

Frequently Asked Questions (FAQ) related to Foster Care and ESSA

- **Question: What is ESSA and how does it relate to youth in foster care?**
 - **Answer:** ESSA stands for the Every Student Succeeds Act, which was signed into law by President Obama on December 10, 2015, which amends the Elementary and Secondary Education Act (ESEA). It includes, for the first time in federal education law, requirements that prioritize school stability and success for youth in foster care, and collaboration between child welfare and education agencies to achieve these goals.

- **Question: What does ESSA require of the State Child Welfare Agency?**
 - **Answer:** The State Child Welfare Agency must identify a Point of Contact to oversee implementation of ESSA as it relates to foster youth. They collaborate with State Educational Agency (SEA) & Local Educational Agency (LEA) Foster Care Points of Contact to ensure educational stability of foster youth, and include it as part of their case plan. The State Child Welfare Foster Care Point of Contact for Indiana is:

Melaina Gant
Department of Child Services
Director, Education Services
317.515.7331 (cell)
E-mail: melaina.gant@dcs.in.gov

- **Question: What does ESSA require of the State Education Agency (SEA)?**
 - **Answer:** The SEA must identify a Foster Care Point of Contact, which is separate from the McKinney-Vento Coordinator, and can serve as a direct point of contact within the SEA for issues related to foster youth as they pertain to ESSA. In addition, the SEA Foster Care Point of Contact will work collaboratively with the Department of Child Services (DCS) and LEA Points of Contact to ensure educational stability of children in foster care and to effectively implement and serve foster youth per the requirements of ESSA. The SEA Foster Care Point of Contact is:

Jeff Wittman
Indiana Department of Education
School Social Work & Foster Youth Specialist
Phone: (317) 234-5704
E-mail: jwittman@doe.in.gov

- In addition, the SEA must report annually on student achievement and graduation rates for students in foster care.

- **Question: What does ESSA require of the Local Education Agency?**
 - **Answer:** Each Local Education Agency must appoint a Foster Care Point of Contact for their school district / corporation. This individual will serve as the

central point of contact for any and all issues for that school district / corporation related to collaborating with DCS to determine the best interest educational placement for foster youth, coordinating enrollment of foster youth, notification of changes in placement for foster youth, and coordinating necessary transportation for foster youth. The person identified in the role of Foster Care Point of Contact for the LEA should be available to collaborate on a consistent basis due to the short timelines in which collaborative decisions must be made. For this reason, LEA's are encouraged to have backups to carry out these responsibilities when the identified Foster Care Point of Contact is unavailable (i.e. illness, vacation, maternity / FMLA leave, etc.). Each LEA should report their Foster Care Point of Contact to DCS. This list will be posted on the IDOE Foster Youth webpage at the following address: <https://www.doe.in.gov/student-services/student-assistance/foster-youth>

- **Question: How does the Indiana Department of Education (IDOE) collaborate with DCS to meet the requirements of ESSA?**
 - **Answer:** The Indiana Department of Child Services (DCS) has worked and continues to work closely with the Indiana Department of Education (IDOE) in the development and implementation of requirements related to serving foster youth as a result of ESSA. Representatives from IDOE and DCS meet at least quarterly to discuss this collaboration and ways that it can be improved in service to the goal of effectively implementing ESSA. In addition, SEA Foster Care Points of Contact participate in regular meetings with DCS Education Liaisons to facilitate open lines of communication, collaboration, and coordination as it relates to the provisions of ESSA and foster youth. IDOE has placed several of the key DCS documents related to foster youth and education on the IDOE website, in the Student Services Program area under the Foster Youth tab. IDOE and DCS also work to provide both joint and individual training around the state of Indiana on their collaboration as it relates to ESSA and foster youth.

