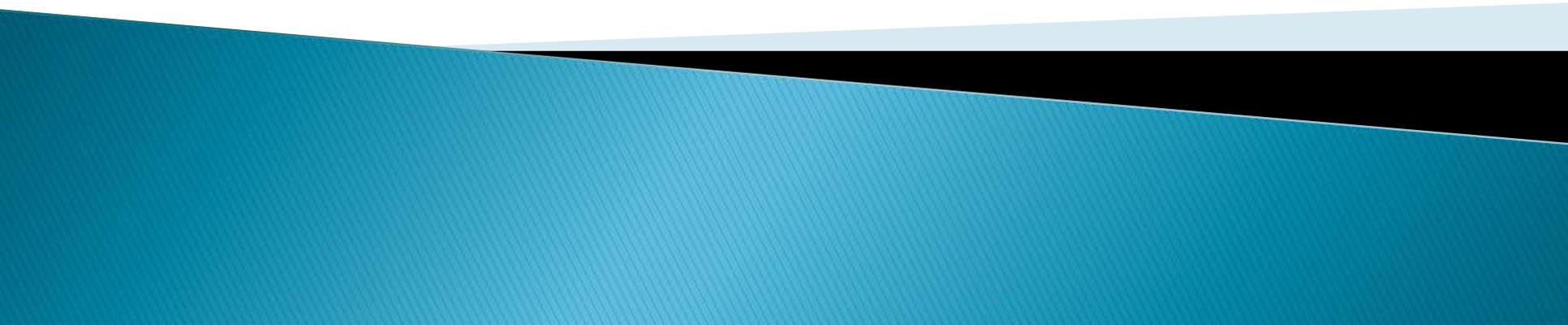


**Foster Care  
101: Understanding the  
Complex Needs of Youth in  
Care**

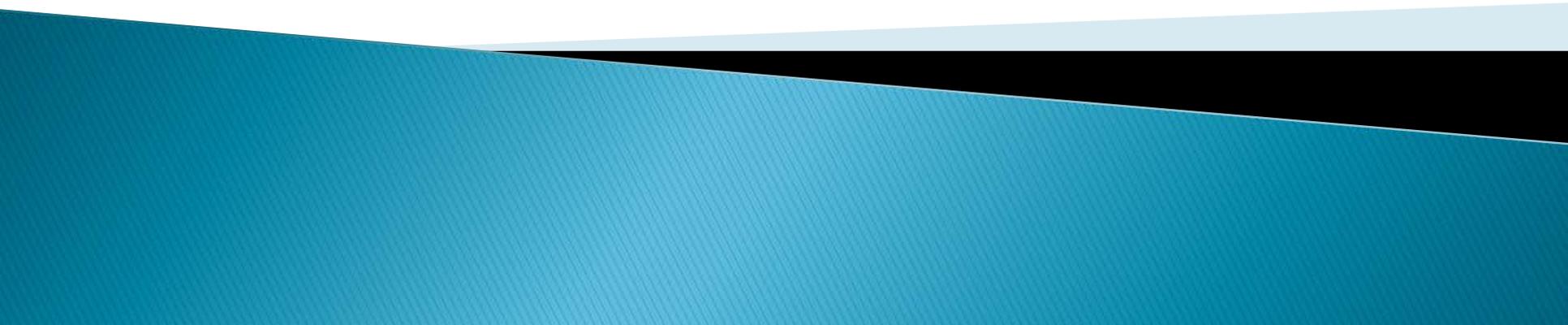
**Dmetria C. Gibson, J.D., M.Ed.**



# The Division of Family & Children Services (DFCS)

- ▶ The primary goal is to assist and support families to ensure children are safe from abuse, and families can become more self-sufficient.
- ▶ It is made up of two primary bodies of work: Child Welfare and the Office of Family Independence (OFI).
- ▶ Social Services/Child Welfare encompasses Child Protective Services (CPS), Adoptions and Foster Care.
- ▶ The Office of Family Independence oversees Temporary Assistance for Needy Families Program (TANF), Food Stamps, Medicaid and other self-sufficiency and family support activities.

**How does DFCS get  
involved?**



# Judicial Proceedings

- ▶ **Complaint Filed**
  - DFCS receives and files complaint of alleged abuse and/or neglect
- ▶ **Preliminary Protective Hearing**
  - Judge determines whether probable cause exists that the child is dependent
- ▶ **Adjudication Hearing**
  - Judge determines if there is clear and convincing evidence that child is dependent
- ▶ **Disposition Hearing**
  - Judge determine what should happen to child for his/her best interest
- ▶ **Initial and Periodic Review**
  - Court approved relative search and determines whether child is still dependent
- ▶ **Permanency Plan Hearing**
  - Judge decides about child's permanent plan

# Other Potential Judicial Proceedings

- ▶ Termination of Parental Rights (TPR)
  - Judge determines if statutory grounds have been met and whether TPR is in child's best interest
- ▶ Post TPR Reviews
  - Judge determines appropriateness of permanency plan and other efforts to further adoptions
- ▶ Reinstatement of Parental Rights
  - Child may petition court for reinstatement

# Child's Journey Through Foster Care



Report of  
child abuse  
or neglect.

**Parent's home**



Child not safe  
at home.



**Court**



Court determines  
where child will be  
placed.



**Foster home**



Court sends child to  
foster home with  
services.

or

**Relative's home**



Court sends child to  
a relative's home  
with services.

or

**Parent's home**



Court sends child  
home with or  
without services.

**Court**



Court reviews progress and  
determines if:

- the child will return home,
- parental rights will be terminated so the child is free for adoption,
- the child will live permanently with a relative, or
- the child will stay in foster care longer.

**Foster home**



Child remains in foster  
care while options for  
permanent family are  
explored.

or

**Permanent home**



Parental rights terminated.  
Child adopted or custody  
given to another caregiver.

or

**Parent's home**

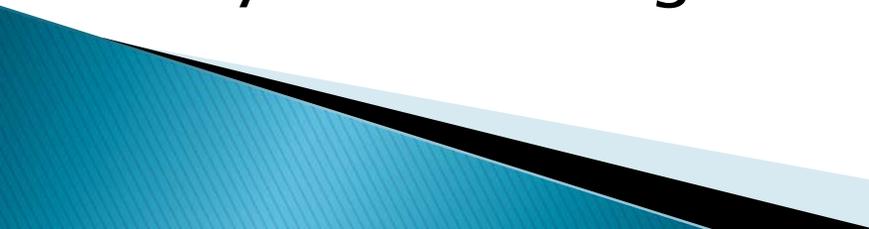


Family completes  
reunification plan.  
Child returns home.

