

**2025**

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# Educational Stability for Youth in Foster Care

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# Agenda

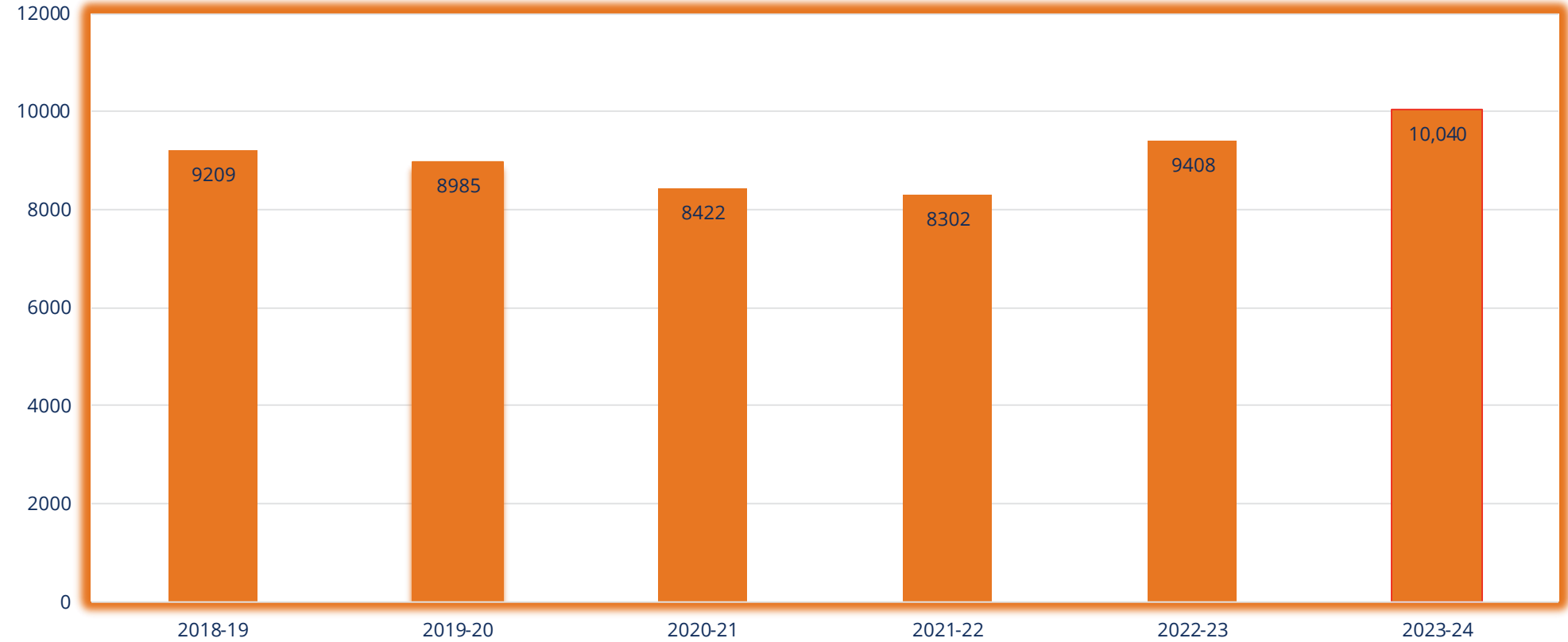
- Children in Tennessee Foster Care
- Why this Matters
- Collaboration is Key
- Placement Trends and Concerns
- Identifying Children in Foster Care
- Child and Family Services Review
- Enrollment
- Best Interest Determination
- Transportation
- Agreements with DCS



