

Children in Foster Care and ESSA

Are there guidelines around enrollment and transfers for students in foster care?

Yes. If a student in an out-of-home placement is enrolled in one school and transfers enrollment to another school either in the same school district or in another school district or to another type of school, the sending school district or school shall immediately transfer the student's education information and records to the receiving school after receiving a transfer request from the county department that has legal custody of the student.

Can Student in foster care have access to free lunch?

Yes. Students in foster care are categorically eligible for free school meals without submission of a free and reduced-price household application. This means that a student in foster care can receive free school meals based on third-party documentation of their foster status. Acceptable documentation includes information indicating the State retains legal custody of the child.

Can a district withhold records and transcripts due to unpaid fines and fees?

No. A school district or school shall not delay the transfer of the education information and records of a student in an out-of-home placement for any reason, including but not limited to the existence of any unpaid fines or fees that the student may have outstanding at the school from which the student is transferring.

Can a student in foster care register at a new school even if they don't have all of the standard enrollment documents?

Yes. The school district or school shall enroll the student in school immediately after receiving the student's education information and records, regardless of whether:

- 1) The school district or school has received the student's certificate of immunization.
- 2) The student can comply with any requirements pertaining to the use of school uniforms or other clothing restrictions; or
- 3) The student can comply with any other pre-enrollment restrictions or requirements imposed by the school district or school.

If these items are missing, the school or local point of contact and caseworker can work together to obtain missing documents.

Do students in foster care automatically lose credits mid-year for changing schools?

No. When a student in an out-of-home placement transfers from one school to another school, the sending school shall certify to the receiving school or school district the course work that the student has fully or partially completed while enrolled at the school. The receiving school or school district shall accept the student's certified course work and the course work certified by previous schools in which the student was enrolled, as reflected in the student's records, as if it

had been completed at the receiving school. The receiving school or school district shall apply all of the student's certified course work toward completion of the student's requirements for graduating from the grade level in which the student is enrolled at the receiving school or school district or for graduation from the receiving school or school district if the student is enrolled in twelfth grade. The receiving school or school district may award elective credit for any portion of the student's certified course work that is not aligned with the curriculum of the receiving school or school district.

Does a youth in foster care get absences excused if they have to go to court or therapy?

Yes. A student in an out-of-home placement shall receive an excused absence from the school district or school in which the student is enrolled for any time the student is out of school due to a required court appearance or participation in court-ordered activity, including but not limited to family visitation or therapy. It's important to note that school attendance is important to continuity in course instruction as well as student engagement; therefore, it is a best practice to schedule appointments outside school hours or make prior arrangements with teachers to receive assignments to ensure the student keeps current and does not fall behind.

Are school tuition or school fees waived for students living in foster care?

Yes. A school district or school in which a student in an out-of-home placement is enrolled shall waive all fees that would otherwise be assessed against the student, including but not limited to any general fees, fees for books, fees for lab work, fees for participation in in-school or extracurricular activities, and fees for before-school or after-school programs that are supported and/or provided by the school.

Foster Care Liaison

Under the provisions of Every Student Succeeds Act every state and school are required to have a foster care liaison. This is the contact person for any issues involving foster care students and compliance with the provisions outlined above. These contact people for our area are:

School District 2 (Billings) Point of Contact

- Pam Meier, Principal, Arrowhead School, (406) 281-6413 or meierp@billingsschools.org.

Montana Office of Public Instruction Point of Contact

- Christy Hendricks, State Foster Care Point of Contact at 406-444-0794 or christy.hendricks@mt.gov, or Sheri Harlow, Administrative Assistant, at 406-444-5660 or sharlow@mt.gov.