

Every Student Succeeds Act (ESSA)

By: Sara DePasquale, JD, MSW



Today's Agenda: Educational Stability

What is it

Why is it important

What does the law require



1. What Is It?

Minimize Disruptions

- Remain in School of Origin

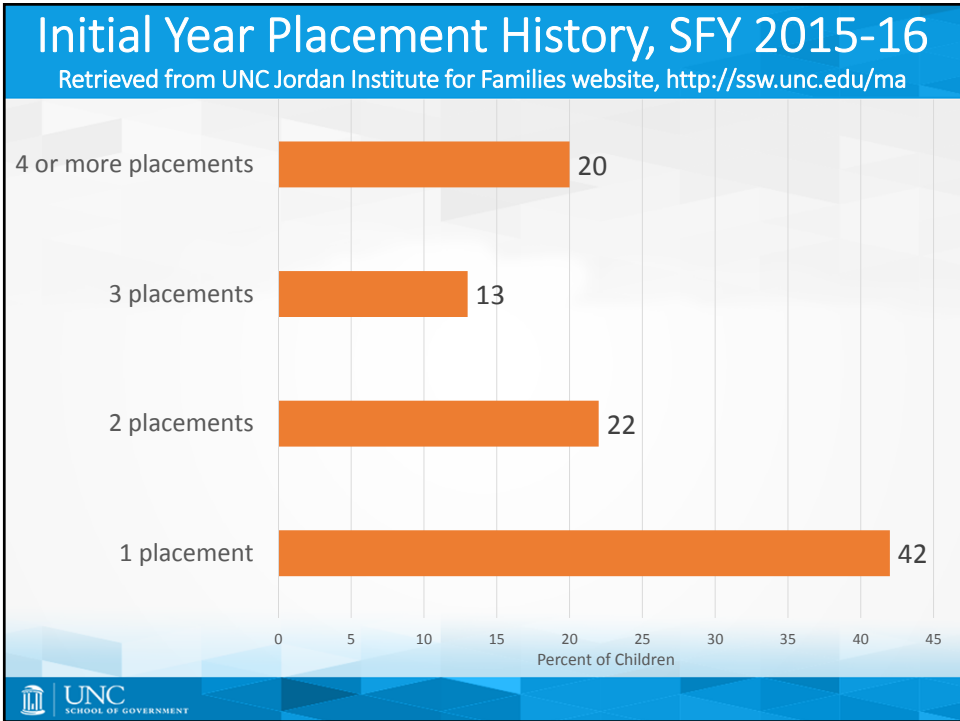
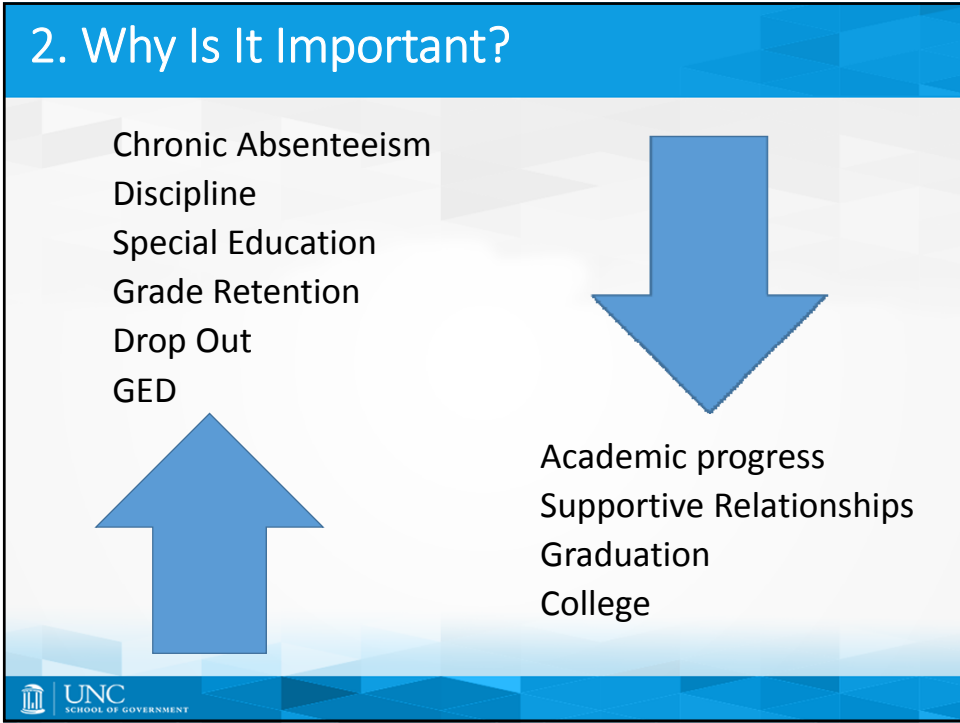
Eliminate Delays

