



# **Ensuring Educational Stability for Children in Foster Care: Effective Collaboration**

September 7, 2016

# TODAY'S PRESENTERS

- **Stevi Steines**

Chief Deputy, Administration on Children, Youth and Families, U.S. Department of Health and Human Services

- **Mary Myslewicz**

Casey Fellow, Office of Innovation and Improvement, U.S. Department of Education

- **Lessons from the Field**

- **Kathleen McNaught**, Project Director, Legal Center for Foster Care and Education, ABA Center on Children and the Law
- **Judge Robert Hofmann**, 452<sup>nd</sup> District Court Judge, Vice Chair of the Children's Commission, and Chair of Foster Care & Education Committee
- **Jamie Bernstein**, Staff Attorney, Supreme Court of Texas Permanent Judicial Commission for Children, Youth and Families (Children's Commission)
- **Kelly Kravitz**, State Coordinator, Foster Care Education & Policy and McKinney-Vento Homeless Programs, Texas Education Agency
- **Jenny Hinson**, Division Administrator for Permanency, Texas Department of Family and Protective Services

# TODAY'S AGENDA

- Provide an overview of the federal framework for ensuring educational stability for children in foster care and the joint guidance related to collaboration
- Highlight essential components for consideration when establishing a collaboration between child welfare agencies and education agencies
- Provide lessons learned from implementation of cross-agency collaboration initiative in Texas
- Q&A

## QUESTIONS?

Please submit your questions for our presenters in the "Q&A" box on the right of your screen.

# EDUCATIONAL STABILITY: A TIMELINE

**October  
2008:**

The Fostering  
Connections  
to Success &  
Increasing  
Adoptions Act

**June  
2016:**

ED/HHS  
Foster  
Care  
Guidance  
Released

**December  
2016:**

ESSA  
Foster  
Care  
Provisions  
Take Effect

**December  
2015:**

The Every  
Student  
Succeeds Act  
(ESSA)

**Aug./Sept.  
2016:**

ED/HHS  
Foster  
Care TA  
Webinar  
Series

# KEY ESSA PROVISIONS

- Children in foster care remain in the school of origin, unless it is determined that it is not in his or her best interest
- If it is not in the child's best interest to remain in the school of origin, the child must be immediately enrolled in the new school even if they don't have the required documentation.
- Each state education agency (SEA) must designate a point of contact (POC) for child welfare agencies (CWAs). Local education agencies (LEAs) must also designate a POC for CWAs if the corresponding CWA notifies the LEA, in writing, that it has designate a POC.
- LEAs must collaborate with CWAs to develop and implement clear written procedures for how transportation will be provided, arranged, and funded for the duration of a child's time in foster care.

# MCKINNEY-VENTO UPDATE

- The phrase “awaiting foster care placement” will be removed from the McKinney-Vento Homeless Assistance Act’s definition of homeless children and youth.
  - For non-covered states, this change is effective 12/10/16
  - For covered states--that is, States that define “awaiting foster care placement” in statute--this change is effective 12/10/17
- After the effective date, youth “awaiting foster care placement” must be served under ESSA
- Some children in foster care may still be eligible for McKinney-Vento services (e.g., youth who are living in transitional shelters or motels)

**Access ED’s Guidance on the ESSA Amendments to McKinney-Vento:**

<http://www2.ed.gov/policy/elsec/leg/essa/160240ehcyguidance072716.pdf>



# JOINT GUIDANCE

## Table of Contents

Educational Stability	Questions 1 – 9
School of Origin	Questions 10 – 11
Best Interest Determination	Questions 12 – 17
Dispute Resolution	Questions 18 – 20
Transportation	Questions 21 – 32
Immediate Enrollment/Records Transfer	Question 33
Points of Contact (POCs)	Questions 34 – 37
Student Data and Privacy	Question 38
Collaboration	Questions 39 – 40

**Access the joint guidance:**

<http://www2.ed.gov/policy/elsec/leg/essa/edhhsfostercarenonregulatorguide.pdf>

# JOINT ED-HHS WEBINAR SERIES

Webinar Topic	Date	Location
An Overview of the ED/HHS Joint Guidance	7/27/16	<a href="http://www.fostercareandeducation.org/AreasofFocus/EducationStability.aspx">http://www.fostercareandeducation.org/AreasofFocus/EducationStability.aspx</a>
Points of Contact	8/17/16	<a href="https://1sourcevei/ents.adobeconnect.com/p9u646jav">https://1sourcevei/ents.adobeconnect.com/p9u646jav</a>
Best Interest Determination & Immediate Enrollment	8/24/16	<a href="https://1sourceevents.adobeconnect.com/p5a1t0r4b8f/">https://1sourceevents.adobeconnect.com/p5a1t0r4b8f/</a>
Transportation	8/31/16	Coming soon!
Effective Collaboration	9/7/16	Coming soon!

