

**NC Department of Health and Human Services
Division of Social Services**

Every Student Succeeds Act (ESSA)

The Foundation

October 22, 2020



Agenda



Welcome



Kimaree Sanders -
NC DHHS DSS Foster Care Manager



Sara Bigley –
NC DPI State Program Coordinator



Wilder Horner –
Chatham County DSS Social Worker
Supervisor



LeAnn McKoy –
NC DHHS DSS Foster Care and Adoption Policy
Consultant



Wrap Up/Questions/Adjourn



Poll Questions

- **Who is in the room?**
 - **Starting this webinar, my level of understanding the Every Student Succeeds Act as known as ESSA is:**
 - **I practice selfcare by:**
-

What is the Every Student Succeeds Act (ESSA)?

- Signed into law on December 10, 2015
- Advances equity by upholding critical protections for America's disadvantaged and high-need students.
- Requires—for the first time—that all students in America be taught to high academic standards that will prepare them to succeed in college and careers.
- Ensures that vital information is provided to educators, families, students, and communities through annual statewide assessments that measure students' progress toward those high standards.
- Helps to support and grow local innovations—including evidence-based and place-based interventions developed by local leaders and educators—consistent with our Investing in Innovation and Promise Neighborhoods
- Sustains and expands this administration's historic investments in increasing access to high-quality preschool.
- Maintains an expectation that there will be accountability and action to effect positive change in our lowest-performing schools, where groups of students are not making progress, and where graduation rates are low over extended periods of time

References:

Every Student Succeeds Act: Retrieved from <https://www.ed.gov/essa?src=rn>

Every Student Succeeds Act: Retrieved from <https://www.govinfo.gov/content/pkg/BILLS-114s1177enr/pdf/BILLS-114s1177enr.pdf>



Key Terms Defined

- **Temporary Safety Provider**
- **Kinship Provider**
- **Foster Care**
- **School of Origin**
- **Immediate Enrollment**



Temporary Safety Provider

- A voluntary, temporary intervention made between a parent and a county child welfare agency during the delivery of child protective services.
- Used during the CPS Assessment and CPS In-Home Services.
- A child placed with a temporary safety provider is not in the legal custody of the department of social services.
- The foster care provisions of ESSA do not apply.

Reference:

<https://policies.ncdhhs.gov/divisional/social-services/child-welfare/policy-manuals/cross-function-2.pdf>



Kinship Provider

- A relative or fictive/nonrelative kin identified or in place during Permanency Planning Services.
- Kinship is the self-defined relationship between two or more people and is based on biological, legal, and/or strong family-like ties.
- Placement with a Kinship Care Provider often lasts for months or years, must have court oversight, and addresses safety and/or risk factors.
- The foster care provisions of ESSA apply.

Reference:

<https://policies.ncdhhs.gov/divisional/social-services/child-welfare/policy-manuals/cross-function-2.pdf>



Foster Care

- 24-hour substitute care for children placed away from their parents or guardians in the legal custody of a child welfare agency has placement and care responsibility.
- This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, childcare institutions, and pre-adoptive homes.
- A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed and payments are made by the State, Tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is Federal matching of any payments that are made. (ACYF, 2012, 45 C.F.R. § 1355.20(a))

Reference:

https://www.acf.hhs.gov/sites/default/files/cb/ed_hhs_foster_care_guidance.pdf



School of Origin (SOO)

- The school in which a child is enrolled prior to the child welfare placement (where the child is enrolled at the time of placement into foster care)
- If a child's placement changes, the SOO is the school in which the child was enrolled prior to the placement change
- Student can remain in SOO (unless it is not in his/her best interest) for the duration of time in foster care
- Federal and state guidance encourages schools to continue prioritizing educational stability once student exits foster care

Reference:

https://www.acf.hhs.gov/sites/default/files/cb/ed_hhs_foster_care_guidance.pdf



Immediate Enrollment

- A child in foster care should be enrolled in school as soon as possible in order to prevent educational discontinuity
- The federal guidance further states that enrollment cannot be denied or delayed because documents normally required have not been submitted
- Enrollment means more than technically registered. ESEA defines enrollment as, "attending classes and participating fully in school activities" (ESEA, as amended, 42 U.S.C. § 11434(a)(1))

Reference:

https://www.acf.hhs.gov/sites/default/files/cb/ed_hhs_foster_care_guidance.pdf



Sara Bigley

**The Serve Center and
UNC-Greensboro**

Rationale for ESSA foster care provisions



Reference:

