



### SCHOOL TRANSPORTATION FOR CHILDREN IN FOSTER CARE

As part of the implementation of the Educational Stability Provisions of the Every Student Succeeds Act (ESSA) and the *Fostering Connections to Success and Increasing Adoptions Act of 2008*, the district of origin and local Department of Human Services (DHS) entered into a memorandum of agreement. The information below provides the framework to ensure all children placed in foster care, who are eligible to be transported from their foster placement to their school of origin, receive the needed transportation services in an efficient and timely manner.

The district of origin and local DHS must collaborate to establish the most cost effective means of transportation available, which could include school transportation vehicles, public or regional transportation, and/or voluntary or paid assistance from foster care providers or family members of the child. In determining whether transportation is “cost effective,” the district of origin must consider the reasonableness of those costs. If a more costly means of transportation is selected, the district of origin must be able to provide support for why that means of transportation was chosen. When selecting a means of transportation, the district of origin should consider a variety of factors, including cost, distance, and length of travel, as well as whether the means of transportation is developmentally appropriate for the child. In addition, it is important for the district of origin and local DHS to engage the foster care provider in the discussions about the means of transportation.

The district of origin should also consider whether transportation can be provided for minimal or no additional costs. Examples of no-cost or low-cost options for transportation that the district of origin and local DHS could explore include whether:

- The child may be dropped off at a school bus stop near the existing transportation system of the school of origin;
- Public transportation options exist, if the child is of an appropriate age and has or is able to acquire the skills to utilize such options;
- The foster care provider or other individual(s) are willing and able to safely transport the child to school (the district of origin should get prior approval from the local DHS and the local DHS should follow DHS protocols);
- There are pre-existing bus routes or stops close to the foster care placement that cross district boundaries; and
- The child is already eligible for transportation covered by other programs.

After determining a means of transportation, it is the district of origin’s responsibility to coordinate the establishment of the transportation route for the child between the school of origin and the foster care placement. The transportation route created must use existing transportation routes and arrangements, to the extent available and practicable. In addition, the district of origin must consider the needs of children in foster care when establishing transportation routes and arrangements and cooperate with other districts to ensure joint compliance with this requirement.

Districts must waive any local policy, practice, or procedure that would serve as a barrier to providing transportation, such as restrictions on its vehicles entering other districts’ boundaries or other district vehicles entering its boundaries. If a transportation dispute arises between the district of origin and local DHS or between districts, the district of origin has financial responsibility to provide transportation from the child’s foster care placement to the school of origin until the dispute is resolved.

The district of origin, DHS, and any other district incurring additional transportation costs shall track those costs and report them to their respective state level point of contact for review, in a format and with supporting documentation as directed by the state level point of contact. The transportation costs considered **additional transportation costs shall be defined by the Department of Education and the Department of Human Services**. In addition, the process of tracking and reporting additional transportation costs shall be established in time and manner by the Department of Education and the Department of Human Services.

As part of making a best interest determination of whether to keep the child in their school of origin, the district of origin and local DHS should consider the riding time, under normal conditions, from the designated foster care pickup/drop off location and the school of origin. Transportation riding times exceeding 75 minutes for secondary students and 60 minutes for elementary should be viewed as not being in the best interest of the child. Iowa Administrative Code rule 281 – 43.1(3) Consult the DHS case manager or others to explore possible additional considerations, such as previous experience with

transportation, development of the child, or whether the child's current circumstances would impact the acceptable time in transport

Below are six transportation classifications for providing, arranging, and funding transportation for children in foster care to remain in their school of origin.

### 1) CHILDREN NOT REQUIRED TO BE TRANSPORTED AFTER FOSTER CARE PLACEMENT ENTRY/CHANGE

There are certain situations when the district of origin and local DHS are not required to provide transportation for a child placed or entering foster care. If the foster care placement is within a certain distance from the school of origin, the child will not receive transportation to the school of origin. Under Iowa Code § 285.1, the requirement to provide transportation to the school of origin for a child placed in foster care does not apply when:

- a) An elementary student lives less than two miles from the school of origin; or
- b) A secondary student lives less than three miles from the school of origin.

