

EDUCATIONAL STABILITY FOR STUDENTS IN FOSTER CARE

I. Statement of Policy

The District promotes the educational stability of students in foster care by working with students, their designated caregivers, and local departments of social services (LDSS) to determine the educational placement that is in the best interest of the student, and by providing transportation and other services consistent with applicable laws and regulations

II. Definitions

- A. Foster Care is defined as 24 hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but it's not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes.
- B. School of Origin means the school in which a child is enrolled at the time of placement in foster care. If a child's foster care placement changes, the school of original would then be considered the school in which the child is enrolled at the time of the placement change.

III. Point of Contact

- A. The Superintendent shall designate a District administrator to serve as the District's Foster Care Point of Contact to work with the LDSS Point of Contact to make determinations of educational placement, transportation and reimbursement for transportation, and other services to be provided to the student in foster care.
- B. The name of and contact information for the District's Foster Care Point of contact will be provide to the New York State Education Department, posted on the District's website, and provided in writing to the LDSS. This information will be updated as necessary.
- C. The District's Foster Care Point of Contact shall periodically review the education records of students in foster care and consult with teachers or administrators to ensure that those students are regularly attending school and are participating in school activities, and that the school is meeting the student's educational needs. The District Point of Contact shall also be responsible for being informed about any changes in law, regulation, or guidance concerning the District's responsibility for students in foster care and advising the Superintendent.

IV. School Placement of Student in Foster Care

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A. Presumption That Student Will Remain In School of Origin

1. The District recognizes the presumption created by federal law that remaining in the school of origin is in the best interests of the student placed in foster care.
2. When a student already attending a school in the District is placed in foster care, the student will continue to attend that District school until and unless a determination is made that attending a different school is in the best interests of the student. This procedure will be followed whether the foster care home is in the District or outside the District.
3. When a student attending a school outside the District is placed in foster care within the District, the student will be expected to continue to attend that school until and unless a determination is made that attending the District school associated with the foster care home is in the best interests of the student. If such a determination is made, the student shall be promptly enrolled in the District and begin attendance at the District school without waiting to receive the student's educational records.

B. Best Interest Determination

1. When a student currently attending a District school is placed in foster care, or a student currently attending school outside the District is placed in foster care within the District, the District Point of Contact shall promptly engage with the LDSS Point of Contact for Foster Care and evaluate the following factors relevant to making a determination of the school placement that is in the best interest of the student:
 - Preference of the student
 - Preference of the student's parent or education decision maker,
 - The extent of the student's attachment to a particular school, including existing relationships with staff and peers,
 - School placement(s) of the student's sibling(s),
 - Influence of the school climate on the student, including the student's sense of safety,
 - The availability and quality of the services in the school to meet the student's educational and socioeconomic needs,
 - The student's history of school transfers and how they have impacted the student,
 - How the length of travel to the school would impact the student, considering the student's developmental stage,

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- Whether the student is a student with a disability receiving services under an IEP or Section 504 Plan, and the availability of such services in the school,
 - Whether the student is a an English Learner and is receiving language services, and the availability of those services in the school, and
 - Any other relevant factors.
2. If the District's Foster Care Point of Contact and the LDSS Foster Care Point of Contact concur regarding the school placement that is in the best interest of the student, the District's Foster Care Point of Contact shall:
- a. notify the Superintendent of the agreed school placement and any necessary transportation arrangements,
 - b. if the placement is the school currently being attended in the District, notify the Principal of the school of the decision,
 - c. if the placement involves a student then attending a District school transferring to a school outside the District, make arrangements for the prompt transfer of education records to the new school and determine an appropriate transportation plan with the LDSS Point of Contact, and
 - d. if the placement involves a student then attending school outside the District transferring to a District school, contact the school of origin to confirm a prompt transfer of education records to the District and determine an appropriate transportation plan with the LDSS Point of contact.
3. If the District's Foster Care Point of Contact and the LDSS Point of Contact do not concur regarding the school placement that is in the best interest of the student, the District's Foster Care Point of Contact shall notify the Superintendent, providing a description of the different positions of the District and the LDSS. The District recognizes that federal law places primary responsibility for the student's school stability plan with the LDSS and that the determination of the LDSS as to the school placement that is in the best interest of the student should normally take precedence.

V. Transportation Plans

- A. The District will coordinate and collaborate with the LDSS to make an appropriate transportation plan that supports the student's school stability plan

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and is fair to the District's taxpayers, consistent with the District's obligations under the federal Fostering Connections Act.

- B. The District recognizes that the LDSS may have access to federal funds to support the student's school stability plan, including transportation costs. Therefore, when there are additional costs incurred by the District to provide transportation to the school of origin, the District will first seek to have the LDSS agree to provide that transportation through a separate contract or by reimbursing the District. The District will also consider sharing the additional cost with the LDSS or absorbing the full amount of the additional cost.

Waterville Central School District

Legal Ref: Every Student Succeeds Act (ESSA) of December 2015; US Department of Education and US Department of Health and Human Services Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care, June 23, 2016

Adopted: 01/09/18