



BUILDING FUTURES THROUGH EDUCATION

The McKinney-Vento Act and Children and Youth Awaiting Foster Care Placement

*Strategies for Improving Educational Outcomes
Through School Stability*

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National Association for the Education of Homeless Children and Youth

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About NAEHCY

The National Association for the Education of Homeless Children and Youth (NAEHCY) is a national grassroots membership association, serving as the voice and the social conscience for the education of children and youth in homeless situations.

NAEHCY connects educators, parents, advocates, researchers, and service providers to ensure school enrollment and attendance, and overall success for children and youth whose lives have been disrupted by the lack of safe, permanent, and adequate housing. NAEHCY accomplishes these goals through advocacy, partnerships, and education. Visit our website at www.naehcy.org.

For more information about this report, contact NAEHCY at info@naehcy.org.

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Executive Summary

“Education was one of the few stabilities that I had in my life. My hope would be that a family would fill that role, but for me, it was education. That was the greatest gift. Everything else was taken away from me, but education wasn’t. Even though it was a battle and a roller coaster, it was a sense of normalcy for me. It made the difference... For foster youth, who lose their culture, sense of self, and identity, education is their ticket to success. It’s one of the few things no one can take away from them.”

— Lupe Tovar¹

A good education lays the foundation for stability and prosperity in adulthood. It provides young people with the intellectual and emotional tools they need to grow and succeed. Yet for youth experiencing homelessness and those in out-of-home care,² a good education is all too elusive.

These youth suffer from extreme instability in their home lives. Children and youth experiencing homelessness move constantly in their struggle to meet their most basic needs, such as shelter, food, health care, physical safety, economic stability, healthy surroundings, clothing, and transportation. Many face these obstacles alone, as abuse and neglect in their families have forced them out of their homes.

Youth in out-of-home care must cope with the stress and trauma of abuse and neglect and subsequent profound disruptions in their family lives, often while in the care of total strangers. Like their peers who are homeless, they too often face high mobility. A lack of available, appropriate resource families and living placements, poor selection or supervision of placements, failed reunification efforts, crises in placements, and changes in the permanency plan for the child, among many other possible factors, contribute to the reality that youth face an average of one to two placement changes per year while in out-of-home placement, in addition to their initial move upon entering care.³

Due to their mobility, youth in care and those experiencing homelessness also confront profound instability in their school placements. For example, 28% of homeless children go to three or more schools in a single year.⁴ A study in Washington State found that twice as many youth in foster care changed schools as youth not in care.⁵ Such school mobility is a formidable barrier for these youth to obtaining a good education. Several studies have shown the devastating effects of school mobility on a child’s academic achievement.

Changing schools frequently also challenges emotional development, as the constant disruption of ties to friends and mentors exacerbates the anxiety and trauma the children experience from being separated from their families or from experiencing homelessness.

Subtitle VII-B of the McKinney-Vento Homeless Assistance Act [McKinney-Vento Act] provides rights and services that are specifically designed to prevent these troubling consequences by increasing the school stability of youth experiencing homelessness and of a subset of children who are awaiting foster care placement. The McKinney-Vento Act is a federal law designed to increase the school enrollment, attendance, and educational success of children and youth experiencing homelessness. However, the Act's funding level results in only 6% of school districts nationwide receiving McKinney-Vento funds, although every school district must designate a homeless liaison and ensure that McKinney-Vento eligible students are identified, enrolled, and receiving the support they need to succeed in school.

The cornerstone of the McKinney-Vento Act is school stability: Students who are McKinney-Vento eligible can remain in one school for as long as they remain eligible and until the end of the school year in which they find permanent housing. Students have this right even if their temporary living situation is located in another school district or attendance area, as long as remaining in that school is in their best interest.

Children and youth “awaiting foster care placement” are eligible for the protections and provisions of the McKinney-Vento Act. However, the Act does not define that phrase *awaiting foster care placement*. Therefore, different states and localities have developed their own interpretations. Those interpretations span the spectrum from including only youth in temporary, emergency, or transitional placements to including all youth in out-of-home care. Regardless of where the youth fall on this spectrum, the Act's implementation for youth in care has been most successful in jurisdictions where child welfare and education agencies have worked together to develop a shared interpretation of, and shared responsibility for, those children awaiting foster care placement.

In fact, any effort to apply the McKinney-Vento Act to youth in out-of-home care requires effective, sustained collaborations between child welfare and education agencies. The educational achievement of their wards and students is a shared goal and responsibility of both agencies. For youth in care to be successful in school, both systems must work effectively. Just as a child's entry into the foster care system and involvement with the child welfare agency does not release schools from providing an appropriate education and

meeting the child’s unique needs, the McKinney-Vento Act does not relieve child welfare agencies of their responsibilities to support the educational success of their wards. From the initial step of defining *awaiting foster care placement* through all the complexities of implementing rights and services, child welfare and education administrators and staff, at both the state and local levels, must operate in a coordinated, complementary fashion.

To ensure that youth awaiting foster care placement receive all the rights and benefits to which they are entitled, the practitioners interviewed for this publication recommend several specific implementation strategies. The following chart summarizes those strategies.

STRATEGY	IMPLEMENTATION TIPS
Design and implement strategies to maximize school stability and provide transportation.	<ul style="list-style-type: none"> • Child welfare agencies should strive to find living placements near the child’s school of origin, maintain continuity in the child’s living situations, and when living changes must occur, plan them such that placement changes occur at breaks in the school year. • Education and child welfare agencies can collaboratively determine the best plan for providing transportation and covering the costs, which may include sharing responsibility. • State and local child welfare and education agencies should seek additional funding for transportation, through grants or other state or local funding streams.
Ensure that state and local education and child welfare agencies have staff with sufficient training and capacity to ensure immediate enrollment, attendance, and services.	<ul style="list-style-type: none"> • Child welfare agencies should identify education specialists within their agencies, with sufficient capacity and resources to attend to education issues. • State coordinators and school district homeless liaisons must have sufficient capacity and resources to implement the McKinney-Vento Act for all eligible youth, both those experiencing homelessness and those in out-of-home care.

Clarify education-related roles and responsibilities.

- Individual schools should designate a McKinney-Vento contact.
- Training should be provided on the McKinney-Vento Act to child welfare caseworkers and administrators.
- Training should be provided to education staff and administrators about the unique experiences and needs of children in out-of-home care.

Together, education and child welfare agencies should:

- Specify who is responsible for enrolling youth in school, including following up with necessary information and documentation.
- Specify who is responsible for deciding between the school of origin and the local school, preferably involving a team process.
- Ensure that individual schools and caseworkers are aware of who is empowered to make educational decisions.
- Specify a procedure for requesting and arranging transportation.
- Specify a process for quick, accurate responses to questions about the McKinney-Vento Act.

Implementing procedures for schools and child welfare agencies to share information in order to deliver timely, effective services to children in care.

Together, education and child welfare agencies should:

- Develop Memoranda of Understanding defining what information to share and establishing protocols for sharing and confidentiality.
- Use technology to share appropriate information quickly and efficiently.
- Develop joint forms to streamline information sharing.

Treat youth in out-of-home care with dignity, understanding, and discretion.

Together, education and child welfare agencies should:

- Keep in mind the real challenges and struggles youth face every day.
- Make flexible exceptions to policies and practices, to accommodate the realities of life in out-of-home care.
- Talk to the youth themselves, rather than just to caseworkers or foster parents.
- Get input from youth and alumni from care about their educational challenges and about strategies to meet them.

As this publication goes to press, the President has just signed into law the Fostering Connections to Success and Increasing Adoptions Act of 2008. This Act will strongly support the policy and practice recommendations in this report. This new law incorporated the fundamental principles of school stability into federal child welfare law: 1) children should remain in their school of origin when it is in their best interest to do so, and 2) children should be immediately enrolled in school if a move becomes necessary. Also, the Act permits the use of foster care maintenance dollars to support transportation to the school of origin. With these new school stability requirements in child welfare law and the expansion of federal dollars that can be used to support school-of-origin transportation, state and local child welfare agencies now have new tools and supports to use in their collaborations with their education partners that can bolster the implementation of the McKinney Vento Act for youth in out-of-home care.

In addition to the provisions of the Fostering Connections Act and the strategies outlined in this report, several additional policy changes would ensure that all youth in out-of-home care can benefit from school stability and support for academic success. Those policy changes include the following:

1. Amending federal and state education legislation to ensure that all youth in care are able to stay in their school of origin if it is in their best interest, are able to immediately enroll in school, and are receiving all the support they need to be successful in school. Such amendments should complement recent changes to federal child welfare laws, which are summarized in this report.

2. Amending federal and state child welfare legislation to facilitate and support educational success for youth in care. Such amendments also should complement recent changes to federal child welfare laws.
3. Ensuring that states and counties establish interagency task forces, steering committees, and agreements.
4. Ensuring that both education and child welfare agencies have designated staff with sufficient training, capacity, and resources to ensure immediate enrollment, attendance, and services.
5. Clarifying education-related roles and responsibilities and ensuring that school staff know who the educational decision-maker is for each student.
6. Implementing procedures for schools and child welfare agencies to share information in order to deliver timely, effective services to children in care.
7. Strengthening and fully funding the McKinney-Vento Act to provide appropriate services for all eligible youth.
8. Involving youth in out-of-home care and alumni in all policy-making endeavors.

This report describes how eight jurisdictions are defining *awaiting foster care placement* and how they are implementing the McKinney-Vento Act for youth in out-of-home care. It offers concrete strategies for building and maintaining effective collaborations between child welfare and education agencies and supporting the educational success of youth in care. As the jurisdictions highlighted in this publication show, effective collaboration across agencies can increase the academic success and overall well-being of youth in care. However, to ensure that all youth in out-of-home care can benefit from school stability and support for academic success, changes to federal education and child welfare legislation are necessary.

Educational Challenges of Homelessness and Out-of-Home Care

“Moving and changing schools really shattered my personality. I feel like there are all these little things I picked up from all of the different schools, and I feel all disoriented all the time. There’s no grounding. I always just feel like I’m floating... Every time I moved I felt less and less important.”⁶

“Imagine what could happen if foster youth could stay in one school—how much they could blossom, if someone gives them that opportunity.”

—Lupe Tovar⁷

This report explains the educational challenges of youth experiencing homelessness or in out-of-home care. It describes the McKinney-Vento Act and shares successful strategies that state and local education agencies and state and local child welfare agencies can implement to support the educational stability and achievement of youth in out-of-home care. The report also offers policy recommendations for expanding youth’s opportunities to meet their educational goals.

Mobility: The consequence of homelessness and out-of-home care

Homelessness is a lack of permanent housing resulting from extreme poverty; the mean income of families experiencing homelessness is less than half the amount that demarcates the poverty line.⁸ Additional factors that contribute to homelessness include health problems and domestic violence. It is estimated that at least 10% of all children living in poverty will experience homelessness over the course of a year, i.e., over 1.35 million children.⁹

While many young people experience homelessness as part of a family, other youth in homeless situations are on their own. They may have been forced to leave home by their parents or have run away from home due to severe dysfunction in their families, including grave risks to their safety and well-being.¹⁰ It is estimated that between 1.6 and 2.8 million American youth run away or are forced to leave home each year.¹¹

Some common living situations for children and youth experiencing homelessness include:

- Cars and campgrounds
- Parks, abandoned buildings, train or bus stations, under bridges, and other public places
- Emergency shelters, domestic violence shelters, or transitional living programs
- Temporarily sharing the housing of friends or relatives, often sleeping in a garage or common area
- Low-income motel rooms

Children and youth experiencing homelessness face many barriers to educational success, including a lack of many of the most basic survival needs, such as shelter, food, health care, physical safety, healthy surroundings, clothing, and transportation. They are under constant and severe emotional stress as they try to meet those needs.

A further barrier to educational success is the lack of school stability caused by the volatility of homelessness. Due to their mobility, 28% of homeless children go to three or more schools in a single year.¹² Shelters often limit lengths of stay, forcing families and youth to move. Furthermore, shelters may be full, non-existent, or located at a distance from previous residences, causing youth to move frequently among unstable living arrangements.

Children in out-of-home care are children who have been placed in the custody of a child welfare agency and have been removed from the physical custody of their birth or adoptive parents due to abuse or neglect. The term “out-of-home care” includes children and youth in the custody of the child welfare system living in foster family homes, kinship care arrangements, and child care institutions.

Children in out-of-home care, similar to children experiencing homelessness, also confront mobility and other challenges to educational success. The maltreatment they have experienced and the subsequent separation from their families traumatizes them physically and emotionally. Their experiences in the child welfare system are often unstable, as youth may be moved frequently among foster homes and other placements.

In addition to their initial move upon entering foster care, youth face an average of one to two placement changes per year while in out-of-home care.¹³ This mobility may be due to a lack of available, appropriate placements; changes in the ultimate permanency plan for the youth; poor selection or supervision of placements; failed reunification efforts; or crises in placements, among many other possible factors that require an immediate change in placement.

“I went to four different schools for 8th grade, because I had about 15 foster placements that first year. I failed 8th grade, so I had to go to summer school, at a fifth school. I had been in advanced classes, but I didn’t get good enough grades in 8th grade to get credit for them.”

