

Policy IGBE-1: STUDENTS IN FOSTER CARE

Status: DRAFT

Original Adopted Date: Pending

**24C UPDATE EXPLANATION
(Version 1)**

The Missouri state legislature amended § 167.019, RSMo., to include the ten-day deadline for determining the best interest of a child for purposes of school district placement under certain circumstances. The new language applies when a student is placed in foster care outside the student's school district of origin and the distance between the student's school of origin and the residence of foster placement is at least ten miles, or if the student is receiving services from a special school district, fifteen miles.

(K-12 Districts)

The district recognizes that students in foster care face unusual educational challenges. The purpose of this policy is to provide foster care students with educational stability and remove barriers to, and provide opportunities for, academic excellence for foster care students. In order to achieve this purpose, the district will work collaboratively with the Missouri Department of Elementary and Secondary Education (DESE) and the Children's Division (CD) of the Missouri Department of Social Services.

Definitions

Foster Care – Twenty-four-hour substitute care for children placed away from their parents/guardians and for whom the CD has placement and care responsibility. This includes, but is not limited to, placement in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, childcare institutions, and pre-adoptive homes, regardless of whether the home, shelter, facility, or institution is licensed or receives payments from the state.

Foster Care Student – Any pre-K-12 student who is residing in a foster care setting in this state or who is awaiting foster care.

School of Origin – The school or preschool in which the student was enrolled at the time of placement in foster care. If the student's placement changes, the school of origin is the school or preschool in which the student was enrolled at the time of the change.

Liaison/Point of Contact

The district designates the following individual as the liaison for foster care students:

Family Resource Specialist
655 S. Commercial Ave., Smithville, MO 64089
Phone: (816) 532-0406 / Fax: (816) 532-4192
manzl@smithville.k12.mo.us

The liaison will provide assistance regarding all aspects of the enrollment, placement, transfer, and withdrawal of children in foster care and serve as the point of contact for DESE and the CD. The liaison will also work with DESE and the CD to implement the district's complaint resolution process.

Enrollment and Placement of Foster Care Students

Students in a foster care placement located within the district's boundaries of the district will be educated in the school of origin unless it is not in the best interest of the student to do so. As Students placed in the school of origin will remain in the school of origin for the duration of the time he or she is they are in foster care. If it is not in the best interest of the student to stay in the school of origin, the district will immediately enroll the student, even if the student is unable to produce records normally required for enrollment, and will contact the school of origin to obtain relevant records.

Foster care students who attend school in the district because attending the school of origin was not in their best interest will be initially placed in the same courses and programs the students were in while attending the previous

district to the extent this district offers such courses and programs. Such placements may include, but are not limited to: honors classes; vocational, technical, and career pathway courses; and International Baccalaureate (IB), Advanced Placement (AP), English Learner (EL), special education, and gifted programs. If necessary, the district will waive course or program prerequisites or other preconditions for placement in courses or programs offered at the district. After placement, the district may perform additional evaluations to ensure that the student has been placed appropriately and may change the student's placement after consultation with the student's foster parent.

Best Interest Determination

Placement

Within three days of the student enrolling, the liaison will organize a meeting or consultation to determine which placement is in the student's best interest of the student. The meeting or consultation will include a representative of the CD; the foster parents; a representative from the school of origin; the parents/guardians and student, if appropriate; and any other person requested by the student, the foster parents, or the CD who has a special relationship with the student. These individuals will be considered the best interest determination (BID) team and, using child-centered criteria, including the appropriateness of the current educational setting and proximity to the school in which the student is enrolled at the time, will determine the best placement for the student. Transportation costs will not be a factor. If the BID team cannot reach a consensus regarding the best placement, the representative from the CD will make the final determination.

If a foster student is placed in a foster home that is not in the district of the student's school of origin, placement in the school district in which the student was placed for foster care is deemed to be in the student's best interest if:

1. The best interest determination has not been completed within ten days of the student's placement; and
2. The distance between the school of origin and the foster home placement is greater than ten miles (or fifteen miles if the district is served by a special school district).

The district of placement may bill the district of residence for local tax effort in accordance with law.

Dispute Resolution

If the legal, putative, or biological parent (parent) or educational decision maker disputes that the placement assigned by the BID team or CD is in the student's best interest, the parent or educational decision maker ("disputant") may contact the liaison to implement the dispute resolution process. The liaison will provide the disputant with a copy of the district's dispute resolution procedures and answer any questions about the resolution process.

