

# **MAKING A TRANSPORTATION PLAN: IMPLEMENTING ESSA TRANSPORTATION REQUIREMENTS TO ENSURE SCHOOL STABILITY**

## **INTRODUCTION AND OVERVIEW**

The Every Student Succeeds Act (ESSA) requires that local education and child welfare agencies develop plans to provide cost-effective transportation when needed to allow children in foster care to remain in their school of origin. This requirement for a collaborative effort to provide transportation is consistent with current state policy. Revised Statute 17:238 states: “If the foster care placement is outside the jurisdictional boundaries of the public school in which the child is enrolled, the governing authority of such school shall be responsible for providing free transportation for the child to and from a designated location which is within that School System and is located nearest to the child’s residence and is determined to be appropriate by such governing authority and the Department of Children and Family Services. The Department of Children and Family Services shall be responsible for providing the child’s transportation between that location and the child’s residence.”

In addition, Bulletin 741, Chapter 11 Student Services, Section 1109: Assignment and Transfer of Students requires that if the foster care placement is outside the jurisdictional boundaries of the public school in which the student is enrolled, the SCHOOL SYSTEM shall be responsible for providing free transportation for the student to and from a designated location which is within that School System and is located nearest to the student’s residence and is determined to be appropriate by the SCHOOL SYSTEM and the Department of Department of Children and Family Services and that the Department of Department of Children and Family Services shall be responsible for providing the child’s transportation between that location and the child’s residence.

## **PURPOSE OF THIS DOCUMENT**

The Louisiana Department of Education and the Louisiana Department of Children and Family Services (DCFS) jointly created this document to be used as a reference for local practice and in creating the joint transportation plan between the School System and DCFS.

## TRANSPORTATION PLAN BETWEEN SCHOOL SYSTEMS AND DEPARTMENT OF CHILDREN & FAMILY SERVICES

The following steps are recommended considerations and actions for a School System and DCFS to create the written, signed transportation plan required by ESSA (ESEA 1112(c)(5)(B)).

- 1. Create interagency transportation plan.** (See Sample Transportation Plan to Ensure School Stability for Students in Foster Care below.)  
Plan must include a dispute resolution procedure. While disputes over cost are pending or being addressed, the School System must ensure that the child remains in his or her school of origin, which may include providing or arranging transportation (ESEA 1111(g)(1)(E)(i) and 1112(c)(5)(B)(i)).
- 2. Notify the school and School System.** DCFS notifies the school and the School System's Foster Care Point of Contact (POC) when a child has entered into foster care. (See Attachment 1.) School Systems need an internal procedure in place to process the notification of foster care placement.
  - ESSA requires that the School System ensure a student's school stability when the student first enters foster care and whenever there is a change in the child's placement.
  - DCFS will notify the school and the POC of a student's placement into foster care or a change in the child's living arrangement within three days day of the event.
  - DCFS makes the determination regarding whether or not the child will attend the school assigned to his or her foster care placement or continue to attend the school of origin.
  - Initial decision triggers an inquiry about transportation needs.
  - Schools officials can present DCFS with supporting documentation should it believe it is in child's interest to attend another school (see Louisiana Best Interest Determine Form), but DCFS makes final determination.

Methods of transportation and related costs are **NOT** to be considered when determining best interest.

- 3. Create a transportation plan for the student, detailing how transportation will be provided, arranged, and funded.** (See Individual Student Transportation Plan below.)

### Considerations:

- a. The School System should arrange permanent transportation services **within five days** of the best interest determination.
- b. While the School System arranges permanent transportation, DCFS and the School System should ensure that interim transportation is in place for the child. These are meant to be short-term arrangements that are in effect while the student's best interest decision and the permanent transportation arrangements are finalized. *Interim transportation arrangements are to be used a maximum of ten school days—five school days while the best interest decision is finalized (if applicable) and five school days while the permanent transportation arrangements are finalized.*
- c. The fact that a School System does not provide transportation for children who are not in foster care does not exempt the School System from obligations to ensure transportation for children in foster care. This includes children attending public preschool.

