

Educational Stability for Students In Foster Care: ESSA Compliance

2026 Charter Schools Learning Series

Introductions



Introduce Yourself in the Chat:

Name

School

Length of time as the POC

Collaborating for Change - Supporting Students in Foster Care and *Reclaiming Our Why*

 North Carolina Department of
PUBLIC INSTRUCTION



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



Your State Coordinators

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North Carolina Foster Care Education Program (NCFCEP)



Access



Technical Assistance



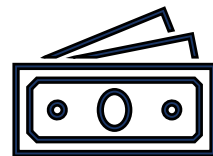
Program Quality Review



Collaboration



Disputes



Title I &
Title IV-E
Funds



Meetings &
Trainings



Compliance

NCFCEP Website: <https://ncfcep.uncg.edu/>

North Carolina Foster Care Education Program

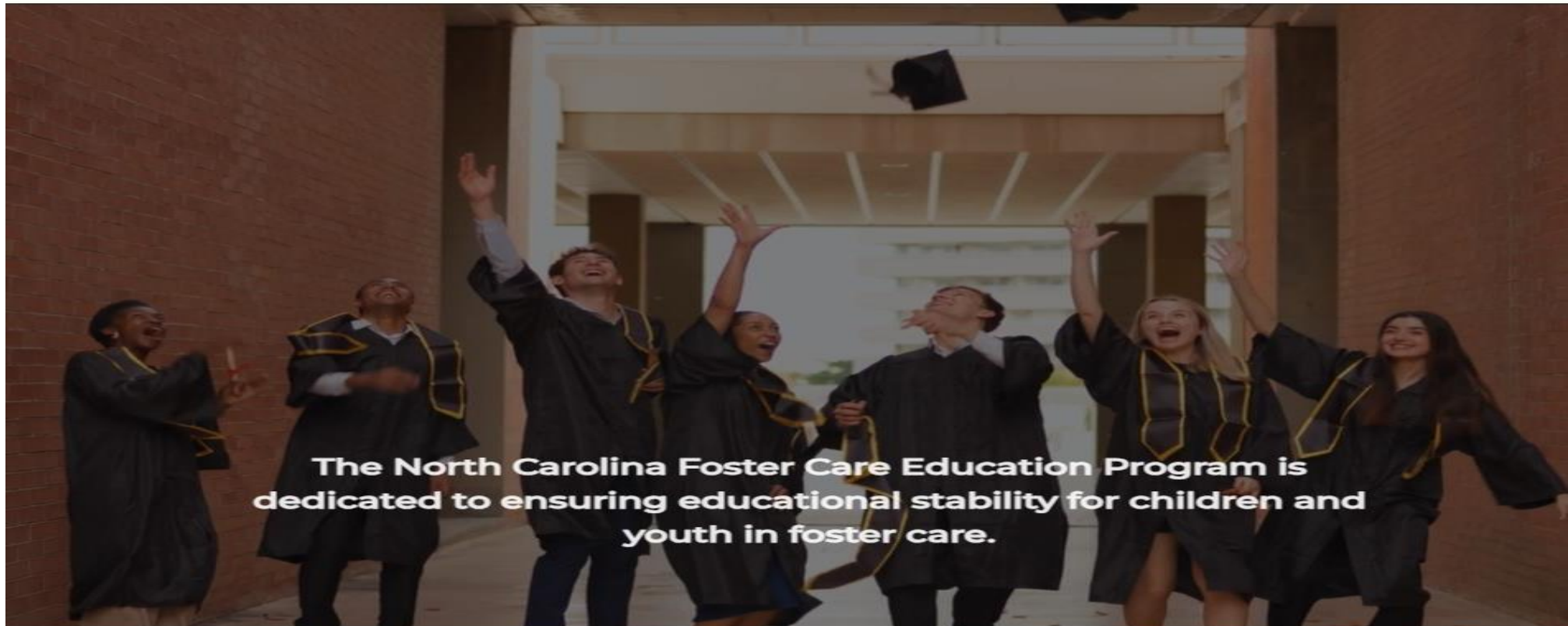
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Law & Guidance

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The North Carolina Foster Care Education Program is dedicated to ensuring educational stability for children and youth in foster care.

