



**Butler County School System**  
**Foster Care Program**  
**Procedures and Plan**

**Butler County (007) Public District - FY 2023 - Consolidated - Rev 0 - Improvement Planning**

**Alabama Education Stability for Foster Students**

**LEA Student in Foster Care Overview**

4 Number of Students in Foster Care (Enrolled for Previous School Year)

5 Number of Students in Foster Care (Currently Enrolled)

List Agencies in Collaboration:

Butler County School System (BCSS)

Butler County Department of Human Resources (BCDHR)

Policy Review and Revision (Describe how each agency in collaboration reviewed policies and the revisions made to policies as a result of reviews.)

Meetings between BCSS and BCDHR have effectively resulted in a collaborative establishment of a Foster Care Plan. Future meetings will be held in October and May to make informed decisions about children in foster care and to address barriers that may hinder the implementation of the Title I foster care provisions. During these meetings, policies will be reviewed and revised as needed. It is our goal to ensure that the appropriate interventions and strategies are in place to support foster care students to succeed in school. Butler County Board of Education has reviewed and revised board admission policy for students in foster care. These policies presently ensure students who are Homeless, Migrant, Immigrant and English language learners are allowed access to education and educational services without hesitation. Training for school personnel at minimum will include school administrators, counselors, and secretaries to ensure the enrollment of foster care, homeless, migrant, and English language learners students shall not be denied or delayed due to any of the following barriers:

- Lack of school records or transcripts
- Lack of immunization or health records
- Lack of proof of residency
- Lack of transportation
- Lack of a social security number
- Guardianship or custody requirements
- Lack of birth certificate

Describe Collaboration and Coordination with Agencies (Include a list of team members, positions, signatures, and agencies.):

The core Foster Care Advisory Team members are as follows:

Lisa Adair, Federal Programs Director/Foster Care POC

Slade Piggott, Transportation Director

Rheta McClain, Career Tech

Bryant Marlow, Greenville Middle School Principal

Julie Leverette, Foster Care DHR POC

LEA(s) Point(s) of Contact:

Lisa Adair

DHR(s) Point(s) of Contact:

Julie Leverette

## LEA Student in Foster Care Responses

2 C. F. R. §§ 200.331(d), 200.328(a); 34 C.F.R. §76.770; ESSA SECTION 1111(1)(e) - LEAs must implement the Title I educational stability requirements of children in foster care, including ensuring that:

- A child in foster care remains in his or her school of origin, unless it is determined that remaining in the school of origin is not in that child's best interest;
- If it is not in the child's best interest to stay in his or her school of origin the child is immediately enrolled in the new school even if the child is unable to produce records normally required for enrollment; and
- That the new (enrolling) school immediately contacts the school of origin, to obtain relevant academic and other records.

Describe procedures for implementing the above provisions.

Delays in enrollment in school and disruptions to continuous education are not in the best interest of the child in foster care. Federal and state laws prohibit delaying a child's ongoing education.

Therefore, the school system and BCDHR will collaborate to immediately and appropriately continue the enrollment of a child in foster care seeking to remain in the school of origin or immediately and appropriately enroll a child in foster care if the best interest is to transfer to another school in the district or another school outside the Butler County School District. Please note the following definitions:

- "Immediate" means no later than one school day after notification of intent to enroll or the day the student is present for enrollment.
- "Enrollment" means the child is attending classes and participating fully in school activities.

To begin the enrollment process, the child's BCDHR caseworker will notify the School System Foster Care Point of Contact of the intent to enroll a child who is in foster care. Other adults, as permitted by BCDHR may be required to assist with enrollment of the child, but the BCDHR caseworker will always direct the process and be the primary contact for school system staff members.

The school where the child most recently attended is responsible for transferring the education records of the child directly to the school where a child is seeking to enroll.

