In order to comply with DESE’s criteria and legal standards (as taken from DESE’s Ed. Stab. Program Review), Palmer Public Schools (PPS) works to ensure compliance with each criterion and legal standard as stated below. Following each standard, PPS will give additional information, as needed, with specific PPS procedures.

**MCKINNEY VENTO HOMELESS EDUCATION**

**MKV 1**   **Homeless Education Liaison**

The district has designated one or more staff persons to serve as liaison for homeless students who is/are able to carry out the described duties.

ESSA: Title IX, Part A, Sec. 722(g)(1)(J)(ii); Sec. 722 (g) (6)(A, B, C, D)

PPS liaison is Colleen Culligan, Director of Special Services. She can be reached at cculligan@palmerschools.org or at (413) 283-2651

**MKV 2**   **Homeless Education Policies and Procedures**

Review and revision of policies to remove barriers to the identification of homeless children and youth and the enrollment and retention of homeless children and youth, including:

a) barriers to enrollment and retention due to outstanding fees or fines, or absences;

b) issues concerning transportation, immunization, residency, birth certificates, school records, and other documentation and guardianship; and

c) identification, enrollment and attendance of homeless children and youths who are not currently attending school.

The school district has adopted policies and practices to ensure that homeless children and youths are not stigmatized or segregated on the basis of their status as homeless.

ESSA: Title IX, Part A, Sec. 722(g)(1)(I); Sec. 722(g)(1)(J)(i); Sec. 722(g)(7)(A, B, C)

PPS has adopted practices that comply with this criterion. All homeless students are enrolled and given all supports needed without delay. Each building secretary knows to contact the Special Services Office whenever a student is identified in need so that all supports can be coordinated through one office.

**MKV 3**   **Public Notice of Educational Right of Homeless Children and Youth**

The homeless education liaison ensures that public notice of the educational rights of homeless children and youth is disseminated in locations frequented by parents or guardians of such children and youth and unaccompanied youth, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of homeless children and youth, and unaccompanied youth.

ESSA: Title IX, Part A, Sec. 722(g)(6)(A)(vi)
PPS has posted information in all school buildings, in the Special Services Office, the Superintendent’s Office, and on the website.

**MKV 4 Identification of Homeless Children and Youth**

The homeless education liaison ensures that homeless children and youth are identified by school personnel and through outreach and coordination activities with other entities and agencies.

ESSA: Title IX, Part A, Sec. 722(g)(6)(A)(i)

PPS provides mandated trainings each year for all staff explaining our district procedures for notifying the Special Services Office of any student who may be homeless.

**MKV 5 School Stability and School Selection**

**In determining the best interest of the child or youth the district shall:**

1. Presume that keeping the child in the school of origin is in the child or youth’s best interest, except when doing so is contrary to the request of the child or youth’s parent or guardian or (in the case of the unaccompanied youth) the youth; and
2. Consider student-centered factors related to the child or youth’s best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children and youth, giving priority to the request of the child’s or youth’s parent or guardian, or (in the case of an unaccompanied youth) the youth.

ESSA: Title IX, Part A, Sec. 722(g)(3)(B)(i, ii)

PPS considers the student’s best interest in all meetings that it is involved with.

**According to the best interest of the homeless student, the district either**

1. Continues the child or youth’s education in the school of origin for the duration of homelessness in any case in which a family becomes homeless between academic years or during an academic year; and for the remainder of that academic year, if the child or youth becomes permanently housed during an academic year; or
2. Enrolls the student in any public school that non-homeless students who live in the attendance area where the student is actually living are eligible to attend.

ESSA: Title IX, Part A, Sec. 722(g)(3)(A)(i, ii)

PPS will continue the education of any student who is deemed in his/her best interest to attend PLS according to the regulations.

**MKV 6 Immediate Enrollment of Homeless Students**

1. The school where a homeless student is living immediately enrolls the student even if he or she is unable to produce records normally required for enrollment, such as previous academic records, records of immunization and other health records, proof of residency, or other documentation; or has missed application or enrollment deadlines during any period of homelessness.
2. The enrolling school immediately contacts the school last attended by the child or youth to obtain relevant academic and other records.
3. If the homeless student needs to obtain immunizations or other required health records, the enrolling school shall immediately refers the parent or guardian (or the student, if an unaccompanied youth) to the homeless education liaison who shall assist in obtaining necessary immunizations or screenings, or immunization or other required health records.

ESSA: Title IX, Part A, Sec. 722(g)(3)(C)(i, ii, iii)

In Palmer Public Schools, the enrollment process for all students is as follows:

1. Contact the school secretary to make an appointment for enrollment
2. Complete the pre-registration form for new students and bring to appointment with the following information:
   a. Original birth certificate
   b. Current copy of immunization records
   c. Three proofs of residency
   d. IEP (if applicable)
3. At the appointment, additional documents will be completed such as the Home Language Survey, Directory Information Notice, Records Release, etc.

