

Foster Care & Education

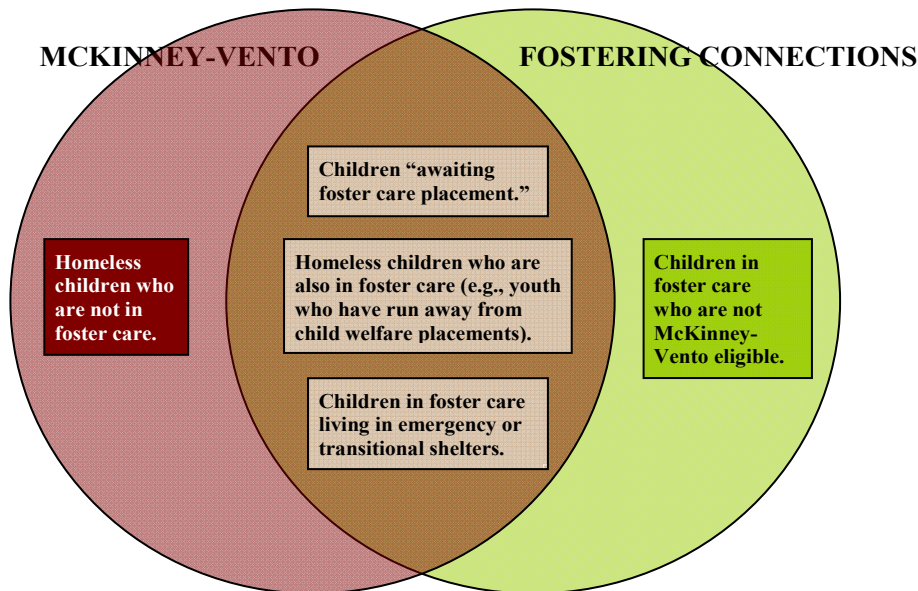
Q&A

HOW FOSTERING CONNECTIONS AND MCKINNEY-VENTO CAN SUPPORT SCHOOL SUCCESS FOR ALL CHILDREN IN OUT-OF-HOME-CARE

Current education law, the McKinney-Vento Homeless Assistance Act (McKinney-Vento), has been providing education stability for some children in out-of-home care. A child welfare law, the Fostering Connections to Success and Increasing Adoptions Act (Fostering Connections), also supports education stability for all children in out-of-home care. Both laws recognize the need for school stability and continuity for these highly mobile children. However, each provides a different set of rights and responsibilities. This fact sheet provides a brief overview of the overlap between the two laws, and the critical importance of collaboration between the education and child welfare systems to appropriately serve the needs of children in out-of-home care.

Q: Who is eligible under each law and can some children be eligible under both?

A: The diagram at right demonstrates that those children eligible under the McKinney-Vento Act and Fostering Connections Act may overlap. For example, if a child is in out-of-home care and also meets the definition of awaiting foster care placement, both Fostering Connections and McKinney-Vento apply. State laws may also apply. The application of one law does not diminish the rights provided by the others. Rather, each law adds a layer of rights and protections for children, based on their circumstances and needs.



Q: What education rights do the Fostering Connections Act and the McKinney-Vento Act provide for children in out-of-home care? Who is eligible? How do the two laws overlap?

A: The chart on page 2 summarizes the education rights available under each law, who is eligible, and the overlap between the laws in terms of rights and who is covered.



Rights and Eligibility Under the McKinney-Vento and Fostering Connections Acts

LAW	WHO'S ELIGIBLE	RIGHTS				
		Remain in School	Transportation	Immediate Enrollment	Expedited Record Transfer	Designated Staff Resource
McKinney-Vento Homeless Assistance Act	Homeless children, including: children in emergency or transitional shelters, unaccompanied homeless youth, or those “awaiting foster care placement” as defined by state or school district policy or at the discretion of the McKinney-Vento Liaison.	If in their best interest, children are entitled to remain in their school of origin unless their parent disagrees.	LEAs are required to provide or arrange transportation to the school of origin. (When disputes between LEAs arise, they must split the cost.)	Schools must enroll children immediately, even without typically required documents (e.g. birth certificate, immunization record).	Schools must maintain records so they are available in a timely fashion when a child enters a new school or school district.	Every SEA has a McKinney-Vento State Coordinator and every LEA must designate a McKinney-Vento Liaison.
Fostering Connections to Success and Increasing Adoptions Act of 2008	Every child in out-of-home care.	Unless not in the child’s best interest, the child welfare agency must work with the education agency to ensure child can remain in their school at the time of placement. ¹	No specific mandate, ² but for IV-E eligible children in out-of-home care, “foster care maintenance payments” may include reasonable transportation to a child’s school.	When staying in the same school is not in the child’s best interest, child welfare and LEAs must provide immediate and appropriate enrollment in a new school, with all of the education records of the child provided to the school.	When staying in the same school is not in the child’s best interest, child welfare and LEAs must provide immediate and appropriate enrollment in a new school, with all of the education records of the child provided to the school.	Not specified.
McKinney-Vento AND Fostering Connections	Children in out-of-home care who are McKinney eligible including: children in emergency or transitional shelters, unaccompanied homeless youth, and those “awaiting foster care placement.”	Unless not in the child’s best interest, the child welfare agency and the McKinney Vento liaison must work together to ensure child remains in the school of origin. ³	Unless another state or local agreement exists between education and child welfare, LEA must provide transportation.	Child welfare agency and education agency must work together to ensure immediate enrollment, even without typically required documents.	Child welfare agency and education agency must work together to expedite record transfers.	Child welfare agency caseworker and liaison must work together to provide for all of the child’s rights under both Acts.

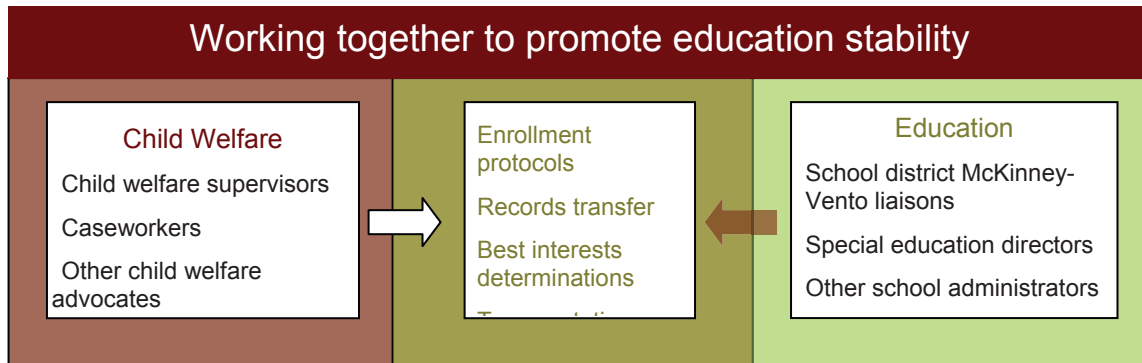
¹ The 2011 Child and Family Services Improvement and Innovation Act clarified in statute that the school stability requirements of Fostering Connections apply at a child’s *initial* placement into foster care, as well as any *subsequent* placement changes. Previous guidance had *encouraged* this, but now it is absolutely clear that the requirements apply throughout the time the child is in care.