# ReMoved

Foster care through the eyes of a child

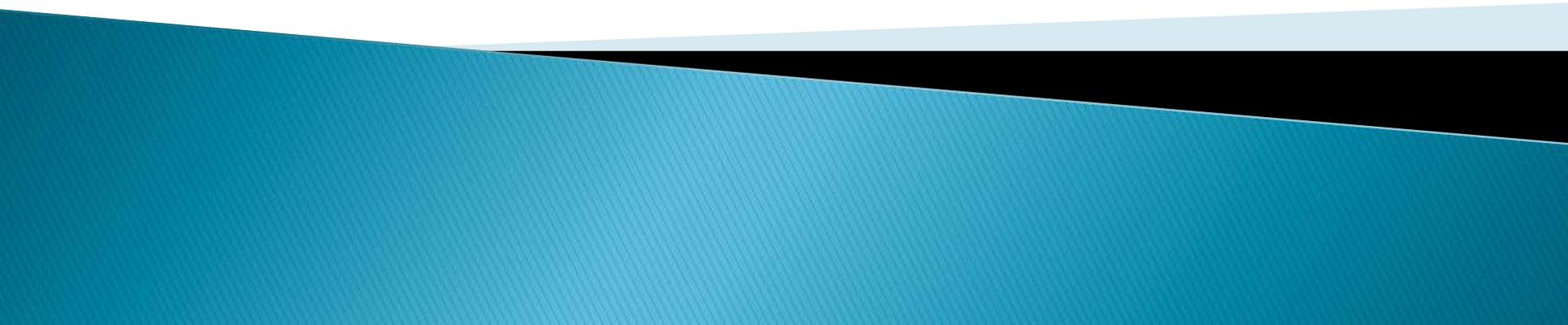
# Georgia Facts

- ▶ 99 children died from abuse and neglect in 2014
  - ▶ 200 incidents of child abuse and neglect are reported daily
  - ▶ Every day, 33 children are the victims of confirmed abuse or neglect
  - ▶ On any given day, about 12,700 children are in the foster care system in the state.
  - ▶ 19,466 children came through the foster care system during the state fiscal year 2016
- 

# Typical Involved Individuals

- Judge
  - DFCS Case Worker
  - Attorneys: SAAG (DFCS), parent's, child's attorney
  - CASA
  - Parents
  - Child / Siblings
  - Therapists / Counselors
  - Family Support Aides
  - Family
  - Teachers
  - Friends
  - Foster Parents
  - Police/Law Enforcement
  - Doctors/ Medical Personnel
- 

**How does this impact  
educational stability?**



▶ Research demonstrates that every time a child changes schools, they lose up to **6 months** of their education and many foster youth may change schools **10-15 times** throughout their education

- Only **8%** of children in foster care complete high school
- Only 3% graduate with a Bachelor's Degree
- 75% of children in care operate below grade level

# Why?

- ▶ Relatively Small Population
  - ▶ Multiple Home Placements
  - ▶ Childhood Trauma
  - ▶ Lack of Educational Emphasis
- 

# Youth in Care

- ▶ The State of Georgia has approximately 1,635,000 enrolled students throughout the state.
- ▶ Between 5,000–6,000 of the enrolled students are in state custody
- ▶ Many educators have not received targeted training on how to address the complex needs of this fragile population
  - Increased Student Tribunal
  - 60% of youth identified under IDEA
  - Missed opportunities for gifted program selection

# Multiple Home Placements

- Children in the foster care system often experience trauma every time they are moved from one place to another.
  - Each change in placement increases the likelihood of irreversible harm to their emotional and psychological health.
  - However, because a child's safety has to be the primary consideration, sometimes he/she must be moved for protection.
- 

# Childhood Trauma

- ▶ Every child in care has experienced some degree of trauma.
- ▶ Typical sources of trauma include:
  - Abuse or Neglect before coming into care
  - Being brought into care in itself is traumatic because of the dramatic changes
  - Multiple home placements

# Behaviors Associated With Trauma

- ▶ Discuss the traumatic event in detail
  - ▶ Develop eating disorders and self harming behaviors
  - ▶ Start using or abusing drugs and alcohol
  - ▶ Show a lack of interest in school
  - ▶ Sexual promiscuity
  - ▶ Difficulty interacting with new individuals
- 

# Key Ideas to Keep in Mind

- ▶ Not all children subjected to lives of severe adversity go on to suffer problems.
  - ▶ While abuse and neglect certainly increase the likelihood of developing problems, some children don't experience problems, or do to only a minor degree.
  - ▶ Resiliency theory suggests that certain children (and adults) have qualities of personality, family, relationships, outlooks, and skills that allow them to rise above enormous hardship.
- 

# Arthur's Profile

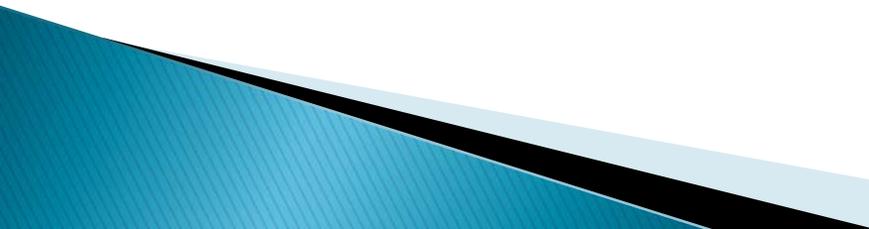
- ▶ 14-year old eighth grade male student who has been retained twice
- ▶ Individual Education Program (IEP)
  - Primary Exceptionality: Other Health Impairment (OHI) with Specific Learning Disability (SLD)
  - Updated with to include the diagnosis of ODD
- ▶ Student was currently in 15<sup>th</sup> school since the age of 5 years old and third school since October 2014 when the case was assigned.