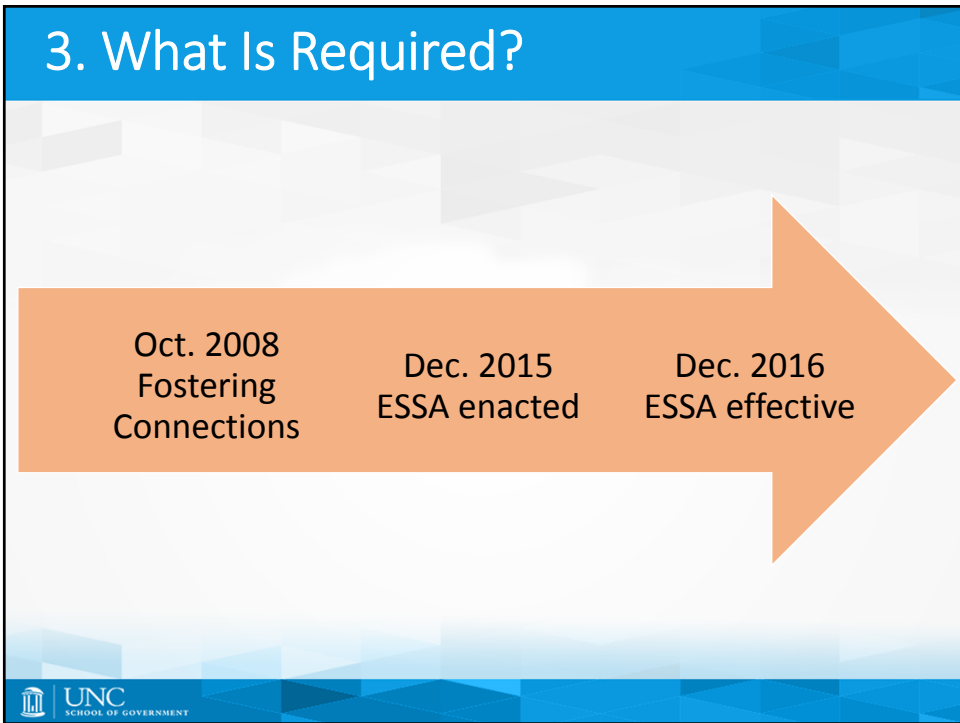
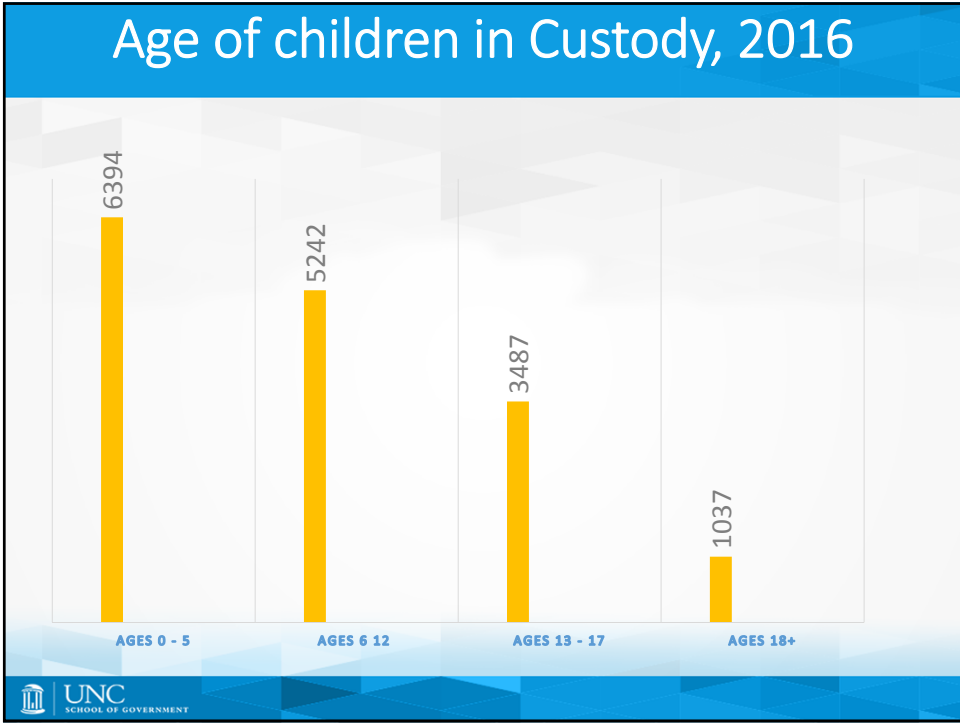
- “Prompt” Transportation
- Immediate Enrollment