**Access the joint guidance:**

<http://www2.ed.gov/policy/elsec/leg/essa/edhhsfostercarenonregulatorguide.pdf>





# Effective Collaboration

# EFFECTIVE COLLABORATION

## ESSA REQUIREMENTS

Under ESSA, each state plan shall describe--

- The steps an SEA will take to ensure collaboration with the state child welfare agency to ensure the educational stability of children in foster care

Each LEA shall provide assurances that the LEA will:

- Collaborate with the State or local child welfare agency to--
  - Designate a point of contact
  - Develop and implement clear written transportation procedures

# EFFECTIVE COLLABORATION

## GUIDANCE PROVISIONS

- Consideration should be given to establishing a structure at the local level
- Provide opportunities to cross-train both child welfare agency and education staff
- Engage variety of stakeholders
- Collaboration should be on-going and continuously works to improve outcomes for children in foster care



# Lessons from the Field

# LESSONS FROM THE FIELD: ABA

GUEST PRESENTER

## **Kathleen McNaught**

Project Director, Legal Center for Foster Care  
and Education

American Bar Association Center on Children  
and the Law

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# PRELIMINARY STEP: DECIDING WHO NEEDS TO BE AT THE TABLE

- Judiciary
- Attorneys & advocates
- Child welfare agency staff
- Educators
- Parents
- Children & youth
- Foster parents



# STEP 1: COMMON KNOWLEDGE BASE

- Understand your own policies and practice (including gaps)
- Think about your own goals and priorities
- Learn about other systems

# STEP 2: ESTABLISH JOINT GOALS & PROCESS

- Establish process and team
- Collaboratively identify obstacles, challenges, and opportunities
- Take action—develop plans and set priorities
- Track and measure progress; revise as needed

## **Some Key Tips for Success:**

- Start simple
- Start small
- Do not avoid biggest obstacles



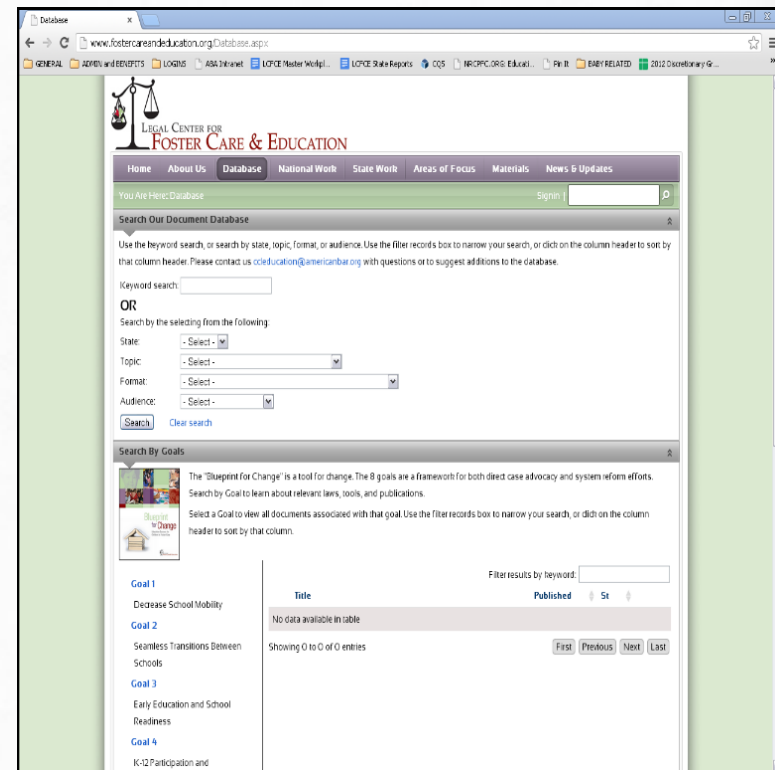
## STEP 3: MAINTAIN MOMENTUM

- Staff resources (points of contact)
- Celebrate early victories
- Keep agency leadership (and courts) engaged
- Data drives change and supports progress
- Memorialize changes and collaboration
- Ongoing training and communication

# LEGAL CENTER FOR FOSTER CARE AND EDUCATION

[www.fostercareandeducation.org/AreasofFocus/EducationStability.aspx](http://www.fostercareandeducation.org/AreasofFocus/EducationStability.aspx)

- Q&A on ESSA
- PowerPoint presentation
- Summary of joint guidance
- Roles and Responsibilities checklist
  
- **Coming Soon:**
  - Sample LEA transportation procedures
  - Sample state-level guidance



# CONCLUSION

Success

CV



what people think  
it looks like

Success



what it really  
looks like

# LESSONS FROM THE FIELD: TEXAS

## GUEST PRESENTERS

### Judge Robert Hofmann

452<sup>nd</sup> District Court Judge, Vice Chair of the Children's Commission, and Chair of Foster Care and Education Committee

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### Jamie Bernstein

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Supreme Court of Texas Permanent Judicial Commission for Children, Youth and Families (Children's Commission)

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SUPREME COURT OF TEXAS PERMANENT JUDICIAL  
COMMISSION FOR CHILDREN, YOUTH AND FAMILIES

