## **ENDNOTES**

- ¹ van Wingerden, Emerson, & Ichikawa (2002), "Education Issue Brief: Improving Special Education for Children with Disabilities in Foster Care," Casey Family Programs, p. 6. Retrieved from <a href="https://www.ga-score.com/documents/ImprovingSpecialEducationforChildren.pdf">https://www.ga-score.com/documents/ImprovingSpecialEducationforChildren.pdf</a>.
- <sup>2</sup> U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau (2019, August), The Adoption and Foster Care Analysis and Reporting System (AFCARS) Report - no. 1926, pp. 1-3. Retrieved from <a href="https://www.acf.hhs.gov/cb/research-da-ta-technology/statistics-research/afcars">https://www.acf.hhs.gov/cb/research-da-ta-technology/statistics-research/afcars</a>.
- <sup>3</sup> The working group partners included: American Bar Association Center on Children and the Law, American Public Human Services Association, National Association of Public Child Welfare Administrators, Annie E. Casey
- <sup>4</sup> National Working Group on Foster Care and Education (2018, April), "Education Is the Lifeline for Youth in Foster Care," pp. 2–5 Fostering Success in Education: National Factsheet on the Education Outcomes of Children in Foster Care. Retrieved from <a href="https://www.fostercareandeducation.org/OurWork/NationalWorkingGroup.aspx">https://www.fostercareandeducation.org/OurWork/NationalWorkingGroup.aspx</a>.
- <sup>5</sup> The Road to College: Texas Foster Youth & Post-Secondary Education. (2018). Available online at <a href="http://texaschildrenscommission.gov/media/83924/texas-foster-youth-higher-ed\_finalweb.pdf">http://texaschildrenscommission.gov/media/83924/texas-foster-youth-higher-ed\_finalweb.pdf</a>.
- <sup>6</sup> Chapin Hall at the University of Chicago: Midwest Evaluation of the Adult Functioning of Former Foster Youth Courtney et al. (2011), pp. 12, 28, 39. <a href="https://www.chapinhall.org/wp-content/uploads/Midwest-Eval-Outcomes-at-Age-26.pdf">https://www.chapinhall.org/wp-content/uploads/Midwest-Eval-Outcomes-at-Age-26.pdf</a>.
- National Working Group on Foster Care and Education (2011), p. 1. https://www.fostercareandeducation.org/OurWork/NationalWorkingGroup.aspx.
- <sup>8</sup> Pecora et al (2003, December 10), Assessing the Effects of Foster Care: Early Results from the Casey National Alumni Study, p. 43. Retrieved from <a href="https://www.casey.org/media/AlumniStudy\_US\_Report\_Full.pdf">https://www.casey.org/media/AlumniStudy\_US\_Report\_Full.pdf</a>.
- <sup>9</sup> (Pears, Kim, Buchanan, Fisher (2015, April 23), Adverse Consequences of School Mobility for Children in Foster Care: A Prospective Longitudinal Study. Retrieved from <a href="https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4618793/">https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4618793/</a>
- <sup>10</sup> Public Law 110-351, (Fostering Connections)
- 11 These counts are based 2018-19 PEIMS attendance (3rd submission) data available at <a href="https://rptsvr1.tea.texas.gov/adhocrpt/adser.html">https://rptsvr1.tea.texas.gov/adhocrpt/adser.html</a>.
- <sup>12</sup> These counts are based 2018-19 PEIMS attendance (3rd submission) data available at <a href="https://tea.texas.gov/reports-and-data/stu-dent-data/discipline-data-products/discipline-data-products-over-view">https://tea.texas.gov/reports-and-data/stu-dent-data/discipline-data-products-over-view</a>.
- <sup>13</sup> Texas Department of Family and Protective Services. "CPS 2.4 Children In Legal Responsibility On August 31 By Region With Demographics FY2010-2019." (June, 2020). <a href="https://data.texas.gov/Social-Services/CPS-2-4-Children-In-Legal-Responsibility-On-August/arrp-6dmq">https://data.texas.gov/Social-Services/CPS-2-4-Children-In-Legal-Responsibility-On-August/arrp-6dmq</a>
- <sup>14</sup> Texas Department of Family and Protective Services. "CPS 2.8 Exits from DFPS Custody by Exit Type, Avg # Placements, and Avg Months in Care FY2010-2019." (June, 2020). <a href="https://data.texas.gov/Social-Services/CPS-2-8-Exits-from-DFPS-Custody-by-Exit-Type-Avg-P/k3di-36u5">https://data.texas.gov/Social-Services/CPS-2-8-Exits-from-DFPS-Custody-by-Exit-Type-Avg-P/k3di-36u5</a>
- <sup>15</sup> "Home county" is defined as the county the child lived in prior to entering foster care.