² While not explicit in the statute, legislative intent of providing children in foster care with school stability and continuity implies that child welfare’s responsibility to “ensure” school stability for children in foster care, consistent with their best interest, includes providing transportation to the child’s school when necessary and appropriate.

³ While both child welfare agencies and McKinney-Vento liaisons must determine what is best for the child (and best practice would suggest making those decisions collaboratively), if the child is being found eligible under McKinney-Vento, the McKinney-Vento liaison oversees the final decision. If disagreement occurs, the McKinney-Vento dispute procedures can be followed.

Q: How should child welfare advocates navigate the two laws?

A: Fostering Connections, McKinney-Vento, and other federal and state education and child welfare laws must work together to support students in out-of-home care. Initially, advocates should determine which federal and state laws and policies apply to a particular child. Advocates should then ensure the child receives the protections of *all* applicable laws.



To ensure proper implementation of federal and state laws for children in out-of-home care, child welfare supervisors, caseworkers, and other advocates should meet with school district McKinney-Vento liaisons, special education directors, and other administrators. Meetings should address topics such as best interest determinations, transportation plans, enrollment protocols and record transfers. Communication and collaboration among education and child welfare professionals are critical to support school success for children in out-of-home care.

Q: Does Fostering Connections impact eligibility for McKinney-Vento protections for children in out-of-home care?

A: No. The passage of Fostering Connections, a child welfare law, does not change the rights and protections of McKinney-Vento. Children in out-of-home care may continue to be eligible under McKinney-Vento if they are living in transitional or emergency shelters, are “awaiting foster care placement,” or are unaccompanied homeless youth.

Q: How should best interest school selection decisions be made under Fostering Connections and McKinney-Vento and who should make these determinations?

A: The passage of Fostering Connections, a child welfare law, does not change in any way the best interest determination for children who qualify for McKinney-Vento. This decision is still made by the McKinney-Vento liaison. Just as before, best practice suggests that the McKinney-Vento liaison should gather information about a child from the child, foster parent, child’s caseworker and child advocate or attorney in making a best interest determination. While the input of a caseworker is very critical in making a best interest determination under the McKinney-Vento Act, it is only the McKinney-Vento liaison and parent who will ultimately make this decision.

However, when a child in out-of-home care is not eligible for McKinney-Vento, the rights of Fostering Connections still apply. As such, it may be the child welfare agencies’ responsibility to make the best interest determinations. Best practice would suggest that education agency staff should be consulted in making these decisions.

Q: What is the role of the parent in making education decisions?

A: Unless a court has limited a parent's education rights, the parent continues to be the decisionmaker for all special and general education decisions. This is true under both Fostering Connections and McKinney-Vento.

Q: How is transportation covered under both laws?

A: Children in care who are eligible under McKinney-Vento and require transportation to remain in their schools of origin are still entitled to transportation under McKinney-Vento by the education agency. However, child welfare agencies should collaborate to support these efforts as much as possible. For children in care not eligible under McKinney-Vento, child welfare agencies may use IV-E foster care maintenance or administrative dollars to support transportation to keep children in the same school. While this is an allowable reimbursement, it is not mandatory. However, since the agency is required to ensure that when in a child's best interest he or she remains in the same school, providing transportation will often be necessary to comply with this requirement.

Resources

The following organizations provide these additional resources on the McKinney-Vento and Foster Connections Acts:

The Legal Center for Foster Care and Education

www.abanet.org/child/education

- *Q&A: Fostering Connections to Success and Increasing Adoptions Act* (outlines the Act's education provisions)
- *Implementation Guide* (helps states implement the education provisions of the Act)
- Fostering Connections Implementation Issue Brief Series (covering such topics as Best Interest Determinations, Transportation, and Collaborating with Schools)

All available at:

http://www.americanbar.org/groups/child_law/projects_initiatives/education/state_implementation_to_olkit.html

The National Association for the Education of Homeless Children and Youth (NAEHCY)

www.naehcy.org

- *The McKinney-Vento Act and Children and Youth Awaiting Foster Care Placement: Strategies for Improving Educational Outcomes Through School Stability*
www.abanet.org/child/education/publications/stability.html

The National Center for Homeless Education (NCHE)

www.serve.org/nche

- *Best Practices in Homeless Education* (fact sheet about how to determine best interest)
www.serve.org/nche/downloads/briefs/sch_sel_checklist.pdf
- *Clearing the Path to School Success for Students in Out-of-Home Care*
www.serve.org/nche
- *Homeless Education Issue Briefs*

School Selection for Students in Out-of-Home Care

Introduction

The **Legal Center for Foster Care and Education** and the **National Center for Homeless Education** present this brief to provide a framework for local homeless education liaisons, educators, child welfare caseworkers, and other child welfare advocates for assessing best interest when selecting a school for students in out-of-home care. While the brief focuses on students “awaiting foster care placement” under the McKinney-Vento Act, it provides information relevant to school selection and school stability for all children and youth in out-of-home care.

Two federal laws give children and youth in out-of-home care certain rights to remain stable in one school despite changes in their living placement: The **McKinney-Vento Homeless Assistance Act** and the **Fostering Connections to Success and Increasing Adoptions Act**.

Legal Background: The McKinney-Vento Act

The McKinney-Vento Act guarantees eligible children the right to continue attending their school of origin despite changes in their living situation.¹ Children and youth “awaiting foster care placement” are eligible for services under the McKinney-Vento Act. While the McKinney-Vento Act does not define this term further, some states have created policies to provide its districts with more specific guidance on serving this population. Contact your State Coordinator for Homeless Education to see if further state-level policy or guidance can be provided; contact information is available at http://www.serve.org/nche/states/state_resources.php. For the full McKinney-Vento definition of “homeless,” see the panel to the right.

¹ McKinney-Vento Homeless Assistance Act, Subtitle VII-B: 42 USC 11432(g)(3) (A)-(B).



Who is homeless?

(McKinney-Vento Homeless Assistance Act of 2001 – Title X, Part C of the No Child Left Behind Act – Sec 725)

The term “homeless children and youth”—

- A. means individuals who lack a fixed, regular, and adequate nighttime residence...; and
- B. includes —
 1. children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
 2. children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings...
 3. children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
 4. migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

School Selection Under McKinney-Vento

The McKinney-Vento Homeless Assistance Act guarantees children and youth experiencing homelessness the right to attend one of two schools: the school of origin or the local attendance area school.

