

# Federal Programs

Ardmore City Schools

## Joint Consideration for School Enrollment and Success for Children in Foster Care:

### Ardmore City Schools and Carter County Department of Human Services, Child Welfare Services

#### **I. PURPOSE**

The purpose of this agreement is to establish joint procedures by which Ardmore City Schools (“ACS”) and Carter County Department of Human Services, Child Welfare Agency (“DHS”, “CWA”) will support the educational stability and success of students in foster care, consistent with the requirements of the Fostering Connections to Success and Increasing Adoptions Act (“Fostering Connections”), Title I, Part A (“Title I”) of the Every Student Succeeds Act (“ESSA”) as reauthorization of the Elementary and Secondary Education Act (ESEA”), the Uninterrupted Scholars Act, and related state laws and regulations.

#### **II. STATUTORY REQUIREMENT**

Fostering Connections, Title I, the Uninterrupted Scholars Act and related state laws and regulations require public school systems and local departments of child welfare/social services to work together to support the educational stability and success of children who are in out of home care. These laws provide that when a child is initially placed in foster care or changes foster care placements, the child may remain in the same school he or she has been attending and receive school transportation, unless changing schools is in the child’s best interests. Where there is a determination that it is in the child’s best interests to change schools, he or she is entitled to enroll in the new school immediately and lack of documentation should not delay that process. These laws also direct public school systems and local departments of child welfare/social services to monitor and support the educational stability and success of children in out of home care in other ways, including by ensuring the prompt transfer of school records, and maintaining and sharing data on children’s academic achievement.

#### **III. DEFINITIONS**

- A. Academic School Year: The period beginning on the first day of school for students in August or September and ending with the last day of school for students in May or June
- B. Enroll or Enrollment: attending classes and participating fully in school activities
- C. Extended School Year Learning: Courses offered by ACS during the summer months, previously referred to as “summer school”
- D. Immediate: As promptly as possible, but no more than two school days
- E. Local Zoned School: the school attended by students living in the attendance area of the child’s foster care placement
- F. ACS Foster Care Coordinator (FCC): an ACS staff person employed in the Federal Programs department of school administration offices whose responsibilities include but are not limited to: the identification of, enrollment of and provision of support to students in out-of-home care; and, to work with DHS/CWA in connection with the identification, enrollment and provision of support to students who are in out-of-home care
- G. DHS/CWA Foster Care Point of Contact (POC): a DHS/CWA staff person employed in the Foster Care division of DHS/CWA whose responsibilities include but are not limited to: serving as primary contact between children in foster care and school staff, district personnel and other service providers, coordinating with ACS Foster Care Coordinator on implementation of the Title I provisions, including immediate enrollment, establishing a process

# Federal Programs

## Ardmore City Schools

to notify ACS of child placed in foster care or of placement change, coordinating on best interest determinations with ACS, facilitating transfer of educational and other records for foster care student, coordinating transportation services and associated costs.

- H. School of Origin: the school the student attended prior to placement in out-of-home care or the school in which the student was last enrolled. This includes feeder schools the student has not yet attended, but was zoned to attend.

#### **IV. CHANGES TO FOSTER CHILDREN'S RESIDENTIAL PLACEMENTS: TAKING EDUCATIONAL FACTORS INTO ACCOUNT**

DHS/CWA will, except in emergency circumstances, convene a Family Team Decision-Making Meeting before moving a child to a new out-of-home placement. The purpose of the meeting is to engage the child, family and community members, as appropriate, in determining the most appropriate residence to help achieve safety, a permanent family and life-long connections for the child. DHS/CWA and the Foster Care Coordinator and/or a representative of the school in which the child is enrolled will work collaboratively to help inform this decision-making process. The school will provide information about the appropriateness of the child's current educational setting. DHS/CWA shall take into account this information, the child's preferences, the distance from potential placements to the child's current school and other critical factors in making the placement decision. The ACS Foster Care Coordinator and/or a representative of the school in which the child is enrolled may be asked to participate in the Family Team Decision-Making Meeting in person or by telephone.

#### **V. DETERMINATION OF CHILD'S BEST INTEREST FOR FOSTER CARE SCHOOL PLACEMENT**

##### **A. Basic Procedure**

After DHS/CWA determines the most appropriate residence for the child, the ACS Foster Care Coordinator and/or a representative of the school in which the child is currently enrolled will work with the DHS/CWA caseworker to determine, based on the child's best interest, whether the child should:

- Remain in the school of origin, taking into account the appropriateness of the educational setting; or
- Transfer to the local zoned school for the child's new residence, if remaining in the school of origin is not in the child's best interest.

The presumption should be that the child will remain in the school of origin to provide school stability and educational continuity for the child, unless contrary to the child's best interests. In the event of transfer to the local zoned school, the child shall be enrolled immediately and appropriately with all educational records provided to the new school, according to the procedures described below.

