



DCS Educational Stability Plan

Supplemental to DCS Policy: 21.14

Procedures for Students in Foster Care: Best Interest Determination

The Every Student Succeeds Act (ESSA) contains key protections for students in foster care that are designed to promote school stability, student success, and collaboration between local education agencies (LEAs) and child welfare agencies.

Definitions

"Foster Care" is defined as 24 hour substitute care for children placed away from their parents or guardians for whom the child welfare agency has placement and care responsibility.

"School of origin" is the school in which a child is enrolled at the time of placement in foster care. If a child's foster care placement changes, the school of origin would then be considered the school in which the child was enrolled at the time of the placement change.

Point of Contact

Upon a student coming into custody or upon a student changing placement while in custody, the DCS Child and Family Team (CFT) discusses if it is in the best interest of the student to remain in the school of origin. If the student's DCS placement is within one hour of the student's school of origin, the team should immediately notify the DCS Point of Contact (the Education Specialist) via email or telephone. The Education Specialist arranges a Best Interest Determination Meeting with the LEA of origin. This is part of the collaborative process of ESSA and must take place. A description of the process is provided below.

NOTE: Only the Education Specialist should contact the school system regarding keeping students in the school of origin. The local school system is not expected to communicate with foster parents, parents, family service workers, etc. at the onset of this process.

Best Interest Determination Process

The DCS Education Specialist notifies the point of contact of the LEA if there is a student who DCS would like to keep in the school of origin, but who will no longer be living in that school's zone. At that point, the school system and DCS can schedule a best interest determination team meeting within five (5) school days that includes:

- a) The DCS point of contact (DCS POC) (the education specialist)
- b) The LEA point of contact (LEA POC);
- c) The educational decision maker for the child or youth (DCS contacts the birth parent, if rights are not terminated);
- d) The school principal of designee;
- e) The Family Service Worker;
- f) Any other key partners for decision-making.

At this meeting, [CS-1212, Best Interest Determination](#) Form is completed.

If the team decides it is in the best interest of the student to remain in the school of origin, then the student is allowed to remain. Transportation to the school of origin should then be discussed by the team (Reference [CS - 1215, Transportation to School of Origin](#) form).

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If the team decides it is not in the best interest of the student to remain in the school of origin, DCS enrolls the student in the new school. If this school is in the same LEA as the school of origin, the child is enrolled immediately.

For additional information, refer to the following forms:

[*CS-1213, Dispute Resolution Process-Best Interest Determination*](#)

[*CS-1214, Dispute Resolution Process-Transportation*](#)

[*CS-1216, Transportation to School of Origin*](#)

