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Federal Programs Institute

SEPTEMBER 10-12 • Chattanooga Convention Center





Educational Stability for Youth in Foster Care

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- Opening Activity
- What is Foster Care?
- Why this Matters
- Collaboration is Key
- Identifying Students in Foster Care
- Best Interest Determination (BID)
- Enrollment
- Transportation

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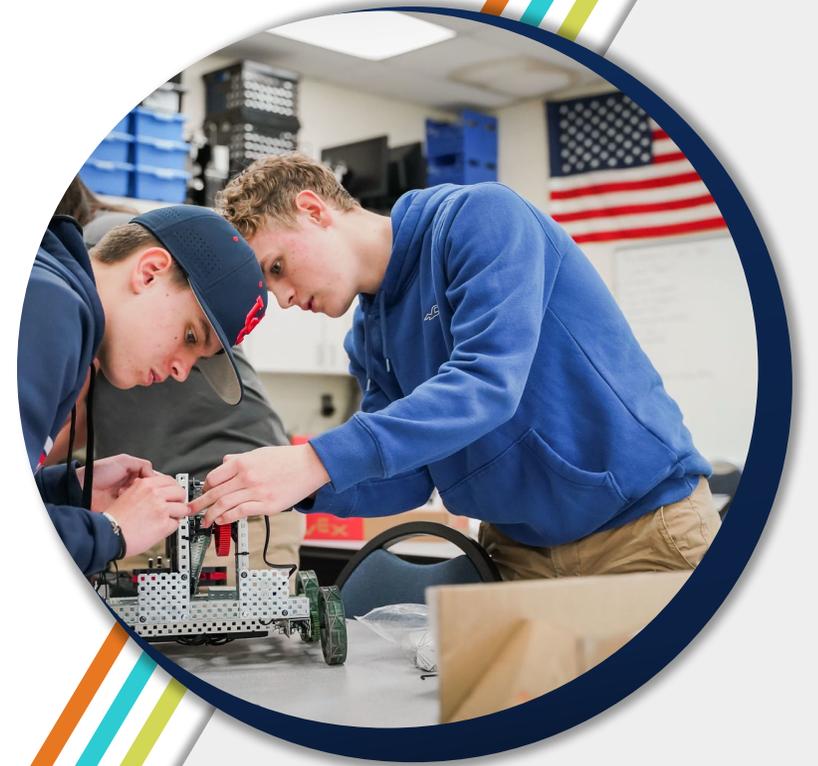


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Opening Activity

Let's Meet Nathan

- Nathan (*hypothetical student*), 15, was brought into foster care two days ago and is placed in a foster home an hour away from his school of origin.
 - What preliminary questions do you have?



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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 (45 C.F.R. §1355.20(a)).
- This includes placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, childcare institutions, and pre-adoptive homes (45 C.F.R. §1355.20(a)).



Children in Foster Care

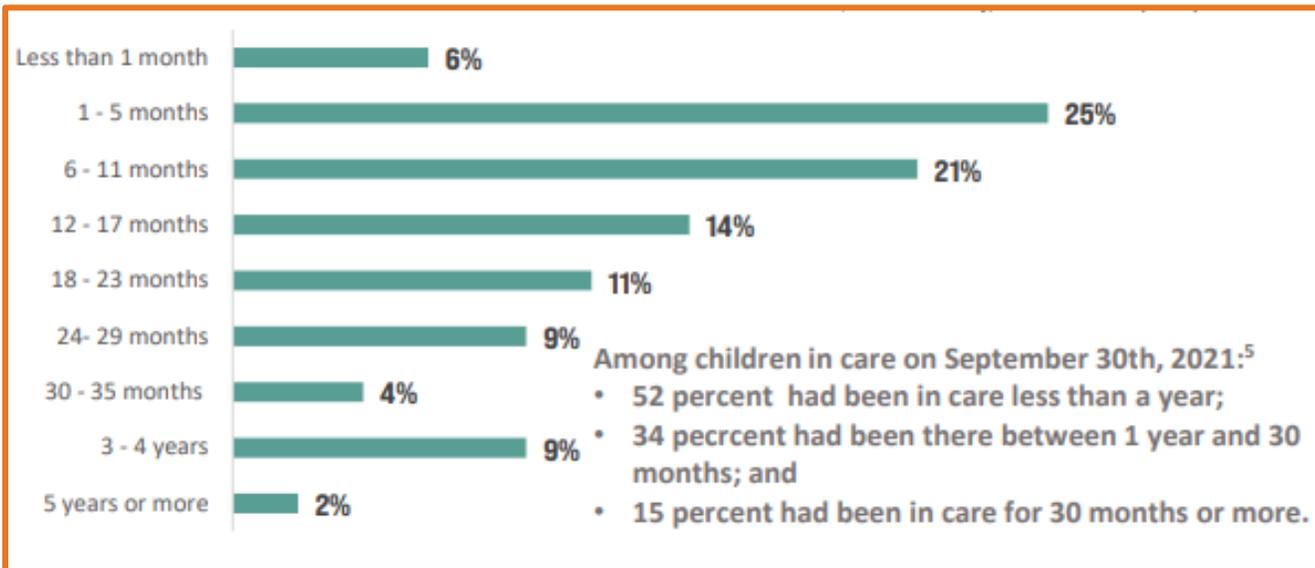
- During FY2021, 14,558 children in Tennessee were served by the foster system.
- On Sept. 30, 2021, there were 9,227 children in foster care.
 - 57 % in a non-relative foster home
 - 12% in a relative foster home
 - 9% in a group home
 - 7% in an institution
 - 7% on trial home visit
 - 4% in supervised 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

