



#152-22

**Commonwealth of Virginia
Virginia Department of Education
Superintendent's Memo #152-22**

DATE: July 15, 2022
TO: Division Superintendents
FROM: Jillian Balow, Superintendent of Public Instruction
SUBJECT: **Updated Guidance on the Best Interest Determination (BID) Process of School Placement of Students in Foster Care Leaving a Residential Placement**

The [*Fostering Connections and the Every Student Succeeds Act: Joint Guidance for School Stability of Children and Youth in Foster Care*](#) was last revised in October 2017. Through discussions with stakeholders across the Commonwealth, the State Team recognizes that updates to the guidance are needed. While the State Team works to adopt more comprehensive revisions to the joint guidance, this memo supersedes previous guidance related to the school of origin options and the requirement to complete the best interest determination (BID) process after a residential stay.

The *Every Student Succeeds Act* defines school of origin as the school the student was attending at the time of initial foster care placement or the school the student was attending at the time of a subsequent foster care placement. For students who must receive their education within the residential setting, the residential placement cannot be considered a school of origin since the student will not be able to continue receiving an education upon discharge from the facility.

The table in **Attachment A** provides general guidelines for determining school of origin options and when to complete a BID. There may be additional circumstances in which a BID is

a reasonable step. Current guidance allows for the BID process to be completed at any time when both decision makers agree. (See guidance pages 9-10 for further information on decision makers.) Please note, if both parties do not agree to hold a BID, the guidelines below should be followed.

The information in this memo will be included in Virginia's joint foster care educational stability regional trainings, held in the fall. Dates for these trainings will be listed on the Project HOPE [professional development webpage](#).

For more information

If you have any questions, please contact the State Team members listed below.

Representatives for the Virginia Department of Education:

- Dr. Patricia A. Popp, State Coordinator, Project HOPE-VA
(757) 221-7776; Pxpopp@wm.edu
- Laura Hackett, Assistant State Coordinator, Project HOPE-VA
(757) 221-4002; Lihack@wm.edu

Virginia Department of Education:

- Sabrina Gross, Coordinator of Complaints and Special Projects
(804) 225-2771; Sabrina.Gross@doe.virginia.gov

Virginia Department of Social Services:

- Monica Cabell, Youth Services Specialist
(804) 726-7944; Monica.Cabell@dss.virginia.gov
- Patrice Jackson, Foster Care Constituent Services Consultant
(804) 726-7511; Patrice.Jackson@dss.virginia.gov

JB/PAP/rt

- A. Attachment: [Determining Need for a BID Following a Residential Placement](#) (DOCX)