DHS/CWA has ultimate decision-making authority over school enrollment and has the responsibility of paying for the student's transportation.

##### **B. Engaging Key Partners in Determining Child's Best Interest for School Placement**

ACS and DHS/CWA should make all reasonable efforts to include in the best interest determination process other individuals who have knowledge of the child. Participation may occur through phone calls, teleconferences, emails or other electronic means, as well as by meeting in person.

# Federal Programs

## Ardmore City Schools

In addition to the DHS/CWA caseworker, individuals who may have knowledge of the child might include:

- The child him/her self;
- Child's birth parent(s) or prior custodian;
- Individual the child would like to participate;
- Parent Surrogate for educational decisions, if applicable
- School representative;
- Classroom teachers;
- School social worker;
- School counselors;
- Special education coordinator if the child has an IEP or 504 plan;
- ACS Office of Transportation
- Coaches;
- Resource parents, kin caregivers or residential care providers;
- Child's attorney; and
- Court Appointed Special Advocate

In addition to including the child in the best interest determination process whenever possible, the DHS/CWA caseworker should engage the child in discussions to:

- Solicit his or her wishes related to school enrollment;
- Address constructively any concerns the child may have;
- Ask who the child would like to take part in the best interest determination process, and arrange for this person's participation.

### **C. Factors to Assess in Determining Child's Best Interest for School Placement**

Factors to assess in determining the child's best interest for school placement include, but are not limited to, the following:

- The student's age
- The student's emotional needs
- The school attended by the student's siblings
- Length of time student is expected to remain at the current placement and the possible location of housing intended to be long-term
- Distance of commute and the impact it may have on the student's education and other student-centered, transportation-related factors, including travel time
- The preferences of the student, the birth parents or prior custodians as appropriate, and the student's resource parent(s) or current placement provider
- School stability and educational continuity
- Time remaining in the academic year
- Personal safety, attendance, academic progress and social involvement of the student in the current school
- The impact transferring the student to a new school may have on his/her needs and progress academically, emotionally, socially and physically
- Availability of classes to avoid credit loss and for timely graduation or promotion

# Federal Programs

## Ardmore City Schools

The caseworker shall document the best interest determination in the child's case file, including factors considered, participants involved in the collaborative process, the determination for school placement, and the placement made. Documentation of the best interest determination shall be maintained in both the DHS/CWA child case file and the school's student cumulative record. If a change in placement is determined to be in the child's best interest, the school representative shall send this documentation to the new school as part of the student's cumulative record.

### **VI. TRANSPORTATION FOR CHILD REMAINING IN HIS OR HER SCHOOL OF ORIGIN**

For each student in out-of-home care remaining in his or her school of origin, the DHS/CWA will pay for transportation expenses, and will work with ACS to make transportation arrangements.

Wherever possible, and where it is in the student's best interest, ACS buses should be utilized for transportation according to the following procedure:

- ACS will advise DHS/CWA within 2 school days whether it is able to transport the student in question by school bus or alternate approved school vehicle, and if so, ACS will arrange bus/vehicle transportation within 4 school days.
- During the interim period of up to 4 school days during which ACS is arranging school bus/vehicle transportation, DHS/CWA will make all reasonable efforts to provide alternative transportation to ensure that the child does not miss school.
- ACS will bill DHS/CWA for the cost of transportation service, and billing will be verified through student attendance records only.
- ACS Finance Director will develop a rate to be charged for the cost of bus transportation.
- DHS/CWA will provide a contact for billing purposes, including a name, address, telephone number, and email address to ensure bills are directed to the proper individual and are paid promptly.
- Payments of bills will be due within 30 days of receipt. If a bill is not paid, ACS reserves the right to charge a penalty of 1.5% per month on the delinquent balance.

If ACS advises DHS/CWA that it cannot transport a student by school bus, DHS/CWA will arrange for safe and timely transportation, using one or more of the following options;

- Foster parents reimbursed at the State mileage rate;
- Friends, relatives and neighbors of the child or foster parent reimbursed at the agreed upon mileage rate;
- Employees of child placing agencies and residential programs;;
- Public transportation paid at the established rate
- Cabs

### **VII. IMMEDIATE ENROLLMENT**

Delays in enrollment in school and disruptions to continuous education are not in the best interest of the child in foster care. Federal and state laws prohibit delaying a child's ongoing education.

Therefore, ACS and DHS/CWA will collaborate to immediately and appropriately enroll a child in foster care seeking to attend his or her local zoned school, whether he or she is enrolling in school for the first time or is transferring following a change in foster care placement and a determination that transfer would serve his or her best interest. As noted above:

- "Immediate" means no later than one school day after notification of intent to enroll.

# Federal Programs

## Ardmore City Schools

- “Enrollment” means the child is attending classes and participating fully in school activities.