Children in Foster Care Defined

- DSS has placement and care responsibility
- 24 hour substitute care
 - Family foster home
 - Relatives
 - Group homes
 - Emergency shelters
 - Residential facilities
 - Child care institutions
 - Preadoptive homes

45 CFR 1355.20(a)

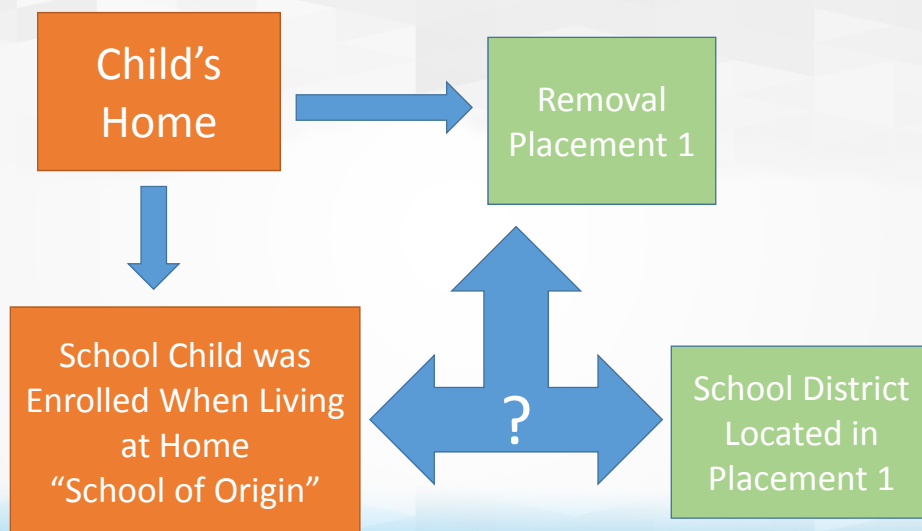




Fostering Connections, 42 USC 675(1)(G)

- Assurances each placement takes into account
 - Appropriateness of current educational setting
 - Proximity to school child is enrolled at time of placement (School of Origin)
- DHHS coordinate with LEA ensure child remain in school child was enrolled in at time of each placement
- If not BIC, assurance DHHS and LEA provide immediate and appropriate enrollment in new school, w/ all educational records provided

Best Interests of the Child Determination



Case Plan

- Consultation with parent/guardian
- Guidance by US DHHS
 - Child's preference
 - Child's safety
 - Appropriateness of programs in current and new school
 - How programs in current/new school meet child's needs

Foster Care Maintenance Payments



ESSA complements Fostering Connections



- Duration of time in foster care

Requires Collaboration

- Points of contact: DPI (not McKinney Vento coordinator)