—Rebecca Shier¹⁴

This residential instability too often leads to instability in school. Several studies have shown that youth in out-of-home care change schools much more often than other youth. For example:

- A New York study found that 65% of children placed in foster care had changed schools in the middle of the school year.¹⁵
- A study in Washington State found that when compared to youth not in foster care, twice as many youth in care changed schools.¹⁶
- Youth who are entering foster care for the first time are most vulnerable to school mobility, as over two-thirds switch schools shortly after they enter care.¹⁷

The residential and educational instability of youth experiencing homelessness and of those in out-of-home care is a significant similarity between the populations. Furthermore, sometimes the same youth are both homeless and in out-of-home care. For example, many older youth run away from child welfare placements they perceive to be inappropriate, finding homelessness preferable to the placement the child welfare system offers. Other youth remain in care until they turn 18, only to become homeless upon being discharged from the system. Some youth enter care upon being removed from the custody of parents who are homeless.

Despite their important similarities and overlap, there is at least one critical difference between youth in out-of-home care and those experiencing homelessness: youth in out-of-home care are in the care of a public agency. This agency provides a team of advocates charged with guarding the youth's safety, seeking permanency, and addressing their well-being, including their educational well-being. When this child welfare team and the public schools collaboratively focus on the needs and goals of the youth in their care, educational success for youth in out-of-home care is an attainable goal.

On the contrary, there is no public agency, system, or appointed advocates responsible for caring for youth who are homeless. They lack this important asset. The only public system required by law to care for youth experiencing homelessness is the public school system. Therefore, the McKinney-Vento Act and the educators who implement it are a critical support for these young people.

Diminished educational achievement: The consequence of mobility

School mobility can be emotionally and academically devastating. Students must adjust to new teachers, peers, curricula, and rules. Ties to friends and mentors in their previous school are broken, exacerbating the anxiety and trauma that the children experience from being separated from their families or experiencing homelessness.

Several studies have found that mobile students score lower than non-mobile students on mathematics and reading tests.¹⁸ A California study found that high school students who changed school even once were less than half as likely to graduate as those who did not change schools, even when controlling for other variables.¹⁹ Highly mobile youth are also less likely to participate in extra-curricular activities, which impacts their social and emotional growth.²⁰ Every school change presents social, emotional, and academic challenges. Students may lose credits, do the same work repeatedly, struggle to adjust to new rules and a new school culture, and even be forced to repeat a grade.

School changes also may create gaps in school attendance. Enrolling in a new school requires that someone assemble enrollment documents and school records and take the child to school to enroll. Families in homeless situations struggle to maintain documents, and youth on their own lack a parent or guardian to enroll them. Although the McKinney-Vento Act addresses such barriers, these barriers may continue to cause enrollment delays in some areas. For youth in out-of-home care, confusion among foster parents and child welfare caseworkers over who is responsible for school enrollment may delay the process. Child welfare professionals may not have access to necessary documentation for enrollment. School policies may hinder the transfer of prior school records and prevent immediate enrollment of youth in out-of-home care when enrollment documents are not forthcoming. Studies in Pennsylvania, New York, and California have found that gaining access to prior school records is a serious barrier to school access for youth in care, resulting in significant enrollment delays.²¹

Statistics indicate that children and youth experiencing homelessness and those in out-of-home care suffer the negative consequences of school mobility:

- Children experiencing homelessness are twice as likely to repeat a grade as housed children.²²

- As many as three-quarters of older homeless youth drop out of school.²³
- Even after statistically controlling for a variety of factors, a youth who enters foster care is likely to have lower test scores and graduation rates.²⁴
- Youth in out-of-home care lag at least half a school year behind their peers, with many significantly farther behind.²⁵
- Youth in out-of-home care are retained in the same grade more often than their peers.²⁶

The McKinney-Vento Act provides rights and services that are specifically designed to reverse these troubling trends by increasing the school stability of youth experiencing homelessness, including children awaiting foster care placement.



Overview of the McKinney-Vento Act and Children and Youth Awaiting Foster Care Placement

“The biggest barrier for a youth is to end up being 17 years old, facing aging out of the system, and with just a few high school credits. What does he do? Drop out? Become homeless? End up in the delinquency system? Get a GED at best?”

— Margaret Harner²⁷

The McKinney-Vento Act

The McKinney-Vento Act is a federal law designed to increase the school enrollment, attendance, and success of children and youth experiencing homelessness. The McKinney-Vento Act was passed in 1987 and reauthorized as part of the No Child Left Behind Act in 2001. It is the only federal law dedicated specifically to supporting the educational success of students in homeless situations.

The McKinney-Vento Act establishes educational rights for students and provides every state with funding to support school access and success for these students. Each state education agency is entitled to reserve up to 25% of its McKinney-Vento funding for state activities. The remaining funds must be awarded to local education agencies through need-based and quality-based competitive sub-grants. The current funding level for the McKinney-Vento Act is \$64 million. Based on this funding level, states receive between \$150,000 and \$8.3 million, according to a formula that is based on the number of students in poverty in the state.

Essentially, the McKinney-Vento Act requires that state and local education agencies provide students experiencing homelessness with school access and support their attendance and success. The cornerstone of the McKinney-Vento Act is school stability: Students who are homeless can remain in one school, even if their temporary living situation is located in another school district or attendance area, as long as remaining in that school is in their best interest. The school is known as the *school of origin*, defined as the school in which the student was last enrolled or where the student attended when

Due to the limited funding available under the McKinney-Vento Act, only 6% of school districts nationwide receive McKinney-Vento funds, serving roughly half of the homeless students identified by and enrolled in schools.

Homeless liaisons are the key front-line staff who implement the McKinney-Vento Act in every school district. Liaisons are charged with the responsibility of determining who is eligible for McKinney-Vento Act services, using the Act's definition of *homeless*. They also must do outreach to homeless children and youth, assist them with school enrollment, and ensure that they receive appropriate services.³¹

permanently housed. The local education agency must provide transportation to and from the school of origin.²⁸

The Act also eliminates records-related barriers to school enrollment and participation: Children and youth who are homeless can enroll in school and begin participating fully in all school activities immediately, even if they cannot produce normally required documents, such as birth certificates, proof of guardianship, school records, immunization records, or proof of residency.²⁹

Every state must designate a state coordinator to ensure that the McKinney-Vento Act is implemented in the state³⁰; most state coordinators are also responsible for other programs within the state education agency. In addition, every local education agency must designate a homeless liaison to implement the Act in that school district. Full-time liaisons are also the exception, as the vast majority of homeless liaisons nationwide have many other duties and responsibilities within the school district. The McKinney-Vento Act requires both state coordinators and homeless liaisons to collaborate with other agencies serving homeless children, youth, and families to enhance educational attendance and success.³²

The McKinney-Vento Act's definition of homeless

The McKinney-Vento Act's protections apply to all children and youth who meet the Act's definition of *homeless*:

“...individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1)); and includes

(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; **or are awaiting foster care placement** [emphasis added];

(ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 103(a)(2)(C));

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).”³³

Based on this definition, the McKinney-Vento Act applies to children and youth who are “awaiting foster care placement.” The McKinney-Vento Act does not define the parameters of the phrase “awaiting foster care placement.” In its Non-Regulatory Guidance, the U.S. Department of Education (USDE) does not define the term either, addressing the issue only briefly and suggesting that “LEA liaisons should confer and coordinate with local public social service agency providers in determining how best to assist homeless children and youth who are awaiting foster care placement.”³⁴

In the absence of a clear federal policy, states and localities have adopted different definitions of *awaiting foster care placement*. This report explains several different approaches to defining *awaiting foster care placement*, as well as policies and practices to implement the definitions and support the educational stability and success of children and youth awaiting such placement. Specifically, the report highlights policies and practices from the following jurisdictions:

- Connecticut
- Delaware
- Massachusetts
- Anchorage, Alaska
- Ann Arbor, Michigan
- Fairfax County, Virginia
- Minneapolis, Minnesota
- Pima County, Arizona

These states and localities were selected in an effort to present a variety of definitions of *awaiting foster care placement*, vehicles for establishing the definition, types of collaborations between education and child welfare agencies, and practical strategies for implementing the law and supporting the educational achievement of youth in foster care.

Child welfare agencies also have legal responsibilities related to the education of youth in their care. For example, Title IV-E of the Social Security Act requires agencies to keep education records as part of their written case plan, including names and addresses of educational providers, grade level performance, school records, and assurances that the child’s placement in out-of-home care takes into account proximity to the school in which the child is enrolled at the time of placement. The child’s education record must be reviewed and updated as part of case plan reviews, and the child welfare agency must give a copy of the record to the foster parent or foster care provider at the time of each placement. When a youth ages out of care, the agency must provide the youth with a copy of his or her education records. (42 U.S.C. §675(1)&(5))

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The federal Child and Family Service Reviews (CFSRs) evaluate overall performance of states on achieving safety, permanency, and well-being for children in foster care. One of the seven case outcomes reviewed is this: “Are we meeting the education needs of children in foster care?” All states are required to examine the education outcomes for children in foster care and take steps to improve efforts and results.

The recently enacted Fostering Connections to Success and Increasing Adoptions Act of 2008 adds new education stability provisions to Title IV-E of the Social Security Act that require states receiving federal child welfare dollars to:

- Coordinate with the school to ensure the child remains in the school of origin if it is in the best interest of the child to do so.
- Provide reasonable travel for the child to remain in the school of origin (it

Continued on page 17.

From Law into Practice: Strategies to Maximize the McKinney-Vento Act for Youth Awaiting Foster Care Placement

This section presents practical strategies for maximizing the benefits of the McKinney-Vento Act for youth in out-of-home care:

1. Building effective collaborations between child welfare and education.
2. Defining *awaiting foster care placement* under the McKinney-Vento Act.
3. Designing and implementing strategies to maximize school stability and provide transportation.
4. Ensuring that education and child welfare agencies have staff with sufficient training and capacity to ensure immediate enrollment, attendance, and services.
5. Clarifying education-related roles and responsibilities.
6. Implementing procedures for schools and child welfare agencies to share information in order to deliver timely, effective services to children in care.
7. Treating youth in out-of-home care with dignity, understanding, and discretion.

These strategies offer education and child welfare agencies suggestions as to how they can support the educational stability and success of youth in out-of-home care. Most importantly, these strategies are informed by the experiences and recommendations of youth who have been in out-of-home care themselves.

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permits states to use IV-E maintenance dollars to support school of origin transportation).

- If not in the child's best interest to remain in the school of origin, immediately enroll the child in an appropriate school.
- Ensure that child education records are provided to the new school.
- Ensure the child welfare placement takes into account not just the proximity to the school of origin, but also the appropriateness of the education setting.
- Ensure all compulsory school-aged children are enrolled in school full time.

State laws also give child welfare agencies responsibilities for the education of youth in their care. For example, Virginia's SB 1006 requires caseworkers to notify schools within 72 hours of a student being placed in foster care and to track down necessary records within 30 days of school enrollment.

1. Building effective collaborations between education and child welfare agencies.

“I cannot overemphasize the importance of collaboration with system partners and creating dedicated partnerships to work toward advocacy and support from a systems perspective to improve outcomes for foster children. No one can do this alone.”

— Carlyse Giddens³⁵

The educational achievement of their students and wards is a shared goal and responsibility of both child welfare and education agencies. For youth in care to be successful in school, both systems must work effectively. Thus, the McKinney-Vento Act does not relieve child welfare agencies of their responsibilities to support the educational achievement of their wards. Child welfare agencies need to adopt their own policies and practices to maximize placement stability, consider the educational consequences of any action in the child welfare case, and ensure that the McKinney-Vento Act is implemented effectively and that the benefits to youth are maximized.

The success of every recommendation in this report, both practice and policy, depends upon child welfare and education agencies working together. In fact, even the initial step of defining the term *awaiting foster care placement* should be approached collaboratively. Mutual understanding and shared responsibility is critical.

**When the child welfare system provides
a safe, healthy, stable home environment**

+

**the school system provides a nurturing,
quality, stable school environment**

=

**there is real opportunity for a
youth’s educational success.**

Unfortunately, these two systems often lack an adequate understanding of each other or they lack effective mechanisms to coordinate efforts. In some jurisdictions, attorneys for child welfare agencies have taken the position that no youth in out-of-home care is homeless and therefore the Act does not apply to any youth in care. For example, according to Elizabeth Hinz, District Liaison for Homeless and Highly Mobile Students with Minneapolis

Public Schools, it took three years of advocacy before she was permitted to train caseworkers on the McKinney-Vento Act.

Collaboration is the key to overcoming these challenges. Initially, each agency must be convinced of the benefits of collaboration. Schools must realize that working with child welfare agencies can result in increased support for students, more stable behavior, and higher academic achievement. For their part, child welfare agencies must understand the critical role of education in their wards' well-being. A youth who drops out of school will be much less prepared for adulthood and independence.³⁶ Furthermore, school success contributes to placement success. "Meeting the education needs of children in foster care has a strong positive effect on permanency for children, be that reunification, adoption, or another permanent plan."³⁷

In a time of tremendous physical and emotional upheaval, school can be an oasis of stability and support to relieve pressures on the living situation. A positive school experience can help a child deal with the stress and trauma of separation from family and placement in an unfamiliar living situation. On the other hand, challenges in school can contribute to difficult behavior at home and the subsequent need to change a child's living placement.

"Very often, what happens in school has a direct impact on where that youth puts his head on a pillow at night."

