



Lawton Public Schools

Education for Foster Care Children Plan

Lawton Public Schools
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Lawton, OK 73507

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ACRONYM KEY

CWA	- Child Welfare Agencies
EL students	- English Learning students
FAPE	- Free Appropriate Public Education
FCMP	- Foster Care Maintenance Payment
FERPA	- Family Educational Rights and Privacy Act
FMAP	- Federal Medical Assistance Percentages or “FMAP rate”
HHS	- Health and Human Services
IDEA	- Individuals with Disability Act
IEP	- Individualized Education Program
LEA	- Local Educational Agency
LEP	- Limited English Proficient
LRE	- least restrictive environment
MOU	- Memorandum of Understanding
OKDHA	- Oklahoma Department of Human Services
OSDE	- Oklahoma State Department of Education
POC	- Point of Contact
SEA	- State Educational Agency
USDE	- United States Departments of Education

1. PURPOSE OF THE PLAN

Lawton Public Schools (LPS) has developed the Education for Foster Care Children Plan to fulfill the obligations under the Elementary and Secondary Education Act (ESEA) as amended by Every Student Succeeds Act (ESSA) enacted in December, 2015.

The Education for Foster Care Children Plan is intended to eliminate barriers to the enrollment, attendance, and success in school of children and youth in foster care, and provide such children with the opportunity to meet the same challenging State student academic achievement standards to which all students are held. The Foster Care Plan will ensure that foster care children and youth have access to the same free, appropriate public education, including public preschool education, as provided to other children and youth, and that students in foster care are not separated from the mainstream school environment because of foster care placement.

2. INTRODUCTION TO FOSTER CARE

Consistent with the Fostering Connections Act, “foster-care” means 24 –hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes.

Children in foster care often and inadvertently change schools, which along with enrollment delays and record transfers can have a significant disruptive impact on their academic progress. Studies have shown that children in foster care face an increased risk of grade retention, gaps in academic achievement, low high school graduation rates, and postsecondary enrollment. The Lawton Public Schools Education for Foster Care Children Plan will include implementation of collaboration with State and local child welfare agencies addressing the new requirements for the education of students in a Foster Care Program.

The intent of the new foster care provisions under Title I of the ESSA is to minimize disruptions for children in foster care through the collaboration of the Local Education Agency (LEA) and the State Education and Child Welfare Agencies (CWA) to ensure educational stability for children in foster care.

Among other provisions, the educational stability includes assurances that (1) a child in foster care will remain in the child’s school of origin, unless a determination is made that it is not in the child’s best interest to remain in that school and (2) if a determination is made that it is not in the child’s best interest to remain in the school of origin, the child will be immediately enrolled in the school of residence, even if the child is unable to produce records normally required for enrollment. These will help ensure that children in foster care experience minimal disruption to their education during moves and placement changes. In implementing these provisions, LPS and CWAs must ensure compliance with other applicable laws, such as Title VI of the Civil Rights Act of 1964, the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 (Section 504), among others. Taken in totality, these provisions promote greater stability for children in foster care so that they can continue their education without disruption, maintain important relationships with peers and adults, and have the opportunity to achieve college- and career-readiness.

The foster care provisions under Title I of the ESSA emphasize the importance of collaboration and joint decision-making between child welfare agencies and educational agencies.

3. LAW REQUIREMENTS

In December 2015, Congress passed the Every Student Succeeds Act (ESSA), which reauthorized the Elementary and Secondary Education Act of 1965 (ESEA). United States Department of Education (USDE) places a condition on SEA's fiscal year 2016 Title I grant award that requires each State to ensure that the Title I educational stability provision requirements under ESSA, Sections 1111(g)(l)(E) and 1112(c)(5)(B) are implemented no later than December 10, 2016. OSDE has developed the guidelines herein to ensure compliance with the new law requirements.

The McKinney-Vento Act is a federal law that provides rights and protections to homeless children and youth, including those "awaiting foster care placement." ESSA amended section 725 of the McKinney-Vento Homeless Assistance Act (McKinney-Vento Act), removing children "awaiting foster care placement" from the definition of "homeless children and youths" starting on December 10, 2016.

4. IDENTIFICATION OF CHILDREN

New requirements under Title I, as amended by the ESSA, highlight the need to provide educational stability for children in foster care, with particular emphasis on collaboration between SEAs, LEAs, and CWAs to ensure that all school-age children in foster care have the opportunity to achieve at the same high levels as their peers. SEAs, LEAs and CWAs must ensure compliance with other applicable laws, such as Title VI of the Civil Rights Act of 1964 (Title VI), the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 (Section 504).

