

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

314.10 Purpose

314.20 Definitions

314.30 Education Policy

- b) Placement and School Changes
- c) Consents for School Activities
- d) Rights of Children with Disabilities
- e) Planning with Schools for Children Who Need Protection and Medical Management Plans
- f) Visitation/School Conduct
- g) General Educational Development (GED)
- h) Vocation and Career Planning
- i) Home Schooling
- j) Tutoring
- k) Public School Choice and Supplemental Educational Services under the No Child Left Behind Act (NCLB)

314.40 Educational Assessment

- a) Assessment Process

= =b)

314.50 Education Plan

- a) Developing the Service Plan
- b)
- c) Contents of the Education Plan

= =d)

314.60 Special Education

- a) Eligibility
- b) Referral for Special Education Services
- c) Reevaluations
- d) Areas of Responsibility
- e) Special Education Procedural Safeguards

314.70 Early Childhood Education (birth to five)

- a) Head Start/Early Head Start
- b) Pre-Kindergarten Programs for Children At Risk of Academic Failure (Pre-K)
- c) Accredited Child Care Programs
- d) Early Intervention (EI) Services
- e) Early Childhood Special Education

314.75 Post High School Education Programs

- a) Community College Payment Program
- b) Education and Training Voucher Program
- c) Youth in College/Vocational Training Program

314.80 School Records

- a) School, Early Childhood or Early Intervention Program Enrollments and Transfers
- b) Educational and Developmental Reports
- c) Documentation of Educational and Developmental Services
- d) Educational Records

314.90 Administrative Case Review/Education

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

314.100 Education Expenses

- a) School Fees
- b) School Supplies
- c) School Transportation

- Appendix A Contact Information for Regional Education Advisors**
- Appendix B Legal Services Contract Case Referral Procedures**
- Appendix C Discipline**
- Appendix D Special Education Procedural Safeguards**
- Appendix E Early Intervention Procedural Safeguards**
- Appendix F Child and Family Connections Directory**
- Appendix G Early Intervention Referral and Follow-up Procedures**
- Appendix H Developmental Screening Tools**
- Appendix I Early Childhood Staff Directory**

314.10 Purpose

The purpose of these procedures is to identify and explain requirements regarding educational services in order to assist Permanency Workers and Supervisors serving children and youth for whom the Department is legally responsible. Frequent communication and collaboration between Permanency Workers, caregivers and early childhood education program/school staff is essential to promote children's educational success. Permanency Workers and caregivers must intervene early and effectively when any behavioral issues arise in order to minimize disruptions to a child's early childhood education program/ school experience. Permanency Workers and caregivers must also work together with children and program/school staff to plan for smooth transitions between early childhood education programs and schools and to higher levels of education. **Procedures 314** outline requirements regarding educational services for children and youth for whom the Department is legally responsible. The appendices which follow provide additional guidance and resources.

314.20 Definitions

"Assistive Technology Device" is any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child or youth with a disability.

"Caregiver" is a licensed foster parent or unlicensed relative for the purposes of this procedure.

"Child and Family Connections (CFC)" is the regional system point of entry responsible for ensuring the timely processing of referrals to the Early Intervention System, the provision of eligibility determination services, the development of the initial IFSP, the referral of families to service providers, and facilitating the child's transition into or between services.

"Client Service Plan" means a written plan developed in accordance with **Part 305, Client Service Planning**, which guides all participants in the plan toward permanency for the child.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

"Department Youth" means a child for whom the Department is legally responsible through temporary protective custody, custody or guardianship via court order, or children whose parent(s) has signed an adoptive surrender or voluntary placement agreement with the Department.

"Developmental Assessment" refers to the procedures used to identify a child's strengths and needs in all five domain areas of development (physical, cognitive, communication, social-emotional, and adaptive functioning), along with the family's concerns, priorities and resources related to the child, and the services necessary to meet needs of the child.

"Developmental Screening" is the first step in identifying children with developmental delays and is used to determine if a more in-depth assessment is necessary. Standardized tools such as the Denver II, Ages and Stages Questionnaire, or the Early Screening Inventory are used in administering the screening.

"Early and Periodic Screening, Diagnostic and Treatment (EPSDT)" is a special program of preventative and comprehensive health services designed to provide early discovery and treatment of health problems of children, birth through 20 years of age. In Illinois, EPSDT is known as the "Healthy Kids Program".

"Early Intervention Program Surrogate Parent" means a person appointed by the court (one or both parents, legal guardian or others) in accordance with 705 ILCS 405/2-10.2 to serve as the representative for the ward's early intervention education services.

"Early Intervention Services (EI)" are a collection of interventions for infants and toddlers, birth to three years old, who have or are at risk of developmental delays. EI provides developmental services in several areas, including physical, cognitive, communication, social-emotional, and adaptive functioning. Caregivers of children enrolled in EI also receive support and education to assist them in understanding and enhancing their child's development.

"Early Childhood Special Education Services (ECSE)" are services provided to children between three and five years old, who meet one or more of the following disability criteria: deaf-blindness, deaf, emotional disturbance, hearing impairment, mental retardation, multiple disabilities, orthopedic impairment, other health impairment, specific learning disability, speech/language impairment, speech/language pathology services, traumatic brain injury, and visual impairment. Some school districts serve children who have a developmental delay as defined by "Early Intervention (EI)".

"Education Advisors" provide educational advocacy on behalf of children birth to 21 years of age. They are located in DCFS regional offices throughout the State and help DCFS and the private agency caregivers and Permanency Workers obtain appropriate educational services for the children in their home or agency. See **Appendix A** for contact information for Education Advisors.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

"Education Liaisons" are employed in purchase of service (POS) agencies to assist caregivers and Permanency Workers in providing appropriate educational services to children in their care.

"Education Plan" is a plan developed and implemented to provide a framework for needed educational or developmental services, supports and interests for each child in the care and custody of the Department in order to promote educational/developmental progress. Permanency Workers are required to document an education or developmental services plan for each child in the **Family Service Plan**, using all information gathered, including information from the **CFS 407-4, Education Profile** (Assessment) and the **CFS 407-HS, Annual High School Academic Plan**.

"Educational Surrogate Parent" means a person appointed either by the court (one or both parents, legal guardian or others) in accordance with 705 ILCS 405/2-10.2, or by the Illinois State Board of Education to serve as the representative for the ward's special education services in accordance with 23 Ill. Adm. Code 226. Educational Surrogate Parents appointed by ISBE only serve wards in residential placement. The Educational Surrogate Parent has the authority to sign the request for case study evaluation, consent for the case study evaluation, initial educational placement, and educational reevaluations for Department wards. The Educational Surrogate Parent is also the person authorized to access the Illinois State Board of Education due process system for children for whom the Department is legally responsible.

"Evaluation for Special Education" is a conference to determine a child's eligibility for special education. The conference involves a meeting of personnel from various disciplines, including but not limited to psychology, education, social work, and health. School personnel are responsible for scheduling and conducting the eligibility conference.

"Free Appropriate Public Education (FAPE)" is a term from federal education law. In order to comply with the federal mandate (20 USC 1400 et. seq.) known as Individuals with Disabilities Education Improvement Act (IDEIA 2004), Part B which requires that all children with disabilities receive a free appropriate public education, a school district must provide special education services at no cost to the child or his/her parents. As defined in IDEIA 2004, FAPE must be provided at public expense (under public supervision and direction and without charge), meet the standards of the state educational agency, include preschool, elementary or secondary education, and be administered in accordance with an Individualized Education Plan (IEP).

"Home Schooling" is educating a child at home rather than in a school setting. The decision as to whether or not a foster parent may "home school" a child is made by the DCFS Guardian.

"IDEIA 2004" refers to the Individuals with Disabilities Education Improvement Act (20 USC 1400 et. seq.). See "Free Appropriate Public Education (FAPE)"

EDUCATIONAL SERVICES

March 26, 2015 – P.T. 2015.05

"Individualized Education Program (IEP)" is a document which identifies specific special education services, placement, and related services that will be provided to a child. The IEP is prepared by the public school district with parents or caregivers as equal participants pursuant to the Individuals with Disabilities Education Improvement Act (IDEIA 2004) and 23 Ill. Adm. Code 226, Special Education. The IEP also includes education goals, benchmarks and service frequency, quantity and duration. The services delineated in the child's IEP are based on the results of the IEP Team recommendations.

"Individualized Family Service Plan (IFSP)" is the written plan for providing early intervention services for birth to three year old children with disabilities or who are developmentally delayed, and support for the child's family to assist them in enhancing their child's development. Such services are to be provided in natural environments to the extent possible. The IFSP is developed by an interdisciplinary team including the family, appropriate professionals, and the local regional service coordinator, Child and Family Connections (CFC). The CFC coordinates the development of the IFSP after eligibility for services has been established and various necessary developmental assessments have been conducted. The IFSP reflects the family's priorities, concerns and resources regarding the child's needs.

"Interim Plan" is a portion of an IEP that identifies the services that will be provided as a temporary measure, either when the child's complete IEP cannot be obtained or implemented or when the parents and the district have only agreed to a portion of the services that will be needed, and that sets out the specific conditions and timelines that both the parents and the district have agreed to.

"Natural Environment" refers to home and community settings in which children and families without disabilities would participate.

"Section 504" is a section of the federal Rehabilitation Act of 1973 which prohibits discrimination against otherwise qualified persons based upon their disability. The regulations implementing this law require entities receiving federal funds to provide reasonable accommodations for children with disabilities (whether in regular or special education or in Early Intervention (EI) services) so that they can benefit from their educational or developmental experiences. This law requires schools to prepare a plan (commonly called a 504 plan), preferably written, for each child with a disability to outline how it will provide the child with a free appropriate public education (FAPE) in the least restrictive environment. An IEP or IFSP developed for the child may be used as the 504 plan.

"Service Coordinators" work in the Early Intervention (EI) system and are responsible for coordinating performance evaluations and the development of IFSPs, identifying, coordinating and monitoring service delivery, informing the family of the availability of advocacy services, coordinating with medical and health providers, and facilitating the development of the transition planning.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

"Special Education" is instruction specially designed to meet the unique needs of a child with a disability. Special education may include instruction conducted in the classroom, home, hospitals, institutions, and other settings, as well as instruction in physical education. Special education should be provided at no cost to an eligible child's parents. Special education also includes instructional, resource, and related services, unique materials, physical plant adjustments, and other special educational accommodations described in the IDEIA 2004 and Article XIV of The School Code. Special education services modify, supplement, and support children's success in the general education curriculum. In addition, special education services can include, but are not limited to, speech pathology, vocational opportunities, physical therapy, and occupational therapy.

"Transition Plan" is the result of a process through which the schools, community agencies, students, and guardians plan for life after school for youth receiving special education. Beginning not later than the first IEP to be in effect when the child turns 14, and updated annually thereafter, the transition plan shall include: appropriate, measurable, postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills.

"Truancy Adjudication Hearings" are hearings that are scheduled for youth who have been absent from school 10% or more of the school year. The hearings are scheduled by the Chicago Board of Education in order to determine whether a youth is a chronic truant as defined in the Illinois School Code and whether appropriate steps have been taken in order to ensure the child's attendance in school.

314.30 Education Policy

a) School Enrollment

Children and youth for whom the Department is legally responsible are expected to be enrolled in school or training programs until they graduate, reach age 18 or reach age 21 if they are receiving special education services. When a child is placed in substitute care or moves to a different placement, the Permanency Worker shall discuss with the caregiver the importance of enrolling (generally within two school days) the child in school, including early childhood programming. . If the caregiver indicates a problem with enrolling the child in school within two school days of placement, the Permanency Worker shall provide assistance in working with school personnel to get the child enrolled. If the child is not enrolled in school by the third school day following placement, the Permanency Worker shall take responsibility and ensure the child's enrollment in school by the fifth school day following placement. If enrollment is not forthcoming by the fifth school day, the Permanency Worker shall contact the regional education advisor for assistance. (See **Appendix A** for contact information for DCFS education advisors).

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

Documentation for Enrollment

Permanency Workers shall provide caregivers and/or schools with the following documentation in order to facilitate enrollment and ensure schools are aware of the educational/developmental services children were receiving in previous settings:

- A copy of the **Placement Payment Authorization Form (CFS 906)**. The form is required by some school districts to verify residency;
- A copy of the child's Medical Card, which is used by school districts to verify whether or not the student's medical records are up to date;
- A certified copy of the child's birth certificate. If a certified copy is not obtainable, the Permanency Worker shall provide a notarized affidavit verifying the child's identity and date of birth;
- A copy of the most recent IEP, IFSP or 504 Plan for children who have received special education, early intervention or 504 services in a previous school, early childhood or Early Intervention (EI) setting;
- A completed ISBE Student Transfer Form. The Illinois School Code [105 ILCS 5/2-3, 13a] (scholastic records; transferring students) permits school districts to require an ISBE Student Transfer Form (completed by the former school district) prior to enrollment of any student. The form provides the new school with information on whether the student is in "good standing" (which means that the student is not being disciplined by a suspension or expulsion from the former school district) and whether the student's medical records are up-to-date and complete.

The Permanency Worker shall be responsible for obtaining a completed ISBE Student Transfer Form from the former school district and providing a copy to the caregiver to be used at the time of enrollment. Chicago Public Schools (CPS) have an internal transfer form for use in transferring students from one CPS school to another. However, a child who is transferring out of the CPS school district needs a completed ISBE Transfer form.

PERMANENCY WORKERS SHALL PLACE A COPY OF THE ISBE TRANSFER FORM AND THE IEP, IFSP OR 504 PLAN IN THE EDUCATION SECTION OF THE CHILD'S CASE RECORD.

Foster Parents' Educational Responsibilities

In accordance with the Foster Parent Law (20 ILCS 505/7.2) foster parents have a responsibility to advocate on behalf of child(ren) and youth in their care. With regard to educational services, responsibilities include, but are not limited to, the following:

- assisting with homework as needed;
- attending parent/teacher conferences;
- picking up report cards;
- encouraging participation in extra-curricular activities;
- representing the child for the purpose of special education services and attending/participating in IEP/IFSP meetings (see **Section 314.60** and **Section 314.70**).

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

- serving as an Educational Surrogate Parent when a child or youth receives special education services and is placed in residential treatment with a goal of returning to the foster home;
- locating and enrolling the child in an early childhood education program, when age-appropriate;
- collaborating with the Permanency Worker during any transitions between schools; and
- attending Truancy Adjudication Hearings, as scheduled, in conjunction with the assigned Permanency Worker.

Foster parents are partners with Permanency Workers in making educational decisions for the child(ren) in their care and should communicate regularly with Permanency Workers concerning educational concerns and achievements. Permanency Workers shall assist foster parents in carrying out their responsibilities and shall be alert for the development of problems in school, including possible truancy, suspensions, academic failures or poor performance. Permanency Workers are responsible for discussing the child's educational progress with foster parents at every monthly meeting and for taking whatever action is necessary to resolve any situations impeding the child's success in school. The Permanency Worker and foster parent should, as a team, develop a plan for remediation of the problem.

All new foster parents are encouraged to have six hours of Educational Advocacy training. This training is required for re-licensure and offered regularly in all DCFS regions through the community college system.

Confidentiality

When working with the schools, the Permanency Worker and the caregiver shall maintain the confidentiality of the child's records in accordance with Department Rules **and Procedures 431, Confidentiality of Personal Information of Persons Served By The Department**. Generally, only that information which relates directly to the child's educational needs will be shared. Information that constitutes the child's educational needs may include, but is not limited to, the following:

- academic performance;
- strengths, interests and abilities;
- supports needed for regular school attendance;
- supports needed to promote the child's physical, social-emotional, and/or cognitive development;
- supports to develop meaningful school friendships;
- supports needed for the child to control his/her own behavior;
- supports required for the child's safety and the safety of others;
- supports and plans when the child experiences trauma; and
- any other information that supports and enables the child to achieve a successful education.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

School Attendance

The Permanency Worker shall review with the caregiver the caregiver's responsibility to make reasonable efforts to ensure that child(ren) and youth attend school the entire time school is in session during the regular school term - as required by compulsory attendance laws. In addition, it is an expectation of the Department that children under the age of five attend age-appropriate early childhood educational programming. Absences shall be excused in accordance with the policies of the local school district. Truancy must be tracked and addressed by the Permanency Worker with involvement of the caregiver. In the event that a youth misses 10% or more of school and a Truancy Adjudicatory Hearing is scheduled, Permanency Workers must attend the hearing in order to explain what services/interventions have been put in place to address the truancy issue and/or to make service recommendations. Permanency Workers are also responsible for ensuring service recommendations made at the hearing are put into place by established deadlines.

The caregiver may keep a child or youth home only when the child or youth has a debilitating illness or injury or a contagious disease. The caregiver has the responsibility of notifying the school to insure these instances are formally excused absences. Arrangements should be made with the local school for homework and tutoring during extended absences. A child or youth may not be kept out of school as a form of discipline, due to behavior problems, due to a change of placement, for caregiver convenience or other reasons unrelated to the physical or clinical condition of the child or youth. In addition, the Department allows children to be absent from school to attend administrative case reviews and court hearings, as necessary.

Permanency Workers shall make every possible effort to schedule sibling and parental visitation on days and during hours that will not cause the children or youth to miss school, including attendance at pre-school and early intervention programs. There will be times when a child or youth missing school to attend an appointment will be unavoidable, but such times should be rare and the reason(s) documented in writing on the **Case Note**, in the child's case record.

Suspension and Expulsion

Suspensions and expulsions must be tracked and addressed by the Permanency Worker with involvement of the caregiver. Caregivers are required to immediately (on the same day of notification) inform Permanency Workers of any suspension. The Permanency Worker shall record each suspension on the **CFS 119, Unusual Incident Reporting Form (UIR)**. If the school often calls the foster parent to come and get the child from school because s/he is having a "bad day" or is a behavioral problem, the foster parent should require that the request be formalized as a suspension and put in writing and also inform the Permanency Worker of the situation.

When an expulsion hearing is to occur, the foster parent will receive a certified letter from the school indicating such and shall immediately inform the Permanency Worker. The Permanency Worker shall notify the DCFS Guardian of the impending expulsion hearing to ensure the child has legal representation at the hearing, and contact the education advisor for

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

assistance. If the child brings a weapon or drugs to school and/or if s/he is a danger to him/herself or others, the expulsion will most likely be upheld at a hearing. If the expulsion is upheld, the Permanency Worker shall record this on the **CFS 119, Unusual Incident Reporting Form**. In conjunction with the education advisor (and the education liaison if the child is served by a private agency), the Permanency Worker shall prepare a plan of action for the child's education while the expulsion is in effect. When the child's school district has an alternative school program, it may be accessed for the duration of the expulsion.

Educational services may not cease during an expulsion for a child eligible for special education. School personnel may order the removal of an eligible child from his or her current placement for periods of no more than ten consecutive school days each in response to separate incidents of misconduct, as long as such repeated removals do not constitute a pattern based on consideration of factors such as the length of each removal, the total amount of time the child is removed, and the proximity of the removals to one another. In such a case, these removals shall not be considered to constitute a change in education placement.

- After an eligible child has been removed from his or her placement for ten school days in the same school year, the district is required to provide services to the child on any subsequent day(s) of removal.
- School personnel, in consultation with the child's special education teacher, must determine the extent of the services to be provided, which shall be adequate to enable the child to progress appropriately in the general curriculum and advance toward achieving the goals.

For more details on discipline, see **Appendix D**.

b) Placement and School Changes

When there is a change in a child's placement or living arrangement, it is most often beneficial for the child to remain in the same school. The Permanency Worker shall consult with the child and with his/her Supervisor, as well as with local school personnel in both school districts when making this decision. When the child is receiving special education services, his/her Educational Surrogate Parent must also be consulted since the location of educational services for the child will be determined by the Individualized Education Program (IEP). Department youth may only attend education programs which have been accredited by the appropriate state education agency.

Factors to be considered in school placement include length of time spent at the current school, adjustment potential, extra-curricular activity participation, supportive relationships, socialization, separation anxiety, distance/travel time, and how much of the semester or school year remains.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

When it is determined that the child should remain at his/her current school, the Permanency Worker will contact the appropriate school district or government entity and advise officials of the reasons why the Permanency Worker believes that it would be in the child's best interest to remain at the current school. The Permanency Worker will notify the school district that:

- The Guardianship Administrator has been appointed temporary custodian or has guardianship of the child;
- DCFS has determined that it is in the best interest of the child or youth to maintain enrollment and attendance at the current school. Generally, a statement from the Permanency Worker that it is in the child or youth's best interest is sufficient; and
- DCFS has placed the child with foster parents or in a residential facility (provide applicable names and addresses).

Under the Illinois School Code, when a child or youth for whom the Department has legal responsibility via court-ordered custody or guardianship is placed into a foster home or other child care facility located in another school district and the Department had determined that it is in the child or youth's best interest to maintain attendance at his or her former school, the school district cannot charge the tuition normally charged to children who do not reside in the district.

