Merchantville Board of Education 130 South Centre Street Merchantville, NJ 08109	File Code : 5118.2 Adopted : 1/24/2017 Revised : Reviewed : 06/03/2024

Foster care and educational stability

The board recognizes that children placed in foster care, including resource family homes or other out-of-home placements, have special needs. The board is committed to ensuring cooperation and collaboration with the New Jersey Department of Children and Families (DCF) to minimize further disruptions in the lives of these children and promote their educational stability. The chief school administrator is directed to oversee the development of effective partnerships between the schools of this district and child welfare officials to support the educational needs of children in out-of-home placements within the community, and also provide a framework to support a broader range of children in need of prevention, intervention and referral services.

The Federal Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351) requires educational stability for children placed in foster care including resource family homes or other out-of-home placement. When the Division of Child Protection and Permanency (DCP&P) or other State authorized agency places a child in foster care including resource family homes or other out-of-home placement there shall be a presumption that the child shall remain in the school currently attended by the child, unless DCP&P or other State authorized agency determines that this is not in the best interest of the child. In the event that it is determined that the present school district placement is not in the child's best interest, the child shall be immediately enrolled in the new school district, and the mandated student records shall be provided to the new school district in accordance with law (N.J.A.C. 6A:32-7.5 et seq.) and board policy (5125 Student Records). Even if the child is unable to produce records typically required for enrollment, the child shall be immediately enrolled.

Foster care means 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 is 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. Out-of-home placement is a temporary placement for a child, made by a State agency (Child Protection and Permanency) or State authorized agency (Youth Case Management/YCM, Care Management Organization/CMO or Unified Care Management), in a group home category placement or resource family home, where care of the child is deemed necessary to protect the child's safety and well-being.

Roles and Responsibilities

A. The chief school administrator shall ensure that ongoing communication and collaboration with the Department of Children and Families (DCF) is maintained to support the following goals:

   1. Children remain in their current school when it is determined that it is in their best interest, and to the extent feasible and appropriate, the children remain in their current school while this determination is being made by DCF;
   2. Children enter school ready to learn;
   3. Children receive supports and services to participate in all aspects of school and to prevent school dropout, truancy, and disciplinary actions;
   4. Children are engaged in their education, are empowered to advocate for their educational needs and pursuits, and receive supports and services to ensure a successful transition into adulthood;
   5. Children with disabilities are located, identified and evaluated for eligibility for special education and section 504 services and, if eligible, shall receive services in accordance with their IEP or section 504 plan;
   6. DCF and the district collaborate to support and improve the well-being of children.

B. DCP&P employees shall have access to student records, including those that are relevant to current and ongoing child welfare investigations. It is not required to have the written consent of the parent or adult student, or a court order, to release student records to DCP&P or other representatives of a State or local child welfare agency pursuant to P.L. 112-278, S.2, the Uninterrupted Scholars Act;

C. The chief school administrator shall designate at least one school district liaison to act as the primary contact person between the schools in the district and child welfare authorities with regard to general information sharing, the development of mutual training and other cooperative efforts (N.J.A.C. 6A:16-11.1(a)6). The responsibilities of the district liaison may include:

   1. Facilitating school registration, placement, educational planning, support services, collaboration and problem resolution that may include but are not limited to:

      a. Healthcare planning (see policies 5141 Student Health and 5141.21 Administration of Medication);
      b. Child study team referral and assessment;
      c. Intervention and referral services as necessary and appropriate;
      d. Ensuring continuity of individualized education program (IEP) as appropriate;

   2. Serving as the point person for communication, collaboration, information sharing and resource identification;
   3. Acquiring knowledge about outside systems and resources, which may require attendance at cross-trainings offered at state and local levels;

4. Overseeing district staff's implementation of the Interagency Guidance Manual with DCF staff and the local memorandum of agreement (MOA) if developed;
5. Participating in turnkey county-offered trainings and activities that foster collaboration, communication and problem resolution between the education and child welfare communities; and
6. Coordinating with DCP&P to provide the required training of school district employees, volunteers and interns (N.J.A.C. 6A:16-11.1(a)8).

District of Residence and Tuition

The district of residence is responsible for continuing to educate a child within its own district or paying tuition for a child attending school in another district, and for providing for any needed transportation. Five school days after the best interest determination has been made, the district of residence must make transportation arrangements for the child. The district of residence shall bear the cost of providing the transportation.

A. Placement in a resource family home:

1. If a child was placed in a resource family home prior to September 9, 2010, the district of residence shall be the district in which the resource family parents reside. If such a child in a resource family home is subsequently placed in a State facility or by a State agency, the district of residence of the child shall then be determined as if no such resource family placement had occurred;
2. If a child was or is placed in a resource family home on or after September 9, 2010, the district of residence shall be the present district of residence of the parent or guardian with whom the child lived prior to the most recent placement in a resource family home.

B. Placement in residential State facilities

When a child is placed in a residential State facility, or has been placed by State agencies in a group home, skill development home, private school or out-of-State facility, the district of residence shall be the present district of residence of the parent or guardian with whom the child lived prior to his most recent admission to a State facility or most recent placement by a State agency.