- <sup>16</sup> Texas Department of Family and Protective Services. "CPS 3.3 Children in Foster Care on August 31- Proximity to Home County FY2010-2019." (June, 2020). <a href="https://data.texas.gov/dataset/CPS-2-8-Exits-from-DFPS-Custody-by-Exit-Type-Avg-P/k3di-36u5">https://data.texas.gov/dataset/CPS-2-8-Exits-from-DFPS-Custody-by-Exit-Type-Avg-P/k3di-36u5</a>

- <sup>17</sup> Definition as provided by the National Council of Juvenile and Family Court Judges (NCJFCJ) (2017, September), "Disproportionality Rates for Children of Color in Foster Care," Technical Assistance Bulletin. Full report available at <a href="https://www.ncjfcj.org/wp-content/up-loads/2017/09/NCJFCI-Disproportionality-TAB-2015">https://www.ncjfcj.org/wp-content/up-loads/2017/09/NCJFCI-Disproportionality-TAB-2015</a> 0.pdf.
- <sup>18</sup> The Texas Department of Family and Protective Services (DFPS), is a stand-alone state agency that works with communities to promote safe and healthy families and protect children and vulnerable adults from abuse, neglect, and exploitation through investigations, services and referrals, and prevention programs. DFPS has five major programs under its purview: Adult Protective Services, Child Protective Services, Child Protective Investigations, Prevention and Early Intervention, and Statewide Intake.
- <sup>19</sup> Child Protective Services (CPS) is the division of DFPS responsible for providing services to children and families referred by the Child Protective Investigations division of DFPS to ensure safety, permanency, and well-being for children. The acronym "CPS" is often used to refer to child welfare cases and as descriptor for the professionals associated with the case. All CPS caseworkers are members of DFPS and may also be referred to as a DFPS worker.
- <sup>20</sup> American Bar Association & Casey Family Programs (2008), Blueprint for Change: Education Success for Children in Foster Care, Second Edition, p.ii. Retrieved from <a href="https://www.fostercareandeducation.org/AreasofFocus/BlueprintforChange.aspx">https://www.fostercareandeducation.org/AreasofFocus/BlueprintforChange.aspx</a>.
- <sup>21</sup> Tex. Fam. Code ch. 262 & 263.
- <sup>22</sup> Tex. Educ. Code §§ 11.159, 21.054, 38.004, and 38.0041; Tex. Fam. Code § 261.109; 19 Tex. Admin. Code § 61.1051.
- <sup>23</sup> The Guide to Texas Child Protective Services, Center for Public Policy Priorities (2010, December), p 12. <u>library.cppp.org/files/4/CPSpaperweb.pdf</u>. Last visited July 28, 2020.
- <sup>24</sup> Tex. Fam. Code ch. 262 & 263.
- <sup>25</sup> Tex. Educ. Code § 25.007
- <sup>26</sup> Tex. Fam. Code § 107.011.
- <sup>27</sup> Tex. Fam. Code § 107.001(5).
- <sup>28</sup> Tex. Fam. Code § 107.002.
- <sup>29</sup> Tex. Fam. Code § 107.006.
- <sup>30</sup> Tex. Fam. Code § 107.001, § 107.002, § 107.006.
- <sup>31</sup> Tex. Fam. Code § 107.031, Tex. Educ. Code § 29.015.
- <sup>32</sup> Tex. Fam. Code § 107.012.
- <sup>33</sup> Tex. Fam. Code § 107.003, §107.004.
- 34 Tex. Fam. Code § 107.006(a).
- <sup>35</sup> Tex. Fam. Code § 107.006(b).
- <sup>36</sup> Tex. Fam. Code § 107.013.
