

FOSTER CARE & STUDENT SUCCESS:



TEXAS SYSTEMS WORKING TOGETHER TO TRANSFORM EDUCATION OUTCOMES OF STUDENTS IN FOSTER CARE



ACKNOWLEDGMENTS

STATE OF TEXAS COLLABORATION Texas Education Agency

Mike Morath
Commissioner of Education

Texas Department of Family and Protective Services

Jaime Masters
Commissioner

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

The Honorable Eva Guzman
Former Justice, Past Chair Supreme Court of Texas
Children’s Commission

DEVELOPMENT TEAM AND CONTENT CONTRIBUTORS Texas Education Agency

Kelly Kravitz
Director, Highly Mobile and At-Risk Student
Programs, Office of Special Populations and Monitoring

Jordan Brown
Special Projects Coordinator, Highly Mobile and At-Risk
Student Programs, Office of Special Populations and
Monitoring

W. Montgomery Meitler
Senior Counsel & Confidentiality Officer,
Office of General Counsel

Kelly Goodman
Manager of Communications and Outreach, Office of
Special Populations and Monitoring

Lisa Gouveia
Creative Media Designer, Office of Strategic
Communications

Texas Department of Family and Protective Services

Denise Brady
Senior DFPS Policy Attorney

Carol Self
Director of Permanency

Felicia Penn
Education Program Specialist

Paul Busby
Permanency Program Specialist

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

Jamie Bernstein
Executive Director

Renee Castillo De La Cruz
Staff Attorney

Aimee Corbin
Staff Attorney

SPECIAL APPRECIATION FOR AGENCY LEADERSHIP AND SUPPORT Texas Education Agency

Jennifer Alexander
Associate Commissioner, Office of Special Populations
and Monitoring

Justin Porter
Executive Director, Special Education Program

Texas Department of Family and Protective Services

Deneen Dryden
Associate Commissioner for Child Protective Services

Additional acknowledgments are included on page 171



POSTCARDS SEEN IN GUIDE

The postcard art included throughout this guidebook is generously donated by [Foster Care Alumni of America](#). The postcard art provides insights, shares perspective, and highlights experiences from youth and alumni who have experienced foster care.



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



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

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

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

— An alumna of the Texas foster care system

KEY FOR ICONS AND COLORS

Helpful resources and reminders featured throughout this guide are noted by these icons:



▷ Tip



▷ Law



▷ Reminder



▷ Resources



▷ Collaboration



▷ New Items



▷ Note



▷ Best Practice

You will see the following icons and corresponding colors to indicate the type of chapter/section:



Preface, Appendices, and References



Overview



Cross-System and Collaboration



District and LEA (Local Educational Agency) Responsibilities



TABLE OF CONTENTS



PREFACE 9

Opening Remarks..... 9

The Goals of this Guide 9

Guide Background 9

How to Use this Guide 10

Where Can I Go for More Information on Foster Care and Education at the Texas Education Agency?..... 10

Top Things Educators Should Know About Students in Foster Care 11



CHAPTER 1 | Education & Students in Foster Care: An Overview 13

Introduction 14

National Overview 14

Maintaining School Stability..... 15

Texas Foster Care Data..... 17



CHAPTER 2 | Increasing Cross-system Awareness 22

Texas Commits to Improving Education Outcomes of Students in Care..... 23

Texas Department of Family & Protective Services 24

Court System 25

Education System..... 25

Workforce System 27



CHAPTER 3 | Building Cross-System Partnerships: Education, Child Welfare, And Courts 29

Cross-System Collaboration is Necessary..... 30

Guiding Principles and Ground Rules..... 30

Practical Steps for Establishing Collaboration and Local Partnerships 31

Collaboration in Action: Foster Care Consortia..... 33



CHAPTER 4 | Child Welfare 101..... 35

What is Foster Care?..... 36

How Children and Youth Enter the Foster Care System..... 37

Types of Abuse and Neglect Investigated by the Department of Family and Protective Services 38

Reporting Child Abuse and Neglect..... 40

Living Arrangements of Children and Youth in Foster Care..... 41

A Student’s Journey Through Foster Care..... 43

Key People Involved in the Life of a Student in Foster Care..... 45

Working with Key People in a DFPS Case in the School Setting..... 51

Other Situations Where a Child May Be Living in Out-of-Home Care, but not in DFPS Managing Conservatorship 52



CHAPTER 5 | Education Agency Foster Care liaisons: Responsibilities & Expectations 53

