



## **Child Welfare/Education Collaboration (Full Review)**

### **Information Gathered from States and Local Agencies by NRCPCF**

December 2010

#### **Colorado**

In Colorado, Denver County DHS has an educational liaison and there has been long standing collaboration between Denver County (largest county) and Denver Public Schools (2nd largest school district). In addition, the state agencies (Colorado Department of Human Services and Colorado Department of Education) will be entering into an MOU regarding a specific piece of legislation (and specific population of students) that will include information and data sharing.

#### **Delaware**

Delaware's Division of Family Services currently has a successful collaboration with the Delaware Department of Education. A subcommittee was established to achieve three different outcomes. Those outcomes include:

- The development of a Memorandum of Understanding between the Department of Services for Children, Youth and Their Families and the Department of Education
- To develop a training curriculum for DSCYF and DOE staff to improve system; collaboration between child welfare and education as it relates to children in foster care;
- To study the educational success of children in foster care through the collection and analysis of data, and make recommendations for system improvement and performance measures.

The Memorandum of Understanding was completed in December 2008. The focus of the MOU is to improve communication between the Departments and to ensure that youth involved with the child welfare agency are receiving the most supportive services possible so that they can achieve academic success. All staff from the Department of Education and the Division of Family Services were trained on the MOU. See: <http://www.doe.k12.de.us/DDOEDSCYFMOU.pdf>

In addition to the training staff receive on the MOU, there is an ongoing training plan for staff from both Departments that covers a variety of topics. I have attached the trainings that have occurred to date.

At the beginning of each school year, DFS sends DOE a comprehensive list of all school-aged children in foster care. DOE then sorts the list by schools and sends the sorted list to the corresponding school. Each month thereafter, DFS sends DOE a list of youth that have exited and entered foster care the prior month so that the database is always current. Each school is then aware of the youth in their building that are in foster care. By having that information, each school is able to provide additional supportive services to the youth and their family (foster families included). In addition to that information, DSCYF and DOE will use aggregate data to review the following measures:

- Graduation rates for youth in foster care versus non-foster care youth
- Attendance rates for youth in foster care versus non-foster care youth

- Special education enrollment for youth in foster care versus non-foster care youth
- State test scores for youth in foster care versus non-foster care youth

If discrepancies are identified, the subcommittee will identify ways to improve outcomes for youth in foster care.

Finally, DSCYF provides school-based early intervention services. The K-5 Early Intervention Program is a voluntary program staffed and managed by the Office of Early Intervention in partnership with DSCYF and participating local school districts. The program employs Family Crisis Therapists statewide to work with children and families identified as "at-risk". Family Crisis Therapists assigned to designated elementary schools provide a range of interventions designed to remove barriers to academic and social success. The program focus on providing a "System of Care" by enhancing collaboration among state agencies and communities to meet the needs of children and their families. The K-5 program expanded from serving nine schools in 1996-1997 to its current fifty-one (51) elementary schools in thirteen school districts and three charter schools statewide.

### **New York**

This information is about the Scholars Program, based in New York City. The Scholars Program is a collaboration between A List, an educational services company, and Graham Windham, a not for profit child welfare agency:

*In the fall of 2007, [A List] partnered with Graham Windham to launch a six-year Scholars Program, the objective of which is to enable foster youth to succeed in high school and in college.*

*Our students, all of whom are high school juniors, will set individualized academic goals with the assistance of a staff member and attend weekly tutoring sessions to monitor progress toward their objectives. Tutors will also provide extra help with schoolwork. In addition to their guided study sessions, Scholars will take a year-long SAT preparation course to thoroughly prepare them for the spring exams.*

*As the students enter their senior year, they will transition into the college application phase, during which they will engage in group and individual counseling to select schools and complete their applications. Once applications have been submitted, Scholars' coursework will include many of the independent study and research skills critical to success at the college level. A-List tutors will continue to provide tutoring and mentorship for the students throughout their college careers.*

*Beyond academic guidance, the Scholars Program seeks to provide a community of stability and positive influence by cultivating a network of consistent support through like-minded peers and dedicated staff. Scholars will participate in cultural activities during monthly enrichment sessions allow them the opportunity to bond in a setting outside the classroom. Constant communication between Graham Windham and A-List staff will ensure that all involved parties are prepared to meet each student's needs.*

*In the spring of 2014, we anticipate the college graduations of nine intelligent, highly motivated, well-rounded young people who are inspired to reach their full potential and confident in their ability to do so.*

<http://www.alisteducation.com/info/graham-windham-program>

Graham Windham is also a member of the NYC Education Stability Collective and the ACS [Administration for Children's Services] Data Sharing Pilot called Project School Success. Both are partnerships between ACS, NYC Department of Education, and child welfare

organizations. We are also an active member of OCFS' Education Committee which was formed in the Fall of 2006.

