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To: MaGIK Users

From: Mary Beth Bonaventura, Director
Jane Bisbee, Deputy Director Field Operations
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Department of Child Services (DCS)

Subject: Every Student Succeeds Act
DCS-17-02

The Every Student Succeeds Act (ESSA) as it pertains to foster children¹ was implemented December 10, 2016. The implementation of ESSA has brought about changes to how the Department of Child Services (DCS), the Department of Education (DOE) and local school corporations collaborate to meet the educational needs of foster youth.”

The ESSA requires local education agencies and child welfare agencies to collaborate on determining best interests and providing transportation for foster children who attend their school of origin but have been placed outside of the district. A number of factors must be considered when determining if remaining in the school of origin is in the child’s best interest (see policy [8.22 School Transfers and Legal Settlement](#)).

The ESSA requires a Point of Contact (POC) to be identified for the State Education Agency and State Child Welfare Agency. In addition, the local education agency must also identify a local POC. DCS has identified their Education Services Director as both their state and local child welfare agency (DCS) POC. The POC’s main job is to help determine whether remaining in the school of origin or changing education placement is in the best interest of the child.

¹ PER 45CFR Sec. 1355.20: Foster care means 24-hour substitute care for children placed away from their parents or guardians and for whom the title IV-E agency has placement and care responsibility. This includes, but is 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. A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed and payments are made by the State, Tribal, or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is Federal matching of any payments that are made.



When a child's placement changes and there is a potential for an educational placement to also change, a referral to the DCS Education Services team must be completed. The referral reason "School Transportation" should be checked when completing the referral request until a new referral reason "ESSA/POC" has been added to the referral. At that time, the referral reason "ESSA/POC" should always be checked when completing the referral. The DCS Educational Liaison (EL) will be in contact with the child's Family Case Manager (FCM) to work together to determine if staying in the school of origin is in the child's best interest, and this determination will be offered to the Local Education Agency POC to collaborate on a final decision. The local education agency is required to provide transportation of foster youth who are removed from their home and placed outside of their school of origin when it is determined to be in the child's best interest for the child to remain enrolled in the school of origin.

Note: In unique situations, DCS may pay for transportation. A detailed process and guidelines of the steps to follow will be forthcoming. Please be aware that the local school corporation may ask to work with resource parents to provide transportation for children placed in their home.

In order to make the determination of the child's best interest:

1. The POC Checklist must be completed by the EL and FCM collaboratively,
2. The POC Checklist must be signed by the FCM and the DCS POC designee (local EL) to confirm completion and sent to the Local Office Director (LOD) for review,
3. The POC Checklist must be reviewed and signed by the LOD acknowledging agreement with the best interest determination,
4. The POC Checklist must be sent to Local Education Agency POC, after it is signed by the LOD, to collaboratively be reviewed by the EL and the Local Education Agency POC and make a determination on the child's best interests for school enrollment and transportation needs, and
5. The finalized POC Checklist that has been signed by the Local Education Agency POC and the DCS POC will be uploaded into KidTraks referral by the EL prior to referral closure.

Because DCS Policy and state statute requires immediate enrollment in school, this process must be swift with little delay in communication (both interagency and with local schools).

Transportation plans take time to establish and implement, so please prepare caregivers to provide transportation while preparations are being made by the school.

Other communications regarding a child's educational placement should be sent directly to the DCS POC to be forwarded to the appropriate EL.

Sincerely,
Mary Beth Bonaventura, Director
Department of Child Services



Protecting our children, families and future