

Foster Care Liaison Orientation

2023-2024



Hello and welcome to the annual foster care liaison orientation training. The information in this training will be considered current in subsequent years until a new training has been provided. My name is Jennifer Davis and I am the Foster Care State Coordinator for the Delaware Department of Education.

Overview

- INTRODUCTIONS
- BACKGROUND
- DOE WEBSITE
- APPLICABLE LAWS
- REQUIREMENTS OF THE MOU
- BEST INTEREST MEETING DOCUMENTATION
- UNIQUE SITUATIONS
- DATA SYSTEMS
- STUDENT SAFETY
- OTHER RESPONSIBILITIES
- COMING SOON

During this session we will review the historical background of foster care protections, review the laws and regulations that guide this work, take a detailed look at the requirements of the MOU, learn about data entry, tracking and reporting for students experiencing foster care and finally highlight a safety concern that is somewhat unique to students experiencing foster care and review other responsibilities of the liaison.

DOE Website

Education for Students in Foster Care

The Delaware Department of Education (DOE) and Delaware schools adhere to the provisions of the federal Every Student Succeeds Act (ESSA) which aims to promote educational stability and improve educational outcomes for students in foster care. The law allows for students in foster care to continue their education without disruption, maintain important relationships, and have the opportunity to achieve college and career readiness and stresses the importance of collaboration between child welfare agencies and schools.

Supports include:

- Immediate enrollment
- Best-interest decision making
- Dispute resolution
- School transportation
- Interagency collaboration
- Data sharing

The DOE supports students in foster care by partnering with state agencies and districts and charters to develop state-wide systems, provide technical assistance, resources and professional learning opportunities for those working with students in foster care.

Foster Care Documents

- Overview of Regulation 903 - Best Interest Determination and Process for School Placement for students in Foster Care
- District/Charter Foster Care Liaison Training (March 2021)
- Request for Best Interest Meeting (Fillable Form)
- District/Charter Best Interest Determination (Fillable Form/Printable Form)
- District/Charter End-of-year Best Interest Meeting (Printable Form)
- District/Charter guide for Safety of Students in Foster Care
- Memorandum of Understanding Between DOE, Local Education Agencies (LEAs) and The Department of Services for Children, Youth and Their Families, Division of Family Services, Division of Prevention and Behavioral Health Services, and Division of Youth Rehabilitative Services

Foster Care Resources

The foster care page on the DOE website has now been migrated to the new format and may look a little different than what you are used to seeing. A direct link to the page is available on the next slide. There are 3 main sections: foster care documents, foster care resources, and contacts for both the LEAs and DSCYF. The Documents section contains all of the items needed for liaisons. It's good to check back to make sure you are using the correct forms. One of the most important items we will review is the MOU. That entire document is also available in this section. The Resources section contains links to external resources you might find helpful.

DOE Website

District/Charter Websites and Contacts

Academia Antonia Alonso	Early College High School at Del State	New Castle County Vocational-Technical School District
Academy of Dover Charter School	East Side Charter School	Newark Charter School
Appoquinimink School District	Edison (Thomas A.) Charter School	Odyssey Charter School
Brandywine School District	First State Military Academy	POLYTECH School District
Bryan Allen Stevenson School of Excellence	First State Montessori Academy	Profilux Outcomes Charter School
Canaan Redding School District	Frederic Charter School	Providence Creek Academy Charter School
Campus Community School	Galaxy Charter School	Red Clay Consolidated School District
Cape Henlopen School District	Grand Oaks Charter School	Seaford School District
Capital School District	Indian River School District	Serena School District
Charter School of New Castle	Kuumba Academy Charter School	Sutton Academy
Charter School of Wilmington	Lake Forest School District	Sutton Montessori School
Christina School District	Lee American ASPRA Academy	Sutton Technical School District
Colonial School District	Laurel School District	Woodsbridge School District
Delaware Military Academy	Midland School District	
Delmar School District	NOT Charter School	

Department of Services for Children, Youth and Their Families, Division of Family Services Contact Information:

The Division of Family Services has identified points of contact to assist with the coordination of services for students in foster care. Please contact the appropriate point of contact for the county in which the student resides.

