

**NC BEST INTEREST DETERMINATION**

Case Number: \_\_\_\_\_

**Educational Stability**

Child's Name: \_\_\_\_\_

Copy provided to child's placement provider: \_\_\_\_\_ on: \_\_\_\_\_  
Name Date

Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Check one:  **Initial Entry into Custody**       **Placement Change**       **Educational Services Meeting**

<b>Section I: Background</b>
<b>Child's Permanency Plan, check one:</b> <input type="checkbox"/> <b>Reunification</b> <input type="checkbox"/> <b>Legal Guardianship</b> <input type="checkbox"/> <b>Legal Custody</b> <input type="checkbox"/> <b>Adoption</b> <input type="checkbox"/> <b>Another Planned Permanent Living Arrangement</b> <input type="checkbox"/> <b>Reinstatement of Parental Rights</b>
School: _____ School Address: _____ Grade: _____ Child functioning above grade in any subjects (list): _____ Child functioning below grade in any subjects (list): _____ If retained, what grade was repeated: _____ Any special services (IEP, 504, list): _____ Behavioral issues: _____ Additional information, including child's strengths & extra-curricular activities: _____ _____
Date/Time of Best Interest Determination (BID) or Educational Services (ES) meeting: _____ Date student was informed about BID/ES meeting and purpose: _____ Was the student provided the opportunity to identify a significant person to attend the meeting? <input type="checkbox"/> Yes <input type="checkbox"/> No If a person was identified, who did the student invite? _____ Date parent(s) were notified of BID/ES meeting: _____
Supporting documentation (Attach supporting documents.) <input type="checkbox"/> <b>Report cards (required)</b> <input type="checkbox"/> IEP or 504 Plan <input type="checkbox"/> Progress reports <input type="checkbox"/> E-mails or correspondence from individuals consulted <input type="checkbox"/> Achievement data (test scores) <input type="checkbox"/> Disciplinary referrals <input type="checkbox"/> <b>Attendance data (required)</b> <input type="checkbox"/> Health reports/records <input type="checkbox"/> Other _____ <input type="checkbox"/> Other _____

**Section II: Best Interest Determination / Educational Needs**

1. How many schools has the child attended? How many schools has the child attended this year? How have the school transfers affected the child emotionally, socially, academically, and physically?
  
2. How does the student feel about any upcoming moves?

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3. What, if any, are the safety considerations related to school placement?

4. Which school is preferred by the student, birth parent and placement provider and why?

	School Preference	Why?
Student		
Birth Parent		
Placement Provider		

5. What school(s) do the student's siblings attend?

6. How is the student performing academically?

7. How does the student's behavior impact his or her educational success?

8. Does the student have a current IEP or a 504 Plan? If so, for what need?

9. If the student has a current IEP, is specialized transportation identified as a related service?

10. Does the student participate in other specialized instruction? (e.g., gifted program, career and technical program)

11. What are the student's academic/career goals? Does one school have programs and activities that better address the unique needs or interests of the student than the other school?

12. Describe the student's ties to his or her current school, including significant relationships and involvement in extracurricular activities. Can these ties or relationships be maintained if a school change is determined to be in the child's best interests?

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- 13. Would (or has) a change in schools affect the student's ability to earn full academic credit, participate in sports or other extra-curricular activities, proceed to the next grade, or graduate on time? If so, how?
  
- 14. Would (or did) the timing of the school transfer coincide with a logical juncture, such as after testing, after an event that is significant to the student, or at the end of the school semester or year?
  
- 15. How would the length of the commute to school impact the student?
  
- 16. Would a school change impact on the child's permanency goal?

**Section III: Best Interest Determination (check one)**

- The child shall remain in the school in which the child was enrolled
- Based on the best interest determination, a change in school is needed

If it is NOT in the best interest of the child to stay in the same school in which he or she was previously enrolled, explain why: \_\_\_\_\_

Based on the child's best interest, what educational services must be provided at the selected school?

Name of School Selected: \_\_\_\_\_

Enrollment in selected school will be completed by: \_\_\_\_\_ by: \_\_\_\_\_  
Name Date

**Section IV: Next Steps/Educational Services Needed (attach additional pages if needed)**

	What?	Who is responsible?	By when?
1			
2			
3			
4			

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**Section IV: Signature Page**

The following individuals participated in determining the school placement in the student's best interest.

Participant Role (* indicates essential role)	Printed name	Title and/or Relationship with child	Signature	Agree with determination?
Student **				Yes No
Child welfare social worker or supervisor**				Yes No
Current placement/care provider				Yes No
School representative from student's school at time of placement**				Yes No
IEP team for special education purposes, if applicable				Yes No
Birth parent(s) and/or prior caretakers(s)				Yes No
Guardian ad Litem				Yes No
Surrogate Parent				Yes No
Other significant person(s) the student wishes to attend**				Yes No
Other _____				Yes No
Other _____				Yes No
Other _____				Yes No

Local Educational Agency Point of Contact: \_\_\_\_\_

County Child Welfare Agency Point of Contact: \_\_\_\_\_

## **BEST INTEREST DETERMINATION (BID) FORM INSTRUCTIONS**

### **Purpose**

The Best Interest Determination (BID) form serves two purposes. The form documents a child's:

1. Educational best interest determination when a child enters placement services or a change in placement is necessary, and/or
2. Educational needs and services whenever a child must change schools.

The BID form meets the requirements of Fostering Connections and Every Student Succeeds Act (ESSA) for documentation that must be maintained in the child welfare case file for every child regarding the best interest determination for educational stability.

### **When to use this form**

This form should be completed at the:

1. BID/CFT meeting whenever a child enters the custody of a county child welfare agency or when a placement change is necessary, and prior to a child changing schools,
2. Educational Services (ES) meeting after a child enrolls in a new school, or
3. ES meeting when a change in school is being considered (independent of a placement change).

