Students in Foster Care

5115.00

The Board is committed to supporting the success of all children, including those who are experiencing the difficult transition of foster care. “Foster care” refers to 24-hour substitute care for children placed away from their parents and guardians and for whom the child welfare agency has placement and care responsibility.

Children living in foster care are entitled to the same educational benefits as children residing with their parents or guardians in the school district and other children attending Monticello schools. They shall be provided the services and have access to the programs and activities that are offered to other children, including educational services for which the children meet eligibility criteria. Foster children whose school placement requirements include the Monticello School District shall also be accorded all rights and privileges specified in Federal and State laws protecting the educational stability of children in foster care.

Close collaboration between the child welfare agency and the District is essential. The District Administrator is designated as the point of contact and primary liaison to:

- Coordinate with the points of contact and other appropriate representatives of child welfare agencies and other educational agencies on the implementation of the Title I provisions related to ensuring the educational stability of children in foster care.

- Assist appropriate child welfare agency representatives in making “best interest of the child” education decisions, including the determination of whether or not it is in the child’s best interest to remain in his/her own school or to enroll in a new school. (Transportation costs shall not be considered when determining the child’s best interest.)

- Facilitate the continued enrollment of a foster child in his/her school of origin, or, if remaining in the school of origin is determined not to be in the child’s best interest, facilitate the child’s immediate enrollment in a new school even if the child is unable to produce records normally required for enrollment.

- Develop and coordinate local transportation, including the management and resolution of any transportation cost disputes.

- Facilitate the sharing of student record information with child welfare agency personnel in a manner that is consistent with applicable legal requirements and established District policies and procedures regarding the maintenance and confidentiality of student records.

- Clarify who has authority for making school-related decisions regarding the child and communicate this information to school personnel on a "need to know basis."

- Provide professional development to school staff in order to ensure the legal provisions and educational needs of foster children are met.

- Advise the child's foster parents that children in foster care who are under the legal responsibility of a child welfare agency or court are categorically eligible for free school meals under the national School Lunch or Breakfast program without submission of a free and reduced-price meal application.

Confidentiality

State law authorizes the confidential exchange of information between county departments and licensed child welfare agencies and public schools under section 48.78(2)(b) of the state statutes. Any information obtained from the child welfare agency shall be kept confidential in the same manner required of public schools under state and federal student records laws.

The District has specific authority under section 118.125(2)(q) of the state statutes to, on request, disclose student records that are pertinent to addressing the student's educational needs to a caseworker or other representative of the Department of Children and Families, a county department of human services, or a tribal organization. In order to disclose student records under this confidentiality exception:

1. The applicable department or organization must be legally responsible for the care and protection of the student, and

2. The caseworker or other representative must be authorized to access the student's case plan.

The District Administrator shall collaborate with the local child welfare agency's designated point of contact to determine appropriate parameters for sharing student information with the child's parent or foster parents in accordance with applicable laws and/or court orders.

Legal References: Title I, Part A of the Elementary and Secondary Education Act as amended by the Every Child Succeeds Act of 2015

Social Security Act as amended by the Fostering Connections Act of 2008
Family Educational Rights and Privacy Act (FERPA)
Healthy and Hunger-Free Kids Act of 2010

	Sections	118.125(2)(q)	WI State Statutes
		118.51	
		121.79	
		121.84	
Cross References:	2220.00	Title I Program	
	5102.00	Student Discrimination and Harassment – Equal Educational Opportunities	
	5110.00	Open Enrollment	
	8330.00	Student Records	

Approved: May 10, 2017