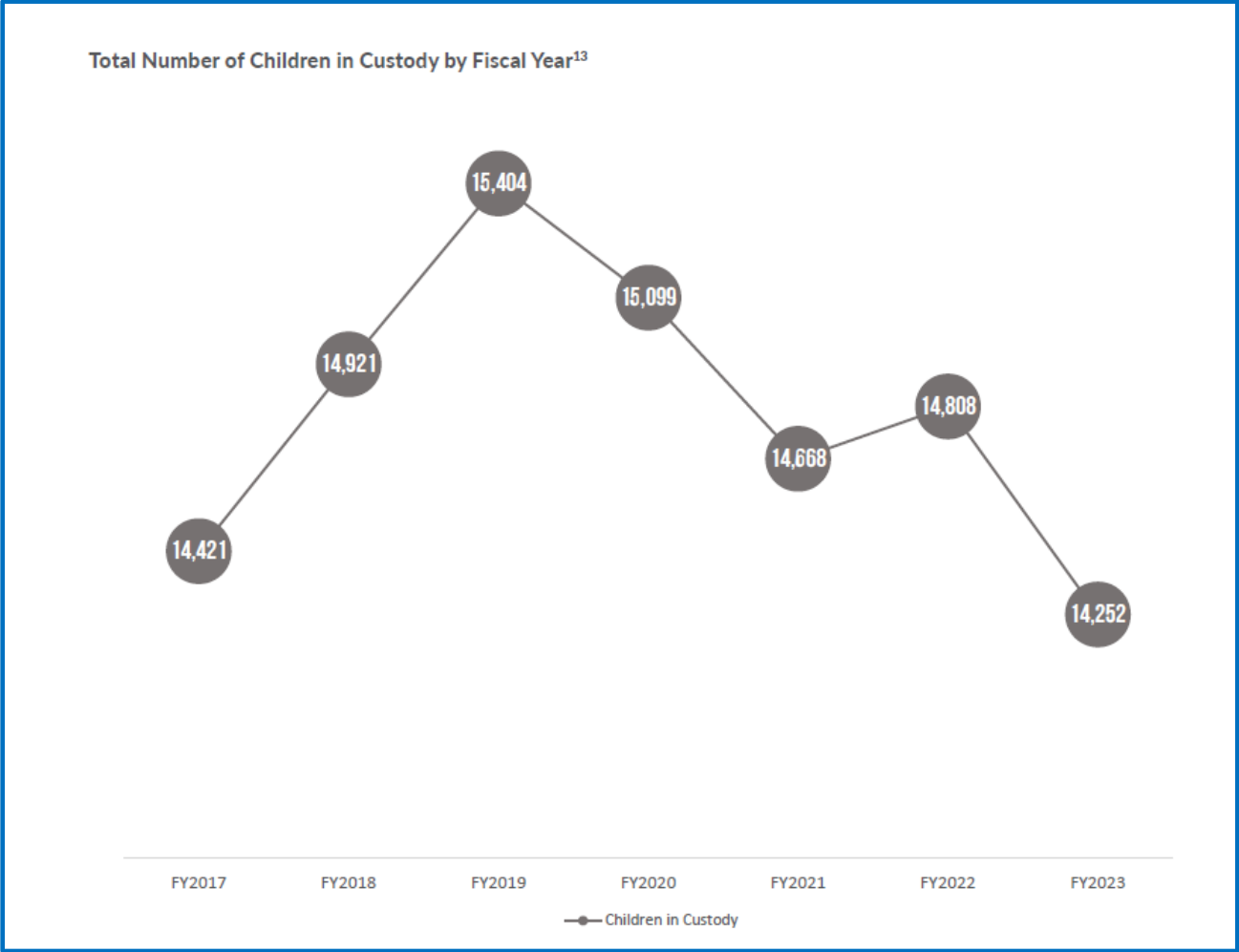
# Children in Tennessee Foster Care

# Foster Children in Tennessee Schools

Students in Foster Care Coded as FOSO1



# Children in Foster Care



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

# Children in Foster Care

- From April 2023 to March 2024, Tennessee had 5,026 children enter foster care, a rate of 3.20 per 1,000.
- In FY2023, there were approximately 166,249 hotline or abuse referrals. Of those, 54% were screened out.
- In 2023, 5,197 entered foster care. This was the lowest number since at least 2017. Of those children, 24% were re-entering care.



