

# Interagency Agreements



Improving  
Educational Outcomes  
for  
Florida's Children in  
Foster Care



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# Introduction

For every child, education is critical to self-sufficiency and personal fulfillment. For the 29,000 children in out-of-home care in Florida,<sup>1</sup> positive school experiences can counter traumatic family lives and the anxiety of being removed from home. Yet, the unique educational needs of these children are often neglected by the child welfare and school systems. Numerous studies show that children in out-of-home care perform significantly worse than their peers in school. They face tremendous obstacles that limit their academic success, including frequent school changes and the lack of a consistent adult encouraging their educational progress.

In recent years, policymakers, administrators, researchers and advocates across the country have started to focus on this problem with the goal of developing comprehensive solutions. In 2004, the Florida legislature passed section 39.0016 requiring the Department of Children and Families (DCF) and the Department of Education (DOE), as well as DCF regions and local school districts, to enter interagency agreements addressing the educational needs of children in out-of-home care. The law outlines the agencies' minimal obligations, including: avoiding school changes, identification of services necessary for a child's education, information sharing, cooperation to provide surrogate parents and educational services to children with disabilities, joint participation in case planning and training among stakeholders to facilitate the goals of the agreement. The state level agreement, which was signed in July 2005, includes DCF, DOE and the Agency for Workforce Innovation (AWI) as parties.

The legislation was modeled on a successful Broward County initiative started in 1998 when the school district and DCF entered a memorandum of understanding detailing policies to foster school success for children in out-of-home care. As a result, children in out-of-home care in Broward are doing better in school. One study revealed that the Broward agreement resulted in improved communication between school and child welfare agencies and a related enhancement of service provision to children.<sup>2</sup> Broward's experience, and the success of similar initiatives nationally,<sup>3</sup> demonstrates that collaborative strategies can improve school achievement for children in care.

Collaboration between the child welfare and school systems, as well as other agencies involved with the child, is the cornerstone of section 39.0016. Schools and child welfare officials share responsibility for making sure foster children are educated. Schools have constitutional and statutory obligations to provide children with a high quality education. For the child welfare system, educational progress is a child well-being indicator under the Adoption and Safe Families Act. Collaboration can avoid duplication, improve accountability and combine resources to maximize delivery of services and programs.

While the passage of section 39.0016 was an important step in tackling this complex issue, the law has not yet lived up to its potential throughout the state. In October 2006 when DOE and DCF administrators were asked about the status of implementation, they indicated that only 11 counties had entered interagency agreements and there was no clear sense of what those counties were doing. It was also unclear what efforts were being made to ensure that the remaining counties quickly adopted an agreement and began the challenging task of improving school outcomes for its children. Concerned that 39.0016 was not being fully implemented, University of Miami Children & Youth Law Clinic and Florida's Children First, in collaboration with child advocates across the state, conducted a public records request directed to all 67 school districts and DCF regional offices to assess the status of implementation.

1. Florida Department of Children & Families, Quick Facts, May 21, 2007. The term "out-of-home care" is used to refer to all children in out of home placement under the supervision of the Department of Children and Families. This includes children in shelter care, relative and non-relative placements, licensed foster homes and residential facilities. For ease of reference the term "foster care" will be used interchangeably with "out-of-home-care".

2. Holley, Beverly J. (2002). *A Qualitative Study of an Interagency Relationship: Education Interventions for Foster Children*. Available at <http://www.lib.umi.com/dissertations/fullcit/3085815>.

3. National Conference of State Legislatures, Children's Policy Initiative (2003, December). *Educating Children in Foster Care*.

This report identifies the districts that have adopted interagency agreements and assesses whether the agreements include key provisions necessary to collaboratively address educational issues. The report also provides recommendations based on promising provisions and practices in Florida and other states, as well as national research and policy reports.

The purpose of the report is two-fold. First, we hope this report helps to spur implementation of 39.0016 at the state and local level. Having a state and local interagency agreement is an important means of establishing policies and institutionalizing the commitment to serving the educational needs of foster children. But it is only the beginning. Ultimately, whether Florida offers foster children the hope of a sound future will depend on whether state and local administrators follow through on this commitment with steadfast implementation and evaluation. It is important to note that this report assesses what local interagency agreements say on paper, but does not report on actual practices. We hope that counties use this report as an opportunity to assess both whether their agreements include all necessary provisions and whether their actual practices comport with their agreements. Second, this report is intended as a resource for school and child welfare administrators working together to promote school success for children in out-of-home care. In addition to the recommendations, resources are included at Appendix B. The UM Children & Youth Law Clinic and Florida's Children First are also available to provide training and consultation on implementation issues. Together, we can reverse the alarming outcomes and ensure that children in care have the educational foundation to lead productive lives.

# Background

# E d u c a t i o n a l O u t c o m e s

## *Children in Out-of-home Care Perform Worse than their Peers in School*

Children in out-of-home care perform worse than children in the general population on a number of academic achievement measures. The Office of Program Policy Analysis and Government Accountability (OPPAGA) collected statewide data on the educational performance of teenagers in out-of-home care.<sup>4</sup> For the 2003-04 academic year, foster youth in Florida:

- ◆ scored substantially lower than other youth on the Florida Comprehensive Assessment Test (FCAT), with less than a quarter performing at grade level in math and reading
- ◆ were nearly twice as likely to be held back a grade
- ◆ were two-and-a-half times more likely to be diagnosed with a “less severe” learning disability, such as a hearing, speech or visual impairment
- ◆ were seven times more likely to have been diagnosed with a “severe” disability, such as being educably mentally disabled or severely brain injured
- ◆ were twice as likely to have school disciplinary problems, ranging from being suspended, to being placed in an alternative school, to being expelled
- ◆ were three times more likely to be involved in drop out prevention programs for youth who were parents, under the supervision of Department of Juvenile Justice, or deemed unmotivated or unruly in the classroom; and
- ◆ were less likely to attend vocational schools and community or four-year colleges after high-school: only 21% sought post-secondary education compared to over half of those in the same-aged general population.

A study of out-of-home children in the Broward County School District during the 2002-2003 school year made

4. OPPAGA assessed the educational and employment outcomes of all 9003 current and former foster youth between the ages of 13 and 22, as of June 30, 2004. Office of Program Policy and Government Accountability (Dec. 2005). Report No. 05-61, *Improvements in Independent Living Services Will Better Assist State's Struggling Youth* [hereinafter referred to as “the OPPAGA Report”]. Available at [www.oppaga.state.fl.us/reports/health/r05-61s.html](http://www.oppaga.state.fl.us/reports/health/r05-61s.html)

5. The School Board of Broward County, Office of Research and Evaluation (2003, January). *Out-of-home Care Research Brief*. Available at [www.broward.k12.fl.us/research\\_evaluation/Evaluations/DCFfinal5-5-04.pdf](http://www.broward.k12.fl.us/research_evaluation/Evaluations/DCFfinal5-5-04.pdf).

more likely to be held back a grade and registered lower scores on both the math and reading sections of the FCAT. Of the 912 students identified as being in out-of-home care, 45.9% were classified as Exceptional Student Education (ESE), over three times greater than the district student population.

National research shows similar outcomes. Children in out-of-home care tend to have lower grades and standardized test scores, are more likely to repeat one or more grades and fail classes, less likely to graduate from high school or attend post-secondary schools, and perform below grade level in reading and math.<sup>6</sup> For example, one national study found that 54% of former foster youth completed high school, compared to 70% in the general population.<sup>7</sup> Children in out-of-home care also have higher rates of tardiness and absences, and are more frequently suspended or expelled from school.<sup>8</sup>

Children in out-of-home care manifest disabilities and receive special educational services at higher rates than the general population. Studies suggest that between 30% to 50% of children in out-of-home care nationwide receive special education services.<sup>9</sup> The concern for this particularly vulnerable population stems from both over and under inclusion in special education programs. Many lack essential special education services, while others are incorrectly labeled and placed in overly restrictive educational environments.

### *Former Foster Youth Are Less Likely to Achieve Self-Sufficiency as Adults*

After youth turn 18 and leave the foster care system, they have poor chances of achieving economic and personal stability as adults. The OPPAGA report found that compared to others in their age group, former foster youth:

- ◆ were employed at the same rate, but earned only one-fourth the median wage for their age group
- ◆ were four times more likely to receive food stamps and nine times more likely to receive Temporary Assistance to Needy Families (TANF)
- ◆ were 17 times more likely to be homeless; and
- ◆ three times more likely to be in prison or on probation.

