



ARIZONA DEPARTMENT OF
EDUCATION

Federal and State Requirements to Ensure Educational Success for Students in Foster Care

Arizona Department of Education
Foster Care Education Program

September 2026

Housekeeping Items

- If you have questions throughout today's session, please share them in the following ways:
 - Enter simple questions into the Q&A feature or type them into the chat.
 - Save in-depth questions for after session office hours.
 - Email FosterCare@azed.gov with any LEA-specific questions.
- Today's session is being recorded. The recording and presentation slides will be made available to attendees after the training.
- All resources referenced in this training as well as the recording and presentation slides will be shared following the session on the Arizona Foster Care Education Program website.
- All note-taking and other tools are not permitted in ADE sessions.



Marisa Peña

Program Specialist



Role & Responsibility

- Program Specialist in the Office of Homeless, Foster Care, Refugee, and Title I-D Programs.
- Support the field with developing informed, high-quality, and comprehensive programs to ensure that all students are provided an opportunity to succeed.

Grounding Purpose

- A high quality education is a **right**, not a **privilege**, for our students. My job is to **insist** upon this right.

Arizona Department of Education

The Arizona Department of Education is a service organization committed to raising academic outcomes and empowering parents.

Arizona Foster Care Education Program

The mission of the Arizona Foster Care Education Program is to ensure educational stability for students in foster care, with particular emphasis on collaboration between SEAs, LEAs, and child welfare agencies so students in foster care have the opportunity to achieve at the same high levels as their peers (20 U.S.C. §6312 (c)(5)).

Mission Statements



**Academic
Achievement**
Catherine Barrett

Character Education
Mila Makal

**Office of English
Language Acquisition
(OELAS)**
Adela Santa Cruz

**Title I & ESEA
Consolidated Unit**
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**Office of Homeless,
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Title I-D Education
Programs**
Brittani Roy

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Learning Centers (CCLC)**
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Academic Achievement Division





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*Director of
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Homeless Education Program



Rita Rodriguez

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Homeless, Foster Care, and Refugee Student Support



Marisa Peña

*Refugee Student
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Program Specialist*

Office of Homeless, Foster Care, Refugee, and Title I-D Programs



Objective

Attendees will...

- Recognize their **role** in ensuring **educational access and stability** for students in foster care
- Understand **required policies, procedures, and practices** that LEAs must develop and maintain to ensure the **educational rights** of students in foster care are upheld
- Determine **next steps** to strengthen local **implementation** and **educational outcomes for students in foster care**

Agenda

- Pre-Assessment
- Experience in Foster Care & Our Students
- Educational Stability Requirements for Local Education Agencies
- Action Today's Learning
- Post-Assessment
- Resources and Contact Information

Pre-Assessment

Let's Begin!

Pre-Assessment

1. True or False? All local education agencies in Arizona must appoint a Local Education Agency Foster Care Point of Contact.
2. The best interest determination process must include...
3. What funding options are available to pay for the excess cost of transportation to the school of origin?
4. When should local education agencies and child welfare agencies initiate collaboration?



Today's Session

Experience in Foster Care & Our Students

- Children and Youth in Foster Care
 - Definitions and Data
- Trauma and Foster Care Experience
- The Impact of Experience in Foster Care on Wellbeing and Academics



Share Your Knowledge

What do students need to be **successful**?

Consider **what helped you** as a student, **what you needed** but did not have, and **experiences** you have with the **students** in your local education agency.

Type your
answer in
the chat!

Children and Youth in Foster Care

What is foster care?

- 24-hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency (CWA) has placement and care responsibility. (45 C.F.R. § 1355.20(a)). Under this definition, “foster care” includes, but is not limited to, placements in:
 - Foster family homes;
 - Foster homes of relatives (also known as “formal kinship care”); or
 - Group homes.

Why do children and youth enter foster care?

- Children and youth enter foster care for a variety of reasons, such as abuse, neglect, incarceration, abandonment, death, or voluntary placement.

