

Illinois State Board of Education
Funding and Disbursements
Ensuring Educational Stability for Children in Foster Care

Frequently Asked Questions (FAQs)

(updated 02-10-2020)

For comprehensive guidance please see the USDE Non-Regulatory Guidance document: Ensuring Educational Stability for Children in Foster Care

<https://www.isbe.net/Documents/edhhsfostercarenonregulatorguide.pdf>

(click on question to view the answer)

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- THE STUDENT PREVIOUSLY ATTENDED DISTRICT A. LAST YEAR, SHE WENT INTO FOSTER CARE AND THE FOSTER PLACEMENT WAS WITHIN DISTRICT B. THE STUDENT AT THAT TIME WANTED A "FRESH START" AND SO SHE AND HER FOSTER PARENTS DECIDED SHE SHOULD ATTEND DISTRICT B LAST SCHOOL YEAR. NOW SHE WANTS TO RETURN TO DISTRICT A, AND HER AGENCY CASEWORKER AND COUNSELOR BELIEVE IT WOULD BE IN HER BEST INTERESTS TO RETURN TO DISTRICT A. HOWEVER, DISTRICT A IS REFUSING TO ENROLL HER, SAYING THAT HER SCHOOL OF ORIGIN IS NOW DISTRICT B, AS THAT IS WHERE SHE ATTENDED LAST YEAR.

1. WHO IS REQUIRED TO PROVIDE A POINT OF CONTACT (POC) AND DEVELOP A FOSTER CARE TRANSPORTATION POLICY/PROCEDURE?

The Local Educational Agency (LEA) is required to designate a POC and develop a foster care transportation policy/procedure. This document shall identify procedures governing how transportation will be provided, arranged, and funded to maintain children in foster care in their school of origin when in their best interest.

2. HOW OFTEN IS THE LOCAL EDUCATIONAL AGENCY (LEA) REQUIRED TO UPDATE THE POINT OF CONTACT (POC)?

Annually, prior to the start of their school year. Or as frequent as the information changes.

3. WHAT IS THE SPECIFIC SYSTEM TO ENTER THE LEA'S POINT OF CONTACT (POC)?

The system is found in the Consolidated District Plan (CDP) in IWAS. Click on the Foster Care Transportation Tab

4. DOES THE LOCAL SCHOOL BOARD NEED TO APPROVE THE PLAN?

Plans do not have to be approved by a local school board unless this is required by the district.

5. DOES THE POC HAVE TO BE LOCATED AT EACH SCHOOL WHERE FOSTER CHILDREN ARE ENROLLED?

The POC is designated at the LEA level and not each school building where the foster child is enrolled.

6. DO SPECIAL EDUCATION COOPERATIVES NEED TO IDENTIFY AND REGISTER A CONTACT PERSON?

No. The “Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care” states that the LEA should designate a POC at the LEA level. A special education cooperative does not need to identify and register a contact person.

7. WHO IS RESPONSIBLE FOR THE TRANSPORTATION OF THE STUDENT DURING A DISPUTE WHEN PLACED IN FOSTER CARE?

The school of origin (SOO) is responsible for transportation during a dispute.

8. IS THE SCHOOL OF ORIGIN ALWAYS RESPONSIBLE FOR TRANSPORTATION?

YES – If the student Best Interest Determination (BID) is to stay in the School of Origin (SOO), the SOO is responsible for providing transportation from home to school & school to home.

- During the dispute
- Even after a dispute resolved, the SOO is responsible for transportation.
- Transportation costs may be share between the districts, but the SOO is ultimately responsible for the costs.

9. WHAT ARE THE LOW-COST OPTIONS FOR FOSTER CARE TRANSPORTATION?

The following low cost/no cost options should be considered when developing the Transportation Procedure for a student in foster care:

- A pre-existing transportation route;
- A new transportation route;
- Route-to-route hand-offs;
- District-to-district boundary hand-offs;
- Eligibility of the child for transportation through other services such as:
 - Special education students (Individuals with Disabilities Education Act);
 - or
 - Homeless students (McKinney-Vento Act).
- Alternatives not directly provided by the School District / Charter School such as:

- Contracted services: taxis, student transport companies;
- Public transportation such as city buses, rails, etc. ; and
- Carpools; or
- School/District staff.

