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**Conecuh County Board  
of Education**

**Foster Care Provision Plan  
2018-2019**

*Policy and Procedures*

*Dr. Zickeyous Byrd, Superintendent*

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## INTRODUCTION

Pursuant to the new requirements under Title I of the *Elementary and Secondary Education Act of 1965* (ESEA), as amended by the *Every Student Succeeds Act* (ESSA), Conecuh County Schools will provide educational stability for children in foster care. Collaboration between the local education agency (LEA) and child welfare agencies (CWA) will ensure that students in foster care have the opportunity to achieve at the same high levels as their peers. The contents of this document explain the provisions for student admittance and protocol to limit educational disruptions for foster care children who enroll in Conecuh County Schools.

The Alabama State Department of Education requires Foster Care Provisions to promote greater stability for children receiving services. The provisions better ensure that identified children can continue their education without disruption, maintain important relationships with peers and adults, and have the opportunity to achieve college and career readiness.

### Purpose of the Policy and Provisions

Conecuh County Schools' Policy for Foster Care Provisions makes every effort to provide foster care children and youth with a stable school environment by enrolling students in the school of origin. Enrollment decisions concerning alternate placement will only occur if it is determined that alternate placement is in the student's best interest. Best interest decisions will be made by a team consisting of the local school's principal, a general education teacher, the Federal Programs Coordinator, the Foster Care Liaison, the director of the local Department of Human Resources, and the student (*if appropriately aged*).

The outlined policies and procedures specify points of contact to ensure implementation and to better coordinate the collaborative efforts of the LEA and CWA.

### Development of Foster Care Provisions

A total of 11 students received foster care services during the 2016-2017 school year. In 2017-2018, the number increased slightly to 13 students. Conecuh County Schools collaborated with members of Southwest Mental Health and the Conecuh County Department of Human Resources to create policies and procedures for upcoming foster care students. More specifically, the team met informally to develop a timeline and a list of responsibilities. Reviews were completed electronically. All edits and comments were addressed in this final version of the document. A list of team members and their contributions is available in Appendix A.

**Identification of Foster Care Children and Youth**

For the purpose of identifying foster care children and youth, the Conecuh County Board of Education shall rely on the local Department of Human Resources (DHR). To qualify for educational services, children and youth must be 21 years of age or younger.

**Enrollment Procedures**

The enrollment of Foster Care children shall not be denied or delayed due to any of the following barriers:

- Lack of birth certificate
- Lack of school records or transcripts
- Lack of immunization or health records
- Lack of proof of residency
- Lack of transportation

Upon acceptance of new or transferring foster care children and youth, the director of the local DHR will contact the foster care liaison. The liaison will ensure that Conecuh County Schools employ the above practices through the enrolling school's counselor or the principal's designee. All foster care children and youth will be accompanied by a social worker at the time of initial enrollment.

**Points of Contact****Leann Smith, Ph.D.**

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**FOSTER CARE PROVISIONS****Provision 1:**

2. C. F. R. § § 200.331(d), 200.328(a); 34 C.F.R. §76.770; ESSA SECTION 1111(1)(e)-LEAs must implement the Title I educational stability requirements of children in foster care including ensuring that:

- a. 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;
- b. If 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
- c. That the new (enrolling) school immediately contacts the school of origin, to obtain relevant academic and other records.

**a. School of Origin**

The collaborative efforts of the LEA and DHR will ensure a school placement that is in the *best interest* of the foster care child or youth. The first choice will always be to keep the student in the school of origin. Employing this choice will allow students to continue in the school of origin for the duration of their placement in foster care OR for the remainder of the academic year in the event that the student receives permanent home placement.

**b. Immediate Enrollment Procedures**

Upon acceptance of new or transferring foster care children and youth, the director of the local DHR will immediately contact the foster care liaison. The director will share the name of the social worker, who will accompany the foster care child or youth, and any pertinent information. Pertinent information includes, but is not limited to, the name, age, and grade level of the child or youth; the school of placement; identified educational needs, to include behavioral, social, emotional, and special academic services. The liaison will ensure that the receiving school's counselor or the principal's designee is prepared to enroll the student.

All foster care children and youth will be accompanied a social worker at the time of initial enrollment. Enrollment will occur with or without proof of residency, birth certificate, social security number, immunization records, or school records. The school's counselor or the principal's designee will provide the student and the accompanying social worker the appropriate assistance in obtaining the necessary records for documentation and enrollment. The existing method of assigning a temporary student identification number will be employed when a student enrolls without a social security number.