In regards to enrollment of students in the homeless, foster care, or military connected subgroups, these students are immediately enrolled whether or not they can produce the information above at the time of enrollment. Our secretaries then contact the last school in which they attended to acquire academic and health records if needed. In addition, the principals at each school, if available at the time of registration will provide the family and/or student with a tour of the school. The typical number of days for a regular student, McKinney Vento student, Foster Care student, or Military Connected students to be enrolled is 1-2 days at Old Mill Pond Elementary and Palmer High School.

MKV 7 Transportation

Transportation of homeless students to and from the school of origin
1. The school district has adopted policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the homeless education liaison), to and from the school of origin, in accordance with the following provisions:
   a) If the homeless student is continuing to attend his or her school of origin and continues to live in the school district in which the school of origin is located, the student's transportation to and from the school of origin is provided or arranged by the school district in which the school of origin is located; or
   b) If a homeless student is continuing to attend his or her school of origin but living in an area served by another district, the district of origin and the district where the student is living agree on a method to apportion responsibility and costs for transportation to and from the school of origin. If they cannot agree on a method, the responsibility and costs are shared equally.

   ESSA: Title IX, Part A, Sec. 722(g)(1)(J)(iii)(I, II)

PPS transportation of homeless students is coordinated through the Special Services Office.

Information and assistance with respect to transportation of homeless students
The homeless education liaison ensures that each homeless student’s parent or guardian, and any unaccompanied youth, is fully informed of all transportation services, including transportation to and from the school of origin, and is assisted in accessing transportation to the school of origin.

   ESSA: Title IX, Part A, Sec. 722(g)(6)(A)(viii)

PPS Special Services Office speaks directly with parent(s)/guardian(s) regarding transportation and works towards finding acceptable services for the student.

MKV 8 Dispute Resolution
If after conducting a best interest determination based on consideration of the presumption clause, and student-centered factors, the district determines it is not in the best interest to attend the school of origin or the school requested by the parent or guardian or (in the case of an unaccompanied youth) the youth:
1. The student is immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals;
2. The school provides the parent or guardian of the student, or unaccompanied homeless youth is provided with a written explanation of any decision related to school selection or enrollment made by the school, the district, or the state educational agency, including the right of the parent, guardian, or unaccompanied youth to appeal the decision;

3. The student, parent, or guardian is referred to the homeless education liaison, who carries out the dispute resolution process prescribed by the Department of Elementary and Secondary Education and, in the case of an unaccompanied youth, ensures that the youth is immediately enrolled in the school the youth seeks enrollment pending resolution of the dispute;

4. In the case of an unaccompanied youth, ensure that the local homeless liaison assists in placement or enrollment decisions giving priority to the views of the unaccompanied youth and provides notice to the youth of the right to appeal.

ESSA: Title IX, Part A, Sec. 722(g)(3)(B)(iii); (E)(i, ii, iii, iv); (B)(iv)

PPS complies with this regulation and will work within the dispute resolution process if there are any disagreements. The student would remain in the school which enrollment is sought during the dispute process.

MKV 9  Educational Opportunity

Equal educational opportunity for homeless children and youth

The homeless education liaison ensures that homeless children and youth enroll in, and have a full and equal opportunity to succeed in district schools.

ESSA: Title IX, Part A, Sec. 722(g)(6)(A)(ii)

Comparability of services for homeless students

Each homeless child or youth shall be provided with services comparable to services offered to other students in the school including transportation and educational services for which the child meets eligibility criteria such as:

a) Title I services;

b) Educational programs for students with disabilities;

c) Educational programs for English learners;

d) Programs in career and technical education;

e) Programs for gifted and talented students; and

f) School nutrition programs.

ESSA: Title IX, Part A, Sec. 722(g)(4)(A, B, C, D, E)

Homeless children and youth with disabilities

For homeless children and youth who have IEPs or 504 plans the LEA shall coordinate the provision of programs for children with disabilities served by the LEA and other involved LEAs.

ESSA: Title IX, Part A, Sec.722(g)(5)(D)

PPS complies with this regulation. The Special Services Office works with the building principals and guidance departments to coordinate educational opportunities and equitable services for all homeless students.

MKV 10  Parent Engagement

The homeless education liaison ensures that parents and guardians of homeless students are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in their children’s education.

ESSA: Title IX, Part A, Sec. 722(g)(6)(A)(v)
Homeless families and homeless children and youth receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services.

ESSA: Title IX, Part A, Sec. 722(g)(6)(A)(iv)

PPS complies with this regulation. The Special Services Office works with the building principals, guidance departments, and nurses to coordinate services and parent collaboration for all homeless students. Once a student has been identified as homeless, the Special Services Office directly calls the parent to begin the coordination process of all services and needs.

