



Educational Stability for Youth in Foster Care

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Federal Programs and Oversight

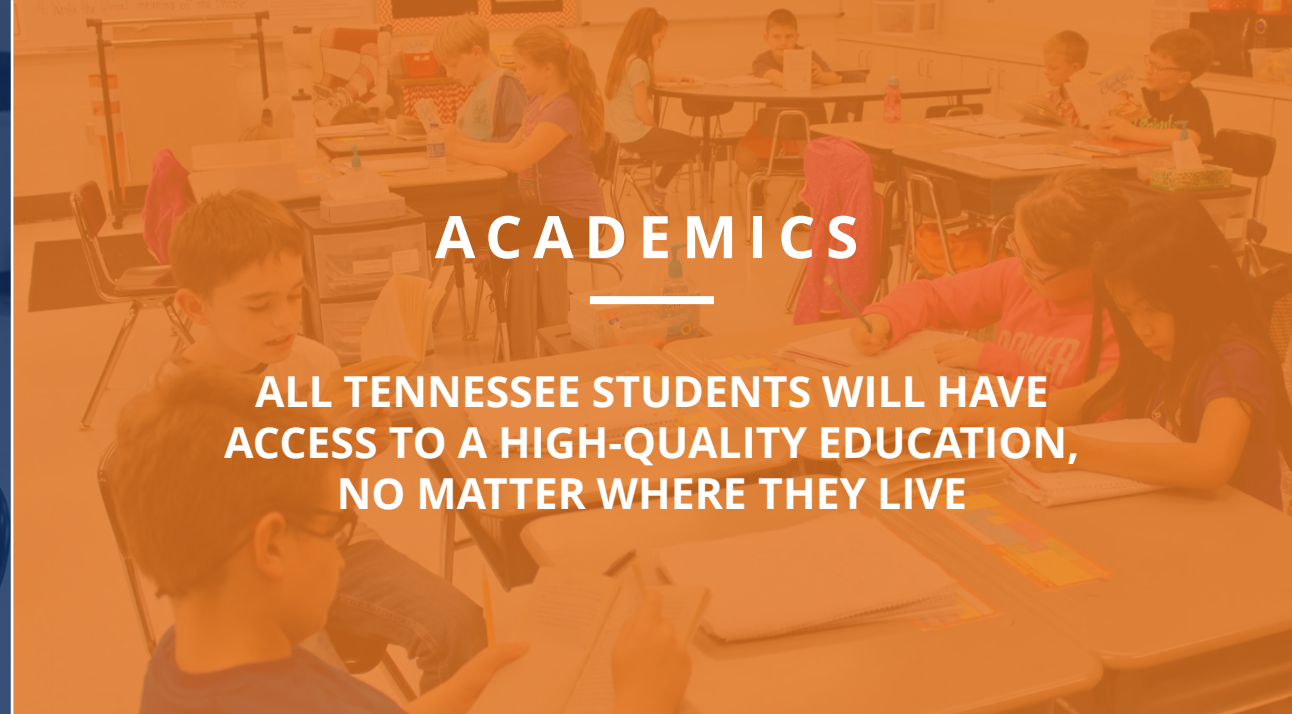
August 2024





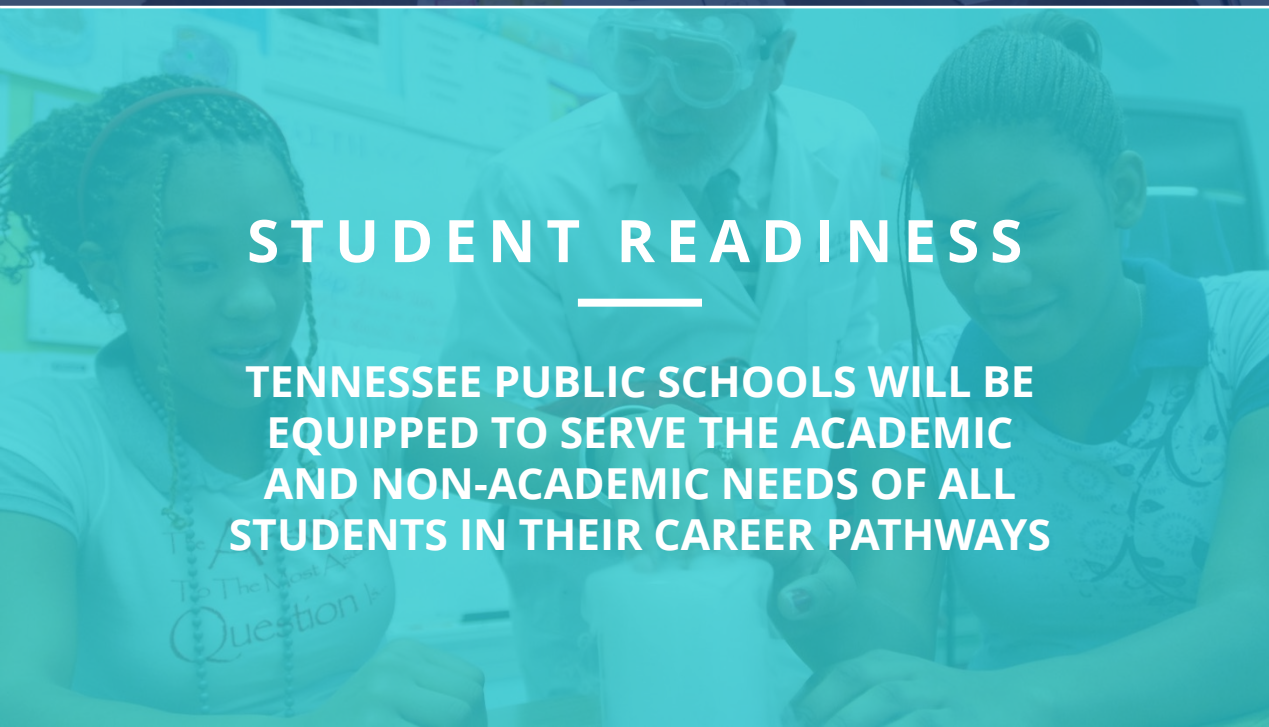
BEST FOR ALL

We will set all students on a path to success.