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

# Child Welfare Statistics

- In 2022, the average time between the report of suspected maltreatment and the first face-to-face contact with the alleged victim or with another person able to provide critical information was **nearly 7 days**.



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

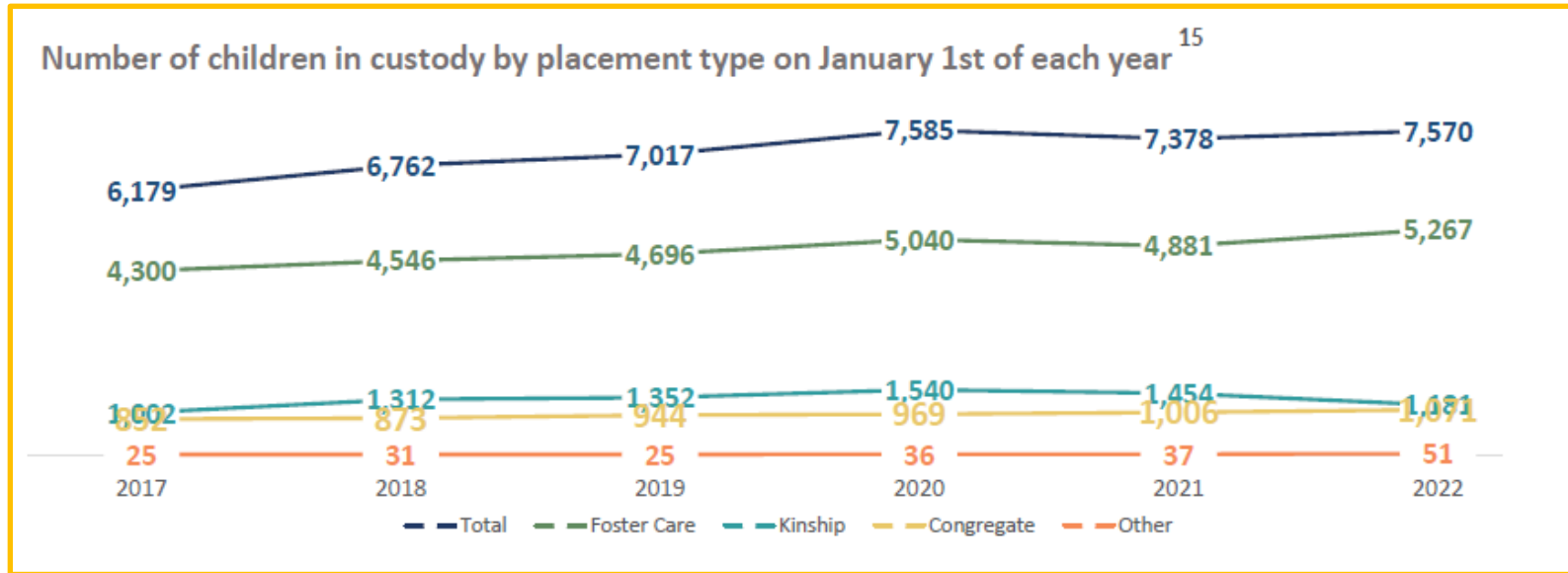
# Child Welfare Statistics

- In 2023, 5,302 children exited care.
- In FY2022, 54% of perpetrators were the victim's parent.
- In FY2022, 3.7% of victims had been reunited with their families within the last five years.
- In FY2022, 22.6% of victims were under one year old.
- In FY2023 and FY2024, one in four substantiated cases of abuse were for allegations of Drug Exposed Child. The second most common were allegations of Lack of Supervision (19%).



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

# Children in Foster Care: Placement



- On June 30, 2023, there were 3,521 youth in licensed residential care or foster care programs.
- In FY2023, there were 7,862 children reported to be served by non-secure private or public agencies licensed or approved to provide residential child care and/or foster care.