MKV 11 – Coordination and Collaboration by the Homeless Education Liaison

The homeless education liaison shall as part of their duties coordinates and collaborates with state coordinator and community and school personnel responsible for the provision of education and related services to homeless children and youth. Such coordination shall include collecting and providing to the state coordinator with reliable, valid, and comprehensive data.

ESSA: Title IX, Part A, Sec. 722(g)(6)(C)

Each LEA shall coordinate with local social service agencies and other agencies or entities providing services to homeless children and youth and their families including services and programs funded under the Runaway and Homeless Youth Act and transportation, transfer of school records and other interdistrict activities with other LEAs.

ESSA: Title IX, Part A, Sec.722(g)(5)(A)

PPS complies with this regulation. The Director of Special Services and the Special Services Office is responsible for providing any needed information to local and/or state agencies.

MKV 12 – School Records

The school maintains for each homeless student records, including immunization or medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, so that the records are available, in a timely fashion, when the student enters a new school or school district.

ESSA: Title IX, Part A, Sec. 722(g)(3)(D)

Privacy

Information about a homeless child’s or youth’s living situation shall be treated as a student education record, and shall not be deemed to be directory information.

ESSA: Title IX, Part A, Sec. 722 (g)(3)(G)

PPS complies with this regulation. Medical information is coordinated through the building’s Nursing Office and the Special Services Office disseminates any information about living situations in a confidential matter. Additionally, when transportation involves shelters, the Special Services works with parent to be sure that an agreed upon address is arranged for pick ups/drop offs when domestic violence/restraining orders are involved.

MKV 13 – Homeless Status

A homeless liaison who receives training may affirm, without further agency action by the Department of Housing and Urban Development, that a child or youth who is eligible for and participating in a program provided by the local educational agency or the immediate family of such a child or youth, who meets the eligibility requirements of this Act for a program or service authorized under Title IV is eligible for such program or service.

ESSA: Title IX, Part A, Sec. 722(g)(6)(D)
PPS complies with this regulation. The Director of Special Services is the Homeless Liaison for Palmer Public Schools. In PPS, the Homeless Liaison/Special Services Office verifies information as needed with the parents. No other letter/notification is needed.

**MKV 14 Training and Professional Development for District Staff and Providers**
The homeless education liaison ensures that school personnel providing services under McKinney-Vento receive professional development and other support.

ESSA: Title IX, Part A, Sec. 722 (g)(6)(A)(ix)

PPS complies with this regulation. Professional Development is provided to all staff in PPS every year and new information is disseminated accordingly.

**MKV 15 Access to Services for Homeless Families, Children, and Youth, including Early Education**
Homeless families, children, and youth have access to and receive educational services for which they are eligible, including through Head Start (including Early Head Start programs, early intervention services under IDEA and other preschool programs administered by the LEA).

ESSA: Title IX, Part A, Sec. 722(g)(6)(A)(iii)

PPS complies with this regulation.

**MKV 16 Unaccompanied Homeless Youth**
The Homeless liaison ensures that unaccompanied homeless youth are

a) enrolled in school;

b) have opportunities to meet the same challenging State academic standards as other children and youth; and

c) are informed of their status as independent students and are provided with verification of their status for FASFA.

ESSA: Title IX, Part A, Sec. 722 (g)(6)(A)(x)

PPS complies with this regulation. The Director of Special Services is the Homeless Liaison for Palmer Public Schools. In PPS, the Homeless Liaison/Special Services Office verifies information as needed with the parents. No other letter/notification is needed.

**FOSTER CARE**

**FC 1 School Stability and School Selection: Best Interest Determination**
Maintain a child foster care’s enrollment in the school of origin, unless a determination is made that it is not in the child’s best interest to attend the school of origin, which decision shall be based on all factors relating to the child’s best interest, 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 placement.

ESSA: Title I, Part A, Sec. 1111(g)1(E)(i)

PPS complies with this regulation. The Special Services Office works all parties concerned to implement the decisions made at the Best Interest Determination meeting.

**FC 2 Immediate Enrollment of Foster Care Students**
When a determination is made that it is not in the child’s best interest to remain in the school of origin, ensure the child is immediately enrolled in a new school, even if the child is unable to produce
records normally required for enrollment. The enrolling school shall immediately contact the school last attended by that child to obtain relevant academic and other records.
ESSA: Title I, Part A, Sec. 1111(g)(1)(E)(ii)

In Palmer Public Schools, the enrollment process for all students is as follows:

1. Contact the school secretary to make an appointment for enrollment
2. Complete the pre-registration form for new students and bring to appointment with the following information:
   a. Original birth certificate
   b. Current copy of immunization records
   c. Three proofs of residency
   d. IEP (if applicable)
3. At the appointment, additional documents will be completed such as the Home Language Survey, Directory Information Notice, Records Release, etc.

