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DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES

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EDMUND G. BROWN JR.
GOVERNOR

September 23, 2011

ALL COUNTY LETTER NO. 11-51

TO: ALL COUNTY WELFARE DIRECTORS
ALL CHIEF PROBATION OFFICERS
ALL LOCAL MENTAL HEALTH DIRECTORS
ALL COUNTY ADOPTION AGENCIES
ALL ADOPTION DISTRICT OFFICES
ALL GROUP HOME PROVIDERS
ALL FOSTER FAMILY AGENCIES
KARUK TRIBE

REASON FOR THIS TRANSMITTAL

- [X] State Law Change
[] Federal Law or Regulation
Change
[] Court Order
[] Clarification Requested by
One or More Counties
[] Initiated by CDSS

SUBJECT: THE FOSTERING CONNECTIONS TO SUCCESS AND
INCREASING ADOPTIONS ACT OF 2008 (PUBLIC LAW 110-351)
EDUCATION TRAVEL REIMBURSEMENT

REFERENCE: ASSEMBLY BILL (AB) 1612, CHAPTER 725, STATUTES OF 2010
AB 1933, CHAPTER 563, STATUTES OF 2010
SENATE BILL (SB) 1353, CHAPTER 557, STATUTES OF 2010
ALL COUNTY LETTER (ACL) NO.10-12, DATED MARCH 15, 2010

Public Law (PL) 110-351 amended Title IV-E of the Social Security Act to require that a case plan includes a plan for ensuring the educational stability of the child while in foster care, hereinafter referred to as "educational stability plan," including:

- Assurances that the placement of the child in foster care takes into account the appropriateness of the current educational setting and the proximity of the foster home placement to the school in which the child is enrolled at the time of placement.
- 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; or

- If remaining in such school is not in the best interests of the child, assurances by the state agency and the local education agencies to provide immediate and appropriate enrollment in a new school, which includes submission of all educational records of the child to the new school.

The PL 110-351 also provides for the cost of reasonable travel for the child to remain in the school in which the child is enrolled at the time of placement as an allowable foster care maintenance cost. Accordingly, eligibility for reimbursement for the cost of educational travel as described in this ACL, assuming that all other eligibility conditions are met, commences simultaneously with the commencement of the child's eligibility for a foster care maintenance payment.

Federal policy recognizes that the Title IV-E agency has the discretion to determine what is considered reasonable travel in examining factors such as distance and the time to travel. Additionally, AB 1933 and SB 1353 allow the child to remain in the school of origin for the duration of the foster care placement, if it is in the best interest of the child; and allow the child to remain in the school of origin throughout multiple placement changes, if it is in the best interest of the child. The AB 1933 also allows foster children to matriculate with their peers in accordance with the feeder patterns of school districts.

The purpose of this ACL is to provide instruction and guidance to county child welfare and probation departments regarding the applicable rates to be paid for reimbursement of costs related to transporting a child in grades Kindergarten through 12th to his/her school of origin based on the educational stability plan.

The California Department of Social Services (CDSS) convened a workgroup that included staff from the State Department of Education, child welfare advocacy groups, counties and the County Welfare Directors Association (CWDA) for the purpose of developing a uniform statewide rate and methodology for the cost of travel to a child's school of origin. The educational travel reimbursement rate for licensed foster family homes, approved relatives, small family homes, non-related extended family members (NREFM) and certified foster homes, and the key considerations to be made when determining the rate for each child is outlined below. The educational travel rate and methodology for children placed in congregate care settings such as group homes or community treatment facilities will be addressed separately.

Travel Distance: Determine the number of miles between the child's current foster care placement and the school of origin.

Travel Arrangement: Determine the appropriate travel plan for each child by considering the child's capacity to travel safely using public or school transportation, the provider's ability to provide the transportation or other reasonable alternatives, etc.

Travel arrangements should assure all children arrive and depart safely from their schools in a timely manner. For example, a foster parent who has children attending schools located some distance from each other or in opposite directions where the possibility of transporting both children at the same time would cause one child to be late for school, requires planning for alternative transportation to ensure each child arrives and departs from school on time.

Reasonable Travel and Exceptions: In accordance with the Administration for Children, Youth and Families, Children's Bureau Program Instruction 10-11, the county has the discretion in determining what is considered reasonable travel by examining factors such as distance and length of time the child will be traveling as part of the child's educational stability plan. The PL 110-351 and AB 1933 require that educational planning for a child be coordinated between the responsible placement and educational agencies and the person holding the right to make educational decisions for the child.