— Margaret Harner³⁸

All the individuals involved in a child welfare case, including the judge, attorneys, caseworkers, foster parents, biological parents, placement supervisors, and other advocates, must understand and appreciate the importance of school stability and success for youth in care.

Interviews for this report generated four basic strategies for building effective collaborations between education and child welfare agencies in the context of the McKinney-Vento Act.

STRATEGY	IMPLEMENTATION TIPS
<p>Build informal relationships with colleagues in the complementary agency, supplemented by regular, ongoing meetings to discuss concerns and adjust policies and practices based on lessons learned.</p>	<ul style="list-style-type: none"> • Meet with counterparts in other agencies to explain the services you provide and discuss challenges. • Institutionalize your collaborations through regular meetings or a formal agreement to revisit policies and practices at determined intervals. • Inform counterparts in other agencies of relevant policy changes immediately. • Establish a formal collaboration group with regular meetings and shared goals. • Exchange actual contact lists with each other: names, phone numbers and emails. • Regularly update and renew contacts to maintain relationships and address staff turnover.
<p>Offer ongoing training opportunities to help each agency understand the policies, practices, and priorities of the other.</p>	<ul style="list-style-type: none"> • Provide McKinney-Vento Act training at new caseworker orientations, annual caseworker conferences, and resource fairs. • Include information about education and the McKinney-Vento Act in child welfare policy manuals. • Provide training on child welfare policies to McKinney-Vento staff, school counselors, teachers, and administrators. • Teach child welfare staff about the value of school stability, and education staff about the impact of abuse and neglect. • Invite alumni from foster care to share their perspectives with educators and child welfare administrators.
<p>Consider using a third party to facilitate communication between agencies.</p>	<ul style="list-style-type: none"> • Hold local interagency roundtable discussions about implementation challenges and strategies, facilitated by state agencies.

Design and implement interagency agreements.

- Create an interagency task force under the auspices of the local juvenile court, state legislature, or other agency.
- Invite an outside organization like the National Association for the Education of Homeless Children and Youth to provide training and facilitate collaboration.
- Formalize joint priorities, policies, and practices, on both the state and local level.
- Clearly define the contours of “awaiting foster care placement” and establish the basic legal framework and policies each agency must follow.
- Include a glossary in agreements.
- Address practical implementation strategies, such as assigning responsibility for identifying eligible youth in care, enrolling them in the school that is in their best interest, and providing and arranging both immediate and long-term transportation.

Every professional interviewed for this publication emphasized the importance of relationships in meeting the educational needs of youth in out-of-home care. An important first step for any effective collaboration is for the collaborators to get to know each other. Successful collaborations depend on good relationships based on mutual trust. One way to build trust is through earnest efforts to learn about the strengths and challenges of colleagues and to share information about one’s own. Getting to know one another can be as simple as introducing oneself and starting a conversation. The following strategies can help lead to mutual understanding.

Build informal relationships with colleagues in the complementary agency, supplemented by regular, ongoing meetings to discuss concerns and adjust policies and practices based on lessons learned.

DEVELOPING INTERAGENCY RELATIONSHIPS

- **Make an initial contact by phone or email.** Child welfare caseworkers and supervisors should contact the school district’s central office or McKinney-Vento state coordinator to find the contact information for the local

homeless education liaisons. Liaisons should contact their local child welfare office (commonly known as Children’s Services, Children and Families, or Social Services) and ask to speak with an educational advocate or consultant, or a supervisor.

“I called the child welfare supervisor and proposed that we get together to talk about our new state law. That led to a nice relationship with DFS.”

— Kathi Sheffel³⁹

- **Learn about the services each program provides.** Homeless liaisons and child welfare supervisors should consider developing a fact sheet and brief PowerPoint® presentation for their counterparts about the services they offer and the key policies that affect interagency efforts. This information can be shared at early meetings to crystallize specific ways that each agency can support youth in care.
- **Regularly update and renew contacts, to nurture relationships and address staff turnover.** Achieving the level of trust necessary for a strong collaboration requires that both parties stay in touch and respond consistently and productively to requests for help. Further, child welfare agencies seem to confront a particularly high rate of turnover. Homeless education liaisons should make ongoing efforts to inform new caseworkers about the McKinney-Vento Act and the benefits of collaboration. Be sure to exchange contact lists with names, phone numbers, and emails across partners.
- **Meet with foster parents and caretakers.** Foster parents and caretakers are often the individuals who can provide the most insight about the children they care for and the obstacles they face. For example, one of the lead Hennepin County social workers invited the homeless liaison to attend foster parent support group meetings. Listening to foster parents provided the liaison with valuable insight to help her serve youth better.

In some circumstances, informal communications between agencies may be insufficient or difficult to maintain. Staff turnover can result in the loss of a personal connection, while the pressures of managing a large caseload and working with large numbers of students can prevent caseworkers and liaisons from staying in touch. Therefore, interviewees also recommended adopting formal measures to ensure regular contact between education and child welfare agencies, at both the state and local levels.

ENSURING REGULAR INTERAGENCY CONTACT

- **Implement a practice of automatically informing counterparts of changes in school or child welfare policies immediately, via email or fax.** This will help ensure that the other agency can be prepared to adjust to the new policy and respond quickly and seamlessly for youth.
- **Establish regular meetings between child welfare and education staff to update contacts, discuss new policies, and develop new practices to meet emerging challenges.** For example, the Office of Children’s Services in Anchorage hosts the Greater Anchorage Area Partnership (GAAP) as a forum for communication and collaboration for a variety of agencies serving youth in out-of-home care. GAAP’s monthly meetings nurture the collaboration between the school system and the child welfare agency and provide a reliable, consistent forum to address challenges.
- **Designate staff positions that will be responsible for ongoing communication between schools and the child welfare agency.** For example, Delaware has drafted a state-level Memorandum of Understanding that states:

“In addition, DOE, LEA and Charter Schools, and DSCYF (divisional representation in all counties) will designate liaisons to support effective communication and implementation of the MOU, as well as to mediate conflict to successful resolution.”

“For a long time, the Office of Children’s Services didn’t prioritize education because they were so focused on basic safety. We are trying to help them understand that school stability helps with placement stability. Youth who are happy at school will be happier at home.”

— Barb Dexter⁴⁰

Educators and child welfare workers have different specialties and training. If each group shares with the other their expertise about how to support youth in care, both groups will be better equipped to serve youth. Particularly, both agencies need to share the same understanding about the legal requirements of the McKinney-Vento Act.

Alumni from foster care are also a critical resource to help both educators and child welfare staff understand the realities of life in out-of-home care. Many states and local areas have active groups of such alumni who are willing to speak to school staff about their experiences and the importance of school

Offer ongoing training opportunities to help each agency understand the policies, practices, and priorities of the other.

Consider using a third party to facilitate communication between agencies.

in their lives. Schools and child welfare agencies should ask for these experts' help to support youth better.

Some examples of cross-training among the jurisdictions interviewed for this report include the following:

- The Massachusetts Office for the Education of Homeless Children and Youth has done on-site training for child welfare supervisors and caseworkers in all of the area child welfare offices.
- In Minneapolis, MN, and Fairfax County, VA, the homeless liaisons do ongoing professional development with the county child welfare offices.
- The Connecticut Department of Children and Families employs educational consultants who provide full-day trainings to new social workers on a variety of educational issues, including the McKinney-Vento Act.
- In Anchorage, AK, the homeless liaison presents information about the McKinney-Vento program at child welfare resource fairs and annual trainings.
- The Arizona Department of Education collaborated with child welfare professionals to create a brochure entitled “What Arizona Schools Need to Know about Children in Care: A Guide for Teachers, Administrators, Foster Parents, and Case Managers.” The brochure (see, Legal Center for Foster Care & Education, www.abanet.org/child/education) explains the McKinney-Vento Act and related state laws and includes a glossary and important child welfare contact information. Both the McKinney-Vento state coordinator and child welfare program managers use the brochure in trainings with schools and caseworkers.

Often, outside organizations or individuals can play an important role in facilitating communication between child welfare and education agencies. Such third parties can dedicate more time and energy to collaboration and can approach interagency issues objectively. For example, the child welfare agency in Washtenaw County, MI, has contracted with a private education advocacy organization to support the education of youth in care and to serve as a bridge between schools and child welfare. In Massachusetts, the McKinney-Vento State Coordinator's Office leads local interagency trainings

and roundtable discussions with school district homeless liaisons and child welfare caseworkers. The State Coordinator's Office also intervenes as needed to facilitate communication between schools and local child welfare agencies on an ongoing basis.

One particularly innovative model for third-party facilitation of ongoing collaboration is Pima County (AZ) Juvenile Court's Committee to Improve Educational Outcomes for Court-Involved Youth.⁴¹ This novel initiative provides an ongoing, regular forum for a variety of agencies to come together to identify and address challenges. The committee has grown to include six Pima County school districts, Pima Community College, Pima County Superintendents Office, CPS, Court Appointed Special Advocates (CASA), juvenile probation, juvenile detention, group care facilities, the public defender, contract attorneys, the county attorney, the Attorney General's office, and all areas of juvenile court. Over the past four years, the committee has addressed such issues as information sharing between schools and child welfare workers, a judicial checklist to incorporate education concerns and outcomes into court proceedings, educational decision making for youth in out-of-home care, and collaborative interdisciplinary training.

Some states have established interagency task forces at the state level. Delaware is home to two different state-level collaboration teams for youth in out-of-home care. Initially, an informal team consisting of staff from the Departments of Social Services, Public Health, and Education gathered to share challenges and strategies in serving youth in care. Later, the state legislature established the Child Protection and Accountability Commission (CPAC) to provide oversight and offer recommendations for improving the overall child welfare system. CPAC has offered powerful opportunities for broad-based collaborations in supporting youth. It has also served as the forum for drafting the state's law applying the McKinney-Vento Act to all youth in out-of-home care, as well as a detailed Memorandum of Understanding (see, Legal Center for Foster Care & Education, www.abanet.org/child/education).

Casey Family Programs has brought together child welfare and education agencies nationally, at the annual conference of the National Association for the Education of Homeless Children and Youth (NAEHCY) as well as at the state and local level across the country. These meetings have jump-started and helped maintain powerful collaborations in Alaska and Arizona, among others. (Legal Center for Foster Care & Education, www.abanet.org/child/education includes Convening Notes from Casey Family Programs' ongoing efforts in Anchorage. These notes outline a helpful structure to facilitate communication and collaboration among agencies serving youth in out-of-home care.)

In the Alaska Education Convening, the group initially worked together to answer basic questions and set the stage for active collaboration:

1. What is the role of your agency in addressing the educational needs of youth in care (in day-to-day practice and at the local and state levels)?
2. What collaborative approaches can we engage in that would support efforts to address the educational needs of youth in care?
3. What gaps in knowledge and understanding are we experiencing? What information do we need in order to inform our practice and support the educational needs of youth in out-of-home care?

Participants then broke into inter-agency issue groups to brainstorm specific strategies for supporting youth's education success in several areas, such as school stability, academic supports, and mental and physical health.

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Interagency agreements might address the following points:

- The importance of child welfare system efforts to maintain placement stability and to place children near their schools of origin.
- The definition of *awaiting foster care placement* and which youth in care are eligible for the McKinney-Vento Act's protections.
- Procedures and assignment of responsibility for school enrollment and withdrawal of youth in care.
- Procedures to inform schools which students are in out-of-home care and who has the authority to make educational decisions for each such student.
- Specific procedures for transfer of school records for youth in care.
- Details about how transportation services will be arranged, provided, and coordinated.

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“You have to have a joint statement from the state DOE and the state DCF jointly sent out to the local DCF offices and school districts. It should set out the legal basis and also why this is important for children. A shared understanding and policy paves the way for things to happen.”

— Howard Haberman⁴²

Interviewees emphasized that it is extremely helpful for agencies to formalize joint priorities, policies, and practices in interagency agreements, on both the state and local level. Interagency agreements are critical in the context of the McKinney-Vento Act. Since the McKinney-Vento Act is an education law, many child welfare caseworkers and even supervisors may be unaware of it. Others may feel that it is of limited applicability or relevance to them. While training can help address this need, the high turnover common in child welfare agencies means that many new staff will not receive such training promptly. A written policy can help ensure that information about McKinney-Vento is institutionalized and accessible. A joint statement of what the Act requires and how both schools and child welfare agencies should implement it is invaluable to ensure that youth in care receive the educational rights and services to which they are entitled.

Several state and local interagency agreements are available through the Legal Center for Foster Care & Education website at www.abanet.org/child/education:

- Anchorage, AK School District and Office of Children Services Emergency Foster Care Definition
- Draft Delaware MOU
- Washtenaw Intermediate School District, MI, and Student Advocacy Center Interagency Agreement
- Connecticut's Joint Memoranda

At a minimum, interagency agreements should involve the state or local education agency and the state or local child welfare agency, including representatives of key issue areas such as transportation, special education, early learning, alternative education, dropout prevention and recovery, Title I, charter schools, child welfare initial removal units, adoption units, and independent living units. However, since many other agencies provide services to youth in out-of-home care, jurisdictions are advised to invite other

stakeholders to the table, such as the courts, legal advocates, Court Appointed Special Advocates (CASAs), foster parents, and alumni of out-of-home care.

Once an interagency agreement is designed and approved, it must be implemented with oversight and the flexibility to adapt to new challenges and lessons learned. Ongoing, open interagency communication is imperative.

This oversight should be written into the agreement.