36 Day Delay

Year	School Entry	Entry Date	Withdrawn	Withdrawn Date	Days Absent	Days Present	Unexcused Days Absent
2015	Re-enter after prior withdrawal this year	03/19/2015			3	39	1
2015	Transfer from other GA public school	01/15/2015	Transferred to another public school system in Georgia (does not include DJJ)	02/11/2015	7	12	4
2015	Transfer from other GA public school	01/08/2015	Transferred to another public school system in Georgia (does not include DJJ)	01/14/2015	1	4	1
2015	Transfer from other GA public school	12/16/2014	Transferred to another public school system in Georgia (does not include DJJ)	01/06/2015	0	5	0
2015	Transfer within same school system	11/18/2014	Unknown	12/10/2014	0	12	0
2015	Transfer from other GA public school	11/10/2014	Advanced to another school within system	11/17/2014	3	3	3
2015	Transfer from other GA public school	08/14/2014	Transferred to another public school system in Georgia (does not include DJJ)	11/04/2014	2	54	2
2014	Transfer within same school system	04/28/2014			4	16	1
2014	Transfer from other GA public school	11/04/2013	Transferred to another public school system in Georgia (does not include DJJ)	03/14/2014	3	66	3
2014	Transfer from other GA public school	08/15/2013	Transferred to another public school system in Georgia (does not include DJJ)	10/30/2013	3	47	0

5 Missed School Days

# Solution

- ▶ Stabilized home placements
    - Permanent guardianship
  - ▶ Addressed the trauma
    - Therapy and mental health services
  - ▶ Created a pragmatic education plan
    - Introduced viable career options
- 

# Overall Strategies

- ▶ Reach out to foster care professionals
  - ▶ Encourage and support education advocacy efforts
  - ▶ Share resources and community support information as appropriate
  - ▶ Appreciate the need for confidentiality
- 

# Questions

	<b>GEORGIA DIVISION OF FAMILY AND CHILDREN SERVICES</b>			
	<b>CHILD WELFARE POLICY MANUAL</b>			
	<b>Chapter:</b>	(10) Foster Care	<b>Effective Date:</b>	August 2014
	<b>Policy Title:</b>	Educational Needs		
<b>Policy Number:</b>	10.13	<b>Previous Policy #:</b>	1011.7.3, 1011.7.6	

### CODES/REFERENCES

O.C.G.A. § 20-2-690.1  
 Fostering Connections to Success and Increasing Adoptions Act [FCA] of 2008 (P.L. 110-351)  
 Title IV-E of the Social Security Act Sections 471(a)(30) and 475(5)(D)  
 Child Abuse Prevention and Treatment Act (CAPTA)  
 CAPTA Reauthorization Act of 2010 (P.L. 111-320)  
 Child and Family Services Improvement and Innovation Act of 2011  
 Individuals with Disabilities Education Act of 2004 (IDEA)  
 McKinney-Vento Homeless Assistance Act

### REQUIREMENTS

*The Division of Family and Children Services (DFCS) shall ensure each child in foster care between five (5) and eighteen (18) years of age, is enrolled as a full time elementary or secondary student or has completed secondary school. (DFCS requirements are above the minimum age requirements for compulsory school attendance in Georgia). Elementary and secondary educational services may be obtained through one of the following means:*

1. *Public school which provides elementary or secondary education in the community in which the child resides. If the school system determines it is unable to meet the educational needs of a child, the school system must provide an alternative means for the child to obtain an education.*
2. *Home school providing elementary or secondary education, if in accordance with [Georgia's home school statutes](#), and if **pre-approved** by the DFCS [Educational Programming, Assessment and Consultation Section](#) (EPAC).*
3. *Independent study elementary or secondary education program in accordance with Georgia law or other jurisdiction in which the program is located, which is administered by the local school or school district.*
4. *On-campus school (that meets Georgia Department of Education (GADOE) requirements) at any residential facility in which the child resides.*
5. *Private school (the cost must not be incurred by DFCS).*

*DFCS shall coordinate with the local educational agency (LEA) to ensure each child in foster care who is incapable of attending school on a full-time basis due to a medical condition (whose incapability is supported by regular updated information in the case plan) receives the appropriate educational services to meet their needs.*

DFCS shall coordinate with LEAs to ensure children/youth with cognitive, emotional, or physical challenges that prevent them from fully benefitting from a regular school program are provided

with appropriate educational services and resources.

DFCS shall refer every child between the ages of five (5) and eighteen (18) years old to the EPAC Unit for an educational assessment and consultation within one (1) business day of the Preliminary Protective Hearing (if the child remains in DFCS custody).

*DFCS shall ensure the educational stability of all children while in foster care, including:*

- 1. Assuring each placement of the child in foster care takes into account the appropriateness of the current educational setting and proximity to the school in which the child is enrolled at the time of the placement or subsequent placement change. There are **no** exceptions to the requirement regarding appropriateness of the educational setting for each child in foster care.*
- 2. Coordinating with the appropriate LEA to ensure that all children remain in the same school they were attending at the time of removal and at any subsequent placement change. This includes providing transportation to and from the school of origin.*

**NOTE:** Foster care maintenance payments now include transportation costs for educational stability (See [Foster Care Maintenance Payments](#) and [Education Stability Field Practice Guide](#)).
- 3. Immediately enrolling each child in an appropriate new school and arranging for immediate transfer of the child's educational records to the new school, when remaining at the same school is **not** in the best interest of the child. A child must **not** have a break in school attendance due to entry/re-entry into foster care or a placement move.*
- 4. Exploring all transportation options available to maintain a child in their current school placement (e.g., foster parent, school district, private provider, etc). Staff shall utilize the DFCS Educational Stability Checklist, the Educational Stability Field Practice Guide, and Educational Stability Transportation Funding Request Protocol for more information and guidance. Refer to the [COSTAR Manual, Section 3006/UAS 518](#) for guidance regarding funding.*

DFCS shall identify youth that meet the definition of "homeless" under the McKinney-Vento Homeless Assistance Act (M-V) and refer them to the LEA M-V Liaison to ensure they receive services for which they may qualify under M-V.

*DFCS shall ensure a child's education records are reviewed and updated upon entering foster care and on an ongoing basis through the placement episode. A copy of the records is provided to the child's placement resource at the time of each placement along with updates throughout the placement episode.*

*DFCS shall ensure a child's education records are provided to the child, at no cost, at the time the child leaves foster care, if the child is leaving foster care by reason of having attained the age of majority under State law.*

DFCS shall utilize the Georgia Department of Education's Statewide Longitudinal Data System (SLDS) to obtain education data on children in foster care, including enrollments, withdrawals, attendance, course grades, test scores, and other relevant educational information.

DFCS shall minimize the number of school absences a child experiences due to court or treatment related appointments and ensure the appropriate documentation is provided to the

child's school when excused absences due to such appointments occur. This includes court appearances, court-mandated appointments, and medical appointments that cannot be scheduled outside of school hours.

DFCS shall ensure youth above the age of compulsory school attendance (age 16 or above) and interested in pursuing a GED rather than a high school diploma are referred to EPAC for assessment and determination of the most appropriate educational program (See Practice Guidance: [High School Diploma vs. GED](#)).

