

EDUCATIONAL OPPORTUNITIES FOR CHILDREN IN FOSTER CARE

The Jackson Public School District (“JPSD” or the “District”) seeks to ensure the educational stability of students in foster care and their equal access to the same free and appropriate public education through high school graduation provided to other students, as required by law. Educational stability has a lasting impact on student's academic achievement and wellbeing, and the Jackson Public School District is committed to supporting district and community efforts to ensure that scholars in foster care have access to a high-quality, stable education.

Definitions:

Best Interest Determination (“BID”) is the collaborative process, based on the individual student’s unique best interests and involving input from multiple, relevant parties, used for making decisions about whether a student placed in foster care should continue to attend the school of origin.

Case Worker is the person from Child Protective Services who has been assigned the case of a child in foster care.

District of Origin the Mississippi school district in which a school of origin is physically located. For the situation in which an individual school operates as an individual school district, the school will be considered both the school of origin and the district of origin.

District Point of Contact (“DPC”) is the person designated by the Jackson Public School District Superintendent to represent the District with regards to foster children being enrolled or withdrawn from the District. The District Point of Contact will communicate directly with the Regional Director of Child Protective Services.

Educational Decision Maker is the person authorized to make educational decisions on behalf of a student in Child Protective Service (“CPS”) care or custody. The District will permit a foster parent to serve as an “educational decision-maker” if CPS provides written correspondence to the District identifying the foster parent as an authorized educational decision-maker.

Foster Care is placement by CPS of a student into 24-hour out-of-home care, away from his or her parents or guardians. These placements include, among others:

- Foster family homes;
- Foster homes of relatives;
- Emergency shelters;
- Residential facilities;
- Child care institutions;
- Group homes; and
- Pre-adoptive homes.

Foster Child is a child for whom custody has been appointed to Child Protective Services by a sitting judicial authority.

Foster Parent is defined as the parent(s) with whom a foster child is currently residing.

Local School District is the Mississippi school district in which the student’s foster care home, provider, or facility is physically located. When it is determined to be in a student’s best interest to leave the school of origin, the local school district must enroll the student immediately.

School of Origin is the school in which a child is enrolled at the time of placement in foster care or the last school the student attended, despite a change in the home. To ensure continuity in education, remaining in the school of origin is preferred.

Regional Director of Child Protective Services (CPS) – the person from Child Protective Services that will communicate directly with the District Point of Contact and with the Child Protective Service Case Worker in charge of the case for a particular foster child.

School Point of Contact (“SPC”) is the person designated by the building level Principal to represent the school with regards to foster children being enrolled or withdrawn. The School Point of Contact will communicate directly with the District Point of Contact. The School Point of Contact will ensure that all student records are obtained when a foster child enrolls in the local school and that all student records are provided to the Child Protective Services caseworker when a foster child withdraws from the school.

Responsibilities of JPSD:

JPSD will notify the Mississippi Department of Child Protective Services (“MDCPS”), or those that have been granted written authority by MDCPS, about concerns related to foster children enrolled in JPSD.

JPSD shall take reasonable steps to ensure that school-age foster children are registered for and attending accredited schools within three (3) days of initial placement or any placement change, including while placed in shelters or other temporary placements.

Best Interest Determination (“BID”):

The DPC in collaboration with CPS will meet with the SPC, Principal, Parents (if allowed), Foster Parents, or other interested parties. A determination as to whether or not it would be in the best interest of the child to attend the school within the Jackson Public School District shall be made immediately following this meeting. The Jackson Public School District recognizes the right of a foster child to attend the child’s school of origin, provided that it is reasonable. The cost of transportation cannot be considered when determining the best interest of the child.

Some factors that should be considered in determining whether it is in a child’s best interest to remain in his/her school of origin may include, but are not limited to:

- Preferences of the child;
- Preferences of the child’s parent(s) or education decision-maker(s);
- The child’s attachment to the school, including meaningful relationships with staff and peers;
- Placement of the child’s siblings;
- Influence of the school climate on the child, including safety;
- The availability and quality of the services in the school to meet the child’s educational and socioemotional needs;
- History of school transfers and how they have impacted the child;
- How the length of the commute would impact the child, based on the child’s developmental stage;

- 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
- Whether the child is an English Learner 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.

For general education students and students with disabilities (after the FAPE determination is made that the child can be enrolled in either school), the MDCPS, and appropriate school representative/IEP team must work together to determine the child's best interest for school placement and ensure educational stability for the child. The presumption is that the child will remain in the current school where he/she was last enrolled, unless contrary to the child's best interest. The MDCPS and the school representative/IEP team, in collaboration with the child and other key partners, will decide as to whether the child should: (1) remain in the school where the child was enrolled at the time of placement in the new residence, taking into account the appropriateness of the educational setting; or (2) change schools and enroll in the school of residence for the child's new residence placement, if remaining in the current school is not in the child's best interest.

A foster child must remain in his/her school of origin while this determination is being made.

Enrollment or Withdrawal of a Foster Child:

Resident Foster Children- Foster children residing within the district boundaries shall be enrolled as any other student that resides within the boundaries of the district. The SPC shall obtain all records about the student's current education. Students will not be enrolled without the CPS Caseworker present.

Non-Resident Foster Children- Foster children not residing within the district boundaries shall be enrolled once a determination has been made that it is in the best interest of the child to attend a school within the JPSD.

Withdrawal- CPS has the right to withdraw students assigned to them by the judicial authority. The SPC, in this instance, is responsible for providing as many educational records as possible to make any transition from the school of origin to the new school a smooth transition. Records not on file in the school office shall be forwarded to the new school within two (2) business days following a request by the new school or CPS. If the School Point of Contact has a problem with withdrawal or with scheduling the Best Interest Determination meeting he/she will notify the DPC who will contact the Regional Director.

Transportation:

Children in foster care will be entitled to transportation services in the same manner as all other children in the school district. In addition to regular transportation routes, the school district will collaborate with the CPS when transportation is required to maintain children placed in foster care in a school of origin outside their usual attendance area or district when it is in the best interest of the student.

In addition to state and local funds that may be available for providing transportation, certain federal funds may be available to cover additional transportation costs to the school of origin for students in foster care. The District may use Title I funds to pay for additional costs needed to transport children in

foster care to their schools of origin. Additionally, Title IV-E funds are provided through the Mississippi Department of Child Protection Services to aid with reasonable transportation costs that will enable foster care students to attend his or her school of origin.

Multiple factors are utilized in determining reasonable transportation, including costs, distance, and duration, MDCPS has sole authority in determining which cost to include in a child's foster care maintenance payment.

Credit for Full or Partial Coursework:

To ensure that foster children have the opportunity to achieve at the same high levels as their peers, the Jackson Public School District will give foster children transferring into the District credit for full and/or partial coursework completed at their school of origin, following the District's policy on transfer credits.

Confidentiality

Title I foster care provisions allows data sharing to improve educational outcomes for children. JPSPD recognizes that sensitive student information may be shared by child welfare agencies and commits to ensuring children in foster care are properly supported in a way that respects student privacy. In all cases, JPSPD will comply with all statutory requirements to protect student privacy, including FERPA and any other privacy requirements under Federal, State, or local laws.

DATE: March 9, 2021

LEGAL REF.: Fostering Connections to Success and Increasing Adoptions Act of 2008 (Foster Connections Act)
Every Student Succeeds Act (ESSA)
Elementary and Secondary Education Act of 1965 (ESEA)
Equal Educational Opportunities Act of 1974 (EEOA).