

STUDENTS IN FOSTER CARE

Definitions

- **Additional costs incurred in providing transportation** are those costs which reflect the difference between what the district would otherwise spend to transport a student to his or her assigned school and the cost of transporting a student in foster care to his or her school of origin. The district would, for example, incur an additional cost if it had no choice but to re-route busses to transport a student in foster care to one of its schools.
- **Best interest determination** means using child-centered criteria for determining which educational setting is best for a particular child. Decisions should be made on a case-by-case basis and should not be based on the cost of transportation.
- **Caregiver** means potential out-of-home placement options including licensed foster homes, relatives, group care providers or other court-ordered suitable parties. All placement options result from state dependency court actions. This term is relevant to the dispute resolution process for education-services decisions relevant to students in foster care.
- **Educational decision-maker** means the caregiver and social worker listed on the *Caregiver Authorization Form* who are authorized to make day to day decisions for children and youth in foster care. Additional decision-makers such as the birth parent, education liaison or other appropriate adult may be court-appointed and identified on the *Health and Education Authorization Court Order*. This term is relevant to the dispute resolution process for enrollment and transportation decisions relevant to students in foster care.
- **Foster care** means twenty-four hours per day temporary, substitute care for a child placed away from the child's parents or guardians, and for whom the Department of Social and Health Services (DSHS) or a licensed or certified child placing agency has placement and care responsibility. This includes any out-of-home care (including a relative or suitable person), provided the child is under the placement and care responsibility of DSHS, and placed in out-of-home care by DSHS.
- **Other supervising agency** means an agency licensed by the state under RCW 74.15.090, or licensed by a federally recognized Indian tribe located in Washington under RCW 74.15.190 that has entered into a performance-based contract with the department to provide case management for the delivery and documentation of child welfare services as defined in RCW 74.13.020.
- **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 origin would then be considered the school in which the child is enrolled at the time of placement change.

Duties of the foster care liaison

The superintendent or designee will designate a district foster care liaison to work with the district's Title I coordinator to provide supports for students in foster care. The liaison will also serve as the district's point of contact (POC) with appropriate state, local and/or tribal child welfare agencies to receive notifications and share information regarding the status and progress of students in foster care.

The district foster care liaison will:

1. Collaborate with the district's Title I coordinator and the appropriate child welfare agency point of contact on the implementation of Title I provisions;
2. Lead the development of a district process for making a best interest determination;
3. Document all best interest determination processes as well as collaboration with the child welfare agency or agencies;
4. Facilitate the transfer of records and immediate enrollment;
5. Facilitate data sharing with child welfare agencies that is in compliance with FERPA and other student privacy legal requirements;
6. Develop and coordinate local transportation procedures;
7. Manage transportation costs disputes;
8. Ensure that students in foster care are enrolled in and regularly attending school;
9. Coordinate all appeals of education-based decisions for students in foster care and district appeals of inter-agency disputes; and
10. As resources permit, provide guidance to school staff on Title I provisions and educational needs of students in foster care on an as-needed basis.

Enrollment in school of origin

When the district foster care liaison receives notification from a child welfare agency that a foster care student will be moving to a new residence and the necessary timeframe for determining the student's most appropriate school placement, the district liaison/designee will in turn provide the agency with information on the appropriateness of the current educational setting. In order to minimize disruption to their education, students in foster care will be enrolled in or remain in their school of origin unless it is determined that such placement is not in the student's best interest.

If remaining in the school of origin is determined not to be in the student's best interest, the district will immediately enroll that student in their new school. A school may not prevent a student in foster care from enrolling based on incomplete information of any history of placement in special education, any past, current, or pending disciplinary action, any history of violent behavior, or behavior listed in RCW 13.04.155, any unpaid fines or fees imposed by other schools, or any health conditions affecting the student's educational needs during the ten (10) day period that the Department of Social and Health Services has to obtain that information. Upon enrollment, the district will make reasonable efforts to obtain and assess the child's educational history in order to meet the child's unique needs within two (2) school business days prior to placing them in an instructional setting. Discipline assigned by a prior district may be imposed until it is

completed. Students with a history of violent or disruptive misconduct may be placed in a more restrictive, or off-campus instructional program until the student demonstrates both safe and productive behavior.