County	Contact Name	Contact Email	Contact Phone Number
New Castle (University Plaza)	Christy Diffendall	Christy.Diffendall@delaware.gov	302-761-6232
New Castle (Beech Street)	Kyle Ryde	kyle.ryde@delaware.gov	302-460-3561
Kent	Monica Morris	Monica.morris@delaware.gov	302-626-5675
Sussex	Kathleen Truitt	kathleen.truitt@delaware.gov	302-752-3065

<https://education.delaware.gov/educators/whole-child-support/family-services/fostercare/>

Further down the webpage, you will find all of the LEA contacts. This information is required by federal law, so it is very important that you notify me if changes need to be made. Below the LEA contacts are the DSCYF contacts. There are the regional supervisor contacts. If you have concerns about a DFS worker, or need to find out who the worker is for a particular student, you can reach out to these contacts.

Background

Pre-ESSA

Delaware law included students in foster care in the definition of homeless. This afforded them the same rights and protections.

ESSA – Winter 2015

"Awaiting foster care" was removed from the definition of homeless forcing DE to change it's law. Students in foster care are now protected under Title 1.

DE Law – Summer 2017

Title 14 § 202A changed to remove reference to MV and to provide school stability for students in foster care.

Best Interest Meetings – Nov. 2017

Regulation 903 was established because Title 14 § 202A required DOE to develop a regulation to guide the process for determining Best Interest.

New MOU – July 2018

The MOU regarding students in foster care was revised to comply with the new laws and regulations. It was signed by DOE, DSCYF, and all districts and charter schools.

NEW MOU - Effective 4/24/2023

Collaborative group revised the MOU to make it more comprehensive and separate the sections on child abuse and foster care into two separate documents. The MOU is revised every 5 years.

Prior to the Every Student Succeeds Act (ESSA), students awaiting foster care were included in the McKinney-Vento definition of homeless. In order to provide all students in foster care with similar supports, Delaware expanded the federal definition of homeless to include all students in foster care. When ESSA was enacted in the winter of 2015 the reference to "awaiting foster care" was removed from the definition of homeless and provisions for students in foster care were moved to Title I. Since ESSA made the change to the definition of homeless, Delaware could no longer identify it's students experiencing foster care as such and in the summer of 2017 the reference to McKinney-Vento and foster care was removed from Title 14 and additional language was added to ensure school stability and support for students experiencing foster care, beyond McKinney-Vento. Title 14 also included a provision that the Department of Education would promulgate regulations around Best Interest Meetings. Regulation 903 went into effect in November 2017. With all of these changes, the MOU that was in place became quickly outdated and needed to be revised to reflect the applicable changes. The MOU is required to be reviewed and revised every 5 years. Representatives from LEAs, DOE, DFS and OCA worked on revising the document and it was signed by DOE, DSCYF and all Superintendents and Charter School leaders in April of 2023.

What Guides Our Work?

Federal Law

- **ESSA** - Foster Care was added to Title I with provisions around school of origin, immediate enrollment, records transfer, state and local points of contact, transportation, data disaggregation and the homeless definition.

State Law

- **Title 14 § 202A** – School enrollment for children in the custody of DSCYF defines school of origin, school stability, identifies who the decision makers are and points to regulation around determination of best interest.

State Law

- **Regulation 903** - Best Interest Determination Process for School Placement (Foster Care) addresses school of origin, meeting timeline, meeting process and applicability.

State Law

- **Regulation 505** – High School Graduation Requirements and Diplomas includes a stipulation that allows students in foster care to graduate using the state requirements instead of the specific district or school requirements.

MOU

- This is a written agreement among the DDOE, DSCYF and LEAs. It provides specific processes to address each entities responsibilities related to best interest determination, disputes, transportation, confidentiality and administration of the MOU.

