/black-workers-covid/>

Gypen, L., Vanderfaeillie, J., De Maeyer, S., Belenger, L., & Van Holen, F. (2017).

Outcomes of children who grew up in foster care: Systematic-review. *Children and Youth Services Review*, 76, 74-83.

Health Resources and Services Administration in collaboration with the US Census Bureau.

(2016). *National Survey of Children's Health*. Retrieved online:

<https://www.childhealthdata.org/>

Hebert, C. G., & Kulkin, H. (2017). An investigation of foster parent training needs. *Child & Family Social Work*, 23, 256-263.

Hook, J. L., & Courtney, M. E. (2011). Employment outcomes of former foster youth as young adults: The importance of human, personal, and social capital. *Children and Youth Services Review*, 33, 1855-1865.

H.R.1892 - 115th Congress (2017-2018): Bipartisan Budget Act of 2018. (2018, February 9).

<https://www.congress.gov/bill/115th-congress/house-bill/1892/text>

James, S. (2011). What works in group care? A structured review of treatment models for group homes and residential care. *Children and Youth Services Review*, 33(2), 308-321.

James, S., Roesch, S., & Zhang, J. J. (2012). Characteristics and behavioral outcomes for youth in group care and family-based care: A propensity score matching approach using national data. *Journal of Emotional and Behavioral Disorders*, 144-156.

KidsData.Org. (2019). *Foster care specific data set: 1998-2018*. Lucile Packard Foundation for Children's Health. Retrieved online: <https://www.kidsdata.org/topic/4/foster-care/summary>

- Klika, J., & Conte, J (Eds). (2018). *The APSAC handbook on child maltreatment*, 4<sup>th</sup> Edition. Thousand Oaks, CA: Sage.
- Lawler, M. J., Sayfan, L., Goodman, G. S., Narr, R., & Córdón, I. M. (2013). *A place to call home: Alumni outcomes for the first 10 years of the San Pasqual Academy*. Davis, CA: Center for Public Policy Research.
- Lawler, M. J., Sayfan, L., Goodman, G. S., Narr, R., & Córdón, I. M. (2014). Comprehensive residential education: A promising model for emerging adults in foster care. *Children and Youth Services Review*, 38, 10-19.
- LAO (Legislative Analyst's Office, the California Legislature's Nonpartisan Fiscal and Policy Advisor). (2020). *Overview of special education in California*. Pdf retrieved online: <https://lao.ca.gov/Publications/Report/4110#:~:text=Today%2C%20nearly%20800%2C000%20students%20in,for%20their%20students%20with%20disabilities>.
- Lee, B. R. (2008). Defining residential treatment. *Journal of Child and Family Studies*, 17(5), 689-692. DOI:10.1007/s10826-007-9182-x
- Lee, B. R., & Thompson, R. (2008). Comparing outcomes for youth in treatment foster care and family-style group care. *Children and Youth Services Review*, 30(7), 746-757. <https://doi.org/10.1016/j.childyouth.2007.12.002>
- Loudenbeck, J. (2020, May 5). *For foster youth, stability is even harder to find during the pandemic*. The Imprint. <https://imprintnews.org/child-welfare-2/coronavirus-destabilizes-foster-youths-precious-placements/43115>
- Morris, L. (2015). The importance of permanent connections for youth in foster care. *Child Trends*. Retrieved online: <https://www.childtrends.org/blog/the-importance-of-permanent-connections-for-youth-in-foster-care>

- National Conference of State Legislatures. (2021, January 26). *Disproportionality and race equity in child welfare*. <https://www.ncsl.org/research/human-services/disproportionality-and-race-equity-in-child-welfare.aspx>
- National Factsheet of Educational Outcomes for Children in Foster Care (2018). National Workgroup on Foster Care and Education.  
file:///C:/Users/fzgoodmn/Documents/NationalEducationDatasheet2018.pdf
- National Youth in Transition Database Report to Congress (2020). Administration for Children and Families. Washington, DC. : US Department of Health and Human Services. [https://www.acf.hhs.gov/sites/default/files/cb/nytd\\_report\\_to\\_congress.pdf](https://www.acf.hhs.gov/sites/default/files/cb/nytd_report_to_congress.pdf)
- Needell, B., Webster, D., Armijo, M., Lee, S., Dawson, W., Magruder, J., Exel, M., . . . Lawson, J. (2013). *Child Welfare Services Reports for California*. University of California at Berkeley Center for Social Services Research website. Retrieved online: [http://cssr.berkeley.edu/ucb\\_childwelfare](http://cssr.berkeley.edu/ucb_childwelfare)
- Okpych, N. J., Courtney, M. E., & Dennis, K. (2017). Memo from CALYOUTH: Predictors of high school completion and college entry at ages 19/20. *Chapin Hall Issue Brief*. Chicago, IL: Chapin Hall at the University of Chicago.
- Pecora, P. J. (2012). Maximizing educational achievement of youth in foster care and alumni: Factors associated with success. *Children and Youth Services Review*, 34(6), 1121-1129.
- Pecora, P. J., Kessler, R. C., O'Brien, K., White, C., Williams, J., Hiripi, E., English, D., & Herrick, M.A. (2006). Educational and employment of adults formerly placed in foster care: Results from the Northwest Foster Care Alumni Study. *Children and Youth Services Review*, 28, 1459-1481.

