

Collaborating for the Educational Stability of Students in Foster Care



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

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Division of Social Services



North Carolina Department of
PUBLIC INSTRUCTION

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NC Department of Public Instruction

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Agenda

Welcome

Foster Care in NC

Every Student Succeeds Act

Rationale, Provisions, and Responsibilities

Responsibilities of Local Education Agencies (LEAs)

Responsibilities of Local Departments of Social Services (DSS)

Collaboration at the Local Level

Wrap Up/Questions

Survey for Employees
of Local Education
Agencies (LEAs)
and
County Departments
of Social Services
(DSS)

Collaboration Between Local
Education Agencies and
Departments of Social Services



<https://forms.office.com/r/KYeF4fANHP>

Definition of Foster Care

24-hour substitute care for children placed away from their parents or guardians for whom the Title IV-E [child welfare agency] has placement and care responsibility.

[Definition from Fostering Connections Act]

- Includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, childcare institutions, and pre-adoptive homes.

NC Data 2022-2023 (unofficial)

Total # of children in foster care (as of 12/31/23)	10,361
Projected # of students in foster care	6,320
Students identified by LEAs	5,887
Projected # of students not identified	433

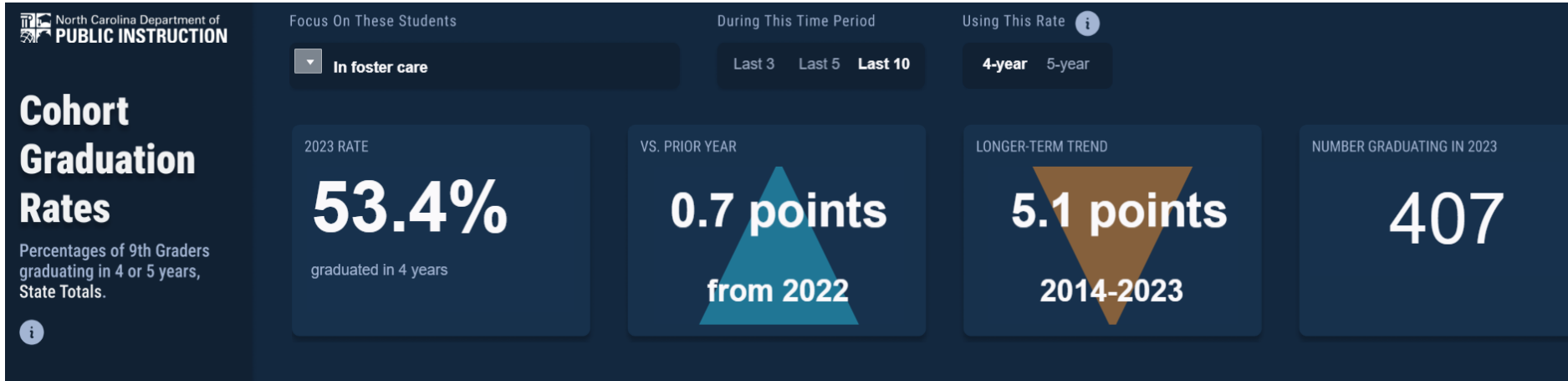
NC Data 2022-2023SY (unofficial)

Projected # of students in foster care who were NOT identified =



LEAs report that 1,276 (21.6%) students in foster care have IEPs
National projection is 30-50% of all students in foster care have IEPs

Educational Outcomes in NC 2022-2023



Link Between Education and Permanency

- Children and youth who remain in care longer, and who are less likely to be reunified or adopted, are more likely to struggle in school and have special education needs.
- Children who have achieved permanency are:
 - more likely to have attended school regularly
 - more likely to talk to their caregivers about schoolwork
 - less likely to have changed schools during the prior two years
 - less likely to have been suspended from school

[American Bar Association and Casey Family Programs – The Link Between Education and Permanency](#)

