Supporting Students in Foster Care

NAEHCY, 2019
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Work together in teams on scenarios while considering:

• Foster care and education
• Understanding the child welfare system
• Considerations for working as partners
• Working with children and youth who have experienced trauma
• Supporting older youth in foster care
Scenarios

• Four different scenarios
• Read through the scenario work with your team to take the various perspectives listed at the bottom of the sheet
• Discuss considerations, next steps, and how you would work from the different perspectives to support the child in your scenario
• Be ready to report back to the large group
Why this Work Matters
Why is this work so important?

• Students in foster care are by far the most vulnerable student population.
• 24.8% graduation rate for students in foster care as compared to 80% for non-foster peers.
• Each school change reduces the chance a student in foster care will graduate with their peers. After 3 school moves, the likelihood of high school graduation is dramatically lower.
• 66% of students in foster care score unsatisfactory in math, and only 11% are proficient or advanced.
• 63% of students in foster care scored unsatisfactory or partially proficient in reading.
• Students in foster care have all experienced trauma
• Frequent school changes result in a loss of peer group and connectedness to school
• Only 11.3% will enroll in postsecondary education
• For every school change in high school, the odds of enrolling in postsecondary education decreases by 12%
Students change schools even more than placements

Based on 5 years of Colorado Data

The research reported here was supported by the Institute of Education Sciences, U.S. Department of Education, through Grant R305H150007 to the University of Northern Colorado. The opinions expressed are those of the authors and do not represent the views of the Institute or the U.S. Department of Education.
Educational Stability is Important Before, During, and After Foster Care

With an Average of 3 School Moves, the Odds of Graduating are Smaller thanExiting Without a Credential

Data Source: Colorado Department of Education, Data Services and Colorado Department of Human Services

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During and after foster care, academic growth improves slightly but not enough to catch up to grade level. Students in foster care would need to be well beyond the 50th percentile to catch up.

Before Care: 43
During Care: 46
After Care: 50
Average Student: 47
Foster Care Education Laws, Special Education, and Understanding School Systems
Crosswalk of McKinney-Vento and Foster Care Requirements

**McKinney-Vento**
- Best interest determination with priority given to wishes of parent/guardian/UHY (Section I of USED Guidance)
- LEA(s) must provide school of origin transportation (Section J of USED Guidance)
- Immediate enrollment even without records; school to assist in obtaining records (Section I of USED Guidance)
- Local funds, set-aside mandatory for Title I, Part A funds (Section M of USED Guidance), McKinney-Vento subgrant

**Both**
- School of origin rights/best interest determination
- Right to receive transportation to school of origin
- Right to immediate enrollment even without records
- Funding sources in Title 1A

**Foster Care**
- Placement determined by Best Interest Determination meeting (Child Welfare initiates process with schools)
- Transportation agreements (MOU) between Child Welfare and LEAs
- Immediate enrollment; school of origin will release immediately, receiving school will request records immediately
- Title I, Part A of the ESSA (for additional costs only)
- Title IV, Part E of the Social Security Act (matching requirement)
- Colorado HB 18-1306 transportation funding
Every Student Succeeds Act 1111(g)(1)(E)

- Assumes it is in the best interest of the student to remain in the school of origin
- Immediate enrollment if a school change is necessary
- Requires previous school to send records to new school immediately
- Requires schools and child welfare agencies have a written transportation plan that includes (at a minimum) how transportation will be provided, arranged, and funded
- Requires each local education agency to have a single point of contact to ensure laws are implemented
- Students in foster care are categorically eligible for free lunch

Colorado Revised Statute 22-32-138

- Everything in ESSA, plus:
  - School fees waived
  - Specific job requirements for Child Welfare Education Liaisons (CWEL)
  - Transportation funding
  - Specific definitions are provided for student in out-of-home placement (foster care) and school of origin
  - Permission giving language provided for districts to allow competency-based measures for course completion and graduation requirements
  - Educational stability grant program
  - Defines the role of State Coordinator for Foster Care Education
ESSA and IDEA Considerations
• All children have the right to a Free and Appropriate Public Education. The United States Department of Education issued a Dear Colleague Letter in 2013 to specifically address the timely transfer and enrollment of highly mobile students with disabilities. This letter contains specific guidance for schools in ensuring students in foster care are receiving FAPE in the Least Restrictive Environment (LRE).
• At the beginning of the school year, the law states that the school district must have an IEP in effect for each child with a disability within its jurisdiction at the beginning of the school year. 34 CFR 300.323 (a). The failure to have an IEP in effect at the beginning of the school year may result in a denial of FAPE.