Now that you know how we got to where we are, let's look at some of the specific laws and guidance that drive this work. As I mentioned before the Every Student Succeeds Act moved foster care to Title I and in that move it added provisions around school of origin, immediate enrollment, transfer of records, state and local points of contact, transportation and data disaggregation. In state law we have Title 14 § 202A that addresses school enrollment for children in DSCYF custody by defining school of origin, the importance of school stability and identifies who the decision makers are when making a best interest determination. Additionally we have Regulation 903 which provides a process for determining best interest and Regulation 505 which promotes flexibility for graduation requirements for students experiencing foster care. Finally, we have the Memorandum of Understanding among the Department of Education, the Department of Services for Children, Youth and their Families and all of the districts and charter schools which further delineates roles and responsibilities of each of the entities. Next we will look at each one of these in more detail.

Key Points: Federal Law

[Every Student Succeeds Act](#)

- ❖ School of origin
- ❖ Immediate enrollment
- ❖ Records transfer
- ❖ State-level point of contact
- ❖ Local-level point of contact
- ❖ Transportation
- ❖ Data disaggregation
- ❖ Homeless definition

In these upcoming slides, the title of the legislation is in blue and it is an active link that takes you directly to the information being reviewed if you would like to reference it. As mentioned previously, the Every Student Succeeds Act removed the foster care reference from McKinney-Vento and moved foster care to a student group within Title 1. The provisions in ESSA required state plans to include assurances that foster youth be enrolled or remain in their school of origin, unless there is a determination that it is not in their best interest to do so.

When a foster youth does not remain in the school of origin, the student must immediately be enrolled in a new school, regardless of whether the youth can produce the records typically required for enrollment.

When a foster youth changes schools, the enrolling school must immediately contact the previous school to obtain academic and other records.

State education agencies must designate a point of contact for child welfare agencies; this may not be the same person as the state's McKinney-Vento coordinator.

Local education agencies must collaborate with the state or local child welfare agency to designate a point of contact *if* the child welfare agency has given notice of designating its own point of contact.

Local education agencies must collaborate with state or local child welfare agencies to implement clear written procedures as to how prompt, cost-effective transportation allowing youth to remain in their school of origin for the duration of their time in

foster care will be provided, arranged, and funded.

States must provide disaggregated data on foster youth. Annual state report cards must contain information on student achievement for foster youth. The report cards must also contain information on high school graduation rates for foster youth.

Key Points: State Law

Title 14 § 202A

- ❖ Defines "school of origin"
- ❖ Promotes school stability
- ❖ Identifies who is responsible for making the best interest determination
- ❖ Requires immediate enrollment and transfer of records
- ❖ Calls for a regulation to establish a process for determining best interest

As mentioned previously, once the federal law changed our state law had to change too. Title 14 §202A was updated to remove the references to McKinney-Vento and provide protections and stability for students experiencing foster care. The law defines school of origin to mean:

- (1) The school in which the child is enrolled at the time of entry into the custody of the Department of Services for Children, Youth and Their Families (DSCYF).
- (2) The school in which the child is enrolled at the time of any change in placement while in the custody of DSCYF.
- (3) The school identified for the next grade level in the same school district where the child in the custody of DSCYF is enrolled.

It also clearly states that a child in DSCYF custody **MUST** remain in the child's school of origin unless a determination is made that it is not in the child's best interest to attend such school. This determination is made by a representative of DSCYF, a representative of the child's school of origin, and a representative of the child's school of residence based on the address of the DSCYF custody placement at the time of the determination (at a minimum).

If it is determined the child will transition to the school of residence then it allows for immediate enrollment in the new school even if records or other documents that are normally required for enrollment are not produced and the enrolling school will reach out to the previous school to obtain the records.

To further support school stability, the law also allows for the student to remain in the school in which the child is enrolled for the remainder of the academic year in which the child exits care. For example, student A is in foster care from October to April, but in April the student exits care and returns to live with her mother. Another best interest meeting is held and the team must determine whether or not it is in her best interest to remain in the school of origin or enroll in the school of residence based on her mother's address.

