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Fostering Connections to Success and Increasing Adoptions Act of 2008 (PL 110-351) requires child welfare agencies to maintain a child/youth's education continuity while in care. Children/youth should stay in their school of origin as often as possible. When a foster care placement or replacement is made, the proximity of the foster/caregiver home to the school is to be considered. It is required that the case worker considers the following education best interest factors when looking at school placement:

- Parent or legal guardian's preference.
- The youth's preference.
- The child's:
 - Academic and emotional state.
 - Academic achievement/strengths.
 - Continuity of relationships.
 - Special education programming.
 - Extra-curricular activity and participation.
 - Distance/travel time to and from current school/new placement and impact of the child.
 - Supportive relationships and/or services.
 - Length of anticipated stay in placement.

It is further required that the foster care case worker contact the local McKinney-Vento homeless education liaison or other school staff to have them involved in this best interest decision. The school staff may be able to provide additional information, such as specific academic, social, and emotional impact changing schools may have on the student. School staff may also be able to compare the two school programs and discuss transportation options.

The homeless liaison will also determine if a foster child is eligible for McKinney-Vento services. A youth is eligible if they have NOT yet been in the same continuous placement for 6 continuous months. If eligible for McKinney-Vento services, the student needs to use these services until no longer eligible. One of these services is the cost of transportation to get the student from their placement to the school of origin.

The McKinney- Vento Homeless Education Program provides supplemental services to homeless students over and above local school and other federal funds. Local districts are responsible for covering transportation cost to students. The federal guidance states that McKinney-Vento funds can be used for “paying the excess transportation cost not otherwise provided through federal, state or local funds, to enable students to attend schools selected under Section 722 (g)(3) under the McKinney-Vento Act. Therefore, if the student’s temporary residence and the school of residence are in the same Local Education Agency (LEA) , that LEA must provide or arrange for transportation. If the student is living outside the school of origin’s LEA, the LEA where the student is living and the school of origin’s LEA must determine how to divide the responsibility and cost of providing transportation, or must share the responsibility and cost equally.

Transportation options may not always be a school bus. Some other options may be, but are not limited to:

- Bus vouchers for a foster parent, relative, or youth to assist with transportation. Gas cards have to be monitored against misuse such as using them for vacation purposes versus transporting youth to and from school
- Public transportation
 - Bus
 - Dial-a-Ride
 - Taxi (although very costly)
- Moving the school bus lines so that two district buses meet at the district line
- DHS (or other) volunteer programs that have drivers (districts may not approve due to liability)

The foster care case worker and the school staff should work together to find the most cost effective and appropriate mode of transportation for the student.

Once a child/youth is no longer eligible for McKinney-Vento, **if still found in the best interest of the student to stay in the school of origin, DHS has full responsibility to make payment for transportation.** If a child/youth is found ineligible for McKinney-Vento, and it is found in the best interest of the student to stay in the school of origin, DHS also has full responsibility to make payment for transportation. Payment should be made using the DHS-1582-CS, Children Services Payment Authorization. See FOM-903-3, Non-scheduled Payments for DHS-634 for further information.