

CLOSING THE EXTRACURRICULARS GAP:

Prioritizing Extracurricular Activities as a Key Intervention for Children and Youth in Foster Care and Juvenile Justice

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EXECUTIVE SUMMARY

Extracurriculars - voluntary activities that a youth participates in that broaden his or her experience and/or skills - provide meaningful educational, social, and developmental advantages for all youth, but particularly for youth in the foster care and juvenile justice systems who face significant barriers to success. Despite the increasing need for effective interventions for young people in these systems and the compelling research on the powerful impact of extracurriculars, our practices and policies have not changed to prioritize extracurriculars as a key intervention. As a result, these systems not only fail to remove barriers to extracurricular participation; they erect them, whether by inattention or design. However, bright spots exist: jurisdictions and programs are working to ensure system-involved youth have access to the extracurricular opportunities they need and deserve for healthy development. Building on these successes, agencies, case managers, lawmakers, and other stakeholders can implement changes to ensure that young people have access to mean-

ingful extracurricular activities that contribute to their development and help them thrive.

Benefits of Extracurricular Participation for Youth, Families, and Systems

Part One describes the benefits of extracurricular participation for youth, families and systems. These include:

- **Ensuring Healthy Development:** Extracurricular participation supports healthy child and adolescent development by helping young people build resilience, improve self-efficacy, develop a positive self-identity, and counteract the harmful effects of trauma.
- **Supporting Positive Behavior and Reducing Risky Behavior:** Research shows that extracurricular participation improves academic perfor-

mance, builds soft skills such as leadership and self-discipline, and reduces risky behaviors such as drug and alcohol use.

- **Building Positive Relationships:** When young people participate in extracurriculars, they are able to build healthy relationships with peers who share their interests and connect with supportive adults.
- **Benefiting Caregivers and Systems:** Participation in extracurriculars contributes to improved relationships between youth and their caregivers. It helps youth develop or strengthen healthy relationships with trusted adults which may result in new placement opportunities. As positive behavior increases, it may also improve placement stability and reduce disruptions.

Legal Supports for Extracurricular Participation

Part Two describes the legal and policy supports for extracurricular participation for system-involved youth. Federal and California law both give youth in foster care, including probation-supervised youth in foster care placements, the right to normal childhood experiences, including participation in age- and developmentally appropriate extracurricular activities. Further, the law empowers caregivers to make reasonable, prudent parenting decisions regarding extracurricular participation for children and youth in the foster care system. By contrast, the legal protections for youth in the juvenile justice system are inadequate to ensure that these young people have the opportunity to participate in extracurriculars. Despite some requirements under California law that juvenile detention facilities provide enrichment programming, the law provides little guidance on programming content. Additionally, adequate protections are lacking for young people under community-based probation.

Barriers to Extracurricular Participation

Part Three describes barriers created when child welfare and juvenile justice systems do not prioritize extracurricular participation and identifies some programs working to address those barriers. These include:

- **Failure to Address Common Barriers to Extracurricular Participation:** Some barriers to extracurricular participation, such as cost and transportation, are common to all youth. Systems must take action to help youth overcome these barriers.
- **Failure to Incorporate Extracurriculars into Case Planning:** When systems develop case plans and interventions without considering extracurriculars, they can make it difficult or impossible for youth to begin or continue an activity that is important to them and that may be a key therapeutic or rehabilitative intervention. All systems actors, from caregivers to case managers to judges, must be aware of youth's activities and interests and ensure that they are considered in case planning.
- **Erecting Explicit Barriers to Participation:** When extracurriculars are viewed as a reward or as dispensable rather than as a critical intervention, systems may seek to limit youth's participation as a disciplinary or risk management measure. This particularly impacts young people in secure confinement or residential placement, where extracurriculars are often viewed as a privilege to be earned.

Recommendations for Improving Access to Extracurriculars

Part Four provides recommendations to increase access to extracurriculars for youth in both the foster care and juvenile justice systems. These include:

- **Training and Information:** Youth, caregivers, child welfare and probation staff, courts, legal advocates, and other stakeholders should be trained on the benefits of and barriers to extracurricular participation. In particular, youth and families should be provided with the information necessary to effectively advocate for improved access to extracurricular activities. Case managers should identify and share extracurricular opportunities and information on how to access them with youth and caregivers regularly and through various means.
- **Collaboration:** Agencies should collaborate with schools and community organizations to provide free or low-cost extracurricular opportunities. Youth voice should be central in developing new programming. CASAs should be a resource to support participation.
- **Case Planning and Management:** Case plans should include measures to ensure that youth can access extracurriculars that are tailored to their needs and interests. Recurring barriers should be proactively identified and addressed on a systems level.
- **Legal, Policy, and Financial Supports:** Dedicated funding for extracurriculars for systems-involved youth should be provided at the state level. Local policies should ensure that youth are not excluded from extracurricular participation for disciplinary reasons. Lawmakers should improve protections for youth in the juvenile justice system by instituting robust programming requirements in juvenile facilities and requiring case managers to provide juvenile justice involved youth with information about extracurricular opportunities.

INTRODUCTION

Both the foster care and juvenile justice systems are struggling to find effective interventions that meet the developmental, emotional, and social needs of the young people they serve. As systems move away from practices that have been demonstrated to be not only ineffective, but also harmful – such as the use of group care and secure confinement – it is imperative that these practices are replaced with supports that improve the lives of young people, including high quality parenting and participation in age- and developmentally appropriate activities, including extracurriculars.

Extracurricular activities, which include both school-based activities and community activities such as music, dance, art, sports, and volunteer projects, are a vital part of childhood and adolescence. Broadly speaking, and as employed in this brief, extracurricular activities are any

activities that broaden a child or youth’s experience or skills. They help young people discover new interests, make connections with peers and supportive adults, and develop independence, self-esteem, and resilience. Extracurriculars are crucial for access to higher education, not only because they are necessary for a competitive application and can help with securing funding for college, but also because they help youth develop skills, talents, and supportive connections that help young people access and succeed in college.

Unfortunately, despite these significant benefits and legal supports for extracurricular participation, many young people in the juvenile justice and foster care systems face barriers to participation in extracurricular activities that are caused or exacerbated by these systems. These barriers prevent system-involved youth – often the youth

who most desperately need the benefits that extracurriculars provide - from participating alongside their non-system-involved peers.

In this brief, the Youth Law Center examines the research on the benefits of extracurricular participation, the law that supports extracurricular participation for system-involved youth, the barriers facing these youth and their families, and some programs that are succeeding in providing extracurricular opportunities. Our findings and recommendations are based on a review of current social science research, as well as interviews with youth, social workers, resource parents, probation officers, nonprofit administrators, and community stakeholders, spanning over 20 counties in Cali-

fornia. Although this brief focuses on California, its findings and recommendations are nationally applicable.

All young people deserve the opportunity to develop their skills, interests, and relationships through extracurricular participation. For young people in the child welfare and juvenile justice systems, these opportunities are especially critical. Our child welfare and juvenile justice systems should work to strengthen existing programs and develop research-informed practices that will ensure that all young people have access to extracurriculars that allow them to develop and thrive.





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PART 1

WHY EXTRACURRICULARS ARE CRITICAL FOR HEALTHY CHILD DEVELOPMENT

Extracurricular activities can provide youth with social, emotional, spiritual, and educational enrichment, as well as simply the opportunity to have fun. Extracurriculars are part of a normal childhood and promote healthy development for all youth. However, youth in the foster care and juvenile justice systems typically have faced adverse childhood experiences, including trauma, poverty, separation, abuse, neglect, loss, and disruption, that hinder healthy development. These youth have also frequently not had access to the type of childhood opportunities, including extracurricular activities, that can mitigate the impact of those adverse experiences and support healthy development. These youth are in special

need of opportunities to support healthy development and connect with their communities – opportunities that can be provided by extracurriculars.

