Introduction to the Sample Foster Care Best Interest Determination Worksheet

Kristen McKinnon and Christine Cowen
April 23, 2019 and April 29, 2019
Let’s Get Started

Logistics

- Can you hear us?
- Using the Public Chat and Q&A
- Availability of Forms and Webinar Slides
- Role Poll
Agenda

• ESSA Title 1A Foster Care Provisions

• Overview of the Best Interest Determination Process and Rights

• Review of Best Interest Determination Worksheet

• Disputes

• Questions and Answers
ESSA: Title 1, Part A Provisions

Ensures educational stability for students in foster care

- Requires a foster care point of contact in every district
- Requires a state foster care point of contact at DESE and DCF
- Establishes specific educational rights for students in foster care
  - School of Origin
  - A Best Interest Determination
  - Transportation
  - Immediate Enrollment
BEST INTEREST DETERMINATION PROCESS OVERVIEW

Overview Chart is Now Available!
**Step 1 – DCF Identifies FC student and initiates BID**

- **DCF places student in Foster Care**
  - OR
  - DCF changes student’s Foster Care placement

- **DCF Initiates Best Interest Determination (BID)**
  - Goal: BID Completed within 5 school days
  - The BID should include meaningful consultation with individuals who understand the student’s unique needs.

**Note**

- Decisions about which school a student will attend should be made collaboratively.
- Should include those in the best position to understand the student’s unique needs.
- Student should remain in their school of origin until BID is completed.
- Process should be collaborative...but doesn’t need to be one big meeting!
Collaboration

Step 2 – School Districts and DCF Collaborate

DCF Point of Contact (POC) or designee
- Student
- Social Worker
- Parent(s)/Guardian(s)
- Foster Parent(s)
- Attorney
- Educational Decision Maker (EDM) (court appointed)
- Special Education Surrogate Parent (SESP)

District of Origin (DOO) POC
- POC
- Teacher(s)
- Guidance
- Special Education
- School Adjustment Counselor

Local School District (LSD) POC
As soon as there is an indication of possible local enrollment, DCF must include the LSD (where student lives in foster care) in the BID process to ensure the LSD:
- Understands the needs of student
- Provides input on available program/services, etc.

Note
- Collaborators may want to consider if the school of origin is in the best interest but only for a limited duration of time.
- Collaborators involved in the decision may wish to determine a time to revisit the question of whether it is in the student’s best interest to remain in the school of origin or enroll locally.
- Transportation costs should not be a factor in determining the best interest for the purpose of school selection.
Determination

Step 3 – Upon Completion of BID

Upon Completion of the BID:
- DCF Shares School Selection and Provides Notice to LEA

Note
- Notice to LEA from DCF - includes Emergency contact, residence, social worker, record release, transportation needs, etc.
**Step 4a – Remain in School of Origin**

**Note**

- **School of origin** - school the student was attending when placed in foster care, or at time of a subsequent change in foster care placement.

- Districts must collaborate with DCF to establish policies and procedures to ensure that students who need transportation to remain in their school of origin get it.

- Absent another agreement, districts of origin are responsible for providing transportation to and from the school of origin.

- Districts should document all costs associated with this transportation.

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**Remain in School of Origin (SOO)**

DCF and DOO Develop Transportation Plan(s):

a. **Short term** – for 1-2 weeks while long term plan is developed

b. **Long term** – for duration of foster care OR until all grades in SOO are completed OR until BID will be revisited
Step 4b – Immediately Enroll in Local School District

Note

- If determined to be in a student’s best interest to attend school locally (where placed in foster care), district must enroll immediately.
- With or without documentation
- District POCs should initiate records transfer, help facilitate transition
- ***Remember if there is no change in school of origin, there should be no change in enrollment.
Best Interest Determination Worksheet

Worksheet Page 1 Now Available!
<table>
<thead>
<tr>
<th>BEST INTEREST DETERMINATION FOR FOSTER CARE SCHOOL SELECTION – WORKSHEET</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completed by: □ LEA □ DCF</td>
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<tr>
<td></td>
</tr>
<tr>
<td><strong>STUDENT:</strong></td>
</tr>
<tr>
<td></td>
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<tr>
<td><strong>Date of Birth (MM/DD/YYYY):</strong></td>
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<tr>
<td><strong>Does the student have an Individualized Education Program (IEP)? (Yes/No)</strong></td>
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<tr>
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<tr>
<td><strong>Does the student’s IEP include transportation as a related service? (Yes/No)</strong></td>
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</tbody>
</table>

**SCHOOL (& DISTRICT) OF ORIGIN:**

**DISTRICT OF ORIGIN POINT OF CONTACT (POC):**

**LOCAL SCHOOL DISTRICT (LSD):** *(where student is living in foster care)*

**LSD POC:**

**DCF Area Office:**

**DCF POC, Social Worker and Education Coordinator:**
### FACTORS CONSIDERED

The following multiple factors related to the student’s unique needs should be considered when making the BID. Additional factors may be considered and should be included under Other Factor(s).

Check all factors considered and make notes below for documentation. Attach other relevant documents as appropriate (e.g., IEP, 504 Plan, Report Cards, Progress Reports, etc.)