Every Student Succeeds Act (ESSA)



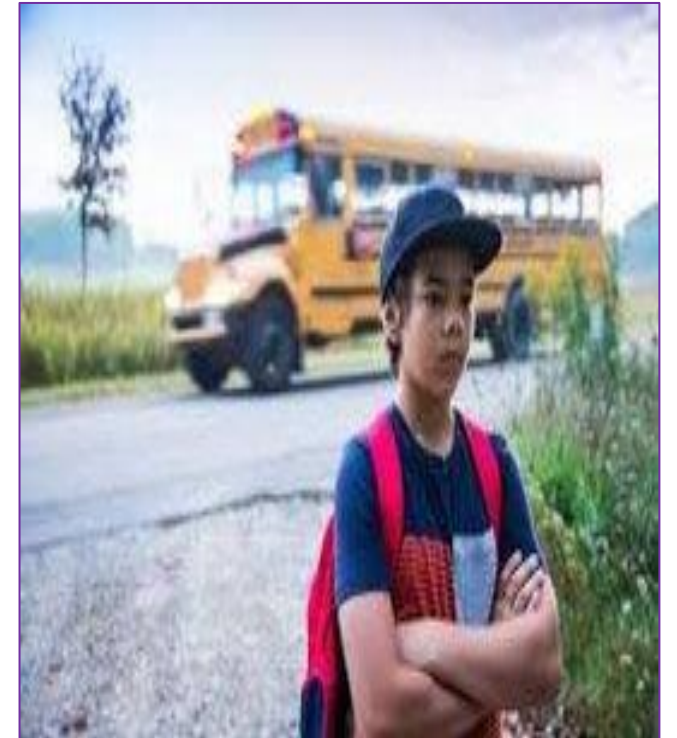
Barriers to Education Success for Students in Foster Care

- Living placement and school stability
- Delayed enrollment and records transfer
- Credit transfer issues and differing graduation requirements
- Over and under identification for special education
- Disproportionate rates of suspension and expulsion
- Over representation in alternative programs
- Inappropriate on-site educational programs
- Educational disruption and history of truancy

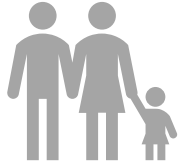
School Stability: Federal Protections

Federal laws: [Fostering Connections Act \(2008\)](#), [Uninterrupted Scholars Act \(2013\)](#), [Every Student Succeeds Act \(2015\)](#) work together to ensure that:

- The education of students in foster care is not disrupted by changes in their placement.
- Any educational placement is rooted in a determination of which school/district (school of origin or school of current residence) is in the student's best interest.



Definition of Foster Care



24-hour substitute care for children placed away from their parents or guardians for whom the Title IV-E [child welfare agency] has placement and care responsibility (Fostering Connections Act, 2008).



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.

North Carolina Foster Care Education Program



Overview: Each local education agency (LEA) is required to designate at least one employee as the Foster Care Point of Contact (POC) to ensure school stability and immediate enrollment for students in foster care. The POC coordinates with the local child welfare agency to address enrollment, transportation, best interest determinations (BIDs), interagency collaboration, and other supports that remove barriers to academic success.

Key Responsibilities for LEA Foster Care Points of Contact (POCs)

Immediate Enrollment

- Serve as the LEA expert, ensuring students are immediately enrolled, attending classes, and participating in school activities.
- Develop and document the process for BID meetings.
- Participate in all BID meetings, to the extent possible.
- Facilitate prompt transfer of records when students change school placements.
- Resolve disputes related to BID processes and school of origin transportation.
- Establish a coordinated process with nutrition services to ensure students can access meals immediately.
- Train all school staff on how to support the complex needs of students.