4.1. IDEA Students

The IDEA, Part B is the Federal law that assists States, and through them, local school districts, in providing special education and related services to children with disabilities. Under Part B, States and school districts must make a Free Appropriate Public Education (FAPE) available to all eligible children with disabilities in the Least Restrictive Environment (LRE). FAPE under IDEA includes the provision of special education and related services at no cost to the parents in accordance with a properly developed Individualized Education Program (IEP). [34 C.F.R. §§ 300.101, 300.201 and 300.17]

LRE means that to the maximum extent appropriate, children with disabilities are educated with children who are not disabled, and that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that the child cannot be educated satisfactorily in regular classes with the provision of supplementary aids and services. [34 C.F.R. § 300.114(a)]

While IDEA presumes that the first placement option considered for each child with a disability is the regular classroom with appropriate supplementary aids and services, there is no one-size-fits-all approach. School districts must make available a range of placement options to meet the needs of children with disabilities for special education and related services, including regular classes, special classes, separate schools, home instruction, and instruction in hospitals and institutions. [34 C.F.R. § 300.115]

Under the IDEA, each child's placement decision must be made by a group of knowledgeable persons, including the child's parents. This group may also include staff from a child welfare agency. "Parent" is defined in the IDEA at 34 C.F.R. § 300.30. Note that this definition includes a child's foster parent, unless State law, regulations or contractual obligations with a State or local entity prohibit a foster parent from acting as a parent.

The IDEA requires that the educational placement of each eligible child with a disability, including children with disabilities in foster care, be determined at least annually, and be based on the child's IEP in accordance with the child's individual needs. Unless the child's IEP requires some other arrangement, the child is educated in the school that he or she would attend if not disabled.

In 2013, the Education Department (ED), Office of Special Education and Rehabilitation Services released a "Dear Colleague Letter" (DCL) on highly mobile children with disabilities which highlighted several important issues that are relevant to educational stability for children in foster care. The DCL emphasized timely and expedited evaluations and eligibility determinations for highly mobile children with disabilities, and clarified that such children must have access to comparable services (including summer and other extended school year services, if applicable).

Students with disabilities who are eligible for services under the IDEA are also protected by Section 504, a Federal law that prohibits discrimination on the basis of disability by recipients of Federal financial assistance, including public schools. Section 29 U.S.C. § 794, 34 C.F.R. part 104 stipulates that "Students with disabilities who are in foster care are also protected by Title II of the Americans with Disabilities Act of 1990 (Title II), which prohibits disability discrimination by public entities, including public schools, regardless of whether they receive Federal financial assistance." [42 U.S.C. §§ 12131-12134, 28 C.F.R. part 35]

School districts also must provide FAPE under Section 504 to students who have disabilities, regardless of whether they are eligible for services under the IDEA. FAPE under Section 504 includes the provision of regular or special education and related aids and services that are designed to meet individual educational needs of students with disabilities as adequately as the needs of students without disabilities are met, and that include adherence to specific procedural requirements. [34 C.F.R. § 104.33-104.36]

An IEP developed and implemented in accordance with the IDEA is one means of meeting the Section 504 FAPE standard. School districts often develop written plans, commonly referred to as Section 504 Plans, for students with disabilities who receive services under Section 504. Even if a student does not require special education services and does not have an IEP, he or she may nevertheless be a student with a disability under Section 504 and be entitled to receive related aids and services under Section 504 Plan.

As is true under the IDEA, Section 504 also requires that, to the maximum extent appropriate, students with disabilities be educated in the regular educational environment, unless they cannot be educated satisfactorily in that environment with the use of supplementary aids and services. [34 C.F.R. § 104.34(a).

For additional information on Section 504, see the document entitled *Protecting Students with Disabilities*, available on the website of the Office for Civil Rights, U.S. Department of Education, at: <http://www2.ed.gov/about/offices/list/ocr/504faq.html>.