# LESSONS FROM THE FIELD: TEXAS

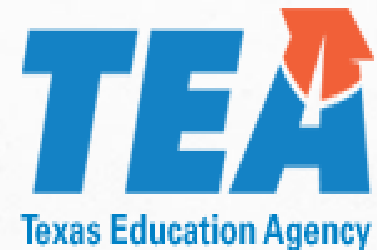
## GUEST PRESENTERS

### **Kelly Kravtiz**

State Coordinator, Foster Care Education & Policy  
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Texas Education Agency

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### **Jenny Hinson**

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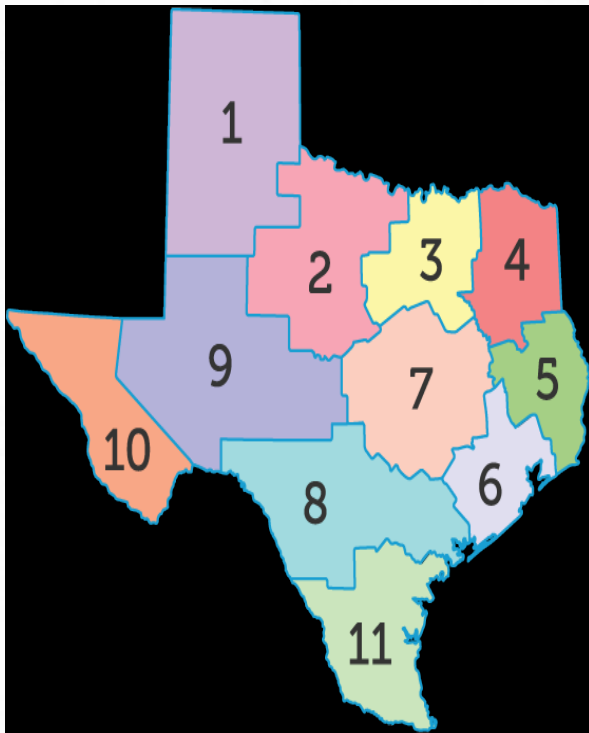
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# Different Systems, Finding Common Ground

Judge Robert Hofmann

# DEVELOPING A COMMON LANGUAGE

## Child Welfare Regions



## Education Regions



# BARRIERS TO COLLABORATION

- Data sharing
- Mutual understanding of policies and procedures
- Staff turnover
- Enrollment issues
- Placement disruptions
- Trust





IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 10-9079

ORDER ESTABLISHING EDUCATION COMMITTEE OF  
PERMANENT JUDICIAL COMMISSION FOR  
CHILDREN, YOUTH AND FAMILIES

### Children's Commission

- Established by Supreme Court of Texas order in November 2007
- Chaired by Justice Eva Guzman
- Administer the federal Court Improvement Program grant
- Serve as a facilitator of collaboration for state leaders in the executive, judicial, and legislative branches

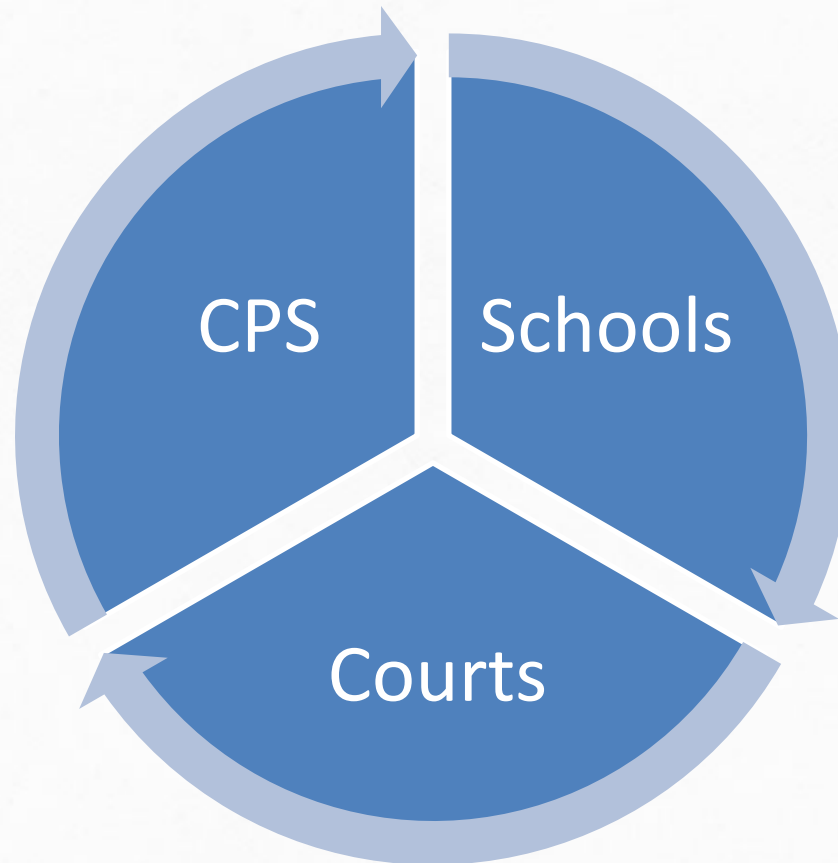
### Education Committee

- Idea developed by Texas team during National Leadership Summit on Child Protection, October 2009
- Focus: Education outcomes for children and youth in foster care
- Commitment of statewide resources to examine educational outcomes and make recommendations for improvement