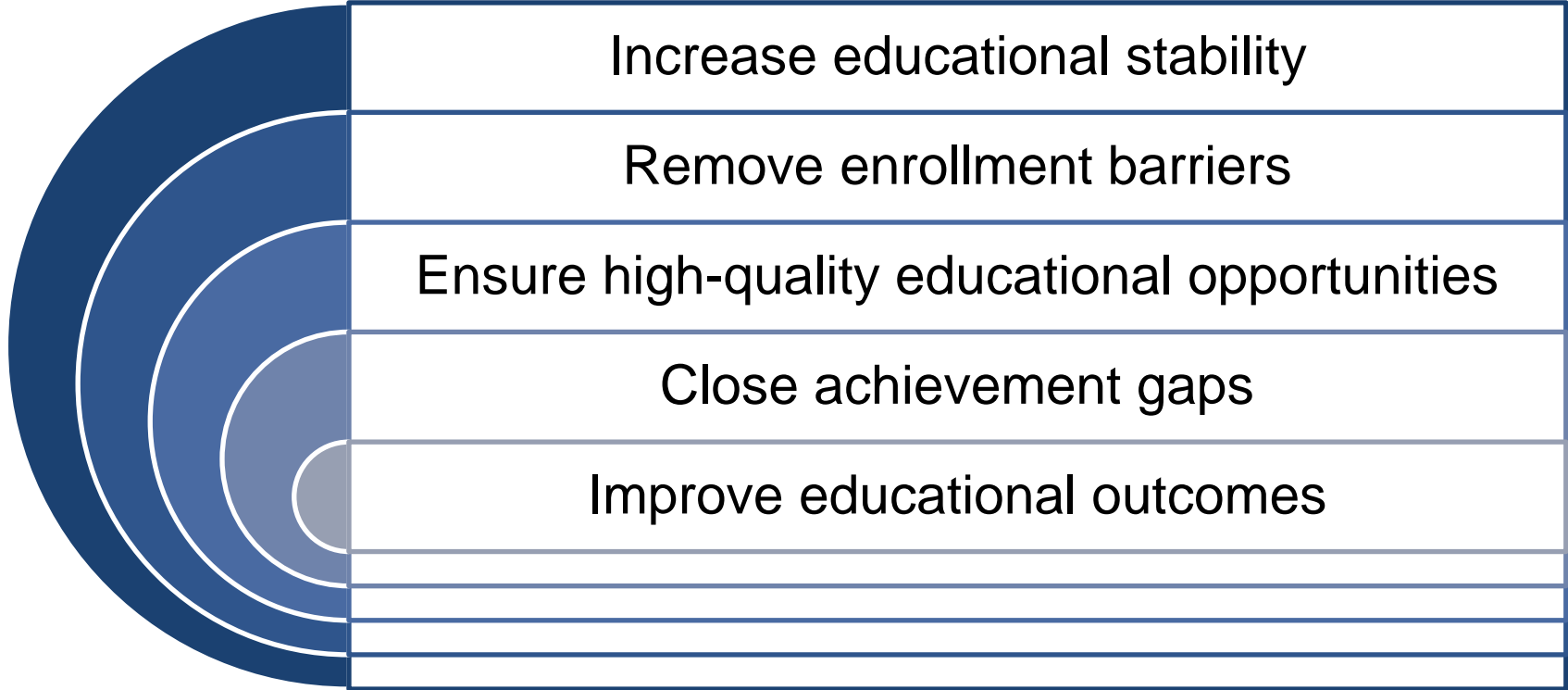
Every Student Succeeds Act (ESSA)

- Signed into federal law on 12/10/2015
- Reauthorizes and Amends the Elementary and Secondary Education Act of 1965 (ESEA)
- Includes foster care provisions that complement requirements of the Fostering Connections Act (2008) to address the educational needs of students in foster care





