



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING

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STATE SUPERINTENDENT

**MEMORANDUM**

**DATE:** August 25, 2016

**TO:** Local and Intermediate School District Superintendents  
Public School Academy Directors

**FROM:** Venessa A. Keesler, Ph.D. *V. Keesler*  
Deputy Superintendent, Educator, Student and School Supports

**SUBJECT:** ESSA Foster Care Provisions

This communication serves to outline new requirements and timeframes regarding the foster care provisions of the Every Student Succeeds Act of 2015 (ESSA). ESSA places new requirements on the education system to ensure children/youth in foster care have school stability and access to services comparable to other students. In addition, ESSA mandates the collaboration among education institutions and the child welfare system, includes changes to the McKinney-Vento Homeless Education Act, and puts the responsibility of cost of transportation on the child welfare agency. Please see the [joint guidance](#) from the United States Department of Health and Human Services (US DHHS) and United States Education Department (USED).

Please review the following requirements and deadlines for ESSA.

ESSA requires every Local Education Agency (LEA) to identify a point-of-contact (POC) to serve as a Foster Care Liaison, to work with the local Department of Health and Human Services (DHHS). **As of July 11, 2016**, each county has identified an [Education POC](#). This person will:

- Receive specialized training to learn about education law, policy, and procedures.
- Share information learned with staff in their local Michigan DHHS offices and private agencies. This will include procedures for payment of transportation.

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- Serve as the main POC for the LEA Foster Care Liaison.
- Connect education staff with assigned foster care case workers when needed, either from MDHHS or a private agency.

**As of September 6, 2016**, or the start of the 2016-2017 school year, LEAs must identify a Foster Care Liaison. LEAs are required to register their selected Foster Care Liaison in the online Educational Entity Master (EEM), just as Homeless Education Liaisons are registered. We have included [instructions](#) on how to register the Foster Care Liaison for your convenience.

Training and technical assistance will be provided to LEA staff, M-V homeless education liaisons, foster care liaisons, Title I Directors, and pupil accounting staff in the fall of 2016 by the Michigan Department of Education's Office of Field Services.

**As of December 10, 2016:**

- The term "awaiting foster care placement" will be removed from McKinney-Vento (M-V) law. This means students in foster care will no longer be considered "homeless."
- This change will mean the cost of transporting a student to the school of origin will no longer be paid by the LEA for the first six months of a new home placement.
- MDHHS will have full responsibility for the cost of education transportation when it is determined the child will remain in their school of origin.
- Best interest determinations and school transportation arrangements will be coordinated by the LEA Foster Care Liaison.

The MDHHS Education POC has had training regarding these changes and is responsible for assisting education staff in locating the right caseworker within MDHHS. It is ultimately the assigned case worker's responsibility to complete all tasks regarding school placement and transportation. Foster care and education staff work to serve the best interest of the students, regarding school placement. However, when the LEA is selected by MDHHS or a child placement agency, the LEA must enroll that student immediately, or within five (5) business days.

**Until December 10, 2016**, transportation is to continue to be the responsibility of the LEA if the student is found to be M-V eligible. Foster youth identified as eligible from September 1, 2016 through December 9, 2016 will continue to be eligible for other services under the M-V law until the end of the school year. This may include tutoring or school supplies. If a foster child currently has a transportation plan in place, the LEAs will need to work with foster care case workers and EPOCs to transfer payment responsibility to MDHHS in December 2016. Further detailed instructions will be released prior to the December deadline.

If you have additional questions or concerns, please contact LaTrese Royal, MDE-OFS Special Populations Unit, 517-373-7307.

cc: Michigan Education Alliance