Here are two examples:

- The agreement between Washtenaw (MI) Intermediate School District and the Student Advocacy Center requires that “both parties shall meet once a year to evaluate the effectiveness of this agreement.”
- Delaware’s MOU establishes a steering committee to:
 1. Oversee implementation of the MOU.
 2. Recommend and make changes as needed in the MOU.
 3. Address policy issues that may arise in implementation.
 4. Appoint representatives to:
 - Ensure adherence to the MOU procedures.
 - Provide training and support for the implementation of the MOU in coordination with DSCYF.
 - Develop and maintain positive interagency relationships.
 - Identify other training needs and develop cross-training efforts.

Once child welfare and education agencies have begun building relationships, understanding each other’s roles and policies, and discussing concerns, they are ready to embark on the task of defining awaiting foster care placement. The following section explains the results of this undertaking in eight jurisdictions.

2. Defining awaiting foster care placement under the McKinney-Vento Act

The McKinney-Vento Act covers all children and youth who meet the Act’s definition of homelessness, including those “awaiting foster care placement.” Homeless liaisons are charged with identifying homeless children and youth,

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- Policies and procedures for resolving disputes about a student’s eligibility or best interests.
- How education and child welfare agencies will maintain ongoing communication and coordination, to ensure prompt and effective services for youth in care.
- How both schools and caseworkers will receive ongoing professional development about the McKinney-Vento Act, the educational and other needs of youth in out-of-home care, the benefits of school stability, and relevant policies and practices of each agency.

Design and implement interagency agreements.

using the definitions in the statute and any guidance provided by their state education agency. Since neither the Act nor U.S. Department of Education Guidance defines that term, states and localities have developed their own definitions.

The following chart summarizes the definitions of *awaiting foster care placement* in use in the three states and five localities interviewed for this publication.

LOCATION	DEFINITION OF AWAITING FOSTER CARE PLACEMENT	HOW DEFINED
Connecticut	<ul style="list-style-type: none"> • “Emergency or transitional shelter placements,” including Short Term Assessment and Respite Homes (STAR Homes) • Placements on an “emergency basis in a transitional foster home with the plan of being moved within 30 days to a more permanent foster or adoptive home may be considered covered by McKinney-Vento on a case-by-case basis” • “SDE and DCF will also consider applying McKinney-Vento on a case-by-case basis to children who have experienced more than three placements in a 12-month period” 	Department of Children and Families and Board of Education Joint Memoranda (see, Legal Center for Foster Care & Education, www.abanet.org/child/education)
Delaware	All children in out-of-home care	House Bill 279 (14 Del. Code§202(c)) (see, Legal Center for Foster Care & Education, www.abanet.org/child/education)

Massachusetts	<ul style="list-style-type: none"> • “Temporary, transitional, or emergency living placements,” including shelters, “hotline homes,” “bridge” homes, diagnostic placements, foster homes used as short-term placements • “Stabilization, Assessment and Rapid Reintegration/ Reunification (STARR) Programs” 	Department of Education Advisory 2004-9 and 2007-9A (see, Legal Center for Foster Care & Education, www.abanet.org/child/education)
Anchorage, AK	<ul style="list-style-type: none"> • Specifically named emergency foster care homes • Emergency beds in specifically named shelters • Any home where the provider receives the emergency foster home reimbursement rate • Any home that has received less than 24 hours notice prior to placement • Any home where the intended stay is less than 10 days • A hospital or other institution if release is being delayed due to a lack of placement 	Interagency agreement between Anchorage School District and office of Children’s Services (see, Legal Center for Foster Care & Education, www.abanet.org/child/education)
Ann Arbor, MI (Washtenaw Intermediate School District)	<ul style="list-style-type: none"> • Any temporary placement, which includes the child’s initial placement upon entering care as well as other situations on a case-by-case basis. • To serve other children in out-of-home care, the district adopted a policy to provide McKinney-Vento-like protections to all youth age 14-21 in out-of-home care 	Informal Guidance from the State Department of Education; Washtenaw Superintendents’ Association Policy Guidelines (see, Legal Center for Foster Care & Education, www.abanet.org/child/education)

		Education, www.abanet.org/child/education)
Fairfax County Public Schools, VA	<ul style="list-style-type: none"> • Any placement that is not likely to be long term or permanent 	Homeless liaison's determination per McKinney-Vento Act; overlap with VA SB 1006
Minneapolis Public Schools, MN	<ul style="list-style-type: none"> • Emergency foster care placements intended to be temporary or short term while long-term placements are determined and arranged 	Homeless liaison's determination per McKinney-Vento Act
Pima County, AZ	<ul style="list-style-type: none"> • Any placement not directly related to the child's permanency goals 	Informal guidance from the McKinney-Vento state coordinator

The chart above illustrates the variation in definitions of *awaiting foster care placement* and the vehicles through which these definitions were reached. Some definitions are very specific, providing clarity and ease of implementation for school districts and child welfare agencies. For example, Delaware's policy to cover all children in care eliminates subjective judgments and potential disputes. The Connecticut State Coordinator and Department of Children and Families have agreed to provide school districts with a list of the names and addresses of many placements that are covered by the McKinney-Vento Act, based on the state's policy.

Other definitions imply more case-by-case approaches, requiring schools and caseworkers to evaluate the likely length of stay of a particular child in a particular placement. These definitions are based on the presumption that the McKinney-Vento Act was designed to address the mobility of homelessness. This approach offers flexibility and the opportunity to consider the best interests of youth in care when making determinations of eligibility.

To summarize from narrower to broader interpretations:

**Temporary, emergency, or transitional placements
(e.g., CT, MA, MI, Anchorage, Minneapolis)**



**Most out-of-home placements, unless likely
to be permanent or directly related
to the child's permanency goals
(e.g., AZ, Fairfax County)**



**All out-of-home placements
(e.g., DE)**

Despite the variation among jurisdictions, the majority appear to have adopted broad interpretations of *awaiting foster care placement*. These inclusive approaches make good educational sense, as they provide greater educational access and stability for youth in out-of-home care. Schools, child welfare agencies, and young people all suffer negative consequences from school mobility and other barriers to youth's educational success.

Finally, it is important to note that some youth who are, or have been, involved in the child welfare system are eligible for McKinney-Vento Act services regardless of how the state or locality defines awaiting foster care placement. Their eligibility is based on the fact that they are living in a homeless situation. For example, the following children and youth are covered by the McKinney-Vento Act:

- Youth in out-of-home care who have run away from placements and are living in a homeless situation
- Youth who are living in a homeless situation and who have been abused or neglected but who have not been placed in the custody of the child welfare system
- School-age youth who have aged out of foster care and are living in a homeless situation

COMMON CHALLENGES IN INTERPRETING THE DEFINITION, AND RESPONSES

Schools and child welfare agencies may encounter difficulties in trying to interpret the definition of *awaiting foster care placement*. State guidance, a well-informed homeless liaison, and effective collaboration can help ease such challenges.

A common challenge in implementing the definition of *awaiting foster care placement* under the McKinney-Vento Act regards placements that are intended to be temporary but that in fact extend over a long period of time. A lack of foster family homes and other appropriate placements may cause child welfare caseworkers to keep children in temporary placements for weeks or even months longer than anticipated. Such children may be covered by the McKinney-Vento Act upon placement but, depending on state or local policies, that eligibility may become less clear as the placement effectively becomes more and more long term.

There are several possible approaches to this challenge, including these:

- Massachusetts' policy specifies that students in short-term placements remain eligible under the McKinney-Vento Act for the duration of their stay.
- In Connecticut, if students remain in such programs beyond 30 days, schools are encouraged to contact the caseworker, obtain an update on the placement and upcoming placement changes, and reevaluate whether remaining in the school of origin is still in the child's best interest.
- Delaware has eliminated this challenge all together by simply covering all children in out-of-home care under the McKinney-Vento Act.

The McKinney-Vento Act also provides a mechanism for resolving disputes, if they arise. For example, in Massachusetts, if a student's "temporary" placement remains stable over several months, and the school district believes the youth is no longer eligible or it is no longer in the youth's best interest to remain in the school of origin, the district has the option to initiate a dispute process. If the guardian appeals, the state Department of Education will render a decision.

It is also important to note that once found eligible for McKinney-Vento services, youth in out-of-home care will remain eligible for many services

for the duration of the school year, even if they move into a long-term or permanent placement. For example, until the end of the academic year, McKinney-Vento students can remain in their school of origin (assuming that is in their best interests), receive free school meals without a formal application, and receive supplemental McKinney-Vento services in those school districts that receive McKinney-Vento sub-grants. Therefore, even once students move to a long-term or permanent placement, they can continue to enjoy many of the Act's core protections.

Another challenge in implementing the McKinney-Vento Act for youth in care involves cases where the definition of awaiting foster care placement collides with state laws or local policies that provide educational rights to youth in care. For example, Virginia has a state law that provides all youth in care with the right to enroll in school immediately even if they lack necessary documents, as well as the opportunity to remain in the school of origin, based upon the joint decision of the involved school districts and the placing child welfare agency.⁴³ Although this law is similar to the McKinney-Vento Act, it does not specifically guarantee transportation to the school of origin and it conditions the right to remain in the school of origin on the determination of school districts and child welfare agencies.

Similarly, Washtenaw Intermediate School District in Michigan has adopted a policy providing McKinney-Vento protections to all youth in out-of-home care ages 14-21, including the right to remain in the school of origin and receive transportation to the school of origin. However, the policy is limited to older youth only due to concerns about the cost of transportation to the school of origin.

The differences between such state and local policies and the McKinney-Vento Act can generate confusion. It is critical that the homeless liaison is well informed and provides training and support to both schools and child welfare agencies to help them navigate the various policies and serve the right children on the right legal basis. Such determinations can affect the services that youth receive as well as how transportation to the school of origin is provided and funded.

Ultimately, reaching a clear, common definition of *awaiting foster care placement* provides both schools and child welfare agencies with the basis to provide youth in out-of-home care with the benefits of the McKinney-Vento Act. The primary benefit is the opportunity to remain stable in one school despite residential moves. The following section takes the next step from defining eligibility to implementing this important right.

Virginia's state law requires that "the sending and receiving school divisions shall cooperate in facilitating the enrollment of any child placed in foster care across jurisdictional lines for the purpose of enhancing continuity of instruction. The sending school division and the receiving school division may agree to allow the child to continue to attend the school in which he or she was enrolled prior to the most recent foster care placement, upon the agreement of the placing social services agency that such attendance is in the best interest of the child."⁴⁴

In 2007, the Virginia legislature allocated \$150,000 for school-of-origin transportation for youth in out-of-home care.

3. Designing and implementing strategies to maximize school stability and provide transportation.

“The educational implications of placement changes must be one of the top issues considered.”

— Margaret Harner⁴⁵

Children experiencing homelessness change schools frequently due to the exigencies of searching for safe shelter. Youth in out-of-home care change schools frequently due to changes in their living placements. Such moves often result from a lack of available, appropriate placements; changes in the ultimate permanency plan for the youth; or crises in placements that require an immediate change. Regardless of the reasons for a placement change, child welfare agencies can minimize school changes by prioritizing placement of youth in the same residential community and intensifying efforts to maintain placement stability.

To maximize the school stability of youth in care, child welfare agencies should:

- Stay current on every youth’s educational progress.
- Significantly increase efforts to recruit and retain foster homes and other placements in areas from which large numbers of youth tend to enter care.
- Significantly increase efforts to place youth near their schools of origin, both when youth initially enter care and for subsequent placement changes.
- Change placements between school years or semesters or at other natural school breaks whenever possible.
- Increase efforts to identify appropriate, stable environments for older youth.
- Provide support services specifically related to educational success.

Educators also have an important role to play in keeping youth stable in their foster placements. If students experience success and connections in school, with support to decrease emotional stress and increase self-esteem,

they will be better able to manage the demands of foster care and to behave appropriately in the home environment. This can include efforts by educators to provide specific supports to the foster care families and caretakers who are supporting the youth at home.

The McKinney-Vento Act gives students who are awaiting foster placement the right to remain in their school of origin, despite placement changes, if in their best interest. The Act further requires school districts to provide transportation to the school of origin. This transportation is absolutely essential to ensure school stability and promote the educational success of all homeless children and youth. However, it entails a significant expense and logistical challenge for school districts. Shortages of buses, drivers, and taxis as well as severe budget crises threaten the ability to provide transportation.

Some of the states and localities interviewed for this publication have developed strategies to confront the financial and logistical challenges of transportation. Many have secured supplemental funding for transportation. Such funding has been obtained through appropriations from the state legislature as well as through outside grants. Obtaining increased funding for transportation has been absolutely critical, as there simply are not enough resources to provide transportation to all eligible students at the current McKinney-Vento funding level.

Cooperation between education and child welfare agencies is essential to ensure that the expense and logistical challenges of transportation do not pose a barrier to services and that transportation is provided quickly and efficiently for all students.

STRATEGY	WHERE PRACTICED
The state bears the cost of school-of-origin transportation.	Delaware
The child welfare agency pays for commutes that are particularly long, complex, or costly, on a case-by-case basis. In Virginia, to increase the agency's capacity to bear this cost, in 2007 the state legislature allocated \$150,000 for school-of-origin transportation for youth in out-of-home care.	Ann Arbor, MI Fairfax County, VA

The child welfare agency provides immediate, initial transportation or otherwise works with the school to prevent delays in attendance while the school district makes long-term arrangements.