School Stability

- Collaborate with DSS to ensure school of origin transportation is provided.
- Support awarding or recovery of course credit when applicable.
- Promote academic and extracurricular programs.
- Share post-secondary opportunities, including dual enrollment, fee waivers, and funding for graduation-related expenses.
- Collaborate with the student's education decision-maker as needed.
- Partner with DSS and community organizations to increase awareness of students' academic and non-academic needs.

Collaboration: Departments Of Social Services (DSS)

- Provide DSS with the LEA POC's contact information; share LEA policies and procedures pertaining to students.
- Establish a communication system to monitor and report on student academic progress.
- Ensure student participation in BID meetings.
- Coordinate with DSS and LEA transportation staff to secure school of origin transportation.
- Develop and annually review Memorandums of Understanding (MOUs) and transportation agreements.
- Maintain a data tracking system for identifications, service provisions, and interagency data sharing (in compliance with FERPA).
- Participate in cross-systems meetings and trainings to strengthen partnerships.

Key Responsibilities for POCs

Knowledge &

- Stay informed of all federal and state mandates affecting students in foster care.

POC Reminder: Data Collection Requirement

Infinite Campus (IC)

- Enter Foster Care Record for Identified Students

NCFCEP

- Best practices template
- Sample data tracking tool
- EOY Statewide Assessment

ESSA Foster Care Under Title I-A

Increase	Increase educational stability
Remove	Remove enrollment barriers
Ensure	Ensure high-quality educational opportunities
Close	Close achievement gaps
Improve	Improve educational outcomes for children

ESSA Requirements Under Title I-A



Remain In
School Of
Origin (SOO)