Nothing in statute prohibits the responsible agencies from sharing the cost of transportation. The responsible educational agency must provide or arrange for transportation when that need is documented in the student's Individual Education Plan. Please refer to Education Code Section 56040, Chapter 34 Code of Federal Regulations (CFR) 300.24 and 34 CFR 300.

The rates to be paid to foster family home providers including licensed foster parents, approved relatives, certified foster parents, small family licensees and NREFMs, for each foster child, whose educational stability plan indicates that the child will remain in the school of origin are as follows:

Distance from Foster Care Placement to School of Origin (in miles) One Way	Educational Travel Rate per Month per Child
Up to 3 miles	\$0
4 to 8 miles	\$58
9 to 13 miles	\$154
14 to 18 miles	\$250
19 to 23 miles	\$347
24 or more miles	\$443

Administration of Rate Methodology

The workgroup developed a methodology for a rate to be paid for children who remain in their schools of origin in accordance with their educational stability plan. The rate methodology is based on the foster parent or other designee's driving four (4) one-way trips per day (one round trip from home to the school in the morning and one round trip from home to the school in the afternoon), fifteen school days per month, 180 school days per year divided by twelve months. Counties are not required to prorate payments for days children do not attend their school of origin.

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Partial miles are rounded up if it is 0.5 and above or rounded down if less than 0.5. The rates reflected in the chart above are for a twelve month period and are intended to be used for the cost of daily transportation to and from the school, as well as for other educational-related transportation such as, extra-curricular activities, sports related activities, school dances, after-school activities, as well as parent-teacher conferences and those instances when the caregiver needs to travel to the school to pick-up the child for appointments or illnesses. The educational travel reimbursement is only for the child whose educational stability plan indicates that the child will remain in the school of origin. Educational travel is part of the foster care maintenance payment and temporary absence regulations apply.

Educational travel rates may be paid for children taking public transportation to their school of origin. The counties may purchase transportation passes or reimburse the foster parents for purchasing passes. The rates reflect the low, medium and high costs of monthly public transportation passes in the state. If the cost of the monthly public transportation pass falls between two levels, reimbursement to the provider will always be at the higher of the two levels. For example, if in County Z, public transportation passes cost \$45.00 per month, County Z will pay for or reimburse a foster parent purchasing a bus pass for their foster child to attend their school of origin at the \$50.00 rate. The rates to be paid for public transportation are specified below.

Public transportation passes are reimbursed at the flat rates of \$25, \$50, or \$75 dollars per month per child, as determined by the placement agency.

Fifteen minutes of administrative time has been allotted to county placing agencies to determine the educational travel plan and monthly reimbursement and to arrange payment. This activity is performed for each child for whom an initial educational travel monthly payment must be calculated and whenever circumstances have changed (the child has moved to a new foster home, etc.) and a new payment must be calculated.

Foster Family Agencies (FFAs) will receive payment for educational travel costs from the responsible placing agencies as part of the maintenance payment for each child whose educational stability plan indicates that the child will remain in the school of origin. Certified foster parents will not be reimbursed separately for the costs of providing transportation. The FFAs are required to pay the entire amount of the educational travel reimbursement to the certified foster parents responsible for providing the travel. In those instances when the FFA is providing the transportation rather than the certified foster parent, the travel reimbursement may be retained by the FFA. Foster parents and FFAs must immediately report to the responsible placement agencies any changes that would affect the educational travel reimbursements for children in their care.

Additionally, an overpayment may be assessed for a provider who is no longer transporting a child to their school of origin, but continues to receive an education travel rate as part of the maintenance payment.

Cost Sharing Ratios

The educational travel rate is part of the maintenance payment; therefore, the cost sharing ratios are the same as for Aid to Families with Dependent Children-Foster Care payments as follows:

	Federal	County 2011	County Realignment
Federal Case:	50%	20%*	30%
Nonfederal Case:		40% *	60%

*Effective July 1, 2011, the state share has been realigned to the county share per AB 118

Overpayments

Educational travel reimbursements are subject to overpayment determinations as described in CDSS Regulations Division 45-303 through 45-306.

Special Project Codes

Counties will be required to use one statewide special project code to identify each child who is receiving a transportation reimbursement. The statewide special project code is identified below.

S-1 Educational Travel Reimbursement- A child who is receiving educational travel reimbursement as a result of remaining in their school of origin.

The CWDA and CDSS will collaboratively develop a survey tool to capture relevant data on the number of children receiving an educational travel reimbursement, the amount of the reimbursement, the duration of the payment, and any other pertinent data that will inform the use and payment of the educational travel reimbursement.