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

# Children in Foster Care: First-Time Placement

- Of first-time foster children entering the system in 2022, 38% had been in three or more placements by December 31, 2023.
- Among children entering in 2023, 31% had been in three placements by December 31.
- Since 2016, roughly a third of first-time Tennessee foster youth have experienced three or more placements while in care.



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

# Why this Matters

# Children in Foster Care: Educational Risk

- Performance on state achievement tests indicates that the largest deficits in reading and math achievement are evident in the months immediately preceding removal from the home (Berger, Cancian, Noyes & Rios-Salas, 2015)
- Children in foster care experience:
  - Impaired cognitive ability and academic achievement
  - Memory difficulties
  - Poor social skills
  - Diminished language development
  - Increased likelihood for mental health diagnoses



# 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

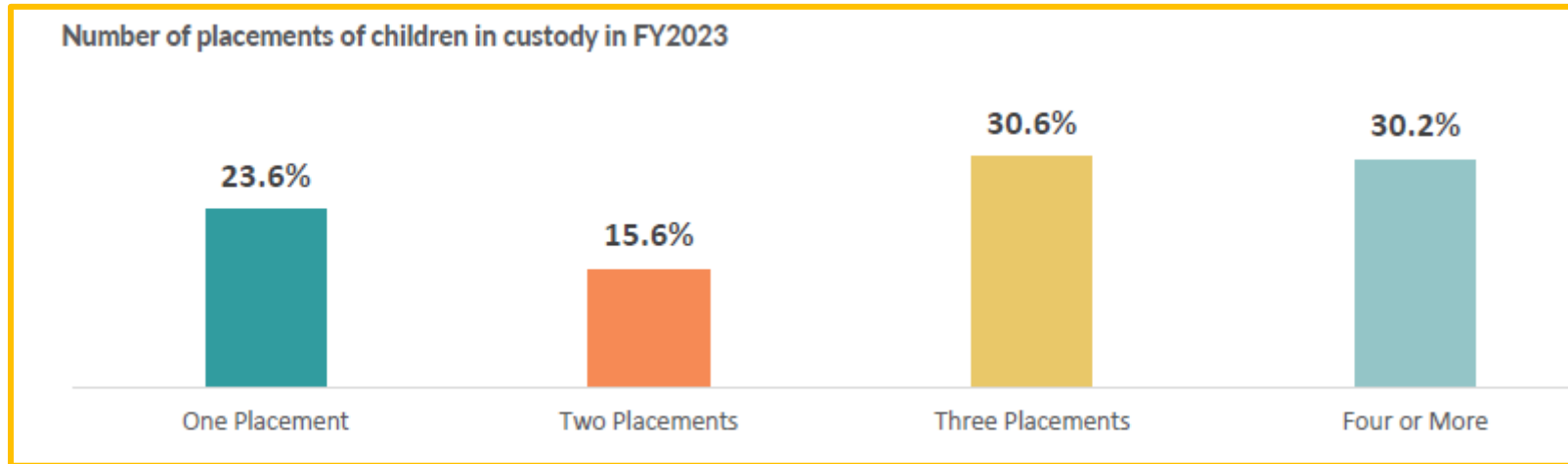
“In a national study of 1,087 foster care alumni, youth who had one fewer placement change per year were almost twice as likely to graduate from high school before leaving care.”