In regards to enrollment of students in the homeless, foster care, or military connected subgroups, these students are immediately enrolled whether or not they can produce the information above at the time of enrollment. Our secretaries then contact the last school in which they attended to acquire academic and health records if needed. In addition, the principals at each school, if available at the time of registration will provide the family/student with a tour of the school. The typical number of days for a regular student, McKinney Vento student, Foster Care student, or Military Connected students to be enrolled is 1-2 days at Old Mill Pond Elementary and Palmer High School.

FC 3  
**Foster Care Point of Contact**
Designate a district staff person as the foster care point of contact.
ESSA: Title I, Part A, Sect. 1112(c)(5)(A)

The Special Services Director is the Foster Care Point of Contact for Palmer Public Schools.

FC 4  
**Transportation**

**Written procedures**
Develop and implement clear written procedures governing how transportation to maintain children in foster care in their schools of origin will be provided, arranged, and funded for the duration of the time in foster care.
ESSA: Title I, Part A, Sect. 1112(c)(5)(B)

The Special Services Office coordinates transportation for students in foster care in PPS. Once a student is identified as being in foster care, the school/staff person will notify the Special Services Office to begin arranging services. Regulations and guidelines are followed in regard to providing, arranging, and funding transportation.

**Arrangements and Costs**
Ensure that children in foster care needing transportation to the school of origin will promptly receive transportation in a cost-effective manner.
ESSA: Title I, Part A, Sect. 1112(c)(5)(B)(i)
Ensure that, if there are additional costs incurred in providing transportation to maintain children in foster care in their schools of origin, the local educational agency will provide transportation to the school of origin if DCF agrees to reimburse the local school district for the cost of such transportation, the local school district agrees to pay for the cost of such transportation or the local school district and DCF agree to share the cost of such transportation.

ESSA: Title I, Part A, Sect. 1112(c)(5)(B)(ii)

Absent other agreements between districts and DCF, the district of origin is responsible for providing transportation to and from the school of origin.

ESE/DCF Joint Guidance

**FGC Guidance**

Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care (go to this link: [https://www2.ed.gov/policy/elsec/leg/essa/edhhsfostercarenonregulatorguide.pdf](https://www2.ed.gov/policy/elsec/leg/essa/edhhsfostercarenonregulatorguide.pdf))

Massachusetts ESE and DCF Joint Guidance - Educational Stability for Students in Foster Care

(See this at end of this procedures manual)

PPS complies with this regulation. Once a student is identified as being in foster care, the school/staff person will notify the Special Services Office to begin arranging transportation services. Regulations and guidelines are followed in regard to funding transportation.

### MILITARY CONNECTED STUDENTS

#### MIC 1 Data for State Report Card

Ensure districts collect and report information voluntarily shared about military status. [Each annual state report card is required to provide minimum information, including information on student achievement on the academic assessments at each level of achievement as determined by the state for all students and disaggregated subgroups, including students with the status as a child with a parent who is a member of the Armed Forces on active duty.]


PPS has a military status form that is collected through our PowerSchool registration system which we then use for state reporting purposes.

#### MIC 2 Educational Records and Enrollment

(a) If official education records cannot be released to the parents for the purpose of transfer, the custodian of the records in the sending state shall prepare and furnish to the parent a complete set of unofficial education records containing uniform information as determined by the interstate commission. Upon receipt of the unofficial education records by a school in the receiving state, the school shall enroll and appropriately place the student based on the information provided in the unofficial records, pending validation by the official records, as soon as possible.

PPS enrolls Military students based on the information provided.

(b) Simultaneous with the enrollment and conditional placement of the student, the school in the receiving state shall request the student's official education records from the school in the sending state. Upon receipt of this request, the school in the sending state shall process and furnish the official education records to the school in the receiving state within 10 days or within the time as is reasonably determined under the rules promulgated by the interstate commission.

PPS requests records using a Transfer of Records form. If we receive a records request it is processed within 10 days.
(c) Compacting states shall give 30 days from the date of enrollment or within the time as is reasonably determined under the rules promulgated by the interstate commission for students to obtain any immunizations required by the receiving state. For a series of immunizations, initial vaccinations shall be obtained within 30 days or within the time as is reasonably determined under the rules promulgated by the interstate commission.

PPS complies with this regulation.

(d) Students shall be allowed to continue enrollment at the grade level in the receiving state that is equal with the grade level from the local education agency in the sending state at the time of transition, regardless of age. A student that has satisfactorily completed the prerequisite grade level in the local education agency in the sending state shall be eligible for enrollment in the next highest grade level in the receiving state, regardless of age. A student transferring after the start of the school year in the receiving state shall enter the school in the receiving state at the level validated by an accredited school in the sending state.