The Permanency Worker will also request that the school district provide transportation for the child to remain at the current school. The decision of the school district is not subject to appeal.

If the school district agrees to allow the child to remain in the current school, but will not agree to provide needed transportation, the Permanency Worker shall assist the caregiver with acquiring transportation for the child by informing the caregiver of other options, including DCFS reimbursement for transportation. (Refer to DCFS **Procedures 359.75, Payments for Children's Education Expenses, (k) Public Transportation for School**). If the child is served by a private agency on behalf of DCFS, the Permanency Worker should contact the appropriate person within the agency to access payment from special service fees in the POS contract. The child's educational plan shall be documented to show the decision to keep the child in the current school and who will be responsible for transportation arrangements and costs.

When children change school placement, including children attending an early childhood education program, the Permanency Worker and caregiver will work with the child and the program staff to assist the child in making a successful transition. Permanency Workers and caregivers should ensure that the child has opportunities to say good-bye to former classmates and teachers. They should also work with staff to ensure that the child's records (including any portfolios, developmental assessments and artwork) are transferred to the new program.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

When a youth attending high school changes placement, the completed Annual High School Academic Plan must be presented to the caregiver upon placement. It is the responsibility of the Permanency Worker to discuss its contents with the caregiver.

Stepping-Down From a Residential Facility

When a child or youth for whom the Department is legally responsible is being stepped down from a residential setting to a foster home, transitional living program, independent living program or from an out-of-state placement to a placement in the state (whether residential or a foster home), the Permanency Worker shall ensure adequate and timely planning for his/her receipt of appropriate educational services. Permanency Workers are responsible for establishing communication between DCFS and the local education agency (LEA) regarding the child's educational needs and for identification and location of educational services.

In all situations, Permanency Workers are to:

- work proactively and collaboratively with local education agencies to meet the developmental and educational needs of the children and youth;
- actively participate with local education agencies and schools to develop plans to meet the developmental and educational needs of the children and youth;
- provide local education agencies 30 days written notice when a child or youth will be "stepping down" from residential care into the local school system; and
- share information with the local education agency consistent with the Department's Confidentiality procedures.

c) Consents for School Activities

Foster parents or other caregivers are authorized and encouraged to sign consents for general school related activities, which include, but are not limited to, the following:

- field trips within Illinois;
- routine social events (picnics, school parties, etc);
- school enrollment;
- attendance at sporting events;
- extra-curricular activities (other than athletic participation); and
- cultural events.

Unless the parent(s) have been appointed by the court as Educational Surrogate Parents, the foster parents (when the child is in foster care) and Educational Surrogate Parents (when the child is in residential care) are authorized to sign consents for:

- case study evaluations and reevaluations and services, and
- IEPs or IFSPs;

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

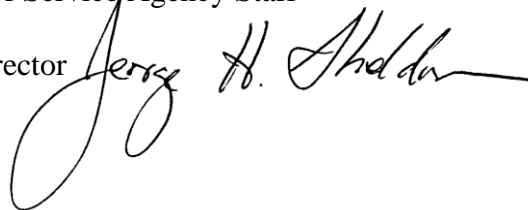
POLICY GUIDE 2015.14

**CONSENTS FOR ORDINARY MEDICAL AND DENTAL CARE
AND ATHLETIC PARTICIPATION**

DATE: September 4, 2015

TO: All Department and Purchase of Service Agency Staff

FROM: George H. Sheldon, Acting Director



EFFECTIVE: Immediately

I. PURPOSE

The purpose of this Policy Guide is to inform Department and POS staff that that:

- until further notice, staff should continue to request consents for ordinary and routine medical and dental care from Authorized Agents of the DCFS Guardian, located in the DCFS Regions; and
- substitute caregivers (including residential administrators and their designees) may consent to a child's participation in athletic activities. Substitute caregivers are required to use Reasonable Parenting Standards when making such decisions.

II. PRIMARY USERS

Primary users include all DCFS and private child welfare agency staff.

III. INSTRUCTIONS

1. **Consent for Ordinary and Routine Medical/Dental Care.** Department and POS staff shall continue to request consents for ordinary and routine medical and dental care from Authorized Agents of the DCFS Guardian in the DCFS Regions.

Consents for ordinary and routine medical and dental treatment may be centralized in the future, but have not been centralized at this time.

Consent for major medical and surgical treatment shall be given only by the DCFS Guardian or an Authorized Agent at the DCFS Consent Unit or Child Intake and Recovery Unit.



2. **Consent to Participate in School Athletic Activities.** Effective immediately, foster parents, relative caregivers, and residential administrators and their designees (substitute caregivers) may approve a child’s participation in school athletic activities. The substitute caregiver must use “reasonable parenting standards” when making decisions for children to participate in athletic activities.

“Reasonable parenting standards” includes consideration of the child’s age, and whether the activity is developmentally appropriate for that child. When considering whether an athletic activity is “age-” or “developmentally appropriate”, the substitute caregiver shall consider whether the activity is accepted as suitable for children of the same chronological age or level of maturity as that child, or is determined to be developmentally appropriate for a child based on development of cognitive, emotional, physical and behavioral capacities that are typical for that child’s age or age group.

The decisions made for the child must keep that specific child’s capabilities and attainment of developmental stages in mind.

V. QUESTIONS

Questions regarding these revised procedures should be directed to the Office of Child and Family Policy at 217-524-1983 or by e-mail through Outlook at OCFP-Mailbox. Non-Outlook users may send questions to cfpolicy@idcfs.state.il.us or the phone number provided.

VI. FILING INSTRUCTIONS

This Policy Guide is to be filed immediately following **Procedures 314.30 c), Consents for School Activities** and immediately following **Procedures 327.4 d), School Matters** and immediately following **Procedures 327.5 a) 3) C), Ordinary and Routine Treatment Consents.**

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

Foster parents and other caregivers are **not** authorized to sign consents for the following situations. Caregivers shall contact the child's Permanency Worker when consent is needed for:

- athletic participation;
- media coverage/events;
- slide show productions;
- photographs;
- voice reproductions;
- research projects;
- field trips outside of Illinois;
- liability releases; and
- medical examinations or care; or
- physical restraints. (For DCFS policy on the use of physical restraint, refer to **Part 384, Behavior Treatment in Residential Child Care Facilities.**)

The Department's Guardianship Administrator or authorized agent must be contacted for other situations that are not covered in these procedures, which require consent from a child's parent or guardian.

Notifications To Parent(s)

If the permanency goal is to return home, the child's Permanency Worker shall provide the parent(s) with written notification within ten (10) working days of the receipt of the child's educational progress and activities when provided by the school. Such notification may include, but is not limited to, disciplinary reports, report cards, school report forms, teacher conferences, truancy adjudication hearing notices, field trips, honors and award ceremonies, extracurricular activity performances, and school graduation. When the child is suspected of having a disability or s/he has already been determined to be eligible for special education services, the Permanency Worker shall invite the parent(s) to participate in the Individualized Education Program (IEP) Team meetings to determine eligibility and in IEP meetings or Individualized Family Service Plans (IFSP) meetings thereafter. If the school provides less than ten days notification to the Permanency Worker, the Permanency Worker shall notify the parent(s) as soon as possible to ensure their opportunity to participate in the event.

d) Rights of Children with Disabilities

Permanency Workers are responsible for knowing the educational programs, services, and protections guaranteed under state and federal law to all children who are eligible for special education services. Refer to **Section 314.60 (Special Education)** and **Section 314.70 (Early Intervention (birth to three) and Early Childhood Education (three to five))** of these Procedures. These services and protections are also described in "*A Parents Guide-The Educational Rights of Students With Disabilities*", and *the State of Illinois Infant/Toddler and Family Rights under IDEA for the Early Intervention System*. These documents are produced by the Illinois State Board of Education (ISBE) and the Department of Human Services (DHS). They are available from local school districts or Child and Family Connections (CFC) for birth to 3 year olds.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

Department youth are entitled to the same services and protections as other children. No Department youth should be categorized as needing special education services unless a completed evaluation, as specified by federal and state laws, demonstrates the need for special education services. Further, no Department youth shall be classified as eligible for special education services solely because s/he is in substitute care; because s/he is under the custody/guardianship of the Department; because s/he is pregnant or parenting; or because (s)he speaks another language. When there is an indication that one of these conditions serves as the basis for special education services, the Permanency Worker shall review the situation with local school personnel. Any situation that cannot be resolved at the regional or local level should be referred to the education advisor for that region. If the situation involves a child under the age of three years old, the Permanency Worker may obtain assistance by contacting the IDCFS Early Childhood Program at 312-814- 5509.

e) **Planning with Schools for Children Who Need Protection and Medical Management Plans**

For children who have been identified as needing protection plans implemented in the school environment, Permanency Workers shall ensure that school-based protection plans are developed in conjunction with school personnel. Protection plans may be necessary for children who exhibit sexually aggressive behavior, physically aggressive behaviors, are in danger of flight, or are victims of bullying or sexual harassment, etc.

For children taking asthma medication or other forms of medication in school, the requirements in **Procedures 302, Appendix Q, Case Management Guidelines for Children’s Asthma Management** apply.

Provided certain requirements are fulfilled, children requiring medication for illnesses such as asthma are permitted to carry their medication with them and use the medication under the supervision of school personnel while in school; at school sponsored activities; or while attending before or after school activities, including before or after-school care on school-operated property.

To meet the requirements of the School Code [105 ILCS 5/22-30] for the self-administration of medication, DCFS must:

1. provide written authorization for the self-administration of medication; and
2. provide a written statement from the child’s primary care physician containing:
 - the name and purpose of the medication;
 - the prescribed dosage; and
 - the time(s) at which or the special circumstances under which the medication is to be administered.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

f) Visitation/School Conduct

Permanency Workers shall advise caregivers that a child cannot be deprived of planned visits with family members or siblings or in any way denied contact with family (whether in person, by phone or by mail) as a means of punishment for school performance or behavior at school. In situations of problematic school conduct or performance, the Permanency Worker shall assist the caregiver in exploring other disciplinary options.

g) General Educational Development (GED)

Since the high school diploma is the preferred certificate of secondary completion, Department youth may be enrolled in a GED program only if they are ineligible to be enrolled in the public school district general program or an alternative school program. A youth is ineligible for regular school enrollment when he/she is serving an expulsion or is over age nineteen (19) and cannot meet the credit requirements for graduation by age twenty-one (21). If the youth is expelled or is aged 17 through 19 and has the possibility of meeting graduation requirements, the alternative school option should be pursued before enrollment in a GED program. Department youth may be enrolled in a GED program only when the GED program is ISBE approved/certified.

h) Vocation and Career Planning

The purpose of vocational and career planning is to ensure that Department youth are prepared for post-secondary school, employment, or continuing education.

The Permanency Worker will assist youth with identifying an appropriate education/vocation plan geared towards preparing each youth for self-sufficiency once he/she transitions out of care. The Permanency Worker is responsible for completing the Annual High School Academic Plan for youth on their caseloads. This plan is to be used to support academic achievement and encourage post-secondary planning (i.e. community college, vocational programs, four year university, or other employment programs).

At the start of each school year, the Permanency Worker shall convene an Annual High School Academic Planning Meeting in order to develop the most appropriate academic plan.

The Permanency Worker shall convene the meeting between August and October, and must include the youth, caregiver, Permanency Worker's Supervisor and education advisor (when appropriate). If a youth does not possess enough credits for correct grade classification, an education advisor must also attend the Planning Meeting. School counselors are encouraged to attend, or participate via teleconference, or submit feedback in writing to the Permanency Worker to be shared during the Planning Meeting. At the conclusion of each Annual High School Academic Planning Meeting, the Permanency Worker will complete the Annual High School Academic Plan and present copies to the youth, caregiver, school counselor, and education advisor (if applicable). The Permanency Worker shall place the original copy in the education section of the youth's case file. The Annual High School Planning Meeting is to be convened irrespective of youth's movement to the next grade.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

The first High School Academic Planning Meeting will be held during the youth's freshman year of high school to assist with academic progression and the identification of future goals. The Permanency Worker will review transitional services available through the Office of Education and Transition Services to assist the youth with identifying and achieving his/her stated goal(s). For youth receiving special education services, the Permanency Worker must incorporate goals identified via the Transition Plan developed by the Board of Education, which will then be used to complete the **CFS 407-4, Education Profile (Assessment)**.

The Permanency Worker will convene the second High School Academic Planning Meeting during the youth's sophomore year, in order to review academic progress from freshman year, noting strengths and areas requiring improvement, total credits earned, and fulfillment of graduation requirements. Permanency Workers will also review transitional service options available via the Office of Education and Transition Services.

The Permanency Worker will convene the third High School Academic Planning Meeting during youth's junior year to review previous year's academic performance, noting academic strengths and areas which require improvement, fulfillment of graduation requirements, which include reviewing total credits and community service hours earned, if applicable. During this Academic Planning Meeting, the Permanency Worker will also focus on the youth's post-secondary plans. The meeting should include discussion of the following: identifying college(s) or vocational program(s) of interest to the youth; participating in college tours; registering for and participating in the American College Test (ACT) and/or the Scholastic Aptitude Test (SAT) prep courses; registering for and taking the ACT and/or SAT; and any other relevant topics. It should be noted that the youth can re-take the ACT and/or SAT for optimal student performance. The Permanency Worker shall also review transitional service options available via the Office of Education and Transition Services.

The Permanency Worker shall convene the final High School academic Planning Meeting during the youth's senior year, in order to review graduation requirements and the most appropriate post-secondary options available. The Permanency Worker will follow policy timeframes in referring youth to transitional programs (YIC/VT, YIS, ICCB, ETV, and EIP) as identified via **Procedures 302, Services Delivered by the Department**.

At least by the freshman year in high school, formalized planning, high school credits, and relevant experiences should be considered annually and included in the youth's educational or transition plan. All educational planning for transition to post secondary school should be coordinated by the Permanency Worker with the Casey Life Skill Assessment tool. (Permanency Workers should consult DCFS **Procedures 302, Appendix M** for complete requirements related to transition planning for adolescent wards).

In the case of a student receiving special education services, IEP planning for post-secondary employment or continuing education must start at age fourteen. The transition plan at this age drives the IEP planning process. The individual school district board of education determines graduation standards for receipt of a diploma. Boards may set individual policies for students who have IEPs and they may waive grades and instead give a diploma based on IEP requirements, accommodations and adaptations to the general curriculum. In order for youth to have the best post-school opportunities, the Permanency Worker will acquire the

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

district policy and begin planning for graduation four years prior to that time. The IEP for a student who has reached the age of 17 shall include documentation indicating that the student has been informed of the rights under the IDEIA 2004 that will transfer to the student when he or she reaches the age of 18.

i) Home Schooling

Generally, the DCFS Guardian does not grant permission for home schooling. However, the Guardian may consider it if appropriate information is provided. Submission of the appropriate information listed below does not guarantee that the Guardian will approve the request. At a minimum, the following information should be provided:

1. The child's preferences concerning home schooling;
2. The primary language spoken by the child and the foster family;
3. The child's legal status and permanency goal;
4. If permanency goal is "return home", the biological parents position on home schooling;
5. Education history of the child;
6. Educational needs (special education, tutoring, etc.) and plans for addressing them;
7. Medical/physical needs of the child;
8. Information about staffings that occurred to reach the conclusion to recommend home schooling;
9. Any information concerning meetings with the Illinois State Board of Education (ISBE) and local school district concerning home schooling for the child;
10. Whether the child has any social or developmental delays and how those will be addressed in the education plan to home school;
11. The role that the Purchase of Service (POS) agency or DCFS Permanency Worker will serve in ensuring/monitoring that appropriate academic services are provided;
12. Who will advocate for any additional services deemed necessary and intervene on behalf of the child if it becomes necessary;
13. Whether the POS agency or DCFS staff, the foster parents and the local school district are willing to work collaboratively and monitor the child's educational progress;

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

14. Sample copies of the curriculum to be taught, a lesson plan, schedule of planned field trips and social events, etc.; and
15. Any other information that may be helpful to the Guardian in reaching a decision to grant/deny permission for home schooling.

If after reviewing the requested information, the DCFS Guardian decides to grant permission to home school, permission will only be granted if (a) the foster parents agree to register with the local school district in which they are home schooling the child, and (b) they agree to allow one of the DCFS education advisors to periodically visit to review the program and ensure that the child(ren)'s academic and behavioral needs are being met, and (c) the foster parents will submit quarterly written documentation of the child(ren)'s academic and behavioral achievement. The Permanency Worker will report any identified problems directly to the DCFS Guardian immediately.

j) Tutoring

Tutoring is a supplementary service provided to students who are having difficulty maintaining satisfactory progress or who miss attending school due to some temporary condition (e.g. an extended illness or prior to and after childbirth, upon physician recommendation). Generally, tutoring shall not be used in lieu of school attendance except where indicated by a medical or psychological professional or when the child has been expelled or suspended. A written record from one of these professionals, which documents the need for tutoring, shall be placed in the child's case record.

Since tutoring is a discretionary service, which school districts are not mandated to provide, the local school district shall be requested to provide the service when the Permanency Worker in consultation with the caregiver(s) and/or the child him/herself determines that tutoring is needed. If the responsible school district refuses to provide tutoring, the Department can purchase this service (Refer to **Procedures 359**). Tutoring services may be purchased upon the written recommendation of the child's classroom teacher. Tutoring services may be purchased for child(ren) including, but not limited to, the following situations:

- the child needs remedial help after entering DCFS' care or changing schools;
- the child currently has one or more failing grades;
- tutoring is recommended by the school on the **DCFS Education Report Form (CFS 407)**;
- the child has been retained one or more academic years; or
- tutoring is recommended to compensate for an extended absence from school.

Tutoring services shall be paid by the Department only after all other resources (e.g., public school districts, volunteers) have been exhausted. When a tutoring request to an outside source is pending, but tutoring services are needed immediately, DCFS may purchase tutoring services pending resolution of the request.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

The Permanency Worker shall review the **CFS 407, Education Report Form**, and discuss the child's progress with the caregiver, school staff, and the child to determine if there is a continuing need for tutoring services. Permanency Workers may consult education advisors for questions about appropriateness or quality of tutoring services. (See **Appendix A** for contact information for DCFS regional education advisors. POS staff should contact the educational liaison.)

k) Public School Choice and Supplemental Educational Services under the No Child Left Behind Act (NCLB)

The federal No Child Left Behind Act of 2001 (NCLB) provides a Public School Choice (Choice) option or a Supplemental Educational Services (SES) option for students attending schools that have not made Adequate Yearly Progress (AYP) as defined in NCLB for two consecutive years.

Prior to the start of each school year, schools that must offer either Choice or SES will mail letters to caregivers who have children attending those schools. These children are conditionally eligible either to choose a higher-performing school, or to receive SES, based on availability in their school district. If a child is not in a school on the NCLB list, the caregiver will not receive this letter.

Permanency Workers responsible for children or youth attending schools that must offer choice or SES shall consult with the caregiver(s) regarding their right to exercise school choice or supplemental educational services for the children in their homes. The processes for accessing school choice or SES are outlined below.

Public School Choice

Public School Choice refers to the ability of a caregiver to choose a higher performing school, if available, within the same district when they have a child enrolled in a school that has not met NCLB Average Yearly Progress (AYP) standards for two consecutive years. Prior to the beginning of the school year, districts must notify the caregivers of students in choice schools that they have the option of sending their children to another school in the same district which has not failed to meet AYP standards, including public charter schools. Caregivers have 30 days from the date of notice to decide whether to exercise the choice option.

Students who transfer schools shall be enrolled in classes and other activities in the same manner as all other children at that public school. Districts must provide or pay for transportation to the new schools. If there are space or funding limitations, districts must give priority to the lowest achieving children from low-income families. If there are no schools that have made AYP in the district, it must, to the extent practicable, enter into intergovernmental agreements with neighboring districts to send students to schools in those districts.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

Supplemental Educational Services

If school choice is not available in the district, supplemental educational services (SES) must be offered, based on available funding. A caregiver may choose either school choice or SES, but not both. Supplemental educational services are defined in the NCLB as tutoring and other high-quality academic enrichment services provided in addition to instruction during the school day to increase the achievement of eligible children.

Prior to the beginning of the school year, school districts must annually notify caregivers that supplemental educational services are available, identify area providers and provide a description of the services offered by each provider. Caregivers have 30 days from the date of notification to decide whether or not to exercise the SES option. Schools must help caregivers select an SES provider, if help is requested. Schools in school improvement status must arrange for eligible students to receive SES from providers with a demonstrated record of effectiveness. If there are space or funding limitations, districts must give priority to the lowest achieving children from low-income families. School districts are not required to pay for or provide transportation to supplemental educational services.

