

## **15610 Role and Responsibilities of the DFPS Regional Education Specialist**

CPS April 2016

The regional education specialist provides assistance and support to DFPS staff. The regional education specialist must:

- provide advice to internal and external stakeholders on resources to improve the educational outcome for children and youth in DFPS conservatorship;
- provide additional training to enable staff members to represent a child's best interest in an education setting;
- identify and provide information on educational services or resources in the region;
- help identify resources for specialized placement that meet the child's educational needs;
- participate and provide information in case planning, transition planning, and permanency roundtable meetings to identify specific educational needs and services, as needed;
- attend as many Admission, Review, and Dismissal (ARD) meetings as possible for children and youth in DFPS conservatorship, and all meetings that the caseworker is unable to attend;
- act as a liaison with staff from Texas Education Agency (TEA), the independent school districts (ISDs), school district foster care liaisons, Education Service Centers (ESC), and other program specialists with the DFPS state office;
- help caseworkers resolve education issues with schools and providers, acting as a liaison with staff from DFPS's Legal Division, as needed;
- develop training curriculum and train CPS staff and foster parents;
- prepare and present training to internal and external stakeholders on education-related topics;
- develop and coordinate regularly scheduled regional consortiums with internal and external stakeholders to address education-related issues and concerns;
- provide regularly scheduled training and certification for interested stakeholders appointed as surrogate parents;

- work with regional DFPS staff to ensure that children in the conservatorship of DFPS receive appropriate educational services and that each child's case record includes a copy of the necessary education records; and
- help coordinators associated with the Preparation for Adult Living (PAL) program develop transition plans for youth who are aging out of DFPS conservatorship.

See 10200 Preparation for Adult Living (PAL) and its subitems.

Additional resources are available to caseworkers, caregivers and students. See the Education for Children Resource Guide*PDF Document* under *Education Resources*.

## **15110 The Role of the Caseworker in Ensuring Education Stability**

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The caseworker is responsible for securing appropriate educational and other services for children in substitute care, taking into account the child's interests, strengths, and needs. The caseworker must coordinate significant educational decisions with:

- the education decision-maker (see [15370 Education Decision Making](#));
- the caregiver (if different from the education decision-maker);
- the child or youth; and
- other persons involved with the child, such as a surrogate parent if the child is eligible for special education services.

### **Ensuring Educational Stability**

In order to promote education success and stability, DFPS caseworkers must:

- ensure the child continues to attend the same school the child attended before entering DFPS conservatorship, even if the student is outside the attendance zone or changes placement while in DFPS conservatorship, unless it is not in the child's best interests to remain in the same school;
- ensure the caregiver enrolls students in school within two days after placement, if the child cannot remain in the same school;
- ensure the caregiver provides the official withdrawal documentation from the school the child was attending to the new school the child is enrolling in;
- ensure the caregiver completes and signs the school-provided form to "opt out" of corporal punishment for a child or youth in conservatorship. If the school does not provide a form, the caregiver provides the school with a written and signed document to "opt out" of the school using corporal punishment for a child or youth in conservatorship;
- provide the caregiver with the appropriate version of [Form 2085External Link](#) Placement Authorization and [Form 2085EWord Document](#) Designation of Education Decision-Maker to give to the child's school at initial enrollment, for any subsequent school placement changes, and annually;
- create an education portfolio and provide it to the caregiver;
- ensure the education portfolio is updated regularly;

- review and update the child's Education Portfolio regularly, and enter current education information into IMPACT;
- file Form 2085E Designation of Education Decision-Maker with the appropriate court within five days after the initial adversary hearing;
- update the court in the next permanency progress report if there are any later changes to the Education Decision-Maker or Surrogate Parent;
- ensure the caregiver, the educational decision maker (if different than the caregiver), and the school receive updated copies of the Education Decision Maker form immediately (but no later than five days) if there are any changes in the Education Decision-Maker or Surrogate Parent, including if a Surrogate Parent is appointed for the first time;
- ensure school records from the child's previous schools have been requested through the school district;
- schedule a child's appointments whenever possible after school, during the evening, or on the weekend so as not to interfere with school instructional time. If an appointment must be scheduled during the school day, select times which will be the least disruptive for the student, and avoid having the student always miss the same period or class repeatedly. Generally, students do not return to class after a mental health or therapy session;
- provide an excuse note for the caregiver to give to the school for any court-ordered or case plan related reasons if a child has to miss school; and
- consult with the school's district foster care liaison and the regional education specialist when necessary.

In order to promote education success and stability for a student with a disability, the caseworker must also:

- ensure the educational needs and goals for the student are met, including:
  - ensuring an Individualized Education Program (IEP) is developed,
  - securing appropriate special education and other services as determined by an Admission, Review, and Dismissal (ARD) committee, and
  - ensuring any accommodations for the student required under Section 504 of the Rehabilitation Act of 1973 are implemented;

- consult with the regional education specialist for education-related concerns or issues, upcoming ARDs, or Manifestation Review Hearings;
- participate or arrange DFPS representation in the student's ARD committee meetings, as necessary; and
- attend or arrange DFPS representation for a child or youth's Manifestation Review Hearing (held to determine whether a child's actions are a manifestation of his or her disability), if any are held.



## **15000 Education for Children**

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Education contributes to the overall well-being of a child emotionally and socially as well as academically. Positive school experiences can help children overcome some of the effects of abuse and neglect and offer children real hope in successfully transitioning to adulthood.

DFPS is committed to ensuring children in care receive the best educational services and programs to meet their needs.

## **15100 The Role of DFPS in Ensuring Education Stability and Success**

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Federal law requires DFPS to have a plan to ensure educational stability for a child in substitute care. A child's initial placement into substitute care, and any subsequent placement changes, must take into account the appropriateness of the child's educational setting and the proximity to the school the child is enrolled in at the time of the placement or placement change. DFPS must coordinate with local schools and school districts to ensure that the child remains in the same school the child was attending at the time of the initial placement or any subsequent placement change, unless it is not in the child's best interests to remain in that school.

*Fostering Connections 42 U.S.C. 675*[External Link](#)

If the child must change schools, the child must be enrolled within two days in an appropriate school in the same school district, if possible, or in the school most able to meet the child's needs.

If the child changes schools, DFPS ensures all of the child's records are provided to the new school within 30 days.

*Texas Education Code §25.002(g)*[External Link](#)

State law supports education stability by allowing a child or youth enrolled in primary or secondary public school and placed outside the school attendance zone or outside the school district to continue to attend the school the child was enrolled in at the time of the original placement, or any subsequent placements, unless it is not in the child's best interest to remain in the same school. The student may attend the school without payment of tuition until he or she completes the highest grade offered at the school at the time of the student's enrollment. The student is entitled to continue to attend the school regardless of whether the student remains in the conservatorship of the department for the duration of the student's enrollment in the school.

*Texas Education Code §25.001(g) and (g-1)*[External Link](#)