331,747

Children in the U.S. child welfare system in FY 2025

8,306

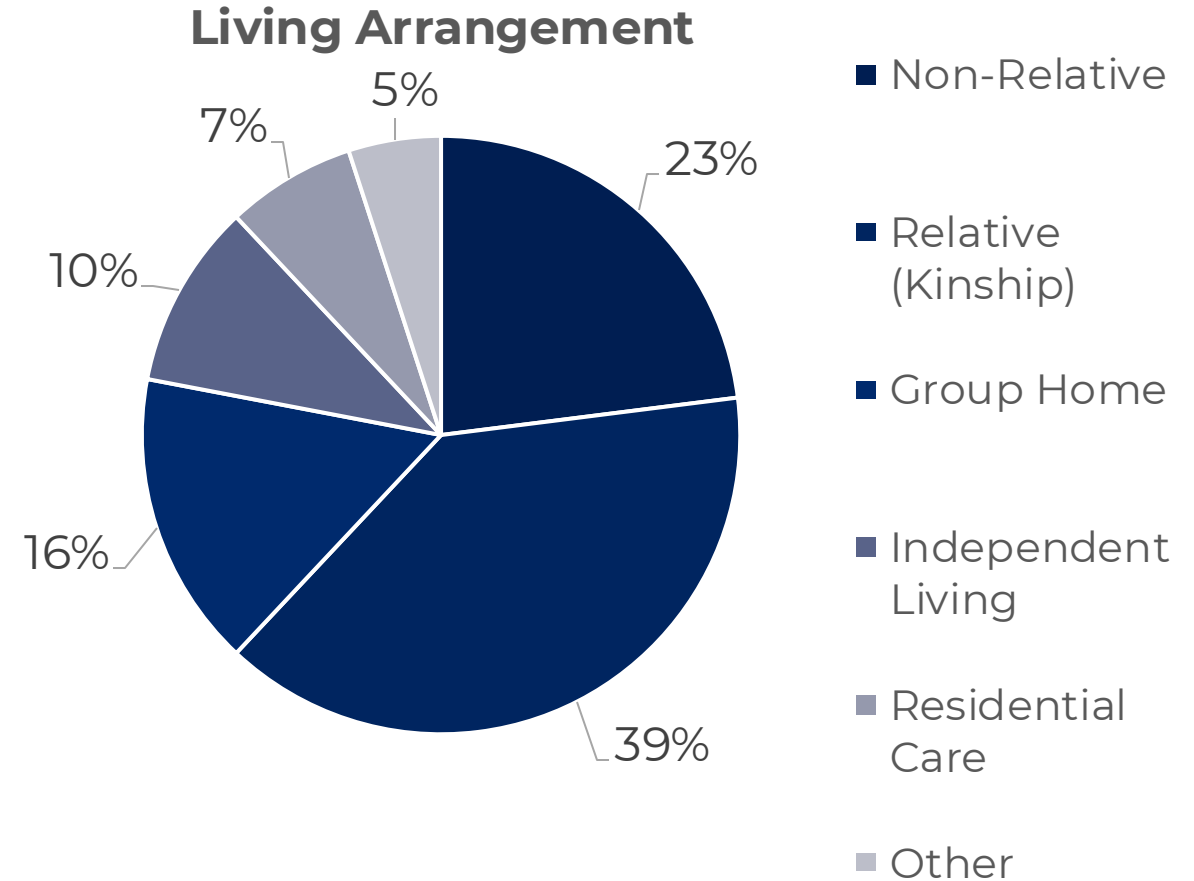
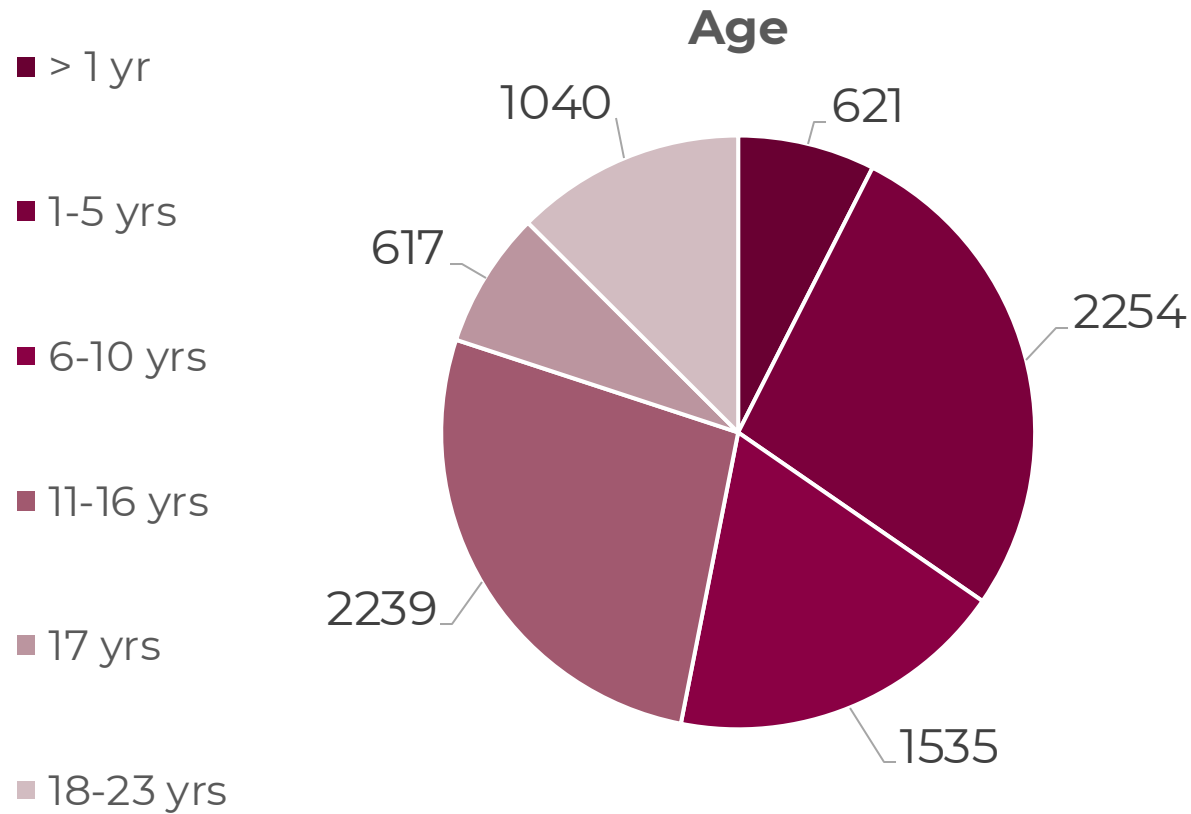
Children in Out-of-Home Placements in Arizona in FY 2025