“The local educational agency [LEA or school district] serving each child or youth to be assisted under this subtitle shall, according to the child’s or youth’s best interest-

- i. continue the child’s or youth’s education in the school of origin for the duration of homelessness-
 - I. in any case in which a family becomes homeless between academic years or during an academic year; or
 - II. for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or
- ii. enroll the child or youth in any public school that nonhomeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.”

[M-V: 722(g)(3)(A)]

Schools Defined Under McKinney-Vento

School of Origin: “The school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled”

[M-V: 722(g)(3)(G)]

Local Attendance Area School: “Any public school that nonhomeless students who live in the attendance area in which the child or youth is actually living are eligible to attend”

[M-V 722(g)(3)(A)(ii)]

Best Interest Under McKinney-Vento

“Best Interest—In determining the best interest of the child or youth under subparagraph (A), the local educational agency shall—

- i. to the extent feasible, keep a homeless child or youth in the school of origin, except when doing so is contrary to the wishes of the child’s or youth’s parent or guardian;
- ii. provide a written explanation, including a statement regarding the right to appeal under subparagraph (E), to the homeless child’s or youth’s parent or guardian, if the local educational agency sends such a child or youth to a school other than the school of origin or a school requested by the parent or guardian; ...”

[M-V 722(g)(3)(B)]

U.S. Department of Education: Education for Homeless Children and Youth Program Guidance

"G-4. What should a school district consider when determining the extent to which it is feasible to educate a homeless child in his or her school of origin?"

As stated above, to the extent feasible, a district must educate a homeless child or youth in his or her school of origin, unless doing so is contrary to the wishes of the parent or guardian. The placement determination should be a student-centered, individualized determination. Factors that an LEA may consider include the age of the child or youth; the distance of a commute and the impact it may have on the student's education; personal safety issues; a student's need for special instruction (e.g., special education and related services); the length of anticipated stay in a temporary shelter or other temporary location; and time remaining in the school year."

(Education for Homeless Children and Youth Program Non-Regulatory Guidance, July 2004)

Legal Background: The Fostering Connections Act

In addition to the McKinney-Vento Act, a relatively new child welfare statute supports school stability for children in out-of-home care. This law is the Fostering Connections to Success and Increasing Adoptions Act of 2008, and it applies both to students eligible under the McKinney-Vento Act as "awaiting foster care placement" and those in foster care but not eligible under McKinney-Vento. The Fostering Connections Act requires that child welfare agencies have a plan for ensuring the educational stability of every child in care.² When placing a child in out-of-home care, the child welfare agency must take into account the appropriateness of the current educational setting and the distance between the school and the child's living placement. The agency also must coordinate with local educational agencies to ensure that children in care remain in the school in which they were enrolled when they were brought into care, if that is in their best interest. In other words, child welfare agencies must focus on school stability in their planning and placements and must be active participants in best interest determinations for all children in care.

How do McKinney-Vento and Fostering Connections Work Together?

When a child is "awaiting foster care placement" under the McKinney-Vento Act, both that Act and the Fostering Connections Act provide the child with rights. Since the McKinney-Vento Act applies to schools, it establishes the proper framework for best interest decisions for children awaiting foster care placement. Therefore, the LEA and the local homeless education liaison should take the lead in assessing best interest and ensuring immediate enrollment for students awaiting foster care placement. The child welfare agency must participate in the best interest decision by sharing appropriate information, coordinating with the LEA, and assisting the local liaison with the practical aspects of enrollment and transportation, as needed.

² *Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351); 42 USC 675(1)(G).*

School Stability Under Fostering Connections

Children in out-of-home care who do not meet the local or state definition of “awaiting foster care placement” are not eligible for the McKinney-Vento Act’s protections. However, the Fostering Connections Act requires child welfare agencies to coordinate with LEAs to ensure that all children in care remain in the school in which they were enrolled when they were brought into care, if that is in their best interest. Therefore, child welfare agencies should work with LEAs to provide school stability for all children in care, consistent with their best interest. Child welfare caseworkers who are determining a child's best interest can use the information below as a guide to assist in making their decisions.

Making Best Interest Decisions

Children in out-of-home care tend to have many adults involved in their lives, and it may be unclear who has the authority to make general education decisions for them. Usually, birth or adoptive parents are the decision makers, even if a child has been removed from the home. However, a state law, regulation, or court order may restrict parental authority, giving general educational decision-making rights to foster parents, caseworkers, relatives, or other advocates. In these cases, for children in out-of-home care and those awaiting foster care placement, the educational decision maker will assume the rights of the parents under the McKinney-Vento Act, including the right to select the school in the child's best interest and pursue any disputes with the school district. The school must be informed of who has decision-making authority for each student; the responsibility of informing the school typically lies with the student's child welfare caseworker.

In order for parents or other educational decision makers to make informed decisions about selecting the school that is in a child's best interest, they need to have as much practical information as possible. Every LEA has a local homeless education liaison, who must ensure each eligible child receives his or her rights under the McKinney-Vento Act, including the right to attend the school of origin. The local liaison and school or district staff can play an instrumental role in assisting with choosing the school that is in a student's best interest. For children in foster care who are not McKinney-Vento eligible, schools should identify staff to assist with the school selection provisions of the Fostering Connections Act. In these situations state laws and policies will determine the schools' specific role in best interest decisions; however, school staff always should be involved and provide input related to the decisions.

In all of these situations, the local liaison, teachers, and other school or district staff can:

- Reinforce the importance of school stability and educational continuity for children.
- Provide input on the academic, social, and emotional impact that transferring to a new school may have on children.
- If the child has special education needs, provide input on the impact that changing schools may have on the child's progress and services. If a school change is indicated, ensure that evaluations and/or services are not interrupted.
- Help determine which programs at the two schools are comparable and appropriate for the child and make arrangements for the parents or educational decision maker and the

child to visit the school considered for a possible transfer.

- Provide information on the commute to the schools under consideration in terms of the distance, mode of transportation, and travel time, and work with caseworkers to develop transportation plans.
- Work with school staff and data managers to ensure appropriate confidentiality about the student's out-of-home placement.
- Work with caseworkers to develop immediate and long-term educational plans for the student, ensuring that the student's education is not interrupted and considering the anticipated duration of the child's out-of-home placement and permanency plan.