Finally the law requires the Secretary of Education to promulgate regulations to establish a process for determining best interest.

Key Points: State Law

Regulation 903

- ❖ Definitions
- ❖ School of Origin for Students in Foster Care
- ❖ Best Interest Meeting Timeline
- ❖ Process for the Determination of Best Interest

To meet the requirements of the state law, Regulation 903 **Best Interest Determination Process for School Placement - Students in Foster Care** was established. This regulation provides definitions around key terms and then lays out a specific process for making a best interest determination. Section 3.0 mirrors the language in the law by defining “school of origin” as:

- *the school in which the student is enrolled at the time of entry into foster care;
- *the school in which the student is enrolled at the time of change of placement while in foster care; or
- *the school identified for the next grade level in the same Local School District where the child in foster care is enrolled

In section 4.0, a Best Interest Meeting Timeline is established requiring that a Best Interest meeting must occur within five (5) school days based on the School of Origin's school instructional calendar or seven (7) business days in the event of the summer recess:

- 4.1.1 when a student is placed into foster care;
- 4.1.2 when there is a change in foster care placement; or

4.1.3 when the student leaves the custody of DSCYF.

If it is determined a Best Interest Meeting could not occur within the specified time, documentation identifying the reason for the meeting delay shall be provided to the State Coordinator within ten (10) working days and this information shall be provided annually to the chief school officer of the local school district or charter school. If a change in a student's foster care status has not occurred within a given school year then a Best Interest meeting shall be held at least once a year, preferably within the last two (2) months of the school calendar.

Finally the regulation defines the Process for the Determination of Best Interest. The DFS Caseworker and LEA Foster Care Liaison are responsible for scheduling the date, time, and method for the Best Interest Meeting. Using available technology is permitted; however, in person attendance is preferred.

After scheduling the meeting the LEA Foster Liaison will invite needed educationally related participants, such as the special education coordinator or ESP when the student is receiving special education services.

The DFS Caseworker will invite the parent(s) or legal guardian(s) or Relative Caregiver, foster care parent(s), attorney for the child or CASA, and educational decision maker, when applicable; as well as the student when it is determined to be developmentally appropriate by the DFS Caseworker.

At the meeting the Best Interest Determination Form (Foster Care) must be completed. Once all information has been discussed and the form has been completed the Best Interest determination shall be made by the representative of DSCYF, preferably the DFS Caseworker, the representative of the student's School of Origin, and the representative of the student's school of residence.

If these three parties can not reach an agreement then the student will remain in the School of Origin pending the finalization of the dispute resolution process.

Once the best interest meeting has been held subsequent best interest meetings should not occur unless the child changes placement or exits care. If special circumstances exist for a subsequent Best Interest Meeting to occur, an application shall be submitted on a form approved by the Department to the State Coordinator. This form is located on the DOE website. If one of the liaisons is requesting this meeting the form is submitted directly to the state coordinator, but if DFS is requesting the meeting the request must be submitted to the DFS Treatment

Supervisor who will forward it to the DOE state coordinator, if appropriate.

Key Points: State Law

Regulation 505 – Graduation Requirements

❖ 11.0 Exceptions for Students in DSCYF Custody

Another regulation that supports students experiencing foster care is Regulation 505 Graduation Requirements. Section 11.0 of this regulation identifies exceptions for students in DSCYF custody. It says that a student in DSCYF custody who transfers into a district or charter school shall be permitted to graduate based on the successful completion of the Department's graduation requirements as defined in the regulation instead of the district or charter school's specific requirements.

It also clarifies that when a Student in DSCYF custody transfers into a district or charter school, the district or charter school will apply their policies pursuant to Section 8.0 of the regulation to review the student's prior transcript and award values for credit earned through:

- Distance learning courses. These courses may be delivered by the teacher to the learner in real time, online or by video;

- Courses completed in mental health or rehabilitative facilities;

- Courses completed in other districts or charter schools that use a different standard of awarding credits; or

- Any other means as approved by the Chief School Officer of the district or charter school in accordance with policy and the law.

