



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

January 4, 2021

Greetings Colleagues,

I hope that you and your loved ones remain safe and healthy during this challenging time. I want to take this opportunity to thank you for all you have done—and continue to do—on behalf of students in foster care. While the pandemic has certainly posed challenges for all students and families, we know that highly vulnerable student populations, including students involved in the child welfare system, have been disproportionately impacted by the changes to our educational systems over the past nine months. For example, we know that the pandemic has caused unique challenges for students in foster care and their caregivers, including disruptions in living placements and, as a result, school placements; foster and kin families with limited access to and knowledge about the technology needed for students to routinely access schoolwork; and challenges faced by schools in providing the special education services required disproportionately by students in foster care. Your State educational agency's (SEA's) continued focus on students in foster care has been and remains essential to ensuring that these students continue to reach their academic potential, both for the duration of the pandemic and beyond.

The U.S. Department of Education remains committed to supporting your efforts to ensure that students in foster care are afforded the rights and protections guaranteed under the Elementary and Secondary Education Act of 1965 (ESEA). As you know, under the ESEA, each SEA must:

- Designate a staff member to serve as the State's foster care point of contact, who is responsible for both ongoing collaboration with the State's child welfare agency and implementation of the ESEA's foster care requirements.
- Collaborate with State child welfare agencies to ensure that students in foster care remain in their respective "schools of origin" unless a determination is made that attending a school of origin is not in the best interest of a student.
- Ensure that, when a school change is warranted, students in foster care are immediately enrolled in their new schools, even if they cannot produce enrollment documents and school records normally required for enrollment.
- Ensure that local education and child welfare agencies collaborate to implement written procedures governing how transportation to schools of origin will be provided, arranged, and funded for the duration of a student's time in foster care.
- Report (annually) on student achievement and graduation rates for students in foster care.

Additional information about each of these requirements, as well as suggestions for successful implementation, is available in our [non-regulatory guidance](#). Even more so in these challenging times, supporting students in foster care is essential and SEAs should continue to implement each of these requirements.

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

To support these essential efforts, we recently launched a new [“Students in Foster Care” webpage](#), which houses all of the Department’s resources related to students in foster care. My team will be in contact soon about forthcoming technical assistance opportunities and new resources available to SEA foster care points of contact. I also want to remind you that we continue to formally monitor implementation of the ESEA’s foster requirements as part of OESE’s consolidated monitoring initiative and we look forward to learning more about your State’s implementation efforts through future rounds of monitoring.

If you have questions about your SEA’s responsibilities to support students in foster care or if you would like to request technical assistance from my team, please contact us via our foster care mailbox (FosterCare@ed.gov). Thank you for all that you do to support students across the country.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Patrick Rooney', with a long horizontal line extending to the right.

Patrick Rooney
Director, School Support & Accountability