314.40 Educational Assessment

a) Assessment Process

The purpose of an educational assessment is to determine a child's educational needs and use this information in developing and implementing an education plan to ensure that necessary supports are provided to give him/her the best chance for academic and social success. The child's Permanency Worker has primary responsibility for completing the educational assessment, using the **CFS 407-4, Education Profile (Assessment)**. The **CFS 407-4** is to be completed by the Permanency Worker prior to the initial Administrative Case Review (ACR) and this information is to be used in developing the educational plan. The plan must be completed on the **Family Service Plan** within forty-five (45) days of court-ordered temporary custody for each child, regardless of age, who comes into care. When school or early intervention program evaluation reports or assessments are not available shortly after the Department assumes temporary custody, the Permanency Worker may develop an interim assessment using the **CFS 407-4** to be incorporated into the education plan.

Early Intervention (EI) reports and birth to three assessments can be obtained by contacting the Child and Family Connections closest to the child's home before placement occurred. The Permanency Worker should ensure that the Child and Family Connections staff is aware that the child has moved and that the case record is transferred to the new corresponding CFC to continue services. Therapies that were in place prior to placement should continue in the new placement. If difficulties arise in this area, the IDCFS Early Childhood office should be contacted for assistance at (312) 814-5509.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

An educational profile (assessment) is a process that requires continued information gathering and decision-making. When conducting an initial educational assessment, the child's Permanency Worker shall ensure that the following minimum information is considered and documented in the education section of the child's case record and updated as part of ongoing service planning:

1) Developmental Screening

All children from birth to age five should receive a developmental screening within 45 days of their initial intake. Developmental screens are provided by Child and Family Connections (CFC), local school districts, Integrated Assessment Screeners, and other early intervention providers. In addition, developmental screenings are completed as part of the Early and Periodic Diagnosis, Screening and Treatment (EPSDT) exams for some children. The physician or developmental specialist who conducts the developmental screening exam will determine if factors that may result in a developmental delay in the child, or place the child at risk of delay, are present. Permanency Workers shall record the results of the developmental screening in the Education Section of the child's **Family Service Plan** and in the education portion of the child's case record, as well as in the child's Health Passport.

In conjunction with Integrated Assessment (IA), all children, statewide, will receive a developmental screening (ages 0-3) and school readiness screening (ages 3-5 years). Screening appointments will be scheduled within a short time of case opening. Once Permanency Workers receive the appointment, they should contact the caregiver to ensure their availability and participation. It is the Permanency Worker's responsibility to ensure that recommendations from the screening are implemented and the necessary services occur. All screenings are to be completed within 45 days of the child's placement.

For cases without an IA Clinical Screener in Cook County, Developmental screenings will occur internally at a designated DCFS office. Cook County Early Childhood Coordinators refer all three to five year olds to the Chicago Public Schools for a Child Find Screening. When these cases open in CYCIS, the Early Childhood Program notifies Permanency Workers via mail of children needing a screening. If a child resides in a Cook County suburb, Permanency Workers have the option of using a screening provider in the youth's community. However, the screening results should be forwarded to the Cook County Early Childhood Preschool coordinator once completed (Please refer to **Appendix G** for detailed information on referrals). Once again, all screenings are to be completed within 45 days of the child's placement.

For cases without an IA Clinical Screener in downstate regions, The Early Childhood coordinators refer birth to five year olds to community providers, such as the local Child and Family Connections (CFC), Public Health Department, or school district for developmental screenings. When a 'birth to age five' case opens, the coordinator will mail screening resources directly to the Permanency Worker. Once the

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

screening is complete, the Permanency Worker forwards the results to the Regional Early Childhood Coordinator. If the results of the screenings suggest the need for further evaluation, the Permanency Worker shall refer the child to an EI program for a developmental evaluation or to the school district for an assessment for early childhood special education services. As noted previously, the Permanency Worker shall follow-up with the referral recipient to ensure that the evaluations occur and necessary services are in place within 45 days.

The Permanency Worker shall review the results of the any developmental screening(s) for a child under age 5, (including hearing and vision screening). If the Permanency Worker suspects that there are factors which may result in a developmental delay for the child or place the child at risk of delay, and no referral has been made, the Permanency Worker shall refer the child to an early childhood education program for further assessment and provision of educational services (Refer to **Procedures 314.70**).

2) Review of Medical History Upon Placement

The Permanency Worker shall obtain and review the child's medical history. This shall include a review of the results of the DCFS Comprehensive Health Evaluation and/or subsequent EPSDT or developmental screenings (including hearing and vision screening). The Permanency Worker shall record the results in the child's Health Passport. Any vision impairment, hearing impairment, intellectual disability, autism, traumatic brain injury, speech or language impairment, physical disability, or other health impairment in a child under age 5 may indicate eligibility for special education or early intervention services (Refer to **Procedures 314.60**). For children under age three, early intervention (EI) services are needed when the child has a developmental delay or is suspected to have a delay.

It is important to note that children may enter care having already been evaluated and linked to the Early Intervention (EI) system. In these cases, the screening is not necessary. However, the Permanency Worker should send copies of the evaluations to the Integrated Assessment screener and/or the Early Childhood screener. Additionally, the Permanency Worker should contact the CFC that was serving the child prior to entering care to obtain records and in order to transition the case to the CFC near the current caregiver's home.

3) Review of Educational History Upon Placement

Within ten days after the child's enrollment in a new school or early childhood education program, the Permanency Worker shall meet or make contact with school or program personnel to discuss completion of the **CFS 407, Education Report Form**, and establish a time line for its completion and a method of return. The Permanency Worker will inform the child's new teacher(s) or developmental specialists about the child's educational or developmental strengths and weaknesses and who to call in a timely manner if problems begin to occur.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

The Permanency Worker will also contact personnel at the former school or program to inform them of the change in placement, and for continuity of services, and seek to obtain a completed **CFS 407** within ten days after the child's departure from that institution.

The Permanency Worker shall also determine the child's developmental, academic, social, and extracurricular interests, strengths, goals, needs, and problems, and document the information in the education section of the child's case record within sixty (60) days of custody. If the youth is attending high school when custody is taken, the assigned Permanency Worker should conduct the Annual High School Academic Planning Meeting within 30 days after receipt of temporary custody, which will be used in completing the **CFS 407-4, Education Profile (Assessment)**, as well as **the child's education section of the Family Service Plan**. If the youth is taken into custody during the months of April through June, the Annual High School Academic Planning Meeting will be waived until August of the following academic year.

If upon examination of the child's educational/developmental history, the Permanency Worker or caregiver suspects the child has a disability, s/he shall make a referral to the local school district to determine special education eligibility for children ages three to 21, or Child and Family Connections (CFC) to determine early intervention (EI) eligibility for children ages birth to three. (A listing of Child and Family Connections is in **Appendix F**.)

If the child is in a residential facility, the Permanency Worker shall ensure the residential facility immediately contacts ISBE at (217) 782-6601 or TDD (217) 782-1900 and request the appointment of an Educational Surrogate Parent.

If a review of a child's educational history indicates past eligibility for special education or early intervention services, the Permanency Worker shall refer the child to the public school district or the regional Child and Family Connection (CFC) for a determination as to whether the child is eligible for continued or reinstated special education or developmental services (Refer to **Section 314.70**). Children, birth to three years of age, who received early intervention services prior to entering care, should be transitioned to a CFC office corresponding to their new caregiver's home. (Refer to **Section 314.40**) If the child is not receiving services, s/he should be screened according to the Early Childhood Developmental Screening protocol. For children in residential care, an Educational Surrogate Parent must be appointed prior to determining eligibility. If a student with a disability will be at least fourteen (14) years old in the current school year, the Permanency Worker should participate in the development of the IEP transition plan and coordinate it with the Casey Life Skills Assessment.

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EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

314.50 Education Plan

a) Developing the Service Plan

When developing a **Family Service Plan**, Department staff are required to complete an education or developmental services plan for each child or youth regardless of age. The initial educational plan must be completed on the child's education section of the **Family Service Plan** within 45 days after court-ordered temporary custody for each child who comes into care. The primary function of the education plan is to provide a framework for needed educational or developmental services, supports and interests identified in the **CFS 407-4, Education Profile (Assessment)**, and to link general educational needs to child-specific supports and activities (i.e., public special education programs, early intervention programs, pre-kindergarten programs, GED programs, tutors, Head Start/Early Head Start, extra-curricular participation and school friendships) needed by the child or youth.

b) When completing the education section of the **Family Service Plan**, Permanency Workers should incorporate identified service needs and strengths as indicated in the Annual High School Academic Plan. Tasks identified via the Academic Plan should also be incorporated into the **Family Service Plan** under the appropriate objective.

c) Contents of the Education Plan

The child's Permanency Worker shall complete the education plan following completion of the **CFS 407-4, Educational Profile (Assessment)**. This plan must contain the following information at a minimum:

- 1) Name and address of the school or early childhood education program in which the child is enrolled;
- 2) The child's strengths, interests, any specific after school activities, clubs, organizations and day or after-care programs in which the child may participate in order to develop supportive friendships and associations;
- 3) Each specific educational or developmental problem, need, or deficiency, if any, as identified in the educational assessment;
- 4) General educational or developmental goals and vocational or career objectives;
- 5) Specific referral actions, if any, that have or will be taken to address the identified educational or developmental problems, needs, and deficiencies, and/or to develop strengths, interests and abilities; and
- 6) The beginning date, frequency, anticipated duration, and anticipated termination date, if known, for each specific referral service.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

When a child moves to a new school district or changes early childhood education programs or services and the Permanency Worker determines, in accordance with the **Rules/Procedures 314.30**, that it is in the child's best interest to remain at the current school or early childhood education program/services, that decision and any actions related to it shall be documented in the education plan.

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314.60 Special Education

a) Eligibility

Public schools directly provide or contract for the purchase of special education services for children, aged three to 21 years, who meet specific eligibility criteria. Children with the following disabilities may be eligible for special education services:

- mental retardation;
- specific learning disability;
- emotional disturbance;
- speech/ or language impairment;
- hearing impairment, including deafness
- visual impairment, including blindness
- orthopedic impairment;
- autism;
- traumatic brain injury;
- other health impairments;
- deaf-blindness;
- developmental delay; and
- multiple disabilities.

Additionally, children who have any other disability or who are perceived to have any disability which affects a major life function are entitled to reasonable accommodations for their disabilities by the public schools or service providers under provisions of the IDEIA 2004, the Americans with Disabilities Act (ADA) of 1990, and Section 504 of the Rehabilitation Act of 1973 (504) if they use federal funds regardless of whether they need special education services.

b) Referral for Special Education Services

Any child (ages three to 21) who has a suspected or confirmed disability may be eligible for special education services and/or for reasonable accommodations for that disability in school. Reasonable accommodations may include, but are not limited to, untimed tests, larger print texts, oral tests, and modified expectations for grades. When a child is suspected of having a disability, the Permanency Worker or caregiver shall immediately make a referral for an evaluation by contacting the public school district that serves the geographic

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

area of the child's substitute care placement. Unless the parent(s) has been appointed by the court as the Educational Surrogate Parent(s), the foster parent shall sign all consents regarding special education services for children in their home and the residential provider shall request ISBE to appoint an Educational Surrogate Parent for the child to sign all consents regarding special education services for children residing in the residential facility.

The Permanency Worker should contact an education advisor or the ISBE directly if the residential provider or the school district fails to make the referral to ISBE for the appointment of an Educational Surrogate Parent. In accordance with State law, foster parents and relative caregivers who are employees of the school district (in their employing district or through a joint agreement with another district), staff of private child welfare agencies, and staff of the Illinois State Board of Education (ISBE), Department of Children and Family Services (DCFS) and Department of Corrections (DOC) are prohibited from serving as Educational Surrogate Parents for children in residential facilities.

When the Educational Surrogate Parent has been appointed for a child in a residential program, the Permanency Worker shall discuss the child's situation with the Educational Surrogate Parent and ask the Educational Surrogate Parent to refer the child to the public school district for an evaluation. When the need for services is critical, the Permanency Worker may request an evaluation by the school district at the same time the request for an Educational Surrogate Parent is made unless the parent(s) has already been appointed by the court as the Educational Surrogate Parent. However, only the Educational Surrogate Parent can sign the consent for the child's evaluation in these situations.

Subsequent to the referral for an evaluation, eligibility for special education is determined at a meeting of the IEP team. School personnel must complete the evaluation and convene the IEP Team within 60 days from the date of parental consent. The Permanency Worker and the foster parent/Educational Surrogate Parent are expected to attend this meeting, unless the parent(s) has already been appointed by the court as the Educational Surrogate Parent. Any independent evaluations must be considered at the meeting. If the child is determined eligible for special education services as a result of the evaluation, an individualized education program (IEP) must be developed to identify the specific services and supports the child will receive and who will be responsible for providing them.

c) **Reevaluations**

A local school district is required to reevaluate a child in special education at least every 3 years to determine continued eligibility for special education services. A school district is also required to reevaluate an eligible child whenever conditions warrant a reevaluation or the child's parents, Educational Surrogate Parent, guardian or teacher requests a reevaluation.

A district must also reevaluate an eligible child before determining that the child is no longer eligible for special education services. A reevaluation is not required for a student who leaves special education due to graduation from high school with a regular high school diploma or its equivalent or attains the age of 21.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

d) Areas of Responsibility

Illinois State Board of Education

The Illinois State Board of Education (ISBE) is responsible for assigning Educational Surrogate Parents on behalf of children for whom the Department is legally responsible when they are residing in a residential facility in Illinois and for notifying the public school district of those assignments, unless the parent(s) has been court ordered as the Educational Surrogate Parent. ISBE is also responsible for the recruitment and training of Educational Surrogate Parents for eligible children in residential facilities.

ISBE is also responsible for providing a system of procedural safeguards designed to resolve disputes between parents/guardians or Educational Surrogate Parents and local school districts regarding the identification, evaluation or provision of special education services to an eligible child. (See **Appendix D** for an explanation of special education procedural safeguards).

Local School Districts

Local school districts are responsible for the special education costs of children and youth for whom the Department is legally responsible who are placed in out-of-state substitute care settings. The local school district that last provided at least forty-five (45) days of educational service to the child remains the child's district of residence until the child is no longer under Department guardianship or until returned to Illinois. The Permanency Worker shall complete the **CFS 407-5, Notice of Special Education Responsibility**, to document which school district has responsibility. The **CFS 407-5** shall be given to the responsible school district at the time of the substitute care placement.

Permanency Worker

When the Permanency Worker believes a child has special education needs, s/he shall make a referral for an evaluation by contacting the school or early childhood education program. If the child is in a residential facility, the Permanency Worker shall ensure a request is made to ISBE for the appointment of an Educational Surrogate Parent by ISBE.

The Permanency Worker may actually initiate the request for a case study evaluation for children in foster care and at the same time, make a request to the school district for appointment of an Educational Surrogate Parent for children in residential facilities, unless the court has ordered the Parent(s) to be the Educational Surrogate Parent. The Permanency Worker shall actively collaborate with the caregiver or Educational Surrogate Parent to ensure that the youth receives timely and appropriate special education services. Permanency Workers shall encourage the Educational Surrogate Parent to meet and get to know the child before participating in educational decisions. Permanency Workers shall also advise caregivers to actively advocate for the child and remind caregivers that they are required to attend/participate in all IEP Team and IFSP meetings to ensure timely and appropriate educational services. Permanency Workers and caregivers should attempt to

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

have school districts conduct IEP meetings at the local school that the child would attend if s/he did not have a disability. Permanency Workers should collaborate with caregivers to address issues that may impede the caregiver's ability to attend IEP meetings, evaluations and IFSP meetings as scheduled, such as arranging for transportation if this is the issue. Permanency Workers are also required to attend/participate in all IEP Team meetings for children and youth for whom the Department is legally responsible, except when a required court appearance or an Administrative Case Review is scheduled for the same time.

The Permanency Worker shall advise the caregiver or Educational Surrogate Parent to take corrective action with the school district whenever the youth is not receiving timely and appropriate special education services for which s/he is entitled on their IEP or IFSP. The Permanency Worker shall contact the regional education advisor when an education related issue cannot be resolved. (See **Appendix A** for contact info for DCFS regional education advisors. POS staff should contact the educational liaison.) When a child under the age of three is involved, the Permanency Worker should contact the DCFS Early Childhood Program for assistance at (312) 814-5509.

The Permanency Worker shall inform the caregiver and Educational Surrogate Parent of the availability of legal services on behalf of children requiring special education or Early Intervention (EI) services (as described in **Appendix B**). The decision whether to engage legal services shall be made by the caregiver or Educational Surrogate Parent. The Permanency Worker, in conjunction with the caregiver or Educational Surrogate Parent, may consult with the regional education advisor prior to referral.

For children who reside in group homes or child care institutions, the assigned Permanency Worker retains the following responsibilities regarding special education services:

- Communicating at least quarterly with the child's school or education program including at least one in-person visit annually;
- Reviewing the child's Individualized Education program (IEP) to identify the child's learning issues;
- Determining dates of IEP conferences and ensuring that the parent(s) appointed by the court as the Educational Surrogate Parent, the foster parent or the Educational Surrogate Parent has been notified;
- Notifying the State Board of Education (ISBE) if an educational Educational Surrogate Parent is unavailable or uncooperative; and
- Requesting that a new Educational Surrogate Parent be appointed, if necessary.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

Confidentiality

When working with the caregiver, Educational Surrogate Parent, school personnel and other professionals, the Permanency Worker shall maintain the confidentiality of the child's records in accordance with Department **Rules and Procedures 431, Confidentiality of Personal Information of Persons Served by the Department**. Generally, only that information which relates directly to the child's educational needs will be shared. See **Section 314.30 (a)** of these procedures for a list of relevant information that may pertain to a child's educational needs. The Permanency Worker shall ensure that appropriate notices of special education or early childhood education activities/meetings are provided to the child's biological or adoptive parents.

Parent(s)

A child or youth's biological or adoptive parent(s) should generally be involved in the service planning and the educational process for a child who is in placement with a goal of "return home". Although parents are encouraged to continue their involvement in educational or Early Intervention (EI) conferences or staffing, only the caregiver, Educational Surrogate Parent and parent(s) court ordered as the Educational Surrogate Parent have the signature and decision-making authority regarding the child's special education or early intervention planning and programming while the child is in substitute care placement and the Department remains legally responsible for the child.

Foster Parent(s) and Educational Surrogate Parent

The major responsibilities of a parent(s) appointed by the court as the Educational Surrogate Parent, the foster parent and Educational Surrogate Parent include:

- Understanding the child and his/her educational/developmental needs, including the child's strengths, interests and abilities;
- Informing Permanency Workers of educational/developmental needs, interventions, disciplinary incidents, progress reports, etc., in a timely manner;
- Requesting evaluations;
- Signing consents for evaluations, the initial educational placement, and educational re-evaluations;
- Attending/participating in Individualized Education Program (IEP) meetings and Individual Family Service Plans (IFSP) for early intervention;
- Negotiating for appropriate special education or early intervention services on behalf of the child, including reasonable accommodations, if necessary to benefit the child's education or developmental services;
- Monitoring disciplinary actions;
- Requesting complaint investigations, mediation, and/or impartial due process hearings;

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

- Participating in due process hearings related to the child's special education or Early Intervention (EI) needs; and
- Informing Permanency Workers when legal advice, related to the child's special education or Early Intervention (EI) needs is necessary.

At all times, the Permanency Worker/caregiver team shall seek resolution of educational issues regarding children in the care of the Department at informal levels. Steps for resolving issues in an informal manner include:

1. Convening an informal meeting with the teacher and/or other pertinent school personnel to seek to resolve the problem(s).
2. Contacting the regional education advisor for assistance and/or support at the above or subsequent meetings (See **Appendix A** for contact info for regional education advisors). Private agency (POS) staff may contact the education liaison for that agency.
3. Reconvening the IEP meeting.

The parent(s) appointed by the court as the Educational Surrogate Parent, foster parent or Educational Surrogate Parent determines the need for legal advice from the list of legal resources maintained by the school district or Child and Family Connections.

e) Special Education Procedural Safeguards

The Illinois State Board of Education (ISBE) has established processes that can be used when there are disagreements or alleged violations affecting a child's education. Disagreements over compliance with the rules and regulations of the IDEIA 2004, the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and the School Code usually form the basis of disagreement. When the Permanency Worker, caregiver(s), Educational Surrogate Parent or the DCFS Guardian has questions or concerns regarding the child's IEP or decisions made by the public school district, they may request an informal meeting with school district staff. When issues remain unresolved, the caregiver(s) or Educational Surrogate Parent has a right to utilize the due process system. Utilizing procedural safeguards, especially due process, is a complicated matter. The education advisor in the region is a resource to determine what procedural safeguard is appropriate. It is the responsibility of the parent(s) appointed by the court as the Educational Surrogate Parent, foster parent(s) or Educational Surrogate Parent to initiate due process procedures, after determining with the Permanency Worker in consultation with the regional education advisor the appropriate level at which due process should be initiated. (Refer to **Appendix A** for contact information for the regional education advisors; Refer to **Appendix D** for details on procedural safeguards.)