[Better Care Network - National Factsheet of Children in Foster Care Chapin Hall Issue Brief](#)

Compared to their peers, children in foster care can experience:

More traumatic events

More unscheduled school changes

More delays in school enrollment

Lower graduation rates

Lower academic achievement

Higher rates of grade retention, chronic absenteeism, suspensions and expulsions

Foster Care Mobility and Education

Average number of living arrangements during first foster care stay	2.8
---------------------------------------------------------------------	-----

Percent of foster youth who change schools when entering care	56%-75%
---------------------------------------------------------------	---------

Percent of 17-18-year-olds who have experienced 5+ school changes	34%
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Average reading level of 17-18-year-olds	7 th Grade
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Likelihood of being absent from school	2xs that of other students
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Likelihood of receiving special education services	2.5-3.5x that of other students
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Likelihood of 17-18-year-old receiving out-of-school suspension	2xs that of other students
-----------------------------------------------------------------	----------------------------

Reference:

[Better Care Network - National Factsheet of Children in Foster Care Chapin Hall Issue Brief](#)

Foster Care Mobility and Education

Percent of foster youth who complete high school by age 18	50%
------------------------------------------------------------	-----

Percent of foster youth who graduate from high school and attend college	20%
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Percent of 17-18-year-old foster youth who want to go to college	84%
------------------------------------------------------------------	-----

Percent will earn their bachelor's degrees	6%
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Reference:

[Better Care Network - National Factsheet of Children in Foster Care](#) [Chapin Hall Issue Brief](#)

Rationale for ESSA foster care provisions

Losses when Changing Schools

Relationships
with Friends

Relationships
with Supportive
Adults

Extra-
curricular
Activities

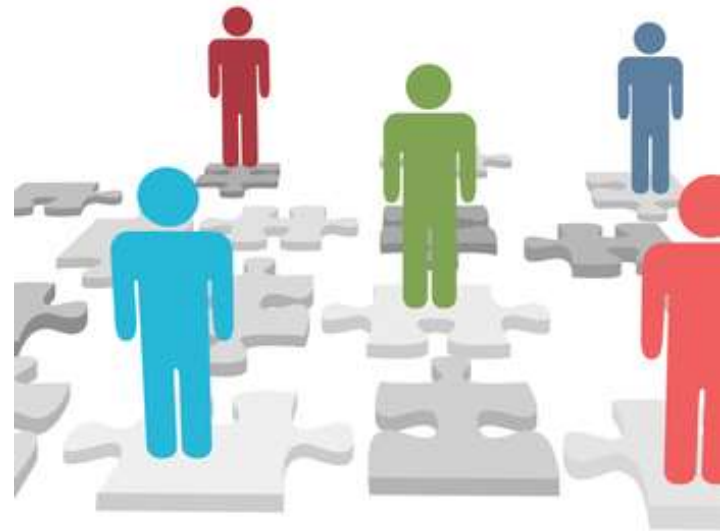
Educational
Services (potentially)

Uninterrupted Scholars Act (USA, 2013)

- **USA creates a new exception under FERPA that makes it easier for schools to release a child's education records to child welfare agencies without the prior written consent of the parents**
- **USA eliminates the requirement that education agencies notify parents before education records are released pursuant to a court order to any individual, when the parent is a party to the case where that order was issued**
- **The new amendment permits schools to release education records to "an agency caseworker or other representative of a State or local child welfare agency, or tribal organization" who has the right to access a student's case plan, and when the agency or organization is "legally responsible" for the child's "care and protection"**

Local Education Agency (LEA) as the Point of Contact (POC)

- Primary educational link between LEAs and DSS agencies
- Help support educational stability for foster care youth and young adults
- Play important role in best interest determinations meetings (BIDs), enrollment and transfer of records, transportation coordination and training of district staff
- Generally the first line of contact when the DSS agency is notifying an LEA regarding custody or placement change of a child
- Facilitates school stability for foster students



Reference:

https://www.acf.hhs.gov/sites/default/files/cb/ed_hhs_foster_care_guidance.pdf

Provisions for children in foster care under ESSA

Remain in the same school (School of Origin, SOO) unless there is a determination that it is not in his or her best interest to attend the school of origin

Ensure that children in foster care needing transportation to the school of origin will promptly receive transportation in a cost-effective manner

When not in the child's best interest to remain in the SOO, immediate enrollment in the new attendance area school even if the child is unable to produce records normally required for enrollment

The enrolling school shall immediately contact the school last attended by any such child to obtain relevant academic and other records