Extracurricular engagement supports healthy development, helping young people build resiliency and counteract the harmful effects of trauma. Extracurriculars help young people improve academic outcomes, develop skills, and reduce risky behavior. They also increase youth’s lifelong connections and opportunities for permanency. These benefits not only impact youth, but also help their caregivers and the child welfare and juvenile justice systems achieve the goal of improving child well-being.

How many youth are in the child welfare and juvenile justice systems?

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- *In 2016, there were about 437,000 youth in foster care nationally.*¹
- *In 2018, there were 60,000 youth in foster care in California; 38,000 between 6 and 17 years old.*²
- *In 2014, juvenile courts handled nearly 975,000 delinquency cases nationally.*³
- *In 2017, there were approximately 56,000 juvenile arrests in California, resulting in approximately:*
 - » *5,500 referrals to diversion programs;*
 - » *5,000 youth placed on informal or nonwardship probation;*
 - » *12,500 youth returned home on probation; and*
 - » *11,000 youth sent to secure or non-secure facilities.*⁴

Extracurriculars Help Mitigate Trauma

Many young people in foster care and juvenile justice have experienced considerable challenges that place them at risk for negative outcomes in adulthood, including high rates of trauma. When a child experiences traumatic stress, the body's stress response system is activated, producing physiological changes in the body and the brain.⁵ Prolonged traumatic stress can lead to negative effects on children's emotional, behavioral, and social functioning.⁶

Fortunately, extracurricular participation can help young people recover from trauma. When a child's stress response systems are activated within an environment of supportive relationships

with adults, the physiological effects of trauma are mitigated.⁷ In fact, when a child is exposed to developmentally healthy experiences, the brain can actually "rewire" itself to counteract the damage caused by traumatic experiences and to develop resilience – the ability to confront, adapt to, and overcome challenging circumstances.⁸ Participation in extracurricular activities, in which a young person is surrounded by supportive adults, can provide the necessary healthy environment for this rewiring to take place.

Extracurricular participation can also promote healthy adolescent brain development. During adolescence, the teenage brain begins to develop the ability to think long-term, delaying gratification and avoiding acting on emotional impulse.⁹ However, young people need safe and supportive environments in which to practice this developmental task. Extracurriculars provide young people with the safe and stimulating environments they need, giving them the opportunity to develop, explore, rise to high expectations, build external caring relationships, and seek opportunities to participate and contribute.¹⁰

Extracurriculars Reduce Risky Behavior and Improve School Performance

Young people in the foster care and juvenile justice systems – particularly youth who age out of those systems – face troubling long-term outcomes. Without intervention, these youth are less likely to graduate from college or be gainfully employed and are more likely to be involved in the adult criminal justice system and to experience violence and poverty than their peers.¹¹

These outcomes are particularly devastating for youth of color, who also face systemic racism and its consequences, including the criminalization of typical adolescent risk-taking, as they navigate the transition to adulthood. Research demonstrates that "the experience of racial discrimina-



tion interferes with an adolescent’s development” and that youth of color experience “disparately negative outcomes when compared with their white peers in foster care.”¹² Ultimately, “the disparate treatment of African-American and Latino youth is...a matter of disparate opportunities to grow, develop, and successfully transition into adulthood.”¹³

Extracurricular participation can ameliorate these negative outcomes for all youth by building protective factors that allow for improved academic outcomes and reduced risky behavior, providing young people with a smoother path to higher education and career success.

Participation in extracurricular activities help youth build self-efficacy, or belief in one’s ability to success or accomplish tasks.¹⁴ For young people, high self-efficacy is associated with optimism, achievement, goal orientation, self-regulated

learning, and academic help-seeking.¹⁵ Participation in extracurricular activities also helps young people cultivate soft skills, such as the ability to work with others, leadership, grit, self-discipline, ambition, curiosity, and endurance.¹⁶

Perhaps as a result, young people who participate in after-school activities show strong improvement on academic measures and develop new skills and talents.¹⁷ Even after controlling for socioeconomic factors and cognitive ability, extracurricular participation is linked with higher grades and graduation rates.¹⁸ After-school programs can have a positive effect on the achievement of academically at-risk students, with one 2006 meta-analysis showing students improving in reading, math, or both.¹⁹ Similarly, in a 2005 study of a Boys & Girls Club Education Enhancement Project, student participants had higher grade averages and scores in reading, spelling, history, science, and social studies than a control group.²⁰

Moreover, numerous studies and program evaluations demonstrate that extracurriculars reduce the likelihood that youth will engage in risky behavior such as drug use, delinquency, and sexual activity.²¹ For example, a national evaluation of 4-H found that youth participants were more likely to postpone having sex, contribute to their communities, and be civically active, and less likely to use drugs, alcohol, or cigarettes.²² Similarly, participants in the Teen Outreach Program, a service-learning program, had significantly less risk of pregnancy, school suspension, and course failure; the more volunteer hours participants worked, the lower the risk of course failure.²³ Extracurricular activities can also reduce youth involvement in criminal activity by keeping them busy and safe during the after school hours, which is the peak time for behaviors that may result in juvenile offenses.²⁴

These positive effects of extracurricular participation can help ensure youth in the foster care and juvenile justice systems have positive experiences and outcomes. Where young people are more

engaged and successful in school, they are more likely to see themselves as “college material,” increasing the likelihood that they will aim for post-secondary education. Extracurricular participation can smooth the path to higher education for young people, who may be able to obtain scholarships based on their skills and talents. And interests developed through extracurriculars can guide youth to a course of study or to a fulfilling career. For example, a young person who has enjoyed cooking classes may decide to become a chef; a young person who participated in a robotics club might choose to study mechanical engineering.

Extracurriculars Help Young People Build Connections

For healthy development, young people need to be embedded in networks of families, friends, and communities that provide guidance, support, and help when they face crises inevitable to the transition to adulthood.²⁵ Unfortunately, the foster care and juvenile justice systems often disconnect youth from essential supportive networks.²⁶

Participating in extracurricular activities helps youth fill that gap by providing them the opportunity to develop social capital: the resources and relationships that allow youth to build support and success. Extracurriculars help build connections to supportive adults who can become mentors and role models, such as soccer coaches and bandleaders.²⁷ Mentors and adult role models, in turn, provide support, connections, and resources to young people, both directly and through their networks. Connections built with staff and other parents through extracurriculars can lead to permanency, as adults who develop a relationship with a young person in a positive context may be willing to become a placement or permanency option. Youth also have the opportunity to connect and develop supportive, healthy relationships with peers who share their interests.

Extracurriculars and the Transition to Adulthood

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Despite efforts to increase support for foster youth during the transition to adulthood, recent data demonstrates that youth continue to face challenges during this critical period.²⁸ In particular, older foster youth experience significant placement instability, with about half of youth over sixteen experiencing three or more placements.²⁹ This lack of stability can impact permanency: in 2016, more than half of youth 16 or older aged out of care, rather than being reunified or connected with a family through adoption or guardianship.³⁰ And young adults transitioning out of foster care continue to experience lower rates of high school graduation and employment than their peers.³¹

Extracurricular activities can help meet the needs of young people as they transition to adulthood by helping youth build permanent connections with supportive adults, develop skills, and heal from trauma. Extracurricular participation is a critical component of the transition to adulthood for teens and young adults.