*Legal Center for Foster Care and Education*



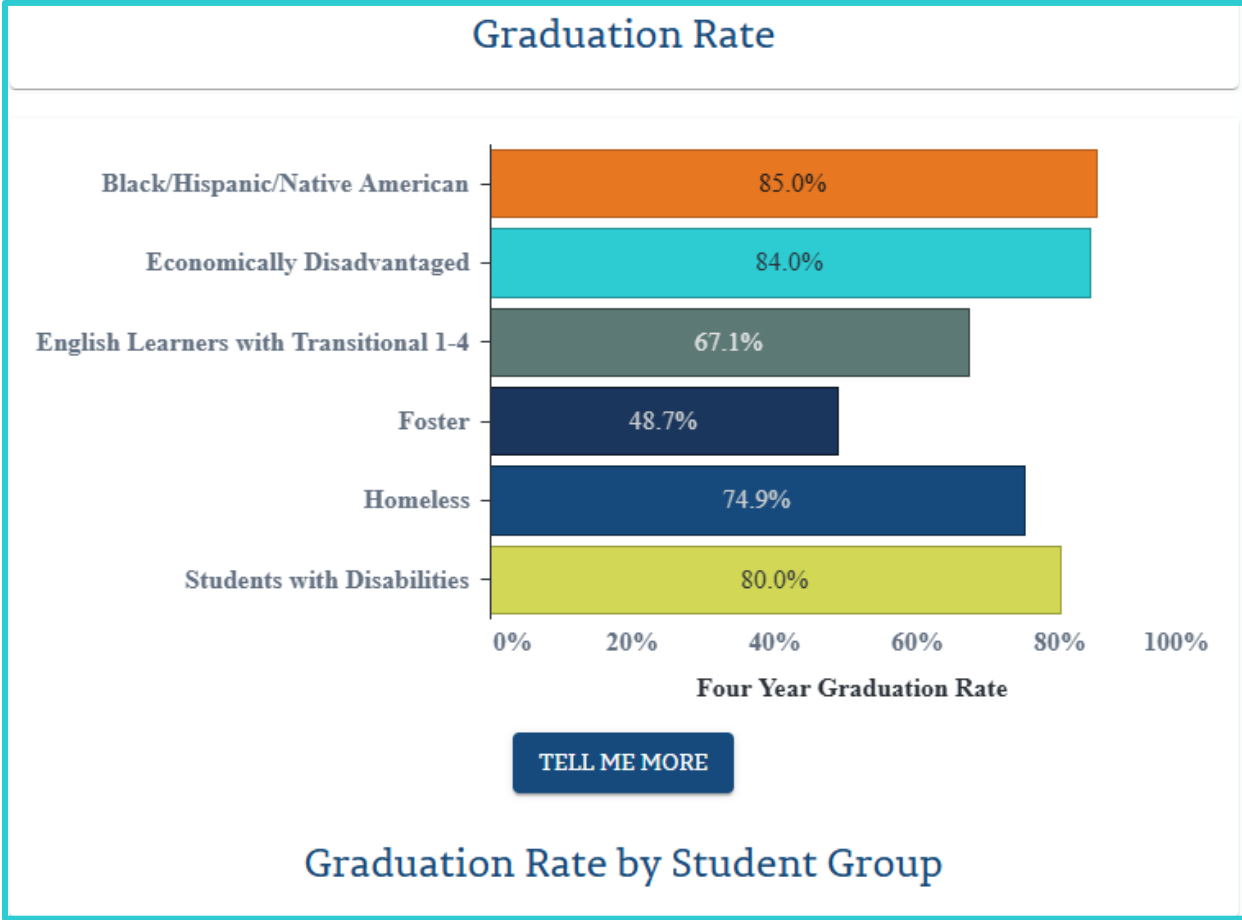
# Children in Foster Care: Placement

- In FY2023, 60% of children had been in three or more placements while in care.



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

# Children in Foster Care: Tennessee Graduation Rate



# Transition Age Youth

- In FY2024, 854 youth aged out of foster care.
- Of those aging out, 83% were eligible for Extension of Foster Care Services (EFCS).
- Among those who were eligible, 57% accepted EFCS. FY2024 had the highest acceptance rate since the state began offering the program.
- Youth Villages' YVLifeSet program is an example of EFCS and is designed to assist young adults between the ages of 17 and 22 who are transitioning from child welfare and juvenile justice services to adulthood.

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



# 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



# Collaboration is Key

# Lots of Moving Parts

- Everyone plays an important role
- Typically, multiple agencies are involved with youth in foster care.
- 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 IV funds to support transportation	Transportation must be arranged, provided, and funded
	State and local points of contact



# Every Student Succeeds Act (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.



# 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; and
  - **If not in the best interest to remain**, child welfare agency must ensure **immediate and appropriate enrollment** in a new school and ensure **all the education records** of the child are provided to the school.