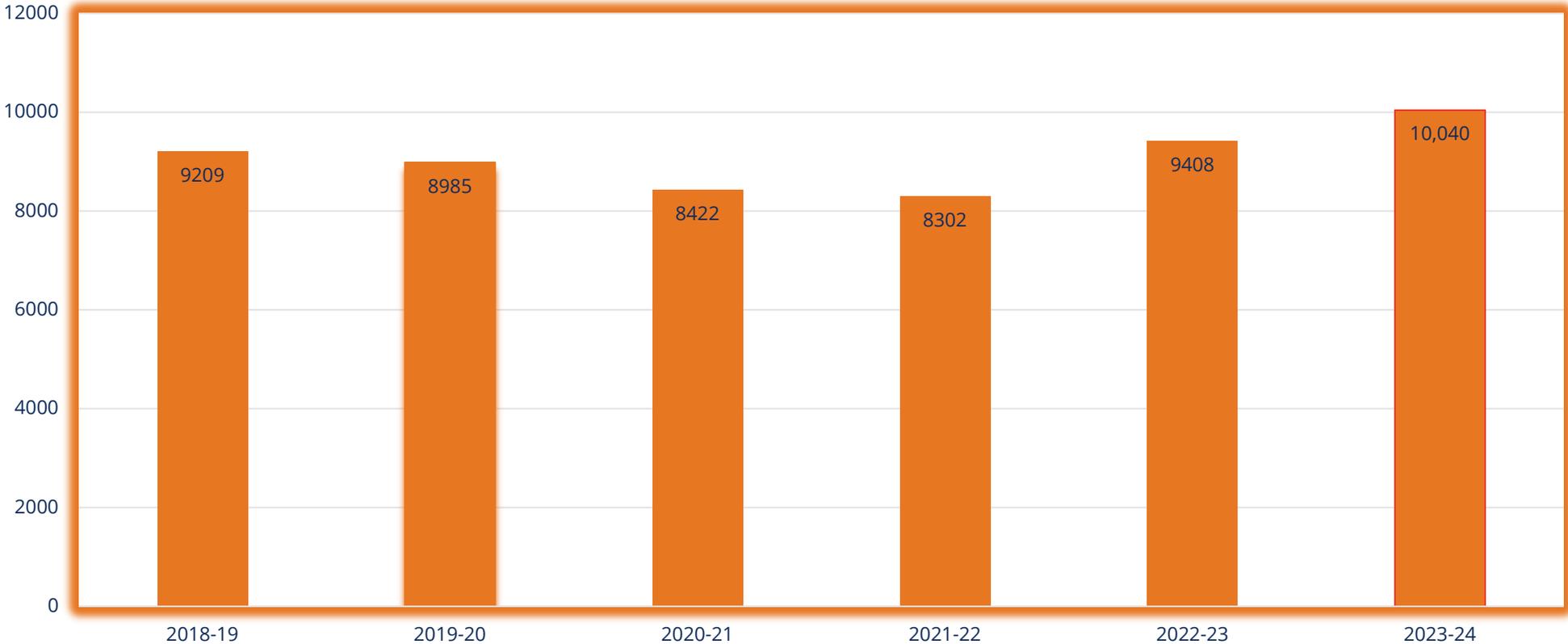
- In November 2023, the Department of Children's Services (DCS) noted between FY2022 and FY2023 the average number of days a child spent in custody increased by two months.