Benefits to Youth Also Benefit Caregivers and Systems

Clearly, extracurricular participation provides significant benefits to young people. But caregivers and families also benefit when young people participate in extracurricular activities. Young people who participate in extracurricular activities are likely to be healthier, happier, and have more connections to community, which can have a positive impact on relationships between youth and caregivers. Extracurriculars provide children and youth with something positive to do during the after-school hours and long holiday and summer breaks, providing some childcare for caregivers.

Caregivers gain additional adults they can turn to for parenting advice and support in dealing with challenging situations or behaviors. And extracurricular participation provides caregivers and families – including birth families – with additional opportunities to forge a strong bond. For example, when a caregiver and a birth parent both attend a youth’s soccer game, the youth is able to feel both parents’ support for them. In addition, the caregiver and birth parent learn about the youth’s strengths and interests and build a relationship in a relatively low-pressure, natural environment.

Similarly, participation in extracurriculars benefits child welfare and juvenile justice systems. When youth are healthy and happy, and caregivers feel a strong connection to youth, placement stability can improve. Extracurricular activities can offer important outlets to support youth in coping with loss, grief, anger, and difficult situations – outlets that may be far more effective than psychothera-

py and other “traditional” mental health interventions. Moreover, a decrease in risky behavior and increase in positive behavior can lead to reduced involvement with the juvenile justice system, or improved chances of successful probation completion and reduction of recidivism.

Participation in extracurricular programming can also help juvenile justice systems better serve youth. In addition to the benefits described above, giving youth access to programming while in secure confinement provides youth something positive to look forward to, which can in turn improve behavior. When detention staff participate in activities with youth, relationships between staff and youth improve, enhancing the environment in and operation of the facility. And programming in detention facilities can be designed to connect youth to community-based pro-social programs that they will support them when they return to the community.

PART 2

THE LAW GOVERNING EXTRACURRICULAR INVOLVEMENT

Both federal and California law require that the child welfare system take steps to ensure that foster youth, including probation-supervised foster youth, have access to normal childhood experiences, including access to age- and developmentally appropriate activities. By contrast, legal requirements or supports for extracurricular participation for youth involved in the juvenile justice system are scarce. Ensuring that appropriate legal requirements are both enacted and followed consistently is crucial to supporting extracurricular participation for system-involved youth.

Legal Supports for Extracurriculars in the School System

In California, public education must be provided free of charge.³² Because educational activities, including extracurricular and curricular activities, play a central role in children’s education and development, they must also be free for students when they are provided by the school, regardless of ability or willingness to pay.³³ Schools must provide necessary equipment for extracurricular activities such as musical groups, school plays,



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and sports teams, and cannot require participation fees. Further, when schools bring students to events such as exhibits, fairs, theaters, or similar activities as part of their educational programs, they cannot charge the students for the admission fees, although they may charge for transportation. And schools must provide some additional financial protection for young people in the foster care system: foster youth must be able to access after school education and safety programs free of charge.³⁴

Legal Supports for Extracurriculars for Foster Youth

Legal support for extracurricular participation for foster youth is a relatively recent phenomenon. In 2001, California became one of the first states to pass laws to promote “normalcy” for foster youth by establishing the Foster Youth Bill of Rights, which enumerated twenty-one rights - including the right to participate in extracurricular, enrichment, or social activities.³⁵ California also empowered caregivers to make “reasonable and prudent

parenting decisions” about the lives of children in their care, including extracurricular participation.³⁶

In 2013, as part of the Youth Law Center’s Quality Parenting Initiative, Florida enacted the Quality Parenting for Children in Foster Care Act, which required that case plans for teenagers in foster care include a normalcy plan, gave the caregivers the authority to consent to a foster youth’s participation in activities without seeking agency and court approval, and directed caregivers to use the prudent parent standard in making these decisions. Utah and Washington swiftly followed suit, enacting similar legislation in 2014.³⁸

Following the lead of these states, Congress enacted the Strengthening Families Act of 2014, mandating that state child welfare systems adopt prudent parenting standards and increasing federal independent living program funding to provide ongoing opportunities for foster youth to participate in age- and developmentally appropriate extracurricular, enrichment, cultural, and social activities.³⁹ The range of activities covered is expansive, including participation in school-based activities such as sports and field trips; socializing with friends and dating, including using

a cell phone; and leisure activities such as bike riding, going to the movies, and camping.⁴⁰

In determining when an activity is age- or developmentally appropriate, caregivers must consider typical developmental patterns, and, under California law, the needs and capabilities of an individual child.⁴¹ In practice, considering both developmental patterns and individual needs means that, for example, it might be appropriate for a talented singer to join a church choir with adults or for an aspiring actor to perform in a community theater play with older youth.

The law balances the need for caregivers to make reasonable parenting decisions and youths' rights to participate in extracurricular activities. For example, a caregiver is permitted to prevent a foster child from attending a specific activity as appropriate discipline for misbehavior, but the frequency and scope of that discipline cannot result in an effective denial of the youth's right to participate in extracurricular and other enrichment or social activities.⁴²

Lack of Legal Supports for Extracurriculars in Juvenile Justice System

In California, the delinquency system is tasked with providing youth in need of protective services with care, treatment, and guidance consistent with their best interest and the best interest of the public.⁴³ California law specifies that juvenile hall "shall be a safe and supportive homelike environment."⁴⁴ Beyond these basic requirements, legal guarantees that youth in the juvenile justice system have access to extracurricular activities are sparse compared to those protecting foster youth. This is unfortunate, given that there is growing recognition that youth in both these systems share very similar or identical backgrounds, experiences and challenges (including moving between systems), and can benefit from many of the same interventions.

Youth confined in juvenile camps, ranches, and detention facilities in California are entitled to education, recreation and exercise, social awareness programs, religious programs, and work programs.⁴⁵ Recent additions to the regulations governing California's juvenile detention facilities require juvenile facilities to provide at least one hour of programming daily, with an emphasis on trauma-informed, linguistically and culturally relevant programming that is based on the individual needs of youth.⁴⁶ Additionally, courts have found that the Constitution requires "[m]inimally adequate program services" that teach youth the basic principles that are essential to correcting their conduct.⁴⁷ In practice, juvenile facilities vary dramatically in the programming they provide to youth. While some facilities have on-site Boys & Girls Clubs or bring in outside providers to teach enrichment programs like yoga, creative writing, or music, others offer little beyond the minimal requirements.

For youth under probation supervision in the community, there is no legal requirement to provide access to extracurricular programming. However, California requires that local probation departments provide youth on probation protective services, with the goal of providing guidance that enables each young person to be a law-abiding and productive member of his or her family and the community.⁴⁸

Young people involved in the juvenile justice system identify greater support for extracurricular experiences as a crucial need. In a survey of youth who had been confined in juvenile facilities in California, one of the most common suggestions to improve facilities was more programs, including those that address addiction, restorative justice, and job readiness. Youth further requested programs focused on the arts and self-expression, sports, mentoring, and culturally-relevant programming.⁴⁹



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PART 3

OBSTACLES TO YOUTH PARTICIPATION IN EXTRACURRICULARS

Despite the myriad documented benefits of youth participation in extracurricular activities – to youth, families and systems – and the legal requirements governing normalcy for foster youth, including probation-supervised foster youth, extracurriculars are markedly missing from systems practices and policies. Whether due to a lack of knowledge about the importance of extracurricular participation for healthy development or to a failure to incorporate that knowledge into practice, child welfare and juvenile justice systems regularly (1) fail to address common barriers to extracurricular participation, (2) inadvertently create barriers by failing to incorporate extracurriculars into case planning, and even (3) explicitly erect barriers to participation. Fortunately, some

innovative programs are beginning to address these barriers.

