

Memorandum of Agreement Implementing the School Stability Provisions of ESSA

Memorandum of Agreement between
the Rhode Island Department of Children, Youth, and Families (DCYF) and
the Rhode Island Department of Education (RIDE)
regarding implementation of the School Stability provisions of federal law

WHEREAS, ensuring school stability and academic success for students in foster care is an important joint responsibility of state and local education agencies and the state child welfare agency and;

WHEREAS, on October 7, 2008, the Fostering Connections to Success and Increasing Adoptions Act of 2008, (Fostering Connections Act) went into effect and required states to ensure that child welfare and education agencies collaborate to guarantee school stability and school attendance for all children in foster care

WHEREAS, the Fostering Connections Act specifically required that a child's foster care case plan include assurances that a child remains in his current school or, if this is not in the child's best interest, that the child is immediately and appropriately enrolled in a new school with all school records;

WHEREAS, on December 10, 2015, the Every Student Succeeds Act (ESSA) was signed into law;

WHEREAS, ESSA aligns with the Fostering Connections Act to clarify the obligations of state and local education agencies, in collaboration with child welfare agencies, to ensure school stability with necessary transportation and immediate school enrollment in a new school when in a child's best interest;

WHEREAS, as of the signing of this document the RI Department of Children, Youth and Families (DCYF) prepared a guidance document: *Ensuring Educational Stability for Children in Foster Care* with feedback from The RI Department of Elementary and Secondary Education (RIDE) to clarify obligations arising under ESSA in order to aid DCYF, RIDE, and the Local Education Agencies (LEA) in effectively implementing the education stability provisions of federal law.

THEREFORE, the undersigned the above named parties do hereby agree to the following:

- 1) DCYF shall revise its policies and protocols to meet the requirements of ESSA, emphasizing collaboration with the school of origin on making a best interest determination and ensuring that supports are in place to maintain school stability.
- 2) DCYF shall designate a point of contact for ESSA implementation.
- 3) RIDE shall create and publish guidance documents for the local education agencies that support the continued enrollment of children placed in foster care within his or her school of origin.
- 4) RIDE shall develop a statewide data collection and reporting plan on student achievement and graduation rates for children in foster care.
- 5) RIDE shall designate a point of contact for ESSA implementation and ensure that each local education agency has a point of contact for ESSA purposes.

- 6) DCYF and RIDE shall work collaboratively to ensure a child's continued enrollment within his or her school of origin unless the DCYF or the court determines, consistent with the Individuals with Disabilities Education Act, that it is not in the best interest of the child to attend school in his or her school of origin. If such a determination is made, DCYF will consult with the school of origin prior to making the decision to move the child; will represent to the court the school of origin's perspective on the child's best interest; and will provide notice to the school of origin prior to moving the student to a new school location.
- 7) RIDE and DCYF shall develop transportation protocols to help support students in foster care remaining in his or her school of origin if it is in the child's best interest. The transportation protocols shall include:
 - a. A model procedure for local education agencies to utilize for purpose of making and documenting transportation decisions and arrangements for children in foster care;
 - b. Collaboration by and between local education agencies and DCYF in facilitating a plan to provide, arrange and fund transportation for children in state care.
- 8) RIDE and DCYF will work with Charter Schools to eliminate barriers to the enrollment of children in foster care.
- 9) RIDE and DCYF will convene a stakeholder work group to review existing State laws and regulations relating to school residency and funding for children in State care and to develop proposed statutory and regulatory language to ensure state statutes and regulations align with the school stability provisions of ESSA and Fostering Connections.

Agreed to in principal and substance:



Ken Wagner
Commissioner R.I. Department of Education

Date: 7/27/17



Trista Piccola
Director, R.I. Department of Children, Youth
and Families

Date: 7/31/17