

Foster Care Education Travel Reimbursement

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General Overview

Public Law (PL) 110-351 amended Title IV-E of the Social Security Act to require that case plans include a plan for ensuring the educational stability of the child while in foster care. All County Letter (ACL) [11-51](#) provides instruction for the educational stability plan and reimbursement rates. When it is in the best interest of the child, the cost of reasonable travel may be paid to allow a child to remain in “the school of origin” which is the school that the child is enrolled at the time of placement.

Policy

Educational stability for youth in foster care is of utmost concern. Each child transitioning to out of home care has the right to remain in the school of origin throughout the Court’s Jurisdiction. The child’s right to educational stability is only disturbed if the social worker, in consultation with others, determines that remaining in the school of origin is not in the child’s best interest. Additional resources may be provided to substitute care providers in order to support children remaining in the school of origin

Eligible Children

In order to qualify for the Education Travel Reimbursement (ETR), the child must:

- Be placed in out of home care,
- Be enrolled in school and attending any grade between Kindergarten and 12th grade, and
- Remain in their school of origin

Children become eligible for the ETR:

- At the initial out of home placement,
- During any subsequent change in placement, and
- At the time of grade promotion and the subsequent school placement is made in accordance with the feeder patterns of school districts.

NOTE: Grade promotion includes advancing from elementary school to middle school and from middle school to high school.

Ineligible Children

Foster children with an existing Individualized Education Plan (IEP) **and** the IEP allocates transportation services for the child to attend the school of origin will not be eligible to receive an ETR. The responsible educational agency must provide or arrange for transportation when that need is documented in the student's IEP.

For further details and clarification, refer to Education Code Section 56040, Chapter 34 Code of Federal Regulations (CFR) 300.24 and 34 CRF 300.

Eligible Providers

To qualify for the ETR, the eligible child must be placed in one of the following placement facilities:

- State Licensed Foster Family Homes (FFH)
- Approved Relatives
- Small Family Homes
- Approved Non-Relative Extended Family Members (NREFM)
- Foster homes certified through a Foster Family Agency (FFA)

NOTE: When a child is placed in a FFA foster home, the FFA will receive payment for educational travel cost for eligible children. Payments are not made directly to the FFA foster parent. The FFA is required to pay the entire amount of the ETR to the FFA foster parent responsible for providing the travel. If the FFA is providing the transportation rather than the FFA foster parent, the ETR may be retained by the FFA.

Ineligible Placements

Children placed in the placement facilities listed below **do not** qualify for the ETR:

- Group Homes
- Transitional Housing Placement Program (THPP)
- Non-dependent children placed with a Non-Related Legal Guardian (NRLG)

The Education Travel Reimbursement Form (#48-11-236)

The Education Travel Reimbursement Form (#48-11-236) is used to authorize, discontinue and communicate any changes to the rate set for educational travel reimbursement. The substitute care

provider and the FFA social worker (if applicable) must review and sign the form.

The social worker is responsible for providing the Eligibility Worker (EW) with a copy of the Education Travel Reimbursement form (#48-11-236) when the education travel reimbursement is authorized, discontinued, or if there are any changes.

NOTE: Any change in the mileage indicators will require a new ETR form (#48-11-236).

- If the foster youth changes placement and the new placement is eligible for the ETR, a new Education Travel Reimbursement Form (#48-11-236) is required.
- If the caregiver/provider moves to a new home, a new Educational Travel Reimbursement Form (#48-11-236) is required.
- If the child promotes to a feeder school in accordance with the district standards, a new Education Travel Reimbursement Form (#48-11-236) is required.

Completing the Education Travel Reimbursement form (#48-11-236):

- The substitute care provider must sign the form acknowledging that any ETR is dependent on the approval of foster care funding. The substitute care provider must also agree to notify the social worker in the event of any change that concerns the ETR (foster care placement home or school placement)
- The social worker must indicate the method of transportation identified and the corresponding cost.
- The social worker must sign the form indicating eligibility and approval of the ETR.