Immediate
Enrollment



Immediate
Transfer Of
School
Records



SOO
Transportation



Free School
Meals



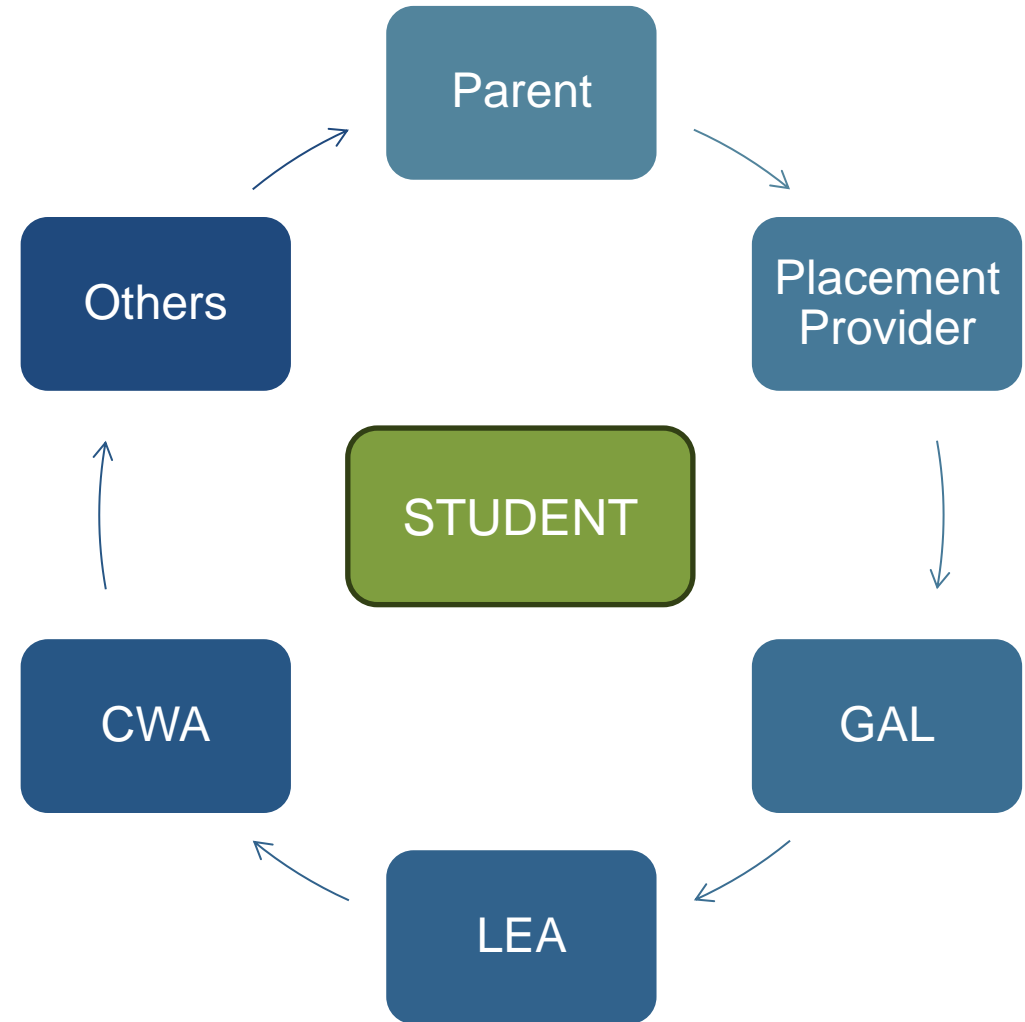
Data
Reporting and
Sharing

Key Stakeholders

CWA = Child Welfare Agency
LEA = Local Education Agency
GAL = Guardian ad Litem

Others may include:

- Mental health providers
- Courts
- Department of Juvenile Justice & Delinquency Prevention



Best Interest Determination (BID)

School placement decisions must consider:

- The appropriateness of the current education setting and
- The proximity to the school in which the child was enrolled at the time of the placement.

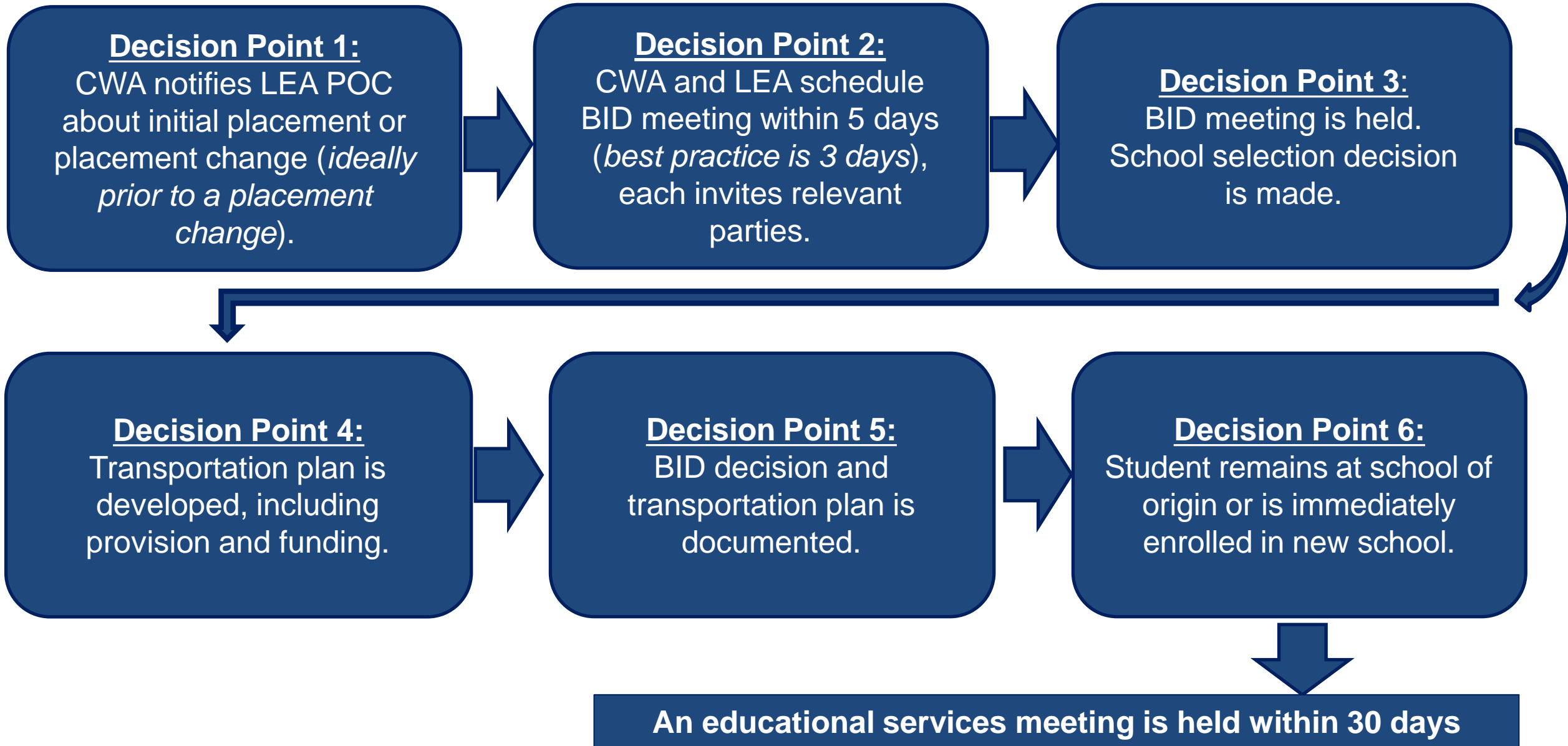
LEA and CWA Coordination to ensure the child remains in the school in which the child was enrolled at the time of placement (aka “SOO”); and