Liaison Introduction and Overview 54

Annual Reminders 55

13 Key Activities for LEA Foster Care Liaisons 57



CHAPTER 6 | School Enrollment, Withdrawal, and Other Transition Considerations For Students In Foster Care 62

Why Prompt Enrollment is Important 63

Timeframe for Enrollment at a New School 63

Records Needed to Admit and Enroll a Student in School 65

Information Necessary for Admission and Enrollment Described 65

Actions to Take When a Student in Foster Care Withdraws or Changes Schools 69

DFPS Coordination to Support School Transitions 70

Other School Transition Considerations 73



CHAPTER 7 | Identifying Students & Maintaining Confidentiality 78

Reasons Why Schools Must Identify Students in Foster Care 79

Acceptable Documents for Identifying Students at Enrollment 80

Foster Care and PEIMS Coding 81

FERPA and Information Sharing For Students in Foster Care 82

Practices to Identify Students And Ensure Confidentiality 83

Communicating “Need-to-Know” Information 85



CHAPTER 8 | Introduction to The Every Student Succeeds Act (ESSA) 87

The Every Student Succeeds Act (ESSA) Described 88

ESSA, Fostering Connections and Texas Law 88

ESSA Impacts for Students in Foster Care 89

ESSA Foster Care Topics and Common Questions 90



CHAPTER 9 | Education Decision-Making 95

Education Decision-Making Authority 96

Education Decision-Making for Students Receiving Special Education Services 97

Caregiver & Caseworker General Education Decision-Making Responsibilities 98

Deciding Where a Student Attends School 99

Involvement of the Student’s Parents or Other Family Members 99



CHAPTER 10 | Trauma-Informed School Supports, Student Mental Health & Discipline 100

The Impact of Traumatic Childhood Experience on Education 101

Adverse Childhood Experiences (ACEs) 101

Trauma-informed School Communities 102

Supporting the Mental Health Needs of Students in Foster Care 104

Supporting the Behavioral Health Needs of Students in Foster Care 105

Student Discipline: Special Considerations For Students In Foster Care 105

Truancy and Attendance Concerns 108
 Bullying Prevention 110
 Multi-tiered Systems of Support..... 112



CHAPTER 11 | The School Experience: Promoting Student Success 114

Create a School Environment that is Sensitive to the Experience of Students in Foster Care..... 115
 Programmatic School Supports for Students Academic Success and Well-being 118
 Implementing Academic Supports and Intervention According to State Law..... 119
 Promoting High School Completion 124
 Determining the Right Endorsement for Graduation 126
 The Impact of Testing on High School Completion..... 128
 Determining When a High School Equivalency Program (HSEP) is Appropriate..... 129



CHAPTER 12 | Students Eligible For or Receiving Special Education Services 130

Special Education Eligibility..... 131
 Serving as the “Parent” Regarding Special Education Decisions 132
 Surrogate Parents..... 133
 The Role of Caregivers for Students in Special Education..... 134
 Requesting a Psychological or Educational Evaluation of a Student..... 134
 Considerations for Highly Mobile Students 135
 If a Student’s Special Education Needs are Not Being Met 135
 Section 504 136



CHAPTER 13 | Transitioning From Foster Care & Post-Secondary Education Opportunities 137

Transitional Living Services Described 138
 Helping Students Prepare for the Transition to Successful Adulthood..... 139
 High School to College & Career - Creating Post-Secondary Pathways 140
 Post-Secondary Education Opportunities 142
 Financial Supports for Post-Secondary Education 143
 Preparing Students for College 144
 College Support Network and College Campus Programs 145



ADDITIONAL INFORMATION 147

Endnotes 147

Appendices 151

Appendix A: Glossary of Terms 151
 Appendix B: Rights of Children and Youth in Foster Care 157
 Appendix C: Key People Involved in the Life of a Student in Foster Care? 161
 Appendix D: CPS Process—Flow Chart..... 162
 Appendix E: Placement Authorization Form 2085—Sample..... 163
 Appendix F: Designation of Education Decision-Maker (2085-E) 164
 Appendix G: List of School Records to be Transferred Through the TReX System..... 165



Appendix H: Education Records Collected by CPS System, Case Record and Education Portfolio
(CPS Handbook, Section 4330 and 4360)..... 166

Appendix I: Description of the Responsibilities and Duties of the DFPS Regional Education Specialist 167

