School Transfers for Foster Children

Under the Illinois School Code (105 ILCS 5/10-20.12b), when a child or youth for whom the Department has legal responsibility via court-ordered custody or guardianship is placed into a foster home or other child care facility located in another school district and the Department had determined that it is in the child or youth’s best interest to maintain attendance at his or her former school, the school district cannot charge the tuition normally charged to children who do not reside in the district.

When there is a change in a child's placement or living arrangement, it is most often beneficial for the child to remain in the same school. The caseworker shall consult with their supervisor, the caregiver, child, and school personnel in both school districts when making this decision. Factors to be considered in school placement include length of time spent at the current school, adjustment potential, extra-curricular activity participation, supportive relationships, socialization, separation anxiety, distance/travel time, and how much of the semester or school year remains.

When it is determined that the child should remain at his/her current school, the caseworker will provide a letter to the appropriate school district advising officials of the reasons why it is in the child's best interest to remain at the current school. The caseworker will notify the school district that:

- The Guardianship Administrator has been appointed temporary custodian or has guardianship of the child.
- DCFS has determined that it is in the best interest of the child or youth to maintain enrollment and attendance at the current school. Generally, a statement from the caseworker that it is in the child or youth’s best interest is sufficient.
- DCFS has placed the child with foster parents or in a residential facility (provide applicable names and addresses).

The caseworker will also request that the school district provide transportation for the child to remain at the current school. The decision of the school district is not subject to appeal. If the school district agrees to allow the child to remain in the current school, but will not agree to provide needed transportation, the caseworker shall assist the caregiver with acquiring transportation for the child by informing the caregiver of other options, including DCFS reimbursement for transportation. (Refer to DCFS Procedures 359.75, Payments for Children’s Education Expenses, (k) Public Transportation for School). If the child is served by a private agency on behalf of DCFS, the caseworker should contact the appropriate person within the agency to access payment from special service fees in the POS contract.