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

Foster Children in Tennessee Schools

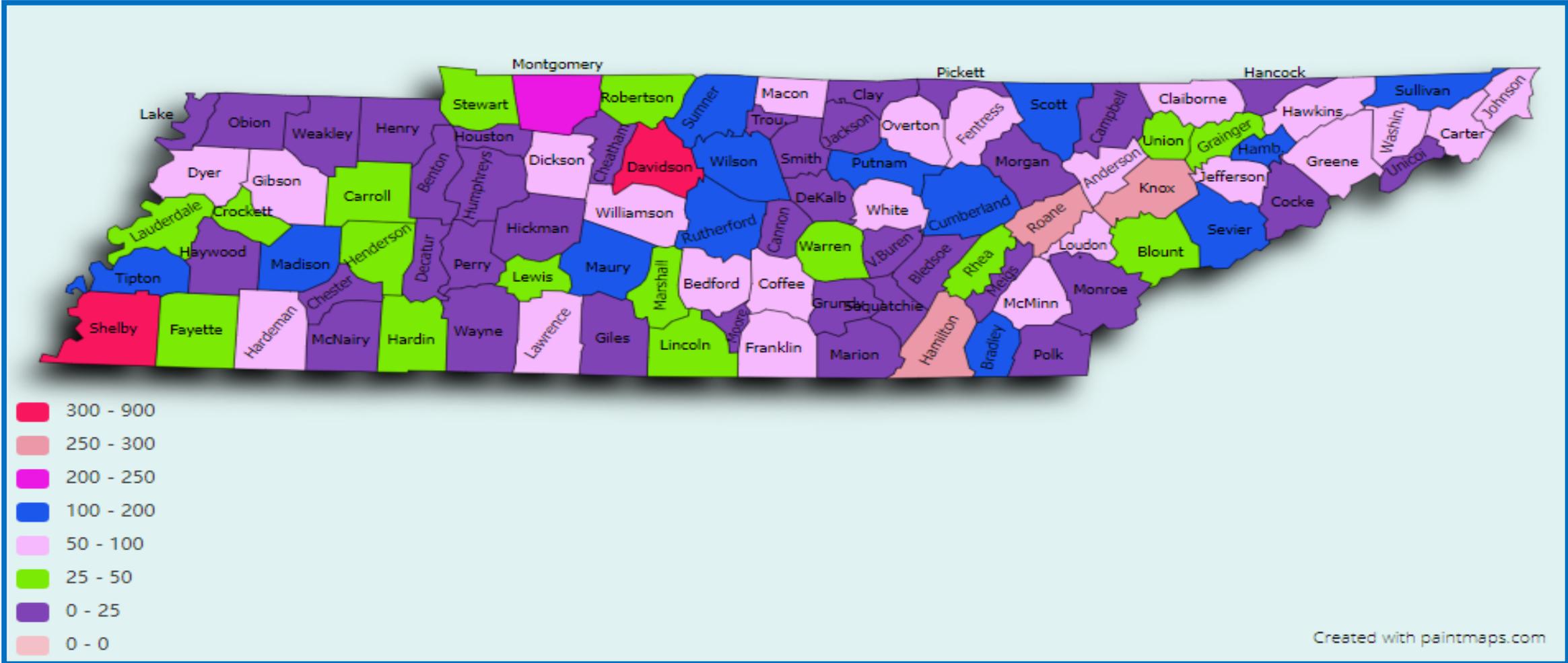
Students in Foster Care Coded as FOS01



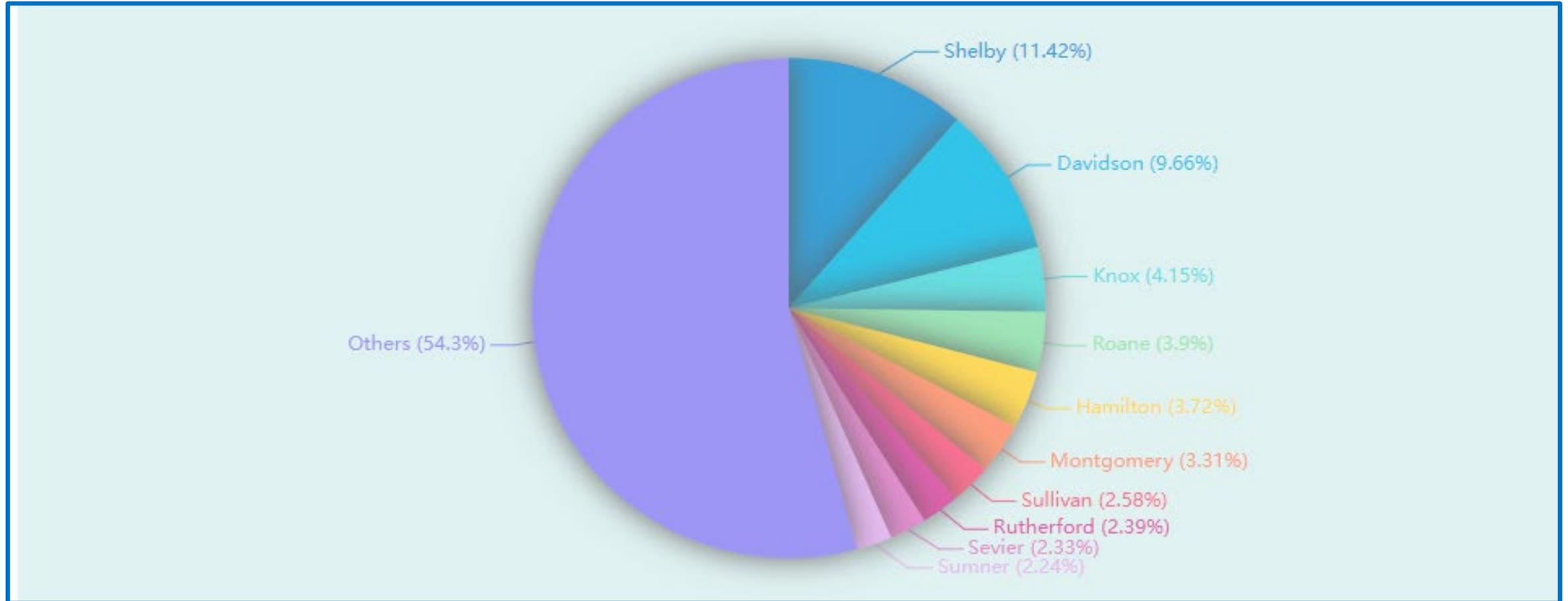
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Foster Care Enrollment By County



