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Educational Stability for Children and Youth in Foster Care in Pennsylvania

<http://www.liu18.org/index.php/esfcy>

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Educational Stability for Foster Care Youth in Pennsylvania

Regional Map

Region 1
Philadelphia

Region 2
Berks, Chester, Dauphin, Lancaster, Lebanon, Schuylkill

Region 3
Adams, Cumberland, Franklin, Huntingdon, Juniata, Mifflin, Perry, York

Region 4
Allegheny, Beaver, Bedford, Fayette, Fulton, Greene, Somerset, Washington, Westmoreland

Region 5
Butler, Clarion, Crawford, Erie, Forest, McKean, Lawrence, Mercer, Venango, Warren

Region 6
Armstrong, Blair, Cambria, Cameron, Centre, Clearfield, Clinton, Elk, Indiana, Jefferson, Potter

Region 7
Bradford, Carbon, Columbia, Lackawanna, Luzerne, Lycoming, Monroe, Montour, Northumberland, Pike, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming

Region 8
Bucks, Delaware, Lehigh, Montgomery, Northampton

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Foster Care Statistics

- ✓ The median age of foster children is 6.1 years old
- ✓ The number of foster youth nationwide is roughly 424,000
- ✓ At least 40% of foster children have learning difficulties
- ✓ Foster kids are suspended and expelled from school three times more often than other children
- ✓ Foster youth is less likely to graduate from high school
- ✓ Between 3% and 10.8% of foster care alumni have a bachelor’s degree
- ✓ 20,000 children between 18 and 21 age out of the system yearly
- ✓ 50% of foster children have no earnings within four years of aging out, and those who do have an average annual income of \$7,500

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Legislation

Fostering Connections Act (2008)

- Applied to welfare agencies
- Goal was educational stability

Uninterrupted Scholars Act (2013)

- Allows sharing of educational records between school and welfare agency

Every Student Succeeds Act (ESSA) (2015)

- Mandates school districts, embeds protections for foster youth in federal law
- Includes foster care provisions that mirror or complement the 2008 Fostering Connections Act
- Effective December 10, 2016

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Definition

- ✓ 24-hour substitute care away from parent/guardian
- ✓ Placed in out of home placement
- ✓ Child welfare agency has placement and/or care responsibility
- ✓ Typically, placed under order of court

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Foster Placements (includes 1305 and 1306 settings)

✓ Foster family homeless or resource families	✓ Residential treatment facilities (RTFs)
✓ Foster homes of relatives (formal kinship care)	✓ Child care institutions
✓ Group homes	✓ Independent living settings
✓ Emergency shelters	✓ Pre-adoptive homes

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ESSA Foster Provisions

- ✓ **ESSA presumes a child will remain in their school of origin unless it is not in their best interest**
- ✓ **Must ensure collaboration and consideration of best interest**
- ✓ **Best Interest Determinations (BIDs) are a dual-agency responsibility (LEA of origin and CCYA)**
- ✓ **If school district placement is impacted, a BID must occur**
- ✓ **All LEAs must establish a point of contact (POC)**
- ✓ **LEAs must have an MOU and Transportation Plan with local CCYA**

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Best Interest Determination (BID)

- ✓ **Transportation, tuition or special education costs cannot be determining factors**
- ✓ **BID must be documented and kept by school of origin**
- ✓ **Best interest can change, however, protections are applicable for duration of time in foster care**
- ✓ **Child cannot be withheld from attending school during interim or dispute**
- ✓ **Local BID process and transportation plan must address dispute procedures**
- ✓ **Proximity of placement and educational setting should be considered during process**

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BID Participants

✓ LEA of origin and CCYA must participate in BID

✓ Strongly encouraged to include LEA of foster residence

Additional parties can possibly be:

-IEP Team

-Special Education Coordinator

-Case Worker

-Case Manager

-Coaches

-Child advocate

-Guardian ad litem

-Mental/Behavioral Health providers

-Foster parent

-Teachers

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School Placement Best Interest Determination (BID) Participants

Party Initiating or Organizing BID

LEA OF ORIGIN

LEA OF FOSTER RESIDENCE

Party Initiating or Organizing BID

PLACING CCYA

LEA Participants

• Foster Care POC

• School Administrators

• Transportation Coordinator

• Special Education Coordinator

• IEP Team

CCYA Participants

• ESSA POC/ Education Liaison

• Case Worker

• Case Manager

BID Format:

in-person conference

phone conference

electronically (email)

or a combination

Parties request physical presence or gather meaningful input from:

• School counselors, teachers, coaches, and English Learner (EL) staff

• Child's parents, child, child advocate, guardian ad litem, foster parent, in-home provider, and mental, behavioral, and physical health providers

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Guidelines for BID Process

Local procedures should establish:

- **Who initiates the BID process**
- **Who participates**
- **Format of BID and how BID is documented**

Local procedures should consider:

- **Appropriateness of current educational placement**
- **Proximity of placement**
- **Other child centered factors**
- **How child will remain in school of origin during the interim of a final determination**

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Factors to Consider (BIDs)

- ✓ **Preferences of child**
- ✓ **Distance of commute to school of origin**
- ✓ **Child’s permanency goal**
- ✓ **Length of stay at school of origin**
- ✓ **Safety considerations**
- ✓ **Special education program**

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Factors to Consider (BIDs) cont'd.