THE CAREGIVER MUST INFORM THE PERMANENCY WORKER IMMEDIATELY UPON RECEIPT OF ANY NOTIFICATION OR COMMUNICATION ABOUT A PROBLEM THAT COULD LEAD TO EXERCISING A PROCEDURAL SAFEGUARD. THE PERMANENCY WORKER AND THE CAREGIVER SHOULD CONTACT THE REGIONAL EDUCATION ADVISOR FOR ASSISTANCE (SEE APPENDIX A FOR CONTACT INFORMATION FOR REGIONAL EDUCATION ADVISORS.)

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

314.70 Early Childhood Education (birth to five)

A broad range of early childhood education programs are available for children from birth to five years of age. All children for whom the Department is legally responsible shall be enrolled in an early childhood education program. Permanency Workers should strongly encourage the enrollment of children of wards and children in intact families aged 3-5 in early childhood education programs. Early childhood educational programs include five general categories:

- a) Head Start or Early Head Start;
- b) Pre-kindergarten programs for children at risk of academic failure (Pre-K);
- c) Accredited child care programs (e.g. licensed childcare, home visiting programs);
- d) Early intervention services for infants and toddlers with developmental delays; and
- e) Early childhood special education programs for children aged 3 – 5 years with disabilities.

These programs are briefly described in the following sections.

a) Head Start/Early Head Start

Head Start is a comprehensive child and family development program for low income families with children aged birth to 5, including children with disabilities/special needs. All children for whom DCFS is legally responsible qualify for Head Start and the services are free. Children from intact families may qualify based on income eligibility. Local Head Start programs offer early childhood development, health, dental, mental health, nutrition and social services, as well as meaningful parent involvement, parent training and education, and comprehensive case management. There is a statewide Cooperative Agreement between DCFS and Head Start and most Head Start programs have local agreements with DCFS regional offices. Most Head Start programs outside of Chicago offer transportation to and from the program. Head Start programs may be full or half day and full or school year in length. For Head Start Program sites statewide, visit www.ilheadstart.org.

b) Pre-Kindergarten Programs for Children At Risk of Academic Failure (Pre-K)

The Illinois State Board of Education's (ISBE) Prekindergarten (PreK) At Risk Initiative is an educational program delivered in local school districts and community based organizations. All children for whom DCFS is legally responsible qualify for State Pre-Kindergarten, and the services are free. Some districts provide transportation to and from the program. Generally, PreK programs do not provide family support, social or health services to children, but they may collaborate with agencies that do. PreK programs may be school day or part day (2.5 hours) in length, depending on the community and the setting in which they operate. PreK services generally operate for the school year, unless they are in collaboration with a child care program with extended hours and length of year. To find PreK sites in the Chicago only, visit www.cps.edu/schools/earlychildhood. For more information on the Illinois PreK program, visit www.isbe.net. For information on local PreK services, contact the local school district.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

c) Accredited Child Care Programs

The Department of Human Services (DHS) Child Care Assistance Program (CCAP) is funded in local centers and homes statewide. If a child is a ward of the state, s/he does not automatically qualify for the DHS Child Care Assistance Program, but an accredited child care program could be an educational option if the child's foster parents work or if no Head Start or state Pre-K options are available. Local centers are accredited if they hold the National Association for the Education of Young Children (NAEYC) or National Association of Child Care Professionals (NACCP) accreditation. Accredited centers are licensed by DCFS and provide an appropriate educational program. Generally, child care centers do not provide transportation, parent education, family support, special services to children with disabilities/special needs or health services, but they may collaborate with agencies that do. However, local programs will vary so this should be researched by contacting the center and asking about services. Child care programs are generally open full day and full year.

d) Early Intervention (EI) Services

Early intervention (EI) provides a wide range of developmental and therapeutic services for children, birth to three years of age, who are experiencing at least a 30% developmental delay or have a condition that has a high probability of resulting in a developmental delay. Some programs also provide services to children who are at risk of becoming developmentally delayed due to environmental risk factors. The Medicaid card covers all Early Intervention services for children in care.

e) Early Childhood Special Education

Early childhood special education services are provided by local school districts to children ages three through five years who meet specific eligibility criteria. Children who meet the eligibility requirements outlined in **Section 314.60 (a)** may be eligible for early childhood special education services. When the results of the educational assessment or a "Child Find" screening by the school district reveals that a child exhibits, or is suspected of having a condition that indicates possible eligibility for special education services, the Permanency Worker, parent(s) appointed by the court as the Educational Surrogate Parent, foster parent or Educational Surrogate Parent shall refer the child to the responsible public school district for an evaluation to determine the child's eligibility for special education services. The Permanency Worker is responsible for ensuring that the case study evaluation is requested.

When a review of the child's educational history indicates the child's past eligibility for special education services, the parent(s) appointed by the court as the Educational Surrogate Parent, the foster parent or Educational Surrogate Parent and the Permanency Worker shall make a referral to the public school district for a determination of whether the child is eligible for continued or reinstated special education services.

All procedural safeguards in **Appendix D and Appendix E** apply.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

314.75 Post High School Education Programs

Applying for admission and locating financial assistance is a process that should begin at least one year before the youth plans to enter a college or vocational training. The youth should request assistance from the Permanency Worker for this process. The Permanency Worker will assist the youth with the timely completion of the applications and necessary paperwork. The Permanency Worker can request technical support and assistance from the Office of Education and Transition Services.

The Permanency Worker shall transport youth to their GED test or college entrance exam.

a) **Community College Payment Program**

1) **Program Description**

Youth enrolling in an Illinois community college are eligible to have their “in district” tuition, fees, required books, supplies and equipment paid by the Department if they cannot be paid through Federal Pell Grant, Federal Supplemental Educational Opportunity Grant (FSEOG), or Monetary Award Program (MAP) Grant. These payments are made directly to the community college.

Applications shall not be submitted for youth who are eligible to secure sufficient financial aid to cover their tuition, fees, books, required supplies and equipment. The Community College Payment Program (CCPP) is not to be used instead of FAFSA related grants. The program does not pay “out of district” tuition, classes that were dropped or not completed, charges for items that are not required for the course work of the student or previous fiscal year charges.

Use of this program is limited to the following situations:

- A) When financial aid is not available either because the program is not financial aid eligible or the classes are not eligible for financial aid per the college;
- B) When the student is not eligible for financial aid because they are still in high school or are not a US Citizen;
- C) When the student is using financial aid at another college so does not have financial aid at the community college;
- D) When it is the summer semester and student has used all available FAFSA related grants;
- E) When it is being used for books and required supplies only;

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

- F) When the student has used all available MAP and/or Pell credit hour eligibility; or
- G) When the student is on financial aid suspension.

Note: If the student is on financial aid suspension, then a copy of the denial of Financial Aid Appeal and documentation of extenuating circumstances must be submitted with the application.

2) Eligibility Requirements

- A) The Department must have court-ordered legal responsibility for the youth at the time classes or program begins;
- B) The youth must have completed a Free Application for Federal Student Aid (FAFSA) for the current academic year within the required deadlines set by the college and state and must complete all necessary forms and provide documentation requested by the financial aid departments at the college to actually receive financial aid from the college (if applicable);
- C) The youth must be accepted for enrollment in their “in district” community college;
- D) The youth must make Satisfactory Academic Progress (SAP) as per the college’s definition; and
- E) The youth must read and sign the **CFS 407-3, Community College Payment Program, form.**

3) Application Process

- A) The Permanency Worker is to complete the **CFS 407-3** with the youth;
- B) The youth is to read, sign, and date the **CFS 407-3**;
- C) The Permanency Worker submits the **CFS 407-3** to the DCFS Community College Payment Program Coordinator;
- D) The DCFS Community College Payment Program coordinator will review the application and
 - i) if approved, the coordinator will send a letter of intent to the school advising what can be paid and how to submit billings to DCFS with a copy sent to the youth and Permanency Worker; or
 - ii) if denied, the coordinator will send an email to the Permanency Worker and youth informing them that the youth is not eligible for the Community College Payment Program.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

4) Billing Process

- A) The community college will submit:
 - i) a copy of student's schedule;
 - ii) documentation that there was no financial aid available to cover the classes and/or expenses; and
 - iii) an invoice detailing charges for the individual student.
- B) July 15th is the deadline for the community college to submit tuition payment requests for the prior fiscal year. Any request received after that date may not be considered for payment.
- C) OETS shall review the documentation received from the community college and make a payment decision based on whether the youth is still eligible and whether the community college submitted the required documentation by the deadline. OETS will send an approval or denial letter to the college and process the payment request, with a copies sent to the student and Permanency Worker.

5) Monitoring

- A) Youth are required to submit a copy of their class schedule and a transcript of grades to their Permanency Worker within two weeks after they are available. Permanency Workers shall follow up with youth who fail to submit their class schedules and transcripts within the required time frame;
- B) Youth who fail to meet Satisfactory Academic Progress (SAP), as defined by their school, must complete a **CFS 449-1, GPA Education Plan**, and submit it to their Permanency Worker; and
- C) If a youth has failed to meet SAP then before they can use the **Community College Payment Program** the youth **must** enroll in academic support services provided by the community college and provide documentation of these services to their Permanency Worker.

Note: Permanency Workers shall assist youth with academic support services if the youth requests assistance or if the youth's grade point average falls below a "C" or fails to meet SAP. Academic support services that are provided to assist the youth in maintaining his or her academic eligibility shall be documented in the youth's case record.

6) Living Arrangement

Youth may live in any Department funded placement while receiving this benefit.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

b) Education and Training Voucher Program

1) Description

The Education and Training Voucher (ETV) Program provides financial support services to eligible youth that are enrolled in an accredited college, university or vocational program.

2) ETV Program Eligibility Requirements

Youth considered for funds under the ETV Program must meet the following eligibility requirements:

- A) The Department has court-ordered legal responsibility for the youth; or
- B) The youth aged out of DCFS care at age 18 or older; or
- C) The youth achieved permanency through guardianship or adoption at age 16 or older; and

In addition, the youth must meet the following requirements:

- D) The youth must be enrolled, attending and making satisfactory academic progress as a student in an accredited college, university or vocational program prior to age 21; and

Note: Youth who are enrolled, attending and making satisfactory progress in an accredited post secondary program are eligible to have their ETV benefits extended until age 23, if they have accessed the ETV program prior to age 21.

- E) The youth must complete a Free Application for Federal Student Aid (FAFSA) within the required deadlines set by the school and state each year; and
- F) The youth must successfully complete all paper work requested by the school for the admission and financial aid process.

Note: If the youth has a Permanency Worker, he/she shall assist or arrange for assistance to the youth in completing the FAFSA and other school related documentation.

Youth requesting a computer package must have completed at least one semester or term with a minimum of a 'C' average, must be able to document that all tuition, book, and mandatory fees are paid, and, if participating in the Department's Youth in College/Vocational Training Program or Scholarship Program, must be in full compliance with the requirements of those programs. The school's cost of attendance calculation must include a computer for the youth to be considered for this benefit.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

3) Benefits

- A) Up to \$5000 each state fiscal year for assistance with post secondary expenses

Youth approved for the ETV Program are eligible for up to \$5,000 per state fiscal year to pay for costs of attendance at an accredited post secondary education institution. These expenses can include tuition, fees, books, educational related supplies or equipment (including a computer package as defined by the Department), allowance for transportation (school-related travel), housing, internships, childcare (not covered by other government programs), room and board (if not currently receiving other funding for housing), health insurance, and student loans.

The amount of a voucher under this section shall be disregarded for the purposes of determining the recipient's eligibility for, or the amount of, any other Federal or Federally supported assistance, except that the total amount of educational assistance to a youth under this section and under other Federal and Federally supported programs shall not exceed the total cost of attendance, as defined in section 472 of the Higher Education act of 1965, and except that the State agency shall take appropriate steps to prevent duplication of benefits under this and other Federal and Federally supported programs. Other funding sources will be taken into account prior to calculating the ETV amount awarded.

Youth will be suspended or discharged from the ETV Program and any prior approved payments will cease if the youth withdraws from the college, university or vocational program or fails to meet any of the ETV Program requirements. OETS will provide written notification to the youth and Permanency Worker if youth is still in care prior to stopping payment(s) previously approved under the Program.

The Cook County Public Guardian will also receive a copy of the notification for youth represented by that office. Youth may request a review of the decision to suspend or discharge them from the ETV Program in accordance with **Rules 337, Service Appeal Process**. An appeal of the Department's decision should be filed within ten days after receiving the notification to ensure that the youth's benefits will continue during the appeals process.

- B) Youth Approaching Age 21

Youth who are enrolled, attending and making satisfactory progress in an accredited college, university, or vocational program prior to age 21 are eligible to have their ETV benefits extended until age 23.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

Youth approaching age 21, who have not previously utilized the ETV Program, must submit an application for benefits at least 6 weeks prior to their 21st birthday to ensure participation in the program prior to age 21 and thus continuing eligibility until age 23. They must be enrolled and attending post secondary school prior to age 21 to be considered for ETV funding.

4) **ETV Application Packet, CFS 449-3, Application for Education and Training Voucher Funds**

A) Permanency Worker Requirements

For youth in care, Permanency Workers shall coordinate the collection of required application documents; shall involve the youth in the college or vocational training planning process; and ensure that application packets are submitted to the Office of Education and Transition Services within the timeframe appropriate to the youth's situation, either six weeks prior to the youth starting school or six weeks prior to the youth's 21st birthday.

B) The **CFS 449-3**, ETV Application Packet

The **CFS 449-3**, ETV Application Packet consists of:

- i) An application page detailing student, Permanency Worker, and school information;
- ii) calculation of need for funds, including how the requested funds should be distributed;
- iii) an agreement form;
- iv) a Consent For Release of Information; and
- v) a Computer Package Agreement Form (to be completed if needed).

Tuition and fees are first priority of funding and must be paid before other items are considered. The packet shall be completed by the youth. For youth in care, the Permanency Worker shall review the application packet with the youth and answer any questions the youth may have. The youth must sign the application packet acknowledging his/her responsibilities under the Program.

C) Other Required Documentation

- i) If the youth has been admitted to a post-secondary education program on a probationary status or the youth is over age 20 and has not

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

achieved at least a "C" average, the youth must submit a completed **CFS 449-1, GPA Education Plan**, with his or her application;

- ii) A copy of the youth's class schedule;
- iii) If the youth has completed college or vocational course work, an “unofficial” transcript of his or her grades must be submitted with the application;
- iv) Documentation that the youth has successfully applied for financial aid (financial aid award letter). Include any scholarships the youth has applied for and the status of those applications; and
- v) Dated legible receipts for other expenses payment is being requested for under the Program.

5) Approval Process

ETV applications must be forwarded by the youth's Permanency Worker or the youth to the Statewide ETV Program Coordinator at the address noted on the application packet (**CFS 449-3**) for final approval and processing.

Note: Applications are only accepted for a single term or semester. Applications must be submitted each term/semester for ongoing benefits up to the \$5000 annual state fiscal year maximum.

6) Renewal Application Process

Youth must complete and submit Sections A (Student Information), B (Permanency Worker Information), and C (School Information) of the **CFS 449-3** for each additional term/semester for which the student is requesting ETV funding. In addition, the following documentation must be submitted with the renewal application for the term/semester requesting funding:

- A) schedule for term/semester,
- B) previous term/semester grades, and
- C) financial aid award letter for term/semester.

7) Monitoring

The youth must provide the following to his or her Permanency Worker (if applicable):

- A) an “unofficial” transcript of grades no later than four weeks after the end of a semester or grading period and a **CFS 449-1, GPA Education Plan**, if the youth's grade point average falls below a "C;"

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

- B) confirmation of financial aid re-determination; and
- C) an annual evaluation of the ETV Program on the form provided by OETS.

8) Living Arrangement

Youth in care may remain in a Department funded living arrangement; however requests for assistance with housing or living expenses will not be approved.

c) Youth in College/Vocational Training Program

1) Program Description

The Youth in College/Vocational Training (YIC/VT) Program provides financial and supplemental support services to adolescent youth for whom the Department has court ordered legal responsibility that are enrolled and attending full-time in an accredited college, university or vocational program.

2) YIC/VT Program Eligibility Requirements

Youth considered for entrance into the YIC/VT Program must meet the following eligibility requirements:

- A) The Department must have court-ordered legal responsibility for the youth;
- B) The youth must be 16 years of age but not yet 21;
- C) The youth must have a high school diploma, home schooling or General Educational Development (GED) certificate or be enrolled and attending a vocational training program;
- D) The youth must have met with his or her Permanency Worker and caregivers to address post secondary education options and life skills necessary to function successfully in that environment;
- E) The youth must be enrolled and attending as a full-time student in an accredited college, university, or vocational program. For purposes of these procedures, a youth is considered a full-time college student if he or she is enrolled for 12 credit hours per semester during the regular school year. Youth attending vocational training programs are considered full-time students in accordance with the school's requirements;
- F) The youth must have completed a Free Application for Federal Student Aid (FAFSA) within the required deadlines set by the school and state. It is recommended that this be completed as soon as possible after January 1st of

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

each year for the student to receive the maximum amount of financial assistance possible;

Note: The youth's Permanency Worker shall assist or arrange for an education advisor to assist the youth in completing the FAFSA.

G) The youth must complete a **CFS 600-3, Consent for Release of Information**, annually for the release of his or her social security number to the National Student Clearinghouse to verify the youth's full-time enrollment in a college or vocational program. The youth and the Guardianship Administrator must both sign the **CFS 600-3** if the youth is under 18 years of age; and

H) The youth may not be enrolled in more than one Department funded placement.

Note: Youth enrolled in the YIC/VT Program may not live in institutional or group home placements. Permanency Workers for these youth will assist them in obtaining appropriate and affordable housing. Youth in foster care placements may remain in their placements. However, the board payment to the foster parents will stop when the youth's YIC/VT Program monthly grant begins.

3) Benefits

A) Youth Ages 16 to 21

i) Monthly Grant

- Youth approved for the YIC/VT Program will receive a monthly grant equal to the standard board rate for the youth's age. Permanency Workers must provide youth with an explanation of the financial and security benefits of having their monthly grant checks directly deposited and assist the youth with completing the **C-95, Authorization for Deposit of Recurring Payments**. Youth that do not choose direct deposit will have their monthly grant checks mailed directly to them. Youth are required to report their address change immediately to the OETS Business Office (by mail to 406 East Monroe, Station #22, Springfield, IL, 62701; by phone 217/557-2689; or fax at 217/557-5796) and their Permanency Worker to ensure timely receipt of correspondence and their monthly grant. This information shall also be included in the YIC/VT Program welcome packet provided to the youth.

EDUCATIONAL SERVICES

March 26, 2015 – P.T. 2015.05

- Youth will be suspended or discharged from the YIC/VT Program and their monthly grant payments will cease if the youth withdraws from college or vocational program, does not maintain “full-time student” status, or fails to meet any of the YIC/VT Program requirements. OETS will provide written notification to the youth 30 days prior to stopping the youth’s monthly grant payments for any reason other than summer breaks. The Cook County Public Guardian will also receive a copy of the notification for youth represented by that office. Youth may request a review of the decision to suspend or discharge them from the YIC/VT Program in accordance with **Rules 337, Service Appeal Process**. An appeal of the Department’s decision should be filed within ten days after receiving the notification to ensure that the youth’s benefits will continue during the appeals process. If the youth’s monthly grant does not continue during the appeals process, he or she will receive retroactive grant payments if his or her appeal is successful.
 - Monthly grant payments may be used for tuition, transportation, room and board, supplies, food, tutoring, clothing, computers, furniture, appliances, internet fees, parking fines, phone charges, and loans.
- ii) Summer Grant Payments
- Monthly grant payments will continue through the summer if the youth is enrolled in vocational training, taking a minimum of six college credit hours or participating in a college or university approved internship program. Youth that choose to continue their education through the summer months will have their enrollment verified through the National Student Clearinghouse.
 - Youth that choose not to attend summer school or participate in an approved internship program will continue to receive their grant payments through the summer months if they have a grade point average of “C” or better; have their contact information current; submit requested class schedules; and submit documentation of enrollment in a post-secondary educational program for the fall semester to the OETS Business Office no later than June 1st.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

iii) Living Arrangement

- Youth enrolled in the YIC/VT Program may not live in institutional, group home, or independent living placements. Permanency Workers for these youth will assist them in obtaining appropriate and affordable housing. Youth in foster care placements may remain in their placements. However, the board payment to the foster parents will stop when the youth's YIC/VT Program monthly grant begins.
- Youth that choose not to continue their education through the summer shall meet with their Permanency Workers a minimum of 30 days prior to the close of the school year to establish a living arrangement plan for the summer, which may include the option of returning to a Department funded placement (i.e. foster care, TLP, ILO, residential or group home). The youth's monthly grant will terminate effective the date of the placement and will be reinstated when the youth returns to school. Questions concerning payments may be directed to the Central Payment Unit at 800/525-0499, caller option two.

iv) Start up Funding

Youth will receive a one-time disbursement of \$200 to be used for initial living expenses. Permanency Workers shall assist youth in developing an appropriate spending plan for these funds.

v) Medical and Dental Services

- Medical and dental services are available to youth in the YIC/VT Program through the Department of Healthcare and Family Services (DHFS) Medicaid Program via the DHFS issued medical card. Youth are eligible for a medical card up to the age of 21 or case closure, whichever occurs first. The medical card may be used for:
 - Preventative health care (i.e., physical, dental, hearing and vision exams and immunizations); and
 - Specialty medical care, acute medical care, and prescriptions.