Key Components of ESSA

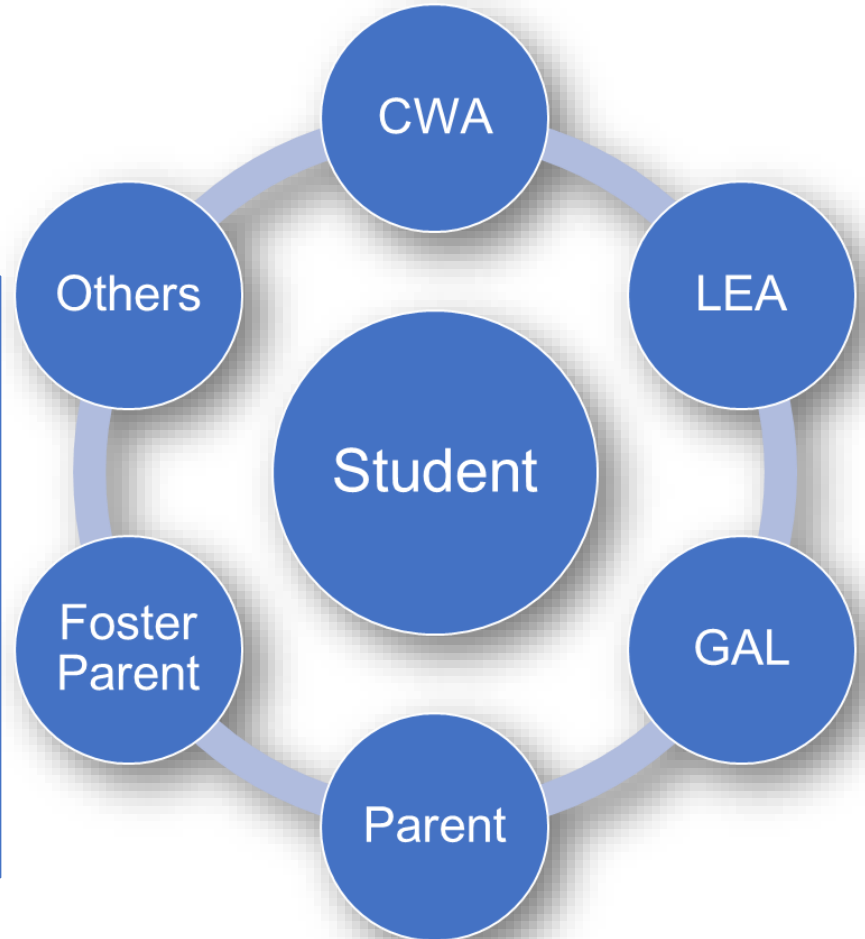


Key Stakeholders

CWA = Child Welfare Agency
LEA = Local Education Agency
GAL = Guardian Ad Litem

Others may include:

Mental Health Providers
The Courts
Department of Juvenile Justice



Key Terms

Local
Education
Agency (LEA)

Child Welfare
Agency
(CWA)

School of
Origin (SOO)

Best Interest
Determination
(BID)

Immediate
Enrollment

Additional
Costs



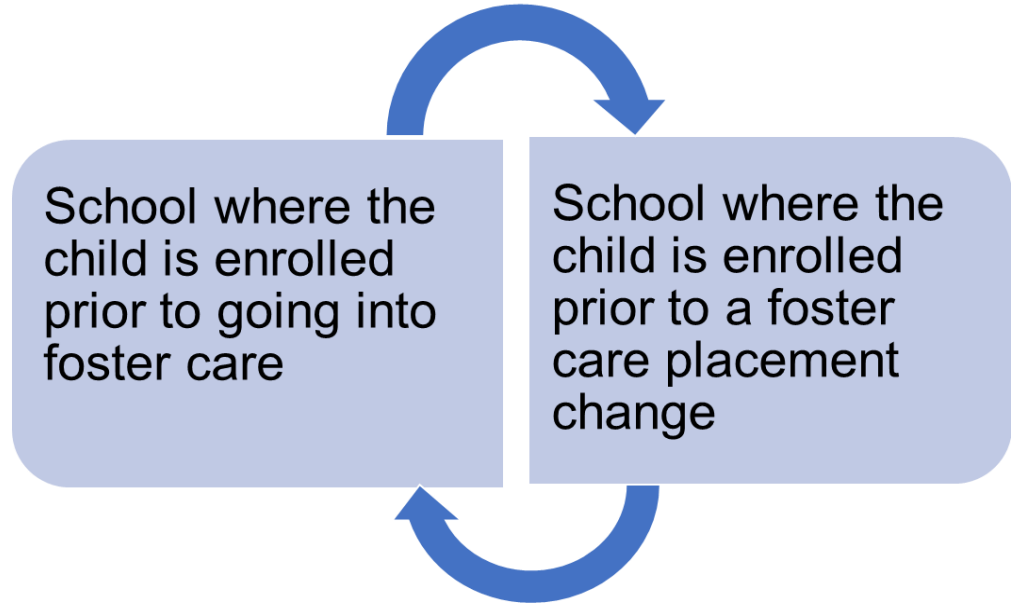
**Local
Education
Agency
(LEA)**

- Every LEA in NC has a Point of Contact (POC)
- Generally, the POC is the first line of contact when DSS agency notifies the LEA regarding custody or placement change of a child
- Help support educational and educational stability for foster care youth
- Play an important role in best interest determinations meetings (BIDs), enrollment and transfer of records, transportation coordination, and training of district staff



**Child
Welfare
Agency
(CWA)**

- Help support educational stability for youth in DSS custody
- Play important role in best interest determinations meetings (BIDs), enrollment and transfer of records, transportation coordination
- Vital partner to LEAs and should designate a local ESSA Point of Contact