Top Ten Enrollment



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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.





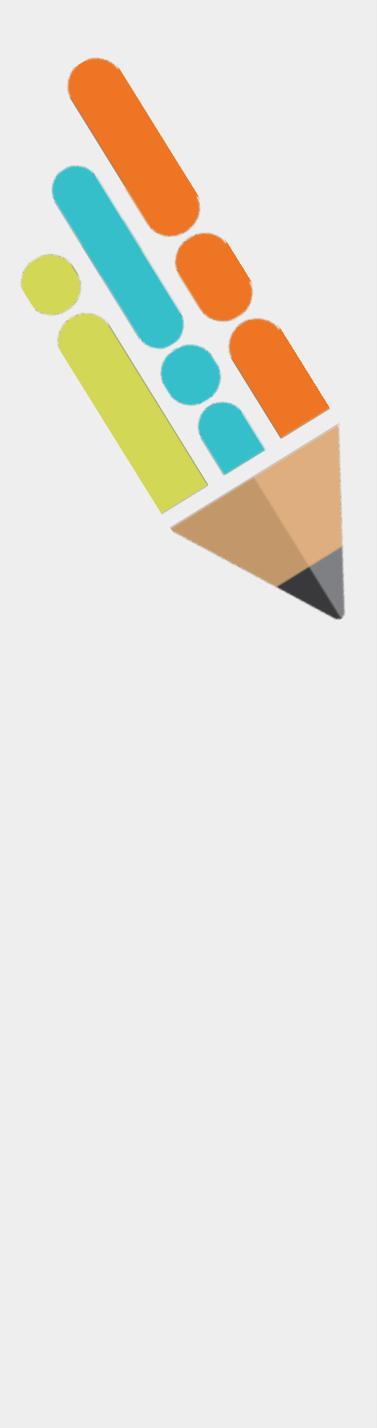
“

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 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.



