

Every Student Succeeds Act 2017

Ensuring School Stability Best Interest Determination

ESSA aligns with the Fostering Connections Act of 2008 and requires school stability protections for youth in care. It requires Local Education Agencies (each district and charter) to collaborate with DCBS in determining best interest as it relates to school stability, providing reasonable transportation if removal from the school district of origin becomes necessary, and immediate enrollment in the new school if moving is imminent. Remember, these factors need to be considered at every move for a child, including their return home.

Though the specific factors may vary depending on context, in order to make a holistic and well-informed determination, a variety of student-centered factors should be considered.

These factors include:

- Preferences of the child;
- Preferences of the child's caretaker(s) or education decision maker(s);
- The child's attachment to the school, including meaningful relationships with staff and peers;
- Placement of the child's sibling(s);
- Influence of the school climate on the child, including safety;
- The availability and quality of the services in the school to meet the child's educational and socioemotional needs;
- History of school transfers and how they have impacted the child;
- How the length of the commute would impact the child, based on the child's developmental stage;
- Whether the child is a student with a disability under the IDEA who is receiving special education and related services or a student with a disability under Section 504 who is receiving special education or related aids and services and, if so, the availability of those required services in a school other than the school of origin; and
- Whether the child is an EL and is receiving language services, and, if so, the availability of those required services in a school other than the school of origin, consistent with Title VI and the EEOA.

Transportation costs should **NOT be considered when determining a child's best interest.

**If a conflict arises between SSW and the school district, SSW is to utilize their Point of Contact (DCBS & Local Education Agencies POC List) as needed. During a dispute, the school is required to ensure transportation of the child to school until a resolution is determined.