

The Every Student Succeeds Act

Educational Stability for Foster Care Youth in PA **Local Points of Contact Responsibilities**

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- 1) Provide a brief overview of the federal framework for ensuring educational stability for children in foster care.
- 2) Review the key Every Student Succeeds Act (ESSA) Title I requirements for children in foster care and how LEAs can meet these requirements.
- 3) Describe the role of the LEA Foster Care Point of Contact (POC).
- 4) Provide sample procedures and resources in order for the LEA POC to fulfill their role.

Federal Milestones for Children in Foster Care

2008
Fostering Connections
to Success and
Increasing Adoptions Act

2013
Uninterrupted
Scholars Act

December 2015
Every Student
Succeeds Act
(ESSA)



Source: [ED/HHS Federal Joint Guidance](#)

Background: The Every Student Succeeds Act (ESSA)

- 1) ESSA, signed into law on December 10, 2015, reauthorizes the Elementary and Secondary Education Act of 1965.
- 2) ESSA establishes, enhances, or formalizes collaborative working relationships between county children and youth agencies (CCYAs) and local education agencies (LEAs) to improve services and outcomes for students in foster care.
- 3) ESSA's provisions for foster care youth took effect on December 10, 2016.

Foster youth represent one of the most vulnerable student subgroups in the United States.

- Approximately 270,000 of 415,000 children in foster care were in elementary and secondary schools (2014).
- Approximately 14,000 youth in foster care in PA.
- 56-75% of foster youth change schools when first entering care.
- 34% of 17-18 year olds in care have experienced 5+ school changes.
- 65% high school graduation rate compared to 86%.
- 2-9% of former foster youth attain a bachelor's degree.



Sources: [ED/HHS Federal Joint Guidance](#) (p.3, Intro); [National Factsheet](#) of the National Working Group on Foster Care and Education

Children Protected by the Title 1 Requirements

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The requirements for ensuring educational stability for children in foster care under section 1111(g)(1)(E) apply to all children in foster care enrolled in schools in the State Education Agency (SEA).

Consistent with the Fostering Connections Act, “foster care” means 24-hour substitute care for children placed away from their parents or guardians and for whom **the child welfare agency has placement and care responsibility**. This includes, but is not limited to, **placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes**.



Source: [ED/HHS Federal Joint Guidance](#) (p.6, q.1)