Failure to Address Common Barriers to Extracurricular Participation

Participation in extracurricular activities requires an investment of resources and time. It also requires knowledge of the existence of extracurricular opportunities and how to access them. Although the difficulties presented by these barriers may be exacerbated by system involvement, the barriers themselves are not obscure and the solutions are not complicated. Thousands of fam-

ilies navigate these challenges every day to enroll their children in dance, debate, basketball, mentoring, art, and summer camps. Nevertheless, the child welfare and juvenile justice systems have often failed to help youth and families surmount these barriers.

Extracurricular activities can entail a significant outlay of funds for families. Participation in a single extracurricular activity can cost parents as much as \$600; for a family with two kids participating in two activities a year, costs can reach \$2,400.⁵⁰ Despite the importance of extracurricular participation, the foster care payment rate does not account for the cost of extracurriculars.⁵¹ Nor is there any statewide program providing financial support for extracurriculars for youth in the child welfare or juvenile justice systems. Although some California counties provide funding of approximately \$250 to \$400 per year for foster youth to enroll in extracurricular activities, this funding is often insufficient to fully fund youth participation and does not extend to youth in the juvenile justice system who are not in foster care. Even where additional funding is available, the process for receiving it can be cumbersome, in some cases requiring multiple levels of agency approval and often prohibiting reimbursement for expenses already incurred.

Transportation to and from extracurricular activities can be a barrier, especially in rural counties where distances can be long and public transit scarce. Families with multiple children may find it especially difficult to get their children to and from activities. Although this is a widespread problem, California counties have largely failed to implement systems-level solutions, such as coordinating a carpool or ride-swap list or providing additional funding to cover fuel costs.

Even where extracurricular activities are available and accessible, youth will not be able to participate if they or their families do not know about them and are not provided information about the positive impacts they can have. Child welfare agencies across California acknowledge that they struggle with effective communication among

caregivers, case managers, and community organizations regarding extracurricular opportunities and resources. Some counties simply rely on caregivers to find the information on their own, while others rely on the knowledge and communication skills of individual caseworkers. There is little training about extracurriculars as an intervention or guidance on how to identify the types of activities that might be helpful and interesting to youth. In the absence of systems for sharing such information, some youth will fall through the cracks, their needs going unmet.

Even where caregivers are aware of extracurricular opportunities, failure to effectively share important information about the child or youth can impede participation. For example, a caregiver may need information about a child's medical history or insurance or a copy of the child's birth certificate in order to sign that child up for the soccer team. If an agency does not make such information available to caregivers or creates cumbersome processes for obtaining it, it can delay or even prevent a child from participating in extracurricular activities.

Child welfare and juvenile justice systems need to be proactive about addressing these common barriers to extracurricular activities. Funding streams for extracurricular participation should be developed for youth in both systems, and funding should be readily accessible with minimal bureaucratic requirements. Agencies should explore creative funding possibilities to support extracurricular participation. Where transportation is an issue, agencies should develop solutions that respond to local needs and conditions. Agencies should work to develop partnerships with local community organizations to provide free or low-cost access to activities for youth. Information about these opportunities should be shared with youth and caregivers frequently, using multiple media. Youth's preferences and interests should be consulted in designing and promoting extracurricular programming. Ultimately, agencies must be alert to recurring barriers and proactive in tailoring both individual and systems-level responses.



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Inspire Program, Santa Barbara, CA: Providing Caregivers with Resources and Information

Santa Barbara's Inspire Program, launched in 2017 as part of the county's Quality Parenting Initiative efforts, has developed a network of 60 local business partners that provide discounts to resource families and to youth participating in extended foster care. The Inspire Program also encourages businesses to provide job training opportunities or entry-level jobs at locations such as Avis Budget Car Rental to youth in extended foster care.

The participating businesses cover a wide geographic area within the county. Recruitment of Inspire partners has focused on identifying services

that will meet the daily needs of resource families and transition-aged youth, including extracurriculars. Among the first Inspire partners were local YMCAs, which helped local foster youth enroll in summer programs, often without charge. Other early partners included restaurants that provide discounted family meals or date nights for resource parents, and an auto mechanic shop that provides discounts and deals on a variety of services.

The program thrives because of staff champions who drive communications with caregivers and partner businesses and agencies. Coordinator Gustavo Prado, a program leader, points out that in child welfare the work often involves a crisis. For example, when a child is placed with a relative caregiver, a family faces many stressors, which may be compounded by the unplanned



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financial costs associated with welcoming a new child into the family. Business and community partners can help ease these financial strains and support the family and child through discounts and subsidies for services such as extracurriculars.

Inspire does not rely only on caseworkers to maintain the program and disseminate information. Santa Barbara also has a dedicated recruiter, Matt Pennon. Pennon is a resource parent whose role is to keep resource parents, workers, and program partners engaged by sending out a bimonthly email with updates to the lists of participating businesses and any new offers available. The agency's website also maintains a list of participating businesses online. In addition, the agency supports families' awareness of Inspire by having case managers distribute Inspire materials to families during regular contacts and sending out an Inspire packet along with a family's certificate of licensing approval.

Prado observes that workers are increasingly providing Inspire packets and information to families, and families are using this benefit more often. Although the impact of Inspire has not been formally evaluated, Prado observes that Inspire has increased the number of youth participating in extracurricular activities, and families have been

accessing discounted services. Next steps for Inspire include a formal evaluation of the different aspects of Inspire, with the goal of assessing the overall efficacy of the program.

Systems Fail to Incorporate Extracurriculars into Case Planning

Child welfare and juvenile justice systems also inadvertently create barriers to extracurricular participation by failing to incorporate these activities into case planning and management. Without an explicit recognition of the value of extracurriculars and without an intentional incorporation of extracurriculars into decision making and case plans, systems will continue to make it difficult – if not impossible – for youth to reap the benefits of extracurricular participation.

Young people in the child welfare and juvenile justice systems often have their schedules filled with court dates, visits with parents and siblings, appointments with probation officers, and other services. These appointments are often scheduled without any consideration of the youth's own schedule – and when a class trip conflicts with a court date, the court date often takes precedence.

Failure to address extracurriculars in case planning can lead to multiple barriers and missed opportunities. For example, young people's extracurricular interests or commitments are not routinely taken into account in making foster care placement decisions. If a case worker fails to consider that a child is taking art classes at a local community center, that worker is unlikely to make a special effort to find a placement near the center. This could make it increasingly burdensome for the child to continue attending (especially where the agency provides no coordinated transportation support) or even cause the child to lose eligibility for the classes if she no longer meets residency requirements. Placement work-

ers often forget to reach out to adults at the community center who may have connected with the child and could provide a placement, permanent connection, and stability. When a young person loses the ability to participate in an extracurricular activity they enjoy, they not only lose the activity, but also the network of supportive adults and peers connected with that activity. Losing these connections can seriously compound the trauma and difficulty of removal and placement changes. And of course, where a child experiences multiple placement changes, the burden of seeking out, joining, and becoming engaged in new activities is significant.

In addition, courts and agencies should think creatively about how to incorporate other necessary activities into extracurricular participation so youth and families are not overwhelmed with demands for time and travel. For example, sterile, awkward visitation at an agency visitation center can be replaced with “parenting time” with birth and resource families cheering a youth on during their basketball game together and going out for ice cream or dinner afterwards. Sibling visitation can be incorporated into attending and supporting sibling activities or having older siblings transport younger siblings to events or acting as a chaperone.

