Madrid-Waddington

School Transportation Procedure for Students in Foster Care (NY)

1) Purpose

To ensure that students in foster care:

- experience **school stability** through attendance at their **school of origin** when in their best interest, and
- receive **timely, safe, and cost-effective transportation** consistent with **New York State Education Law §3244** and applicable guidance.

2) Scope

Applies to all district departments involved in enrollment, foster care liaison work, routing/transportation, special education, and billing/claims for transportation costs for any **child or youth in foster care** as defined in Education Law §3244.

3) Key Definitions (from NY law/guidance)

- **School of Origin**: the school the student attended at time of placement into foster care (or last enrolled), including preschool/charter; may include the designated receiving school at the next grade level.
- **School District of Origin**: district where the student was entitled to attend/attending at the time of placement.
- **School District of Residence**: district where the foster care placement is located.
- **School District of Attendance**: district where the student is enrolled after the best interest determination (BID) is made.
- **Best Interest Determination (BID)**: determination made by the responsible social services district/agency about whether the student should remain in the school of origin.

4) Roles and Responsibilities

A. District Foster Care Point of Contact (POC)

- Serves as the district's primary coordinator for foster care matters (including transportation coordination). NYSED/OCFS guidance expects districts to have clear procedures and a designated POC for collaboration with LDSS.

B. Transportation Supervisor/Director

- Develops/implements the transportation plan (routing, stop location, pickup windows, supervision needs).
- Coordinates with other districts/vendors when a cross-district route is required.

C. Registrar/Enrollment Office

- Ensures enrollment/continuation without delay and triggers internal notification workflow.

D. CSE/CPSE Chair (if applicable)

- Ensures transportation is implemented consistent with the IEP/504 (special transportation, nurse, harness, etc.).

E. Business Office

- Tracks aidable miles/costs and **excess cost** allocation and invoicing, consistent with §3244.

F. Local Department of Social Services (LDSS)/Child Welfare Agency

- Notifies the district of placement and participates in BID and (as needed) funding discussions; districts and LDSS are expected to collaborate on transportation procedures.

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5) Procedure Workflow

Step 1 — Notification & Immediate Internal Routing (Day 0–1)

1. Upon learning a student is in foster care or has a placement change, the District Foster Care POC initiates a **confidential internal notification** to:
    - Transportation Supervisor/Director
    - Building Principal(s)
    - Registrar
    - CSE/CPSE Chair (if applicable)
      (This internal routing mirrors the "who is notified" concept reflected in NYSED/OCFS local agreement models.)

2. Staff must treat the student's foster care status as **confidential** and share information only with personnel who need it to perform duties (FERPA/legitimate educational interest).

Step 2 — Confirm BID Outcome and School Enrollment Path (As soon as available)

1. The district requests/receives the BID outcome from LDSS/agency
2. Determine whether the student will attend:
    - **A) School of Origin**, or
    - **B) Local school (district of residence/attendance)**

Step 3A — If BID = Attend the School of Origin (Required Transportation)

1. **Transportation entitlement**: If transportation is needed to attend the school of origin, the **designated school district of attendance must provide transportation** between the foster placement and the school of origin.
2. Transportation Supervisor implements a plan using the **most cost-effective mode** that is safe and appropriate.
3. **Timeline standard:**
    - Make initial contact with caregiver/agency the same day transportation is triggered.
    - Implement an interim plan immediately (temporary arrangements) and a finalized plan as quickly as routing allows.

Step 3B — If BID = Attend Local School (District of Residence)

1. The school district provides transportation **on the same basis as a resident student** (consistent with the district's general transportation policy).
2. General transportation eligibility parameters in Education Law §3635 remain relevant for typical resident-service thresholds (unless another legal requirement applies).

Step 4 — Records Transfer (Do not delay transportation/enrollment)

If the student changes schools, the district must forward requested records **within five (5) days** of receipt of the request, consistent with §3244.

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6) Transportation Plan Standards (Safety + Practical Implementation)

A) Minimum Plan Elements (document in a "Foster Care Transportation Plan" record)

- Student name/ID and grade (avoid foster care status in routing notes when possible)
- Start date/time for service
- Pickup/drop-off locations (with backup location)
- Mode (district bus, contract, mileage reimbursement, public transit if appropriate)
- Supervision needs (adult handoff requirements, AM/PM procedures)
- Communications protocol (who can receive route/stop info)
- If special transportation is required (IEP/504), list required components

B) Stop Location and Handoff

- Use safe, consistent pickup points that minimize stigma and protect confidentiality.
- Establish whether the student may be released to a caregiver, caseworker, or must be dropped at a supervised location.

C) Cross-District and Long-Distance Arrangements

When foster placement and school of origin are in different districts, Transportation Supervisor may:

- Coordinate hub/transfer points with the other district(s),
- Use contracted carrier,
- Adjust existing route where feasible,
- Implement interim transportation while a longer-term plan is finalized.

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7) Funding, Claims, and Cost Sharing

A) State Aid (Aidable Costs)

NYSED guidance indicates transportation costs **up to 50 miles each way** may be aidable (subject to aid rules), and §3244 references allowable costs up to 50 miles each way.

B) Excess Transportation Costs

- **Excess allowable transportation costs** (above what the district would otherwise spend) must be **shared 50/50** between the responsible social services district and the designated school district of attendance, **unless a written agreement states otherwise.**

C) Local Written Agreement

The district should maintain (and periodically refresh) a **local transportation agreement** with LDSS consistent with NYSED/OCFS models, covering:

- points of contact,
- notification timelines,
- how transportation will be implemented,
- how excess costs will be invoiced/paid,
- privacy expectations.

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8) Dispute Resolution and Interim Transportation

1. If there is disagreement among parties (district(s), LDSS/agency) about logistics or funding:
    - The district will **provide/arrange interim transportation** so the student can attend the educational placement designated by the current BID while the dispute is addressed, consistent with the requirement that transportation be provided when needed for the school of origin.
2. District Foster Care POC escalates promptly to:
    - Superintendent/designee,
    - LDSS Foster Care POC/supervisor,
    - Business Official (cost issues),
    - District counsel as needed.

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9) Documentation and Confidentiality

- Keep all foster-care transportation documents in a restricted-access location.
- Route sheets should not identify "foster care" status.
- Only staff with a legitimate educational interest should access placement details.

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10) Annual Review and Training

- Transportation Supervisor and Foster Care POC will review this procedure annually and after any significant legal/guidance updates.
- Provide annual training to transportation staff and building leaders on:
    - confidentiality,
    - handoff/release procedures,
    - sensitivity/stigma avoidance,
    - whom to contact for issues.