

## **Introduction**

This brief is intended to assist districts in understanding and fulfilling their responsibilities related to transporting students in foster care. It focuses specifically on School of Origin Transportation as well as procedures that follow a Best Interest Finding. The document is designed to support Foster Care Points of Contact, transportation directors, school or district administrators, and other district staff in applying federal and state requirements in practice. It also highlights how transportation decisions intersect with enrollment, school stability, and interagency coordination. A condensed overview of Oregon’s transportation reimbursement process is included to support planning and collaboration at the local level.

## **School of Origin**

In accordance with the [Every Student Succeeds Act \(ESSA\)](#), it is required that students in foster care remain at their School of Origin, or School District of Origin, whenever possible to support educational stability.

- The School of Origin, or School District of Origin, is defined as the school/district a student was attending at the time they entered foster care or the foster care placement of the individual changed.<sup>1</sup>
- There are cases, however, where it is not in the student’s best interest to remain in their School of Origin.
- When this occurs, the student’s caseworker must bring the matter before the juvenile court and obtain a Best Interest Finding.<sup>2</sup>

## **Best Interest Findings**

The Best Interest Finding (BIF) is a court order that formally determines it is no longer in a student’s best interest to remain in their School of Origin. This determination directs the Oregon Department of Human Services (ODHS) caseworker to enroll the student in a new school. Because it is a binding court order, ODHS must comply with the determination and ensure the student’s enrollment aligns with the court’s finding.

Per the [Fostering Connections to Success Act of 2008](#), the enrolling school must then provide “immediate and appropriate enrollment,” regardless of the student’s ability to produce records.

The US Department of Education reiterates this requirement in their updated [Non-Regulatory Guidance](#), stating that:

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<sup>1</sup> [1] District of Origin is the district in which the School of Origin is housed, in alignment with [ORS 339.133](#).

<sup>2</sup> [1] When school movement is the result of an IEP placement, a Best Interest Finding is not needed.

- The school/district must ensure that these students are *regularly attending and fully participating in school and that their educational needs are being met* (p.26).
- *A student is not fully enrolled if a student is not attending school or fully participating in classes, extracurricular activities, and out-of-school and summer opportunities.* (p.26).

## Transportation

In compliance with these requirements:

- The School of Origin must provide transportation to and from school for students in foster care, if it is requested by their ODHS Child Welfare caseworker.
- Likewise, when a Best Interest Finding places a student in a new school, this school provides transportation services.

This ensures alignment with how immediate enrollment and educational stability are understood among districts, juvenile courts, and state agencies. More importantly, it enhances educational continuity.

The spirit and purpose of both federal and state guidance centers on removing barriers for our students; our practices should strive to reflect that commitment.

## Reimbursement

ODE and ODHS have created a cost-sharing agreement that allows both entities to contribute to the reimbursement of districts for School of Origin transportation costs associated with students in foster care.

- School districts may receive these reimbursements by submitting a quarterly invoice to ODE.
- Districts will report the full cost, and the funds provided to ODE from ODHS will then be used to reimburse school districts for the cost of transportation not already covered by the State School Fund (SSF) transportation grant.
- [OAR 581-023-0040](#) specifies that funds received from this ODHS grant do not reduce the amount that can be claimed for reimbursement through the State School Fund transportation grant.

This information was prepared jointly by the ODE Foster Care State Coordinator and the ODHS Education Program Coordinator, based on shared implementation of existing policy and practice.

More information can be found on the [ODE Foster Care website](#).