



Implementation Checklist Part II: ESSA & Fostering Connections

Tools for Implementation by Substantive Issue

Overview

The Every Student Succeeds Act (ESSA) was enacted in December 2015. ESSA provides key protections for students in foster care which impose new requirements on educational agencies relating to school stability and prompt school enrollment. These protections are similar to child welfare agency requirements for school stability and immediate enrollment found in the Fostering Connections to Success and Increasing Adoptions Act (Fostering Connections) which was enacted in 2008. Together, ESSA and Fostering Connections envision dual agency responsibility; these laws require state and local education the child welfare agencies to jointly ensure school stability and prompt school enrollment.

Checklist Part II provides a quick guide to the issue areas that must be addressed to support meaningful and successful implementation of ESSA. Checklist Part II also directs jurisdictions to helpful tools that may be used in your state—within and among the involved agencies and entities—to aid timely implementation. This is of utmost importance given that several ESSA requirements have implementation deadlines of December 10, 2016.

- ✓ **Collaboration Between Child Welfare and Education Agencies.** ESSA requires state and local education and child welfare agencies to collaborate when implementing the requirements of ESSA. Due to the short implementation timeline, advocacy from child welfare and education communities on the state and local level should start now.
To guide this collaboration at the state level we have provided a **Model MOU** and an **SEA Directive** to LEAs. The Model MOU provides a template agreement for state education and child welfare agencies to ensure collaboration on key ESSA requirements and procedures. The SEA Directive to LEAs provides suggested guidance to LEAs on how to implement ESSA at the local level and how LEAs should collaborate with local child welfare agencies to support students in foster care.
- ✓ **Identified Points of Contact at the State and Local Level.** ESSA requires a point of contact (POC) at the state education level, and if the child welfare agency notifies the LEA in writing of a POC, the LEA must appoint a POC.

Acronyms:

ESSA

Every Student Succeeds Act

ESEA

Elementary and Secondary Education Act

SEA

State Education Agency

LEA

Local Education Agency

POC

Point of Contact

We have included a **Q&A—Points of Contact: How They Can Help Students in Foster Care**. This Q&A includes information on the roles of a POCs and sample POC notification language.

- ✓ **Established Best Interest Decision Making Process.** When a child is placed into foster care, or changes placement, Fostering Connections and ESSA require child welfare and education agencies to collaborate to make a determination if it is in the child’s best interest to remain in their school of origin.

We have provided a **Best Interest Procedures Guide** which outlines key areas to address when developing this process collaboratively between child welfare and education agencies. This includes factors to consider, who should participate in the process, and how to document decision. The guide also includes model best interest determination tools.

- ✓ **Created Written Transportation Procedures.** If, after a best interest determination is made, a student will remain in their school of origin the LEA is required to work with the child welfare agency to ensure transportation is provided, arranged, and funded.

We have provided **Tips on Developing LEA Transportation Procedures** which includes tips and sample language for developing joint procedures at the school district level. This also includes a sample agreement with the child welfare agency and an individual student transportation plan template.