- If remaining in the SOO is not in the child’s best interest, the child receives immediate and appropriate enrollment in a new school, with all the educational records of the child provided to the school.

BID Meeting Considerations

- Preferences of the child or youth
- Preferences of the child's parent(s) or educational decision maker(s)
- The child's attachment to the school, including meaningful relationships with staff and peers
- Placement of the child's sibling(s)
- Influence of the school climate, including safety
- Availability and quality of services provided by the school
- History and impact of school transfers
- Length and impact of the commute - based on the child's developmental stage
- Special needs of the child – 504 plan, Individualized Education Plan (IEP), English Language Learner (ELL) services, CTE

BID Process Flowchart



Reflection

Consider how your program is (or you, in your unique role are) impacting educational outcomes for students.

Jot down your thinking.



ESSA: School of Origin (SOO)

A child in foster care is to enroll or remain in the school of origin

Home/Initial FC Placement

- School where the child is enrolled prior to going into foster care



New Home/FC Placement Change

- School where the child is enrolled prior to a foster care placement change



More About the SOO

- Student can remain in the **SOO** unless it is determined that it is not in the student's **best interest**; can remain in SOO for the duration of time in foster care
- When necessary, students must receive transportation to/from the SOO
- When not in the child's best interest to remain in the SOO, immediate enrollment in the **new school***
- Federal and state guidance encourages schools to continue prioritizing educational stability once the student exits foster care (i.e., transportation)

ESSA: Immediate Enrollment

- Student enrolled in school as soon as possible to prevent educational discontinuity.
- Enrollment cannot be denied or delayed because documents normally required have not been submitted.
- ESEA defines enrollment as, “attending classes and participating fully in school activities.”



Scenario

Alexis is a third grader enrolled in your charter school. A DSS social worker contacted you stating that she and her three siblings were removed from their home and placed in foster care two days ago. The social worker wants to schedule a BID meeting and mentioned that the foster home is in a neighboring county, so school transportation is necessary. Your school does not typically provide transportation, so as the POC how would you move forward?

ESSA: SOO Transportation

The new federal joint guidance clarifies that transportation to a school of origin should be provided "without undue delay" (e.g., within 3 business days of the completion of the BID process).



How is your LEA meeting the transportation needs of students in foster care?



What strategies does your LEA utilize to provide cost-effective transportation?



What successes/challenges has your LEA faced managing transportation?



