



# FOSTER CARE & STUDENT SUCCESS:



Texas Systems Working Together  
to Transform Education Outcomes  
of Students in Foster Care

PRODUCED BY



# ACKNOWLEDGEMENTS

## STATE OF TEXAS COLLABORATION

### Texas Education Agency

**Michael L. Williams**  
*Commissioner of Education*

### Texas Department of Family and Protective Services

**The Honorable John J. Specia, Jr.**  
*Commissioner*

### Supreme Court of Texas, Permanent Judicial Commission for Children, Youth and Families (Children's Commission)

**The Honorable Eva Guzman**  
*Justice, Supreme Court of Texas*  
*Chair, Children's Commission*

## DEVELOPMENT TEAM AND CONTENT CONTRIBUTORS

### Texas Education Agency

**Kelly Kravitz**  
*Foster Care Education & Policy Coordinator*  
*Division of Federal and State Education Policy*

**W. Montgomery Meitler**  
*Assistant Counsel & Confidentiality Officer*  
*Office of Legal Services*

**Julie Wayman**  
*Student Success Programs Director*  
*Division of Federal and State Education Policy*

### Texas Department of Family and Protective Services

**Denise Brady**  
*Senior DFPS Policy Attorney*

**Zophelia Conley**  
*Youth Specialist, Region 3*

**Jenny Hinson**  
*Division Administrator for Permanency*

**Kristine Mohajer**  
*Education Program Specialist*

**Shannon Ramsey**  
*Transitional Living Services, Team Lead*

### Supreme Court of Texas, Permanent Judicial Commission for Children, Youth and Families (Children's Commission)

**Katie Brown**  
*Staff Attorney*

**Tiffany Roper**  
*Assistant Director*

## SPECIAL APPRECIATION FOR AGENCY LEADERSHIP AND SUPPORT

### Texas Education Agency

**Anita Givens**  
*Associate Commissioner*  
*Standards and Programs*

**Gene Lenz**  
*Division Director*  
*Division of Federal and State Education Policy*

**Jan Lindsey**  
*Assistant Director*  
*Division of Federal and State Education Policy*

**Stacy Avery**  
*T-STEM & Mathematics/Science Partnerships*  
*Division of Federal and State Education Policy*

### Texas Department of Family and Protective Services

**Audrey Deckinga**  
*Assistant Commissioner for Child Protective Services*

**Debra Emerson**  
*Director of Permanency and Family and Youth Services*

### Supreme Court of Texas, Permanent Judicial Commission for Children, Youth and Families (Children's Commission)

**Tina Amberboy**  
*Executive Director*

Additional acknowledgements are included on page 133



## POSTCARDS SEEN IN GUIDE

The postcard art included throughout this guidebook is generously donated by *Foster Care Alumni of America*. The post card art provides insights, shares perspective, and highlights experiences from youth and alumni who have experienced foster care. To see additional post cards and learn more about *Foster Care Alumni of America* visit [www.fostercarealumni.org](http://www.fostercarealumni.org).



**“MY HOPE IS THAT PROFESSIONALS IN ALL SYSTEMS AND COMMUNITIES REALIZE THAT MY STORY CAN BECOME THE NORM WHEN EVERYONE INVOLVED DOES THEIR PART TO ENSURE THE BEST INTERESTS OF CHILDREN AND YOUTH ARE NOT ONLY TALKED ABOUT, BUT MORE IMPORTANTLY FOLLOWED THROUGH ON. LET US STAND TOGETHER TO IMPROVE OUTCOMES FOR CHILDREN AND YOUTH IN FOSTER CARE.”**



Growing up in foster care wasn't the best experience for me, but it was definitely more bearable knowing that I had a constant support system from the day I entered at five years old until I aged out at 18. Too many times, children and youth in foster care are stigmatized because they are in the system. Oftentimes, they are discouraged from participating in extracurricular activities and encouraged to graduate on the minimum plan, which leads to several barriers for alumni who want to attend college. However, I consider myself truly blessed because my foster parents, caseworkers, judge, attorney, therapist, community personnel, teachers, counselors, and so many other advocates refused to allow my status as a child in foster care to prevent me from being successful.

I had my share of behavior problems that led to my being sent to in-school suspension (ISS) several times. Yet, my support system quickly guided me back on track. They helped me realize it was okay to be upset, sad, confused, and frustrated because I was in foster care, but it wasn't okay to act out in a negative way on those emotions. Their consistent patience and understanding paid off, and I realized no matter what problems I had, they were in my corner and committed to my success. Behavior problems became unheard of when I entered high school.

