

## **The Need for Federal Education Law to Support Educational Stability and Success for Children in Foster Care**

**RIGHT TO REMAIN IN THE SAME SCHOOL:** Federal law should require that children remain in their same school when they enter care and change placements provided it is in their best interest. Children in foster care frequently change schools – when they originally enter foster care and when they later move from one foster care living arrangement to another. Children who change schools frequently make less academic progress than their peers. They fall farther and farther behind with each change. These moves contribute to low test scores and academic achievement, and high drop-out rates. Instability makes it difficult for children to develop supportive relationships with teachers or peers. Federal law already requires child welfare agencies to collaborate with education agencies to ensure school stability when it is in the child’s best interest, but there is no complementary obligation on education agencies. In many jurisdictions, schools want to keep children enrolled in the same school but face residency codes or funding schemes that make it challenging to do so. Homeless children have the right in federal law to remain in the same school even when moved to a different attendance area. It is possible, and children in foster care deserve this important right.

**RIGHT TO IMMEDIATE ENROLLMENT IN SCHOOL:** Federal law should ensure that children can enroll immediately when a school change is necessary. Children in foster care frequently face delays in school enrollment, often because of delays in sending school records, missing or incomplete records or the failure to meet requirements for enrollment, such as proof of immunizations. Schools already have a blueprint for how to support immediate enrollment, as this right is established for homeless children through the McKinney-Vento Act.

**DISTRICT AND SCHOOL DATA ON CHILDREN IN FOSTER CARE:** Federal law should promote the collecting, evaluating, and sharing of information on the education of children in foster care can help improve educational outcomes. Data can be useful in preventing individual children from falling behind and can help shape education and child welfare policies, programs and practices for children in foster care. Currently too little such data and information sharing exists. While federal child welfare law requires education records be in the child’s case file, federal education law does not require that data be disaggregated by foster care status. While individual states and researchers have compiled and analyzed rich information, all states should be encouraged to use effective data collection approaches to better understand the needs and success of children in foster care.

**ENSURING CREDIT FOR SCHOOL WORK COMPLETED:** Federal law should require that credits children in foster care receive travel with them and are recognized when school moves are necessary. More than half of children in foster care change schools while in care. More than a third of youth ages 17-18 in foster care have changed school at least five times. Frequently, these moves don't coincide with natural breaks in the school calendar. Often children in care receive no credit for work already completed. As a result, many end up repeating courses and grades, and sometimes, ultimately, dropping out of school because they are missing credits as graduation approaches. States and school districts should be required to ensure that children in foster care receive credit for work completed and that such credits are accepted as children move from school to school and district to district.

**HELP FROM A POINT OF CONTACT:** Federal law should require school districts to have points of contact designated to assist children in foster care get the education they need. Points of contact play a vital role in helping children in care – by making it easier to identify a child's educational needs, making sure the child is receiving the necessary supports and services to ensure educational success, and ensuring children are transferred promptly, receive credits, and have transportation to school. For children changing schools frequently, a point of contact in the school district can play a critical role in connecting the child with his or her new school community. They can also support interagency collaboration and training.

**PROVIDING NEEDED TRANSPORTATION:** Federal law should require child welfare and education agencies to develop a plan for requiring local child welfare agencies and school districts to share transportation costs when transportation needs cannot be met by existing systems. Not every child in foster care requires transportation to remain in their current school. For some children, transportation can be provided at low or no cost. However, some children will need transportation to a new school or school district. Without a clear obligation on the child welfare or education agency to provide transportation, children are deprived of school stability. Arrangements often are best made at the local child welfare agency and school district level and a collaborative state plan can help ensure that happens.