- ✓ Academic history
- ✓ Transferring have a positive or negative impact socially, emotionally and academically
- ✓ Peer/staff relationships
- ✓ Will new school allow student to stay on track to graduate?
- ✓ Timing of transfer will not undermine school success
- ✓ Siblings
- ✓ Extra-curricular activities/interests

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Sample School Placement BID Process

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graph TD; Start[CCYA notifies LEA of origin of a new placement in foster care or when a change in foster care placement occurs.] --> Step1[CCYA recommends school placement BID to LEA of origin. BID recommendation should also be shared with LEA of foster residence.]; Step1 --> OutcomeA1[Outcome A: Parties agree with BID. LEA of origin and CCYA document BID and efforts to complete a BID. Student remains in school of origin. The LEA and CCYA implement formal written transportation plan to maintain child in current educational placement; or Student is immediately enrolled into new school.]; Step1 --> OutcomeB1[Outcome B: Parties require further information to make a BID.]; OutcomeA1 --> Coord1[LEA of origin and CCYA coordinate to maintain child in school of origin during interim of final determination.]; Coord1 --> Info1[LEA of origin and CCYA gather additional relevant information including interviews from meaningful parties to participate in the BID.]; Info1 --> Inform1[LEA of origin and CCYA should inform/include the LEA of residence as a meaningful party in the BID process, especially if the child receives special education services.]; Inform1 --> Doc1[LEA of origin and CCYA document BID and efforts to complete a BID.]; OutcomeB1 --> OutcomeA2[Outcome A: Child remains in the LEA of origin. The LEA(s) and CCYA implement formal written transportation plan to maintain child in current educational placement.]; OutcomeA2 --> OutcomeB2[Outcome B: Student is immediately enrolled in new education placement. LEA(s) and placing CCYA coordinate to facilitate a timely records transfer.];
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Transportation

- ✓ **Transportation must be provided, arranged and funded**
- ✓ **No distance specified**
- ✓ **LEAs must maintain a transportation plan and Memorandum of Understanding (MOU) with CCYA**
- ✓ **LEAs should consider CCYAs they work with frequently**
- ✓ **LEAs must ensure transportation is provided to children in foster care even if an LEA does not normally offer and/or provide transportation**

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Memorandum of Understanding (MOU)

- ✓ **Addresses transportation related provisions**
- ✓ **Not a local transportation plan**
- ✓ **Agreement with LEA and CCYA to establish a local transportation plan**
- ✓ **Additional policies may be addresses to meet unique needs of foster children**

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Transportation Plans

- ✓ Addresses formal, written protocols and procedures
- ✓ Ensures foster children remain in school of origin when feasible and in his/her best interest
- ✓ Detailed step-by-step arrangements
- ✓ Limit educational disruption
- ✓ Who will provide transportation

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Transportation Plans cont'd.

- ✓ Consider low cost options
- ✓ How will additional costs be covered
- ✓ Transportation Plan and MOU must be signed by LEA and CCYA
- ✓ MOUs and plans should be updated as needed

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Immediate Enrollment

- ✓ **Foster youth must be immediately enrolled into new school**
- ✓ **Must be enrolled even if they lack records normally required for enrollment**
- ✓ **Contact prior school for records**
- ✓ **Prior school should anticipate this request as a result of a BID**
- ✓ **Placing CCYA should assist as needed and in accordance with confidentiality laws**
- ✓ **30 days for immunization records**
- ✓ **Foster students eligible for free lunch**

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Foster Point of Contact (POC) Duties

- ✓ **Coordinate with CCYA (primary contact for agency)**
- ✓ **Coordinate with other LEAs**
- ✓ **Collecting and presenting all important records and documentation**
- ✓ **Attending training and professional development**
- ✓ **Develop BID process**
- ✓ **Facilitate transfer of records**

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Foster Point of Contact (POC) Duties cont'd.

- ✓ Facilitate immediate enrollment
- ✓ Facilitate data sharing with the child welfare agencies, consistent with FERPA and other privacy protocols
- ✓ Developing and coordinating transportation procedures
- ✓ Managing BIDs and disputes
- ✓ Ensuring attendance/needs of foster students
- ✓ Providing professional development
- ✓ Ensure communication and collaboration with regional office

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Collaboration with shelters/agencies

- ✓ Shelter/agency staff could be involved in BID meeting (important information)
- ✓ Foster students in homeless shelters (know process and liaison in school district)
- ✓ Transportation (school of origin)
- ✓ Communication with school district (mental/physical well being of student)
- ✓ ID important for higher education

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Challenges for Foster Youth

- ✓ Lack of nurturing and stable environment
- ✓ High rates of physical, mental and developmental problems
- ✓ Unmet needs
- ✓ Adverse childhood experiences
- ✓ Dependent on positive school and child welfare supports

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Challenges for Foster Youth in Education

- ✓ Repeating classes, grades (not enough credits)
- ✓ Losing relationships with teachers, friends and staff
- ✓ Adapting to different teaching styles (due to frequent school changes)

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Questions???

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