When a best interest determination is made to change the school of attendance to a school other than the school of origin, transportation between the new school and the foster care placement is not required unless some other provision of school transportation rules require such transportation.

When a child placed in foster care is exited from the foster care system, the child is entitled to continue to receive transportation services until the end of the school year. After the school year ends, there is no requirement to continue transporting the child.

If the school of enrollment was not a public school when the child was placed in foster care, the district of origin and local DHS are not required to provide transportation to attend the nonpublic school, unless it would have been obligated to provide such transportation pursuant to some other legal authority. In that instance, another party, other than the district of origin, may voluntarily continue to pay for tuition to the nonpublic school. In the absence of tuition or a tuition waiver by the nonpublic school, the district of origin and local DHS shall determine what public school is the appropriate setting to maximize school stability.

#### **Additional Costs:**

If a child enters or is placed in foster care and the district of origin and local DHS are not required to transport under ESSA, there will be no additional costs to calculate.

#### **Additional Cost Responsibility:**

Since there would be no additional costs to calculate, no one is financially responsible for the additional costs.

### 2) CHILDREN WITH AN INTRA-DISTRICT FOSTER CARE PLACEMENT ENTRY/CHANGE

Some children entering the foster care system are placed within the district of origin's boundaries, but in a school catchment area different from the school of origin. This scenario would be considered an intra-district foster care placement. If the child meets legal requirements to receive transportation services, the district of origin will make the needed transportation route adjustments within the district to ensure the child is transported from their foster care placement to the school of origin.

#### **Additional Costs:**

If the child's foster care placement is considered an intra-district placement, there will be no reportable additional costs to calculate because the district of origin must adjust their transportation routes to meet the needs of the child.

#### **Additional Cost Responsibility:**

Since there would be no additional costs to calculate, no one is financially responsible for the additional costs.

### 3) CHILDREN WITH A CONTIGUOUS DISTRICT FOSTER CARE PLACEMENT ENTRY/CHANGE

Some children entering the foster care system are placed in a district that is contiguous to the district of origin. This scenario would be considered a contiguous district foster care placement. If the child meets legal requirements to receive transportation services, the district of origin will contact the contiguous district to arrange for a pickup/drop off location on

the contiguous district's regular bus route closest to the district of origin's regular bus route to ensure the child is transported from their foster care placement to the school of origin. The pickup/drop off locations in both the district of origin and the contiguous district should be as close to a direct route between the school of origin and the foster care placement as feasible.

***Additional Costs:***

**Transportation Provided by Van or Car:**

If the child's foster care placement is considered a contiguous district placement, there will be additional costs to calculate. In order to determine the additional cost for transportation, the district of origin will calculate the daily miles between the district of origin's established pickup/drop off location on their regular bus route and the contiguous district's established pickup/drop off location on their regular bus route. This daily mileage will then be multiplied by the current federal tax code mileage reimbursement amount to arrive at a daily mileage cost amount.

Example: The distance from the district of origin's established pickup/drop off location on the regular bus route to the contiguous district's established pickup/drop off location on the regular bus route is 3 miles. The daily mileage would be 12 miles. The current federal tax code reimbursement amount is \$.54/mile. The daily mileage cost amount would equal \$ 6.48 (12 miles multiplied by \$.54).

In addition to the mileage cost amount, the district of origin will also calculate an hourly amount of staff time used for the drive between the district of origin's established pickup/drop off location on their regular bus route and the contiguous district's established pickup/drop off location on their regular bus route to the closest 15 minute increment. The hourly staff time needed to drive the additional miles will then be multiplied by the staff member's hourly salary and benefits to arrive at a staff time cost amount.

Example: The staff time required to drive from the district of origin's established pickup/drop off location on the regular bus route to the contiguous district's established pickup/drop off location on the regular bus route is 26 minutes. The hourly staff time needed would be 1 hour 44 minutes, which would be adjusted to 1 hour 45 minutes. The hourly staff time would be 1.75 hours (105 minutes divided by 60 minutes). The staff member's hourly salary and benefits is \$15/hour. The staff time cost amount would equal \$ 26.25 (1.75 multiplied by \$15/hour).