4. 2. EL Students

Some children in foster care are also English Learners (ELs)—students identified as having limited English proficiency in speaking, listening, reading or writing English through procedures established by school districts. Title VI [42 U.S.C. § 2000d to d-7, 34 C.F.R. part 100] and the Equal Educational Opportunities Act of 1974 (EEOA)[20 U.S.C. § 1703(f)] require public schools to ensure that all EL students, including EL students in foster care, can participate meaningfully and equally in educational programs. In order to meet their obligations under Title VI and the EEOA, LEAs must:

- Identify and assess all potential EL students in a timely, valid and reliable manner;
- Provide EL students with a language assistance program that is educationally sound and proven successful;
- Sufficiently staff and support the language assistance programs for EL students;
- Ensure that EL students have equal opportunities to meaningfully participate in all curricular and extracurricular activities;
- Avoid unnecessary segregation of EL students;
- Ensure that EL students with disabilities are evaluated in a timely and appropriate manner for special education and disability-related services and that their language needs are considered in these evaluations and delivery of services;
- Meet the needs of EL students who opt out of language assistance programs;
- Monitor and evaluate EL students in language assistance programs to ensure their progress with respect to acquiring English proficiency and grade level core content, exit EL students from language assistance programs when they are proficient in English and monitor exited students to ensure they were not prematurely exited and that any academic deficits incurred in the language assistance program have been remedied;
- Evaluate the effectiveness of a school district’s language assistance program(s) to ensure that EL students in each program acquired English proficiency and that each program was reasonably; calculated to allow EL students to attain parity of participation in the standard instructional program within a reasonable period of time;
- Ensure meaningful communication with Limited English Proficient (LEP) parents.

Additional information about States’ and school districts’ legal obligations under Title VI and the EEOA can be found in the DCL jointly released by the Department of Education and Department of Justice.

5. LPS POINT OF CONTACT OF FOSTER CHILDREN

Under the requirements of ESSA, Section 1112(c)(5)(A), each LEA must “designate a point of contact if the corresponding child welfare agency notifies the local educational agency in writing that the agency has designated an employee to serve as a point of contact for the local educational agency.”

Due to the fact that the foster care provisions will be implemented at the local level and will involve communication and collaboration with various stakeholders, Lawton Public Schools shall designate an employee as the district’s point of contact (POC) in an expedited manner, even if the child welfare agency has not yet sent written notification in regard to their corresponding POC. The foster care point of contact for LPS will be the same person designated as the Homeless Education Liaison. This person’s name will be submitted to OSDE, through the online Grants Management System, by September 30 of each year. Considering the roles and responsibilities of the POC, LPS should ensure that the assigned person will have the capacity to fulfill his or her duties and the necessary resources to implement the Title I foster care requirements.

Some of the *roles and responsibilities* of the LPS POC will include:

- Coordinating with the corresponding child welfare agency POC on the implementation of the Title I provisions;
- Leading the development of a process for making the best interest determination;
- Documenting the best interest determination;
- Facilitating the transfer of records and immediate enrollment;
- Facilitating data sharing with the child welfare agencies, consistent with FERPA and other privacy protocols;
- Developing and coordinating local transportation procedures;
- Managing best interest determinations and transportation cost disputes;
- Ensuring that children in foster care are enrolled in and regularly attending school; and
- Providing professional development and training to school staff on the Title I provisions and educational needs of children in foster care, as needed.

6. IMPLEMENTING THE EDUCATION STABILITY PROVISIONS

To ensure the implementation of the Title I educational stability provisions for children in foster care under ESSA, the following steps should be taken by LPS:

6.1. CWA notifies the LPS POC regarding which students are in foster care;

6.2. CWA informs the LPS POC about a child placement away from parents or guardians and for whom the child welfare agency has placement and care responsibility. The CWA must start collaboration and consultation with LPS within 72 hours, see [Appendix A](#) for School Notification Letter.

6.3. Such child enrolls or remains in the school of origin, unless a determination is made that it is not in the child's best interest to attend the school of origin. The LPS POC and CWA should consult and make a joint determination in regard to the best interest of the child. In the event of emergency circumstances, the CWA has the authority to make an immediate decision regarding the school placement, and then consult with LPS and revisit the best interest determination of the child. See [Appendix B](#) for examples of checkpoints to be considered during this determination and a sample form.

Transportation costs should not be considered when determining a child's best interest, which is consistent with the program instruction released by the U.S. Department of Health and Human Services (HHS).

6.4. If there is disagreement regarding school placement for a child in foster care, the child welfare agency should be considered the final decision maker in making the best interest determination (unless State law or policy dictates otherwise). The child welfare agency is uniquely positioned to assess vital non-educational factors such as safety, sibling placements, the child's permanency goal and other components of the case plan. The child welfare agency also has the authority, capacity and responsibility to collaborate with and gain information from multiple parties, including parents, children, schools and the court in making these decisions.