Although I moved through approximately eight placements while in foster care, the adults in my life advocated to keep me in the same school for elementary, middle school, and high school. The mere fact that I never changed schools is a phenomenon practically unheard of among children and youth in foster care. Staying in the same school allowed me to have lasting friendships, participate in various extracurricular activities in my school and community, and build a large caring adult support system. Their efforts to embody the idea that “it takes a village to raise a child” helped me transition from high school to college successfully. I was able to graduate with my Bachelors in Sociology and Masters in Social Work. I still have plans of obtaining my Ph.D. My hope is that professionals in all systems and communities realize that my story can become the norm when everyone involved does their part to ensure the best interests of children and youth are not only talked about but more importantly followed through on. **Let us stand together to improve outcomes for children and youth in foster care.**

— An alumna of the Texas foster care system





# TABLE OF CONTENTS

<b>PREFACE</b> .....	<b>9</b>
Opening Remarks .....	9
What are the Goals of this Guide? .....	9
Guide Background .....	9
How to Use this Guide .....	10
Where Can I Go for More Information on Foster Care and Education at the Texas Education Agency? .....	10
<b>CHAPTER 1</b>	
<b>Education &amp; Students in Foster Care: An Overview</b> .....	<b>11</b>
Top Things Educators Should Know about Students in Foster Care .....	12
Introduction .....	13
National Overview .....	13
Why is Maintaining School Stability Important? .....	14
The Importance of Texas Data — Numbers Highlight Call to Action .....	15
<b>CHAPTER 2</b>	
<b>Increasing Cross-System Awareness</b> .....	<b>19</b>
Texas Takes Next Steps to Improve Education Outcomes of Students in Care .....	20
Texas Department of Family & Protective Services .....	21
Court System .....	21
Education System .....	22
<b>CHAPTER 3</b>	
<b>Building Cross-System Partnerships: Education, Child Welfare, &amp; Courts</b> .....	<b>25</b>
Why is Cross-System Collaboration Necessary? .....	26
Guiding Principles and Ground Rules .....	26
Practical Steps for Establishing Collaboration and Local Partnerships .....	27
Lessons Learned from the <i>Texas Trio Project</i> .....	28
Collaboration in Action — Independent School District (ISD) examples .....	28
<b>CHAPTER 4</b>	
<b>Foster Care Overview: Understanding the Foster Care System</b> .....	<b>31</b>
What is Foster Care? .....	32
How Does a Child or Youth Enter the Foster Care System? .....	32
Where Can I Go to Learn More About Reporting Child Abuse and Neglect? .....	33
What Types of Abuse/Neglect does Child Protective Services (CPS) Investigate? .....	34
Where Does a Child or Youth Live When Placed in Foster Care? .....	36
What is a Student’s Journey through Foster Care? .....	37
Who are Key People Involved in the Life of a Student in Foster Care? .....	38
Working With Key People in a CPS Case in the School Setting .....	42

## CHAPTER 5

<b>District Foster Care Liaisons: Responsibilities &amp; Expectations .....</b>	<b>43</b>
Liaison Introduction and Overview .....	44
Where to Get Started? .....	45
12 Key Activities for District Foster Care Liaisons .....	45

## CHAPTER 6

<b>Identifying Students &amp; Maintaining Confidentiality: Key Considerations .....</b>	<b>49</b>
Why Do Schools Need to Identify Students in Foster Care? .....	50
What are Acceptable Documents for Identification of Students? .....	50
McKinney-Vento Homeless Education Services: Consideration When students are involved with CPS but <i>not</i> in Conservatorship or Substitute Care .....	51
Practices to Identify Students and Ensure Confidentiality .....	52
Confidentiality & Information Sharing — Communicating “Need-to-Know” Information Within a School District .....	53

## CHAPTER 7

<b>Enrollment 101 .....</b>	<b>55</b>
School Enrollment for Students in Foster Care — Why Prompt Enrollment is Important .....	56
What is the Timeframe for Enrollment at a New School? .....	56
What Records are Needed to Enroll a Student in School? .....	57
Information Necessary for Enrollment Described .....	57
Helpful Information — CPS & Enrollment .....	60

## CHAPTER 8

<b>School Stability &amp; Promoting Effective Transfers: Common Questions .....</b>	<b>61</b>
Can special accommodations be made to let a student stay in a particular school or district even when placed outside of the attendance zone? .....	62
Who is responsible for providing transportation when students are traveling from another attendance zone? .....	62
What should be done when a student in foster care withdraws or changes schools? .....	63
Who is responsible for withdrawing students? .....	63
How can school personnel promote effective records transfers? .....	63
What is the Texas Student Records Exchange — TREx? .....	64
What is the importance of withdrawal and ten-day records transfer timeframe .....	64
Why do students sometimes have missing records? .....	65
What happens if a student’s whereabouts are unknown? .....	66



