



COMMONWEALTH of VIRGINIA
Department of Education

June 27, 2014

TO: Division Superintendents

FROM: Steven R. Staples, Superintendent of Public Instruction

SUBJECT: *School Divisions' Implementation of the Fostering Connections to Success and Increasing Adoptions Act of 2008*

On May 30, 2014, Chief State School Officers and Child Welfare Directors received a letter from Assistant Secretary Delisle at the U.S. Department of Education (USED) and Acting Assistant Secretary Greenberg at the U. S. Department of Health and Human Services (HHS) regarding the *Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351); 42 USC 675 (1) (G)* (Fostering Connections Act). This letter discusses the crucial role state and local public education and social services agencies play in supporting the well-being of students in foster care, reiterates the federal commitment to ongoing collaboration and cross-system coordination to improve the educational outcomes of these students, and emphasizes to State Educational Agencies (SEAs) and State Child Welfare Agencies (SCWAs) that SCWAs (through local Departments of Social Services) and local educational agencies (LEAs) are obligated to coordinate efforts to ensure the educational stability of students in foster care under the Fostering Connections Act.

The May 30th letter further states that full coordination required by the Fostering Connections Act is not always occurring. Compliance is:

...contingent on routine coordination between [SCWAs] and LEAs...the Fostering Connections Act imposes specific obligations on both SCWAs and LEAs.... We urge child welfare and education agencies to work together this summer to develop policies and procedures that ensure both educational stability and the appropriate, immediate enrollment of all school-aged children in foster care in the upcoming school year.

The Fostering Connections Act requires SCWAs receiving funds under Title IV-E of the Social Security Act to include a plan for educational stability as part of each foster care child's case plan. The plan must provide an assurance that the SCWA and the LEA have coordinated to ensure that the child can remain in the school in which he or she is enrolled at the time of placement, or, obtain immediate enrollment in a new school, with all education records provided, if it is in the child's best interest.

The Fostering Connections Act requires state child welfare agencies and LEAs to coordinate efforts to improve educational stability and outcomes for every child in foster care in four primary areas: (1) school enrollment; (2) school stability; (3) school transportation; and (4) development of transition plans. In 2010, the Virginia Department of Education (VDOE) and the Virginia Department of Social Services (VDSS) collaborated to develop joint guidance for local social service agencies and school divisions in the implementation of the Fostering Connections Act: the [Fostering Connections: Guidance for School Placement of Children in Foster Care](#). The guidance, located on the VDOE Web site at [Enrollment of Students in Foster Care](#) includes the [Best Interest Determination for Foster Care School Placement Form](#) and the [Immediate Enrollment of Child in Foster Care Form](#).

In addition to the joint guidance document for procedures, VDOE has a variety of resources that can be found on the *Enrollment of Students in Foster Care* Web page. The page provides a listing of local foster care liaisons and previous Superintendent's Memos on this topic. Superintendent's Memo No. 306-10 issued December 10, 2010, provides information about the federal legislation that relates to the enrollment of foster care children and requests that school divisions designate a point of contact to facilitate smooth implementation. To assist State and local efforts, USED and HHS have developed resources designed to support educators, child welfare professionals, and others. A dedicated Web page, [Students in Foster Care](#), is now active on USED's Web site. This Web page provides information on relevant laws, guidance, and technical assistance materials related to educational support for students in foster care; and has been added to the VDOE Web page.

With four years of experience implementing the educational stability requirements of Fostering Connections, VDOE plans to review procedures provided in the guidance documents this summer to further refine the process of enrollment of foster children in schools. We are inviting school divisions to provide information regarding the process and the use of current forms. Attached is a short form to be completed on a voluntary basis and sent to [Dr. Patricia Popp](#); fax (757) 221-5300 by **July 30, 2014**. Please direct any questions to Dr. Popp.

SRS/CAC/rt

Attachment:

A. [Fostering Connections Act: Educational Stability Implementation in Virginia](#) (Word)