

Students in Foster Care

South Dakota Transportation Procedures under the Every Student Succeeds Act of 2015.

Background

National research shows children in foster care are at high-risk of dropping out of school and unlikely to attend or graduate from college. Frequent mobility of students in foster care is a barrier to their academic success. The Every Student Succeeds Act of 2015 (ESSA) requires districts to work closely with Child Protection Services (CPS) to tailor transportation processes and procedures to their unique local contexts. School districts and CPS must collaboratively establish procedures which facilitate the prompt transportation needed to ensure educational stability for students in foster care. This document contains a sample interagency agreement that delineates recommended steps for creating these procedures, including possible methods of cost sharing. Additionally, a sample transportation plan that illustrates how local partners would provide transportation to a foster child who has experienced a change in his or her living environment is also provided.

Under ESSA, transportation procedures for children in foster care must:

- Ensure that children in foster care needing transportation to the school of origin (SOO) will promptly receive transportation in a cost-effective manner and in accordance with the CPS's authority to use child welfare funding for SOO transportation;
- Ensure that **if** there are additional costs incurred in providing transportation to maintain children in foster care in their SOO, the district will provide transportation to the SOO **if**:
 - the local CPS office agrees to **reimburse** the LEA for the cost of such transportation;
 - the district **agrees** to pay for the cost of such transportation; **or**
 - the district and the local CPS office **agree** to share the cost of such transportation.

This document is intended to:

- Assist districts and CPS in understanding federal obligations under ESSA regarding provision of transportation to students in foster care;
- Outline the necessary steps to take when implementing ESSA's transportation requirements; and
- Be used as a sample procedure document for the development of local interagency transportation agreements and individual student transportation plans.

Development of the local plan should include both the district's and CPS's point of contact (POC). Additional participants could include: Title I coordinator, superintendent, principal, and CPS regional managers.

Sample Template

School District Name Transportation Plan for Students Placed in Foster Care

Sequence:

1. When a student is placed in foster care or changes residence while in foster care, the CPS worker must notify the school district contact person. If the new residence is not in the same school district, the district's POC must be notified.
2. If necessary, the district's POC can notify the SOO transportation designee.
 - a. The POC should provide the student's name, current school, new residence address, and whether the student has an IEP with specialized transportation.
 - b. The SOO transportation designee identifies potential ways that the child could be transported (see list of options below).
3. The CPS worker and the district POC share their information. The joint decision is made by the CPS worker and the district POC.
4. If the decision is that the student will remain in the current school, the district POC can notify the SOO transportation designee, who then assists in arranging transportation to and from school.

Options:

Multiple factors will be considered and addressed when determining transportation options for these students, including but not limited to: safety for the student and other students being transported, student age, length of commute, and distance. Information from the SOO transportation designee about these factors will be provided so that the plan will be in the best interest of the child and include consideration of cost-effective measures.

The following options can be considered to provide SOO transportation:

1. Existing transportation can be modified slightly to accommodate the new address such as:
 - a. An existing bus route can be used.
 - b. An existing bus route can be modified slightly to accommodate the new address.
 - c. Specialized transportation offered to other students can be accessed, such as:
 - i. School district car;
 - ii. Public transportation;
2. The CPS worker also should explore options outside of those provided by the school district, such as reimbursing the foster parents for transportation costs, or including transport in contracts with licensed child placing agencies or group homes.

Funding:

If School District Name can offer an existing means of transportation at no additional cost, CPS will not be charged.

CPS and School District Name can work together, as described above, to provide a form of transportation that best meets the child's needs. CPS will explore different funding sources to assist with transportation. The school district's Title I, Part A funds may be used to assist with excess transportation costs if funds exist after covering mandated responsibilities (such as transportation for students experiencing homelessness).

If the student has an IEP that includes provisions for specialized transportation, transportation must be provided by the school district responsible for the student's Free Appropriate Public Education (FAPE). Based on South Dakota's special education regulations, any alternative special education placement, whether public or private, assumes specialized transportation is part of the IEP and must be provided for the student to receive FAPE.