To begin the enrollment process, the child’s DHS/CWA caseworker will notify the Foster Care Coordinator with ACS of the intent to enroll a child who is in foster care. Other adults, as permitted by DHS/CWA may be required or permitted to assist with enrollment of the child, but the DHS/CWA caseworker will always direct the process and be the primary contact for ACS staff.

DHS/CWA need not produce the child’s school record at the time of enrollment in order to enroll the child in school. The school/district the child most recently attended is responsible for transferring the education records of the child directly to the school where a child is seeking to enroll.

Only the following documentation is required for enrollment of a child in foster care:

- 1) Documentation that the child is in foster care, including:
  - a) The parts of the most recent court order establishing legal custody; OR
  - b) A letter on the letterhead of the placement agency that has custody of the child explaining that the child is in foster care.
- 2) Identification of the person who is authorized to enroll the student, including:
  - a) Documentation to the receiving school that identifies the person as a DHS/CWA caseworker, or someone else authorized to enroll the child; AND
  - b) Photo identification

ACS enrollment documentation, including a general information form entitled “Enrollment of a Child in Foster Care”, will be provided by the school. In addition, ACS may require that DHS/CWA present documentation establishing the foster child’s current residence. However, lack of such documentation is not a reason to delay or deny enrollment, and DHW/CWA may present such documentation after the child is enrolled if it is not available earlier. Appropriate documentation includes: placement agency letter verifying the child’s address, plus *one* of the following, as chosen by DHS/CWA or any other person authorized to assist with enrolling the child:

- A lease, rent receipts, deed, or property tax bill, or
- A gas & electric bill, water bill, cable bill, online computer services bill, non-cellular telephone bill, or
- Other documentation of residency that is used by ACS

### VIII. DISPUTE RESOLUTION

It is the responsibility of DHS/CWA and ACS to collaborate in determining the child’s best interest for school enrollment and to resolve any conflict concerning the school enrollment determination. Whenever possible, DHS/CWA and ACS will attempt to informally resolve any enrollment dispute involving a child in foster care. DHS/CWA and ACS will pursue the formal dispute resolution procedures below when informal resolution is not possible, or when informal resolution would result in disruptions to the child’s education.

As described above, following the best interest determination process, DHS/CWA has ultimate authority to decide whether to keep a student in out-of-home care in his or her school of origin or transfer him or her to the student’s local zoned school. If the DHS/CWA caseworker’s decision is contrary to the recommendation of ACS, the caseworker will provide ACS with a written explanation of his or her decision. The ACS FCC may then contact the DHS/CWA Foster Care POC to state ACS’ reasons for disagreement, and if persuaded, the director may override the caseworker’s decision and direct enrollment at the school ACS recommends. Or, if necessary, DHS/CWA will convene a Family Team Decision-Making Meeting to discuss and resolve the dispute. While any such dispute is pending, the child shall remain in

# Federal Programs

Ardmore City Schools

his or her school of origin with transportation provided by the agency – either DHS/CWA or ACS – that believes that continuation in the school of origin serves the child’s best interests.

## **IX. EDUCATIONAL STABILITY AND SUCCESS TEAM**

Quarterly, the DHS/CWA Foster Care POC and ACS FCC will coordinate a meeting with one another and with additional staff from each agency as necessary. The purpose of these meetings will be to:

- Review the status of implementation of this plan over the preceding quarter, and develop strategies to address any implementation or compliance challenges
- Discuss the school performance of students in out-of-home care and develop strategies to support their academic outcomes at the individual and population levels. Pursuant to the Uninterrupted Scholars Act, ACS will share the academic records of students who are in the custody of DHS/CWA upon written request from DHS/CWA.
- Pursue collaborative strategies to support the success of students in out-of-home care that are not yet encompassed by this version of the agreement, but may be addressed through the course of future revisions. One such strategy includes the creation of automated systems and procedures by which ACS can share students’ academic information with the DHS/CWA caseworkers responsible for their care.
- Plan ongoing training on the implementation of this plan, and strategies to support the academic success of students in out-of-home care.

# Federal Programs

Ardmore City Schools

## Responsibilities of the ACS Foster Care Coordinator

- Coordinating with the corresponding child welfare agency point of contact on the implementation of the Title I provisions for children in foster care;
- Leading the development of a process for making the best interest determination;
- Documenting the best interest determination;
- Facilitating the transfer of records and immediate enrollment;
- Facilitating data sharing with the child welfare agencies, consistent with FERPA and other privacy protocols;
- Developing and coordinating local transportation procedures;
- Managing best interest determinations and transportation cost disputes;
- Ensuring that children in foster care are enrolled in and regularly attending school;
- Providing professional development and training to school staff on the Title I provisions and educational needs of children in foster care, as needed;