The application processes for free and reduced priced meals can be expedited for foster care children and youth. According to the U.S. Department of Agriculture, the determination for free meals may be granted without completing the full application.

In the event that the enrolling foster care child or youth has no documentation of the appropriate grade level, the school's counselor or the principal's designee should trust the information provided by the enrolling social worker. If the child or youth does not know his or her grade level, the student will be placed in an age-appropriate classroom. The formal receipt of academic records may reverse the temporary grade-level placement.

**c. Contacting the School of Origin for Records**

The school's counselor or the principal's designee is responsible for contacting the school of origin for academic records. This individual is responsible for documenting all attempts to contact the original school. Documentation includes the name of the school, the person to whom the individual spoke, a brief description of the contents of the message, the time, and the date of the attempted contacts. After three unsuccessful contacts, the school's counselor or designee should report the occurrence to the principal. The principal should immediately contact the Federal Programs Coordinator to provide documentation of attempts to contact the original school. The Federal Programs Coordinator will work with the Department of Human Resources to resolve the issue.

**Provision 2:**

ESSA Section 1111(g)(1)(E)(i) requires

- a. A description of how the LEA in collaboration with the local child welfare agency will ensure that in determining whether it is in the child's best interest to remain in his or her school of origin, the LEA takes into consideration all factors relating to a child's best interest.

**a. Best Interest Determinations**

Best Interest determinations will be at the discretion of the Foster Care Provisions Team. The team consists of the local school's principal, a general education teacher, the Federal Programs Coordinator, the Foster Care Liaison, the Director of the Local Department of Human Resources, and the student (*if appropriately aged*). The following topics will be considered for determinations of best interest:

- Student's preference
- Statements from the local principal concerning the student's progress (to include behavioral, emotional, social, and academic progress)
- Progress Monitoring Documentation (Formative Assessment Samples)
- Student's involvement in school-sponsored activities (to include both academic and extracurricular activities)
- Placement of the student's siblings, *if applicable*
- Availability and quality of service in the current, and potential schools, to meet the student's educational, social, and emotional needs. Special Education services, if necessary, will be considered as well.
- Potential impact of a school transfer, including the commute and number of days remaining in the school year.

If the Foster Care Provisions Team determines that the best interest of the child is alternate school placement, a written explanation of the decision, a statement of the right to appeal, and procedures for appealing the placement decision will be provided to the Department of Human Resources. The complainant must file the School Enrollment Dispute (Appendix B) with the school of origin. The principal of the school will notify the Federal Programs Coordinator of the dispute, and the coordinator will take steps to resolve the issue. The student will continue attending the school of origin until the final resolution of the dispute.

**Provision 3:**

ESSA Section 1112(c)(5)(B) requires

- a. A description of transportation protocols and procedures to include how additional costs for transportation will be calculated and funded as well as a policy for LEAs to resolve best interest disputes and interagency disputes related to transportation costs.

**Transportation Protocols and Procedures**

Through the collaborative efforts of the LEA and DHR, DHR agrees to assume 100% of the school transportation costs for any inter-county foster care students as long as the foster care enrollment remains under 25 students in Conecuh County Schools. Conecuh County Schools will assume 100% of the costs for all foster care students who reside within the county lines.

The local DHR will make every attempt to transport inter-county foster care children or youth who enroll in Conecuh County Schools. DHR provides two options to foster care parents concerning inter-county school transportation. Option one is to allow DHR's employed volunteer drivers to transport inter-county foster care children and youth to and from school. Option two is to provide reimbursements for the costs of mileage for inter-county foster care parents who transport foster care children and youth to and from school.

**Options for Additional Transportation Costs**

In the event that foster care placement exceeds 25 inter-county children or youth, the LEA will equally share the additional costs of transportation with DHR. The determination to share the costs will occur immediately after receiving the twenty-fifth inter-county foster care student. Again, all foster care students who reside in Conecuh County will be transported normally without the use of DHR funding.

