

The background of the slide is a faded photograph of a classroom. A female teacher with short dark hair and glasses is sitting on the floor, reading a book to a group of young students. The students are also sitting on the floor, looking at the book. In the background, there are bookshelves filled with books and blue storage bins.

Foster Care & Student Success: PEIMS Presentation

**Wednesday, March 22, 2023
1:30pm-2:00pm**



We equip school systems
to increase awareness,
promote equitable access,
and improve outcomes
for all special populations.



Highly Mobile and At-Risk Student Programs Division

Military
Connected
Students

Homeless
Children &
Youth

Child
Abuse &
Neglect

Pregnancy
Related
Services

Foster
Care &
Student
Success

Highly Mobile and At-Risk Student Programs Division



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At-Risk State Coordinator

Highly Mobile and At-Risk Student Programs

Phone: 512-936-6208

Email: LaTrenda.Watson@tea.texas.gov

A photograph of two students sitting at a wooden table, engaged in a learning activity. They are both using tablets. The student on the left is holding a tablet displaying a grid-based game or application. The student on the right is holding a tablet displaying a document or application. On the table, there are several boxes of colorful manipulatives, including a box labeled "BLOCKS" and another labeled "CUBES". The student on the right is wearing a black Adidas sweatshirt and glasses. The overall scene suggests a collaborative learning environment.

Foster Care & Student Success Updates

Foster Care and Student Success Resource Guide

FOSTER CARE & STUDENT SUCCESS:



TEXAS SYSTEMS WORKING TOGETHER TO
TRANSFORM EDUCATION OUTCOMES OF
STUDENTS IN FOSTER CARE



Related Information:

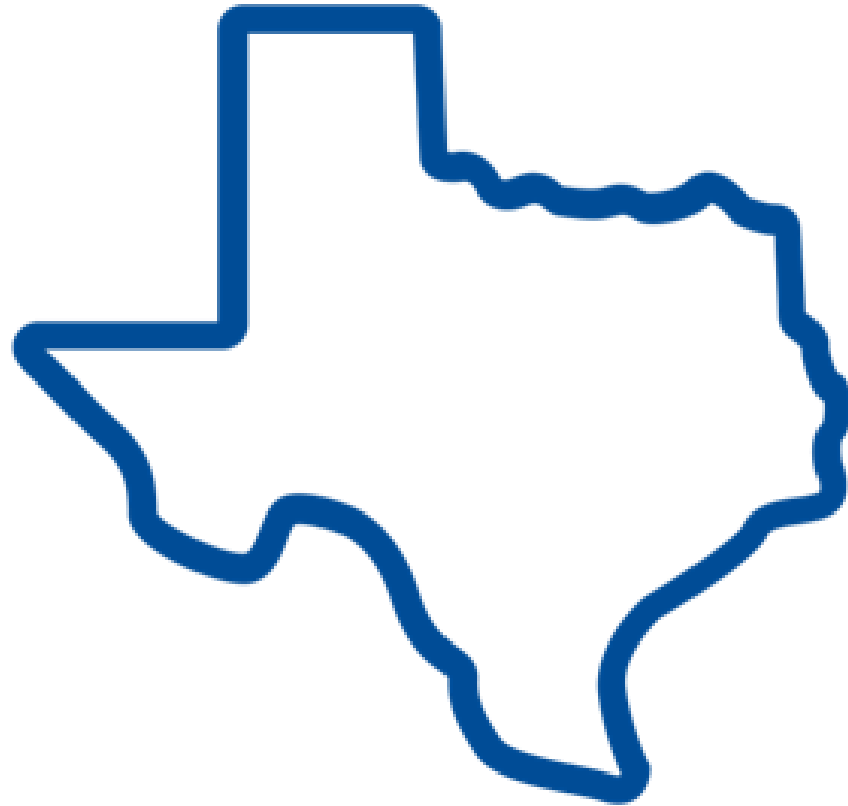
- **Chapter 5** – Foster Care Liaisons (pg. 58)
- **Chapter 6** – Enrollment & Withdrawal (pg. 66)
 - **Chapter 7** – Identifying Students & Maintaining Confidentiality (pg. 79-84)
- Appendix E (163) & F (164), FAQ (169)



<https://tea.texas.gov/foster-care-guide>



Foster Care Identification



Total Foster Care Students:

