

<p style="text-align: center;">AT A GLANCE SCHOOL SUMMARY SHEET: WHO TO NOTIFY REGARDING STUDENTS IN FOSTER CARE</p>
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When children enter foster care, there are often multiple adults involved in their lives. It is helpful to know who does what and why. **If you are unsure of whom to contact, always start with the Division of Family Services (DFS) case worker.**

WHO'S WHO:

- **Division of Family Services (DFS) case worker:** DFS has custody of the child and must sign for **almost all** documents related to the student's education, enrollment, health, and wellness services. However, for school enrollment purposes, the case worker may also supply a foster parent with a letter authorizing the foster parent to enroll the child in school.

Contract social worker: DFS contracts out with other agencies to provide social work services to children and foster families. The contract case worker generally supports the foster family's needs in caring for the child in foster care. DFS should notify the school of the contract social worker, who should also be informed of any education issues. However, if the school is not provided with the contract social worker's contact information, it is DFS' responsibility to contact the social worker.

- **Division of Prevention and Behavioral Health (PBH) case worker:** Some students receive a case manager for mental health services. At times, the PBH case worker or the child's therapist may meet with the child in school or attend school meetings.
- **Division of Youth Rehabilitative Services (YRS) case worker:** Some students receive a case manager for juvenile probation. The YRS case worker may meet with the child in school or attend school meetings.
- **Foster parent:** The foster parent is primarily responsible for the child's needs while a child is placed in foster care. The foster parent should be the first phone call for illness, school discipline, and emergencies. The foster parent should also be invited to attend parent-teacher conferences, special education meetings, or any other education related issues or activities. Foster parents may have a copy of the child's IEP but any other access to other special education records would require the written permission of the parent/ESP (unless the foster parent is also the ESP).
- **Guardian Ad Litem: Court Appointed Special Advocate (CASA)/ Attorney Guardian ad Litem (AGAL):** There are two types of guardians *ad litem* in Delaware—Court Appointed Special Advocates (CASAs) and attorneys. The CASA is a volunteer appointed by the court to represent the best interests of a child in foster care. The CASA is supervised by the CASA Program in Family Court. An Attorney Guardian Ad Litem (AGAL) is a volunteer attorney supervised through the Office of the Child Advocate to represent the child's best interests. Depending on the case, the child will be appointed either a CASA or an AGAL.

- For more information on these programs, visit the following websites:
 - Office of the Child Advocate: <http://courts.delaware.gov/childadvocate/>

- CASA: <http://courts.delaware.gov/family/casa/about.stm>
 - DFS has the responsibility to invite the CASA/AGAL to any meetings. However, if the school has contact information for this person, it is helpful to invite and include the advocate to any education related meetings or decisions.
 - **An Educational Surrogate Parent (ESP):** This is a person appointed by the Department of Education (DOE) to represent a child who receives, or may be in need of, special education services when a parent is not able to assume parental special education rights.
 - An ESP is considered a “parent” under the Individuals with Disabilities Education Act (IDEA) and has the same rights as a “parent” in the special education process. Examples of rights include: providing consent for educational evaluations, providing consent for special education services, agreeing/disagreeing with special education services and signing the IEP as a “parent.” The ESP works collaboratively with the school team on the identification, evaluation, educational placement, and provision of special education and related services for a child.
 - If you believe that a child is in need of an ESP or you are unsure whether you have current ESP information, please contact:

Educational Surrogate Parent Program, at the Parent Information Center:
(302) 494-4798 or www.picofdel.org

- When an ESP has been appointed, special education parental rights and procedural safeguards must be followed.
 - **Parent:** Even when a student is in DFS custody, the parent must consent to education needs, special education evaluations, and services (unless there is an educational surrogate parent or the court determines otherwise). The parent should be notified of discipline issues, school progress, enrollment, and related issues *unless* the parent no longer has legal rights to the child because of a termination of parental rights or a court order prohibiting the parent from participating.

*Note, the individual serving as the special education IDEA parent (may be the parent or an educational surrogate parent depending on the circumstances) must sign any documents relating to a child’s special education evaluation and services.

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ILLNESS/ INJURY

- Call the foster parent for immediate pick up.
- If no answer, call the DFS case worker or contract social worker.
- For any medical consent necessary, contact the DFS case worker.

MENTAL HEALTH CRISIS

- Call the child's therapist and/or DFS.
- Call the PBH Crisis Hotline at 1-800-969-4357.

ENROLLMENT/BEST INTEREST MEETING

- DFS case worker is the first point of contact.
- The child should be invited to participate.
- All written notices should go to the DFS case worker and the foster parent.
- DFS will arrange for other participants, such as the parent, CASA/AGAL, PBH case worker, or foster parent to attend a Best Interest Meeting.
- The Educational Surrogate Parent, if serving as the parent for IDEA (special education) purposes, may be invited as well.
- The decision is made by the Best Interest Meeting team. However, the opinion of the child and the DFS case worker (or parent—if involved) should be considered.

***In all cases where an ESP has been appointed, special education parental rights and procedural safeguards must be followed. This includes but is not limited to requesting/providing consent for educational evaluations, providing consent for special education services, any discussions/decisions regarding special education services, placement, accommodations or modifications, and agreeing/disagreeing with special education services, signing the IEP as a "parent."*

DISCIPLINE

- For immediate response, call the foster parent to pick up the student.
- Call the DFS case worker to notify of discipline or suspension.
- Notify the parent, if he or she retains educational rights to schedule a discipline meeting.
- Out of an abundance of caution, it is helpful to send all written notices to the DFS case worker, parent, foster parent, and ESP (if appointed).
- DFS will notify the CASA/AGAL.
- For a student receiving special education, the parent or Educational Surrogate Parent (ESP), who is serving as the parent for IDEA (special education) purposes, should be notified as well.

ALL SPECIAL EDUCATION ISSUES

- Notify the parent or ESP of all issues related to identification, evaluation, educational placement and provision of special education and related services for a child. The parent or appointed ESP must sign all documents related to the child's special education needs even when the child is in DFS custody.
- Notify DFS as well.