The total daily additional cost for transportation of a child in foster care would equal the sum of the daily mileage cost amount and the staff time cost amount.

Example: The total daily additional cost for transportation of a child in foster care would be \$ 32.73 (\$ 6.48 (12 miles multiplied by \$.54) plus \$ 26.25 (1.75 multiplied by \$15/hour)).

**Transportation Provided by Yellow Bus:**

If the child's foster care placement is considered a contiguous district placement, there will be additional costs to calculate. In order to determine the additional cost for transportation, the district of origin will calculate the daily miles between the district of origin's established pickup/drop off location on their regular bus route and the contiguous district's established pickup/drop off location on their regular bus route. This daily mileage will then be multiplied by the district of origin's current average cost per mile amount listed in the Annual Transportation Report to arrive at a daily mileage cost amount.

Example: The distance from the district of origin's established pickup/drop off location on the regular bus route to the contiguous district's established pickup/drop off location on the regular bus route is 3 miles. The daily mileage would be 12 miles. The district of origin's current average cost per mile listed on the Annual Transportation Report is \$3.23/mile. The daily mileage cost amount would equal \$38.76 (12 miles multiplied by \$3.23).

**Transportation Provided by Foster Care Provider or Other Family Member:**

If the child's foster care placement is considered a contiguous district placement, there will be additional costs to calculate. In order to determine the additional cost for transportation, the district of origin will calculate the daily miles between the district of origin's established pickup/drop off location on their regular bus route and the contiguous district's established pickup/drop off location on their regular bus route. This daily mileage will then be multiplied by the current federal tax code mileage reimbursement amount to arrive at a daily mileage cost amount. This is the amount the foster care provider or other family member may be reimbursed for transporting the child.

Example: The distance from the district of origin's established pickup/drop off location on the regular bus route to the contiguous district's established pickup/drop off location on the regular bus route is 3 miles. The daily mileage would be 12

miles. The current federal tax code reimbursement amount is \$.54/mile. The daily mileage cost amount would equal \$ 6.48 (12 miles multiplied by \$.54).

#### **Transportation Provided by Public Transportation System:**

If the child's foster care placement is considered a contiguous district placement, there will be additional costs to calculate. In order to determine the additional cost for transportation, the district of origin will calculate the daily cost to use the public transportation system between the district of origin's established pickup/drop off location on their regular bus route and the contiguous district's established pickup/drop off location on their regular bus route. This cost will be considered the additional cost for transportation.

Example: The daily cost to use the public transportation system from the district of origin's established pickup/drop off location on the regular bus route to the contiguous district's established pickup/drop off location on the regular bus route is \$2.50/day. The additional cost for transportation of the child would equal \$2.50/day.

***If any entity, other than the district of origin or local DHS, provides reimbursement for some or all of the transportation costs of the child in foster care, the amount of reimbursement shall be deducted from the calculated total additional cost for transportation of a child in foster care. If another individual, other than the district of origin or local DHS, volunteers to provide transportation without reimbursement along the transportation route considered additional mileage, those miles and staff time used shall not be used when calculating additional daily mileage cost amounts and the staff time cost amounts. Lastly, if the district of origin or local DHS is required to provide transportation under another provision of law, those miles and the staff time used shall not be used when calculating additional daily mileage cost amounts and the staff time cost amounts.***

#### **Additional Cost Responsibility:**

The additional transportation costs calculated for a contiguous district foster care placement is the financial responsibility of the district of origin.

#### **4) CHILDREN WITH A NON-CONTIGUOUS DISTRICT FOSTER CARE PLACEMENT ENTRY/CHANGE**

Some children entering the foster care system are placed in a district that is non-contiguous to the district of origin. This scenario would be considered a non-contiguous district foster care placement. If the child meets legal requirements to receive transportation services, the district of origin will contact the non-contiguous district where the foster care placement resides to arrange for a pickup/drop off location on the non-contiguous district's boundary closest to the district of origin's boundary to ensure the child is transported from their foster care placement to the school of origin. The pickup/drop off locations in both the district of origin and the non-contiguous district should be as close to a direct route between the school of origin and the foster care placement as feasible.