14,183

2021-2022 PEIMS Data

28,753

in DFPS Conservatorship
5-18 years of age

Under Identified

Source: Texas Education Agency, PEIMS Standard Report Data 2021-2022

Source: [DFPS Data Book](#)- Children in DFPS Conservatorship in Fiscal Year 2021

Identification Process



District Process



Communication from District Foster Care Liaison to campus registrars



Immediate Enrollment



Foster Care Champions on each campus



Nutrition Benefits

Foster Care PEIMS Table

Code Table Id	Name	XML Name	Date Issued	Date Updated
C196	FOSTER-CARE-TYPE-CODE	TX-FosterCareIndicatorType	08/01/2013	9/1/2021
Code	Translation			
0	Student is not currently in the conservatorship of the Department of Family and Protective Services			
1	Student is currently in the conservatorship of the Department of Family and Protective Services			
2	Pre-kindergarten student was previously in the conservatorship of the Department of Family and Protective Services following an adversary hearing held as provided by Section 262.201, Family Code.			
3	Pre-kindergarten student is or ever has been in foster care in another state or territory, if the child resides in this state (Texas). TEC, §29.153(b).			

- All students who were formerly or currently in DFPS managing conservatorship are eligible for free pre-k in Texas:
- (Currently) - DFPS foster/kinship placement authorization form (2085)
- (Formerly) - Pre-K verification letter provided by DFPS (letter can be requested by sending the child's full name and date of birth to): Prekverificationltrs@dfps.texas.gov)
- For more information see [TEA Foster Care FAQ](#) #4 & #5

Foster Care Frequently Asked Questions (FAQ)



Highly Mobile and At-Risk Student Programs Division

PEIMS Coding

1. When a student leaves foster care, do they remain coded for the year?

A student should remain coded for the entire year, regardless of whether the student is no longer in foster care due to reunification with parents, an adoption, or another outcome.

The Foster Care Indicator code does not carry over from year to year. A student's time in Texas Department of Family & Protective Services (DFPS) Managing Conservatorship is temporary. The student must be re-identified in PEIMS at the beginning of each school year.

2. Are foster care students also coded as "at-risk" under [TEC 29.081](#)?

Yes. Students enrolled with documentation that indicates they are currently in foster care must be coded with PEIMS at-risk indicator code #11.

Students in foster care may also meet other criteria for the at-risk indicators. These should be considered separately from a student's foster care status. If a student leaves foster care, they may continue to be coded as at-risk under other qualifying criteria.

In some circumstances, students in or formerly in foster care should be coded with PEIMS at-risk indicator code #13 under [TEC 29.081\(d\)\(13\)](#). By definition alone, students in or formerly in foster care do not meet the state criteria for indicator code #13.

For more information visit, [TEA Compensatory Education FAQ](#).

3. How do I code a student who is from another state's foster care system?

If the student is not in DFPS Managing Conservatorship, they are not flagged for foster care status in PEIMS; however, they are eligible for school nutrition and Every Student Succeeds Act (ESSA) benefits (see the ["Other" Section](#) of this FAQ).¹ We encourage foster care liaisons and local educational agencies (LEAs) to look out for students in these scenarios and support them, even though they are not captured in PEIMS.

4. Can students in foster care also be coded as homeless?

Students who are awaiting foster care placement are not eligible to be identified as homeless.

However, there are scenarios when a student in foster care is living in a setting that meets the definition of homeless under McKinney-Vento. For example, a Child With Out Placement, also known as CWOP, is living in a setting that meets the McKinney-Vento definition of homeless. In these settings,

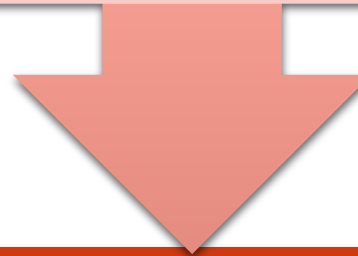
¹ Although TEC only requires PEIMS reporting of students who are in DFPS Managing Conservatorship, students in the managing conservatorship of another state should receive the same benefits as students in DFPS.

Documentation needed for Foster Care PEIMS Identification

DFPS Placement
Authorization Form
2085

DFPS Designated
Education Decision-
Maker Form 2085-E

Court Order



2085 Series:
Foster Care/Residential Care - 2085 FC
Kinship or Other Non-Foster Caregiver - 2085 KO
Legal Risk - 2085 LR

APPENDIX E: PLACEMENT AUTHORIZATION FORM 2085 - SAMPLE FORMS

Below are screen-shots of two different varieties of Placement Authorization Forms. Either of these could be provided by the caregiver at enrollment.

