

**Guidance for School of Origin Transportation for Students in Foster Care**  
*Point of initial placement or change of placement in foster care*

**April 2019**

The federal *Every Student Succeeds Act of 2015* (ESSA) 20 USC 6301 introduced a number of new provisions designed to ensure the educational stability of students in foster care. One of the provisions is intended to ensure that students in foster care remain in their school of origin unless it is determined to be in their best interest to change schools. RIDE has worked with DCYF to ensure that this requirement is met through cross-agency collaboration. A Memorandum of Agreement between the Rhode Island Department of Children, Youth, and Families (DCYF) and the Rhode Island Department of Education (RIDE) was developed to specify the ESSA implementation responsibilities of both agencies. One of the joint responsibilities identified in the Memorandum of Agreement is the development of a transportation protocol.

ESSA reinforces the expectation of the *Fostering Connections Act* (2008) that children who are in foster care will be maintained in their school of origin unless it is determined by the Best Interest Determination to change schools. Rhode Island local education agencies (LEAs) have been providing this option for students in foster care since 2008. ESSA further solidifies this requirement. One of the additional requirements under ESSA is that LEAs must develop and implement clear written procedures governing how transportation will be provided, arranged and funded to maintain children in foster care in their school of origin when it is in their best interest to do so. RIDE and DCYF have determined that uniformity in the procedures utilized across the state will ensure that transportation to students maintained in their school of origin is provided quickly and efficiently.

This guidance describes a process for LEAs to utilize for the purpose of making transportation arrangements for children in foster care. This guidance also sets forth the nature of the collaboration expected between LEAs and DCYF in planning, providing for and funding transportation for children in foster care.

The following process should be utilized by all parties (RIDE, DCYF, LEAs) so that all students in foster care are provided with seamless transportation between their foster care placement and education placement, including when they are maintained in their school of origin in an LEA that is different from the LEA in

which their foster care placement has been made. There are two points in time at which transportation arrangements need to be identified.

The first is when the child is removed from the home (or when the child's foster care placement changes). Upon receipt of the ESSA Student Contact Form from DCYF, the LEA responsible for the school of origin will immediately arrange transportation for this student to and from the school of origin and promptly notify DCYF of the transportation plan by sending a secure email back to [DCYF.ESSA@dcyf.ri.gov](mailto:DCYF.ESSA@dcyf.ri.gov). The school of origin is responsible for providing transportation for the student to be able to remain in their school of origin pending the best interest determination process. In accordance with the transportation provisions of ESSA, the LEA will continue to provide transportation for the child if it is determined that remaining in the school of origin is in the best interest of the child

The second is at the time of the *Best Interest Determination*. Should the Best Interest Determination result in the child remaining in the school of origin, the responsible LEA will continue to ensure school transportation to and from the school of origin. Transportation arrangements should be revisited after the Best Interest Determination and confirmed based on the outcome of the determination and whether more cost-effective transportation services have been identified by the LEA.

If the responsible LEA does not initiate the necessary school transportation on its own or submit a request for transportation to RIDE within two (2) business days of receiving the DCYF notification of a change in foster care placement, DCYF will initiate a request to RIDE's statewide transportation system and indicate the LEA responsible for the foster student's transportation costs. In such cases, DCYF will request that the LEA be directed by RIDE to provide DCYF with the transportation routing information for the foster child.

The guidance is designed so that:

- ❖ Children in foster care who need transportation to their education placements will receive transportation in a timely and cost-effective manner;
- ❖ Transportation will not be delayed due to disagreements about transportation arrangements or financial responsibility;

- ❖ Transportation costs will vary by whether the student requires:
  - In LEA transportation;
  - Statewide “in region” transportation; or
  - Statewide or other alternative “out of region” transportation.
- ❖ The LEA/school of origin is responsible for transportation costs (per current state law) when a student is maintained in his or her school of origin.
- ❖ Temporary transportation arrangements will be made by DCYF for students between the time of initial placement into foster care (or time of a change in foster care placement) and the time when transportation services are provided. Any short-term delay in providing transportation should not extend beyond 5 school days from the time of notification by DCYF’s Point of Contact to the LEA Point(s) of Contact.