- 37 Tex. Educ. Code § 33.904
- 38 20 USC 6312(c)(5)
- 39 Tex. Educ. Code § 33.904
- 40 20 U.S.C. 6312(c)(5)(A)
- <sup>41</sup> 19 Tex. Admin. Code § 89 Subchapter FF. Commissioner's Rules Concerning Transition Assistance for Highly Mobile Students Who Are Homeless or in Substitute Care. <a href="https://tea.texas.gov/sites/default/files/ch089ff.pdf">https://tea.texas.gov/sites/default/files/ch089ff.pdf</a>
- <sup>42</sup> 19 Tex. Admin. Code § 89 Subchapter FF. Commissioner's Rules Concerning Transition Assistance for Highly Mobile Students Who Are Homeless or in Substitute Care. <a href="https://tea.texas.gov/sites/default/files/ch089ff.pdf">https://tea.texas.gov/sites/default/files/ch089ff.pdf</a>
- <sup>43</sup> 19 Tex. Admin. Code § 89 Subchapter FF. Commissioner's Rules

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- Concerning Transition Assistance for Highly Mobile Students Who Are Homeless or in Substitute Care. <a href="https://tea.texas.gov/sites/default/files/ch089ff.pdf">https://tea.texas.gov/sites/default/files/ch089ff.pdf</a>
- <sup>44</sup> U.S. Department of Agriculture, Child Nutrition Programs Food and Nutrition Service (July 2017), Eligibility Manual for School Meals: Determining and Verifying Eligibility. Retrieved from <a href="https://www.fns.usda.gov/cn/eligibility-manual-school-meals">https://www.fns.usda.gov/cn/eligibility-manual-school-meals</a>.
- <sup>45</sup> Tex. Educ. Code § 25.007, 19 Tex. Admin. Code § 89.1607
- <sup>46</sup> Tex. Educ. Code § 25.007.
- <sup>47</sup> Texas Higher Education Foster Care Liaisons Information and Reference Guide Video <a href="https://txicfw.socialwork.utexas.edu/texas-high-er-education-foster-care-liaisons-information-reference-guide-video/">https://txicfw.socialwork.utexas.edu/texas-high-er-education-foster-care-liaisons-information-reference-guide-video/</a>.
- <sup>48</sup> 19 Tex. Admin. Code §§ 21.613, 97.64; For more information, please visit <a href="https://www.highered.texas.gov/institutional-resources-programs/public-universities-health-related-institutions/other-institutional-resources/bacterial-meningitis.">https://www.highered.texas.gov/institutional-resources-programs/public-universities-health-related-institutions/other-institutional-resources/bacterial-meningitis.</a>
- 49 Tex. Educ. Code § 25.002(g).
- <sup>50</sup> Tex. Fam. Code § 264.115(a); CPS Policy Handbook Section 15310, Time Frame for Completing the Child's Enrollment. Available online at <a href="http://www.dfps.state.tx.us/handbooks/CPS/Files/CPS\_pg\_x15000.asp#CPS\_15310">http://www.dfps.state.tx.us/handbooks/CPS/Files/CPS\_pg\_x15000.asp#CPS\_15310</a>.
- <sup>51</sup> Tex. Educ. Code § 25.002(g).
- 52 19 Tex. Admin. Code § 89.1605
- 53 19 Tex. Admin. Code § 89.1605
- 54 19 Tex. Admin. Code § 89.1605
- 55 19 Tex. Admin. Code § 89.1605
- <sup>56</sup> Tex. Educ. Code § 25.001
- <sup>57</sup> Tex. Educ. Code § 25.002
- <sup>58</sup> Tex. Educ. Code § 25.002(g)
- <sup>59</sup> Fictive Kin is an individual who is not related by birth, adoption, or marriage to a child, but who has an emotionally significant relationship with the child.
- <sup>60</sup> Tex. Educ. Code §25.002(a) and § 38.001(c).
- 61 Tex. Educ. Code § 25.001(c)(f).
- 62 Tex. Educ. Code § 25.001 (g) and (g-1).
- 63 Tex. Educ. Code § 25.001 (f)(G)(G-1)
- <sup>64</sup> TEA Student Attendance Accounting Handbook 2020-2021, Student Entitlement to Attend School in a Particular District, Section 3.3.6: <a href="https://tea.texas.gov/sites/default/files/2020-2021%20SAAH%20">https://tea.texas.gov/sites/default/files/2020-2021%20SAAH%20</a> -%20Adopted.pdf
- 65 Tex. Educ. Code § 25.002(a)(1).