Again, this Florida data is consistent with national studies showing poor life outcomes for former foster youth. In addition to similar results on the measures above, nationwide studies show that 20% to 40% of our nation's homeless population consists of people who were in foster care. While there is insufficient data to firmly conclude that educational neglect causes these dire outcomes, improved educational outcomes can potentially turn these statistics around given that education is a key predictor of future earning potential and stability.

6. National Working Group on Foster Care and Education (October 2006). *Educational Outcomes for Children & Youth in Out-of-Home Care*; Mark E. Courtney et al. (2004). *Issue Brief #102: The Educational Status of Foster Children*. University of Chicago, Chapin Hall Center for Children; Yu, E. et al. (2002). *Improving Educational Outcomes for Youth in Foster Care: A National Collaboration*, at vii. Washington, DC: Child Welfare League of America.

7. Cook, R. (1994). *Are we helping foster care youth prepare for the future?*, Children and Services Review Vol. 16. No. 3/4: 213-229.

8. Courtney, M.E., Terao, S. & Bost, N. (2004). *Midwest evaluation of the adult functioning of former foster youth: Conditions of youth preparing to leave state care*. Chicago, IL: Chapin Hall Center for Children at the University of Chicago.

9. Smithgall, C. et al. (2004). *Educational Experiences of Children in Out-of-Home Care*. University of Chicago: Chapin Hall Center for Children; Smucket, K.S. & Kauffman, J.M. (2002). *School-Related Problems of Special Education Foster Care Students with Emotional or Behavioral Disorders: A Comparison to Other Groups*. Journal of Emotional and Behavioral Disorders Vol. 4. No. 1:30-40.

# Obstacles to School Success

## *Risk Factors at Home*

The traumatic experiences that bring children into foster care – such as pre-natal drug exposure, abandonment, neglect and abuse – place them at risk for physical, social and behavioral problems that interfere with learning. Thus, children may start out already behind their peers when they are removed from home. Rather than receiving comprehensive interventions once in care, they often face tremendous individual and institutional obstacles to obtaining even basic educational services.<sup>8</sup>

## *Lack of School Stability*

There is a lack of continuity in education because a change in home placement often results in a change in schools. The OPPAGA report found that in the 2003-2004 school year, 38% of foster youth changed schools at least once, compared to only 7% of the general population. One study estimates that with each move a child loses up to 6 months of education.<sup>9</sup> Not only does a child have to adjust to the new curriculum and learning environment, but he or she may not receive credit for work already completed, resulting in lower grades or grade retention. With each school change, a child must also develop new relationships with teachers, counselors, administrators and friends, creating further instability in the child's life. In addition, multiple school transfers can prevent or interrupt the provision of special education services. Children may not be evaluated for disabilities, and by the time teachers begin to identify and respond to specific deficits, the child may have transferred schools. Recognizing that stability is a predictor of academic success, placement stability is one of the Child Well-Being measures for education under the Adoption and Safe Families Act.

## *Delays in School Enrollment*

There may be delays in school enrollment, attributable to not having school or immunization records, school uniforms or other requirements, or apathy on the part of foster parents or caseworkers responsible for enrolling the child in school. Even short delays may result in significant gaps in a child's academic record if the child changes schools repeatedly. The Broward County School District found that 12% of students in out-of-home care were not enrolled in school by the 20th day of September in 2002. After an extensive campaign to apprise child welfare and school system staff of ways to resolve the problem, an evaluation in September 2003 revealed that 98% of the children in out-of-home care were enrolled by the 20<sup>th</sup> day.

## *Delays and Problems in the Transfer of School Records*

When school changes occur, education records may be lost, incomplete, inaccurate or delayed, preventing appropriate and timely educational services. A student may have to retake classes or lose credits, and students in special programs may not be offered similar programs at a new school.

8. Casey Family Programs (2004). *A Roadmap for Learning: Improving Educational Outcomes in Foster Care*.

9. Yu, E. Day, P. & Williams, M. (2002). *Improving educational outcomes for youth in care: A national collaboration* (background paper). Child Welfare League of America Press.

### *Failure to Identify School Needs and Provide Appropriate Services*

Children in out-of-home care who need regular, supportive education services or special education services may not be identified for or receive these services. Lack of training and confusion about the appropriate roles of the many adults involved with the child (biological parents, foster parents/caretakers, caseworkers, guardians *ad litem*, attorneys, judges) may result in a failure to advocate for the child's educational needs. For example, caseworkers may not obtain complete school records as required for judicial reviews, and when they do, may not follow up in seeking school services if records signal a problem. On the other hand, schools may not provide appropriate supplemental services, such as mental health services, counseling and advisory support, tutoring, mentoring, career assessment and counseling, and access to remedial and enrichment offerings in the school curriculum.

### *Lack of Educational Advocates*

Children in out-of-home care may not have a consistent adult to advocate for educational services and support educational goals. Typically, natural parents or caregivers are outspoken advocates ensuring that children make academic progress, receive needed services, participate in extra-curricular activities, take advanced classes and take advantage of any choice options offered by the school district. Unfortunately, for children in out-of-home care, no one may play that role. Biological parents may not have the information and skills to navigate the school system or may no longer have legal rights to play that role. Foster parents may change frequently and thus not be familiar with the child's history, or may be unwilling or untrained to advocate in school. Overburdened caseworkers and guardians *ad litem*, focused primarily on the child's home situation, may not view educational advocacy as their responsibility.

### *Lack of Educational Decision-Makers for Children with Disabilities*

Determining the educational decision-maker for children with disabilities is critical as enforcement of a child's right to identification and services is premised on parental advocacy, and assessment and service provision initially require parental consent. Biological parents, who retain these rights unless they are explicitly stripped by a court, are sometimes excluded from the process or lack the information to effectively participate. When biological parents are not legally authorized or able to advocate for their children's educational rights, there is often confusion about who else can act as a parent. In some cases, it might be appropriate for a foster parent or other caregiver to act as the "parent." If there is no person to assume that role, then federal and state law require the appointment of a surrogate parent. In reality, they are sometimes not appointed. As a result, children with disabilities may not receive appropriate testing and services.

### *Lack of Information Sharing among the Education, Child Welfare and Court Systems*

When the various systems working with foster children do not share information, no single system has the complete picture necessary to assess and meet the child's needs. For example, school districts may not know which children are in out-of-home care. And child welfare officials may not have up-to-date and accurate school records. Federal and state laws requiring confidentiality of school and child welfare records alike are often cited as a barrier to information sharing. While confidentiality and privacy concerns should always be forefront, these laws allow for the sharing of necessary information between schools, child welfare officials and the court.

### *Lack of Collaboration among Education, Child Welfare and Court Systems*

Lack of collaboration between the systems involved with children in foster care results in duplicative and sometimes inconsistent efforts, as well as a lack of accountability. Among the many people involved in a child's education – including caseworkers, biological parents, foster parents, teachers, guidance counselors and judges – the lines of responsibility are often unclear and no single person or agency is ultimately held accountable for the child's school success. Accordingly, increased collaboration and cross-training is critical to improve educational outcomes. Effective collaboration requires systems to work together to maintain school stability, share children's pertinent records, and ensure appropriate educational services. Interagency protocols, preferably supported by appropriate level regulation, are essential to creating a comprehensive, effective collaborative system.

# Florida's Educational Statute Section 39.0016

In 2004, the Florida legislature enacted Florida Statute § 39.0016 requiring the Department of Children & Families (DCF) and their lead Community Based Care (CBC) providers to enter interagency agreements with the Department of Education (DOE) and local school districts regarding the education of children who are dependent or in shelter care.<sup>10</sup> The statute is premised on the principle that the school and child welfare systems share responsibility for eliminating barriers to school enrollment and stability and ensuring that the educational needs of children in care are identified and met. The statute explicitly recognizes that collaboration will avoid duplication of services and programs and maximize the resources available for providing services. The legislation was modeled on a 1998 initiative in Broward County, under which DCF and Broward County school officials entered into a memorandum of understanding detailing procedures to meet the educational needs of children in out-of-home care.