6.5. LPS in collaboration with CWA will implement clear written procedures governing how transportation is provided to maintain children in foster care in their schools of origin, when in their best interest; see [Appendix C](#) for LPS Transportation Plan.

CWA receives funds under Title IV-E, and some of these funds may support the transportation costs to maintain the child in the school of origin. Therefore, CWA must ensure that transportation is provided when needed, and will be the agency mainly responsible for paying the transportation costs within the first 72 hours. Foster care parents may agree to provide and pay for the transportation to the school of origin, but if this is not an option, LPS shall ensure transportation for the foster care children is provided, and reach an agreement with CWA in regards to covering the transportation costs as outlined by ESSA. LPS and CWA should aim to reach an agreement in regard to how the transportation will be provided, arranged and funded for the duration of the child's time in foster care.

6.6. When a determination is made that it is not in such child's best interest to remain in the school of origin, the child is immediately enrolled in the school of residence by the child's foster parent or caseworker. To prevent educational discontinuity, ESSA, Section 1111(g)(1)(E) stipulates that enrollment must not be denied or delayed for children in foster care because documents normally required for enrollment have not been provided.

6.7. During the enrollment process, the following shall occur:

- a) The caseworker notifies both schools within one (1) business day of making the decision and sends the required documents to both schools within two (2) business days of making the decision.
- b) The receiving school shall immediately contact the school last attended by any such child to obtain relevant academic and other records.
- c) The school of origin is required to transfer non-essential records to the receiving school within three (3) business days of receiving notice from the child welfare agency that the child will be changing schools.

7. LPS LEGAL VERIFICATION DOCUMENTS

Foster care children may be brought to school for enrollment by their foster care parents, social workers or other legal guardians. LPS has the obligation to immediately enroll these children in school. After immediate enrollment, the following guardianship or legal custody documents shall be provided for verification:

1. Power of Attorney
2. Affidavit
3. Court Order

8. LPS TRANSPORTATION POLICIES

LPS will collaborate with CWA to develop and implement clear written procedures for how transportation will be provided, arranged and funded for the duration of a child's time in foster care. Procedures will ensure that children will promptly receive transportation in a cost-effective manner in accordance with the Fostering Connections Act; see [Appendix C](#) for LPS Transportation Plan and [Appendix D](#) for Transportation Request.

9. CHILD WELFARE AGENCY RESPONSIBILITIES

Roles and responsibilities of that child welfare agency POC include:

- Serving as one of the primary contacts between children in foster care and school staff, district personnel, and other service providers;
- Coordinating with the corresponding LPS POC on implementation of the Title I provisions, including immediate enrollment;
- Establishing a process to notify the educational agency when a child has been placed in foster care in Lawton Public Schools or when there has been a foster care placement change;
- Establishing a process for coordinating on best interest determinations with LPS;
- Facilitating transfer of records including immunizations, medical records and copies of IEPs and Section 504 Plans;

- Working with LPS to ensure that children in foster care are immediately enrolled in school, and to coordinate transportation services;

- Managing best interest determination and transportation costs agreements between Lawton Public Schools and the CWA;

Providing training to LPS and child welfare agency staff on educational needs of children in foster care including State and local policies;

- Coordinating with the LPS regarding data sharing for children in foster care, consistent with FERPA and the confidentiality of information provisions in the IDEA;
- Coordinating services so that children in foster care can access early educational services for which they are eligible, including Head Start and Early Head Start, home visiting and preschool programs administered by the SEA or LPS, and screening and referrals to health, mental health, dental and other appropriate services;
- Informing parents or education decision makers of children in foster care of the child's education rights and providing public notice of the educational rights of children in foster care to community stakeholders.
- A CWA administering plans under Title IV, Part E and IV, Part B of the Social Security Act is required to include a plan for ensuring the educational stability of a child in foster care in the child's case plan (the educational stability plan). CWA will have a written educational stability plan for each child that the welfare agency has placement and care responsibility as part of the child's case record.