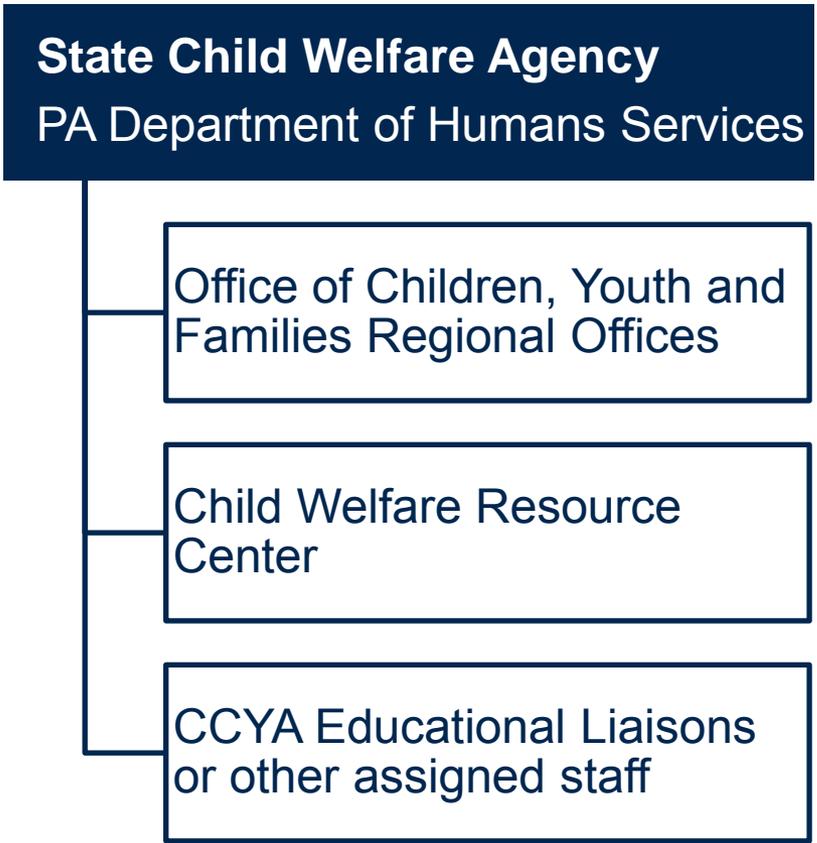
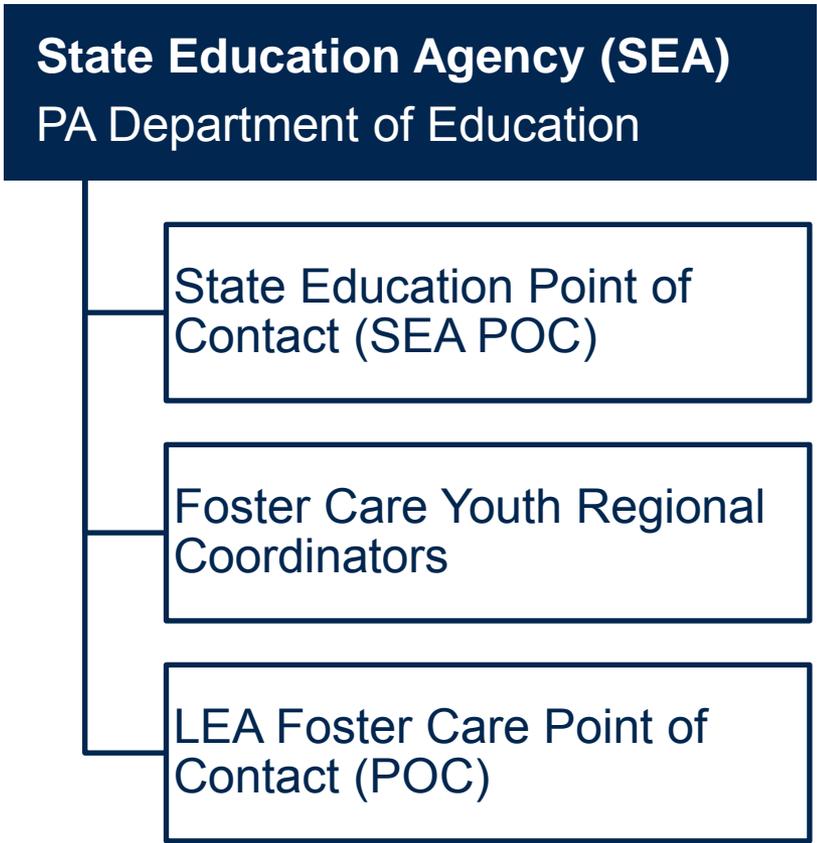
Reminder: Removal of “awaiting foster care placement”

- ESSA amended section 725 of the McKinney-Vento Homeless Assistance Act, removing “awaiting foster care placement” from the definition of “homeless children and youths”.
- Thus, starting on December 10, 2016, the LEA must meet Title I foster care requirements for all foster care youth, including, but not limited to those awaiting foster care placement.
- Protections for foster care youth are found exclusively under Title I, Part A.



Source: [ED/HHS Federal Joint Guidance](#) (p.6, q.2)

Supporting Educational Stability in PA



The Local Education Agency Point of Contact (LEA POC):

- 1) Serves as the primary education link between the LEA(s) and the county children and youth agency (CCYA) for Best Interest Determinations (BIDs), coordination of transportation, and enrollment/records transfers.
- 2) Maintains an understanding of, and coordinates with the corresponding CCYA on the implementation of the Title I foster care provisions.

