



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING

RICK SNYDER  
GOVERNOR

SHEILA A. ALLES  
INTERIM STATE SUPERINTENDENT

**MEMORANDUM**

**DATE:** August 9, 2018

**TO:** Local and Intermediate School District Superintendents  
Public School Academy Directors  
Foster Care Liaisons  
MEGS+ Level 5 Authorized Officials

**FROM:** Fred Williams, Manager, Regional Support Unit  
Office of Educational Supports *Fred J. Williams*

**SUBJECT:** Foster Care Transportation Dispute Resolution Process

This memorandum serves to outline the Foster Care Transportation Dispute Resolution Policy adopted by the Michigan Department of Education (MDE).

The Every Student Succeeds Act (ESSA) states that children and youth in foster care should remain in the school of origin when found in their best interest. This determination of best interest will either show that the child should remain in the school of origin, even if being placed outside of that Local Educational Agency (LEA) or, that the child should transfer to the LEA of residence where the child is now residing while in foster care. ESSA also ensures children in foster care needing transportation to the school of origin will promptly receive transportation in a cost-effective manner and in accordance with section 475(4)(A) of the Social Security Act (42 U.S.C. 675(4)(A)) (Title IV-E eligibility).

ESSA also states the LEA and Child Welfare Placing Agency must meet and collaborate on the mode of transportation for a child in foster care to continue in the school of origin. IF the LEA and Child Welfare Placing Agency cannot agree on the transportation and cost responsibilities, either entity may initiate the Foster Care Transportation Dispute Resolution process.

For the duration of the Dispute Resolution process, the LEA will transport the child to the school of origin and pay 100% of the transportation cost.

**STATE BOARD OF EDUCATION**

CASANDRA E. ULBRICH – CO-PRESIDENT • RICHARD ZEILE – CO-PRESIDENT  
MICHELLE FECTEAU – SECRETARY • TOM MCMILLIN – TREASURER  
LUPE RAMOS-MONTIGNY – NASBE DELEGATE • PAMELA PUGH  
NIKKI SNYDER • EILEEN LAPPIN WEISER

608 WEST ALLEGAN STREET • P.O. BOX 30008 • LANSING, MICHIGAN 48909  
[www.michigan.gov/mde](http://www.michigan.gov/mde) • 833-633-5788

The Dispute Resolution process is under development and will be operational via the Grants Electronic Management System (GEMS) by September 15, 2018. Directions for accessing the Dispute Resolution Process will be sent upon development completion.

As a reminder, LEAs may use Title I, Part A funds to cover the “additional cost” of transporting a student in a placement not eligible for Title IV-E funding, to their school of origin. These estimated costs may be added to the LEA Consolidated Application.

If you have additional questions or concerns, please contact Kathleen Hoehne, MDE Foster Care Consultant at [hoehnek@michigan.gov](mailto:hoehnek@michigan.gov) or call 517-241-6970.