

**Joint Consideration for School Enrollment and Success for
Children in Foster Care:
Tulsa Public Schools and Department of Human Services**

I. PURPOSE

The purpose of this document is to establish joint procedures by which Tulsa Public Schools (TPS) and Department of Human Services (DHS) will support the educational stability and success of students in foster care, consistent with the requirements of the Fostering Connections to Success and Increasing Adoptions Act ("Fostering Connections"), Title I, Part A of the Elementary and Secondary Education Act ("Title I"), the Uninterrupted Scholars Act, and related state guidelines and regulations.

II. STATUTORY REQUIREMENT

Fostering Connections, Title I, the Uninterrupted Scholars Act and related state guidelines, require public school systems and local departments of social services to work together to support the educational stability and success of children who are in out-of-home care. These laws provide that when a child is initially placed in foster care or changes foster care placements, the child may remain in the same school he or she has been attending and receive school transportation, unless changing schools is in the child's best interests. Where there is a determination that it is in the child's best interests to change schools, he or she is entitled to enroll in the new school immediately and lack of documentation shall not delay that process. These laws also direct public school systems and local departments of social services to monitor and support the educational stability and success of children in out-of-home care in other ways, including by ensuring the prompt transfer of school records, and maintaining and sharing data on children's academic achievement.

III. DEFINITIONS

A. Academic School Year: The period beginning on the first day of school for students in August and ending with the last day of school for students in May

B. Enroll or Enrollment: attending classes and participating fully in school activities

C. Extended School Year Learning: Courses offered by Tulsa Public Schools during the summer months, previously referred to as "summer school"

D. Immediate: As promptly as possible

E. Residential School: the school attended by students living in the attendance area of the child's foster care placement

F. School District Point of Contact (POC): The TPS staff person designated work with the Department of Human Services in connection with the identification, enrollment, and provision of support to students who are in out-of-home care.

G. School of Origin: the school the student attended prior to placement in out-of-home care or the school in which the student was last enrolled. This includes feeder schools the student has not yet attended, but was zoned to attend.

IV. CHANGES TO FOSTER CHILDREN'S RESIDENTIAL PLACEMENTS: TAKING EDUCATIONAL FACTORS INTO ACCOUNT

Child Welfare case decision makers, except in emergency circumstances, will meet to determine the school that represents the best interests of the child before moving a child to a new out-of-home placement. The purpose of the meeting is to engage the child, family, school, and community members, as appropriate, in determining the most appropriate residence or school to help achieve safety, a permanent family, and life-long connections for the child. DHS and the School District Designee for Students in Foster Care, and/or a representative of the school in which the child is enrolled will work collaboratively to help inform this decision-making process. The school will provide information about the appropriateness of the child's current educational setting. DHS shall take into account this information, the child's preferences, the distance from potential placements to the child's current school, and other critical factors in making the placement decision.

Child Welfare staff or foster parent enrolling a child, will provide the enrolling school, and school of origin (if different) with a copy of their best interest determination. This will occur before enrollment, or in emergency situation, at the time of enrollment or with 72 hours of enrollment.

V. DETERMINATION OF CHILD'S BEST INTEREST FOR FOSTER CARE SCHOOL PLACEMENT

A. Basic Procedure

After DHS determines the most appropriate residence for the child, the TPS POC and/or a representative of the school in which the child is currently enrolled will work with the DHS caseworker to determine, based on the child's best interests, whether the child should:

- Remain in the school of origin, taking into account the appropriateness of the educational setting; or
- Transfer to the residential school for the child's new residence, if remaining in the school of origin is not in the child's best interest.

The presumption should be that the child will remain in the school of origin to provide school stability and educational continuity for the child, unless contrary to the child's best interests. In the event of transfer to the residential school, the child shall be enrolled immediately and appropriately with all educational records provided to the new school, according to the procedures described below.

DHS has ultimate decision-making authority over school enrollment.

B. Engaging Key Partners in Determining Child's Best Interest for School Placement

TPS and DHS should make all reasonable efforts to include in the best interest determination process, other individuals who have knowledge of the child. Participation may occur through phone calls, teleconferences, emails, or other electronic means, as well as by in-person meeting.

In addition to the DHS case worker, individuals who have knowledge of the child may include the:

- Child himself or herself;
- Child's birth parent(s) or prior custodian;
- An individual the child would like to participate;
- Parent Surrogate for educational decisions, if applicable;
- School representative;
- Classroom teachers;
- School social worker;
- School counselors;
- Special education coordinator if the child has an IEP or 504 plan;
- TPS Office of Transportation;
- Coaches;
- Resource parents, kin caregivers, or residential care providers;
- Child's attorney; and
- Court Appointed Special Advocate.

In addition to including the child in the best interest determination process whenever possible, the DHS caseworker should engage the child in discussions to:

- Solicit his or her wishes related to school enrollment;
- Address constructively any concerns the child may have;
- Ask who the child would like to be a part of the best interest determination process, and arrange for this person's participation.