1,918

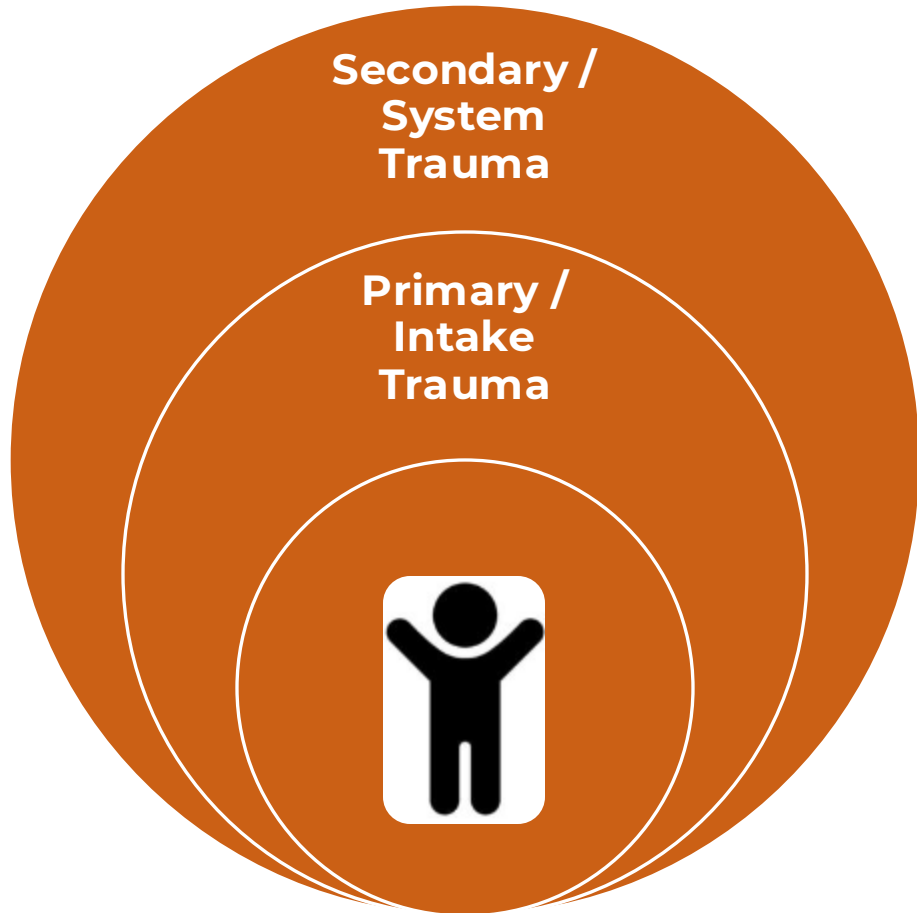
Licensed Foster Homes in Arizona in FY 2025

[Source: AFCARS](#)

Arizona's Students in Foster Care



Trauma and Foster Care Experience



The **experience** and **impact of trauma** for children and youth in foster care are **unique and compounded**.

- **Primary / Intake Trauma**
 - Trauma that occurs before a child or youth is removed from their home. May be the cause of removal.
- **Secondary / System Trauma**
 - Trauma that occurs during a child or youth's experience in foster care.
 - Being removed from home
 - Loss of identity and connection with loved ones
 - Placement instability
 - Ambiguous loss

The Impact of Experience in Foster Care on Wellbeing

- Former foster children are almost **2x as likely** as U.S. war veterans to **suffer from PTSD**.
- **86%** of **child trafficking** survivors experienced foster care.
- **60%** of young people **arrested** have had experience in foster care.
- **51%** of young people **without housing** have experienced foster care. ([Think of Us](#))
- **7 out of 10 girls** who age out of the foster care system will become **pregnant** before the age of 21.
- **1 out of every 2 kids** who age out of the system will develop a **substance dependence**. ([National Foster Youth Institute](#))

The Impact of Experience in Foster Care on Academics

Support

- Students in foster care often **lack the same access to support, resources, and opportunities** as their peers, leading to **gaps in achievement, relationships, and skills** for these students.

Stability

- Students in foster care are **more likely to be absent from school, repeat a grade, and change schools**.

Accomplishment

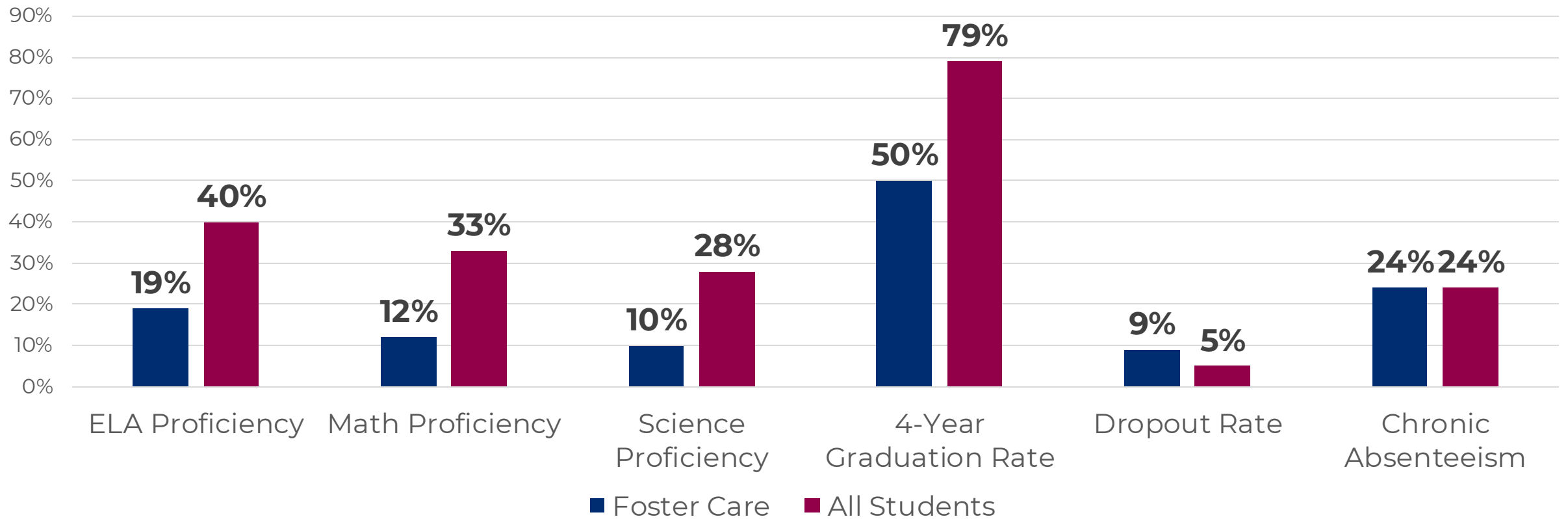
- Students in foster care are:
 - **twice as likely** to receive **out-of-school suspensions**;
 - over **three times as likely** to receive **special education services**; and
 - over **20% less likely to graduate** from high school.