Time Frames:

The ETR form generates the provision of financial resources in order to assure implementation of the educational stability plan for each child in out of home care. To assure timely receipt of the ETR and to avoid overpayments, it is essential that the social worker complete the ETR form (48-11-236) within two (2) business days.

- Initial:

The social worker is to complete the ETR form (48-11-236) within two (2) business days of the initial placement. Whenever possible the ETR form (48-11-236) shall be completed at the time of the initial placement and submitted to eligibility with the corresponding placement paperwork (SOC 156).

- Changes:

The social worker is to complete and submit the ETR form (48-11-236) to eligibility within two (2) business days of receiving notice that there is a change in any circumstance impacting the ETR. The social worker **must** notify the eligibility worker of any changes before the end of the month in which the change occurred.

- Termination:

The social worker is to complete and submit the ETR form (48-11-236) to eligibility within two (2) business days of any change that renders the child or the care provider ineligible to receive the ETR. The social worker **must** notify the eligibility worker of all terminations before the end of the month in which the termination occurred.

*NOTE: An overpayment to the substitute care provider may occur if the social worker fails to notify the eligibility worker of a change or termination by the end of the month.

CHANGES THAT OCCUR NEAR THE END OF THE MONTH: In addition, to submitting the ETR form (48-11-236) within two (2) business days, the social worker should immediately notify the eligibility worker of all changes by phone or email.

Developing the Educational Stability Plan

The social worker is required to develop, implement and document an educational stability plan as part of any case plan and to include assurances in the plan that:

- The placement of the child in foster care takes into account the appropriateness of the current educational setting and the proximity of the foster home placement to the school in which the child is enrolled at the time of placement;
- The state agency has coordinated with appropriate local education agencies to ensure that the child remains in the school in which the child is enrolled at the time of placement; or
- If remaining in such school is not in the best interests of the child, assurances by the state agency and the local education agencies to provide immediate and appropriate enrollment in a new school, which includes submission of all educational records of the child to the new school.

NOTE: See Attachment A for a best practices checklist for developing the educational stability plan. See also, Attachment B for best practices for discussing educational stability and school of origin when addressing placement changes.

Implement the School Placement Decision

- If it is in the child's best interest to transition schools, document the decision and all factors considered in making this determination. Include the child's and the education rights holder's position.
- If the child is to remain in the school of origin, document the decision and all factors considered in making this determination. Include the child's and the educational rights holder's positions. IN ADDITION:
 - Assess the child's method of transportation from placement to school.
 - If the method of transportation is by private vehicle (substitute care provider's vehicle), determine the mileage from placement to school (one-way).
 - If the method of transportation is by public transportation (bus, subway, etc), determine the appropriate cost of travel from placement to school and the return per month.

CWS/CMS Documentation of the ETR

Where to Document the ETR

- In Emergency Response, the social worker should document the ETR in the referral on the "Special Projects" tab and in a contact note.
- For all other service programs, the ETR should be documented in both the (1) Special Projects tab and (2) the child's case plan (3) court reports.

Special Projects Code

For each child receiving ETR, the social worker shall document the ETR for each child who receives the ETR.

Step one:

Under the “Special Projects” tab (located in either the referral or case notebook), click to add the Special Project Code S-1 Educational Travel Reimbursement.

Step two:

Indicate the definition for this special project as “A child who is receiving educational travel reimbursement as a result of remaining in their school of origin.”

Step three:

Indicate the start date for the ETR. The start date is the date that the social worker signs and approves the ETR.

Step four:

When the ETR is terminated, the social worker must terminate the special project by entering the date that reflects the last day that the ETR was provided.

CASE PLAN (INITIAL OR UPDATES)

In order to qualify for ETR/Public Transportation, the foster child’s case plan must state that it is in the child’s best interest to remain in their school of origin regardless of placement. Each child whose case plan calls for staying in their original school is entitled to a separate ETR, even if being transported to and from school in the same vehicle.