Key Questions to Consider When Making a School Selection

1. How long is the child's current placement expected to last?
2. What is the child's permanency plan?
3. How many schools has the child attended over the past few years? How many schools has the child attended this year? How have the school transfers affected the child emotionally, academically and physically?
4. How strong is the child academically?
5. To what extent are the programs and activities at the potential new school comparable to or better than those at the current school?
6. Does one school have programs and activities that address the unique needs or interests of the student that the other school does not have?
7. Which school does the student prefer?
8. How deep are the child's ties to his or her current school?
9. Would the timing of the school transfer coincide with a logical juncture such as after testing, after an event that is significant to the child, or at the end of the school year?
10. How would changing schools affect the student's ability to earn full academic credit, participate in sports or other extra-curricular activities, proceed to the next grade, or graduate on time?
11. How would the length of the commute to the school of origin impact the child?
12. How anxious is the child about having been removed from the home and/or any upcoming moves?
13. What school do the child's siblings attend?
14. Are there any safety issues to consider?

Conclusion

Decisions regarding school selection should be made on a case-by-case basis, giving attention to the circumstances of each individual student. The following checklist may help local liaisons or other designated education and child welfare agency staff guide a discussion on school-selection options available to the student and the advantages and disadvantages of each option. If a district has large numbers of homeless, foster, and other highly mobile students, it may be beneficial to train several staff members at both the child welfare agency and the school district to assist in this decision-making process.

Additional Information

For additional information on supporting the education of students in out-of-home care, visit the Legal Center for Foster Care and Education at <http://www.abanet.org/child/education/> and the National Center for Homeless Education at http://www.serve.org/nche/ibt/sc_foster.php.

School Selection: A Checklist for Decision Making

(adapted from the Texas Homeless Education Office)

School of Origin Considerations		Local Attendance Area School Considerations	
<input type="checkbox"/>	<p>Continuity of instruction <i>Student is best served due to circumstances that look to his or her past.</i></p>	<input type="checkbox"/>	<p>Continuity of instruction <i>Student is best served due to circumstances that look to his or her future.</i></p>
<input type="checkbox"/>	<p>Age and grade placement of the student <i>Maintaining friends and contacts with peers is critical to the student's meaningful school experience and participation. The student has been in this environment for an extended period of time.</i></p>	<input type="checkbox"/>	<p>Age and grade placement of the student <i>Maintaining friends and contacts with peers in the school of origin is not particularly critical to the student's meaningful school experience and participation. The student has attended the school of origin for only a brief time.</i></p>
<input type="checkbox"/>	<p>Academic strength <i>The child's academic performance is weak, and the child would fall further behind if he/she transferred to another school.</i></p>	<input type="checkbox"/>	<p>Academic strength <i>The child's academic performance is strong and at grade level, and the child would likely recover academically from a school transfer.</i></p>
<input type="checkbox"/>	<p>Social and emotional state <i>The child is suffering from the effects of mobility, has developed strong ties to the current school, and does not want to leave.</i></p>	<input type="checkbox"/>	<p>Social and emotional state <i>The child seems to be coping adequately with mobility, does not feel strong ties to the current school, and does not mind transferring.</i></p>
<input type="checkbox"/>	<p>Distance of the commute and its impact on the student's education and/or special needs <i>The advantages of remaining in the school of origin outweigh any potential disadvantages presented by the length of the commute.</i></p>	<input type="checkbox"/>	<p>Distance of the commute and its impact on the student's education and/or special needs <i>A shorter commute may help the student's concentration, attitude, or readiness for school. The local attendance area school can meet all of the necessary educational and special needs of the student.</i></p>
<input type="checkbox"/>	<p>Personal safety of the student <i>The school of origin has advantages for the safety of the student.</i></p>	<input type="checkbox"/>	<p>Personal safety of the student <i>The local attendance area school has advantages for the safety of the student.</i></p>
<input type="checkbox"/>	<p>Student's need for special instruction <i>The student's need for special instruction, such as Section 504 or special education and related services, can be met better at the school of origin.</i></p>	<input type="checkbox"/>	<p>Student's need for special instruction <i>The student's need for special instruction, such as Section 504 or special education and related services, can be met better at the local attendance area school.</i></p>
<input type="checkbox"/>	<p>Length of anticipated stay in a temporary shelter or other temporary location <i>The student's current living situation is outside of the school-of-origin attendance zone, but his/her living situation or location continues to be uncertain. The student will benefit from the continuity offered by remaining in the school of origin.</i></p>	<input type="checkbox"/>	<p>Length of anticipated stay in a temporary shelter or other temporary location <i>The student's current living situation appears stable and unlikely to change suddenly; the student will benefit from developing relationships with school peers who live in his local community.</i></p>

This brief was developed by:

National Center for Homeless Education

800-308-2145 (Toll-free Helpline)

<http://www.serve.org/nche>

Legal Center for Foster Care and Education

202-662-1733

<http://www.abanet.org/child/education/>

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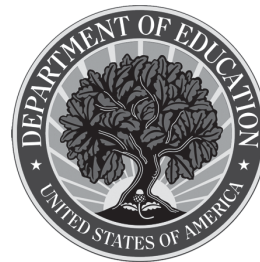


LEGAL CENTER FOR
FOSTER CARE & EDUCATION

Every state is required to have a State Coordinator for Homeless Education, and every school district is required to have a local homeless education liaison. These individuals will assist you with the implementation of the McKinney-Vento Act. To find out who your State Coordinator is, visit the NCHE website at http://www.serve.org/nche/states/state_resources.php.



For more information on the McKinney-Vento Act and resources for implementation, call the NCHE Helpline at 800-308-2145 or e-mail homeless@serve.org.



Local Contact Information:

Clearing the Path to School Success for Students in Out-of-Home Care

Introduction

The Legal Center for Foster Care and Education and the National Center for Homeless Education present this guide to help educators and child welfare advocates clear the path to school success for children and youth who are forced to leave their homes due to abuse, neglect, and family dysfunction. Two federal laws, among others, provide tools to clear the way: The McKinney-Vento Act and the Fostering Connections to Success and Increasing Adoptions Act. This guide provides basic information about both laws and suggests practical strategies for their implementation. The lives of three young people provide the context to show how child welfare and education staff can ensure school stability, attendance, and full participation for children and youth in out-of-home care.



Student Profiles

Ricky

Fourteen-year-old Ricky and his 8-year-old sister Tracey have been in the custody of the Department of Child and Family Services for several years, placed in the same foster home. Yesterday (April 9), Ricky's foster family contacted his case worker to inform her that today would be the last day they could have Ricky in their home. With little time to find an alternate placement, the case worker has secured a space for Ricky in the Capital City Youth Center. She has requested a court hearing, which will take place next week. It is unclear how long Ricky will remain at Capital City, although his permanency plan calls for adoption.

Who is homeless?