Conecuh County Schools shall adhere to the following procedures:

- Contact the Federal Programs Coordinator, the Director of the Department of Human Resources, the Chief School Financial Officer, and the Student Services Coordinator (responsible for transportation) to arrange a personal meeting.
- Written notice of the meeting shall be provided to each responsible party listed above. Written notices can be sent either by email or certified mail. The personal meeting should occur no later than three (3) school days after the twenty-fifth foster care student enrolls at Conecuh County Schools.
- Involved parties will review the current costs of transportation as it relates to the number of students enrolled for the fiscal year.
  - Director of the Department of Human Resources will assume responsibility for providing transportation to the school nearest the foster care family.
  - Student Services Coordinator will determine the average transportation costs per pupil. The coordinator will also adjust the bus route to accommodate the transportation of foster care students from the school

nearest the foster care family to the foster care student's school of placement.

- Chief School Financial Officer will determine the funding source for the expense.
- Federal Programs Coordinator will mediate the team meeting and ensure that all members adhere to state and federal laws concerning the students involved in the decision.

### **Transportation Dispute Resolution Policy**

Dispute resolution shall occur for any matters that arise between the LEA and DHR regarding transportation costs. The process will follow the Alabama Department of Education's dispute resolution, which includes guidelines for Level I (local) and Level II (state) resolutions.

#### **Level I: Local Education Agency (LEA) Superintendent or Designee**

##### **1. Initiation a Level I Dispute**

The LEA will provide a written notice to DHR concerning any transportation disputes stemming from the decision to share expenditures. To dispute the LEA's decision related to transportation costs, the child welfare agency must provide a written request for dispute resolution. The appeal letter must include the name and contact information (phone, email, and mailing address) for the educational decision-maker.

The educational decision-maker must submit the appeal letter within five (5) school days of receiving from the LEA written notice of the right to dispute the decision. The letter may be submitted by email with the subject, "Foster Child Appeal" or delivered to the Conecuh County Board of Education to the attention of the superintendent. Regardless of the method of submission, the LEA shall ensure the LEA's superintendent or designee receives the appeal immediately.

The submission of the appeal letter by email or delivery initiates the dispute. From this point, the foster care student shall remain in the school of origin until the dispute reaches its final resolution. The student shall be provided with all appropriate educational services for which the student is eligible during the pendency of the dispute. Students attending their school of origin during the pendency of the dispute will be entitled to receive transportation. The LEA will provide or arrange transportation during the dispute. Once the dispute is resolved, transportation will be provided pursuant to the local transportation procedures developed collaboratively between the LEA and the local child welfare agencies.

##### **2. LEA Decision**

The superintendent, or superintendent's designee, will arrange for a personal conference to be held with the educational decision-maker, the student (*if appropriate*), and at least



one representative from the local child welfare agency. The personal conference will be arranged within five (5) business days of the LEA's receipt of the Level II appeal letter and will take place as expeditiously as possible.

Within five (5) business days of the personal conference, the superintendent or superintendent's designee, will inform the educational decision-maker of the decision in writing, using the contact information provided in the appeal letter. The superintendent or designee may consult with the LEA foster care point of contact in making the decision. The written decision provided to the educational decision-maker must include:

1. A copy of the complete Level I appeal packet.
2. The decision rendered at Level I by the superintendent or designee and an explanation for that decision.
3. Instructions regarding how to file a Level II dispute, including the name, phone number, and email address of the SEA foster care point of contact.

If the educational decision-maker disagrees with the Level I decision and wishes to appeal to Level II, the educational decision-maker shall inform the LEA superintendent or designee of the intent to appeal to Level II within five (5) school days of receipt of the LEA's Level I decision. If the educational decision-maker does not appeal within five (5) school days, the child shall be enrolled and provided all appropriate educational services in the school determined by the LEA. If that school is not the school the child had been attending during the pendency of the dispute, the LEA will prioritize minimizing the disruption to the student's education in the transition to the new school.

## **Level II: State Education Agency (SEA)**

### **1. Initiating the Level II Dispute**

If the student's educational decision-maker disagrees with the transportation decision rendered by the LEA's superintendent at Level I, he/she may appeal the decision to the SEA. To appeal to Level II, an educational decision-maker must request an appeal in writing by submitting a dated appeal letter, which must include:

- The school in which enrollment is sought and the basis for seeking enrollment in that school.
- The name and contact information (phone, email, and mailing address) for the educational decision-maker.
- A copy of the previous appeal letter submitted by the educational decision-maker.
- A copy of the decision rendered by the LEA at Level I.