For example, a student transfers from district A to district B. District B requires 27

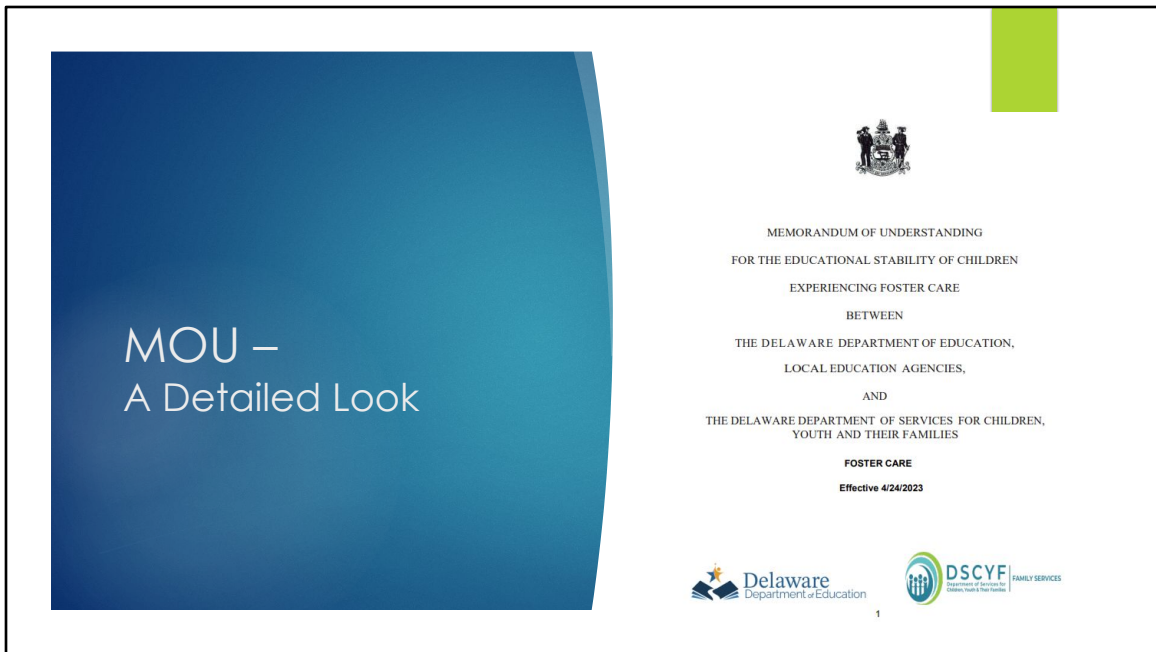
credits and a certain number of community service hours in order to graduate. The student in DSCYF custody can still graduate by meeting the state's requirement of 24 credits (as long as all specific coursework is completed) instead of having to complete the extra 3 credits and community service required by the district.

Key Points: MOU

[MOU \(Effective 2023\)](#)

- ▶ This MOU is an agreement among the Delaware Department of Education, the Department of Services for Children, Youth and their Families and the LEAs (all school districts and charter schools).
- ▶ Topics addressed by this MOU include the responsibilities of each participating entity, Best Interest decisions, transportation, disputes related to best interest, confidentiality and administration of the MOU.

Finally, we have the Memorandum of Understanding among the Department of Education, the Department of Services for Children, Youth and their Families and all of the districts and charter schools which provides more detailed guidelines for interested parties. The MOU addresses the responsibilities of each participating entity, Best Interest decisions, transportation, disputes related to best interest, confidentiality and administration of the MOU. Since the MOU provides much greater detail the next few slides will review key points of each of the components in more detail.



As we start this more detailed look, I have included a screenshot of the document's title page. Remember the full MOU can be found on the Important documents page of the foster care section of DOE's website.