This plan shall have the following characteristics:

- 1) It is jointly developed with the child's parents no later than 60 days after a child's removal from the home and every six months thereafter. The child welfare agency has the flexibility to determine which factors will be examined in determining whether remaining in the school of origin is in the child's best interest, but the cost of school transportation should not be a factor in determining the best interest of the child for the purposes of school selection;
- 2) It provides assurance that each placement of the child in foster care takes into account the appropriateness of the current educational setting and the proximity to the school in which the child was enrolled at the time of placement;
- 3) It provides an assurance that the child welfare agency has coordinated with LPS to ensure the child can remain in that school, or if remaining in that school is not in the child's best interest, an assurance that the child will be enrolled immediately in a new school and that the new school obtains relevant academic and other records.

While the Title I educational stability provisions do not create any new requirements for child welfare agencies, they offer an opportunity for child welfare agencies to better coordinate with SEAs and LEAs to create more effective educational stability plans for children in foster care, as required under the Fostering Connections Act.

10. COLLABORATION

ESSA, Section 1112(b) requires LEAs and local CWAs to collaborate to develop a joint process for making best interest determinations. When a local CWA notifies LPS about a foster care child, collaboration between LPS and DHS should immediately begin, within 72 hours of notification.

11. Student Data Privacy

In January 2013, Congress passed the Uninterrupted Scholars Act (USA), which amended the Family Educational Rights and Privacy Act (FERPA) to permit educational agencies and institutions to disclose, without parental consent or the consent of an eligible student, education records of students in foster care to State and Tribal child welfare agencies. The statute also amended the requirement that educational agencies and institutions notify parents before complying with judicial orders and subpoenas in certain situations. This legislation helps to ensure privacy protections for children and families and to facilitate more efficient data-sharing pertaining to children in foster care between child welfare and educational agencies, a critical component to ensuring school stability for these youth. USDE issued guidance on the USA amendments to FERPA in May 2014.

12. APPENDIX

Appendix A (School Notification Letter)

Appendix B (Best Interest Determination)

Appendix C (LPS Transportation Plan)

Appendix D (Transportation Request)

Appendix E (Complaint Guidelines)



Appendix A (School Notification Letter)

School Notification

Date: _____

This is to notify the school district that the below named child has been:
 Newly placed Returned home Changed placement

From: _____
 DHS WORKER'S NAME EMAIL PHONE FAX

 DHS ADDRESS

RE: _____
 STUDENT'S NAME DATE OF BIRTH GRADE LEVEL

Statement of Confidentiality

The information disclosed in this form is confidential and disclosed under the limitations of RCW 13.50.100. This disclosure does not constitute a waiver of any confidentiality or privilege attached to the information by operation of any state or federal law or regulation. The recipient of this information must comply with the laws governing confidentiality and must protect the records from unauthorized disclosure. RCW 13.50.100(5).

The above named student is in the legal custody of DHS and is temporarily placed at the following location:

CAREGIVER'S NAME	PHONE	TYPE OF PLACEMENT <input type="checkbox"/> Foster care
ADDRESS		<input type="checkbox"/> Relative <input type="checkbox"/> Other:

The above named student is in the legal custody of DHS and the child has moved (or will be moving) to a new placement at the following location:

CAREGIVER'S NAME	PHONE
TYPE OF PLACEMENT <input type="checkbox"/> Foster care <input type="checkbox"/> Relative <input type="checkbox"/> Other:	ANTICIPATED DATE OF MOVE
ADDRESS	

The above named student has been returned to parent / guardian care:

<input type="checkbox"/> Legal custody regained by parent / guardian or <input type="checkbox"/> Legal custody retained by DCFS	PARENT / GUARDIAN(S) NAME(S)
ADDRESS	PHONE

Per court order, the people named below cannot have contact with the student:

FIRST NAME	LAST NAME	RELATIONSHIP (PARENT / UNCLE / AUNT / SIBLING, NO RELATIONSHIP, ETC.)

Please notify the DHS worker named above immediately if contact attempts are made.

The above named student is in the legal custody of DHS and continues to reside in the parental home:

PARENT / GUARDIAN(S) NAME(S)	PHONE
ADDRESS	

School transportation to be arranged at new address to maintain education stability (check what applies)

Preference of the child	Preference of the child's parent/decision maker	FAX to:
Placement of child's siblings	Child's attachment to the school, staff, peers	Andrea Winstead (580) 585 6473
School meets educational needs	History of school transfers and impact on child	EMAIL TO:
Child is an IDEA student	Child's permanency goal and likelihood of reunification	awinstead@lawtonps.org
Child is an EL student	Point of time in school year	

Appendix B (Best Interest Determination)

Though the specific factors may vary depending on context, in order to make a holistic and well-informed determination, a variety of student-centered factors should be considered. These factors include the appropriateness of the current educational setting and proximity of placement.

