



STATE OF IOWA

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DEPARTMENT OF EDUCATION
RYAN M. WISE, DIRECTOR

DATE: December 12, 2016

TO: Superintendents

FROM: David Tilly, Deputy Director, Iowa Department of Education
Wendy Rickman, Division Administrator, Adult Children and Family Services,
Iowa Department of Human Services

RE: Foster Care Provisions of ESSA, Effective on December 10, 2016
Sample Agreement Implementing Relevant ESSA Provisions

The Every Student Succeeds Act (ESSA) has important language about the education of children in foster care, which became effective on Saturday, December 10, 2016. Many of ESSA's foster care provisions are parallel to requirements contained in a 2008 federal statute referred to as Fostering Connections. ESSA, like Fostering Connections, requires each school district to collaborate with the Department of Human Services to ensure that students who are placed in foster care (or whose foster care placement changes) remain in their school of origin unless their best interest requires otherwise and ensure that students in care who change schools have "immediate and appropriate enrollment" in their new school. ESSA now also requires each district and the Department of Human Services to have clear written procedures regarding transportation of children in care to their school of origin.

As an initial way to implement these provisions, the Department of Education has collaborated with the Department of Human Services to draft the attached agreement. This sample agreement addresses school stability for children in foster care, best interest determinations, immediate and appropriate enrollment, excess cost of transportation, and dispute resolution. The purpose of using an interagency agreement, rather than using a school board policy, is that ESSA and Fostering Connections require resource commitments and coordination by both the school district and by the Department of Human Services.

The Department of Education will deem this agreement adopted by each school district as of December 10, 2016. Each school district will be considered to be in compliance with ESSA's requirements. During the rest of the 2016-2017 school year as well as subsequent school years, the Departments of Education and Human Services will provide technical assistance, coaching, and problem-solving. The two Departments will also look at opportunities and challenges to implementation and whether policy changes are required. During the 2017-2018 school year and subsequent school years, the Department of Education will monitor compliance with these ESSA provisions, which may include checking for ESSA compliance in the differentiated accountability desk audit.

No local school board action is required at this time; however, if a school district wishes to negotiate additional terms as part of its collaboration with the Department of Human Services (because of additional local resources, for example), it may suggest those additions to the Department of Human Services. A school district will not be able to agree to remove provisions from the sample agreement.

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For more information on this sample agreement or ESSA's requirements, please contact the following state points of contact: Steve Crew for the Department of Education (steve.crew@iowa.gov or 515-326-1029) or Doug Wolfe for the Department of Human Services (dwolfe@dhs.state.ia.us or 515-242-5452).

cc: DHS Service Area Managers