



# **Ensuring Educational Stability for Children in Foster Care: Transportation Procedures**

August 31, 2016

# TODAY'S PRESENTERS

- **Stevi Steines**

Chief Deputy, Administration on Children, Youth and Families, U.S. Department of Health and Human Services

- **Kelly Fitzpatrick**

Policy Advisor, Office of Planning, Evaluation, and Policy Development, U.S. Department of Education

- **Lessons from the Field**

- **Dr. Michelle Lustig**, Manager, Foster Youth Services Coordinating Program & Homeless Education Services, San Diego County Office of Education
- **Tracey Talbert**, Special Supports and Contract Liaison, DC Child & Family Services Agency

# TODAY'S AGENDA

- Provide an overview of the federal framework for ensuring educational stability for children in foster care
- Unpack the Every Student Succeeds Act (ESSA) provisions related to transportation
- Learn lessons from early implementation in Washington, DC and San Diego
- Q&A

# EDUCATIONAL STABILITY: A TIMELINE

**October  
2008:**

The Fostering  
Connections  
to Success &  
Increasing  
Adoptions Act

**June  
2016:**

ED/HHS  
Foster  
Care  
Guidance  
Released

**December  
2016:**

ESSA  
Foster  
Care  
Provisions  
Take Effect

**December  
2015:**

The Every  
Student  
Succeeds Act  
(ESSA)

**Aug./Sept.  
2016:**

ED/HHS  
Foster  
Care TA  
Webinar  
Series

# KEY ESSA PROVISIONS

- Children in foster care remain in the school of origin, unless it is determined that it is not in his or her best interest
- If it is not in the child's best interest to remain in the school of origin, the child must be immediately enrolled in the new school even if they don't have the required documentation.
- Each state education agency (SEA) must designate a point of contact (POC) for child welfare agencies (CWAs). Local education agencies (LEAs) must also designate a POC for CWAs if the corresponding CWA notifies the LEA, in writing, that it has designate a POC.
- LEAs must collaborate with CWAs to develop and implement clear written procedures for how transportation will be provided, arranged, and funded for the duration of a child's time in foster care.

# MCKINNEY-VENTO UPDATE

- The phrase “awaiting foster care placement” will be removed from the McKinney-Vento Homeless Assistance Act’s definition of homeless children and youth.
  - For non-covered states, this change is effective 12/10/16
  - For covered states--that is, States that define “awaiting foster care placement” in statute--this change is effective 12/10/17
- After the effective date, youth “awaiting foster care placement” must be served under ESSA
- Some children in foster care may still be eligible for McKinney-Vento services (e.g., youth who are living in transitional shelters or motels)

**Access ED’s Guidance on the ESSA Amendments to McKinney-Vento:**

<http://www2.ed.gov/policy/elsec/leg/essa/160240ehcyguidance072716.pdf>

# JOINT GUIDANCE

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**Access the joint guidance:**

<http://www2.ed.gov/policy/elsec/leg/essa/edhhsfostercarenonregulatorguide.pdf>

# JOINT ED-HHS WEBINAR SERIES

Webinar Topic	Date	Location
An Overview of the ED/HHS Joint Guidance	7/27/16	<a href="http://www2.ed.gov/policy/elsec/leg/essa/index.html">http://www2.ed.gov/policy/elsec/leg/essa/index.html</a>
Points of Contact	8/17/16	<a href="https://1sourcevei/ents.adobeconnect.com/p9u646jav">https://1sourcevei/ents.adobeconnect.com/p9u646jav</a>
Best Interest Determination & Immediate Enrollment	8/24/16	<a href="https://1sourceevents.adobeconnect.com/p5a1t0r4b8f/">https://1sourceevents.adobeconnect.com/p5a1t0r4b8f/</a>
Transportation	8/31/16	Coming soon!
Effective Collaboration	9/7/16 2-3pm ET	Coming soon!