### **Utah**

*Information coming soon.*

### **Vermont**

Vermont has a great collaboration with the Department of Education on an initiative developed to respond to a legislative mandate for child sexual abuse prevention.

<http://dcf.vermont.gov/protectkids/>

*Further information coming soon.*

### **Virginia**

The Virginia Department of Social Services (VDSS) has worked steadily with the Virginia Department of Education (DOE) pursuant to the *Fostering Connections to Success and Increasing Adoptions Act of 2008*. A workgroup was formed in that regard. Just over a year ago advocates, educators, social workers, foster parents, and stakeholders interested in the educational needs and outcomes of youth in foster care and older adopted youth convened around a primary objective of the Act--promoting educational stability. First the group decided that it might be helpful to consider the immediate challenges regarding the implementation of the Act in Virginia, as well as effective tools and strategies to swiftly address those challenges. We then decided to establish a multi-jurisdictional workgroup that might serve as a vehicle to consider programs, positions, policies, and promising practices pursuant to the educational needs of foster care youth and older adopted youth. Experts whose input would facilitate and support enhanced educational outcomes for youth were identified. Steadfast vision, unwavering commitment, and focused collaboration and creativity resulted in the development of tools to facilitate the primary objective.

The tools include (a) The Virginia Department of Education and the Virginia Department of Social Services Joint Guidance on Best Interest Determination for School Placement, (b) the Best Interest Determination for School Placement Form, and (c) the Immediate Enrollment of Child in Foster Care Form. Informational webinars are planned for December 2010 and January 2011 to introduce the tools to our colleagues around the state--social workers, school personnel, advocates, parents, and private agencies. The webinar is sponsored by VDSS in collaboration with DOE. NRCPCF is working with Virginia to make the webinars available to all State Foster Care Managers as a peer-to-peer learning opportunity.

### **Wisconsin**

#### DSP Info Memo 2010-11

This memo provides information on activities to improve educational outcomes for children/youth in out-of-home care.

<http://dcf.wisconsin.gov/memos/infomemos/DSP/2010/2010-11.pdf>

*In response to recent federal changes in affecting both education and child welfare, our state departments of public instruction and child welfare created a joint publication for use by school professionals, child welfare professionals, and foster parents.*

#### Educational Services for Children Placed in Foster Care

This publication was produced through a collaborative effort of the Wisconsin Departments of Children and Families (DCF) and Public Instruction (DPI), and the Wisconsin Association of Family and Children's Agencies (WAFCA). Its purpose is to help facilitate cooperation between the child welfare public school systems by:

- Summarizing the legal responsibilities of each system to serve children living in foster care, and
- Sharing practices and resources that can help to improve how these two systems serve youth living in foster care.

<http://dpi.wi.gov/sspw/pdf/sswedfostercare.pdf>

In addition, we present the information together for professionals across the state at conferences.

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### **Information Gathered from Fostering Connections Implementation State Survey**

*The following information was compiled based on the "Fostering Connections Implementation State Survey" available on the National Association of Public Child Welfare Administrators: <http://www.napcwa.org/Legislative/fostering.asp>. Data was retrieved November 30, 2010.*

#### **Alabama**

Education stability policy requires that children in out of home care be placed in close proximity to their own home and maintained in their same school whenever possible. DHR has worked with the State Department of Education to develop policy and the State Department of Education has sent out a letter to the local superintendents suggesting protocols. However, local school districts are autonomous and establish their own protocols. Each country DHR department has worked with the local education agency and established protocols to expedite enrollment and transfer of records to avoid any delay in a child's entry into school. When a change in school is necessary, it is the caseworker's responsibility to transfer or provide the foster parents the information needed to enroll the child in school and ensure that school records are transferred.