Appendix J: Resource Section 168

Appendix K: DFPS Forms, Enrollment, and Identification FAQs 169

Original Guide Key Contributors Acknowledgment.....171

Beyond The Guide 172

Citation, Disclosure & Copyright 173

PREFACE

Welcome to the Second Edition of the Texas Foster Care & Student Success Resource Guide. The revised version maintains the integrity of the first publication originally released in 2013, while restructuring some of the information, adding new chapters, and providing updated content to align with current federal and state laws and best-practice guidance. The primary purpose of this guide is to inform, educate, and empower education professionals with information, resources, and tools to positively impact the educational experience of students in foster care. Our goal is to increase awareness about the complexities and challenges that impact students in foster care and promote cross-system practices and collaborative strategies that improve their educational stability and achievement. Although this guide is primarily designed for education professionals, it will also be beneficial to caregivers, child welfare workers, kinship families, child advocates, and others who work with students to help them achieve success in school and in life. Knowledgeable, caring adults play a significant role in guiding students to a successful educational experience while in the foster care system and beyond.



Defining the term “FOSTER CARE,”

For the purposes of this guide, the term “foster care” is used to refer to all children and youth who are in the custody of the State of Texas due to abuse and/or neglect, regardless of their living arrangement. This includes living arrangements with relatives and kin, also known as kinship care. Detailed information about the foster care system in Texas, including different types of living arrangements and caregivers, will be explained in [Chapter 4](#).

THE GOALS OF THIS GUIDE

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







Working to achieve these goals, Texas strives to fulfill the education provisions of the federal Fostering Connections to Success and Increasing Adoptions Act of 2008 and the Every Student Succeeds Act (ESSA) of 2015 that promote school stability and require coordination across child welfare and education systems.

GUIDE BACKGROUND

The Texas Education Agency (TEA) joined with the Supreme Court of Texas Permanent Judicial Commission for Children, Youth and Families (Children’s Commission) and the Texas Department of Family and Protective Services (DFPS) to address improving the education outcomes of students in foster care. The second edition of this Resource Guide reflects the collaborative efforts of many caring professionals, agencies, and systems working together to address the education of students in foster care.



HOW TO USE THIS GUIDE:

- ▷ View the Table of Contents for specific questions and relevant topics. The chapter content is grouped by colors and icons:
 -  Preface, Appendices, and References
 -  Overview
 -  Cross-System and Collaboration
 -  District and LEA (Local Educational Agency) Responsibilities
- ▷ The guide provides practice tips, key reminders, collaboration strategies, relevant laws, take-away notes, additional resources, and new content throughout. There are many links to additional information and guidance to assist you in supporting the educational success of students in foster care.
- ▷ The appendices contain charts, resources, and information, including a Glossary with relevant Child Protective Service (CPS) and legal terms/acronyms, to provide a better understanding of the child welfare system and terms used throughout the guide (see page 151).

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

1. Visit [TEA's Foster Care & Student Success webpage](#) for more information.
2. Subscribe to [TEA's Foster Care and Student Success newsletter](#). TEA releases newsletters with information, resources, and tools related to education and students in foster care.
3. Email Fostercareliaison@tea.texas.gov if you have any questions or need support in addressing the education of students in foster care.

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





TOP THINGS EDUCATORS SHOULD KNOW ABOUT STUDENTS IN FOSTER CARE:

-  **STUDENTS COME INTO FOSTER CARE THROUGH NO FAULT OF THEIR OWN AND MAY HAVE EXPERIENCED CHAOTIC, ABUSIVE, OR NEGLECTFUL ENVIRONMENTS.**

Some concerns may include prenatal exposure to drugs or alcohol, witnessing domestic violence involving one or more of the student's parents or caregivers, or exposure to other abusive behavior.
-  **STUDENTS IN FOSTER CARE WANT TO BE TREATED LIKE OTHER STUDENTS.**

The school day can provide a sense of normalcy and be an escape from challenges students are facing in their personal and home life.
-  **MAINTAINING CONFIDENTIALITY AND SENSITIVITY IS VERY IMPORTANT.**

Students in foster care do not want to be stigmatized as "foster children" and often do not want their schools to know. Students communicate that this label has negative connotations and can feel embarrassing and shameful. Maintaining confidentiality and sensitivity is highly important. School staff must balance privacy with the need to share information to better support a student's education.
-  **STUDENTS IN FOSTER CARE HAVE MANY STRENGTHS.**