Access

- As little as **3%–10.8% of youth** previously in foster care **attain a 4-year degree**, compared to the national college completion rate of 32.5%. ([Brinser & Wissel, 2020](#))

Arizona's Students in Foster Care

Academic Achievement of Students in Foster Care (SY24-25)





Pause and Reflect

Recall what you shared students need to be successful.

How are these elements **impacted** by experience in foster care?

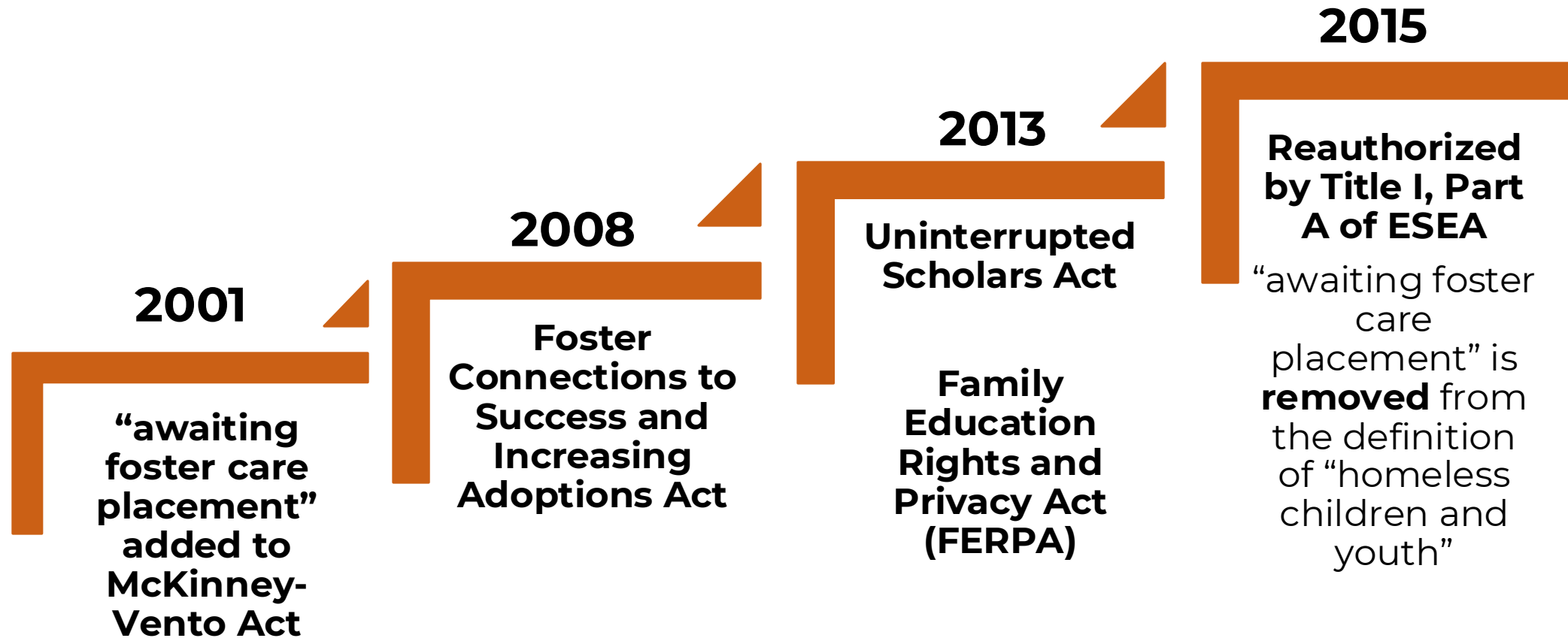
How can these elements be **leveraged** to **support** students in foster care?

Share your
thoughts in
the chat!