Claiming/Retroactive Payments

A future CFL for current month claims and instructions will be provided with the monthly updated CA 800 FC FED and the CA 800 Non FED assistance claims to include the educational travel reimbursement to the counties. Counties must maintain the appropriate documentation to support the expenditures for purposes of a federal or state audit.

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Inquiries

Any questions regarding educational travel rates can be directed to the Foster Care Rates Bureau consultant at (916) 651-9152. Any questions regarding the assistance claim can be emailed to assistance.claims@dss.ca.gov. Questions concerning educational planning and case plan assurances related to educational stability can be directed to the Child and Youth Permanency Branch at (916) 651-7464.

Sincerely,

Original Document Signed By:

GREGORY E. ROSE
Deputy Director
Children and Family Services Director

Attachments

Education Travel Reimbursement Rate Methodology

The basis for this methodology is the 2010 American Automobile Association (AAA) average driving costs based on 15,000 miles per year. Additionally, this methodology used the five 2009 medium sedan car models selected by AAA, to determine the average miles per gallon (mpg) of these vehicles through the www.fueleconomy.gov website, which was determined to be 19.6 mpg. This methodology also used the www.fuelgaugereport.com website to provide the current California average fuel cost of \$3.15 per gallon. The CDSS utilized the www.milesgallon.com website to calculate the cost of fuel per mile using an average distance of 15,000 miles per year, an average of 19.6 mpg, along with the maintenance and tire costs provided for by AAA allowed for determining the operating costs. The AAA costs associated with depreciation and vehicle financial charges were excluded.

The following assumptions apply:

- A school-age foster child will be transported to their school of origin and back to their foster care placement by the foster parent, or designee equating to 4 one-way trips, 15 school days per month (based on 180 school days per year divided by 12 months).
- 17% of the total school age foster care population will use public transportation, (according to San Diego Unified School District Transportation Department.)
- **Some** foster children with Individual Educational Plans will not receive a travel reimbursement because the Department of Education is responsible for their transportation and its costs.
- Using data from the Child Welfare Services/Case Management System identifying the number of children placed outside the zip code of their home of removal:
 - 36.6% of children may be driven between 1-5 miles per day, one way to school
 - 16.8% of children may be driven 6 to 10 miles per day, one way to school
 - 46.6% of children may be driven 11 miles or more per day, one way to school

Average 2010 AAA Driving Cost Estimates **15,000 total miles per year**

Annual Operating Costs: \$3,205 (gas + maintenance +tires)

Annual Ownership Costs: \$1,616 (insurance +license +registration +taxes)

Total cost per year \$4,821

*Gas costs were based on the 2010 AAA Fuel Gauge Report price per gallon of \$3.15.

The AAA costs above were used to calculate the cost per mile as described below

Annual Operating Costs	per Mile	Annual Ownership Costs	per Mile
Gas:*	0.1600 cents	Full-coverage insurance	0.0687 cents
Maintenance:	0.0454 cents	License, Registration, Taxes	0.039 cents
Tires:	0.0083 cents		

Cost per mile: **0.2137cents per mile** **Cost per mile:** **0.1077cents per mile**

DSS will evaluate the educational travel reimbursement rate periodically and consider adjustments based upon the above methodology

Total cost per mile ***32.14 cents**

2009 Five Top-Selling Medium Sedan Car Models Selected by AAA

Make	Model	MPG
<i>Chevy</i>	<i>Impala</i>	18
<i>Ford</i>	<i>Fusion</i>	17
<i>Honda</i>	<i>Accord</i>	21
<i>Nissan</i>	<i>Altima</i>	23
<i>Toyota</i>	<i>Camry</i>	19

Average MPG for the Five Top Selling Medium Sedans	19.6 MPG
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Schedule of Flat Rates for Educational Travel Standard Local Mileage Disallowance of 3 Miles

	A	B	C	D	E	Rate
Distance from the foster care placement to the school of origin	Average distance from the foster care placement to the school of origin	Standard local school mileage disallowance of 3 miles	Additional miles for each one-way trip to the school of origin	Additional miles for two round trips to the school of origin each school day	Additional miles for an average of 15 school days per month	
(in miles)	(in miles)	3	(A minus B)	(C x 4)	(D x 15)	
Up to 3	3	3	0	0	0	\$0
4 to 8	6	3	3	12	180	\$58
9 to 13	11	3	8	32	480	\$154
14 to 18	16	3	13	52	780	\$250
19 to 23	21	3	18	72	1080	\$347
24 and up	26	3	23	92	1380	\$443