(McKinney-Vento Homeless Assistance Act of 2001 – Title X, Part C of the No Child Left Behind Act – Sec 725)

The term “homeless children and youth”—

- A. means individuals who lack a fixed, regular, and adequate nighttime residence...; and
- B. includes —
 1. children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
 2. children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings...
 3. children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
 4. migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

A Joint Publication

The Legal Center for Foster Care ■ www.abanet.org/child/education/
 The National Center for Homeless Education ■ www.serve.org/nche

Mariana

Mariana is also staying at Capital City. She is a 17-year-old girl who ran away from her home in another state several months ago because her stepfather was abusing her. Mariana's mother believes it is better for the family if Mariana stays away from home. Mariana is not now, and never has been, in the custody of a child welfare agency. She has been out of school and surviving on her own since leaving home, but hopes to enter Capital City's nearby transitional housing program and return to school soon.

Tracey

Meanwhile, Tracey is struggling to adjust to Ricky's absence. She has not had a good year at school, and her foster parents and case worker have been considering enrolling her in a local public charter school with small classes and an arts program that interests her. Tracey is refusing to return to school and begging to be transferred to the charter school immediately. Tracey's foster parents hope to adopt her and are worried about her current difficulties.

Support for Overcoming Obstacles

The path to school success for Ricky, Mariana, and Tracey is cluttered with obstacles: family dysfunction, precarious connections to siblings, residential instability, school mobility, emotional unhealth, unmet basic needs, and inconsistent relationships with peers and adults. However, countless youth, educators, local homeless education liaisons, and child welfare professionals have shared effective strategies to clear away these obstacles. With support, students like Ricky, Mariana, and Tracey can travel the path to school success, high school graduation, higher education, and beyond.

Ricky and the McKinney-Vento Act

1. Is Ricky covered by the McKinney-Vento Act?

The McKinney-Vento Act applies to children and youth experiencing homelessness. The law defines homeless to include children and youth: sharing the housing of others due to loss of housing, economic hardship or a similar reason; living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; living in emergency or transitional shelters; living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or awaiting foster care placement.¹

The law does not define the phrase "awaiting foster care placement"; however, many states have adopted definitions through policy or practice.² Where state guidance is lacking, many school districts have defined the term. Almost universally, a student who has been placed in a group home or shelter on a short-term or emergency basis will be considered to be "awaiting foster care placement." Therefore, Ricky will be covered by the McKinney-Vento Act in virtually every school

¹ 42 U.S.C. 11434a(2).

² State policies vary from tailored definitions that focus on the intended duration or stability of the placement, to eligibility for all children in out-of-home care. To search for policies by state, visit <http://www.abanet.org/abanet/child/education/search.cfm>.

district in the country.

The school district's local homeless education liaison must determine each student's eligibility for McKinney-Vento services. In making the determination, the local liaison should consult persons who could provide needed information to inform the decision fully and should explain to those persons the state or local definition of "awaiting foster care placement." Such persons may include a birth parent (even if the child is not living with the parent) a foster parent, relatives or other potential caretakers, a child welfare case worker, a Court-Appointed Special Advocate (CASA), the child's attorney, or a Guardian ad Litem (GAL). For an accurate determination of eligibility, it is critical that these persons provide the school with basic information about the nature of the student's placement and its expected duration. Any information provided must be in compliance with federal and state laws that protect the child's and family's privacy. Such information is extremely sensitive and personal; school staff should not be informed that a child is in out-of-home care unless they need the information to comply with the law or provide appropriate services, and details about the family's situation should always remain confidential.

If there is a dispute about eligibility, the local liaison must provide the student's parent or guardian with information about the state's dispute resolution process and facilitate access to that process. When a child is in foster care, it may not always be obvious who is fulfilling the role of parent or guardian. In general, even when a child is in care, the child's birth parent will continue to make education decisions unless a court has limited those rights; in such cases, another individual, such as a foster parent or relative caretaker, may be the one to make these decisions. The caseworker should inform the local liaison about who has the authority to make parental decisions.

Clearing the Path

State education and child welfare agencies should develop shared definitions of "awaiting foster care placement" via inter-agency agreements. They should train state and local personnel on the definition and strategies to implement it. Local child welfare workers, advocates, and McKinney-Vento/Homeless liaisons should consult the State Coordinator for Homeless Education¹ at the state education agency to see if their state has a policy defining "awaiting foster care placement."

¹ Every state has a State Coordinator. Contact information is available at http://www.serve.org/nche/states/state_resources.php.

2. What school should Ricky attend?

The McKinney-Vento Act gives Ricky the right to attend the school other students living in the same attendance area as Capital City are eligible to attend.³ The law also allows Ricky to attend his "school of origin": the school he attended when permanently housed, or the school in which he was last enrolled.⁴ Ricky must be enrolled immediately in whichever one of those schools is in his best interest.⁵

In evaluating Ricky's best interest, the school district must keep him in his school of origin, unless that is not feasible or is against his parent's or guardian's wishes. The feasibility determination is student-centered and centers on a consideration of Ricky's specific circumstances, such as: his age; the

³ 42 U.S.C. 11432(g)(3)(A).

⁴ 42 U.S.C. 11432(g)(3)(A)&(G).

⁵ 42 U.S.C. 11432(g)(3)(B)&(C).

distance to the school of origin and the impact the commute may have on his education; his safety; his need for special instruction; the length of anticipated stay in his current placement; and the time remaining in the school year.⁶

Based on the information provided, it would be in Ricky's best interest to continue attending the school in which he was last enrolled.⁷ It is April, and changing schools this close to the end of the school year will disrupt Ricky's educational continuity, relationships with peers and teachers, and participation in extracurricular activities. Perhaps most importantly, Ricky is unlikely to stay at Capital City for more than a few days or weeks, which would permit him to make little, if any, progress if he transferred to the local school. Finally, Ricky is 14 years old, old enough to cope with commuting to a distant school (within reason).

Clearing the Path

To make an informed best interest determination, the school district needs input from those involved in the child welfare case, including the biological parents (if their rights have not been limited), caseworker, advocates, and foster parents. The caseworker should explain the expected duration of the placement and any special needs or safety concerns. Caseworkers could inform the local liaison of family team meetings or team decision making meetings (FTMs or TDMs) that are happening for the child and invite the local liaison to attend and participate. If no such meetings are scheduled, the local liaison could work with the caseworker to find another efficient way of gathering information from all appropriate parties to make an informed best interest determination. The local liaison must consider this information, as well as input from the student's school. If there is a dispute, the local liaison must provide the student's parent or guardian, or the appropriate education decision maker for the child, with information in writing about the state's dispute resolution process and facilitate access to that process.

3. How will Ricky get to and from his school of origin?

The McKinney-Vento Act requires the school district to provide or arrange transportation for Ricky to and from his school of origin.⁸ If Capital City is in the same school district as his school of origin, that school district is responsible for transportation. If Ricky will be crossing district lines, the two school districts share the responsibility and cost.