Only the following documentation may be requested for enrollment of a child in foster care:

I. Documentation that the child is in foster care, including:

A. The parts of the most recent court order establishing legal custody; OR

B. A letter on letterhead of Butler County Department of Human Resources that has custody of the child explaining that the child is in foster care

II. Identification of the person who is authorized to enroll the student, including:

A. Documentation to the receiving school that identifies the person as a BCDHR caseworker, or someone else authorized to enroll the child; AND

B. Photo identification

In addition, the school system may request that BCDHR present documentation establishing the foster child's current residence. However, lack of such documentation is not a reason to delay or deny enrollment, and BCDHR may present such documentation after the child is enrolled if it is not available earlier.

ESSA Section 1111(g)(1)(E)(i) - A description of how the LEA in collaboration with the local child welfare agency will ensure that in determining whether it is in the child's best interest to remain in his or her school or origin, and LEA takes into consideration all factors relating to a child's best interest.

Description of how the LEA will work with child welfare agencies to develop a clear policy or protocol on how to make best interest determinations including making every effort to gather meaningful input from relevant parties, in addition to required child welfare and school representatives, in deciding what school placement is in a child's best interest. Include a description of protocols in this description.

The Butler County School System will collaborate with the Butler County DHR to use current guidelines to make best interest determinations for each student in foster care. The stakeholders will solicit input from all included parties, in addition to DHR and LEA representatives, to identify the school placement that is in a child's best interest. The cost of transportation will not be a factor in determining the child's best interest.

The following factors will be considered for the best interest determination for each student in foster care:

- The child's needs and preference
- The views of the parents or the person with education decision-making rights
- The child's attachment to school and staff
- The placement of the child's siblings
- The availability and quality of services in the current and potential schools to meet the child's education and social/emotional needs
- School climate/safety
- The impact of a school transfer, including the commute
- Guardian ad Litem – GAL
- School Counselors/Private Counselors
- Distance of commute and the impact it may have on the student's education and other student-centered, transportation-related factors including travel time but not travel expenses
- Time remaining in the academic year
- Availability of classes to avoid credit loss and for the timely graduation or promotion
- School Based Coach – if the student is an athlete
- Special Education Representative if the child has an IEP and the child's special needs

Additional supporting documents to be considered in documentation of best interest determination:

- Report cards
- Progress reports
- Test Scores
- Attendance Data
- IEP or 504 Plan
- E-mails from individuals consulted during the best interest determination process
- Other relevant documents

The DHR caseworker will document the best interest determination in the child's case file, including factors considered, participants involved in the collaborative process, the determination for school placement, and the placement made. The best interest determination will be made in a timely manner within first 3-5 days of the initial contact to determine the best interest of the student. Parties involved in the decision making will include, but are not limited to LEA staff, Butler County DHR foster care caseworker, other DHR representatives, foster parents and other stakeholders as applicable. Documentation of the best interest determination will be maintained in the Butler County DHR child case file and the school's student cumulative record. The best interest decision may be revisited, if the student's situation changes to meet the needs of the student. If a change in placement is determined to be in the child's best interest, the school representative will send this documentation to the new school as part of the student's cumulative record.

When a student is taken into care, BCDHR will invite the School System Point of Contact to Individualized Service Plan (ISP) meetings where best interest determination will be made. School representatives will make every effort to attend or provide input.

See Appendix A: Best Interest Determination Placement Form

See Appendix B: Best Interest Determination Dispute Resolution

ESSA Section 1112(c)(5)(B) Description of transportation protocols and procedures to include how additional costs for transportation will be calculated and funded as well as a policy for LEAs to resolve best interest disputes and interagency disputes related to transportation costs. Description must include how transportation and transportation costs will be monitored. (Include LEA and welfare responsibilities for providing transportation.)

#### Description of Dispute Resolution Policy

For each student in foster care remaining in his or her school of origin the School System Point of Contact and BCDHR will work collaboratively to provide, arrange and fund transportation for the duration of the child's time in foster care.