LEAs will:

collaborate with DDOE and DSCYF to help ensure the educational stability of children experiencing Foster Care through the provision of the following protections:

1. ensure that a child experiencing Foster Care has the benefit of the presumption to remain in the child's School of Origin or to be Immediately enrolled in a school based on the child's placement;
2. ensure that a child experiencing Foster Care is enrolled in school (based on the results of the Best Interest meeting) Immediately (within two school days) of referral to the new school even if DSCYF is unable to produce records, or the sending school has not yet transferred the records, such as previous academic records, medical records, proof of residency, and other documentation.
3. ensure that all parties understand the dispute resolution process for Best Interest meetings for children experiencing foster care; and
4. fulfill the Best Interest meeting responsibilities as outlined in Subsection V.D. below.

Subsection V.D. refers to Best Interest Meetings

The foundation of the MOU is built around providing educational stability for students experiencing foster care. The most important component is the requirement that stakeholders ensure that a child experiencing foster care remains in their school of origin unless it is determined that it is absolutely necessary to change their school. Reasons such as needing a fresh start, convenience for the foster parent or DFS worker or avoiding disciplinary consequences are NOT considered valid reasons to change a child's school. Instead the decision makers should take into consideration the age of the student compared to the distance being travelled, a high school student's progression towards their career pathway, and the ease of transferring grades and the student's connection to staff and peers among other things.

At the conclusion of the meeting all parties should be notified of the dispute resolution process despite the outcome of the meeting. This means that even if all 3 decision makers agree, all parties should still be notified of the process.

If it is determined that there are extreme circumstances that warrant a school change, the receiving school will enroll the child immediately (within 2 school days) even if the traditionally required documentation is not available. The enrolling school will then work with the sending school and DSCYF to obtain the appropriate records.

Section V(D) – Best Interest Meetings

A student in DSCYF custody must remain in the school of origin unless a determination is made that it is not in the student's best interest to attend such school.

1. Best Interest meetings shall occur:
 - a. when a child is placed into Foster Care;
 - b. when there is a change in Foster Care placement;
 - c. when the child exits the custody of DSCYF; or d. at least once per year for a child for whom none of the above have occurred.
2. When there is a change in Foster Care placement, even if remaining in the same school, the DFS Caseworker must notify the LEA Foster Liaison in advance, when feasible, or Immediately (within 2 school days) and request a Best Interest meeting. If the foster care placement change is out of state via an Interstate Compact for the Placement of Children, the DFS Caseworker will notify the LEA Liaison and initiate the withdrawal of student.
3. The Best Interest meeting must occur within five (5) school days based on the School of Origin's instructional calendar or seven (7) business days in the event of a summer recess.
4. The DFS caseworker and LEA Foster Liaison shall be responsible for the coordination of the date, time, and method for the best interest meeting using available technology, however, in person attendance is preferred.

Once again focusing on the importance of school stability, the purpose of the best interest meeting is to determine if it is not in the child's best interest to remain in the school of origin because the presumption should always be that the student should remain in their current school. In alignment with Regulation 903 best interest meetings must occur when a child enters foster care, when there is a change in placement, when the child exits DSCYF custody, and at least once per year for a child for whom none of the previous have occurred. This means that even when there is a change in placement and the student is still residing in the same feeder pattern a best interest meeting must occur. When liaisons learn of a student entering care or changing placement and they have not been previously notified by DFS they should reach out to DFS immediately to schedule a meeting, but also notify the state coordinator of the name of the student or students and the worker so the information can be shared with the DFS Treatment Supervisor to reinforce training.

Best Interest Meetings must occur within 5 school days based on the school of origin's calendar or 7 business days during summer break.

The DFS caseworker and liaisons are responsible for coordinating logistics of the meeting.

Section V(D) – Best Interest Meetings

5. The LEA Foster Liaison shall: a. invite needed educationally related participants; and b. invite the special education administrator or designee from the student's school of residence based on the address of the DSCYF custody placement at the time of the meeting, and the student's School of Origin, and the Educational Surrogate Parent when applicable to participate in the Best Interest meeting if the student is eligible for or receiving special education services.

