

## DEPARTMENT OF SOCIAL SERVICES

## CHILDREN'S DIVISION

P. O. BOX 88

JEFFERSON CITY, MISSOURI

SEPTEMBER 9, 2013

## M E M O R A N D U M

<p><b><u>What's Inside:</u></b> Educational success of children and youth in foster care</p>
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TO: REGIONAL EXECUTIVE STAFF, CIRCUIT MANAGERS, AND CHILDREN'S DIVISION STAFF

FROM: CANDACE A. SHIVELY, CHILDREN'S DIVISION DIRECTOR

SUBJECT: A COLLABORATION TO STRENGTHEN EDUCATIONAL SUCCESSES OF CHILDREN AND YOUTH IN FOSTER CARE

## DISCUSSION:

A quality education is critical to any child's well-being and future success. For youth in foster care, a quality education depends on the involvement and support of the courts, child welfare, and education agencies. The purpose of this memorandum is to provide guidance for strengthening our collaborative efforts regarding educational stability and continuity for all children in foster care who receive educational services.

Children's Division (CD), Department of Elementary and Secondary Education (DESE), and Office of State Court Administrators (OSCA) can help a foster youth succeed in school by working together to provide support and services through transitions, sharing information, evaluating the youth's progress over time, and building knowledge and skills in the parents and caregivers.

**Transportation**

[Fostering Connections](#) and the [Missouri Foster Care Education Bill of Rights](#) require state child welfare agencies to coordinate with schools to improve educational stability for children in foster care. Children's Division staff along with local school districts should work together to ensure children remain in their school of origin at the time of placement into foster care and at each subsequent placement. If Children's Division, in collaboration with the school, determines the child should remain in the same school, despite the change in child's placement, the Children's Division should coordinate with the school district to ensure necessary transportation is provided in an efficient and cost-effective manner.

Based on the location of the resource provider, the school district may be willing to provide transportation. Department of Elementary and Secondary Education provides some options for the family support team to consider, including:

1. The school bus of the foster child's home district travels to the home of the foster parent to pick up the child. These miles would be considered eligible miles for the school district to include in their allowable cost for state aid.
2. The resource provider provides transportation and receives reimbursement for mileage from the school district. School districts can include this as an allowable cost for state aid.
3. The resource provider meets the school bus at the boundary line of the school district. Please note school districts may or may not provide mileage reimbursement.
4. The school district contracts with an individual, besides the foster parent, to transport the child to their home school district. This would be an allowable cost for state aid for school districts.
5. The resource provider provides transportation with no reimbursement for mileage from the school district.

In the event the school is unable or unwilling to provide or fund the transportation for the child to remain in their school district, the resource provider should be approached about providing this transportation. Mileage reimbursement for transportation costs will be given to resource providers transporting foster children to their school of origin if it is different from the district where the foster parent resides.

### **Special Services**

We must be vigilant in ensuring foster youth receive special education services when needed. A key issue is determining whether the youth needs an educational decision-maker. The Individuals with Disabilities Education Act (IDEA) prohibits the Division from acting as the educational decision-maker for foster youth with disabilities, thus, the educational decision-maker is the resource provider who will act as the parent while the youth is in foster care. The resource provider should present information regarding the youth's educational opportunities to the Family Support Team (FST). The educational plan is developed by the FST.

For youth with disabilities in residential facilities, the Children's Service Worker is to "act as the parent" in making educational decisions until DESE can appoint a "surrogate parent." The educational surrogate should be invited to the FST meetings to share educational information regarding the youth.

### **Communication**

Children's Division, DESE, and OSCA are responsible for ensuring youth in foster care have school stability. Everyone must work together in both formal and informal ways to be successful in making certain every foster youth's educational needs are being met.

[The Uninterrupted Scholars Act](#) was enacted on January 14, 2013. The law is designed to facilitate the availability of school records to child welfare workers who are working

with children placed into foster care. The measure will help ensure school records, including Individualized Education Programs (IEPs), are transferred quickly when children wind up in a different school due to a foster care placement. The bill amends the Family Educational Rights and Privacy Act (FERPA). The legislation is designed to eliminate inadvertent obstacles to information-sharing between education and child welfare agencies.

The legislation allows education agencies to release education records to child welfare staff or other representatives of a state or local child welfare agency or tribal organization.

**Local Collaboration**

We are asking for your assistance by joining together with your local partners: Children’s Division, juvenile office, school district, and court officials to ensure all foster youth have their educational needs met and to coordinate efforts when needed.

We appreciate your efforts to ensure foster youth have their educational needs assessed and to make certain foster youth receive services to meet their identified needs.

<b>NECESSARY ACTION</b>	
<ol style="list-style-type: none"> <li>1. Review this memorandum with all Children’s Division staff.</li> <li>2. All questions should be cleared through normal supervisory channels and directed to:</li> </ol>	
<b>PDS CONTACT</b> Crystal Wilson 573-522-9306 <a href="mailto:Crystal.L.Wilson@dss.mo.gov">Crystal.L.Wilson@dss.mo.gov</a>	<b>PROGRAM MANAGER</b> Christy Collins 573-751-9603 <a href="mailto:Christy.Collins@dss.mo.gov">Christy.Collins@dss.mo.gov</a>
<b>CHILD WELFARE MANUAL REVISIONS</b>	
N/A	
<b>FORMS AND INSTRUCTIONS</b>	
N/A	
<b>REFERENCE DOCUMENTS AND RESOURCES</b>	
N/A	
<b>RELATED STATUTE</b>	
<a href="#">House Resolution 6893, Fostering Connections to Success and increasing Adoptions Act P.L. 110-351</a> <a href="#">Missouri Foster Care Education Bill of Rights</a> <a href="#">The Uninterrupted Scholars Act</a>	
<b>ADMINISTRATIVE RULE</b>	
N/A	

**COUNCIL ON ACCREDITATION (COA) STANDARDS**

PA-CM 4 [Service Planning and Coordination](#)

**CHILD AND FAMILY SERVICES REVIEW (CFSR)**

Item 21, [Educational Needs of Children](#)

**PROTECTIVE FACTORS -(N/A)**

Parental Resilience

Social Connections

Knowledge of Parenting and Child Development

Concrete Support in Times of Need

Social and Emotional Competence of Children

**FACES REQUIREMENTS**

N/A