The statute specifies provisions that must be included in local interagency agreements and outlines the minimum responsibilities of DCF, DOE and school districts to improve educational access, including:

- ◆ continuing enrollment in the same school to avoid disruption of a child's education
- ◆ identification of educational and other school services necessary for a child's education
- ◆ sharing of information consistent with the Family Educational Rights and Privacy Act
- ◆ cooperative efforts to ensure that children with disabilities are evaluated, appointed surrogate parents and provided with appropriate special education and transition planning services
- ◆ joint participation in case planning activities
- ◆ provision of training in areas that would facilitate the desired outcomes of the agreements.

DCF and DOE entered a state level agreement to establish statewide policy and serve as a guide for local districts on July 11, 2005. The Agency for Workforce Innovation is also a signatory to the agreement.

10. See Attachment A, Florida Statute § 39.0016.

# Assessment of Interagency Agreements

# A b o u t t h i s A s s e s s m e n t

## *How Information was Collected*

To assess the status of implementation, in the fall of 2006, we submitted public records requests to all 67 school districts and 11 DCF districts seeking copies of their interagency agreements and other documents related to the negotiation or implementation of the interagency agreements. We obtained interagency agreements from 39 counties.

## *Counties that Did Not Provide Interagency Agreements*

22 counties did not respond to the public records request. Two counties (Alachua and Hamilton) responded that they did not have an interagency agreement and four counties (Hernando, Highlands, Okeechobee, Osceola) provided agreements that pre-dated Florida Statute § 39.0016 and related to different issues. If you did not respond and your county does not have an interagency agreement, then you should negotiate and execute an agreement immediately.

Alachua	Gilchrist	Highlands	Okeechobee
Bradford	Glades	Jefferson	Osceola
Charlotte	Gulf	Lafayette	Pasco
Citrus	Hamilton	Lake	Putnam
Columbia	Hardee	Martin	St. Lucie
Dixie	Hendry	Monroe	Union
Escambia	Hernando	Okaloosa	Walton

## *Using this Assessment as a Resource to Develop your Interagency Agreement*

We analyzed the substance of the agreements, focusing on key provisions aimed at addressing the obstacles identified. The analysis is organized as follows:

### *Goal.*

Identifies a goal that *all* counties should strive to achieve. These goals reflect the intent of Florida Statute § 39.0016. They are also consistent with the growing consensus among policymakers across the country about the components necessary to improve educational outcomes for children in out-of-home care. As you implement 39.0016, critically assess what your county is doing to achieve each goal.

### *Florida Statute.*

Identifies the specific requirements in section 39.0016. You should ensure that you are complying with every aspect of the law.

### *Key Interagency Agreement Provisions.*

Identifies interagency agreement provisions that are either explicitly required by section 39.0016 or otherwise offer a promising start to meet the stated goal. We focused on the core provisions that are essential to an effective interagency agreement. If your county does not include the provision, we suggest that you consider adding it or critically assess what else your county is or should be doing to achieve the stated goal. By focusing on these provisions, we do not mean to suggest that these are the only provisions that should be included in agreements and we encourage counties to think creatively about other provisions. In addition, the highlighted provisions suggest *what* a county should do, but not necessarily *how* they should do it. We realize that one size does not fit all – especially in a state as large and diverse as Florida. We encourage each county to develop specific policies and practices to suit their specific systems, populations, and contexts.

### *Promising Practices:*

This section highlights a promising agreement provision from specific counties, or shares promising practices from other states and/or suggested by research. These suggest specific practices to implement the agreements, or suggest ways counties can go above and beyond the key provisions referenced above.

# School Stability

*Goal:* Ensure that children in care remain in the same school after they enter the child welfare system whenever safe and feasible.

## *Florida Statute § 39.0016:*

- ◆ Interagency agreements must provide for continuing the enrollment of a child known to the department at the same school, if possible, with the goal of avoiding disruption of education. (4)(a)(1).
- ◆ The district school board must determine whether transportation is available for a child known to the department when such transportation will avoid a change in school assignment due to a change in residential placement. (4)(b)(3).
- ◆ Recognizing that continued enrollment in the same school throughout the time a child known to the department is in out-of-home care is preferable, (unless enrollment in the same school would be unsafe or otherwise impractical), DCF, the district school board and the Department of Education shall assess the availability of federal, charitable, or grant funding for such transportation. (4)(b)(3).

## *Key Interagency Agreement Provisions:*

- ◆ 15 counties promote the continuation of children in their original school when safe and feasible.
- ◆ 34 counties require child welfare officials to seek home placements within the child's school district.
- ◆ 39 counties agree to explore transportation to avoid school changes.
- ◆ 9 counties agree to explore the use of McKinney Vento funds to provide transportation to avoid school changes.<sup>10</sup>

## *Promising Practices:*

- ◆ Miami-Dade school district provides transportation to allow all students in care to remain in their school of origin. In order to ensure school stability, the Miami-Dade school district will require that all school transfers for children in care be approved by the school district.
- ◆ In several counties, DCF and the lead Community Based Care provider (CBC) are responsible for providing transportation while the school district attempts to arrange permanent transportation, or if transportation cannot be arranged.

10. The Mc-Kinney Vento Act, 42 U.S.C. § 11431 *et seq.*, mandates that homeless youth and children awaiting foster care placement be provided the same free appropriate public education as other children and authorizes funding to states for transportation to allow eligible children to stay in their home school.

# School Stability

County	Does the agreement promote continuation in school of origin when safe and feasible?	Does DCF/CBC attempt to place children in foster homes within home school boundaries?	Does CBC/DCF agree to limit non-emergency placement transfers during the school year?	Do the parties agree to promote the availability of transportation?	Do the parties agree to explore the availability of McKinney-Vento funding?
Baker	Y	Y	N	Y	N
Bay	N	Y	Y	Y	N
Brevard	Y	N	N	Y	Y
Broward	Y	Y	N	Y	Y
Calhoun	N	Y	Y	Y	N
Clay	Y	Y	Y	Y	N
Collier	N	Y	N	Y	N
DeSoto	N	Y	N	Y	N
Duval	Y	Y	Y	Y	Y
Flagler	Y	N	N	Y	N
Franklin	N	Y	Y	Y	N
Gadsden	N	Y	Y	Y	N
Hillsborough	Y	Y	Y	Y	Y
Holmes	N	Y	Y	Y	N
Indian River	Y	Y	Y	Y	Y
Jackson	N	Y	Y	Y	N
Lee	N	Y	N	Y	N
Leon	N	Y	Y	Y	N
Levy	N	Y	N	Y	N
Liberty	N	Y	Y	Y	N
Madison	N	Y	Y	Y	N
Manatee	N	Y	N	Y	N
Marion	N	Y	N	Y	N
Miami-Dade	Y	Y	Y	Y	Y
Nassau	Y	Y	Y	Y	Y
Orange	N	Y	N	Y	N
Palm Beach	Y	N	N	Y	N
Pinellas	N	Y	N	Y	N
Polk	Y	Y	Y	Y	Y
St. Johns	Y	Y	N	Y	N
Santa Rosa	N	Y	Y	Y	N
Sarasota	N	Y	N	Y	N
Seminole	Y	N	N	Y	Y
Sumter	N	Y	N	Y	N
Suwannee	N	Y	N	Y	N
Taylor	N	Y	Y	Y	N
Volusia	Y	N	N	Y	N
Wakulla	N	Y	Y	Y	N
Washington	N	Y	Y	Y	N

# A t t e n d a n c e

*Goal:* Minimize the number of school absences due to court appearances and court-mandated appointments, and provide excused absences when such appointments occur. In addition, provide interventions for children with excessive unexcused absences.

## *Key Interagency Agreement Provisions:*

- ◆ 20 counties require child welfare officials to minimize appointments for children during the school day.
- ◆ 22 counties agree that the school district will report attendance/truancy information to the DCF/CBC. (13 counties agree to provide the DCF/CBC with attendance information, but only upon specific request.)

## *Promising Practices*

- ◆ Broward schools provides the DCF/CBC with copies of all mandated parental correspondence related to truancy and discipline when the state has custody of the child.
- ◆ Broward, Levy, Orange and Suwannee schools agree to provide attendance information to the DCF/CBC weekly. Flagler and Volusia schools do it bi-weekly.
- ◆ The Palm Beach agreement provides that DCF will conduct a home visit upon notification of 2 consecutive reports of unexcused absences for pre-school children.
- ◆ Child welfare personnel should ensure that schools are given proof of court and medical appointments. Schools should treat these as excused absences.