M.G.L. Chapter 15E. Sec. 3
Massachusetts Guidance on the Military Interstate Children’s Compact Commission

PPS complies with this regulation. In Palmer Public Schools, the enrollment process for all students is as follows:
1. Contact the school secretary to make an appointment for enrollment
2. Complete the pre-registration form for new students and bring to appointment with the following information:
   a. Original birth certificate
   b. Current copy of immunization records
   c. Three proofs of residency
   d. IEP (if applicable)
3. At the appointment, additional documents will be completed such as the Home Language Survey, Directory Information Notice, Records Release, etc.

In regards to enrollment of students in the homeless, foster care, or military connected subgroups, these students are immediately enrolled whether or not they can produce the information above at the time of enrollment. Our secretaries then contact the last school in which they attended to acquire academic and health records if needed. In addition, the principals at each school, if available at the time of registration will provide the family/student with a tour of the school. The typical number of days for a regular student, McKinney Vento student, Foster Care student, or Military Connected students to be enrolled is 1-2 days at Old Mill Pond Elementary and Palmer High School.

MIC 3 Placement and Attendance
(a) When a student transfers before or during the school year, the receiving state school shall initially honor placement of the student in educational courses based on the student’s enrollment in the sending state school or educational assessments conducted at the school in the sending state if the courses are offered and space is available. Course placement shall include, but not be limited to, honors, international baccalaureate, advanced placement, vocational, technical and career pathways courses. Continuing the student’s academic program from the previous school and promoting placement in academically and career challenging courses should be paramount when considering placement. This shall not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the courses.
PPS complies with this regulation.

(b) The receiving state school shall initially honor placement of the student in educational programs based on current educational assessments conducted at the school in the sending state or participation or placement in like programs in the sending state. Such programs shall include, but not be limited to: (i) gifted and talented programs; and (ii) English as a second language programs. This shall not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement of the student.

PPS complies with this regulation but we do not currently have gifted and talented programs. We do offer enrichment courses and ESL support for students.

(c) In compliance with the federal requirements of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. section 1400 et seq, the receiving state shall initially provide comparable services to a student with disabilities based on: (i) the student's current individualized education program; (ii) the requirements of section 504 of the Rehabilitation Act, 29 U.S.C. section 794; and (iii) title II of the Americans with Disabilities Act, 42 U.S.C. sections 12131-12165. The receiving state shall make reasonable accommodations and modifications to address the needs of incoming students with disabilities, subject to an existing 504 or title II plan, to provide the student with equal access to education. This shall not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement of the student.

PPS complies with this regulation.

(d) Local education agency administrative officials shall have flexibility in waiving course or program prerequisites or other preconditions for placement in courses or programs offered under the jurisdiction of the local education agency.

PPS complies with this regulation.

(e) A student whose parent or legal guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from or immediately returned from deployment to a combat zone or combat support posting, may be granted additional excused absences at the discretion of the local education agency superintendent to visit with that parent or legal guardian on leave or preparing for or returning from deployment.

M.G.L. Chapter 15E. Sec. 4
Massachusetts Guidance on the Military Interstate Children's Compact Commission

PPS has never had this occur, but it would be at the Superintendent's discretion.

MIC 4 Eligibility

(a) The following shall be required to be eligible for enrollment in the receiving state's school:

(1) special power of attorney, relative to the guardianship of a child of a military family and executed under applicable law, shall be sufficient to enroll or take any other action requiring parental participation and consent under this compact;

(2) a local education agency shall not charge local tuition to a transitioning military child placed in the care of a non-custodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent; and

(3) a transitioning military child placed in the care of a non-custodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent,
may continue to attend the school in which the child was enrolled while residing with the custodial parent.

PPS complies with this regulation.

(b) State and local education agencies shall facilitate the opportunity for transitioning military children's inclusion in extracurricular activities, regardless of application deadlines; to the extent the children are otherwise qualified.
M.G.L. Chapter 15E. Sec 5  
Massachusetts Guidance on the Military Interstate Children’s Compact Commission

PPS complies with this regulation.

MIC 5  
Graduation

(a) To facilitate the on-time graduation of children of military families, local education agency administrative officials shall waive specific courses required for graduation if similar course work has been satisfactorily completed in another local education agency or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would otherwise qualify to graduate from the sending school, the local education agency shall provide an alternative means of acquiring required coursework so that graduation may occur on time.

