

Foster Care School of Origin Sample Transportation Plan



Educational Stability for Students in Foster Care

The U.S. Department of Education (ED) and the U.S. Department of Health and Human Services (HHS) jointly released [Non-Regulatory Guidance; Ensuring Educational Stability and Success for Students in Foster Care \(November 15, 2024\)](#), describes the educational stability provisions for students in foster care housed in Title I, Part A of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act.

Per Federal law, districts are required to develop and implement clear written procedures governing how transportation to maintain students in foster care in their schools of origin will be provided, arranged, and funded for the duration of the students' time in foster care. ([ESEA section 1112\(c\)\(5\)\(B\)](#)).

Transportation Procedures

Procedures adopted by districts must include the following:

- A list of approved modes of transportation that may be available for students in foster care, including low- or no-cost options and options that may be unique to an LEA's local context
- The timeline for providing transportation
- A plan for how LEAs will work with relevant child welfare agencies (and, when applicable, neighboring districts) to address additional transportation costs incurred in providing school of origin transportation
- Procedures to ensure student safety
- Information referencing IDEA requirements for transportation when transportation is a related service, as determined by a student's IEP Team and included on a student's IEP
- Whether school of origin transportation will be provided if a student exits foster care during the school year
- The process to resolve transportation-related disputes
- How transportation will be provided for necessary out-of-school and summer academic supports
- How transportation may be provided for extracurricular activities

Revised Transportation Plan for Students in Foster Care

National research shows children in foster care are at high risk of dropping out of school and are unlikely to attend or graduate from college. Frequent mobility of students in foster care is a barrier to their academic success. The Every Student Succeeds Act of 2015 (ESSA) requires that school divisions and child welfare agencies collaborate to develop and implement clear written procedures governing how transportation will be provided, arranged, and funded to maintain children in foster care in their school of origin during the time students are in foster care, when it is in their best interest. These procedures will align with the broader school stability processes found in the Non-Regulatory Guidance (Nov 2024).

In order for students in foster care to receive School of Origin Transportation, the student's caseworker (or designee) must complete and submit an [ODHS Foster Care Student Transportation Request Form \(12/23\)](#). Upon receipt, the school/school district will perform the following procedures to ensure students in foster care do not experience further educational disruption:

SAMPLE School District Transportation Plan for Students Placed in Foster Care

STEP 1 - We have a plan

School district/school of origin documents a process to identify which students in foster care require transportation to maintain attendance in the school district/school of origin.

STEP 2 - We receive notification that a student is in Foster Care

ODHS child welfare caseworker submits an [ODHS Child Welfare School Notification Form \(0338 12/2023\)](#) to the school Foster Care Point of Contact at the foster student's school district/school of origin.

STEP 3 – ODHS caseworker requests transportation for the student

ODHS child welfare caseworker submits an [ODHS Foster Student School Transportation Request Form \(12/2023\)](#) to the Foster Care Point of Contact at the foster student's school district/school of origin.

STEP 4 - We work to develop a route/transportation service for the student

School district/school of origin documents in writing how transportation will be provided in order for a foster student to maintain attendance in the school district/school of origin. ESSA mandates that districts provide transportation in a timely and cost-effective manner within five school days of placement into foster care or a change of foster care placement.

STEP 5 - We take action to minimize educational disruption

While the district arranges permanent transportation, the custodial agency and the district may provide interim transportation. The district and custodial agency should work collaboratively to develop a transportation plan for the child that reflects local and state policy, as well as the unique needs of the student. Interim transportation arrangements should only be used for a maximum of 10 school days.

STEP 6 - Someone tells the family that a route/service is established

[IDENTIFIED PARTY] notifies the resource parent of the school district/school of origin transportation plans.

STEP 7 - Someone calculates how much this route/service costs

School district of origin establishes the cost for providing transportation to the foster student's school district/school of origin. Cost calculation must conform to the guidance provided in [OAR 581-023-0040](#) – ***Approved Transportation Costs for Payments from the State School Fund.***

STEP 8 - Someone completes and submits for Foster Care Transportation Reimbursement

School district of origin submits the [ODE Foster Student Transportation Reimbursement Form](#) to ODE for the non-reimbursable cost of providing transportation to student's school district/school of origin on a quarterly basis, following due dates and process outlined on the [ODE Foster Care website](#).

STEP 9 - We have a plan to resolve disagreements

Our district has a clear, consistent, and accessible process for resolving any disputes related to the coordination and/or funding of Foster Care Student Transportation (outline district process below).

SAMPLE Dispute Resolution Statement

In alignment with federal guidance, our district will work in collaboration with our local ODHS office, the Resource family, and other involved parties to support the transportation needs of students in foster care. If/when disagreements arise related to the coordination and/or funding of transportation services, we will make every effort to resolve these matters at the local level. This dispute process will look like *[DESCRIBE DISPUTE RESOLUTION PROCESS; SAMPLE PROVIDED IF NEEDED.]*

Transportation Options

Districts should work with their transportation department and Foster Care liaisons to ensure that student services are being reimbursed through the appropriate pathway. It is also important to ensure that the transportation services offered to the student are age and developmentally appropriate.