# A t t e n d a n c e

County	Does the school district agree to report attendance/truancy to CBC/DCF?	Do the parties agree to minimize court appearances and other appointments during the school day?
Baker	Y	Y
Bay	Y*	Y
Brevard	Y	N
Broward	Y	N
Calhoun	Y*	Y
Clay	Y	Y
Collier	Y	N
DeSoto	Y*	N
Duval	N	Y
Flagler	Y	N
Franklin	Y*	N
Gadsden	N	Y
Hillsborough	Y	Y
Holmes	Y*	Y
Indian River	Y	Y
Jackson	Y*	Y
Lee	Y	N
Leon	Y*	Y
Levy	Y	N
Liberty	Y*	Y
Madison	Y*	Y
Manatee	Y*	N
Marion	Y	N
Miami-Dade	Y	Y
Nassau	N	Y
Orange	Y	N
Palm Beach	Y	N
Pinellas	Y*	N
Polk	Y	Y
St. Johns	Y	N
Santa Rosa	Y*	Y
Sarasota	Y	N
Seminole	N	N
Sumter	Y	N
Suwannee	Y	N
Taylor	Y	Y
Volusia	Y	N
Wakulla	Y*	Y
Washington	Y	Y

\* Attendance information is provided only upon request.

# School Enrollment

*Goal:* Ensure seamless transitions between schools and school districts. Children should be enrolled in school promptly, their records transferred quickly and completely and schools should be provided with current information about the child, their caregiver and caseworker.

## *Florida Statute § 39.0016:*

- ◆ Interagency agreements must include a provision requiring DCF/CBCs to enroll children in school. (4)(a)(1).
- ◆ DCF must notify the school and school district of the name and phone number of the child's caregiver and caseworker. (4)(a)(2).

## *Key Interagency Agreement Provisions:*

- ◆ 31 counties include a provision requiring DCF to provide the school district with a copy of a special school registration/notification form at initial removal from natural parents and any subsequent change in the child's placement or caseworker.
- ◆ 34 counties require DCF/CBC to provide the school with a copy of any court order that prohibits the natural parent or any other person from contact with the student or contains information about the child's educational program.

## *Promising Practices*

- ◆ Nassau's agreement states that failure to provide registration information is not reason to exclude a student previously enrolled in a Florida school.
- ◆ In Orange county, a school-based liaison facilitates transition if a student transfers school or leaves foster care.
- ◆ Procedures should be implemented to ensure that records are transferred within one week of a school transfer.
- ◆ The federal McKinney-Vento Act, implemented by Florida Statute §§ 1003.21 & 1003.22, provides that homeless children and children awaiting foster care placement may be registered without records that are normally required for enrollment (e.g., academic records, proof of immunizations and residency). Florida should apply the same policy to all children in out-of-home care.

# School Enrollment

County	Does the agreement designate a special school registration/notification form to be provided to the school at initial removal and updated with any changes?	Does the CBC/DCF agree to provide the school with a copy of any court order regarding parental rights and child safety?
Baker	Y	Y
Bay	Y	Y
Brevard	Y	Y
Broward	Y	Y
Calhoun	Y	Y
Clay	Y	Y
Collier	Y	Y
DeSoto	Y	Y
Duval	Y	Y
Flagler	*	N
Franklin	Y	Y
Gadsden	Y	Y
Hillsborough	Y	Y
Holmes	Y	Y
Indian River	Y	Y
Jackson	Y	Y
Lee	Y	Y
Leon	Y	Y
Levy	N	Y
Liberty	Y	Y
Madison	Y	Y
Manatee	N	N
Marion	Y	Y
Miami-Dade	Y	Y
Nassau	Y	Y
Orange	Y	Y
Palm Beach	*	N
Pinellas	Y	Y
Polk	Y	Y
St. Johns	N	Y
Santa Rosa	Y	Y
Sarasota	N	N
Seminole	Y	Y
Sumter	Y	Y
Suwannee	N	Y
Taylor	Y	Y
Volusia	*	N
Wakulla	Y	Y
Washington	Y	Y

*\*The agreement provides that DCF will provide contact information for a caseworker, but does not specify use of a special form.*

# E d u c a t i o n a l S u p p o r t

*Goal:* Ensure that children in out-of-home care participate successfully in all academic and non-academic aspects of their school experience, including all needed support services.

*Florida Statute § 39.0016:*

- ◆ The school district must identify all educational and other services provided by the school that it believes are reasonably necessary to meet the educational needs of a child in care. (4)(b)(2).

*Key Interagency Agreement Provisions:*

- ◆ 30 counties promote the involvement of the school district in DCF/CBC case planning to address educational, job training and employment issues during plan development and review.
- ◆ 25 counties promote practices that engage caseworkers and foster parents in the education of children such as attendance at parent-teacher conferences, school open houses, and other events significant to the education of the child.
- ◆ 23 school districts agree to regularly provide school reports/transcripts to the DCF/CBC. (10 school districts agree to provide school reports/transcripts annually or upon request.)
- ◆ 9 school districts agree to review the academic records of children in care in order to provide interventions.
- ◆ 14 counties agree to develop protocols to identify pre-school aged children who may qualify for early intervention.

## *Promising Practices*

- ◆ Duval's agreement provides that a school-based liaison reviews the educational records of children known to the department each semester or quarter and initiates any appropriate interventions to improve the child's educational progress.
- ◆ In Broward, a school guidance counselor does an educational review for every child when they are removed from home and while they are in care. The school and DCF/CBC does a comprehensive educational staffing for all children when they turn 13 to identify strengths, needs, required interventions, and to maximize educational achievement and secondary and post-secondary planning and services.
- ◆ Broward schools provide DCF/CBC with grades and progress reports at least quarterly and/or when report cards are issued.
- ◆ Hillsborough's agreement provides that group home foster care providers and school personnel meet bi-monthly to address academic needs.

# E d u c a t i o n a l S u p p o r t

County	Do the parties agree to notify and/or involve the school in case planning meetings?	Do the parties agree to promote the involvement of caseworkers and foster parents in school activities?	Does the school agree to provide transcripts to DCF/CBC?	Does the school agree to conduct record reviews?	Do the parties agree to develop protocols to identify pre-school aged children who may qualify for early intervention?
Baker	Y	Y	Y	N	N
Bay	Y	Y	Y*	N	N
Brevard	Y	N	Y	N	N
Broward	Y	Y	Y	Y	Y
Calhoun	Y	Y	Y*	N	N
Clay	Y	Y	Y*	N	N
Collier	Y	Y	Y	Y	Y
DeSoto	N	N	Y*	N	Y
Duval	Y	Y	Y	Y	Y
Flagler	Y	N	N	N	N
Franklin	Y	Y	Y*	N	N
Gadsden	Y	Y	N	N	N
Hillsborough	Y	Y	Y	N	N
Holmes	Y	Y	Y	N	N
Indian River	Y	Y	Y	N	N
Jackson	Y	Y	Y	N	N
Lee	Y	Y	Y	Y	Y
Leon	Y	Y	Y*	N	N
Levy	N	Y	Y	Y	Y
Liberty	Y	Y	Y	N	N
Madison	Y	Y	Y*	N	N
Manatee	N	N	Y*	N	Y
Marion	N	N	N	N	N
Miami-Dade	Y	Y	Y	Y	Y
Nassau	Y	Y	Y	Y	Y
Orange	N	N	N	N	N
Palm Beach	Y	N	N	N	Y
Pinellas	N	N	Y	N	Y
Polk	Y	Y	Y	N	N
St. Johns	N	N	N	N	N
Santa Rosa	Y	Y	Y*	Y	N
Sarasota	N	N	Y	N	Y
Seminole	Y	N	Y	N	N
Sumter	Y	N	Y	N	Y
Suwannee	N	N	Y	Y	Y
Taylor	Y	Y	Y	N	N
Volusia	Y	N	Y	N	N
Wakulla	Y	Y	Y	N	N
Washington	Y	Y	Y	N	N

\* Transcripts are provided annually or upon request.