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	< 10	< 10	
Foster Care and Runaway Total (in Same, Prior, or Later Enrollment)	29	32	



Triple Status: Foster Care, Homeless and Runaway

- There were **< 10** 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.

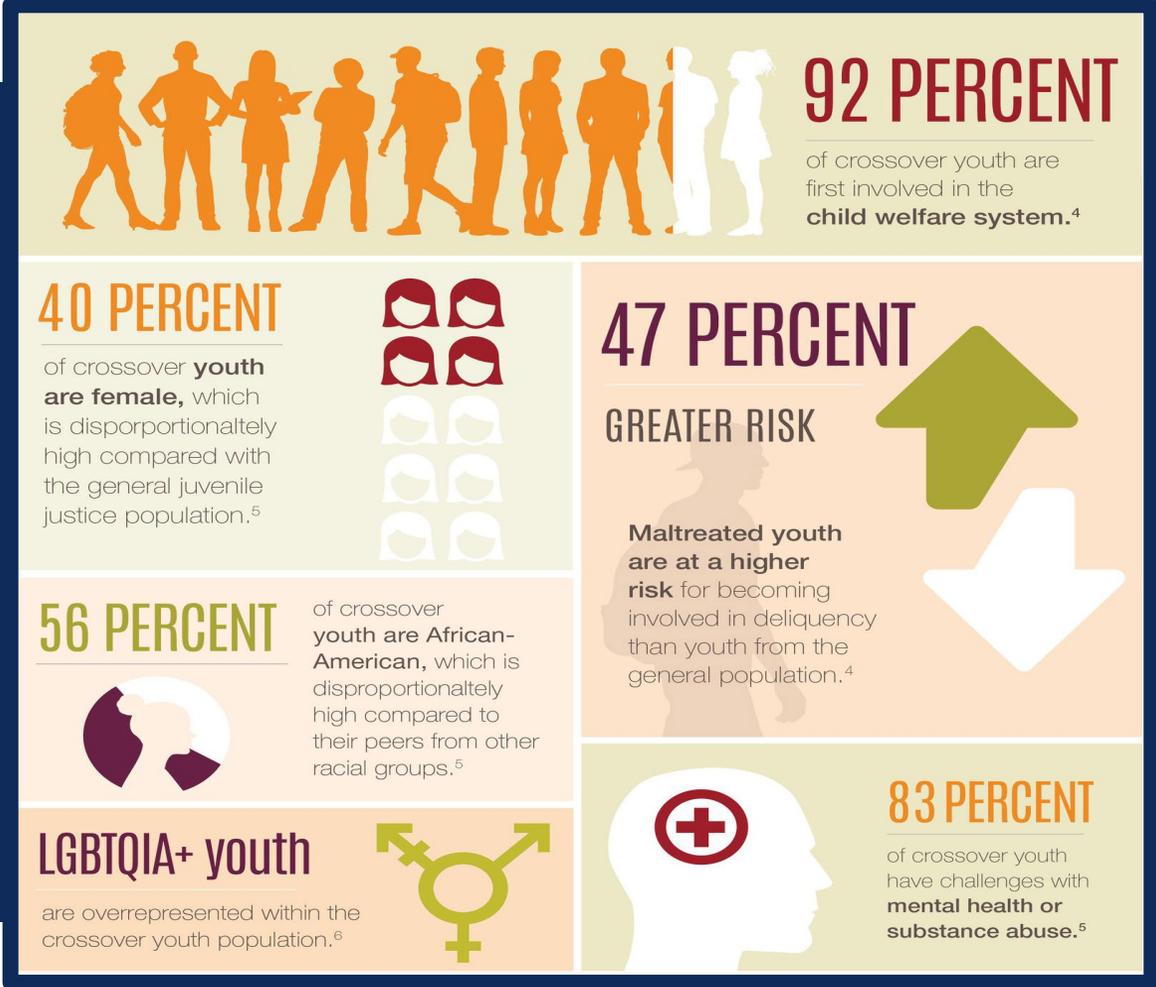


Crossover Youth

- Youth involved in both the child welfare system and juvenile justice systems
- Dually-involved, dually-adjudicated, dual system youth require a specialized focus
- Higher risks for mental health and educational challenges
- Higher risk of recidivism, poor placement stability and poor permanency outcomes