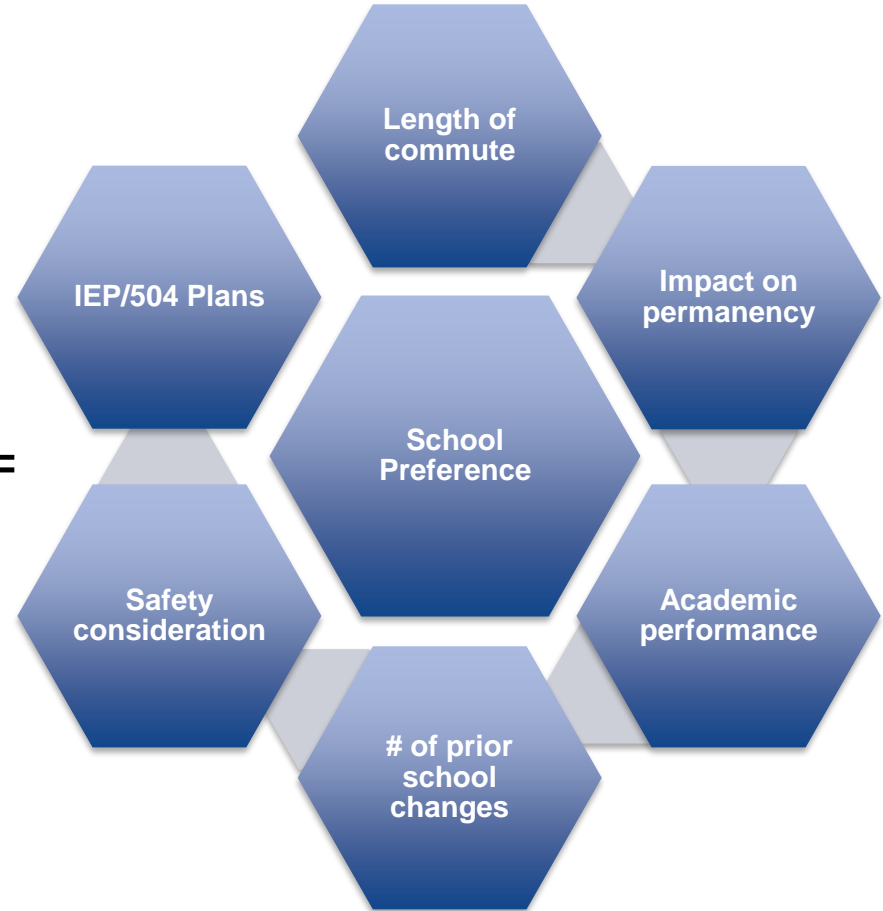
- Student can remain in SOO (unless it is not in his/her best interest) for the duration of time in foster care
- Federal and state guidance encourages schools to continue prioritizing educational stability once student exits foster care for the remainder of the school year

Best Interest Determination (BID)

DSS and LEA coordinate to determine whether the child remains in the school of origin or enrolls in a different school.

Transportation costs cannot be a factor when determining best interest.

BID Factors =





Immediate Enrollment

- A child in foster care should be enrolled in school as soon as possible to prevent educational discontinuity.
- Federal guidance further states enrollment cannot be denied or delayed because documents normally required have not been submitted.
- Enrollment means more than technically registered. Elementary and Secondary Education Act (ESEA) defines enrollment as, "**attending classes and participating fully in school activities**".



Transportation Additional Costs

- LEAs must develop and implement clear written procedures for how transportation will be provided, arranged, and funded for the duration of time in foster care
- Procedures must ensure that children will promptly receive transportation in a cost-effective manner
- If there are additional costs incurred in providing transportation to the school of origin, LEAs will provide transportation if:
 - a) The local CWA agrees to reimburse the LEA;
 - b) The LEA agrees to pay the cost; or
 - c) The LEA and local CWA agree to share the cost



Transportation Additional Costs

- Additional costs should reflect the difference between what an LEA would spend to transport a student to his or her assigned school and the cost of transporting a child in foster care to their school of origin.
- The LEA must address any additional costs incurred in providing transportation to maintain children in foster care in their schools of origin. (ESEA, as amended, 20 U.S.C. § 6312(c)(5)(B)(ii))



Transportation

- Is an LEA that does not provide transportation to children who are not in foster care required to transport children in foster care to their schools of origin? **YES.**
- An LEA must ensure that transportation is provided for children in foster care consistently with the procedures developed by the LEA in collaboration with the state or local CWA under Section 112(c)(5)(B) of ESEA. These requirements apply whether or not the LEA already provides transportation for children who are not in foster care.
- Funds reserved for students experiencing homelessness may **NOT** be used for students in foster care.

Sample Transportation Agreement

Local Transportation Plan for Students in Foster Care

_____ and _____
Local Education Agency (LEA) Department of Social Services (DSS)

The Every Student Succeeds Act (ESSA) requires LEAs and child welfare agencies (i.e., Departments of Social Services) to collaborate to ensure the educational stability of foster care children and youth. To address transportation for students in foster care cost-effectively, the local LEA and DSS agency must establish formal written protocols and procedures to ensure that foster care students remain in their school of origin whenever it is determined to be in their best interest. To do so, DSS must regularly inform LEAs of all foster care youth enrolled in an LEA.