Each student has unique gifts, talents and attributes. School leaders have a unique role in recognizing and cultivating these strengths and linking students to opportunities where they can grow and thrive. Students in care also have friendships, caring family members, and supportive adults. All strengths should be celebrated, nurtured, and supported. Look for and seek out opportunities to promote the strengths of students in foster care.
-  **FAMILY INVOLVEMENT IS IMPORTANT.**

Immediate family and relatives will remain an important part of the student's life, even after a student is removed and placed in foster care. In most cases, family can and should be involved. However, contact may be limited by DFPS or the court, so check with the student's caseworker to find out if there are any specific restrictions.
-  **STUDENTS OFTEN ENTER FOSTER CARE WITH GAPS IN THEIR EDUCATION.**

For a variety of reasons some students may not be prepared to enter their age-appropriate grade. Additionally, school moves, delays in transferring educational records from school to school, and loss of course credits can contribute to gaps in a student's education.
-  **TRAUMA AND ADVERSE EXPERIENCES MAY IMPACT STUDENT LEARNING, BEHAVIOR, AND SOCIALIZATION.**

As a result of trauma and adverse childhood experiences, students in foster care may show signs of depression or anxiety and may have trouble socializing with their peers or trusting new adults. Students in foster care may also present challenging behavior at school. School staff may benefit from additional training on the impact of trauma, how to implement trauma-informed practices in the classroom, and solution-focused alternatives to suspension and disciplinary school placements.
-  **STUDENTS IN FOSTER CARE ARE OFTEN HIGHLY MOBILE.**

Due to a variety of external circumstances, students may have to relocate to new homes and communities. A student may experience several residential or school moves while in care. Residential changes and school moves may happen quickly and leave students unable to say "goodbye" to their current school, supportive adults, and peers. If school withdrawal procedures are not followed, there may be additional challenges with school transitions.
-  **STUDENTS IN FOSTER CARE HAVE EXPERIENCED TREMENDOUS LOSS.**

Students are often separated from siblings, family members, friends, pets, and personal belongings. Loss of important education, social, cultural, and family connections are common and compound the trauma experienced. Celebratory seasonal events such as school holiday festivities and related classroom activities or assignments may inadvertently reignite feelings of loss and trigger grief for students in out-of-home care.

STUDENTS IN FOSTER CARE WANT TO PARTICIPATE IN DECISION-MAKING AND ENGAGE IN GOAL SETTING.

Students benefit from being included in decision-making and discussions related to their school success and long-term goals.

ACADEMIC AND EXTRA-CURRICULAR ENRICHMENT OPPORTUNITIES HELP STUDENTS REACH THEIR HIGHEST POTENTIAL.

Promoting access to advanced academics and rigorous coursework such as Advanced Placement (AP), International Baccalaureate (IB), Career and Technical Education (CTE) classes, in addition to challenging extracurricular activities, supports well-rounded personal growth and an overall positive school experience. Involving students in foster care in innovative high school programs such as Pathways in Technology Early College High School (P-TECH); Texas Science, Technology, Engineering and Mathematics (T-STEM); and early college high schools provides students with a range of opportunities to earn post-secondary credits while in high school.

THERE ARE MANY CHILD WELFARE PROFESSIONALS AND ADVOCATES WHO WORK WITH STUDENTS UPON THEIR ENTRY INTO FOSTER CARE.

These individuals may include a Department of Family and Protective Services (DFPS) caseworker, the student's DFPS designated Education Decision-Maker, Community-Based Care staff and caseworker, child placement agency case manager, a Court Appointed Special Advocate (CASA) or guardian ad litem, and an attorney ad litem, among others. It is likely that these persons will contact the student's school to get education information regarding their client.

SUPPORTS AND RESOURCES ARE AVAILABLE TO HELP STUDENTS TRANSITION OUT OF FOSTER CARE AND PAY FOR COLLEGE.

These can include college scholarships, tuition and fee waivers, grants, and college campus-based programming. Additionally, DFPS programs and services help youth prepare for and transition to a successful adulthood. Educators and counselors must be aware of these opportunities and, when able, connect students to these resources.

FEDERAL AND STATE LEGISLATION SUPPORTS STUDENTS IN FOSTER CARE.

Topics supported by law include immediate enrollment, school stability, maintaining school placement, easing transitions, designating LEA Foster Care Liaisons, information sharing, transportation, and coordination between the child welfare and education systems.

Representatives of education, child welfare, and the courts are committed to improving the educational outcomes of students impacted by the Texas foster care system.

