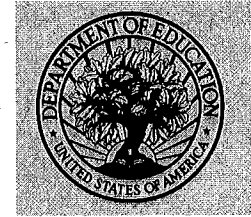


AUG 25 2011



Dear Chief State School Officers and State Child Welfare Directors,

As of September 30, 2010, there were 260,558 children in foster care aged 5-17 years. These children stay in foster care an average of a little more than two years (Health and Human Services, Administration for Children and Families, Children's Bureau 2010).¹ We can all appreciate that these children face many disruptions in their lives as they are removed from their families and placed in out-of-home care. To mitigate the impact of these disruptions, the U.S. Department of Education (ED) and the U.S. Department of Health and Human Services (HHS) want to do everything we can to support children in foster care. To that end, we are writing to you today to ensure that you are aware of the requirements of Public Law (P.L.) 110-351, the Fostering Connections to Success and Increasing Adoptions Act (Fostering Connections Act), and to encourage you to share this information with your local educational agencies (LEAs). We also ask that you urge LEAs to share the following information with their schools and with local stakeholders as well as with county child welfare agencies to ensure coordination across different agencies and programs.

The Fostering Connections Act, enacted in 2008, made several changes to parts B and E of Title IV of the Social Security Act (IV-B and IV-E) in order to improve outcomes for children in foster care. When a child is placed in foster care, it may mean changing schools once or several times, which can negatively affect the child's education. By the 6th grade, students who change schools four or more times lose approximately one year of educational growth (Kerbow 1996).² Additionally, in a national study of 1,087 foster care alumni, youth who had one fewer placement change per year (than other children in foster care) were almost twice as likely to graduate from high school before leaving care (Pecora 2003).³ Therefore, the law requires that child welfare agencies include actions in case plans to ensure educational stability for foster children. In addition, the law requires that child welfare agencies ensure foster children's full-time enrollment in an elementary or secondary school, a home school, or an authorized independent study program (unless the child is incapable of attending school full time due to a medical condition). The law specifically requires that at the time of a child's initial placement, child welfare agencies coordinate with LEAs to ensure that children can remain in their current school, thereby keeping them connected with teachers, other family members including siblings, and friends and helping them continue to progress in their school work, unless doing so is not in the best interests of those children (for example, for safety reasons). To facilitate this continuity, the

¹ Health and Human Services, Administration for Children and Families, Children's Bureau. "Adoption and Foster Care Reporting and Analysis System (AFCARS) Report." 2010.

² Kerbow, D. *Patterns of urban student mobility and local school reform. Technical Report No. 5, October.* Washington, DC: Center for Research on the Education of Children Placed at Risk, 1996.

³ Pecora, P.J., Williams, J., Kessler, R.C., Downs, A.C., O'Brien, K., Hiripi, E., & Morello, S. *Assessing the effects of foster care: Early results from the Casey National Alumni Study.* Non-profit foundation report, Seattle, WA: Case Family Programs, 2003.

Fostering Connections Act requires the placement of a child in foster care to take into account the proximity to the school in which the child is enrolled at the time of placement, and allows federal Title IV-E dollars to be used to pay for the cost of transportation to the child's original school, for children in foster care who meet federal Title IV-E eligibility criteria. When making a foster placement and arranging appropriate educational services, agencies also need to comply with other applicable federal laws, including, but not limited to, the Family Educational Rights and Privacy Act (P.L. 93-380) and the Individuals with Disabilities Education Act (P.L. 108-446).

Since the Fostering Connections Act requires that child welfare agencies provide assurances that they have coordinated with appropriate LEAs, this letter also provides links to resources for child welfare agencies, State educational agencies, and LEAs seeking examples of practices that address the educational stability needs of foster children.

The Web site of the National Resource Center for Permanency and Family Connections (NRCPPFC) provides some examples of education and child welfare collaborations in support of the Fostering Connections Act and can be accessed at:
http://www.hunter.cuny.edu/socwork/nrcfcp/info_services/download/ChildWelfareandEducation2pgr.pdf.

The NRCPPFC at Hunter College School of Social Work is a training, technical assistance, and information services organization dedicated to helping to strengthen the capacity of State, local, tribal, and other publicly administered or supported child welfare agencies to institutionalize a safety-focused, family-centered, and community-based approach to meeting the needs of children, youth, and families. It is a service of the Children's Bureau, which is a division of HHS's Administration for Children and Families. We ask that child welfare agencies, in partnership with their State and appropriate LEAs, make use of this resource.

We encourage States and LEAs to develop or review and, if appropriate, revise their policies and guidelines for serving children in foster care. In order to minimize the disruptions to education that can come from being placed in foster care, we also encourage State educational agencies, LEAs, and child welfare agencies to collaborate during this process and to publicize these policies and guidelines so that school administrators, teachers, social workers, and parents understand and can replicate and reinforce your efforts to increase the educational success of foster children. We urge child welfare agencies to collaborate with LEAs on policies and procedures to ensure that foster children remain in and receive transportation to their school of origin in cases where this is in the best interest of the foster child, using federal Title IV-E dollars and other available resources for such purposes. To ensure that children in foster care have as stable an educational experience as possible in the upcoming school year, States and LEAs should have any revised policies and guidelines in place as soon as is feasible.

As you develop, review, or revise your policies on serving children in foster care, you may find helpful a list of State laws that have been passed in support of the Fostering Connections Act at the following website: www.fosteringconnections.org. You can also find examples of State and tribal approaches related to implementing the new law, and you can search by State: http://www.fosteringconnections.org/resources/topic_approaches?id=0002.

From November 3 to 4, 2011, in Arlington, Virginia, ED and HHS will co-host a Foster Care and Education National Meeting. The purpose of the meeting is to bring States, including the

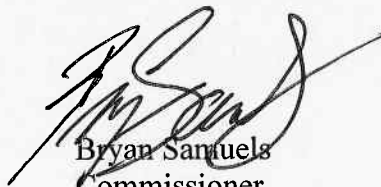
District of Columbia and Puerto Rico, together to discuss how to implement Fostering Connections in a manner that promotes educational stability and improves educational outcomes for foster children. During this meeting, State teams composed of members from the State's child welfare, education, and court systems will create a State plan for cross-system collaboration to be implemented following the conference. All conference attendees will have access to additional technical assistance, such as webinars, on topics related to the Fostering Connections Act leading up to this national meeting.

Thank you for your assistance as we collectively work to ensure that children in foster care receive the highest quality education. Again, please share this letter with your LEAs and urge them to share it with their school officials (including principals and school social workers) and other local stakeholders. Schools are often the most important source of focus and stability for children in foster care, and your response will be greatly appreciated by the child welfare agency personnel who serve children in foster care.

Sincerely,



Michael Yudin
Acting Assistant Secretary
for Elementary and Secondary Education
U.S. Department of Education



Bryan Samuels
Commissioner
for the Administration for
Children, Youth and Families
U.S. Department of Health and
Human Services