Section 1111(g)(1)(E) of the Elementary and Secondary Education Act (ESEA) requires an SEA to ensure that its LEAs implement the Title I foster care provisions including ensuring that:

- 1) A child in foster care will enroll or remain in the child's school of origin, unless a determination is made that it is not in the child's best interest to attend that school.
- 2) If a determination is made that it is not in the child's best interest to remain in the school of origin, the child will be immediately enrolled in a new school, even if the child is unable to produce records normally required for enrollment.
- 3) A new (enrolling) school immediately contacts the school of origin to obtain relevant academic and other records.

Definition: School of Origin

The **school of origin** is the school in which a child is enrolled at the time of placement in foster care. LEAs must ensure that a child in foster care remains in his or her school of origin unless a collaborative, documented Best Interest Determination (BID) is made that it is not in the child's best interest.

If a child's foster care placement changes, the school of origin would then be considered the school in which the child is enrolled at the time of the placement change.



Source: [ED/HHS Federal Joint Guidance](#) (p.11, q.10)

Additionally, section 1111(c)(5)(B) of the Elementary and Secondary Education Act (ESEA) requires an LEA to collaborate with the State or local child welfare agency to ensure that transportation for children in foster care is provided, arranged, and funded for the duration of the child's time in foster care. These procedures must ensure that:

- 1) Children in foster care needing transportation to their schools of origin will promptly receive that transportation in a cost effective manner and in accordance with section 475(4)(A) of the Social Security Act;

- 2) If there are additional costs incurred in providing transportation to the school of origin, the LEA will provide such transportation if (1) the LEA is reimbursed by the CCYA (2) the LEA agrees to pay for the cost; (3) the LEA and CCYA agree to share the cost (ESEA 1112(c)(5)(B)); or (4) the LEA of origin, LEA of residence, and the placing CCYA agree to share the costs; and

- 3) How transportation requirements of ESEA section 1112(c)(5)(B) will be met in the event of a dispute over which agency or agencies will pay any additional costs incurred in providing transportation.

To facilitate the Title I educational stability requirements:

- SEA designates a State Foster Care Point of Contact (SEA POC) and establishes eight Foster Care Youth Regional Coordinator Offices.
- LEAs identify and establish local-level Foster Care Points of Contact (POCs).
- LEAs formalize a Best Interest Determination (BID) process in conjunction with their local CCYA to align requirements of Fostering Connections and ESSA.

To facilitate the Title I educational stability requirements:

- LEAs develop, implement, and maintain clear written procedures in collaboration with their local CCYA governing transportation to maintain children in foster care in their schools of origin when it is determined to be in their best interest.
- LEAs should revise policies that are barriers to enrollment and attendance for foster care youth.

REMINDER: LEAs must submit established transportation plans (including transportation agreement MOU) via email to PDE by January 31, 2017 to pafostercare@csc.csiu.org.

The LEA POC's role in the Best Interest Determination (BID), school enrollment, and coordination of transportation procedures includes:

- 1) Sharing in the development and establishment of formal BID policies and procedures.
- 2) Carrying out and facilitating the established BID process, including involvement in resolving disputes.
- 3) Coordinating interviews to gather meaningful input from relevant parties at the LEA for BIDs.
- 4) Documenting and archiving 'in process' and completed BIDs.
- 5) Facilitating immediate student records transfers as requested by new (enrolling) LEAs and CCYAs.

The LEA POC's role continued:

- 6) Facilitating data sharing with CCYA; consistent with FERPA and other privacy protocols.
- 7) Coordinating locally established transportation procedures.
- 8) Ensuring that children in foster care are enrolled in and regularly attending school.
- 9) Providing professional development and training to school staff on the Title I foster care provisions and education needs of children in foster care, as needed.

- 1) Placing CCYA informs LEA POC (the school of origin) of new or change in foster care placement and initiates the BID process. The CCYA makes a documented BID recommendation.
- 2) The LEA(s) and CCYA coordinate to make every effort not to disrupt the child's educational stability during the foster care placement.
- 3) LEA POC (school of origin) gathers student records and refers to BID School Placement Form. The LEA identifies and contacts any/all meaningful parties associated with the LEA to participate in the BID, if applicable.

