



Administrative Policies and Procedures: 21.14

Subject:	Serving the Educational Needs of the Child/Youth
Authority:	TCA 37-1-130; 37-1-131; 37-1-140; 37-5-106; 49-6-3001; Individuals with Disabilities Education Act, 20 U.S.C. Sec.1400 et. Seq.; Every Student Succeeds Act ; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351).
Standards:	DCS Practice Model Standards: 6-401, 6-404, 6-405, 6-406, 6-407, 6-408 6-400. COA: PA-KC 9; PA-RTX 10.
Application:	All Department of Children Services Employees, Foster Parents, Contract Provider Agencies
Policy Statement:	
All children/youth of compulsory school attendance age are enrolled in an educational program with appropriate services in the least restrictive environment. Children under the age of five (5) receive educational services based on need.	
Purpose:	
To ensure and promote appropriate and successful educational programming for children/youth.	
Procedures:	
A. Responsibilities of the Family Service Worker (FSW)/ Juvenile Service Worker (JSW)	<ol style="list-style-type: none"> 1. Ensure that the child/youth is enrolled in an appropriate education program based on developmental and academic needs. Use the Protocol for Educational Programs and Resources as a guide. 2. Each time placement changes are considered, make every effort to minimize disruption of the educational setting. Those efforts must be clearly documented in case notes or documented in CS-0747, Child and Family Team Meeting Summary. 3. Ensure timely transfers of school records when a child/ youth changes schools. Compile and maintain DCS form CS-0657, Education Passport-School Enrollment Letter as stated in DCS Policy 21.19, Education Passport. 4. The Family Service Worker (FSW)/ Juvenile Service Worker (JSW) is required to notify the receiving school system as far in advance as possible of the intended placement of all students in DCS custody.

	<ol style="list-style-type: none"> 5. Promote school stability and monitor progress by communicating regularly with school personnel and foster parents collecting information regarding attendance, academics and behavior to present to the CFT. 6. <u>Special Education/Services Section 504 Services</u>: If a disability is suspected and the child/youth has not been previously identified, the FSW/JSW makes an immediate written referral to the school for an evaluation for special education eligibility. A referral form may be obtained from the school. 7. <u>Attend Individual Education Plan (IEP) and Section 504 meetings (or ensure attendance by a supervisor designee) and:</u> <ol style="list-style-type: none"> a) Include the Education Specialist as appropriate and necessary. b) Encourage the foster parents to attend. The school has the responsibility to notify and involve the birth parents. c) Ensure that the school appoints a surrogate parent if parental rights have been terminated, if birthparents are unknown, or if the school in conjunction with DCS is unable to locate a parent. 8. Consult with the Regional Education Specialist when: <ol style="list-style-type: none"> a) Special Education/Section 504 concerns arise; b) Significant discipline problems arise or the child has a history of school discipline problems. This would include expulsion, zero tolerance offenses, suspension of ten(10) days or more and/or truancy issues; c) A child/youth has significant treatment issues that may impact the school day. In a CFTM, the FSW/JSW works with the Education Specialist, parents, foster parents, surrogate parent, school and others as necessary to determine education supports and recommendations. d) There is a delay in the transfer of school records from school to school; or e) School enrollment problems arise. f) A child is transferring from TEIS to special education in public schools. g) There is required notification to school principals of certain delinquency adjudications. Refer to DCS Policy <u>21.18, Notification to School Principals of Certain Delinquent Adjudications</u> for the listing of adjudications and the process for consulting with the Education Specialist to report them to school principals.
<p>B. Role of the Child and Family Team</p>	<ol style="list-style-type: none"> 1. The Child and Family Team (CFT) considers the individual needs of children/youth when recommending any changes in placement and ensures efforts are made to keep the child in his/her current school whenever possible. 2. The goal of the CFT is to prevent placement disruption and allow the child/youth to remain in the same school. 3. Through quarterly Progress Review CFTM's, the CFT monitors the student's educational progress using information provided by the FSW/JSW and/or Education Specialist and parent/foster parent provider agency. 4. The CFT must convene for a Special-called CFTM within five (5) days when a child is expelled or suspended from school for ten (10) or more days or has

