



FOSTERING CONNECTIONS TO SUCCESS & INCREASING ADOPTIONS ACT OF 2008

The Fostering Connections to Success and Increasing Adoptions Act (“Fostering Connections Act” or “the Act”), the most comprehensive child welfare legislation in more than a decade, became law in October 2008. This federal law includes mandates and opportunities for states to improve educational and health outcomes for children in foster care and to promote permanency through relative custody and adoption. Since its passage, the Virginia Department of Social Services, the Department of Medical Assistance Services (Medicaid Agency), and the Department of Education have been collaborating to implement the Act.

EDUCATIONAL PROVISIONS:

Modeled on the federal McKinney-Vento Homeless Education Act (“McKinney-Vento”), the educational provisions of the Fostering Connections Act aim to provide educational stability for children in foster care. The Act provides a presumption that it is in the best interest of children in foster care to remain in the school they were currently attending upon coming into care, regardless of where their home placement might be located, in order to provide continuity of instruction and minimize disruption during what is already a chaotic time for the child. This school is often referred to as the “school of origin” for the child, and if determined to be in the child’s best interest, must continue to serve the child, tuition-free.

When a child comes into care, the Act requires that a joint determination be made between the local department of social services and the local education agency as to whether the school of origin is, in fact, in the best school placement. If it is determined, however, that the school where the child’s foster care placement is located is in the child’s best interest, the Act provides a tight timeline during which the child must be enrolled and provided with full instruction and access to programming, even if all of his enrollment

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materials are not immediately available. The Act also ensures that the child's school records are transferred expediently to any new school he might attend while in care.

From 2009-2012, Virginia's Departments of Social Services and Education convened a workgroup to develop implementation standards, practices and training modules for the implementation of these federal education protections for children in care. Voices participated greatly in this effort, and helped to craft the guidance that would be released jointly by the two departments to guide localities on the law. [The final version of this guidance was released in October 2012, and can be found here.](#)