# CHILDREN'S COMMISSION EDUCATION COMMITTEE MEMBERS

✓ Three Judges	✓ State Education Agency (TEA)	✓ Association of School Boards (TASB)	✓ Association of School Administrators (TASA)
✓ State Bar of Texas School Law Section	✓ State Child Welfare Agency (DFPS)		✓ Texas CASA
✓ Parent and Children's Attorneys		✓ Former Foster Youth	✓ Casey Family Programs

# THE STATE AS PARENT = THESE CHILDREN ARE “OUR” RESPONSIBILITY



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# THE TEXAS BLUEPRINT:

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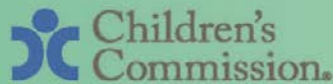
Transforming Education  
Outcomes For Children &  
Youth In Foster Care



**THE FINAL REPORT OF THE  
EDUCATION COMMITTEE OF  
THE SUPREME COURT OF TEXAS  
CHILDREN'S COMMISSION**

**MARCH 31, 2012**

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SUPREME COURT OF TEXAS PERMANENT JUDICIAL  
COMMISSION FOR CHILDREN, YOUTH AND FAMILIES





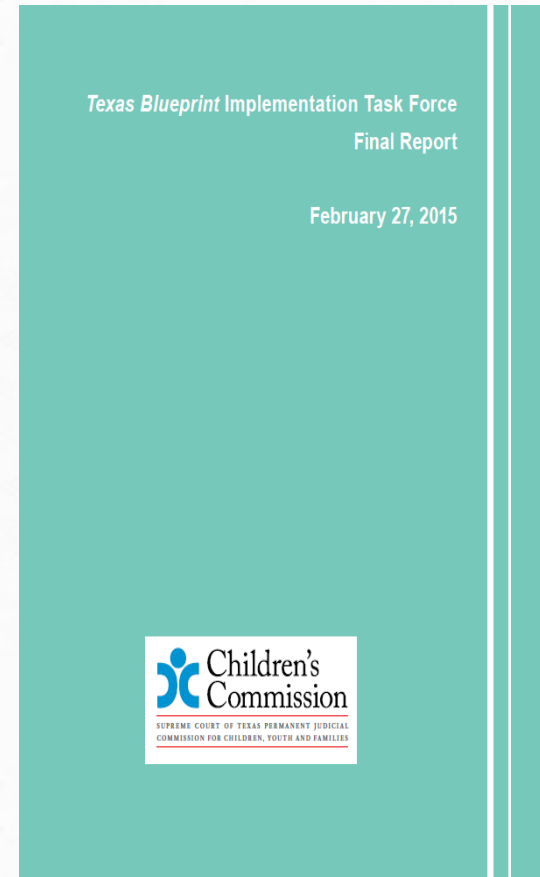
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COMMISSION FOR CHILDREN, YOUTH AND FAMILIES

# Developing Priorities

Jamie Bernstein

# TEXAS BLUEPRINT IMPLEMENTATION TASK FORCE

- Established in December 2012 by Children's Commission
- Monitored progress of collaborative workgroups addressing a variety of education related topics:
  - Data Collection and Information Sharing
  - School Stability
  - Training and Resources



Final Report available at: <http://texaschildrenscommission.gov/foster-care-education.aspx>

# STATE LAW IMPROVEMENTS

- Consideration of educational needs and goals during Permanency Hearings
- Attorneys and guardians ad litem must be knowledgeable about children's educational needs and goals
- Education decision-maker provisions
- Foster care indicator added to Texas' state education data collection
- K-12 and postsecondary liaisons for students in foster care
- Excused school absences due to court-ordered appointments and activities related to CPS service plan

# TRAINING

- Texas' first Foster Care and Education Summit, February 2013
  - Kicked off with a joint invitation from Supreme Court Justice Eva Guzman and the Commissioners of the state child welfare and education agencies
  - Attended by approximately 200 judges, school district and education service center representatives, CPS, CASA, and advocates
- Cross-disciplinary training throughout the state
- Education consortiums
- National Dropout Prevention Conference – professional development track for Texas foster care liaisons