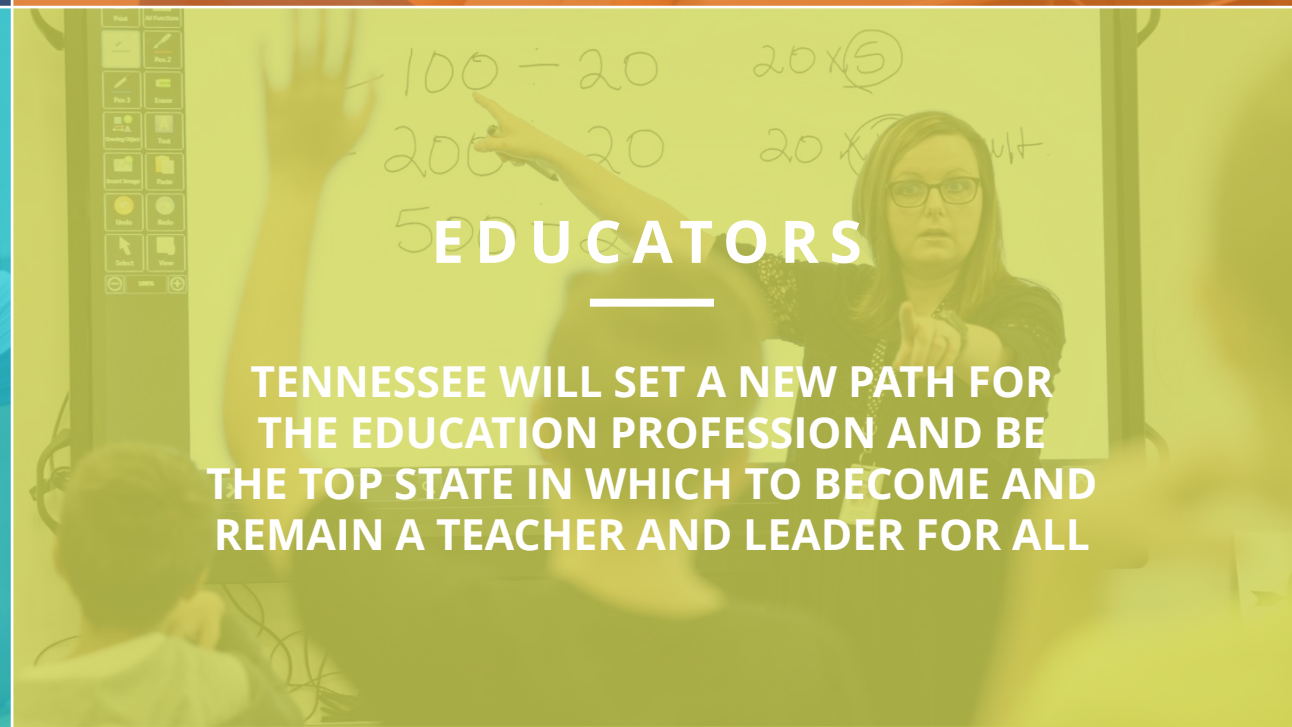
ACADEMICS

ALL TENNESSEE STUDENTS WILL HAVE ACCESS TO A HIGH-QUALITY EDUCATION, NO MATTER WHERE THEY LIVE



STUDENT READINESS

TENNESSEE PUBLIC SCHOOLS WILL BE EQUIPPED TO SERVE THE ACADEMIC AND NON-ACADEMIC NEEDS OF ALL STUDENTS IN THEIR CAREER PATHWAYS



EDUCATORS

TENNESSEE WILL SET A NEW PATH FOR THE EDUCATION PROFESSION AND BE THE TOP STATE IN WHICH TO BECOME AND REMAIN A TEACHER AND LEADER FOR ALL



Agenda

- Introductions
- What is Foster Care?
- Collaboration is Key
- Why this Matters
- The Department of Children's Services (DCS)
- Role of the Point of Contact
- Identifying Students in Foster Care
- Best Interest Determination (BID)
- Enrollment
- Timelines
- Agreements with DCS
- Transportation
- Training the LEA Staff



What is Foster Care?

Who is a Child in Foster Care?

- The Title I foster care provisions apply to all children in foster care enrolled in public schools. Students in pre-K should be included as well if the LEA offers a preschool program.
- “Foster care” is defined as 24-hour substitute care for children placed away from their parents or guardians and for whom the 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, childcare institutions, and pre-adoptive homes.