DFCS shall, on an ongoing basis, monitor school attendance and educational services received by children in foster care to ensure services remain appropriate.

## **PROCEDURES**

### **When a child is removed from their parent/caregiver, or changes foster care placements, the Social Services Case Manager (SSCM) will:**

1. Ensure the child continues in the same school they were attending at the time of removal or placement change, except when it is not in the best interest of the child.
2. Make every effort to place the child in an approved relative, foster home, or other approved placement resource, in the same neighborhood or community as the child's removal home or current placement.
  - a. If a placement cannot be located within the same school district, discuss with the placement resource the need to transport the child to their home school; and
  - b. Make other arrangements for transportation when there are extenuating reasons if the placement provider cannot provide the transportation (See [Educational Stability Practice Guide](#)).
3. Within one business day of the Preliminary Protective Hearing (if a child remains in DFCS custody and is at least five and less than 18 years of age), submit a referral to EPAC for a diagnostic educational assessment and consultation. (See [EPAC Referral Process](#))
  - a. The SSCM submits the EPAC Referral Form 176 via e-mail to [EPAC@dhr.state.ga.us](mailto:EPAC@dhr.state.ga.us). All students must have a Form 176 on file with EPAC.
  - b. The EPAC Education Support Monitor (ESM) contacts the SSCM and the placement provider to verify information, schedules an initial assessment, and obtains student records for the case file.
  - c. The ESM develops the EPAC Education Action Plan (EAP) along with the SSCM and researches additional information.
  - d. The child being referred is linked to appropriate educational services.
  - e. The ESM and SSCM collaborate to monitor progress and quality of services provided to the child in care. The ESM notifies the SSCM and other appropriate staff of changes and programmatic updates.
  - f. The ESM processes reports, invoices, and other documentation while updating the student's EAP. The ESM determines if services should be modified or continued.
4. If it is determined that the child qualifies as "homeless" under the McKinney-Vento Homeless Assistance Act (M-V), collaborate with the Local Educational Agency (LEA) who will assist in keeping students in their school of origin and ensure they receive all related services for which they are eligible under M-V.
5. Access the Georgia Department of Education's SLDS utilizing each child's Georgia Testing Identification Number (GTID).
  - a. Review the information on the student level education access page in SLDS;

- b. Extract and upload data such as longitudinal attendance and unofficial transcripts into external documents in Georgia SHINES, the Statewide Automated Child Welfare Information System;
  - c. Update the Education Detail Page in Georgia SHINES with current and accurate data.
6. Contact the school within one business day of the child's initial entry/re-entry into care or placement change:
- a. Provide the school written notice of the following:
    - 1) Change in the caregiver;
    - 2) Emergency contacts;
    - 3) Individuals authorized to act on behalf of the child and the Department (i.e. SSCM, Supervisor, EPAC, etc.);
    - 4) Name, contact information, and purpose of the ESM;
    - 5) The Discipline Policy for children in foster care (i.e., prohibition of corporal punishment); See [Discipline and Behavior management](#);
    - 6) Reminder to school administrators to keep matters pertaining to the child confidential.
  - b. Schedule a meeting with the child's teacher and counselor within five business days of the child's entry or re-entry into care, or whenever a child has changed schools. The meeting shall include the SSCM, parent/caregiver, RBWO provider (if applicable), and EPAC representative. If the EPAC representative cannot attend the meeting, the SSCM must consult with them prior to the meeting. At a minimum, the following issues should be discussed at the meeting:
    - 1) Child's educational strengths and needs;
    - 2) Child's GTID number;
    - 3) Any special educational services or other applicable accommodations:
      - a) Whether or not the child has an IEP;
      - b) **Whether or not an educational surrogate has been appointed by the local school to assume parental rights (under the special education regulations) in order to protect the student's rights.**
    - 4) Contact information for the caregiver, DFCS staff, RBWO provider(if applicable), EPAC Education Support Monitor (ESM), etc.;
    - 5) Whom the school should notify in case of emergency, for teacher conferences, etc.;
    - 6) Advance notification (if possible) of events that may require the child's absence from school (e.g., court hearings, Judicial Citizen's Panel Reviews, medical/psychological evaluations). Discuss whether absences related to court are considered excused absences, acceptable documentation for validating absences, the time frame for submission of such documentation, and the procedure for making up any assignments the child has missed;
    - 7) The Discipline Policy for children in foster care;
    - 8) Transportation needs for the child (especially if child is placed out of the school zone or district). This includes what specific transportation support can be provided by the school, DFCS and caregiver (See [Transportation Needs](#));
    - 9) For a child who meets requirements for services under the McKinney Vento Act, what services are available for the child;
    - 10) Enrollment of the child in the National School Lunch Program (Healthy, Hunger Free Kids Act of 2010), if not yet enrolled.

7. Ensure the child's [educational setting is appropriate](#).
  - a. The EPAC representative will conduct an educational assessment through review of educational records such as the Individualized Education Plan (IEP), [504 Plan](#) and [Response to Intervention](#) (RTI), consultation with school personnel, etc. and develop an Educational Action Plan. This plan will include a recommendation regarding the appropriateness of the child's educational setting for inclusion in the initial case plan.
  - b. The EPAC Educational Action Plan for the child will be discussed for inclusion into the initial case plan. The EPAC ESM or other EPAC representative must be invited to the case plan development meeting to discuss educational goals and plans.
8. Ensure the case plan includes the following information to obtain court approval:
  - a. An assurance that the foster care placement reflects consideration of the child's home school at the time of placement;
  - b. A specific description of the factors considered in regards to the placement, which can include:
    - 1) Proximity to home school;
    - 2) Current educational setting is appropriate to meet the child's needs;
    - 3) Placement meets the child's needs;
    - 4) Siblings or relative placement.
  - c. How the placement choice was derived;
  - d. An assurance that the [appropriateness](#) of the child's educational setting has been considered based on information included in the EPAC Assessment and Education Action Plan for the child.
9. Ensure information is documented in Georgia SHINES within 72 hours of receipt.
  - a. Update the Education Tab with the child's school information, educational assessments, etc;
  - b. Document considerations regarding the child's educational setting, decisions, contacts with school officials, EPAC, etc. on the Contact Detail page in Georgia SHINES.