Wherever possible, and where it is in the student's best interest, the Butler County School System buses should be utilized for transportation according to the following procedure:

- The BCSS Foster Care Point of Contact will advise BCDHR within 3 schools days whether it is able to transport the

student in question by school bus and if so, the BCSS Foster Care Point of Contact will arrange transportation within 5 school days.

- During the interim period of up to 5 school days during which the BCSS Foster Care Point of Contact is arranging transportation, BCDHR will make all reasonable efforts to provide alternative transportation to ensure that the child does not miss school.

If the BCSS Foster Care Point of Contact advises BCDHR that it cannot transport a student by school bus, BCDHR and the BCSS Foster Care Point of Contact will collaborate to arrange for safe and timely transportation. BCDHR will assume the responsibility of authorizing the means of transportation, using, but not limited to one or more of the following options;

- Employees of DHR and residential programs;
- Any person approved by DHR;
- Contracted transportation

Butler County Department of Human Resources and the Butler County Board of Education agree to pay for transportation mileage on the following plan:

- The BCSS Foster Care Point of Contact, Butler County Transportation Director and the Butler County Chief School Financial Officer will collaborate to compute the average daily rate of transporting a Butler County student in foster care. This determines the base amount to be applied towards daily mileage expenses.
- In the event there are additional daily mileage expenses, the Butler County School System Title I and BCDHR will share the remaining cost equally.
- Both organizations will pay the shared cost equally directly to the identified person/company of transportation of student in foster care.

See Appendix C: Transportation Dispute Resolution

ESSA Section 111(g)(1)(E)(ii)-(iii) Describe protocol for a child in foster care to be immediately enrolled in a new school.

Delays in enrollment in school and disruptions to continuous education are not in the best interest of the child in foster care. Federal and state laws prohibit delaying a child's ongoing education. Therefore, the School System Point



of Contact and BCDHR will collaborate to immediately and appropriately enroll a child in foster care seeking to attend his or her local zoned school, whether he or she is enrolling in school for the first time or is transferring following a change in foster care placement and a determination that transfer would serve his or her best interest.

To begin the enrollment process, the child's BCDHR caseworker will notify the School System POC of the intent to enroll a child who is in foster care. Other adults, as permitted by BCDHR may be required or permitted to assist with enrollment of the child, but the BCDHR caseworker will always direct the process and be the primary contact for school system staff.

BCDHR need not produce the child's school record at the time of enrollment in order to enroll the child in school. The school the child most recently attended is responsible for transferring the education records of the child directly to the school where a child is seeking enrollment.



**Butler County**  
**Foster Care**  
**Dispute Resolution &**  
**Transportation Plan**

**Butler COUNTY DISPUTE RESOLUTION PROCESS FOR PLACEMENT OF A FOSTER CHILD IN A SCHOOL  
OTHER THAN THE SCHOOL OF ORIGIN.**

If the Butler County Department of Human Resources seeks to place a child in foster care in a school other than the school of origin or the school requested by the educational decision-maker<sup>1</sup>, the educational decision-maker shall be provided written notice of his/her right to appeal the decision (*see Appendix A for a sample written notice*), including:

1. The contact information for the Butler County School System Foster Care POC and the State Education Agency (SEA) foster care point of contact.
2. An explanation of the reasons for the decision.
3. A step-by-step description of how to the dispute decision (Level I procedure), including a dispute form (*see Appendix B for a sample dispute form*).
4. An explanation that if the educational decision-maker chooses to initiate a dispute, the student shall remain in the school of origin, receiving all appropriate educational services, until the dispute reaches its final resolution.
5. Timelines for resolution of the dispute at each level.
6. Notice of the right to appeal to the SEA if the local-level resolution is not satisfactory.

**Level I: Butler County Board of Education Superintendent or Designee**

**1. Initiating the Level I Dispute**

To dispute the BCDHR's decision related to school selection (best interest) or enrollment for a child in foster care, an educational decision-maker must request dispute resolution in writing by submitting a dated appeal letter specifying the school in which enrollment is sought and the basis for seeking enrollment in that school. The appeal letter must include the name and contact information (phone, email and mailing address) for the educational decision-maker.