NOTE: A foster child may not receive both mileage reimbursement and a public transportation pass as part of his or her case plan. However, a foster child may receive mileage reimbursement as part of his or her case plan and a transportation pass through another program, when it is in the best interest of the child.

The social worker must reflect the ETR on each eligible child’s case plan.

- The Service Objective is for them to “Receive Age Appropriate Services”.
- The corresponding Planned Client Service tab entry should be in the category of “Education Services” with the subcategory of “Other”.
- The social worker shall indicate in the narrative field box “It is in the child’s best interest to remain in the school of origin and therefore the substitute care provider will transport child to school of origin and will be reimbursed for educational travel.”

Determining Mileage Reimbursement

- The social worker shall determine the travel distance between the child’s placement and his/her school of origin. *Mileage is based on a one-way trip.* Partial miles are rounded up if it is greater than 0.5 or rounded down if less than 0.5.

Distance from Foster Care Placement to School of Origin (in miles) One Way	Educational Travel Reimbursement Rate per Month per Child
Up to 3 miles	\$0
4 to 8 miles	\$58
9 to 13 miles	\$154
14 to 18 miles	\$250
19 to 23 miles	\$347
24 or more miles	\$443

Determining Public Transportation Costs

The ETR may be paid for children taking public transportation to their school of origin. It is Solano County's policy to request the foster parent to purchase the transportation pass and be reimbursed in accordance with the cost as indicated on the approved ETR form (48-11-236). The substitute care provider/FFA must provide a receipt for any pass purchased if they want reimbursement. Transportation passes are reimbursed at a flat rate (see rates below). If the cost of the monthly transportation passes falls between two levels, reimbursement to the provider will always be at the higher of the two levels.

Public Transportation Reimbursement Rates per Month per Child	
Low Cost	\$25
Medium Cost	\$50
High Cost	\$75

Procedure

Social Worker Responsibilities At-a- Glance

Step	Task	Detail
1	Best Interest Determination	Consider all relevant factors, and decide and document if it is in the best interest of the child to remain at their school of origin
2	Travel Method Determination	Determine the appropriate travel plan (i.e. Public transportation, provider's vehicle, etc.)
3	Verify Expense Based on Method	<u>Vehicle</u> - Determine the # of miles (one-way) between the placement and the school of origin and print online mileage verification <u>Public Transportation</u> – Determine the rate per month based on the cost of passes and attach receipts

4	Complete Educational Travel Form (#48-11-236)	<ul style="list-style-type: none"> • Review form with caregiver and FFA • Have caregiver and FFA sign & date form
5	Request Payment	Submit the Education Travel Reimbursement Form (#48-11-236) with attached online mileage verification to the Eligibility Unit
6	CWS/CMS Documentation	<ul style="list-style-type: none"> • Initiate the Special Projects Code: “S-1 Educational Travel Reimbursement” • If the referral has been changed to a case, the social worker will also document in the Case Plan
7	Court Report Documentation	<ul style="list-style-type: none"> • Detention Report – document ETR information in the Child’s Whereabouts Section • Status Review Report – document information in the Evaluation of Child Education Section, specifically in the School of Origin Section • 366.26 Hearing Report – document information in the Evaluation of Child Education Section

EW Responsibilities

Eligibility for reimbursement for the cost of educational travel, assuming that all other eligibility conditions are met, commences simultaneously with the commencement of the child’s eligibility for Foster Care payments.