## CHAPTER 9

<b>Education Decision Making, Family Educational Rights and Privacy Act (FERPA), &amp; Sharing Education Information with Child Welfare Stakeholders .....</b>	<b>67</b>
Who is Responsible for Education Decisions? .....	68
Caregiver & Caseworker General Education Decision Making Responsibilities:.....	69
Who Decides Where a Student Attends School? .....	70
Are Biological Parents still Involved When a Child is in Foster Care? What is the Nature of Their Involvement? Are They Involved With the Child’s School? .....	70
What Impact does the Family Educational Rights and Privacy Act (FERPA) Have on my Ability to Share Education Information about Students in Foster Care? .....	70

## CHAPTER 10

<b>Additional School Provisions &amp; Procedures .....</b>	<b>73</b>
Are Children and Youth in Foster Care Categorically Eligible for School Meal Programs? .....	74
Are Children Ages Three, Four, and Five Eligible for <i>Free</i> Pre-Kindergarten Programs in Public Schools? .....	74
What are the Expectations of Daily Attendance? .....	75
What are Acceptable Excused Absences? .....	75
Are There any Additional Considerations if a Student is Truant? .....	75
Discipline and Special Considerations .....	75
Utilizing Response to Intervention (RTI) and Positive Behavior Supports (PBS) .....	76

## CHAPTER 11

<b>The School Experience: Providing Student Support, Implementing Academic Supports and Interventions, &amp; Promoting High School Completion .....</b>	<b>79</b>
Create a School Environment that is Sensitive to the Experience of Students in Foster Care .....	81
How Do Traumatic Childhood Experiences Impact Education? .....	82
What State Funding Sources Can Schools Use to Provide Academic Support? .....	82
Implementing Academic Supports and Intervention According to State Law — Policy and Practice Guidance from the Education Code .....	83
Promoting High School Completion .....	92
What Graduation Program is Right for a Student? .....	93
How Does State Standardized Testing Impact Graduation Requirements? .....	93
When are Students in Foster Care Eligible to Earn a GED? .....	94

## CHAPTER 12

<b>Students Eligible For or Receiving Special Education Services .....</b>	<b>95</b>
Who is Eligible for Special Education? .....	96
Who Serves as the “Parent” Regarding Special Education Decisions? .....	97
What is Needed in Order for a Foster Parent to be Eligible to Serve as “Parent” Under IDEA? .....	97
What is the Role of a Student’s Caregiver for a Student in Special Education? .....	97
What Happens When a Student Moves in the Middle of Being Evaluated for Special Education? .....	98
What is a Surrogate Parent? .....	98
What are the Responsibilities of a Surrogate Parent? .....	98
What is the “Child Find” Responsibility and How Does it Impact Students in Foster Care? .....	99
What Do I Do if a Student’s Special Education Needs are not Being Met? .....	99
What Should School Personnel Consider Before Requesting a Psychological or Education Assessment of a Student? .....	99
What is a Section 504 Plan and How Can it Benefit my Student? .....	100

**CHAPTER 13**

**Transitioning Out of Foster Care & Post-Secondary Education Opportunities ..... 101**

- Transitioning Out of Foster Care* ..... 102
  - Transitional Services Described ..... 102
  - How Can School Personnel Assist Students in Preparing for Adulthood and Transitioning out of Foster Care? ..... 102
- Post-Secondary Education Opportunities* ..... 104
  - What Financial Supports are Available to Help Students from Foster Care Pay for College? ..... 104
  - Considerations to Help Students Activate College Lifetime Tuition & Fees Waiver While in High School..... 105
  - What College Support Networks and College Campus Programs Exist in Texas for Students Formerly in Foster Care? ..... 107
  - Do Students Need a Bacterial Meningitis Vaccination in Order to Enter College? ..... 107

**ENDNOTES .....109**

**APPENDICES .....113**

- Appendix A: Glossary of Terms ..... 113
- Appendix B: Rights of Children and Youth in Foster Care ..... 117
- Appendix C: Who are Key People Involved in the Life of a Student in Foster Care? ..... 120
- Appendix D: CPS Process — Flow Chart ..... 121
- Appendix E: Texas Education Agency “To The Administrator Addressed (TAA)” Letters Regarding Students in Foster Care ..... 122
- Appendix F: Placement Authorization Form 2085 — Sample ..... 123
- Appendix G: Enrollment Checklist — Sample ..... 124
- Appendix H: List of School Records to be Transferred through TReX System..... 125
- Appendix I: Education Records Collected by CPS System, *Case Record* and *Education Portfolio* ..... 126
- Appendix J: Texas Virtual School Network — TxVSN ..... 127
- Appendix K: A Description of the Responsibilities and Duties of DFPS Education Specialists ..... 128
- Appendix L: Resource Section ..... 129