Children in Foster Care

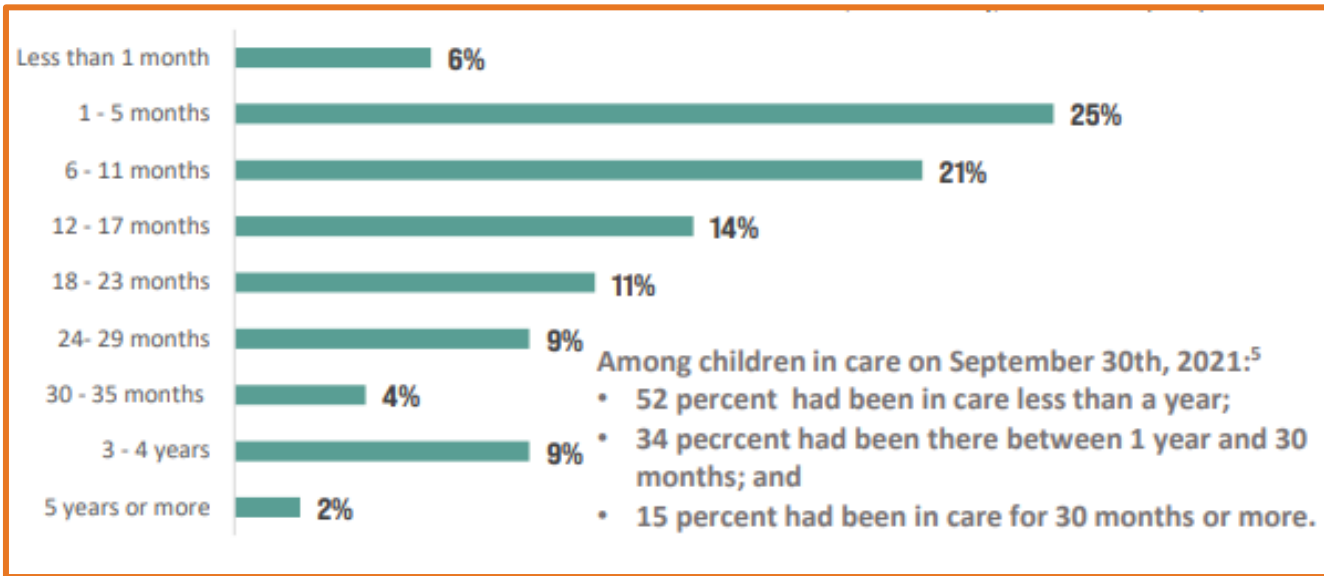
- During FY2021, 14,558 children in Tennessee were served by the foster system.
- On September 30, 2021, there were 9,227 children in foster care.
 - 57 % in a non-relative foster home
 - 12% in a relative foster home
 - 9% in a group home
 - 7% in an institution
 - 7% on trial home visit
 - 4% in supervised independent living
 - 3% in a pre-adoptive home
 - 1% had run away



Source: The State of the Child in Tennessee 2023, Tennessee Commission on Children and Youth

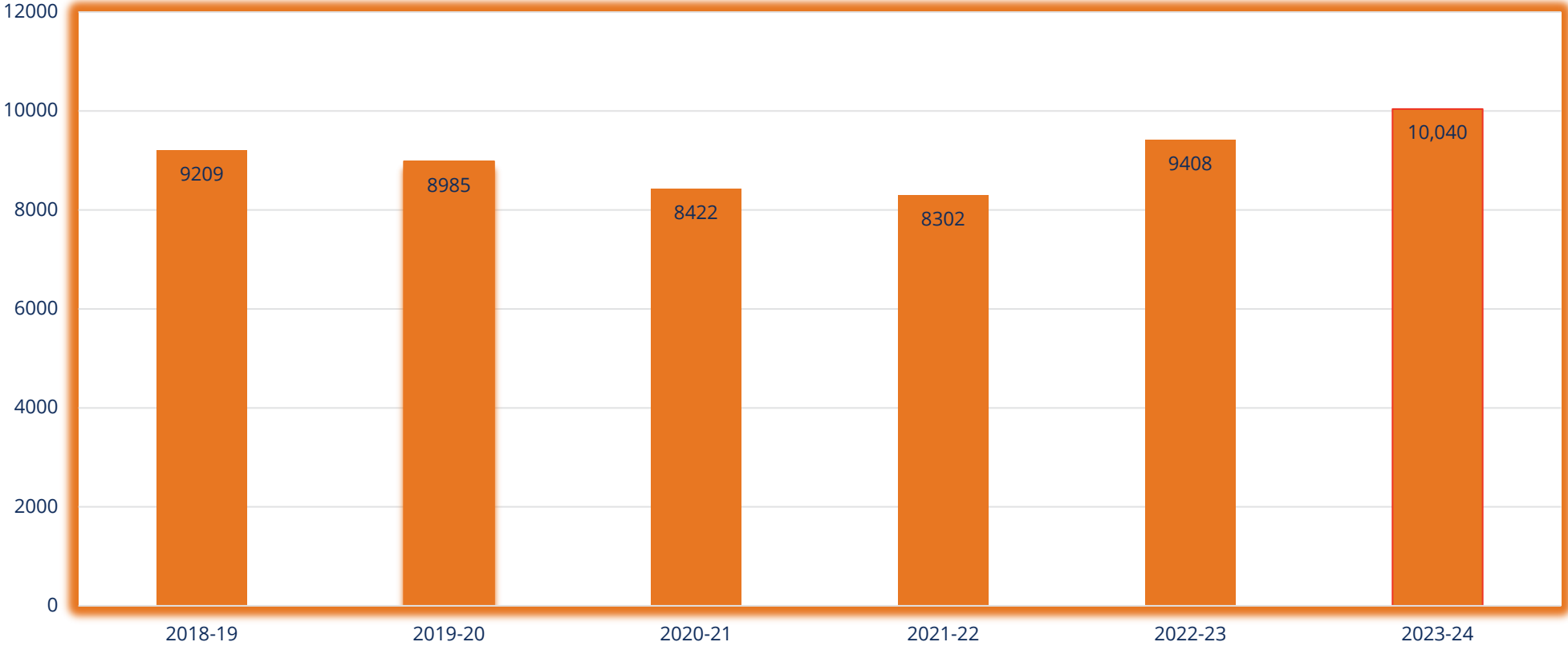
Children in Foster Care

- In November 2023, the Department of Children's Services (DCS) noted between FY2022 and FY2023 the average number of days a child spent in custody increased by two months.



