

Child and Family Services Policy Manual: Substitute Care for Children School Attendance

Purpose Title IV-E of the Social Security Act, Section 471(a)(30) requires that each child who has attained the minimum age for compulsory school attendance under State law and with respect to whom there is eligibility for a payment under the State plan is a full-time elementary or secondary school student or has completed secondary school.

Foster parents and licensed kinship providers are required under Admin. Rule 37.51.805 to send all children placed in their care to public school unless otherwise approved by the Department.

Unlicensed kinship providers shall also send children placed in the provider's care by the Department to public school unless otherwise approved by the Department.

The Regional Administrator will provide the approval on a case by case basis on behalf of the Department.

School Attendance For purposes of educational stability, all efforts should be made to ensure that when a child is placed in out-of-home care he or she is able to continue attendance in his current educational setting. If this is not possible, Child Protection Specialists should make all efforts to ensure that a child placed in out-of-home care is *immediately* enrolled in his or her new school and able to resume attendance within 5 days of placement.

School age children placed in residential care or shelter care will attend public school unless the placing worker agrees to other arrangements to address specific needs of the child (e.g., Day Treatment, Partial Hospitalization).

When a child requires an out-of-home placement, and the placement is outside the boundaries of the child's home school district, the Child Protection Specialist should determine if it is in the best interest of the child to remain in his/her home school district or to attend the local school where the child is in placement. In making this determination, the Child Protection Specialist will need to consider:

- the local school district policies regarding out of district enrollments;
- the safety of the child;

Child and Family Services Policy Manual: Substitute Care for Children School Attendance

- the wishes of the parent, caregiver and child;
- the distance and time for the child to travel to and from the home school district;
- projected duration of out-of-home placement;
- the child's academic, developmental, and socialization needs; and
- the fact that it is especially problematic for a high school student to change schools or districts in the middle of a term or semester as the student could lose credits to graduate.

Out of District Enrollment

When a child is placed by the Division in out-of-home care in a school district other than the school district in which the child's parents reside, the Child Protection Specialist must complete Part I of the Office of Public Instruction (OPI) form FFP-14 Request for Out of District Enrollment in order for the child to be enrolled in school. The superintendent of the receiving school district must sign the FFP-14 prior to the time the child may attend school

The OPI Form FFP-14 is completed and provided to the school in which the child is to be enrolled or is enrolled when:

- a child is removed from the custodial parent either by court order for Temporary Investigative Authority or Temporary Custody or Parental Agreement for Substitute Care; or
- a child has been removed from the custodial parent by court order or parental agreement and:
 - the parent(s) from whom the child was removed moves to a new address;
 - the parent(s) address is unknown and the parent(s) cannot be located;
- the child's out-of-home placement changes; or
- the Division is granted permanent custody of the child by

Child and Family Services Policy Manual: Substitute Care for Children School Attendance

court order.

Placement Changes: Notice to School -- Definitions

Sending District means either the school district in which the child's parent(s) reside (if the Division does not have permanent custody) or the school district of the location of the court, which granted permanent custody to the Division. When the Division is granted permanent custody of the child, the address of the district court in which the order was granted is **always** used to determine the sending district.

NOTE: If the parent is in an institution and the institution is in a different county than the county in which the parent resided previous to going to the institution, his/her residency does not change. The county in which the parent resided prior to going to the institution continues to be the parent's county of residence.

Receiving District means the school district in which the child is to be enrolled or is enrolled following placement by the Division. The OPI Form FFP-14 should not be completed when the parent from whom the child has been removed is incarcerated in jail, a pre-release center or county jail or is receiving in-patient medical or mental health services in a private hospital or state institution, or is otherwise on a leave of absence from the parent's district of residence.

School Nutrition Program

In accordance with the Healthy, Hunger-Free Kids Act of 2010 (P. L. 111-296), every child in foster care is eligible for free meals through the School Nutrition Program. Foster parents are no longer required to complete an application. The placing worker, however, will need to forward a letter with the child's name to the School District's Determining Official in the district where the child is attending at the time of enrollment or placement. (see attached sample letter) The electronic letter is available on the OURS website (DPHHS-CFS-354).

The eligibility remains with the child throughout the school year (regardless of change in placement or reunification) unless the child is placed/returns to another school district. The list of determining authorities is also included on **OURS website** for each school district. A new letter shall be submitted at the beginning of each school year if the child remains in care.

If the child has been enrolled in the School Nutrition Program in

Child and Family Services Policy Manual: Substitute Care for Children School Attendance

his/her home district and because of a placement change is placed in another district, the placing worker must then submit a new letter to the new school district to re-enroll the child

Child Care Food Program

If the foster child is enrolled in a licensed day care center or a registered day care home, s/he is also categorically eligible for the Child and Adult Care Food Program (CACFP). Foster parents would continue to complete the Income Eligibility Form (IEF) at the time of child's enrollment

CAPS

CAPS screen EDHL should be completed to record school changes

References

Mont. Code Ann. 20-5-501
 Mont. Code Ann. 20-5-502.
 Title IV-E of the Social Security Act, Section 471(a)(30)
 Fostering Connections to Success and Increasing Adoptions Act of 2008, PL 110-351
 Public Law 111-296, Healthy Hunger-Free Kids Act of 2010
 Child and Family Services Improvement and Innovation Act (Public Law 112-34)

New 10/11
 Rev. 01/12
 Rev. 07/12
 Rev. 08/20

DATE: _____

TO: _____, School Nutrition Program Determination Official
_____ School District

From: Department of Public Health and Human Services
Child and Family Services Division

RE: School Lunch Program Eligibility for Children in Foster Care

Child's Name _____ **Birthdate** _____

This is to verify that _____ is currently in foster care and attending/ has transferred to _____ in your school district. Please
(name of school)
enroll him/her into your free school lunch program in accordance with The Healthy, Hunger-Free Kids Act of 2010.

Respectfully Submitted;

Child Protection Specialist
Child and Family Services Division