



# Foster Care Overview and Requirements for Transportation Procedures

## ESSA Directors Institute

Consolidated Planning and Monitoring



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# Agenda

## Introduction

- Definition of Foster Care

## Overview

- Policy vs. Procedure
- Components for Foster Care Procedures
  - Point of Contact
  - Best Interest Determination Meeting
  - Transportation
  - Enrollment

## Activity

- Timeline
- Collaboration

# What is foster care?

- “Foster care” means 24-hour substitute care for children placed away from their parents or guardians and for whom Department of Children's Services (DCS) has placement and care responsibility.
- This includes placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes.
- The Title I foster care provisions apply to all children in foster care enrolled in public schools.

# Foster Care in ESSA

- Children and youth in foster care represent one of the most vulnerable student subgroups in this country. Of the approximately 415,000 children in foster care in 2014, nearly 270,000 were in elementary and secondary schools.
- Studies find that children in foster care are much more likely than their peers to struggle academically and fall behind in school.

# Children in Foster Care

- Are often a vulnerable and highly mobile student population
- Experience more unscheduled school changes than their peers in a given school year
- Experience (compared to their peers not in foster care):
  - LOWER high school graduation rates;
  - LOWER scores on academic assessments; and
  - HIGHER rates of retention, absenteeism, suspensions, and expulsions

# Fast Facts from National Datasheet

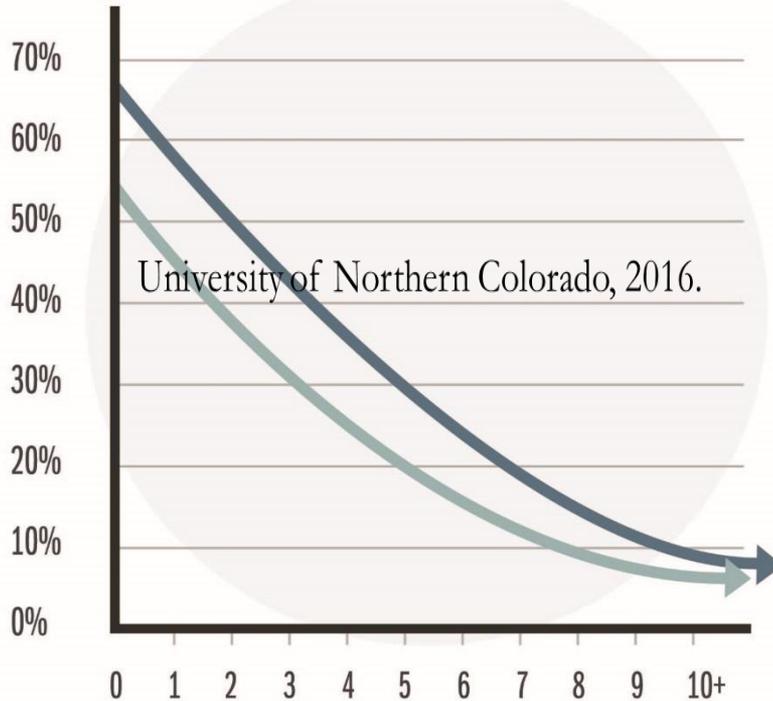
Educational Experience or Outcome	Findings
% of youth in foster care who change schools when first entering care	31% - 75% <sup>2</sup>
% of 17- to 18-year-olds who experienced 5 or more school changes	34.2% <sup>3</sup>
Likelihood of being absent from school	About twice that of other students <sup>4</sup>
Likelihood of 17- to 18-year-old youth in foster care having out-of-school suspension	About twice that of other students <sup>5</sup> (In one study the rate was 24% vs. national general population rate of 7%) <sup>6</sup>
Likelihood of 17- to 18-year-old youth in foster care being expelled	About 3 times that of other students <sup>7</sup>
Reading level of 17- to 18-year-olds in foster care	Average level 7 <sup>th</sup> grade 44% at high school level or higher <sup>8</sup>
% of youth in foster care receiving special education services	35.6% <sup>9</sup> - 47.3% <sup>10</sup>
% of 17- to 18-year-old youth in foster care who want to go to college	70% <sup>11</sup> - 84% <sup>12</sup>
% of youth in foster care who complete high school by age 18 (via a diploma or GED)	Colorado: 41.8% <sup>13</sup> Midwest Study (age 19): 63% <sup>14</sup>
% of youth in foster care who complete high school by age 21	65% by age 21 <sup>15</sup> (National data) (Compared with 86% among all youth ages 18-24 <sup>16</sup> )
% of youth in foster care who graduated from high school who enrolled in college at some level	31.8% <sup>17</sup> - 45.3% <sup>18</sup> (Compared with national college enrollment rate of 69.2% in 2015, which is slightly below national record high of 70.2% in 2009) <sup>19</sup>
% of foster care alumni who attain a bachelor's degree	3 - 10.8% <sup>20</sup> (Compared with national college completion rate of a BA or higher of 32.5%) <sup>21</sup>

