

Educational Stability and Continuity for Children in Substitute Care

Requirements

- The agency must assure that each child receiving a title IV-E payment who has attained the age for compulsory school attendance is a full-time elementary or secondary student in a school; in an authorized independent study program; or is being home schooled consistent with the requirements of Ohio Revised Code.
- When a child is being removed from his or her own home *or being moved from one placement to another placement*, the agency is required to develop a written plan for ensuring the educational stability of the child in care.
- The educational stability plan must be developed jointly with the child's parents or guardians in accordance with the time frames for completion of a case plan, and include both of the following:
 1. An assurance that the child's placement takes into account the appropriateness of the current educational setting and the proximity to the school the child was enrolled in at the time of placement.
 2. An assurance that the agency has coordinated with the local education agency or agencies to ensure the child can remain in that school, unless remaining in that school is not in the child's best interest.
- If the agency determines it is not in the child's best interest to remain in the same school, the rationale for that decision must be documented in the child's educational stability plan and the child must be immediately enrolled in a new school with all of his or her educational records.
- The educational stability plan must be part of the child's case plan or amended case plan. The JFS 01443, "Child's Education and Health Information" form, is used to fulfill this requirement. The form, also commonly referred to as the "Med and Ed" form, must be completed at the time of a child's removal and updated at the time of each SAR or case plan amendment.
- If a child is incapable of attending school full-time due to a medical condition, the agency must document this in the child's educational stability plan. The agency must update the child's medical condition, and its continued impact on his or her ability to attend school full-time, whenever the JFS 01443 is updated or amended.

Purpose

Maintaining a child in the same school he or she attended at the time of placement supports continuity and stability of the child's education program and promotes better outcomes for children in care.

Individual outcomes that can be achieved by maintaining a child in his or her school setting include, but not are limited to:

- Elimination potential interruptions in school attendance due to re-enrollment processes and transfer of education records.
- Increased ability for the child to actively participate in school activities.
- Sustained relationships and bonds with teachers, mentors and other students.
- Preservation of relationships with friends and educators who may provide support and encouragement for the child.

Systemic outcomes for children in substitute care that may also be positively impacted by maintaining children in their original school settings include, but are not limited to:

- Reducing the achievement gap between children in foster care and other groups of children.
- Reducing rates of school dropouts, truancy, and disciplinary actions.
- Increasing educational achievements and outcomes for children in care.
- Increasing the number of foster children successfully graduating from secondary schools.
- Instilling a sense of belonging with less disruption in their lives.
- Decreasing the number of children in care who fall behind academically.
- Reducing unnecessary school moves for children in foster care.

Strategies for Accomplishing

In addition to the parents and child (if age appropriate), the agency should consider engaging the following individuals, groups or agencies in development of the child's educational stability plan:

- District and on-site school personnel, including teachers and tutors
- District and on-site school special education staffs
- School district transportation staffs
- Foster parents, caregivers, or group home staff providing care for the child
- The local Family and Children First Council
- Juvenile Court staff (e.g., probation officer)
- Attorneys for the child, parent, agency and school district, and the child's Court Appointed Special Advocate (CASA) or guardian *ad litem*
- Relatives, kin, mentors or other individuals with whom the child has a significant relationship at the invitation of the child's parents

Accommodations must be made when involving individuals with impairments including, but not limited to, hearing or visual disabilities, and limited English proficiency.

Things to Consider

In determining whether remaining in the same educational setting is in the child's best interest, consider:

- Safety issues both in the school setting and with respect to parents' knowledge of the child's location during school
- The child's social and emotional development
- The impact of changing schools in addition to removal
- The child's involvement in school-sponsored programs and extracurricular activities

To the degree that it is possible and appropriate, it may be helpful to develop standard operating procedures or a memorandum of understanding with each of the local school districts outlining expectations, roles and responsibilities for each agency. The procedures should help all parties to clearly understand time frames and expectations for participation in decision making regarding children in agency custody.

Know each school district's contact person and his or her contact information in order to ensure prompt collaboration and coordination of services for children in agency custody.

Resources

Applicable Ohio Administrative Code Rules:

5101:2-39-01 Removal of a Child from His or Her Own Home.

5101:2-38-08 Child's Education and Health Information.

5101:2-38-05 PCSA Case Plan for Children in Custody or Under Protective Supervision.

5101:2-47-01 Administration of Title IV-E Foster Care Maintenance Program

<http://emanualstest.odjfs.state.oh.us/emanuals/>

Federal Guidance and Legal Resources:

Fostering Connections To Success and Increasing Adoptions Act 2008, P.L. 110-351:
http://www.fosteringconnections.org/tools/assets/files/Public_Law_110-351.pdf

Implementation of Fostering Connections (HHS):
http://www.acf.hhs.gov/programs/cb/laws_policies/implementation_foster.htm

Foster Care and Education Q and A (ABA Center on Children and the Law)
http://www.americanbar.org/content/dam/aba/migrated/child/education/publications/ga_fostering_connections_final.authcheckdam.pdf

Foster Care and Education Issue Brief (ABA Center on Children and the Law)
http://www2.americanbar.org/BlueprintForChange/Documents/school%20stability_best_Interest.pdf

Other Information and Resources:

Additional articles and state level information on implementation of Fostering Connections: <http://www.fosteringconnections.org>

National Resource Center for Permanency and Family Connections
http://www.nrcpfc.org/fostering_connections/education.html

Child Welfare Information Gateway: <http://www.childwelfare.gov/>