


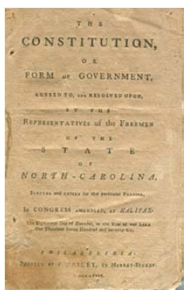
School Stability for Children in Care



By: Sara DePasquale
Assist. Prof. at UNC
Chapel Hill School of Government

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Why is this Important?

- 

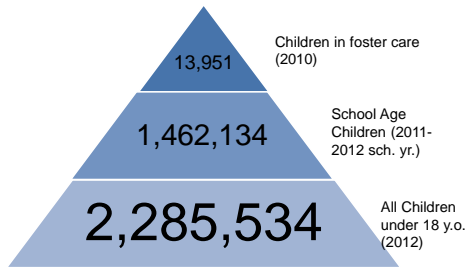
N.C. Constitution
Art. I, Sect. 15

Art. IX
Sect. 1: Education Encouraged
Sect. 2: Uniform System of Schools
Sect. 3: School Attendance

"Sound Basic Education"

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The Numbers



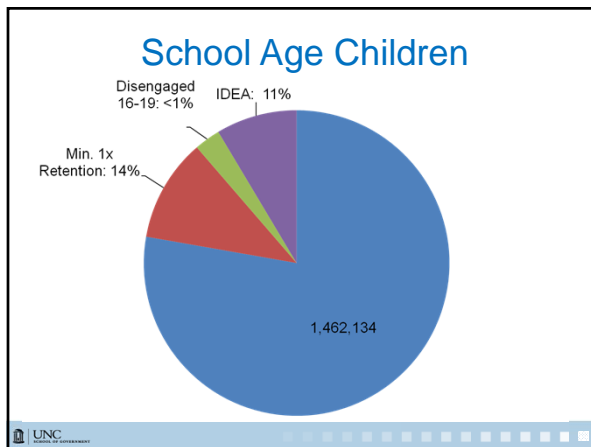
Source: NC Kids Count 2012

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Issues

- School Mobility
 - Enrollment Delays
- Delayed Access to Records
- Confusion Over Decision-Making Authority

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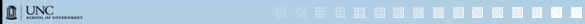
Federal Laws

- Fostering Connections
- IDEA
- FERPA/USA

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?? Who ??

- **N.C. Law**
 - Compulsory Attendance
 - N.C.G.S. 115C-378
 - Neglect
 - Matter of McMillan (1976)
 - Matter of Devone (1987)
 - 7B-1501(27)


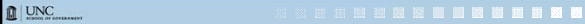
Who part 2

- **Federal**
 - Fostering Connections,
 - 42 U.S.C.A. § 671(a)(30)
 - School Attendance
 - IV-E funds



What School (115C-366)?

- **Domicile**
 - Graham v. Mock (2001)
- **Exceptions**
 - Caretaker adult domicile (a3)
 - Foster home (a6)
 - Preadoptive home or legal custodian (a8)
 - Board agreement (d)

Fostering Connections

TRANSFER STUDENTS



Foster Care Maintenance Payments



IDEA




Issues to Look Out For

- Does the Surrogate or Foster Parent have records?
 - Fostering Connections, Case Review System
 - Copies provided to foster care provider
- School Transfer
 - Are evaluations pending?
 - Is there a current IEP needing to be implemented?

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School Records

- What's in them?
- Can you access them?



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Sharing School Records?



- 7B-3100
 - To extent permitted by federal law/FERPA
- 7B-302(e)
- 7B-601: GAL

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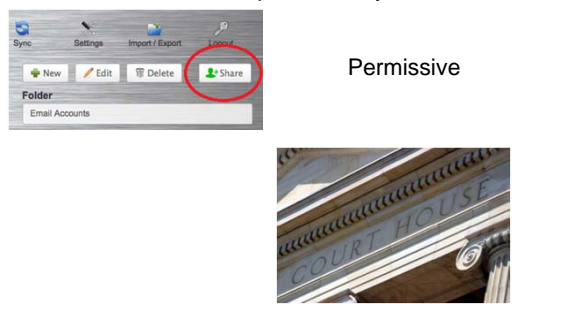
FERPA



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USA

.... Purpose: Timely Access



Permissive

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