- <sup>66</sup> TEA, 2020–2021 Student Attendance Accounting Handbook, Section 3.3.3 Documentation of Identity and Age <a href="https://tea.texas.gov/finance-and-grants/financial-compliance/student-attendance-accounting-handbook">https://tea.texas.gov/finance-and-grants/financial-compliance/student-attendance-accounting-handbook</a>
- <sup>67</sup> As provided for by the Texas Health and Safety Code, §191.0046, a child's parent or guardian may request this statement free of charge from the division of the Texas Department of State Health Services responsible for vital statistics. To request this statement, the parent or guardian should complete the Mail Application for a Verification Letter, available at <a href="http://www.dshs.state.tx.us/vs/reqproc/forms.shtm">http://www.dshs.state.tx.us/vs/reqproc/forms.shtm</a>, marking the application "Free for School Admission."
- <sup>68</sup> Tex. Educ. Code § 38.001; Texas Education Agency, 2020-2021 Student Attendance Accounting Handbook: Section 3.3.8 Immunization, <a href="https://tea.texas.gov/finance-and-grants/financial-compliance/student-attendance-accounting-handbook">https://tea.texas.gov/finance-and-grants/financial-compliance/student-attendance-accounting-handbook</a>.
- <sup>69</sup> Texas Department of Family and Protective Services, CPS Policy

- Handbook, Section 15330. Immunization Requirements. Available online at <a href="http://www.dfps.state.tx.us/handbooks/CPS/Files/CPS\_pg\_x15000.asp#CPS\_15330">http://www.dfps.state.tx.us/handbooks/CPS/Files/CPS\_pg\_x15000.asp#CPS\_15330</a>.
- <sup>70</sup> Tex. Educ. Code § 25.002(g).
- 71 20 U.S.C § 1232g(b)(1)(B); 34 C.F.R. § 99.31(a)(2), § 99.34. Additional information on immunization requirements, exemptions, and documentation may be found at: <a href="http://www.dshs.state.tx.us/immunize/school/default.shtm">http://www.dshs.state.tx.us/immunize/school/default.shtm</a>.
- <sup>72</sup> Texas Education Agency, 2020-2021 Student Attendance Accounting Handbook: Section 3.3.2. District Responsibility to Secure Student Records, <a href="https://tea.texas.gov/finance-and-grants/financial-compliance/student-attendance-accounting-handbook">https://tea.texas.gov/finance-and-grants/financial-compliance/student-attendance-accounting-handbook</a>.
- 73 Tex. Educ. Code § 25.007(b)(1).
- 74 19 Tex. Admin. Code § 74.26(a)(1).
- 75 20 U.S.C § 1232(g).
- <sup>76</sup> Tex. Educ. Code § 25.007.
- 77 TEA, 2020–2021 Student Attendance Accounting Handbook, Withdrawal Procedures, Section 3.4 <a href="https://tea.texas.gov/sites/default/files/2020-2021%20SAAH%20-%20Adopted.pdf">https://tea.texas.gov/sites/default/files/2020-2021%20SAAH%20-%20Adopted.pdf</a>
- <sup>78</sup> TEA, 2020–2021 Student Attendance Accounting Handbook, Withdrawal Procedures, Section 3.4. <a href="https://tea.texas.gov/sites/default/files/2020-2021%20SAAH%20-%20Adopted.pdf">https://tea.texas.gov/sites/default/files/2020-2021%20SAAH%20-%20Adopted.pdf</a>
- <sup>79</sup> Tex. Educ. Code § 25.002 (a-1); Tex Educ. Code § 25.007 (b).
- 80 Tex. Educ. Code § 25.002 (a-1); Tex Educ. Code § 25.007 (b).
- 81 If a student does not have an education portfolio (which is most often a green binder), school personnel might work with a student's caregiver and notify the DFPS regional education specialist to advocate that a student receives an education portfolio, although this is beyond the scope of an educator's responsibility.
- 82 Tex. Educ. Code § 25.002(g)
- 83 TEA, 2020–2021 Student Attendance Accounting Handbook, Student's Whose Whereabouts Are Unknown, Section 3.4.3 <a href="https://tea.texas.gov/finance-and-grants/financial-compliance/student-attendance-accounting-handbook">https://tea.texas.gov/finance-and-grants/financial-compliance/student-attendance-accounting-handbook</a>
- <sup>84</sup> Texas Department of Agriculture, ARM Guide, Eligibility Determination, Section 4, August 12, 2020: <a href="https://squaremeals.org/Portals/8/files/ARM/ARM\_Section4\_Eligibility\_210527.pdf">https://squaremeals.org/Portals/8/files/ARM/ARM\_Section4\_Eligibility\_210527.pdf</a>
- 85 Ibid., page 90 footnote 129
- 86 Tex. H.B. 725, 87th Leg., R.S. (2021) (to be codified at Tex. Educ. Code § 29.153(b)(6)(B)
- 87 Tex. Educ. Code § 29.153 (b)(6).