<http://www.napcwa.org/Legislative/docs/Alabama.pdf>

#### **Alaska**

Alaska has had programs in place for some time that address educational needs of foster children. OCS meets with Attorneys General, Guardians ad litem, local school administrators, foster youth, foster parents, and local judges to help improve educational outcomes for children in custody. Independent Living funds are used for tutors when concerns about education are brought to the social workers' attention.

<http://www.napcwa.org/Legislative/docs/Alaska.pdf>

#### **Arkansas**

The state hopes to improve current practices in this area. The state is working with the Department of Education to get all records of youth as they leave from one school to another.

<http://www.napcwa.org/Legislative/docs/Arkansas.pdf>

#### **Arizona**

Arizona does not anticipate major problems meeting the requirements for the educational stability provision. Currently, the state utilizes GIS mapping to assist in identifying specific geographic areas having high child removal rates, so that foster families can be recruited in these geographic areas. With regard to the transfer of school records, there has been a lot done surrounding the language in the first motion to the court regarding access to school records. Arizona has also been focused on placing children in their own neighborhoods as

part of the Annie E. Casey Family to Family model, which has also benefited the state overall in keeping the child in the same school district.

<http://www.napcwa.org/Legislative/docs/arizona.pdf>

### **California**

Education stability has been supported by California laws that are consistent with the federal requirements. The California law AB 490 has been lauded by educators and private foundations as a model for education stability law. The link to the bill is:

[http://www.leginfo.ca.gov/pub/03-04/bill/asm/ab\\_0451-0500/ab\\_490\\_bill\\_20031012\\_chaptered.pdf](http://www.leginfo.ca.gov/pub/03-04/bill/asm/ab_0451-0500/ab_490_bill_20031012_chaptered.pdf)

Additional changes to California statute were enacted to better align with the requirements of the Act.

<http://www.napcwa.org/Legislative/docs/California.pdf>

### **Colorado**

Education stability was incorporated into law by the Colorado legislature in 2008. Colorado statute provides compliance with the educational stability provision of P.L. 110-351. In 2008, House Bill 1019 created a child welfare education liaison designated by each school district and state charter school institute. The child welfare education liaisons collaborate with child placement agencies, county departments, the state department, and schools to ensure proper school placement, transfer and enrollment of foster children. The liaisons work with all parties to ensure a foster child remains in an educational situation that promotes stability. The law also requires schools to transfer education records within five school days and that the receiving school admits these children within five days of receipt of a student's records.

<http://www.napcwa.org/Legislative/docs/Colorado.pdf>

### **DC**

Although the educational stability requirement will be challenging to implement, these requirements also encourage the child welfare agency to work more closely with the D.C. Public School System to develop a workable transportation plan to help foster youth remain in their school of origin.

<http://www.napcwa.org/Legislative/docs/DC.pdf>

### **Delaware**

Delaware Department of Services for Children, Youth and Their Families (DSCYF) collaborated with the Department of Education (DOE) to establish guidelines and amend current statute regarding the education stability provisions of P.L. 110-351. Currently, both agencies work diligently to keep foster children in their school of origin when they come into care. In 2004, the state passed HB 279 requiring DSCYF and DOE to implement practices pertaining to the McKinney-Vento Homeless Educational Assistance Improvement Act to help improve youth's educational outcomes while in foster care. This legislation adds the term "awaiting foster care placement" to state statute permitting all children in care to remain in their school of origin, with transportation provided by the child's home school district. The state also has a collaborative in place with Milton Hershey School (MHS) for youth in foster care to have the opportunity to attend a prestigious boarding school. DSCYF and the school are continuing these efforts and five youth are currently enrolled in the program.

<http://www.napcwa.org/Legislative/docs/Delaware.pdf>

**Florida**

Education stability is supported by Florida law and administrative code, which requires all children to be students.

<http://www.napcwa.org/Legislative/docs/Florida.pdf>

**Hawaii**

Education stability is a challenging provision for Hawaii to implement. Practice in accordance with the foster children's bill of rights is to maintain children in their home community and school of origin whenever it is feasible. To this end DHS works collaboratively with the Department of Education. The state supports youth with transportation. Buses or reimbursement to foster parents is provided using state funds as needed. McKinney Vento and Title IV-E funds are leveraged to assist whenever possible. However, what is in the best interest of a child must be decided on a case by case basis. Geographic distances and the feasibility of transportation in terms of the child's time on the road must be considered and may present a major obstacle.