# Transportation Procedures

# TRANSPORTATION PROCEDURES

## ESSA REQUIREMENTS

LEAs must provide assurances that they will collaborate with State or local CWAs to:

- Develop and implement clear written procedures for how transportation will be provided, arranged, and funded for the duration of the time in foster care
- Procedures must ensure that children will promptly receive transportation in a cost-effective manner in accordance with the Fostering Connections Act

# TRANSPORTATION PROCEDURES

## ESSA REQUIREMENTS

LEAs must provide assurances that they will collaborate with State or local CWAs to:

- Ensure that, if there are additional costs incurred in providing transportation to maintain children in foster care in the school of origin (SOO), LEAs will provide transportation to the SOO if:
  - The local CWA agrees to reimburse the LEA;
  - The LEA agrees to pay the cost; or
  - The LEA and local CWA agree to share the cost.

# TRANSPORTATION REQUIREMENTS

## GUIDANCE PROVISIONS

- Even if an LEA doesn't transport other students, it must ensure that transportation is provided to children in foster care
- Transportation must be provided in a “cost-effective” manner so low-cost/no-cost options should be explored:
  - Pre-existing bus stops or public transportation
  - Foster parents provide transportation
  - Child is eligible for transportation by other programs (e.g. IDEA)
- “Additional costs” represent the difference between what an LEA would normally spend on transportation to the child's assigned school and the cost of transportation to the school of origin

# TRANSPORTATION PROCEDURES

## GUIDANCE PROVISIONS

- Title IV-E is an allowable funding source for children in foster care
  - Not all children in foster care are eligible
  - Tribal foster children may be eligible
  - State child welfare agencies are responsible for non-federal portion
- Title I is an allowable funding source, although funds reserved for comparable services for homeless children & youth may not be used for transportation
- All federal funding sources should be maximized to ensure costs are not unduly burdensome on one agency

# TRANSPORTATION PROCEDURES

## GUIDANCE PROVISIONS

- SEAs and State CWAs should develop uniform statewide guidelines and procedures
- Transportation procedures must be developed collaboratively between the LEAs and CWAs
- Transportation procedures should address how the requirement will be met if parties can't come to agreement, such as a dispute resolution process
- A child must remain in his or her school of origin while any disputes regarding transportation costs are being resolved



# Lessons from the Field

# LESSONS FROM THE FIELD: SAN DIEGO

## GUEST PRESENTERS

### **Dr. Michelle Lustig**

Manager, Foster Youth Services Coordinating Program  
& Homeless Education Services

San Diego County Office of Education

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# BEST INTEREST CONSIDERATIONS

- Best Interest can be driven by: (see attached form)
  - Duration
  - Time of placement change
  - Type of transportation available
  - Traffic patterns
  - Flexibility in school schedule
  - Impact of extracurricular activities on transportation options
  - Maturity and behavioral capacity

# TRANSPORTATION BEST PRACTICES CONSIDERATIONS

- Collaboration:
  - No one entity/agency will be able to do this alone
  - Flexibility and responsiveness will be key
  - Cost efficiency/effectiveness is paramount, although not a dictating force
  - Creative solutions
  - Dedicated staff and resources

# LOCAL COLLABORATION EXAMPLES

- Child Welfare Education and the Courts (ACF Grant)
- Butte County Foster Youth Services Program
- Local Special Education Local Plan Area (SELPA) Agreements
- Local Control Funding Formula (LCFF) and Local Control Accountability Plans (LCAP)

# LOCAL COLLABORATION EXAMPLES

## San Diego County Foster Youth Services Coordinating Program

- August meeting
- Attendees:
  - School district personnel including AB 490 School District Foster Care Liaisons, Title I Coordinators, Transportation Directors, Categorical Program staff, Student Services/Pupil Services and Special Education/SELPA
  - Child Welfare
  - Probation
- Meeting Goals
- Next Steps/October meeting

# WHAT DOES TRANSPORTATION LOOK LIKE?

Are we always talking about a big yellow bus?



