



TLC ACADEMY STUDENT POLICIES

FOSTER CARE TRANSPORTATION POLICY

The Board **must adopt policy** addressing clear and written procedures governing how transportation to maintain children in foster care in their school of origin, when in their best interest, will be provided, arranged, and funded. The policy will:

1. Ensure that children in foster care needing transportation to the school of origin will promptly receive transportation in a cost-effective manner and in accordance with section 675(4)(A) of title 42; and
2. Ensure that, if there are additional costs incurred in providing transportation to maintain children in foster care in their schools of origin, the local education agency will provide transportation to the school of origin if:
 - a. The local child welfare agency agrees to reimburse the local education agency for the cost of such transportation;
 - b. The local education agency agrees to pay for the cost of such transportation; or
 - c. The local education agency and the local child welfare agency agree to share the cost of such transportation

P.L. 114-95

Educational Stability

The Every Student Succeeds Act (ESSA) highlights the need for state education agencies (SEA), local education agencies (LEA), and child welfare agencies to collaborate in ensuring that students in foster care have the opportunities to achieve educational success at the same level as their peers who are not in foster care. The ESSA made amendments to Title I of the Elementary and Secondary Education Act (ESEA) that emphasize the need to provide educational stability for children in foster care in order to maximize those opportunities. These provisions promote greater stability for children in foster care so that they can continue their education without opportunity to achieve college and career readiness.

The ESSA requires an SEA to collaborate with child welfare agencies to ensure that LEAs implement the educational stability requirements for children in foster care, including ensuring that:

1. A child in foster care remains in his or her school of origin, unless it is determined that remaining in the school of origin is not in that child's best interest;
2. If it is not in the child's best interest to stay in his or her school of origin, the child is immediately enrolled in the new school even if the child is unable to produce records normally required for enrollment; and
3. That the new (enrolling) school immediately contacts the school of origin to obtain relevant academic and other records.

Transportation of Students in Foster Care

Some children in foster care will need transportation to remain in their school of origin. To facilitate transportation for these children, each LEA in Texas, including charter schools, must collaborate with the Texas Department of Family and Protective Services (DFPS) to develop and implement clear written procedures that describe how transportation for a student in foster care to his or her school of origin (unless it is determined not to be in the student's best interest), will be arranged, provided, and funded.

These procedures must ensure that children in foster care who need transportation to their schools of origin will promptly receive that transportation in a cost effective manner and in accordance with the Social Security Act. If there are additional costs incurred in providing transportation to the school of origin, the Texas Leadership Charter Academy will provide such transportation if:

1. The local child welfare agency agrees to reimburse Texas Leadership Charter Academy for the cost of such transportation;
2. Texas Leadership Charter Academy agrees to pay for the cost; or
3. Texas Leadership Charter Academy and local child welfare agency agree to share the cost.

Definitions

Additional Costs

Additional costs incurred in providing transportation to the school of origin are the difference between what an LEA otherwise would spend to transport a student to his or her assigned school and cost of transporting a child in foster care to his or her school of origin, Title 1, Part A funds may be used to pay for additional transportation costs, where applicable.

Child Welfare Agency

In Texas, DFPS is the child welfare agency responsible for collaborating with LEAs on transportation procedures. Child Protective Services (CPS) is the division of DFPS that works with schools on foster care-related issues.

A charter holder receiving Title I, Part A funds must collaborate with DFPS-designated contact, including efforts to develop transportation procedures, if DFPS notifies a district, in writing, that the agency has designated an employee to serve as a point of contact for the charter holder. The CPS Service Program Administrators will serve as the points of contact in each region. Contact information for these individuals will be published on the DFPS, Child Protective Services webpage at

https://www.dfps.state.tx.us/Child_Protection/State_Care/education.asp

Foster Care

Foster care means 24-hour substitute care for children placed away from their parents and 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.

School of Origin

The school of origin is the school in which a child is enrolled at the time of placement in foster care. The SEA and LEAs must ensure that a child in foster care enrolls or remains in his or her school of origin unless a determination is made that is not in the child's best interest. 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 the placement change.

Under Texas law, a student in foster care may remain at his or her school or origin through the highest grade level offered by that school, even if the student exits foster care.

Best Interest Determination

DFPS makes the final decision regarding whether it is in a student's best interest to remain in the school of origin. Texas Leadership Charter Academy staff may be asked to provide information on the "educational best interest" of the student to support education decision-making based on what is best for the student academically, including social and emotional development. See Exhibits.

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

Title IV-E Funds

The Social Security Act allows federal child welfare Title IV-E funds to be used for food, clothing, shelter, and reasonable travel for the student in foster care to remain in the school in which the student is enrolled at the time of placement. These funds are part of the caregiver reimbursement rates for children placed in a foster home; however, children in foster care who are placed with a relative or kin may not be eligible for Title IV-E funds. There is currently not a mechanism for direct reimbursement or distribution to charter schools of the Title IV-E funds, so charter schools are encouraged to consider other funding mechanisms for additional transportation costs to the school of origin.

