

*****679.80 -Transportation for Students in Foster Care.** This **NEW** policy addresses transportation requirements for students in foster care that are required by the ESEA, as amended by the ESSA.

TRANSPORTATION

In accordance with federal law, the district will ensure that children in foster care who need transportation to their school of origin will promptly receive it in a cost effective manner, and in accordance with the Idaho Department of Health and Welfare's (IDHW) authority to use child welfare funding available under section 475(4)(A) of Title IV-E of the Social Security Act to provide transportation. If there are additional costs incurred in providing transportation to the school of origin, the district will provide transportation if either (a) the district agrees to pay the costs; (b) the district and IDHW agree to share the costs; or (c) the IDHW agrees to reimburse the district for transportation costs.

As used in this policy, "additional costs" represent the difference between what the district would normally spend on transportation to the child's assigned school and the cost of transportation to the school of origin. *For example, if the district provides transportation to the child in foster care through an established bus route, there is no additional cost. However, if the district provides special transportation only for the child in foster care (e.g. through a private vehicle or transportation company), the difference between the special transportation costs and the usual transportation costs can be considered additional. Additionally, if the district must re-route busses to transport a child in foster care to one of its schools, the cost of this rerouting can be considered an additional cost.*

Educational decision-makers will be informed of the right to transportation.

Depending on the circumstances and the specific child, possible transportation arrangements include, but are not limited to:

- district-arranged transportation, which may include drop off and pick up stops (even if across district boundaries);
- foster parent provides transportation (with possible reimbursement via Title IV-E funds);
- relative to the child provides transportation (with possible reimbursement via Title IV-E funds);
- day care provides transportation (with possible reimbursement via Title IV-E funds);
- transportation covered by other programs for which the child is already eligible (e.g. where transportation has been determined by a child's IEP team to be a necessary related service, IDEA funds may be used to pay for transportation services); or
- other arrangements based upon the specific child's circumstances, including public transportation, contracted services, etc.

The following factors will be considered by the district, in collaboration with the CW POC, when deciding on an appropriate mode of transportation:

- the child’s safety and best interests;
- the length and distance of the commute; and
- all available transportation options.

The district will collaborate with the CW POC to develop additional transportation procedures to ensure the educational stability of children in foster care.

DISPUTE RESOLUTION PROCESS

It is this district’s policy that disputes with IDHW regarding paying costs of transportation will not result in a child in foster care missing school. If such a dispute arises, the district will make every effort to resolve the dispute collaboratively with IDHW at the local level. *To ensure no disruption for the child, the agency that had been paying for transportation prior to the dispute will continue to pay until the dispute is resolved. If transportation was not provided previously, the district will arrange and provide the transportation, and IDHW will reimburse the district for additional costs, while payment disputes are being resolved. [NOTE: this should be confirmed with the school board and the local IDHW office].*

Disputes between the district and IDHW regarding implementing the local transportation procedures, calculating and paying for additional costs of transportation to the school of origin for children in foster care, or other inter-agency transportation disputes will be resolved by the SDE Foster Care Liaison and the IDHW state POC pursuant to procedures adopted by those state agencies. The decision of the state agencies shall be the final resolution.



LEGAL REFERENCE:

Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act of 2015, 20 U.S.C. §§6301 *et seq.*

ADOPTED: FEBRUARY 21, 2018

AMENDED:

**Language in text set forth in italics is optional.*