**If the county DFCS determines that it is not in the best interest of a child to remain in their home school, the SSCM must ensure the following is documented in the case plan for court approval:**

1. A statement that it is not in the best interest of the child to remain in the same school at removal or placement change.
2. A description of the supporting circumstances, which may include documentation of:
  - a. Safety and/or well-being concerns (e.g., familial or community based issues of violence, maltreatment, etc.);
  - b. Reason(s) the child's previous educational setting was not appropriate to meet the child's needs;
  - c. The child's need for a specialized placement based on identified needs such as mental health, medical issues, substance abuse issues, etc.);

**NOTE: Documentation from a licensed medical or clinical professional is required.**

  - d. The placement decision being based on securing permanency for the child, reuniting the child with siblings, or securing an appropriate relative placement or permanency resource for the child;
  - e. The child being placed out of the state.

3. An assurance that DFCS and the local school system have cooperated to assure the immediate and appropriate enrollment in the new school and that all educational records have been provided or transferred within ten (10) calendar days;
4. An assurance that the appropriateness of the child's educational setting has been considered based on information included in the EPAC Assessment and Education Action Plan for the child.

**When a child must change schools because it is not in their best interest to remain in their current school, the SSCM will:**

1. Enlist the assistance of the EPAC ESM or other representative for assistance in the school transfer process to ensure the following:
  - a. The new educational setting will appropriately meet the child's educational needs;
  - b. Clarity regarding what educational records are required for the child to be transferred to the new school, including how, when, and by whom the records will be obtained;
  - c. The child is enrolled immediately in the new school;  
**NOTE:** A child must not have a break in school attendance (absences) due to a placement move or entry/re-entry into care.
  - d. The school provides the following information at the time of enrollment:
    - i Student Handbook;
    - ii Student discipline policy;
    - iii School fees policy;
    - iv School contact information;
    - v School calendar;
    - vi Special education rights and procedural safeguards (special education students only).
  - e. The child is enrolled in the National School Lunch Program (Healthy, Hunger Free Kids Act of 2010);
  - f. All educational records are transferred to the new school within ten (10) calendar days of the request for transfer;
  - g. The school makes every effort possible to minimize the loss of credits earned at the youth's last school when completing the class schedule.
2. Schedule a meeting with the new school teacher/counselor within five (5) business days of the new enrollment to discuss the following:
  - a. Child's educational strengths and needs;
  - b. Any necessary special education services or accommodations (e.g., IEP, Educational surrogate, etc.);
  - c. Contact information for the placement provider, SSCM, EPAC ESM, etc.
3. Explore ways to make the transition as smooth as possible both academically and socially:
  - a. Discuss with the child/youth why the change is necessary;
  - b. When possible, arrange for the child/youth to have a tour of his/her new school before his/her first day;
  - c. Allow the child/youth to have time to say goodbye to friends in his/her old school, when appropriate;
  - d. Allow the child to maintain contact with significant relations (friends, teachers or counselors) via email, phone calls or letter exchanges, when appropriate;
4. Follow up with the previous and new school to confirm that all necessary records, transcripts and supporting educational information have been transferred;
5. Ensure information is documented in Georgia SHINES.

- a. Update the Education Tab with the child's school information, educational assessments, etc;
- b. Document considerations regarding the child's educational setting, decisions, contacts with school officials, EPAC, etc. in the Contact Detail in Georgia SHINES.

**Throughout the period of time a child remains in foster care, the SSCM will:**

1. Consult with EPAC regarding issues affecting a child's educational well being or any situation that could result in a disruption of a child's educational setting, including actual placement disruption.
2. Provide timely updates to the EPAC ESM for follow up when a youth:
  - a. Fails or scores below standard on one or more content areas of the required state administered standardized test for his/her grade level;
  - b. In grades 11 or 12, fails any of the components of the End-of-Course Test (EOCT);
  - c. Is preparing to take the state required state administered standardized test for his/her grade level or is preparing to take the make up exam;
  - d. Is retained at least one grade level during primary or secondary school;
  - e. Has experienced more than one school transfer during the current academic year;
  - f. Receives multiple below average/unsatisfactory or failing progress reports within a semester;
  - g. Accrues excessive unexcused absences (five or more days) from school (occurring not as a result of illness or other justified reasons). Children are considered truant when, during the school calendar year, they have more than five days of unexcused absences;
  - h. Is suspended from school for more than three (3) days or is suspended two or more times within a school year;
  - i. Is released from a Psychiatric Residential Treatment Facility (PRTF) within the past ninety (90) days;
  - j. Is placed in a Child Caring Institution (CCI) and attends school onsite;
  - k. Commits a major school offense resulting in expulsion:
    - i. Immediately, report these events to the regional support network and the EPAC Unit for guidance regarding possible appeal.
    - ii. Work with the local school district and caregivers to secure alternative educational services for the child through a community agency.
  - l. In grade 12 (under 18 years of age) with identified academic deficiencies and in need of intensive academic support to exit care with at least a high school diploma.
3. Attend and participate in the child's IEP meetings.
  - a. Contact the EPAC ESM for consultation prior to the meeting.
  - b. Ensure the school system provides an alternative means for the child to obtain educational services within the community of the school if the school has determined it is unable to meet the child's special needs.
  - c. Ensure there is an understanding and documentation of the following at the end of the IEP meeting:
    - i. Child's present level of academic performance;
    - ii. Why the child is academically behind peers of the same age;
    - iii. Kind of services and/or classroom interventions the school will provide;
    - iv. Amount and frequency of services (e.g., two 45 minute sessions per week in a social skills group);
    - v. Who will be responsible for delivering the services;

- vi When the services will be initiated;
  - vii Educational goals and objectives for the child;
  - viii How the impact of the intervention will be measured and reported;
  - ix What will happen if the intervention does not work?
4. Be proactive in avoiding school placement changes.
- a. Explore before/after school care that would make it possible for foster parents to transport the child/youth to his/her home school.
  - b. Monitor children’s educational issues in their school to identify emerging academic and behavioral issues; work with the school staff to address them to prevent escalation. Utilize the EPAC staff for ongoing educational support for children through consultation, inclusion in Family Team Meetings, Student Support Teams (SST), etc.
  - c. Monitor the child’s placement to identify and address ongoing and emerging issues that may lead to placement disruptions.
  - d. Support targeted recruitment efforts such as recruitment of foster and adoptive homes in communities with higher incidents of CPS reports, etc.