Educational Stability Requirements for Local Education Agencies

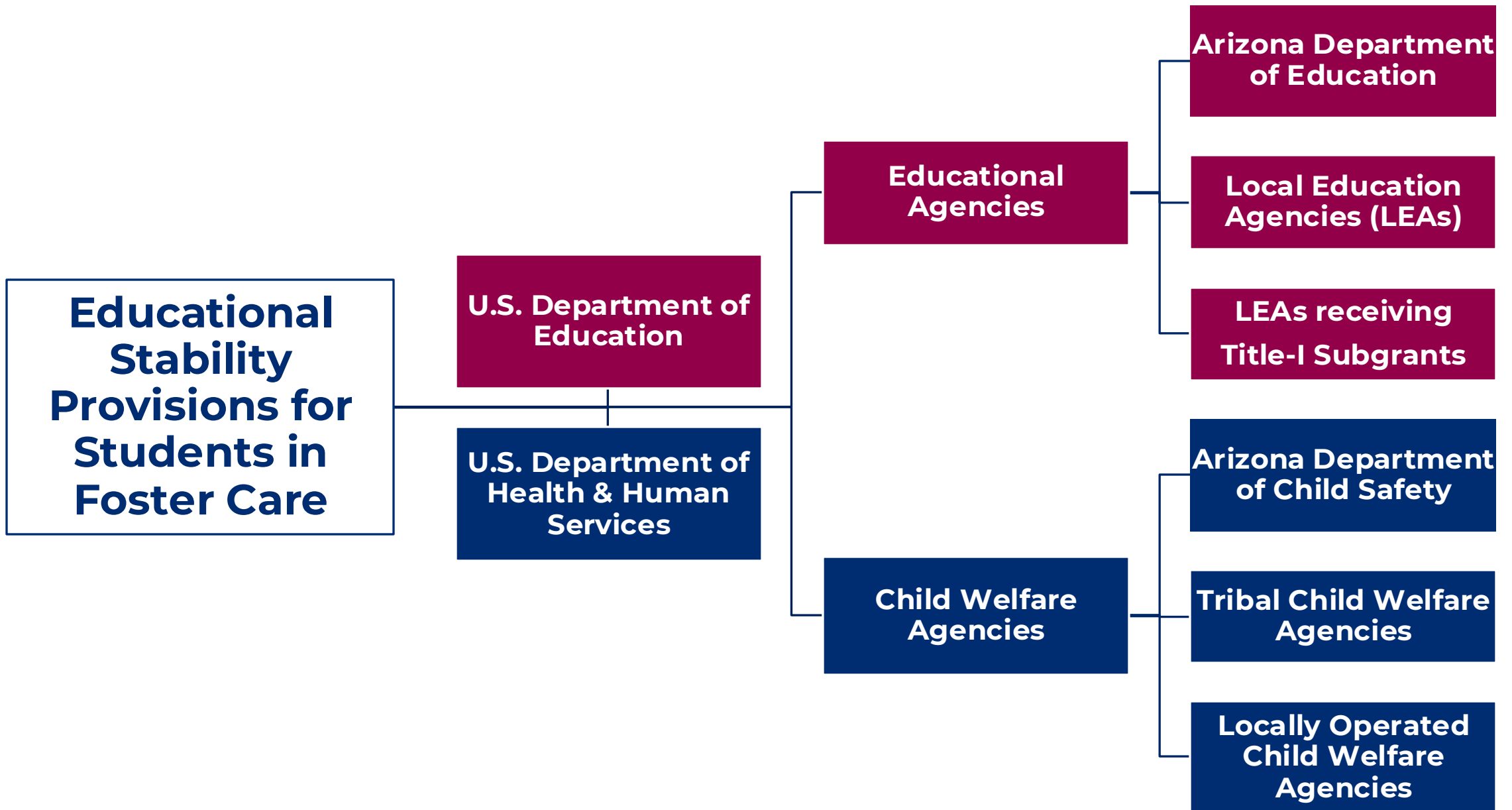
- Foster Care Education Provisions History
- Core Components of Educational Stability for Students in Foster Care
- School Stability
 - School of Origin
 - Best Interest Determination
 - Transportation
 - Immediate Enrollment
- Reporting Requirements for Students in Foster Care

Foster Care Education Provisions History



Core Components of Educational Stability for Students in Foster Care

- Under ESEA, key provisions for students in foster care include:
 - Child welfare agency and education agency **points of contact**
 - Educational stability and success through **best interest determinations** (BID)
 - **Transportation** to the school of origin
 - **Collaboration** across agencies



Responsibilities of Child Welfare Agencies and LEA Foster Care Points of Contact

LEA Foster Care Points of Contact

- Develop BID procedures
- Share data with CWAs
- Ensure immediate enrollment
- Transfer records for enrollment
- Coordinate transportation
- Serve as a primary point of contact for CWA staff and service providers
- Ensure regular school attendance of students in foster care
- Provide professional learning opportunities for LEA staff on supporting students in foster care
- Ensure stakeholder awareness of the educational rights of students in foster care

Child Welfare Agencies (CWAs)

- Develop BID procedures
- Share data with LEAs
- Ensure immediate enrollment
- Transfer records for enrollment
- Coordinate transportation
- Serve as a primary point of contact for LEA staff and service providers
- Notify LEAs when students enter foster care or experience a change in placement
- Provide professional learning opportunities for LEA staff on supporting students in foster care
- Coordinate early learning services for preschool-aged children
- Referral to health-related services
- Ensure stakeholder awareness of the educational rights of students in foster care

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- Ensure stakeholder awareness of the educational rights of students in foster care

Proactive and intentional collaboration with one another!

Arizona Local Education Agency Foster Care Points of Contact



Update LEA Foster Care Point of Contact information by filling out the update form on the [Arizona Foster Care Education Program website](#).

- Arizona LEA Foster Care Points of Contact are required to ensure their **contact information** posted on the [Arizona Foster Care Education Program website](#) is **up-to-date** and **accurate**.
- The individual listed on the [State of Arizona Local Educational Agency Foster Care Point of Contact List](#) must:
 - **Be the individual** at the local education agency that is **designated to provide support** for students in foster care.
 - Have the **capacity** to collaborate with local child welfare agencies to ensure educational stability requirements for students in foster care are implemented effectively ([20 U.S.C. §6312\(c\)\(5\)](#)).
 - **Match** the individual named within the **Elementary and Secondary Education Act (ESEA) Consolidated Grant** application within Grants Management Enterprise (GME).

Educational Stability

- **School stability** refers to the overall goal of **maintaining a child or youth's enrollment** and attendance at a school, **regardless** of an initial or change of placement in **foster care**.
- A child or youth's **school of origin** is the school in which a student is **enrolled** and attending when they **enter** foster care or experience a **change** of placement in foster care.
- When a child or youth enters foster care or experience a change of placement in foster care, a **best interest determination (BID)** process must be conducted in coordination by the **LEA Foster Care Point of Contact** at the school of origin and the **child welfare agency** to determine if the child or youth will remain enrolled at the **school of origin** or enroll in a **new school**.

