

**DIVISION OF CHILDREN AND FAMILY SERVICES  
ADMINISTRATIVE MEMO #5-2012**

To: All Children and Family Services Staff

From: Christine M. Hanus, Child Welfare Administrator  
Division of Children and Family Services

Approved by: Scot L. Adams, Ph.D., Interim Director  
Division of Children and Family Services  
Department of Health and Human Services

Date: January 30, 2012

RE: Educational Stability for Children in Foster Care

Effective: Immediately

Duration: Until revised regulation is issued.

Contact: Sara Goscha at (402) 471-9333 or sara.goscha@nebraska.gov.



Purpose: The purpose of this memo is to clarify requirements under the Child and Family Services Improvement and Innovation Act regarding assuring educational stability for children in out of home care.

History: The Federal Fostering Connections Act of 2008 included requirements related to assure educational stability for children in out of home care. These requirements are addressed in Administrative Memo #7-2010. The Federal Child and Family Services Improvement and Innovation Act (Public Law 112-34) was signed into law on September 30, 2011. This law expands those requirements.

Changes in Federal Statute:

1. For each placement, assuring the educational stability of the child in out-of-home care shall take into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement. (The prior language in Fostering Connections required this consideration only at the time of the child's initial placement into out-of-home care);
2. For each placement, assuring educational stability of the child shall include coordination with the appropriate local education agencies to ensure that the child remains in the school in which the child is enrolled at the time of each placement, or, if remaining in such school is not in the best interests of the child, provision of immediate and appropriate enrollment in a new school, with all of the educational records of the child provided to the school. (The prior language in Fostering Connections required this action only at the time of the child's initial placement.)

Required Action: In addition to existing regulations and policies regarding school placement, as referenced in Administrative Memo #7-2010, the considerations and actions described in #1 and #2 must be carried out. These considerations and actions shall be documented in the narrative on N-FOCUS.