Reference:

https://www.acf.hhs.gov/sites/default/files/cb/ed_hhs_foster_care_guidance.pdf



Wilder Horner

**Chatham County
Department of Social
Services**

Educational Stability Practice

Smith Example

Educational Stability Forms

- **DSS-5133: Foster Care Notification of Placement (Change) Form**
 - Within a day of a child's placement this form must be provided to the child's school
- **DSS-5137: Best Interest Determination Form**
 - If a BID meeting does not occur prior to initial entry into foster care or change in placement. Must complete within **5 school days** of a child's entry into foster care or change of placement.
- **DSS-5135: Foster Care Immediate Enrollment Form**
 - Outcome of BID meeting to enroll in new school, this form is provided to new school within **one school day**.
- **DSS-5245: Child Education Status Form**
 - Completed within **7 days** of a child entering care



LeAnn McKoy

Division of Social Services

Policy Reminders

- Every child in the custody of a North Carolina county child welfare services agency must have a plan for educational stability. The plan must address school stability, school enrollment completed in timely manner and educational needs and services.
- Ongoing educational needs must be reviewed at least every 90 days and documented on the Permanency Planning Family Services Agreement.
- A Child and Family Team (CFT) meeting and Best Interest Determination (BID) meeting can be held at the same time. Once a decision is made initial placement or a change in placement, a CFT meeting must be held. The BID will determine what school the child will attend. Educational professionals must participate in this decision.
- If the BID did not occur during the CFT, the child must remain in their current school until the BID is held.

Reference:

https://policies.ncdhhs.gov/divisional/social-services/child-welfare/policy-manuals/permanency-planning_manual.pdf

Policy Reminders Continued...

- The county child welfare worker must invite, and prepare as needed, the child, parents, and court partners.
- The local educational agency point of contact must invite teachers, coaches, special education services, transportation services, or any other educational services, as appropriate.
- Transportation costs should NOT be considered when determining a child's best interest.
- When there is a placement change or school change, the county child welfare services agency must arrange for transportation until school transportation can be provided.
- An Educational Services meeting is scheduled within one month of the child's enrollment.

Reference:

https://policies.ncdhhs.gov/divisional/social-services/child-welfare/policy-manuals/permanency-planning_manual.pdf

Point of Contact Directories

Contact the NC Foster Care Program:

<https://serve.uncg.edu/projects/nc-foster%20Care/>



The screenshot displays the SERVE website with a dark blue header. The main content area is white and features the title "The Every Student Succeeds Act" followed by a paragraph. Below this is a section titled "Ensuring Educational Stability for Children in Foster Care" with a small photo of two children. The "NC Foster Care Program resources" section is highlighted with a dark blue background and lists several links. The "Other Resources" section follows with a list of links. The "NC Forms" section is also highlighted with a dark blue background and lists various forms. The "Contact the North Carolina Foster Care Program" section is circled in yellow and lists several links. The footer of the website is dark blue and contains the SERVE logo, contact information, and a calendar icon.

The Every Student Succeeds Act

The Every Student Succeeds Act (ESSA) is the most significant federal education law in decades. It gives states the authority to tailor federal education requirements to their own needs and priorities. The law also provides states with the opportunity to lead in addressing the needs of all students, including those in foster care.

Ensuring Educational Stability for Children in Foster Care

Children in foster care are at a higher risk of educational instability than their peers. This is often due to frequent moves, changes in schools, and gaps in learning. The Every Student Succeeds Act (ESSA) provides states with the opportunity to lead in addressing the needs of all students, including those in foster care.

NC Foster Care Program resources

- [Website update - Educational Stability for NC Children in Foster Care](#)
- [Presentation slides - Educational Stability for NC Children in Foster Care \(ppt\)](#)
- [NC Foster Care Information Form \(pdf\)](#)
- [NC Foster Care Information Page \(pdf\)](#)

Other Resources

- [The 10 Essential Elements of a High-Quality Early Childhood Education System - A Framework for States \(pdf\)](#)
- [ESSA: Ensuring Educational Stability for Children and Youth in Foster Care \(ppt\)](#)
- [Every Student Succeeds Act: Ensuring Educational Stability for Children and Youth in Foster Care \(ppt\)](#)
- [Ensuring Educational Stability for Children and Youth in Foster Care \(ppt\)](#)
- [ESSA: Ensuring Educational Stability for Children and Youth in Foster Care \(ppt\)](#)
- [ESSA: Ensuring Educational Stability for Children and Youth in Foster Care \(ppt\)](#)

