

**SPRINGFIELD PUBLIC SCHOOLS
FOSTER CARE
POLICY**



**SPRINGFIELD SCHOOL COMMITTEE
DECEMBER 2019**

INTRODUCTION

In accordance with the Every Student Succeeds Act (ESSA), 2015, the Springfield Public Schools (SPS) is committed to ensuring that students in foster care have equal access to the same free, appropriate public education as provided to other students in the Springfield Public Schools. SPS shall work with the Department of Children and Families (DCF) and other child welfare agencies to ensure the educational stability of students in foster care.

DEFINITION

Foster care refers to 24-hour substitute care for children placed away from their parents and guardians and for whom DCF has placement and care responsibility the following places:

- foster homes
- foster homes of relatives
- group homes
- emergency shelters (STARR programs and Transitional Care Units)
- residential facilities
- child care institutions
- pre-adoptive homes
- awaiting foster care placement

IMPLEMENTATION

SPS will continuously review procedures and practices to identify, remedy and remove barriers that children in foster care may face in the enrollment process, school attendance, accessing support services, academic programs, academic activities and receiving appropriate credit for prior academic work.

SPS shall maintain the confidentiality of the educational records of children in foster care consistent with federal and state law and SPS policies and procedures.

SCHOOL OF ORIGIN

In accordance with ESSA, a foster student has the right to continue to attend the school of origin for the duration of the student's time in foster care or until the student completes all the grades in that school. If a student exits foster care during the school year, the student will continue to attend the school of origin through the end of the academic year.

ENROLLMENT AND SCHOOL ASSIGNMENT

To minimize the disruption of the student's education, ESSA requires SPS to enroll a student without required documentation including proof of residency, academic records, 504s, IEPs,

discipline records, documents evidencing proof of custody (birth certificates, custody or guardianship orders), and immunization records. The Parent & Community Engagement Center Enrollment (PACE) will immediately contact the former school of origin to obtain academic and other records (ESEA section 1111(g)(1)(E)(I)-(iii)).

To assist in the enrollment of students, the local agency representative will provide the district a Notice to Local Educational Agency (LEA), informing SPS that the student is in foster care.

Foster care students are assigned to schools in the same manner and in accordance to the same process used by SPS PACE (with the exception of immediate enrollment as previously described).

TRANSPORTATION

In compliance with ESSA, SPS has developed a plan for providing necessary intra-district transportation to allow a foster care student to remain in the same school.

SPS provides comparable transportation services comparable to those received by other students in the district.

SPS will not provide transportation for SPS students who are in foster care placements outside the district.

FOSTER CARE POINT OF CONTACT(POC)

SPS has designated a person to serve as the Foster Care Point of Contact (POC) as required by ESSA, 2015. The POC will work with DCF in the best interest of the student(s) to ensure that educational stability and rights of students in foster care are met.

Some of the responsibilities of the POC are:

- to identify and support students through coordination of the SPS and DCF services
- participate in the process for making best interest determination
- ensure immediate enrollment, timely transfer of records, and regular attendance at school.
- work with the transportation director to develop transportation, as needed
- facilitate Professional Development for SPS staff regarding foster care students

BEST INTEREST DETERMINATION

Best Interest Determination (BID) process meetings are held among the POC, District Coordinator, district Director of Transportation, DCF POC, and the DCF Educational Coordinator when DCF places a student in foster care or DCF changes the student's foster care placement. The purpose of the BID meeting is to gather and share relevant information regarding the student's needs and information regarding available programs and services. The BID meeting determines if the student remains in the enrolled school of origin or in the school district where

the student is living in foster care (local enrollment). The goal is for the student to continue in the school of origin for the remainder of the school year. At the BID meeting, attendance and factors considered relating to the student's unique needs are documented. If the student is moved to another district during the school year, the student will be allowed to remain in their school of origin as provided by ESSA. The student will then have local enrollment at the start of the next academic year.

FOSTER CARE DISPUTE RESOLUTION PROCESS

In order to ensure a prompt resolution of disputes regarding school placement for children in foster care, the Massachusetts Department of Elementary and Secondary Education (ESE) and the Massachusetts Department of Children and Families (DCF) have established the Foster Care School Selection Dispute Resolution Process (Foster Care Dispute Resolution) to resolve enrollment disputes concerning students in foster care. The Foster Care Dispute Resolution process should be used when DCF and the involved school district(s) cannot agree about whether it is in a student's best interest to continue to attend the school of origin or whether the student should have local enrollment in the district in which the foster home or facility is located. DCF has the authority to make final determinations about a student's best interest, but a school district may dispute DCF's best interest determination.

When DCF and SPS cannot agree about whether it is in the student's best interest to remain in the school of origin or local enrollment, and DCF makes a final decision that the district disputes, the party can seek review of DCF's decision by utilizing a Foster Care School Selection Dispute Resolution Process (Appendix B) established by ESE and DCF. During the dispute resolution process, the student must attend the school selected by DCF following the BID process. Transportation must be provided for the student, if needed. Absent other agreements between school districts and DCF, the district of origin is responsible for providing transportation to and from the school of origin.

REFERENCES

Massachusetts DESE and DCF Joint Guidance - Educational Stability for Students in Foster Care, January 2018, <http://www.doe.mass.edu/sfs/foster/>

Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care. <https://www2.ed.gov/policy/elsec/leg/essa/edhhsfostercarenonregulatorguide.pdf>

US Department of Education and Health and Human Services released joint guidance on the Every Student Succeeds Act of 2015, as it amends the Elementary and Secondary Act of 1965, available at: <https://www.2.ed.gov/policy/elsec/leg//essa//edhhsfostercarenonregulartorguide.pdf>.