A screenshot of the "EVERY STUDENT SUCCEEDS ACT (ESSA) DIRECTORY" page from the Department of Public Instruction. The page header includes "PUBLIC SCHOOLS OF NORTH CAROLINA State Board of Education | Department of Public Instruction". The main heading is "EVERY STUDENT SUCCEEDS ACT (ESSA)". Below the heading are navigation links: "NCLB FEDERAL PROGRAMS GET UPDATES QUICK LINKS" and a "Google Search" box. The "DIRECTORY" section lists two contacts: Louis M. (Lou) Fabrizio, Ph.D., Director, Data, Research and Federal Policy (919.807.3770) and Donna Brown, Director, Program Monitoring and Support Services (919.807.3957). A "Printer Friendly Version" link is also present. The footer contains "DPI HOME ABOUT DPI STATE OF NC NC OPEN BOOK LEGAL NOTICES CONTACT US".

Local Points of Contact If written notice by county DSS...

North Carolina Homeless Education Program
Supporting the Education of Children and Youth Experiencing Homelessness in North Carolina

About NCHPEP
Ensuring Educational Stability for Children in Foster Care

Contact the North Carolina Foster Care Program:

- Toll free at: 1.800.352.6001
- Email at: ncfoster@serve.org.

[NC Foster Care Local Point of Contact directory \(xlsx\) \(updated 05/12/2017\).](#)

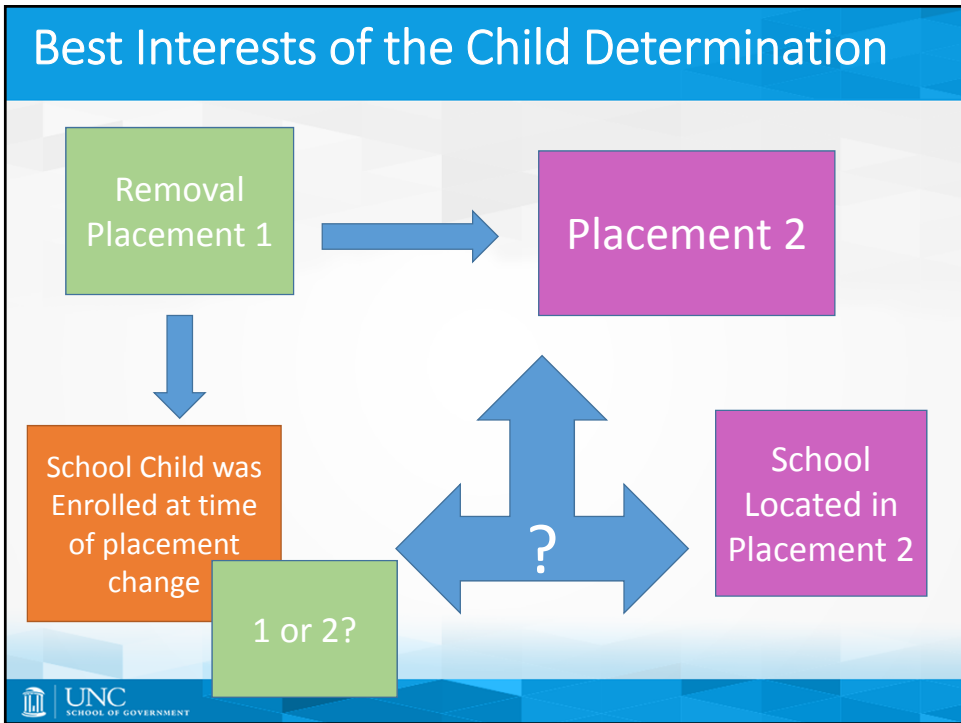
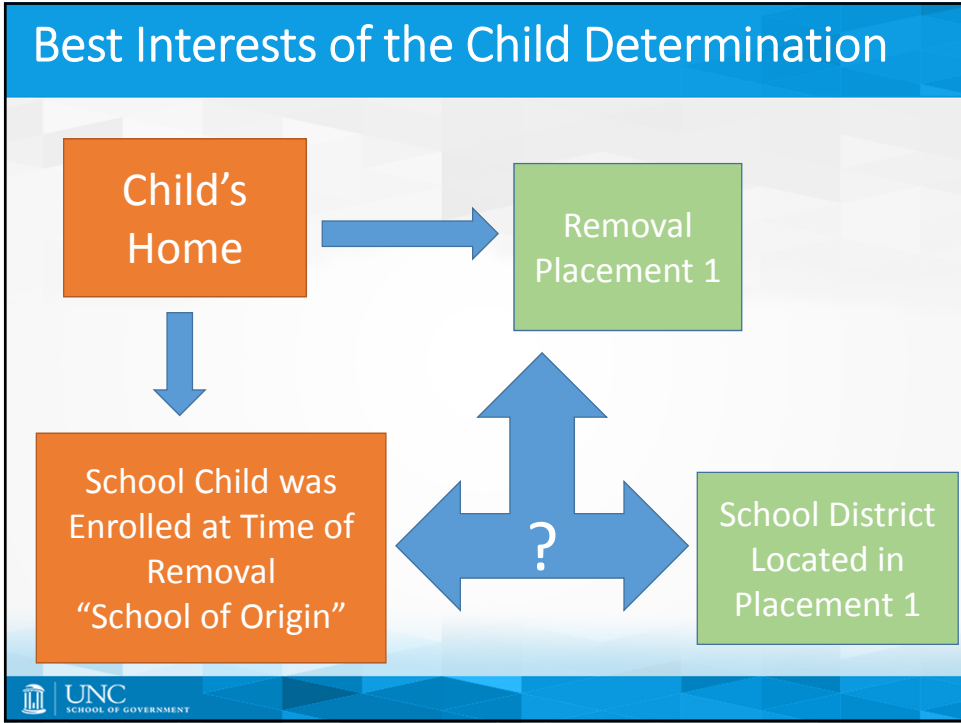
[Child Welfare ESSA Point of Contact \(xlsx\)](#)