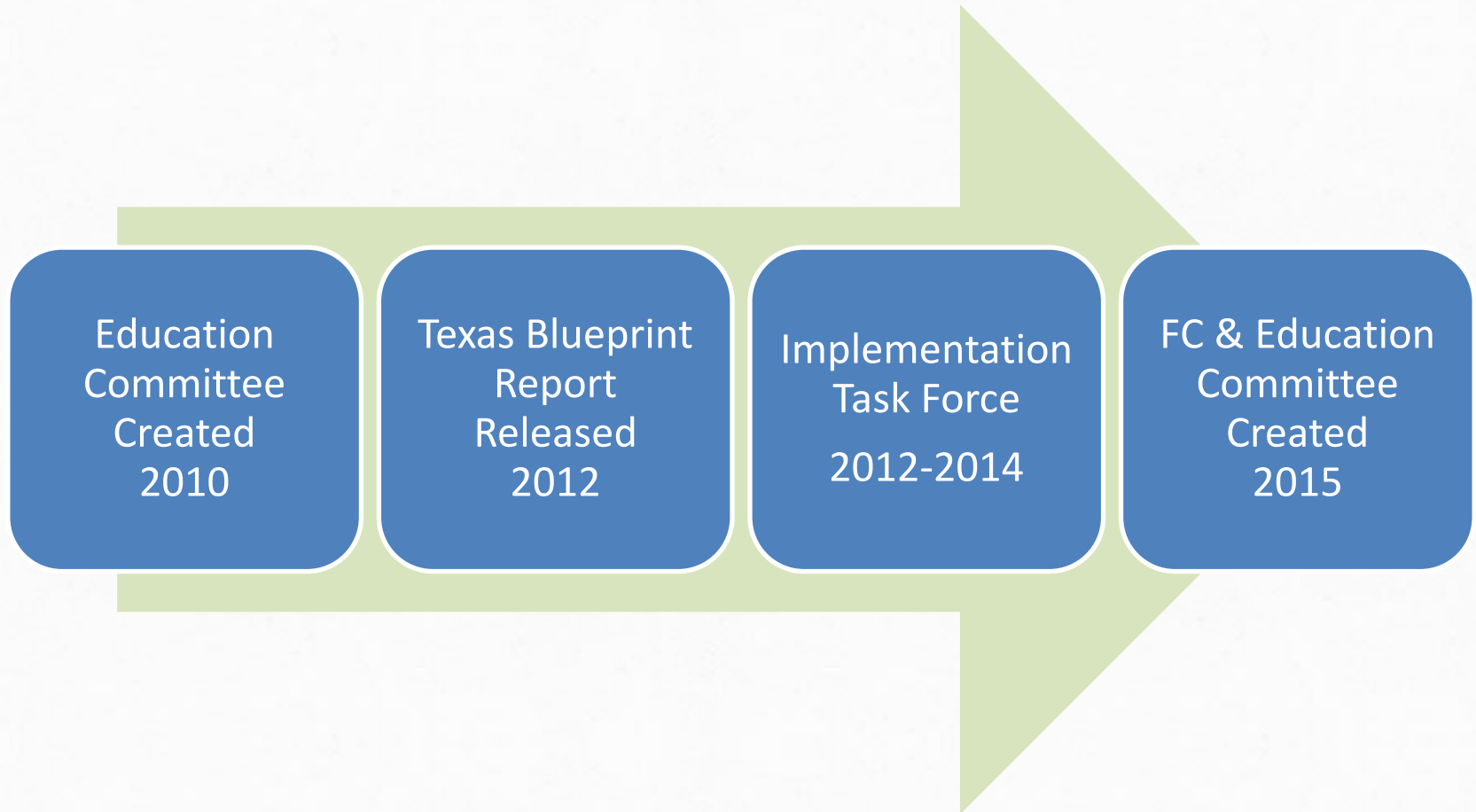
# MOBILIZING DATA-DRIVEN CHANGE

- Statewide data exchange since 2008-09, updated MOU between TEA and DFPS in 2014
- Aggregate foster care education data is shared in presentations with education, court, and child welfare audiences
- Participation in national information sharing programs
- Developed shared definitions across systems
- Mapped data collection timelines
- Identified priority data indicators

# COURT INVOLVEMENT

- Play a key leadership role
- Provide judicial education and correspondence about educational needs of students in foster care
- Judges are statutorily required to ask about education at hearings
- Created an Education Checklist