2085 KO - PLACEMENT AUTHORIZATION KINSHIP OR OTHER NON-FOSTER CAREGIVER

Form K-908-2085KO
Revised April 2020

PLACEMENT AUTHORIZATION – KINSHIP OR OTHER NON-FOSTER CAREGIVER

Purpose: Use this form to authorize placement in a regular kinship placement.

Directions: To complete this form, see 2085K0ins. After completing this form mark each box to indicate that information has been reviewed with the caregiver. Obtain signatures and give the original to the caregiver and maintain a copy in the case record. Contact your supervisor for issues regarding use of this form with regular kinship placements.

CHILD'S INFORMATION			
The Texas Department of Family and Protective Services (DFPS) has managing conservator of:			
Child's Name:	Person ID:	Medicaid No.	Date of Birth:
Legal County:	Court No.:	Cause No.:	Date of Placement:
Ethnicity:	Race:		
<input type="checkbox"/> Hispanic <input type="checkbox"/> Other	<input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Asian <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Native Hawaiian/Pacific Islander <input type="checkbox"/> Unable to Determine		

CAREGIVER INFORMATION	
Caregiver's Name:	Relationship to child. Select all that apply:
	<input type="checkbox"/> Relative <input type="checkbox"/> Temporary Possessory Conservator <input type="checkbox"/> Other:

2085 FC - PLACEMENT AUTHORIZATION FOSTER CARE/RESIDENTIAL CARE:

Form K-910-2085FC
Revised April 2020

PLACEMENT AUTHORIZATION FOSTER CARE/RESIDENTIAL CARE

Purpose: Use this form to authorize placement in a foster care setting.

Directions: To complete this form, see 2085FCins. After completing this form and obtaining signatures, give the original to the caregiver and file a copy in the case record. Contact your supervisor for issues regarding use of this form with foster care placements.

This form and other documentation frequently refers to "DFPS Caseworkers". References to "DFPS Caseworkers" refers to employees of the Department of Family and Protective Services or employees of a Single Source Continuum Contractor (SSCC). The SSCC acts as an authorized agent of DFPS pursuant to Texas Family Code Chapter 264 Subchapter B-1. The SSCC has the same authority as DFPS regarding case management duties and associated responsibilities.

The Single Source Continuum Contract (SSCC) is _____.

CHILD'S INFORMATION			
The Texas Department of Family and Protective Services (DFPS) has managing conservator of:			
Child's Name:	Person ID:	Medicaid No.	Date of Birth:
Legal County:	Court No.:	Cause No.:	Date of Placement:

APPENDIX F: DESIGNATION OF EDUCATION DECISION-MAKER (2085-E)

Below is a screenshot of the front and back pages Education Decision-Maker form E-2085 that is required to be provided to the school for all students in DFPS managing Conservatorship.

Form E-908-2085-E
Revised September 2015

DESIGNATION OF EDUCATION DECISION-MAKER
CHILD PROTECTIVE SERVICES (CPS) - PERMANENCY

Purpose: DFPS must ensure that this form is provided to the court and the child's school under Texas Family Code §261.108 within five days of the Adversary Hearing. DFPS must inform the court of any changes to the Education Decision-Maker or Surrogate Parent, if applicable, in the next anniversary hearing report. DFPS must provide the updated information to the school no later than five days after any changes in the Education Decision-Maker or Surrogate Parent, if applicable.

Directions: To complete this form, fill in all applicable fields. For additional questions, contact your Regional Education Specialist. DFPS staff may not assign a surrogate parent. DFPS staff may only list the name of the surrogate parent appointed to the court or the school.

SECTION 1: AUTHORITY TO MAKE EDUCATION DECISIONS

The Texas Department of Family and Protective Services (DFPS) is authorized by court order as provided in the Texas Family Code §261.108 to make education decisions on behalf of the following child currently in the conservatorship of DFPS:

Child's Full Name: _____ Child's DOB (MM/DD/YYYY): _____ Child's Medicaid Number: _____

Date of Birth: _____ County: _____ Court Number: _____ Cause Number: _____

DFPS delegates to the following individual(s) the right to exercise the rights and responsibilities as outlined by the Education Decision-Making guidelines on behalf of the child as described in this form. Make a representative of DFPS sign as representative and on behalf of the Education Decision-Maker.