<b>PRACTICE GUIDANCE</b>
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**Educational Stability for Children in Foster Care**

Children and youth in foster care, like all other children and youth, need and deserve a positive school experience. It not only enhances their well-being, but also helps with their successful transition to adulthood. In addition, it increases their chances for personal fulfillment, economic self sufficiency and their ability to contribute to society. Research has shown that many children enter foster care already behind in school. In addition to the trauma of being removed from their homes, many of these children/youth experience frequent placement and school moves. Placement changes impact the child/youth’s school stability and increase their risk of falling further behind academically. To avoid this result, DFCS is committed to reducing school changes, which can be as traumatic as foster care placement.

For many children, school is a haven for safety, consistency, nourishment and encouragement. A new school means getting to know more strangers, acclimating to even more life changes, navigating new social norms and possible changes in grading standards, books and expectations—all while dealing with the fact that they are in foster care. Placement without regard to the educational implications can mean that the child is unnecessarily negatively impacted by having to attend a new school. The Fostering Connections to Success and Increasing Adoptions Act of 2008 (FCA) requires that children who enter foster care remain in the same school they were attending prior to the removal. Some considerations for county/regional leadership in supporting educational stability for children in care include but are not limited to:

1. What efforts are being made to keep children placed close to their home schools?
2. What efforts are being made to work with the local school districts to eliminate barriers to the child remaining in the same school if in the child’s best interest? For example the county should work with the EPAC ESM to:
  - a. Identify a county point person (liaison) to work directly with the schools to facilitate/address educational issues.
  - b. Identify the local homeless education liaison if the child qualifies as a “homeless” youth under M-V.
  - c. Develop an effective process for ensuring that a child remains in their school of origin.
  - d. Identify resources to provide transportation to the child’s home school.

- e. Develop a process for how a child will be immediately enrolled with records transferred in cases where it is not in his/her best interest to remain in the same school.
  - f. Create an interagency workgroup to identify obstacles and develop processes.
3. Are there active ongoing recruitment and retention efforts to locate appropriate resource families and/or other foster care placements within the school jurisdictions or attendance areas from which children come into foster care?
  4. Is the agency partnering with the local school districts to help recruit families?

Georgia courts have required the legislature to define what level of “basic education” will be provided to all students and to fund schools to provide this basic level of education. A school district cannot take away a student’s right to education without providing him or her with an opportunity to dispute the removal from school. The SSCM must ensure children’s rights are protected. School districts must have a very good reason to justify a permanent or indefinite removal of a student from school.

### **Educational Programming, Assessment and Consultation Unit (EPAC)**

The EPAC Unit provides comprehensive academic support services focusing on improving educational outcomes and the academic achievement of children and youth five to 17 years of age in the custody of DFCS. EPAC services are supported through Temporary Assistance for Needy Families (TANF) funding and are initiated through the SSCM. Upon initial placement into foster care, children and youth are referred to EPAC for a comprehensive diagnostic educational assessment and subsequently monitored for academic progress. Support regarding educational waivers is also provided, as needed. Education Support Monitors (ESMs) are assigned regionally to provide individualized case consultation and to assist case managers in linking children and youth to local education support services, while adhering to local school district policies and procedures. Additionally, EPAC is responsible for procuring educational services that include, but are not limited to, tutoring services. The following list outlines services provided through EPAC:

1. **Diagnostic Educational Assessment:** Each child/youth who is referred for EPAC services receives an initial diagnostic educational assessment. This assessment is provided by a certified teacher or EPAC staff member. It provides a comprehensive review of the math and reading performance of the child/youth.
2. **Educational Consultation to Case Managers:** After a child/youth has received an initial diagnostic educational assessment, the ESM assigned to the region will consult with the child/youth’s case manager to develop an Education Action Plan (EAP) based on the results derived from the assessment.
3. **Educational Consultation to Executive Staff:** The EPAC Education Quality Monitor (EQM) will consult with DFCS County and Regional Directors and state office leadership to provide updates and consultation on the educational outcomes of youth served. These updates and consultations may assist in the development of educational policy and practice within the division, and provide clarification and interpretation of local and state federal laws and statutes.
4. **Tutorial Services:** When community resources, supplemental educational services, and other educational entitlements have been exhausted, children/youth in need of remediation or academic support receive additional tutoring services provided by a certified teacher. These pre-selected teachers (tutors) are identified as Educational Specialists (ES) who have individually established contracts with DFCS.

5. **Individualized Education Plan (IEP) Development:** For children/youth in need of remediation and support services, the ESM and case manager for that child/youth will work together to ensure that an Individualized Education Plan (IEP) is developed for the child/youth (if needed). The ESM will also work with the child/youth's local school system to ensure this plan meets their current educational goals and objectives.
6. **Advocacy:** The ESM for each child/youth and the state office EPAC staff will work with local school systems and the Georgia Department of Education (DOE) to ensure quality educational services are provided to youth in the custody of DFCS. Advocacy activities may range from helping to coordinate academic records for youth who have experienced multiple placements to helping develop an Individual Education Plan for youth with identified special needs.
7. **Resource Coordination:** Each ESM will maintain an Educational Resource Directory for their region(s). This directory will provide additional support resources for their youth who are in need of additional assistance. These resources may include academic support services, community based services and child and family services.

### **EPAC Referral Process**

1. The Referral Form (Form-176) is completed by the case manager and submitted to EPAC via email at [EPAC@dhr.state.ga.us](mailto:EPAC@dhr.state.ga.us). All students recommended to the EPAC program by a SSCM have a Form-176 submitted and on file with the EPAC Unit.
2. The Education Support Monitor (ESM) contacts the Case Manager and Foster Parent to verify information, schedules an initial educational assessment and collects student records for the case file.
3. The ESM develops the EPAC Education Action Plan (EAP) along with the Case Manager and researches additional resources.
4. The child is linked to appropriate educational services.
5. The ESM monitors progress and quality of services provided to the foster child. The ESM notifies the Case Manager and other appropriate staff of changes and programmatic updates.
6. The ESM processes reports, invoices, and other documentation while updating the student's EAP. The ESM determines if services should be modified or continued.

### **Best Interest Determination**

When determining whether it is contrary to the child's best interest to remain in their home school during placement into foster care or placement changes, consider the following:

1. What historical and/or current information is available to make a best interest decision?
2. What was the recommendation from the EPAC Education Action Plan (EAP) and/or Educational Stability Checklist regarding the assessed educational needs of the child and what educational setting is best to meet these needs?
3. Are there other needs (mental health, substance abuse, etc.) that cannot be met in the current setting and require a specialized placement setting?
4. Are there familial or community violence concerns that threaten the child's safety/well-being?
5. Is this a planned placement decision based on securing permanency for the child, reunification with siblings, placement with a fit and willing relative or an out of state placement?
6. Has the decision to move the child included a school transitioning plan?
7. Have the parent, caregiver, school representative, ESM, etc. provided input in the best interest determination?