(b) To facilitate the on-time graduation of children of military families, receiving states may accept exit or end-of-course exams required for graduation from the sending state or national norm-referenced achievement tests or alternative testing, in lieu of testing requirements for graduation in the receiving state; require the student to take scheduled exit test in the receiving state, if the student is able to take the tests prior to the end of grade 12; or accept evidence or information from the sending or receiving district that demonstrates that the student has met the receiving state's graduation standard, either through a transcript of courses taken and grades received from the sending and or receiving district; a portfolio of work samples for the student that addresses the required high school standards; standardized norm-referenced test results in the subject required by the receiving state for graduation; or other relevant information.

(c) To facilitate the on-time graduation of children of military families, should a military student transferring at the beginning or during grade 12 be ineligible to graduate from the receiving local education agency after all alternatives in subsection (b) have been considered, the sending and receiving local education agencies shall ensure the receipt of a diploma from the sending local education agency if the student meets the graduation requirements of the sending local education agency. In the event that either the transferring or receiving state is not a member of this compact, the member state shall use best efforts to facilitate the on-time graduation of the student under subsections (a) and (b).
M.G.L. Chapter 15E. Sec 6  
Massachusetts Guidance on the Military Interstate Children’s Compact Commission

PPS complies with this regulation.
Massachusetts Department of Elementary and Secondary Education
and Massachusetts Department of Children and Families

Educational Stability for Students in Foster Care

The Every Student Succeeds Act (ESSA), Title I, Part A ensures the educational stability of students in foster care and their equal access to the same free and appropriate public education through high school graduation as provided to other children and youth. Essential to implementation of these provisions is collaboration between the Massachusetts Department of Elementary and Secondary Education (ESE), school districts, and the Massachusetts Department of Children and Families (DCF).

This document is intended to provide guidance to districts, students in foster care, DCF staff, foster care providers, and other interested parties on selected provisions of the law.

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For additional information, including contact information, please see the ESE foster care webpage.
I. Definitions

Terms used in this document are defined as follows:

**Best Interest Determination**: the collaborative process, based on the individual student’s unique best interests and involving input from multiple parties, used for making decisions about whether a student placed in foster care should continue to attend the school of origin. (See section III below for more details.)

**District of Origin (see below for School of Origin)**: the Massachusetts school district in which a school of origin is physically located. For situations in which an individual school operates as an individual school district, the school will be considered both the school of origin and the district of origin. Examples of such single-school districts/education authorities include, but are not limited to, charter schools and regional high schools. For students whose IEPs place them in out-of-district approved private or public special education schools or collaboratives, the district of origin is the district in which the student was enrolled at the time of the DCF placement.

**Educational Decision Maker (EDM)**: a person authorized to make educational decisions on behalf of a student in DCF care or custody.

**Foster Care**: placement by DCF of a student into 24-hour out-of-home care, away from his/her parents or guardians. These placements include, among others:
- foster family homes;
- foster homes of relatives;
- emergency shelters (including STARR programs and Transitional Care units);
- residential facilities;
- child care institutions;
- group homes; and
- pre-adoptive homes.

**Foster Care Points of Contact (POC)**: designated people (in districts, at ESE, and at DCF) who carry out various responsibilities to ensure the educational stability and rights of students in foster care. (See section II for POC roles and responsibilities.)

**Immediate Enrollment**: when it is in a student’s best interest to leave the school of origin, enrollment in a school in the local school district (see below) must take place without delay, to prevent disruption of the student’s education.

**Local School District**: the Massachusetts school district in which the student’s foster care home, provider, or facility is physically located. When it is determined to be in a student’s best interest to leave the school of origin, the local school district must enroll the student immediately.
School of Origin (See above for District of Origin): the school that a student was attending at the time of placement in foster care or the school a student is attending at the time of any subsequent change in a foster care placement.
II. Foster Care Points of Contact – Roles and Responsibilities

ESE Foster Care Point of Contact (POC)
ESE has designated a foster care POC\textsuperscript{ii} to work with DCF to develop guidance and training for districts to support educational stability for students in foster care. In addition, ESE’s Problem Resolution Services\textsuperscript{iii} staff will provide technical assistance and guidance for anyone with questions related to these matters.

DCF Foster Care Points of Contact
DCF area office\textsuperscript{iv} directors will serve as local POCs to work with districts in support of foster care students. DCF has designated a state-level\textsuperscript{v} foster care POC to work with ESE to develop guidance and training for DCF area offices to support educational stability for students in foster care.

District Foster Care Points of Contact
School districts, including single-school educational authorities, must designate a foster care POC to help ensure the educational stability of students in foster care.

These POCs are responsible for the following:

- Participating in the process for making best interest determinations in collaboration with DCF representatives, and documenting those determinations;
- Ensuring school enrollment and attendance of students in foster care and timely transfer of records, as needed;
- Developing and implementing procedures for providing and coordinating cost-effective transportation, as needed; and
- Facilitating professional development for district staff as needed to promote educational stability for students in foster care.

