

Students in Out-of-Home (Foster) Care

The board recognizes that students in out-of-home or foster care experience mobility in and out of these care systems and from one home placement to another that disrupts their education, thereby creating barriers to academic success and on-time graduation. Through collaboration with state, local and/or tribal child welfare agencies, the district will strive to minimize or eliminate educational barriers for students in foster out-of-home care, particularly with regard to enrollment, transfer of student records, and transportation to their school of origin. The superintendent or designee is authorized to establish procedures and/or practices for implementing this policy.

Point of Contact

The superintendent or designee will designate an appropriate staff member to serve as the district's point of contact with local child welfare agencies if such agencies notify the district in writing that they have designated a point of contact for the district. The point of contact will work with appropriate state, local and/or tribal child welfare agencies to receive notifications and share information regarding the status and progress of students in out-of-home care. The point of contact will also work collaboratively with the district's Title I coordinator to provide supports for students in out-of-home care that are enrolled or seeking to enroll in the district.

Enrollment

Whenever practical and in the best interest of the child, children placed into out-of-home care must remain enrolled in the school they were attending upon entering out-of-home care. Best-interest determinations should be made as quickly as possible in order to prevent educational discontinuity for the student, and should take into consideration the student-centered factors and input from the relevant and appropriate persons listed in 3116P.

If remaining in the school of origin is determined not to be in the student's best interest, the district will immediately enroll that student in their new school. Enrollment may not be denied or delayed based on the fact that documents normally required for enrollment have not been provided.

A school may not prevent a student in out-of-home care from enrolling based on incomplete information of any history of placement in special education, any past, current, or pending disciplinary action, any history of violent behavior, or behavior listed in RCW 13.04.155, any unpaid fines or fees imposed by other schools, or any health conditions affecting the student's educational needs during the ten (10) day period that the Department of Social and Health Services has to obtain that information. Upon enrollment, the district will make reasonable efforts to obtain and assess the child's educational history in order to meet the child's unique needs within two (2) school business days.

Records Transfer

When a student in foster care transfers schools, whether within the district or to another school district, the enrolling school will immediately contact the sending school to obtain academic and other records. The sending school will respond as soon as possible to requests it receives for records of students in foster care.

Additionally, upon receipt of a request for education records of a student in foster care from the Department of Social and Health Services, the district will provide the records to the agency within two (2) school days.

Transportation

By December 10, 2016, the district will collaborate with state, local or tribal child welfare agencies, as appropriate, to implement a written transportation procedure by which prompt, cost-effective transportation will be provided, arranged and funded for students to remain in their school of origin when in their best interest for the duration of their time in foster care.

The written procedure will ensure that if additional costs are incurred in providing transportation, the district will provide transportation to the school of origin if: 1) the child welfare agency agrees to reimburse the transportation; 2) the district agrees to pay for the cost of the transportation; or 3) the district and the child welfare agency agree to share transportation costs.

Dispute Resolution

In the event that a caregiver or education decision-maker disputes a district decision regarding the best interest of the student in out-of-home care with regard to enrollment or the provision of any other education-related service, including transportation, the caregiver or education decision-maker may use the three-tiered appeals process outlined in the procedure that accompanies this policy. The district will make all reasonable efforts to collaborate with appropriate agencies and aggrieved parties to resolve the dispute at the local level.

In the event that a dispute occurs between the district and a child welfare agency with regard to issues that do not involve educational placement or the provision of educational services (e.g., transportation reimbursements, failure to collaborate), such disputes may be forwarded to the Office of the Superintendent of Public Instruction for resolution.

Review of Unexpected or Excessive Absences

A district representative or school employee will review unexpected or excessive absences of students in out-of-home care and those awaiting placement with the student and adults involved with the student, including their caseworker, educational liaison, attorney if one is appointed, parent, guardian and foster parents. The purpose of the review is to determine the cause of the absences, taking into account: unplanned school transitions, periods of running from care, in-patient treatment, incarceration, school adjustment, educational gaps, psychosocial issues and unavoidable appointments during the school day. The representative or employee will take proactive steps to support the student's school work so the student does not fall behind and to avoid suspension or expulsion based on truancy.

Facilitating On-Time Grade Level Progression

The district will: 1) waive specific courses required for graduation for students in out-of-home care if similar coursework has been satisfactorily completed in another school district; or 2) provide reasonable justification for denial of the waiver. In the event the district denies a waiver and the student would have qualified to graduate from their sending school district, the district will provide an alternative process of obtaining required coursework so that the student may graduate on time.

The district will consolidate partial credit, unresolved, or incomplete coursework and will provide students in out-of-home care with opportunities to accrue credit in the manner that eliminates academic and nonacademic barriers for the student.

For students who have been unable to complete an academic course and receive full credit due to withdrawal or transfer, the district will grant partial credit for coursework completed before the date of the withdrawal or transfer. When the district receives a transfer student in these circumstances, it will accept the student's partial credits, apply them to the student's academic progress or graduation or both, and allow the student to earn credits regardless of the student's date of enrollment in the district.

In the event a student is transferring at the beginning of or during their junior or senior year of high school and is ineligible to graduate after all alternatives have been considered, the district will work with the sending district to ensure the awarding of a diploma from the sending district if the student meets the graduation requirements of the sending district.

In the event a student enrolled in three or more school districts as a high school student, has met state requirements, has transferred to the district, but is ineligible to graduate from the district after all alternatives have been considered, the district will waive its local requirements and ensure that the student receives a diploma.

Legal References:

RCW 28A.150.510 Transmittal of education records to department of social and health services - Disclosure of educational records - Data-sharing agreements - Comprehensive needs requirement document - Report

RCW 28A.225.023 Youth dependent pursuant to Chapter 13.34 RCW - Review of unexpected or excessive absences - Support for youth's school work

RCW 28A.225.215 Enrollment of children without legal residences

RCW 28A.225.330 Enrolling students from other districts - Requests for information and permanently records - Withheld transcripts - Immunity from liability - Notification to teachers and security personnel - Rules

RCW 28A.320.192 On-time grade level progression and graduation of students who are dependent youth

RCW 74.13.550 Child placement - Policy of educational continuity

20 U.S.C. 6301 et seq. Elementary and Secondary Education Act of 1965 as amended by the Every Student Succeeds Act [ESSA]

Laws of 2018. Ch. 139 Students in Out-of-Home Care-Best Interest Determinations Laws of 2018, ch. 271 School Meals

Cross References:

Policy 2418, Waiver of High School Graduation Credits

Policy 3115, Homeless Students – Enrollment Rights and Credits

Policy 3120, Enrollment

Policy 3122, Excused and Unexcused Absences

Policy 3231, Student Records

Policy 3100, Revenues from Local, State and Federal Sources

Management Resources:

2018 - May Issue

2017 - July Issue

2016 - November Issue

OSPI List of Foster Care Liaisons/DSHS Contacts

Adoption Date:

Classification: Encouraged

Revised Dates: 07.17; 10.17