If the therapeutic impact of extracurricular participation is fully respected, these activities might replace other court or agency ordered mental health related activities. Skill-building activities with a therapeutic component, such as therapeutic horseback riding or art therapy, could be incorporated into a child’s mental health treatment plan and supported with federal Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) funds where such services are medically necessary to address a young person’s mental health needs. Therapists who are working with young people to build important skills such as emotional regulation can incorporate this therapeutic intervention into a youth’s extracurricular participation. For example, a therapist working with a young person to help him manage anger

appropriately could accompany him to a football practice to provide support and targeted intervention as the youth practices these skills in a context that is engaging to him. These targeted therapeutic interventions can be developed and implemented in partnership between mental health professionals and adults who are important to the youth or share lived experience with the youth, strengthening the youth’s connections with supportive adults.

For young people on probation, the failure to comply with court-ordered terms of probation can result in increasingly severe penalties, including commitment to a detention facility. Unfortunately, participation in extracurricular activities is not often considered when probation terms are set. So, for example, a young person might find herself barred from leaving the county – and therefore unable to compete in a debate tournament at the high school just across the county line. Or a young person might have a curfew that requires him to be at home after 7 p.m., interfering with basketball practice that routinely runs until 8 o’clock.

Youth who are placed in group care through either the juvenile justice or foster care systems face additional barriers to extracurricular participation. The structure, staffing, and transportation resources of group care facilities are often not set up to accommodate youth participation in extracurriculars – particularly where those extracurriculars occur outside of the facility. Facilities prioritize youth participation in activities inside the program, limiting youth’s opportunity to access community resources and to interact with young people and adults outside of the system. In addition, group settings tend to offer a small number of activities for a large group of youth rather than tailoring activities to a youth’s individual desires and needs. This one size fits all approach is antithetical to the research on adolescent development. As California transitions away from traditional group homes to very short term therapeutic placements, the need for community based interventions that are not contingent on a



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specific placement becomes even more critical. Consistent participation in a spoken word group or track team might offer critical stability and continuity as a youth transitions from a resource family to short term residential therapeutic program and back home.

The solution to these issues is relatively straightforward: extracurricular participation must be included in case planning and case decision making. Case managers, judges, attorneys, and caregivers should be familiar with the extracurricular activities available in their communities, the interests of youth in their care, and the resources available for funding them. The research makes clear that focus on these activities is just as important for youth's well-being as focus on educational or mental health activities. Ensuring that youth can participate freely in extracurriculars should be a priority in decision making in all aspects of the case, from the imposition of probation requirements, to the scheduling of visits or

therapy sessions, to placement changes. And in those instances where young people are placed in group care, agencies, courts, and advocates must ensure that the facility is able to provide support for individualized extracurricular participation.

Court Collaboration in Northwest Georgia: Prioritizing Extracurricular Involvement

Beginning in 2014, Georgia law required a trauma assessment for every child who was adjudicated dependent. In many cases, courts would also require children to undergo a psychological evaluation. As a result of these assessments and evaluations, psychologists would frequently testify in the court about the importance of incorporating extracurricular and physical activities into the child's life. Unfortunately, the court often would not hear this testimony until much later into the

court process, impeding the court's ability to help secure this important resource for children.

Judges in the Northwest Georgia System of Care engaged in conversations with psychologists and other providers to seek a solution to this problem, and to ask that evaluations and assessments include recommendations for extracurricular and physical activities. These written recommendations are provided to the courts earlier in the process, which helps courts incorporate the recommendation into their orders. As a result, judges began to see the positive impacts on the children and young people in their courtrooms. Young people gained confidence from succeeding at something they cared about, improved their academic performance, and built relationships with coaches and mentors – relationships that, in some cases, led to permanency.

The above example is one of many positive outcomes of the collaborative efforts of stakeholders and the effective use of a system of care. Northwest Georgia has had a system of care with strong judicial leadership since the 2000s. This system of care was created with the goal of encouraging collaboration between stakeholders, including judges, agency directors, school board representatives, CASAs, birth parents, foster parents, and local community supports, in an effort to improve access to services to support children and families. The executive committee has regularly held monthly meetings, and there are at least two regional meetings annually for all stakeholders. This collaborative approach allows stakeholders to bring their resources together to effectively and holistically serve children and families and to improve overall outcomes for children, families, and communities.

Systems Erect Explicit Barriers to Extracurricular Participation

Where systems view extracurricular participation as a reward, rather than as critical to healthy development, they may exclude youth from extra-

WHEN COURTS CONSIDER EXTRACURRICULARS, YOUNG PEOPLE GAIN CONFIDENCE, IMPROVE ACADEMIC PERFORMANCE, AND BUILD RELATIONSHIPS.

curriculars as a punishment. Given the significant developmental and behavioral benefits of extracurricular participation, this exclusion is detrimental to youth and counterproductive. This problem is particularly acute for young people in group care and in the juvenile justice system who are detained in secure confinement. In many facilities, extracurricular or enrichment activities are earned through good behavior or may be taken away as a disciplinary response. Facilities uphold a negative cycle in which a youth who is poorly behaved, and probably most in need of intervention, does not have the opportunity to participate in positive programming, which could help him regulate his behavior in the facility and in the community and begin the process of rehabilitation.⁵²

Systems may also limit youth participation in extracurriculars through a default preference for avoiding risk. Despite state and federal law guaranteeing foster youth the right to participate in age- and developmentally appropriate activities – and safeguarding caregivers' ability to make reasonable parenting decisions regarding participation – systems sometimes impose onerous requirements on families that act as barriers to extracurricular participation. For example, agencies may require high-level approval before allowing a foster youth to travel out of state or county for a class trip or sports tournament. Families may have challenges convincing a county agency to allow a youth to sleep in a hotel supervised by coaches or teachers for these activities. In other instances, case managers may fail to support certain activities by, for example,



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providing discretionary funding to a youth who wants to participate in color guard but not to a youth who wants to participate in a car club. Where case managers fail to respond to youth's actual needs and interests out of a concern about liability or misplaced gatekeeping instinct, youth miss opportunities. Healthy child and adolescent development inherently requires allowing risk and increasing independence so youth have the experiences they will need to navigate adult life.

Boys & Girls Club Partnerships: Sonoma and Sacramento County Probation Departments

Imagine an empty housing pod inside a juvenile hall - a sterile institution with white cement walls and steel doors. Now picture purple paint with a mural, carpet, some foosball tables, colorful signs about career paths, graduation photos. There's a

friendly staff member who greets you with a smile when you walk in and shakes your hand. This set-up describes the Boys & Girls Clubs inside Sonoma County's Juvenile Hall, operated by the Probation Department.

Sonoma County Probation allows all youth in the facility to participate in Club programming twice a week. The first hour of Club is a life skills class, such as job readiness, in which all youth on the unit participate and that offers school credit. During the second hour at the Club, youth who have disciplinary restrictions go back to their unit while other youth have free time to play games, listen to music, or speak with staff.

Once a youth is released, this partnership continues. Sonoma County's community-based REACH program provides young people who have been released from custody with intensive case management, training workshops, and group activities to help them make progress in work, education,

relationships, community, health, and creativity. In partnership with Juvenile Probation, REACH supports youth in successfully completing probation and leading crime-free lives. REACH further assists youth with enrolling in school and obtaining a job – and youth know that they can find community and supportive adults at the Boys & Girls Club.

