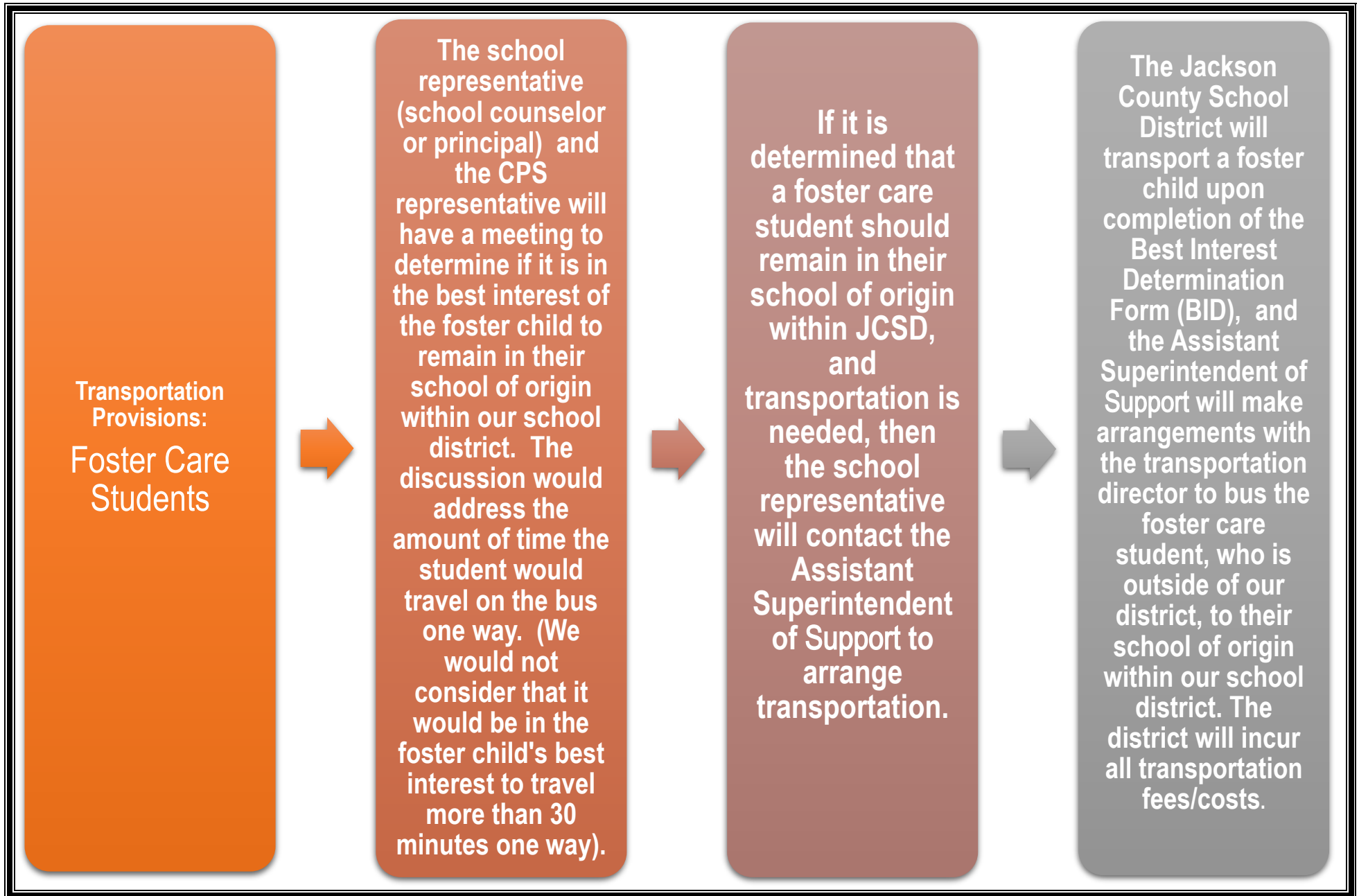


# Foster Care Transportation Flowchart



**In the paragraphs below... the LEA is the Local Education Agency or the school the student is currently enrolled in, also known as the “school of origin”.**

Mississippi’s state child welfare agency is the Mississippi Department of Child Protection Services (MDCPS). In coordination with MDCPS, LEAs must ensure the following Title I educational requirements for children in foster care are met:

- A child in foster care remains in his or her school of origin *unless* the LEA and MDCPS determine that remaining in the school of origin is not in that child’s best interest;
- If the LEA and MDCPS determine it is not in the child’s best interest to stay in his or her school of origin, the child is *immediately* enrolled in the new school, even if the child is unable to produce records normally required for enrollment; and,
- The new (enrolling) school *immediately* contacts the school of origin to obtain relevant academic and other records.



