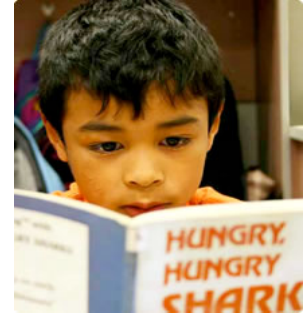


Child Welfare Agency “Point of Contact” for School Districts

What is a “Point of Contact”?

In December 2015, the President signed the *Every Student Succeeds Act* (ESSA) into law. ESSA contains key protections for students in foster care that complement the educational stability provisions of the 2008 *Fostering Connections to Success and Increasing Adoptions Act* (Fostering Connections). Among other things, ESSA requires that school districts appoint “Points of Contact” for students in foster care, *if* the corresponding child welfare agency does so. The federal Departments of Education and Health and Human Services have highly encouraged child welfare agencies to designate ESSA “Points of Contact,” which then triggers the requirement that school districts do so, too.



School of Origin

The student has a right to remain in their school of origin, even if they move to a different home placement, unless it is not in their best interest to do so.



Immediate Enrollment and Records Transfer

If the student changes schools, they must be enrolled immediately, even without required records. The enrolling school must immediately contact the prior school for academic and other records.

Transportation to School of Origin

School districts and child welfare agencies must work together to ensure the student receives transportation for the duration of their time in foster care.



Rights of and Protections for Students in Foster Care Under ESSA

What are the first steps I can take to get started as the “point of contact” (POC)?

- ✓ Ensure that your agency has notified school districts of your appointment as the agency’s “point of contact.” You can find an easy-to-use template for this notification letter on page 28 of this document: <https://www2.ed.gov/policy/elsec/leg/essa/edhhsfostercarenonregulatorguide.pdf>.

- ✓ Identify and reach out to the school district's POC. At your first meeting, review any existing MOUs, policies, or procedures, and set a recurring meeting time.
- ✓ Meet with your agency leadership to learn about existing policies or plans in place related to the educational needs of students in foster care. Learn the process to amend these policies or develop new ones. Ask about resources available for providing training and support to agency staff around educational issues.



What can I do in my role as the POC regarding the student's right to remain in their school of origin?

- Work with the district POC to ensure the district has developed and implemented effective procedures for "best interest determinations."
- Manage child welfare social workers' participation in "best interest determination" processes.



What can I do in my role as the POC regarding the student's right to transportation to their school of origin?

- Collaborate with the district to develop and implement a transportation plan, to ensure that all students in foster care receive transportation to their school of origin. The plan should address how additional costs will be covered or shared by the district and child welfare agency, how disputes will be resolved, and who will fund the transportation while these disputes are being resolved, to avoid any gaps in transportation.
- Follow up with individual students in foster care, if possible, to determine whether transportation plans have gone into effect smoothly after they change home placements.



What can I do in my role as the POC regarding the student's right to immediate enrollment and records transfer?

- Help facilitate the records transfer process, including the transfer of immunization/ medical records, and copies of educational records such as IEPs and Section 504 Plans.



What can I do as the POC to support the educational success of students in foster care, generally?

- Be your agency's point person for communication and coordination with district and school staff and other education service providers.
- Work with the district POC to establish a process for notifying the district when one of their students has been placed in foster care and/or has a change in home placement.
- Partner with the district POC to create a streamlined process for ensuring social workers can access the school records of the students they are working with, and make sure social workers know how to request records.
- Offer social workers and other child welfare agency staff opportunities to learn about the educational needs of students in foster care, such as by providing trainings on the educational stability provisions of ESSA and Fostering Connections, special education laws and processes, and trauma-informed learning.
- Offer to provide district and school staff trainings about how the child welfare system works, the impact of trauma, and the specialized needs of students in foster care.
- Encourage social workers to actively participate in education teams created to support students with whom they are working. Also encourage them to regularly discuss the student's education with the student and other supportive adults in the student's life.
- Coordinate access to early education services, like Head Start, Early Head Start, and preschool programs operated by the state or district.

Thank you for all you are doing to help students in foster care succeed.

For more information, contact FosterEd New Mexico Director Grace Spulak at gspulak@youthlaw.org.