In 2013, the Sacramento Probation leadership developed a collaboration with Boys & Girls Clubs. Youth confined in Sacramento’s juvenile hall who participate in Boys & Girls Club build relationships with adults who can support their efforts when they return to the community. One youth, Darius, originally joined the Boys & Girls Club in juvenile hall and recently began regularly attending the E.L. Hickey branch in the community. Darius observes that “when I get off track I like to come to the after-school program because they help remind me of what I am trying to accomplish.”

Implementing such a program requires a culture change for facilities, which must move from a control-based culture to a positive youth development culture. Sacramento County’s experience demonstrates that this approach is effective. Realizing that disciplinary challenges were symptomatic of a failure to provide enough programming to keep the youth occupied, administrators increased programming and decreased reliance on room confinement. This resulted in a sharp decrease in the use of restraints (from about 90 per month in 2010 to about 6 per month in 2017) and a 90% decrease in workers’ compensation claims.

Aztecas Soccer Program, Santa Cruz, CA

A teenage boy wearing a purple jersey races down the soccer field, chasing the ball and passing it to his teammate, who kicks a blazing shot past the goalie. The purple-clad team erupts in cheers – their coach on the sideline urges them to stay focused. A typical scene for a

“WHEN I GET OFF TRACK, THE AFTER-SCHOOL PROGRAM REMINDS ME OF WHAT I AM TRYING TO ACCOMPLISH.”

- DARIUS, BOYS AND GIRLS CLUB PARTICIPANT

weekend soccer game. But this team is anything but typical. Their purple jerseys? A symbol that the team’s players are coming together despite their previous affiliations with the Norteño and Sureño gangs, which identify themselves with the colors red and blue. Their cheering coach? Santa Cruz County Probation Officer Gina Castaneda, who has created the innovative Aztecas Soccer Program to help her clients not just stay out of trouble, but also become community leaders.

A Probation Officer working primarily with Latino youth from Watsonville, California, Castaneda heard from many of the young men she was supervising that they loved to play soccer but didn’t have a team to play with. Herself an avid soccer player, Castaneda approached Probation leadership with her plan: a soccer team for gang-involved youth under probation supervision that would provide not only soccer training, but also opportunities for mentorship, gang intervention, and academic support. Starting with no funding, over the first three years, Castaneda built the program as a volunteer. Gradually, the Aztecas began to obtain funding from a variety of sources, including community donations, grants, and savings to Probation from avoiding out-of-home placements or secure confinement for Aztecas players.

Ten years later, Aztecas is thriving. Accepting referrals from a broad array of sources, including Probation, local police departments, community organizations, and schools, Aztecas is open to young people on probation supervision and who

EXTRACURRICULARS GIVE KIDS 'THE CHANCE TO BEHAVE LIKE KIDS AND PUT DOWN THEIR MASKS.'

- GINA CASTANEDA, SANTA CRUZ PROBATION OFFICER AND AZTECAS COACH

are identified as being at high risk of juvenile justice involvement. At any time, ten to fifteen young people participate in the team. Participation is a serious commitment; in addition to practicing and playing in games four days a week, team members receive academic tutoring, case management, and soon, health and wellness classes and local college visits. In addition to Castaneda, who is able to dedicate about fifteen percent of her time to the program, Aztecas employs two assistant coaches, a grant writer, and a part-time activities coordinator who keeps attendance at practices, tutors team members, and advocates on their behalf at school.

Aztecas players not only receive services as part of the team, they also give back to the community - and in the process, develop as community leaders. Every week, Aztecas team members participate in several hours of community service - from working in soup kitchens to volunteering at local schools. Not only does this give young people on probation the opportunity to earn some community service hours, it helps them connect with their peers and with the community. "Because they're doing it with people they're connected to," says Castaneda, "they're more engaged."

The centerpiece of the Azteca's community outreach is the Aztecas Youth Soccer Academy, a week-long soccer clinic for kids aged 7-14

that Aztecas team members run in partnership with a team of college students. A week before the Academy, Castaneda provides an eight-day course for the team to teach communication, coaching, and soccer skills. Then, for the week of the Academy, the Aztecas take charge - setting up the camp, teaching the campers soccer moves, and debriefing in the afternoons. The week culminates in a soccer tournament, with a barbeque and community resource fair for the campers and their parents. The Academy is an opportunity for Aztecas team members to act as leaders and mentors for kids in the community - many of whom are foster youth or have parents impacted by incarceration.

The Aztecas Soccer Program offers many benefits to its team members. They are able to make connections with a team of supportive adults who view them through a strengths-based lens and who provide case management and crisis intervention. Participation in Aztecas reduces team members' gang involvement and substance use. As Castaneda explains, participation in Aztecas takes up too much time to leave room for negative activities. Castaneda has observed that Aztecas team members are recognized in their community as having chosen a path other than gang involvement - allowing them an easier exit from gang affiliation. Perhaps most important, however, is the way that Aztecas participation impacts young people's sense of themselves. Aztecas members are not just "at-risk youth." Instead, through participation in Aztecas, young people learn to see themselves as athletes, as leaders, as mentors, as people who give back to their community.

Of course, it's not all soccer and community service. Castaneda ensures her team kicks back and has fun as well. The Aztecas have taken field trips to a local ropes course and to the amusement park. At the end of the day, Castaneda says, "they are just kids, and they get the chance to behave like kids and put down their masks."



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PART 4

RECOMMENDATIONS

The benefits of extracurricular activities are too important to let barriers, especially systems-created barriers, stand in the way of youth participation. Fortunately, programs such as those highlighted above demonstrate that enabling access to extracurriculars is possible. Below are recommendations for steps that agencies, lawmakers, and other stakeholders can take to ensure that every youth has the opportunity to participate and thrive in extracurricular activities.

Training and Information

- **Training on Extracurriculars:** Child welfare staff, probation officers and counselors, caregivers, attorneys, judges, and other stakeholders should be trained on the benefits of extracurriculars, legal requirements for access, how to promote access through practices, policies and resources,

and how best to support caregivers and youth to participate in extracurricular programming.

- **Communication with Youth and Caregivers:** Case managers, including both child welfare and probation staff, should be familiar with extracurricular opportunities for youth in their jurisdiction and resources available to support participation. These opportunities should be communicated to youth, caregivers, and family members repeatedly and in multiple formats. Case managers and other support networks, such as parents' and youth networks, should disperse information online, in child and family team meetings, in phone and email communication, and during home visits. Agencies can share information on websites and social media. Agencies should ensure that caregivers have all the information about youth that might be necessary to enroll in extracurriculars.

Collaboration and Community Involvement

- **Youth Voice:** Programs to improve access to extracurriculars should be developed in partnership with systems-involved youth. Decisions regarding the types of programming and support to be offered should be based on interests voiced by youth and youth advocates.
- **Agency/Community Partnerships:** Child welfare agencies and probation departments should work collaboratively with the local schools and service providers (such as YMCAs, Boys & Girls Clubs, and Recreation or Parks Departments) to provide free or low-cost extracurriculars, with accommodations that ensure that system-involved youth are able to participate. Agencies should educate partner organizations, including schools, about the specific needs of system-involved youth and how to conduct outreach and troubleshoot challenges.
- **Engage CASAs:** Court-appointed special advocates should be encouraged to provide support for extracurricular participation, including outreach to community organizations to develop partnerships, educating the court and legal counsel about the importance of participation to healthy development, brainstorming creative ways to incorporate extracurriculars into other case activities, providing transportation, and working with young people and families to identify interests and relevant programming and ensure youth are signed up and participating.

