The Fostering Connections to Success Information Webinar

Collaboratively Presented by

The Virginia Department of Social Services &
The Virginia Department of Education
WELCOME!
INTRODUCTIONS
PRESENTERS:

- Dr. Vivian Stith-Williams
- Dr. Patricia Popp
- Attorney Amy Woolard
- Peyton McCoy
FOSTERING CONNECTIONS to SUCCESS IS A FEDERAL MANDATE:
Fostering Connections Addresses a Number of Things:

- Adoption
- Sibling Placement and Visitation
- Health and Federal Support for Children in Foster Care Beyond the Age of 18
- Education
The Fostering Connections and Increasing Adoptions Act (Public Law 110-351) has been called the most sweeping child legislation in a decade. It is one of the most significant reforms for children in foster care. Since our guidance tools will be implemented in Virginia, before we introduce the guidance documents it is perhaps beneficial to consider the Code of Virginia as related to our efforts.
THE VIRGINIA STATE CODE
In addition to yet distinctly different from the Code of Virginia we have the Virginia Children's Services System Practice Model in Virginia. It sets forth a vision for the services that are delivered by all child serving agencies across the Commonwealth, especially the Departments of Social Services, Juvenile Justice, Education, Behavioral Health and Developmental Services and the Office of Comprehensive Services.
The practice model is central to our decision making; present in all of our meetings; and in every interaction that we have with a child or family. The education workgroup was no different in this regard.
Decisions that are based on the practice model are supported and championed. Guided by this model, our process to continuously improve services for children and families is rooted in the best of practices, the most accurate and current data available, and in the safety and well-being of children and families as the fixed center of our work.
So now that we have considered the state code pursuant to our efforts and the practice model, how is the code and the practice model supported, manifested, harmonized and synchronized with the Fostering Connections to Success legislation?

How do we move forward in the best interest of children in out of home care? And in many respects even if the question appears simple on its face, it is complex due to the diverse parts, players, processes, and plans.
Enter stage right—guidance tools developed by a diverse and knowledgeable work group representing and advocating for the educational needs of youth in foster care—the Fostering Connections to Success Educational workgroup.
GUIDANCE DOCUMENTS

- VDOE/VDSS JOINT GUIDANCE on SCHOOL PLACEMENT for CHILDREN in FOSTER CARE

- BEST INTEREST DETERMINATION for FOSTER CARE SCHOOL PLACEMENT

- IMMEDIATE ENROLLMENT of CHILD in FOSTER CARE
[Footnote—there was no shortage of Carefrontations, Conversations, Communication, Collaboration). However the guidance that evolved from the workgroup provides the commonality necessary to collaborate from the same vantage point, or stated another way, allows us to get on the same page.]
Virginia Department of Social Services &
Virginia Department of Education
Joint Guidance on School Placement for Children in Foster Care
The Fostering Connections Act requires that the child welfare agency coordinate with local educational agencies to ensure educational stability for every child in foster care.

The LDSS and the schools must collaborate in determining the school placement that is in every child’s best interest when his or her home changes.
Sequence and Timeframe for Activities
A child in foster care needs a new residence.

LDSS notifies current school that child is moving to a new residence. School provides LDSS information on appropriateness of child’s current educational setting.

LDSS determines most appropriate residence for child, taking into account school information and proximity.

LDSS notifies current school of decision on child’s new residence.

As quickly as possible (e.g., within 3 business days)

School and LDSS jointly determine if child’s best interest is to remain in current school.

No change in school placement.

LDSS arranges and pays for transportation for child to remain in the same school.

LDSS places child in new residence.

Within 72 hours

Beginning of the next school day

No

LDSS notifies school of residence of need to enroll child and status of parental rights.

LDSS present child for immediate enrollment in school of residence with required information/certifications.

School of residence immediately enrolls student.

Current school expedites transfer of school records to new school.

Within 30 days

LDSS provides new school any missing required documentation.
The Flow Chart is a graphic representation of VDOE/VDSS JOINT GUIDANCE on SCHOOL PLACEMENT FOR CHILDREN IN FOSTER CARE. Represented or embodied in this flow chart are a sequence of events. Note that:

- The Determination of the Child’s Best Interest for School Placement is a joint pursuit;
- The LDSS Decision on the Child’s New Residence entails a process;
- Key partners are engaged in the process;
- Key assessment factors are addressed to determine what is in the Child’s Best Interest;
- Transportation is addressed if the child is remaining in the same school;
- The new school must be notified if the child changes schools within a specific time frame and
- Immediate Enrollment must occur if the child changes schools.

