

# Hardin County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Students in Foster Care</b>	Descriptor Code: <b>6.505</b>	Issued Date: <b>07/10/17</b>
		Rescinds: <b>6.505</b>	Issued: <b>12/12/16</b>

1 The purpose of this policy is to promote educational stability for students in foster care, including  
2 those awaiting foster care placement.

## 3 **ENROLLMENT**

4 Students in foster care, to include those awaiting foster care placement, shall be immediately enrolled,  
5 even if the student is unable to produce records normally required for enrollment (i.e. academic records,  
6 immunization records, health records, proof of residency), or if the student missed the district's  
7 application or enrollment deadlines.<sup>1</sup>

## 8 **PLACEMENT**

9 The district and the child welfare agency shall determine whether placement in a particular school is in  
10 a student's best interest. Other parties, including the student, foster parents, and biological parents (if  
11 appropriate), shall be consulted. If the child has an IEP or a Section 504 plan, then the relevant school  
12 staff members shall participate in the best interest decision process. This determination shall be made as  
13 quickly as possible to prevent educational disruption.

14 Placement will be in the school of origin unless a determination is made that it is not in the student's  
15 best interest to remain in that school.<sup>2</sup> For the purposes of this policy, school of origin shall mean the  
16 school in which the student was enrolled, including a preschool/pre-k program, at the time of placement  
17 in foster care or at the time of a placement change if the student is already placed in foster care.<sup>3</sup>

18 When determining placement, student-centered factors including, but not limited to, the following shall  
19 be considered:

- 20 1. Preferences of the student;
- 21 2. Preferences of the student's parent(s) or education decision maker(s);
- 22 3. The student's attachment to the school, including meaningful relationships with staff and peers;
- 23 4. Placement of the student's siblings;
- 24 5. Influence of the school climate on the student, including safety;
- 25 6. The availability and quality of the services in the school to meet the student's educational needs;
- 26 7. History of school transfers and how they have impacted the student;
- 27 8. How the length of the commute would impact the student;
- 28 9. Whether the student is receiving special education and related services, and if so, the availability  
29 of those required services in a school other than the school of origin; and
- 30 10. Whether the student is an EL and is receiving language services, and, if so, the availability of  
31 those required services in a school other than the school of origin.

1 Transportation costs should not be considered when determining a student's best interest.

2 If it is not in the student's best interest to attend the school of origin, the director or his/her designee shall  
3 provide a written explanation of the reasons for the determination. The written explanation shall include  
4 a statement that the decision may be referred to dispute resolution. The district coordinator for children  
5 in foster care shall carry out the dispute resolution process as expeditiously as possible and in accordance  
6 with the law.<sup>2</sup> Until the dispute is resolved, to the extent feasible, the student shall remain in his/her  
7 school of origin.<sup>2</sup>

## 8 **TRANSPORTATION**<sup>3,4</sup>

9 The district shall collaborate with the local child welfare agency to develop and implement clear and  
10 written procedures governing how transportation to a student's school or origin shall be provided,  
11 arranged, and funded. This transportation will be provided for the duration of the student's time in  
12 foster care.

13 The director of schools shall develop administrative procedures to provide for transportation of  
14 students in foster care.<sup>5</sup> These procedures must ensure that:

- 15 1. Students in foster care needing transportation to their schools of origin will promptly receive  
16 that transportation in a cost-effective manner and in accordance with federal law; and
- 17 2. If there are additional costs incurred in providing transportation to the school of origin, the  
18 district will provide such transportation if:
  - 19 a. the local child welfare agency agrees to reimburse the district for the cost of such  
20 transportation;
  - 21 b. the district agrees to pay for the cost; or
  - 22 c. the district and local child welfare agency agree to share the cost.<sup>4</sup>

23 The district will ensure that a student in foster care, to include a student awaiting foster care placement,  
24 remains in his/her school of origin while any disputes regarding transportation costs are being  
25 resolved.

## 26 **DISPUTE RESOLUTION PROCESS**

27 The district's coordinator for children in foster care shall develop a dispute resolution process in  
28 cooperation with the local child welfare agency. The dispute resolution process shall be approved by  
29 the director of schools prior to implementation.

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**Legal References**

1. Elementary and Secondary Education Act (ESEA), as amended by ESSA (Pub. L. 114-95) § 1111(g)(1)(E)(ii)-(iii)
2. Elementary and Secondary Education Act (ESEA), as amended by ESSA (Pub. L. 114-95), § 1111 (g)(1)(E)(i)-(iv)
3. Elementary and Secondary Education Act (ESEA), as amended by ESSA (Pub. L. 114-95), § 1111 (g)(1)(E)
4. Elementary and Secondary Education Act (ESEA), as amended by ESSA (Pub. L. 114-95), § 1112 (c)(5); § 475(4)(A) of the Social Security Act, 42 U.S.C. § 675(4)(A)
5. Elementary and Secondary Education Act (ESEA), as amended by ESSA (Pub. L. 114-95), § 1112 (c)(5)(B)(i)

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**Cross References**

Attendance 6.200  
School Admissions 6.203