The educational decision-maker must submit the appeal letter within five (5) school days of receiving written notice of the right to dispute the decision. The letter may be submitted via an email with the subject "Foster Child Appeal," or delivered to any school to the attention of the superintendent. Regardless of how the appeal letter is submitted, the school or school system POC shall ensure the Butler County's superintendent or designee receives it immediately.

<sup>1</sup> The Butler County Department of Human Resources shall inform the Butler County Board of Education promptly of the name and contact information of the appropriately designated or appointed educational decision-maker for every child in foster care enrolled (or seeking enrollment) in the Butler County School System.

The submission of the appeal letter by email or delivery to any school initiates the dispute. From that point, the student shall remain in the school of origin until the dispute reaches its final resolution. The student shall be provided with all appropriate educational services for which the student is eligible during the pendency of the dispute. Students attending their school of origin during the pendency of the dispute will be entitled to receive transportation. The BCSS POC will provide or arrange transportation during the dispute. Once the dispute is resolved, transportation will be provided pursuant to the local transportation procedures developed collaboratively between the BCSS and Butler County Department of Human Resources (BCDHR).

## 2. Butler County Board of Education Decision

The superintendent, or superintendent's designee, will arrange for a personal conference to be held with the educational decision-maker, the student (if appropriate), and at least one representative from the local child welfare agency. The personal conference will be arranged within five (5) business days of the receipt of the Level II appeal letter and will take place as expeditiously as possible.

Within five (5) business days of the personal conference, the superintendent, or superintendent's designee, will inform the educational decision-maker of the decision in writing, using the contact information provided in the appeal letter. The superintendent or designee may consult with the BCDHR foster care point of contact in making the decision. The written decision provided to the educational decision-maker must include:

1. A copy of the complete Level I appeal packet.
2. The decision rendered at Level I by the superintendent or designee and an explanation for that decision.
3. Instructions regarding how to file a Level II dispute, including the name, phone number and email address of the SEA foster care point of contact.

If the educational decision-maker disagrees with the Level I decision and wishes to appeal to Level II, the educational decision-maker shall inform the Butler County superintendent or designee of the intent to appeal to Level II within five (5) school days of receipt of the Level I decision. If the educational decision-maker does not appeal within five (5) school days, the child shall be enrolled and provided all appropriate educational services in the school determined by the BCDHR. If that school is not the school the child had been attending during pendency of the dispute, the BCSS POC and BCDHR POC will prioritize minimizing the disruption to the child's education in effecting the transition to the new school.

## Level II: State Education Agency (SEA)

### 1. Initiating the Level II Dispute

If the student's educational decision-maker disagrees with the decision rendered by Butler County School System's superintendent at Level I, he/she may appeal the decision to the SEA. To appeal to Level II, an educational decision-maker must request an appeal in writing by submitting a dated appeal letter, which must include:

- The school in which enrollment is sought and the basis for seeking enrollment in that school.
- The name and contact information (phone, email and mailing address) for the educational decision-maker.
- A copy of the previous appeal letter submitted by the educational decision-maker.
- A copy of the decision rendered at Level I.

The letter must be submitted via an email to the SEA foster care point of contact, with the subject "Foster Child Appeal." The letter also must be submitted to BCSS's superintendent via an email with the subject "Foster Child Appeal," or delivered to any school to the attention of the superintendent. The appeal letter must be submitted to both the SEA and BCSS superintendent within five (5) school days of receiving the Level I appeal decision.

The BCSS POC has an additional five (5) school days from its receipt of the educational decision-maker's appeal letter to submit its response to the appeal letter to the SEA foster care coordinator, via an email with the subject "Foster Child Appeal." Documents submitted by either party after the applicable deadlines will not be considered.