6. The DFS Caseworker shall: a. invite the parent(s) or legal guardians or Relative Caregiver, foster care parent(s), child attorney or CASA, and Education Decision Maker, as applicable; and invite the student to attend when it is determined to be developmentally appropriate by the DFS Caseworker.

7. The Best Interest Determination Form (approved by the DOE) will be used in the determination of Best Interest. (See Appendix D)

8. Refer to the Consortium Discipline Alternative Program (CDAP) Guide (Appendix E) when the student is enrolled in a CDAP.

9. When there is a need to request an additional Best Interest meeting for exigent circumstances, that request can be made by the School of Origin Liaison, School of Residence Liaison or DFS Caseworker using the Request for Additional Best Interest Meeting Form.

[Schedule a Meeting](#)

The LEA Foster Liaison shall: a. invite needed educationally related participants; and b. invite the special education administrator or designee from the student's school of residence based on the address of the DSCYF custody placement at the time of the meeting, and the student's School of Origin, and the Educational Surrogate Parent when applicable to participate in the Best Interest meeting if the student is eligible for or receiving special education services.

The DFS Caseworker shall: a. invite the parent(s) or legal guardians or Relative Caregiver, foster care parent(s), child attorney or CASA, and Education Decision Maker, as applicable; and invite the student to attend when it is determined to be developmentally appropriate by the DFS Caseworker.

When conducting a best interest meeting liaisons must use the DOE Best Interest Determination form found on the DOE website. The form is available in both a printed form and as a fillable form.

When there is a need to request an additional Best Interest meeting for exigent circumstances, that request can be made by the School of Origin Liaison, School of Residence Liaison or DFS Caseworker using the Request for Additional Best Interest Meeting Form. If a liaison is requesting the meeting, the form must be completed and submitted to the DOE State Coordinator for Foster Care. If DFS is requesting an additional meeting, they must submit the form to the DFS Treatment Program

manager.

Now let's look at some guidance around completing these forms.

- ▶ Located on the DOE website [Foster Care Documents](#)
- ▶ This form or the End of Year BIM form **MUST** BE used for all best interest meetings.
- ▶ It must be filled out completely
 - ▶ Include as much detail as possible
 - ▶ Do not leave anything blank
- ▶ Provide a copy of the completed form and dispute instructions to stakeholders within 48 hours of the meeting.

This image shows the first page of the Best Interest Determination form. It is located on the DOE website under foster care important documents. When conducting best interest meetings, either this form or the end of the year best interest meeting form must be used. Please make sure you are filling out the form completely with as much detail as possible. No section should be left blank. This is very important when it comes to the dispute process. When the best interest determination is disputed, the disputing party submits this document as evidence. Forms that lack detail imply that the process was not followed correctly and leave room for interpretation which make it very difficult for the person ruling on the dispute. Finally, a copy of the completed form and instructions for the dispute process should be provided to the stakeholders within 48 hours of the meeting. This will allow parties enough time to file a dispute within the 5 day window.

Request for Subsequent Best Interest Meeting



Request for Best Interest Meeting Form (Foster Care)

Purpose of this form: Best Interest Meetings must occur only when a student is placed in foster care, when there is a change in foster care placement, when the student leaves the custody of DSCYF or during the last two months of the school year. In accordance with [14 DE Admin Code 903](#), if exigent circumstances exist for a subsequent Best Interest Meeting to occur, an application shall be submitted on a form approved by the Department to the State Coordinator. The Secretary or designee will determine whether to approve the application for the requested subsequent Best Interest Meeting.

Name of the Individual Requesting the Meeting: Click here to enter text.	
Phone Number: Click here to enter text.	Email: Click here to enter text.
Relationship to Student: Click here to enter text.	
Student Name: Click here to enter text.	Student DOB: Click here to enter text.
School Student is Attending: Click here to enter text.	
Other School: Click here to enter text.	
School of Origin Liaison: Click here to enter text.	Email: Click here to enter text.
School of Residence Liaison: Click here to enter text.	Email: Click here to enter text.
DFS Worker: Click here to enter text.	Email: Click here to enter text.
Reason for the Meeting Request (please provide as much detail as possible): Click here to enter text.	

