

Foster Care Education: Legislation at a Glance

Legislation	Eligible	Right to remain in school of origin	Transportation	Immediate Enrollment	Expedited Record Transfers	Designated Staff Resource	Other
<p><u>FEDERAL</u></p> <p><u>FOSTERING CONNECTIONS TO SUCCESS AND INCREASING ADOPTIONS ACT OF 2008</u></p> <p>42 U.S.C. § 675(1)(G)</p> <p>SIGNED BY PRESIDENT 10/07/2008 AMENDED: 03/23/2010</p>	Children/youth in foster care.	When placing a child/youth, the child welfare agency must take into account and document in the case plan the appropriateness of the current educational setting and the placement's proximity to the school.	<p>*Child welfare agency must coordinate with LEA's to ensure that the child remains in the school at which the child is enrolled at the time of placement if applicable.</p> <p>*Reasonable transportation to a child's school at the time of placement is an allowable IV-E foster care maintenance reimbursement (previous guidance made transportation to a child's school an allowable IV-E administrative cost).</p>	If remaining in the same school is <i>not</i> in the child's best interest, the child welfare and LEA's must provide <i>immediate and appropriate</i> enrollment in a new school, with all of the educational records of the child provided to the school.	If remaining in the same school is <i>not</i> in the child's best interest, the child welfare and LEA's must provide immediate and appropriate enrollment in a new school, with all of the educational <i>records</i> of the child provided to the school.	No provision.	

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<p><u>COLORADO</u> <u>HB 08-1019,</u> <u>2008 Colo.</u> <u>Legis. Serv. Ch.</u> <u>147</u></p> <p>SIGNED BY THE GOVERNOR: 04/17/2008</p>	<p>Children/youth in foster care or an out-of-home placement and children who return home at the conclusion of an out-of-home placement.</p>	<p>Requires that before a child/youth's placement is changed, all parties must attempt to promote the child/youth's educational stability by attempting to find a new placement that allows the child/youth to stay at the same school or find a new "educational situation that is comparable to the existing situation."</p>	<p>No provision.</p>	<p>Provides that when a student in out-of-home placement transfers from one school to another, the district or school is to transfer the records after receiving a request for transfer and the receiving district or school is to immediately enroll the transferring student.</p> <p><i>In Colorado we have a 5 day record transfer and 5 day enrollment timeframes is the "immediate" enrollment.</i></p>	<p>Liaison shall ensure that education information and records of a student in out-of-home placement are delivered to the student's new school within five school days after receiving a request for the transfer of the student's education information and records from a county department.</p> <p><i>In Colorado we have a 5 day record transfer and 5 day enrollment timeframes is the "immediate" enrollment.</i></p>	<p>Each school district and the state charter school institute, created pursuant to section 22-30.5-503, shall designate an employee of the school district or the institute to act as the child welfare education liaison for the district or for state charter schools.</p> <p>In lieu of designating an employee, a school district or the state charter school institute may contract with an individual to act as the child welfare education liaison.</p> <p>The appointed child welfare education liaison is to work with child placement agencies, county departments and the state department to facilitate placement, transfers and enrollment in school</p>	<p>The duties of the liaison should include:</p> <p>1) working with child placement agencies, county departments, and the state department to facilitate the prompt and appropriate placement, transfer, and enrollment in school of students in out-of-home placement.</p> <p>There are other key parts, like not delaying transfer because of fees owed (book fines), costs for</p>

						for children in out-of-home placements.	uniforms, lab fees, etc. This bill was intended to put all students on a level playing field. It is important to provide all parts of the statute. This impacts all students in foster care.
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<p><u>COLORADO</u></p> <p><u>HB 10-1274</u></p> <p>SIGNED BY THE GOVERNOR: 05/25/2010</p>	<p>Children in out-of-home placements.</p> <p>1274 only added a couple of thing that include reporting, and a transition process for certain students that were re-entering</p>				<p>Liaison shall ensure that education information and records of a student in out-of-home placement are delivered to the student's new school within five school days after receiving a request for the transfer of the student's education</p>	<p>This bill required the liaison list to be posted on the CDE web page.</p>	<p>1274 added the duties to the liaison below:</p> <p>(2) Participating in transition planning meetings; and (3) Allows participating in interagency collaboration teams.</p>

	public school after coming from a public hospital, RCCF, etc AND who had been determined in the previous 12 months.				information and records from a county department.		
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<u>UNINTERRUPTED SCHOLARS ACT</u> SIGNED BY PRESIDENT JANUARY 2013	Children/youth in foster care.					This adds child welfare professionals to the list of approved people who can access a foster youth's education records and help transfer their credits to new schools.	

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Source: American Bar Association
www.americanbar.org