Transportation

If the BID team determines that the school of origin is the best placement for a foster care student, the student will be transported to the school of origin in accordance with the transportation plan developed in collaboration with the CD. Transportation will be provided promptly and in a cost-effective manner in accordance with law. If there are additional costs incurred by the school of origin, the costs will be paid by the CD or the district or shared by the CD and the district.

Transportation Disputes

Disputes over transportation will be handled in the same manner as disputes over placement.

Records

The foster care liaison will provide foster parents and other legal guardians access to student records. In accordance with law, the district will allow a child-placement agency access to a foster care student's records for the purposes of assisting the school transfer or placement of a student and fulfilling educational case management responsibilities required by the juvenile officer or by law.

The liaison will ensure that student records are properly transferred between the district and any other district from or to which foster students transfer. When a request involves a foster care student, the liaison will:

1. Respond within three business days to a request for records by another district, and

2. Request records from other districts within two days of enrolling a student.

Attendance

If a student in foster care is absent from school due to a decision by a court or child-placing agency to change the student's placement or due to a verified court appearance or related court-ordered activity, the grades and credit of the student will be calculated as of the date the student left school, and the district will not lower the student's grade as a result of absence under these circumstances.

Programs and Activities

The district will encourage foster care students to participate in extracurricular activities and assist them in joining extracurricular activities. Locally imposed application deadlines for participation in extracurricular activities will be waived for foster care students who are otherwise eligible to participate in the activities. Participation in activities governed by the Missouri State High School Activities Association (MSHSAA) will be permitted in accordance with the rules established by MSHSAA. Foster care students are automatically eligible for participation in the district's free nutrition program.

Graduation

In order to facilitate timely graduation of foster care students, the district will:

1. Waive specific courses required for graduation if similar coursework has been satisfactorily completed in another school. If such coursework is not waived, the district will provide reasonable justification for the denial.
2. Accept the results of exit exams, end-of-course exams, nationally norm-referenced tests, or alternative testing from another school to satisfy district testing requirements related to graduation.
3. Accept for credit full or partial coursework completed at the previous school attended in accordance with district policy.

If a foster care student who enrolls in the district at the beginning of or during his or her senior year cannot meet the district's graduation requirements by the end of their senior year, even after all alternatives have been considered, the liaison will contact their student's previous district to determine whether they student is eligible to receive a diploma from the previous school.

The district will award a diploma to foster care students who transfer out of the district at the beginning of or during the senior year if, considering all courses, tests, and attendance at the school to which the student transferred, they student has met the district graduation requirements.

Portions © 2024, Missouri School Boards' Association

Version IGBE-1C.1D (07/24)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

§ 160.1990, RSMo.

Description

[State Statute](#)

§ 167.018, RSMo.

[State Statute](#)

§ 167.019, RSMo.

[State Statute](#)

§ 210.1050, RSMo.

[State Statute](#)

§ 210.760, RSMo.

[State Statute](#)

Cross References

Description

JCB

[TRANSFERS WITHIN THE DISTRICT](#)

Cross References

JCB-AP(1)

JCB-AP(2)

JCC-1

JEC

JECA-AP(1)

JECA-2

JECC-1

JED

JED-AP(1)

JED-AP(2)

JO-1

JO-1-AP(1)

JO-1-AP(2)

Description[TRANSFERS WITHIN THE DISTRICT - \(Transfers under Federal Law\)](#)[TRANSFERS WITHIN THE DISTRICT - \(Transfers Based on Family Circumstances or Educational Need\)](#)[TRANSFERS OUTSIDE THE DISTRICT](#)[SCHOOL ADMISSIONS](#)[ELIGIBILITY TO ENROLL - \(Foreign Exchange Students\)](#)[ELIGIBILITY TO ENROLL](#)[ASSIGNMENT OF STUDENTS TO GRADE LEVELS/CLASSES](#)[STUDENT ABSENCES AND EXCUSES](#)[STUDENT ABSENCES AND EXCUSES - \(Grades K-8\)](#)[STUDENT ABSENCES AND EXCUSES - \(Grades 9-12\)](#)[STUDENT RECORDS](#)[STUDENT RECORDS - \(K-12 Districts\)](#)[STUDENT RECORDS - \(Disclosure of Photographs, Images and Recordings Maintained by the District\)](#)