

Foster Care & Education

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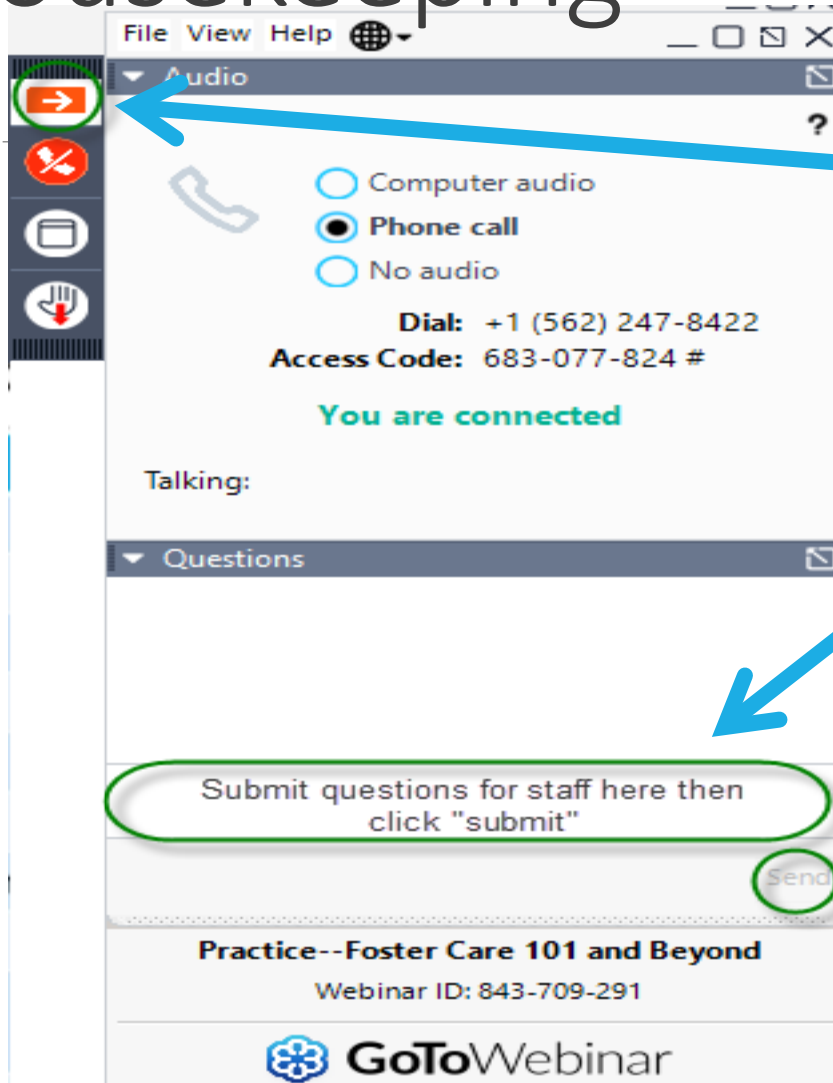
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NOVEMBER 20, 2019

Housekeeping



Your Participation

Use the arrow



To open and close your attendee control panel

Type questions and comments via the Questions panel. Click "Submit" to send.

Note: Today's presentation is being recorded and will be posted and provided to participants and those who request it.

Purpose and Goal

Purpose: To share information with LEA Foster Care Point of Contacts (POC's) concerning specific aspects of the law related to students in foster care.

Goal: To present information, make connection points, and offer resources for POC's in both Montana and Nevada.



LEGAL CENTER FOR
FOSTER CARE & EDUCATION

WWW.FOSTERCAREANDEDUCATION.ORG



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AMERICAN **BAR** ASSOCIATION

Center on Children
and the Law

What Should I Know About Foster Care?

