Colbert County Schools

Foster Care Student Plan



School Year 2026-2027

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Plan Approved By (person or entity) — **Date**

Foster Care Plan

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 Child Welfare Agencies (DHRs) to ensure educational stability and minimize educational disruptions for children in foster care.

Colbert County Schools is committed to providing 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 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 to remain in the 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.

Assurances

- Each placement of the child in foster care considers 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 with appropriate enrollment in Colbert County Schools.
- Colbert County Schools will gather and maintain educational records and promptly send them to any district where the child moves.

Foster Care Child Liaison (POC)

Colbert County Schools will assign at least one person to serve as a Foster Care Child Liaison or Point of Contact (POC). The Foster Child Liaison will work in the best interest of the child to ensure that all educational requirements are 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 child welfare agencies to:

- Coordinate with the corresponding child welfare agency,
- Lead the development of a process for making the best interest determination,
- Document the best interest determination,
- Facilitate the transfer of records and immediate enrollment,
- Facilitate data sharing with the child welfare agencies, consistent with FERPA and other privacy protocols,
- Develop and coordinate local transportation procedures,
- Manage best interest determinations and transportation cost disputes,
- Ensure that children in foster care are enrolled in and regularly attend school, and
- Providing professional development and training to school staff on the Title I provision and educational needs of children in foster care.

Committee

A committee will meet to determine the appropriate placement of each foster care child. The committee will be composed of the site administrator or LEA representative, the Foster Care Liaison, and a member of the DHR. In emergency circumstances the DHR has the authority to make an immediate decision regarding the school placement and then consult with the LEA and revisit the best interest determination of the child. The determining factors that may be evaluated include:

- Proximity of the resource family to the child's present school,
- Safety considerations,
- Age and grade level of the child as it relates to the other best interest 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 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,
- History of school transfers and how they have impacted the child,
- How the length of the commute would impact the child, based on the child's developmental stages,
- 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 aids and services, and if so, the availability of those required services in a school other than the school or 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.

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

In the event of a disagreement regarding school placement for a child in foster care, the child welfare agency should be considered the final decision maker in making the best interest determination. The child welfare agency is uniquely positioned to assess vital non-educational factors such as safety, sibling placements, the child's permanency goal, and other components of the case plan. The child welfare agency also has the authority, capacity, and responsibility to collaborate with and gain information from multiple parties including parents, children, schools, and the court in making these decisions.

Enrollment of Students

Foster care parents, social workers or other legal guardians will be allowed to immediately enroll children in Colbert County Schools. We understand that all necessary paperwork (birth certificates, shot records, academic records, special education records, etc.) may not be immediately available and we want to provide a smooth transition for the student into our school system. We will contact the school of origin 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 care family or DHR:

- Power of Attorney
- Affidavit
- Court Order

IDEA Students

The IDEA, Part B, directs school systems to make a Free Appropriate Public Education (FAPE) available to all eligible children with disabilities in the Least Restrictive Environment (LRE). FAPE and IDEA include 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 people.

Colbert County 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.

EL Students

Colbert County Schools will ensure that EL students 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,
- Providing EL students with a language assistance program that is educationally sound and proven successful,
- Sufficient staff and support the language assistance programs for EL students,
- Ensuring 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,
- Meeting the needs of EL students who opt out of language assistance programs,
- Monitoring and evaluating EL students in language assistance programs following federal guidelines,
- Continuing to evaluate the effectiveness of the language assistance program and progress of each student,
- Ensuring meaningful communication with the parents of EL students.

Student Records

Colbert County Schools will share education records with the DHR 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 agencies.

Transportation

For each student in foster care remaining in his or her school of origin, the School System Point of Contact and DHR will work collaboratively to provide, arrange, and fund transportation for the duration of the child's time in foster care.
Wherever possible, and where it is in the student's best interest, Colbert County Schools buses should be utilized for transportation according to the following procedure:

- Colbert County Schools will advise DHR within 3 school days whether it is able to transport the student in question by school bus and if so, Colbert County Schools will arrange transportation within 5 school days.
- During the interim period of up to 5 school days during which Colbert County Schools is arranging transportation, DHR will make all reasonable efforts to provide alternative transportation to ensure that the child does not miss school.

If Colbert County Schools advises DHR that it cannot transport a student by school bus, DHR and Colbert County Schools will collaborate to arrange for safe and timely transportation. DHR will assume the responsibility of authorizing the means of transportation using but not limited to one or more of the following options.

- Employees of DHR and residential programs.
- Any person approved by DHR; or
- Contracted transportation (if applicable).

DHR and Colbert County Schools agree to pay for transportation mileage on the following plan:

- The Colbert County Transportation Director and the Chief School Financial Officer will compute the average daily rate of transporting a Colbert County Schools student. This determines the base amount to be applied towards daily mileage expenses.
- In the event there are additional daily mileage expenses, Colbert County Schools Title I Foster Care Set Aside and DHR will share the remaining cost equally.
- Colbert County Schools will pay the mileage and bill DHR.

Dispute Resolution

Colbert County Schools and DHR will make every effort to collaborate in serving children in foster care. When a dispute arises between the agencies overpaying the costs of transportation, Colbert County Schools and DHR will make every effort to resolve the dispute collaboratively at the local level. In addition, under no circumstances shall the dispute delay or interrupt the provision of transportation for a child to the school of origin. To ensure no such disruption, the agency that had been paying for transportation prior to the dispute will continue to pay until the dispute is resolved. If transportation was not provided previously, Colbert County Schools will arrange and provide the transportation and DHR may reimburse the district for additional costs, while payment disputes are being resolved. Disputes between Colbert County Schools and DHR regarding implementing the local transportation procedures, calculating and paying for additional costs of transportation to the school of origin for children in foster care, or other inter-agency transportation disputes will be resolved by an ALSDE-appointed panel including both ALSDE and DHR staff members. Either Colbert County Schools or DHR can bring a transportation payment dispute to the ALSDE by submitting a dispute resolution request to the ALSDE foster care point of contact via an email with the subject "Foster Child Transportation Dispute." The dispute resolution request must include:

- A complete explanation of the basis of the dispute, with all pertinent facts.
- The name and contact information of the people who have been addressing the dispute thus far on behalf of both ACBOE and DHR (phone, email and mailing address).
- Details of how the agencies have attempted to resolve the dispute at the local level prior to appealing to the state.

Within ten (10) days of receipt of the dispute resolution request, ALSDE foster care point of contact will contact the party that did not submit the request Colbert County Schools or DHR, identifying the subject matter of the dispute and inviting that party to submit any information pertinent to the dispute. The party will have ten (10) days to submit its explanation of the dispute, with all pertinent facts. Documents submitted by either party after the applicable deadlines will not be considered. The panel shall make a final decision within thirty (30) days of receiving all information related to the dispute. The ALSDE foster care contact will forward the written decision and an explanation of that decision to the appropriate parties at both ACBOE and DHR. The decision shall be the final resolution.