## TRANSPORTATION

Some children in foster care may need transportation to remain in their school of origin. Any child in foster care needing transportation to their school of origin must promptly receive transportation services. If the child remains in their school of origin and moves outside the current school's attendance zone, the LEA must collaborate with the local MDCPS to develop and implement clear written transportation procedures in accordance with 34 C.F.R. § 299.13(c)(1)(ii). The two entities must establish a system that expedites transportation for children placed in foster care. The goal is to maintain educational stability for the student. There are various modes of transportation available for students. Examples of no-cost or low-cost options for transportation that LEAs and the MDCPS could explore include whether:

- MDCPS will arrange for the child to be dropped off at a school bus stop for the school of origin;
- MDCPS will arrange for the foster parent or other designee to transport the child to school (mileage reimbursable through foster care maintenance payments);
- MDCPS and the LEA will review pre-existing bus routes or stops close to the foster care placement that cross district boundaries, such as bus routes for magnet schools and transportation for homeless students as required by the McKinney-Vento Act;
- MDCPS and the LEA will determine if the child is already eligible for transportation covered by other programs;
- MDCPS and LEA will address how the child welfare agency will use foster care maintenance payments and administrative funds to pay for transportation to the school;
- MDCPS and LEA will specify how "additional costs" of transportation will be calculated, to delineate clearly the LEA's responsibility to provide transportation when there are no additional costs;

- MDCPS and LEA will specifically describe how transportation to the school of origin will be provided in situations where there are no additional costs; and
- MDCPS and LEA will specify the timing and procedures for the child welfare agency to reimburse the LEA for transportation costs.

In the event of a dispute between the LEA and MDCPS concerning the cost of transportation, the two entities must consider what is in the best interest of the student. If the disagreement continues, the cost will be divided equally between the LEA and MDCPS. The dispute shall be brought before the state appointed POCs (Toni Kersh, MDE and Julie Propst, MDCPS). Current transportation expenses shall remain in effect until a decision is rendered to maintain the student's status quo.

Funding Source for Transportation: In addition to state and local funds that may be available for providing transportation, certain federal funds may be available to cover additional transportation costs to the school of origin for students in foster care. Districts may use Title I funds to pay for additional costs needed to transport children in foster care to their schools of origin.

Additionally, Title IV-E funds which are earmarked for the child welfare training program was created as part of the Child Welfare and Adoption Assistance Act of 1980 (P.L. 96-272) to support training in both foster care and adoption services. These funds are provided through the Mississippi Department of Child Protection Services to aid with reasonable transportation costs that will enable foster care students to attend his or her school of origin. LEAs will need to consult with MDCPS regarding individual student's eligibility of Title IV-E child welfare funds. It is important to note that if a foster care student receives Title IV-E reimbursement, it is only available for the federal portion of transportation costs, LEAs are responsible for the non-federal portion. Cost-sharing to meet the match requirements for federal reimbursement is allowable, and is one way for LEAs and MDCPS to collaboratively meet their

responsibilities for providing transportation and maximize use of available federal funds. The following will aid the LEA

Multiple factors are utilized in determining reasonable transportation, including costs, distance, and duration. The MDCPS has sole authority in determining which cost to include in a child's foster care maintenance payment. These factors must be considered and part of the plan developed collaboratively between the LEA and local MDCPS.

Furthermore, the *Every Student Succeeds Act* requires that districts must ensure that transportation is provided for a child in foster care, regardless of whether the district provides transportation otherwise. This requirement includes students in foster care who attend public preschools. If an LEA offers a public preschool education, an LEA must meet the Title I requirements for children in foster care in preschool, including ensuring that a child in foster care remains in his or her preschool of origin, unless a determination is made that it is not in the child's best interest. (See *Elementary and Secondary Education Act* Section 1111(g)(1)(E)).

Additional costs incurred in providing transportation to the school of origin should reflect the difference between what an LEA otherwise would spend to transport a student to his or her assigned school and the cost of transporting a child in foster care to his or her school of origin. U.S. Departments of Education and Health and Human Services (2016), Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care-Question 27.