Representative's Name: _____ Date of Designation: _____

Representative's Email: _____ Telephone Number(s): _____

Representative's Address: _____ Date of Designation: _____

Surrogate Education Decision-Maker (for special education decisions): _____ Designated by: _____

Date of Designation: _____ Court: _____

Surrogate's Email: _____ Telephone Number(s): _____

SECTION 2: SPECIAL EDUCATION RIGHTS AND RESPONSIBILITIES – IF APPLICABLE

Federal and state law authorize the individual who is acting in the role of the child's parent or who is appointed by the court or the court to be the "surrogate parent" for the child to exercise the rights and responsibilities as outlined by the Individuals with Disabilities Education Act and state law and rule. The individual is usually the foster parent or daily caregiver, but may be a Court Appointed Special Advocate or other individual with knowledge of the child. In some cases the biological parent may retain the right to make certain special education decisions.

The law does not allow a DFPS staff person, school district staff, or anyone employed to provide care or treatment for the child to act as the parent or surrogate for special education decision-making. A foster parent is not considered a person employed to provide care for the child.

At age 18, the rights of the parent to make education decisions are transferred to the child, except for the child with a disability who has been determined to be incapacitated under state law.

Form E-908-2085-E
Revised September 2015

SECTION 3: ACKNOWLEDGMENT, AGREEMENT, AND SIGNATURES

As the Education Decision-Maker, I acknowledge and agree that:

- I have no professional interests that conflict with the interest of the child I represent.
- I will comply with the Education Decision-Maker Rights and Responsibilities as described in SECTION 2.
- I understand that failure to cooperate with DFPS may be the basis for revoking this designation.

Education Decision-Maker signature:	Date Signed:
Backup Signature:	Date Signed:
DFPS Caseworker (print name):	Phone Number: Alternate Phone Number:
Email Address:	
DFPS Supervisor (print name):	Phone Number: Alternate Phone Number:
Email Address:	
Child's daily caregiver or facility staff (if different from Education Decision-Maker) (print name):	Phone Number: Alternate Phone Number:
Email Address:	

Reminders for Students in Foster Care



**Foster Care
Liaison
Appointed**

**Identification &
Documentation
(2085 & 2085E)**

**Immediate
Enrollment**

**School
Nutrition
Benefits**

**Provide
Training to
Staff**

**Collaborate
w/Child
Welfare**



Toolkit

STUDENT WELCOME PACKET REQUIREMENTS AND BEST PRACTICES

TAC § 89.1605

Local Educational Agencies (LEAs) must provide welcome packets to students who are homeless or in foster care within the first two weeks of enrollment. LEAs may include the required welcome packet contents with any existing items being provided to new students.

WELCOME PACKET REQUIRED ITEMS:

- Extracurricular activities (e.g., fine arts, athletics, etc.)
- Club activities
- Information on fee waivers
- Tutoring opportunities
- Student code of conduct
- Contact information for pertinent school staff

- Contact information for pertinent school staff:
 - Counselors
 - Nurses
 - Social workers
 - Foster Care Liaison
 - McKinney-Vento Liaison
 - Principal & assistance principals
 - Additional support staff (e.g., special education, EL contact, G/T contact, 504 programs, PRS.)

ADDITIONAL FOSTER CARE AND MCKINNEY-VENTO ITEMS:

- Student clubs
- After school programs
- Enrichment programs
- Mentor programs
- Family engagement opportunities
- Student ambassador programs
- Post-secondary planning activities
- Summer and holiday resources
- Other community resources available in your area (e.g., FindHelp.org)

ENROLLMENT CONFERENCE 101

TAC § 89.1605

Local Education Agencies must convene an enrollment conference with a student who is homeless or in foster care within the first two weeks of enrollment at a new school or within the first two weeks after the student is identified as homeless or in foster care when enrolling at a new school. The student's participation in the meeting should be addressed on a case-by-case basis. The convening cannot delay or impede enrollment.

The enrollment conference may be used in conjunction with an existing meeting that is designed for a similar purpose for newly enrolling students.

An **Enrollment Conference** is a student-centered meeting for a newly enrolled student designed to:

- Identify academic and extracurricular interests.
- Introduce school processes and opportunities for engagement.
- Develop course and instructional strategies.
- Review credits and assessment information.
- Determine social-emotional support.
- Communicate confidential information that may impact a student's success, if needed.