Educational Stability



"Parties to the BID process must presume that remaining in the school of origin is in the student's best interest...", [ED and HHS Joint Non-Regulatory Guidance, 2024](#)

“...ensure the **educational stability** of children in foster care, including assurances that— “(i) any such child enrolls or remains in such child’s **school of origin**, unless a determination is made that it is not in such child’s **best interest** to attend the school of origin, which decision shall be based on all factors relating to the child’s best interest...”

[\(20 U.S.C. § 6311\(g\)\(1\)\(E\)\).](#)

Elementary and Secondary Education Act

Educational Stability



“A **best interest determination (BID)** is a process through which educational agencies and child welfare agencies partner with **important people in a student’s life** to determine whether it is in **a student’s best interest** to remain at their **school of origin** or **change schools** [\(20 U.S.C. § 6311\(g\)\(1\)\(E\)\)](#).”

[Non-Regulatory Guidance on Ensuring Educational Stability for Students in Foster Care, 2024](#)

Elementary and Secondary Education Act

Best Interest Determination



“Parties to the BID process must **presume** that remaining in the **school of origin** is in the student’s **best interest**, unless the BID suggests that attending another school, **including** any **public school** the student has **attended previously**, is in the student’s best interest.”

[Non-Regulatory Guidance on Ensuring Educational Stability for Students in Foster Care, 2024](#)

Elementary and Secondary Education Act

Educational Stability



“Within five days after a child enters foster care or if a child's placement changes, the child, if appropriate, the child's caseworker, the child's parent, guardian, custodian, caregiver or foster parent and representatives from the local education agency or the child's school of origin shall **determine if it is in the child's best interest to remain** in the child's **school of origin.**”

[\(A.R.S. § 8-530.04\(A\)\)](#)

Arizona Revised Statute

Best Interest
Determination





Share Your Knowledge

What should be **considered** in a best interest determination?

Who should be **included**?

Share your
thoughts in
the chat!

Who?

- LEA POC of school of origin attendance is **required**
- CWA POC is **required**
- Teachers, school leaders, coaches, counselors and other individuals actively engaging with the student
- LEA POC of new school attendance is **optional**

What?

- Student and family preference
- Connection to community: staff and peers
- Extracurricular involvement
- Services to meet student's needs
- History of school changes

When?

- In Arizona, the best interest determination must take place within five (5) days of a student's placement in foster care or change in placement.

How?

- "Student-centered and context-specific"
- Presume that remaining in the school of origin is in the student's best interest.
- Children and youth must remain in their school of origin for the duration of the best interest determination process, with transportation, if needed.

Best Interest Determination Process

Each LEA shall...“**collaborate** with child welfare agencies to...**develop and implement** clear written **procedures** governing how **transportation** to maintain children in foster care in their school of origin when in their best interest will be **provided, arranged, and funded** for the **duration** of the time in foster care...”

[\(20 U.S.C. § 6312\(c\)\(5\)\(B\)\)](#)

Elementary and Secondary Education Act

Transportation



“School of origin transportation is transportation to and from the school in which a child in foster care is enrolled at the time the child enters foster care or experiences a change in placement...Students in foster care will **promptly** receive school of origin transportation...that is **age- and developmentally appropriate** [\(20 U.S.C. § 6312\(c\)\(5\)\).](#)”

[Non-Regulatory Guidance on Ensuring Educational Stability for Students in Foster Care, 2024](#)

Elementary and Secondary Education Act

Transportation



“The department and educational agency shall **jointly ensure** that a child receives **transportation** to the educational institution determined to be in the **child's best interest**...and enter into necessary information sharing, data sharing and financial **agreements**.”

[\(A.R.S. § 8-530.04\(C\)\)](#)

Arizona Revised Statute

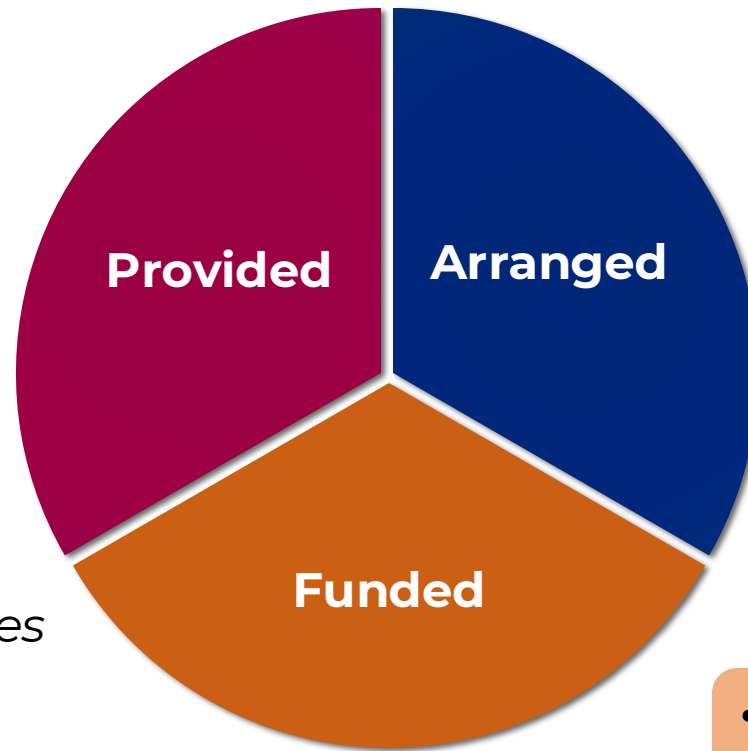
Transportation



School of Origin Transportation Shared Procedures

- Age and developmentally appropriate
- In a variety of modes
- For the duration of time in foster care

Clear, written LEA procedures must be developed in **collaboration** with child welfare agencies.