EDUCATIONAL SERVICES

March 26, 2015 – P.T. 2015.05

- Medical case management services are provided to pregnant and parenting youth and their children, zero to five years of age, through the Department of Human Services.
- Questions concerning the medical card may be directed to the Medical Card Hotline during normal business hours at 800/228-6533.
- The youth's Permanency Worker shall assist the youth in identifying Medicaid-enrolled providers for his or her ongoing health care services.
- For youth approaching age 21 or case closure, the youth's Permanency Worker shall assist the youth to enroll in the DHFS Medicaid Program by submitting an application through the use of the following website: www.abe.illinois.gov or by calling 800/843-6154. With the Former Foster Care Program under the Affordable Care Act (ACA), eligibility for Medicaid would continue until age 26. After age 26, the young adult might continue to qualify for Medicaid.
- The youth's Permanency Worker can also identify community-based health care services that provide health services on a sliding fee scale.
- The All Kids Hotline (800/226-0768) and the DCFS Office of Health Services (217/557-2689) can provide assistance in identifying Medicaid enrolled providers.

B) Youth Approaching Age 21

Youth entering the YIC/VT Program just prior to their 21st birthday will only be admitted to the program if they are enrolled and attending an accredited post-secondary program as a full time student and have completed a minimum of one semester or term and have earned the equivalent of a "C" or better prior to their 21st birthday. They must be demonstrating successful academic progress toward the completion of a program as defined by the school. The youth will only receive a monthly grant through the semester in which the youth turns 23 years of age. No other support services will be provided to the youth.

Note: *A youth's application cannot be processed after his or her 21st birthday.* It is imperative that Permanency Workers for older youth assist the youth in completing and submitting the application to OETS no later than six weeks prior to the youth's 21st birthday.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

4) Youth in College/Vocational Training Required Documentation

A) Permanency Worker Requirements

Permanency Workers shall coordinate the collection of required application documents and shall involve the youth in the college or vocational training planning process. Permanency Workers shall also ensure that the application packets are submitted to OETS within the timeframe appropriate to the youth's situation (i.e. six weeks prior to the youth starting school, six weeks prior to the youth's 21st birthday).

Note: Applications that are not received within the timeframe appropriate to the youth's situation will cause the youth's monthly grant payment to be delayed. Late applications may result in OETS sending a memo of concern to the Permanency Worker's DCFS Regional Administrator or Private Agency Executive Director and DCFS Agency Performance Monitor.

B) Youth in College/Vocational Training Program Application, Part I & III

Part I & III of the **CFS 449, Youth in College/Vocational Training Program Application**, shall be completed by the youth's Permanency Worker and signed by the Permanency Worker to indicate that he or she has approved the youth's application and that required documentation has been attached. Completed applications shall be forwarded by the Permanency Worker to his or her Supervisor for review, approval, and signature.

C) Youth in College/Vocational Training Program Application, Parts II & IV

Parts II & IV of **CFS 449** shall be completed by the youth with assistance from the youth's Permanency Worker. The Permanency Worker shall review the service agreement with the youth and answer any questions the youth may have. The **CFS 600-3, Consent for Release of Information**, must be completed by the Permanency Worker and signed by the youth after he or she has been provided an explanation of the form and its purpose. If the youth is less than 18 years of age, the Guardianship Administrator or authorized designee must sign the form. Detailed information concerning use of the **CFS 600-3** is located in **Procedures 431, Appendix C**. The youth shall also sign the completed application.

D) Other Required Documentation

i) A copy of the youth's college, university or vocational school admission letter.

EDUCATIONAL SERVICES

March 26, 2015 – P.T. 2015.05

- ii) If the youth has been admitted to a post-secondary education program on a probationary status or the youth is over age 20 and has not achieved a “C” average, the youth must submit a completed **CFS 449-1, GPA Education Plan** with his or her application.
- iii) A copy of the youth’s class schedule. The youth is required to be enrolled for 12 credit hours during the regular school year and six credit hours if he or she attends summer school. Full time student status for youth attending vocational programs will be determined by vocational school program requirements, which the youth must submit with his or her application. Full time enrollment will be verified through the school year through the National Student Clearinghouse. This does not negate the student’s responsibility to provide a schedule.
- iv) If the youth has completed college or vocational course work, a transcript of his or her grades must be submitted with the application.
- v) Documentation that the youth has applied for financial aid at the school, in addition to filing the FAFSA. Include any scholarships the youth has applied for and the status of those applications.

5) Approval Process

The youth’s Permanency Worker must review the application packet for completeness and sign the application before submitting it to his or her Permanency Supervisor for review and approval. Approved applications must be forwarded by the youth’s Permanency Worker to the appropriate OETS office for final approval and processing.

Cook County
OETS
100 W. Randolph, 6th Floor
Chicago, Illinois 60601
312-814-5959
312- 814-5040 (fax)

Northern, Central and Southern Regions
Office of Education and Transition Services
406 E. Monroe, Station #22
Springfield, Illinois 62701
217/557-2689
217/557-5796 (fax)

Note: If a private agency has case management responsibility, then once the youth is accepted into the Youth in College Program the case needs to be transferred to the Department per **Administrative Procedures #9, Section 9.5, a), 1), E).**

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

6) Transitional Services Contract Planning

In accordance with Department client service planning procedures, a service plan is developed for each youth. The youth's Permanency Worker shall actively involve the youth in the development of his or her service plan and shall review the plan with the youth prior to each administrative case review. For purposes of this program, the youth's service plan shall be used as a YIC/VT Program transition plan. Service plans completed for YIC/VT youth shall include:

- A) The youth's YIC/VT Program projected start and completion dates;
- B) The youth's vocational or academic objective;
- C) A defined timeframe for the youth to achieve his vocational training or education objectives;
- D) A description of services provided to the youth, which should include any academic services required by the youth;
- E) A schedule of in-person Permanency Worker contacts with the youth in accordance with the needs of the youth. The schedule should be established with the youth and approved by the Permanency Supervisor. Permanency Worker contacts with the youth shall occur no less than monthly, regardless of where the youth is attending school. The monthly contacts shall be in-person, however if in-person is not possible, then phone or other means of audio/visual communication may be approved by the Permanency Supervisor;
- F) Clearly defined and measurable tasks (e.g. The youth shall provide his or her Permanency Worker and the OETS Business Office with a transcript of grades at the end of each semester or grading period; the youth shall provide his or her Permanency Worker with annual documentation that he or she has received physical, dental, vision and hearing examinations.); and
- G) The requirement that the youth's Permanency Worker shall notify the OETS Business Office of any extenuating circumstances related to the youth's poor academic performance or if the youth withdraws from school or changes his or her residence.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

7) Monitoring

The youth must provide the following to his or her Permanency Worker and the OETS Business Office:

- A) A transcript of grades no later than four weeks after the end of a semester or grading period. In addition, a **CFS 449-1, GPA Education Plan**, is required if the youth's grade point average falls below a "C";
- B) Confirmation of financial aid redetermination;
- C) An annual evaluation of the Youth in College/Vocational Training Program on the **CFS 449-4, YIC/VT Survey**, provided by OETS; and
- D) A signed **CFS 600-3** completed annually. The consent must permit the Department to submit the youth's social security number to the National Student Clearinghouse to verify the youth's full-time enrollment in a college or vocational program.

8) Suspension or Discharge from the Youth in College/Vocational Training Program

Youth shall be discharged for one through four below and may be discharged or be suspended for reasons five through seven:

- A) The Department is no longer legally responsible for the youth (if the youth is under age 21);
- B) The youth graduated from the post secondary education program;
- C) The youth has completed the semester in which he or she turned 23 years of age;
- D) Any submission of false documentation (schedules, grades, etc.) will also result in immediate dismissal from the YIC/VT Program and repayment of DCFS grant payments already received;
- E) The youth failed to enroll as a full-time student;
- F) The youth failed to maintain a "C" average for two consecutive semesters or grading periods; or

Note: Permanency Workers shall assist youth with academic support services if the youth requests assistance or if the youth's grade point average falls below a "C". Academic support services that are provided to assist the youth in maintaining his or her academic eligibility shall be documented in the youth's case record.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

POLICY GUIDE 2020.11

PROCEDURES 314 EDUCATIONAL SERVICES

DATE: September 8, 2020

TO: DCFS and POS Agency Staff

FROM: Marc D. Smith, Acting Director

SUBJECT: Youth in College/Vocational Training and Education and Training Voucher Programs

EFFECTIVE: Immediately

I. PURPOSE

The purpose of this Policy Guide is to notify staff of changes in eligibility for the Youth in College/Vocational Training (YIC) and Education and Training Voucher (ETV) programs and of corresponding updates to the CFS 449 (YIC) and CFS 449-3 (ETV) applications, pursuant to the Family First Prevention Services Act (FFPSA).

II. PRIMARY USERS

Primary users of this Policy Guide are youth in DCFS care, or formerly in DCFS care, who meet program eligibility and who are applying for post-secondary education assistance; and Department and Purchase of Service Permanency Workers, TLP, ILO, and Residential Staff who work with these youth.

III. BACKGROUND

On February 9, 2018, the Congress enacted Public Law 115-123, the Family First Prevention Services Act (FFPSA) within Division E, Title VII of the Bipartisan Budget Act of 2018. This law made changes to requirements and definitions in programs authorized by title IV-B, subparts 1 and 2 of the Act. FFPSA also renamed the Chafee Foster Care Independence Program (CFCIP) as the “Chafee Foster Care Program for Successful Transition to Adulthood” and made changes both to the base Chafee program and to the Chafee Educational and Training Voucher program.

IV. INSTRUCTIONS

The updated versions of the CFS 449 and CFS 449-3 are available on the DCFS website at https://www2.illinois.gov/dcf/aboutus/notices/Pages/com_communications_forms.aspx and in DCFS Templates on the DCFS T: drive.



V. SUMMARY

The changes expand the ages of eligibility for both the ETV and YIC programs and will increase the number of youth who will be served under these programs. The CFS 449 Youth in College/Vocational Training Program Application and the CFS 449-3 Application for Education and Training Voucher Funds have been updated. The new forms issued by this Policy Guide implement changes required by the Family First Prevention Services Act (FFPSA) and improve the readability and usability of the forms. Specific changes include that young adults up to age 26 are eligible for ETVs through the newly titled John H. Chafee Foster Care Program for Successful Transition to Adulthood (formerly the John H. Chafee Foster Care Independence Program). Changes to Department procedure implement changes pursuant to section (section 477(i)(3) of FFPSA which expand the ages of eligibility for the ETV to 26, with a 5 year participation maximum; (section 477(b)(3) delete the requirement to complete Consent for Release Information form, add the requirement to notify students that enrollment in college or vocational training will be confirmed via the National Student Clearinghouse and increase the monthly YIC board rate. Modifications to CFS 449 and CFS 449-3 and reflect these changes. Updates to Procedure 314.75 are in process.

VI. QUESTIONS

Questions regarding this Policy Guide may be directed to the Office of Education and Transition Services ETV Mailbox at DCFS.ETVCoordinator@illinois.gov.

VII. FILING INSTRUCTIONS

File this Policy Guide immediately behind Procedures 314.75

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

- G) The youth failed to submit required documentation to his or her Permanency Worker and/or the OETS Business Office.

A youth that is pregnant and/or parenting will not be discharged from the program because of the above reasons.

Youth who are suspended or discharged from the YIC/VT Program for reasons number five (5) through seven (7) have the option of appealing the Department's decision in accordance with **Rules 337, Service Appeal Process**. Youth will receive notification from OETS 30 calendar days prior to the effective date of their suspension or discharge. An appeal of the Department's decision should be filed within ten days after receiving the notification to ensure that their benefits will continue during the appeals process. Permanency Workers shall assist youth with the appeals process.

9) Referral to Transition Programs

Discharging a youth from the YIC/VT Program does not necessitate terminating the Department's legal relationship with the youth. Permanency Workers or Permanency Worker Supervisors may refer the youth for placement in an independent living program, group home, institution, or foster home. Youth may also be referred to any of the following programs that meet the needs of the youth:

- Housing;
- Credit counseling;
- Job readiness;
- Money management;
- Vocational career planning;
- Legal rights and responsibilities;
- Sex education and family planning;
- Screening for alcohol/substance abuse, mental health or domestic violence; and/or
- Transition counseling.

10) Reinstatement in the Youth in College/Vocational Training Program

Youth unable to continue their education due to a diagnosed medical or behavioral health problems may conditionally withdraw from the program. The youth must contact their YIC Program Coordinator at the time he/she withdraws from their educational program and provide written documentation of the medical or behavioral health problem. The youth's YIC/VT Program benefits will be reinstated after the youth submits a written physician's medical release to the OETS Business Office.

Youth reinstated in the program will be required to meet with a DCFS Education Advisor or school based Academic Advisor to ensure the youth has a realistic educational plan outlined and understands the requirements to successfully complete the program.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

314.80 School Records

a) School, Early Childhood or Early Intervention Program Enrollments and Transfers

When a child is initially placed in substitute care or moved to another placement, the Permanency Worker shall verify the names of the child's current and former schools or early childhood education programs. The Permanency Worker is responsible for transmitting the **Education Report Form (CFS 407)** and the **Education Report Form Completion and Education Records Transfer Request (CFS 407-2)** for all initial placements or moves.

1) Current School or Early Childhood Education Program

Within ten days after the child's enrollment in a new school or early childhood education program and prior to each six month Administrative Case Review (ACR), the Permanency Worker will meet with (via phone or in person) school or early childhood education program personnel to provide and review completion instructions for the **CFS 407**. At that meeting, the time line for quarterly **CFS 407** completion/submission will be identified. In addition, a copy of the **CFS 407-2** will be provided if the child is transferring from another school or early childhood education program in order to inform the current school or program regarding the former school or program.

2) Former School or Early Childhood Education Program

If the child is transferring from another school or early childhood education program, the Permanency Worker will contact personnel at the former placement to obtain a completed **CFS 407** and **CFS 407-2**. The Permanency Worker will complete the **CFS 407** himself/herself and transmit the **CFS 407-2** by mail or FAX to the former placement within five days after DCFS assumed legal responsibility or the child was moved to a new placement and school or early childhood education program. The Illinois School Code requires the former school district to send the child's school record to the new school within ten days after receipt of a transfer request. If the child is enrolled in a special education program, the Permanency Worker will attempt to ensure that the most recent IEP or IFSP is made available to the child's new school or early childhood education program within one week. School districts and early childhood education programs cannot refuse to enroll a child due to not having the previous IEP/IFSP. If the former school or program does not forward a copy of the current IEP or IFSP, the Permanency Worker shall provide the new school or program with a copy of the most recent IEP or IFSP from the child or youth's case record and follow-up with the former school or program to secure the current IEP or IFSP. The child's new school or program is required to ensure that the child has an IEP/IFSP in effect and the new school, early intervention or early childhood placement may adapt the IEP that the former placement developed for the child. An "interim" IEP/IFSP should be developed if no copy of an IEP/IFSP is available. When a child under the age of three changes placements, Early Intervention (EI) services should continue without delay. The Permanency Worker is to ensure that an

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

appropriate transition occurs (Refer to **P314.40a**). The Permanency Worker should contact the IDCFS Early Childhood office at (312)814- 5509 for assistance, if needed.

b) Educational and Developmental Reports

The Permanency Worker and Supervisor are responsible for reviewing the educational or developmental progress of a child or youth at least each school term in collaboration with the caregiver and/or responsible school or early childhood education program personnel. **Education Report Forms (CFS 407 and CFS 407-2)** are completed by school or early childhood education program personnel and provide periodic information regarding the child's school, early childhood adjustment, attendance, performance, progress, problems, and service needs. The Permanency Worker is responsible for ensuring that **CFS 407 and CFS 407-2** are reviewed and filed in the education section of the child's case record. The Permanency Worker shall enter his/her name and address at the bottom of the **CFS 407** for the school early childhood education program's proper return of the completed form.

The Permanency Worker is responsible for completing the Annual High School Academic Plan for each youth on their caseload. This plan is to be completed during the months of August through October on a yearly basis and used to support education advancement and post-secondary planning. The original will be filed in the education section of the child's case record and a copy provided to all stakeholders, including the youth, caregiver, school counselor, and education advisor (if applicable).

When a child enters Department custody, the Permanency Worker is responsible for completing the **CFS 407-4, Education Profile (Assessment)** using the **CFS 407** and other sources such as school or early childhood education program records. Children from birth to the age of five will receive a developmental screening according to the IDCFS Early Childhood Developmental Screening protocol unless there is an IFSP or IEP in place. In these cases, services to the child should continue without delay.

Upon review of the **CFS 407(s)** and the **CFS 407-4**, the Permanency Worker will determine the need for:

- a conference with educators, early childhood education program providers or others;
- a request to ISBE that a Educational Surrogate Parent be appointed for special education or early intervention issues if children are in residential programs;
- a referral for case study evaluation or evaluation of eligibility for special education or early intervention services;
- other ancillary assessments such as those used for pre-school programs that may enhance educational/developmental performance; and
- tutoring.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

c) Documentation of Educational and Developmental Services

The Permanency Worker shall document appropriate educational and developmental services and goals in the education section **of the Family Service Plan**) within 45 days after case opening and every six months thereafter using available records such as the **CFS 407-4, Education Profile (Assessment), CFS 407, Education Report Form, CFS 407-HS, Annual High School Academic Plan** and other sources such as school or early childhood education records. The Permanency Worker will communicate on an as needed basis with school or early childhood education program personnel to anticipate problems and maintain a working relationship with the child's educational/developmental program personnel. At least twice per year, the Permanency Worker will ensure in-person contact with these individuals and document all contacts.

Educational or developmental services provided to children under the legal responsibility of the Department shall be monitored at least twice a year, but more often if the child's needs require such. Information must be communicated to the parent(s), caregiver(s) and Educational Surrogate Parent (if assigned) regarding all education/developmental issues.

When a child is receiving special education services, the education plan within the Family Service Plan shall reference the child's IEP, which specifies the services to be provided. The education plan shall also reference the school's written plan for accommodating the child's disability. When a child is receiving general/regular education services, the education plan shall identify both services to be provided and the specific provider of these services. When the child under age three is receiving EI services, the education plan shall reference the child's IFSP, which specifies the services to be provided and the specific provider(s) of these services.

d) Educational Records

The child's educational records comprise a separate section of the case record and must include, but are not limited to:

- **CFS 407-4, Education Profile (Assessment);**
- **Education section of Family Service Plan;**
- **CFS 407-2, Education Report Form Completion and Education Records Transfer Request;**
- **CFS 407-2, Education Report Form;**
- Educational Surrogate Parent appointment letter(s);
- IEP or IFSP Meeting Reports;
- Individualized Education Program (IEP);
- Individualized Family Service Plan (IFSP);
- **CFS 407-HS, Annual High School Academic Plan;** and
- Student Report Card.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

314.90 Administrative Case Review/Education

The Permanency Worker and his or her Supervisor are responsible for ensuring the child or youth's educational or developmental needs are met and a record of those services is maintained in accordance with Administrative Case Review (ACR) Procedures. At the initial Administrative Case Review, the case reviewer must examine the specific plan outlined in the education section of the **Family Service Plan** and the **CFS 407-4, Education Profile (Assessment)** to determine whether the child's educational/developmental needs are being met.

- 1) Has the **CFS 407-2, Education Report Form Completion and Education Records Transfer Request**, been transmitted?
- 2) Is the child or youth currently enrolled in school, or an early childhood education program, or in a post-secondary educational/vocational program?
- 3) Is there a reason for the child or youth not being enrolled in school or an early childhood education program, or in a post-secondary educational/vocational program?
- 4) Is the child or youth receiving special education or early intervention services?
- 5) Has the **CFS 407-4, Education Profile (Assessment)** been completed?
- 6) If the child has a disability, is their written evidence that the child's educational/developmental needs are being met?
- 7) What is the specific education plan outlined in the **education section of the Family Service Plan**?
- 8) Do the goals and objectives of the education plan adequately address the educational/developmental needs as determined by the assessment process?
- 9) If the child or youth was suspended/expelled, what was done to address this?
- 10) What is the overall educational/developmental status of the child or youth?

During subsequent ACR's, the following information shall be reviewed to determine progress toward and appropriateness of educational/developmental goals and objectives:

- **CFS 407, Education Report Form(s)**, including updates;
- **CFS 407-4, Education Profile (Assessment)**;
- School or early childhood education program records such as IEPs or IFSPs;
- **Education plan section of Family Service Plan**; and
- **CFS 407-HS, Annual High School Academic Plan**.

