



***INTERAGENCY COLLABORATION TO
ENSURE EDUCATIONAL STABILITY FOR
STUDENTS IN FOSTER CARE***

2021 NAEHCY CONFERENCE

NOVEMBER 15, 2021

OBJECTIVES

As a result of this session, attendees will be able to

- Describe the importance of interagency collaboration in the implementation of the Title I, Part A educational stability provisions for students in foster care, and
- Identify strategies for effective interagency collaboration to address the needs of students in foster care.

AGENDA

1. Welcome & Session Overview
(5 minutes)
2. Why is interagency collaboration so important?
(10 minutes)
3. Spotlights from the Field: A Conversation with Practitioners
(30 minutes)
4. Q&A
(15 minutes)



PRESENTERS



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**Why is interagency
collaboration so important?**

EDUCATIONAL STABILITY FOR STUDENTS IN FOSTER CARE

The Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA), includes new foster care provisions in Title I, Part A. These provisions went into effect on December 10, 2016.

Elementary and Secondary Education Act of 1965

[As Amended Through P.L. 114-95, Enacted December 10, 2015]

SECTION 1.¹ [20 U.S.C. 6301 note] SHORT TITLE.

This Act may be cited as the “Elementary and Secondary Education Act of 1965”.

SEC. 2.² TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

TITLE I—IMPROVING THE ACADEMIC ACHIEVEMENT OF THE DISADVANTAGED

- Sec. 1001. Statement of purpose.
- Sec. 1002. Authorization of appropriations.
- Sec. 1003. School improvement.
- Sec. 1003A. Direct student services.
- Sec. 1004. State administration.

PART A—IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES

Subpart 1—Basic Program Requirements

- Sec. 1111. State plans.
- Sec. 1112. Local educational agency plans.
- Sec. 1113. Eligible school attendance areas.
- Sec. 1114. Schoolwide programs.
- Sec. 1115. Targeted assistance schools.
- Sec. 1116. Parent and family engagement.
- Sec. 1117. Participation of children enrolled in private schools.
- Sec. 1118. Fiscal requirements.
- Sec. 1119. Coordination requirements.

¹ Section 5(a) through (c) of the Every Student Succeeds Act (Public Law 114-95) provides as follows:

SEC. 5. EFFECTIVE DATES.

(a) IN GENERAL.—Except as otherwise provided in this Act, or an amendment made by this Act, this Act, and the amendments made by this Act, shall be effective upon the date of enactment.

Under the Congressional Review Act, Congress has passed, and the President has signed, a resolution of disapproval of the accountability and State plans final regulations that were published on November 29, 2016 (81 FR 86076). This guidance document is unaffected by that resolution and remains applicable.



Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care

In June 2016, the U.S. Departments of Education and Health and Human Services released joint, non-regulatory guidance on ESSA’s educational stability provisions.



DEFINING FOSTER CARE

- ED follows the definition of “foster care” established by the Fostering Connections to Success and Increasing Adoptions Act of 2008 (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 (CWA) has placement and care responsibility.
- Foster care includes placements in:
 - Foster family homes
 - Kinship providers
 - Group homes
 - Emergency shelters
 - Residential facilities
 - Childcare institutions
 - Pre-adoptive homes



INTERAGENCY COLLABORATION IS CENTRAL TO THE TITLE I-A PROVISIONS

SEA Requirements

[ESEA section 1111(g)(1)(E)]

1. SEA collaboration with State CWA
2. Schools of origin
3. Best interest determinations
4. Immediate enrollment & records transfer
5. SEA point of contact

1. LEA collaboration with local CWA(s)
 2. LEA points of contact
 3. Transportation procedures
4. Funding transportation to schools of origin

LEA Requirements

[ESEA section 1112(c)(5)]

! The Title I, Part A educational stability provisions for students in foster care only take effect when a student (i) enters foster care or (ii) experiences a change in foster care placement.