The local transportation plan must be collaboratively designed between the LEA and DSS to appropriately reflect the unique local context. It is recommended that the LEAs and DSS agency consider previous scenarios, as well as low-cost/no-cost options when designing the joint transportation plan to limit the educational disruption for students in foster care.

Note: LEAs should consider developing transportation plans with other LEAs or DSS agencies, both in-state (between different LEAs and DSS agencies) and out-of-state, with which they frequently interact regarding students in foster care.

1. Please indicate the LEA and DSS representative(s) included in the design of this local transportation plan.

Local Education Agency Representative Names	Position Title	Email Address and Phone Number

Department of Social Services Representative Names	Position Title	Email Address and Phone Number

<https://ncfcep.unc.edu/>

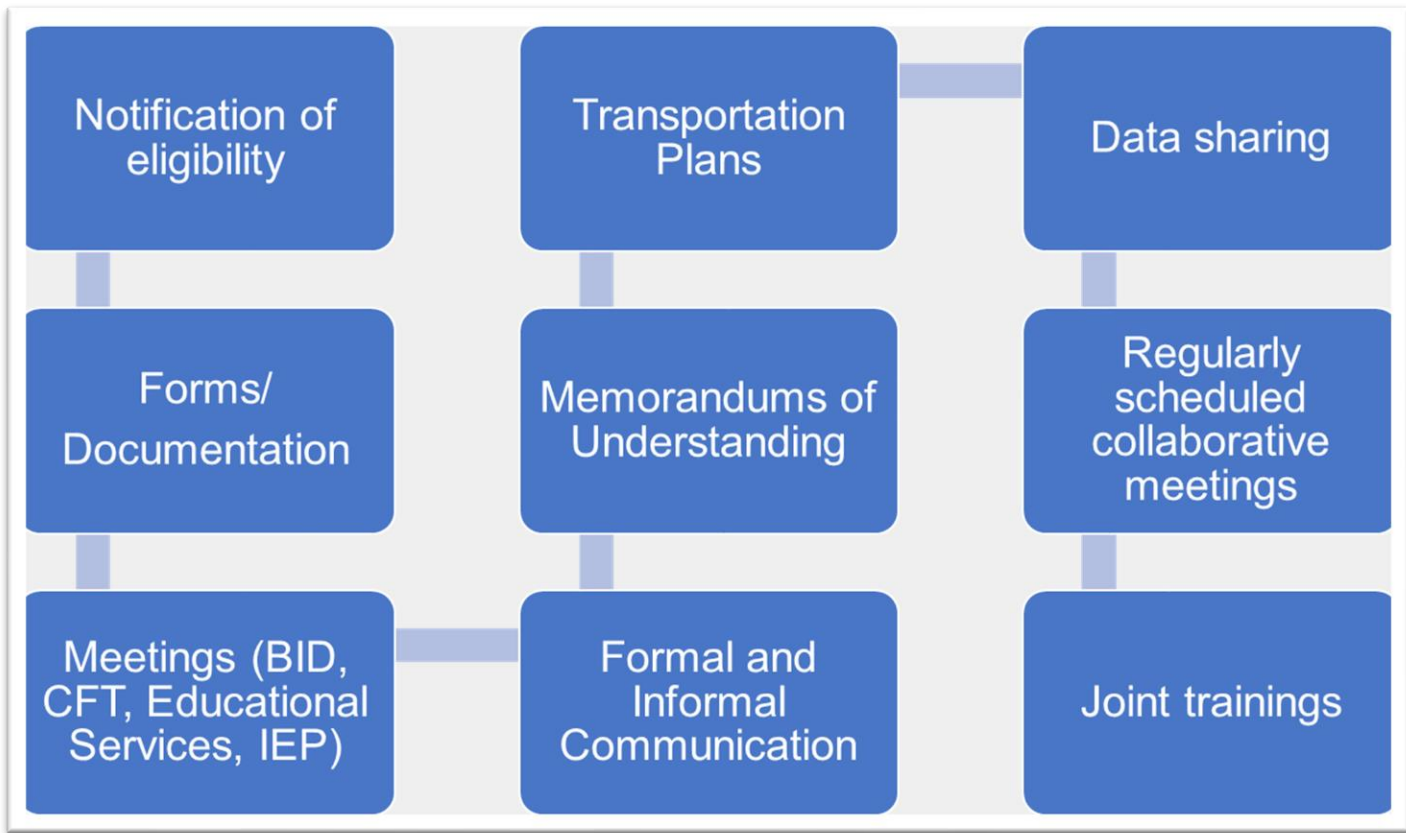
Memorandum of Understanding

- Responsibilities: Joint, DSS, and LEA
- Procedures for notification when a student enters foster care or has a change in placement
- Statement regarding student confidentiality (student records, etc.) between LEA and DSS
- Data sharing procedures
- Transportation plan/agreement
- Cost sharing agreement for transportation to/from school of origin
- Process for disputes
- Review date

