



EDUCATION OF CHILDREN IN FOSTER CARE POLICY	G15
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CODE G15  
**(REQUIRED)**

## EDUCATION OF CHILDREN IN FOSTER CARE

### **Policy**

It is the policy of the Rivendell Interstate School District to remove barriers to the identification, enrollment, and retention in school of children who are in foster care. All staff shall take reasonable steps to ensure that children in foster care are not segregated or stigmatized and that educational decisions are made in the best interests of those students.

### **Definition**

“Foster Care” shall mean “24 hour substitute care for children placed away from their parents or guardians for whom the child welfare agency has placement and care responsibility.” This includes children in foster family homes, shelters, relative foster homes, group homes and residential facilities, regardless of whether the foster care facility is licensed or whether payments are made by the state.” To the extent required under applicable law, a child in foster care under this policy also includes children whom an appropriate child welfare agency indicates are awaiting a foster care placement or are in a kinship caregiver placement. (Note: children awaiting foster care may also qualify as homeless)

The district shall coordinate with other districts and with local child welfare agencies and other agencies or programs providing services to students in foster care as needed. The coordination requirements apply to both situations (i) when a student who is a resident of the district is placed in foster care in another district, or (ii) when a student residing in another district is placed foster care in a home within this District.

The Superintendent or their designee is responsible for providing any required assurances to applicable state and federal agencies that the District is complying with applicable requirements related to ensuring the educational stability of children in foster care; and for reasonably monitoring compliance with such assurances.

### **District Point of Contact**

The Superintendent shall designate a staff member to serve as the district’s point of contact (the “Foster Care POC”) between the district, State Agencies, other districts, and other child welfare agencies. The main duty of the Foster Care POC is to facilitate the prompt and appropriate placement, transfer, and enrollment of students in foster care, pursuant to applicable state and federal statutes, regulations, and guidance. Additionally, the Foster Care POC shall work with the Superintendent or designee to monitor regulations and guidance related to this policy that may be issued by applicable state and federal agencies.

### **Best Interest Enrollment Determinations, Disputes and Enrollment**

Generally, a student in foster care will remain in their school of origin, unless there is a determination that it is not in the student’s best interest. The Foster Care POC shall assist The State Agency or any other child welfare agency to make a “best interest determination” education decision, particularly the determination of whether or not it is in the best interest of the student in foster care to remain in their school of origin or to enroll in a new school.



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If the determination is that the best interest of a child is not to remain in the school of origin, and instead placed within a new school within this District, the child in foster care shall be immediately enrolled in the new school (“receiving school”), even if any documents or records otherwise required for enrollment are not immediately available.

If there are disputes regarding a determination regarding the best interest determination for a child in foster care, it is expected that the State Agency and the separate school districts, both sending and receiving, will work collaboratively at the local level to resolve the issue. Should there be no resolution, the two Superintendents involved will attempt to resolve the dispute. If the residency dispute remains unresolved after 10 days, the State Agency will be asked to make the final determination regarding residency.

If a school within the district is a receiving school, such receiving school shall accept the student’s certified coursework as if it had been completed at the receiving school. To the extent such coursework is not aligned with the curriculum, the awarded credit may be elective, but it must be counted toward required credits for advancement or graduation.

### **Transportation**

When the district is notified that a student in foster care needs, or may need, transportation to a district school, the Foster Care POC will take steps to establish an individualized plan that addresses transportation to maintain the student in their school of origin will be arranged, provided, and funded for the duration of time that the student in foster care is attending their school of origin.

In establishing such a plan, the Foster Care POC and other district staff shall follow any existing transportation procedures, systems-level plan, or agreement that the district, acting in collaboration with DCYF and/or other departments of human services, has adopted or otherwise expressly agreed to implement for the cost-effective transportation of the student. Out of District transportation of children in foster care shall be provided in accordance with the state agency or other child welfare agency’s authority to use child welfare funding for school of origin transportation.

If there are disputes regarding the provision or funding of transportation, the school district foster care point of contact and child welfare agency representative will contact their respective Supervisor and Superintendent of the school to resolve the dispute. To the extent feasible and appropriate, the school districts involved should ensure that a child remains in his or her school of origin while the disputes are being resolved to minimize disruptions and reduce school transitions.



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<i>VSBA Review:</i>	
<i>Date Warned:</i>	06/06/23
<i>Date Adopted:</i>	07/11/23
<i>Date Revised:</i>	
<i>Legal Reference(s):</i>	<p>20 U.S.C. §1232g, <i>Family Educational Rights and Privacy Act (FERPA)</i>  20 U.S.C. 1701-1758 (<i>Equal Educational Opportunities Act of 1974 – “EEOA”</i>)  20 U.S.C. 6311 (g)(1)(E) and 6312(c)(5) (<i>provisions in ESSA regarding obligations to students in foster care</i>)  42 U.S.C. 671 (a)(10) and 675 (1)(G) (<i>child welfare agency requirements related to supporting normalcy for children in foster care and ensuring educational stability of children in foster care</i>)  42 U.S.C. §11431 and §11432 (<i>McKinney-Vento Homeless Assistance Act – Education for Homeless Children and Youth</i>)  Public Law 110-351, <i>The Fostering Connections to Success and Increasing Adoptions Act of 2008</i>  34 C.F.R. 200.30 (f)(1)(iii) (<i>ESSA’s definition of “foster care”</i>)  <i>Plyler v. Doe, 457 U.S. 202 (1982)</i>  RSA 193:12, <i>Legal Residence Required</i></p>
<i>Cross Reference:</i>	<p>-“N.H. <i>Guidance on ESSA and Foster Care to Ensure that the Educational Needs of Children and Youth in Foster Care are Being Addressed</i>”, January 2017, NHDOE and NHDHHS</p>