- **Question: How does my school “collaborate” with DCS to determine best interest educational placement and transportation for foster youth?**
 - **Answer:** DCS has developed a document to assist with the collaboration process that is called the “Point of Contact Checklist.” It serves as an outline to make sure every process to determine educational best interest placement for foster youth takes into account specific criteria. The POC Checklist is initiated through a referral by DCS Family Case Manager (FCM), and then collaboratively reviewed and signed by a DCS Point of Contact Designee (Education Liaison) and by the DCS FCM. The POC Checklist is then forwarded on to Local Education Agencies (LEA's) for their review, input, and collaboration. This process is meant to be collaborative, and LEA's should utilize this format to express their viewpoint and provide input on issues impacting the best interest placement determination for each foster youth. Matters of conflicting opinion regarding best the interest educational placement of foster youth may be resolved through collaborative communication via e-mail, phone, or face-to-face meetings, which will be decided on a case by case basis utilizing the “Dispute Resolution Process”. “When a disagreement between LEA's and DCS arises, DCS will have the final decision.” (Per page 14 of the Non-regulatory guidance

document from the U.S. Department of Education and U.S. Department of Health and Human Services on June 23, 2016)

- **Question: How is the cost of transporting a foster youth per ESSA paid for?**
 - **Answer:** Once the best interest educational placement is collaboratively determined by DCS and LEA for each foster youth, the role of school of origin for the foster youth is then identified. In most situations, efforts should be made to keep the foster youth in their school of origin in order to promote educational stability. However, these determinations are made on a case by case basis. In most cases where the foster youth remains in the school of origin, that school has the primary responsibility to coordinate the transportation for the foster youth. The following should be considered:
 - Transportation of foster youth is a Title I reimbursable cost (for those schools designated as Title I schools). (See IC 20-50-3-5)
 - While school of origin has the primary responsibility to coordinate transportation for the foster youth, several options for the cost of transportation exist:
 - School of origin may decide to provide and pay for all transportation cost associated with transporting the foster youth.
 - School of origin may contact the transitional school (school district where foster home is located) to arrange to share in the provision of or cost for transporting the foster youth.
 - School of origin may contact the foster family to see if they are able to transport the foster youth to / from school, or if an agreement can be arranged to pay the foster family for this service. Foster parent refusal to transport does not exonerate school of origin from its responsibility to transport the foster youth.
 - School of origin may choose to utilize the DCS transportation plan to identify the “additional cost” associated with transporting the foster youth to keep them in their school of origin, as opposed to the cost of transporting a youth that lives within the boundaries of their school district. The school of origin may be able to work with DCS per their Written Transportation Plan to discuss possible reimbursement for “additional cost” incurred by transporting a foster youth beyond what is customary for a typical student in their district.
 - Utilization of creative transportation methods may be considered on a case by case basis.
- **Question: How long do the transportation arrangements for foster youth last per ESSA?**
 - **Answer:** Transportation arrangements for a foster youth should be maintained as long as it is in the best interest of the foster youth to remain in that school district, or until the end of the school year in which DCS returns the custody of the child to their parents / guardian, or the child is adopted. Best interest determination can be revisited, through a collaborative discussion between DCS and LEA,

whenever there is a change for the foster youth that may significantly impact the original best interest educational placement decision.

- **Question: Does the school of origin still need to provide transportation when a foster youth is sent home by DCS on a Trial Home Visit (THV) status?**
 - **Answer:** Technically, a child is still considered to be in “foster care” when DCS returns the child to their parents / guardian under that status of a Trial Home Visit (THV). It is not until DCS returns custody of the child to the parents / guardian and the court closes the DCS case, that the child will no longer be considered a foster youth. However, per DCS process, the best interest determination will be reviewed at the time the child is sent home on THV status, as this is considered a change of placement for the youth.

- **Question: How soon should a foster youth be enrolled in school once they are placed or there is a change in foster care placement? How long should it take to arrange and implement transportation?**
 - **Answer:** Foster youth are to be enrolled in the school that is identified as being the best interest educational placement, as quickly as possible. Time is of the essence due to the number of educational disruptions and changes that foster youth often experience. Therefore, enrollment and / or transportation of a foster youth should take no more than 5 instructional days. This takes into consideration the date the student is presented for enrollment by DCS or a foster parent, to the school of educational best interest placement, and finally for the transportation to be arranged and implemented.