- 88 Tex. Educ. Code § 29.153(a-1).
- 89 Tex. Educ. Code § 25.085(b).
- 90 Tex. Educ. Code § 25.087(b)(1)(F), (b-2).
- <sup>91</sup> Tex. Educ. Code § 25.092. Note these requirements do not apply to open-enrollment charter schools unless it is included in the school's charter.
- 92 TEA Attendance, Admissions, Enrollment Records and Tuition Letter (2017): https://tea.texas.gov/about-tea/news-and-multimedia/ correspondence/taa-letters/attendance-admission-enrollment-records-and-tuition-august-2017
- 93 Tex. Educ. Code § 7.029(b-1)
- 94 20 U.S.C. § 1232g; 34 C.F.R. § 99.3.
- 95 20. U.S.C § 1232g (b)(1)(J); 34 C.F.R. § 99.31(a)(9).
- 96 20 U.S.C. § 1232g (b)(1) (B); 34 C.F.R.§§ 99.31(a)(2), 99.34.
- 97 Tex. Educ. Code § 25.007(b)(10).
- <sup>98</sup> U.S. Department of Agriculture, Child Nutrition Programs Food and Nutrition Service (2012, August), Eligibility Manual for School Meals,

- p.3. https://squaremeals.org/Portals/8/files/ARM/ARM Section4 Eligibility 210527.pdf
- 99 20 U.S.C. § 6301 et seg.
- 100 20 U.S.C. § 6311(h)(1)(C)(ii)-(iii).
- 101 20 U.S.C. § 6311(g)(1)(E)(i).
- 102 20 U.S.C. § 6311(g)(1)(E)(ii).
- <sup>103</sup> See 20 U.S.C. § 6311(g)(1)(E)(iii); 42 U.S.C. § 675 (1)(G)(ii)(II).
- 104 20 U.S.C. § 6311(g)(1)(E)(iii).
- <sup>105</sup> Tex. Educ. Code § 25.002(g).
- <sup>106</sup> Tex. Fam. Code § 264.115(a).
- 107 20 U.S.C. § 6311(g)(1)(E)(iv)
- 108 20 U.S.C. § 6312(c)(5)(A).
- <sup>109</sup> Tex. Educ. Code § 33.904; 20 U.S.C. § 6312(c)(5)(A).
- 110 20 U.S.C. § 6312(c)(5)(B).
- 111 20 U.S.C. 6312(c)(5)(B).
- <sup>112</sup> 20 U.S.C. 6311(h)(2).
- <sup>113</sup> 20 U.S.C. 6311(h)(1).
- <sup>114</sup> Every Student Succeeds Act State and Local Report Cards Non-Regulatory Guidance (Jan. 2017). Available online at https:// www2.ed.gov/policy/elsec/leg/essa/essastatereportcard.pdf.
- <sup>115</sup> Tex. Fam. Code § 153.371.
- 116 Texas Department of Family and Protective Services CPS Policy Handbook, Section 15340 - Documents Required for Enrollment. Available online at <a href="http://www.dfps.state.tx.us/handbooks/CPS/">http://www.dfps.state.tx.us/handbooks/CPS/</a> Files/CPS pg x15000.asp#CPS 15340.
- <sup>117</sup> Tex. Fam. Code § 263.004.
- <sup>118</sup> Tex. Fam. Code § 264.1072.
- <sup>119</sup> 42 U.S.C. § 675(1)(G); 20 U.S.C. § 6311(g)(1).
- <sup>120</sup> The National Child Traumatic Stress Network, (2013), Defining Trauma and Child Traumatic Stress. Retrieved from <a href="www.nctsn.org/">www.nctsn.org/</a> content/defining-trauma-and-child-traumatic-stress.