8. Was the ESM consulted prior to making a best interest determination at each change of placement?
9. Is there a clear procedure at the local level for resolving disputes regarding whether a school change is needed? Does the procedure address the following: written decisions, notice to parents, and what happens to the child pending resolution of the dispute?

### **Determining Appropriateness of Educational Setting**

FCA requires that the child's current educational setting be appropriate. Consider the following when assessing and determining appropriateness of the child's educational setting:

1. Does the child have special education or remedial education needs that can be supported in the current/prospective educational setting?
2. Does the child need a gifted educational program, or require advanced placement classes? If so, is the current/prospective educational setting able to meet such needs?
3. What documentation (reports, evaluations, assessments, etc.) is available to make a determination of the appropriateness of the educational setting?
4. What input has been obtained from the parent, caregiver, teacher, or other school representative to assess appropriateness of the educational setting?
5. What is the parent/caregiver's perspective/involvement regarding the child's educational needs?
6. What efforts have been made to coordinate with the school/Department of Education?
7. Has the school made recommendations for meeting the child's needs in the current setting or for transitioning the child to a more appropriate setting?

### **High School Diploma vs. GED**

Earning a high school diploma is the preferred certificate of secondary education completion for youth in care. Post-secondary education or training should be sought for those youth whose aptitudes and school records demonstrate they are willing and capable of benefitting from such educational opportunities.

**General Educational Development (GED)** tests are a group of five subject tests in science, mathematics, social studies, reading and writing. Successful passage of the tests certifies that the test taker has high school level academic skills. It allows those who will not or did not complete high school the opportunity to earn their high school equivalency credential. If pursuing a GED is recommended or if the child desires to pursue a GED, the SSCM, EPAC Education Support Monitor (ESM), Independent Living Specialist, youth, foster parent, relative caregiver, and/or other provider should meet to discuss whether or not it is in the child's best interest. To be considered for a GED program the following conditions must apply:

1. The program must be an approved/certified GED program;
2. The youth must be at least 16 years old and cannot graduate by age 21;
3. The youth has met all guidelines provided by local school districts and the Georgia Department of Education (GADOE).

The final decision must be documented, in the child's case plan and Written Transitional Living Plan (WTLP) and include a vocational, employment or other next steps plan including timeline and milestones.

### **Transportation Needs**

Transportation should not be a barrier to obtaining educational stability for children in foster

care. Ensuring educational stability for children in care requires partnership and creative collaboration between DFCS staff, school officials and caregivers. The SSCM must enlist the assistance of the school and caregivers to provide for the child's transportation needs. "Just Ask." Ask the school social worker, the school principal or other local school system officials what needs to happen to keep the child in the home school and what options are available for transportation. Also, discuss transportation expectations with caregivers during the placement matching process. Before a placement is made, the SSCM needs to know what support a caregiver is willing and able to provide regarding transportation. Refer to the Educational Stability Checklist, Educational Stability Field Practice Guide, and Educational Stability Transportation Funding Request Protocol for assistance.

### **The McKinney-Vento Act**

The McKinney-Vento Homeless Assistance Act (M-V) is the primary piece of federal legislation dealing with the education of children and youth experiencing homelessness in U.S. public schools. It ensures educational rights and protections for homeless children. The Act includes in the definition of homeless children a clause that includes children "living in emergency or transitional shelters" and, who "are awaiting foster care placement." This may include children placed in foster care up until the Preliminary Protective Hearing. Youth remaining in care beyond the preliminary protective hearing are not considered "homeless" under M-V.

The McKinney-Vento Homeless Assistance Act provides covered youth with the right to:

1. Remain in their school of origin until the end of any academic year, or for the duration of the youth's "homelessness," whichever is longer;
2. Receive transportation to their school of origin;
3. School placement decisions guided by the "best interest" of the youth with an aim to "continue the child's or youth's education in the school of origin" unless doing so is contrary to the wishes of the child or his/her parent or guardian;
4. Choose between the local school where they are living or the school where they were last enrolled;
5. Immediate enrollment in the new school even if records normally required for enrollment are absent, such as proof of residency, immunizations, school records, or other documents;
6. Prompt transfer of school records when a child enters a new school district;
7. Receive various specified school services;
8. Be free from harassment and isolation;
9. Prompt resolution of any school placement disputes with ongoing enrollment in the school of origin pending resolution of those disputes.

Every school district is required to have a local homeless education liaison. Issues or concerns regarding the local liaisons should be referred to the State Coordinator for Homeless Education. For additional information, see [EPAC Standard Operating Procedures Section 2.2, Part B.2- Unaccompanied and Home Homeless Youth Referrals](#).

### **504 Plans**

The "504" refers to Section 504 of the Rehabilitation Act and the Americans with Disabilities Act, which specifies that no one with a disability can be excluded from participating in federally funded programs or activities, including elementary, secondary or post-secondary schooling. "Disability" in this context refers to a "physical or mental impairment which substantially limits one or more major life activities." This can include physical impairments; illnesses or injuries;

communicable diseases; chronic conditions like asthma, allergies and diabetes; and learning problems. A 504 plan specifies the modifications and accommodations that will be needed for these students to have an opportunity to perform at the same level as their peers, and might include such things as wheelchair ramps, blood sugar monitoring, an extra set of textbooks, a peanut-free lunch environment, home instruction, or a tape recorder or keyboard for taking notes.

### **Response to Intervention (RTI)**

In education, response to intervention (RTI) is a method of academic intervention used in the United States to provide early, systematic assistance to children who are having difficulty learning. It was developed as an alternative to the ability–achievement "discrepancy model," which pertains to children who exhibit a discrepancy between their ability (often measured by IQ testing) and academic achievement (as measured by their grades and standardized testing). RTI seeks to prevent academic failure through early, increasingly intensive research-based interventions with frequent progress measurement. It is believed that students who do not respond favorably to universally effective interventions are more likely (than students who do) to have biologically-based learning disabilities that require special education.