# MAINTAINING MOMENTUM

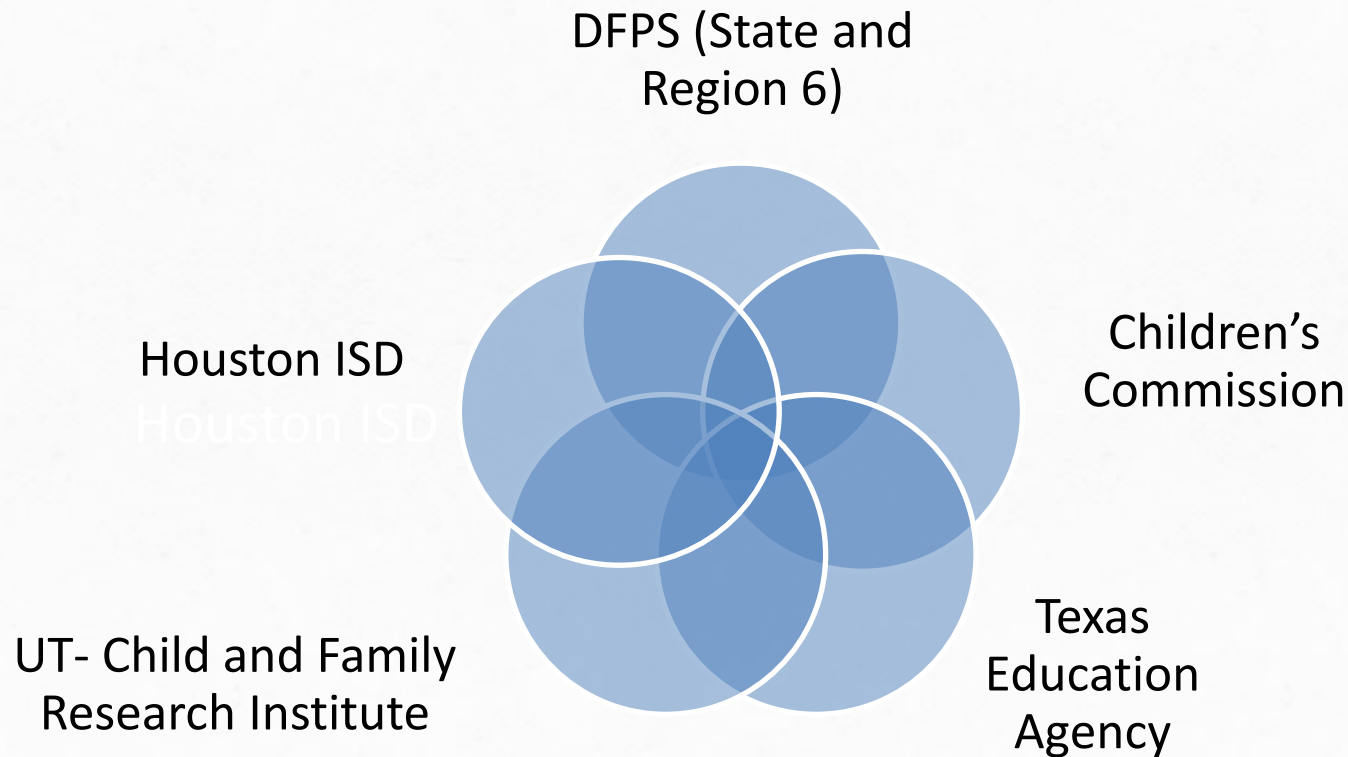




# Building Infrastructure

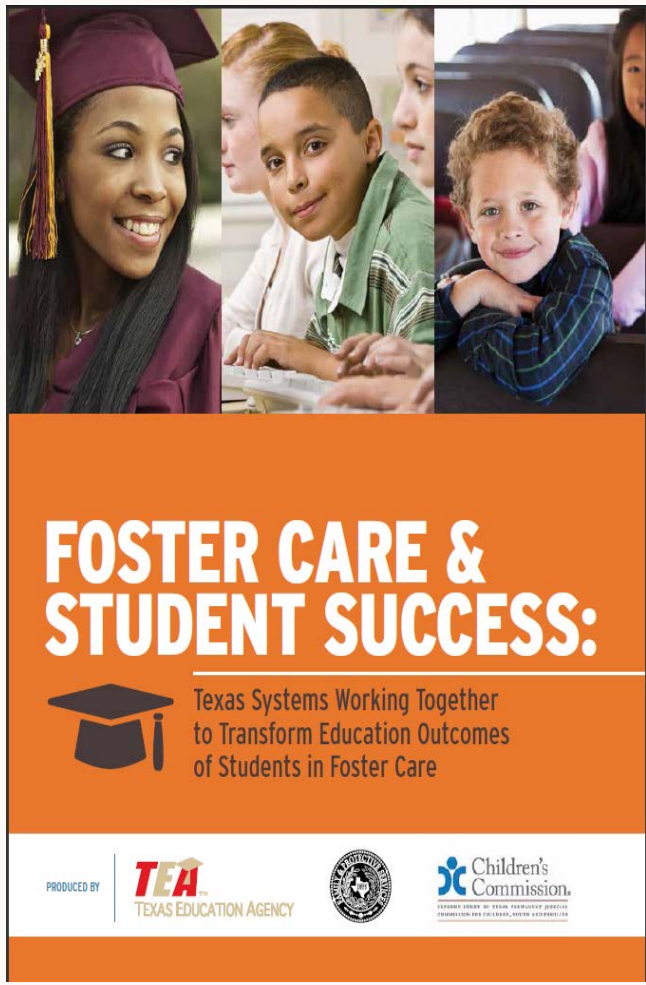
Kelly Kravitz

# TEXAS TRIO PROJECT: STRENGTHENING COURT, CHILD WELFARE, AND EDUCATION CONNECTIONS FOR YOUTH



U.S. Department of Health and Human Services, Administration for Children and Families awarded Child Welfare Education Demonstration Grant to Texas

# TEA FOSTER CARE & STUDENT SUCCESS



- Comprehensive resource and training guide, released in October 2013; written by TEA, DFPS, and Children's Commission
- Foundational guide for education community, foster care liaisons, and all who support the education of students in foster care
- Includes policy, practice, laws, and resources for school district training and development on foster care and education