- 121 Generations United. "In Loving Arms: The Protective Role of Grandparents and Other Relatives in Raising Children Exposed to Trauma." (2017). Retrieved from: https://www.gu.org/app/uploads/2018/05/Grandfamilies-Report-SOGF-2017.pdf
- <sup>122</sup> American Academy of Pediatrics. "Adverse Childhood Experiences and the Lifelong Consequences of Trauma." (2014). https://www. aap.org/en-us/Documents/ttb aces consequences.pdf
- 123 Race-based trauma is the cumulative negative impact of racism on the lives of people of color.
- 124 Toxic stress response can occur when a child experiences strong, frequent, and/or prolonged adversity—such as physical or emotional abuse, chronic neglect, caregiver substance abuse or mental illness, exposure to violence, and/or the accumulated burdens of family economic hardship—without adequate adult support.
- 125 The National Center for Mental Health Promotion and Youth Violence Prevention (2020) https://www.sophe.org/resources/national-center-mental-health-promotion-youth-violence-prevention/
- <sup>126</sup> Browne, C.H. supra note 12; McInerney, M. & McKlindon, A. supra note 11; Center for Advanced Studies in Child Welfare, School of Social Work, University of Minnesota. (2013). The Intersection of Child Welfare and Disability: Focus on Children. Retrieved from http://cascw.umn.edu/wp-content/uploads/2013/12/ Spring2013\_360\_web-FINAL.pdf.
- 127 Wraparound is an approach to treatment to help children and youth function more effectively in the community. It is a group of caring individuals who provide supports for the child and youth.

- <sup>128</sup> Browne, C.H. (2014, September). Youth Thrive: Advancing Healthy Adolescent Development and Well-Being. Retrieved from <a href="https://">https://</a> cssp.org/wp-content/uploads/2018/09/Youth-Thrive\_Advancing-Healthy-Adolescent-Development-and-Well-Being.pdf.
- 129 Toxic stress response can occur when a child experiences strong, frequent, and/or prolonged adversity—such as physical or emotional abuse, chronic neglect, caregiver substance abuse or mental illness, exposure to violence, and/or the accumulated burdens of family economic hardship—without adequate adult support.
- 130 Center on the Developing Child. "InBrief: The Impact of Early Adversity of Children's Development." Harvard University. Webpage: https://developingchild.harvard.edu/resources/inbrief-the-impact-of-early-adversity-on-childrens-development/
- 131 American Academy of Pediatrics. "Mental and Behavioral Health." (2020). Webpage: https://www.aap.org/en/patient-care/foster-care/ mental-and-behavioral-health-needs-of-children-in-foster-care/
- 132 https://futureeffect.org/2020/05/23/the-80-addressing-mentalhealth-challenges-of-children-in-foster-care/
- <sup>133</sup> A wraparound specialist provides guidance, services, and support to children and their foster families, similar to a case manager.
- <sup>134</sup> The Care Team Liaison is generally the foster care liaison. The care team liaison works at the district level and the team lead/campus champion is generally at the campus level where the students attends school.
- 135 "Rethinking Discipline" U.S. Department of Education. https:// www2.ed.gov/policy/gen/guid/school-discipline/index.html
- 136 Tex. Educ. Code § 37.0011(c).
- <sup>137</sup> Citations are not allowed for Class C misdemeanor committed on school campus other than a traffic offense. Tex. Educ. Code § 37.143.
- <sup>138</sup>TEA, (2012, August 22), "To the Administrator Addressed: Importance of Maintaining Educational Stability for Children and Youth in the Foster Care System." https://www.houstonisd.org/cms/lib2/ TX01001591/Centricity/Domain/8066/Letter%20to%20Admin%20 8-22-13.pdf.
- 139 Tex. Educ. Code § 25.007(b)(10).
- <sup>140</sup> Pacer's National Bulleting Prevention Center. "Bullying statistics." (2020). Webpage: https://www.pacer.org/bullving/resources/stats.
- 141 Stop Bullying Now website. Retrieved from: https://www.stopbullyingnow.com/
- <sup>142</sup> YMCA Ways to Identify and Address Bullying of Foster Children. Retrieved from: https://www.seattleymca.org/blog/ways-identify-and-address-bullying-foster-children
- 143 Tex. Educ. Code § 37.0832
- <sup>144</sup> SB 179 David's Law, 85th Texas Legislative Session, Texas School Safety Center Resources: https://txssc.txstate.edu/videos/bullyingand-the-law/
- <sup>145</sup> NCTSN Trauma and Bullying Facts. Retrieved from: https://www. nctsn.org/sites/default/files/resources/special-resource/bullving and trauma\_facts.pdf
- <sup>146</sup> Texas data reveals that students in foster care are disproportionally placed in the minimum graduation program. https://tea.texas. gov/sites/default/files/dropcomp\_2018-19.pdf
- 147 If students and education decision-makers are not consulted about the student's graduation program, they may be unaware of the impact of the minimum program on future college access and entrance.