Options to consider in the development of the district transportation plan include:

- Costs for new bus routes
- Taxi/Approved Rideshare
- Reimbursement for Resource Parents
- Type 10 vehicles
- Public Transportation (passes/programs)

The following ODE websites may assist in your planning: [ODE Pupil Transportation and Fingerprinting](#) (outlines vehicle types), [ODE Pupil Transportation](#).

Funding

Transportation costs for qualifying students are eligible for reimbursement from the [ODE State School Fund](#) (SSF) Transportation Grant based on the rates (70%, 80%, and 90%) for the school district of origin. The remaining costs not reimbursed from the SSF Transportation Grant (10%, 20%, 30%) are also eligible for reimbursement. Invoices for the difference are calculated on the [ODE Foster Care Student Transportation Reimbursement Form](#), which districts must submit quarterly following the Reimbursement Schedule posted on the [ODE Foster Care website](#) (see Foster Care Transportation header).

ODHS-verified reimbursement requests are invoiced by ODE, where federal matching funds from the Oregon Department of Human Services (ODHS) are to be used to offset the unpaid balance. Reimbursements will not exceed 100% of the total of approved costs. Failure to submit requests by the due date and/or supply required student data and ODHS Transportation Form (required annually) may result in denial of claim(s).

Glossary of Terms

Acronym	Meaning	Oregon Equivalent
BID	Best Interest Determination	BIF; Best Interest Finding
OCFS / DCYF	Office of Children & Family Services / Department of Children, Youth & Families	ODHS; OR Department of Human Services
SED / OSPI	State Education Department / Office of Superintendent of Public Instruction	ODE; OR Department of Education
LDSS	Local Department of Social Services	Local ODHS Offices
LEA	Local Education Agency	LEA
POC	Point of Contact	FCPC; Foster Care Point of Contact
SEA	State Education Agency	SEA
CW / CWA	Child Welfare / Child Welfare Agencies	CWA

Dispute Resolution Protocols

New York

Process for Resolving Disputes (e.g., transportation, BID):

1. **Local Resolution Attempt**
 - LDSS and LEA involve local POCs and supervisors.
 - LDSS may contact OCFS Regional Office.
2. **Escalation to State POCs**
 - The initiating agency must copy all relevant parties.
 - LDSS → OCFS POC; LEA → SED POC.
 - Include documentation of collaboration efforts.
3. **Final Escalation**
 - If unresolved, elevated to agency leadership and counsel.

Oregon Adaptation

Process for Resolving Disputes (e.g., transportation, School of Origin):

1. **Local Resolution Attempt**
 - ODHS and LEA involve local FCPCs and supervisors.
 - ODHS may contact ODHS Regional Office.
2. **Escalation to State FCPCs**
 - Initiating agency must copy all relevant parties.
 - ODHS → ODHS State FCPC; LEA → ODE State FCPC.
 - Include documentation of collaboration efforts.
3. **Final Escalation**
 - If unresolved, elevated to agency leadership and counsel.

Guidance used in Other States

North Carolina

Dispute Resolution Statement:

LEAs and CWAs should work to develop procedures to address how the requirement to provide transportation will be met even if the agencies cannot agree on how to fund additional transportation costs. If the LEA and CWA are unable to reach an agreement on funding within 30 days from the day the notification or enrollment form was received by the school, the disagreement should be referred to the state-level POCs for the Division of Social Services and the Department of Public Instruction (DPI). If the state-level POCs are unable to reach agreement on transportation funding within another 30 days, the LEA and the CWA must split the cost.

Virginia

Dispute Resolution Statement:

If the two parties cannot agree, they should seek guidance and consultation from their respective state agencies. This request is submitted within the same ten-day timeframe. The LDSS submits a request to the Virginia Department of Social Services, Foster Care Unit, while also ensuring that the appropriate Regional Foster Care Consultant has been made aware of the case. Local school divisions submit their requests to the Virginia Department of Education, Office of Student Services. After the Virginia Departments of Education and Social Services work together to provide guidance and technical assistance to the involved local agencies, the school division superintendent (or designee) and LDSS director (or designee), in consultation with the team, make the decision for placement.

Washington

Dispute Resolution Statement:

For every type of dispute regarding a student in foster care, the LEA and local child welfare agency must make every effort to resolve the dispute collaboratively at the local level. Disputes between LEAs and DCYF or Other Supervising Agency that remain unresolved shall be forwarded in writing by either of the disputing parties to the OSPI Foster Care Education Program Supervisor, or designee and the other party. A decision will be made by the OSPI Foster Care Education Program Supervisor, or designee, along with a committee of OSPI and DCYF staff within ten (10) business days of the receipt of the dispute. The decision will be forwarded, in writing, to the district's superintendent, the district's foster care liaison, and the DCYF representative involved in the dispute. The decision made by the committee shall be final.