<http://www.napcwa.org/Legislative/docs/HawaiiSummary.pdf>

**Illinois**

Illinois has a geographic information systems (GIS) application called "SchoolMinder" which is used for kids being placed into foster care. SchoolMinder helps children stay in their community and supports: education stability; continuity of services (received from their school); and parental and family visitation. GIS technology helps identify available foster homes that are near both the child's current educational setting and the home from he or she was removed. The state has been successful in keeping children in their schools of origin. However, the challenge for the state is that these homes become quickly occupied. The unintended benefit is that the state can now use GIS to focus its scarce foster parent recruitment and development efforts on just those communities that are most quickly exhausting their available foster parent resources. The current GIS-based recruiting effort, begun in January 2009, is now seeing results. After a long decline, foster parent resources are now increasing and are currently at March 2009 levels after a continual decline in resources that began when SchoolMinder was first implemented.

<http://www.napcwa.org/Legislative/docs/Illinois.pdf>

**Indiana**

Education stability compliance is managed and monitored by an education advocate in each of the state's 18 regions. IC 31-34-15-4 passed in the 2009 Indiana legislative session aligns the state regulations with the federal mandates. School disruptions are minimized by the following steps: placing a child with a resource family in the same school district whenever possible; assisting the resource family living in a different district with arranging transportation for a child, so he or she can continue to attend the same school; delaying a change in placement until the end of a school semester or year, so long as the waiting does not endanger the child's safety and/or wellbeing; and scheduling medical and court appointments during non-school hours, whenever possible. If the child in out-of-home care has been placed with a resource family in the same school district but outside the attendance area for the school where the child was previously attending, then the school in the new area must provide transportation to and from the child's previous school and place where the child is currently placed.

Indiana policy further requires DCS to assure that all children in out-of-home care are referred for an initial education evaluation to determine if an Individualized Education Plan (IEP) is needed to meet the child's educational needs. The case plan conference is utilized to review and discuss the educational needs of each child, to develop a plan to assist in the referral process and to ensure that the child's educational needs are met. Case plans must

include a plan for educational stability that documents efforts to allow the child to remain at the school that he or she attended at the time of removal. It must also be documented in the case plan if it is in the child's best interest to transfer schools and the distance of the school the child will be attending from the current placement. If the child must transfer schools, immediate enrollment must be completed including arranging transfer of school records and assurance that the child has been placed in a resource home or facility within close distance to his or her current school. DCS personnel will assure that every school aged child placed in out-of-home care is enrolled in school, unless one of the following circumstances exists: the youth is eligible and in pursuit of a GED; an alternative education plan has been recommended by the child's home school and approved by the court; or the youth has graduated from high school or obtained a GED certificate.

<http://www.napcwa.org/Legislative/docs/Indiana.pdf>

### **Kentucky**

Education stability requirements are in alignment with the federal provision. The state requires an evaluation within 30 days of foster care placement.

<http://www.napcwa.org/Legislative/docs/Kentucky.pdf>

### **Maine**

According to state statute and new federal requirements on educational stability, every child's plan must include documentation of their school placement. Additionally, through inter-district agreements, children in out-of-home care are able to attend school in their original district. Although most provisions are already state mandates, the new law requires foster children to attend school full time. Maine is awaiting clarification from ACF to verify what constitutes "full time." For example, Maine has some children in alternative programs that attend school at reduced hours, due to this being determined to be necessary through their Individualized Education Plan (IEP) for behavioral issues. The Department is collaborating with local schools and the school district to successfully administer these provisions.

<http://www.napcwa.org/Legislative/docs/Maine.pdf>

### **Maryland**

Maryland works to ensure that foster youth have strong educational stability. When a child enters care, Maryland strives to keep him or her in the child's school district. If this action is not possible, the state makes efforts to enroll children in the nearest school district within five days. In 2008, Maryland passed legislation requiring agencies to promptly enroll foster children by expediting their school records within one week after they transfer schools. This policy helps minimize disruptions to children's educational well-being. The state is working closely with the Maryland Department of Education to implement the Fostering Connections educational requirements and on enrollment issues, but these procedures require considerable cooperation and collaboration with local education authorities. Identifying responsible parties for duties and administrative costs for transportation and other issues will be a challenge for Maryland. Meeting this requirement will require negotiation that will undoubtedly take longer than the time allotted by the act.

