

School of Origin Determinations for Students in Foster Care

A student is entitled to remain at their **school of origin** unless it is not in the student's best interest.



What is a school of origin?

- » The school where the student was enrolled **prior to** entering foster care* OR
- » The school where the student was enrolled **when** a student changes placement while in foster care.



What timelines apply?

- » State law entitles a student to continue to attend the school of origin until **graduation or completion of the highest grade offered at the school** unless it is not in the student's best interest.



Who determines best interest?

- » DFPS/SSCC** **collaborates** with the school district and the student to make the best interest determination. DFPS/SSCC are responsible for final school of origin decisions.
- » Factors may include safety; student preference; academic, social, and emotional needs; and distance to the school. For additional information on best interest determination, see the [Foster Care and Student Success Guide](#) and [TASB Policy](#).

Example Scenarios:

- ▶ **Example A:** Jerry attends School A. Jerry enters foster care and is placed in a foster home in the attendance area for School B. School A is Jerry's school of origin and he is entitled to continue to attend School A unless it is not in his best interest.
- ▶ **Example B:** Jenny attends School A. Jenny enters foster care and is placed in a kinship home in the attendance area for School B. It is determined that attending School A is not in Jenny's best interest. Jenny must be immediately enrolled in School B even if records cannot be produced immediately.
- ▶ **Example C:** During the school year, Dan is adopted and leaves foster care while attending School A. His adoptive parents move to the attendance area for School B. Dan is entitled to continue to attend School A until he attains the highest grade offered in the school even though he is no longer in foster care.
- ▶ **Example D:** Nina continues to attend School A after she enters foster care. Nina enrolls in School B when she returns to her parents, who later moved to the attendance area for School C. Under TEC § 25.001(g), Nina can attend School A or, under TEC § 25.001(g-1), Nina can attend School B. Nina can also attend School C because she resides in the school's attendance area.

For more information, see [TEA's Foster Care and Student Success Website](#)

Legal citations: 20 U.S.C. § 6312(c)(5), 42 U.S.C. § 675(1)(G); Tex. Educ. Code § 25.001(g)-(g-1).

For situations when a student in DFPS conservatorship may be considered homeless, see [Chapter 6 of the Foster Care and Student Success Guide](#).

*Foster care is a term used to describe when a child is placed outside the home with a relative, kinship, foster home, or residential placement.

**Department of Family and Protective Services (DFPS) is appointed the managing conservator if a court decides it is unsafe for a child to remain in the home. In regions with Community-Based Care, a Single Source Continuum Contractor (SSCC) performs the duties of DFPS.