DSS Educational Stability Forms

- **DSS-5133: Foster Care Notification of Placement (Change) Form**
*Within **one school day** of the BID meeting (or one school day of the child's placement if a BID meeting was not held prior to placement) this form must be provided to the child's school*
- **DSS-5137: Best Interest Determination Form**
*If a BID meeting does not occur prior to initial entry into foster care or change in placement, it must be completed within **5 school days** of a child's entry into foster care or change of placement.*
- **DSS-5137a: Best Interest Determination Override Form**
Only to be used when Child Welfare Director approves BID meeting being waived
- **DSS-5135: Foster Care Immediate Enrollment Form**
*Outcome of BID meeting to enroll in new school, this form is provided to new school within **one school day**.*
- **DSS-5245: Child Education Status Form**
*Completed within **7 days** of a child entering care and **updated annually***
DSS-5245 Instructions

CWA and LEA Collaboration



LEA Point of Contact Directory

North Carolina Foster Care Education Program

Home

About

Local Points of Contact

Law & Guidance

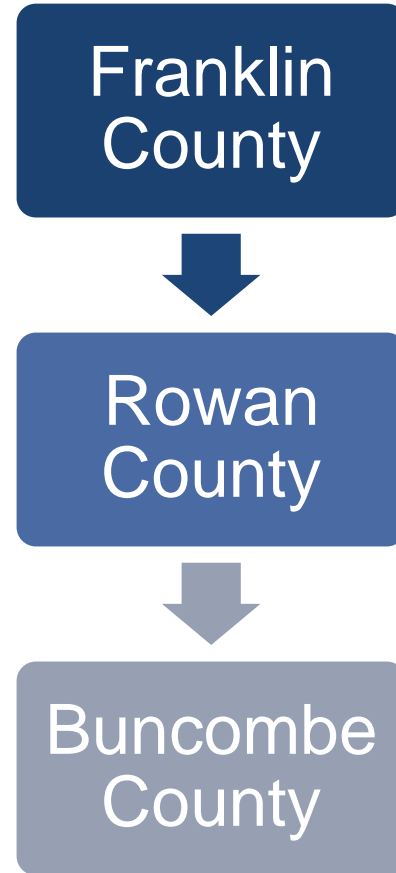
Resources



Search

Local Points of Contact

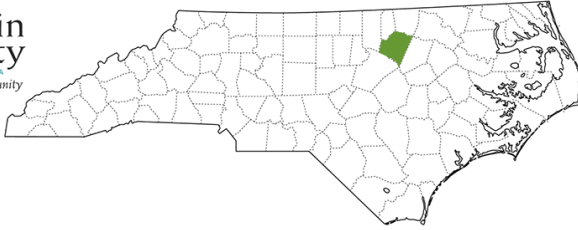
<https://ncfcep.uncg.edu>



Franklin County

*Department of Social Services and
Local Education Agency Data*





Data as of 2/12/2024

<p>Total number of children in care</p>	<p>51 (includes 2 18–21-year-olds)</p>
<p>Total number of school-aged children/youth</p>	<p>33 (does not include 2 18–21-year-old youth)</p>
<p>Total number of students in foster care in Franklin Co. Schools</p>	<p>7</p>



Total Number of Schools	16
Total Student Population	8,263
Total Number of Students in Foster Care	22 <ul style="list-style-type: none">• 7 from Franklin Co. DSS• 15 from other DSS agencies

Franklin County Collaboration Overview

Monthly Check-ins: Virtual meetings to review the current list of students enrolled in the LEA and in custody of county DSS. Set between LEA POC and both DSS Permanency Planning Leaders. Schedule set on calendars at the start of the school year. Meetings review any:

- Changes in placement
- Expressed needs of the foster parent or DSS worker
- Supports in place from the school level (i.e., tutoring, referrals, transportation needs)

Memorandum of Understanding (MOU): Review of the MOU at the end of the school year gives each party an opportunity to assess what has worked in the past and what changes are needed. Allows a timely review at the start of the school year and opportunity to adjust any budgetary needs.

