

North Dakota Transportation Guide for Students in Foster Care under the Every Student Succeeds Act 2015

The Every Students Succeeds Act (ESSA) of 2015 requires districts to work closely with Child Welfare Agencies (CWAs) to tailor transportation processes and procedures to their unique local contexts. Local Education Agencies (LEAs) and CWAs must collaboratively establish procedures which facilitate immediate transportation needed to ensure educational stability for students in foster care.

Under ESSA, transportation procedures for children in foster care must:

- Ensure that children in foster care needing transportation to the school of origin will receive cost-effective transportation in accordance with the CWA's authority to use child welfare funding for school of origin transportation.
- Ensure that, if there are additional costs incurred in providing transportation to the school of origin, the LEA will provide transportation when the following negotiations take place:
 - The local CWA office agrees to reimburse the LEA for the cost of such transportation;
 - The LEA and local CWA agree to share the cost;
 - The LEA agrees to pay for the cost of such transportation;
 - The school of origin, local CWA, school of residence and/or placing CWA share costs.

***Development of the transportation plan should include both districts LEA's and CWA's point of contacts (POC).**

***In the event of a transportation dispute:**

Local transportation plans should include a dispute resolution process to address how the transportation requirement will be met if parties cannot come to an agreement. LEAs must ensure that a child in foster care remains in the school of origin while any disputes regarding transportation costs are being resolved. ESEA 1111(g)(1)(E)(i) and 1112©(5)(B)(i).