# Liaisons

*Goal:* Ensure that school and child welfare agencies work together to support academic achievement for children in out-of-home care. Research on interagency collaboration suggests that designating liaisons within each agency with clearly defined responsibilities facilitates interagency collaboration and promotes accountability.

## *Key Interagency Agreement Provisions:*

- ◆ In 6 counties, the CBC designates an employee to act as an educational advocate/specialist within the agency, participate in school staffing and serve as a contact with the school system.
- ◆ In 10 counties, every school designates an employee to monitor the educational progress of children in out-of-home care, act as an advocate within the school system, and serve as a contact person for the CBC.
- ◆ In 7 counties, school districts and CBCs designate court liaisons who appear at dependency hearings, provide information to the court, and serve as a link between schools, CBCs and the court system.

## *Promising Practices*

- ◆ The Miami-Dade school district created the Juvenile Justice Support Office to provide assistance to students involved with the court system and provide a link between the courts and the school system. The office, located on-site at the Juvenile Justice Center, conducts educational reviews, facilitates transfers, conveys information from the courts to school staff, and assists students in obtaining services as needed. In addition, each public school designates an assistant principal and guidance counselor as school-based liaisons (Juvenile Court Contacts) for children in care.
- ◆ In Nassau, school-based liaisons review educational records and initiate appropriate interventions.
- ◆ To protect a child's privacy, information about a child's foster care status should be limited to school-based liaisons and other school personnel who need the information to provide educational services.

# L i a i s o n s

<b>County</b>	<b>Does the CBC designate a school liaison/educational specialist?</b>	<b>Do individual schools designate school-based liaisons?</b>	<b>Do the parties agree to designate court liaisons to appear at juvenile court hearings?</b>
Baker	N	N	N
Bay	N	N	N
Brevard	N	N	N
Broward	Y	Y	Y
Calhoun	N	N	N
Clay	N	Y	N
Collier	N	N	N
DeSoto	N	N	N
Duval	N	N	N
Flagler	N	N	N
Franklin	N	N	N
Gadsden	N	N	N
Hillsborough	N	N	N
Holmes	N	N	N
Indian River	N	N	N
Jackson	N	N	N
Lee	N	Y	N
Leon	N	N	N
Levy	Y	Y	N
Liberty	N	N	N
Madison	N	N	N
Manatee	N	N	Y
Marion	N	N	N
Miami-Dade	Y	Y	Y
Nassau	Y	Y	Y
Orange	N	Y	Y
Palm Beach	N	N*	N
Pinellas	N	N	Y
Polk	N	N	N
St. Johns	N	Y	N
Santa Rosa	N	N	N
Sarasota	N	N	Y
Seminole	N	N	N
Sumter	Y	Y	N
Suwannee	Y	Y	N
Taylor	N	N	N
Volusia	N	N	N
Washington	N	N	N

\* Palm Beach County's agreement provides for a school-based liaison for children in shelter, but not foster homes or other relative/non-relative placements.

# Services for Children with Disabilities

*Goal:* Ensure that children in out-of-home care suspected of having a disability are evaluated, and if necessary, provided with appropriate educational services. Each child should have a person acting as a “parent” who actively participates in the educational planning process.

## *Florida Statute § 39.0016:*

- ◆ The school district must provide an individualized student intervention or an individual education plan (IEP) when a determination has been made through legally appropriate criteria that intervention services are required. The intervention or IEP must include strategies to enable the child to maximize the attainment of educational goals. (4)(b)(4).
- ◆ DCF and the school district must cooperate in accessing services and supports for a child in care who has or is suspected of having a disability to receive an appropriate education consistent with the Individuals with Disabilities Education Act (IDEA) and state implementing laws, rules, and assurances. (4)(c).
- ◆ Coordination of services for children in care with disabilities may include:
  - ◇ Referral for screening
  - ◇ Sharing of evaluations between the school district and DCF where appropriate
  - ◇ Provision of education and related services appropriate for the needs and abilities of children in care
  - ◇ Coordination of services and plans between the school and the residential setting to avoid duplication or conflicting service plans
  - ◇ Transition planning for children over the age of 14. (4)(c).

## *Key Interagency Agreement Provisions:*

- ◆ 31 counties require coordination of special education services between parties.

## *Promising Practices*

- ◆ In Pinellas and De Soto Counties, the School Board foster care liaison for the individual school meets with the ESE coordinator to review the results of psychological evaluations and determine recommended educational services.
- ◆ In Duval, Miami-Dade and Nassau, the school liaison determines participants in IEP and ensures participants have legal authority to act.
- ◆ The Brevard agreement requires notification to the CBC to participate in the IEP process. In Levy and Sumter, the CBC’s educational specialist/liaison participates in IEP staffings.
- ◆ A psychoeducational evaluation should be conducted for all children suspected of having a disability as soon as they enter the dependency system.

# Services for Children with Disabilities

County	Does the agreement require the parties to coordinate in providing special education services?
Baker	Y
Bay	Y
Brevard	Y
Broward	Y
Calhoun	Y
Clay	Y
Collier	N
DeSoto	N
Duval	Y
Flagler	Y
Franklin	Y
Gadsden	Y
Hillsborough	Y
Holmes	Y
Indian River	Y
Jackson	Y
Lee	Y
Leon	Y
Levy	Y
Liberty	N
Madison	Y
Manatee	N
Marion	N
Miami-Dade	Y
Nassau	Y
Orange	N
Palm Beach	Y
Pinellas	N
Polk	Y
St. Johns	Y
Santa Rosa	Y
Sarasota	N
Seminole	Y
Sumter	Y
Suwannee	Y
Taylor	Y
Volusia	Y
Wakulla	Y
Washington	Y

# E d u c a t i o n a l A d v o c a t e s / D e c i s i o n - M a k e r s

*Goal:* Ensure that children in out-of-home care have at least one significant adult involved in his or her education and encouraging his or her educational pursuits. Ensure that children with disabilities have someone to act as a “parent” or are appointed a surrogate parent.

## *Florida Statute § 39.0016:*

- ◇ Appointment of a surrogate parent consistent with IDEA as soon as the child is determined to be dependent and without a parent to act for the child. The surrogate parent must be appointed by the school district without regard to where the child is placed so that one surrogate parent can follow the education of the child during his or her entire time in state custody. (4)(c)(5).

## *Key Interagency Agreement Provisions:*

- ◆ 38 counties agree to determine the need for a surrogate parent.
- ◆ The school districts in 10 counties will collect data on the number of requests for a surrogate parent, whether the request was denied and the reason for denial.
- ◆ In 12 counties, DCF/CBC must notify the school district when a child’s change in placement or legal status makes them eligible for a surrogate parent.
- ◆ In 24 counties, the agreement acknowledges that parents can advocate for their children to receive special education services unless prohibited by court order.

## *Promising Practices*

- ◆ Counties should ensure that surrogate parents are appointed consistent with IDEA and Florida law. The Department of Education has also published a Technical Assistance Paper on the appointment of surrogate parents, available at [www.fldoe.org/ese/pdf/y2007-23.pdf](http://www.fldoe.org/ese/pdf/y2007-23.pdf).
- ◆ Broward has a local protocol to ensure the identification and appointment of surrogate parents.
- ◆ Youth should be involved in all aspects of their education and empowered to become self-advocates for their educational needs.
- ◆ All children in foster care should have a designated education advocate. It might be a specially designated staff person, or a caseworker, foster parent or guardian *ad litem*. The key is that the person is specifically responsible and accountable for educational advocacy.