Foster Children in Tennessee Schools

Students in Foster Care Coded as FOS01



Collaboration is Key



Lots of Moving Parts

- Everyone plays an important role
- Misalignment can topple the entire structure



Collaborative Legislation



Fostering Connections (2008)	Every Student Succeeds Act (2015)
Coordination with LEAs	Collaboration with child welfare agencies
Presumption to remain in school of origin	Presumption to remain in school of origin
Best interest determination	Best interest determination
Immediate and appropriate enrollment	Immediate enrollment, even without documentation
Permissible use of federal Title funds to support transportation	Transportation must be arranged, provided and funded
	State and local points of contact



ESSA Requirement

- Local Education Agencies (LEAs) 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 their best interest to attend the school of origin.



Why this Matters



Children in Foster Care

- Children in foster care:
 - are a vulnerable population;
 - typically make more unscheduled school changes than their peers in a given school year; and
 - compared to their peers, experience:
 - **lower** high school graduation rates,
 - **lower** scores on academic assessments, and
 - **higher** rates of grade retention, chronic absenteeism, suspensions, and expulsions.



Mobility and Graduation

“In a national study of 1,087 foster care alumni, youth who had one fewer placement change per year were almost twice as likely to graduate from high school before leaving care.”

Legal Center for Foster Care and Education



The Department of Children's Services

Department of Children's Services

Terms and Acronyms

- **CFTM** – Child and Family Team Meeting
- **FSW** – Family Service Worker is the DCS case manager
- **TFACTS** – Record keeping system for DCS
- **Educational Specialist** – Liaison between DCS and the school system, primary point of contact for LEA foster care POC





Department of Children's Services

- Who are the youth served by DCS?
- If a child is temporarily placed away from home, are they in state custody?
- How long are children in state custody or foster care?
- How frequently do children change placements?
- What is a trial home visit and how does it impact ESSA requirements?
- Who has the authority to make educational decisions?
- Who has the authority to make day to day decisions (attending field trips, dances, extracurricular activities)?



Role of the Point of Contact





Point of Contact Responsibilities

- All points of contact (POCs) should have the capacity and resources to guide the implementation of the ESSA provisions.
 - Each LEA must have a POC designated to coordinate services for all students in foster care.
 - Federal and state requirement (PC951)
 - Minimum responsibilities include coordinating with regional DCS offices to develop a process for implementation of ESSA provisions.





Point of Contact Responsibilities

- Maintain agreement(s) between the LEA and DCS
- Identify students in foster care
- Coordinate and document BID meetings
- Coordinate and document transportation
- Remove barriers to ensure immediate enrollment
- Train all applicable staff



Identifying Students in Foster Care



Two Primary Methods of Identification

- Education Passport (updated July 2024)
- School Nutrition List



Education Passport and BID Notification

- The Education Passport is one method of notification of entry into foster care or change of foster care placement.
- Caseworkers should present the documentation at the time of enrollment or at the time of withdrawal. Both the school of origin and the school of zone should receive notification.
- The updated Education Passport can be found in ePlan > TDOE Resources > Non-Traditional Educational Programs > Title I, Educational Stability for Children in Foster Care > Department of Children's Services Resources





Identification and BID Notification

- The notification of foster care status should also include information regarding the need for a best interest determination (BID) meeting.
- This notification allows for real time communication between DCS and the LEA to ensure that BID meetings happen in a timely manner.
- DCS education specialists are regional and have specific LEA assignments, but caseworkers may be employed by DCS or a contracted agency such as Youth Villages.





Dual Eligibility

- Students with foster care status due to a DCS placement who **also** qualify as homeless per the McKinney-Vento definition are dual eligible for foster care and homeless status and services.
- Students with foster care status due to a DCS placement who **also** qualify as runaway are dual eligible for foster care and runaway status and services.



The Intersection of McKinney Vento

- It is possible for a student to hold dual status as both foster care and homeless.
- In 2023-24, roughly **6%** of total foster care enrollments were dual foster care-homeless enrollments.
- In 2023-24, there were **634** students identified as foster care and homeless in the same enrollment.
- There were **122** instances in which students were identified as homeless in an enrollment that preceded the foster care enrollment.
- There were **134** enrollments in which the homeless identification occurred in an enrollment that followed the foster care enrollment.



Dual Status: Foster Care and Homeless

Dual Status 2023-24: Foster Care (FOS01) and Homeless (H)				
	Number		Percentage	
	Foster Care (FOS01)	Homeless (H)	Foster Care (FOS01) (% of Total Dual Foster Care)	Homeless (H) (% of Total Dual Homeless)
Foster and Homeless in Same Enrollment	378	378	60%	53%
Foster Care in Enrollment and Homeless in One or More Prior Enrollment	122	168	19%	24%
Foster Care in Enrollment and Homeless in One or More Later Enrollment	134	163	21%	23%
Foster Care and Homeless Total (in Same, Prior, or Later Enrollment)	634	709	100%	100%



Dual Status: Foster Care and Runaway

- In 2023-24, there were **56** students identified as runaway in 18 LEAs, including **29** students identified as foster care and runaway in the same enrollment in 11 LEAs.
- DCS was the LEA for nearly half of the enrollments.



