



**SECTION: STUDENTS**

**POLICY: 255**

**TITLE: EDUCATIONAL STABILITY  
FOR CHILDREN IN FOSTER CARE**

**ORIGINAL:** February 27, 2017

**CURRENT REVISION:**

**LAST REVIEWED BY THE**

**ADMINISTRATION:** March 23, 2021

## **ADMINISTRATIVE GUIDELINES**

### **A. Enrollment/Placement**

- a. A child in foster care shall continue to be enrolled in his/her school of origin unless there is a determination by the district and local children and youth agency that it is not in his/her best interest to attend the school of origin.
- b. Best Interest Determination - The best interest determination shall be made in accordance with federal and state laws and regulations, court orders, and established local procedures.
  - i. In determining whether it is in a child's best interest to remain in his/her school of origin, all factors relating to a child's best interest shall be considered, including the appropriateness of the current educational setting and proximity of foster care placement. However, the cost of the foster care student's transportation shall not be taken into consideration when making the best interest determination.
- c. Documentation related to the best interest determination shall be kept in the student's education record.
- d. Enrollment - When a child in foster care is placed in the district and seeks enrollment in district schools, the district's point of contact shall:
- e. Ensure the child is immediately enrolled and attending school, even if the records normally required for enrollment pursuant to district policies are not available.
- f. Immediately contact the school last attended by the child to obtain relevant academic and other records.

B. Dispute Resolution - If a dispute arises over the foster care student's (1) appropriate school placement; (2) transportation arrangements; or (3) cost of transportation, to the extent feasible and appropriate, the child shall remain in his/her school of origin, pending resolution of the dispute.

C. Assignment - If the district is unable to determine the student's grade level due to missing or incomplete records, the district shall administer tests or utilize appropriate means to determine the student's assignment within the school. Additionally, in compliance with district policy the superintendent or the superintendent's designee shall make the final determination as to the student's grade.

### **D. Education Records**

- a. The district may disclose personally identifiable information from the education records of a student without written consent of the parent(s) or the eligible student if the disclosure is:
- b. To comply with a court order authorizing the disclosure of education records in a case where a parent is a party to a proceeding involving child abuse or neglect or a dependency matter.
- c. To an agency caseworker or other representative of a state or local child welfare agency, or tribal organization, who has the right to access a student's case plan, as defined and determined by the state or tribal organization, when such agency or organization is legally responsible, in accordance with state or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student's education needs and authorized by such agency or organization to receive such disclosure and such disclosure is consistent with the state or tribal laws applicable to protecting the confidentiality of a student's education records.

#### E. Transportation

- a. The district shall ensure that children in foster care needing transportation to their school of origin will promptly receive transportation in a cost-effective manner.
- b. To ensure that transportation for children in foster care is provided, arranged, and funded, the district shall collaborate with the local children and youth agency to develop a local transportation plan.
- c. The transportation plan shall address the following:
  - i. The procedure the district and local children and youth agency will follow to:
  - ii. Promptly provide transportation for children in foster care;
  - iii. Promptly arrange transportation for children in foster care; and
  - iv. Ensure transportation is funded in a cost-effective manner and in accordance with Section 475(4) (A) of the Social Security Act.
  - v. How transportation costs will be covered if additional costs are incurred. Options include:
    - vi. The local children and youth agency agrees to reimburse the district;
    - vii. The district agrees to pay for the cost;
    - viii. The district and the local children and youth agency agree to share the costs; or
    - ix. The district of origin, the district of current residence and the placing children and youth agency agree to share the costs.
- d. Dispute resolution procedures to ensure that any disagreements regarding the cost of transportation are resolved promptly and fairly, and do not affect a student's ability to remain in the school of origin, to the extent feasible and appropriate, during the dispute resolution process.
- e. The district shall submit the local transportation plan, including any updates or revisions, to the Pennsylvania Department of Education.
- f. Transportation shall be provided to children in foster care in accordance with the local transportation plan regardless of whether transportation is provided to district students.

#### F. Training

- a. The district's point of contact for children in foster care shall provide professional development and training to school staff on the Title I foster care provisions and education needs of children in foster care, as needed.