



September 29, 2024

Involve families, caregivers, and children in education decisions.

- Define school of origin and any acronyms when discussing school stability and the ESSA.
- Be clear and direct with team members, including caregivers, that determining if a child will be enrolled in a new school is not solely their decision. Explain that all factors must be considered, including the child's perspective/opinion.
- Emphasize the importance of collaboration and creativity when discussing options that support school stability (maintaining the school of origin).
- Assess the unique needs of the child in collaboration with the LEA, parents, caregivers (and others when needed) to achieve educational stability for the child.
- When possible, prior to changing a child's living arrangement, communicate with potential caregivers about the child's school of origin and expectations that the child remain in the school.
- The DCS Specialist is responsible for scheduling and facilitating the BID discussion. This is best accomplished during a formal meeting, but may occur through email or other communication when a formal meeting is not feasible (i.e. due to time restraints).

Ensuring School Stability: Federal and State Requirements

School stability improves children's educational success. The federal Every Student Succeeds Act (ESSA) requires a child in foster care to remain in his or her school of origin unless it is not in the child's best interest. State Law (A.R.S. § 8-530.04) specifies requirements related to participants, time frames and transportation.

- Children in foster care frequently face delays in school enrollment or they are placed in the wrong classes or schools due to missing, incomplete, or delayed school records and documentation.
- School instability makes it difficult for a child to develop supportive relationships with teachers and peers.
- Unplanned school changes may be associated with delays in a child's academic progress, leaving students to fall behind their peers.
- Children in foster care experience higher levels of residential and school instability compared to their peers.

A best interest determination is required when a child enters foster care and when there is a change in the foster care living arrangement.

- It is imperative that the DCS Specialist, out-of-home caregiver, Local Education Agency (LEA), and parent, caregiver, and IDEA parent (when needed) meet promptly when there is a change in the child's living arrangement.
- State law requires that the best interest determination (aka BID) be made within five (5) days (business days) of entry into foster care or a change to the foster care living arrangement.
- The purpose of the discussion is to determine if remaining in the school of origin is in the child's best interest.
- The goal is to maintain the school of origin throughout the child's time in foster care (when in their best interest to do so). The best interest determination may occur in association with a Child & Family Team Meeting (CFT), case plan staffing, Team Decision Making (TDM) meeting, or another meeting when all identified parties are available to attend.
- In some situations, the best interest determination may occur without holding a formal meeting, such as when a child is returning to Arizona from an out-of-state foster care living arrangement. Contact the Regional ESSA Liaison to discuss if this is appropriate to the situation, and always ensure that sufficient information is gathered to inform the decision.
- The Best Interest Determination and Transportation Plan form (CSO-1348A) can help direct the meeting and decision-making process.
- DCS must ensure transportation is arranged to the school of origin and must make accommodations to support the child's attendance at the school of origin until the best interest determination can be completed.

Note: A BID is not required when a child returns home or the case is closed due to adoption or guardianship, etc. In these instances, the DCS Specialist should ensure school stability is addressed within the plan for transition out of foster care.

- State law requires the best interest determination (BID) be completed within five (5) days (business days) of entry into foster care or a change to the foster care living arrangement. If the determination is to enroll in a new school, the new school must enroll the child within two (2) days (business days).

What is the school of origin?

- The school of origin is always a public school (for the purpose of the ESSA).
- The school of origin is the school the child was enrolled in (or the last school attended) at the time of removal from the home or the change to the foster care living arrangement.

Note: Private schools (i.e. faith-based), home schooling, and residential-based schools cannot be considered the school of origin as they are not public schools.

Click on the following link to access a current list of LEA Foster Care Points of Contact (for the school of origin and the new school):

<https://www.azed.gov/fostercare/local-educational-agency-child-welfare-agency-points-contact>

Who is an Individual with Disabilities Education Act (IDEA) Parent?

- The IDEA parent is the person responsible for making decisions about special education evaluations or services.
- The IDEA parent should be the biological or adoptive parent if possible.

Many factors must be considered to determine if the child will remain in the school of origin. Refer to the CSO-1348A Best Interest Determination and Transportation Plan for the full list of factors and prompts.