Connecticut
Pima County, AZ

The school district obtained a \$5000 grant from the Workforce Investment Board to help defray the costs of transportation in particularly expensive cases.

Ann Arbor, MI

In other areas, the school system is bearing the full cost of transporting children and youth awaiting foster care placement to their schools of origin. This has led to disputes between education and child welfare agencies and contributed to an unwillingness to serve youth in out-of-home care under the McKinney-Vento Act. In some cases, it also has provoked a delay in initiating transportation services for other homeless students, jeopardizing their school attendance. Hence, child welfare and education agencies must work together to increase transportation funding and infrastructure.

In addition to securing funding, buses, drivers, and other transportation resources, providing transportation requires finding or training staff with the capacity to manage the logistics. In fact, none of the McKinney-Vento Act's protections can be adequately implemented without sufficient staff. The following section discusses this issue in more detail.

4. Ensure that education and child welfare agencies have staff with sufficient training and capacity to ensure immediate enrollment, attendance, and services.

“There’s not enough advocacy for us in school. We need people to advocate for us, make sure we’re getting the make-up work we need, and help teachers understand what we’re going through. And we need people to check up on us. My caseworker checked up on my living situation, but not my school.”

— Rebecca Shier⁴⁶

Without adequate staff resources in education and child welfare agencies, the McKinney-Vento Act’s protections will not reach all the youth who are eligible. Both agencies must be able to count on sufficient numbers of trained staff, at both the state and local level, to support youth’s immediate enrollment and stability in school.

To address this concern, some child welfare agencies have hired education specialists. These specialists serve many functions, including:

- Raising the priority and visibility of education issues in the child welfare agency
- Serving as a liaison between caseworkers and schools
- Assisting with educational decisions and services, including school enrollment and special education
- Training caseworkers about the importance of education and relevant laws, including the McKinney-Vento Act
- Training educators about the child welfare agency’s policies and practices, the consequences of abuse and neglect, and strategies to support youth in out-of-home care

Both Massachusetts and Connecticut have incorporated education specialists into their child welfare agencies, either as employees or through contracts with private agencies. By developing relationships with homeless liaisons and other school staff, they are able to address education-related challenges.

They have been trained on the McKinney-Vento Act and assist in its implementation throughout the state.

“Caseworkers are extremely busy and have a lot to deal with on a daily basis. Education is not always the first thing on their mind. We help them focus on McKinney-Vento and other educational issues. We also help prevent disputes between caseworkers and school districts.”

— Howard Haberman⁴⁷

In Washtenaw County, MI, a private nonprofit called the Student Advocacy Center (SAC) fills the role of education specialists. SAC provides individual education advocacy for youth in the child welfare system as well as for other youth referred to the program. SAC is independent from both the education and child welfare agencies, advocating for the specific educational best interests of youth. SAC’s offerings include:

- Working in partnership with youth, the child welfare system, and schools
- Working with schools to increase their sensitivity to the issues facing youth in out-of-home care
- Identifying each youth’s educational strengths and needs and building a package of supports for school success
- Asking youth to identify an adult in the school with whom the youth has a connection and encouraging that adult to be an Inside Advocate, or informal mentor
- Identifying staff in every school building who understand the issues that youth in care face and who can respond flexibly to meet their needs
- Reporting on educational progress and unmet needs at court hearings
- Serving unaccompanied homeless youth, youth in the delinquency system, and youth referred by their families or themselves, in addition to youth in care

Whether they function as employees of the child welfare system, contractors, or independent nonprofits, education specialists are critical to ensuring the educational success of youth in out-of-home care.

For their part, state education agencies and school districts already have designated staff members charged with implementing the McKinney-Vento Act. However, the effectiveness of these state coordinators and local homeless liaisons depends on the capacity and resources they have to dedicate to McKinney-Vento issues. In the vast majority of states and school districts, the state coordinator and homeless liaison have many additional duties that are unrelated to homelessness, which can result in a failure to identify and serve all the children who are eligible for McKinney-Vento Act protections, whether homeless or in out-of-home care.

In fact, youth experiencing homelessness are particularly hard to identify. Unlike youth in care, who have already been identified by a public agency, homeless youth generally lack such identification. They tend to be invisible, often keeping their living situation hidden. They rarely have legal representation, caseworkers, or the other advocacy that youth in out-of-home care nearly always have. Nationally, only a quarter of youth experiencing homelessness live in the easily identifiable location of a shelter. The remaining hundreds of thousands of homeless youth live in cars, parks, motels, or temporary accommodations with friends or relatives. If state coordinators and homeless liaisons do not have adequate time to reach out and find these students, the students will remain invisible and without the benefits of the McKinney-Vento Act to which they are entitled.

To confront this issue, education agencies must ensure that state coordinators and homeless liaisons have sufficient capacity and resources to identify and serve all the students in their geographic district who are eligible under the Act, including those experiencing homelessness and awaiting foster care placement.

Further, experience indicates that serving youth in out-of-home care often requires a greater investment of time than with other students experiencing homelessness. This appears to be due primarily to the complexity of such youth's lives and circumstances. The youth's history of abuse, neglect, and family separation can lead to a challenging set of educational needs, while the child welfare system itself adds layers of complexity, including difficulty contacting caseworkers, poor communication among the various people and agencies involved in the lives of youth in care, the often opaque intersection of applicable state and federal laws, and confusion over who makes education decisions for these youth. Another contributing factor is a lack of awareness

For all eligible students to receive the McKinney-Vento Act's protections, school districts must have a trained homeless liaison with the capacity and resources to ensure that all homeless children and youth are identified, enrolled in school, and provided with services to support their success in school.

and understanding of the McKinney-Vento Act within child welfare agencies. Establishing education specialists and adequately training caseworkers on the McKinney-Vento Act would help relieve some of this burden.

Many homeless liaisons have increased their capacity to ensure immediate enrollment for students experiencing homelessness by designating a homeless contact in every school building. The contact may be a school counselor, nurse, secretary, or other staff person. The homeless liaison trains the contact on the McKinney-Vento Act, possible indicators of homelessness, and the services and protections the school district can provide. The contact then serves as the liaison’s “eyes and ears” in that school building, helping to identify McKinney-Vento students and ensure that they are served appropriately. An additional strategy to support the work of homeless liaisons is to provide them with administrative assistants or other support staff who can coordinate transportation, help disburse school supplies, and work directly with schools.

Both child welfare and education agency staff must work in tandem with the adult decision-makers in youth’s lives. Someone must decide what school the youth will attend, enroll the youth, and make decisions about the student’s educational program. For youth in out-of-home care, it is often unclear which adult is empowered to fill that role. The following section addresses this complex issue.

5. Clarify education-related roles and responsibilities

“The organizational structure is difficult for us, because sometimes we don’t know who’s responsible for what.”

— Elizabeth Hinz⁴⁸

Biological parents, foster parents, kinship care providers, attorneys, judges, caseworkers, supervisors, group home staff, education advocates, teachers, school counselors, homeless liaisons, and many other adults and agencies may touch the life of a youth who is awaiting foster care placement. Each plays a role in the youth’s education. If their respective roles and responsibilities are not clarified, disputes may arise regarding educational decisions. Worse, an important decision or action may be delayed while the various parties try to decide whose job it is. To avoid such consequences, education-related responsibilities must be clearly addressed and assigned, including the following:

WHO IS RESPONSIBLE FOR ENROLLING THE YOUTH IN SCHOOL?

Interviews for this report indicated that when the adults in a student’s life do not know who is supposed to enroll the child in school, at least two negative consequences can result:

- No one enrolls the child, and the child misses school.
- Someone without authority enrolls the child in an inappropriate school.

Child welfare agencies should assign responsibility for school enrollment clearly and ensure that schools know where that responsibility lies.

WHO DECIDES BETWEEN THE SCHOOL OF ORIGIN AND THE LOCAL SCHOOL?

Children and youth awaiting foster care placement have the right to remain in their school of origin or enroll in the local school, depending upon their best interests. The McKinney-Vento Act gives parents and youth the right to participate in that best-interest decision and appeal decisions with which they do not agree. However, in the case of youth in out-of-home care, it may be unclear who is considered the “parent” for such purposes. This must be clarified to help avoid confusion, disputes, and poor education decisions. Education and child welfare agencies, as well as individual schools and caseworkers, must be informed of who is empowered to make such decisions.

Models for choosing between the local school and the school of origin that are in use in the jurisdictions interviewed include the following:

JURISDICTION	MODEL	FOR MORE INFORMATION
Arizona	Caseworker leads the best-interest determination with the homeless liaison, including input from the out-of-home caregiver, the school district, and the parent.	Children’s Services Manual of the Arizona Division of Children, Youth and Families (see, Legal Center for Foster Care & Education, www.abanet.org/child/education)

The Massachusetts Department of Elementary and Secondary Education Homeless Education Advisory 2004–9 states that children and youth in state care or custody “...may be enrolled by the social worker or the parent/guardian.”

Delaware’s Draft MOU establishes that the “Department of Services for Children, Youth and Their Families shall...enroll a child who is in foster care in school immediately (24-48 hours), once DSCYF staff has faxed registration materials (including IEP, if applicable). The child may be brought to the school by the foster parent to complete additional paperwork needed by the school (e.g., emergency card).”

Connecticut	School district leads the best-interest determination, considering the wishes of DCF, the child’s parent or legal guardian, and the child’s attorney.	CT McKinney-Vento Homeless Assistance Act Joint Memorandum, 2/15/05 (see, Legal Center for Foster Care & Education, www.abanet.org/child/education)
Delaware	Department of Services for Children, Youth and Their Families leads the initial best-interest determination, with school personnel and the CASA or Guardian ad litem. At the end of the school year, the school district leads a reevaluation of best interests, with all interested parties (district liaison, caseworker, parent, guardian ad litem, and child).	Draft Delaware Memorandum of Understanding (see, Legal Center for Foster Care & Education, www.abanet.org/child/education)

Another promising model for determining school enrollment is team decision making. In this model, a team of people works together to evaluate the student’s best interests, including family members, foster parents, service providers, other community representatives, the caseworker, the supervisor, and educators (including the homeless liaison). The individual youth should also participate.⁴⁹

Since interested parties may disagree about what is in a student’s best interests, some jurisdictions have also clarified a dispute process. For example, Massachusetts specifies that in the case of a dispute, the social worker is afforded the rights of a parent under McKinney-Vento, and the state has developed dispute forms and a formal process involving the state Department of Education. Arizona’s Children’s Services Manual also affords the caseworker the dispute rights of a parent, including an appeal to the state Department of Education (see, Legal Center for Foster Care & Education, www.abanet.org/child/education).

WHO ARRANGES TRANSPORTATION?

The logistics of providing transportation to the school of origin require information and organization. Someone must request transportation. Schools must know where the child is living and must be informed immediately of placement changes. In Pima County, AZ, the education agency and child welfare agency agreed that caseworkers would contact the homeless liaison to request transportation, and the liaison would make the arrangements. However, in practice here and elsewhere, caseworkers, group homes, and foster parents all call to request transportation. This can create confusion and delays in transportation.

Child welfare and education agencies should establish, and follow, clear transportation procedures.

WHO ANSWERS MCKINNEY-VENTO QUESTIONS?

It is the responsibility of McKinney-Vento state coordinators and school district homeless liaisons to interpret the McKinney-Vento Act and explain it to parents, youth, and child welfare caseworkers. They should be the state and local authorities on the Act and its implementation.

However, as the child welfare system is a distinct agency with its own policies and hierarchy, some jurisdictions have found it helpful to designate staff within the agency to learn about the Act and respond to questions from caseworkers. This practice can also help prevent overwhelming state coordinators and homeless liaisons with questions related to youth in care and allow them to maintain the necessary focus on homeless children and youth. The designated child welfare staff members should work closely with homeless liaisons and the state coordinator to ensure a clear and consistent understanding of the Act. One positive strategy would be for child welfare and education agency personnel to conduct and attend joint trainings and respond to questions together for a period of time, before child welfare staff assume the responsibility of addressing questions alone.

Establishing the appropriate roles and authority of the adults involved in a youth's life is only an initial step. Schools must be made aware of who is responsible for making decisions. The next section offers strategies for schools and child welfare agencies to share this and other critical information.

Connecticut's Joint Memorandum on youth awaiting foster care establishes a procedure for addressing questions: "DCF staff members in Area Offices should consult with your Education Consultant or your Principal Attorney; Directors of STAR and SAFE Homes or Permanency Diagnostic Centers should contact your DCF liaisons; and Superintendents of Schools may contact [the State Coordinator]."

Despite this protocol, the state coordinator estimates that as many as 40% of the calls he receives are in regard to youth awaiting foster care placement. This further demonstrates the importance of adequate capacity in the state coordinator's office to meet the needs of all eligible students.

6. Implementing procedures for schools and child welfare agencies to share information in order to deliver timely, effective services to children in care

“The schools have to be informed that a child is in foster care and know what to do with that information. Otherwise, the students are not benefiting from all the great supportive services schools offer. If we know they are in foster care, we can make sure they have what they need and help them to feel comfortable in our schools.”

— Kathi Sheffel⁵⁰

Both children in out-of-home care and child welfare agencies sometimes are hesitant to share information with a school’s staff about a child’s personal family situation. Many youth have experienced inappropriate treatment by school staff when information about being in care has been revealed. This can lead to a lack of trust and a fear to share information with schools. Much of that discrimination is due to a lack of understanding and training by school staff on the experiences of children in out-of-home care. Professional development for school staff to increase sensitivity about youth in care would help prevent inappropriate treatment and alleviate some of the hesitation to share information.