# What the Research Shows

National Demographic Data of Youth in Foster Care*	
Number of children and youth in foster care on September 30, 2016	437,465
Number of children age 0-4	155,632
Number of children age 5-17 (typical school age)	268,517
Number of young adults age 18-21	13,316
Percentage with more than one living placement while in foster care	65%

\*These data come from the most recent report from the Adoption and Foster Care Analysis and Reporting System (AFCARS) released November 30, 2017.

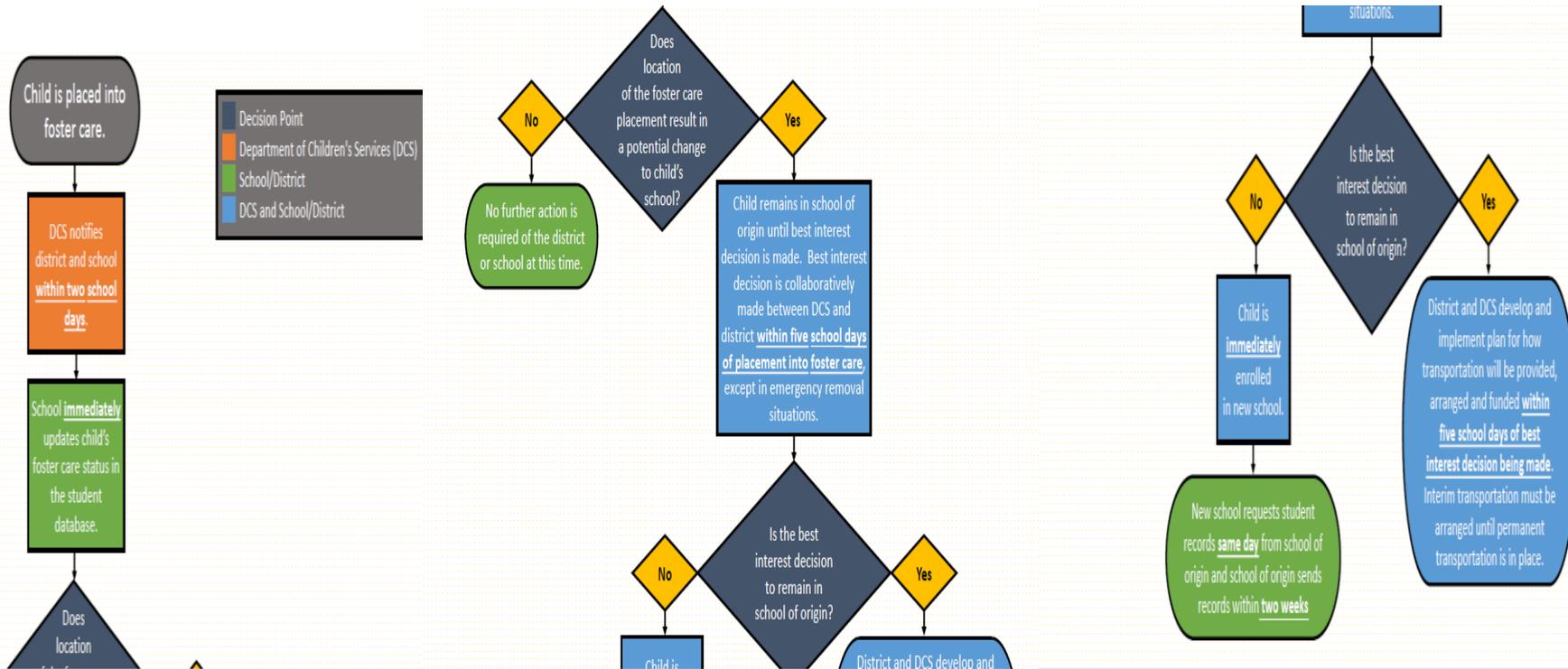
# Links Between Mobility and Graduation



- 4-YEAR GRADUATION RATE
- 6-YEAR GRADUATION RATE



# Foster Care Educational Stability Overview



# Foster Care Blueprint for Change: Goals for Youth

**Goal 1: Remain in the Same School**

**Goal 2: Seamless Transitions Between Schools**

**Goal 3: Young Children are Ready to Learn**

**Goal 4: Equal Access to the School Experience**

**Goal 5: School Dropout, Truancy, and Disciplinary Actions Addressed**

**Goal 6: Involving and Empowering Youth**

**Goal 7: Supportive Adults as Advocates and Decision-makers**

**Goal 8: Obtaining Postsecondary Education**

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# **Requirements for LEAs Serving Youth in Foster Care**