- ~265,000 school aged children in foster care
- 61% in the child welfare system because of neglect
- 60%+ will eventually return to their family
- Over ½ will be in foster care for a year or less
 - ¼ in care for less than 5 months



Barriers to Success For Children in Foster Care

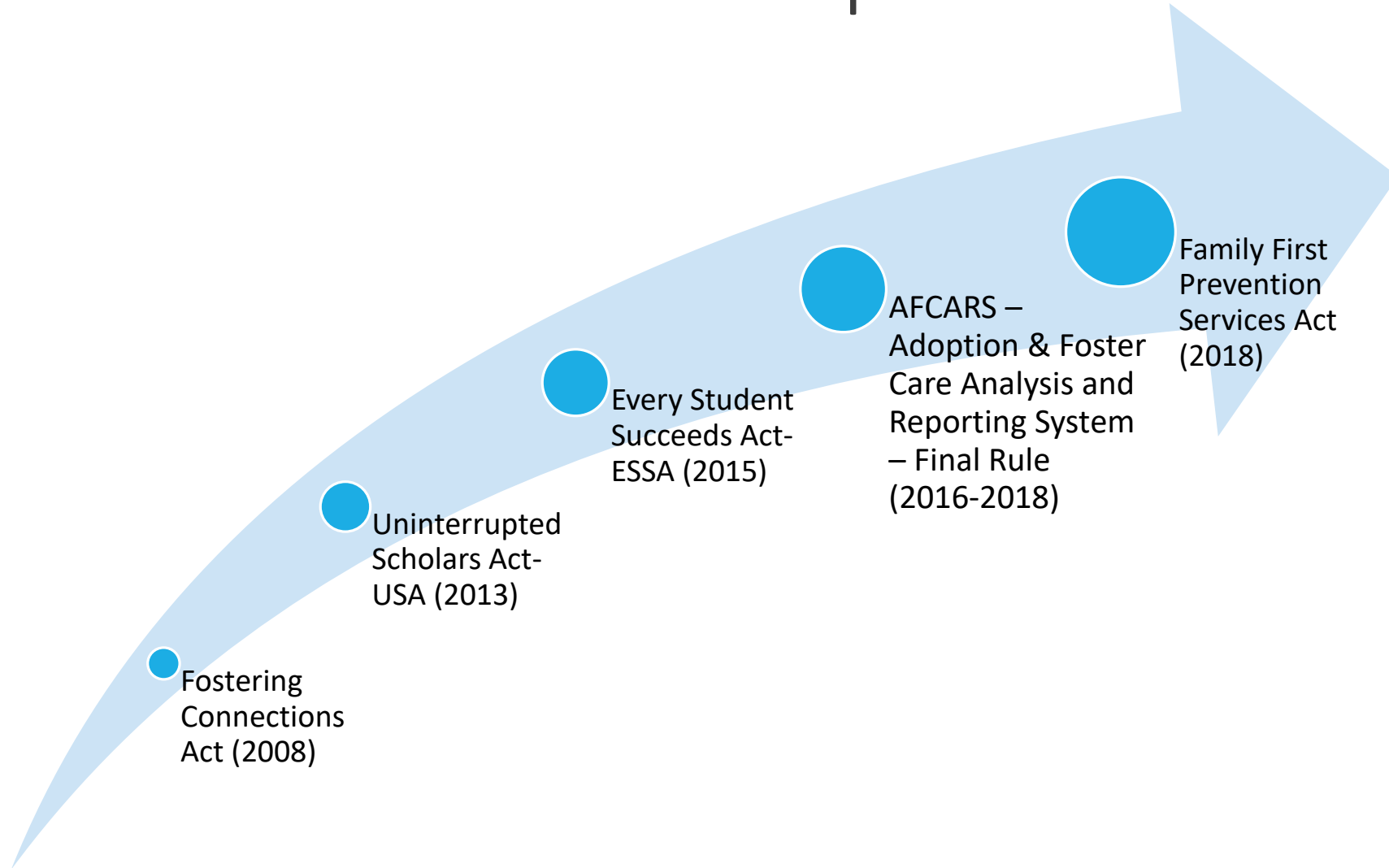
- Lack of placement stability = school instability
- Delayed enrollment
- Credit transfer issues & graduation requirements
- Educational disruption & history of truancy
- Disproportionate rates of suspension and expulsion
- Over-representation in alternative education programs
- Inferior on-site educational programs
- Special education needs are not identified, mis-identified or students fail to receive services