Transportation Additional Costs

- If there are additional costs incurred in providing transportation to SOO, LEAs will provide transportation if:
 - a) The local CWA agrees to reimburse the LEA;
 - a) The LEA agrees to pay the cost; or
 - b) The LEA and local CWA agree to share the cost
- Additional costs should reflect the difference between what an LEA would spend to transport a student to their assigned school and the cost of transporting a student to their SOO.



Dispute Resolution

For ALL disputes regarding the BID school placement decision:

- County CWAs make the final decision.
- If a child, parent, guardian, or custodian disagrees with the BID, an informal review by the CWA director may be requested in writing within three days of the BID. If requested, the CWA director, in collaboration with the CWA POC, shall review the BID and affirm or reverse the decision.
- The LEA must ensure that the child remains enrolled in the school of origin while any BID disputes are resolved; the CWA ensures transportation is provided until the BID dispute is resolved.



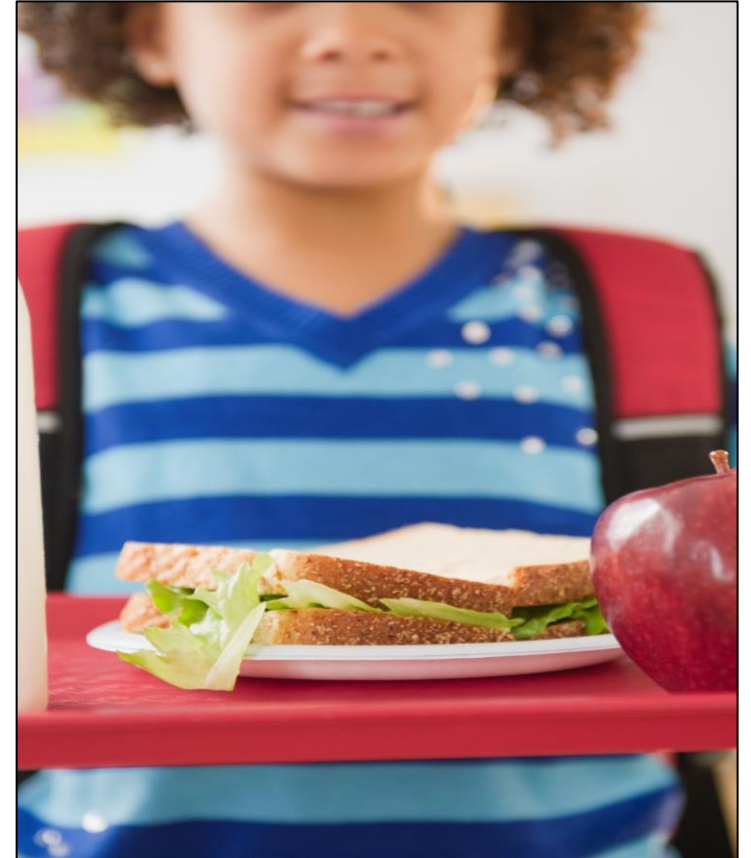
Dispute Resolution

For ALL NC agency disputes regarding how to fund additional transportation costs:

- While a dispute is being resolved, the LEA must ensure that a child receives transportation to the school of origin, including funding that transportation.
- If the LEA and CWA are unable to reach agreement on funding within 30 days from the day the notification or enrollment form was received by the school, the disagreement should be referred to the state level POCs for the Division of Social Services and the Department of Public Instruction (DPI).
- If the state level POCs are unable to reach agreement on transportation funding within another 30 days, the LEA and the CWA must split the cost.