**REFERENCES .....130**

**BEYOND THE GUIDE .....134**

**CITATION, DISCLOSURE & COPYRIGHT .....135**





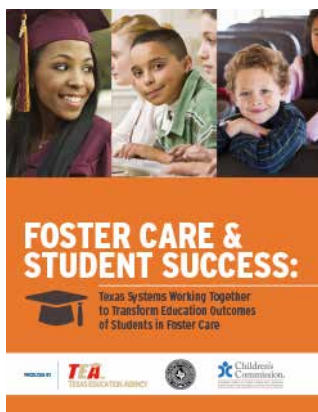
# PREFACE

Welcome to the Texas Foster Care & Student Success Resource Guide. The primary purpose of this guide is to empower education professionals with information, resources, and tools to positively impact the educational experience of students in foster care. It is our hope to promote cross-system practices and collaborative strategies that improve educational stability and achievement, while increasing awareness about the complexities and challenges that impact students in foster care. Although this guide is primarily designed for education professionals, it will also be useful to caregivers, child welfare workers, child advocates, and others who work with students to help them achieve success in school and in life. Knowledgeable, caring adults play a significant role in guiding students to a successful educational experience while in the foster care system and beyond.

**Thank you for considering this resource guide and for making a difference in the lives of young people who are involved with the child welfare, court, and education systems in Texas.**

## Defining the term “FOSTER CARE”:

For the purposes of this guide, the term foster care will be used to refer to all children and youth who are in the custody of the State of Texas due to abuse and/or neglect, regardless of their living arrangement. Detailed information about the foster care system in Texas, including different types of “substitute care” living arrangements and caregivers, will be explained later in Chapter 4.



## WHAT ARE THE GOALS OF THIS GUIDE?

- To provide educators with useful information that will guide them in creating a positive education experience for students in foster care.
- To familiarize education professionals with the complexities of the foster care system and the relevant laws and policies that influence a student in foster care's educational experience.
- To centralize foster care and education information, while increasing awareness and promoting improved cross-system practices and partnerships that benefit students in Texas' foster care system.

Working to achieve these goals, Texas strives to fulfill the education provisions of the federal *Fostering Connections to Success and Increasing Adoptions Act of 2008* that promote school stability and require coordination across child welfare and education systems.



## GUIDE BACKGROUND

The Texas Education Agency (TEA) joined with the Supreme Court of Texas Permanent Judicial Commission for Children, Youth and Families (Children's Commission) and the Texas Department of Family and Protective Services (DFPS) to address improving the education outcomes of students in foster care. Texas was one of ten sites to be awarded a federal Children's Bureau demonstration grant, *Child Welfare — Education System Collaboration to Increase Educational Stability*. The demonstration grant resulted in the *Texas Trio Project: Strengthening Court, Child Welfare, and Education Connections for Youth*. This Resource Guide reflects the collaborative efforts of many caring professionals working together to address the education of students in foster care.

The *Texas Trio Project* provided TEA, the Children's Commission, and DFPS the opportunity to incorporate recommendations from the Children's Commission Education Committee report, "*The Texas Blueprint: Transforming Education Outcomes For Children & Youth in Foster Care*" (see page 20).

## HOW TO USE THIS GUIDE

- View the *Table of Contents* for specific questions and relevant topics.
- The guide provides practice tips, relevant laws, and resource sections with many links to additional information and guidance to assist you in supporting the educational success of students in foster care.
- The appendices have charts, resources and information, including a Glossary with relevant Child Protective Service (CPS) and legal terms/acronyms, to provide a better understanding of the child welfare system and terms used throughout the guide (*see page 114*).

Helpful tips, laws, and resources featured throughout this resource guide are noted by these icons:



## WHERE CAN I GO FOR MORE INFORMATION ON FOSTER CARE AND EDUCATION AT THE TEXAS EDUCATION AGENCY?

1. Visit TEA's *Foster Care & Student Success* webpage for more information.  
[www.tea.state.tx.us/FosterCareStudentSuccess/](http://www.tea.state.tx.us/FosterCareStudentSuccess/)
2. Join TEA's *Foster Care Education* Listserv. TEA maintains a listserv to distribute information, resources and tools related to education and students in foster care. To sign up for the listserv visit: [ritter.tea.state.tx.us/list/](http://ritter.tea.state.tx.us/list/) and select *Foster Care Education*.
3. For additional information, or to share lessons learned, challenges encountered, or provide feedback, please email: [fostercareliaison@tea.state.tx.us](mailto:fostercareliaison@tea.state.tx.us)

TEA looks forward to learning from each school district as they engage in this work. In addition to distributing knowledge, research, best practices, and statutory requirements, TEA plans to share results and feedback with school district officials who are working with students in foster care. TEA will continue coordinating with DFPS, the Children's Commission, and other stakeholders to provide resources to assist schools.