# FUNDING FOR TRANSPORTATION BEST PRACTICES

- Single funding source
  - Title I
  - Title IVE
  - State funding (Foster Youth Services Coordinating Programs)
- Joint funding
- No funding



# HOW DO WE GET KIDS TO THE SCHOOL OF ORIGIN?

- School bus
  - Existing routes
    - General education
    - Special Education-related service
  - New routes
  - Route-to-route hand-offs
  - District-to-district boundary hand-offs
- Reimbursement to caregivers (or Foster Family Agencies) via Title IVE funds
- Group Home/Foster Family Agency contract requirements

# HOW DO WE GET KIDS TO THE SCHOOL OF ORIGIN?

- Contracted services:
  - Taxi companies
  - Student transport companies
  - Uber/Lyft/Via etc.
- Carpools
- School/District staff
  - Administrative regulations and board policies
- Public transportation
  - Bus/Trolley passes

# LESSONS FROM THE FIELD: WASHINGTON, DC

## GUEST PRESENTERS

### **Tracey Talbert**

Special Supports and Contract Liaison

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# A SNAPSHOT OF DC'S TRANSPORTATION PROCEDURES

- CFSA implemented new transportation procedures in 2010
  - DC data showed high rates of absenteeism for children in foster care
  - School stability allows youth to maintain connections to teachers and peers
- CFSA awarded a transportation contract to provide transportation for eligible foster youth to their respective schools of origin

# WHO CAN RECEIVE TRANSPORTATION?

A child in foster care can receive transportation if:

- He or she is between 5 and 21 years of age;
- His or her best interest decision determined that he or she should remain at the school of origin; and
- Alternative means of transportation to and from school have been fully explored and deemed unavailable.

# EXPLORING TRANSPORTATION OPTIONS

The following factors should be considered when deciding on an appropriate mode of transportation:

- The child's safety and best interests;
- The length and distance of the commute; and
- All available transportation options.

**No-cost** and **low-cost** transportation options are explored first, such as:

- Public transportation
- Working with foster parents or caregiver
- Eligibility for special education transportation
- Community resources

# CFSA-PROVIDED TRANSPORTATION

If alternative options are not available, CFSA provides transportation through a private contract.

CFSA transportation:

- Is initially provided within three business days from approval date;
- Is a time-limited service, which is reviewed every 90 days; and
- Can be discontinued or suspended under certain circumstances.

# ENSURING SAFE & SECURE TRAVEL

## 1. Pick-up at Home

- Parent/caregiver sign off to release child into care of transportation company

## 2. In Transport to School

- Attendant ensures that child is safely secured in vehicle for transport

## 3. Drop-off at School

- Walks child into the front office and school staff must sign off, assuming responsibility for the youth

## 4. Pick-up at School

- Meets child in office and school staff signs off on pick-up time

## 5. In Transport to Home

- Walks child to the home for parent/caregiver's sign off to release child back to their care

# ON THE HORIZON FOR CFSA

CFSA is always seeking to improve services that support our children and families.

Priorities for 2017:

- Continued partnership with DC Public Schools (DCPS) and the DC Office of the State Superintendent of Education (OSSE) around transportation services for special education students
- Reducing travel time for youth
- Supporting the youth's participation in after-school/extracurricular activities



# Questions for Panelists?

# QUESTIONS ABOUT IMPLEMENTATION?

CONTACT US!

## SEAs & LEAs

- Send questions to ED's ESSA mailbox:  
[essa.questions@ed.gov](mailto:essa.questions@ed.gov)

## CWAs

- The Children's Bureau (CB) provides technical assistance through the Capacity Building Center for States
  - For additional information, reach out to your Center for States Liaison - <https://capacity.childwelfare.gov/map>



### **For additional information, please visit our websites:**

- ED's Every Student Succeeds Act page - <http://www.ed.gov/essa?src=rn>
- HHS' Educational Stability for Children and Youth in Foster Care page - <https://www.childwelfare.gov/topics/systemwide/service-array/education-services/meeting-needs/educational-stability/>



**Thank you!**