

**JFABDA © ADMISSION OF STUDENTS IN
FOSTER CARE**

This policy is intended to direct compliance with Arizona State Laws, Arizona Administrative Code, and the Every Student Succeeds Act (ESSA) Foster Care provisions.

Purpose Statement

The implementation of this policy shall assure that:

- A. Children in foster care remain enrolled in their school of origin for the duration of their time in care, unless a determination is made that it is not in such child's best interest to remain in their school of origin, which decision shall be based on all factors relating to the child's best interest, including consideration of the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement, among other factors listed in law (See list in JFABD-R);
- B. If 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 a new school, even if the child is unable to produce records normally required for enrollment; however, the student may be required to provide their Notice to Providers document;
- C. The enrolling school shall immediately contact the school last attended by any such child to obtain relevant academic and other records;
- D. In collaboration with the State or local Child Welfare Agency, transportation is provided to and from the school of origin or school of placement for the foster child as applicable and found in the law and Policy JFAA; and
- E. The school/District (~~LEA~~) will work with the Department of Child Safety (or tribal agency) to ensure that the provisions of ESSA relating to foster children are implemented, including assigning a District employee to serve as a Point of Contact (POC) to work in collaboration with the applicable child welfare agency and notify the Arizona Department of Education (ADE) of the assigned POC.

Definitions

The term "children in foster care" means children who are under twenty-four (24) hour substitute care while placed away from their parents or guardians and for whom the Child Welfare Agency (Department of Child Safety [DCS] or tribal) 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, childcare 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. (45 C.F.R. § 1355.20(a)) In Arizona, if DCS has received placement care and responsibility, then the child is in "foster care" even if the parent or guardian is permitted to live in the home of placement, such as a kinship home.

The term "school of origin" means the school in which a child is enrolled at the time of placement in foster care, including preschool. If a child's foster care placement changes, the school of origin would then be considered the school in which the child is enrolled at the time of the placement change. ~~the school that the student attended when permanently housed or the school in which the student was last enrolled, including preschool.~~

Liason or Point of Contact (POC) for Children in Foster Care - Responsibilities

The Superintendent will designate an appropriate staff person of authority as Point of Contact (POC) for children in foster care who will carry out duties as assigned and notify Arizona Department of Education's (ADE's) Statewide Foster Care Education Coordinator of the designated POC. Among those duties will be the responsibility to coordinate activities and programs to work in collaboration with the respective child welfare agency (either DCS or tribal), in the best interest of foster children that will include, ~~but not be limited to,~~ establishment of procedures to:

- A. Continue the student's education in the school of origin or placement;
- B. Collaborate with the Child Welfare Agency to implement the educational stability plan ~~to maintain school stability;~~
- C. Ensure the best interest is determined regarding school enrollment;
- D. Ensure necessary transportation is provided, funded, and arranged in collaboration with the Child Welfare Agency;

E. Ensure immediate enrollment and transfer of records occurs when the student moves schools; and

F. Ensure school staff are trained on the provisions and educational needs of children in foster care.

Other Relevant Policies and Procedures

Implementation of Every Student Succeeds Act (ESSA) Foster Care provisions requires the coordination with a number of policies and procedures. These policies and procedures are listed below as cross references and are incorporated in this policy and these procedures by such reference.

Enrollment preference may be given to children who are in foster care.

Adopted: ~~November 20, 2005~~ **April 11, 2023**

LEGAL REF.:

A.R.S.

[15-816](#) through [15-816.07](#)

[15-821](#)

[15-823](#) through [15-825](#)

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001, as amended by the Every Student Succeeds Act (ESSA) of 2015 (Foster Care Provisions)

CROSS REF.:

[EEAA](#) - Walkers and Riders

[IKEB](#) – Acceleration

[JF](#) - Student Admissions

[JFAA](#) - Admission of Resident Students

[JFAB](#) - Admission of Nonresident Students

[JFABD](#) - Admission of Homeless Students

[JFB](#) - Open Enrollment

[JG](#) - Assignment of Students to Classes and Grade Levels

[JLCB](#) - Immunizations of Students

[JLH](#) - Missing Students

[JR](#) - Student Records

[JRCA](#) - Request for Transfer of Records