The specific method of transportation can vary, as long as it is safe and appropriate.⁹ In Ricky's case, he is old enough to travel on public transportation at the school's expense, if it is available and gets him to school on time and safely. Other options would include a school bus (including special routes and sharing routes with other districts), a taxi, reimbursing a licensed adult from Capital City for the transportation, or other appropriate means of transportation available in the local area and consistent with state and local student transportation policies.

⁶ U.S. Department of Education (2004). *Education for Homeless Children and Youth Program, Non-Regulatory Guidance, G-4.*

⁷ For more information on feasibility and best interest, including a checklist of considerations, see *School Selection for Students in Out-of-Home Care* at <http://www.serve.org/nche/briefs.php>.

⁸ 42 U.S.C. 11432(g)(1)(J)(iii).

⁹ U.S. Department of Education (2004). *Education for Homeless Children and Youth Program, Non-Regulatory Guidance, H-4.*

Clearing the Path

Schools must arrange transportation expeditiously, so the student does not miss school. Caseworkers must inform schools immediately of pending changes in a student's home placement, or when the student has moved, so the school can adjust transportation arrangements. Particularly when students are crossing school district lines, transportation can be expensive and logistically complex. Therefore, caseworkers, foster parents, and others can facilitate transportation by helping to coordinate logistics and sharing the responsibility for transportation.

4. What other strategies can be used to clear the path to school success for Ricky?

The McKinney-Vento Act requires Ricky's school of origin to provide him with full participation in school; therefore, Ricky must be allowed to continue his participation in extracurricular activities, special classes or projects, and other school activities. The school must provide transportation to those activities that is comparable to what is provided to other students and must work to remove barriers to Ricky's retention in school.¹⁰ The Act also requires the school to ensure that Ricky is not "stigmatized or segregated" based on his experiencing homelessness.¹¹ For example, school staff who know Ricky is in out-of-home care must keep that information confidential; Ricky cannot be placed in a separate school or class; and he cannot be penalized for absences due to court appearances or other obligations related to his child welfare case.

Finally, the McKinney-Vento Act requires schools to coordinate with other agencies or programs serving eligible children.¹² Ricky's teachers, counselors, the local liaison, and other appropriate educators should work with his caseworker, other child welfare advocates, and staff from Capital City to ensure all his educational needs are met.

Clearing the Path

Since the school's obligation to transport Ricky to and from afterschool activities is limited, caseworkers, foster parents, staff at Capital City, coaches, teachers, and other advocates can ensure Ricky's full participation by facilitating transportation. They should also help Ricky maintain his school friendships, which may be strained now that he is living farther from school. Finally, the school must ensure access to any needed and available mental health services, physical health services (including those provided by a school nurse), academic support, and Title I programming.¹

¹ McKinney-Vento students are automatically eligible for Title I services. 20 U.S.C. 6315(b)(2)(E) & 6313(c)(3).

¹⁰ 42 U.S.C. 11432(g)(1)(I) & (g)(4).

¹¹ 42 U.S.C. 11432(g)(1)(J)(i).

¹² 42 U.S.C. 11432(g)(5).

Ricky and the Fostering Connections Act

1. Is Ricky covered by the Fostering Connections Act?

Most of the education provisions of the Fostering Connections Act apply to all children in foster care. Although he is currently living in a group home/shelter, Ricky is in the custody of the child welfare system. Therefore, the Act covers Ricky.

Clearing the Path

Child welfare agencies and school districts should conduct joint trainings on the Fostering Connections and McKinney-Vento Acts so that each agency is aware of all the education rights of students in out-of-home care. Although the McKinney-Vento Act provides Ricky with the most important educational rights, the Fostering Connections Act requires the child welfare agency to participate actively in ensuring his school stability, participation, and success. It also requires the school and child welfare agency to coordinate their efforts to support Ricky.

2. What school should Ricky attend?

The Fostering Connections Act requires child welfare agencies to include “a plan for ensuring the educational stability of the child while in foster care” as part of every child's case plan.¹³ Further, the placement of the child in foster care must take into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement; and the child welfare agency must coordinate with school districts to ensure that the child remains in the school in which the child is enrolled at the time of placement, unless moving to a new school would be in the child's best interest.¹⁴ The same best interest factors considered under the McKinney-Vento Act should be considered under the Fostering Connections Act.

The Fostering Connections Act is clear that child welfare agencies should strive to minimize school changes for students in care. School stability and success contribute to placement stability and success. Therefore, Fostering Connections complements the McKinney-Vento Act fully in requiring the child welfare agency to keep Ricky in his school of origin.

Clearing the Path

Providing Ricky with stability in his foster care placement and placing him close to his school of origin will clear significant obstacles to his school success. Therefore, when Ricky's caseworker is working to identify possible living options for Ricky, she should work closely with other child welfare advocates, as well as teachers and other staff from Ricky's school, who could help identify a suitable, stable placement for him as quickly as possible. Once Ricky is placed, the caseworker should provide consistent support and services to Ricky and his placement family or agency, to avoid the need to move him again.

¹³ 42 U.S.C. 675(1)&(5).

¹⁴ 42 U.S.C. 675(1)&(5).

3. How will Ricky get to and from his school of origin?

The McKinney-Vento Act requires schools to provide or arrange transportation for Ricky. The Fostering Connections Act permits states to access federal child welfare funding that may be used to cover reasonable transportation to the school of origin for a student in foster care.¹⁵ State child welfare agencies still have to contribute state dollars in order to access these federal funds.

Clearing the Path

In Ricky's case, the child welfare agency could pursue the use of child welfare funds to assist the school district in meeting the cost of transportation.

4. What other strategies can be used to clear the path to school success for Ricky?

It is the responsibility of both schools and child welfare agencies to meet the education needs of children in out-of-home care.¹⁶ For that reason, the Fostering Connections Act requires child welfare agencies to coordinate with school districts to ensure educational stability for students in foster care.¹⁷ Finally, many states have laws providing additional education rights to students in out-of-home care. Advocates should work to ensure that the full weight of these laws is used to support Ricky in his education and placement.¹⁸

Clearing the Path

Ricky's current residential instability may undermine his emotional well-being, making it harder for him to focus on schoolwork. Therefore, Ricky's caseworker, staff at Capital City, his school counselor, and his teachers should work together to support him during this stressful time. Ricky's caseworker should also strive to limit his case-related absences from school by scheduling appointments, visits, court hearings, and other meetings after school hours. The child welfare agency should ensure Ricky's physical and mental health needs are met quickly and completely and assist in coordinating visits with friends, participation in afterschool activities, and contact with his sister and other family members, as appropriate. Each of these strategies will increase Ricky's stability and allow him to focus on his schoolwork.

