

## **EDUCATIONAL OPPORTUNITIES FOR CHILDREN IN FOSTER CARE**

The purpose of this policy is to ensure the educational stability of students in foster care and their equal access to the same free and appropriate public education through high school graduation as provided to other students as required by law. Educational stability has a lasting impact on students' academic achievement and wellbeing, and the School Committee is committed to supporting district and community efforts to ensure that students in foster care have access to high-quality, stable educational experiences.

### **Definitions**

- **Foster care** is defined as placement by DCF of a student into 24-hour out-of-home care, away from his/her parents or guardians. These placements include, among others: foster family homes; foster homes of relatives; emergency shelters (including STARR programs and Transitional Care units); residential facilities; child care institutions; group homes; and pre-adoptive homes.
- **School of Origin** is the school a student was attending at the time of placement in foster care or the school a student is attending at the time of any subsequent change in a foster care placement.
- **District of Origin** is the school district in which a School of Origin is physically located. (For students whose IEPs place them in out-of-district approved private or public special education schools or collaboratives, the District of Origin is the district in which the student was enrolled at the time of the DCF placement.)
- **Best Interest Determination** is the collaborative process, based on the individual student's unique best interests and involving input from multiple parties, used for making decisions about whether a student placed in foster care should continue to attend the School of Origin.
- **Foster Care Point of Contact (POC)** is a designated individual who carries out various responsibilities to ensure the educational stability and rights of students in foster care. The ABRSD's POC for children in foster care is the Assistant Superintendent for Diversity, Equity, and Inclusion.
- **Immediate Enrollment** occurs when it is in a student's best interest to leave the School of Origin, the District must immediately enroll the student without delay, to prevent disruption of the student's education.

The law requires that:

- Students in foster care continue to attend their School of Origin, unless, after a collaborative decision-making process, it is determined to be in the student's best interest to enroll and attend school in the District where the foster care provider or facility is located;
- Where an ABRSD school is the student's School of Origin, the student shall be entitled to remain in the School of Origin until the student is no longer in foster care, or completes the grade levels within the School of Origin.
- If the student exits foster care during the year, the student shall be permitted to finish the then current school year in the School of Origin.
- When it is not in the student's best interest to remain in the School of Origin, the student is immediately enrolled in and attends school in the new District, even if records normally required for enrollment cannot be quickly produced;
- The Department of Children and Families (DCF), the Department of Elementary and Secondary Education (DESE), and the District designate points of contact; and
- The ABRSD collaborates with DCF to ensure that students will receive transportation to the School of Origin if needed.

### **Best Interest Determination**

Decisions about whether a student in foster care should continue to attend the School of Origin should be made collaboratively with DCF, the student (as appropriate), the student's family and/or foster family (and if different, the person authorized to make educational decisions on behalf of the student), the School and District of Origin, and, when different, the local district where the student is placed. Best interest determinations should focus on the needs of each individual student and take into account a variety of factors. Every effort should be made to reach agreement regarding the appropriate school placement of a student in foster care. However, if there is disagreement regarding school placement for a student in foster care, DCF will finalize the best interest determination.

A best interest determination may be reviewed and reconsidered through the collaborative process if there is concern that the previous determination is no longer in the best interest of the child. The District can seek review of DCF's decision by utilizing the Foster Care School Selection Dispute Resolution Process established by DESE and DCF. Decisions made through this process are not subject to review. Under the law, to promote educational stability, students placed in foster care should continue to attend their Schools of Origin while best interest determinations are being made.

**Transportation**

When serving as the District of Origin, ABRSD will collaborate with DCF on the provision of transportation and ensure that students in foster care who need transportation to remain in their School of Origin will promptly receive such transportation in a cost-effective manner (e.g. using Title I funds, establishing regional collaborations among districts, coordinating with existing routes for transportation, seeking help from foster parent(s), etc.). Absent other agreements between the District and DCF, the District of Origin is responsible for providing transportation to and from the School of Origin.

**Immediate Enrollment**

If it is in the best interest of a student in foster care to leave the School of Origin, the student must be enrolled in school in the local school district immediately. To minimize disruption of the student's education, the law requires the district to enroll the student in a new school right away, without waiting to receive the typical student enrollment documentation (other than emergency contact information). The enrolling school must immediately contact the child's School and District of Origin to obtain the relevant records and documentation, and the school and District of Origin should immediately transfer those records.

To facilitate enrollment, DCF representatives will present the district with a form that indicates that the student is in foster care, along with their state-agency identification badge, when enrolling students.

**LEGAL REFS:**

Title I Part A- *Every Student Succeeds Act* (ESSA)

Fostering Connections to Success & Increasing Adoptions Act of 2008 (Fostering Connections Act)

**APPROVED:** May 9, 2019

Reviewed: 9/5/19