McKinney-Vento program staff are accustomed to the need for discretion and sensitivity regarding eligible students. Therefore, they are the ideal first stop for interactions between child welfare and schools. McKinney-Vento program staff can help ensure that youth in out-of-home care receive the legal rights they deserve and the educational services they need, including:

- The right to remain in one school despite placement changes, providing critical school stability
- Transportation to school
- Immediate access to school despite lacking school records or other documents
- Immediate access to school activities
- Support from school counselors and school social workers
- Immediate access to school uniforms, shoes, and supplies

- Immediate access to free school meals
- Academic support, such as tutoring and credit recovery programs
- Special education and related services, as needed
- Sensitive and respectful treatment by teachers, administrators, and other school staff

Schools cannot provide these services if no one at the school knows a student is in out-of-home care and eligible for the McKinney-Vento Act's protections. Unfortunately, all the homeless education liaisons interviewed described being notified about youth in care as "hit or miss." In their experience, many youth were not receiving the full benefits of the McKinney-Vento Act simply because the liaisons did not know about the youth.

In other cases, youth were forced to wait for the child welfare system to provide services that are available immediately through the homeless liaison. For example, many McKinney-Vento programs can provide school supplies and clothing to eligible children immediately, while obtaining such services through the child welfare system often forces youth to wait for days or weeks for vouchers to be issued and approved and purchases to be made. Children who receive McKinney-Vento services are also able to receive free school meals immediately, rather than waiting for someone to complete and submit an application.

For children in out-of-home care, the child welfare system, rather than schools, is the primary agency designed to meet such basic needs as clothing and school supplies. It is important to work with child welfare agencies in reforming protocols so youth receive these items quickly. However, schools can provide critical support to youth in care by providing these services on an immediate, interim basis. Child welfare agencies could then replenish the items supplied by McKinney-Vento programs, to ensure that schools have adequate supplies for those students who are homeless and without an agency responsible for their care.

"The problem is that you come into care with nothing, and clothing vouchers can take a few weeks. We ended up wearing the same clothes for a few weeks."

— Amanda Metivier⁵¹

Additionally, one of the most important services that homeless liaisons

can provide youth in out-of-home care is helping to sensitize school administrators, teachers, and other staff to the emotional and academic challenges of placement in foster care. Liaisons can help ensure that youth in out-of-home care are allowed to make up work they miss due to court hearings and case meetings and that they are not penalized for such absences. Furthermore, if teachers are aware that they have students in out-of-home care or homeless situations, they can be more sensitive in assigning homework or school projects. For example, it may be difficult for youth in care to bring cupcakes for the class or to complete school projects that require a lot of space or expensive supplies.

“My sister had to do a PowerPoint about her family, and she was so stressed out about how to do it and how to explain our family to the class. It’s a delicate situation. If teachers know, they can be more sensitive.”

— Amanda Metiver⁵²

There are many practical strategies for ensuring the appropriate sharing of information between child welfare and education agencies. For example, in Anchorage, the Office of Children’s Services periodically emails the McKinney-Vento program a list of all children and youth awaiting foster care placement. The agencies are hoping to continue using technology to make their information-sharing more regular and efficient by matching their databases.

The Arizona Department of Child Protective Services has embarked on a powerful collaboration in Pima County. A child welfare program manager worked with two group homes and the local high school to improve educational outcomes for youth involved in those programs. The group homes provided the high school with a list of students residing in those homes. The principal and caseworkers reviewed the students’ achievement and consulted with their teachers. Through this process, the team was able to identify strengths and weaknesses of individual students and implement services to support them. The program manager gave an example of their success:

“We found one girl who was doing really well in school but had failed a graphic design class. It turns out it was because she’d never seen a computer before. By sharing information and working together, we are better able to isolate and address specific issues like that.”

— Carol Punske-Brasch⁵³

The program manager is now working to expand the initiative throughout the county.

In Ann Arbor, MI, the local school district has signed a Memorandum of Understanding with the Student Advocacy Center, an educational advocacy organization that works with the juvenile court (see, Legal Center for Foster Care & Education, www.abanet.org/child/education). The MOU has resulted in an effective process for providing immediate, appropriate services to youth in care:

1. The Student Advocacy Center has the specific responsibility to “promptly alert [the school district] of any youth qualifying for and needing services, including transportation coordination, enrollment assistance, and school transition support.”
2. Upon making a referral, the Student Advocacy Center completes a referral form and a release of information/permission to provide services form.
3. Upon receiving the form, the homeless liaison calls the student and caregiver to do a complete educational intake, focusing on specific educational needs such as school stability, transportation, credit recovery, and tutoring.
4. The homeless liaison initiates appropriate educational services immediately.

Other jurisdictions have developed forms to assist in information-sharing. In Fairfax County, VA, the homeless education liaison developed an enrollment and intake form to facilitate the exchange of information (see, Legal Center for Foster Care & Education, www.abanet.org/child/education). The Connecticut Department of Children and Family Services (DCF) has used a standard form for years to notify schools about the living arrangements of youth in care (see, Legal Center for Foster Care & Education, www.abanet.org/child/education). DCF caseworkers are required to complete the form and forward it to the involved school districts whenever a youth enters care or changes placement. The form indicates the following information:

- The address of the child’s placement
- The status of the biological parents’ rights
- Whether the youth requires or may require special education

- If a request for educational records is being made and where records should be sent
- The caseworker's name and phone number

Schools also need to share information with caseworkers, so the child welfare system can implement actions to support students' academic achievement. Arizona's brochure for schools offers educators a clear explanation of the need and procedure for such information-sharing (see, Legal Center for Foster Care & Education, www.abanet.org/child/education).

WHAT SHOULD I DO WHEN THE CASE MANAGER CALLS?

The case manager is legally entitled to all information about the child allowable under the Family Educational Rights and Privacy Act (FERPA). If contacted, you should:

- Confirm that the case manager is who he/she says he/she is. An official ID should be available.
- Answer any questions that individual may pose about the student.
- Relate positive experiences you have had with the child.
- Tell the case manager about concerns you may have about the child.
- Ask to be notified of court dates and medical appointments that may take the child out of school or cause emotional upheaval, even if only temporarily.
- Invite the case manager to attend upcoming school events, conferences, and multidisciplinary team or IEP meetings.

Of course, both schools and child welfare agencies must respect the privacy and dignity of youth in care. While certain school staff need to know if a youth is in out-of-home care, they do not need to know the details of the student's home life or personal situation. Educators must have clear guidelines for what information to share with whom.

Delaware's Draft Memorandum of Understanding addresses such confidentiality explicitly:

“Each Department assures that the confidential character of exchanged information will be preserved and, under no

circumstances will exchanged information be shared with any agency, program or person not party to this agreement without the express written consent of the family or by the authority of Family Court.” (See, Legal Center for Foster Care & Education, www.abanet.org/child/education, which also includes the State of Delaware Interagency Consent to Release Information.)

Arizona’s brochure for educators helps school staff understand why confidentiality is so important:

“Share the child’s status as a foster child only with those who need to know; otherwise, keep the child’s status confidential, unless you have the child’s permission. Many foster children hide from their peers the fact that they are in the child welfare system. Even though adults may understand that it is not the child’s fault that they are in foster care, your student may not want anyone to know.” (See, Legal Center for Foster Care & Education, www.abanet.org/child/education.)

For an in-depth treatment of the issue of information-sharing between education and child welfare agencies, see “Mythbusting: Breaking Down Confidentiality and Decision-Making Barriers to Meet the Education Needs of Children in Foster Care” available at www.abanet.org/child/education/mythbusting2.pdf.

Protecting a youth’s confidentiality is an important way to protect dignity. Both schools and child welfare agencies must strive to treat youth in care with respect and understanding. The following section treats this critical issue in more depth.

7. Treat youth in out-of-home care with dignity, understanding, and discretion

“Be empathetic—try to put yourselves in our shoes.”

— Rebecca Shier⁵⁴

No strategy to support youth’s educational success will be effective if it is not accompanied by an agency-wide commitment in both schools and child welfare offices to treat youth in out-of-home care with respect and concern for their education. Every strategy will be strengthened by the substantive

input of current and former youth from foster care.

Even when policies create barriers to youth's success, a kind word and listening to a youth can make a big difference. The youth interviewed for this report emphasized that the simple act of treating youth in care with dignity and understanding was the single most important contribution of schools and child welfare caseworkers.

"I think the most important thing for schools is just being more supportive of youth being in care and understanding the realities of what we're facing. Once a teacher told me to get out of his classroom when I tried to talk to him about my situation and asked for the opportunity to get back into his class. Teachers need to try to understand our reality."

— Amanda Metivier⁵⁵

When teachers work to understand the particular challenges of youth in care, they leave a lasting impression on their students.

"Last year, my final project was a portfolio of six essays. It was a great idea—I really liked it. I wrote all six essays, but I could only turn in four. They were all on the lady's computer where I was staying before I went to Covenant House [shelter], and she wouldn't let me back in the house to print them out. Luckily, I had four handwritten drafts, which I typed all over at the [McKinney-Vento] night program. But I didn't have drafts of the other two. I drew lots of pictures and put in a lot of effort to make it the best I could, even without the other two essays. My teacher gave me an A+!"

— Rebecca Shier⁵⁶

Similarly, when caseworkers prioritize education and provide youth with robust mentorship, the effect is striking.

"My first caseworker called me every single day, pressuring me, asking me what I was going to do with my life. After getting annoyed with him, I finally decided to go back to school. He called and talked to *me*, not just my foster parents. He made a difference in my life."

— Amanda Metivier⁵⁷

“I had an amazing caseworker from junior year of high school until college, who empowered me and helped me find my voice. She listened and convinced me that I was significant in her caseload. With her support, I made foster care into a partnership instead of a system that defined me and controlled me. That was a turning point for me. It’s amazing what being acknowledged and being given permission to dream can do for a person.”

— Lupe Tovar⁵⁸

Getting direct input from youth who are or have been in out-of-home care can help schools and caseworkers be more responsive to youth’s needs and goals. Young people are the most experienced and well-informed experts available regarding their own strengths and challenges. They should be active partners in any efforts to support them.

The most obvious way for schools and child welfare agencies to partner with youth is to engage in active listening and team planning with individual youth in their care. In this way, adults can work in partnership with young people to help them meet their goals. In addition, education and child welfare agencies should involve youth in broader policymaking. Foster Care Alumni of America is a national group of former youth from foster care whose mission is “to connect the alumni community and to transform policy and practice, ensuring opportunity for people in and from foster care.” FosterClub.com is another resource for connecting with youth currently and formerly in care. Many states also have organized groups of youth and alumni from care who are actively informing policy and practice.

Alumni can offer important specific advice for schools and caseworkers, such as these suggestions from alumni groups in Alaska and Arizona. (See, Legal Center for Foster Care & Education, www.abanet.org/child/education for the full documents.)

Facing Foster Care in Alaska, Education Concerns

What supports do you need to succeed with your educational experience?

- More teachers, more help during class
- Bus pass or reliable transportation
- Alumni mentor
- Not repeating the same work because they don’t know you have already had it
- Knowing other youth and alumni in your school
- Credit for school work completed in other placements
- More preparation for exit exam (High School Qualifying Exam)
- More privacy in school around personal life
- Clothing or allowance every month
- More support from foster parents
- Better after-school programs
- Help with homework
- Foster parents who can help with school work
- More understanding teachers

IN MY SHOES (TUCSON, ARIZONA): DO'S AND DON'TS FOR TEACHERS

DO	DON'T
A teacher sees that a youth is having a tough time in class and takes him/her aside to ask, "Is everything okay?" to see where the behavior may be stemming from.	Make an announcement: "Bobby, can you please come to the office. Your case worker is here to see you."
Praise children whenever possible.	Label youth by their group home: GAP Kids.
Be supportive of students' interests.	Be condescending.
Attend students' extracurricular events.	Do "Family Tree" activities.
Help them get mandatory items for extracurricular events/groups/interests.	Have youth bring in pictures of when they were babies.
Be a role model.	Label who the foster youth are in your classrooms.
Let proper authorities know if foster parents do not participate in teacher conferences and school meetings.	Pull foster youth aside from entire class for "special help"—let them be involved with the class!
Encourage; be really helpful.	Hesitate to report behavior or safety concerns you may have.

From Practice into Law: Policy Recommendations to Support the Educational Success of Youth in Out-of-Home Care

This report has highlighted the excellent work of many education and child welfare agencies in supporting the educational success of youth in out-of-home care. However, many other agencies have not focused on the educational achievement of youth in care or are struggling to provide appropriate services. Even those who have been successful would reach more youth with more services if public policy supported their efforts more fully.

As this publication goes to press, the President has just signed into law Fostering Connections to Success and Increasing Adoptions Act of 2008. This Act will strongly support the policy and practice recommendations in this report. The Fostering Connections Act incorporated the fundamental principles of school stability into federal child welfare law: 1) children should remain in their school of origin when it is in their best interest to do so, and 2) children should be immediately enrolled in school if a move becomes necessary. Also, the Act permits the use of foster care maintenance dollars to support transportation to the school of origin. With these new school stability requirements in child welfare law and the expansion of federal dollars that can be used to support school-of-origin transportation, state and local child welfare agencies now have new tools and supports to use in their collaborations with their education partners that can bolster the implementation of the McKinney Vento Act for youth in out-of-home care.