The student shall remain in the school of origin until the dispute reaches its final resolution. The student shall be provided with all appropriate educational services for which the student is eligible during the pendency of the dispute. Students attending their school of origin during the pendency of the dispute will be entitled to receive transportation. The BCDHR POC will provide or arrange transportation during the dispute. Once the dispute is resolved, transportation will be provided pursuant to the local transportation procedures developed collaboratively between the BCSS and DCDHR.

## 2. SEA Decision

The Level II decision will be made by a three-person panel including the SEA foster care point of contact, another SEA staff, and a representative of the state child welfare agency. The panel shall make a final decision within thirty (30) days of receipt of the dispute.

The SEA foster care point of contact will forward the final written decision to the educational decision-maker and the LEA superintendent. The written decision must include:

1. A copy of the complete Level II appeal packet.
2. The decision rendered at Level II and an explanation of that decision.

BCSS must implement the SEA's decision in full, immediately.

The SEA shall maintain a record of all disputes related to the children in foster care.

**For every type of dispute regarding a child in foster care, the BCSS and BCDHR must make every effort to resolve the dispute collaboratively at the local level. Documented patterns of excessive disputes to the SEA from the BCSS and/or BCDHR will be reviewed by the SEA and State DHR and appropriate measures will be taken to ensure compliance by both local agencies. All parties are encouraged to seek assistance from the Foster Care Point of Contact at the State Education Agency (SEA), and the Education Coordinator at the State Department of Human Resources prior to any dispute.**

## **INTER-AGENCY TRANSPORTATION DISPUTE PROCESS TO RESOLVE DISPUTES BETWEEN LEAS AND CHILD WELFARE AGENCIES REGARDING TRANSPORTATION**

ESSA requires the BCSS and BCDHR to collaboratively develop and implement clear written procedures governing how transportation to maintain children in foster care in their school of origin when in their best interest will be provided, arranged, and funded for the duration of the children's time in foster care. To ensure the children receive transportation and that both the BCSS and BCDHR are working to ensure educational stability, these transportation procedures should:

- Describe how BCDHR is implementing its requirements to develop a plan for ensuring the educational stability of each child in foster care, including ensuring that each placement of every child takes into consideration the proximity to the school of origin (see the Fostering Connections to Success and Increasing Adoptions Act).
- Ensure that children in foster care needing transportation to the school of origin will promptly receive it.
- Ensure that transportation is provided in a cost-effective manner.
- Address how BCDHR will use foster care maintenance payments and administrative funds to pay for transportation to the school of origin (see sections 475(1)(G) and (4)(A) of the Social Security Act (42 U.S.C. 675(1)(G) and (4)(A)).
- Specify how "additional costs" of transportation will be calculated, to delineate clearly the BCSS's responsibility to provide transportation when there are no additional costs<sup>2</sup>.
- Specifically describe how transportation to the school of origin will be provided in situations where there are no additional costs.
- Specifically describe those situations (if any) for which the BCSS has agreed to pay additional costs, or share additional costs with BCDHR.

BCSS and BCDHR must make every effort to collaborate in serving children in foster care. When a dispute arises between the agencies over paying the costs of transportation, the BCSS and BCDHR must make every effort to resolve the dispute collaboratively at the local level. **Documented patterns of excessive disputes to the SEA from the BCSS and/or BCDHR will be reviewed by the SEA and State Department of Human Resources and appropriate measures will be taken to**

<sup>2</sup> Additional costs incurred in providing transportation to the school of origin should reflect the difference between what BCSS would spend to transport a student to his or her assigned school and the cost of transporting a child in foster care to his or her school of origin. US Departments of Education and Health and Human Services (2016). N on-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care, Question 27.

**To ensure compliance by both local agencies.** The SEA and State DHR have established a Memorandum of Understanding regarding appropriate measures to limit disputes and ensure compliance by both **BCSS and BCDHR**. All parties are encouraged to seek assistance from the Foster Care Point of Contact at the State Education Agency (SEA), and the Education Coordinator at the State Department of Human Resources prior to any dispute.