After each ACR, the Permanency Worker will follow up with the recommendations for improving educational/developmental services for the child.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

314.100 Education Expenses

a) School Fees

Illinois school districts are required to provide free use of required textbooks and instructional materials for children whose parents are unable to purchase them. Such children include, but are not limited to, children eligible for free lunches or breakfasts under the Community School Lunch Program. Since children for whom the Department is legally responsible are eligible for the Community School Lunch Program, they are eligible for the free use of required textbooks and instructional materials at no cost and may also be eligible for certain fee waivers.

Public school districts have different policies regarding the waivers for school fees. Therefore, the child's Permanency Worker must inquire about the fee policy of the local public school district where the child is attending. The Department will allow payment of only those school fees, which are not waived by school districts.

Fees for summer school attendance, lab supplies, school trips, graduation, etc. are to be paid in accordance with **Procedures 359, Authorized Child Care Payments**.

b) School Supplies

The Department provides DCFS caregivers fifty dollars (\$50.00) per school year for each child in elementary or secondary school to help cover regular school supplies. Supplies, which are to be covered by this payment include, but are not limited to:

- paper;
- pens/pencils/erasers;
- calculators;
- rulers;
- crayons;
- class notebooks; and
- glue.

Monies for any other school supplies shall be provided in accordance with **Procedures 359**. Private agency caregivers should consult with their agency to determine how payments are provided.

c) School Transportation

Many Department youth are eligible for free transportation services to and from school, which is provided by the local school district. Most school districts are mandated to provide school transportation for students who live one and one-half miles or more from their school and who live one and one-half miles or more from public transportation. Local school districts may provide free transportation and be reimbursed by the state for any student who resides within one and one-half miles from the school where conditions related to vehicular

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

traffic are such that walking constitutes a serious hazard to the safety of the student. The Illinois Department of Transportation (IDOT) makes the determination of what constitutes a serious safety hazard based on an application by the local school district. The local school district must provide whatever transportation is necessary for a child with a disability when that transportation will enable the child to benefit from his/her schooling.

When the Permanency Worker in collaboration with the caregiver believes that walking constitutes a serious hazard to the safety of the student due to vehicular traffic, the school district can be asked to submit an "Application for Determination of Serious Safety Hazard" to the IDOT. If the application is approved by IDOT, the Permanency Worker shall request that the school district provide transportation.

Some local school districts (generally those in Chicago suburban areas) are not required to provide school transportation since the majority of their students live within one and one-half miles of the school. If a school district indicates they are not required to provide school transportation, the information can be verified by contacting the Funding and Disbursements unit at the Illinois State Board of Education, at (217) 782-5256.

Children with disabilities may have transportation services included in their Individualized Education Program (IEP), or Individualized Family Service Plan (IFSP) or their Section 504 plan. If transportation services are included in the student's IEP, IFSP or Section 504 plan, they are to be provided free of charge regardless of the child's proximity to their school or to public transportation.

When a child or youth served by the Department is eligible for free school or early childhood education program transportation and such transportation is determined to be appropriate, the Permanency Worker shall work with the local school district or early childhood education program to ensure that services are provided. If a child is not eligible for free transportation provided by the school district or program and it is determined that transportation services are appropriate for that child, such services can be provided and paid by DCFS from the Child's Personal and Physical Maintenance budget line in accordance with **Procedures 359**. The child's personal allowance or any other portion of the board payment shall not be utilized to pay for school or program transportation.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

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EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

Appendix A Contact Information for Regional Education Advisors

| Education Advisor | Areas and Counties Covered |
|---|---|
| Cook North (Chicago) DCFS, 1911 S. Indiana, Chicago, IL 60616 312-328-2477 | City of Chicago within DCFS Cook North Region |
| Cook North (Suburbs) DCFS, 8300 Mc McCormick Blvd., Skokie, IL 60075 847-745-3008 | Arlington Heights, Barrington Hills, Bartlett, Bensenville, Des Plaines, Elgin, Elk Grove Village, Evanston, Glencoe, Glenview, Golf, Hanover Park, Harwood Heights, Hoffman Estates, Inverness, Kenilworth, Lincolnwood, Morton Grove, Mount Prospect, Niles, North Brook, Northfield, Norridge, Palatine, Park Ridge, Prospect Heights, Rolling Meadows, Rosemont, Schaumburg, Skokie, Streamwood, South Barrington, Wheeling, Wilmette, Winnetka |
| Cook Central (Chicago) DCFS, 3518 W. Division, Chicago, IL 60651 773-292-7732 | City of Chicago within DCFS Cook Central Region |
| Cook Central (Suburbs) DCFS, 4909 W. Division 6th Floor, Chicago, IL 60651 708-338-6637 | Bedford Park, Bellwood, Berkley, Berwyn, Bridgeview, Broadview, Brookfield, Burbank, Cicero, Countryside, Elmwood Park, Forest Park, Franklin Park, Hillside, Hodgkins, Indian Head Park, Justice, LaGrange Park, Lyons, Maywood, Melrose Park, McCook, Northlake, North Riverside, Oak Park, River Forest, River Grove, Riverside, Schiller Park, Stickney, Summit, Westchester, Western Springs |
| Cook South (Chicago) DCFS, 6201 S. Emerald, Chicago, IL 60621 773-371-6029 | City of Chicago within DCFS Cook South Region |

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

| Education Advisor | Areas and Counties Covered |
|--|--|
| <p>Cook South (Suburbs) DCFS, 15115 Dixie Highway, Harvey, IL 60426 708-210-3051</p> | <p>Alsip, Blue Island, Burnham, Calumet City, Calumet Park, Chicago Heights, Chicago Ridge, Crestwood, Country Club Hills, Dixmoor, Dolton, East Hazel Crest, Evergreen Park, Flossmoor, Ford Heights, Glenwood, Harvey, Hazel Crest, Hickory Hills, Hometown, Homewood, Lansing, Lemont, Matteson, Markham, Merionette Park, Midlothian, Oak Forest, Oak Lawn, Olympia Fields, Orland Park, Palos Heights, Palos Park, Park Forest, Phoenix, Posen, Richton Park, Riverdale, Robbins, Sauk Village, South Chicago Heights, South Holland, Thornton, Tinley Park, Willow Springs Worth</p> |
| <p>Northern Region DCFS, 107 N. Third Street, Rockford, IL 61107 815-967-3750</p> | <p>Boone, Carroll, DeKalb, Jo Davies, Kane, Kankakee, Lee, Ogle, Stephenson, Whiteside, Winnebago</p> |
| <p>Northern Region DCFS, 113 Newell St. Woodstock, IL 60089 815-338-1068</p> | <p>DuPage, Grundy, Kendall, Lake, McHenry, Will</p> |
| <p>Central Region - Springfield Sub-Region DCFS, 1124 N. Walnut Springfield, IL 62702 217-557-0075</p> | <p>Adams, Brown, Calhoun, Cass, Christian, Greene, Jersey, Logan, Macoupin, Mason, Menard, Montgomery, Morgan, Pike, Sangamon Schuyler, Scott,</p> |
| <p>Central Region – Champaign Sub-Region ISBE/ITAN, 45 E. University, 3rd Floor Champaign, IL 61820 217-355-5990</p> | <p>Champaign, Clark, Coles, Cumberland, Dewitt, Douglas, Edgar, Ford, Iroquois, Livingston, Macon, McLean, Moultrie, Piatt, Shelby, Vermillion</p> |
| <p>Central Region – Peoria Sub- Region DCFS, 1124 N. Walnut Springfield, IL 62702 217-557-3949</p> | <p>Bureau, Fulton, Henderson, Henry, LaSalle, Marshall, McDonough, Mercer, Peoria, Putnam, Knox, Rock Island, Stark, Tazewell, Warren, Woodford</p> |

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

| Education Advisor | Areas and Counties Covered |
|---|---|
| Southern Region DCFS, #10 Collinsville Avenue E. St. Louis, IL 62201 618-583-2125 | Bond, Clay, Clinton, Crawford, Edwards, Effingham, Fayette, Marion, Jasper, Jefferson, Lawrence, Madison, Monroe, Richland, St. Clair, Wabash, Washington, Wayne |
| Southern Region DCFS, 1210 Hanson Street, Murphysboro, IL 62966 618-687-1733 | Alexander, Franklin, Hamilton, Hardin, Galatin, Jackson, Johnson, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, White, Williamson |

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

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EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

Appendix B Legal Services Contract Case Referral Procedures

Introduction

The Department of Children and Family Services has contracted with the Land of Lincoln Legal Assistance Foundation (LoL) to provide legal support services to assist caregivers of children and youth for whom the Department is legally responsible, DCFS/private agency Permanency Workers, and Educational Surrogate Parents in their efforts to ensure that children receive timely, appropriate special education services. Children inappropriately being provided special education or early intervention services are also eligible for services under this contract. The contract includes legal representation for children who are at-risk of being expelled or who have been expelled from public schools.

Services under this contract include:

- 1) training on special education/early intervention laws and issues;
- 2) child specific technical assistance; and
- 3) if appropriate, participation in special education/early intervention mediation, due process hearings, and suspension and expulsion hearings.

LoL has three subcontractors to assist them in providing statewide coverage for caregivers, Permanency Workers and Educational Surrogate Parents needing legal assistance in their interactions with school district staff and early intervention providers on behalf of children and youth for whom DCFS is legally responsible. Land of Lincoln Legal Assistance Foundation contractors and the counties they serve are as follows:

1. **Legal Assistance Foundation of Metropolitan Chicago** provides services to Cook County.

111 West Jackson Blvd.
3rd Floor
Chicago, Illinois 60604

Contact Persons: Wallace Winter (312) 347-8385
 Larry Parham (312) 347-8392

2. **Prairie State Legal Services** provides services to the counties of Boone, Bureau, Carroll, DeKalb, DuPage, Fulton, Grundy, Henderson, Henry, Iroquois, Jo Davies, Kane, Kankakee, Kendall, Knox, LaSalle, Lake, Lee, Livingston, McDonough, McHenry, McLean, Marshall, Mercer, Ogle, Peoria, Putnam, Rock Island, Stark, Stephenson, Tazewell, Warren, Whiteside, Will, Winnebago, and Woodford.

350 South Schmale Road, Suite 150
Carol Stream, IL 60188

Contact Person: David Wolowitz (630) 690-2130

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

3. **Land of Lincoln Legal Assistance Foundation** directly provides services to all of the remaining counties in Illinois:

413 East Broadway
Alton, IL 62002

Contact Person: Joan Spiegel (618) 462-0029

Caregivers, Permanency Workers or Educational Surrogate Parents are to make referrals directly to the contractor or subcontractor providing services for the county of the child or youth's substitute care placement. Review and assistance by the education advisor in the region is recommended before the referral to the contractor or subcontractor.

A. Accessing Contractual Services

The following referral procedures for special education legal services apply to DCFS and private agency Permanency Workers, parent(s) appointed by the court as the Educational Surrogate Parent, foster parents and Educational Surrogate Parents:

1. The legal assistance vendor is contacted by a written referral from either the Permanency Worker, parent(s) appointed by the court as the Educational Surrogate Parent, foster parent or Educational Surrogate Parent. It is strongly suggested that the person making the referral for legal services first contact the education advisor in their region to determine if the services are needed or some other remedy is possible. If the referral originates with the Permanency Worker, the Permanency Worker will provide the parent(s) appointed by the court as the Educational Surrogate Parent, foster parent or Educational Surrogate Parent with a copy of the written referral for his or her information. If the referral originates with parent(s) appointed by the court as the Educational Surrogate Parent, foster parent or Educational Surrogate Parent, then the parent(s) appointed by the court as the Educational Surrogate Parent, foster parent, Educational Surrogate Parent will provide the Permanency Worker with a copy of the written referral for his or her information.

This written referral shall include:

- the child's name;
- the current substitute care placement;
- the current school or early childhood education program placement;
- the immediate problem or reason for referral;
- the name of the education advisor if one was contacted;
- the assistance needed;
- any emergency care issues;
- the name and phone number of the Educational Surrogate Parent, if one has been assigned;
- the date an Educational Surrogate Parent requested, if one has not been assigned; and
- copies of all relevant school/early childhood education program and medical records.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

DCFS shall cooperate with the vendor in obtaining any additional school, early childhood education program and medical records required for legal representation of the child.

2. The Permanency Worker will inform his or her Supervisor that a referral has been made by providing them with a copy of the written referral within five working days of either making the referral or receiving a copy of a referral made by a foster or Educational Surrogate parent.
3. Upon receipt of a written referral, the legal assistance contractor/sub-contractor will initiate contact with the Permanency Worker, parent(s) appointed by the court as the Educational Surrogate Parent, foster parent and/or Educational Surrogate Parent within five working days to clarify the referral and discuss what legal action would be appropriate. This contact may be made by telephone. The education advisor should be included if s/he can provide assistance.
4. Upon completion/termination of service, the legal assistance contractor/sub-contractor will submit a written summary report within ten working days to the Permanency Worker, parent(s) appointed by the court as the Educational Surrogate Parent, foster parent or Educational Surrogate Parent and the Office of Education and Transition Services.

This written summary shall include:

- presenting problems;
- services provided/activities completed;
- issues resolved;
- issues unresolved; and
- recommended actions for DCFS.

B. Referral Resolution

1. Disagreements regarding the appropriateness of referrals and accessing services under this contract shall be referred to the Regional Clinical Services Coordinator for resolution or to the education advisor of the Region.
2. Regional Clinical Services Coordinators may seek technical assistance from the Office of Education and Transition Services or the education advisor regarding the appropriateness of specific referrals and accessing services under this contract.

Please contact the Office of Education and Transition Services at (312) 814-5959 or (217) 557-2689 if there are questions related to this contract.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

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EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

Appendix C Discipline

General Discipline Procedures

In general, Permanency Workers are responsible for working in partnership with a parent(s) appointed by the court as the Educational Surrogate Parent, foster parents and others in protecting the rights of children in care and custody regarding matters of school discipline. Permanency Workers should become familiar with the disciplinary policies and procedures affecting the general school population in the child's school district. Local education districts are required to maintain policies and procedures regarding discipline, to furnish copies of policies to parent(s) appointed by the court as the Educational Surrogate Parent, foster parents or the Educational Surrogate Parents annually, and upon request, a copy of current disciplinary procedures. Permanency Workers may obtain copies of the school district's disciplinary policies and procedures from the school district or the regional education advisor.

Schools are required to report any removal of a student (i.e. "suspension") immediately to the student's parent(s) appointed by the court as the Educational Surrogate Parent, foster parents, Educational Surrogate Parent, and/or DCFS Guardian along with a full statement of the reasons for the suspension, a copy of which shall also be given to the school board. The district is also required to provide the parent(s) appointed by the court as the Educational Surrogate Parent, foster parents, Educational Surrogate Parent and/or DCFS Guardian notice of their right to request that the district review the suspension decision, as required by Section 10-22.6 of the School Code (105 ILCS 5/10-22.6).

Discipline Procedures for Students Receiving Special Education

With respect to disciplinary action concerning children with disabilities, school districts are required to conform to the requirements of 34 CFR 300.530 through 300.536, as well as Section 10-22.6 of the School Code [105 ILCS 5/10-22.6].

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

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EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

Appendix D Special Education Procedural Safeguards

NOTE: Appendix D, Special Education Procedural Safeguards, is an adaptation of 23 Ill. Adm. Code 226, Special Education, which describes the roles and responsibilities of Permanency Workers, caregivers, parent(s) appointed by the court as the Educational Surrogate Parent, foster parents and Educational Surrogate Parents in relation to special education services.

Special Education (314.60)
Procedural Safeguards

1) Notification of Foster or Educational Surrogate Parent’s Rights

A written notification must be provided to the caregiver(s) or Educational Surrogate Parent upon initial referral for evaluation and at least once per year thereafter. If the native language or other mode of communication of the caregiver(s) or Educational Surrogate Parent is not a written language, the local school district shall ensure that notices are translated orally or by other means to the caregiver(s) or Educational Surrogate Parent in his or her native language or other mode of communication. It is also required that the caregiver(s) or Educational Surrogate Parent understands the content of the notice.

The notification of individual parents shall conform to the requirements of 34 CFR 300.503(c). A copy of the notice of procedural safeguards available to the parents of a child with a disability shall be given to the parents in accordance with, and shall conform to the requirements of 34 CFR 300.504.

2) Notification of District’s Proposal

Ten days before a school district proposes or refuses to initiate or change the identification, evaluation, or educational placement of, or the provision of FAPE to, a child, the district shall provide written notice to the caregiver(s) or Educational Surrogate Parent to that effect.

The written notice a school district is required to provide to a parent prior to a proposal or refusal to initiate or change the identification, evaluation, or educational placement of, or the provision of FAPE to, a child shall conform to the requirements of 34 CFR 300.503. “Reasonable time”, for purposes of 34 CFR 300.503(a), is defined as ten days.

3) Parent(s) Appointed by the Court as the Educational Surrogate Parent, Foster Parent(s) or Educational Surrogate Parent Participation

Whenever a meeting is to be held which a caregiver or Educational Surrogate Parent has a right to attend, no later than ten days prior to the proposed date of the meeting,

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

the district shall notify the caregiver(s) or Educational Surrogate Parent in writing of the purpose of the meeting, the proposed date, time, and place of the meeting, who else will be in attendance, and the caregiver or Educational Surrogate Parent's right to invite other individuals with knowledge or special expertise regarding the child. If a caregiver or Educational Surrogate Parent indicates that the proposed date or time is inconvenient, the district shall make reasonable efforts to accommodate the caregiver or Educational Surrogate Parent's schedule.

- 4) Consent
- a) A caregiver or Educational Surrogate Parent shall be considered to have given informed consent only when:
- 1) The caregiver(s) or Educational Surrogate Parent has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language or other mode of communication;
 - 2) The caregiver(s) or Educational Surrogate Parent understands and agrees in writing to the carrying out of the activity for which his or her consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom; and
 - 3) The caregiver or Educational Surrogate Parent understands that his or her granting of consent is voluntary and may be revoked at any time by means of the due process.
- b) A school district may not require a caregiver or Educational Surrogate Parent to provide consent as a condition of any benefit to the caregiver or Educational Surrogate Parent or the child except for the service or activity for which consent is required.
- c) Caregiver or Educational Surrogate Parent consent shall be obtained:
- Before conducting an initial case study evaluation of a child. (Consent for initial evaluation shall not be construed as consent for initial placement.);
 - Before conducting any reevaluation of a child;
 - Prior to the initial provision of special education and related services;
 - For the disclosure of personally identifiable information about a child, consistent with the requirements of the Illinois Student Records Act; and
 - For the use of an IFSP instead of an IEP.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

- d) If a caregiver or Educational Surrogate Parent desires to revoke consent, he or she shall request a due process hearing. Any revocation of consent as a result of a due process hearing is not retroactive (i.e., it does not negate an action that occurred after the consent was given and before it was revoked).

Consent, as defined in 34 CFR 300.9, shall be obtained and may be revoked in accordance with the requirements of 34 CFR 300.154(e), 300.300, 300.323 and 300.622.

5) Mediation

ISBE administers and supervises a process of mediation that the caregiver, Educational Surrogate Parent, or school district may use when there are unresolved disputes regarding the identification, evaluation, or placement of a child, or the provisions of FAPE to a child. The school district shall provide notification at least whenever a due process hearing is requested.

- a) Each district shall ensure that, when used, the mediation process:
 - 1) Is voluntarily entered into by all parties; and
 - 2) Is not used to deny or delay a caregiver or Educational Surrogate Parent's right to a due process hearing at any time.
- b) If either party is interested in participating in mediation, that party shall contact the State Board of Education.
- c) Each session in the mediation process shall be scheduled in a timely manner and held in a location that is convenient to the parties involved in the dispute.

The procedures for mediation shall conform to the requirements of 34 CFR 300.506.

6) Complaints

- a) A caregiver, Educational Surrogate Parent, Permanency Worker, DCFS Guardian or other individual, organization, or advocate may file a signed, written complaint with the State Board of Education alleging that a local school district, cooperative service unit or the State has violated the rights of one or more children with disabilities.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

7) Due Process

a) Basis for Request for Hearing

A caregiver or Educational Surrogate Parent, or DCFS Guardian, a school district, or a student may request an impartial due process hearing for any reason connected to the identification, evaluation, or placement of, or the provision of services to, a student who is or may be eligible. No other party shall have standing to submit such a request.

b) Information to the Caregiver(s) or Educational Surrogate Parent Concerning Right to Hearing

Each school district shall inform the caregiver(s) or Educational Surrogate Parent in writing of their right to a hearing and of the procedures for requesting one in accordance with 34 CFR 300.507 and 300.508.

Procedure for Request

The filing, basis for and content of due process requests, whether by a parent, student or a local school district, shall conform to the requirements of 34 CFR 300.507 and 300.508.