[Link to complete contact information for the NC Foster Care Local Point of Contact.](#)

UNC SCHOOL OF GOVERNMENT

NC Policy requires local POC

- Responsibilities
 - Primary contact
 - Coordinate policy implementation
 - Manage BID and transportation cost agreements
 - Facilitate records transfer
 - Ensure immediate enrollment or transportation
 - Coordinate services children can access
 - Provide training to staff
 - Coordinate data sharing



Best Interests Determination

- The Law:
 - Appropriateness of current educational setting
 - Placement's proximity to school of origin



**Non-Regulatory Guidance:
Ensuring Educational Stability for
Children in Foster Care**

Factors?

- Preferences (child/parent/educational-decision maker)
- Attachment to school/people in school
- Sibling placement
- Impact of School's climate on child (safety included)
- History of School Transfers
- Length of commute and impact on child
- Availability/Quality of services and how meet child's educational and socio-emotional needs
 - IDEA/504
 - ESL

Guidance

- DPI and DHHS establish uniform guidelines
- Joint process for BID, but DSS ultimate decision (really court)
- Multiple factors considered
- Consult
 - Child (if appropriate)
 - Adults w/ meaningful relationships w/ child

NC Policy

North Carolina Division of Social Services
Family Services Manual
Volume I: Children's Services
1201 Child Placement Services

Change # 04-2017 Educational Stability April 2017

1201 – Child Placement Services

XIII. EDUCATIONAL STABILITY

Meetings

- CFT (Child and Family Team)
- BID (Best Interests Determination), include school
 - CANNOT CHANGE SCHOOLS BEFORE BID MEETING UNLESS DIRECTOR APPROVAL (RARE CASES)!
- ES (Educational Services) w/in 20 school days if transfer

DSS 5245, rev. 2/17

CHILD EDUCATION STATUS Case Number: _____

Child's Name: _____

Copy provided to child's placement provider: _____ on: _____

Completed by: _____ Name _____ Date: _____

Check one: Reunification Legal Guardianship Legal Custody Adoption
 Another Planned Permanent Living Arrangement Reinstatement of Parental Rights