- Student’s preference (when age appropriate)
- Preferences of the parent(s)/guardian(s) or EDM(s)
- Distance/duration of travel to/from school
- Anticipated duration of time in placement
- Number of placements
- Duration of time in the current school
- Time of academic year
- Maintenance of family relationships
- Placement and/or school(s) of sibling(s) *(provide names of sibling(s) and school(s) attending in BID notes section)*
- Permanency and goal(s) of placement (e.g., reunification; adoption, etc.)
- Relationships to school staff and peers
- Engagement in extracurricular activities
- Current educational goals and services
- Clinical/behavioral issues
- Availability and quality of educational and SEL services
- Immediate availability of services to meet needs of IEP or 504 Plan
- Individual skills, needs, and social connections
- School climate and safety issues on student
- Academic performance and skills
- Other Factor(s)

### NOTES:

- *The cost of transportation may not be factored when conducting the BID.*
- *Financial or programmatic responsibility for a student’s special education services are separate from enrollment and the BID process. After the best interest determination, requests for clarification of school district responsibility for a student’s special education services can be directed to DESE’s Office of Special Education Policy and Planning.*
### Best Interest Determination Worksheet Page 2

#### Worksheet Page 2 Now Available!

#### Collaborators in the Best Interest Determination

<table>
<thead>
<tr>
<th>Name &amp; Contact Information</th>
<th>Relationship to Student</th>
<th>Date(s) and Method(s) of Engagement</th>
</tr>
</thead>
<tbody>
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#### BID Notes
Section Three
### Section Four

**COLLABORATORS IN THE BEST INTEREST DETERMINATION**

- Check box if attaching any relevant correspondences/comments.

<table>
<thead>
<tr>
<th>NAME &amp; CONTACT INFORMATION</th>
<th>RELATIONSHIP TO STUDENT</th>
<th>DATE(s) and METHOD(s) OF ENGAGEMENT IN BID</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Call</td>
<td>Date(s):</td>
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<tr>
<td></td>
<td>Email</td>
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<tr>
<td></td>
<td>Face-to-Face</td>
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</tbody>
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|                            | Call                     | Date:                                    |
|                            | Email                    |                                          |
|                            | Face-to-Face             |                                          |

|                            | Call                     | Date:                                    |
|                            | Email                    |                                          |
|                            | Face-to-Face             |                                          |

|                            | Call                     | Date:                                    |
|                            | Email                    |                                          |
|                            | Face-to-Face             |                                          |

|                            | Call                     | Date:                                    |
|                            | Email                    |                                          |
|                            | Face-to-Face             |                                          |

|                            | Call                     | Date:                                    |
|                            | Email                    |                                          |
|                            | Face-to-Face             |                                          |
Upon completion of conversations with ALL individuals who understand the unique needs of the student, the following is the resulting BID. The student will:

- **REMAIN ENROLLED IN SCHOOL OF ORIGIN.** DCF will provide Notice to LEA to DOO.

If any specialized transportation is needed, please describe:

**Short-Term Transportation Plan:** (How will the student get to school while a permanent plan is established?)
- DCF:
- District:
- Other (describe):

**Long-term Transportation Plan:** (How will the student get to school?)

**Plan to revisit BID?**
- Is there a plan to revisit the BID? If so, describe the factors to be revisited, person responsible for follow-up, etc.

**Person responsible for follow-up:**

**Approximate date to revisit:**

- **ENROLL LOCALLY (where the student is living in foster care).**
- DCF provides Notice to LEA and initiate immediate enrollment.
- Records transfer requested by LSD POC (on the day of enrollment.)
- DOO complete records transfer as soon as possible (within 2-3 days.)

Checkmarks below indicate acknowledgement that the BID process occurred, has been completed and is accurately represented in this document.

<table>
<thead>
<tr>
<th>NAME</th>
<th>✔</th>
<th>DATE</th>
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</thead>
<tbody>
<tr>
<td>DCF Representative:</td>
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<td>DOO POC:</td>
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<td>LSD POC:</td>
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This process and worksheet are not required, but are encouraged to facilitate and document the required BID.
School Selection Disputes

• Upon completion of the best interest determination, DCF has the authority to make final decisions about a student’s best interest, but a school district may dispute DCF’s best interest determination.

• During the dispute resolution process, the student must attend the school selected by DCF following the local BID process. Transportation must be provided for the student, if needed.

• The dispute process and form can be found on DESE’s Foster Care Webpage: http://www.doe.mass.edu/sfs/foster/ and should be submitted to DESE at achievement@doe.mass.edu.
Questions?
Contact Information for Educational Stability Team

Christine Cowen, Migrant Education, Military Connected Students
781. 338.6301  ccowen@doe.mass.edu

Kristen McKinnon, Foster Care Point of Contact
781.338.6306  kmckinnon@doe.mass.edu

Sarah Slautterback, Homeless Education
781.338.6330  sslautterback@doe.mass.edu

Technical Assistance: Problem Resolution Services, 781.338.3700
THANK YOU

Educational Stability Team, Office of Student and Family Support

781.338.3010
www.doe.mass.edu
75 Pleasant Street, Malden, MA 02148

achievement@doe.mass.edu