Triple Status: Foster Care, Homeless and Runaway

- There were **3** students identified as foster care, homeless and runaway at some point during the school year.
- The three students were identified as foster care in four enrollments.
- These four foster care enrollments were associated with four runaway identifications and five homeless identification in the same, prior or subsequent enrollment.
- The eligibility data suggests these students faced greater distress than other students.
- Triple status students were unaccompanied in four of five enrollments and unsheltered in four of five enrollments.



Dual Status: Foster Care and Runaway

Dual Status 2023-24:		Foster Care (FOS01) and Runaway (U)	
	Foster Care (FOS01)	Runaway (U)	
Foster and Runaway in Same Enrollment	11	11	
Foster Care in Enrollment and Runaway in One or More Prior Enrollment	12	15	
Foster Care in Enrollment and Runaway in One or More Later Enrollment	6	6	
Foster Care and Runaway Total (in Same, Prior, or Later Enrollment)	29	32	

Best Interest Determination

Best Interest Determination Meetings

- Youth in foster care are enrolled or remain in their school of origin, unless a determination is made that it is not in their best interest.
- The best interest determination is based on factors including the consideration of:
 - the appropriateness of the current educational setting, and
 - the proximity to the school in which the child is enrolled at the time of placement.



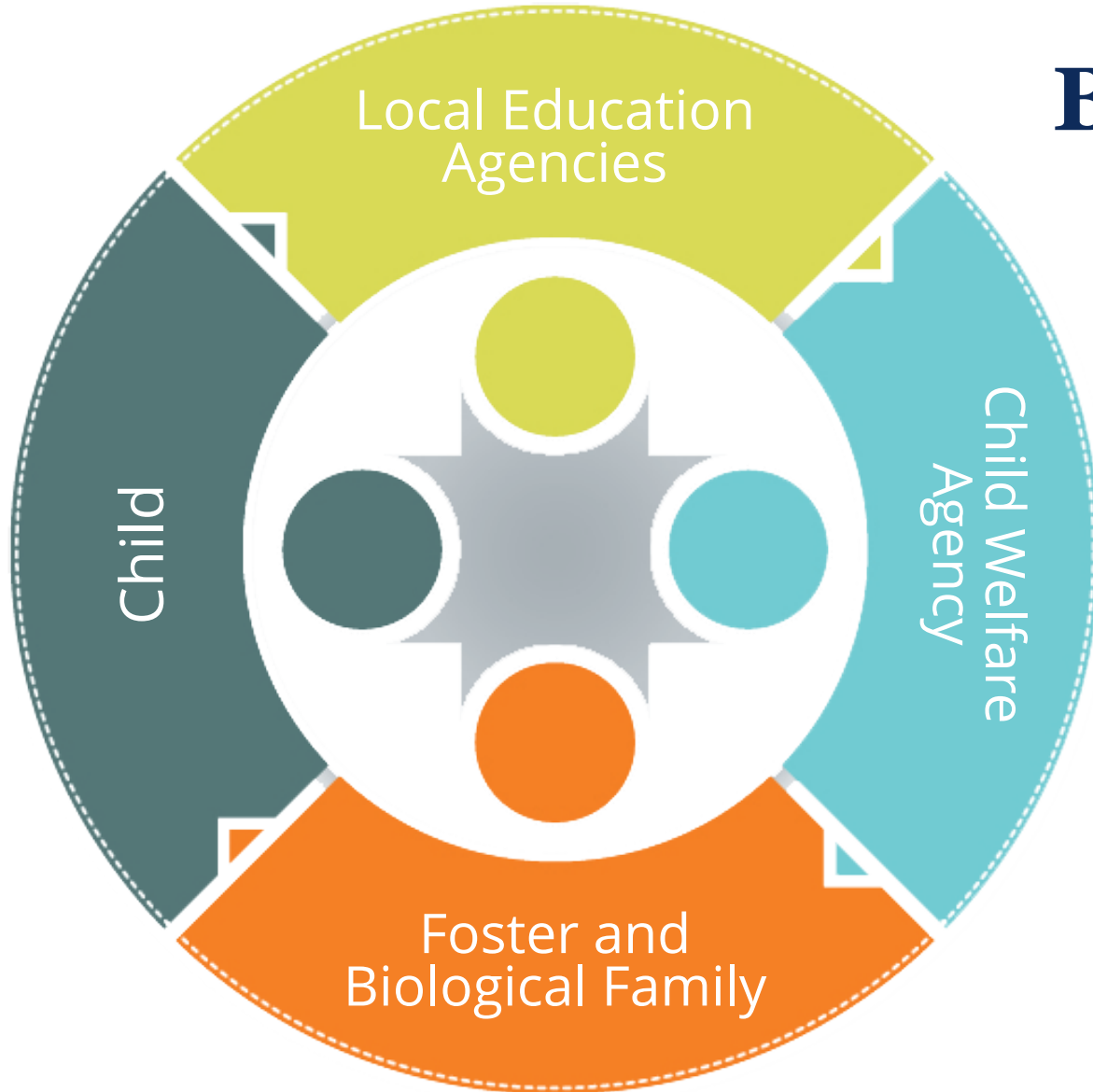


Best Interest Determination Meetings

- Best interest determination meetings (BIDs) are the heart of the school stability process.
- Conducting a quality and thoughtful BID can avoid future disputes that may arise.
- Requires all systems and individuals involved to focus on a specific child and think outside of their own individual interests and perspectives.