Free Lunch

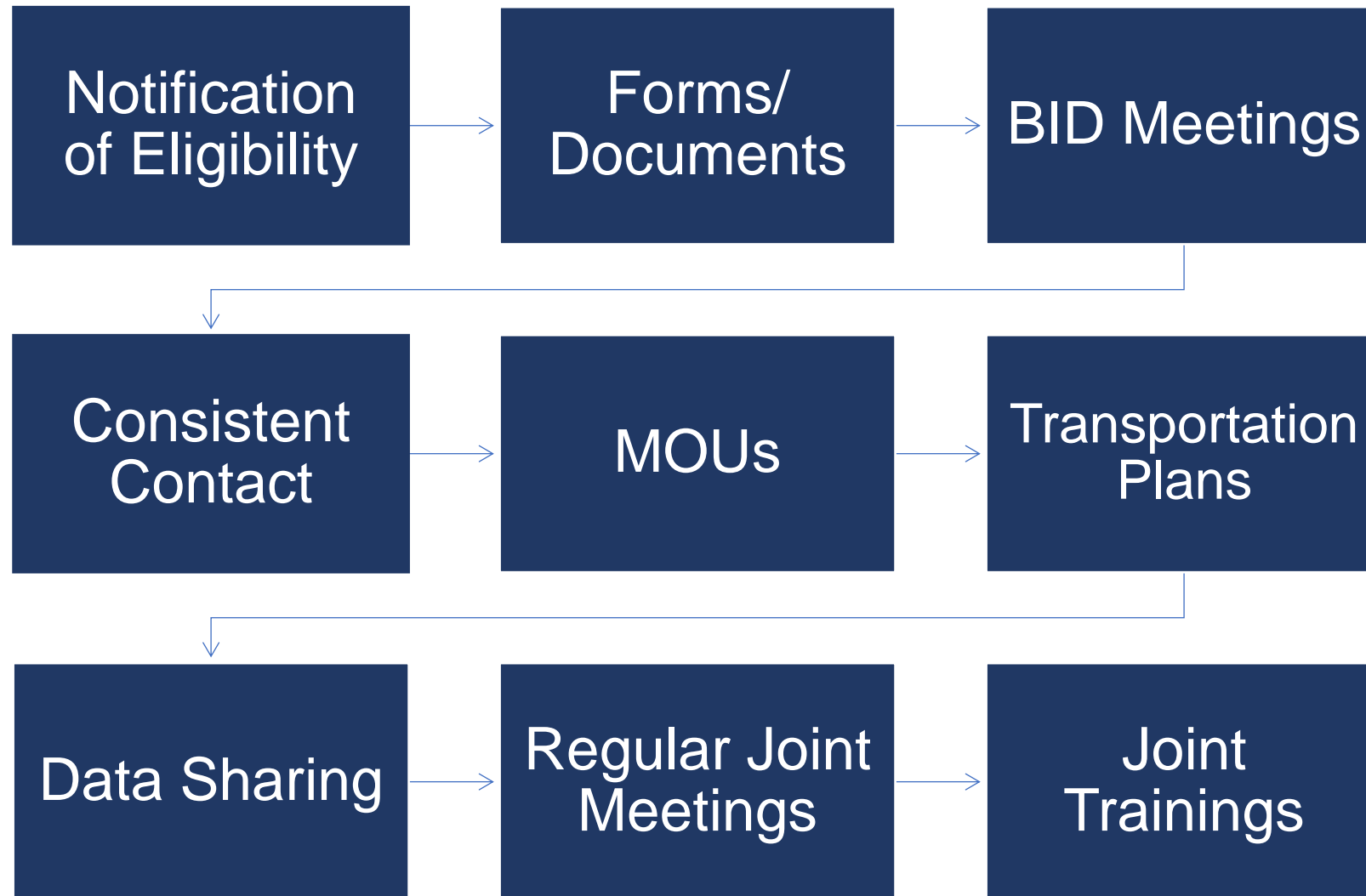
- The Healthy, Hunger-Free Kids Act of 2010 (HHFKA) authorized categorical eligibility for foster children in Section 9(b)(12)(A) of the Richard B. Russell National School Lunch Act (NSLA) and defined a foster child as “a foster child whose care and placement is the responsibility of an agency that administers a State plan under part B or E of title IV of the Social Security Act (42 U.S.C. § 621 et seq.); or a foster child who a court has placed with a caretaker household.”
- **In other words, students in foster care automatically qualify for free lunch.**