Rights of the Parties Related to Hearings

The hearing rights of parties shall conform to the requirements of 34 CFR 300.512 and Section 14-8.02a of the School Code [105 ILCS 5/14-8.02a]. In addition, the following requirements shall apply.

Qualifications, Training, and Service of Impartial Due Process Hearing Officers

Impartial due process hearing officers must possess qualifications in conformance with the requirements of 34 CFR 300.511 and Section 14-8.02a(c) of the School Code [105 ILCS 5/14-8.02a(c)].

Appointment, Recusal and Substitution of Impartial Due Process Hearing Officers

The appointment, recusal and substitution of due process hearing officers shall conform with the requirements of Section 14-8.02a(f) of the School Code [105 ILCS 5/14-8.02a(f)].

Scheduling the Hearing and Pre-Hearing Conference

The hearing officer shall schedule a pre-hearing conference in accordance with the requirements of Section 14-8.02a(g) of the School Code

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

Conducting the Pre-Hearing Conference

The hearing officer shall convene the pre-hearing conference in accordance with Section 18.02a(g) of the School Code.

Expedited Due Process Hearing

Requests for expedited due process hearings shall be made in accordance with 34 CFR 300.532 and 300.533 and Section 14-8.02b of the School Code [105 ILCS 5/14-8.02b].

Powers and Duties of Hearing Officer

The hearing officer shall conduct the hearing and, with respect to the hearing, shall have, but is not limited to, the following powers:

- 1) To administer, or to authorize the court reporter to administer oaths;
- 2) To examine witnesses;
- 3) To authorize the issuance of subpoenas;
- 4) To rule upon the admissibility of evidence;
- 5) To order independent evaluations;
- 6) To grant specific extensions of time;
- 7) To read into the hearing record any stipulations of fact and other matters agreed upon at the pre-hearing conference and to enter into the record any pre-hearing orders; and
- 8) To render decisions and issue orders and clarifications.

Record of Proceedings

A record of the hearing shall be made and the cost of such record borne in accordance with 34 CFR 300.512(a)(4) and Section 14-8.02a(g) of the School Code [105 ILCS 5/14-8.02a(g)].

Decision of Hearing Officer; Clarification

The bases and timelines for decisions of hearing officers shall conform to the requirements of 34 CFR 300.513 and Section 14-8.02a(h) [105 ILCS 5/14-8.02a(h)].

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

Monitoring and Enforcement of Decisions; Notice of Ineligibility for Funding

Upon receipt of the hearing officer's decision, the State Board of Education shall review the decision and monitor compliance by the parties with the terms of the decision. If the district fails to comply with the decision in the time specified by the hearing officer, the State Board of Education shall notify the parties in writing by certified mail that it finds the district to be in noncompliance with the decision, and that the noncompliance may result in loss of recognition status of the district's programs by the State, withholding of State or federal funds which the district would otherwise be eligible to receive, or in other enforcement action unless the district remedies the noncompliance within the time period specified in the notice of noncompliance.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

Appendix E Early Intervention Procedural Safeguards

NOTE: Appendix E, Early Intervention Procedural Safeguards, is an adaptation of 89 Ill. Adm. Code 500, Early Intervention Program and related federal regulations. Appendix E which describes the roles and responsibilities of Permanency Workers, caregiver, parent(s) appointed by the court as the Educational Surrogate Parent, foster parents and Educational Surrogate Parents in relation to early intervention services.

Early Intervention (birth to three) (314.70) Procedural Safeguards

The foster or Educational Surrogate Parent of child eligible under the IDEIA 2004 Early Intervention Program may determine, in conjunction with the Permanency Worker or the DCFS Guardian, whether the child or other family members will accept or decline any part of the early intervention services under this program in accordance with State law. Other early intervention services under this program will not be jeopardized if a particular service is declined after first accepting it.

Regarding personally identifiable information collected, used, or maintained under the IDEIA 2004 Early Intervention Program, the foster or Educational Surrogate Parent has the right to written notice of a written consent to the exchange of this information among agencies consistent with Federal and State law.

Personally identifiable means that information includes: 1) the name of the child, foster or Educational Surrogate Parent name, or other family member; 2) the address of the child; 3) a personal identifier, such as the child's or foster or Educational Surrogate Parent social security number; or 4) a list of personal characteristics or other information that would make it possible to identify the child with reasonable certainty.

Prior Notice

The notice must be:

- 1) Written in language understandable to the general public and provided in the foster or Educational Surrogate Parents native language unless it is clearly not feasible to do so.
- 2) If the native language or other mode of communication is not written language, the public agency, or designated service provider, shall take steps to insure that:
 - a) The notice is translated orally or by other means in the native language or other mode of communication;
 - b) The foster or Educational Surrogate Parent understands the notice; and
 - c) There is written evidence that the requirements of this section have been met.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

Examination of Records and Confidentiality of Information

The Illinois Early Intervention Services System provides the parent(s) appointed by the court as the Educational Surrogate Parent, foster parent or Educational Surrogate Parent the opportunity to inspect and review any records relating to the children, which are collected, maintained or used by the System under IDEIA 2004. The system complies with a request without unnecessary delay and before any meetings regarding an IFSP or hearing relating to identification, evaluation, or placement of the child, and in no case more than forty-five (45) days after the request has been made.

The right to inspect and review records includes:

- 1) The right to response from the System to reasonable requests for explanations and interpretations of the record.
- 2) The right to request that the System provide records containing the information if failure to provide those copies would effectively prevent the foster or Educational Surrogate Parent from exercising the right to inspect and review the records.
- 3) The right to have someone assisting the foster or Educational Surrogate Parent inspect and review the record.

The System may presume that foster or Educational Surrogate Parents have the authority to inspect and review records relating to the child they represent unless the System has been advised that the foster or Educational Surrogate Parent does not have the authority under applicable Illinois law governing such matters as guardianship.

The Illinois Early Intervention Services System shall provide foster and Educational Surrogate Parents, on request, a list of the types and locations of records collected, maintained, or used by the System.

The System may charge a fee for copies of records which are made for foster or Educational Surrogate Parent under this part if the fee does not effectively prevent foster or Educational Surrogate Parent from exercising their right to inspect and review those records. The System may not charge a fee to search for or retrieve information under the Early Intervention Program of IDEIA 2004.

If the parent(s) appointed by the court as the Educational Surrogate Parent, foster parent or Educational Surrogate Parent believes that information in records collected, maintained, or used under the Early Intervention Program of IDEIA 2004 is inaccurate or misleading, or violates the privacy or other rights of the child or family, s/he may request the System participant which maintains the information to amend the information.

- 1) The System decides whether to amend the information in accordance with the request within a reasonable period of time of receipt of the request.
- 2) If the System decides to refuse to amend the information in accordance with the request, the foster or Educational Surrogate Parent will be informed of the refusal and be advised of the right to a hearing.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

The Illinois Early Intervention Services System, on request, provides an opportunity for a hearing to challenge information in early intervention records to insure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.

If, as a result of the hearing, the System decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it amends the information accordingly and will inform the foster or Educational Surrogate Parent in writing.

- 1) If, as a result of the hearing, the System decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, the foster or Educational Surrogate Parent will be informed of the right to place in the records of the child a statement commenting on the information and setting forth any reasons for disagreeing with the decision of the System.
- 2) Any explanation placed in the records of the child under this section must:
 - a) be maintained by the System as part of the records of the child as long as the record or contested portion is maintained by the System; and
 - b) if the records of the child or the contested portion are disclosed by the System to any party, the explanation must also be disclosed to the party.

A hearing held under this section must be conducted according to the procedures under §99.22 of Family Education Rights and Privacy Act (FERPA) (34 CFR Part 99).

Parent(s) appointed by the court as the Educational Surrogate Parent, Foster Parent or Educational Surrogate Parent consent must be obtained before personally identifiable information is:

- 1) disclosed to anyone other than officials of the Illinois Early Intervention Services System, participants collecting or using information under the Early Intervention Program of IDEIA 2004; or
- 2) used for any purpose other than meeting a requirement under IDEIA 2004.

Information from the child's early intervention record cannot be released to system participants without foster or Educational Surrogate Parent consent unless authorized to do so under FERPA.

- Each system participant protects the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages;
- One official of each System participant assumes responsibility for insuring the confidentiality of any personally identifiable information;
- All persons collecting or using personally identifiable information receive training or instruction regarding Illinois' policies and procedures under IDEIA 2004 and FERPA;
- Each System participant maintains, for public inspection, a current listing of the names and positions of those employees within the agency who have access to personally identifiable information;

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

- The System informs foster and Educational Surrogate Parent when personally identifiable information collected, maintained, or used under this part is no longer needed to provide services to the child; and
- The information is destroyed, at the request of the foster or Educational Surrogate Parent or the DCFS Guardian (Permanent records of child's name, address, phone number may be maintained).

1. Mediation

A qualified impartial mediator trained in effective mediation techniques must conduct mediation. The mediator may only help the parties communicate and come to agreement but may not force or order a resolution of the dispute. The State must bear the cost of the mediation process. Each session in the mediation shall be scheduled in a timely manner and held in a location convenient to the parties. Any agreement reached must be set forth in a written mediation agreement. Discussions that occur during mediation shall be confidential and may not be used in subsequent administrative or court hearings.

2. Impartial Hearings

An impartial administrative proceeding is similar to a court hearing. An impartial hearing officer having knowledge about the Early Intervention Program of IDEIA 2004 and the needs of and services available for eligible children and families, will act as a judge. Parties to the dispute have the following rights:

- a) To be accompanied and advised by counsel (in this case the legal services contract) and by individuals with special knowledge or training with respect to the problems of children with disabilities such as the regional education advisors;
- b) To present evidence and confront, cross-examine, and compel the attendance of witnesses;
- c) To prohibit the introduction of any evidence at the hearing that has not been disclosed to the foster or Educational Surrogate Parent at least five days before the proceeding;
- d) To obtain a written or electronic verbatim (word by word) record of the hearing;
- e) To obtain written findings of fact and decisions (which shall be transmitted to the Illinois Interagency Council on Early Intervention and be made available to the public without personally identifying information), and
- f) To have the child who is the subject of the hearing present.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

The hearing must be held at a time and place that is reasonably convenient to the foster or Educational Surrogate Parent and child involved.

No later than 45 days after the receipt of the request for an impartial administrative proceeding, the proceeding must be completed and a written decision of the hearing officer be mailed to the parties. A hearing officer may grant extension of the 45 day time period at the request of either party. This decision is binding on the parties unless it is changed upon appeal to State or Federal Court. Any party aggrieved by the hearing officer's decision may appeal the decision.

3. Complaint

Individuals (including Permanency Workers, parent(s) appointed by the court as the Educational Surrogate Parent, foster parents, Educational Surrogate Parent, DCFS guardian, the GAL, etc.) or organizations may file written, signed complaints with the Illinois Department of Human Services (DHS) stating that the State has violated a law or rule regarding the Part C Early Intervention program. The statement must contain the facts that support the complaint.

DHS has 60 days from receipt of the complaint to investigate and issue a written decision addressing each allegation in the complaint to the complainant and interested parties. During this time, DHS may carry out an independent onsite investigation and must give the complainant an opportunity to submit additional information, either orally or in writing, about the allegations made in their complaint.

After reviewing all relevant information DHS must issue a written decision addressing each allegation in the complaint and contain findings of fact as well as conclusions, the reasons for the final decision and, if the complaint was found to be valid, procedures to correct the cause(s) of the complaint. If a complaint raises issues previously decided under an impartial hearing request, the hearing decision is binding. If a complaint is the subject of a hearing request that is not yet finished, the matter will be set aside until the hearing is resolved. A complaint alleging a public agency's or private service provider's failure to implement an impartial hearing decision must be resolved by the lead agency.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

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EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

Appendix F Child and Family Connections Directory

| County's Served | Toll Free Number |
|--|-------------------------|
| Boone, Bureau, Marshall, Ogle, Putnam, Winnebago | (800) 921-0094 |
| Lake, McHenry | (888) 539-3033 |
| Carroll, DeKalb, Jo Davies, Lee, Stephenson, Whiteside | (888) 297-1041 |
| Kane, Kendall | (888) 282-0997 |
| DuPage | (800) 637-7181 |
| Cook County - North Suburban (Includes the following ZIP codes) 60201 60202 60203 60204 60028 60004 60005 60006 60007 60008 60010 60016 60018 60022 60025 60026 60029 60043 60053 60056 60062 60067 60068 60070 60074 60076 60077 60082 60089 60090 60092 60093 60103 60196 60107 60120 60143 60157 60172 60192 60193 60194 60195 60714 | (800) 585-1953 |
| Cook County - Central Suburban (Includes the following ZIP codes) 60104 60126 60130 60131 60141 60153 60154 60160 60162 60163 60164 60165 60171 60176 60301 60302 60303 60304 60305 60402 60513 60521 60521 60526 60534 60546 60558 60707 60666 60804 | (888) 566-8228 |
| Cook County - Chicago Southwest (Including the following ZIP codes) 60620 60627 60628 60629 60633 60638 60642 60643 60652 60655 | (888) 211-4664 |

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

| County's Served | Toll Free Number |
|---|-------------------------|
| Cook County - Chicago Central/West (Includes the following ZIP codes) 60601 60602 60603 60604 60605 60606 60607 60608 60612 60616 60623 60624 60632 60664 60661 | (888) 211-4664 |
| Cook County - Chicago Southeast (Includes the following ZIP codes) 60609 60615 60617 60619 60621 60636 60636 60637 60649 60653 | (888) 211-4664 |
| Cook County - Chicago North (Includes the following ZIP codes) 60610 60611 60613 60614 60618 60622 60625 60626 60630 60631 60634 60635 60639 60640 60641 60645 60646 60647 60648 60651 60656 60657 60659 60660 60666 60707 | (888) 211-4664 |
| Cook County - South Suburban (Includes the following ZIP codes) 60406 60409 60411 60415 60419 60422 60425 60426 60428 60429 60430 60438 60439 60443 60445 60448 60452 60453 60455 60456 60457 60458 60459 60461 60462 60463 60464 60465 60466 60467 60469 60471 60472 60473 60475 60476 60477 60478 60480 60482 60501 60633 60803 60805 60827 | (800) 507-5057 |
| Fulton, Hancock, Henderson, Knox, McDonough, Mercer, Rock Island, Schuyler, Warren | (888) 482-8830 |
| Henry, Peoria, Stark, Tazewell, Woodford | (888) 482-4300 |
| Grundy, Kankakee, LaSalle, Will | (888) 329-0633 |
| Champaign, Ford, Iroquois, Livingston, McLean, Vermillion | (800) 877-1152 |

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

| County's Served | Toll Free Number |
|---|--|
| Adams, Brown, Calhoun, Cass, Greene, Jersey, Morgan, Pike, Scott | (888) 222-9592 |
| Logan, Mason, Menard, Sangamon | (888) 217-3505 |
| Clark, Coles, Cumberland, DeWitt, Douglas, Edgar, Macon, Moultrie, Piatt, Shelby | (800) 758-2705 |
| Bond, Christian, Clay, Crawford, Effingham, Fayette, Jasper, Lawrence, Macoupin, Montgomery, Richland | (888) 459-5437 Referrals – Ext: 101 |
| Madison, Monroe, Randolph, St. Clair | (888) 594-8364 |
| Clinton, Franklin, Jefferson, Marion, Washington, Williamson | (800) 661-0900 |
| Edwards, Gallatin, Hamilton, Saline, Wabash, Wayne, White | (800) 463-2759 |
| Alexander, Hardin, Jackson, Johnson, Massac, Perry, Pope, Pulaski, Union | (888) 340-6702 |

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

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EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

Appendix G: Early Intervention Referral and Follow-up Procedures

Once a referral is made to the EI program, IDEIA mandates that all assessments be completed and the IFSP be developed within 45 days of the referral date. Permanency Workers are to inform caregivers that they are required to attend/participate in the development of the IFSP, the six-month review, and the annual evaluation of the IFSP to ensure timely and appropriate developmental services. Permanency Workers are to collaborate with caregivers to address issues that may impede their ability to attend IFSP meetings, such as arranging transportation if this is an issue. Permanency Workers are also required to attend/participate in all IFSP meetings, except when a required court appearance or an Administrative Case Review is scheduled for the same time.

The caregiver and/or Permanency Worker are to follow through with all IFSP recommendations. The Permanency Worker is to ensure that services are in place, copies of evaluations and of the IFSP are obtained and placed in the child section of the case record.

Eligibility

Early Intervention (EI) provides a wide range of developmental and therapeutic services for children, birth to three years of age, who are experiencing at least a 30% developmental delay or have a condition that has a high probability of resulting in a developmental delay.

Some of the common conditions that may qualify children or have a high probability of rendering them eligible for EI services are:

- Spina Bifida
- Hydrocephalus
- Low Birth Rate (less than 1000 gm.)
- Down Syndrome
- Fragile X Syndrome
- Congenital Infections like Rubella, Herpes Simplex and HIV
- Cerebral Palsy
- Cleft Palate
- Hearing or Vision Impairment
- Traumatic Brain Injury
- Pervasive Developmental Disorder/Autistic Spectrum
- Fetal Alcohol Syndrome

Caregivers represent the children in their care in all early intervention matters. Children for whom the Department is legally responsible, who are eligible for early intervention services and are in residential settings, must have a Educational Surrogate Parent appointed by ISBE prior to the completion of an assessment and development of an Individualized Family Service Plan (IFSP). If the parent(s) have not been appointed the Educational Surrogate Parent by court order then EI providers are responsible for requesting the appointment of an Educational Surrogate Parent .

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

The Permanency Worker shall ensure that a request is made to ISBE for the appointment of a Educational Surrogate Parent .

If and when a Permanency Worker or caregiver has concerns regarding a child's development, in collaboration, they are to review the child's history and case record to determine if a developmental screening has been conducted. They can also contact the Early Childhood Office (312-814- 5509) to obtain screening information. If there has been no screening completed or scheduled, they are to consult the Central Directory of early intervention services to determine which EI program(s) serves their area, and for specific referral requirements and procedures. The Central Directory is maintained by the Illinois Department of Public Health as a part of their "Help Me Grow" Hotline. Permanency Workers should contact the DPH Office Locator at 1- (800) 323-4769; TDD 1- (800) 547-0466. **Appendix E** provides a listing of the Child and Family Connections by region.

The Illinois Early Intervention Services (EI) system is required to incorporate family involvement and requires caregiver or Educational Surrogate Parent consent for determining eligibility and service delivery.

The general rights of caregivers and Educational Surrogate Parent include:

- The right to a multidisciplinary evaluation and assessment and the development of an Individualized Family Service Plan (IFSP) within forty-five calendar days from the date of the referral.
- The right if eligible under IDEIA 2004, to all appropriate early intervention services for the foster child and his/her family as addressed in an IFSP.

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

Appendix H

Developmental Screening Tools

Developmental Screeners use the following instruments when administering a screening to children 0-5 years old:

| Tools | Ages For Which Used | Domains |
|--|----------------------------|--|
| Denver II Screening Tool | 0 months to 4 months | Thinking, play, motor, personal-social and communication, skills |
| Ages and Stages Questionnaire (ASQ) | 4 months to 36 months | Thinking, play, motor, personal-social and communication, skills |
| Ages and Stages Questionnaire: Social/Emotional (ASQ:SE) | 3 months through 65 months | High Emphasis on Social and Emotional Development |
| Early Screening Inventory-P (ESI-P) | 3 years through 4.5 years | Visual-Motor, Language, Cognition, Gross Motor |
| Early Screening Inventory-K (ESI-K) | 4.5 years through 6 Years | Visual-Motor, Language, Cognition, Gross Motor |

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

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EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

Appendix I: Early Childhood Staff Directory

| | |
|--|---|
| <p>Southern Region Early Childhood Coordinator 10251 Lincoln Trail, Suite 3 Fairview Heights, IL 62208-1846 618-394-2126 618-394-2123 (Fax)</p> | <p>Early Childhood Screener 1911 S. Indiana Chicago, IL 60616 312-328-2774 312-808-5194 (fax)</p> |
| <p>Cook 0-3 Early Childhood Coordinator 8100 M^cCormick Blvd. Room 151 Skokie, IL. 60076 847-745-3065 847-745-3066 (Fax)</p> | <p>Early Childhood Director 100 West Randolph St. Chicago, IL 60601 312-814- 5509 312-814-8945 (fax)</p> |
| <p>Central Region Early Childhood Coordinator 227 S 7th Station 225 Springfield, IL 62701 217-524-1343 217-524-3966 (fax)</p> | <p>Northern Region Early Childhood Coordinator 8 E Galena Blvd. Aurora, IL 60506 630-801-3424 630-844-3360 (fax)</p> |
| <p>Early Childhood Screener 6201 S Emerald Chicago, IL 60621 773-371-6038 773-371-6065 (fax)</p> | <p>Early Childhood Screener 3518 W Division St. Chicago, IL 60651 773-292-7884 773-292-7861 (fax)</p> |
| <p>Cook 3-5 Early Childhood Coordinator 1911 S Indiana 2nd Floor Chicago, IL 60616 312-328-2748 312-808-5194 (fax)</p> | |

EDUCATIONAL SERVICES
March 26, 2015 – P.T. 2015.05

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

POLICY GUIDE 2020.06

**Procedures 302.Appendix M, Transition Planning for Adolescents and
Procedures 314, Educational Services**

DATE: January 9, 2020

TO: All DCFS and Purchase of Service (POS) Agency Permanency Workers,
Permanency Supervisors and Managers

FROM: Marc D. Smith, Acting Director

EFFECTIVE: Immediately

I. PURPOSE

The purpose of this Policy Guide is to inform staff of several amendments in Illinois law affecting older youth in care made in **Public Acts 101-0078 and 101-0558**. In the coming weeks, **Procedures 302.Appendix M, Transition Planning for Adolescents, and Procedures 314, Educational Services** will be amended to reflect these statutory changes.