<http://tea.texas.gov/FosterCareStudentSuccess/>

# STATE EDUCATION AGENCY ENGAGEMENT

- Foster Care Education and Policy Coordinator added to SEA in 2012
  - Implementation of numerous state education laws
  - Development of tools and resources
  - Mobilize coordination and collaboration across numerous divisions and programs
  - Building capacity and creating linkages across a variety of state and federal education programs
  - Participation in Texas Blueprint Implementation Taskforce workgroups and activities

# SEA LEADERSHIP AND ACTIVITIES

- Every district and charter school designates a Foster Care Liaison
- Engage in meetings across departments to increase awareness in SEA about the education of students in foster care (Curriculum, School Improvement, Title I, College and Career Readiness, Fiscal)
- Leverage existing processes, systems and regional education communication networks to increase capacity within state's education system
- Regional Education Service Centers – Foster Care Champions
- Host Foster Care & Student Success webpage on SEA site
- Develop data indicator and process for identifying and reporting students in foster care in Texas schools
- Disseminate information and materials
- Include foster care and education in major statewide education conferences and educator meetings



# ESSA IMPLEMENTATION | SEA COORDINATOR ROLE & RESPONSIBILITIES

- Convene stakeholders
- Coordinate at SEA with Title I, Legal, Data, Transportation, etc.
- Document collaborative activities and provide information for State Plan
- Champion across program areas
- Problem solve and educate
- Train and equip



# Strengthening Collaboration

Jenny Hinson

# CHILD WELFARE ENGAGEMENT

- Updated numerous policies and contracts
- Designated Education Specialists in each region
- Developed form to identify education decision-maker
- Created internal website and portal of education information for DFPS staff
- Developed publications for caregivers
- Formalized collaboration through regional education consortiums

# DFPS/CPS EDUCATION SPECIALISTS

- Work with stakeholders to improve educational outcomes for children and youth in conservatorship
- Ensure every child/student has the necessary resources to meet and exceed each child's educational goals and needs through representation and advocacy
- Primary resource and subject matter expert for caseworkers, schools, community stakeholders on foster care and education
- Participate in state and regional committees, workgroups, and local courts

# TEXAS CASA EDUCATIONAL ADVOCACY TOOLKIT



- Collaborative document developed by Texas CASA, DFPS, TEA, Children's Commission, and other stakeholders
- Contains tools and resources to help advocates navigate the educational challenges facing students in foster care
- Breaks down the different education decision-making roles and the involvement of the Court Appointed Special Advocate

<http://texascasa.org/learning-center/resources/educational-advocacy-toolkit/>

# FOSTER CARE & EDUCATION DATA INFOGRAPHIC

## Texas commits to transform education outcomes of students in foster care

Findings from the *Texas Blueprint* Implementation Data Workgroup

**Priority** **Cross-system data sharing**  
Sharing essential data across child welfare, education, and court systems is critical to the educational success of students in foster care. In 2012, the Texas Blueprint Implementation Data Workgroup was established to assess the educational outcomes of students in care in Texas. This brief uses baseline data to highlight the complexities and challenges that impact students in foster care while providing opportunities for agencies to promote cross-system practices and strategies that improve stability and achievement.

**Collaboration** **Diverse, multi-disciplinary membership**  
The *Texas Blueprint* Implementation Data Workgroup includes:

**Accomplishments** **Mobilizing data driven change**  
Participated in national information sharing programs  
Amended Memorandum of Understanding (MOU) between DFPS and TEA in 2014  
Developed shared definitions across systems  
Mapped data collection timeline  
Identified priority data indicators  
Established 2012-2013 baseline data to measure the educational outcomes of students in foster care

### Outcomes from the 2012-2013 school year

Students in foster care (orange) | Students not in care (blue)

**School Mobility**  
23,326 students in foster care attended Texas public schools during the school year.  
47% of students in care attended 2+ schools in one school year (7% of students not in care).  
6.5x more students in care attended 2+ schools than students not in care.

**Special Education**  
24% of students in foster care received special education services (9% of students not in care). Students in care were more often eligible under Emotional Disturbance: 34% vs 6%.

**Disciplinary Actions**  
3.4x more students in care received an OSS than students not in care.  
In-school suspensions (ISS): 21% (care) vs 11% (not in care)  
Out-of-school suspensions (OSS): 16% (care) vs 5% (not in care)

**Dropout & Graduation Leavers**  
Students in foster care: 22% Graduated, 39% Dropped Out, 29% Left for other reason.  
Students not in care: 19% Graduated, 8% Dropped Out, 73% Left for other reason.  
Students in foster care: 44% Distinguished, 53% Recommended, 3% Minimum.  
Students not in care: 19% Distinguished, 14% Recommended, 66% Minimum.

Data sources: For this report: Texas Education Agency's Public Education Information Management System (PEIMS) and the Department of Family and Protective Services' Information Management Protecting Adults and Children in Texas (IMPACT).  
PEIMS 2012 School Leaver Codes  
The Foundation High School Program replaces Minimum, Recommended, and Distinguished programs for students starting high school in 2014.