- d. Where a School System is obligated to provide transportation as part of child's IEP as a "related service" under the IDEA, this obligation is not altered by ESSA.
- e. The School System must provide transportation when it can be done at "no additional" or "minimal" cost based on the School System's existing procedures. Examples may include:
- A stop added or modification made to an already existing bus route
  - Drop-off at a school bus stop on the existing transportation system for the school of origin
  - Public transportation, if the child is of an appropriate age and has or is able to acquire the skills to utilize such option
  - Foster parents or other family member(s) to transport the child to school
  - School System Preexisting bus routes or stops close to the new foster care placement that cross School System boundaries, such as bus routes for magnet schools or transportation for homeless students required by McKinney Vento Act
  - Eligibility for transportation under another entitlement such as IDEA
- f. The School System and DCFS must outline procedures to specify how additional costs will be covered or shared. Federal guidance clarifies that "additional costs" are the difference between what a School System would otherwise spend to transport a student to his or her assigned school and the cost of transporting a child in foster care to his or her school of origin. For School Systems that do not calculate average cost of transportation per pupil, additional costs may be defined as those costs above what the state reimburses the School System for pupil transportation. If the transportation would require "additional costs" from the School System, the agencies must determine the most cost-effective strategy in each case. They must specifically ask:
- Does the School System have other fiscal options to cover or share "additional costs"? (Federal guidance permits the use of Title I funds. Federal guidance also permits use of IDEA funds if the child has an IEP.)
  - Are there other state or local funds available for this purpose?
  - Can the DCFS recover costs through Title IV-E maintenance and/or administrative dollars for this child's transportation?
  - What other options does the DCFS have to cover or share "additional costs"?
  - Can the DCFS provide the youth or caretaker with bus passes or other public transportation vouchers?
  - Can the agency contract with a private transportation company to provide a bus/van/car service?
  - Can the School System and DCFS divide the distance and share the transportation responsibilities? Consider, for example, whether DCFS can coordinate for the child to be dropped off at a bus stop near the existing transportation system for the School System.
- g. Transportation to the school of origin must be provided for the duration of the child's time in foster care when the child remains in the school of origin. If a child exits foster case before the end of the school year, in the interest of school stability, the student should remain in his or her school until the end of the academic year or until a natural juncture in the year, such as the end of a semester or quarter when possible.

- h. School Systems and DCFS should consider procedures related to transportation for extracurricular activities, such as summer education programs, and other school programs or activities that are part of the school experience.
4. **Coordinate when other school systems are involved.** School Systems will determine how costs will be shared with other school systems when children are transported between them. Similar to their arrangement with DCFS, school systems should develop written procedures to address cost sharing agreements and include a default if resolution cannot be reached (i.e., the school systems will split costs evenly). School system area transportation coordinators can assist with this process.
5. **Provide for preschool students within the School System.** ESSA requires that schools ensure a child in foster care remains in their preschool of origin, unless a determination is made that it is not in the child's best interest. ESSA also requires that school systems provide transportation to the school of origin when necessary. Public preschool is defined as preschool education programs funded by tax dollars or other public funds and includes early childhood education programs for children who have not started kindergarten. These include both preschool programs operated by or funded through the school system. Children may attend preschool at a specific location or participate in a home-based program.

## SAMPLE TRANSPORTATION PLAN TO ENSURE SCHOOL STABILITY FOR STUDENTS IN FOSTER CARE

Between:

School System: \_\_\_\_\_

And

Department of Children & Family Services

Date: \_\_\_\_\_

### SCHOOL SYSTEM

School System Foster Care Point of Contact (name and contact information):

\_\_\_\_\_

School System Transportation representative (name and contact information):

\_\_\_\_\_

School System Representative (name and contact information; if applicable):

\_\_\_\_\_

### DEPARTMENT OF CHILDREN & FAMILY SERVICES

Educational Point of Contact (name and contact information):

\_\_\_\_\_

Department of Children & Family Services representative (name and contact information):

\_\_\_\_\_

### AGREED-UPON DEFINITIONS

**Best interest decision notification to School System:** When a student has been placed into foster care at a residence outside of the School System, DCFS makes the initial determination regarding whether or not the student should remain in his or her school of origin. Schools officials can present DCFS with supporting documentation should it believe it is in child's interest to attend another school, but DCFS makes final determination. (See Louisiana Best Interest Determination Form.) When it is determined to be in a student's best interest to remain in his or her school of origin, School System and DCFS will collaborate under this agreement to establish the most cost-effective transportation procedures available for the student within five days of the best interest determination being made.

**Identification of students who may need transportation:** DCFS will notify the school and School System's Foster Care Point of Contact (POC) within three school days upon learning that a student attending the school has been placed into foster care or will be moved to a new foster care placement and it has been determined that it is in the student's best interest to remain in the school of origin.

**Other available low or no additional-cost options to address transportation needs:**

1. The School System will assess whether the child is eligible for transportation services under another entitlement, such as experiencing homelessness or as a related service under the IDEA or 504 Plan. The School System will provide and fund transportation if the student is eligible under the IDEA.
2. The School System will examine existing transportation options available for the student, including incorporating the student into an existing bus route, modifying an existing bus route, or other no-cost or lost-cost options. Transportation will be provided and funded by the School System if such a solution is available.