Current School: _____ Grade: _____

School Address: _____

School Contact (name/role/phone number): _____

Child functioning above grade in any subjects (list): _____

Child functioning below grade in any subjects (list): _____

Attendance issues (absences, tardy days): _____

Any special services (IEP, speech, list): _____

Surrogate parent needed/identified: _____


Any school meetings (date/purpose): _____

Behavioral issues: _____

Are services appropriate (changes needed): _____

Social, Sports, Activities, Other: _____

Additional school related information, including child's strengths: _____



BID, DSS 5137

Previous School (prior to current placement): _____ Grade: _____

Child previously functioning above grade in any subjects (list): _____

Child previously functioning below grade in any subjects (list): _____

If retained, what grade was repeated: _____ Any special services (IEP, list): _____

Behavioral issues: _____

Additional school related information, including child's strengths: _____


Date/Time of Best Interest Determination (BID) or Educational Services (ES) Meeting: _____

Date student was informed about BID/ES meeting and purpose: _____

Was the student provided the opportunity to identify a significant person to attend the meeting?

Yes No If a person was identified, who did the student invite? _____

Date parent(s) were notified of BID/ES Meeting: _____



Section III: Best Interest Determination (check one)

The child shall remain in the school in which the child was enrolled at the time of placement (change) OR

Based on the best interest determination, a change in school placement is needed.


If it is NOT in the best interest of the child to stay in the same school in which he or she was previously enrolled, explain why: _____

Based on child's best interests, what educational services must be available at the selected school?

Name of School Selected: _____

Enrollment in selected school will be completed by: _____ by: _____

Name Date



DSS 5133: Remain in School of Origin

Foster Child Notification of Placement (Change) Form
For children in the custody of a NC County Child Welfare Agency

Confidential

Child Information

Date of Notification: _____

Child's Name: _____

Age: _____ DOB: _____ Sex: _____

County Child Welfare Agency: _____

County Child Welfare Agency Contact: _____ Phone: _____ Fax: _____
Email: _____

Foster Care Provider Name: _____ Phone: _____


Foster Care Provider Address: _____

Type of Foster Care Provider: Family Foster Home Relative/Kinship Home Therapeutic Home Facility # _____

Foster Care Placement: Within School of Origin Transportation Not within School of Origin Transportation Unknown

Check one: Initial Foster Care Placement Foster Care Placement Change Exiting Foster Care

Date of Non-secure Custody: _____ Date of Placement/Plan Change (if different): _____

