

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.

The implementation of this policy shall assure that:

A. children in foster care are not stigmatized or segregated on the basis of their status as foster children;

B. children in foster care are immediately enrolled in their school of origin, unless a determination is made that it is not in such child's best interest to attend the 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;

C. when 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;

D. the enrolling school shall immediately contact the school last attended by any such child to obtain relevant academic and other records;

E. 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

F. 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.

**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 (DCS or tribal) has placement and care responsibility.

The term "school of origin" means the school that the student attended when permanently housed or the school in which the student was last enrolled, including preschool.

*Note:* This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

**Liaison or Point of Contact (POC)  
for Children in Foster Care**

The Superintendent will designate an appropriate staff person of authority as Liaison or Point of Contact (POC) for children in foster care who will carry out duties as assigned. Among those duties will be the responsibility to coordinate activities and programs 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 maintain school stability;
- C. Ensure the best interest is determined regarding school selection;
- D. Ensure necessary transportation is provided, funded, and arranged;
- E. Ensure immediate enrollment and transfer of records; 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 the 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 referenced 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: date of Manual adoption

**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)

*Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.*

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

*Note:* This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

JFABDA-R ©

REGULATION

ADMISSION OF STUDENTS  
IN FOSTER CARE

Admission

The school selected by the child in foster care shall immediately admit the child, even if the student is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, or other documentation.

The enrolling school shall immediately contact the school last attended by the student to obtain relevant academic and other records.

If the student needs to obtain immunizations, or immunization or medical records, the enrolling school shall immediately refer the Child Welfare Agency Point of Contact to the District Liaison/Point of Contact (POC) for children in foster care, who shall assist in obtaining necessary immunizations, or immunization or medical records.

Admission Disputes

If a dispute arises over school selection or enrollment in a school:

A. The student shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute;

B. the Child Welfare Agency Point of Contact shall be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of appeal;

C. the Child Welfare Agency Point of Contact and student shall be referred to the liaison for children in foster care, who shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute; an

Enrollment Decision

The decision regarding enrollment shall be made regardless of whether the student lives with the foster parents or has been temporarily placed elsewhere.

JFABDA-EA ©

EXHIBIT

ADMISSION OF STUDENTS  
IN FOSTER CARE

Liaison Position

The District shall designate a Liaison/Point of Contact (POC) for children in foster care and, in conjunction with the state coordinator, shall inform school personnel, service providers, and advocates working with foster families of the duties of the District liaison.

The District liaison for children in foster care shall ensure that:

A. children in foster care are identified by school personnel and through coordination activities with other entities and agencies;

B. children in foster care enroll in, and have full and equal opportunity to succeed in, the District's schools;

C. foster families and children in foster care receive educational services for which such families and children are eligible, including:

1. Head Start and Even Start programs and preschool programs administered by the District, and

2. referrals to health care and immunization services, dental services, mental health services, and other appropriate services;

D. the Child Welfare Agency and parents or guardians of children in foster care are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;

E. public notice of the educational rights of children in foster care is disseminated where such students receive services;

F. disputes over school selection or enrollment in a school are mediated in a manner that

1. immediately admits the student to the school in which enrollment is sought, pending resolution of the dispute,

*Note:* This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

© 2018 by Arizona School Boards Association

2. provides the child welfare agency and parent or guardian of the student with a written explanation of the school's decision regarding the school selection or enrollment, and informs the child welfare agency, parent, guardian, and student of the rights to appeal the decision,

3. expeditiously carries out the dispute resolution process after receiving notice of the dispute, and

G. the Child Welfare Agency and parent or guardian of a foster child are fully informed of all transportation services, including arrangements for transportation to the school of origin;

H. the Child Welfare Agency and parent or guardian of a foster child are assisted in accessing transportation to the selected school.

As a part of the duties, the District liaison for children in foster care will coordinate and collaborate with state coordinators and community and school personnel responsible for the provision of education and related services to children in foster care.

*Note:* This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

JFABDA-EB ©

EXHIBIT

ADMISSION OF STUDENTS  
IN FOSTER CARE

NOTICE

In accordance with the McKinney-Vento Homeless Assistance Act of 2001, 722 (e)(3)(C), as amended by the Every Student Succeeds Act (ESSA) of 2015 (Foster Care provisions), the Child Welfare Agency and parent or guardian of the student is to receive and acknowledge notice of the rights set forth below.

The parent or guardian of a child in foster care has the right to:

- A. Continue the student's education in the school of origin for the duration of placement
- B. Enroll the student in any public school that students who live in the attendance area in which the student is actually living are eligible to attend.
- C. Appeal if the child in foster care is sent to a school other than the school of origin or a school requested by the parent or guardian;
- D. Enroll in, and have full and equal opportunity to succeed in school without being segregated from the general student population;
- E. Receive educational services for which such families and students are eligible, including:
  - 1. Transportation services;
  - 2. Meals programs;
  - 3. Head Start and Even Start programs and preschool programs administered by the School; and
  - 4. Referrals to health care and immunization services, dental services, mental health services, and other appropriate services.
- F. Identification or service without being stigmatized as foster by school personnel;

*Note:* This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

© 2018 by Arizona School Boards Association

A parent or guardian (student if unaccompanied) may contact the State Coordinator for Education of Foster Children and Youths at;

The Arizona Department of Education  
1535 W Jefferson  
Phoenix, AZ 85007  
Telephone: (602) 542-4963

A parent or guardian may contact the District Liaison/Point of Contact (POC) for Foster Children and Youths at;

\_\_\_\_\_  
\_\_\_\_\_  
Telephone: \_\_\_\_\_  
E-mail: \_\_\_\_\_

The District Liaison/Point of Contact (POC) for children in foster care shall ensure that the parent or guardian of a child in foster care, is:

- A. assisted in accessing transportation to the selected school;
- B. provided assistance in exercise of the right to attend the school of choice and other necessary services; and
- C. provided the above information in a manner and form understandable to the recipient and if necessary and to the extent feasible, in the native language of the recipient.

The signature below indicates that the signatory has received and understands this information on rights.

<u>Signature of Parent, Legal Guardian</u> <u>(or unaccompanied student)</u>	<u>Date</u>
---	-------------

One (1) copy to signatory and one (1) to the liaison officer file.

*Note:* This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.