Prepared by: The University of Texas at Austin Child & Family Research Institute School of Social Work

## Building local cross-system collaborations

Using data to transform education outcomes for students in foster care in Texas

### Recommendations

- Collect, share, and analyze local data across systems to inform decision-making and improve practices
- Organize a group of child welfare, education, and judicial stakeholders in your community
- Consider local strengths and challenges, create shared definitions, and brainstorm solutions to meet the needs of your community

### Questions to consider

	Schools	Courts	CPS
<b>School Mobility</b>	Do you know your district's foster care liaison and the student's designated education decision-maker? How can foster care liaisons work with school staff to improve transition services within required time frames?	Where is the student enrolled in school? If the student changes placements, what can be done to ensure school stability? Can the student remain in the current placement plan if the student changes schools?	Do you coordinate with schools and caregivers to develop either creative transportation solutions that allow a student to remain in the same school or a transition plan if the student changes schools?
<b>Special Education</b>	Who is responsible for making a student's special education decisions? If required, is a surrogate parent appointed and trained?	Do the caregivers, attorneys, surrogate parent, CASA, or other advocates have current information about the student's Individualized Education Program?	What issues are addressed in the student's Admission, Review, and Dismissal (ARD) committee meetings?
<b>Disciplinary Actions</b>	Do you include trauma-informed training for staff? What prevention and alternative strategies to suspension and expulsion are available to students? Does your school use Response to Intervention and Positive Behavior Support strategies effectively?	What behaviors does the student present in school that lead to a disciplinary action? What services are needed to prevent and address these behaviors?	Do you remind caregivers annually and during the enrollment process to provide a written signed statement of "opting-out" from corporal punishment for each student in foster care?
<b>Dropout Prevention</b>	What evidence-based dropout prevention strategies are in your school plan? When do you review students' course credit accruals? How do you address student needs for tutoring, content mastery, credit recovery, and extra-curricular activities?	What laws are in place to support high school completion? If a student is not on track to graduate, what is needed to support high school completion?	Does a student have a personal graduation plan, and if so, when was it last reviewed? How can you collaborate with schools to facilitate student participation in extra-curricular activities, online courses, credit recovery services, and tutoring?
<b>Graduation Program</b>	Have you talked with the student about their post-secondary goals, aspirations, and options? Is this information reflected in the student's personal graduation plan, current course selection, and graduation program?	Is the student on track to graduate, and what are the student's postsecondary education goals and plans?	What are the student's educational goals and aspirations? Are additional services available to help the student realize these goals?

This brief highlights data collected at the state level as the result of collaboration between child welfare, education, and court systems in Texas. For more information, please see:

- Child Protective Services Education Policy: [https://www.dfps.state.tx.us/handbooks/CPS/Files/CPS\\_pg\\_x15000.asp](https://www.dfps.state.tx.us/handbooks/CPS/Files/CPS_pg_x15000.asp)
- Texas Education Agency Foster Care & Student Success: <http://tea.texas.gov/FosterCare/StudentSuccess/>
- Children's Commission education site: <http://education.texaschildrenscommission.gov/>

**Suggested Citation:** Texas Blueprint Implementation Data Workgroup. (2015, November). Texas commits to transform education outcomes of students in foster care: Findings from the *Texas Blueprint* Implementation Data Workgroup. Austin, TX: Children's Commission & Child and Family Research Institute, The University of Texas at Austin.



# BUILDING COLLABORATION | LESSONS LEARNED

- Establish contacts and build relationships across systems
- Establish shared vision and goals
- Create opportunities to learn about one another's systems, agency jargon, decision-making processes, services provided, legal mandates, constraints, etc.
- Include other stakeholders and relevant partners
- Use data to track progress
- Celebrate successes and victories
- Each system provides unique insights and perspectives that are necessary for effective collaboration and improved student outcomes
- Remain open and positive
- Listen and seek understanding of what is new or unknown
- Develop strategies for collaborative work
- Identify high-level champions
- Involve youth and alumni



# Questions for Panelists?

Please submit questions in the “Q&A” box on the right of your screen.



# QUESTIONS ABOUT IMPLEMENTATION?

CONTACT US!



## SEAs & LEAs

- Send questions to ED's ESSA mailbox: [essa.questions@ed.gov](mailto:essa.questions@ed.gov)
- Contact your Office of State Support Program Officer:  
<http://www2.ed.gov/about/offices/list/oese/oss/contacts.html>

## CWAs

- The Children's Bureau (CB) provides technical assistance through the Capacity Building Center for States
  - For additional information, reach out to your Center for States Liaison -  
<https://capacity.childwelfare.gov/map>

### **For additional information, please visit our websites:**

- ED's Every Student Succeeds Act page - <http://www.ed.gov/essa>
- HHS' Educational Stability for Children and Youth in Foster Care page -  
<https://www.childwelfare.gov/topics/systemwide/service-array/education-services/meeting-needs/educational-stability/>



**Thank you!**