The letter must be submitted via an email to the SEA foster care point of contact, with the subject, "Foster Child Appeal." The letter must also be submitted to the LEA superintendent via an email with the subject, "Foster Child Appeal," or delivered to the Conecuh County Board of Education to the attention of the superintendent. The appeal

letter must be submitted to both the SEA and LEA superintendent within five (5) school days of receiving the Level I appeal decision from the LEA.

The LEA has an additional five (5) school days from its receipt of the educational decision-maker's appeal letter to submit its response to the appeal letter to the SEA foster care coordinator, via an email with the subject, "Foster Child Appeal." Documents submitted by either party after the applicable deadlines will not be considered.

The student shall remain in the school of origin until the dispute reaches its final resolution. The student shall be provided with all appropriate educational services for which the student is eligible during the pendency of the dispute. Students attending their school of origin during the pendency of the dispute will be entitled to receive transportation. The LEA will provide or arrange transportation during the dispute. Once the dispute is resolved, transportation will be provided pursuant to the local transportation procedures developed collaboratively between the LEA and the local child welfare agencies.

## 2. SEA Decision

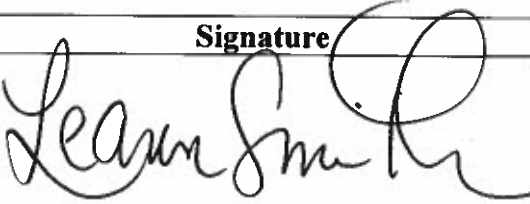
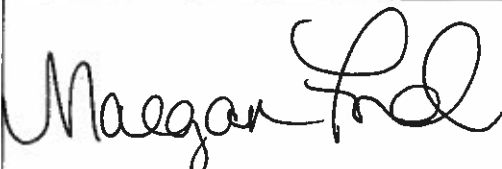
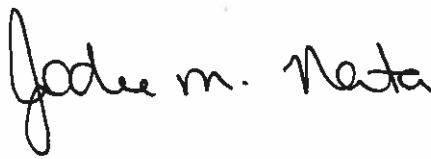


The Level II decision will be made by a three-person panel including the SEA foster care point of contact, another SEA staff, and a representative of the state child welfare agency. The panel shall make a final decision within thirty (30) days of receipt of the dispute.

The SEA foster care point of contact will forward the final written decision to the educational decision-maker and the LEA superintendent. The written decision must include:

1. A copy of the complete Level II appeal packet.
2. The decision rendered at Level II and an explanation of that decision.

The LEA must immediately implement the SEA's decision in full. The SEA shall maintain a record of all disputes related to the children in foster care. For every type of dispute regarding a child in foster care, the LEA and local child welfare agency must make every effort to resolve the dispute collaboratively at the local level.

## ROLES AND RESPONSIBILITIES OF DEVELOPMENT TEAM

Member	Responsibility	Signature
<b>LeAnn Smith</b> Federal Programs Director Conecuh County Schools	Facilitation of collaboration meetings and review of final documentation.	
<b>Maegan Ford</b> Middle School Curriculum Coordinator; Foster Care Liaison Conecuh County Schools	Gathering the information from team members, writing the final plan, and making corrections as necessary.	
<b>Jodie Nata</b> Director, Department of Human Resources Conecuh County	Consultation and collaboration regarding the efforts of DHR; major source of contact for transportation policy and dispute procedures.	
<b>Barry Gross</b> Transportation Director (Retired) Conecuh County Schools	Consultation regarding costs for transportation, alternate transportation routes, and the transportation dispute policy.	
<b>Rita Young</b> Special Education Coordinator Conecuh County Schools	Consultation regarding the potential accommodations for the social, emotional, and academic needs of foster care children and youth.	

APPENDIX B

SCHOOL ENROLLMENT DISPUTE FORM

Name of School \_\_\_\_\_

School's Address \_\_\_\_\_

Telephone Number (\_\_\_\_) \_\_\_\_\_ Fax Number (\_\_\_\_) \_\_\_\_\_

Student's Name \_\_\_\_\_

Last Name

First Name

Middle Initial

SSN \_\_\_\_\_ Current Grade Level \_\_\_\_\_

Current Address \_\_\_\_\_

(Street Address)

\_\_\_\_\_, \_\_\_\_\_

City

State

Zip Code

Complainant Information

Name \_\_\_\_\_ Relationship to Student \_\_\_\_\_

Current Address \_\_\_\_\_

\_\_\_\_\_, \_\_\_\_\_

City

State

Zip Code

Note: Student information regarding address, telephone number, information protected by the Everyday School Records Act an be released only to parent, guardian, the student, or a person specifically designated as a representative of the parent or guardian.