Determining Additional Costs

To identify whether and to what extent additional costs will be incurred in an individual transportation plan to transport a student in foster care to the school of origin, the foster care liaison will consult with the Texas Leadership Charter Academy transportation director to calculate the cost of transporting the student to the school that the student would otherwise attend, which will be used as a comparison. Texas Leadership Charter Academy does not provide transportation to students otherwise, so all transportation costs will be considered additional costs.

Texas Leadership Charter Academy Foster Care Liaison

The Texas Leadership Charter Academy foster care liaison facilitates the enrollment in or transfer to a public school of a student who is in foster care. The Texas Leadership Charter Academy foster care liaison will serve as the designated point of contact for collaboration with DFPS on transportation procedures and issues. The Texas Leadership Charter Academy has designated the following staff member as the foster care liaison in the TEA AskTED system:

Name: Cheryl L. Bricken
Position: Federal Program Director and District Foster Care Liaison
E-Mail: cheryl.bricken@tlca-sa.com
Address: 5687 Melrose Ave., San Angelo, TX 76901
Telephone: 325-653-3200 x.7010

Transportation Procedures

Texas Leadership Charter Academy has developed the following transportation procedures to ensure that transportation is promptly provided to a student in foster care when it is determined that remaining in the school of origin is in the child's best interest. An individual transportation plan for a student needing transportation to his or her school of origin will be based on these transportation procedures. Texas Leadership Charter Academy must ensure transportation is provided to the school of origin while any disputes regarding additional costs are resolved.

In developing these procedures, Texas Leadership Charter Academy has taken the following steps to involve the DFPS child welfare contact and the CPS regional director:

TLCA Federal Programs Director/Foster Care Liaison contacted DFPS contact by email and consulted with her regarding transportation for foster care. Each foster care transportation issue will be negotiated individually.

The following Texas Leadership Charter School staff participated in the development of these procedures:

1. Federal Programs Director/District Foster Care Liaison
2. Transportation Director
3. McKinney-Vento homeless liaison
4. CFO
5. Superintendent/CAO

Funding Strategies

Texas Leadership Charter Academy and DFPS have identified the following funding options that may be implemented if additional costs to transport a student in foster care to the school of origin are determined:

1. Cost sharing between Texas Leadership Charter Academy and DFPS through use of a specific transportation strategy in which each party is responsible for a segment of the transportation;
2. Offset of costs by DFPS, such as using Title IV-E funds paid to a foster parent or caregiver for transportation;
3. Cost sharing between the charter holder for the school of origin and the school district where the student is living;
4. Use of Medicaid reimbursements if an IEP for a student receiving special education services will include transportation as a related service;
5. Use of any available grant funds; and
6. Texas Leadership Charter Academy local funds.

Transportation Strategies

The following transportation strategies may be considered in transporting a student in foster care to his or her school of origin:

1. Arrange for foster parent or caregiver to transport the child to the school of origin or to a bus stop on a route to the school of origin;
2. Arrange transportation by a relative or another adult approved by DFPS with whom the student has a relationship and whose existing commute aligns with the student's transportation need to the school of origin or a bus stop on a route to the school of origin;
3. Use existing transportation options between Texas Leadership Charter Academy campuses, such as routes for students who are homeless or students receiving special education services (this option may require the addition of a bus stop on an existing route or that an existing route be rerouted to accommodate the transportation needs);
4. Coordinate with the district in which the student is living to provide transportation to the district boundaries;
5. Evaluate whether an IEP for a student receiving special education services will include transportation to the student's special education program at the school of origin as a related service;
6. Contract with a private transportation company, such as a taxi service, for the student's transportation needs;
7. Use public transportation with a bus pass or transportation voucher; or
8. Add a Texas Leadership Charter Academy transportation route.

Individual Transportation Plan

The individual transportation plan may include:

1. A daily transportation strategy;
2. One or more backup transportation strategies;
3. Transportation strategies to allow participation in after-school and extracurricular activities;
4. A description of the funding strategy that will be used if additional costs to transport the student to the school of origin are identified;
5. Identification of who is responsible for each aspect of the transportation strategy;
6. Designation of an adult to accompany younger students, if necessary, such as when public transportation is used;
7. For transportation strategies with multiple segments, sign off procedures to ensure that the student safely and successfully completes each segment;
8. A communication protocol between Texas Leadership Charter Academy and DFPS when transportation for a student is no longer needed; and
9. A regular review process for adjusting transportation strategies when circumstances change.
10. A communication protocol between Texas Leadership Charter Academy and DFPS when transportation for a student is no longer needed; and

The final individual transportation plan will require a signature by the foster care liaison and a Texas Leadership Charter Academy official who has authority to approve any additional expenditures. The DFPS education decision-maker and the foster parent or caregiver, if different from the education decision-maker, will also be asked to sign the plan.