### **Individualized Education Plan (IEP)**

An IEP is a written plan designed to meet the unique educational needs of a child who may have a disability, as defined by federal regulations. The IEP is developed, reviewed, and revised at a meeting of a team that includes school officials and parents/guardians. In all cases, the IEP must be tailored to the individual student's needs as identified by the IEP evaluation process, and must especially help teachers and related service providers (such as paraprofessional educators) understand the student's disability and how the disability affects the learning process. The IEP should describe how the student learns, how the student best demonstrates that learning, and what teachers and service providers will do to help the student learn more effectively. When developing an IEP, it is important to assess students in all areas related to their known disabilities. Consideration should be given to the student's ability to access the general curriculum, how the disability affects the student's learning, developing goals and objectives that correspond to the needs of the student, and ultimately choosing a placement in the [least restrictive environment](#) possible for the student. As long as a student qualifies for special education, the IEP must be reviewed on an annual basis and updated over the student's primary educational years (i.e., up to the point of high school graduation, or prior to the 22nd birthday). The requirements for development and implementation of an IEP are found at 34 CFR §§ 300.320 through 300.324.

### **Educational Surrogate**

An educational *surrogate parent* is a person appointed by a local school system to assume parental rights under the special education regulations in order to protect the student's rights. The SSCM may not serve as an educational surrogate. When appropriate, the birth parent may serve as the child's educational surrogate. DFCS will ensure that the foster parent or relative caregiver is aware of the benefits of serving as an educational surrogate to the child, and that the ongoing training required to serve as a surrogate parent is appropriate. If the foster parent or relative caregiver is unwilling or unable to serve as the surrogate, consider asking another foster parent or the local school system, if the birth parent is not appropriate.

## **Student Progress**

Schools use many assessments in determining a student's progress. If a foster child passes the required CRCT in the gateway grades (third, fifth and eighth), promotion will be based on those factors. If a foster child fails the required CRCT in one of these grades, then state law O.C.G.A. §§ 20-2-282, 283, 284, 285 dictates the child must be retained regardless of other assessments. Students in fifth and eighth grade must meet standards on the reading and mathematics portions of the test. Students in the third grade must meet standards in reading. A child's retention is indicated on the final report card as "Retained, pending CRCT Retest Results."

## **Statewide Longitudinal Data System (SLDS)**

The Georgia Department of Education's SLDS captures education data including: enrollments, attendance, course grades, test scores, and other relevant educational information. DFCS social services staff and others have access to this information (through Georgia SHINES) for children and youth in foster care. This tool should be used to assist in case planning and service delivery. Each youth enrolled in a Georgia public school is assigned a GTID, which is required to access each youth's student level educational access page. GTID numbers may be retrieved from the *person identifiers* section of the Person Detail Page in Georgia SHINES.

## **FORMS AND TOOLS**

[EPAC Referral Form \(Form-176\)](#)

[Educational Stability Checklist](#)

[Educational Stability Field Practice Guide](#)

[Educational Stability Transportation Funding Request Protocol](#)

<http://www.naehcy.org/>

<http://www2.ed.gov/programs/homeless/guidance.pdf>

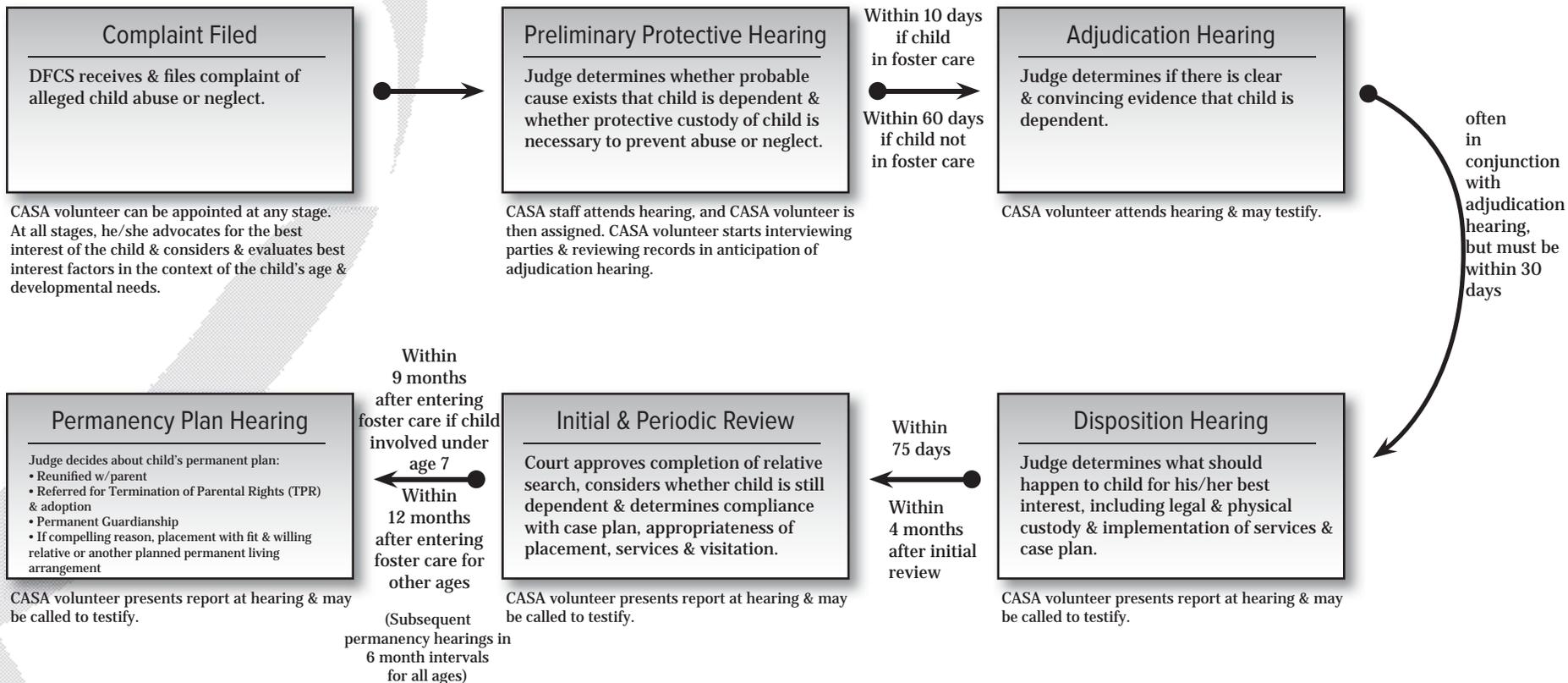
<http://www.clasp.org/admin/site/publications/files/0355.pdf>

<http://center.serve.org/nche/briefs.php>

<http://specialchildren.about.com/od/504s/f/504faq1.htm>

## EPAC Education Support Monitor Contact Information

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## Other Judicial Proceedings Which May Occur