LEA Google Form: Completed by school level points of contact to complete when a student in foster care is identified. The form is reviewed during monthly meetings and includes:

- DSS point of contact information
- LEA participant information for BID meetings
- Date of BID meeting
- Documentation received, etc.

Rowan County

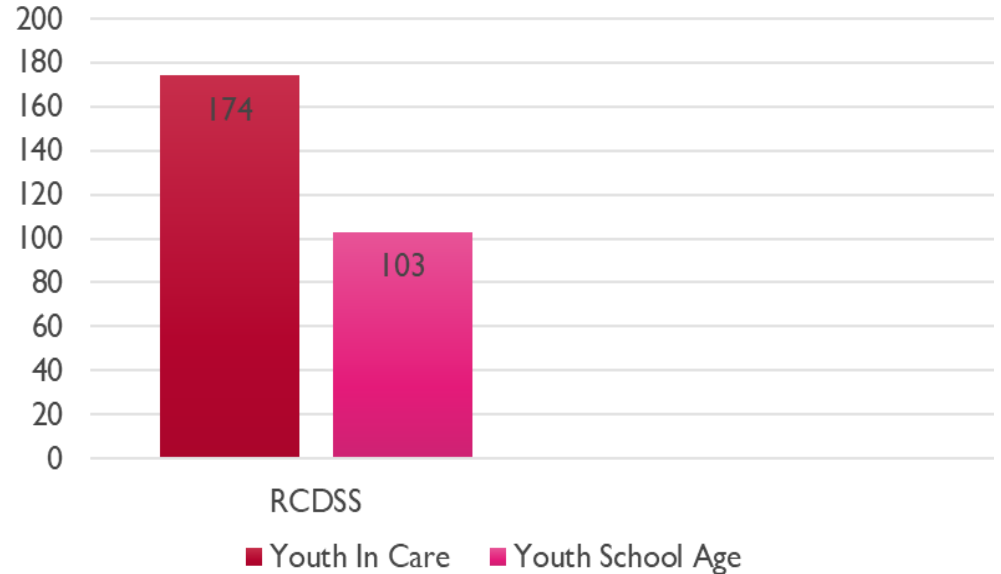
*Department of Social Services and
Local Education Agency Data*



Rowan County DSS Data

Total Number of
Children/Youth in Rowan
County DSS Care: **174**

Total Number of School-
Aged Youth in Rowan
County DSS Care: **103**



Rowan County School System Data

Total Number of Schools
in the Local District: **33**

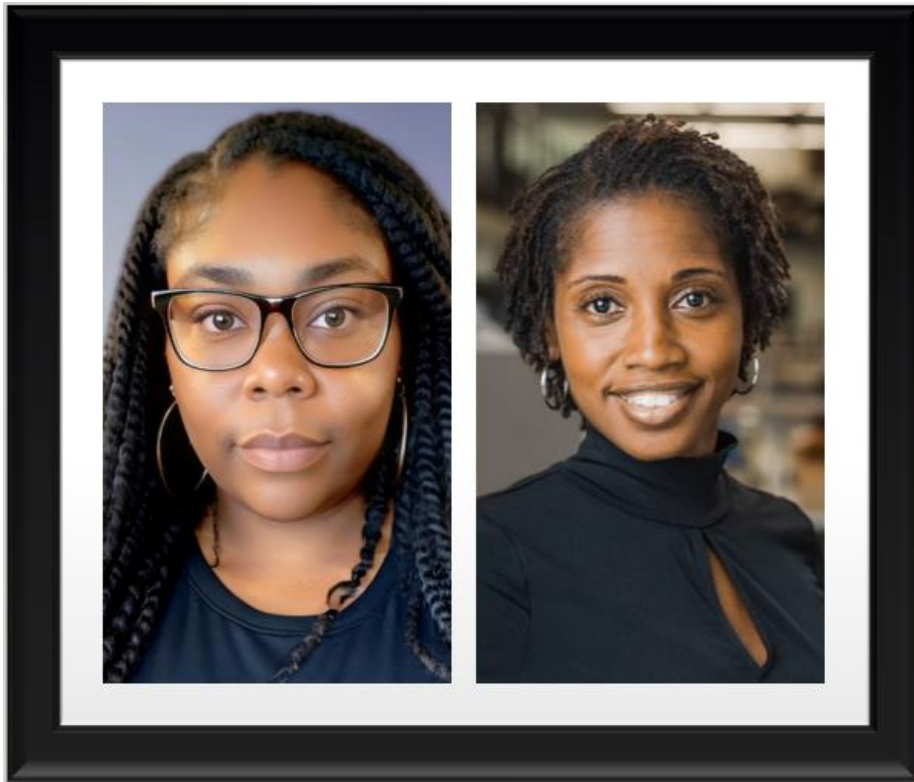
Total Student Population
of the District: **17,769**

