

Making a Transportation Plan:

IMPLEMENTING TRANSPORTATION REQUIREMENTS TO ENSURE EDUCATIONAL STABILITY FOR CHILDREN IN FOSTER CARE

Introduction and Overview

[Federal law](#) requires schools and districts to work closely with custodial agencies for students in foster care to tailor transportation processes and procedures to their unique local contexts. School districts and custodial agencies collaboratively establish procedures for the prompt transportation needed to ensure educational stability for students upon entrance into in foster care and whenever there is a change in the child's living arrangement. This document is a sample interagency agreement that includes recommended steps for creating these procedures, including possible methods of cost sharing and how local partners would provide transportation to a foster child who has experienced a change in their living environment.

Transportation Procedure for Districts and Custodial Agencies: Step-By-Step Requirements

The following steps are recommended considerations and actions for a district and custodial agency to take when creating the written transportation procedures for students in foster care.

STEP 1: The custodial agency provides the school and district with a notification form; districts will develop a process using this form to identify which students in foster care require transportation to maintain educational stability.

- The custodial agency will notify the school and district of a student's placement into foster care or a change in the child's living arrangement **within one day** of the event. The custodial agency can use the Ohio Department of Job and Family Services form "Notification of Student Out-of-Home Placement and Request for Transfer of Records" JFS01441 or the addendum from the Individual Child Care Agreement or a similarly created document that has the needed information.
- If the child's placement is outside the school boundary, a best interest determination will occur **within five days** to decide if the child will attend the school assigned to their foster care placement or continue to attend the school of origin. While the best interest determination is being made, the child is to remain in their school of origin. The district and custodial agency will ensure that interim transportation is provided to the student during this period. Schools, districts, and custodial agencies may choose to use [Ohio's Model Best Interest Determination Form](#).

- Methods of transportation and related costs should not be considered when making a best interest determination. After the best interest determination, consider how to fulfill the child’s permanent transportation needs.

STEP 2: Document how transportation will be provided, arranged, and funded.

- [Federal law](#) requires the district will provide transportation to students in foster care, even if the district does not offer transportation to students otherwise. This includes foster children attending public preschool.
- Other transportation obligations also apply, including transportation requirements for:
 - Children in foster care who meet the definition of “homeless” under the McKinney-Vento Act. (Youth who are homeless include children living in emergency or transitional shelters, children abandoned in hospitals and unaccompanied homeless youth.)
 - Children who have transportation written into their individualized education programs (IEPs).
- **Interim Transportation.** While the district arranges permanent transportation, the custodial agency and the district may provide interim transportation. The district and custodial agency should work collaboratively to develop a transportation plan for the child. Interim transportation arrangements should be used for **a maximum of 10 school days**: 5 school days while the best interest determination is made, and 5 school days while the permanent transportation plan is finalized.
- **Preschool Transportation.** Young children in foster care also receive transportation to and from their public preschools of origin in a cost-effective manner. This only applies to students enrolled in public preschools at the time of their placement in foster care or when there is a change in the foster child’s living arrangement. If a district cannot provide transportation to students in foster care who attend public preschool due to bussing limitations and laws, the custodial agency and district can collaboratively arrange transportation for the child. Public preschool programs include early childhood education programs for children who have not started kindergarten. For more information about preschool eligibility in Ohio, access [Ohio Administrative Code](#).

STEP 3: Document the process of how the district will provide transportation when minimal or no “additional cost.”

- The district should provide transportation when it can be done at no “additional cost.” Federal guidance clarifies that “additional costs” are the difference between what a district would otherwise spend to transport a student to their assigned school and the cost of transporting a child in foster care to their school of origin.
- The district will need to examine the existing transportation options within the district for a no-cost or minimal cost solution.

STEP 4: Document how “additional costs” may be addressed by both the district and custodial agency.

- The district and the custodial agency should outline procedures to specify how additional costs will be covered or shared. For districts that do not calculate average cost of transportation per pupil, additional costs may be defined as those costs above what the state reimburses the district for pupil transportation. If the student’s transportation requires “additional costs” from the district, the district and custodial agency should determine the most cost-effective strategy in each case.

STEP 5: Develop a dispute resolution process to address transportation issues.

- The district and custodial agency should make every possible effort to reach an agreement to fund transportation. Both agencies can collaborate to ensure educational stability for children in foster care.
- To address situations in which local parties cannot agree, local procedures are to include provisions to address how disputes will be resolved.
- While disputes over costs are addressed, the child remains in their school of origin AND transportation is provided.

STEP 6: Other considerations.

The district and custodial agency should also address in advance any other potential issues that are likely to arise.