- Living Arrangement: Describe the permanency of the current living arrangement.
- Student Input: Describe the preference(s) of the student
- Parent Input (including biological, IDEA/Surrogate parent, as applicable): Describe the preference(s) of the parent. Also note if a parent other than the biological parent holds the Education Rights.
- Academic Progress (general and Exceptional Education/ English Language Learners [ELL])
- Social Connections/ School Connectedness (including friendships, positive connections, participation in clubs/ sports, etc.)
- Current Caregiver Input & Considerations.
- Feasibility (i.e. ability to...): Describe the distance and time required for the student to remain in their home school. Consider the student's age and developmental needs.

Both DCS and the LEA are responsible to provide supports to assist caregivers to keep a child in the school of origin.

- The DCS and the LEA should work collaboratively to ensure enrollment in the school of origin is maintained throughout the BID process.
- ESSA points of contact are available in each DCS region to:
 - ▶ support the DCS Specialist in scheduling and/or facilitating the BID discussion;
 - ▶ develop partnerships with local school districts;
 - ▶ provide training on ESSA requirements; and
 - ▶ consult with DCS Specialists to address educational stability issues that are not resolved at the local level.

Transportation needs are often the most significant barrier to maintaining a child in the school of origin. There are several resources and options to consider.

- Unlicensed kinship caregivers may receive mileage reimbursement for transporting a child in their physical custody for educational purposes as outlined under DCS Administrative Policy ([DCS 03-16](#)).
- Foster parent reimbursement rates include the costs of routine travel, which includes travel to and from school. Reimbursement rates may be adjusted when appropriate.
- Contracts require group homes to comply with ESSA and provide routine transportation for the child, including transportation to school and school-related activities.
- Identify other supportive adults in the child's life who may provide assistance, including opportunities to carpool with classmates/friends.
- Depending on the child's age, developmental needs, preference, and distance and safety factors, consider public transportation.
- Explore with the caregiver any flexibility to their work schedule, such as tele-work, alternative work schedules and locations.
- Consider options available through the school district, such as identifying an existing or alternate bus route/pick-up location, or a cost-share agreement with the DCS, etc.

- A guardian authorized to act as the child's parent who has been granted educational rights by the court may serve as the IDEA parent.
- If a biological or adoptive parent or guardian cannot serve as the IDEA parent due to severance of their parental rights, a court order, or their whereabouts are unknown, then a foster parent or kinship caregiver may serve as the IDEA parent.
- If these options are not available, the Department of Education is responsible to appoint a surrogate parent.
- The DCS Specialist or group home staff members cannot authorize special education services, evaluation, or provide written consent for IEP's.

Click on the following link for more information on Surrogate Parents

<https://www.azed.gov/specialeducation/surrogate>

After careful assessment and problem solving it may be determined that it is not in the best interest of a child to stay in the school of origin.

- A child may need to enroll in a new school when there are safety issues at the school of origin that cannot be resolved, the distance and travel time to the school of origin is excessive/not feasible, or there is another reason that presents a barrier to the child's well-being or academic success that cannot be resolved.
- If it is not in the child's best interest to remain in his or her school of origin, the child must be immediately enrolled (within two business days) in the new school, even when the records normally required for enrollment are not available.
- The new school immediately contacts the previous school to obtain any relevant academic or other records.
- The DCS Specialist completes the Best Interest Determination form (CSO-1348A) to document the factors considered in making the best interest determination, any decision to enroll in a new school, and to document the transportation plan (when the child will remain in their school of origin).

ESSA Regional contacts are available to help answer questions from DCS Specialists and Supervisors.

Region	Contact	Email Address
Northwest (Mohave, Coconino, Yavapai, & La Paz Counties)	Caryn Wagner	Caryn.Wagner@azdcs.gov
Maricopa West (Western Maricopa County)	George Johnson	MWEducationLiaison@azdcs.gov
South (Yuma, Pima, Santa Cruz & Cochise Counties)	TBD	
Northeast (Pinal, Gila, Graham, Greenlee, Navajo & Apache Counties)	Brooke Soltero	NortheastBID@azdcs.gov
Maricopa East (Eastern Maricopa County)	Taylor Bigelow Madeline Carvajal	MaricopaEastBID@azdcs.gov

DCS Statewide Education Mailbox – Contact the Education Point of Contact mailbox to elevate barriers and questions about educational stability for children in foster care

- EducationPOC@azdcs.gov

Resources

- [US Department of Education, Every Student Succeeds Act.](#)
- [Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care](#)
- Arizona Department of Education (ADE) Resources
 - ▶ [Foster Care Transportation Procedure](#)
 - ▶ [School of Origin Best Interest Determination Prep From](#)