Total Number of Students
in Foster Care in the Local
District: **57**



Rowan County Collaboration Overview

- **Maintain Regular Communication:** Quarterly meetings, information sharing, streamlined processes, open forums/conversations to enhance effective communication across both agencies.
- **Establishment of Training and Awareness:** RCDSS and RSS provide trainings across service areas to support awareness and understanding of roles and responsibilities of social workers within DSS and the local school system.
- **Case Management Collaboration:** Partners share power, maintaining partnership in order to best support the families and provide services that do not duplicate but best support and wrap around the family.
- **Maintaining a MOU:** Reviewed yearly and revised as needed to support the needs of the children and youth served by Rowan County DSS and RSS.



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Buncombe County

*Health and Human Services and
Local Education Agencies Data*

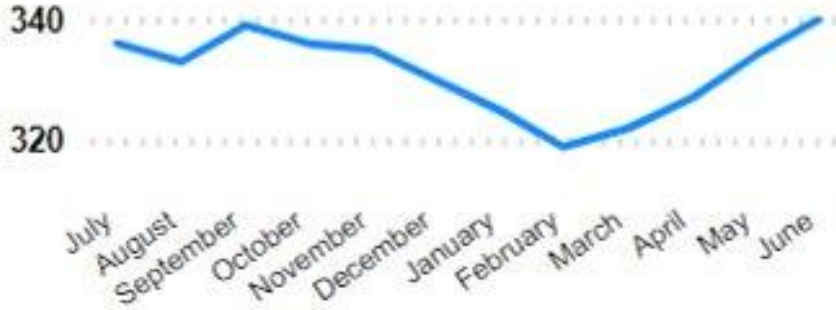


Health and Human Services Data

331

Foster Care Children (PPL)

Foster Care Children Last 12 Months



Foster Care Population by Current Age

Age Range	Count	Percentage
0 - 2	95	25.61%
3 - 5	57	15.36%
6 - 12	98	26.42%
13 - 17	78	21.02%
18 +	43	11.59%

As of February 19, 2024, Buncombe County has 331 children in foster care. Of those youth, approximately 190 are school-aged youth.

Local Education Agencies Data

Buncombe County Schools	Asheville City Schools
46 schools (including virtual)	9 schools and 1 alternative program
22,723 students enrolled*	Approximately 4,100 students enrolled*
Approximately 70 students in foster care enrolled	Approximately 20 students in foster care enrolled

**data as of 2/19/24*

Buncombe County Collaboration Overview

- Quarterly Partnership Meetings with local HHS and LEA
- Established MOU – updated annually
- August BID Blitz meetings for all summer foster care entries
- Bi-annual sharing of data with LEA of students at each school
- Shared trainings between HHS and LEA:
 - IEP and Exceptional Children’s Services Overview
 - McKinney Vento and Temporary Safety Providers
 - Mandated reporting

Webinar Information

The following will be posted on the NC Foster Care Education Program website at

<https://ncfcep.uncg.edu>

- Webinar recording
- Slide Deck handout
- FAQ that addresses questions in the chat

Contact Information

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Resources

Dear Colleague Letter. US Department of Education - Office of Elementary and Secondary Education. (2023, July). <https://oese.ed.gov/files/2023/07/Foster-Care-dear-colleague-letter-7-25-2023-for-Webpage.pdf>

ESSA: Ensuring educational stability for children and youth in foster care in North Carolina. NC Division of Social Services and NC Department of Public Instruction Joint Guidance. (2017, January). <https://www.dpi.nc.gov/documents/program-monitoring/joint-guidance-stability>

Every Student Succeeds Act (ESSA). Every Student Succeeds Act (ESSA) | U.S. Department of Education. (n.d.). <https://www.ed.gov/ESSA/>

Frequently asked foster care education stability questions and answers. Office of Elementary and Secondary Education. (2023, November 28). <https://oese.ed.gov/offices/office-of-formula-grants/school-support-and-accountability/students-foster-care/frequently-asked-foster-care-education-stability-questions-and-answers/>

Interagency collaboration between child welfare and educational agencies to support the academic success of children and youth in Foster Care. The U.S. Department of Health and Human Services Administration for Children and Families. (2023, November). https://www.acf.hhs.gov/cb/policy-guidance/im-23-09?utm_medium=email&utm_source=IM2309_111523

NC Foster Care Education Program. <https://ncfcep.uncg.edu/>

NC Department of Health and Human Services. <https://www.ncdhhs.gov/assistance/state-guardianship/foster-care>