- **Duration and changes in transportation needs.**
 - When the student remains in the school of origin, transportation to that school will be provided for the duration of the child’s time in foster care.
 - If a child exits foster care before the end of the school year, consider having the student remain in their school until the end of the academic year or until the end of a semester or quarter, when possible, to allow educational stability for the child.
- **School activities beyond classes.**
 - 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.
- **Coordination when other school districts are involved.**
 - When students are transported between school districts, cost sharing among those districts can occur. [District area coordinators are available to assist with this process.](#)

Sample Inter-Agency Agreement Follows:

SAMPLE INTERAGENCY AGREEMENT

Transportation Procedure to Ensure Educational Stability for Students in Foster Care

Agreed by: _____ Date: _____

Agreed by: _____ Date: _____

Contact Information

District:

ESSA foster care point of contact (name and contact information): _____

District leader (name and contact information): _____

Custodial Agency:

ESSA point of contact (name and contact information): _____

Custodial agency director (name and contact information): _____

Caseworker (name and contact information): _____

AGREED-UPON TERMS

Identifying students who may need transportation

- [CA] will notify [DISTRICT] **within one school day** of a child being placed in foster care or the student experiencing a change in their living arrangement.

Best Interest Decision Notification to District

- When a foster child's living arrangement is outside of boundary of their school of origin, the [CA] will notify [DISTRICT] **within one school day** and collaborate with the [DISTRICT] to convene a best interest determination meeting **within five school days**. When it is determined that remaining in the school of origin is in the student's best interest, [DISTRICT] and [CA] will collaborate under this agreement to establish the most cost-effective permanent transportation arrangements available for the student **within five school days** of the best interest determination being made. While the student's individual transportation plan is being finalized, the [CA] and [DISTRICT] will provide temporary, interim transportation to the child to ensure there is no disruption in educational programming.

Assess other available no or low additional-cost options to address transportation needs

- [DISTRICT] will assess whether the child is eligible for transportation services under another entitlement, on account of experiencing homelessness, or as a related service under the IDEA or 504 Plan. [DISTRICT] will provide transportation funded by [DISTRICT] if the student is eligible under the McKinney-Vento Act or the IDEA.
- [DISTRICT] will examine existing transportation options available for the student, including incorporating the student into an existing bus route, modifying an existing bus route, and other no-cost or lost-cost options. Transportation will be provided and fully funded by [DISTRICT] if such a solution is available.

Options for addressing “additional costs”

- When other options are exhausted and transportation will require “additional costs,” the following will be considered:
 - [DISTRICT] and [CA] will assess whether the child's transportation expenses may be covered by other state or local funds.
 - If the student is eligible for Title IV-E funds, [CA] will seek reimbursement for the allowable portion of those transportation costs.

AGREED-UPON TERMS CONTINUED

- [CA] will assess whether resources are available for foster care parents to provide transportation to a stop on [DISTRICT]'s existing bus route; provision of bus passes or public transportation vouchers; or a contract with a private transportation service.
- [DISTRICT] and [CA] will explore cost-sharing options, including contributing to match amounts needed to draw down federal reimbursement. [Specify funding sources, amounts, dates.]
- Other options: _____

Resolve remaining additional costs

- [DISTRICT] and [CA] will address additional cost with one of the following options:
 - [CA] agrees to pay additional costs;
 - [DISTRICT] agrees to pay additional costs; or
 - [CA] and [DISTRICT] agree to share the additional costs the following way:
_____.
- If [DISTRICT] and [CA] cannot resolve a dispute about transportation costs, they will follow this mechanism: (Consider splitting the costs evenly unless parties can agree to another cost sharing arrangement.)
- While a dispute is pending, [DISTRICT] will provide and arrange transportation for the child.

Timing of implementing transportation

- [DISTRICT] will have **five school days** to put needed transportation in place after the best interest determination is finalized. In the interim, [CA and DISTRICT] will jointly develop and implement a plan to provide the interim transportation needed to ensure the child's educational stability.

Duration of transportation

- Transportation will be provided for the duration of the child's time in foster care or for the duration it remains in the child's best interest to continue to attend the school of origin.
- If a child exits foster care before the end of a school year, the transportation arrangement will be maintained through the end of the quarter/semester/school year to maintain the child's educational stability, when possible.

These transportation procedures are approved as of (Date): _____

SAMPLE STUDENT TRANSPORTATION PLAN

Child's Name: _____ Date of Birth: _____ Grade: _____

SACWIS Person ID number: _____

Statewide Student Identifier (SSID) number: _____

Custodial Agent: _____

Case worker (name and contact information): _____

Caregiver (name and contact information): _____

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

District: _____

District foster care point of contact (name and contact information): _____

School contact information: _____

[CA] verifies:

1. It is in the student's best interest to remain in the school of origin based on the following factors: _____
2. The child eligible under Title IV-E: ____ Yes ____ No
 - a. If YES, reimbursement for some funding of transportation costs
 - i. ____ will be pursued
 - ii. ____ cannot be pursued for this reason: _____

SAMPLE STUDENT TRANSPORTATION PLAN CONTINUED

[DISTRICT] verifies:

1. The following efforts were made to identify a no-cost or low-cost transportation service:

2. There is an existing transportation option that ensures educational stability for the child following the change in their living arrangement: ____ Yes ____ No

If YES, what is the option?

[DISTRICT] and [CA] agree that the most cost-effective transportation procedures for this student will be:

SAMPLE STUDENT TRANSPORTATION PLAN CONTINUED

The student’s transportation plan will begin on (Date): _____

[DISTRICT] and [CA] agree that while permanent transportation is arranged, interim transportation arrangements will be:

Authorized Signature for [CA]: _____ DATE: _____

Authorized Signature for [District]: _____ DATE: _____