

To: School District Superintendents and Foster Care Points of Contact
From: Marlie J. Magill, State Foster Care Coordinator
Subject: Foster Student School of Origin Transportation

In accordance with the [Every Student Succeeds Act \(ESSA\)](#), it is advised that students in foster care remain at their School of Origin, or School District of Origin, whenever possible to support educational stability. The School of Origin, or School District of Origin (SOO/SDOO) is defined as the school/district a student was attending at the time they entered foster care. There are cases, however, where it is not in the student's best interest to remain in their SOO/SDOO. When this occurs, the student's caseworker must bring the matter before the juvenile court and obtain a Best Interest Finding.

The Best Interest Finding (BIF) is a document that states that it is *no longer in the student's best interest* to attend their SOO/SDOO, thereby allowing the caseworker to enroll the student at a different school. Per the [Fostering Connections to Success and Increasing Adoptions Act of 2008 \(P.L. 110-351\)](#); [Social Security Act, Title IV, § 475 \(1\) \(G\) \[42 USC 675\]](#), the enrolling school must then provide "immediate and appropriate enrollment," regardless of the student's ability to produce records. The US Department of Education reiterates this requirement in their [Non-Regulatory Guidance](#), stating that the school/district must ensure that these students are "regularly attending and fully participating in school and that their educational needs are being met."

In compliance with these requirements, the SOO/SDOO must provide transportation to and from school for students in foster care, if it is requested by their ODHS caseworker. In cases where a BIF has taken place and a student has changed schools/districts, it is likewise considered best practice for the school/district of enrollment to provide transportation for foster care students. This ensures alignment with how immediate enrollment and educational stability are understood among districts, juvenile courts, and state agencies. More importantly, it minimizes educational discontinuity. The spirit and purpose of both federal and state guidance centers on removing barriers for these students; it is encouraged that our practices reflect that.

ODE and ODHS have created an agreement that allows both entities to contribute to the reimbursement of districts for transportation costs associated with students in foster care through [ESEA Title IV-E](#). School districts may receive these reimbursements by submitting a quarterly invoice to ODE. Districts will report the full cost, and the federal funds provided to ODE from ODHS will then be used to reimburse school districts for the cost of transportation not already covered by the State School Fund (SSF) transportation grant. [OAR 581-023-0040](#) specifies that funds received from this ODHS grant do not reduce the amount that can be claimed for reimbursement through the SSF transportation grant.

More information can be found on the [ODE Foster Care website](#).