NC Forms

Forms used by school districts and institutions of higher learning:

- [Foster Care Information Worksheet Form \(pdf\)](#)
- [Foster Care Information Worksheet Form - Institutions \(pdf\)](#)
- [Foster Care - Notification of Placement Change Form \(pdf\)](#)
- [Foster Care - Notification of Placement Change Form - Institutions \(pdf\)](#)
- [A non-resident custody agreement \(affidavit\) that the court has given custody to the parent \(PDF\) \(pdf\)](#)

Other forms:

- [NC Foster Care Information Worksheet \(pdf\)](#)
- [New Student Information Worksheet \(PDF\) Form \(pdf\)](#)
- [New Student Information Worksheet \(PDF\) Form - Institutions \(pdf\)](#)
- [Educational Status Meeting \(ESM\) Form \(pdf\)](#)
- [Educational Status Meeting \(ESM\) Form - Institutions \(pdf\)](#)

Contact the North Carolina Foster Care Program

- [Office Phone \(pdf\) \(pdf\)](#)
- [Available \(pdf\) \(pdf\)](#)
- [NC Foster Care Information Form \(pdf\) \(pdf\)](#)
- [ESSA: Ensuring Educational Stability for Children and Youth in Foster Care \(pdf\) \(pdf\)](#)
- [ESSA: Ensuring Educational Stability for Children and Youth in Foster Care \(pdf\) \(pdf\)](#)
- [ESSA: Ensuring Educational Stability for Children and Youth in Foster Care \(pdf\) \(pdf\)](#)

Directories and Forms to Update Point of Contact Information

<https://serve.uncg.edu/projects/nc-foster%20Care/>

Contact the North Carolina Foster Care Program

- Office Phone: 336.334.4638
- Email at: sbigley@serve.org
- [NC Foster Care Local Point of Contact Directory \(9.18.2020\)](#)
- [Child Welfare ESSA Point of Contact Directory \(9.11.2020\)](#)
- [Contact information form for the NC Foster Care Local Point of Contact](#)
- [Contact information form the NC Welfare Agency Point of Contact](#)

CW ESSA Point of Contact Information Form



Please complete the information below to add or update your information to the
North Carolina Foster Care Local Point of Contact Directory.

Please complete the following information for the person who is to be **ADDED** as the NC Foster Care Local Point of Contact. (NOTE: All information should be professional contact, not personal contact.)

Date
First Name
Last Name
Is this person the Foster Care Local Point of Contact for the district? (Yes/No)
Name of School District (LEA or Charter School)
Title/Position
Work Email Address
Work Phone Number
Work Street Address
City
Zip Code

Please complete the following information for the person who is to be **removed** from the NC Foster Care Local Point of Contact Directory.

First Name
Last Name

This information will be recorded exactly as entered. Please review your entries for accuracy.

Remember to click the "submit" button.



Please complete the information below to ADD your information to or REMOVE your information from the
North Carolina Child Welfare Agency Point of Contact for Schools Directory.

Please complete the following information for the person who is to be **ADDED** as the North Carolina Child Welfare Agency Point of Contact for Schools. (NOTE: All information should be professional contact, not personal contact.)

Date (mm/dd/yyyy)
First Name
Last Name
Is this person the North Carolina Child Welfare Agency Point of Contact for Schools (Yes/No)
Name of Child Welfare Agency
Title
Work Email Address
Work Phone Number
Work Street Address
City
Zip Code