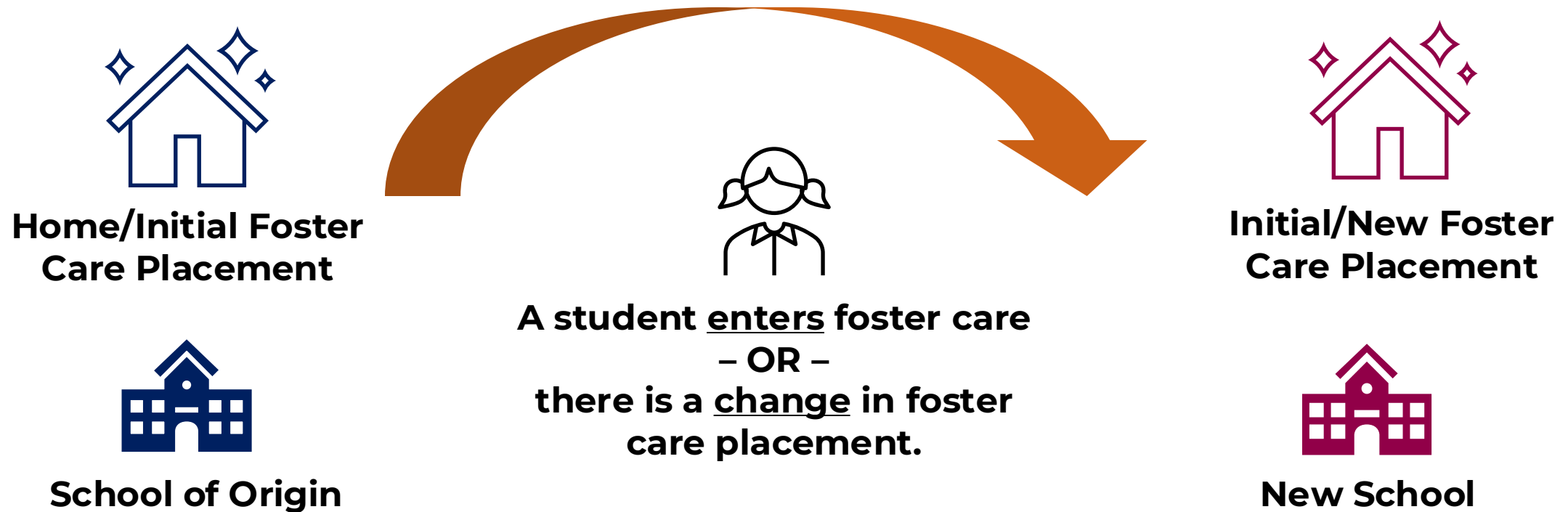
- In coordination with the child welfare agency
- Promptly; within three days of the completion of the BID
- For school, extra-curricular, and summer program attendance
- Across boundary, county, and state lines

- Cost-effective manner
- Additional cost sharing agreement

Funding School of Origin Transportation

- If the **cost** of transporting a student in foster care to their school of origin **exceeds** that which is typically spent on transporting a student to the school, that **additional cost** would be funded by:
 - The child welfare agency;
 - The local education agency; or
 - The child welfare agency **and** the local education agency together.
- Local education agencies may fund the **additional cost** of transportation via:
 - State and local funds provided to the LEA
 - Title I-A Set Aside funding for students in **foster care**

Educational Stability



"Parties to the BID process must presume that remaining in the school of origin is in the student's best interest...", [ED and HHS Joint Non-Regulatory Guidance, 2024](#)

“(ii) when a determination is made that it is **not in such child's best interest to remain in the school of origin**, the child is **immediately enrolled in a new school**, even if the child is unable to produce records normally required for enrollment; (iii) the enrolling school shall **immediately contact** the school last attended by any such child to obtain relevant **academic and other records...**”

[20 U.S.C. § 6311\(g\)\(1\)\(E\)](#)

Elementary and Secondary Education Act

Immediate Enrollment



“Within two days after it is determined that a change of educational placement is in the best interest of the child, the **new educational institution shall enroll the child** and the child's **school of origin shall transfer the child's education records** to the child's new educational institution within two days after notice of the child's change in educational placement.”

[\(A.R.S. § 8-530.04\(B\)\)](#)

Arizona Revised Statute

Immediate Enrollment



Reporting Requirements for Students in Foster Care

- Upon enrollment, students in foster care must be **identified** within each local education agency's **student information system**.
- Local education agencies should also maintain an **internal tracking tool** in order to **validate the accuracy of data** reported to the State education agency as well as to **track information** about students in foster care, such as:
 - Enrollment date
 - Transportation service details
 - Services being provided
 - Case notes
 - Other information that relates to the student's academic success



Action Today's Learning

What **actions** will you take in the **next 30 days** to create greater **access, stability, and opportunity** for students in foster care in your local education agency?

Share your
thoughts in
the chat!

Post-Assessment

Let's Begin!

Post-Assessment

1. True or False? All local education agencies in Arizona must appoint a Local Education Agency Foster Care Point of Contact.
2. The best interest determination process must include...
3. What funding options are available to pay for the excess cost of transportation to the school of origin?
4. When should local education agencies and child welfare agencies initiate collaboration?