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# Policy vs. Procedure

Policies	Procedures
Have widespread application	Have a narrower focus
Are non-negotiable, change infrequently	Are subject to change and continuous improvement
Are expressed in broad terms	Are a more detailed description of activities
Are statements of what and/or why	Are statements of how, when and/or who & sometimes what
Answer major operational issues	Detail a process

# Components of LEA Procedures

- Point of Contact
- Best Interest Determination Meeting
- Transportation
- Enrollment
- Training
- Review Plan with DCS Educational Specialist

# Point of Contact: Guidance Provisions

- **LEA POCs** should have the capacity and resources to guide the implementation of the ESSA provisions.
  - Each LEA should have a POC designated to coordinate services for all students in foster care. Responsibilities should include coordinating with regional DCS offices to develop a process for implementation of ESSA provisions.

# Best Interest Determinations: ESSA Requirements

The district must provide assurances that:

- Children in foster care enroll or remain in the school of origin unless there is a determination that it is not in his or her best interest to attend the school of origin.
- The best interest determination must be based on all factors, including:
  - appropriateness of the current educational setting and
  - proximity to the school in which the child is enrolled at the time of placement.

# Best Interest Determinations: Guidance Provisions

- The Best Interest Determination (BID) team should consider multiple student-centered factors
  - Transportation costs should not be a factor
- The BID team should consult the child, if appropriate, and adults who have meaningful relationships with child

# Best Interest Determinations: Guidance Provisions

- If the LEAs cannot come to agreement, the ultimate decision should reside with DCS.
- LEAs must coordinate with DCS to develop a dispute resolution process.
- To the extent feasible and appropriate, a child must remain in his or her school of origin while awaiting a decision to reduce the number of school moves.

# Best Interest Determination Checklist (example)

Student Name:	DOB:		Determination Decision: (circle one)
			School of Origin    or    Local School
Best Interest Determination	Consideration		Evidence
	School of Origin	Local School	
Preference of the child			
Preference of the educational decision maker			
Child's attachment to school			
Placement of the child's sibling(s)			
School Climate			
Educational and social emotional needs			
Need for services and supports under IDEA or 504			
Academic needs (EL, Advanced Academics, etc.)			

# Transportation Procedures: ESSA Requirements

- LEAs must provide assurances that they will collaborate with DCS to:
  - Develop and implement clear written procedures for how transportation will be provided, arranged, and funded for the duration of the time in foster care.
    - Procedures must ensure that children will promptly receive transportation in a cost-effective manner in accordance with the Fostering Connections Act.

# Transportation Procedures: ESSA Requirements

- LEAs must provide assurances that they will collaborate with DCS to:
  - Ensure that, if there are additional costs incurred in providing transportation to the school of origin, LEAs will provide transportation if:
    - DCS agrees to reimburse the LEA;
    - The LEA agrees to pay the cost; or
    - The LEA and DCS agree to share the cost.

# Transportation Requirements: Guidance Provisions

- Transportation must be provided in a “cost-effective” manner, so low-cost/no-cost options should be explored.
- Even if an LEA does not transport other students, it must ensure that transportation is provided to children in foster care consistent with procedures developed in collaboration with DCS.
- Transportation is an allowable use of federal funds, both under Title IV-E of the Social Security Act and Title I of the ESEA.
- All funding sources should be maximized to ensure costs are not unduly burdensome on one agency.

# Immediate Enrollment: ESSA Requirements

LEAs must provide assurances that:

- If it is not in the child's best interest to stay in his or her school of origin, the student must be immediately enrolled in the new school, even if the child is unable to produce records normally required for enrollment.
- The enrolling school shall immediately contact the school last attended to obtain relevant academic and other records.

# Immediate Enrollment: Guidance Provisions

- A child cannot be denied enrollment because he/she does not have proper documentation.
- The child should also be attending classes and receiving appropriate academic services.
- The department and LEAs should review policies to remove barriers to immediate enrollment.