¹⁵ 42 U.S.C. 675(4).

¹⁶ Under the federal Child and Family Service Reviews (CFSTRs), one of the seven case outcomes reviewed by federal child welfare auditors is: "Are we meeting the education needs of children in foster care?" All states are required to examine the education outcomes for children in foster care and take steps to improve efforts and results; 45 C.F.R. 1355.34(b)(1)(iii)(B).

¹⁷ 42 U.S.C. 675(1)&(5).

¹⁸ For information about such state laws, visit <http://www.abanet.org/abanet/child/education/search.cfm>.

Mariana and the McKinney-Vento Act

1. Is Mariana covered by the McKinney-Vento Act?

The McKinney-Vento Act applies to youth who are living in emergency or transitional shelters, among others. Mariana ran away from a foster home and entered Capital City on her own. Therefore, Capital City is serving as an emergency or transitional shelter for Mariana. As such, Mariana would be eligible for McKinney-Vento rights and services.

Clearing the Path

Most, if not all, of the children and youth staying at Capital City and in similar situations will be covered by the McKinney-Vento Act. Therefore, local liaisons from nearby school districts should establish relationships with the shelter director and staff, develop enrollment and transportation protocols, and adopt other practices to facilitate the immediate enrollment and attendance of students at the shelter.

What school should Mariana attend?

Mariana can continue attending her school of origin or enroll immediately in any school other students living in the same attendance area as Capital City are eligible to attend, depending on her best interest. The local liaison should seek more information from Mariana regarding the school she attended when permanently housed and the school in which she was last enrolled. However, since Mariana's home was far from Capital City, we may assume returning to her school of origin would require a lengthy commute. Mariana has been separated from her school of origin for some time and plans to remain at Capital City's transitional housing program for the near future. Given these facts, it is likely in Mariana's best interest to enroll in the local school.

If students living in the same attendance area as Capital City are eligible to attend more than one high school (for example, charter schools or alternative high school programs), the local liaison should ask Mariana about her educational strengths, interests, and goals to ensure Mariana enrolls in the school best suited to her needs and wishes. The local liaison is responsible for helping Mariana choose and enroll in a school, ensuring her enrollment, and informing her of her rights.¹⁹

¹⁹ 42 U.S.C. 11432(g)(6)(A).

Clearing the Path

The McKinney-Vento Act requires the local school to enroll Mariana immediately, even without school records or other documents required normally for enrollment, and even if her parent or guardian is not present to sign or help her enroll.¹ The local school district should have a policy for enrolling unaccompanied youth; for example, Mariana may enroll herself in school, or may be enrolled by staff at Capital City or the local liaison. The school must contact Mariana's previous school immediately to request her records.² In the meantime, the enrolling school can ask Mariana about her classes and academic level, or call the counselor or teachers at her previous school.³

¹ 42 U.S.C. 11432(g)(3)(C).

² 42 U.S.C. 11432(g)(3)(D).

³ For strategies to enroll students without records, see *Prompt and Proper Placement* at <http://www.serve.org/nche/briefs.php>.

2. How will Mariana's new school ensure she can participate fully in school?

Mariana's right to immediate enrollment includes attending classes and participating fully in school activities.²⁰ Therefore, Mariana has the right to participate in classes, educational programs, extracurricular activities, sports, and other school activities without regard to deadlines, fees, or duration-of-residency requirements; the school must waive such requirements. The McKinney-Vento Act also requires the school to eliminate barriers to Mariana's retention in school.²¹ For example, Mariana must be able to earn credits and otherwise progress academically. If Mariana has no means to pay fees for special classes, field trips, or extracurricular activities. The school may waive those fees or pay for them with Title I funds or funds from a McKinney-Vento subgrant, if the school district receives one.

Clearing the Path

Given that Mariana has been out of school for some time, she likely will need support in catching up academically. First, the school should ensure Mariana will earn full or partial credit for the work she completes between now and the end of the academic year. Second, the school should offer her credit recovery opportunities to make up for the time she's missed, such as independent study, computer-based modules, online learning, and opportunities to complete additional schoolwork before or after school.

3. What other strategies can be used to clear the path to school success for Mariana?

The McKinney-Vento Act requires schools to eliminate barriers to Mariana's enrollment and retention in school and to ensure she is not "stigmatized or segregated" due to her living situation. Further, the Act requires schools to coordinate with other agencies or programs working with Mariana. Therefore, Mariana's school counselor, teachers, school nurse, and the local liaison should work with Mariana and Capital City staff to ensure that her basic needs are met, including hygiene, clothing, nutrition, housing, and physical and mental health care.

²⁰ 42 U.S.C. 11434a(1).

²¹ 42 U.S.C. 11432(g)(1)(I).

If Mariana's teachers suspect she may have a disability, they should contact the school district special education office for guidance as to who can refer her for evaluation in the absence of a parent. It is likely that the school district will have to assign a surrogate parent to consent to the evaluation and for services to begin, if Mariana is eligible; the appointment of a surrogate parent should take place within thirty days of the school district deciding an evaluation is needed. It can be difficult to recognize a disability in highly mobile students like Mariana, especially when they are older and have missed extended periods of school, so educators should act quickly if they suspect Mariana may need special education and related services.²²

Clearing the Path

Many schools provide peer and/or adult mentors for youth like Mariana, to help them adapt to a new school and to guide them through the challenges of high school. Since Mariana does not have a stable adult at home, a mentor or school counselor should help support her in meeting her educational and personal goals, and work with her to meet those goals.¹

¹ For additional strategies to support unaccompanied youth, see *Using What We Know: Supporting the Education of Unaccompanied Homeless Youth* at http://www.naehcy.org/naehcy_pubs.html.

Mariana and the Fostering Connections Act

Mariana is not in the custody of the child welfare system. Therefore, the Fostering Connections Act does not apply to her.

However, Mariana has experienced abuse and neglect. While she may not wish to be involved in the foster care system, other resources within the child welfare system can support her school success. For example, Mariana's full participation and integration into school requires that her basic needs be met. The local child welfare agency could help Mariana obtain adequate food, appropriate clothing, hygiene products, and physical and mental health care. The agency can provide such services without necessarily taking Mariana into custody, through deliberate partnerships with Capital City, Mariana's school, local health and mental health systems, the family or juvenile justice court, and other organizations serving youth.

Most importantly, the child welfare agency should respect Mariana's wishes and support her placement in Capital City's transitional housing program. Like Ricky, Mariana's current residential instability is likely to undermine her emotional well-being, making it harder for her to focus on schoolwork. Mariana wants to enter Capital City's transitional housing program. This is her solution, which also appears to be appropriate and beneficial for her. By connecting her and Capital City with additional financial resources and other support, the child welfare agency can help maintain her stability over time.