In addition to the positive changes made by the Fostering Connections Act, the following policy recommendations would further ensure that all states, child welfare agencies, and school districts receive the incentives and resources they need to support the educational success of youth in out-of-home care. As with the strategies outlined above, obtaining the policy changes necessary to meet the needs of youth in care will require collaborative advocacy by both child welfare and education advocates.

1. Amend federal and state education legislation to ensure that all youth in care are able to stay in their school of origin if it is in their best interest, immediately enroll in school, and receive all the support they need to be successful in school.

(Such amendments should complement recent changes to federal child welfare laws.)

Ensuring that all children and youth in out-of-home care can benefit from school stability, immediate enrollment, and services to support academic success represents sound educational policy. For example, Facing Foster Care in Alaska, a group of youth in care and alumni, prepared a list of the 14 most significant difficulties in their educational experience. Half of those difficulties could be relieved in whole or in part by services such as those provided by the McKinney-Vento Act, including:

- Assigned the same work over and over
- Trouble obtaining transcripts
- Lost credit for work completed in shorter stays
- No reliable transportation to school
- Changing schools with placement changes
- Difficulty making friends when there for a short time
- Not able to be in extra-curricular activities

One youth in out-of-home care described her school district's McKinney-Vento program as a touchstone:

“For a few years, I went to summer school [at the McKinney-Vento program] even when I didn't have to make up credits, just because it was free and positive. I got free food, met people who were in similar situations, and got help with homework. It was really good networking. I was able to get some required classes done there, so I didn't have to worry so much during the year. It opened up more time in my schedule during the school year. I was working 50 hours a week, too, and I got school credit for my jobs. Normally that costs around \$80 per credit, but I got it for free. I got my SAT fees waived, too.”

— Rebecca Shier⁵⁹

2. Amend federal and state child welfare legislation to facilitate and support educational success for youth in care.

Amendments to facilitate and support educational success should also complement recent changes to federal child welfare laws and should entail:

- Clarifying and strengthening the role and responsibility of child welfare agencies in educational matters. Education is a critical part of the ultimate success and independence of youth in out-of-home care. McKinney-Vento eligibility should not be interpreted as taking over the responsibility of child welfare agencies for school enrollment, attendance, and success.
- Strengthening supports for child welfare agencies to place youth near their schools of origin (unless contradicting safety or permanency outcomes), including substantial efforts to expand the availability of foster homes and other placements, increase placement stability, and change placements at breaks in the school year whenever possible.
- Developing a joint, state-level implementation plan.
- Requiring training on the McKinney-Vento Act and educational needs and services for child welfare administrators and caseworkers.
- Requiring collaboration between child welfare agencies and schools at the state and local level, including establishing protocols for appropriate information-sharing.
- Providing for child welfare and education agencies to share the responsibility for transportation, both in terms of funding and infrastructure, such as recruiting bus drivers, maintaining buses, and hiring personnel to arrange transportation and keep up with mobility.

3. Ensure that states and counties establish interagency task forces, steering committees, and agreements.

None of the recommendations in this report, in either practice or policy, can be successful without ongoing, effective collaboration between child welfare and education agencies. Such collaboration must include both informal relationships and regular meetings to discuss concerns and adjust policies and practices based on lessons learned. It should also include cross-training between agencies. The interagency agreements or memoranda that result from collaboration must address all the points necessary to ensure immediate enrollment, school stability, transportation, and services.

4. Ensure that both education and child welfare agencies have designated staff with sufficient training, capacity, and resources to ensure immediate enrollment, attendance, and services.

Youth in out-of-home care will not receive the full benefit of the McKinney-Vento Act unless designated staff are able to fully implement it. Therefore, both McKinney-Vento state coordinators and homeless liaisons must have the capacity and resources to implement the law for all eligible children, both those experiencing homelessness and those in out-of-home care. Child welfare agencies also must designate education specialists to ensure that the agency meets its responsibility to support youth's educational success.

5. Clarify education-related roles and responsibilities and ensure that school staff know who the decision-maker is for each student.

Youth in out-of-home care tend to have many adults and agencies involved in their lives. Schools must know which of those adults is authorized to and responsible for enrolling the youth in school, deciding between the school of origin and the local school, and requesting and arranging transportation. Further, education and child welfare agencies should establish protocols for addressing questions and disputes that may arise regarding the application of the McKinney-Vento Act.

6. Implement procedures for schools and child welfare agencies to share information in order to deliver timely, effective services to children in care.

To provide the most appropriate services to youth in care, schools must know who those youth are. At the same time, it is imperative that the privacy and dignity of youth be preserved. Therefore, schools and child welfare agencies must develop procedures to share the information necessary to ensure that youth receive the services they need quickly, while not revealing details that are private and unnecessary.

7. Strengthen and fully fund the McKinney-Vento Act to provide appropriate services for all eligible youth.

The benefits that youth awaiting foster care placement receive under the McKinney-Vento Act depend in large part upon what the Act itself provides. The core protections that youth in care need are already present in the Act. However, several additions would streamline the Act's applicability to youth in care.

First, since many different individuals and agencies may be involved in deciding whether a youth attends the local school or the school of origin, it would be helpful to establish clear criteria in the Act to make this determination. Similarly, the various agencies involved with a youth may have differing opinions as to where the youth should attend school. Therefore, stronger and clearer dispute procedures are needed in the Act. Lastly, homeless liaisons must be required to participate in training on the Act, and states must conduct monitoring and oversight of school districts' compliance, to ensure that all eligible students are served appropriately.

In addition to such procedural issues, certain substantive improvements in the Act are important for youth in care. These include streamlining youth's ability to participate immediately in all school activities, particularly extracurricular activities, athletics, and school programs and activities with deadlines or fees. Similarly, requiring schools to award youth partial credit for coursework completed in other schools and to support credit recovery activities is a critical support for youth in out-of-home care. Finally, it is essential that the McKinney-Vento Act's application to preschool-aged children be clarified, so that young children in out-of-home care can enjoy the Act's protections for immediate enrollment and stability in preschool programs.

Fully implementing the McKinney-Vento Act for all eligible youth requires significant funding. In fact, current McKinney-Vento funding is insufficient to reach all the children and youth eligible for services under current law. Only 6% of school districts, serving roughly half of the homeless children and youth identified by schools, receive funds. Therefore, additional funding is desperately needed.

8. Involve youth in care and alumni in all policy-making endeavors.

Young people must be active participants in all policy-making endeavors. Getting direct input from youth in out-of-home care strengthens the response and activities of child welfare and education agencies, from individual teachers and caseworkers to state and federal policy makers. Young people are the most experienced and well-informed experts available regarding their own strengths and challenges.

“Young people have a lot to contribute. They bring energy, and fresh and unique perspectives; they may offer ideas and solutions that have not been considered or offer a new approach to an old idea. Youth also bring a unique range of knowledge about youth issues”⁶⁰

In addition to benefiting the collaborations, service providers, and youth receiving the services, youth involvement also contributes to the self-esteem and success of those who participate. Foster Care Alumni of America and other state groups of alumni from care are experts on policy and practice. Educators and child welfare agencies should take advantage of their profound expertise.

Conclusion

As the efforts of jurisdictions highlighted in this publication show, effective collaboration across agencies can increase the academic success and overall well-being of youth in care. We encourage readers to examine the strategies described in this report and adapt them to best meet their local needs. However, to ensure that all youth in out-of-home care can benefit from school stability and support for academic success, changes to federal education and child welfare legislation are necessary.

Glossary of Terms

Awaiting foster care placement: A phrase used in the McKinney-Vento Act to refer to a particular subset of children and youth who are covered by the Act. The Act does not define the phrase.

Child welfare agency: A state or local agency, public or private, whose mission includes providing a child protection system of prevention, preservation, and permanency to abused and neglected children and youth.

Foster care: Used as a synonym for out-of-home care in this publication (see below).

Local education agency (LEA): Local agencies that operate schools; primarily school districts, county offices of education, and charter school districts.

McKinney-Vento Act: A federal law originally passed in 1987 to address homelessness. Subtitle VII-B of the Act is the Education of Homeless Children and Youth Program, which provides educational rights and services to homeless children and youth.

No Child Left Behind Act: A federal law passed in 2001 to reauthorize the Elementary and Secondary Education Act. Title I of the No Child Left Behind Act reauthorized the Improving the Academic Achievement of the Disadvantaged program. Title X, Part C of the Act reauthorized Subtitle VII-B of the McKinney-Vento Act.

Out-of-home care: Living arrangements for youth who cannot live with their biological parents due to issues of abuse and neglect; includes foster family homes, kinship care arrangements, and child care institutions; where youth are placed in substitute care by a child welfare agency.

School of origin: For homeless children and youth, the school they attended when permanently housed or the school in which they were last enrolled.

State education agency (SEA): The state agency that oversees local education agencies, typically, the state department of education.

Title I: Title I of the Elementary and Secondary Education Act, reauthorized by the No Child Left Behind Act, which provides funding to local education agencies to improve the academic achievement of disadvantaged students.

References

Advocates for Children of New York, Inc. (2000). *Educational neglect: The delivery of educational services to children in New York City's foster care system*. New York: Author.

Burley, M., & Halpern, M. (2001). *Educational attainment of foster youth: Achievement and graduation outcomes for children in state care*. Olympia, WA: Washington State Institute for Public Policy.

Burt, M., & Aron, L. (2000). *America's homeless II: Populations and services*. Washington, DC: The Urban Institute.

Burt, M., Aron, L., & Douglas, T, et al (1999). *Homelessness: Programs and the people they serve. Summary report: Findings of the National Survey of Homeless Assistance Providers and Clients*. Washington, DC: The Urban Institute.

Cauce, A., Paradise, M., Ginzler, J., Embry, L., Morgan, C., & Lohr, Y., et al. (2000). The characteristics of mental health of homeless adolescents: Age and gender differences. *Journal of Emotional and Behavioral Disorders*, 8(4), 230-239.

Choice, P., D'Andrade, A., Gunther, K., Downes, D., Schaldach, J., Csiszar, C. & Austin, M. (2001). *Education for foster children: Removing barriers to academic success*. Berkeley, CA: Bay Area Social Services Consortium, Center for Social Services Research, School of Social Welfare, University of California, Berkeley.

Courtney, M. E., Terao, S., & Bost, N. (2004). *Midwest evaluation of the adult functioning of former foster youth: Conditions of youth preparing to leave state care*. Chicago, IL: Chapin Hall Center for Children at the University of Chicago.

Education Law Center (2002). *Lost in the shuffle revisited*. Philadelphia, PA: Author.

Foster, L., Gieck B., & Dienst, A. (2005). *Involving youth in policymaking and coordinating youth policy: State-level structures in California and other states*. Sacramento, CA: California Research Bureau.

Greene, J. (1995). *Youth with runaway, throwaway, and homeless experiences: Prevalence, drug use, and other at-risk behaviors*. Research Triangle Institute. Washington, DC: U.S. Dept. of Health and Human Services.

Hammer, H., Finkelhor, D., & Sedlak, A. (2002). *Runaway/throwaway children: National estimates and characteristics*. National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children. Washington, DC: Office of Juvenile Justice and Delinquency Prevention.

Ingersoll, G. M., Scamman, J. P., & Eckerling, W. D. (1989). Geographic mobility and student achievement in an urban setting. *Educational Evaluation and Policy Analysis*, 11, 143-149.

Legal Center for Foster Care & Education. (2007). *Fact sheet: Educational stability and continuity for children and youth in out-of-home care*. Seattle WA: National Working Group on Foster Care and Education.

MacLean, M. G., Embry, L. E., & Cauce, A. M. (1999). Homeless adolescents' paths to separation from family: Comparison of family characteristics, psychological adjustment, and victimization. *Journal of Community Psychology*, 27(2), 179-187.

Mao, M. X., Whitset, M. D., & Mellor, L. T. (1997). *Student mobility, academic performance, and school accountability* (Report No. TM 026 966). Austin, TX: ERIC Document Reproduction Service No. ED409380.

McNaught, K. (2007). *Mythbusting: Breaking down confidentiality and decision-making barriers to meet the education needs of children in foster care*. Washington, DC: American Bar Association Center on Children and the Law.

Melman Heinlein, L., & Shinn, M. (2000) School mobility and student achievement in an urban setting. *Psychology in the Schools*, 37, 349-355.

National AFCARS Data (2002). Available from the Child Welfare League of America's National Data Analysis System (NDAS).

National Center on Family Homelessness. (1999). *Homeless children: America's new outcasts*. Newton, MA: Author.

Pribesh, S., & Downey, D. B. (1999). Why are residential and school moves associated with poor school performance? *Demography*, 36, 521-534.

Robertson, M., & Toro, P. (1999). *Homeless youth: Research, intervention, and policy. Practical lessons: The 1998 National Symposium on Homelessness Research*. Washington, DC: U.S. Dept. of Housing and Urban Development. Retrieved July 18, 2007 from <http://aspe.os.dhhs.gov/progsys/homeless/symposium/3-Youth.htm>.

Rumberger, R. W., Larson, K. A., Ream, R. K., & Palardy, G. J. (1999). *The educational consequences of mobility for California students and schools*. Berkeley, CA: Policy Analysis for California Education.