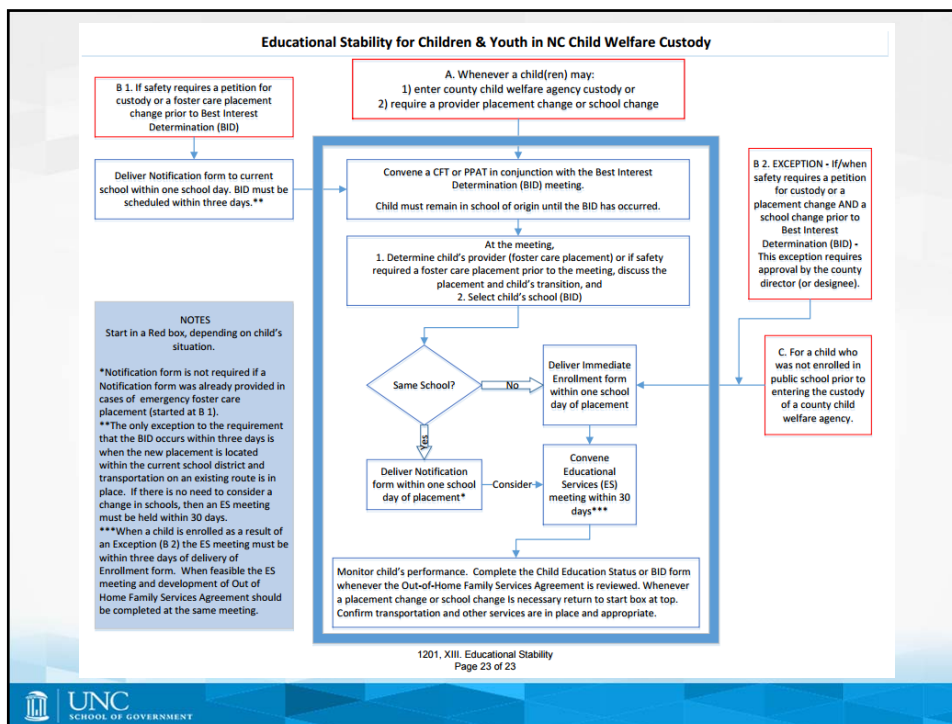


DSS 5135: School Transfer

Foster Child Immediate Enrollment Form For children in the custody of a NC County Child Welfare Agency	
Confidential	
Student Information	
Date Student Presented for Enrollment:	
Receiving School:	
Student Name:	
Age:	DOB: Sex:
County Child Welfare Agency:	
County Child Welfare Agency Contact:	Phone: Fax:
Email:	
Foster Care Provider Name:	Phone:
Foster Care Provider Address:	
Date of Nonsecure Custody:	Date of Placement Change (if different):
School Enrollment Needed Due to:	<input type="checkbox"/> Best Interest Determination Meeting Date of Meeting: <input type="checkbox"/> Emergency Foster Care Placement (or Placement Change) <input type="checkbox"/> New Enrollment
Last School Attended:	Current Grade:
Does student have IEP? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown 504 Plan? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	
Any special safety concerns or special conditions?	

School Transfer

- Immediate enrollment even if no school records
- New school contact former school for records

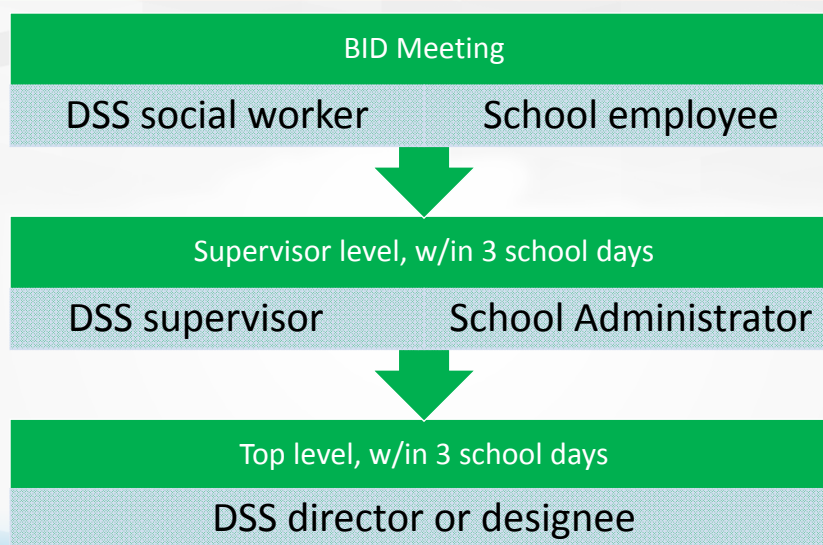


Transportation

- Collaborate to develop and implement clear written procedures for how transportation provided, arranged, funded
 - NC Policy: primarily school responsibility but DSS ensure no break in attendance following placement change
- Prompt transportation in cost effective manner in accordance with Fostering Connections
 - Foster parents, public transportation, school transportation contract, community partners (relatives), DSS worker
- Foster care maintenance payments

- Additional costs: LEA transport if
 - DSS agree to reimburse
 - LEA pay
 - LEA/DSS agree to share cost
- Difference between what LEA would normally spend on transportation to assigned school w/in district and cost of transportation to School of Origin

BID Dispute



Transportation Dispute

LEA cover expense during dispute

w/in 30 days, DSS director and school superintendent

POC with DPI and DHHS
No resolution = split costs

UNC SCHOOL OF GOVERNMENT

Intersection with McKinney Vento

- Homeless Status may apply (circumstances)
- “awaiting foster care placement” ≠ Homeless

UNC SCHOOL OF GOVERNMENT

Take Aways

Collaborate with local schools

School age child!

What school attending at removal?

Child remains there unless not BIC