

EXPLANATION: THE "EVERY STUDENT SUCCEEDS ACT OF 2015 (P. L. 114-95)" REQUIRES DISTRICTS TO ADDRESS ADMISSION OF FOSTER CHILDREN AND HOW THEY WILL BE TRANSPORTED. THIS MUST BE IMPLEMENTED BY DECEMBER 10, 2016.

FINANCIAL IMPLICATIONS: POSSIBLE INCREASE IN TRANSPORTATION COSTS

TRANSPORTATION

06.32 AP.1

Eligibility for Transportation

STUDENTS WITH DISABILITIES

The need for special transportation for students with disabilities must be determined by the ARC or Section 504 Team and stated in the student's Individual Education Plan (IEP) or Section 504 Plan.

DISTANCE LIMITATIONS

Three (3)- and (4)-year-old preschool children and students with disabilities are not required to meet distance specifications to be eligible for transportation to/from school.

PRESCHOOL TRANSPORTATION

The District shall provide Child Safety Restraint Systems for use by preschool students being transported on District buses in compliance with guidelines established by the National Highway Traffic Safety Administration.

When the parent/guardian, or a person authorized by the parent/guardian to accept the child, is not present upon midday or afternoon delivery, the child shall be returned to the school upon completion of the route. The parent/guardian shall be notified of the child's location and shall be responsible for pick up.

Upon the third (3rd) time the assigned adult is not present to receive the child, the parent(s)/guardian will be requested to provide transportation for the child.

CHILDREN IN FOSTER CARE

The Superintendent will appoint a Point of Contact (POC) to coordinate activities relating to the District's provision of services to children placed in foster care, including transportation services, when the District is notified by the Cabinet for Health and Family Services in writing that the Cabinet has designated its foster care POC for the District. The Superintendent may appoint the District POC prior to such notice from the Cabinet.

The District will collaborate with the Cabinet when transportation is required to maintain children placed in foster care in a school of origin outside their usual attendance area or District when in the best interest of the student. Under the supervision of the Superintendent/designee, the District POC will invite appropriate District officials, the Cabinet POC, and officials from other districts or agencies to consider how such transportation is to be promptly arranged and funded in a cost effective manner. The arrangement and funding will be in accordance with the Cabinet's authority to use child welfare funding when required to maintain children in foster care in their school of origin when in the best interest of the student.

If there are additional costs to be incurred in providing transportation to maintain a student in the school of origin, the District will provide transportation to such school if:

- The Cabinet agrees to reimburse the District for the cost of such transportation;
- The District agrees to pay for the cost of such transportation; or
- The District and the Cabinet agree to share the cost of such transportation.

Eligibility for Transportation

DEFINITIONS

“Foster Care” means 24-hour care for children placed away from their parents, guardians, or person exercising custodial control or supervision and for whom the Cabinet has placement care and responsibility.

“School of origin” means the school in which a child is enrolled at the time of placement in foster care.

While “Best Interest” is not defined in ESSA, that determination shall take into account all relevant factors, including consideration of the appropriateness of the current educational setting, and the proximity to the school in which the child is enrolled at the time of foster care placement.¹

REFERENCES:

¹Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care

KRS 605.120

922 KAR 1:350

42 U.S.C. § 675(4)(A)

20 U.S.C. § 6311(g)(1)(E)

20 U.S.C. § 6312(c)(5)

P. L. 114-95, (Every Student Succeeds Act of 2015)