# E d u c a t i o n a l A d v o c a t e s / D e c i s i o n - M a k e r s

<b>County</b>	<b>Do the parties agree to determine the need for a surrogate parent?</b>	<b>Does the agreement require the school district to collect data on requests for a surrogate parent?</b>	<b>Does the agreement require DCF/CBC to notify the school district when a child's change in placement/legal status makes them eligible for a surrogate parent?</b>	<b>Does the agreement acknowledge that parents can advocate for their children to receive special education services unless prohibited by court order?</b>
Baker	Y	N	N	N
Bay	Y	N	N	N
Brevard	Y	Y	Y	Y
Broward	Y	Y	Y	N
Calhoun	Y	N	N	N
Clay	Y	N	N	N
Collier	Y	Y	Y	Y
DeSoto	Y	Y	Y	Y
Duval	Y	N	N	N
Flagler	Y	N	N	N
Franklin	Y	N	N	Y
Gadsden	Y	N	N	Y
Hillsborough	Y	N	N	N
Holmes	Y	N	N	N
Indian River	Y	N	N	N
Jackson	Y	N	N	Y
Lee	Y	Y	Y	Y
Leon	Y	N	N	Y
Levy	Y	Y	Y	Y
Liberty	Y	N	N	Y
Madison	Y	N	N	Y
Manatee	Y	Y	Y	Y
Marion	Y	N	N	Y
Miami-Dade	Y	N	N	Y
Nassau	Y	N	N	Y
Orange	Y	Y	Y	Y
Palm Beach	Y	N	N	N
Pinellas	Y	Y	Y	N
Polk	Y	N	N	N
St. Johns	N	N	N	N
Santa Rosa	Y	N	N	Y
Sarasota	Y	Y	Y	Y
Seminole	Y	N	N	Y
Sumter	Y	N	Y	Y
Suwannee	Y	N	Y	Y
Taylor	Y	N	N	Y
Volusia	Y	N	N	Y
Wakulla	Y	N	N	Y
Washington	Y	N	N	N

# Transitional Planning

*Goal:* Ensure that youth in care complete post-secondary education pursuits at rates comparable to, or better than, those not in care; obtain an education and skills that will lead to employment earning a living wage; and obtain independent living skills.

## *Florida Statute § 39.0016:*

- ◆ For each child known to the department 14 years of age or older, transition planning by the department and all providers, including the department's independent living program staff, to meet the requirements of the local school district for educational purposes. (4)(c)(6).

## *Key Interagency Agreement Provisions:*

- ◆ 35 counties agree that schools and DCF/CBC will collaborate regarding transition planning and the provision of independent living skills.

## *Promising Practices:*

- ◆ Broward, Miami and Levy agree to provide training annually for Independent Living staff on a variety of education and post-secondary topics.
- ◆ In Broward, Levy, and Nassau, the local Agency for Workforce Innovation provides a description of the referral process and information and training for various stakeholders.
- ◆ In Broward, Independent Living staff provide the school with copies of Independent Living action plans and the school ensures that DCF/CBC has a copy of the student's IEP.
- ◆ In Miami, the school district trains guidance counselors on the availability of tuition exemptions, fee waivers and scholarship opportunities for children in out-of-home care.
- ◆ In Miami and Nassau, the school district agreed to explore acceleration mechanisms such as dual enrollment, Advanced Placement, International Baccalaureate, vocational programs, and other alternatives to determine if these programs can be used for children in out-of-home care.

# Transitional Planning

County	Do the parties agree to collaborate regarding transition planning and the provision of independent living skills?	Does the DCF/CBC agree to have IL staff or caseworkers participate in school ESE transition staffings?
Baker	Y	N
Bay	Y	N
Brevard	Y	Y
Broward	Y	Y
Calhoun	Y	N
Clay	Y	N
Collier	Y	Y
DeSoto	Y	Y
Duval	Y	N
Flagler	N	N
Franklin	Y	N
Gadsden	Y	N
Hillsborough	Y	N
Holmes	Y	N
Indian River	Y	N
Jackson	Y	N
Lee	Y	Y
Leon	Y	N
Levy	Y	Y
Liberty	Y	N
Madison	Y	N
Manatee	Y	Y
Marion	N	N
Miami-Dade	Y	Y
Nassau	Y	N
Orange	Y	N
Palm Beach	N	N
Pinellas	Y	N
Polk	Y	N
St. Johns	Y	N
Santa Rosa	Y	N
Sarasota	Y	N
Seminole	Y	N
Sumter	Y	N
Suwannee	Y	N
Taylor	Y	N
Volusia	N	N
Wakulla	Y	N
Washington	Y	N

# Information Sharing

*Goal:* Ensure that information necessary to provide educational services and assess academic achievement is exchanged between the school system and child welfare system on both a system-wide and individual level.

## *Florida Statute § 39.0016:*

- ◆ Establish a protocol for DCF and the school district to share information about children in care (consistent with the Family Educational Rights and Privacy Act). (4)(a)(3).
- ◆ DCF must notify the school district of the department's case planning for a child known to the department. Within the plan development or review process, the school district may provide information if the school system deems it desirable and appropriate. (4)(a)(4).
- ◆ The school district must provide the department with a general listing of services and information available from the district school board, including but not limited to, the current Sunshine State Standards, the Surrogate Parent Training Manual, and other resources accessible through the Department of Education or local school districts to facilitate educational access for children in care. (4)(b)(1).

## *Key Interagency Agreement Provisions:*

- ◆ 23 school districts agree to regularly provide school reports/transcripts to DCF/CBC. (10 school districts agree to provide school reports/transcripts annually or upon request.)
- ◆ 27 counties agree to promote gaining consent to share school records from the natural parents, legal guardians or the court.
- ◆ 31 counties agree to improve technology to facilitate the efficient sharing of information.
- ◆ In 16 counties, the DCF/CBC provides schools with a regularly updated electronic list of children in care.
- ◆ School districts in 24 counties agree to provide the DCF/CBC information about available school services.

## *Promising Practices*

- ◆ In Miami-Dade, school-based liaisons, known as Juvenile Court Contacts (JCC), have access to identify their school's dependent population via the ISIS flag. The JCCs may request a data search utilizing the district's mainframe, which provides a listing of dependent students at their school. This facilitates information sharing with CBC case managers at the school site.
- ◆ Broward is currently developing a comprehensive data collection and research protocol to assess the effectiveness of the interagency agreements.
- ◆ Miami-Dade school district has developed a student and parent portal and will launch a student portfolio for the 2007-2008 school year which will provide extensive student academic information. CBC case managers will be provided access via the portal to their client's student portfolio.

# Information Sharing

County	Does the school agree to provide transcripts/school records to DCF/CBC?	Do the parties agree to promote gaining consent to share school records from the natural parents, legal guardian or court?	Do the parties agree to improve technology to efficiently share information?	Does the CBC agree to provide a regularly updated list of children in care?	Does the school district agree to provide information about available services?
Baker	Y	N	N	N	N
Bay	Y*	Y	Y	N	N
Brevard	Y	N	N	Y	Y
Broward	Y	Y	Y	Y	N
Calhoun	Y*	Y	Y	N	Y
Clay	Y*	Y	N	N	Y
Collier	Y	Y	Y	Y	Y
DeSoto	Y*	N	Y	Y	N
Duval	Y	Y	Y	N	Y
Flagler	N	N	N	Y	Y
Franklin	Y*	Y	Y	N	Y
Gadsden	N	Y	Y	N	Y
Hillsborough	Y	N	Y	N	Y
Holmes	Y	Y	Y	N	Y
Indian River	Y	Y	Y	N	Y
Jackson	Y	Y	Y	N	N
Lee	Y	Y	Y	Y	Y
Leon	Y*	Y	Y	N	Y
Levy	Y	Y	Y	Y	N
Liberty	Y	Y	Y	N	Y
Madison	Y*	Y	Y	N	Y
Manatee	Y*	Y	Y	Y	N
Marion	N	Y	Y	N	N
Miami-Dade	Y	Y	Y	Y	Y
Nassau	Y	Y	Y	N	Y
Orange	N	Y	Y	Y	N
Palm Beach	N	N	N	N	Y
Pinellas	Y	Y	Y	Y	N
Polk	Y	N	Y	N	Y
St. Johns	N	N	N	Y	N
Santa Rosa	Y*	N	Y	N	N
Sarasota	Y	Y	Y	Y	N
Seminole	Y	N	N	Y	Y
Sumter	Y	Y	Y	N	N
Suwannee	Y	Y	Y	Y	N
Taylor	Y	N	Y	N	Y
Volusia	Y	N	N	Y	Y
Wakulla	Y	Y	Y	N	Y
Washington	Y	Y	Y	N	Y

\* Transcripts will be provided annually or upon request

# Training

*Goal:* Ensure that all of the individuals in the child's life – biological parents, surrogate parents, pre-adoptive parents, relative/non-relative caregivers, guardians *ad litem*, caseworkers, school officials – are trained, consistent with their role, to promote the educational goals of children in out-of-home care.