INTERAGENCY DATA EXCHANGES

The ESEA does not require formal data and information sharing between SEAs, LEAs, and/or CWAs; however, non-regulatory guidance from the U.S. Department of Education and Health & Human Services encourages the use of data-sharing agreements between educational and child welfare agencies.

| Benefits to SEAs/LEAs Education stakeholders will be able to... | Benefits to CWAs Caseworkers will be able to... |
|----------------------------------------------------------------------------------------|-----------------------------------------------------------|
| Accurately identify students in foster care. | Better assist with school transitions. |
| Ensure educational stability requirements implemented for all students in foster care. | Monitor academic performance of students in their care. |
| Develop an enhanced understanding of student's unique needs. | Monitor school attendance for students in their care. |



OTHER OPPORTUNITIES FOR INTERAGENCY COLLABORATION

- Educational agencies should collaborate with child welfare agencies (and other relevant agencies) to ensure that all school staff are sensitive to the complex needs and experiences of students in foster care, are informed about the impact that trauma has on a child's ability to learn, and are aware of the interventions available to support students in foster care.
- Educational agencies can consider opportunities to cross-train educational agency and child welfare agency staff on the importance of educational stability for students in foster care.
- Interagency collaboration could take many forms, including:
 - Working group,
 - Task force, or
 - Interagency committee.
- Agencies can develop formal documents (i.e., a memorandum of understanding) or routines to guide collaborative efforts.



U.S. DEPARTMENT OF EDUCATION RESOURCES

- Students in Foster Care Webpage
<https://oese.ed.gov/offices/office-of-formula-grants/school-support-and-accountability/students-foster-care/>
- Non-regulatory Guidance: Ensuring Educational Stability for Children in Foster Care
https://oese.ed.gov/files/2020/09/Non-Regulatory-Guidance_06-23-2016.pdf



Contact us at FosterCare@ed.gov!





Spotlights from the Field: A Conversation with Practitioners





Center on Children
and the Law

A nonprofit grant-funded entity within the American Bar Association with a mission to promote access to justice for children and families. Projects support collaboration and coalition building at local, state and national levels to build the capacity of legal practices and systems that serve children and families.

<https://ambar.org/child>



LEGAL CENTER FOR
FOSTER CARE
& EDUCATION

LCFCE provides a strong voice at the national level for the education of children in foster care; a central clearinghouse of information on foster care and education; and training and technical assistance across the country.

www.fostercareandeducation.org



Fostering Connections (2008)

Coordination with Local Education Agencies (LEAs)

Presumption to stay in school of origin

Best interest determinations

Immediate and appropriate enrollment

Permissible use of federal Title IV-E funds to support transportation

Every Student Succeeds Act (2015)

Collaboration with child welfare agencies

Presumption to stay in school of origin

Best interest determinations

Immediate enrollment, even without documentation

Transportation must be arranged, provided and funded

State and local Points of Contact



SPOTLIGHT ON STATE & LOCAL COLLABORATION

- Pennsylvania Foster Care Point of Contact: **Matt Butensky**
- Washoe County, Nevada:
 - Program Coordinator, Educational Liaison, Washoe County Human Services Agency : **Keri Pruitt**
 - Program Coordinator, Intervention, Washoe County School District: **Claire Potichkin**





WCHSA & WCSD Partnership

2021

Strengthening & Formalizing Relationships

Original MOU developed 2006

- Developed UNITY Foster Tab in IC data base per Uninterrupted Scholars Act of 2013
- Language added to NRS to reflect changes in McKinney Vento

MOU updated 2017 & revised biannually

- Implementation of ESSA at State level (to include data sharing, shared transportation costs and Foster Liaison)
- Working on MOU between WCSD and outlying counties

State of Nevada



Milestones

Policy Meets Process

- ✓ Child Welfare Policy Manual w/ school district policy embedded
- ✓ Training across agencies
- ✓ Forms approved jointly
- ✓ Co-located office

Increased Educational stability

- ✓ Joint process Best Interest Determinations to maintain School of Origin
- ✓ School Change Cheat Sheet
- ✓ Meeting with workers, both liaisons, child dependency attorney and Child Welfare Leadership
- ✓ Decision, notification, transition

CONTACT OUR PANELISTS

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Questions?

