



Children's Defense Fund The Fostering Connections to Success in Education Amendment Promotes Educational Stability for Children in Foster Care *Amendment Added to HELP Committee's ESEA Reauthorization Bill*

October 25, 2011

On October 20th the Senate Health, Education, Labor and Pensions (HELP) Committee accepted, by a vote of 13-9, Senator Al Franken's Amendment to promote educational stability and success for children in foster care through changes to Part A of Title 1 of the Elementary and Secondary Education Act (ESEA). HELP Committee Chairman Tom Harkin has announced that he wants to get the ESEA Reauthorization Bill to the floor by Thanksgiving, although House action is uncertain. The amendment places obligations on school districts that complement those already placed on child welfare agencies in the 2008 Fostering Connections to Success and Increasing Adoptions Act.

The ESEA Reauthorization Bill promotes educational stability for children in foster care by requiring school districts and child welfare agencies to collaborate to ensure that:

- Children, when it is in their best interest, remain in their original school when they enter foster care, move from one foster care placement to another, or leave care during a school year.
- When it is not in children's best interest to remain in the same school, children will be immediately enrolled in a new school and the child's school records will be maintained and made available in a timely fashion and immediately transferred to the new school.
- A child in foster care who must change schools is assisted in transferring and recovering credits so that he or she can remain on track to receive a secondary school diploma.

The Bill requires efforts by school districts and child welfare agencies to help ensure children in foster care benefit from the protections provided above:

- Within a year of the law's enactment the state educational agency and state child welfare agency must develop an agreement to ensure transportation for children to and from their school of origin when it is in their best interest to remain there. The agreement must include, but not be limited to, a description of how foster care maintenance payments can be used for this purpose and how transportation will be maintained for children who leave foster care before the end of the school year.
- Designation of a point of contact by local and state educational agencies that receive Title 1 funds to assist local and state child welfare agencies in providing educational stability for children in foster care. To assure this requirement does not overburden the liaisons and State Coordinator for education of homeless children and youth under the McKinney-Vento Act, those individuals cannot serve as the point of contact unless they have the capacity, resources and time to serve in both roles. The bill also requires local education agencies to reserve such Title I funds as are necessary to serve foster children and provide points of contact in local educational agencies for child welfare agencies and children in foster care.
- A description by the state and local educational agencies about how they plan to meet the obligations above.
- Inclusion of data on children in foster care.

Deletes the reference to children "awaiting foster care placement" in the McKinney-Vento Act, assuming the provisions described above will result in the education and child welfare agencies ensuring educational stability for children in foster care.