BID Meetings



- Gather meaningful input from:
 - School counselors, teachers, and coaches
 - Child’s parent(s), child, child advocate, guardian ad litem, foster parent(s), and mental health providers



Best Interest Determination Meetings

- Must be held when a student **enters** foster care or **changes** foster care placement and the school of zone has changed.
- The child's caseworker is responsible for notifying the LEA when a BID meeting is needed via the education passport.
- All BID meetings must include the DCS personnel and the LEA foster care POC (or their surrogate).
- Meetings can occur in person, virtually, via teleconference, or in some cases email exchanges may be appropriate.





Best Interest Determination Meetings

- Factors to consider in determining best interest:
 - Appropriateness of current educational setting
 - Proximity of placement
 - Preferences of the child
 - Preferences of the parent or education decision maker
 - Child’s attachment to the school
 - Placement of siblings
 - Availability and quality of services to meet the child’s educational and socioemotional needs
 - History of school transfers
 - Length of commute and the impact based on developmental stage
 - Special education or EL services





Best Interest Determination Meetings

- The LEA must document all BID meetings
- A copy of the documentation should be kept on file by:
 - LEA foster care POC
 - School point of contact
 - DCS regional educational specialist
 - DCS Caseworker



Best Interest Determination Meetings

- **Heads up!** We are awaiting new guidance from the U.S. Department of Education.

Best Interest Determination Form

Student Information

School System: _____ School of Origin: _____ Date: _____
 Student's Name: _____ DOB: _____ Age: _____ Gender: _____ Grade: _____
 IDEA/504/EL? _____ Primary Contact (Title/Name/Number): _____
 Emergency Phone Contact (Title/Name/Number): _____
 Foster Parent Name: _____ Cell # _____ Address: _____

I. Determination: Mark either school of origin or school of zone for each.

Consideration Item	School Of Origin	School of Zone	Evidence/Comments
Preference of Youth/Child			
Preference of Education Decision Maker			
Child's or Youth's attachment to school			
Placement of Siblings			
Educational & social emotional needs			
IDEA or 504 needs & supports			
Existing services (Homeless, EL, PreK, sports, etc.)			
Special Academic Needs (EL, etc.)			
Time in route			
Other			

Final Determination

Student will attend: School of Zone School of Origin Undecided: Refer to dispute resolution team:
 Explanation for decision: _____ Transportation Needed: _____
 School: _____ School Address _____ School Hours: _____
 Pick up address _____ Drop off address _____

II. Signatures _____ Contact Info _____

_____ DCS POC
 _____ LEA POC
 _____ Educational Decision Maker
 _____ School Principal or Designee
 _____ DCS Case Worker
 _____ Other (DCS or LEA)
 _____ Other (DCS or LEA)

1. If a student exits foster care during the school year, TDOE indicates that districts should allow them to remain in the school of origin at least through the end of the academic year.
 2. A district must ensure that students remain in their school of origin while any dispute is being resolved.
 3. Methods of transportation and related costs are **NOT** to be considered when determining the best interest.

Enrollment



Immediate Enrollment

- Barriers to enrollment must be eliminated.
- LEAs must ensure that a child in foster care is immediately enrolled in his or her new school even if the student does not have required documentation.
- The enrolling school must immediately contact the child's school of origin to obtain all relevant records.
- The school of origin must immediately transfer the records.



Timelines



Timelines

- Upon a student entering custody or changing placement, the DCS Child and Family Team (CFT) should discuss the educational best interest of the child.
- The school or LEA point of contact will be notified through the delivery of an education passport.
 - This notification may also be made directly from the DCS education specialist.
- The BID meeting should be held within **five (5) days**.





Timelines

- Once the BID meeting has been held and it is determined that remaining in the school of origin is in the best interest of the child, transportation is arranged.
- DCS will collaborate with the LEA to ensure the child receives transportation within **five days** of the BID meeting.
- DCS will provide transportation during the time prior to the BID meeting and for up to **five additional days** after the BID meeting is held.



Agreements with DCS



Components of the Agreement

- All LEAs are required to have a signed agreement with DCS regarding educational stability for children in foster care.
- Agreements are uploaded in ePlan as a component of the consolidated funding application (CFA).
- Agreements should contain:
 - Five-day timeline for BID meetings
 - Five-day timeline for transportation
 - Dispute resolution procedures
 - Assurance that the child remains in the school of origin during a dispute
 - Provisions for immediate enrollment



Transportation



Transportation: 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 child's time in foster care.
- Children in foster care needing transportation to their school of origin must promptly receive that transportation in a cost-effective manner and in accordance with section 475(4)(A) of the Social Security Act.
 - Note: Even if an LEA does not transport other students, it must ensure that transportation is provided to children in foster care.





Transportation: ESSA Requirements

- If there are additional costs incurred in providing transportation to the school of origin, the LEA will provide such transportation if:
 - the local child welfare agency agrees to reimburse the LEA for the cost of such transportation;
 - the LEA agrees to pay for the cost; or
 - the LEA and local child welfare agency agree to share the cost (ESEA 112(c)(5)(B)).





Transportation: DCS

- The child welfare agency must ensure that the educational stability plan of each child in foster care includes an assurance that the child welfare agency has coordinated with the appropriate LEA(s) to ensure the child can remain in the school of origin, or if remaining in that school is not in the child's best interest, an assurance that the child will be enrolled immediately in a new school.