## *Florida Statute § 39.0016:*

- ◆ DCF must incorporate an education component in all training programs, in coordination with the Department of Education and local school districts. (5).
- ◆ Training must be provided for the following stakeholders:
  - ◇ surrogate parents
  - ◇ biological parents where unification is the goal
  - ◇ pre-adoptive parents where adoption is the goal
  - ◇ foster parents
  - ◇ Caseworkers. (5).

## *Key Interagency Agreement Provisions:*

- ◆ 38 counties agreed to provide training to caseworkers, foster parents, biological parents and pre-adoptive parents.
- ◆ 25 counties provide for the training of school personnel.
- ◆ 4 counties have a technical assistance manual or training material.

## *Promising Practices:*

- ◆ Miami-Dade County School District partnered with a nonprofit organization Educate Tomorrow to provide professional development training to over 700 school-based liaisons, known as Juvenile Court Contacts, Pre-K to Adult. The training material is available at [educatetomorrow.org](http://educatetomorrow.org). The district provided additional training to all elementary counselors, and to all middle school and senior high guidance chair persons.
- ◆ Broward's technical assistance manuals are available online at <http://floridaschildrenfirst.org/>

# Training

County	Does the parties agree to provide training for caseworkers, foster parents, and natural parents?	Do the parties agree to provide training for school personnel?	Does the county have a technical assistance manual or training material?
Baker	Y	N	N
Bay	Y	Y	N
Brevard	Y	N	N
Broward	Y	Y	Y
Calhoun	Y	Y	N
Clay	Y	N	N
Collier	Y	N	N
DeSoto	Y	Y	N
Duval	Y	Y	Y
Flagler	Y	N	N
Franklin	Y	Y	N
Gadsden	Y	Y	N
Hillsborough	Y	Y	N
Holmes	Y	Y	N
Indian River	Y	N	N
Jackson	Y	Y	N
Lee	Y	N	N
Leon	Y	Y	N
Levy	Y	Y	N
Liberty	Y	N	N
Madison	Y	Y	N
Manatee	Y	Y	N
Marion	Y	N	N
Miami-Dade	Y	Y	Y
Nassau	Y	Y	N
Orange	Y	Y	Y
Palm Beach	N	N	N
Pinellas	Y	Y	N
Polk	Y	N	N
St. Johns	Y	N	N
Santa Rosa	Y	Y	N
Sarasota	Y	Y	N
Seminole	Y	N	N
Sumter	Y	Y	N
Suwannee	Y	Y	N
Taylor	Y	Y	N
Volusia	Y	N	N
Wakulla	Y	Y	N
Washington	Y	Y	N

# Recommendations

# Recommendations

## *Legislature*

The Florida Legislature should:

- ◆ Conduct regular oversight on implementation of Florida Statute § 39.0016.
- ◆ Expressly include all children in out-of-home care in the statutory definition of “homeless child” in Florida Statute § 1003.01(12) of the Education Code to facilitate enrollment.
- ◆ Create a dedicated funding stream for transportation to improve school stability.
- ◆ Mandate that dependency courts hold a hearing to determine who holds educational rights for children in care and appoint a surrogate parent if necessary. Dependency courts should adopt a uniform order addressing educational issues and for the appointment of surrogate parents.
- ◆ Amend Florida law to provide that juvenile courts may appoint surrogate parents, as required by the Individuals with Disabilities Education Act (IDEA).
- ◆ Provide standards for the appointment of surrogate parents consistent with IDEA.
- ◆ Require that publicly funded post-secondary institutions provide housing for current and former foster youth during school breaks.

## *State Agencies*

DCF, DOE and AWI should:

- ◆ Fully implement the state level interagency agreement including designating an administrator to administer and monitor compliance with the interagency agreement, as well as provide technical assistance to districts.
- ◆ Promulgate administrative rules regarding educational case planning requirements for children in out-of-home care.
- ◆ Develop quality assurance measures to assess local implementation of interagency agreements.

### *State Agencies (continued)*

- ◆ Ensure maximum utilization of available federal and state money, and explore public-private partnerships and other funding sources to promote educational stability.

### *Counties*

Local school districts, DCF districts, CBCs and other stakeholders should:

- ◆ If they have not already done so, enter interagency agreements regarding the education of children in out-of-home care.
- ◆ Review interagency agreements to assess whether the agreement meets the goals discussed in the “Assessing Interagency Agreements” section of this report.
- ◆ Develop policies and procedures to implement interagency agreements.
- ◆ Collect data to assess the effectiveness of the agreement's initiatives.
- ◆ Meet at least semi-annually to assess implementation of the agreement.

# Appendices

## Appendix A

### **39.0016. Education of abused, neglected, and abandoned children**

(1) As used in this section, the term:

(a) "Children known to the department" means children who are found to be dependent or children in shelter care.

(b) "Department" means the Department of Children and Family Services or a community-based care lead agency acting on behalf of the Department of Children and Family Services, as appropriate.

(2) The provisions of this section establish goals and not rights. This section does not require the delivery of any particular service or level of service in excess of existing appropriations. A person may not maintain a cause of action against the state or any of its subdivisions, agencies, contractors, subcontractors, or agents based upon this section becoming law or failure by the Legislature to provide adequate funding for the achievement of these goals. This section does not require the expenditure of funds to meet the goals established in this section except funds specifically appropriated for such purpose.

(3) The department shall enter into an agreement with the Department of Education regarding the education and related care of children known to the department. Such agreement shall be designed to provide educational access to children known to the department for the purpose of facilitating the delivery of services or programs to children known to the department. The agreement shall avoid duplication of services or programs and shall provide for combining resources to maximize the availability or delivery of services or programs.

(4) The department shall enter into agreements with district school boards or other local educational entities regarding education and related services for children known to the department who are of school age and children known to the department who are younger than school age but who would otherwise qualify for services from the district school board. Such agreements shall include, but are not limited to:

(a) A requirement that the department shall:

1. Enroll children known to the department in school. The agreement shall provide for continuing the enrollment of a child known to the department at the same school, if possible, with the goal of avoiding disruption of education.

2. Notify the school and school district in which a child known to the department is enrolled of the name and phone number of the child known to the department caregiver and caseworker for child safety purposes.

3. Establish a protocol for the department to share information about a child known to the department with the school district, consistent with the Family Educational Rights and Privacy Act, since the sharing of information will assist each agency in obtaining education and related services for the benefit of the child.

4. Notify the school district of the department's case planning for a child known to the department, both at the time of plan development and plan review. Within the plan development or review process, the school district may provide information regarding the child known to the department if the school district deems it desirable and appropriate.

(b) A requirement that the district school board shall:

1. Provide the department with a general listing of the services and information available from the district school board, including, but not limited to, the current Sunshine State Standards, the Surrogate Parent Training Manual, and other resources accessible through the Department of Education or local school districts to facilitate educational access for a child known to the department.
2. Identify all educational and other services provided by the school and school district which the school district believes are reasonably necessary to meet the educational needs of a child known to the department.
3. Determine whether transportation is available for a child known to the department when such transportation will avoid a change in school assignment due to a change in residential placement. Recognizing that continued enrollment in the same school throughout the time the child known to the department is in out-of-home care is preferable unless enrollment in the same school would be unsafe or otherwise impractical, the department, the district school board, and the Department of Education shall assess the availability of federal, charitable, or grant funding for such transportation.
4. Provide individualized student intervention or an individual educational plan when a determination has been made through legally appropriate criteria that intervention services are required. The intervention or individual educational plan must include strategies to enable the child known to the department to maximize the attainment of educational goals.

(c) A requirement that the department and the district school board shall cooperate in accessing the services and supports needed for a child known to the department who has or is suspected of having a disability to receive an appropriate education consistent with the Individuals with Disabilities Education Act and state implementing laws, rules, and assurances. Coordination of services for a child known to the department who has or is suspected of having a disability may include:

1. Referral for screening.
2. Sharing of evaluations between the school district and the department where appropriate.
3. Provision of education and related services appropriate for the needs and abilities of the child known to the department.
4. Coordination of services and plans between the school and the residential setting to avoid duplication or conflicting service plans.
5. Appointment of a surrogate parent, consistent with the Individuals with Disabilities Education Act, for educational purposes for a child known to the department who qualifies as soon as the child is determined to be dependent and without a parent to act for the child. The surrogate parent shall be appointed by the school district without regard to where the child known to the department is placed so that one surrogate parent can follow the education of the child known to the department during his or her entire time in state custody.
6. For each child known to the department 14 years of age and older, transition planning by the department and all providers, including the department's independent living program staff, to meet the requirements of the local school district for educational purposes.