Policy requires completion of the BID form within seven days of the BID/ES meeting and a copy shall be maintained in the county child welfare case file and provided to the child's placement /care provider.

### **Using the form**

Section I is designed to assist in preparing for the BID or ES meeting. Information about the child's previous school performance and/or activities should be obtained prior to the meeting. Sections II, III, and IV are to be completed during the meeting.

### **Best Interest Determination Meeting & Documentation**

The Fostering Connections to Success and Increasing Adoptions Act (P.L. 110-351) Section 204 requires:

"The child's case plan must include (1) assurances that the child's placement takes into account the appropriateness of the current education setting and the proximity to the school in which the child was enrolled at the time of the placement; (2) an assurance that the state agency has coordinated with appropriate local educational agencies to ensure that the child remains in the school in which the child is enrolled at the time of placement; and (3) if remaining in the school is not in the child's best interests, assurances by the state agency and the local educational agencies to provide immediate and appropriate enrollment in a new school, with all of the educational records of the child provided to the school."

Fostering Connections and ESSA require that every child remain in his or her school of origin unless a determination is made that it is not in his or her best interest. The decision as to what is in the child's best interests shall take place at a BID meeting. Scheduling of the BID meeting is the responsibility of the county child welfare social worker. The social worker should collaborate with the local education agency to schedule a BID meeting prior the child(ren) entering custody or a placement change as a part of a CFT meeting. The county child welfare agency shall also discuss with the child the purpose of the meeting, prepare the child for the meeting (unless it is determined that the child should not attend the meeting), and assist the child in the identification of a supportive adult who the child would like to attend the meeting with the child or in his or her behalf.

When the BID does not occur prior to foster care placement or a placement change, it must occur within three school days of the local educational agency's receipt of the Notification of Placement form. For

## **BEST INTEREST DETERMINATION (BID) FORM INSTRUCTIONS**

counties that hold a Child Planning Conference or Day One Conference, the BID meeting should be held at the same time whenever possible.

In making the determination as to whether it is in the child's best interest to remain in his or her school of origin, the county child welfare agency and local education agency must consider the appropriateness of the current educational setting and proximity of placement. In addition, the county child welfare agency and local education agency should consider all factors relating to a child's best interest, including:

- Preferences of the child;
- Preferences of the child's parent(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.

The following parties should be invited to attend the BID meeting:

- The point of contact (POC) for the county child welfare agency, and/or the social worker with the most information about child;
- The POC for the local education agency, and/or the representative from the school of origin who has the most knowledge about the child and who is best able to provide feedback on significant relationships the child may have formed with staff and peers and how changing schools would impact the child's academic, social, and emotional well-being. This could be a teacher, counselor, coach, another meaningful person in the child's life, or any or all of the above;
- If the child has an IEP or a Section 504 Plan, the relevant school staff members who could speak to the special needs of the child should also be invited to participate;
- If the child is an English Learner, a student identified as having limited English proficiency in speaking, listening, reading, or writing English, other relevant school staff may need to participate;
- The child, depending on age;
- Foster parents, when appropriate;
- Biological parents, guardians, or custodians when appropriate;
- Relatives of the child with perspective on which school the child should attend while in foster care; and
- The child's court appointed Guardian ad Litem, or a representative from the appropriate GAL program.

The county child welfare agency social worker must invite, and prepare as needed, the child, parents, and court partners (GAL, etc.). The local educational agency POC must invite teachers, coaches, special education services, transportation services, or any other educational services, as appropriate.

The outcome of the BID meeting should be

- Selection of the school based on the child's best interests,
- Identification of the transportation method (if there is adequate information), and
- Clear tasks for follow up, as needed, including transportation funding, or new enrollment.

When a child enters a county child welfare agency's custody or when a child must change his or her placement, the child should continue to attend his or her current school. Exceptions may exist when a

## **BEST INTEREST DETERMINATION (BID) FORM INSTRUCTIONS**

change in the school placement is necessary for emergency placements or placement changes. A change in school placement should only occur before the BID meeting when it is detrimental to the child's best interests to remain in his or her school of origin and a school placement change is necessary before a BID meeting can be held. A school placement change prior to a BID requires approval by the county child welfare agency director (or designee).

### **Educational Services Meeting & Documentation**

When the outcome of the BID meeting is that a school change is necessary, an Educational Services (ES) meeting should be scheduled after enrollment in the new school. The purpose of the ES meeting is to ensure the child has all required educational services and to discuss the child's school transition. Scheduling of an ES meeting is the responsibility of the county child welfare agency. The county child welfare worker should collaborate with the LEA to schedule the ES meeting within 30 days of the child's enrollment in a new school.

An Educational Services meeting should also be scheduled when there are concerns related to a child's performance in school that may require a change of schools.

The BID form shall be used to document the ES meeting. Check on the top of the form the box for Educational Services meeting. For an ES meeting some questions in Section II may not be necessary. Section III is not required for an ES meeting (but will be used in circumstances when a change in school, independent of a placement change, is being considered).

### **Additional Educational Stability Documentation**

The Child Educational Status form together with the BID form meet the requirements of the Fostering Connections Act and ESSA that documentation be maintained in the child welfare case file for every child in the custody of a county child welfare agency regarding educational stability. The Child Educational Status form (DSS-5425) or Best Interest Determination form is to be completed for every case at a CFT, PPAT, BID, ES meeting or other review of a child's placement case. The Child Educational Status form or BID form shall be updated at a minimum of every 6 months and must be completed within 7 days of a CFT, PPAT, BID, or ES meeting. The form must be maintained in the child's county child welfare case file and provided to the child's placement provider.