



MUSTANG PUBLIC SCHOOLS

# Foster Care Plan

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**12/1/2016**

This plan is to address the requirement for foster care provisions under Title I of ESSA which require State Educational Agencies (SDE) and Local Educational Agencies (LEAs) to collaborate with Department of Human Services (DHS) to ensure educational stability and minimize educational disruptions for children in foster care.

## **Foster Care Plan**

The Mustang Public School District is committed to provide all students with sound educational experiences. We recognize that foster children are at an increased risk of grade retention, gaps in academic achievement, low high school graduation rates, and postsecondary enrollment. These provisions promote greater stability for children in foster care so that they can continue their education without disruption, maintain important relationships with peers and adults, and have the opportunity to achieve college- and career readiness.

The educational stability includes assurances that (1) a child in foster care will remain in the child's school of origin, unless a determination is made that it is not in the child's best interest in that school and (2) if a determination is made that it is not in the child's best interest to remain in the school of origin, the child will be immediately enrolled in the school of residence, even if the child is unable to produce records normally required for enrollment.

### **School District Assurances**

- Each placement of the child in foster care takes 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 state child welfare agency will coordinate with appropriate local educational agencies to ensure that the child remains in the school in which the child is enrolled at the time of placement.
- If it is not in the best interest of the child to return to the resident school, the child will immediately be provided the appropriate enrollment information.
- The Mustang Public School District will gather and maintain educational records and promptly send them to any district where the student moves.

### **Foster Care Child Liaison**

The Mustang Public School District will assign at least one person to serve as a Foster Care Child Liaison. The name of this person will be turned in annually to the OSDE through the online Grants Management System by September 30th of each year. If additional staff members are needed to meet the requirements, the district will make assignments as deemed necessary. The Foster Child Liaison will work in the best interest of the child to ensure that all educational requirements are being met. The liaison that is assigned to the position will have access to available training and materials to keep them informed of any changes in the Foster Care Regulations. The liaison will work closely with state and tribal child welfare agencies to.

## **Collaboration**

Mustang Public Schools district representatives, including Foster Care Liaison, Federal Programs Director, and/or other officials as needed, will collaborate with the Department of Human Services (DHS) to make decisions regarding school placement. The determining factors that may be evaluated include:

- Proximity of the resource family home to the child's present school;
- Safety considerations;
- Age and grade level of the child as it relates to the other best interests factors;
- Needs of the child, including social adjustment and well-being;
- Child's performance, continuity of education and engagement in the school the child presently attends;
- Child's EL and/or special educational programming if the child is classified;
- Point of time in the year;
- Child's permanency goal and likelihood of reunification;
- Anticipated duration of the placement;
- Preferences of the child;
- Preferences of the child's parent(s) or educational 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;
- Availability and quality of the services in the school to meet the child's educational and socioemotional needs;
- How the length of the commute would impact the child, based on the child's developmental stage;

\*Transportation costs will not be considered when determining a child's best interests.

It is recognized that both MPS and DHS will act with the best interests of children in mind. In the event of a dispute regarding the transportation of a child in foster care the following will be followed:

- The district will provide transportation until such time as the dispute is resolved (ESEA 1112(c)(5)(B)(i));
- The district policy regarding McKinney-Vento disputes will be followed (Policy 4004(IV)(C)).

## **Enrollment of Students**

Foster care parents, social workers or other legal guardians will be allowed to immediately enroll children in Mustang Public Schools. We understand that all necessary paperwork (birth

certificates, shot records, academic records, special education records, etc.) may not be immediately available and want to provide a smooth transition for the student into our district. We will contact the home school district for the records and make adaptations as needed. After enrollment the following guardianship or legal custody documents shall be provided for verification by the foster family or DHS:

- Power of attorney
- Affidavit
- Court Order

## **Transportation**

Transportation for children in foster care will be provided by the foster family, DHS, or MPS utilizing the most cost effective means to do so (475(4)(A) of the Social Security Act).

If the child's school of origin is an MPS school and the child is placed in a foster home outside of MPS boundaries, the district POC will work with DHS and/or the foster family to determine if the school of origin remains the school of best interest for the child. This determination will primarily take the following into consideration:

- The wishes of the child;
- The wishes of the foster family (according to state law);
- The wishes of DHS;
- The distance and time required for travel;
- The safety of the child;
- Any applicable services available at the school of residence vs. the school of origin.

Additional costs for transportation (whether in-district or out-of-district) will be financed through one of the following methods as provided for under the ESSA and federal regulation (ESEA 1112(c)(5)(B)):

- DHS agrees to reimburse MPS for any additional cost;
- MPS agrees to pay for the additional cost;
- MPS and DHS agree to share the additional cost.

Additional costs are calculated by the district Transportation Office and take into account the availability of district transportation, the distance of the child's residence from the nearest applicable bus stop, and any related fuel and staffing costs necessary in order to provide transportation.

The time required in order for the district to arrange transportation varies depending upon a number of factors such as current demand, availability of staff and/or vehicles, and location of student. For this reason, if transportation is requested the foster family or DHS arrange for temporary transportation of the child(ren) for at least one week; however, the average time required is usually less.

## **Feasible Distance**

While MPS believes that the school of best interest for a child is most often their school of origin, this is not always the case. Sometimes, the commute time and/or distance is so great that transporting the child would have a negative impact on the child's social and/or academic life. For this reason, MPS provides the following general guidance on what the district considers to be a reasonable commute distance and time.

- Commute distance: 20 miles.
- Commute time (one way): 30 minutes (accounting for traffic)

## **Disputes**

It is recognized that both MPS and DHS will act with the best interests of children in mind; however, since both parties are approaching this issue from different perspectives, disputes may naturally occur. In the event of a dispute regarding the transportation of a child in foster care the following will be followed:

- The district will provide transportation until such time as the dispute is resolved (ESEA 1112(c)(5)(B)(i));
- The district policy regarding McKinney-Vento disputes will be followed (Policy 4004(IV)(C)).

## **Student Records**

The Mustang Public School District will share education records with the DHS that are allowed by the Family Educational Rights and Privacy Act (FERPA). This allows educational agencies to disclose without parental consent educational records, including IDEA, of students in foster care to State and Tribal agencies.