Post-Assessment

1. True or False? All local education agencies in Arizona must appoint a Local Education Agency Foster Care Point of Contact.
 - a. *True!*
2. The best interest determination process must:
 - a) *Include the LEA Foster Care Point of Contact for the student's school of origin*
 - b) *Include the child welfare agency point of contact*
 - c) ~~Include the LEA Foster Care Point of Contact for the new school~~
 - d) *Presume that remaining in the school of origin is in the student's best interest*
 - e) ~~Factor in transportation cost and administrative burden~~

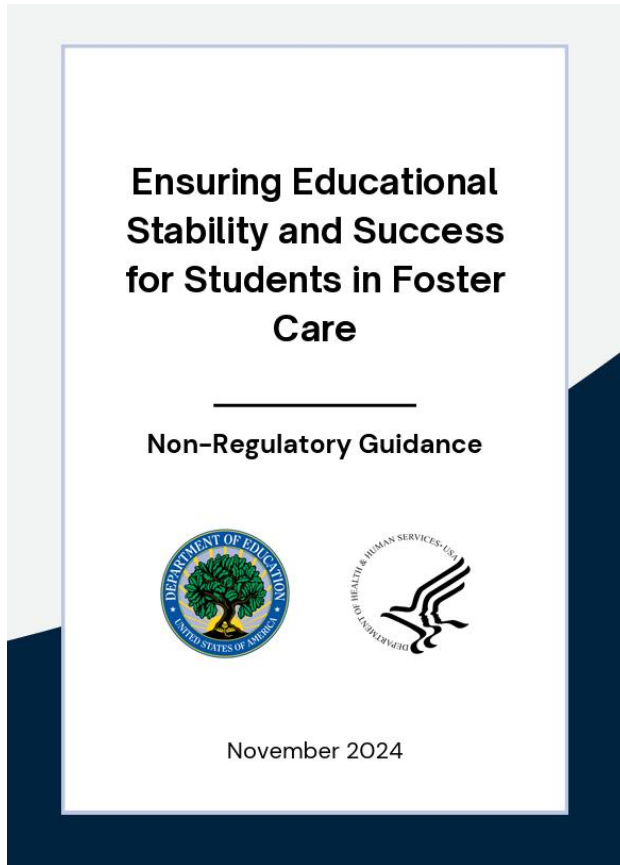
Post-Assessment

3. What funding options are available to pay for the excess cost of transportation to the school of origin?
- a) *Exclusively by the school of origin*
 - b) *Exclusively by the child welfare agency*
 - c) ~~Shared by the school of origin and new school~~
 - d) *Shared by the school of origin and child welfare agency*
4. When should local education agencies and child welfare agencies initiate collaboration?
- a) ~~When a student in foster care needs to enroll~~
 - b) ~~When a student already enrolled enters foster care~~
 - c) ~~When there is an excess cost to provide transportation to the school of origin~~
 - d) *Consistently to develop and maintain procedures to cooperate in best interest determination processes, provide transportation to the school of origin, and support the overall well-being of students in foster care*



Closing & Next Steps

Resources



- [Elementary and Secondary Education Act \(ESEA\) Statute](#)
- [Ensuring Educational Stability and Success for Students in Foster Care – Non-Regulatory Guidance, November 2024](#)
- [Arizona Foster Care Education Program Website](#)
 - Guidance
 - Sample resources and forms
 - Contact Information for Points of Contact
 - Professional learning materials

Contact Information

Arizona Department of Child Services



Contacting the Arizona Department of Child Services (DCS):

- If an LEA Foster Care Point of Contact has questions related to confirming a student's foster care status, DCS Specialist assigned to a student, information about the educational rights holder, education-related questions, or DCS policy, email EducationPOC@azdcs.gov.
- To report concerns about DCS-licensed caregivers, contact the hotline at **1-888-SOS-CHILD (1-888-767-2445)**.
- For urgent issues about students (such as a student is ill, not picked up from school, etc.), contact the foster caregiver, then DCS Specialist. If there is no response, contact the DCS Hotline at **1-888-SOS-CHILD (1-888-767-2445)**.

The DCS-LEA Collaboratives bring **local and state partners** (LEAs, ADE, DCS, etc.) together to **share updates, emerging trends, successes, and challenges** related to the successful implementation of the Every Student Succeeds Act (ESSA). It also provides opportunities to leverage the **collective expertise** of the group to **discuss possible solutions, strategies, and best practices**. In these events, topics discussed include:

- Primary roles and responsibilities of the LEA Foster Care Point of Contact
- Understanding when a BID is needed
- Identifying and avoiding/navigating barriers to timely completion of the BID process
- Identifying and avoiding/navigating barriers to “immediate enrollment”
- How to be a “good” collaborator in creating transportation plans to support school stability
- Understanding the opportunities LEAs have in contributing to transportation

If you are interested in joining, email EducationPOC@azdcs.gov with a request that includes the county you serve.

***Opportunity
to
Collaborate!***

**DCS-LEA
Collaboratives**



Upcoming Professional Learning Sessions

Visit the [Arizona Foster Care Education Program webpage](#) to register for upcoming professional learning events!

Educational Stability for Students in Foster Care Through the Best Interest Determination (BID)

This professional learning session provides local education agency (LEA) Foster Care Points of Contact and other LEA personnel with an in-depth analysis of the best interest determination (BID) process.

- **Date: Thursday, October 8th, 2026**
- **Time: 10:00am – 11:30am**
- **[Register here!](#)**

Transportation for Students in Foster Care

This professional learning session provides local education agency (LEA) Foster Care Points of Contact and other LEA personnel with an in-depth analysis of requirements to provide transportation to the school of origin for students in foster care.

- **Date: Thursday, November 19th, 2026**
- **Time: 10:00am – 11:30am**
- **[Register here!](#)**

Feedback Survey & Certificates

Feedback Survey

- Will only populate once you click **“Leave Meeting”**
- Must complete to receive a professional learning certificate of participation

Recording and Presentation Materials

- Shared to all registrants after the session
- Posted on the Arizona Foster Care Education Program webpage



Thank you!

Arizona Foster Care Education Program

FosterCare@azed.gov