- Pecora, P. J., Kessler, R. C., Williams, J., O'Brien, K., Downs, A. C., English, D., White, J., Hiripi, E., White, C. R., Wiggins, T., & Holmes, K. (2005). *Improving family foster care: Findings from the Northwest foster care alumni study*. Seattle, WA: Casey Family Programs. Retrieved online: <https://www.casey.org/northwest-alumni-study/>
- Puzzanchera, C., & Taylor, M. (2021). *Disproportionality rates for children of color in foster care dashboard*. National Council of Juvenile and Family Court Judges. [https://www.ncjj.org/AFCARS/Disproportionality\\_Dashboard.aspx](https://www.ncjj.org/AFCARS/Disproportionality_Dashboard.aspx)
- Samueli Academy Residential Program*. (n.d.). Samueli Academy. Retrieved July 22, 2021, from <https://samueliacademy.org/about/residential-programs/>.
- San Diego County Juvenile Justice Commission (2017). *2017 Inspection Report: San Pasqual Academy*. Pdf retrieved online: <http://www.sdcourt.ca.gov/pls/portal/docs/PAGE/SDCOURT/JUVENILE3/JUVENILEJUSTICECOMMISSION/JJCREPORTS/2017%20JJC%20INSPECTION%20REPORT-SPA%20-%20POST%20TO%20WEB.PDF>
- San Diego County Juvenile Justice Commission (2018). *2018 Inspection Worksheet: San Pasqual Academy*. Pdf retrieved online <http://www.sdcourt.ca.gov/pls/portal/docs/PAGE/SDCOURT/JUVENILE3/JUVENILEJUSTICECOMMISSION/JJCREPORTS/2018%20JJC%20FACILITY%20INSPECTION%20REPORT%20FINAL.PDF>
- San Diego County Juvenile Justice Commission (2020). *Pre-Inspection Worksheet*. Pdf retrieved online. [http://www.sdcourt.ca.gov/portal/page?\\_pageid=55,1857255&\\_dad=portal&\\_schema=PORTAL](http://www.sdcourt.ca.gov/portal/page?_pageid=55,1857255&_dad=portal&_schema=PORTAL)
- Selden, T. M., & Berdahl, T. A. (2020). COVID-19 and racial/ethnic disparities in health risk, employment, and household composition: Study examines potential explanations for racial-ethnic disparities in COVID-19 hospitalizations and mortality. *Health*

*Affairs*, 39, 1624–1632

- Sepulveda, K., & Williams, S. C. (2019). Older youth in foster care need support to make a successful transition to adulthood. *Child Trends*. Retrieved online: <https://www.childtrends.org/blog/older-youth-in-foster-care-need-support-to-make-a-successful-transition-to-adulthood>
- Smith, W. B. (2011). *Youth leaving foster care: A developmental, research-based approach to practice*. New York: Oxford University Press.
- Steinberg, L. (2007). Risk taking in adolescents. *Current Perspectives in Psychological Science*, 16, 55-59.
- The Imprint. (2020). *Foster care capacity*. [Infographic; based on data from AFCARS]. <https://www.fostercarecapacity.com/states/california>
- Thompson, A. E., Greeson, J. K. P., & Brunsink, A. M. (2016). Natural mentoring among older youth in and aging out of foster care: A systematic review. *Children and Youth Services Review*, 61, 40-50. doi:<http://dx.doi.org/10.1016/j.childyouth.2015.12.006>
- United States Census Bureau (2014). *Nearly 6 out of 10 children participate in extracurricular activities*, *Census Bureau Reports*. Retrieved online: <https://www.census.gov/newsroom/press-releases/2014/cb14-224.html>
- Villegas, S., & Pecora, P. J. (2012). Mental health outcomes for adults in family foster care as children: An analysis by ethnicity. *Children and Youth Services Review*, 34, 1448–1458. <http://dx.doi.org/10.1016/j.childyouth.2012.03.023>.
- Webster, D., Lee, S., Dawson, W., Magruder, J., Exel, M., Cuccaro-Alamin, S., Putnam-Hornstein, E., Wiegmann, W., Saika, G., Chambers, J., Hammond, I., Williams, C., Miramontes, A., Ayat, N., Sandoval, A., Hoerl, C., McMillen, B., Wade, B., Yee, H., Flamson, T., Hunt, J., Carpenter, W., Casillas, E., Gonzalez, A., & Briones, E. (2020). *California Child Welfare Indicators Project (CCWIP) reports*. Retrieved online from

University of California at Berkeley California Child Welfare Indicators Project

website: <https://ccwip.berkeley.edu>

- White, C. R., O' Brien, K., White, J., Pecora, P. J., & Phillips, C. M. (2008). Alcohol and drug use among alumni of foster care: Decreasing dependency through improvement of foster care experiences. *The Journal of Behavioral Health Services & Research*, 35(4), 419-434. <http://dx.doi.org/10.1007/s11414-007-9075-1>
- White, T., Scott Jr, L. D., & Munson, M. R. (2018). Extracurricular activity participation and educational outcomes among older youth transitioning from foster care. *Children and Youth Services Review*, 85, 1-8
- Whitney, D. G., & Peterson, M. D. (2019). US national and state-level prevalence of mental health disorders and disparities of mental health care use in children. *JAMA Pediatrics*, 173, 389–391.
- Yu, Q., Salvador, C. E., Melani, I., Berg, M. K., Neblett, E. W., & Kitayama, S. (2021). Racial residential segregation and economic disparity jointly exacerbate COVID-19 fatality in large American cities. *Annals of the New York Academy of Sciences*. Epub ahead of print. <https://doi.org/10.1111/nyas.14567>