So the flow chart actually gives us a snap shot of the VDOE/VDSS JOINT GUIDANCE on SCHOOL PLACEMENT FOR CHILDREN IN FOSTER CARE. Let’s take a closer look.
Joint Determination of Child’s Best Interest for School Placement means:

- The LDSS & school shall jointly determine the child’s best interest;

- It is presumed that the child will remain in the same school where last enrolled so as to provide school stability and educational continuity, unless this is contrary to the child’s best interests;

- School & LDSS, in collaboration with child & other key partners, determine whether the child should
  - Remain in school where child was enrolled at the time of being placed in a new residence,
  - Or should change schools and enroll in the school of residence for child’s new residence, (meaning remaining in same school is not in child’s best interest). The child shall be enrolled immediately and appropriately with all educational records provided to new school.
LDSS Decision on Child’s New Residence involves or means that the LDSS shall:

- Notify the current school that child is moving to a new residence; and
- Ask school to provide information on appropriateness of child’s current educational setting by attending the **Family Partnership Meeting** or through an alternative method;
- The school shall provide information on the appropriateness of child’s current educational setting;
- The LDSS shall take into account in making the decision of new residence.
Engaging Key Partners:

- Essential members in the team determination process are the
  - Child
  - Child’s birth parent(s) or prior custodian
  - Individual the child would like to participate
  - Service worker
  - School representative
  - Parent for special education purposes, if applicable

- School & LDSS service worker should make all reasonable efforts to involve other individuals with knowledge of child.
Factors to Assess in the Best Interest Determination include:

- Child’s Safety & Permanency Plan shall be paramount;

- Additional factors include, yet are not limited to the
  - Preferences of the child, birth parents or prior custodians as appropriate, and resource parent(s) or current placement provider.
  - School stability and educational continuity for child, as well as time in school year, and distance from child’s current school to new placement.
  - Personal safety, attendance, academic progress and social involvement of the child in current school.
  - Impact transferring child to new school may have on child’s needs and progress academically, emotionally, socially and physically.
  - Solutions addressing any practical issues identified, such as travel to the child’s current school from the new residence;

- Best Interest Determination for Foster Care School Placement Form should be used.
Transportation if Child Remains in the Same School

- LDSS shall arrange for transportation and payment of transportation expenses for any child to remain in same school, if jointly determined to be in child’s best interest;

- Reasonable costs are legitimate maintenance expense from
  - Title IV-E for eligible children
  - CSA State Pool Funds for non-Title IV-E eligible children;

- Types of providers may include
  - Foster parents
  - Friends, relatives and neighbors of child or foster parent
  - Local school bus (requires signed agreement/contract)
  - Employees of child placing agencies and residential programs
  - Public transportation.
Within 72 hours of placing child in the new home, LDSS or licensed child-placing agency in writing shall:

- Notify the principal of the child’s new school of residence and the superintendent of the relevant school division of the need to enroll the child.
- Inform the principal of the status of parental rights of the child’s parents.

Use Notice of Receiving Foster Care Services Form.
Immediate Enrollment if Child Changes Schools:

- The child shall be immediately and appropriately enrolled with all educational records provided to new school.
  - “Immediate” means the beginning of the next school day after the presentment for enrollment;
  - “Presentment” means the person enrolling the child has appeared at the school and presented all required information and certifications.
  - “Enrollment” means the child is attending classes and participating fully in school activities.
Immediate Enrollment if Child Changes Schools cont’d;

- LDSS should submit the **Immediate Enrollment of Child in Foster Care Form** to school on yellow paper.

- Document all minimum legal requirements for immediately enrolling child.

- Person enrolling student provides written statement, to best of his or her knowledge:
  - Student's age
  - Required certifications
  - Student is in good health and free from communicable or contagious disease

- Provides necessary information to ensure smooth transition and education continuity for child and school.
Joint Guidance illuminates the pathway toward promoting, facilitating, and supporting the best interest of vulnerable children...
Once the LDSS determines the most appropriate residence for the child, the LDSS service worker and a representative of the school in which the child was enrolled work together to determine the child’s best interest for school placement and to ensure educational stability for the child.

The presumption should be that the child will remain in the same school where the child was last enrolled to provide school stability and educational continuity for the child, unless contrary to the child’s best interests.
THE SUPERINTENDENT’s MEMO
#306-10
Dated December 10, 2010
The Fostering Connections to Success and Increasing Adoptions Act
Major Points

- Reference Supt’s Memo #125, June 2005
- Designated school division point of contact
- Guidance document between VDOE & VDSS
- Forms: Best Interest Determination
- Immediate Enrollment
BEST INTEREST DETERMINATION for SCHOOL PLACEMENT FORM
In Determining Child’s Best Interest for School Placement the child’s safety and permanency plan shall be paramount in decision-making.

The **Best Interest Determination for Foster Care School Placement Form** should be used to assist the service worker and school representative in determining the child’s best interest for school placement. This form provides a series of questions that should be considered during the determination process. It documents compliance with federal law.
Determining the Child’s Best Interest for School Placement Involves Engaging Key Partners

Essential members for the team determination process include the:

- Child;
- Child’s birth parent(s) or prior custodian;
- Individual the child would like to participate;
- Service worker;
- School representative; and
- Parent for special education purposes, if applicable.