C. If the district of residence cannot be determined, or if the criteria identify a district of residence outside of the State, or if the child has resided in a domestic violence shelter or transitional living facility located outside of the district of residence for more than one year, the State shall assume fiscal responsibility for the tuition of the child (N.J.S.A. 18A:7B-12).

Transportation

A. Transportation for students living in group homes shall be the responsibility of the resident district board of education as detailed above and according to law (N.J.S.A. 18A:7B-12);

B. Transportation for students placed in a resource family home on or prior to September 9, 2010 shall be the responsibility of the resident district board of education in which the resource family home is

located and shall follow the requirements of law (N.J.S.A. 18A:39-1 et seq.) and board policy 3541.1 Transportation Routes and Safety.

C. For students removed from the custody of their parent or legal guardian and placed in a resource family home or moved from placement in one resource family home to another after September 9, 2010:

1. The school district of residence for the student is the school district in which the student's parent or legal guardian was living at the time of the student's placement;
2. When a student is placed in a resource family home that is located within the student's school district of residence, the school district of residence shall provide transportation services; and
3. When a student is placed in a resource family home that is located outside of the student's school district of residence, the school district in which the resource family home is located shall arrange for transportation services in consultation with the school district of residence. The school district of residence shall be responsible for the cost of transportation.

Transferring Student Records

When a child is placed in foster care including a resource family home or other out-of-home placement and newly enrolls in the district, the chief school administrator or his or her designee shall immediately contact the school of origin to obtain relevant academic and other records. The request for records shall be submitted in writing within 10 school days of enrollment. The chief school administrator or his or her designee shall also ensure records of students who are required to transfer to another school district as a result of foster placement, are transferred expeditiously and in accordance with law (N.J.A.C. 6A:32-7.5) and board regulations.

Implementation

The chief school administrator shall oversee the development of procedures for collaboration with DCP&P and tuition reimbursement to avoid barriers to immediate enrollment.

Key Words

Foster Care, Resource Family Home, Out-of-Home Placement, DCP&P, Child Welfare, Liaison

Legal References:

N.J.S.A. 18A:7B-12 Determination of district of residence
N.J.S.A. 18A:7F-24 Submission of budget for educational programs in State facilities
N.J.S.A. 18A:7F-43 et seq. School Funding Reform Act of 2008
See particularly:
N.J.S.A. 18A:7F-49 Determination of base per pupil amount; grade level weights
N.J.S.A. 18A:36-19a. Student records
N.J.S.A. 18A:36-25.1 Certified copy of birth certificate required for enrollment in school, records
N.J.S.A. 18A:39-1 et seq. Transportation to and from schools
N.J.S.A. 30:4C-26 Placing child in resource family home or institution
N.J.S.A. 30:4C-26b Child in resource family home, determination of school placement
N.J.A.C. 6A:8-4.3 Accountability

N.J.A.C. 6A:14-1 et seq.	Special education
See particularly:	
N.J.A.C. 6A:14-2.2	Surrogate parents, wards of the State and foster parents
N.J.A.C. 6A:16-1.1et seq.	Programs to Support Student Development
See particularly:	
N.J.A.C. 6A:16-8.1	Establishment of intervention and referral services
N.J.A.C. 6A:16-11.1	Reporting potentially missing , abused or neglected children and attempted or completed suicide
N.J.A.C. 6A:22-3.4	Proof of eligibility
N.J.A.C. 6A:22-4.1	Registration forms and procedures for initial assessment and enrollment
N.J.A.C. 6A:23A-17.1	Method of determining tuition rates for regular public schools
N.J.A.C. 6A:32-7.1 et seq.	Student records
See particularly:	
N.J.A.C. 6A:32-7.5	Access to student records

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Every Student Succeeds Act of 2015, Pub. L. 114-95, 20 U.S.C.A. 6301 et seq.

Fostering Connections to Success and Increasing Adoptions Act, Pub. L. 110-351

Memorandum, Re: Ensuring Educational Stability for Children in Foster Care; the New Jersey Commissioner of Education: October 4, 2016, located at: https://homeroom5.doe.state.nj.us/broadcasts/2016/OCT/03/15303/Ensuring%20Educational%20Stability%20for%20Children%20in%20Foster%20Care.pdf

Memorandum, Re: Interagency Guidance Manual to Improve Educational Outcomes of Children in Out-of-Home Placement; the New Jersey Commissioner of Education: October 4, 2016, located at: http://www.nj.gov/education/students/safety/edservices/stability/outcomes_memo.pdf

Improving the Educational Outcomes of Children in Out-of-Home Placements: An Interagency Guidance Manual; The New Jersey Department of Children and Families, 2013.
Located at:
http://www.nj.gov/education/students/safety/edservices/stability/outcomes.pdf

Possible Cross References:

*3541.1 Transportation Routes and Services
*5111 Admission
*5125 Student Records
*5141 Health
*5141.3 Health Examinations and Immunizations
*5141.21 Administrating Medication

*6164.1 Intervention and Referral Services
*6164.2 Guidance Counseling
*6164.4 Child Study Team
*6171.1 Remedial Instruction
*6171.3 At-risk and Title 1 (parent involvement)
*6171.4 Special Education

*Indicates policy is included in the Critical Policy Reference Manual.