Crossover Youth



Source: Annie E. Casey Foundation

More About Nathan

- Nathan continues to disrupt foster placements and was on the run for several weeks. He has been picked up by the local police department and is being held in a juvenile detention center. He is awaiting a court data to address some theft charges.
- What is the role of an LEA in this case?



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Collaboration is Key

The Department of Children's
Services



Lots of Moving Parts

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



Collaborative Federal 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 IV 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 (20 U.S.C. §6311(g)(1)(E)).



School Stability in Fostering Connections

- Must include an Education Stability Plan as part of each child's case plan including assurances that:
 - Each placement takes into account the **appropriateness of the current education setting** and the **proximity to the school** in which the child is enrolled at the time of placement;
 - Child welfare agency has **coordinated with appropriate local education agencies...to ensure** that the child **remains enrolled in the school** in which the child was enrolled at the time of placement;
 - **If not in the best interest to remain**, child welfare agency must ensure **immediate and appropriate enrollment** in a new school and ensure **all of the education records** of the child are provided to the school.

42 U.S.C. §675 (1)(G)



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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.



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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 preferences of the child, parents, or education decision makers,
 - the placement of the siblings, and
 - the availability of required services.

U.S. Dep't. of Educ. and U.S. Dep't. of Health and Human Services, Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care, (June 2016)

