

Tips and Troubleshooting Best Interest Determinations

What do you do if?

You aren't sure you should have a Best Interest Determination?

Best Interest Determinations happen when there is a change in placement for the student in foster care. If a student has been moved out of their living placement to another placement, despite how far away or into which setting, there should be a Best Interest Determination if the move constitutes a school change. If the placement change was in the same school catchment area and wouldn't signify a possible school change, there is no need to have a Best Interest Determination.

Best Interest Determinations are a collaborative process with a focus on the best interest of the student that is fair and unbiased. The determination is made by the team of attendees and is not a determination made by one agency or person.

Best Interest Determinations are not intended to review educational or behavioral concerns, address crises, or reconsider a previous decision because a school is struggling to meet the student's needs. Best Interest meetings are also separate from IEP meetings and do not replace that process. An exception to this rule is if the student expresses a preference to return to a previous school, in which case a Best Interest Meeting may be scheduled to reassess school stability.

You can't get a hold of or haven't heard from the social worker?

If you can't reach the social worker or they aren't responding to your emails or calls, the best next step is to reach out the DCYF Education Lead for your region. You can find your DCYF Regional Education Lead [here](#). They can help answer any questions or concerns you have and can provide you with updated social worker contact information.

A student in foster care was unenrolled from or enrolled in your school district with no notification from DCYF?

The first thing you will want to do is determine what school district the student has moved to or moved from. That information may be accessible in CEDARS. If not, you can reach out to your DCYF Regional Education Lead to see if they have that information.



Once you have obtained that information, reach out to the Foster Care Liaison for that district (you can find the list of statewide Foster Care Liaison's [here](#)) to schedule a Best Interest Determination meeting. Even though the student has already been moved, you will still want to have the Best Interest Determination meeting to discuss the student's academics, any special needs, and transportation.

To help with this meeting, OSPI has a Best Interest Determination Toolkit with relevant documents that can be found [here](#).

A student is moving to a new school, but everyone agrees beforehand that it is in their best interest. Is a Best Interest Determination Meeting still needed?

Even though everyone has agreed the move is in the best interest of the student, a meeting should still take place. Every school is different in programming for students. You want to make sure the new school is informed of any student program needs, supports, and academic status. It may be that the new school can better serve the student, or you may discover in the meeting, that new school may not be in the best interest of the student. This is the purpose of the Best Interest Determination Meeting.

Best Interest Determination meetings should be documented. OSPI has a [fillable form](#) that can be utilized during the Best Interest Determination meeting. A [tracking database](#) is also available for school district record keeping purposes.

What do you do when you can't get the school records from the student's previous school?

First check to make sure that you are contacting the correct school. You can find the previous school the student was at by looking on CEDARS. Then reach out to the Foster Care Liaison at that district. (you can find the list of statewide Foster Care Liaison's [here](#)).

If you are unable to establish contact with the Foster Care Liaison, reach out to the school the student attended directly and ask whom you need to speak to at the district to receive those records.

If you are still having trouble obtaining records, you can reach out to your DCYF Regional Education Lead for help.

Remember, that under [RCW 28A.225.330](#) a school may not prevent students who are the subject of a dependency proceeding from enrolling if there is incomplete information and the school district must make reasonable efforts to obtain and assess that child's educational history in order to meet the child's unique needs within two business days.

What if the student wants to go to a choice/alternative school?

The decision of enrolling the student is up to the district. Each district should establish its own policy standards on how the intradistrict enrollment options will be implemented as stated in [RCW 28A.225.270](#).

What happens when you are a foster care liaison at a large district and are unable to attend all the Best Interest Determination Meetings?

Every LEA has a local foster care liaison, who must ensure each eligible child receives his or her rights under ESSA, including the right to attend the school of origin. If a foster care liaison is unable to attend a Best Interest Determination Meeting, they need to ensure that the building point of contact and all relevant and appropriate persons are in attendance so that the educational stability of the student is ensured.

What if a student is placed in a trial return home, does a Best Interest Determination Meeting need to be held?

If the trial return home placement is outside of the student's current school catchment area, a Best Interest Determination Meeting should take place. Students who qualify as foster care students are in the "subject to a dependency proceeding" that includes students in a trial-return home. This is an especially critical time for the student and school districts need to be aware of the change in placement and what additional supports may be needed, such as transportation, to maintain the educational stability of the student.

If a student changes home placement and is placed in the same school zone (i.e., the student moves to a different home in the same school zone they are currently attending), does a Best Interest Determination Meeting need to be held?

Technically, a Best Interest Determination Meeting should be held anytime a student goes into foster care and/or there is a home placement change. If the student is placed in the same school zone, a Best Interest Determination Meeting may be needed due to considerations around transportation and/or safety issues. If there are no new considerations warranting a meeting, make sure you document that information for the student's record in case there are any concerns later on.

What if the Best Interest Determination Meeting does not happen before the student moves to a new school?

A Best Interest Determination Meeting can still take place after the move and should be done as soon as possible. In the meantime, the two districts should troubleshoot and work together to find solutions on any issues that might impact the educational stability of the student, such as immediate enrollment and transportation.

What if there is a disagreement over the best interest determination?

OSPI has developed a [dispute resolution process](#) for school districts to use when there is a disagreement about school placement, the provision of educational services, or when there is a dispute between agencies.

What if a student wants or needs to attend summer school, is the school district required to provide transportation?

School districts must ensure that students in foster care promptly receive transportation to and from their school of origin. This includes transportation for needed academic supports for the student to succeed in school, such as afterschool tutoring and summer learning and enrichment programs.

Who pays for transportation of students in foster care?

DCYF will reimburse school districts for 50% of the excess cost of transportation when transporting students in foster care. If a student lives in one district but attends school in another, the two districts are required to share the cost/responsibility for transportation per [RCW 28A.225.350](#). DCYF will reimburse each district for half of their excess transportation costs. DCYF is only responsible for 50% of the costs, not 100%.

As the foster care liaison, you will need to work with your transportation department to fill out the DCYF School Transportation Billing form which is on the OSPI website [here](#). Also, on this same page is a video you can watch to better understand the procedure.

What if a bus cannot be scheduled to pick up the student?

A student in foster care is entitled to transportation to their school of origin for the duration of their time in foster care. If a bus cannot be scheduled, the school district should work with the social worker or DCYF Regional Educational Lead to explore other transportation methods, if appropriate, such as public transportation or HopSkipDrive.

How long does the district continue to provide transportation when the student is living outside of the school district they attend?

Transportation must be provided for as long as the child welfare case is open – which includes any time a student may be in a trial-return-home placement. Once the dependency case is closed, the district is no longer required to provide transportation but is encouraged to consider whether remaining at the school of origin is in the student's best interest. If remaining at the school of origin is determined to be in the student's best interest, school districts are encouraged to provide transportation to the school of origin through the end of the school year in which the student exits foster care to continue prioritizing the student's educational stability. If that is not possible, then school districts should work with the student, parent & DCYF on a transition plan.