



LEGAL CENTER FOR
FOSTER CARE & EDUCATION



AMERICAN BAR ASSOCIATION

Center on Children
and the Law

Best Interest Determination (B.I.D.) Worksheet

Fill out your state's answers to the best of your ability. If the answer depends on the county/locality, indicate if state leadership has issued guidance or other resources to help localities determine what these answers should be.

Presumption is to
remain in SOO.



B.I.D. is Initiated

(1) Child enters foster care or changes living placement

Timeline: Within how many days must a B.I.D. occur?

Federal Joint Guidance recommends **completing** a B.I.D. process **within 3 business days** of the time of placement in foster care; for any planned change in a foster care living placement, a B.I.D. process should occur **before the move**.

School notification: How is the child's school of origin (SOO) notified of foster care placement (or change in living placement)? How quickly does CWA notify LEA? How quickly does LEA update their records with foster care status?

Responsibility: Who is responsible for coordinating the B.I.D., inviting participants, gathering supporting documentation, and ensuring SOO transportation?

Federal Joint Guidance notes that both the child welfare agency (CWA) (state or local) under SSA Title IV-E and the local educational agency (LEA) under ESSA Title I, Part A are responsible for the B.I.D. State/local protocol varies.



B.I.D. Meeting

(2) B.I.D. occurs

Parties involved: Who's at the table?

Youth engagement: How are the student's preferences known and prioritized?

Family engagement: How do you consult parent(s), foster parent, caregiver, EDM?

Factors: What factors are considered?

Federal Joint Guidance emphasizes a **student-centered, context-specific** B.I.D.

Data: Does your state collect data on B.I.D.s and outcomes (including academic achievement and family permanency)?

Dispute resolution: If there is a B.I.D. dispute about outcome, what is the process, and timeframe, to resolve it? Federal Joint Guidance recommends a process that can be completed **within 5 business days**.



Transportation and/or Enrollment & Records Transfer

(A) School remains the same

Transportation to SOO:

- Within how many days must transportation be set up?
- Who is responsible for setting up transportation?
- How is transportation funded?
- What is the resolution process for a transportation dispute?

Federal Joint Guidance notes that LEAs, in consultation with CWAs, should have a written procedure for "providing, arranging, and funding" SOO transportation, which should be provided **within 3 business days** of completing a B.I.D.

Immediate enrollment and records transfer:

Who is responsible for enrollment? By when? Who is responsible for requesting and providing records? By when? Federal Joint Guidance notes that a student should be "fully enrolled" and records transferred **within 3 business days**.

Ensuring smooth transition:

Is there any law or guidance in your state about ensuring a smooth transition to a new school, including credit transfers and credit recovery? Federal Joint Guidance notes that "**fully enrolled**" means attending school, fully participating in classes, extracurricular activities, and out-of-school opportunities; plus credit accrual.

Supporting school stability, mental & physical health, academic success, and graduation:

Is there any law, guidance, policy, practice, or program in your state addressing other aspects of school stability, holistic well-being, tutoring or mentoring, or other supports to help ensure academic success so students in foster care are on track for high school graduation?

(B) School changes