#### **Additional Costs:**

#### **Transportation Provided by Van or Car:**

If the child's foster care placement is considered a non-contiguous district placement, there will be additional costs to calculate. In order to determine the additional cost for transportation, the district of origin will calculate the daily miles between the district of origin's established pickup/drop off location on their boundary and the non-contiguous district's established pickup/drop off location on their boundary. This daily mileage will then be multiplied by the current federal tax code mileage reimbursement amount to arrive at a daily mileage cost amount.

Example: The distance from the district of origin's established pickup/drop off location on the district's boundary to the non-contiguous district's established pickup/drop off location on the district's boundary is 23 miles. The daily mileage would be 92 miles. The current federal tax code reimbursement amount is \$.54/mile. The daily mileage cost amount would equal \$ 49.68 (92 miles multiplied by \$.54).

In addition to the mileage cost amount, the district of origin will also calculate an hourly amount of staff time used for the drive between the district of origin's established pickup/drop off location on their boundary and the non-contiguous district's established pickup/drop off location on their boundary to the closest 15 minute increment. The hourly staff time needed to drive the additional miles will then be multiplied by the staff member's hourly salary and benefits to arrive at a staff time cost amount.

Example: The staff time required to drive from the district of origin's established pickup/drop off location on the district's boundary to the non-contiguous district's established pickup/drop off location on the district's boundary is

34 minutes. The hourly staff time needed would be 2 hours 16 minutes, which would be adjusted to 2 hours 15 minutes. The staff member's hourly salary and benefits is \$15/hour. The staff time cost amount would equal \$33.75 (2.25 multiplied by \$15/hour).

The total daily additional cost for transportation of a child in foster care would equal the sum of the daily mileage cost amount and the staff time cost amount.

Example: The total daily additional cost for transportation of a child in foster care would be \$83.43 (\$49.68 (92 miles multiplied by \$.54) plus \$33.75 (2.25 multiplied by \$15/hour)).

#### **Transportation Provided by Yellow Bus:**

If the child's foster care placement is considered a non-contiguous district placement, there will be additional costs to calculate. In order to determine the additional cost for transportation, the district of origin will calculate the daily miles between the district of origin's established pickup/drop off location on their boundary and the non-contiguous district's established pickup/drop off location on their boundary. This daily mileage will then be multiplied by the district of origin's current average cost per mile amount listed in the Annual Transportation Report to arrive at a daily mileage cost amount.

Example: The distance from the district of origin's established pickup/drop off location on the district's boundary to the non-contiguous district's established pickup/drop off location on the district's boundary is 23 miles. The daily mileage would be 92 miles. The district of origin's current average cost per mile listed on the Annual Transportation Report is \$3.23/mile. The daily mileage cost amount would equal \$297.16 (92 miles multiplied by \$3.23).

#### **Transportation Provided by Foster Care Provider or Other Family Member:**

If the child's foster care placement is considered a non-contiguous district placement, there will be additional costs to calculate. In order to determine the additional cost for transportation, the district of origin will calculate the daily miles between the district of origin's established pickup/drop off location on their boundary and the non-contiguous district's established pickup/drop off location on their boundary. This daily mileage will then be multiplied by the current federal tax code mileage reimbursement amount to arrive at a daily mileage cost amount. This is the amount the foster care provider or other family member will be reimbursed for transporting the child.

Example: The distance from the district of origin's established pickup/drop off location on the district's boundary to the non-contiguous district's established pickup/drop off location on the district's boundary is 23 miles. The daily mileage would be 92 miles. The current federal tax code reimbursement amount is \$.54/mile. The daily mileage cost amount would equal \$49.68 (92 miles multiplied by \$.54).

#### **Transportation Provided by Public Transportation System:**

If the child's foster care placement is considered a non-contiguous district placement, there will be additional costs to calculate. In order to determine the additional cost for transportation, the district of origin will calculate the daily cost to use the public transportation system between the district of origin's established pickup/drop off location on their boundary and the non-contiguous district's established pickup/drop off location on their boundary. This cost will be considered the additional cost for transportation.