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Maryland will experience challenges implementing the educational stability provision of P.L. 110-351. The DHR has arranged meetings with the Department of Education to implement the requirements of P.L. 110-351.

<http://www.napcwa.org/Legislative/docs/Maryland.pdf>

### **Massachusetts**

Massachusetts strives to place children in their own community at their home school. If placement within the home school boundaries is not possible, the Department works to

quickly enroll children in the new school. The Department works with the Department of Education educational liaisons to address issues of foster children outside of their home community school. When needed, the state uses McKinney-Vento Act funds to provide transportation for children to their home schools.

<http://www.napcwa.org/Legislative/docs/Massachusetts.pdf>

### **Michigan**

Michigan considers a foster child's educational situation upon the initial out-of-home placement of a child. Instructions were provided to the county offices and private agencies about the educational stability requirements and the process to revise case service plan templates and case reading forms to include these factors. Legislation has passed the Michigan House of Representatives and is currently being considered in the Senate. A policy release is planned for 12/1/09 to include all requirements. Transportation payments are still pending a recommendation; additional data is being gathered.

<http://www.napcwa.org/Legislative/docs/Michigan.pdf>

### **Minnesota**

Educational stability has not been an issue in Minnesota, as it already works diligently to keep foster children in the same schools and allocates transportation funds when necessary. Agencies seek placement resources within the child's school district. When placement within the child's school district is not possible, some agency and school systems work together to arrange transportation or agencies arrange additional transportation funds to support the child's attendance in the same school. Legislation is proposed to ensure that the effort to coordinate the child's education stability with the local school is documented as part of the out-of-home placement plan.

<http://www.napcwa.org/Legislative/docs/Minnesota.pdf>

### **Mississippi**

Regarding educational stability, it is the state policy to try to place children within a 50-mile radius of their home, keeping them in the same school, if possible. Additionally, the 2007 settlement agreement plan calls for DFCS employees to enroll children in an accredited school within three days of placement, if necessary. The plan requires special needs assessment within 30 days of placement and DFCS is responsible for ensuring this occurs.

<http://www.napcwa.org/Legislative/docs/Mississippi.pdf>

### **Missouri**

Education stability mandates were addressed in the Foster Care Bill of Rights that was passed in the last legislative session (Missouri House Bill 154, Foster Care Education Bill of Rights and Senate Bill 291). A workgroup that includes personnel from elementary and secondary education departments and representatives from various school boards is developing policy changes that include travel to keep children in the same school district should be in place by the end of August 2009. Policy changes were made to allow reimbursement of foster parents for travel necessary to maintain children in the same school district they were in at the time of removal.

<http://www.napcwa.org/Legislative/docs/Missouri.pdf>

### **Nebraska**

Educational stability policy and procedures are in place to provide for educational placement and services that best meet the needs of the child. When a child enters out-of-home placement, DHHS notifies all relevant persons and takes action to coordinate with education agencies to enable the child to remain in the school where s/he was enrolled at the time of placement, unless remaining in that school is not in the child's best interest. In cases where

the child must be enrolled in a new school, immediate enrollment and assurance that the child's educational records follow the child is the responsibility of the DCFS.

In addition to regulations and policies related to educational stability, Nebraska has made and is making other efforts to meet this need for children in care. In 2008, Nebraska Statute was amended to include the following language, which coincides with Fostering Connections:

NE Rev. Statute 43-1313: Except as otherwise provided in the Nebraska Indian Child Welfare Act, immediately following removal of a child from his or her home pursuant to section 43-284, the person or court in charge of the child shall: (4) Require that the child attend the same school as prior to the foster care placement unless the person or court in charge determines that attending such school would not be in the best interests of the child.