Through the above and other policies and procedures, districts’ POCs will help ensure that students in foster care:

- Are identified and supported through coordination between districts and DCF;
- Are enrolled in and regularly attending school; and
- Have full and equal opportunity to succeed in school and to meet the same challenging state academic standards as other students, and to receive educational services for which they are eligible.

Districts should ensure that accurate information about their designated POC is available on ESE’s School and District Profiles\textsuperscript{vi} page through their Directory Administrators.\textsuperscript{vii} When the superintendent is not the POC, the district must enter its POC’s name through directory administration.

DCF offices and districts that have not already established lines of communication with each other are encouraged to reach out to their corresponding POCs in the school districts\textsuperscript{viii} and DCF area offices.\textsuperscript{ix}

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III. Best Interest Determination, School of Origin, Local School District Immediate Enrollment, and Transportation

Best Interest Determination

Best interest determinations are conducted to make decisions about the school a student will attend following a foster care placement or change in placement (to a new city/town). These decisions should be made collaboratively by the parties who are best situated to understand the student’s unique needs. These parties often include DCF; some combination of the student, the student’s family, and any EDM; the district and school of origin; and the local school district (as appropriate). All appropriate parties should have the opportunity to participate meaningfully in the decision making process. Every effort should be made to reach consensus regarding the appropriate school placement of a student in foster care. However, if there is disagreement regarding school placement for a student in foster care, DCF is considered the final decision maker in making the best interest determination.

Under ESSA, to promote educational stability, students should continue to attend their schools of origin while best interest determinations are being made. Best interest determinations must involve deliberate consideration of the student’s unique needs and account for the benefits of educational stability. Specific factors to consider when making best interest determinations include, but are not limited to:

- student’s age and grade level;
- student’s preference, when age appropriate;
- preferences of the student’s parent(s)/guardian(s) or EDM(s);
- student’s attachment to the school, including meaningful relationships with staff and peers;
- placement of the student’s sibling(s);
- distance/length of time to travel to/from school;
- time of academic year, academic performance, and skills;
- current educational goals and services;
- individual skills, needs, and social connections;
- anticipated length of time in placement, and whether reunification is the family goal;
- number of placements to date;
- ability to maintain family relationships and engagement (including in extracurricular activities, where appropriate);
- clinical/behavioral issues;
- influence of the school climate on the student, including safety issues;
- availability and quality of the services in the school to meet the student’s educational and social emotional needs;
- whether the student has an Individualized Education Program (IEP) and is receiving special education and related services, or the student is receiving special education or related aids and services under Section 504, and, if so, the availability of those required services in a school other than the school of origin; and
- if the school of origin is in the best interest but only for a limited duration of time (e.g., until the end of the school year, the end of a testing or grading period, or the end of a particular grade). Additionally, the parties involved in the decision may wish to determine
a time to revisit the question of whether it is in the student’s best interest to remain in the school of origin or enroll locally.

Note that transportation costs should not be a factor in determining the best interest of the student for the purposes of school selection.

-School of Origin

To promote educational stability, a student has the right to continue to attend the school of origin, unless it is determined not to be in the student’s best interest. Students attending their school of origin should remain enrolled in their district of origin. If it is determined to be in a student’s best interest to attend a school in the local school district, then in the event of a subsequent change in foster care placement, that school becomes the new school of origin.

School of Origin – Duration

If it is determined that a student’s best interest is to continue to attend the school of origin, the student can remain in that school either for the duration of the student’s time in foster care or until the student completes all the grades in that school, whichever takes place first. At any time that a student’s EDM and other interested parties determine that remaining in the school of origin is not in a student’s best interest, the student can enroll in the local school district. When a student exits foster care during a school year, we encourage districts to permit the student to continue in the school of origin through at least the end of the academic year, if in the student’s best interest.

Local School District – Immediate Enrollment

If it is in the best interest of a student in foster care to leave the school of origin, the student must be enrolled in the local school district immediately. To minimize disruption of the student’s education, ESSA requires the district to enroll the student without waiting to receive the typical exchange of student enrollment documentation including proof of residency; academic records; IEPs; discipline records; documents evidencing proof of custody (e.g., birth certificates, or custody or guardianship orders); identification documents; and medical, health, and immunization records. However, requiring emergency contact information for a student is not considered a barrier to immediate enrollment.

To facilitate enrollment, DCF representatives will present a Notice to LEA (Local Educational Agency) form that indicates that the student is in foster care, along with their state-agency identification badge, to the local school district when enrolling students. Note: DCF also presents a Notice to LEA to the school district in which a student is currently enrolled to indicate a change of placement/residential address within the same school district and/or a change of contact information of legal guardian/foster parent(s)/education decision maker/social worker, etc.
Local school districts should assign students to schools in the same manner and according to the same process used for all other students in the district (with the exception of immediate enrollment as described above). Local school districts should prepare to provide a comparable placement for students whose IEPs call for out-of-district or other specialized placements. The local school district foster care POC must initiate a school-to-school transfer of records with the school of origin and ensure that the student is attending school while the records are being transferred.