- <sup>148</sup> Tex. Educ. Code § 39.023(c).
- 149 34 C.F.R. § 300.306.
- 150 34 C.F.R. § 300.17.

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- <sup>151</sup> 34 C.F.R. §300.111; 19 Tex. Admin. Code § 89.1011(a)
- <sup>152</sup> 19 Tex. Admin. Code § 89.1035(b)
- <sup>153</sup> 20 U.S.C. 1401(3), 1412(a)(3), 34 C.F.R. § 300.111.
- 154 34 C.F.R. § 300.30(a).
- <sup>155</sup> Tex. Educ. Code § 29.015.
- <sup>156</sup> Tex. Fam. Code § 263.004; CPS Policy Handbook Section 15371 Designating an Education Decision-Maker. Available online at <a href="http://www.dfps.state.tx.us/handbooks/CPS/Files/CPS\_pg\_x15000.asp#CPS\_15371">http://www.dfps.state.tx.us/handbooks/CPS/Files/CPS\_pg\_x15000.asp#CPS\_15371</a>.
- <sup>157</sup> Tex. Educ. Code § 29.0151(c); Tex. Fam. Code § 263.0025(d).
- 158 20 U.S.C. § 1415(b)(2); Tex. Educ. Code § 29.0151; Tex. Fam. Code § 263.0025.
- <sup>159</sup> Tex. Educ. Code § 29.0151(d)
- 160 Tex. Educ. Code § 29.0151(f)-(g).
- 161 34 C.F.R. § 300.300.
- <sup>162</sup> See CPS Policy Handbook. Referring a Child for a Special Education Assessment and Evaluation. <a href="http://www.dfps.state.tx.us/hand-books/CPS/Files/CPS">http://www.dfps.state.tx.us/hand-books/CPS/Files/CPS</a> pg\_x15000.asp#CPS\_15720.
- <sup>163</sup> 19 Tex. Admin. Code § 89.1011(c))
- <sup>164</sup> 19 Tex. Admin. Code § 89.1011(f).
- 165 34 C.F.R. § 300.323(e).
- 166 TEA Federal Report Cards for 2018–19. Available at <a href="https://rptsvr1.tea.texas.gov/perfreport/frc/2019/srch.html">https://rptsvr1.tea.texas.gov/perfreport/frc/2019/srch.html</a>.
- 167 TEA Completion, Graduation, and Dropouts Data Search. Available at <a href="https://tea.texas.gov/reports-and-data/school-performance/ac-countability-research/completion-graduation-and-dropout">https://tea.texas.gov/reports-and-data/school-performance/ac-countability-research/completion-graduation-and-dropout</a>.
- <sup>168</sup> TEA Four-Year Graduation and Dropout Data, Class of 2019, last visited July 2020. Available at <a href="https://tea.texas.gov/sites/default/files/dropcomp\_2018-19.pdf">https://tea.texas.gov/sites/default/files/dropcomp\_2018-19.pdf</a>.
- 169 Cheung, Leung, (2014, December 31) Race Disproportionality in the Foster Care System in Texas. Journal of Family Strengths. Volume 14, Issue 1, Article 13) Received from: <a href="https://digitalcommons.library.tmc.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1255&context=ifs">httpsredir=1&article=1255&context=ifs</a>
- <sup>170</sup> Texas Department of Family and Protective Services FY 2018 Disproportionality Analysis (September 2018) Received from: <a href="https://www.dfps.state.tx.us/About\_DFPS/Reports\_and\_Presentations/Rider\_Reports/documents/2018/2018-09-24\_Disproportionality\_Analysis.pdf">https://www.dfps.state.tx.us/About\_DFPS/Reports\_and\_Presentations/Rider\_Reports/documents/2018/2018-09-24\_Disproportionality\_Analysis.pdf</a>
- <sup>171</sup> 20 U.S.C. § 1415(b)(2); Tex. Fam. Code § 263.0025.
- <sup>172</sup> Tex. Educ. Code § 25.007(b)(89).