# Training

- LEAs should ensure that all staff involved with the enrollment of students should be trained and understand these procedures.
- This may include:
  - Front Desk Receptionist
  - Principal and Assistant Principal
  - School Counselors
  - Administrative Assistants

# Checklist for a Comprehensive Procedure

- ✓ DCS will notify district POC that student is in custody
- ✓ Collaboration with local child welfare agency
- ✓ BID Meeting held within 5 days
- ✓ District has transportation arranged and implemented within 5 days
- ✓ Clear, written procedures for transportation implemented
- ✓ Ensure that any barriers to enrollment have been eliminated
- ✓ Develop a dispute resolution process
- ✓ Appropriate transportation provided during time student is in care

# Activity (Compliant vs. Non Compliant)

- Assemble yourselves in groups of 4-6
- Each group will be given 6 scenarios. Three are compliant and 3 are non compliant.
- The first group to correctly identify all 6 scenarios will be our winners.

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**Timeline**

# Timeline

- DCS should notify the LEA POC of a child entering foster care within 1-2 days of the event
- A Best Interest Determination (BID) meeting should occur within 5 days of the notification
- Permanent transportation should be arranged for the child within 5 days of the BID

# Exemplary Procedure

## Procedures for Students in Foster Care: Best Interest Determination

The Every Student Succeeds Act (ESSA) contains key protections for students in foster care that are designed to promote school stability, student success, and collaboration between local education agencies (LEAs) and child welfare agencies.

### Definitions

“**Foster Care**” is defined as 24 hour substitute care for children placed away from their parents or guardians for whom the child welfare agency has placement and care responsibility.

“**School of origin**” is the school in which a child is enrolled at the time of placement in foster care. If a child’s foster care placement changes, the school of origin would then be considered the school in which the child was enrolled at the time of the placement change.

### Point of Contact

Upon a student coming into custody or upon a student changing placement while in custody, the DCS Child and Family Team (CFT) will discuss if it is in the best interest of the student to remain in the school of origin. If the team believes that the student should remain in the school of origin, the DCS Point of Contact (the Education Specialist) will notify the Point of Contact for school system to arrange a Best Interest Determination Meeting. This is part of the collaborative process of ESSA and must take place. A description of the process is provided below. **NOTE: Only the Education Specialist should contact the school system regarding keeping students in the school of origin.** The County School System is not expected to communicate with foster parents, parents, family service workers, etc. at the onset of this process.

### Best Interest Determination Process

The DCS Education Specialist will notify the point of contact of the LEA if there is a student who DCS would like to keep in the school of origin, but who will no longer be living in that school’s zone. At that point the school system and DCS can schedule a best interest determination team meeting within 5 school days that includes:

The DCS point of contact (DCS POC);

The LEA point of contact (LEA POC);

The educational decision maker for the child or youth; DCS will contact the birth parent)

The school principal of designee; and

Any other key partners for decision making.

At this meeting, the **Best Interest Determination Form** will be completed.

If the team decides it is in the best interest of the student to remain in the school of origin, then the student will be allowed to remain. Transportation to the school of origin should then be discussed by the team (Reference **Transportation to School of Origin Form**).

If the team decides it is **not** in the best interest of the student to remain in the school of origin, DCS will enroll the student in the new school. If this school is in the same LEA as the school of origin, the child will be enrolled immediately.

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**Collaboration**

# Effective Collaboration: Guidance Provisions

- To facilitate effective collaboration, the department, LEAs, and DCS should:
  - collaborate, as appropriate, across district, region, and state lines;
  - cross-train staff on the complex needs of children in foster care and the importance of educational stability;
  - establish formal mechanisms to ensure LEAs are notified when child enters care; and
  - build capacity to collect and use data to support outcomes for children in foster care.

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**Resources**

# Resources

- [ED Foster Care Transition Toolkit](#)
- [ED/HHS Joint Guidance](#)
- [NAEHCY Resources](#)
- [Fostering Success in Education: National Factsheet on the Educational Outcomes of Children in Foster Care.](#)
- [http://www.fostercareandeducation.org/DesktopModules/Bring2mind/DMX/Download.aspx?portalid=0&EntryId=2100&Command=Core\\_Download](http://www.fostercareandeducation.org/DesktopModules/Bring2mind/DMX/Download.aspx?portalid=0&EntryId=2100&Command=Core_Download)
- [www.fostercareandeducation.org/AreasofFocus/BlueprintforChange.aspx](http://www.fostercareandeducation.org/AreasofFocus/BlueprintforChange.aspx)
- <https://neglected-delinquent.ed.gov/>

# Review

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# Questions





*Districts and schools in Tennessee will exemplify excellence and equity such that all students are equipped with the knowledge and skills to successfully embark on their chosen path in life.*

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