In the Fall of 2009, Supreme Court Justice, Michael Heavican and Commissioner of Education, Dr. Roger Breed, attended a meeting intended to increase collaboration and ultimately improve education for children in the child welfare system. Unfortunately DHHS officials were not able to attend the meeting at the last minute, but have since met with the Chief Justice and Commissioner to discuss and support the work from the conference and strategies for continued collaboration. The resulting action plan includes 5 initiatives, including establishment of a web-based Tool-kit with resource materials to assist systems involved in education of students in out of home placement, e.g., schools, courts, county attorneys, guardians ad litem, probation, DHHS, treatment providers, and foster parents.

DHHS participates on the Nebraska Department of Education, Special Education Advisory Council (SEAC), established by the NE Department of Education per the federal Individuals with Disabilities Education Act (IDEA). SEAC is an advisory panel for the purpose of providing policy guidance with respect to Special Education and related services for children with disabilities. The responsibilities of the Special Education Advisory Council include becoming knowledgeable about research-based educational practices and reviewing Nebraska Department of Education-Office of Special Education activities designed to improve outcomes for children with disabilities. Members also seek information from the perspective of their constituency group. Based on these factors, SEAC serves in an advisory capacity the NDE Office of Special Education and to the Nebraska State Board of Education. The responsibility of the Council members is to advise, i.e. inform, counsel, recommend, suggest or guide, the Department of Education, not to advocate for an individual position. Recommendations are made by SEAC for the consideration and possible action by the NDE Office of Special Education and/or the State Board. The State Board approves membership on SEAC annually and receives advice and comments from SEAC as necessary throughout the year on special education issues. The Council consists of a balance of parents, educators, administrators, and representatives from various state agencies who serve differently-abled children birth through 21.

DHHS also participates on a SEAC Committee on Education of Students in Out of Home Placements. This group's primary mission is to provide guidance to the policymakers and stakeholders of Nebraska in the development and implementation of educational opportunities for children and youth in out of home placements. The OHP Committee's membership covers a broad-based spectrum of representation from a variety of schools, child welfare and advocacy organization, and the juvenile and criminal justice systems. This Committee currently has several work groups focusing on Statewide Academic Assessments and Curriculum; Transitions; School Residency and Responsibility; Systems Communication, Collaboration and Coordination; and Data Collection and /Evaluation.

A concern that Nebraska has regarding Fostering Connections and education is found in Section 471 of the Act, that is, that the state plan must include "...assurances that each child who has attained the minimum age for compulsory school attendance under State law and with respect to whom there is eligibility for a payment under the State plan is a full-time elementary or secondary school student or has completed secondary school...." The statute goes on to define attendance and completion of school. It is our understanding that this assurance includes not only children who are DHHS wards, but also children who are receiving a subsidized adoption or subsidized guardianship payment. Although DHHS can encourage school attendance for these children, and certainly intends to do its best to be in compliance, DHHS has no authority to make these types of decisions for children who have been adopted or guardianshiped and no longer are in DHHS custody.

<http://www.napcwa.org/Legislative/docs/NebraskaSummary.pdf>

### **New Hampshire**

New Hampshire currently has two educational specialists for all children in foster care. The education specialists work directly with the agency on cases that have issues regarding education. They consult on any educational issues as well as train the field staff on all laws and policies regarding education and special education on a consistent basis. New Hampshire is currently working on an educational passport for children in care. This project has two intended outcomes. The first is that the child's educational records are up to date, accurate, and easily accessible to the student and school no matter where he or she may be living. Second, credits will be transferable and uniform across school districts and private special educational programs when children may be placed in a residential treatment facility.

<http://www.napcwa.org/Legislative/docs/NewHampshire.pdf>

### **New Jersey**

New Jersey asked for a delay in the educational stability requirement of the mandatory provisions. The educational stability provision has proven to be slightly challenging for New Jersey. The state's child welfare division is working closely with New Jersey's Department of Education and Office of Child Advocates in coordinating how to best approach this new requirement. In any case, it appears that efforts to comply with this provision will require legislative changes. Currently, it is the foster parents' school district that is responsible for the education of the child. There are a couple of programs in place to keep kids in the same school if their foster home is located within the same school district; however, there is not a program which extends across the state. New Jersey is participating in a work group with stakeholders and agency representatives to look at the issue of educational consistency for children in foster care.