The following steps must be taken by the EW to authorize an ETR payment:

Step	Task	Detail
1	Education Travel Reimbursement Form (#48-11-236)	Review the Educational Travel Form (#48-11-236) and online mileage verification
2	Issue Payment	Enter the payment amount into CalWIN as a “Recurring Special Needs” payment
3	Case Comments	Enter case comments
3	Notice of Action (NOA)	Generate manual NOA and mail

References

- ACL 10-12
- ACL 11-51
- ACL

Attachment A

Best Practices Checklist for Developing the Education Stability Plan

As discussed above, the social worker is required to develop and implement an educational stability plan as part of any case plan and to include assurances in that plan that:

- The placement of the child in foster care takes into account the appropriateness of the current educational setting and the proximity of the foster home placement to the school in which the child is enrolled at the time of placement;
- The state agency has coordinated with appropriate local education agencies to ensure that the child remains in the school in which the child is enrolled at the time of placement; or
- If remaining in such school is not in the best interests of the child, assurances by the state agency and the local education agencies to provide immediate and appropriate enrollment in a new school, which includes submission of all educational records of the child to the new school.

The following checklist is designed to help a social worker develop the plan and satisfy the assurances. The questions on the checklist should be discussed with the child and the education rights holder, unless one has not been appointed, and then the questions also helps assess who to appoint be a stable and qualified education rights holder.

Checklist of Questions to Answer to Create the Education Stability Plan	
<input type="checkbox"/>	<p>Where is the current education setting and is it appropriate? (complete attachment B regarding the Best Practices Checklist Regarding School of Origin to assess appropriateness of current education setting, recognizing that student has a right to remain in the school of origin, unless it is <u>not</u> in their best interest)</p>
<input type="checkbox"/>	<p>Who is the education rights holder?</p> <p><u>Note:</u> It is critical for education stability that every child has an education rights holder who is willing to follow the child to any placements or placements, attend appropriate education meetings, understands the child’s education rights under state and federal law, and will advocate for the child’s best interests to ensure education success and stability.</p> <p style="padding-left: 40px;">*If parent’s education rights have been limited and someone has not been appointed, discuss this with the Judge and child’s attorney immediately and request appointment.</p> <p style="padding-left: 40px;">*If the parent’s education rights have not been limited, is the parent capable of carrying out these important responsibilities. Address <u>why</u> or <u>why not</u> in the case plan.</p>
<input type="checkbox"/>	<p>If the child does not have an education rights holder, are there any relatives or other individuals with whom the child has an existing relationship (e.g., a mentor, non-school related after-school provider, local church leader) who would be willing to hold the child’s education rights?</p> <p><u>Note:</u> Ideally the person who holds the education rights is also someone who is willing to be a long-term caregiver. However, it is also critical that the person who is willing to hold education rights is able to do so, even if the child no longer lives with them. A discussion about the importance of continuity of the education rights holders, even if the child changes placements within or outside of the county, should be had with the proposed education rights holder.</p>

<input type="checkbox"/>	Are there any relatives in the area near the school who would be able to appropriately care for the child?
<input type="checkbox"/>	Are there any teachers, parents of friends, or others at the school site or in the neighborhood with whom the child has an existing relationship who would be able to appropriately care for the child (either in the short term while a longer term close placement can be found or in the long term)?
<input type="checkbox"/>	Have you run a search based on zip code and location to determine whether there are any available licensed placements near the child's school?
<input type="checkbox"/>	Out of the closest available placement, which placement will best accommodate the child's transportation needs to school (e.g., at which placement is the foster parent able to drive the child to the school of origin, at which placement is the bus/metro/subway easiest for the child to take with the least transfers/safest commute, at which placement are there other individuals (foster youth agency/FFA workers) who can assist with transportation in the long or short term)?
<input type="checkbox"/>	<p>Identify and contact the Foster Youth Education Liaison (every school district is required to have a liaison):</p> <p>Make certain that the Foster Youth Education Liaison will ensure that the child's rights under Fostering Connection and AB 1933 to stay in the school of origin will be upheld.</p> <p>*If they will not, remind the Liaison that the child has a right to stay in the school of origin during any dispute and ask for the dispute resolution procedures.</p> <p>*Immediately inform the Judge and the County and child's attorney that the school is not allowing the child to stay in the school of origin.</p> <p>Ask the Foster Youth Education Liaison at the current school district what resources they have for helping to ensure school stability for the youth (including funding for transportation costs, special buses, etc.)?</p> <p>Can the Liaison help monitor the educational progress of the foster youth at the school, ensure the school knows about the foster youth's needs and rights, and link the student with any mentors or positive programs to help them remain stable and connected to school?</p> <p>Have you identified what other resources the school has to assist the foster child and help create continuity and educational success (e.g., after-school programs, clubs, teacher relationship building opportunities, mentors)?</p>