KEY PEOPLE TO CONSIDER INCLUDING:

- School Administrators
- Foster Care Liaisons
- McKinney-Vento Liaisons
- Counselors

OTHERS TO INCLUDE:

LEA AND CAMPUS STAFF

- Special Program Staff (e.g., Special Education, English Learner, Gifted and Talented, etc.)
- Teachers
- Social Workers
- Dropout Prevention Specialist
- Attendance/Trajectory Officer

COMMUNITY SUPPORT

- Parent or Guardian
- Relative or Foster Placement Caregiver
- Case Manager
- DFPS Educational Decision Maker
- CASA Volunteer


KEY DISCUSSION TOPICS:


- Student's interests, strengths, and previous successes
- Student's attendance, grades, credits, etc.
- Social, emotional, and behavioral supports
- LEA policies to support enrollment and withdrawal processes
- Communication preferences of parent/guardians or unaccompanied youth
- Post-secondary readiness

*Additional people may be invited, as needed.
**Discussion topics are required in TAC § 89.1605 and should be adapted to meet the unique needs of each student.


School of Origin Determinations for Students in Foster Care

A student is entitled to remain at their **school of origin** unless it is not in the student's best interest.




 **What is a school of origin?**

- » The school where the student was enrolled **prior to** entering foster care* OR
- » The school where the student was enrolled **when** a student changes placement while in foster care.

 **What timelines apply?**

- » State law entitles a student to continue to attend the school of origin until **graduation or completion of the highest grade offered at the school** unless it is not in the student's best interest.

 **Who determines best interest?**


- » DFPS/SSCC** **collaborates** with the school district and the student to make the best interest determination. DFPS/SSCC are responsible for final school of origin decisions.
- » Factors may include safety; student preference; academic, social, and emotional needs; and distance to the school. For additional information on best interest determination, see the [Foster Care and Student Success Guide](#) and [TASB Policy](#).


Example Scenarios:

- ▶ **Example A:** Jerry attends School A. Jerry enters foster care and is placed in a foster home in the attendance area for School B. School A is Jerry's school of origin and he is entitled to continue to attend School A unless it is not in his best interest.
- ▶ **Example B:** Jenny attends School A. Jenny enters foster care and is placed in a kinship home in the attendance area for School B. It is determined that attending School A is not in Jenny's best interest. Jenny must be immediately enrolled in School B even if records cannot be produced immediately.
- ▶ **Example C:** During the school year, Dan is adopted and leaves foster care while attending School A. His adoptive parents move to the attendance area for School B. Dan is entitled to continue to attend School A until he attains the highest grade offered in the school even though he is no longer in foster care.
- ▶ **Example D:** Nina continues to attend School A after she enters foster care. Nina enrolls in School B when she returns to her parents, who later moved to the attendance area for School C. Under TEC § 25.001(g), Nina can attend School A or, under TEC § 25.001(g-1), Nina can attend School B. Nina can also attend School C because she resides in the school's attendance area.


For more information, see [TEA's Foster Care and Student Success Website](#)

Legal citations: 20 U.S.C. § 6312(c)(5), 42 U.S.C. § 675(1)(G); Tex. Educ. Code § 25.001(g)-(g-1).
 For situations when a student in DFPS conservatorship may be considered homeless, see [Chapter 6 of the Foster Care and Student Success Guide](#).
 *Foster care is a term used to describe when a child is placed outside the home with a relative, kinship, foster home, or residential placement.
 **Department of Family and Protective Services (DFPS) is appointed the managing conservator if a court decides it is unsafe for a child to remain in the home. In regions with Community-Based Care, a Single Source Continuum Contractor (SSCC) performs the duties of DFPS.






TEXAS
Department
of Family and
Protective Services



TASB



Children's
Commission

■ Link for School of Origin Determination



Next Steps for Foster Care



- Know your district & campus procedures for Foster Care Identification
- Ensure proper documentation is obtained for PEIMS code identification
- Consider your frequency of Foster Care Trainings during the year
- Maintain district foster care data

Upcoming Trainings

Foster Care & Student Success Guide

**Chapter
13**

**Mar. 30,
2023**

The sessions will be from 10:00 – 11:30 a.m. CST
Register on the [Foster Care Website](#)

Questions



- If you have further questions or concerns, please email: fostercareliaison@tea.texas.gov