Foster Care & Education

PRESENTED BY:

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NOVEMBER 20, 2019
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.
Emily Peeler, Senior Staff Attorney
American Bar Association Center on Children and the Law
Emily.Peeler@americanbar.org
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


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

Every Student Succeeds Act

Shared Responsibility to Support School Stability
## Key Provisions - School Stability and Continuity

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<tr>
<td>• Coordination with Local Education Agencies (LEAs)</td>
<td>• Collaboration with child welfare agencies</td>
</tr>
<tr>
<td>• Presumption to stay in school of origin</td>
<td>• Presumption to stay in school of origin</td>
</tr>
<tr>
<td>• Best interest determinations</td>
<td>• Best interest determinations</td>
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<tr>
<td>• Immediate and appropriate enrollment</td>
<td>• Immediate enrollment, even without documentation</td>
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<tr>
<td>• Permissible use of federal Title IV-E funds to support transportation</td>
<td>• Transportation must be arranged, provided and funded</td>
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<td>• State and local Points of Contact</td>
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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

http://fostercareandeducation.org/AreasofFocus/EducationStability.aspx
ABA Child Law 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

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, Peer-to-Peer Exchange series)

Collaborative efforts at the state level (Indian Education, McKinney-Vento, 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 student's status as a student in foster care
- Help to eliminating barriers to the student's 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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<th>Nevada POCs</th>
<th>Montana POCs</th>
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Email: cusher@doe.nv.gov |
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!