

Treehouse Tips: Every Student Succeeds Act

--Best Interest Meetings and Enrollment--

Students experiencing foster care will likely attend multiple schools within a school year due to placement disruption. Studies have found that with each school change, approximately six months of academic progress is lost due to educational disruption. To improve the educational stability of youth experiencing foster care, it is necessary to become familiarized with the Every Student Succeeds Act (ESSA), which is a federal law that requires educational agencies to ensure that all students have fair opportunities to obtain a high-quality education. This law emphasizes equitable practices and implements critical protections for youth in foster care. For example, ESSA establishes school of origin rights, requires Best Interest meetings, and outlines timelines for enrollment and the transfer of records. Below is a more detailed list of ESSA guidelines that relate to foster care.

ESSA Foster Care Provisions:

- 1. School of Origin:** ESSA allows students to remain in their school of origin if it is determined to be in their best interest. According to [RCW 74.13.550](#), “school of origin” refers to the school the student was enrolled in at the time of their placement in foster care. If the student changes placement, the school of origin is then considered to be the school the student was enrolled in before their placement changed. The student should not be unenrolled from their school of origin until their school placement is decided in a Best Interest Determination meeting, as outlined in [RCW 74.13.631](#).
- 2. Best Interest Determination Meeting:** A Best Interest Determination meeting is required, per [RCW 28A.225.350](#), for any student who is subject to a dependency proceeding when they move home placement. A team of school personnel, social workers, parents, caregivers, and community partners come together to determine if the student should remain in their school of origin or transfer to the school nearest their new placement. Meeting topics should include social/emotional impact on the student, transportation needs, academic and behavioral supports, specialized education needs, transfer of credits, and other individualized needs the student may have.
- 3. Immediate Enrollment:** Youth in foster care often face delays with enrollment due to missing, incomplete, or delayed transfer of school records or documentation. ESSA’s immediate enrollment provision requires that a student who moves into a new school catchment be enrolled as soon as possible to prevent educational discontinuity. Additionally, per ESSA and [RCW 28A.225.330](#), school districts may not prevent youth in foster care from enrolling due to incomplete or missing information.
- 4. Transfer of Records:** To prevent youth in foster care from being placed in incorrect classes or schools due to missing/incomplete documentation or delayed transfer of records, ESSA requires that the enrolling school immediately contact the student’s school of origin to obtain the relevant records and documentation. The new school must obtain and assess a student’s educational history and needs within two business days, as outlined in [RCW 28A.225.330](#).
- 5. Transportation:** When it is determined that a student should remain in their school of origin, the school district(s) must develop a transportation plan to ensure that the student can continue attending school. According to [RCW 28A.225.350](#), the school district of origin and the school district in which the student is residing are responsible for providing and covering the cost of the transportation. However, if the student is subject to a dependency with the Department of Children Youth and Families (DCYF), then DCYF must split the excess cost of such transportation with the school districts.

6. **Designated Point of Contact (State-level):** ESSA requires state educational agencies to designate a point of contact for child welfare agencies, who is responsible for facilitating communication and collaboration with the agency, oversee the rights and protections of students in foster care under the law, and ensure effective implementation of supports at the local educational agency level.
7. **Designated Point of Contact (District-level):** ESSA requires that local educational agencies have a designated point of contact by which child welfare agencies can contact to support their foster student(s). Each Washington school district has a Foster Care Liaison who is responsible for ensuring that all youth experiencing foster care within their district are properly receiving their rights under ESSA. Furthermore, each school has a Building Point of Contact as well.

Frequently Asked Questions (FAQs):

- **Can youth in foster care be enrolled in a private school or be home-schooled?** Per DCYF policy 4302A, if a youth is involved in a dependency with DCYF and is in an out-of-home placement, court approval is needed. Youth placed in a Voluntary Placement Agreement require DCYF approval.
- **What is a School Notification Form?** When a student involved in a dependency with DCYF moves placements, their social worker needs to send a School Notification Form to the district's Foster Care Liaison. This also initiates the Best Interest Determination process.
- **How do I find the Foster Care Liaison's contact information?** A directory of Foster Care Liaisons and Building Point of Contacts is available on the Foster Care portion of the Washington Office of Superintendent of Public Instruction (OSPI) website.
- **What paperwork is typically needed for enrollment?** Per ESSA guidelines, when enrolling a student experiencing the foster care system, missing documents, such as those listed below, must not delay their enrollment.
 - Proof of age (birth certificate)
 - Proof of residency
 - Proof of immunizations
 - Special services documentation, if applicable, such as an evaluation, 504 plan, or Individualized Education Program (IEP).
 - District specific enrollment paperwork, which can be gathered by contacting the district office.

Make a referral for Educational Advocacy!



For assistance in navigating school transitions and enrollment, make a referral to Treehouse's advocacy program! To qualify for Educational Advocacy, youth must have an open dependency or have shelter care status. Scan the QR code or click the link below to complete the referral process:

<https://referrals.treehouseforkids.org/>