Best interest determination

In the event that the student's placement in the school of origin is questioned, the district's foster care liaison will meet with the child welfare agency's point of contact, the student, and, if feasible, the student's biological and foster family to determine whether the placement is in the student's best interest. The following list includes, but is not limited to, factors that should be considered:

- Preference of the student;
- Preference of the student's parents or education decision makers;
- The student's attachment to the school, including meaningful relationships with staff and peers;
- Placement of the student's sibling(s);
- Influence on the school climate of the child (including safety);
- The availability and quality of services in school to meet the child's educational and socioemotional needs;
- History of school transfers and their impact on the student;
- Length of commute and how it would impact the student based on their developmental stage;
- Whether the student is eligible to receive special education or related services under IDEA or eligible to receive related aids or services under Section 504 and, if so, the availability of those services in a school other than the school of origin; and
- Whether the student is receiving ELL services and, if so, the availability of those services in school other than the school of origin.

The best interest determination will be made promptly after the child welfare agency's notification of placement to the district. All meeting participants will receive written notification of the outcome.

Additionally, the caregiver or education decision-maker for the student will receive notice of the appeals process (see Dispute Resolution Process below) after the best interest determination. Only a caregiver or education decision-maker for the student may file an appeal using the Dispute Resolution Process.

Records Transfer

When a student in foster care transfers schools, whether within the district or to another school district, the enrolling school will immediately contact the sending school to obtain academic and other records. The sending school will respond as soon as possible to requests it receives for records of students in foster care.

Additionally, upon receipt of a request for education records of a student in foster care from the Department of Social and Health Services, the district will provide the records to the agency within two (2) school days.

Transportation

By December 10, 2016, the district will collaborate with state, local or tribal child welfare agencies, as appropriate, to implement a written transportation procedure by which prompt, cost-effective transportation will be provided, arranged and funded for students to remain in their school of origin when in their best interest for the duration of their time in foster care.

The written procedure will ensure that if additional costs are incurred in providing transportation, the district will provide transportation to the school of origin if the child welfare agency agrees to reimburse the transportation.

Dispute Resolution Process

Involved parties may follow District Policy and Procedure 4220-P to resolve any complaints or disagreements.

Review of unexpected or excessive absences

A district representative or school employee will review unexpected or excessive absences of students in foster care and those awaiting placement with the student and adults involved with the student, including their caseworker, educational liaison, attorney if one is appointed, parent, guardian and foster parents. The purpose of the review is to determine the cause of the absences, taking into account: unplanned school transitions, periods of running from care, in-patient treatment, incarceration, school adjustment, educational gaps, psychosocial issues and unavoidable appointments during the school day. The representative or employee will take proactive steps to support the student's school work so the student does not fall behind and to avoid suspension or expulsion based on truancy.

Facilitating on-time grade level progression

The district will: 1) waive specific courses required for graduation for students in foster care if similar coursework has been satisfactorily completed in another school district; or 2) provide reasonable justification for denial of the waiver. In the event the district denies a waiver and the student would have qualified to graduate from their sending school district, the district will make best efforts to provide an alternative process of obtaining required coursework so that the student may graduate on time.

The district encourages consolidation of unresolved or incomplete coursework and to provide students in foster care with opportunities to accrue credit through classroom hours, correspondence courses, or portable assisted study sequence units designed for migrant high school students.

In the event a student is transferring at the beginning of or during their junior or senior year of high school and is ineligible to graduate after all alternatives have been considered, the district will work with the sending district to ensure the awarding of a diploma from the sending district if the student meets the graduation requirements of the sending district.