**NOTE: A school bus driver permit is REQUIRED for these options!
IMPORTANT: All drivers transporting students (other than parents or legal guardians transporting their own students) in First Division vehicles MUST possess a valid school bus driver permit per Section 6-104(d) of Vehicle Code. THIS INCLUDES TAXI CAB DRIVERS**

- Options explored by the CWA worker outside of those provided by the school district, such as reimbursing the foster parents for transportation costs, or including transport in contracts with licensed child placing agencies or group homes.

REMEMBER: A multifunction school activity bus (MFSAB) can NEVER be used to transport home-to-school or school-to-home [625 ILCS5/1-148.3a-5]

10. WHAT ARE THE FUNDING OPTIONS FOR FOSTER TRANSPORTATION?

Funding Options:

- Title IV-E (however, consider that all children in foster care may not be eligible, tribal foster children may be eligible, and the State CWA is responsible for the non-federal portion);
- Title I (but funds reserved for comparable services for homeless children & youth may not be used for transportation);
- IDEA funds If the student has an Individual Educational Program (IEP) that includes provisions for specialized transportation, transportation must be provided by the school district responsible for the student’s Free Appropriate Public Education (FAPE). Based on Illinois’ 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.
- State special education transportation funds, if the student has an IEP.
- Local funds.

11. DO ALL SCHOOLS HAVE TO COMPLETE THE “FOSTER CARE TRANSPORTATION PLAN” WITHIN IWAS?

YES - All districts must complete and submit the information required in the Foster Care application regardless of whether a foster care student is currently being educated in your district.

12. HOW LONG MAY FOSTER STUDENTS STAY AT THE SCHOOL OF ORIGIN (SOO)?

Youth can stay in school of origin for as long as it is determined to be in the Best Interest of the student. School districts and child welfare staff can convene meetings annually, quarterly or however they deem necessary. DCFS has the final say on where the student is best suited to be enrolled. (ESEA sections 1111(g)(1)(E)(i) and 1112(c)(5))

13. ONCE A FOSTER STUDENT IS ADOPTED, HOW LONG MAY THEY STAY AT THE SCHOOL OF ORIGIN (SOO)?

While these requirements no longer apply once a student has exited foster care, we encourage SEAs and LEAs to prioritize educational stability for these children. In addition to benefitting academically from school continuity, during times of transition out of foster care, it is important for youth to be able to maintain connections with their peers, teachers, and other supportive adults at school. (ESEA sections 1111(g)(1)(E)(i) and 1112(c)(5))

A child that exited foster care during the school year can continue in the school of origin through at least the end of the academic year, if appropriate. Transportation is not required to be provided if the student resides outside of the SOO district boundaries.

14. THE STUDENT PREVIOUSLY ATTENDED DISTRICT A. LAST YEAR, SHE WENT INTO FOSTER CARE AND THE FOSTER PLACEMENT WAS WITHIN DISTRICT B. THE STUDENT AT THAT TIME WANTED A "FRESH START" AND SO SHE AND HER FOSTER PARENTS DECIDED SHE SHOULD ATTEND DISTRICT B LAST SCHOOL YEAR. NOW SHE WANTS TO RETURN TO DISTRICT A, AND HER AGENCY CASEWORKER AND COUNSELOR BELIEVE IT WOULD BE IN HER BEST INTERESTS TO RETURN TO DISTRICT A. HOWEVER, DISTRICT A IS REFUSING TO ENROLL HER, SAYING THAT HER SCHOOL OF ORIGIN IS NOW DISTRICT B, AS THAT IS WHERE SHE ATTENDED LAST YEAR.

- If this youth was removed from District A and enrolled in District B, District B becomes the school of origin. To further complicate things, if the foster parents live in District B then there is no guardian to tie her to District A.

(This document will continually be updated.)