Smithgall, C., Gladden, R. M., Howard, E., Goerge, R., & Courtney, M. (2004). *Educational experiences of children in out-of-home care*. Chicago, IL: Chapin Hall Center for Children at the University of Chicago.

Texas Education Agency. (1997). *A study of student mobility in Texas public schools. Statewide Texas Educational Progress Study Report No. 3*. Austin, TX: Author.

U.S. Department of Education. (2004). *Education for Homeless Children and Youth Program non-regulatory guidance*. Washington, DC: Author.

Virginia Department of Education. (2005). *Superintendents' Memo No. 125*, June 24, 2005. Retrieved September 25, 2007 from <http://www.doe.virginia.gov/VDOE/suptsmemos/2005/inf125.html>.



APPENDIX

List of Interviewees

Authors' note: On behalf of NAEHCY and Casey Family Programs, we would like to thank the following interviewees who contributed their time, expertise, and passion to this publication. The good ideas contained herein are theirs, not ours.

Dianne Curran, Deputy General Counsel, Massachusetts Dept. of Social Services

Barb Dexter, Homeless Liaison, Anchorage School District, Alaska

Andrea Foster, Community Involvement Specialist/Homeless Liaison, Sunnyside Unified School District, Arizona

Carolyn Fowler, Program Manager, Fairfax County Department of Social Services, Virginia

Carlyse Giddens, Director of the Division of Family Services, Delaware

Howard Haberman, Education Consultant/Pupil Service Specialist, Connecticut Department of Children and Families

Margaret Harner, Advocate, Student Advocacy Center of Michigan

Elizabeth Hinz, District Liaison for Homeless and Highly Mobile Students, Minneapolis Public Schools, Minnesota

Amanda Metivier, President of Facing Foster Care in Alaska/Casey Family Programs Employee and alumna from foster care, Anchorage, Alaska

Joanne Miro, former McKinney-Vento State Coordinator, Delaware Department of Education

Ann Price, former Homeless Liaison, Amphitheater School District, Arizona

Carol Punske-Brasch, Assistant Program Manager, Arizona Child Protective Services

Rebecca Shier, alumna from foster care, Anchorage, Alaska

Kathi Sheffel, Homeless Liaison, Fairfax County Public Schools, Virginia

Sarah Slaughterback, Specialist, Office for the Education of Homeless Children and Youth, Massachusetts Department of Elementary and Secondary Education

Janine Moore, Child Protection Program Manager, Hennepin County Human Services & Public Health Department, Minnesota

Susan Stelk, Education Director, Massachusetts Department of Social Services

Peri Stone-Palmquist, Coordinator of the Education Project for Homeless Youth, Washtenaw Intermediate School District, Michigan

Louis Tallarita, McKinney-Vento State Coordinator, Connecticut State Department of Education

Theresa Tanoury, Senior Director of the Alaska Systems Improvement Office, Casey Family Programs

Lupe Tovar, Program Coordinator of In My Shoes and alumna from foster care, Pima County, Arizona

Endnotes

- ¹ Personal communication, Lupe Tovar, October 8, 2007. Tovar is program coordinator of In My Shoes and an alumna from foster care, Pima County, AZ.
- ² The term *out-of-home care* includes children and youth in the custody of the child welfare system in out-of-home care, including foster family homes, kinship care arrangements, and child care institutions.
- ³ National AFCARS data. (2002). Available from the Child Welfare League of America's National Data Analysis System (NDAS).
- ⁴ National Center on Family Homelessness. (1999). *Homeless Children: America's New Outcasts*. Newton, MA: Author.
- ⁵ Burley, M., & Halpern, M. (2001). *Educational attainment of foster youth: Achievement and graduation outcomes for children in state care*. Olympia, WA: Washington State Institute for Public Policy.
- ⁶ Quotation from a youth interviewed in Rumberger, R. (2001). *Student mobility. The Informed Educator Series*. Educational Research Service: Alexandria, VA
- ⁷ Personal communication, Lupe Tovar, October 8, 2007.
- ⁸ Burt, M., Aron, L., & Douglas, T, et al (1999). *Homelessness: Programs and the people they serve. Summary report. Findings of the National Survey of Homeless Assistance Providers and Clients*. Washington, DC: The Urban Institute.
- ⁹ Burt, M., & Aron, L. (2000). *America's homeless II: Populations and services*. Washington, DC: The Urban Institute.
- ¹⁰ Studies of homeless youth on their own have found that 20% to 50% were sexually abused in their homes, while 40 to 60% were physically abused. Over half of youth in shelters and on the streets have reported that their parents either told them to leave or knew they were leaving but did not care. Robertson, M., & Toro, P. (1999). Homeless youth: Research, intervention, and policy. *Practical Lessons: The 1998 National Symposium on Homelessness Research*. Washington DC: U.S. Dept. of Housing and Urban Development. Retrieved July 18, 2007 from <http://aspe.os.dhhs.gov/progsys/homeless/symposium/3-Youth.htm>. See also MacLean, M. G., Embry, L. E., & Cauce, A. M. (1999). Homeless adolescents' paths to separation from family: Comparison of family characteristics, psychological adjustment, and victimization. *Journal of Community Psychology*, 27(2), 179-187 and Greene, J. (1995). Youth with runaway, throwaway, and homeless experiences: Prevalence, drug use, and other at-risk behaviors. *Research Triangle Institute*. Washington DC: U.S. Dept. of Health and Human Services.
- ¹¹ Hammer, H., Finkelhor, D., & Sedlak, A. (2002). Runaway/throwaway children: National estimates and characteristics. *National Incidence Studies of Missing, Abducted, Runaway, and Throwaway Children*. Washington DC: Office of Juvenile Justice and Delinquency Prevention. See also Greene, J., supra, note 5.
- ¹² National Center on Family Homelessness. (1999). *Homeless children: America's new outcasts*. Newton, MA: Author.

- ¹³ National AFCARS data. (2002). Available from the Child Welfare League of America's National Data Analysis System (NDAS).
- ¹⁴ Personal communication, Rebecca Shier, alumna from foster care, Anchorage, AK, September 28, 2007.
- ¹⁵ Advocates for Children of New York, Inc. (2000). *Educational neglect: The delivery of educational services to children in New York City's foster care system*. New York: Author.
- ¹⁶ Burley, M. and Halpern, M. (2001). *Educational attainment of foster youth: Achievement and graduation outcomes for children in state care*. Olympia, WA: Washington State Institute for Public Policy.
- ¹⁷ Smithgall, C., Gladden, R. M., Howard, E., Goerge, R., & Courtney, M. (2004). *Educational experiences of children in out-of-home care*. Chicago, IL: Chapin Hall Center for Children at the University of Chicago.
- ¹⁸ Mao, M. X., Whitset, M. D., & Mellor, L. T. (1997). *Student mobility, academic performance, and school accountability* (Report No. TM 026 966). Austin, TX: ERIC Document Reproduction Service No. ED409380; Texas Education Agency (1997). *A study of student mobility in Texas public schools, Statewide Texas Educational Progress Study Report No. 3*. Austin, TX: Author; Melman Heinlein, L. & Shinn, M. (2000) School mobility and student achievement in an urban setting. *Psychology in the Schools*, 37, 349-355.
- ¹⁹ Rumberger, R. W., Larson, K. A., Ream, R. K., & Palardy, G. J. (1999). *The educational consequences of mobility for California students and schools*. University of California at Berkeley: Policy Analysis for California Education.
- ²⁰ Pribesh, S., & Downey, D. B. (1999). Why are residential and school moves associated with poor school performance? *Demography*, 36, 521-534; Rumberger, R. W., Larson, K. A., Ream, R. K., & Palardy, G. A., *supra*, note 8.
- ²¹ Advocates for Children of New York, *supra*, note 13; Choice, P., D'Andrade, A., Gunther, K., Downes, D., Schaldach, J., Csiszar, C., & Austin, M. (2001). *Education for foster children: Removing barriers to academic success*. Berkeley, CA: Bay Area Social Services Consortium, Center for Social Services Research, School of Social Welfare, University of California, Berkeley; Education Law Center. (2002). *Lost in the shuffle revisited*. Philadelphia: Author.
- ²² Ingersoll, G. M., Scamman, J. P., & Eckerling, W. D. (1989). Geographic mobility and student achievement in an urban setting. *Educational Evaluation and Policy Analysis*, 11, 143-149.
- ²³ Cauce, A., Paradise, M., Ginzler, J., Embry, L., Morgan, C., & Lohr, Y., et al. (2000). The characteristics of mental health of homeless adolescents: Age and gender differences. *Journal of Emotional and Behavioral Disorders*, 8(4), 230-239.
- ²⁴ Burley, M., & Halpern, M. (2001). *Educational attainment of foster youth: Achievement and graduation outcomes for children in state care*. Olympia, WA: Washington State Institute for Public Policy.
- ²⁵ Courtney, M.E., Terao, S., & Bost, N. (2004). *Midwest evaluation of the adult functioning of former foster youth: Conditions of youth preparing to leave state care*. Chicago, IL: Chapin Hall Center for Children at the University of Chicago; Smithgall, *supra*, note 17.

- ²⁶ Burley, M., & Halpern, M. (2001). *Educational attainment of foster youth: Achievement and graduation outcomes for children in state care*. Olympia, WA: Washington State Institute for Public Policy.
- ²⁷ Personal communication, Margaret Harner, Advocate, Student Advocacy Center of Michigan, October 1, 2007.
- ²⁸ 42 U.S.C. §§11432(g)(1)(J)(iii), 11432(g)(3)(A)-(B).
- ²⁹ 42 U.S.C. §11432(g)(3)(C).
- ³⁰ 42 U.S.C. §11432(f).
- ³¹ 42 U.S.C. §11432(g)(1)(J)(ii).
- ³² 42 U.S.C. §§11432(f), (g)(6).
- ³³ 42 U.S.C. §11434A.
- ³⁴ U.S. Department of Education (2004). *Education for homeless children and youth program non-regulatory guidance*. Washington, DC: Author.
- ³⁵ Personal communication, Carlyse Giddens, Director of the Division of Family Services, Delaware, September 7, 2007.
- ³⁶ Even without higher education, youth with a high school diploma will earn an average of \$9,476 more per year than those without a diploma. High school graduates have even been found to live longer than people who never obtained their diploma. Legal Center for Foster Care & Education (2007). *Fact sheet: Educational Stability and Continuity for Children and Youth in Out-of-Home Care*. Seattle WA: National Working Group on Foster Care and Education.
- ³⁷ McNaught, K. (2007). *Mythbusting: Breaking down confidentiality and decision-making barriers to meet the education needs of children in foster care*. Washington, DC: American Bar Association Center on Children and the Law.
- ³⁸ Personal communication, Margaret Harner, October 1, 2007.
- ³⁹ Personal communication, Kathi Sheffel, Homeless Liaison, Fairfax County Public Schools, September 5, 2007.
- ⁴⁰ Personal communication, Barb Dexter, Homeless Liaison, Anchorage School District, September 6, 2007.
- ⁴¹ More information about the Committee to Improve Educational Outcomes for Court-Involved Youth is available in *Court-based Education Efforts for Children in Foster Care: The Experience of the Pima County Juvenile Court (Arizona)*, a publication of the National Council of Juvenile and Family Court Judges and Casey Family Programs at www.casey.org/Resources/Publications/.
- ⁴² Personal communication, Howard Haberman, Education Consultant/Pupil Service Specialist, Connecticut Department of Children and Families, September 24, 2007.
- ⁴³ Va. Code §22.1-3.4(A).
- ⁴⁴ Virginia Department of Education (2005). *Superintendents' Memo No. 125, June 24, 2005*. Retrieved September 25, 2007 from www.doe.virginia.gov/VDOE/suptsmemos/2005/inf125.html.
- ⁴⁵ Personal communication, Margaret Harner, October 1, 2007.
- ⁴⁶ Personal communication, Rebecca Shier, September 28, 2007.

- ⁴⁷ Personal communication, Howard Haberman, September 24, 2007.
- ⁴⁸ Personal communication, Elizabeth Hinz, District Liaison for Homeless and Highly Mobile Students, Minneapolis Public Schools, September 14, 2007.
- ⁴⁹ For more information about team decision-making, visit the website of the Annie E. Casey Foundation, at www.aecf.org.
- ⁵⁰ Personal communication, Kathi Sheffel, September 5, 2007.
- ⁵¹ Personal communication, Amanda Metivier, September 26, 2007.
- ⁵² Personal communication, Amanda Metivier, September 26, 2007.
- ⁵³ Personal communication, Carol Punske-Brasch, Assistant Program Manager, Arizona Child Protective Services, September 19, 2007.
- ⁵⁴ Personal communication, Rebecca Shier, September 28, 2007.
- ⁵⁵ Personal communication, Amanda Metivier, September 26, 2007.
- ⁵⁶ Personal communication, Rebecca Shier, September 28, 2007.
- ⁵⁷ Personal communication, Amanda Metivier, September 26, 2007.
- ⁵⁸ Personal communication, Lupe Tovar, October 8, 2007.
- ⁵⁹ Personal communication, Rebecca Shier, September 28, 2007.
- ⁶⁰ Foster, L., Gieck, B., & Dienst, A. (2005). *Involving youth in policymaking and coordinating youth policy: State-level structures in California and other states*. Sacramento, CA: California Research Bureau.

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