II. PRIMARY USERS

Primary users of this Policy Guide are Department and POS Permanency Workers, Permanency Supervisors, and Administrators.

III. SUMMARY OF LEGISLATIVE CHANGES

A. Public Act 101-0078 (Senate Bill 191), effective July 12, 2019

Public Act 101-0078 amended Section 2-31 of the Juvenile Court Act [705 ILCS 405/2-31]:

- raising the age for automatically terminating guardianship of a youth to 21 years of age, unless otherwise ordered by the court; and
- clarifying that a youth's lack of cooperation with services provided by the Department shall not by itself be considered sufficient evidence that the youth is prepared to live independently and that it is in the best interest of the youth to terminate wardship.

B. Public Act 101-0558 (Senate Bill 1525), effective January 1, 2020

Public Act 101-0558 amended Section 8 of the Children and Family Services Act [20 ILCS 505/8] describing the Department's Scholarship Program and Tuition and Fee Waivers. Effective January 1, 2020, youth eligible to apply for a Department scholarship are also eligible to apply for tuition and fee waivers at Illinois public community colleges, colleges and universities for at least the first 5 years they are enrolled, as long as they make satisfactory progress toward completing their degree. Language stating the applicant must have not been selected to receive a DCFS Scholarship was stricken from the statute.

C. Public Act 101-0558 (Senate Bill 1525), effective January 1, 2020
DCFS Apprenticeship Stipends

Public Act 101-0558 added Section 8(c) of the Children and Family Services Act [20 ILCS 505/8] authorizing the Department, subject to appropriation, to provide an apprenticeship stipend to eligible youth covering costs associated with entering and sustaining through completion an apprenticeship. Eligible youth include:

- youth in care; and
- former youth in care:
 - who were adopted with an adoption assistance agreement;
 - who were placed in private guardianship with a subsidized guardianship agreement; or
 - who have aged out of care at age 18 or older.

Youth must be enrolled in an apprenticeship program approved by the Illinois Department of Employment Security or the U.S. Department of Labor and may not be a recipient of a DCFS scholarship or fee waiver.

Youth must also be under the age of 26 before enrolling in a qualified apprenticeship program.

Information regarding the application and approval process for the apprenticeship stipend program will be announced in the next few weeks.

IV. NEW, REVISED AND OBSOLETE FORMS

CFS 438-A, Tuition and Fee Waiver Program (Rev 1/2020)

The form is available on the Department's website and templates drive and can be ordered in the usual manner.

V. QUESTIONS

Questions concerning this Policy Guide should be directed to the Office of Child and Family Policy by emailing the DCFS.Policy on Outlook. Persons and agencies not on Outlook can e-mail questions to DCFS.policy@illinois.gov.

VI. FILING INSTRUCTIONS

Place this Policy Guide after Procedures 302.Appendix M and Procedures 314.

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

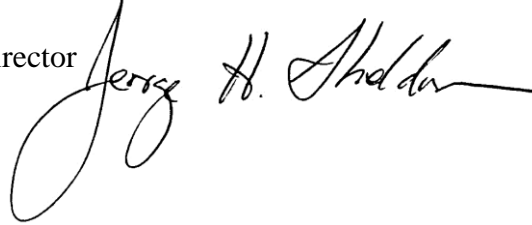
POLICY GUIDE 2015.18

MANDATORY SCHOOL ATTENDANCE EXEMPTIONS

DATE: October 1, 2015

TO: All DCFS and Private Agency Child Welfare Staff and Supervisors

FROM: George H. Sheldon, Acting Director



EFFECTIVE: Immediately

I. PURPOSE

The purpose of this Policy Guide is to communicate the necessity to document any medical condition that makes school attendance not possible.

II. PRIMARY USERS

Primary users of this Policy Guide are DCFS and Private Agency Child Welfare Staff and Supervisors.

III. BACKGROUND

In order to be consistent with Title IV-E state plan requirements, this Policy Guide clarifies school attendance policy in relation to wards who are unable to attend school.

IV. MANDATORY SCHOOL ATTENDANCE

While attendance in school is expected for all youth in care, there are some situations in which school attendance is not possible. This includes certain placements required to meet the ward's medical needs. When a child is incapable of attending school on a full-time basis due to a medical condition, information related to that condition shall be documented in the case record and service plan. The Permanency Worker is responsible for ensuring that this documentation is in the case record and service plan.

V. QUESTIONS

Questions regarding this Policy Guide may be directed to the Office of Child and Family Policy at 217-524-1983 or via Outlook at "OCFP – Mailbox". Non Outlook users may e-mail questions to cfpolicy@idcfs.state.il.us.



VI. FILING INSTRUCTIONS

File this Policy Guide immediately following **Procedure 314, Education Services**.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

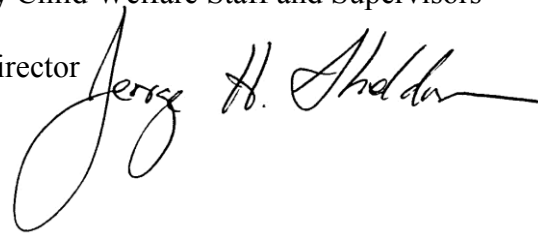
POLICY GUIDE 2015.13

**Procedures 314
Education Services**

DATE: August 17, 2015

TO: All DCFS and Private Agency Child Welfare Staff and Supervisors

FROM: George H. Sheldon, Acting Director



EFFECTIVE: Immediately

I. PURPOSE

The purpose of this Policy Guide is to issue new form **CFS 407-6, Referral Form for Educational Assistance**, and describe the referral procedure for requesting assistance from Department Education Advisors. Revisions to **Procedures 314, Educational Services**, reflecting the procedure described in this Policy Guide will be issued in the future.

II. PRIMARY USERS

Primary users of this Policy Guide are DCFS and Private Agency Child Welfare Staff and Supervisors.

III. BACKGROUND

The DCFS Office of Education and Transition Services has a contract with the Northern Illinois University (NIU) Educational Access Project (EAP). The overall purpose of the Educational Access Project is to promote academic success for children and youth who are wards of the Illinois Department of Children and Family Services. The purpose of EAP is to:

- 1) Direct educational interventions for foster children and youth based on individual needs through the provision of technical assistance;
- 2) Implement strategies for children and youth to have appropriate educational planning services;
- 3) Build capacity of caseworkers and caregivers;
- 4) Foster communication between DCFS and school;
- 5) Support the delivery of educational services to children and youth involved in DCFS postsecondary education programs; and
- 6) Maintain a database for reporting purposes.



These services support the Department’s goal to promote safety, permanency and wellbeing. Educational access and appropriate educational services contribute to stability in foster care placement, facilitate children and youth development, and contribute to the safety and educational wellbeing of children and youth.

IV. EDUCATION ADVISORS

Referrals for Educational Assistance may come from sources including, but not limited to: DCFS or POS Permanency workers or supervisors, DCFS Transition Managers, foster parents, and/or school personnel such as teachers, school social workers or administrative staff.

All formal referrals for a consult with an Education Advisor will require the completed **CFS 407-6, Referral Form for Educational Assistance**, to be emailed or faxed to the Education Advisor for that region/sub region. The education advisors and their contact information are listed below. The **CFS 407-6** can be located on the DCFS Website and the T Drive under Templates.

Referrals will be acknowledged within three (3) working days of receipt, whether by staff or automatic out of office message if staff member to whom the referral request was directed is out of the office. In the event that a staff member experiences an unplanned absence for which it is not possible to arrange an out of office message, formal referrals shall be considered received on the day of the staff member’s return to work.

Each DCFS Region has an assigned NIU Education Advisor:

| County of Service | Complete Address of Where Services Are Delivered | Program Contact Name Telephone Number Fax Number e-mail address |
|----------------------------------|---|---|
| Cook North-Chicago and Suburbs | DCFS 1911 S. Indiana 10 th Floor Chicago, IL 60616 | Donnis Briscoe 312-328-2607 312-328-2819 (Fax) donnis.briscoe@illinois.gov |
| Cook Central-Chicago and Suburbs | DCFS 1701 S. 1 st Street Maywood, IL 60153 | Yasmina Sefiane 708-338-6641 708-338-6671 (Fax) yasmina.sefiane@illinois.gov |
| Cook South-Chicago and Suburbs | DCFS 6201 S. Emerald Chicago, IL 60621 | Arlecia Brown 773-371-6479 773-371-6043(Fax) arleica.brown@illinois.gov |

| County of Service | Complete Address of Where Services Are Delivered | Program Contact Name Telephone Number Fax Number e-mail address |
|---|--|---|
| Cook South Suburbs and North | DCFS 15115 S. Dixie Highway Harvey, IL 60426 | Diane Fitzhugh 708-210-6050 708-210-3729 (Fax) Diane.fitzhugh@illinois.gov |
| All counties in DCFS Northern Region | DCFS 200 S. Wyman Street Ste. 21 Rockford, IL 61101 | Vacant 815-967-9750 815-987-7275 (Fax) |
| All counties in DCFS Champaign Sub-Region | DCFS 2900 North Oakland Ave. Decatur, IL 62526 | Ann Wells 217-875-6797 217-875-6565 (Fax) ann.wells@illinois.gov |
| All counties in DCFS Peoria and Springfield Sub-Regions | DCFS 2001 NE Jefferson Peoria, IL 61603 Secondary Office DCFS 1124 N. Walnut Springfield, IL 62702 | Mary Chepulis 309-671-7952 309-671-7946 (Fax) mary.chepulis@illinois.gov Secondary Office 217-557-3985 217-557-0093 (Fax) mary.chepulis@illinois.gov |
| All counties in DCFS Southern Region | DCFS #10 Collinsville Avenue E. St. Louis, IL 62201 | Bessie Peabody 618-583-2125 618-583-2141 (Fax) bessie.peabody@illinois.gov |

Post-Secondary Education Specialist provides support to youth who are involved in postsecondary education programs (such as ETV and the CCPP) administered by DCFS

| | | |
|-------------|---|---|
| Cook County | DCFS 6201 S. Emerald Chicago, IL 60621 | Laura Gutierrez 773-371-6148 773-371-6162 (Fax) laura.gutierrez@illinois.gov |
| Statewide | DCFS 2001 NE Jefferson Peoria, IL 61603 | Pat Palmer 309-671-7969 309-671-7946 (Fax) patricia.palmer@illinois.gov |

V. NEW FORM (available on the DCFS Website and on the T drive)

CFS 407-6, Referral Form for Educational Assistance

VI. QUESTIONS

Questions regarding this Policy Guide may be directed to the Office of Child and Family Policy at 217-524-1983 or via Outlook at OCFP – Mailbox. Non Outlook users may e-mail questions to cfpolicy@idcfs.state.il.us.

VII. FILING INSTRUCTIONS

File this Policy Guide immediately following **Procedures 314, Education Services**.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Distribution: X, Z, and C-3

Policy Guide 98.13

**Protocol For Sharing Educational Information About
Department Children and Youth Stepping-Down from
Residential Placement**

RELEASE DATE: November 16, 1998

TO: Rules and Procedures Bookholders and Child Welfare Staff

FROM: Jess McDonald, Director

EFFECTIVE DATE: December 1, 1998

I. PURPOSE

The purpose of this Policy Guide is to define a process and timelines for information sharing and collaboration between the Department and a school system to facilitate the educational transition of children and youth stepping down from residential placement to attendance at local schools. **The Department is committed to providing all school districts a 30 day notice and a child's educational information when a child or youth will be stepping down from residential care into the local school system.**

II. PRIMARY USERS

Primary users of this Policy Guide are child welfare staff and child welfare supervisors in the Department and purchase of service agencies who are responsible for children being transitioned from residential care to community placements.

III. KEY WORDS

Education, step-down, residential placement, local school systems, Chicago Board of Education.

IV. BACKGROUND

The Department of Children and Family Services (DCFS) and the Chicago Public Schools (CPS) have developed a protocol to provide educational information to schools - generally 30 days prior to the child's or youth's local placement. The protocol was developed to support the Department's and the schools' mutual goals to ensure that

appropriate educational services are provided to those children and youth for whom the Department is legally responsible and who are transitioning from residential facilities and group homes located within and outside the State of Illinois to other living arrangements where they will be attending school in their local community. For purposes of this protocol, this transition process will be referred to as “step-down”.

Details of the protocol with the Chicago Public Schools follow.

V. PROTOCOL

The protocol for children and youth engaged in the step-down process is intended to ensure adequate and timely planning for their receipt of appropriate educational services. Essential elements of the protocol are timely communication between DCFS and the local education agency (LEA) regarding the educational needs of identified children and youth and the identification and location of educational services. It is anticipated that children and youth involved in the step-down process will have a variety of unique and complex educational considerations. As such, the protocol provides the maximum amount of planning time as practical for DCFS and the LEA to exchange information and engage in a collaborative process to consider and meet the individual educational needs of each child or youth.

The following protocol has been implemented by DCFS and the Chicago Public Schools (CPS) and will be revised as needed.

- A. DCFS shall take all necessary and reasonable steps to ensure that CPS receives adequate notice that a child or youth for whom the Department is legally responsible needs to be enrolled in an appropriate publicly-funded educational setting.
 - 1. To the extent possible, **DCFS will give the CPS 30 days written notice** of an intended step-down of a child or youth for whom the Department is legally responsible who will be moving into or within the CPS system in order that CPS may facilitate and coordinate the provision of educational services. DCFS and CPS recognize that there will be exceptions to the 30-day notice provision since DCFS' placement decisions may be affected by factors external to DCFS and not subject to its control (such as psychiatric hospital placements where the average stay is 21 days, court orders, out-of-state placement disruptions, or the closing of a residential facility which necessitates new placements in less than thirty days.)
 - 2. Once DCFS identifies that a child or youth who is a ward will be stepped-down, DCFS will forward his/her educational records to the designated person at CPS Central Office.

3. As soon as DCFS has notice that a child or youth who is a ward will be stepped-down and the location or approximate location (i.e., Zip Code, geographic area) where he/she will reside has been determined, DCFS will provide this information to the designated person at CPS Central Office.
 4. DCFS will share pertinent data about a child or youth who is a ward with the LEA. Examples of data which may be shared include: the child's or youth's name, age, gender, primary language, projected placement address, DCFS identification number, name and telephone number of the DCFS or POS caseworker and the caseworker's supervisor's name and telephone number.
- B. After DCFS determines the location of a child's or youth's placement, DCFS and CPS will promptly discuss individual student assessment and planning.
1. Once DCFS knows the child's or youth's new address, the agency will provide the CPS Central Office with the following information: completed questionnaire specifically designed for the step-down process; the child's or youth's new address; immunization information; a release of information form; and if the child or youth who is a ward is currently participating in special education, a copy of his/her most recent Individualized Education Program ("IEP").
 2. Upon receipt of this information from DCFS, the CPS Central Office designee will promptly call the child's or youth's DCFS or POS (private agency) child welfare worker to discuss the questionnaire and to determine appropriate school placement.
 3. If the CPS Central Office designee and the DCFS or POS child welfare worker determine that a child or youth is eligible or potentially eligible for special education services, CPS will immediately request the appointment of a surrogate parent by the Illinois State Board of Education (ISBE).
 4. If the CPS Central Office designee determines that a child or youth is in need of a specialized school placement, the case will be forwarded to the appropriate CPS personnel.
 5. If the child or youth is in need of a general school placement, the CPS Central Office designee will notify the appropriate local school to prepare for his/her enrollment.
 6. Once CPS has identified the appropriate school placement, the CPS Central Office designee will arrange a meeting with the DCFS or POS caseworker, foster parent, the child or youth who is a ward (when

chronologically age-appropriate), local school personnel and surrogate parent (as appropriate) to develop a plan at the school identifying and effectuating the appropriate supports if necessary for the child or youth to be enrolled and educationally successful.

- C. The CPS shall take all reasonable and necessary steps to ensure that a child or youth who is a ward is enrolled in an appropriate publicly funded educational setting within two school-days of his/her stepping-down into or within the CPS. Exceptions to the two school-day general policy related to unique circumstances are subject to agreement by CPS Chief Specialized Services Officer and the DCFS Guardian that additional planning and implementation time is necessary to meet the individual educational needs of the child or youth.
- D. DCFS and CPS recognize and agree that a substantial amount of information about the child or youth identified in Section A(4) and B(1) above is considered privileged and confidential and as part of his/her mental health record, will be released only to CPS' Central Office designee, with DCFS' Guardian's consent. Additionally, this information may be shared with local school staff only with the consent of the DCFS Guardian.
 - 1. CPS agrees to obtain and retain locked file cabinets to be physically located at the school district administrative offices for the purpose of storing this information.
 - 2. CPS agrees to develop strict procedures to ensure that only those designated individuals who have been authorized to retrieve and/or review this information are permitted access to the locked file cabinets.
 - 3. CPS agrees to maintain a record of access or disclosure of the child's or youth's educational records and to report to DCFS any access to this information by unauthorized individuals and any unauthorized public dissemination of this information.
 - 4. DCFS and CPS agree that only information jointly determined to be necessary to provide supports for the child's or youths educational success will be provided to the local school.
 - 5. The information shall not be considered to be part of the child's or youth's temporary record while he or she attends school in the CPS district.
- E. DCFS will promptly notify the CPS Central Office designee who has a child's or youth's information (as identified in Sections A[4] and B[1]) in his or her possession, in writing, if the child or youth will not be attending school in the CPS.

1. Upon receiving this notification by DCFS, the CPS Central Office designee will destroy the information, preferably by shredding.
2. Once CPS has destroyed the information, CPS shall notify DCFS of its action in writing.

VI. CHILD WELFARE WORKER RESPONSIBILITY

1. Consistent with the above-described Protocol, once DCFS determines that a child or youth for whom it is legally responsible will be stepped-down, the assigned child welfare worker will request the child or youth's educational records from the residential facility. **Form CFS 582, Educational Information for Step-down Transition from Residential Placements**, shall be used for that purpose. (Copy attached.)
2. In the event that the residential facility does not or cannot return the completed CFS 582 within thirty days, the assigned child welfare worker shall complete the CFS 582 using data from the child's or youth's case record.
3. When the child's or youth's educational records are received from the residential facility or assembled from records previously obtained, the child welfare worker will forward the CFS 582, any IEPs and related documents to the designated person at local education agency.
4. At the request of school personnel, the assigned caseworker is expected to participate in meetings with school personnel, foster parent, surrogate parent (as appropriate) and the child or youth (as appropriate) to develop and implement plans for the child or youth educational transition.

VII. APPLICABILITY

The above-described Protocol was developed in conjunction with the Chicago Public Schools as the local education agency for that community. DCFS and POS child welfare staff enrolling children and youth in the Chicago Public Schools are expected to follow its procedures and timelines.

Outside the area served by the Chicago Public Schools system, the Protocol shall be used as a model by Regional Administrators and their staff to develop agreements with local education agencies or individual schools throughout the state where structured planning is needed to facilitate the educational transition. Local or regional conditions may require modification of some aspects of the protocol.

Regardless of whether or not an agreement with a local education agency is in place, **DCFS and POS child welfare staff must always:**

- X work proactively and collaboratively with local education agencies to meet the developmental and educational needs of children and youth for whom the Department is legally responsible;
- X actively participate with local education agencies and schools in the development of plans to meet the developmental and educational needs of children and youth for whom the Department is legally responsible;
- X **provide local education agencies 30 days written notice** when a child or youth will be “stepping down” from residential care into the local school system; and
- X share information with the local education agency which will aid the development of education plans appropriate to the needs of children and youth for whom the Department is legally responsible consistent with Part 431, Confidentiality of Personal Information of Persons Served by the Department of Children and Family Services.

VIII. FORMS

A copy of the CFS 582, Educational Information for Step-down Transition from Residential Placements, is attached. Supplies of this form may be photocopied as needed or ordered from Central Stores in the usual manner.

IX. FILING INSTRUCTIONS

This Policy Guide shall be filed after Procedures 314, Educational Services, in your volume of rules and procedures.