SAMPLE CASE PLAN REFLECTING DOCUMENTATION OF EDUCATION STABILITY PLAN REQUIREMENTS

To ensure educational stability for the youth, I have:

- **Assessed the appropriateness of the child's current school placement using the "best practices" checklist.**
 - The child currently attends ABC school and is in 5th grade. He is receiving special education services at his current school, receives mostly A, B, and Cs and, from his reports, he really likes his teachers and has a number of long-term friendships at his school. His cousin also attends this school.
- **Ensured education stability, proximity of school to placement, and school of origins rights:**
 - The education rights holder and the child agreed that the child would like to stay in the school of origin. The education rights holder is the child's aunt. I have spoken with her about the importance of the child continuing to have a strong education rights holder, even if his placement or his school changes. She understands her role and is willing to receive additional training on how to advocate for the child's special education needs, as needed. I will connect her with the local special education advocacy organization for training.
 - To help ensure that the child stays in the school of origin and that there are no disruptions in his education, I:
 - Searched for any relatives in the area near the school who would be able to care for the child. The aunt is the only relative and she is not able to care for the child at this time.
 - I discussed with the aunt and the school foster youth liaison and the student's current teacher and the local pastor regarding the possibility of anyone in the neighborhood or area who might be willing to go through the process to care for the child. At this time, no one is able to do so, however, one counselor expressed a willingness to explore the process.
 - I ran a search based on the zip code and location of the school to determine whether there were any available licensed placements near the child's school. There are two such placements. One is 20 minutes away. Another is 30 minutes away. These two placements are outside of the current school district.
 - A.
 - I spoke with both potential caregivers. Caregiver A already has three children in her home and would not be able to drive the child to the current school placement. Caregiver B would be able to drive the child three days a week and the FFA is willing to drive the child the other two days. There is also a bus stop near the home and the bus route goes directly past the current school, as well as the middle school that is the feeder school for the child. I spoke with caregiver B about the education right holder, and she understands the importance of working with the education rights holder. The child will be placed with caregiver
 - B.
 - I have already made a request for the school of origin transportation rate for the caregiver.

- **Coordinated with the appropriate school agency to ensure education stability:** I contacted the foster youth education liaison for the school district. She agreed that the child should remain in the school of origin and that even if he was moved outside of the school district, there would be no disruption in his education. She also suggested several school based resources, a mentoring program and an after-school tutoring program that would likely be helpful for the child. She agreed to help monitor the child's progress and contact me and the education rights holders if she noticed that the child needed any additional help.

Attachment B

Best Practices for Discussing Education Stability and School of Origin When Developing the Education Stability Plan and Addressing Placement Changes

The law allows a youth to remain in their school of origin, unless it is determined not to be in their best interest. The authority to determine which school the child will attend rests with the person holding educational rights and the child, in consultation with the school district foster care liaison and the placing agency, EC § 48853.5.

The child's case plan must contain assurances that the new placement chosen takes into account the current educational setting and the proximity to the school in which the child is enrolled at the time of placement and that the placement agency has coordinated with the person holding the right to make educational decisions for the child and appropriate local educational agencies to ensure educational stability and avoid any education disruption, WIC §16501.1(f).

In consulting with the youth, education rights holders, and foster care liaison, as appropriate, key questions to discuss to determine if staying in the school of origin is not in the student's best interest:

- How long is the placement expected to last and what is the permanent plan?
- How many schools has the child attended this year? How many over the past few years?
- How strong is the child academically (or in other words, how is the child doing at the current school)?
- Which school does the child prefer? Why?
- How would the length of commute impact the child?
- Does the youth have any anxieties about upcoming moves or changes in his/her life?
- Are there any safety issues to consider at the current school?
- Even if the education rights holder, child, and liaison agree that the school of origin is not in the child's best interest, would the timing of a transfer right now impact testing, grades, or credits (e.g. might it be better to make the move after the end of the current semester or year)?