Collaboration Blueprint

- Remain in same school if in student's best interest
- Seamless transition between schools
- Equal access to the full school experience
- Young children are ready to learn
- Address/reduce school dropout, truancy, and discipline issues
- Involve and empower students
- Access to supportive adults, advocates, and other decisionmakers
- Access to postsecondary education and career pathways

Collaboration: Child Welfare & LEAs



LEA Collaboration: Other Federal Programs

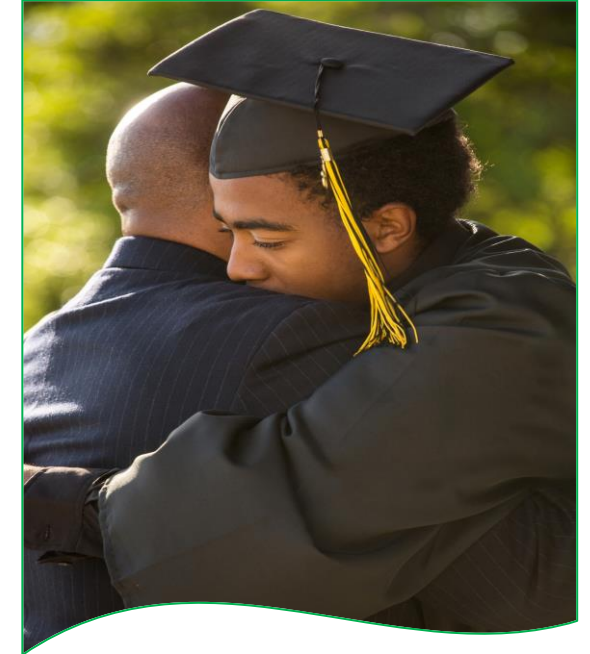
- Title I, Part D
- Title III
- Title IV, Part A
- Title IV, Part B
- IDEA, Part B and Section 504
- Full-Service Community Schools (FSCS)
- Perkins V
- GEAR UP
- TRIO

Foster Care Students With Disabilities

- Relevant federal laws: IDEA and Section 504
- U.S. Department of ED recommends:
 - Timely and expedited evaluations/eligibility determinations within 30 days to extent possible
 - Students must have access to comparable services until a new school adopts existing IEP or implements a new IEP
- NCDSS requires a child's ongoing educational needs must be reviewed at least every 90 days and documented on the Permanency Planning Family Services Agreement (DSS-5240) and the PPR generated in NC FAST (DSS-5241)

Graduation and Beyond

- Free Application For Federal Student Aid (FAFSA)
- Financial Assistance Programs
 - Educational and Training Vouchers (ETV)
 - North Carolina Reach Program
- Private Scholarships
 - Horatio Alger, Casey Foundation
- University of North Carolina Institutions Tuition Waivers
 - Students should be aware that they must meet admission and academic progress standards. Tuition waivers may be offered on a space-available basis.



Federal Data Collection Requirement

- State and local education agencies collect and submit annual data on foster care students, and submit this data to the U.S. Department of Education (ED) via the [EDFacts Initiative](#)
- Fall 2024, ED began publishing EDFacts data via [ED Data Express](#). This data shows foster care students in PSUs receiving Title I subgrants, aggregated by:
 - Achievement: reading/language arts, mathematics, and science assessments
 - 4-Year and 5-Year ACGR
 - Student enrollment counts

Fiscal Monitoring Requirement

- Title I, Part A of the ESEA
 - Funds designated for all students can be used to meet the needs of students in foster care
 - Allowable expenditures: student supplies, state or local point of contact (POC) positions
 - Foster care designation in CCIP
 - Set-aside for the “additional” transportation costs
 - SEAs must monitor transportation procedures between PSUs and child welfare agencies (CWAs) to ensure cost effectiveness

Program Activities: January – June



- Regional Meetings
- LEA Spotlight Visits
- Targeted Technical Assistance and Training Requests
- Needs Assessments
- Program Quality Reviews
- 2025-2026SY End-of-Year Data Submission



Questions

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