# Placement Trends and Concerns

# Department of Children's Services (DCS) Placements

- Family foster home
- Residential treatment center – dependent/neglect
- Residential treatment center – juvenile justice
- Juvenile detention center
- Youth development center
- Hardware secure
- Staff secure
- Group home step-down
- Primary assessment center



# DCS Placements

- Temporary Placements
  - Group homes
  - Assessment homes
  - Isaiah Houses
  - Other beds used for homeless and runaway youth
  - DCS offices
  - Hospital settings



# Identifying Children in Foster Care

# Two Primary Methods of Identification

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



# Education Passport and Best Interest Determination (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 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.



# Child and Family Services Review: DCS Concerns

# Child and Family Services Review (CFSR)

- The Children's Bureau conducts Child and Family Services Reviews for states to help identify strengths and areas needing improvement in their child welfare practices and programs as well as institute systemic changes that will improve child and family outcomes.
- The findings for Tennessee are based on reviews conducted October 2023 through March 31, 2024.

*Source: U.S. Department of Health and Human Services. Administration on Children, Youth & Families Children's Bureau. (2024). Child and Family Services Reviews Tennessee Final Report 2024.*



# Child and Family Services Review

- The Statewide Information System was found to be “**not in substantial conformity.**”
- “The state’s expectation is that updates to data must be completed within 3 business days. Although the state has a system in place to ensure that data are checked for accuracy on a monthly basis, the timeframe to update placement changes is too lengthy. **As a result, a child’s location is not readily identifiable.**”

*Source: U.S. Department of Health and Human Services. Administration on Children, Youth & Families Children's Bureau. (2024). Child and Family Services Reviews Tennessee Final Report 2024.*



# Child and Family Services Review

- The case review system was found to be “**not in substantial conformity.**”
- “Case plans are generic, presented to parents with the same tasks and goals, not individualized and not always updated to reflect changing case circumstances.”
- “Data and information revealed that while periodic reviews are scheduled timely, they are often not held timely due to incomplete permanency plans, incomplete hearing information packets, and/or children or parents not in attendance.”

*Source: U.S. Department of Health and Human Services. Administration on Children, Youth & Families Children's Bureau. (2024). Child and Family Services Reviews Tennessee Final Report 2024.*



# Child and Family Services Review

- Staff and provider training was found to be “**not in substantial conformity.**”
- “The state provided compliance data for ongoing training with agency caseworkers; however, no data were provided on the effectiveness of ongoing training, supervisor training, or training **for providers.**”
- Service array and resource development was found to be “not in substantial conformity.”
- “Tennessee identified an ongoing challenge in establishing sufficient resources in rural areas to meet the needs of underserved populations, which in turn contributes to waitlists in urban areas.”

*Source: U.S. Department of Health and Human Services.  
Administration on Children, Youth & Families Children's Bureau.  
(2024). Child and Family Services Reviews Tennessee Final Report  
2024.*



# 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.



# Let's Talk about Withdrawal

- It is crucial that a BID meeting occur **prior to** withdrawal.
- What happens when a student is withdrawn without notice?



# Best Interest Determination (BID)

# BID 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.



# BID 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 BID 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.



# BID 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 individual interests and perspectives.



# BID 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, <u>PreK</u> , 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

\_\_\_\_\_ 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.

# 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 Title IV-E of the Social Security Act and Title I of the Elementary and Secondary Education Act (ESEA).
- Transportation procedures should include a dispute resolution process if an 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.



# 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



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# Up Next...

Click one of the links below to seamlessly join the next session of your choice.

Thursday, August 28<sup>th</sup>  
9:45–12:30 p.m. ET  
8:45–11:30 a.m. CT

[Current Trends & Litigation](#)  
Julia Martin, Esq.



# Thank You!

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