	<p>multiple shorter term suspensions (see DCS Policy 21.16, Rights of Foster Children With Disabilities Under Title II, Section 504 of the Rehabilitation Act of 1973 and the Individuals with Disabilities Education Act (IDEA).)</p> <p>5. The CFTM can be convened upon request to address school issues when a child/youth is;</p> <ul style="list-style-type: none"> ◆ Experiencing significant behavioral and /or academic problems; ◆ Not attending school regularly; and /or ◆ Transitioning from school to school <p>Note: For Special Education eligible students, designee must contact new school and request an IEP meeting.</p> <p>6. Recommendations and action steps for CFT members should be documented on DCS form CS-0747, Child and Family Team Meeting Summary, Section 4.</p>
<p>C. Responsibilities of the Education Specialist</p>	<ol style="list-style-type: none"> 1. Provide consultation/technical assistance to local DCS staff and contract provider agencies. 2. Provide ongoing in-service training regarding educational issues to DCS Family Service Workers, foster parents, and other staff in his/her region. 3. Provide consultation concerning special education services. 4. Attend Child and Family Team Meetings and IEP meetings, as necessary. 5. Assist Family Service Worker with problems regarding school enrollment, school records, discipline and the provision of appropriate educational services.
<p>D. Responsibilities of the DCS Child Health Team</p>	<ol style="list-style-type: none"> 1. The regional nurse and/or psychologist attend IEP meetings when available and deemed appropriate. 2. The DCS TennCare Representative and/or regional nurse is available to assist the foster parent, DCS Family Service Worker, provider agency case managers and the Education Specialist in accessing medically necessary health services (medical or behavioral) identified by the school. If the child/youth is TennCare-Medicaid eligible, all medically necessary services are the responsibility of TennCare under EPSDT.
<p>E. Education Training</p>	<ol style="list-style-type: none"> 1. Family Service Workers are required to have two (2) hours of in-service training per year regarding education services. 2. Foster Parents are required to take two (2) hours of Working with Education System training course during the first two (2) years. <p>Note: An Educator License, due to type of employment (i.e., teacher, principal, etc.), can replace this requirement.</p> <ol style="list-style-type: none"> 3. Training may be made available through the regional training coordinators and the regional education specialist.

<p>F. Education Stability</p>	<p>The federal Every Student Succeeds Act (ESSA) contains key protections for students in foster care that are designed to promote school stability, student success, and collaboration between local education agencies (LEAs) and child welfare agencies (DCS). Part of this includes keeping students in their school of origin whenever possible. Per ESSA requirements: Use the <u>DCS Educational Stability Plan</u> as a reference.</p> <ol style="list-style-type: none"> 1. Upon a student coming into custody or upon a student changing placement while in custody, the DCS Child and Family Team (CFT) must discuss if it is in the best interest of the student to remain in the school of origin. If the student’s DCS placement is within one hour of the student’s school of origin, the team should immediately notify the DCS Point of Contact (the Education Specialist) via email or telephone. 2. The Education Specialist (only) notifies the LEA, if needed, to arrange a Best Interest Determination (BID) meeting. This meeting should involve the DCS Education Specialist, the school district point of contact, the education decision maker for the student (parent, etc.), the school principal, and any other key partners for decision making (FSW/JSW and other DCS staff). 3. In a BID meeting, DCS and the LEA collaborate to determine if it is in the best interest of the student to remain in the school of origin or attend a new school. <ol style="list-style-type: none"> a) If the decision is that it is in the best interest of the student to remain in the school of origin, then the two agencies continue meeting to develop a plan for transportation to that school. b) If the decision is that it is not in the best interest of the student to remain in the school of origin, then enrollment in the new school and the transfer of educational records must take place as soon as possible. c) If there is disagreement over the best interest determination or transportation procedures/cost, an appeal process is in place and a dispute resolution meeting may be scheduled.
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<p>Forms:</p>	<p><u>CS-0657, Education Passport- School Enrollment Letter</u> <u>CS-0747, Child and Family Team Meeting Summary</u></p>
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<p>Collateral Documents:</p>	<p><u>DCS Educational Stability Plan</u> <u>Protocol for Educational Programs and Resources</u> <u>Child and Family Team Meeting Guide</u></p>
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<p>Glossary:</p>	
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<p>Individual Education Plan (IEP):</p>	<p>A written plan developed by an IEP team (formerly M-Team) for children eligible to receive special education services. The plan specifies:</p> <ul style="list-style-type: none"> ◆ Current levels of academic functioning ◆ Annual goals, ◆ Learning objectives ◆ Transition goals (14 years old and older) ◆ Assistive technology devices needed ◆ Testing accommodations ◆ Need for a behavior plan or behavior goals ◆ Additional services, if needed (related services)
<p>In-Home Wrap Around Services:</p>	<p>TennCare refers to these services as intensive mental health case management, CTT (Continuous Treatment Team) or CCFT (Comprehensive Child and Family Treatment). These services are available to children/youth in DCS custody that are in level 2 placements or lower.</p>
<p>IEP Services:</p>	<p>Services provided to disabled children that outlines accommodations that are provided to a child based on the child’s disability.</p>
<p>School of origin:</p>	<p>The school in which a child is enrolled at the time of placement in foster care. If a child’s foster care placement changes, the school of origin would then be considered the school in which the child was enrolled at the time of the placement change.</p>
<p>Special Education Services:</p>	<p>Specialized educational services provided to disabled children, age birth (TEIS birth – 3) to age 22 (public schools age 3 -22).</p>
<p>Surrogate parent:</p>	<p>An individual appointed by the Local Education Agency (LEA) in specific instances to act in the place of a parent in order to ensure that the rights of a child eligible for special education services under IDEA are protected.</p>
<p>Tennessee Early Intervention System (TEIS):</p>	<p>A division of the TN Department of Education/Division of Special Education that is Tennessee’s system for the coordination and provision of special education services for disabled infants and toddlers, ages birth to three who meet the State’s definition for services under IDEA Part C.</p>