



Mitchell School District 17-2 POLICY

Category	Approval
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Series 100: Foundations and Basic Commitments

Adopted	Revised
6/22/15	
Reviewed	
6/10/19	

STUDENTS IN FOSTER CARE

MSD 120

Frequent mobility of students in foster care can prove a barrier to their academic success. In an attempt to address this issue, Congress passed into law The Every Student Succeeds Act of 2015 (ESSA) which requires school districts to work closely with Child Protection Services (CPS) to facilitate transportation processes and procedures for students in foster care. The goal of this cooperation is to facilitate the prompt 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 (SOO) will promptly receive transportation in a cost-effective manner and in accordance with the CPS’s authority to use child welfare funding for SOO transportation;
- Ensure that, if there are additional costs incurred in providing transportation to maintain children in foster care in their SOO, the District will provide transportation to the SOO if:
 - The local CPS office agrees to reimburse the LEA for the cost of such;
 - The District agrees to pay for the cost of such transportation; or
 - The District and the local CPS office agree to share the cost of such.

Mitchell School District Transportation Plan for Students Placed in Foster Care

1. When a student is placed in foster care or changes residence while in foster care, the CPS worker must notify the school district contact person, the student’s building principal.
2. The student’s building principal will then review the specific student’s situation:
 - a. Elementary School Students:
 - i. If the student remains in the same attendance neighborhood, no change in transportation will be necessary.
 - ii. If the student moves to a different attendance neighborhood, but remains within walking distance to their SOO, no change in transportation will be necessary.
 - iii. If the student moves to a different attendance neighborhood but where district-provided busing is already provided, the student will be added to that bus route’s manifest and transported to school through the regular means.
 - iv. If the student moves to a different attendance neighborhood and district-provided busing is not provided, the building principal will arrange for transportation either through the privately-contracted busing service of the District, Palace Transit, or some other provider with CPS funding the transportation. The District will consider securing some means of funding, either through building ‘angel’ accounts, Title I, etc. but such

funding is not guaranteed under this policy as frequently such funding has already been exhausted.

b. Secondary Students:

- i. If the student's foster care residence is within the Mitchell area where district-provided busing is not provided, transportation will not be provided.
- ii. If the student's foster care residence is within the area where district-provided busing is provided, such transportation will be provided by the District.
- iii. If the student's foster care residence is outside the school district where no district-provided transportation exists, the building principal will arrange for transportation through other means with CPS funding the transportation. The District will consider securing some means of funding, either building 'angel' accounts, Title I, etc. but such funding is not guaranteed under this policy as frequently such funding has already been exhausted.

c. If the student has an IEP that includes provisions for specialized transportation, transportation will be provided by the school district responsible for the student's Free Appropriate Public Education (FAPE). Based on South Dakota's special education regulations, any alternative special education placement, whether public or private, assumes specialized transportation is part of the IEP and must be provided for the student to receive FAPE. In these cases, the director of special services for the school district will make the necessary decisions for transportation and funding.

3. Funding decision will be made with discussions between school district and CPS representatives, whenever appropriate.

LEGAL REFS.: Every Student Succeeds Act of 2015