

_____, Fostering Connections Point of Contact

School Name

School Address

School Address

date

Dear _____,

_____ Child's Name _____ is a _____ grade student at _____ school _____

_____ in _____ school district _____ . My office _____

_____ explain involvement _____ .

As detailed in the attached form, LDSS-2999 (Child in Foster Care – School Notification), this child has either entered into foster care or changed foster care placements. And DSS has determined that it is in the child's best interest to attend _____ school district _____ .

I remind the district that children in foster care may stay in their designated district until *the end of the school year* in which they obtain permanency. *See* 8 N.Y. Educ. Law § 3244(2). And any child who obtains permanency during the school year before their “terminal year” in a building may stay through the end of the following school year as well. *See id.* Under state law, the school year starts on July 1 and ends on June 30. *See* N.Y. Educ. Law § 2(15).

As the state Department of Education recently made clear, the final decision as to where a child in foster care shall attend school lies exclusively with the Department of Social Services.

Although the LEA [Local Education Agency] must be consulted regarding the BID [best interest determination], the LDSS [Local Department of Social Services] is ultimately responsible for making the final determination. The LDSS is uniquely positioned to assess vital non-educational factors such as safety, sibling placements, the child's permanency goal, and the other components of the case plan. The LDSS also has the authority, capacity, and responsibility to collaborate with and gain information from multiple parties, including parents, children, schools, and the court in making these decisions.

See N.Y.S. Off. of Child. and Fam. Svcs. & N.Y.S. Educ. Dep't, *Students in Foster Care Tool Kit for Local Education Agencies and Local Departments of Social Services*, Pub. 5221 (Feb. 7, 2022), at 10-11.

Please contact me at your earliest convenience to discuss this matter. It is my sincere hope that my child may continue at district, as the law requires and as DSS, in consultation with the child's robust support team, has determined is in their best interest.

Sincerely,

Name

Phone

Email