### Transportation Responsibilities

The DCYF Point of Contact shall:

- ❖ Contact the student’s LEA of origin to:
  - Update home address
  - Confirm education placement
  - Discuss and finalize temporary transportation arrangements and provide such transportation.
- ❖ Ensure that clear next steps for the student’s transportation are determined and set forth at the time of the best interest determination and that they are immediately communicated to the responsible LEA and, when applicable, RIDE’s Transportation Office.
- ❖ Ensure that appropriate transportation is being provided to the student
- ❖ DCYF will request an updated foster care point of contact for each LEA on an annual basis.

The LEA Point(s) of Contact shall:

- ❖ Ensure that appropriate school and LEA staff are notified of changes in the foster care placement of students in foster care.
- ❖ Contact the student’s foster care placement to provide updated transportation information.
- ❖ Update information systems to reflect a change in home address and school change if relevant.

- ❖ Determine whether the student has any specialized transportation needs. Immediately coordinate local transportation if the student does not require statewide transportation and consider if local transportation may be used for partial services, (e.g. transporting student from school to after-school care arrangements within the LEA).
- ❖ Immediately enroll the student in the eRIDE transportation portal if the student requires statewide transportation.
- ❖ Ensure that clear next steps for the student’s transportation are determined and set forth at the time of the Best Interest Determination and that they are immediately communicated to the responsible LEA and, when applicable, RIDE’s Transportation Office, when applicable.
- ❖ Ensure that appropriate transportation is being provided to the student.

Superintendents/Heads of Charter Schools shall:

- ❖ Identify the Point of Contact for the LEA and provide his/her contact information to DCYF.
- ❖ Notify DCYF of any changes in the name/contact information of the Point of Contact.
- ❖ Develop a communication plan that ensures that all appropriate staff are informed when a student is placed into foster care or when a student in foster care is newly-enrolled in the district/school.
- ❖ Ensure that appropriate transportation is being provided to the student.

### Decision-making Guidance\*

(\*use at initial notification and immediately after Best Interest Determination)

Profile	Is foster placement within home community?	Is education placement in district of origin?	Is school placement in school of origin?	Transportation	Communication Needs  In all instances DCYF notifies the LEA Point of Contact (POC) about a foster placement
1	Yes	Yes	Yes	Local Transportation	DCYF Education Support staff sends ESSA Student Contact form with updated information

					LEA POC updates home address with local transportation
2	No	Yes	Yes	Statewide Transportation unless LEA provides otherwise	LEA POC enrolls student in eRIDE transportation portal unless LEA provides otherwise
3	No	No	No	A)Statewide Transportation if foster placement in <u>not</u> in same community as education placement unless LEA provides otherwise  B)Local Transportation if foster placement is in the same community as education placement	A) LEA POC enrolls student in eRIDE transportation portal, unless other arrangements are made  B) LEA POC communicates with the education placement to coordinate transportation.
4	Yes	Yes Student attended outplacement school at time of placement in foster care	Yes	Statewide Transportation unless LEA provides otherwise	LEA POC is responsible for alerting Statewide Transportation of new home address
5	No	Yes Student attended outplacement school at time of placement into foster care	Yes	Statewide Transportation unless LEA provides otherwise	LEA POC is responsible for alerting Statewide Transportation about new home address

Notes:

- ❖ Children in foster care who ride statewide transportation may attend a before or after school program. Statewide transportation will transport students to a before or after school program that is located in either the community where the foster placement is located or a program within the LEA only.

- ❖ Transportation arrangements must be reviewed and verified after the *best interest determination*
- ❖ Disputes with respect to the provision of transportation to a student in foster care shall be resolved by the Commissioner, under R.I. Gen. Laws 16-39-1.