Best Interest: A Checklist for Decision Making for Educational Stability

Before filling out this checklist, it is important to remember that the student has a right to stay in the school of origin, unless it is determined that this would not be in his or her best interest. In addition, the decision about whether to stay in the school of origin is the decision of the child and education rights holder. The case worker and foster youth educational liaison's role in the process is advisory.

As a best practice, child welfare workers should review these questions and considerations regarding educational stability with the child, the education rights holder and, if possible, the foster youth education liaison, at any meeting to discuss the child's placement and prior to determining the location of the child's new placement. If the child will be staying in the school of origin, then all efforts should be made to find an appropriate placement close to the school of origin. Transportation should also be discussed during this meeting to avoid any school disruptions.

Remaining in the Same School (School of Origin) Considerations	Transferring to a New School Considerations
<input type="checkbox"/> Continuity of Instruction <i>Student is best served at the same school due to prior history.</i>	<input type="checkbox"/> Continuity of Instruction <i>Student is best served at a different school due to his or her future.</i>
<input type="checkbox"/> Age and grade placement of the student <i>Maintaining friends and contacts with peers is critical to the student's meaningful school experience and participation. The student has been in this environment for an extended period of time.</i>	<input type="checkbox"/> Age and grade placement of the student <i>Maintaining friends and contacts with peers is not critical to the student's meaningful school experience and participation. The student has attended the school of origin for only a brief time</i>
<input type="checkbox"/> Academic Strength <i>The child's academic performance is weak, and the child would fall further behind if he/she transferred to another school.</i>	<input type="checkbox"/> Academic Strength <i>The child's academic performance is strong and at grade level and the child would likely recover academically from a school transfer.</i>
<input type="checkbox"/> Social and emotional state <i>The child is suffering from the effects of mobility, has developed strong ties to the current school, does not want to leave, or involved in school related or extra-curricular activities.</i>	<input type="checkbox"/> Social and emotional state <i>The child seems to be coping adequately with mobility, does not feel strong ties to the current school, does not mind transferring to another school, or is not involved in school related or extra-curricular activities.</i>
<input type="checkbox"/> Distance of the commute and its impact on the student's education and/or special needs <i>The advantage of remaining in the school of origin outweighs any potential disadvantages presented by the length of the commute.</i>	<input type="checkbox"/> Distance of the commute and its impact on the student's education and/or special needs <i>Shorter commute may help the student's concentration, attitude, or readiness for school. The new school can meet all of the necessary educational and special needs of the student.</i>
<input type="checkbox"/> Personal safety of the student <i>The school of origin has advantages for the safety of the student.</i>	<input type="checkbox"/> Personal safety of the student <i>The new school has advantages for the safety of the student.</i>
<input type="checkbox"/> Student's need for special instruction <i>The student's need for special instruction, such as Section 504 or special education and related services, can be met better at the school of origin.</i>	<input type="checkbox"/> Student's need for special instruction <i>The student's need for special instruction, such as Section 504 or special education and related services, can be met better at the new school.</i>
<input type="checkbox"/> Length of anticipated stay in a temporary or permanent location <i>The student's current living situation is outside the school of origin attendance area, but his/her living situation or location continues to be uncertain. The student will benefit from the continuity offered by remaining in the school of origin.</i>	<input type="checkbox"/> Length of anticipated stay in a temporary or permanent location <i>The student's current living situation appears to be stable and unlikely to change suddenly. The student will benefit from developing relationships with school peers who live in his or her community.</i>

*(Adapted from the San Diego County Interagency Agreement for Providing Educational Support to Students in Foster Care and the Texas Homeless Education Office)