(5) The department shall incorporate an education component into all training programs of the department regarding children known to the department. Such training shall be coordinated with the Department of Education and the local school districts. The department shall offer opportunities for education personnel to participate in such training. Such coordination shall include, but not be limited to, notice of training sessions, opportunities to purchase training materials, proposals to avoid duplication of services by offering joint training, and incorporation of materials available from the Department of Education and local school districts into the department training when appropriate. The department training components shall include:

(a) Training for surrogate parents to include how an ability to learn of a child known to the department is affected by abuse, abandonment, neglect, and removal from the home.

(b) Training for parents in cases in which reunification is the goal, or for preadoptive parents when adoption is the goal, so that such parents learn how to access the services the child known to the department needs and the importance of their involvement in the education of the child known to the department.

(c) Training for caseworkers and foster parents to include information on the right of the child known to the department to an education, the role of an education in the development and adjustment of a child known to the department, the proper ways to access education and related services for the child known to the department, and the importance and strategies for parental involvement in education for the success of the child known to the department.

(d) Training of caseworkers regarding the services and information available through the Department of Education and local school districts, including, but not limited to, the current Sunshine State Standards, the Surrogate Parent Training Manual, and other resources accessible through the Department of Education or local school districts to facilitate educational access for a child known to the department.

CREDIT(S)

Added by [Laws 2004, c. 2004-356, § 3, eff. July 1, 2004.](#)

## **Appendix B**

### National Working Group On Foster Care and Education

#### Working Group Resources

Created by National Working Group organizations, these resources are designed to help judges, attorneys, case-workers, court-appointed special advocates, caregivers, and youth in care understand the diverse issues affecting a child's education. Many also suggest ways to advocate and ensure positive educational outcomes for children and youth in foster care.

#### **A Road Map for Learning: Improving Educational Outcomes in Foster Care Casey Family Programs**

This framework provides a comprehensive set of strategies designed to improve education for children and youth in foster care. Its eleven key strategies include achieving placement stability and transfer of accurate records, ensuring youth are not only literate, but also prepared for post-secondary education, and promoting policies that support education.

Download for free at [www.casey.org/Resources/Publications/RoadMapForLearning.htm](http://www.casey.org/Resources/Publications/RoadMapForLearning.htm).

#### **Asking the Right Questions: A Judicial Checklist to Ensure that the Educational Needs of Children and Youth in Foster Care Are Being Addressed**

#### **National Council of Juvenile and Family Court Judges**

This checklist and accompanying technical assistance brief provide questions that should be asked in a courtroom with respect to the educational needs of children and youth in foster care.

Download for free at [www.ncjfcj.org/content/blogcategory/363/432/](http://www.ncjfcj.org/content/blogcategory/363/432/). Hard copies may also be ordered for \$5.00.

#### **Educational Advocacy Curriculum for Foster Parents**

#### **National Foster Parent Association**

This training encourages and prepares foster parents to become educational advocates for the foster children and youth in their care. It is designed for foster parents and social workers.

Download for free at [http://www.nfpainc.org/training/documents/EducationalAdvocacy\\_000.pdf](http://www.nfpainc.org/training/documents/EducationalAdvocacy_000.pdf).

#### **Education and Youth in Out-of-Home Care, an E-Learning Module**

#### **National CASA Association**

This e-learning curriculum is designed to help trained volunteer court-appointed special advocates, volunteer Guardian ad litem, and program staff support the educational rights and needs of children and youth in foster care.

Obtain access by contacting your local CASA or the National CASA Association: [staff@nationalcasa.org](mailto:staff@nationalcasa.org) or (800) 628-3233.

#### **Endless Dreams Education Attainment Video and Training**

#### **Casey Family Programs**

This comprehensive video and training curriculum, designed primarily for educators, increases awareness of the unique educational needs of youth in foster care. The video showcases the potential of schools to support and enrich the lives of children in care. Both advance the implementation of policies, procedures, and practices that improve educational success.

Learn more and obtain the video by visiting [www.casey.org/Resources/Publications/EndlessDreams.htm](http://www.casey.org/Resources/Publications/EndlessDreams.htm).

## **It's My Life: Postsecondary Education and Training Guide**

### **Casey Family Programs**

This guide provides child welfare practitioners, educators, and advocates with practice approaches for improving college success for students in foster care.

**Download for free at [www.casey.org/Resources/Publications/IMLPostsecondaryEd.htm](http://www.casey.org/Resources/Publications/IMLPostsecondaryEd.htm).**

### **Improving Educational Outcomes for Youth in Care:**

**A National Collaboration Background Paper Child Welfare League of America** Published in 2002 as part of the Improving Educational Outcomes for Youth in Care project, this monograph summarizes research findings about the academic achievement of youth in the custody of the child welfare system and the role of education in successful transitions to independence. **Purchase at [www.cwla.org/pubs/pubdetails.asp?PUBID=8676](http://www.cwla.org/pubs/pubdetails.asp?PUBID=8676).**

**Improving Educational Outcomes for Youth in Care: Symposium Summary Report Child Welfare League of America** Published in 2002, this report summarizes the proceedings of a symposium convened by CWLA and NCJFCJ to initiate dialogue between the child welfare, judicial, and educational fields on how to support positive educational outcomes for youth in care. It includes promising programs and practices, survey result from field experts, and a national agenda discussion.

**Purchase at [www.cwla.org/pubs/pubdetails.asp?PUBID=8706](http://www.cwla.org/pubs/pubdetails.asp?PUBID=8706).**

### **Learning Curves: Education Advocacy for Children in Foster Care**

**Written by Kathleen McNaught, JD, ABA Center on Children and the Law and National Child Welfare Resource Center on Legal and Judicial Issues**

This book addresses such topics as creative approaches to address education barriers for children in foster care and special education process—with practice tips, psychological tests, education advocacy resources, and excerpts from key federal laws and regulations.

**Purchase at [www.abanet.org/abastore](http://www.abanet.org/abastore).**

### **Make a Difference in a Child's Life (Manual)**

#### **Casey Family Programs and TeamChild**

Designed for Washington state, this manual provides guidance on teaching how to advocate for a youth's education. It covers topics such as basic education rights, special education law, discipline, and resources for young people making the transition to adulthood. It is designed for Washington state.

**Download manual at [www.teamchild.org/resources.html](http://www.teamchild.org/resources.html).**

#### **Toolkit for Change**

##### **Casey Family Programs and TeamChild**

Created as an organizing tool to help support the movement to improve educational outcomes for youth, the toolkit enables states to adopt the Washington state *Make a Difference in a Child's Life* manual to other jurisdictions

**Obtain the toolkit by contacting [questions@teamchild.org](mailto:questions@teamchild.org).**

### **Mythbusting: Breaking Down Confidentiality and Decision-Making Barriers to Meet the Education Needs of Children in Foster Care**

**Written by Kathleen McNaught, JD, ABA Center on Children and the Law**

*Mythbusting* is an online, searchable publication that addresses the issues surrounding confidentiality and other barriers that arise when advocating for the educational rights of young people in care.

**Download for free at [www.abanet.org/child/rc/iji/education/caseyeducationproject.pdf](http://www.abanet.org/child/rc/iji/education/caseyeducationproject.pdf).**

### **Planning Ahead for Educational Success: Interjurisdictional Provision of Public Education**

**Written by Sharon McCartney, JD and Liz Oppenheim, JD, AAICAMA, American Public Human Services Association**

This issue brief identifies how to secure necessary supports and services for interstate placement of children and youth in foster care. It includes a practical checklist of things to consider before placement and during the placement process.

**Download for free at [www.aphsa.org/napcwa](http://www.aphsa.org/napcwa).**

### **PRIDE Curriculum Module on Education**

**—Child Welfare League of America**

The PRIDE curriculum provides a structured framework for the recruitment, preparation, and selection of foster and adoptive parents, and for foster parent in-service training and ongoing professional development. Currently, CWLA is in the process of developing two new modules: one on issues regarding youth's transition from foster care and the other on the educational needs of youth.

**For more information about PRIDE, visit [www.cwla.org/programs/trieschman/pride.htm](http://www.cwla.org/programs/trieschman/pride.htm).**

## **Coming Soon**

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