**Options for addressing “additional costs”:** When other options are exhausted and transportation will require additional costs, the following should be considered:

1. The School System and DCFS will assess whether the child’s transportation expenses may be covered by other state or local funds.
2. If the student is eligible for Title IV-E funds, DCFS will seek reimbursement for the allowable portion of those transportation costs.
3. DCFS will assess whether resources are available for:
  - a. reimbursement for foster care parents or relative caretaker to provide transportation to a stop on the School System’s existing bus route;
  - b. provision of bus passes or public transportation vouchers; or
  - c. contract with a private transportation service.
4. School System and DCFS support establishment of a fund jointly funded by the agencies [and other local jurisdiction leader] to support school stability. [Specify funding sources, amounts, dates.]

**Remaining additional costs:** The School System and DCFS will address additional cost with one of the following options:

1. DCFS agrees to pay additional costs.
2. School System agrees to pay additional costs.
3. DCFS and agree to share the additional costs. (Consider requiring the costs to be split evenly unless parties can agree to another cost-sharing arrangement.)

**Timing of implementing transportation:** School System will have five days to put needed transportation in place after the best interest determination has been finalized. In the interim, DCFS or School System will provide transportation.

**Duration of transportation:**

1. Transportation will be provided for the duration of the child’s time in foster care as long as it continues to be in the child’s best interest to remain in the school of origin.
2. If a child exits foster care before the end of a school year, the transportation arrangement will be maintained through the end of the school year in order to maintain the child’s educational stability, when possible.

**Dispute resolution:**

1. If there is a dispute between the School System and DCFS regarding provision of transportation, the School System ensures that child in foster care remains in their school of origin while any disputes are being resolved [ESEA 1111(g)(1)(E)(i) and 1112(c)(5)(B)(i)].

While a dispute is pending, the School System and DCFS must provide and arrange transportation for the child.

*Updates and revisions to this local transportation plan should be made as needed. **Best practice recommends review of plan every three years.***

**SIGNATURES:**

**SCHOOL SYSTEM FOSTER CARE POC**

**Printed Name:** \_\_\_\_\_

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**SCHOOL SYSTEM TRANSPORTATION REPRESENTATIVE**

**Printed Name:** \_\_\_\_\_

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**OTHER SCHOOL SYSTEM REPRESENTATIVE (if applicable)**

**Printed Name:** \_\_\_\_\_

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**DEPARTMENT OF CHILDREN & FAMILY SERVICES REPRESENTATIVE**

**Printed Name:** \_\_\_\_\_

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

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## TRANSPORTATION TO ENSURE SCHOOL STABILITY: INDIVIDUAL STUDENT PROCEDURES

Child's Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Grade in School: \_\_\_\_\_ DCFS ID Number: \_\_\_\_\_ Louisiana Unique ID: \_\_\_\_\_

Current School System/School: \_\_\_\_\_

### PARTICIPANTS

Custodial Agent (name and contact information):

\_\_\_\_\_

Caregiver (name and contact information):

\_\_\_\_\_

Educational Surrogate, if applicable (name and contact information):

\_\_\_\_\_

### SCHOOL SYSTEM

School System Foster Care Point of Contact (name and contact information):

\_\_\_\_\_

### DCFS

Case worker (name and contact information):

\_\_\_\_\_

Educational Point of Contact (name and contact information):

\_\_\_\_\_



The **DCFS** verifies that:

It is in the student's best interest to remain in the school of origin based on the following factors:

The child eligible under Title IV-E:

Yes       No

If **YES**, reimbursement for some funding of transportation costs

will be pursued

cannot be pursued for this reason:

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The **School System** verifies that:

There is an existing transportation option that can serve the student's new housing placement.

Yes       No

If **YES**, what is the option?

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The following efforts were undertaken to identify a no-cost or low-cost transportation service:

NO-COST OR LOW-COST OPTIONS	SCHOOL SYSTEM	DCFS
The child may be dropped off at a school bus stop near the existing transportation system for the school of origin. Communication between the current and new school is critical.		
Public transportation options exist, if the child is of an appropriate age and has, or is able to acquire, the skills to utilize such options.		
The foster parents or other family member(s) are willing and able to transport the child to school.		
The child is already eligible for transportation covered by other programs. For example, Individuals with Disabilities in Education Act (IDEA) funds may be used to pay for transportation services if the child's IEP Team determines transportation is a related service that is required for a child with disabilities in foster care to receive Free Appropriate Public Education (FAPE).		
There are pre-existing bus routes or stops close to the new foster care placement that cross School System boundaries, such as bus routes for magnet schools and transportation for homeless students as required by the McKinney-Vento Act.		
The School System of residence, School System of origin, and DCFS may be willing to share transportation costs.		

The **School System and DCFS** agree that the most cost effective transportation procedures for this student will be:

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The **School System and DCFS** agree that while permanent transportation is arranged, interim transportation arrangements will be:

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These transportation procedures were agreed to on the following date: \_\_\_\_\_ and will be implemented within five days, by the following date: \_\_\_\_\_.

**Authorized signature for DCFS:** \_\_\_\_\_

**Signature from School System:** \_\_\_\_\_