Fast Facts from the National Datasheet

http://fostercareandeducation.org/DesktopModules/Bring2mind/DMX/Download.aspx?portalid=0&EntryId=2100&Command=Core_Download

Educational Experience or Outcome	Findings
School aged children in foster care (5-17)	268,517
% of foster youth w/ 2+ living placements	65%
% of youth who change schools when first entering care	31-75%
% of 17-18 year old who experience 5+ school changes	34%
Likelihood of being absent from school	2x other students
Likelihood of 17-18 year old in care being expelled	3x other students
Reading level of 17-18 year old in foster care	Avg. 7 th grade level (44% HS or higher)
% of foster youth receiving special education services	36-47%
% of 17-18 year old in foster care who want to go to college	70-84%
% of foster youth who complete high school by 21	65%
% of graduated foster youth who enroll in college	32-45%
% of foster care alumni who attain a bachelor's degree	3-11%

A Decade of Federal Law Improvements



Fostering
Connections
Act



Every
Student
Succeeds
Act



Shared
Responsibility
to Support
School
Stability

Key Provisions-School Stability and Continuity

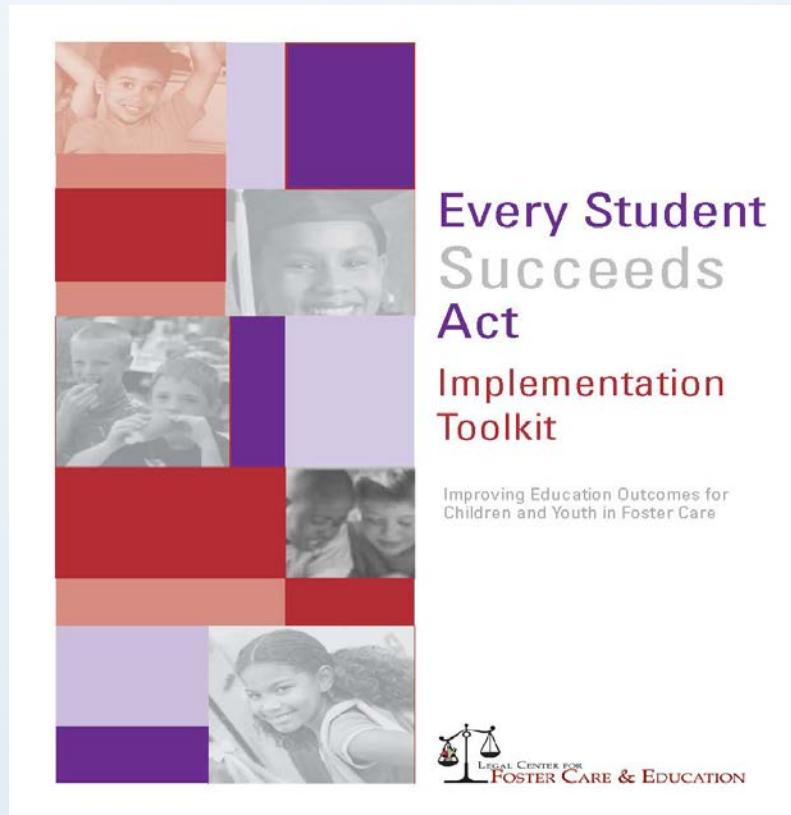
Fostering Connections Act (2008)

- 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

ESSA State Implementation Toolkit



- Q&A: How Will ESSA Support Students in Foster Care
- Implementation Checklists
- Highlights of Joint Federal Guidance to Ensure School Success for Students in Foster Care under the ESSA
- Sample State Level Memorandum of Understanding: Implementing the School Stability Provisions of ESSA
- Model Directive from State Education Agency to Local Education Agencies About ESSA Compliance
- Best Interest Decisionmaking Guide / Forms
- Transportation Templates

ABA ChildLaw Practice (December 2017)