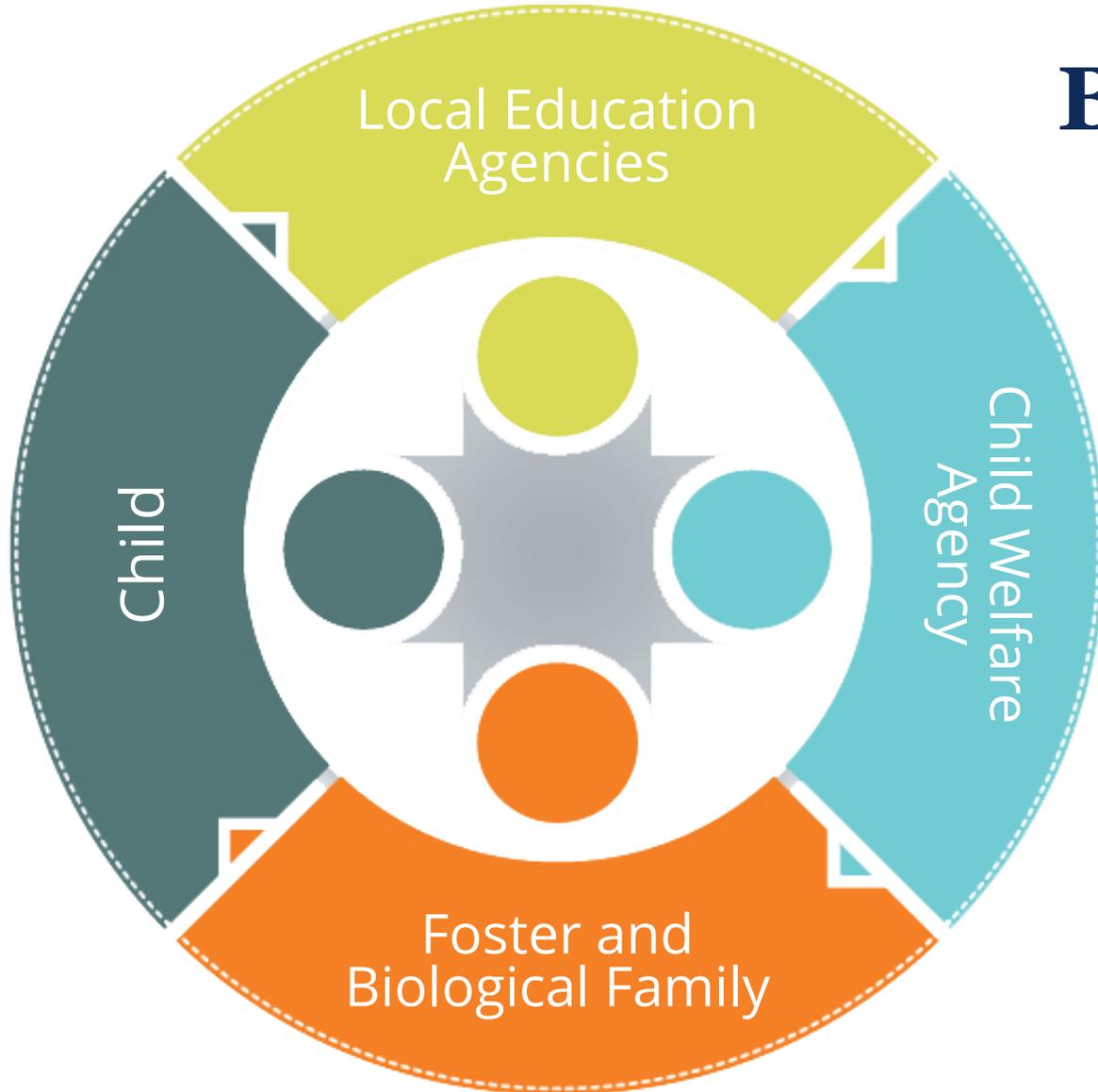


Best Interest Determination Meetings

- 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

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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.

20 U.S.C. §6311(g)(1)(E)



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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.

20 U.S.C. §6312(c)(5)(B)





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.
- LEAs may set-aside funds from Title I-A for transportation costs.
 - This fiscal year, LEAs have set aside a total of \$246,123.00 (\$288,243.60 in FY24)



Remember Nathan?

- What if we meet Nathan when he is in kindergarten?
 - How does this information impact the conversations or eventual decisions?
 - What additional information must be gathered?





Questions?

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Contact Information

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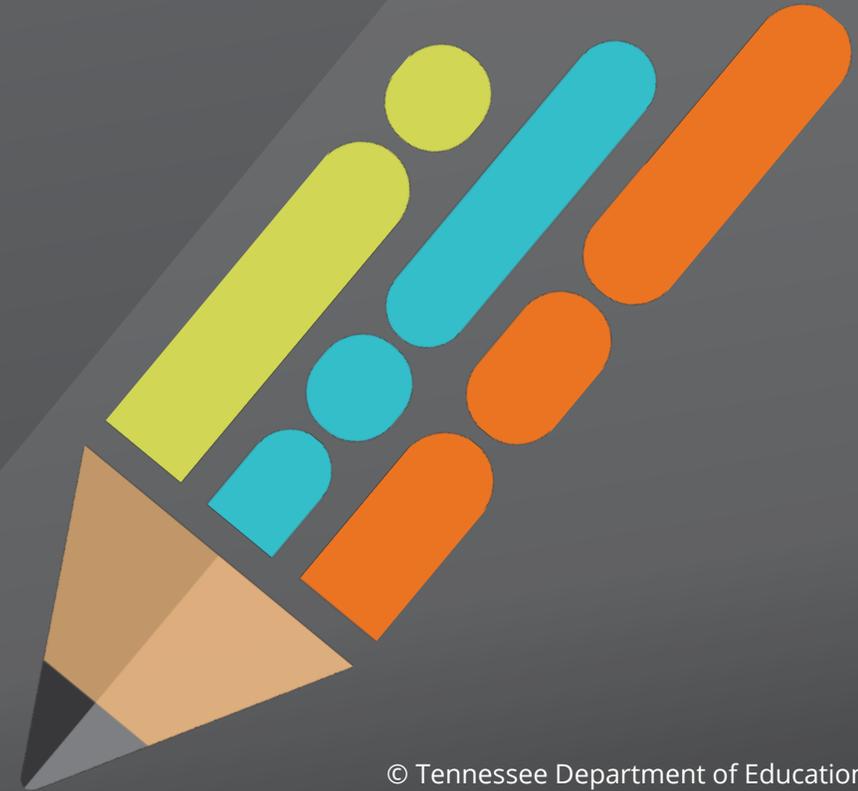
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You may access the survey by navigating here:

https://stateoftennessee.formstack.com/forms/2024_federal_programs_institute_presentation_survey



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