Name of school that complainant chooses to be immediately enrolled in and/or transported to/from until dispute is resolved: \_\_\_\_\_

Is this the school of origin? \_\_\_\_\_ If no, from which school was the student transferred during the dispute process? \_\_\_\_\_

Reason for the complaint \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

School Use Only

Principal's Action on the Complaint

Taken within \_\_\_\_\_ school days after receiving the notice of the complaint.

Date that the Federal Programs Coordinator was notified of the dispute: \_\_\_\_\_

Action taken by the principal to resolve the dispute: \_\_\_\_\_

Was the dispute resolved?

## APPENDIX C

## SAMPLE WRITTEN NOTICE TEMPLATE

Date \_\_\_\_\_

To: Name of the Educational Decision-Maker \_\_\_\_\_

Delivered To: *(preferably a reliable email address to ensure delivery; mailing addresses are also acceptable)* \_\_\_\_\_

The Conecuh County School District has determined that the appropriate school placement for \_\_\_\_\_ (*Student's Name*) is \_\_\_\_\_ (*School's Name*). We understand that this is neither the school of origin or the school requested by the student's educational decision-maker. Therefore, we are providing this explanation of our decision and information about how the educational decision-maker may appeal the decision.

We have determined that it is in the student's best interest to attend \_\_\_\_\_ (*Name the School*) because \_\_\_\_\_ (*Provide the reason*).

The educational decision-maker may appeal this decision by completing the attached Dispute Form, signing it, dating it, and submitting it by \_\_\_\_\_ (*insert date 10 school days from the date of the letter*).

If a dispute is initiated, the student shall remain in the school of origin, receiving all appropriate educational services including transportation, until the dispute reaches its final resolution. Once the Dispute Form is received, the superintendent or designee will arrange for a personal conference with the *educational decision-maker*, the student (if appropriate), and at least one representative from the local child welfare agency within ten (10) business days, and the conference will take place as expeditiously as possible. Within five (5) business days of the personal conference, the superintendent or designee will inform you of the decision in writing. You will then be able to appeal to the State if the local resolution is not satisfactory.

If you have questions about this decision or how to appeal it, please contact:

Dr. Leann Smith  
Federal Programs Director  
Conecuh County Schools  
leann.smith@conecuhk12.com  
251-578-1752

Mrs. Julie Turner  
ALSDE Foster Care Point of Contact  
Alabama State Department of Education  
[jturner@alsde.edu](mailto:jturner@alsde.edu)  
334-242-8199

POLICY FOR FOSTER CARE PROVISIONS  
DISPUTE FORM

To appeal Conecuh County Schools' best interest decision, please complete this form and submit it by the date indicated on the written notice you received from the school. You may submit this form by any of the following methods.

- Scan and email it to Dr. Leann Smith (leann.smith@conecuhk12.com) with the subject, "Foster Child Appeal;"
- Return the paper form to any school in the district; or
- Submit the paper form directly to the office of the superintendent at 1455 Ted Bates Road; Evergreen, AL 36401.

Student's Name: \_\_\_\_\_

School in which enrollment is sought: \_\_\_\_\_

I am the educational decision-maker for this student, and I believe the school in which we are seeking enrollment is the student's best interest because:

I believe the student has a right to attend this school because:

If you would like to provide additional information, please attach it to this form.

The student shall remain in the school of origin, receiving all appropriate educational services including transportation, until the dispute reaches its final resolution. Once this Dispute Form is received, the superintendent or designee will arrange for a personal conference with the educational decision-maker, the student (if appropriate), and at least one representative from the local child welfare agency within five (5) business days, and the conference will take place as expeditiously as possible. Within five (5) business days of the personal conference, the superintendent or designee will inform the educational decision-maker of the decision in writing. The educational-decision maker will be able to appeal to the State if the local resolution is not satisfactory.

\_\_\_\_\_  
Printed Name of Educational Decision-Maker

\_\_\_\_\_  
Signature of Educational Decision-Maker

\_\_\_\_\_  
Date

\_\_\_\_\_  
Email Address

\_\_\_\_\_  
Home Telephone Number

\_\_\_\_\_  
Cellular Phone Number