[ESEA section 1111(g)(1)(E)(i)]. Listed in no particular order, these factors may include:

1. Safety considerations;
2. Proximity of the resource family home to the child's present school;
3. Age and grade level of the child as it relates to the other best interests factors;
4. Needs of the child, including social adjustment and well-being;
5. Child's performance, continuity of education and engagement in the school the child presently attends;
6. Child's special education programming if the child is classified;
7. Point of time in the school year;
8. Child's permanency goal and likelihood of reunification;
9. Anticipated duration of the placement;
10. Preferences of the child;
11. Preferences of the child's parent(s) or education decision maker(s)
12. The child's attachment to the school, including meaningful relationships with staff and peers;
13. Placement of the child's sibling(s);
14. Influence of the school climate on the child, including safety;
15. Availability and quality of the services in the school to meet the child's educational and socio-emotional needs;
16. History of school transfers and how they have impacted the child;
17. How the length of the commute would impact the child, based on the child's developmental stage;
18. Whether the child is a student with a disability under the IDEA who is receiving special education and related services or a student with a disability under Section 504 who is receiving special education or related aids and services and, if so, the availability of those required services in a school other than the school of origin; and
19. Whether the child is an EL and is receiving language services, and, if so, the availability of those required services in a school other than the school of origin, consistent with Title VI and the EEOA.

Appendix C (LPS Transportation Plan)

Lawton Public Schools Foster Care Transportation Plan (to go in effect December 10, 2016)

Overview

Lawton Public Schools will work in collaboration with parents, guardians, concerned adults, students, and the local Department of Human Services (DHS), Child Welfare Office (CWO) to ensure equitable access to a child in foster care's school of origin as defined by the Elementary and Secondary Education Act (ESEA) as amended by the Every Student Succeeds Act (ESSA).

Children in foster care will always be allowed to enroll in their school of origin or school of residence as required under both federal and state law.

Identification

The DHS point-of-contact (POC) will identify children in foster care, who are in need of transportation assistance, by contacting Lawton Public Schools' POC. The foster care point of contact for LPS will be the same person designated as the Homeless Education Liaison

Transportation

Transportation for children in foster care will be provided by the foster family, DHS, or Lawton Public Schools utilizing the most cost effective means to do so (475(4)(A) of the Social Security Act)).

If the child's school of origin is a school in the District and the child is placed in a foster home outside of the District's boundaries, the District's POC will work with DHS and/or the foster family to determine if the school of origin remains the school of best interest for the child. This determination will primarily take the following into consideration:

- The wishes of the child;
- The wishes of the foster family (according to state law);
- The wishes of DHS;
- The distance and time required for travel;
- The safety of the child;
- Any applicable services available at the school of residence vs. the school of origin.

Additional costs for transportation (whether in-district or out-of-district) will be financed through one of the following methods as provided for under the ESSA and federal regulation (ESEA 1112(c)(5)(B)):

- DHS agrees to reimburse Lawton Public Schools for any additional cost;
- Lawton Public Schools Title I agrees to pay for the additional cost;
- Lawton Public Schools Title I and DHS agree to share the additional cost.

Additional costs are calculated by the District's Transportation Office and take into account the availability of district transportation, the distance of the child's residence from the nearest applicable bus stop, and any related fuel and staffing costs necessary to provide transportation.

The time required in order for the district to arrange transportation varies depending upon a number of factors such as current demand, availability of staff and/or vehicles, and location of student. For this reason, if transportation is requested, the foster family or DHS arrange for temporary transportation of the child(ren) for the first 72 hours.

Reasonable Distance

While Lawton Public Schools believes that the school of best interest for a child is most often their school of origin, this is not always the case. Sometimes, the commute time and/or distance is so great that transporting the child would have a negative impact on the child's social and/or academic life. For this reason, Lawton Public Schools provides the following general guidance on what the district considers to be a reasonable commute distance and time.

- Commute distance: 20 miles.
- Commute time (one way): 30 minutes (accounting for traffic)

Disputes

It is recognized that both Lawton Public Schools and DHS will act with the best interests of children in mind; however, since both parties are approaching this issue from different perspectives, disputes will naturally sometimes occur. In the event of a dispute regarding the transportation of a child in foster care the following will be followed:

- The district will provide transportation until such time as the dispute is resolved (ESEA 1112(c)(5)(B)(i));
- The district policy regarding McKinney-Vento disputes will be followed.