- 4) In conjunction with the placing CCYA, the LEA school of origin conducts a formal, documented BID, with input from all meaningful parties and includes all pertinent information regarding the student.
- 5) If the student remains in the school of origin, the LEA immediately implements all formal written transportation procedures and protocols.
- 6) If the student does not remain in the school of origin, the LEA immediately facilitates a records transfer to eliminate barriers to enrollment in the new school.

LEA POC Network

BID

- 1) School Administrator
- 2) Office of Enrollment/Records
- 2) Teacher
- 3) Counselor
- 4) Coach
- 5) IEP Team
- 6) EL Coordinator
- 7) Student
- 7) Placing CCYA

Enrollment

- 1) School Administrator
- 2) Office of Enrollment/Records
- 3) Counselor
- 4) Enrolling LEA POC
- 5) Placing CCYA

Transportation

- 1) School Administrator
- 2) Transportation Director/Coordinator
- 3) Placing CCYA
- 4) LEA POC of School of Residence

[See PA LEA Foster Care Point of Contact Listing.](#)

Pennsylvania SEA POC

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Foster Care Youth Regional Coordinator Offices

R1: School District of Philadelphia

R5: Midwestern IU 4

R2: Berks County IU 14

R6: ARIN IU 28

R3: Lincoln IU 12

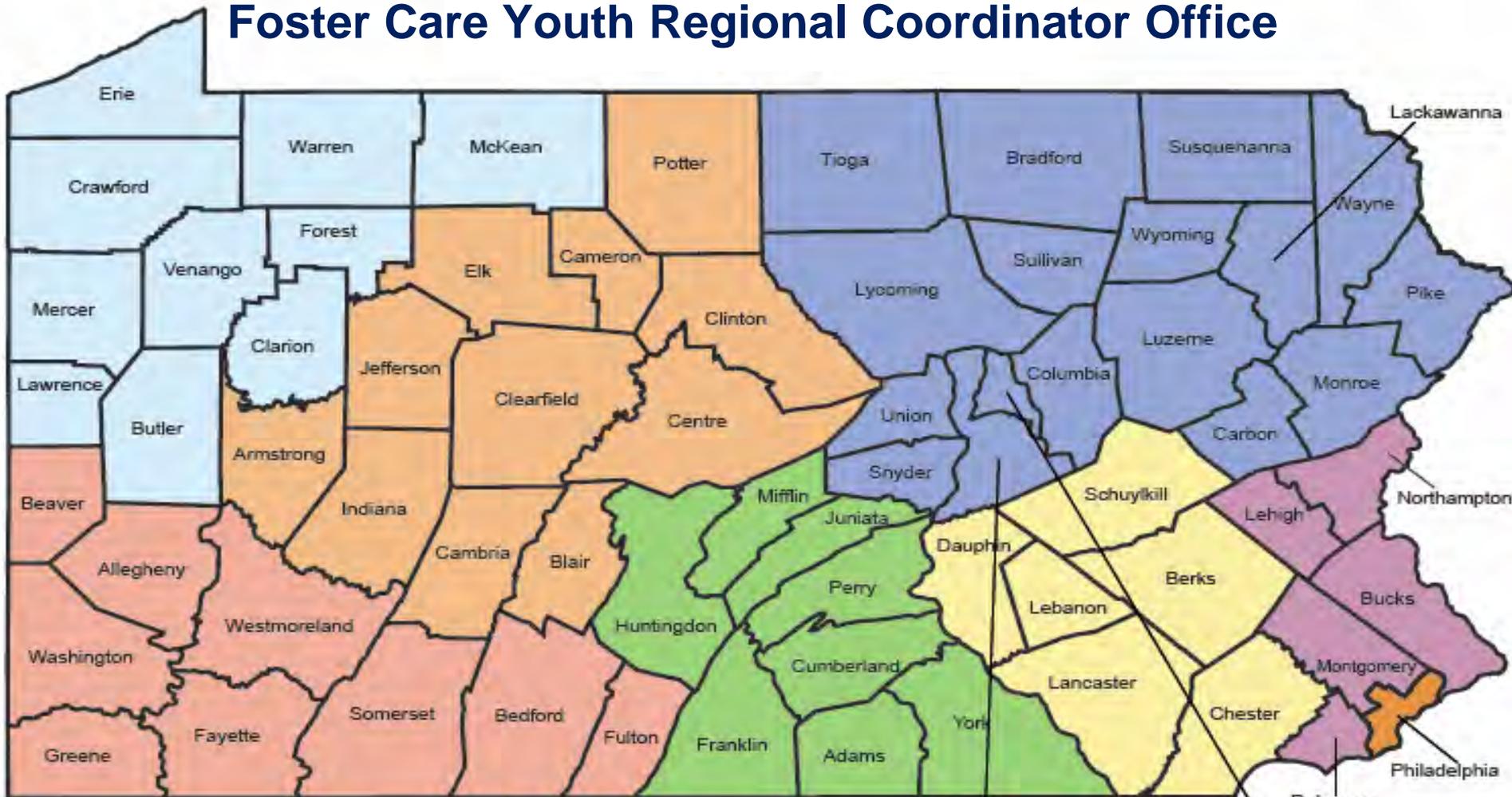
R7: Luzerne IU 18

R4: Allegheny IU 3

R8: Bucks County IU 22

See [Foster Care Youth Regional Coordinator Office Map](#).

Foster Care Youth Regional Coordinator Office



Region 1

Philadelphia

Region 2

Berks, Chester, Dauphin, Lancaster, Lebanon, Schuylkill

Region 3

Adams, Cumberland, Franklin, Huntingdon, Juniata, Mifflin, Perry, York

Region 5

Butler, Clarion, Crawford, Erie, Forest, McKean, Lawrence, Mercer, Venango, Warren

Region 6

Armstrong, Blair, Cambria, Cameron, Centre, Clearfield, Clinton, Elk, Indiana, Jefferson, Potter

