



## **GUIDE TO THE STUDENT IN FOSTER CARE DISPUTE RESOLUTION PROCESS**

If the district seeks to place a student in a school other than the school of origin, or the school requested by the caregiver/educational decision-maker in consultation with the student, as a result of a best interest determination, the caregiver or education decision-maker may dispute the district's placement determination. The caregiver or education decision-maker may also dispute transportation decisions through this process.

Additionally, the caregiver or education decision-maker for the student will receive notice of the appeals process (see Dispute Resolution Process below) after the best interest determination. Only a caregiver or education decision-maker for the student may file an appeal using the Dispute Resolution Process.

### **Level I**

The student's caregiver or education decision-maker may dispute the district's best interest determination, transportation decision, or the provision of any other education-related service for a student in foster care. They may do so by providing the district or the district's foster care liaison with written notice of the dispute within fifteen (15) business days of receiving notice of the district's determination (e.g., that the district intends to enroll the student in a school other than the school of origin or the school requested by the caregiver or the education decision-maker).

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The notice of dispute, if provided *to the district*, will be immediately forwarded to the foster care liaison, or, if that person is unavailable, another designee. The liaison will log receipt of the notice (including the date and time), and then forward a copy of this documentation to their immediate supervisor and the superintendent or designee.

The liaison will make a decision on the dispute within five (5) business days of receipt and inform the caregiver or educational decision-maker in writing of the result. The following documents will be included with the decision in an "appeals package":

- A copy of the original notice of dispute;



- Any additional information from the caregiver or educational decision-maker and/or foster care liaison; and
- Instructions on appealing the decision to Level II.

The liaison will attempt to verify receipt of the written decision by the caregiver or education decision-maker.

## **Level II**

If the caregiver or education decision-maker disagrees with the decision of the foster care liaison, he or she may appeal the decision to the superintendent or his/her designee (who must be someone other than the foster care liaison). He or she may do so by providing the superintendent's office with a copy of the Level I appeals package within ten (10) business days of their receipt of the Level I decision.

Within five (5) business days of the notification to the district that the caregiver or education decision-maker intends to appeal, the superintendent or designee will arrange to meet within a reasonably expeditious time period either in-person or through phone/video conference with the student's caregiver or educational decision-maker, the student if appropriate, and at least one representative from DCYF or another supervising agency. If it is not possible for the DCYF or other supervising agency representative to be present within a reasonable time, the superintendent or designee will document their efforts to include the representative and proceed with the conference.

Within five (5) business days of the conference, the superintendent or designee will provide the caregiver or educational decision-maker with a written decision, supporting evidence, reasons for the decision and an appeals package that includes:

- A copy of the initial dispute filed at Level I and the Level I decision;
- The Level II decision rendered by the superintendent or designee;
- Any additional information from the caregiver or education decision-maker and/or foster care liaison;
- Instructions as to how to file a Level III appeal, including the physical address and email address of where to submit the dispute:



Foster Care Education Program Supervisor  
Old Capital Building  
PO Box 47200  
Olympia, WA 98504-7200  
[fostercare@k12.wa.us](mailto:fostercare@k12.wa.us)

The district's foster care liaison will also be provided a copy of the Level II decision and appeals package. The liaison will make a reasonable effort to verify receipt of the decision and appeals package by the caregiver or educational decision-maker.

### **Level III**

If the caregiver or education decision-maker disagrees with the decision of superintendent or designee, he or she may appeal the decision by notifying the district's foster care liaison within ten (10) business days of receipt of the Level II decision of their intent to file a Level III appeal.

The superintendent or designee will forward all written and electronic documentation to the OSPI Foster Care Education Program Supervisor or designee for review within five (5) business days of receiving notification of the caregiver or education decision-maker's intent to file a Level III appeal.

The caregiver or education decision-maker may also submit related documentation to the OSPI Foster Care Education Program Supervisor and the district's foster care liaison for review within five (5) business days after notifying the district of their intent to file a Level III appeal. The documentation must be submitted in one consolidated and complete package via email or the US Postal Service.

The OSPI Foster Care Education Program Supervisor or designee and appropriate DCYF representatives shall make a decision within fifteen (15) business days of receipt of the dispute. The decision will be forwarded to the district's foster care liaison for distribution to the caregiver or educational decision-maker, the DCYF representative engaged by the district at Level II and the superintendent. The decision shall be the final resolution for placement and the provision of services for a child or youth in foster care in the district.

The district will maintain records of disputes resolved at the Level I, Level II and/or Level III and shall be made available to OSPI upon request.