

**NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES
BISMARCK, NORTH DAKOTA
September 12, 2016**

PI 16-36

TO: Regional Supervisors
County Social Service
Division of Juvenile Services
Tribal Social Services
PATH

FROM: Kelsey Bless, Permanency Administrator

SUBJECT: Educational Stability for Foster Children

PROGRAMS: Foster Care

EFFECTIVE: **Immediately**

RETENTION: Until Manualized

The Every Student Succeeds Act (ESSA) was signed by President Obama and is effective December 10, 2016. This legislation offers additional responsibility for the education system, however highlights foster children’s educational stability. In 2008, Fostering Connections to Success and Increasing Adoptions Act required child welfare agencies to ensure children in foster care remain in their school of origin whenever possible, enroll quickly into a new district when a transfer is necessary, and foster care case managers provide educational records to the new school timely to best accommodate the child’s educational needs. North Dakota foster care policies have been in place since 2008; however Children & Family Services updated portions of policy to emphasize the ESSA federal requirements. Updates are underlined; including further clarification for the educational stability plan, transportation coverage, and communication with a school district “foster care liaison”.

School District Notification 624-05-15-50-07

NDCC 15.1-29-14 establishes school district responsibility for the payment of tuition, excess cost and, in the instance of handicapped children, excess educational costs related to special education. The law requires that foster care agencies placing children notify the interested school district of such placements to assure timely and orderly assumption of financial responsibility by the appropriate school districts.

The foster care case manager shall provide written or electronic notice regarding an initial placement and all subsequent placements to the superintendent of the student’s school district of residence and to the superintendent of the admitting district:

1. Within five working days after a placement is made under court order;
2. Within five working days after an emergency placement is made; or
3. At least ten working days prior to any other placement.

In addition, the foster care case manager shall communicate with the school district's identified "foster care liaison" to ensure the opportunity to participate in permanency planning for the foster child attending school.

Online System Notification

1. September 15th of each year – once established, the resident district remains unchanged until the following September 15th.
 - a. Notifications (SFN 18119) are only required when a child
 - i. Enters foster care (initial notification), then
 - ii. Annually thereafter (September of each school year).

Online Procedure

Department of Public Instructions' (DPI) form, SFN 18119, will serve as the official document in all instances for the notification required by NDCC 15.1-29. Electronic submission is the preferred method of submission. The electronic notification system can be accessed at: <https://secure.apps.nd.gov/dpi/ndteach/sclogin.aspx>.

This application requires workers to establish a ND State login ID, and link this ID to the placing agency. To determine if you have a current login, see link entitled, "Not Sure?" Also, Login ID users who have forgotten their ID's, or have forgotten their passwords, will have a link on the sign-in page which will provide assistance. If you do not have access to the site, you will need to create a login ID. This can be done by clicking on the link labeled "Register Now". You will be asked to provide your name, company name, address, email, and other security questions which help identify the user.

Training for the site can be accessed at <http://www.dpi.state.nd.us/speced/>.

IMPORTANT: After you have created a login ID, current entity users for your agency, or school, will need to add your user login to the current list of entity users. DPI Administrators may also add your user login ID for access. This step must be completed before you may gain access to the notification and contract system.

Questions related to the notification process can be answered by clicking the question mark- help icon on the website or by calling ND Department of Public Instruction at (701) 328-2175 or (701) 328-1678.

624-05-15-50 Case Plan: * Updates in this PI only show the specific language for case planning related to education. 624-05-15-50 policy remains the same at this time.**

Include the most recent information available pertaining to child's health and education records, including:

A. Education Information

1. Names and addresses of child's school/s of attendance;
2. Child's current grade;
3. Child's school record;
4. A specific educational stability plan providing assurances:
 - a) Each foster care placement takes into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of foster care placement. School of origin decisions must reinforce the child's best interest.
 - i. School of Origin: The foster child's school of origin may change depending on their foster care placement. If a foster child's placement changes, the school of origin would be considered the school in which the child was enrolled at the time of the placement change.
 - ii. Example: The foster child was enrolled in District A when he/she entered foster care. The child was placed in a foster home of school District B when it was determined to be in the child's best interest for the child to remain in District A.
 - b) The foster care case manager has coordinated and communicated with the designated school district "foster care liaison", to ensure that the child remains in the school in which the child is enrolled at the time of foster care placement; or, if remaining in such school is not in the best interests of the child, assurances by the child welfare and educational agencies to provide immediate and appropriate enrollment in a new school, with request to transfer all educational records for the child.
 - c) Each school age child in foster care is enrolled as a student (or in the process of enrolling), or is a full-time *elementary or secondary school student; or, is incapable of attending school on a full-time basis due to the medical condition of the child. If the child is incapable of attending school on a full-time basis, regularly updated information, must be included in the case plan that supports this determination; and

* The term "elementary or secondary school student" can include youth who are attending school in accordance with the State home school law, or youth who are seeking his/her GED through an independent study program in accordance with State law.

Category 50 - Transportation Costs 623-05-30-25: * Updates only show the specific language for school transportation, the rest of 623-05-30-25 is under review at this time.**

Code under Category 50

- 51 – Travel for foster child: Home visits/reunification or other visitation to maintain family connections.
- 53 – Travel for foster parents: To transport a foster child to school in which the child is enrolled at the time of placement.

Code 53: Travel for foster parents: To transport a foster child to school in which the child is enrolled at the time of placement.

An irregular payment is allowable to reimburse licensed or approved (Tribal Affidavit) foster parents who provide reasonable travel for the child to remain in their school of origin upon placement into the provider's home.

Transportation costs must be calculated, documented, approved by the Child & Family Team and provided to the eligibility worker for payment purposes prior to reimbursement. Reimbursement cannot exceed the current State rate for mileage or the established school/city bus transportation costs.

The foster child's school of origin may change depending on their foster care placement. If a foster child's placement changes, the school of origin would be considered the school in which the child was enrolled at the time of the placement change.

Example: The foster child was enrolled in District A when he/she entered foster care. The child was placed in a foster home of school District B when it was determined to be in the child's best interest to remain in District A. An irregular payment for the licensed/ approved (Tribal Affidavit) foster parent would be an allowable reimbursement option.

Reimbursement of expenses to transport a foster child to and from a school within the established school boundaries of the foster parent's home is part of the basic foster care maintenance rate and cannot be covered with an irregular foster care payment.

Foster care irregular payment reimbursement for excess school transportation is available for children placed into a licensed or approved (Tribal affidavit) foster home. If the child is placed in an unlicensed home, transportation reimbursement to the school of origin cannot be accommodated with foster care funds.

If you have questions regarding foster care policy, please feel free to contact me.

Thank you.