<http://www.napcwa.org/Legislative/docs/Jersey.pdf>

### **New Mexico**

New Mexico requires caseworkers to actively participate in educational planning as part of court ordered case plans. Additionally, the state connects foster care youth who have dropped out to GED courses in their communities. Caseworkers work with educational professionals and caregivers to ensure educational services are appropriate and that they are delivered effectively. Starting July 1, 2009, at the court hearing the state agency will be required to describe efforts taken on behalf of the child's education. New Mexico is looking for additional federal guidance on this provision.

<http://www.napcwa.org/Legislative/docs/NewMexico.pdf>

### **Nevada**

Nevada requested an extension for the educational stability provision of P.L. 110-351. Nevada is currently revising policy to be in compliance with the educational stability

provision. The state requested an extension to meet the full-time student requirement of the Act. Nevada policy encourages placement of children in their school of origin, linked to their community connections and faith-based organizations. DCFS is collaborating with the Department of Education to draft a policy to meet with external stakeholders on this provision.

<http://www.napcwa.org/Legislative/docs/Nevada.pdf>

### **New York**

New York currently complies with the mandatory provisions of the Fostering Connections Act and successfully collaborates with several systems throughout the state to improve policies and practices for youth in care. To expand this effort, New York has a Council on Children and Families throughout each jurisdiction, where state administrators negotiate solutions for interagency collaborations. Commissioners of the Office of Children and Family Services (OCFS), the State Education Department (SED), the Office of Mental Health (OMH), the Office of Mental Retardation and Developmental Disabilities (OMRDD), the Office of Alcoholism and Substance Abuse Services (OASAS), the Department of Health (DOH), and the Division of Probation and Correctional Alternatives (DPCA) assemble to discuss statewide cross-systems collaborations to better serve children and families. OCFS provides counties with oversight and coordination to effectively comply with all mandatory requirements of P.L. 110-351. New York issued emergency regulations on December 31, 2008 to require counties to comply with the new federal requirements. New York amended their state regulations to clarify the educational stability provision, requiring counties to have foster children remain in their school of origin where possible and coordinate with the child's local school district to obtain records. Additionally, children must attend school full-time unless they have a medical condition.

<http://www.napcwa.org/Legislative/docs/NY.pdf>

### **Ohio**

The Ohio Department of Job and Family Services (ODJFS), which houses the state's Office for Children and Families and Ohio Health Plans (Medicaid), is in preliminary discussions with the Ohio Department of Education and the Ohio Department of Health around the educational stability and health oversight provisions. The Departments will be working in collaboration via the state's Family and Children First Council to ensure children in foster care have a plan for educational stability and improved oversight of health care. Leaders from the various state program areas and service delivery systems are represented on the Ohio Family and Children First Council. This allows for a coordinated effort to be in place to support the education and health care needs of foster children.

<http://www.napcwa.org/Legislative/docs/Ohio.pdf>

### **Oregon**

Regarding educational stability, Oregon has a state law that states that children in foster care retain dual residency if they are placed in a new school district. The state provides transportation or reimburses transportation costs so the children can continue to attend the school in which they were enrolled prior to placement. Additionally, there are other rules requiring that school records are expedited if the child does transfer to a different school. Finally, Oregon reports to the court on the educational status and outcomes for children in their care. It is important to note that, while Oregon is committed to ensuring educational stability for children in foster care, this commitment has cost much more than originally anticipated.

<http://www.napcwa.org/Legislative/docs/Oregon.pdf>

**Pennsylvania**

Concerning the educational stability mandates, Pennsylvania is already coordinating with the state's Department of Education and the Educational Law Center to help ensure children have stability in education. The state issued guidance on McKinney-Vento stating that children waiting for foster care placement are afforded opportunities to remain in the same school district; there is a transportation component to these guidelines as well. These guidelines are being updated to include all children in placement. Simultaneously, a screen is being developed to help workers pay additional attention to educational stability. There is some concern that transportation costs may increase.

<http://www.napcwa.org/Legislative/docs/Pennsylvania.pdf>

**South Carolina**

Educational stability requirements in the state meet the federal guidelines. State level meetings are under way with the Department of Education to ensure that what is in policy and statute is implemented.