**In addition, under no circumstances shall the dispute delay or interrupt the provision of transportation for a child to the school of origin.** To ensure no such disruption, the agency that had been paying for transportation prior to the dispute will continue to pay until the dispute is resolved. If transportation was not provided previously, the Butler County School System will arrange and provide the transportation while payment disputes are being resolved.

Disputes between BCSS and BCDHR regarding implementing the local transportation procedures, calculating and paying for additional costs of transportation to the school of origin for children in foster care, or other inter-agency transportation disputes will be resolved by a three-person panel including the SEA foster care point of contact, another SEA staff, and a representative of the State Department of Human Resources. Either the BCSS or BCDHR can bring a transportation payment dispute to the SEA by

submitting a dispute resolution request to the SEA foster care point of contact via an email with the subject "Foster Child Transportation Dispute." The dispute resolution request must include:

- A complete explanation of the basis of the dispute, with all pertinent facts.
- The name and contact information of the people who have been addressing the dispute thus far on behalf of both the BCSS and BCDHR (phone, email and mailing address).
- Details of how the agencies have attempted to resolve the dispute at the local level prior to appealing to the state.

Within ten (10) days of receipt of the dispute resolution request, the SEA foster care point of contact will contact the party that did not submit the request (either the BCSS or BCDHR) identifying the subject matter of the dispute and inviting that party to submit any information pertinent to the dispute. The party will have ten (10) days to submit its explanation of the dispute, with all pertinent facts. Documents submitted by either party after the applicable deadlines will not be considered.

The panel shall make a final decision within thirty (30) days of receiving all information related to the dispute. The SEA foster care contact will forward the written decision and an explanation of that decision to the appropriate parties at both the BCSS and BCDHR. The decision shall be the final resolution.

Appendix A: Right to Appeal Decision Form Butler County Schools

Delivered via: *(in person or a reliable email address to ensure delivery)*

DATE

To: Butler County School System Superintendent of Education

The Butler County Board of Education has determined that the appropriate school placement for STUDENT NAME is SCHOOL NAME. We understand this is neither the school of origin nor the school requested by the student's educational decision-maker. Therefore, we are providing this explanation of our decision and information about how the educational decision-maker may appeal the decision.

We have determined that it is in the student's best interest to attend SCHOOL NAME because:

The educational decision-maker may appeal this decision by completing the attached Dispute Form, signing it, dating it, and submitting it by DATE (insert date, ten school days from date of this letter).

If the educational decision-maker chooses to initiate a dispute, the student shall remain in the school of origin, receiving all appropriate educational services including transportation, until the dispute reaches its final resolution. Once the Dispute Form is received, the superintendent or designee will arrange for a personal conference with the educational decision-maker, the student (if appropriate), and at least one representative from Butler County DHR within ten (10) business days, and the conference will take place as expeditiously as possible. Within five (5) business days of the personal conference, the superintendent or designee will inform the educational decision-maker of the decision in writing. The educational decision-maker will be able to appeal to the State if the local resolution is not satisfactory.

If you have questions about this decision or how to appeal it, please contact:

Butler County Foster Care Contact  
Lisa Adair  
[lisa.adair@butlerco.k12.al.us](mailto:lisa.adair@butlerco.k12.al.us)  
334-382-2665 ext 1219

ALSDE Foster Care POC  
Ms. Sally Meek  
ALSDE Foster Care POC  
[smeek@alsde.edu](mailto:smeek@alsde.edu)  
334-694-4527



## Appendix B: Dispute Form Butler County Board of Education

To appeal the district's decision, please complete this form and submit it by the date indicated on the Written Notice you received from the school. You may submit this form by any of the following methods:

- Scan and email it to EMAIL ADDRESS with the subject "Foster Child Appeal";
- Return the paper form to any Butler County School
- Submit the paper form directly to the office of the superintendent at:  
Superintendent of Education, Butler County Board of Education  
211 School Highlands Road  
Greenville, AL 36037

Student Name: \_\_\_\_\_

School in which enrollment is sought: \_\_\_\_\_

I am the educational decision-maker for this student, and I believe the school in which we are seeking enrollment is in the student's best interest because:

I believe the student has a right to attend this school because:

If you would like to provide additional information, please attach it to this form.