Lawton Public Schools

Foster Care Transportation Request

Date:	School:	Grade:
Student:		
Pick-up Address:		
Drop-off (if different)		
Responsible Adult Name:		
Contact #		
Transportation needed (circle)	AM	PM
AM/PM	Other:	
Bus Information:		

Complete only If School of Origin is outside the School District

School of Origin:	District:
Distance from Residence to School:	Estimated Commute(one way)
miles:	minutes:
Closest LPS bus stop:	
If applicable, additional cost for transportation: \$	/month
Transportation is supplemented by DHS (circle):	YES NO
If yes, amount: \$	
Transportation details:	

SUBCHAPTER 9. MCKINNEY-VENTO HOMELESS EDUCATION COMPLAINT GUIDELINES

210:40-9-1. Purpose

The following rule is a complaint resolution process recommended by the Oklahoma Department of Education (OSDE) when a dispute arises regarding the education of a homeless child or youth.

210:40-9-2. School District Level

Every effort must be made to resolve the complaint or dispute at the school district level before it is brought to the OSDE. It is the responsibility of the school district (the district) to inform the complainant of the district's Complaint Resolution Procedure when a question concerning the education of a homeless child or youth arises.

(1) Notify the district's homeless coordinator. The homeless coordinator serves as a liaison between the homeless child and the school the child attends. Someone in the school or in the superintendent's office will be able to identify the homeless coordinator.

(A) Request a copy of or access to the district board of education policies addressing the education of homeless children and youths and review them. Make an appointment with the homeless coordinator to discuss the complaint.

(B) If the dispute is not resolved after the initial discussion with the district's homeless coordinator, the complainant may file a complaint in writing to the district's homeless coordinator for further review.

(C) In the complaint include a request that a written proposed resolution of the dispute or a plan of action be provided within five (5) days of the date the complaint was received by the district's homeless coordinator. A review of the proposal or plan of action with the homeless coordinator should follow. The parties may mutually agree on an extension; however every effort should be made to resolve the complaint in the shortest possible time.

(2) If the dispute is not resolved at the district homeless coordinator level, the complaint may be forwarded to the superintendent of the district for review followed by a meeting with the superintendent to discuss the dispute. The complainant should request from the superintendent a written resolution within five (5) days of the date of the discussion. The parties may mutually agree on an extension; however every effort should be made to resolve the complaint in the shortest possible time.

(3) If the dispute is not resolved at the district superintendent level, the complainant may take the matter before the school district board of education for resolution.

210:40-9-3. State level

If the dispute is not resolved in a satisfactory manner at the school district level, the complaint may be brought to the OSDE. Complaints made under this process must be made in writing and signed by the complainant. The following steps are to be taken:

(1) Address the complaint to the State Homeless Coordinator, Oklahoma State Department of Education, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105. Include in the complaint:

(A) A detailed description of the dispute

(B) The name(s) and age(s) of the children involved

(C) The name(s) of involved school district personnel and the district(s) they represent

(D) A description of attempts that were made to resolve the issue at the school district level

(2) The Team Leader of the Office of Grants Planning will inform the involved school district(s) of the complaint. The team leader or team leader's designee will gather needed information including documentation and statements of the parties and may conduct an independent investigation through an on-site visit if necessary.

(3) Within thirty (30) days after receiving a complaint and investigating the complaint, the team leader will make a determination regarding the allegations on the complaint and will inform the parties, in writing, of the decision. The parties may mutually agree on an extension; however every effort should be made to resolve the complaint in the shortest possible time.

(4) If a complainant disagrees with the decision, the complainant may, within ten (10) working days, appeal the decision to the Deputy State Superintendent of Public Instruction. This appeal must be in writing and state the reasons why the complainant disagrees with the decision.

(5) Within thirty (30) days after receiving the appeal, the Deputy State Superintendent of Public Instruction will render a final decision and notify the complainant and all other interested parties in writing. Although the standard procedure allows thirty (30) days for a response, every effort will be made to resolve the complaint in the shortest possible time.

(6) While the dispute is ongoing, the child(ren) in question must be enrolled in and attending school. If the dispute revolves around which school is the school of best interest for the child, the child shall remain in the school they currently attend until the dispute is resolved, unless arrangements already implemented allow the child to attend the school of origin.