C. Factors to Assess in Determining Child's Best Interest for School Placement

Factors to assess in determining the child's best interest for school placement include, but are not limited to, the following:

- The preferences of the student, the birth parents or prior custodians as appropriate, and the student's resource parent(s) or current placement provider;
- Preferences of the child's parent(s) or education decision maker(s);
- The child's attachment to the school, including meaningful relationships with staff and peers;
- Placement of the child's sibling(s);
- Influence of the school climate on the child, including safety;

- The availability and quality of the services in the school to meet the child's educational and socioemotional needs;
- History of school transfers and how they have impacted the child;
- The student's age;
- Length of time student is expected to remain at the current placement and the possible location of housing intended to be long-term
- Distance of commute and the impact it may have on the student's education and other student-centered, transportation-related factors, including travel time;
- School stability and educational continuity;
- Personal safety, attendance, academic progress and social involvement of the student in the current school;
- The impact transferring the student to a new school may have on the his or her needs and progress academically, emotionally, socially and physically;
- Availability of classes to avoid credit loss and for timely graduation or promotion
- Whether the child is a student with a disability under the IDEA who is receiving special education and related services or a student with a disability under Section 504 who is receiving special education or related services and, if so, the availability of those required services in a school other than the school of origin; and
- Whether the child is an EL and is receiving language services and, if so, the availability of those required services in a school other than the school of origin, consistent with Title VI and the EEOA.

The caseworker shall document the best interest determination in the child's case file, including factors considered, participants involved in the collaborative process, the determination for school placement, and the placement made. Documentation of the best interest determination shall be maintained in both the DHS' child case file and the school's student cumulative record.

D. Students who Receive Services Under IDEA

The Individuals with Disabilities Education Act (IDEA), Part B directs school districts must make a Free Appropriate Public Education (FAPE) available to all eligible children with disabilities in the Least Restrictive Environment (LRE). FAPE under IDEA includes the provision of special education and related services at no cost to the parents in accordance with a properly developed Individualized Education Program (IEP). Each child's placement decision must be made by a group of knowledgeable persons.

Tulsa Public Schools will operate in accordance with all state and federal laws regarding special education students. Special education services will be provided to foster care students as they are to all students following the guidelines below.

- Educational placement will be determined annually and will be based on the child's IEP in accordance with the child's individual needs
- The child will be placed in the least restrictive environment and unless they require some other arrangement they will attend the school that he/she would attend if not disabled.
- Timely and expedited evaluations and eligibility determinations for highly mobile children with disabilities will be made when possible.

- Children in foster care will have access to related aids and services that are designed to meet their educational needs.
- Children will have access to comparable services including summer and extended school year services if applicable.
- Children in foster care will not be discriminated against and are considered a protected group.

E. Students who are English Learners

Tulsa Public Schools will ensure that students who are English Learners (EL) in foster care will participate meaningfully and equally in educational programs by doing the following:

- Identifying and assessing all potential EL students in a timely, valid and reliable manner;
- Provide EL students with a language assistance program that is educationally sound and proven successful;
- Sufficiently staff and support the language assistance programs for EL students;
- Ensure that EL students have equal opportunities to meaningfully participate in all curricular and extra-curricular activities;
- Avoid unnecessary segregation of EL students;
- Ensure that EL students with disabilities are evaluated in a timely and appropriate manner for special education and disability-related services and that their language needs are considered in these evaluations and delivery of services;
- Meet the needs of EL students who opt out of language assistance programs;
- Monitor and evaluate EL students in language assistance programs following federal guidelines;
- Continue to evaluate the effectiveness of school districts language assistance program and progress of each student;
- Ensure meaningful communication with the parents of the students.

VI. TRANSPORTATION FOR CHILD REMAINING IN HIS OR HER SCHOOL OF ORIGIN

On a case by case basis, the TPS POC and DHS POC will determine the most reasonable transportation arrangements, including funding for excess transportation costs. If transportation for a child to his or her school of origin requires coordination with another school district, the procedures for McKinney-Vento transportation will be followed.

If it is determined that TPS buses should be utilized for transportation, the following procedure will be followed:

- TPS POC will e-mail student name to transportation routing clerk and routing supervisor
- TPS Transportation will this information to advise as to: the proximity of the school, nearest existing routes, and nearest existing stops; bus transportation that could be offered, if any; whether such transportation would be offered to other TPS students; and the per diem cost of the proposed transportation, if any.