The student shall remain in the school of origin, receiving all appropriate educational services including transportation, until the dispute reaches its final resolution. Once this Dispute Form is received, the superintendent or designee will arrange for a personal conference with the educational decision-maker, the student (if appropriate), and at least one representative from \_\_\_\_\_ County DHR within five (5) business days, and the conference will take place as expeditiously as possible. Within five (5) business days of the personal conference, the superintendent or designee will inform the educational decision-maker of the decision in writing. The educational decision-maker will be able to appeal to the State if the local resolution is not satisfactory.

Educational decision-maker name: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

## **Appendix C: Legal Framework**

### **Every Student Succeeds Act**

"Each State plan shall describe--

\*\*\*  
(E) the steps a State educational agency will take to ensure collaboration with the State agency responsible for administering the State plans under parts B and E of title IV of the Social Security Act (42 U.S.C. 621 et seq. and 670 et seq.) to ensure the educational stability of children in foster care, including assurances that—

(i) any such child enrolls or remains in such child's school of origin, unless a determination is made that it is not in such child's best interest to attend the school of origin, which decision shall be based on all factors relating to the child's best interest, including consideration of the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement;

(ii) when a determination is made that it is not in such child's best interest to remain in the school of origin, the child is immediately enrolled in a new school, even if the child is unable to produce records normally required for enrollment; ..."

ESSA Section 1005, 20 U.S.C. 6311(g)(1)(E)

### **U.S. Department of Education and U.S. Department of Health and Human Services**

**(2016). Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care.**

"The SEA should coordinate with the State or tribal child welfare agency to develop and disseminate uniform guidelines for implementing the Title I educational stability provisions. Developing uniform statewide policies and procedures for ensuring educational stability for children in foster care, as many States have already done under the Fostering Connections Act, will facilitate successful implementation at the local level. This is particularly important given the shared agency responsibility for educational stability under Title I and the Fostering Connections Act, and because a single LEA or local child welfare agency will likely have to collaborate with multiple partner agencies in implementing these provisions. Due to the high mobility of children in foster care, State guidance is crucial for consistency across school districts." (Question 3).

#### **"What process should SEAs and LEAs use when making the best interest determination?"**

The law does not prescribe a specific process, but we encourage SEAs to work with the State or tribal child welfare agencies to establish guidelines to be used by LEAs and schools in coordination with local child welfare agencies to guide the decision making process." (Question 13).

"However, if there is disagreement regarding school placement for a child in foster care, the child welfare agency should be considered the final decision maker in making the best interest determination (unless State law or policy dictates otherwise)." (Question 18).

"We encourage SEAs to include guidelines for how additional costs for transportation will be funded and to establish a mechanism or policy for LEAs to resolve interagency disputes related to transportation costs." (Question 21).

"[W]e encourage the SEA, in partnership with State and tribal child welfare agencies and key decision-makers such as the governor, to develop a uniform State process for resolving such disputes." (Question 28).

"We encourage SEAs and LEAs to collaborate with child welfare agencies to develop a dispute resolution process at the local level for parties to address disagreements over the best interest determination decision.... Once the decision is made, a written explanation should be provided to all involved parties." (Question 19).

"To the extent feasible and appropriate, an LEA must ensure that a child remains in his or her school of origin while the disputes are being resolved to minimize disruptions and reduce the number of moves between schools." (Question 20).

"[T]he LEA must provide or arrange for adequate and appropriate transportation to and from the school of origin while any disputes are being resolved." (Question 32).