For students with IEPs, immediate enrollment should not be delayed due to considerations regarding districts’ programmatic and/or fiscal responsibilities for providing special education services. Requests for assistance in determining special education responsibilities of school districts should be directed to ESE’s Office of Special Education Policy and Planning. Upon request, ESE determines the school district(s) that have programmatic and financial responsibility for implementing a student’s IEP by applying the rules set forth in 603 CMR 28.10. These determinations are distinct from determinations about the appropriate school in which to enroll, and have no bearing on a student’s rights under ESSA to remain in the school district of origin or to enroll in the local school district depending on the student’s best interest.

Transportation

Some students in foster care will need transportation to remain in their school of origin. Districts must collaborate with DCF to implement policies and procedures governing how transportation will be provided and arranged to ensure that students in foster care who need transportation to remain in their school of origin will receive such transportation while they are in foster care. Districts may supplement these policies and procedures with local ones, as appropriate.

Districts and DCF are encouraged to consider a variety of options for providing the necessary transportation in each case. The options may include using Title I funds, regional collaborations among districts, help from foster parent(s), etc. Whatever the arrangement, transportation must permit students to continue to attend schools of origin in a safe, timely, and orderly fashion.

Absent other agreements between districts and DCF, the district of origin is responsible for providing transportation to and from the school of origin. ESE and DCF are actively collaborating to explore possibilities for the state to claim federal funding through Title IV-E of the Social Security Act, to help support these transportation costs. If the state is able to receive federal approval via a Title IV-E state plan amendment, ESE and DCF would be in position to begin a claim process with those districts that have incurred unreimbursed costs to transport eligible students to and from the school of origin per ESSA. As we work towards this goal, we will be in consultation with school districts. Districts are encouraged to document all transportation costs associated with these activities.
Please note that with the passage of ESSA, “children awaiting foster care placement” were removed from the definition of “homeless children and youths” for the purposes of the Education for Homeless Children and Youths (EHCY) program. Therefore, beginning with the 2017-2018 school year in Massachusetts, students who are awaiting foster care placement should no longer be considered homeless for the purposes of reimbursement for transportation. These students should be considered students in foster care.

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IV. Foster Care Dispute Resolution Process

As noted above, decisions about whether a student in foster care should continue to attend the school of origin should be made collaboratively by DCF, the student (as appropriate), the student’s family and/or foster family (and if different, the person authorized to make educational decisions on behalf of the student), the school and district of origin, and (when different) the local district where the student is placed, and these parties should have the opportunity to participate meaningfully in the decision-making process. Best interest determinations should focus on the needs of each individual student and take into account a variety of factors. Every effort should be made to reach agreement regarding the appropriate school placement of a student in foster care. However, if there is disagreement regarding school placement for a student in foster care, DCF will finalize the best interest determination. When DCF and the school district(s) cannot agree about whether it is in the student’s best interest to remain in the school of origin or to enroll and attend locally, and DCF makes a final decision that the district cannot accept, the party can seek review of DCF’s decision by utilizing a Foster Care School Selection Dispute Resolution Process established by ESE and DCF. Decisions made through this process are not subject to review. Details are available from ESE and will be posted to the ESE’s Foster Care page. Under ESSA, to promote educational stability, students should continue to attend their schools of origin while best interest determinations are being made.

ESE and DCF will continue to work with districts and other stakeholders to help implement the new federal law. We will develop further guidance and gather best practices, and we will post additional information to the ESE foster care webpage when available. If you have questions or suggestions, please contact ESE’s foster care contacts or ESE’s Associate Commissioner for Student and Family Support, Rachelle Engler Bennett (renglerbennett@doe.mass.edu / 781-338-3205).

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ENDNOTES:

i ESE foster care webpage: http://www.doe.mass.edu/sfs/foster/
ii Foster care POC: See i.
iii ESE’s Problem Resolution Services: http://www.doe.mass.edu/pqa/prs/
iv DCF area office(s): http://www.mass.gov/eohhs/gov/departments/dcf/contact-us/dss-directory.html
v (DCF) state-level (POC): See i.
vi ESE’s School and District Profiles: http://profiles.doe.mass.edu/search/search.aspx?leftNavId=11239
vii Directory Administrators: http://www.doe.mass.edu/infoservices/data/diradmin/
viii School districts: See vi.
ix DCF area offices: See iv.
x ESE’s Office of Special Education Policy and Planning: http://www.doe.mass.edu/sped/
xii ESE foster care webpage: See i.
xii ESE’s foster care contacts: See i.