Transportation

- Transportation is an allowable use of federal funds, both under the Title IV-E of the Social Security Act and Title I, of the ESEA.
- Transportation procedures should include a dispute resolution process if agreement cannot be reached.
- A child must remain in his or her school of origin while any disputes regarding transportation costs are being resolved and transportation must be provided during this time.



Training the LEA Staff



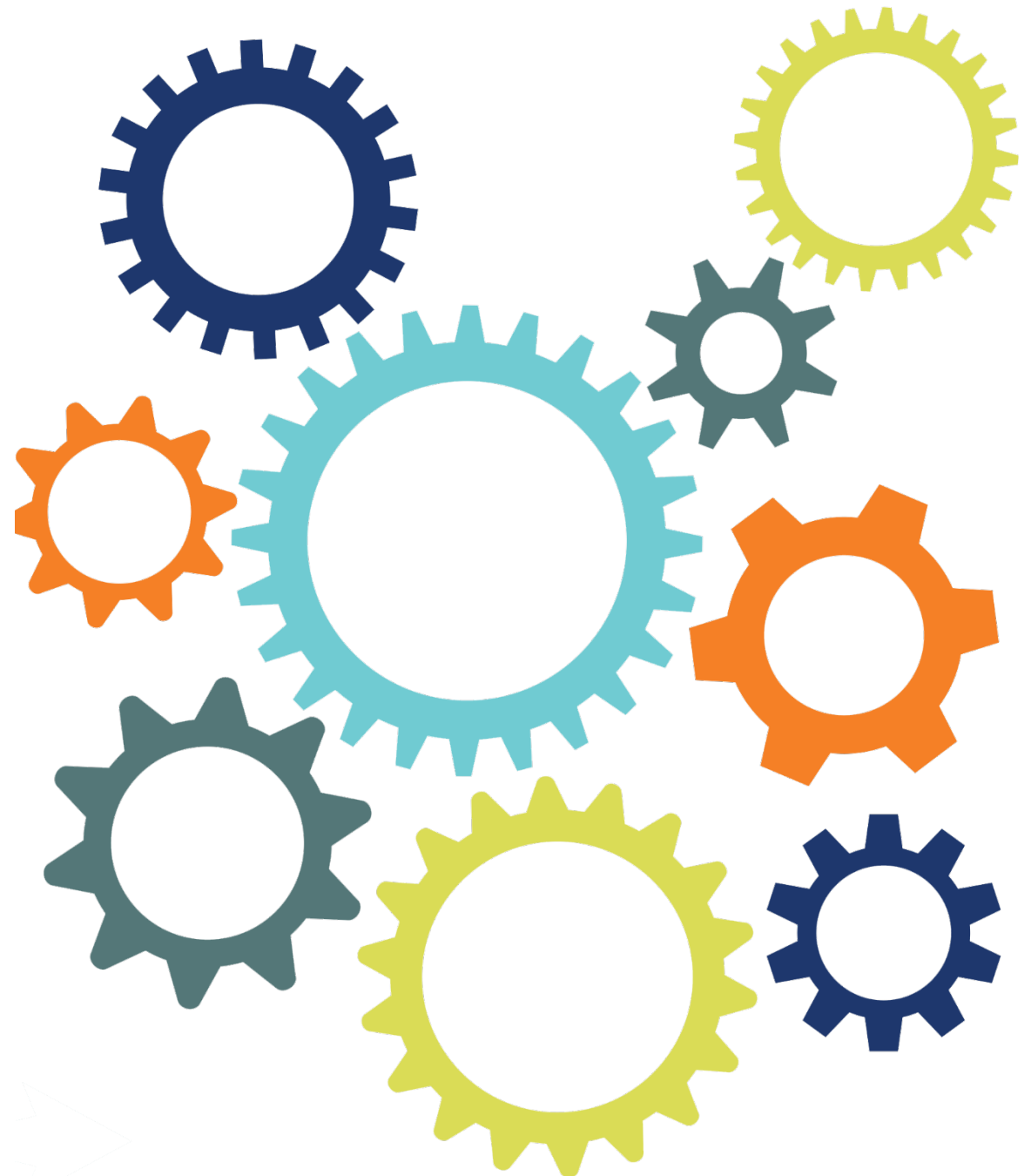
Training the LEA and School Staff

- All personnel who may have contact with foster students should be trained on processes and procedures.
- This may include:
 - School counselors
 - Social workers
 - Receptionists
 - Attendance personnel
 - Registrars
 - Administrators