<http://www.napcwa.org/Legislative/docs/SouthCarollina.pdf>

**Tennessee**

The Department is currently assessing whether or not this provision in the Federal Law will require a policy change. Currently, DCS has fifteen regional education specialists who work closely with school systems to ensure that each child remains in his/her current school if possible. These specialists advocate for education stability at Child and Family Team meetings in addition to providing training to family service workers on this need. If remaining in the same school is not in the child's best interest, the child will be immediately enrolled in a new school. Family Service Workers provide, by policy, the Education Passport to the new school. The Education Passport provides the school with student information and school records from the previous school.

<http://www.napcwa.org/Legislative/docs/Tennessee.pdf>

**Texas**

DFPS was found to be in substantial conformity on the education outcome in the federal on-site Child and Family Service Review (CFSR) in March 2008. Strong cross system collaborations between DFPS and school districts help improve the educational outcomes of children in care. This collaboration assists the state in operating the educational coordination and planning activities under P.L. 110-351. For example, DFPS has educational specialists in each region and in the state office to assist child protective services staff in addressing the educational needs of children in foster care and in developing and arranging working relationships with local school districts, and regional education centers. The school districts and regional education centers use the DFPS education specialists as subject matter experts in resolving educational issues related to CPS children. These working relationships also help facilitate the transfer of children's school records. Additionally, each school age child in foster care has an educational portfolio that follows the child as he/she changes placements, returns home to his/her parents, or transitions into an adoptive home. Current state statute also requires children to be immediately enrolled in school if their placement changes, and allows this transition to occur no later than three days prior to enrollment. Policy was recently updated to give more emphasis to having caseworkers consider whether a child can continue to attend the child's current school at removal or when a subsequent placement is needed.

<http://www.napcwa.org/Legislative/docs/Texas.pdf>

**Vermont**

DCF has collaborated with the State Department of Education to implement the educational provisions of P.L. 110-351. Under state law, the Education Commissioner designates a

child's school of origin for funding purposes. The state legislature passed the Safe Placed Students Act, which provides transportation funding so children can attend their school of origin. These funds are located in a central pool of money, which reduces jurisdictional issues to pay for transportation.

<http://www.napcwa.org/Legislative/docs/Vermont.pdf>

### **Virginia**

Educational stability requirements in the state meet the federal guidelines and are implemented in practice. Legislation was passed by 2005 General Assembly mandating the LDSS and local school districts to consider if it is in the best interest of the child to continue attending his/her current school when his/her foster care placement changes.

<http://www.napcwa.org/Legislative/docs/Virginia.pdf>

### **Utah**

Educational stability provisions required state law changes to ensure compliance with the federal mandate. Utah received approval to delay implementation of the educational requirements that are mandatory provisions of the law. The necessary legislative changes were made during the 2009 legislative session. These are now in the process of being implemented. The state is examining implementation on two fronts: logistically setting up transportation to the home school prior to placement and development of relationships with the school districts.

<http://www.napcwa.org/Legislative/docs/Utah.pdf>

### **Washington**

Education stability requirements are in alignment with the Braam law suit (<http://www.braampanel.org/>) and unless there is an unexpected component in the federal rules, Washington will be in compliance with the federal law. Washington is in the process of developing agreements with school districts that have foster youth enrolled (there are 295 school districts in Washington) to ensure children can remain in their home school. In addition, Washington has developed agreements between the Children's Administration and the Office of Superintendent of Public Instruction for electronic data exchange to evaluate the progress of foster youth in public schools. The information is de-identified, so individual students' progress cannot be tracked in this way.

<http://www.napcwa.org/Legislative/docs/Washington.pdf>

### **Wisconsin**

The DCF is currently working with the Wisconsin Department of Public Instruction to establish guidelines and change current statute regarding the educational stability provisions of P.L. 110-351. Currently, both agencies work diligently to place foster children in their school of origin when they come into care. If the State is not able to arrange this type of placement, Wisconsin uses county resources to help place children in the same school district. To help facilitate educational transitions for youth in care, the State has developed a guide for child welfare and educational departments, which offers solutions to improve cross-systems collaboration. In response to P.L. 110-351, DCF will update this guide and introduce a website in collaboration with the Department of Public Instruction.

<http://www.napcwa.org/Legislative/docs/Wisconsin.pdf>