Case Planning and Management

- **Extracurriculars in the Case Plan:** Both foster care and juvenile justice systems should prioritize extracurriculars in case planning and center other activities on extracurriculars. Youth should identify current or desired extracurricular activities to explore. Those activities should

"SYSTEMS MUST THINK IN AN ENTIRELY NEW WAY ABOUT EXTRACURRICULARS: AS A KEY INTERVENTION FOR CHILDREN AND YOUTH -- NOT JUST AN EXTRA."

**- JENNIFER RODRIGUEZ,
EXECUTIVE DIRECTOR,
YOUTH LAW CENTER**

be included in the case plan to ensure that case managers, the court, and caregivers are held accountable for participation. The case plan should include action steps and responsible parties to ensure that youth are able to participate in their desired activities. For probation-supervised youth, extracurricular participation should not be a term of probation, but should be included in the case plan to ensure that probation terms do not interfere with participation.

- **Include Extracurricular Mentors in Case Planning and Child and Family Teams:** Youth should be asked to identify and invite supportive adults with whom they have formed a relationship through extracurriculars to participate in child and family team meetings.
- **Identify and Resolve Local Barriers:** Child welfare agencies and probation departments should work proactively with youth, families, and service providers to identify and resolve recurring barriers to participation. For example, where transportation is an issue, agencies should coordinate vans and carpools in order to alleviate the transportation burden, connecting foster parents who live near each other, with similar aged youth, or youth who attend the same school.

Legal, Policy, and Financial Supports

- **Financial Supports:** States should provide dedicated funding for extracurricular activities for foster youth and probation-supervised youth. This funding should be widely available with a streamlined application process to avoid delays and entry barriers. Agencies should explore potential funding streams as applicable, including EPSDT or foster parent recruitment and retention funds, and ensure that families and agency staff are aware of funding possibilities and supported to access funding.
- **Ensure that Extracurriculars are Treated as Positive Interventions:** Systems should ensure that extracurriculars are considered a critical developmental and behavioral intervention, not a reward. For example, juvenile detention and residential facility policies and practices should not bar youth from extracurricular and enrichment activities as a disciplinary measure. Similarly, where a youth is struggling academically, systems should provide additional academic support rather than removing youth from extracurricular activities.
- **Stronger Protections for Youth in the Juvenile Justice System:** Young people under probation supervision need stronger legal

protections for extracurricular access. State lawmakers and agencies should require programming in secure confinement that responds to young people's interests and needs. State lawmakers should clarify that the supervision duties of probation officers include providing youth both in secure confinement and in the community with information and support to access extracurricular activities.

CONCLUSION

Extracurricular participation cannot be an afterthought or optional activity for system-involved youth. Instead, child welfare and juvenile justice agencies must recognize the crucial developmental, social, and educational benefits youth derive from extracurriculars, and ensure the legal protections that currently exist to protect youth participation in extracurriculars are upheld. When systems fail to acknowledge or understand the critical role of extracurriculars in youth development, they fail to alleviate - and instead may even erect - barriers to participation. Fortunately, promising practices demonstrate that when we make these activities a priority, systems, families, advocates and youth can overcome these barriers so our youth feel valued and successful and have the new opportunities they deserve to heal and grow.

Notes

- 1 CHILD WELFARE INFORMATION GATEWAY, U.S. DEP'T OF HEALTH AND HUMAN SERVS., FOSTER CARE STATISTICS 2016 2 (Apr. 2018), available at <https://www.childwelfare.gov/pubPDFs/foster.pdf#page=1&view=Introduction>.
- 2 Child Welfare Indicators Project, University of California at Berkeley, Point in Time/In Care Report, Child Welfare, July 1, 2018 (last visited November 21, 2018), http://cssr.berkeley.edu/ucb_child-welfare/PIT.aspx.
- 3 Nina Hyland, Office of Juvenile Justice and Delinquency Prevention, U.S. Dep't of Justice, Delinquency Cases in Juvenile Court, 2014, JUVENILE JUSTICE NATIONAL STATISTICS NATIONAL REPORT SERIES FACT SHEET, Jan. 2018, at 1, available at <https://www.ojjdp.gov/pubs/251107.pdf>.
- 4 CRIMINAL JUSTICE STATISTICS CENTER, CALIFORNIA DEP'T OF JUSTICE, JUVENILE JUSTICE IN CALIFORNIA 2017 iv-v, available at <https://open-justice.doj.ca.gov/resources/publications>.
- 5 Child Welfare Information Gateway, U.S. Dep't of Health and Human Servs., Understanding the Effects of Maltreatment on Brain Development, ISSUE BRIEF, Apr. 2015, at 5-6, available at https://www.childwelfare.gov/pubPDFs/brain_development.pdf.
- 6 Trauma resulting from maltreatment can continue to have effects into adolescence and beyond, including delayed developmental milestones, increased risky behavior, and difficulties navigating social situations. *Id.* at 9.
- 7 JIM CASEY YOUTH OPPORTUNITIES INITIATIVE, THE ROAD TO ADULTHOOD: ALIGNING CHILD WELFARE PRACTICE WITH ADOLESCENT BRAIN DEVELOPMENT 8 (July 2017), available at <https://www.aecf.org/m/resourcedoc/aecf-theroadtoadulthood-2017.pdf> [hereinafter THE ROAD TO ADULTHOOD]; Jim Casey Youth Opportunities Initiative, Promoting Development of Resilience Among Young People in Foster Care, ISSUE BRIEF, no. 4, Apr. 27, 2012, at 5, available at <https://www.aecf.org/m/resourcedoc/JCYOI-PromotingDevelopmentofResilience-2012.pdf> [hereinafter Promoting Resilience].
- 8 THE ROAD TO ADULTHOOD, *supra* note 7; Promoting Resilience, *supra* note 7, at 2.
- 9 Promoting Resilience, *supra* note 7, at 6.
- 10 *Id.*
- 11 MARK E. COURTNEY ET AL., MIDWEST EVALUATION OF THE ADULT FUNCTIONING OF FORMER FOSTER YOUTH: OUTCOMES AT AGE 26 113 (2011), available at <https://www.chapinhall.org/wp-content/uploads/Midwest-Eval-Outcomes-at-Age-26.pdf>; Rajeev Ramchand et al., Seven-Year Life Outcomes of Adolescent Offenders in Los Angeles, 99(5) AM. J. OF PUB. HEALTH 863, 863 (May 2009).
- 12 THE ROAD TO ADULTHOOD, *supra* note 7 at 14.
- 13 *Id.*
- 14 Youth who participate in extracurricular clubs experience significant growth in self-esteem, which helps promote self-efficacy because a more positive view of oneself facilitates a more positive view of one's capabilities. Youth who participate in extracurricular activities have significantly increased positive feelings and attitudes about themselves and their school, including increased self-efficacy. In addition, the experience of mastering a task or skill, helps to build self-efficacy. Albert Bandura, Self-efficacy: toward a unifying theory of behavioral change, 84(2) PSYCHOL. REV. 191-215 (1977); 84(2):191-215; Ellen Usher and Frank Pajares, Sources of self-efficacy in school: critical review of the literature and future directions, 78(4) REV. OF EDUC. RES. 751, 751 (2008); Sandra K. M. Tsang et al., Self-Efficacy as a Positive Youth Development Construct: A Conceptual Review, Sci. World J. (Apr. 29, 2012), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3351108/>.
- 15 Tsang, *supra* note 14.
- 16 A 2014 study found that novice teachers in low-income schools who had been captains or presidents of clubs in college were rated as better teachers and stayed in their jobs longer. Kaisa Snellman et al., The Engagement Gap: Social Mobility and Extracurricular Participation among American Youth, 657(1) THE ANNALS OF THE AM. ACAD. OF POL. AND SOC. SCI. 194 (Jan. 2015).
- 17 Joseph A. Durlak et al., A Meta-Analysis of After-School Programs That Seek to Promote Personal and Social Skills in Children and Adolescents, 45 Am. J. of Community Psychol. 294, 295, 299 (2010), available at http://www.flume.com.br/pdf/Durlak_A_meta-analysisof_after_school.pdf; see also NATIONAL COLLABORATION FOR YOUTH, THE IMPACT OF YOUTH DEVELOPMENT PROGRAMS ON STUDENT ACADEMIC ACHIEVEMENT (March 2011), available at <http://nationalassembly.org/Uploads2/Resources/SchoolSuccessBrief.pdf>
- 18 Alia Wong, The Activity Gap, THE ATLANTIC, Jan. 30, 2015, available at <https://www.theatlantic.com/education/archive/2015/01/the-activity-gap/384961/>.
- 19 Durlak, *supra* note 17, at 295.
- 20 *Id.*; AMY J. A. ARBRETON ET AL., BEYOND SAFE HAVENS: A SYNTHESIS OF 20 YEARS OF RESEARCH ON THE BOYS AND GIRLS CLUBS (2005), available at <http://admin.issuelab.org/permalink/download/1180>.
- 21 NATIONAL RECREATION AND PARKS ASSOCIATION, THE BENEFITS OF RECREATIONAL PROGRAMMING ON JUVENILE CRIME REDUCTION: A REVIEW OF LITERATURE AND DATA (2014), available at http://www.nccu.edu/formsdocs/proxy.cfm?file_id=2907; Durlak, *supra* note 17, at 299; Wong, *supra* note 18.
- 22 NATIONAL RECREATION AND PARKS ASSOCIATION, *SUPRA* NOTE 22; R.M. LERNER ET AL., THE POSITIVE DEVELOPMENT OF YOUTH: COMPREHENSIVE FINDINGS FROM THE 4-H STUDY OF POSITIVE YOUTH DEVELOPMENT (2013), available at <https://4-h.org/wp-content/uploads/2016/02/4-H-Study-of-Positive-Youth-Development-Wave-9-Report.pdf>. 4-H is the nation's largest youth development program with a focus on hands-on, learn by doing opportunities.
- 23 Joseph P. Allen et al., Preventing Teen Pregnancy and Academic Failure: Experimental Evaluation of a Developmentally Based Approach. 68(4) CHILD DEV. 729 (2006); NATIONAL COLLABORATION FOR YOUTH, *supra* note 17.
- 24 NATIONAL RECREATION AND PARKS ASSOCIATION, *supra* note 22. Juvenile violence is more prevalent on school days and the most likely time for a juvenile to commit an assault with bodily harm or an assault with a weapon is between 3 and 4 pm.
- 25 Jim Casey Youth Opportunities Initiative, Social Capital: Building Quality Networks for Young People in Foster Care, ISSUE BRIEF, no. 2, May 28, 2012, at 2-3, available at <https://www.aecf.org/m/resourcedoc/jcyoi-IssueBrief2SocialCapital-2012.pdf>.