• As soon as possible following development of the IEP, special education and related services must be provided in accordance with the child's IEP. 34 CFR 300.323 (c)(2). Although the phrase “as soon as possible” does not mean immediately, a delay in implementation may result in a denial of FAPE where the student is being denied a significant portion of the services identified in the IEP.
Transfer IEP during the school year

"In the case of a child with a disability who transfers school districts within the same academic year, enrolls in a new school, and who had an IEP that was in effect in the same state, the LEA (school district) shall provide such child with a free appropriate public education, including services comparable to those described in the previously held IEP, in consultation with the parents, until such time as the school district adopts the previous IEP or develops, adopts, and implements a new IEP that is consistent with Federal and State law." (34 CFR 300.323).
Common Barriers for Students in Foster Care
Common Barriers

• Mobility
• Transportation options
• Lack of foster homes
• Lack of placements for students with high needs
• Lack of day treatment/school support options
• Schools and child welfare systems trying to understand each other
• Local control states experience inconsistencies in county and school practices
• Data sharing and “real time” notifications
• Technical definitions of students in foster care
• Lack of funding in child welfare and education
Understanding the Child Welfare System
Values that Drive Child Welfare Work

• The vast majority of the time, the best place for a child is at home with their family
• If a child is unsafe or at risk, the best course of action is to provide support and resources to the family to improve conditions in the home
• If a child cannot remain at home, the best solution is for the child to live with extended family or with other safe adults that already have a relationship with the child

• NOTE: Homelessness is not child abuse or neglect. If a family is homeless, that fact alone is not sufficient for the family to become involved in the child welfare system.
• A majority of referrals made to child welfare regarding child abuse and neglect are screened out and never assessed.

• A majority of assessments conducted by child welfare are closed as unfounded or inconclusive.

• Many children are able to remain at home with their parents throughout the course of a child welfare case.

• When children cannot remain at home, child welfare will often facilitate transferring custody to an extended family member without the children entering foster care.

• Any child in a foster care placement has experienced multiple traumas: trauma from the situation that caused the removal from the home, as well as trauma resulting from removal and separation from the family.
Tips for Working with Child Welfare in Schools

• Continue to make reports/referrals as necessary, even if multiple previous referrals have been screened out

• If making a report, focus information on the child’s vulnerabilities and the effects on the child’s long-term physical, social, emotional, and academic outcomes

• If possible, let families know when you are making a report and include them in the process

• Provide safe and supportive spaces for child welfare workers to conduct assessments

• Be prepared to provide support and services to children and youth who cannot be served by the child welfare system

• Know each child’s caseworker and maintain communication

• Know who is responsible for making educational decisions

• Maintain confidentiality between bio families and foster families
Serving Youth Exiting the Foster Care System
• All foster youth will have permanent connections
• All foster youth will have safe and stable housing
• All foster youth will earn a high school credential
• All current and former foster youth will have access to the postsecondary education and training they need to succeed in their chosen career path
Pillars of Practice

• All foster youth will create individualized, developmentally appropriate case plans inspired by their own hopes and dreams

• All current and former foster youth will experience normal adolescence, including the opportunity to succeed and make mistakes

• The John H. Chafee Foster Care Program for Successful Transition to Adulthood will provide effective services to eligible youth statewide
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References

• 42 U.S.C. § 675 (1)(G); 20 U.S.C. § 6311 (g)(1)(E) and § 6312(c)(5)(B).
• 20 U.S.C. § 6312(c)(5)(B).
• Id. at § 138(1)(g).