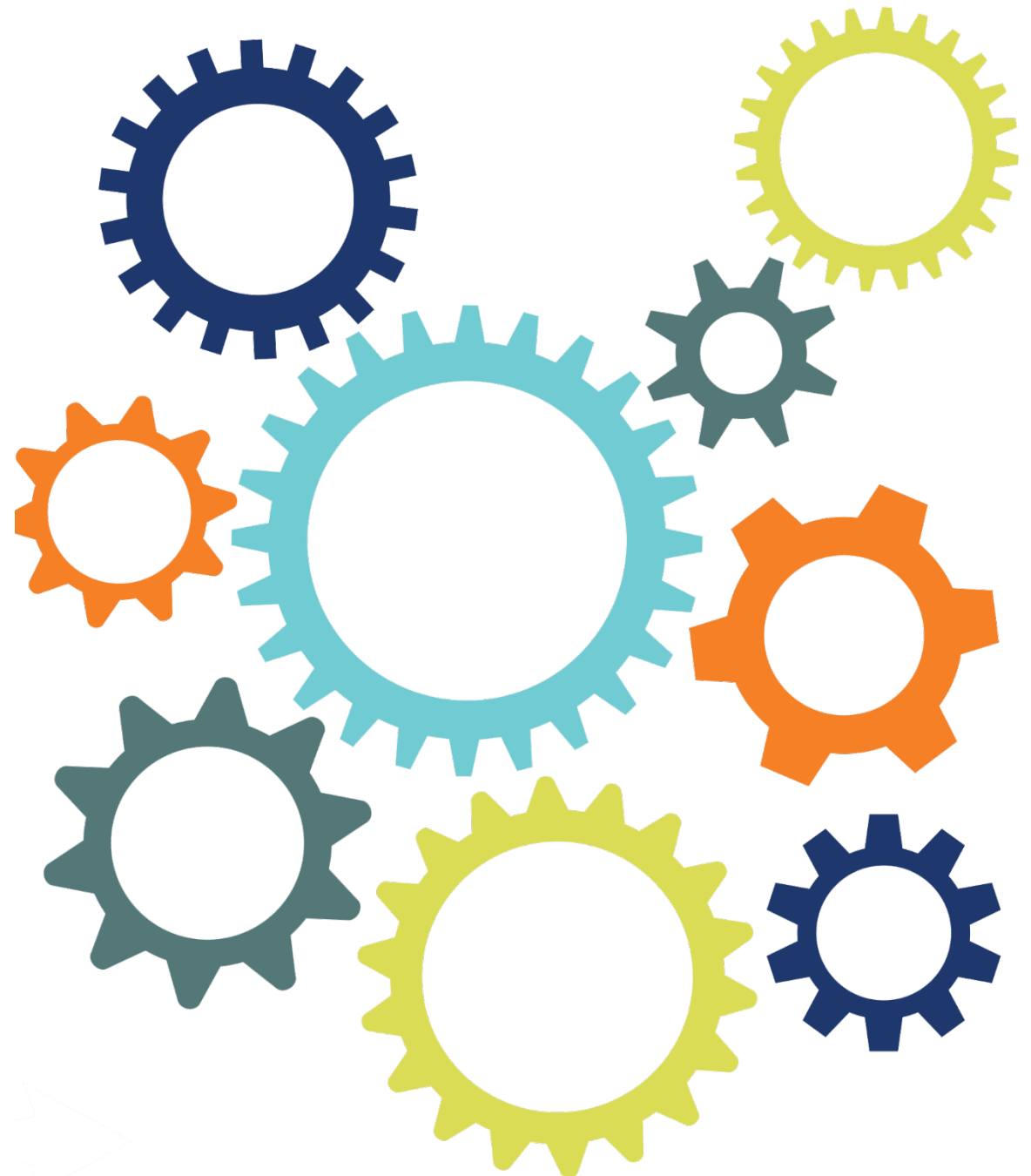
Let's Discuss!

- Zach is a 6th grader who, in October, has been placed with his siblings at a foster home 30 minutes away from his school of origin. His siblings will be attending the school of zone.



Let's Discuss!

- Zach's case plan goal is reunification with his parents, and DCS thinks this will be achieved within six months.



**Thank you for being
a guiding light!**





Contact Information

Jackie Jacobson | Foster Care Point of Contact

Jackie.Jacobson@tn.gov

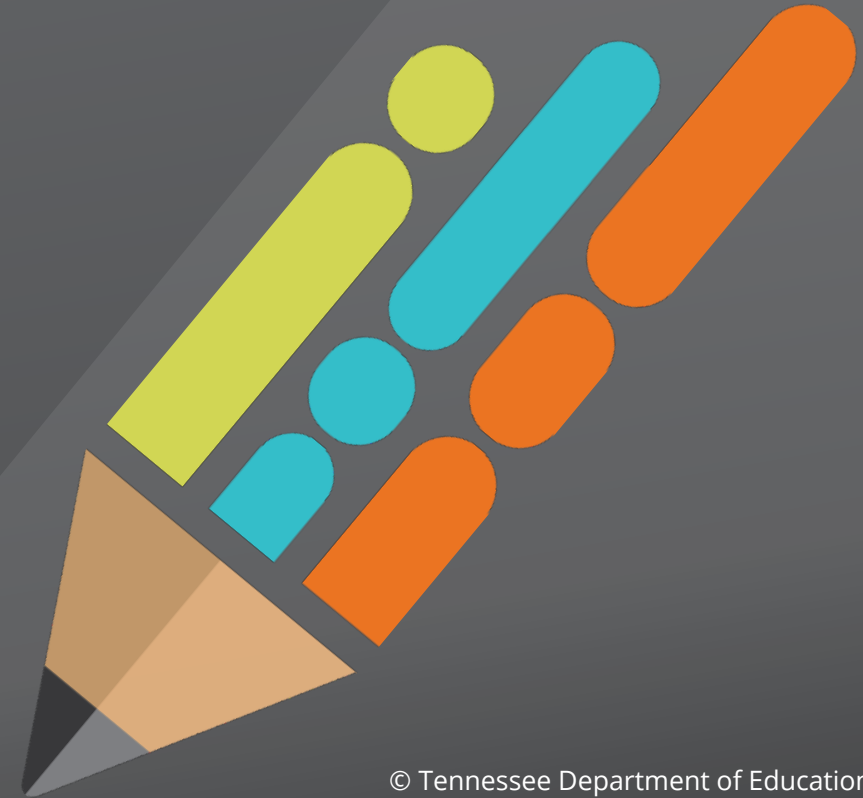
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