- Improving Education for Youth in Foster Care: Blueprint for Change
- An Attorney's Guide to Early Childhood Education
- How Attorneys Can Support Postsecondary Success
- Onward and Upward: A Foster Youth's Path to College
- Every Student Succeeds Means Children in Foster Care Too: State Progress on ESSA's Foster Care Provisions
- The Court's Role in Supporting Education for Court-Involved Children
- Special Education Advocacy: A Guide for Attorneys
- Schools as Partners in Education Advocacy for Foster Youth: Tips for Attorneys on Engaging Schools

https://www.americanbar.org/groups/child_law/resources/child_law_practiceonline/child_law_practice/vol-36/nov-dec-2017/

Support: Roles and Responsibilities

State Foster Care Point of Contact

Statewide Collaborative on Education

Technical Assistance: District Foster Care POC's, District/Public Support, state specific foster legislation

Ongoing MOU Support between Districts and Child Welfare Agencies

Participate in National Education Foster Care Trainings (National Foster Care Summit, NAEHCY, Peerto-Peer Exchange series)

Collaborative efforts at the state level (Indian Education, McKinneyVento, CTE, HiSET, etc.)

Policy Review and Drafting (Proposed Legislation to Support Homeless and Foster Students) including AB491 and SB-147

Support: Roles and Responsibilities

District Foster Care Point of Contact

Assure students in foster care are provided opportunities to be academic successful

Help to eliminating barriers to their education (school enrollment, academic support, etc.)

Help streamline communication between school district/school and child welfare

Provide Professional Development to district/school staff

Support: Roles and Responsibilities

Child Welfare Personnel

Communicate with district/school staff members concerning the students status as a student in foster care

Help to eliminating barriers to the students education (school enrollment, academic support, etc.)

Establish Memorandum of Understanding (MOU) between Child Welfare and School Districts

Provide Professional Development related to foster care to school district/sites

Foster Care Workflow Chart

Montana and DPHHS worked together to create a visual to show everyone's roles and responsibilities.

<http://opi.mt.gov/LinkClick.aspx?fileticket=mqJOo8ijvZw%3d&portalid=182>

School Stability (Why does it matter?)

Youth Voice

Schylar Baber – Executive Director of Voice for Adoption



Best Interest Determination Voice from the field (Nevada)

Right to remain in school



Right to transportation



Students in Foster Care Rights

- Immediate enrollment in school, even if the caregiver does not have the required paperwork.
- Continue attending the school in which they were enrolled when they entered foster care, the last school attended, or the school closest to their foster care placement based on a best interest determination.
- Remain in the sequence of schools with their peers when a placement is longer than one school year.
- Receive transportation to and from school.
- Automatic enrollment for free meals at school.
- Automatic qualification for Title I services, even if the student is enrolled in a non-Title I school.
- Receive all school-based services for which they qualify.
- Participate in all programs and activities offered to other students, including athletics, music, clubs, and other extracurricular activities.
- Have their caregivers participate in and attend school events and activities.

Reporting Requirements

Montana

- Schools receiving Title I funds must provide services to children in foster care who are living in group homes or other institutions, or who attend community day programs.
- LEAs must abide by the assurances they sign off on in their E-Grants ESEA consolidated application
- LEAs are also required to provide documentation regarding their board policies during the monitoring process.

Nevada

- The State Board of Education must prepare an annual report about the academic progress of children in foster care that includes statewide achievement score results as well as graduation rates.
- The information gathered by the state is done through out Infinite Campus System.

Nevada & Montana POCs

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[Montana POCs](#) (Hyperlink)

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[Nevada POCs](#) Hyperlink

Resources

Montana Resources

[Montana Foster Care Information Webpage](#)

Nevada Resources

[NDE Foster Care Homepage](#)

[Nevada AB-491 Factsheet](#)

[NSHE Fee Waiver Form](#)

Next Steps and Follow Up

- ✓ Receive ppt. recording and share with others
- ✓ Look for additional webinar opportunities in the coming months (tentatively set for January)
- ✓ Call us if you have questions or need assistance

Thank you for your time and attention today!