- **Question: Who can make educational decisions for a foster youth in school?**
 - **Answer:** While DCS should be included, a foster parent who has current placement of the youth in their home by DCS, or the biological parent(s), whose rights are still intact.

- **Question: What documentation is required to enroll a foster youth in school?**
 - **Answer:** A student identified as a foster youth should require nothing more than a representative of DCS presenting their appropriate identification and presenting the youth for school enrollment, or a foster parent presenting a placement verification letter from DCS, along with their identification, and presentation of the youth for enrollment. Additional documentation, including immunization records, school academic and behavioral records, IEP, etc. are nice to have, but not required for enrollment. All additional documentation can be attained once the child is enrolled and attending school.

- **Question: What is the difference between a DCS Family Case Manager and Education Liaison?**
 - **Answer:** DCS has a number of different roles for staff that may come in contact with a youth in foster care. The Family Case Manager (FCM) is the DCS staff person from a local DCS office, who is knowledgeable about the details of the circumstances surrounding the need for placement, and whom is responsible for the ongoing monitoring and coordination of the overall details of that particular

child's case. Those in the role of an FCM may have a variety of educational backgrounds, from an undergraduate degree to an advanced degree, with experience levels ranging from this being their first job after graduating school, to someone who has decades of experience in the area of child welfare. An individual in the role of Education Liaison (EL) with DCS are Indiana licensed teachers, administrators, or school social workers. They have an intimate knowledge and understanding of educational rules, regulations, and jargon, which allow them to effectively advocate on behalf of a student in foster care. An EL will also be involved in the process of determining educational best interest for a foster youth as it pertains to ESSA. A DCS Education Liaison may have some knowledge of ongoing details related to the placement of the foster child, but defers to the judgement and involvement of the FCM on the case for all matters but those related to the education of the foster youth.

- **Question: When a child is placed in residential care and attending school on the grounds of the institution where they are living and receiving treatment, and they are not a Title I funded public school corporation, does DCS collaborate with the public school the youth attended prior to attending the residential center's school, or do they work directly with the school where the child is going to be placed after residential?**
 - **Answer:** A private school on the grounds of a residential center would not usually be considered a school of origin after a child attended their educational program. The school of origin would revert back to the last public school the foster youth attended, prior to being placed in residential care.

- **Question: Is a public school corporation that provides pre-school programming, required by ESSA to pay for / provide transportation to / from school if a foster youth is attending school there?**

Answer: Yes. Transportation is a central component of educational stability and may be needed in order to fulfill the requirements that ensure educational stability for children in foster care. If an LEA offers a public preschool education, an LEA must meet the Title I requirements for children in foster care in preschool, including ensuring that a child in foster care remains in his or her preschool of origin, unless a determination is made that it is not in the child's best interest. (See ESEA section 1111(g)(1)(E)).

- **Question: Are all fees waived for foster youth (i.e. free and reduced lunch, book & supply fees, uniform purchase, etc.) who are attending school?**
 - **Answer:** A school system cannot legally collect fees charged for a foster youth associated with the Free / Reduced Lunch Program, textbooks, supplies, other required class fees, or alternative education enrollment fees / tuition. This includes hardware, computer software, or digital content.
 - Fees associated with the repair or replacement of textbooks, devices, or musical instruments *only*, will now be paid directly to the school corporation by DCS. DCS requires foster parents to purchase insurance if offered by the school, for any school issued devices. DCS will

reimburse the foster parent for the cost of the insurance and deductible.
This is per DCS policy 8.20

- Note: DCS, Foster Parents, School staff may consider checking on the school availability of device insurance, and if it is already in effect for your particular situation.
- **Question: What about costs associated with pre-K services, and possibly those related to an IEP for Special Education needs?**
 - **Answer:** Special education and related services for children with disabilities must be provided beginning on the child's third birthday.