- 26 *Id.*
- 27 Snellman et al., *supra* note 16.
- 28 JIM CASEY YOUTH OPPORTUNITIES INITIATIVE, *FOSTERING YOUTH TRANSITIONS: USING DATA TO DRIVE POLICY AND PRACTICE DECISIONS* (Nov. 2018), available at <https://www.aecf.org/resources/fostering-youth-transitions/>.
- 29 *Id.*
- 30 *Id.*
- 31 *Id.*
- 32 CAL. CONST. art. IX, §5.
- 33 *Hartzell v. Connell*, 35 Cal. 3d 899, 911 (1984); CAL. EDUC. CODE §49011.
- 34 CAL. EDUC. CODE § 8482.6.
- 35 A.B. 899, 2001-2002 Leg. Sess. (Ca. 2001). The National Foster Care Youth & Alumni Policy Council has defined normalcy as “the opportunity for children and youth in [an] out-of-home placement to participate in and experience age and culturally appropriate activities, responsibilities, and life skills that promote normal growth and development.” NAT. FOSTER CARE YOUTH & ALUMNI POL’Y COUNCIL, *NORMALCY 2*, available at <http://nationalpolicy-council.org/sites/default/files/docs/landingpage/Normalcy%20Priorities.pdf>.
- 36 A.B. 408, 2002-2003 Leg. Sess. (Ca. 2003).
- 37 C.S./S.B. 164, 2013 Sess. (Fl. 2013).
- 38 H.B. 346, 2014 Gen. Sess. (Utah 2014); S.B. 6479, 63rd Leg., 2014 Reg. Sess. (Wash. 2014).
- 39 *Preventing Sex Trafficking and Strengthening Families Act*, H.R. 4980, 113th Cong. (2014).
- 40 CAL. CODE REGS. tit. 22, §89379; CAL. DEP’T OF SOC. SERVS., *RE-SOURCE FAMILY APPROVAL WRITTEN DIRECTIVES Section 11-14* (2017) [hereinafter *RFA Written Directives*].
- 41 CAL. WELF. & INST. CODE §362.05(c)(2); 42 U.S.C. § 675(11)(A)(i).
- 42 CAL. DEP’T OF SOC. SERVS., *ALL-COUNTY INFORMATION NOTICE NO. 1- 17-13* (May 17, 2013), available at http://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2013/I-17_13.pdf; *RFA Written Directives Section 11-12(a) & 11-14*.
- 43 CAL. WELF. & INST. CODE §202 (b).
- 44 CAL. WELF. & INST. §851.
- 45 CAL. CODE REGS. tit.15, §1370-§1378.
- 46 BOARD OF ST. & COMMUNITY CORRECTIONS, *Juvenile Title 15 Regulations Revision Express Terms* (Mar. 12, 2018), p. 39, available at <http://www.bscc.ca.gov/downloads/Proposed%20Text%20-%20T15%20Juv%20Regs%20Rev%204.6.2018.pdf>.
- 47 *Jackson v. Indiana*, 406 U.S. 715 (1972); *Alexander v. Boyd*, 876 F. Supp. 773, 796 (D.S.C. 1995).
- 48 CAL. WELF. & INST. CODE §202(b)
- 49 California Board of State and Community Corrections Revision Process Proposed Changes to Title 15 and/ or Title 24 Minimum Standards for Juvenile Facilities (Jan. 20, 2017), available at <http://www.calendow.org/wp-content/uploads/Youth-survey-focus-group-BSCC-survey-submission-TCE-Jan-2017-1.pdf>
- 50 Wong, *supra* note 18.
- 51 Welf. and Inst. Code §11460(a) and (b).
- 52 JEFFREY A. BUTTS ET AL., *POSITIVE YOUTH JUSTICE: FRAMING JUSTICE INTERVENTIONS USING THE CONCEPTS OF POSITIVE YOUTH DEVELOPMENT 9* (2010, available at <https://johnjayrec.nyc/wp-content/uploads/2010/04/pyj2010.pdf>).



The Youth Law Center (YLC) advocates to transform foster care and juvenile justice systems across the nation so every child and youth can thrive. For the past forty years, YLC has been a thought leader in advocacy for children and youth in the nation's child welfare and juvenile justice systems. We envision a world where systems interventions and approaches prioritize children's humanity and needs.

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