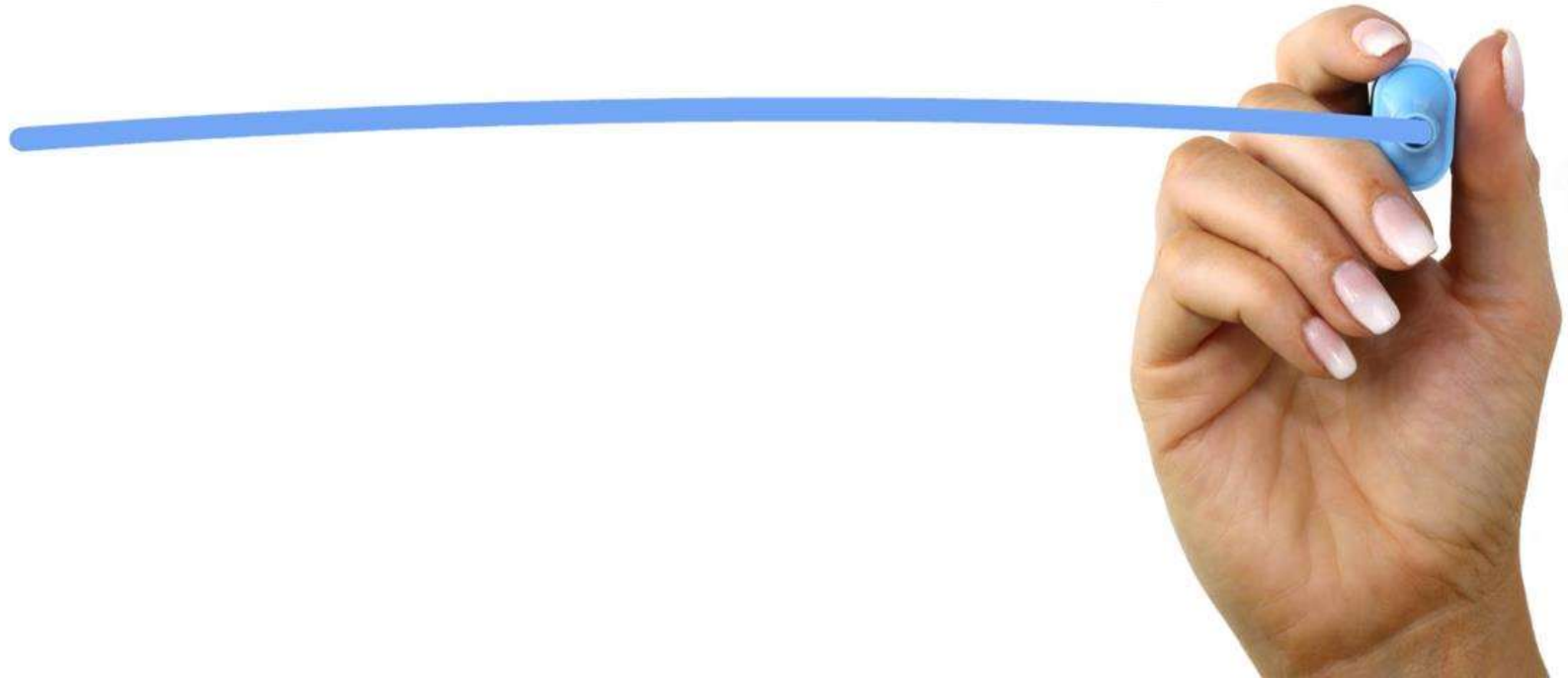
Please complete the following information for the person who is to be **REMOVED** from the North Carolina Child Welfare Agency Point of Contact for Schools directory.

First Name
Last Name

This information will be recorded exactly as entered. Please review your entries for accuracy.

Please click the "Submit" button below to complete your submission.

QUESTIONS



Poll Question

- **Now having attended this webinar, my level of understanding the Every Student Succeeds Act also known as ESSA is:**
- **Now having attended this webinar, I feel more confident in applying ESSA:**

Resources

- **NC Child Welfare Permanency Planning and Cross-Function Manuals:** <https://policies.ncdhhs.gov/divisional/social-services/child-welfare/policy-manuals/modified-manual-1>
- **The US Department of Education (ED) and Health and Human Services (HHS) Non-regulatory Guidance: Ensuring Stability for Children in Foster Care (pdf):** <https://www.acf.hhs.gov/cb/resource/ed-hhs-foster-care-non-regulatory-guidance>
- **ESSA: Ensuring Educational Stability for Children and Youth in Foster Care in NC-Joint Guidance NC DHHS and NC DPI (pdf)**
- **Fostering Connections Implementation Toolkit (2011)**
- **Foster Care and disclosure of student records – “The Uninterrupted Scholars Act (USA) Guidance**



Cross System Language

DHHS	Department of Health and Human Services
ESEA	Elementary and Secondary Education Act
ESSA	Every Student Succeeds Act
LEA	Local Education Agency
POC	Point of Contact
SOO	School of Origin



Reminder

ESSA FUNDING: PART 2 Webinar

Thursday, November 5, 2020

9:00am – 11:00am

and

1:00pm – 3:00pm

You do not have to attend both sessions!

For More Information

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Foster Care Manager

Division of Social Services

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NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**
Division of Social Services

Sara Bigley

**State Education Agency Foster Care
Point of Contact**

The SERVE at UNC-Greensboro

sbigley@serve.org



Public Schools of North Carolina
State Board of Education
Department of Public Instruction