Example: The daily cost to use the public transportation system from the district of origin's established pickup/drop off location on the district's boundary to the contiguous district's established pickup/drop off location on the district's boundary is \$5.00/day. The additional cost for transportation of the child would equal \$5.00/day.

***If any entity, other than the district of origin or local DHS, provides reimbursement for some or all of the transportation costs of the child in foster care, the amount of reimbursement shall be deducted from the calculated total additional cost for transportation of a child in foster care. If another individual, other than the district of origin or local DHS, volunteers to provide transportation without reimbursement along the transportation route considered additional mileage, those miles and staff time used shall not be used when calculating additional daily mileage cost amounts and the staff time cost amounts. Lastly, if the district of origin or local DHS is required to provide transportation under another provision of law, those miles and the staff time used shall not be used when calculating additional daily mileage cost amounts and the staff time cost amounts.***

#### **Additional Cost Responsibility:**

The additional transportation costs calculated for a non-contiguous district foster care placement is the financial responsibility of DHS.



## 5) CHILDREN WITH AN OUT OF STATE FOSTER CARE PLACEMENT ENTRY/CHANGE

Some children entering the foster care system are placed in a district located in another state. This scenario would be considered an out of state foster care placement. If the child meets legal requirements to receive transportation services, the district of origin will contact the out of state district where the foster care placement resides to arrange for a pickup/drop off location on the out of state district's boundary closest to the district of origin's boundary to ensure the child is transported from their foster care placement to the school of origin. The pickup/drop off locations in both the district of origin and the out of state district should be as close to a direct route between the school of origin and the foster care placement as feasible.

### ***Additional Costs:***

#### **Transportation Provided by Van or Car:**

If the child's foster care placement is considered an out of state placement, there will be additional costs to calculate. In order to determine the additional cost for transportation, the district of origin will calculate the daily miles between the district of origin's established pickup/drop off location on their boundary and the out of state district's established pickup/drop off location on their boundary. This daily mileage will then be multiplied by the current federal tax code mileage reimbursement amount to arrive at a daily mileage cost amount.

Example: The distance from the district of origin's established pickup/drop off location on the district's boundary to the out of state district's established pickup/drop off location on the district's boundary is 4 miles. The daily round trip mileage would be 16 miles. The current federal tax code reimbursement amount is \$.54/mile. The daily mileage cost amount would equal \$8.64 (16 miles multiplied by \$.54).

In addition to the mileage cost amount, the district of origin will also calculate an hourly amount of staff time used for the drive between the district of origin's established pickup/drop off location on their boundary and the out of state district's established pickup/drop off location on their boundary to the closest 15 minute increment. The hourly staff time needed to drive the additional miles will then be multiplied by the staff member's hourly salary and benefits to arrive at a staff time cost amount.

Example: The staff time required to drive from the district of origin's established pickup/drop off location on the district's boundary to the out of state district's established pickup/drop off location on the district's boundary is 17 minutes. The hourly staff time needed would be 1 hour 8 minutes, which would be adjusted to 1 hour 15 minutes. The hourly staff time would be 1.25 hours (75 minutes divided by 60 minutes). The staff member's hourly salary and benefits is \$15/hour. The staff time cost amount would equal \$18.75 (1.25 multiplied by \$15/hour).

The total daily additional cost for transportation of a child in foster care would equal the sum of the daily mileage cost amount and the staff time cost amount.

Example: The total daily additional cost for transportation of a child in foster care would be \$27.39 (\$8.64 (16 miles multiplied by \$.54) plus \$18.75 (1.25 multiplied by \$15/hour)).

#### **Transportation Provided by Yellow Bus:**

If the child's foster care placement is considered an out of state placement, there will be additional costs to calculate. In order to determine the additional cost for transportation, the district of origin will calculate the daily miles between the district of origin's established pickup/drop off location on their boundary and the out of state district's established pickup/drop off location on their boundary. This daily mileage will then be multiplied by the district of origin's current average cost per mile amount listed in the Annual Transportation Report to arrive at a daily mileage cost amount.