The LDSS service worker should engage the child in discussions:
TRANSPORTATION for Child to Remain in the Same School

- The LDSS shall arrange for transportation and payment of transportation expenses for any child to remain in the school in which he or she was enrolled prior to placement in the child’s new residence, if it has been jointly determined to be in the child’s best interest.

- Funding for school transportation is available as a legitimate maintenance expense. These payments are made in addition to the basic maintenance payments made on behalf of the child. Reasonable costs shall be paid from:
  - Title IV-E for eligible children, consistent with federal and state law/policies; and
  - State Pool Funds through the Comprehensive Services Act (CSA) for non-Title IV-E eligible children, consistent with state law and Community Policy and Management Team policies.
IMMEDIATE ENROLLMENT of CHILD IN FOSTER CARE FORM
Notification of New School if Child Changes School

Immediate Enrollment if Child Changes School

- "Immediate" means the beginning of the next school day after the presentment for enrollment;
- "Presentment" means the person enrolling the child has appeared at the school and presented all required information and certifications
- "Enrollment" means the child is attending classes and participating fully in school activities.
DISPUTES

Resolving School Placement Disputes
Procedure for Resolving School Placement Disputes
MCKINNEY-VENTO CROSS REFERENCING
Fostering Connections to Success and Increasing Adoptions Act of 2008

- Educational stability
  - States must ensure children are in school
  - School of origin
  - Assistance with provision of transportation to SOO
  - Prompt transfer, when appropriate
## Some Comparisons

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<tr>
<th>Foster Connections</th>
<th>McKinney-Vento</th>
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<tbody>
<tr>
<td>Focus on access and educational stability since 2008</td>
<td>Focus on access and educational stability since 1987</td>
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<tr>
<td>DSS mandate</td>
<td>DOE mandate</td>
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<tr>
<td>Children experience high mobility and trauma</td>
<td>Children experience high mobility and trauma</td>
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G-10. Are children who are awaiting foster care placement eligible for services under the McKinney-Vento Act?

- Yes. As stated in A-3, children who are awaiting foster care placement are considered homeless and eligible for McKinney-Vento services. (See Section 725(2)(B)(i) of the McKinney-Vento Act.)

- Children who are already in foster care, on the other hand, are not considered homeless. LEA liaisons should confer and coordinate with local public social service agency providers in determining how best to assist homeless children and youth who are awaiting foster care placement. (ED Guidance, 2004)
Unaccompanied homeless youth

- Lacks a *fixed, regular, and adequate* nighttime residence
- Is not in the physical custody of a parent or guardian
- Includes runaways, abandoned, or “throwaway”
- Could be informal kinship care (Caution – time limits for fixed and regular)
McKinney or Fostering Connections?

- Short-term emergency placement MAY be McKinney (“awaiting”)
  - LEA may coordinate with social services

- Informal arrangements MAY be McKinney (UHY)
  - Based on hardship
  - Still need a plan for future

- Children in care who runaway
LEA Point of Contact

- For McKinney-Vento
  - Local homeless education liaison
  - Listing by school division at
  - [www.wm.edu/hope](http://www.wm.edu/hope)

- For Fostering Connections
  - Recommended and requested in Supt. Memo
  - If unsure, try M-V liaison for starters
# Provisions Summary

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<th>Fostering Connections</th>
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<th>McKinney-Vento</th>
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<tbody>
<tr>
<td>LEA POC recommended</td>
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<td>Immediate enroll. form</td>
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<td>LEA responsible for transport</td>
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<td>School and parent/UHY driven</td>
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<td></td>
<td>Immediate enrollment</td>
<td>Best interest determination</td>
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Let’s Practice

The case of “Tim”
New Placement for Tim

- Tim is a 13-year-old 8th grader in foster care. In September, Tim starts school in School Division A. In October, Tim is placed in a group foster home in School Division B, which is located about 15-20 miles away from Division A.

- Where CAN Tim go to school?
- Where SHOULD Tim go to school?
Based on best interest determination meeting, it is decided that Tim should enroll in the school in Division B. Tim’s social worker takes him to enroll. She is new to the case and only knows:

- Tim’s age,
- He was a student in good standing with his last school,
- He no delinquency record.
- He appears to be in good health.

She fills out these areas of the immediate enrollment form, but leaves other parts of the form blank.

*What should the enrolling school do with the incomplete form?*

*What should the social worker do?*
School in School Division B enrolls Tim by registering him as a student in their records. Because the immediate enrollment form was incomplete, school officials send Tim back to the group home with a few general homework and reading assignments. They say they will contact him in a week or two, after his cumulative record arrives and they decide on an appropriate class schedule.

Is the school in compliance with the Fostering Connections Act?

If not, what should the school have done?

What should the social worker have done?
Time for Your Questions

Raise your hand
or
Ask a question in the chat section
The right people asking the right questions for the right reasons sheds light, increases the wattage...and sharpens and focuses the light.
Thank You for Serving Youth and Fostering Connections...Thank You for All That You Do!!!