If it is determined that TPS bus routes can provide the requested transportation services:

- TPS Transportation will take up to 5 days to commence transportation.
- When a bus transportation plan is identified, routing clerk or supervisor will e-mail new route information to TPS POC.
- TPS POC will contact foster parent, local child welfare POC, child welfare specialist, Family & Student Services Coordinator, and school counselor to inform them the route is ready.
- If the student no longer needs transportation, the child welfare specialist will contact the TPS POC to cancel the bus route or take the student name off the route.
 - TPS POC will send routing clerk and supervisor student names who no longer need transportation.
- If a foster student has not ridden for 3 or more consecutive days, TPS Transportation may contact TPS TOC to inquire whether transportation is still needed.
- During the interim period of up to 5 school days during which TPS is arranging school bus transportation, DHS will ensure child or youth is being provided transportation.
- TPS POC will provide to Child Welfare POC all pertinent TPS transportation policies that could affect transportation of a foster child or youth; for example, distance of placement, times of transportation, IEP transportation considerations, etc.

If it is determined that TPS buses will not be utilized for transportation, the TPS POC and Child Welfare Specialist will agree that another form of safe and timely transportation will be used, including but not limited to the following:

- Foster parents reimbursed at the State mileage rate;
- Friends, relatives and neighbors of the child or foster parent reimbursed at the agreed upon mileage rate;
- Employees of child placing agencies and residential programs;
- Public transportation paid at the established rate;
- Taxis, shuttles, rideshare.

VII. IMMEDIATE ENROLLMENT

Delays in enrollment in school and disruptions to continuous education are not in the best interest of a child in foster care. Federal and state laws prohibit delaying a child's ongoing education.

Therefore, TPS and DHS will collaborate to immediately and appropriately enroll a child in foster care seeking to attend his or her residential school, whether he or she is enrolling in school for the first time or is transferring following a change in foster care placement and a determination that transfer would serve his or her best interests. As noted above:

- "Immediate" means no later than one school day after notification of intent to enroll.
- "Enrollment" means the child is attending classes and participating fully in school activities.

To begin the enrollment process, the foster parent will be instructed to bring placement paperwork to the Tulsa Public Schools Enrollment Center and inform a registrar of the intent to enroll a child who is in foster care. Other adults may be required or permitted to assist with enrollment as needed.

The foster parent need not produce the child's academic school record at the time of enrollment in order to enroll the child in school. The school that the child most recently attended is responsible for transferring the education records of the child directly to the school where a child is seeking to enroll. However, TPS enrollment center will request educational records from the foster parent and Child Welfare Specialist in addition to requesting the records from the previous school(s).

If, due to an emergency, safety, or other issue, DHS has determined the school that serves the best interests of the child, DHS will notate on the foster placement paperwork the school in which the child should be enrolled. (Note: In most cases, this will only be the school of origin or the residential school). If there is no notation of the TPS school in which the child should be enrolled, the TPS registrar will refer the family to the TPS POC. The TPS POC or other district designee if TPS POC is not available will consult with the appropriate DHS personnel including, but not limited to the local Child Welfare POC, Joan Gerling, the assigned Child Welfare Specialist, State Child Welfare POC, Julia Sterr, and the TPS Special Education department as needed.

After enrollment, the following guardianship or legal custody documents shall be provided for verification by the foster parent or DHS:

- Placement Provider Agreement Form, Form 04FC011E
- Notification provided by Child Welfare on DHS letter head with a copy of Child Welfare Specialist's badge.

In addition, TPS may require that DHS present documentation establishing the foster child's current residence, noted in the legal custody documentation. However, lack of such documentation is not a reason to delay or deny enrollment, and DHS may present such documentation after the child is enrolled if it is not available earlier. Appropriate documentation includes: placement agency letter verifying the child's address, plus *one* of the following, as chosen by DHS or any other person authorized to assist with enrolling the child:

- A lease, rent receipts, deed, or property tax bill, or
- A current gas or electric bill, water bill, cable bill, online computer services bill, non-cellular telephone bill, (disconnection notices are not acceptable) or
- Other documentation of residency that is used by TPS.

VIII. DISPUTE RESOLUTION

It is the responsibility of DHS and TPS to collaborate in determining the child's best interest for school enrollment and to resolve any conflict concerning the school enrollment determination. Whenever possible, DHS and TPS will attempt to informally resolve any enrollment dispute involving a child in foster care. DHS and TPS will pursue the formal dispute resolution procedures below when informal resolution is not possible, or when informal resolution would result in disruptions to the child's education.

As described above, following the best interest determination process, DHS has ultimate authority to decide whether to keep a student in out-of-home care in his or her school of origin or transfer him or her to the student's residential school. If the DHS caseworker's decision is contrary to the recommendation of TPS, the caseworker will provide TPS with a written explanation of his or her decision. If necessary, DHS will convene a meeting to discuss and resolve the dispute. While any such dispute is pending, the child shall remain in his or her school of origin with transportation provided by the agency - either TPS or DHS - that believes that continuation in the school of origin serves the child's best interests. Notifications of disputes shall also be made to the local Child Welfare POC and the state Child Welfare and OSDE POC.