Region 7

Bradford, Carbon, Columbia, Lackawanna, Luzerne, Lycoming, Monroe, Montour, Northumberland, Pike, Snyder, Susquehanna, Tioga, Union, Wayne, Wyoming

Region 4

Allegheny, Beaver, Bedford, Fayette, Fulton, Greene, Somerset, Washington, Westmoreland

Region 8

Bucks, Delaware, Lehigh, Montgomery, Northampton

The U.S. Departments of Education (ED) and Health and Human Services (HHS) issued joint [non-regulatory guidance on ESSA's provisions for Ensuring Educational Stability for Children in Foster Care.](#)

The PA Departments of Education (PDE) and Human Services (DHS) issued a joint [guidance document to promote awareness among LEAs and CCYAs of key changes and requirements.](#)

PDE and DHS issued sample templates and guides, including:

- [Best Interest Determination School Placement Form](#)
- [PA Transportation Plan Guide](#)
- [Local Transportation Plan Template](#)
- [Transportation Agreement Memorandum of Understanding \(MOU\)](#)
- [Frequently Used Terms Guide](#)

Visit PAFosterCare.org for resources, guides, best practice, news and sample templates.

Visit PDE's [Every Student Succeeds Act webpage](#).

Joint ED/HHS Webinars

- [An Overview of the ED/HHS Joint Guidance](#)
- [Points of Contact](#)
- [Best Interest Determination and Immediate Enrollment](#)
- [Transportation](#)
- [Effective Collaboration](#)

Submit all questions to
pafostercare@csc.csiu.org.

For more information on the Educational Stability for Foster Care Youth visit PDE's
Education.PA.Gov or PAFosterCare.org.

The mission of the department is to academically prepare children and adults to succeed as productive citizens. The department seeks to ensure that the technical support, resources and opportunities are in place for all students, whether children or adults, to receive a high quality education.