Example: The distance from the district of origin's established pickup/drop off location on the district's boundary to the out of state district's established pickup/drop off location on the district's boundary is 4 miles. The daily mileage would be 16 miles. The district of origin's current average cost per mile listed on the Annual Transportation Report is \$3.23/mile. The daily mileage cost amount would equal \$51.68 (16 miles multiplied by \$3.23).

#### **Transportation Provided by Foster Care Provider or Other Family Member:**

If the child's foster care placement is considered an out of state placement, there will be additional costs to calculate. In order to determine the additional cost for transportation, the district of origin will calculate the daily miles between the district of origin's established pickup/drop off location on their boundary and the out of state district's established pickup/drop off location on their boundary. This daily mileage will then be multiplied by the current federal tax code mileage reimbursement

amount to arrive at a daily mileage cost amount. This is the amount the foster care provider or other family member will be reimbursed for transporting the child.

Example: The distance from the district of origin's established pickup/drop off location on the district's boundary to the out of state district's established pickup/drop off location on the district's boundary is 4 miles. The daily mileage would be 16 miles. The current federal tax code reimbursement amount is \$.54/mile. The daily mileage cost amount would equal \$8.64 (16 miles multiplied by \$.54).

#### **Transportation Provided by Public Transportation System:**

If the child's foster care placement is considered an out of state placement, there will be additional costs to calculate. In order to determine the additional cost for transportation, the district of origin will calculate the daily cost to use the public transportation system between the district of origin's established pickup/drop off location on their boundary and the out of state district's established pickup/drop off location on their boundary. This cost will be considered the additional cost for transportation.

Example: The daily cost to use the public transportation system from the district of origin's established pickup/drop off location on the district's boundary to the out of state district's established pickup/drop off location on the district's boundary is \$5.00/day. The additional cost for transportation of the child would equal \$5.00/day.

***If any entity, other than the district of origin or local DHS, provides reimbursement for some or all of the transportation costs of the child in foster care, the amount of reimbursement shall be deducted from the calculated total additional cost for transportation of a child in foster care. If another individual, other than the district of origin or local DHS, volunteers to provide transportation without reimbursement along the transportation route considered additional mileage, those miles and staff time used shall not be used when calculating additional daily mileage cost amounts and the staff time cost amounts. Lastly, if the district of origin or local DHS is required to provide transportation under another provision of law, those miles and the staff time used shall not be used when calculating additional daily mileage cost amounts and the staff time cost amounts.***

#### ***Additional Cost Responsibility:***

The additional transportation costs calculated for an out of state foster care placement is the financial responsibility of DHS.

#### **6) CHILDREN WITH FOSTER CARE PLACEMENT ENTRY/CHANGE NOT MEETING ANY OTHER TRANSPORTATION CLASSIFICATION**

There may be other placement situations not covered by the 5 other transportation classifications discussed above. In these cases, the district of origin should establish the transportation route for children in foster care, if the child meets legal requirements to receive transportation services. In these unique situations, the district of origin and local DHS should contact their state level points of contact to receive assistance.

#### ***Tracking and Reporting of Additional Costs:***

All transportation information collected is subject to audit by the Department of Education and the Department of Human Services. The specific transportation information the district of origin needs to track and report will include some or all of the following:

- School of origin;
- Address of school or origin;
- Address of foster care placement;
- Distance from the school of origin to the foster care placement;
- Transportation classification;
- Means of transportation;
- Number of days transportation was provided;
- Date transportation route was established;
- Date the transportation route ended;
- Additional districts providing transportation;
- Distance from the district of origin's established pickup/drop off location on the regular bus route to the out of state district's established pickup/drop off location on the regular bus route;

- Staff time required to drive from the district of origin's established pickup/drop off location on the regular bus route to the out of state district's established pickup/drop off location on the regular bus route to the closest 15 minute increment;
- School of origin's staff member's hourly salary and benefits when transportation is provided by van or car;
- Individual providing transportation, other than the school of origin or the public transportation system;
- Daily cost of using public transportation system; and
- Transportation costs reimbursed by another entity.