²² For additional information about special education for youth experiencing homelessness, see *Supporting Homeless Students with Disabilities: Implementing IDEA* at <http://www.serve.org/nche/briefs.php>.

Clearing the Path

Although Mariana is caring for herself with the help of Capital City’s staff, it may be advisable for her and her advocates to consider the benefits and legalities of opening a child welfare case. Benefits may include independent living services, counseling and employment services, and Education Training Vouchers (ETVs), which can fund post-secondary education and related needs. This additional support can play an important role in Mariana’s achieving her personal and professional goals.

Tracey and the McKinney-Vento Act

Tracey has been in a stable, pre-adoptive foster home for some time. Despite her struggles since Ricky left the home, her foster family remains committed to adopting her. Under most interpretations of “awaiting foster care placement”, Tracey would not be eligible for the McKinney-Vento Act’s protections.²³

However, educators have an important role in clearing the path to school success for all children in out-of-home care, even if the McKinney-Vento Act does not apply. Many of the strategies suggested to support Ricky are equally applicable to Tracey. Further, if Tracey enrolls in the charter school, the school should ensure her enrollment is accomplished quickly and smoothly, providing her with immediate access to all needed services and full participation in all school activities. Her previous school should forward school records to the charter school immediately.

Several additional strategies can ease Tracey’s transition into her new school, including: giving Tracey and her foster family a tour of the school and her classroom; explaining school rules clearly, so she will know what is expected of her; describing all the school services and activities available to Tracey and her foster parents so she can be sure to get the services she needs and participate in all the activities that interest her; assigning Tracey a peer mentor to orient her to the school culture and introduce her to a social group; giving Tracey a small welcome gift with the school colors and/or mascot; encouraging Tracey’s teachers to take the time to involve classmates in welcoming Tracey to the school; and inviting Tracey to share information with the teacher through a “get-to-know-you” questionnaire or journal assignment.

Clearing the Path

Being “the new kid” in school is difficult in the best of situations. Being in foster care may complicate Tracey’s transition to school further. The school should ensure she has access to the school counselor, who can ask her if she would like her teachers or any other school staff to know she is living apart from her birth family. Such awareness will allow them to be sensitive to Tracey’s situation.

²³ Many states have laws that provide Tracey with education rights as a child in foster care, regardless of her eligibility under the McKinney-Vento Act.

Tracey and the Fostering Connections Act

1. Is Tracey covered by the Fostering Connections Act?

Most of the education provisions of the Fostering Connections Act apply to all children in foster care. Tracey's pre-adoptive foster placement makes her eligible for all the Act's protections.

2. If Tracey's foster parents and caseworker decide to enroll her in the public charter school, how should the child welfare agency support Tracey's immediate enrollment and full participation?

The Fostering Connections Act requires child welfare agencies and schools to provide immediate and appropriate enrollment in a new school and to provide all of the student's educational records to the new school. Child welfare agencies must keep updated education records as part of students' case plans, including names and addresses of educational providers, information on grade-level performance, and school records. Therefore, Tracey's caseworker should have education records available and must provide them to the new school promptly. The Fostering Connections Act also requires the child welfare agency to coordinate with the education agency to ensure this immediate enrollment and transfer of records. The child welfare agency must take the lead in forging this collaborative relationship to ensure the appropriate enrollment of Tracey.

Clearing the Path

Tracey's new art program is likely to require a variety of supplies and materials. Tracey may need a school uniform, an art smock, or other clothing to "fit in" at school. Her caseworker and foster parents should ensure Tracey has all the clothing and supplies she needs to participate fully in school. Additionally, many charter schools do not offer transportation to extracurricular activities, so Tracey's foster parents and caseworkers should coordinate to ensure transportation does not pose a barrier to Tracey's participation.

3. What other strategies can be used to clear the path to school success for Tracey?

School success and stability at home are interrelated. Federal law recognizes this fact by giving both schools and child welfare agencies responsibilities to meet the education needs of children in out-of-home care. Tracey's school must ensure that her educational needs are met, including meeting any special education needs, and providing her with access to Title I services, free school meals, and other supports. The child welfare agency needs to support Tracey's school achievement by providing her with safety, stability, physical and mental health services, and material needs.

Clearing the Path

It appears that Tracey is struggling to cope with separation from her brother. It will be extremely challenging for her to adjust to a new school while dealing with this emotional crisis. Therefore, Tracey's caseworker and foster parents should make every effort to ensure that Tracey and Ricky can spend as much time together as possible and appropriate, and should make sure she gets the counseling she needs, either in school or out of school, to help her deal with this issue.

Whom Can I Call for Help?

For school-related issues: To determine the local definition of "awaiting foster care placement", evaluate best interest, facilitate transportation, and ensure immediate enrollment and full participation in school, contact the school district's local homeless education liaison by calling the school district central office, or by contacting the State Coordinator for Homeless Education to request contact information. Contact information for State Coordinators is available at http://www.serve.org/nche/state/state_resources.php. Some state and local education agencies also have designated Foster Care liaisons. Check with the state department of education and local school district to see if Foster Care liaisons have been designated or to suggest that someone fill this role.

Depending on the students' needs, advocates may consult with the school district's offices of Title I, special education, bilingual education, gifted/talented programs, vocational education, community colleges, alternative programs, and others. Finally, many school building staff should be involved in supporting the education of students affected by abuse and neglect, such as school counselors, social workers, nurses, and teachers.

For child welfare-related issues: For information about a child's foster care placement, education decision maker, special needs, or other concerns, contact caseworkers and supervisors via the local child welfare office. Many state, regional, and local child welfare agencies also have designated education specialists. Check with these offices to see if education specialists are in place or to suggest that the agency hire, contract with, or designate such staff.

General coordination: Child welfare caseworkers and advocates, group home staff, foster parents, school and school district staff, and other advocates should work together to ensure a coordinated approach to education. The goals, wishes and needs of the students should guide these efforts.

This brief was developed by:

National Center for Homeless Education

800-308-2145 (Toll-free Helpline)

<http://www.serve.org/nche>

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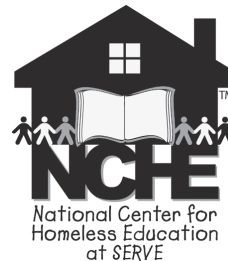
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LEGAL CENTER FOR
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Every state is required to have a State Coordinator for Homeless Education, and every school district is required to have a local homeless education liaison. These individuals will assist you with the implementation of the McKinney-Vento Act. To find out who your State Coordinator is, visit the NCHE website at http://www.serve.org/nche/states/state_resources.php.

For more information on the McKinney-Vento Act and resources for implementation, call the NCHE Helpline at 800-308-2145 or e-mail homeless@serve.org.



Local Contact Information: