



MEMORANDUM

TO: Superintendents and Principals for all Public and Charter Schools

FROM: Catherine Danyluk, Director, Student Services
Chief State Attendance Officer
Indiana Department of Education

Julie Smart, Foster Youth Coordinator
Indiana Department of Education

Mike LaRocco, Director of Transportation
Indiana Department of Education

Melaina Gant, Education Services Director
Indiana Department of Child Services

DATE: October 21, 2016

SUBJECT: Every Student Succeeds Act (ESSA) and Foster Youth

The U.S. Department of Education (ED) and Health and Human Services (HHS) released a letter that addresses the ESSA Title 1 provisions related to youth in Foster Care. In addition, ED released non-regulatory guidance for ensuring educational stability for children in foster care. That guidance document can be found [here](#). There are important new provisions in Title I, Part A (Title I) of the ESEA with respect to the protections afforded students who are in a foster-care placement.

While most of the changes that will take place as a result of ESSA will begin during the 2017-2018 school year, some of the provisions affecting foster-youth are effective beginning on **December 10, 2016**.

Beginning **December 10, 2016**, LEAs that receive Title I funds, will be required to provide transportation services to students in foster care placement, including those awaiting foster care. Title I funds may be used to fund foster youth transportation needs. If funds are required to transport foster youth after December 10, 2016, and the LEA determines that Title I funds should be used for that purpose, this is an allowable expense and LEAs may make amendments to effectuate this purpose. Please note, all LEAs that receive Title I funding, including Charter Schools that do not transport general population students, must transport foster youth. LEA's may work with the foster parents to determine if they are willing and able to provide transportation; however, foster care parents are not required to transport youth in their care.

Other provisions that will take place during the 2017-2018 school year are:

- In the Spring, the State will draft its ESSA plan, which will describe the steps the SEA will take to ensure collaboration with the State Child Welfare Agency to ensure the educational stability of children in foster care, including assurances that those children can remain in their school of origin if in their best interest and be immediately enrolled in a new school when not staying in their school of origin.
- Beginning in the fall of 2017, LEAs will assure that LEAs will collaborate with child welfare agencies to develop and implement written procedures governing how transportation to maintain children in foster care in their school of origin when in their best interest will be provided. Transportation should be arranged and funded by the LEA's unless otherwise agreed. DCS is a statewide child welfare agency with no specific funds available for student transportation. Further guidance will be forthcoming regarding the implementation of the new provisions that will likely affect LEA Title I plans.
- This requires that LEAs collaborate with child welfare agencies to develop and implement written procedures governing how transportation to maintain children in foster care in their school of origin when in their best interest will be provided. Transportation should be arranged and funded by the LEAs unless otherwise agreed. DCS is a statewide child welfare agency with no specific funds available for student transportation.

Information and resources for [supporting foster youth](#) are available on the IDOE website.

The Indiana Department of Child Services and the Indiana Department of Education are dedicated to ensuring educational stability for children in foster care.

If there are any questions of assistance requested please contact:

Melaina Gant (DCS) Melaina.Gant@dcs.IN.gov

Julie Smart (IDOE) jsmart@doe.in.gov