- ▶ May be completed by LEA foster care liaison or DFS caseworker.
- ▶ Liaisons submit directly to me.
- ▶ DFS caseworker must submit to Trinette Redinger-Ramsey.
- ▶ Form is found on the DOE website.
- ▶ All sections must be completed or the form will be returned.
- ▶ Details are important and must support the request. What has changed? Why is another meeting needed?

There may be times in which it would be helpful to hold a best interest meeting outside of the required circumstances. If either of the LEA liaisons or the DFS caseworker believes the student's circumstances have changed and it would be helpful to reconvene the team, they may request a meeting based on exigent circumstances. The Request for Best Interest Meeting form can be found on the DOE website. It may be completed by LEA foster care liaison or DFS caseworker.

- ▶ Liaisons submit directly to me.
- ▶ DFS caseworker must submit to Trinette Redinger-Ramsey.

Please remember that all sections must be completed or the form will be returned. Details are important and must support the request. What has changed? Why is another meeting needed?

V(E) – Best Interest Decision

- ▶ 1. The determination of a child's Best Interest will be made by a representative of 8 DSCYF, a representative of the child's School of Origin, and a representative of the child's school of residence based on the address of the DSCYF custody placement at the time of the determination except when the Best Interest meeting is being held because the child is exiting the custody of DSCYF. The determination will be documented on the Best Interest Determination form attached hereto as Appendix A and will provide the factors considered and the rationale.
 - ▶ a. In some cases, there might not be a school of origin. For example, the student was being homeschooled.
 - ▶ b. If no agreement is reached by the School of Origin Liaison, School of Residence Liaison and DFS Caseworker for changing the school placement from the School of Origin to the student's school of residence, based on the address of the DSCYF custody placement at the time of the meeting, then the student shall remain in the School of Origin pending finalization of any applicable dispute resolution process, as outlined in Subsection V.G. below.
- ▶ 2. When a Best Interest Meeting occurs as the result of the child exiting the custody of DSCYF, the Best Interest determination is made by the Parent or Guardian, a representative of the school in which the child is enrolled, and a representative of the child's school of residence based on the address of the Parent or Guardian at the time of the determination. The determination will be documented on the Best Interest Meeting form and will provide the factors considered and the rationale.
 - ▶ a. If no agreement is reached by the School of Origin Liaison, School of Residence Liaison and Parent or Guardian, the Parent or Guardian is the final decision maker.

During the best interest meeting and while reviewing the information on the form all parties should be given an opportunity to share their insight and perspective. This will help the decision makers formulate a conclusion around what they believe is in the best interest of the student. After all parties have been heard, the final decision will be made by the representative from DSCYF (usually the DFS worker or supervisor), the school of origin liaison and the school of residence liaison. Their decision should be recorded on the best interest meeting form.

If no agreement is reached by the decision makers, then the student shall remain in the school of origin pending the finalization of the dispute resolution process, if the party that doesn't agree decides to formally dispute the decision.

When a meeting is being held because a student is exiting foster care, the decision making team is the parent or guardian, the school of origin liaison, and the school of residence liaison. If no agreement is reached, then the parent or guardian is the final decision maker.

V(G) – Disputes Relating to BIMs

A request for dispute resolution over a best interest determination shall be in writing, state the basis for the request, and shall only be made by:

- ▶ LEA Foster Liaison
- ▶ DFS Caseworker
- ▶ Parent or Guardian
- ▶ Child, by and through the Child Attorney
- ▶ Education Decision Maker pursuant to appointment by the Family Court

Not all meetings result in a unanimous decision because there are so many important factors. If the decision makers can't agree, then the student must remain in the school of origin pending a dispute resolution. If a liaison, the DFS caseworker, parent or education decision maker do not agree with the decision that was made, they may dispute the decision. The disputing party must submit a dispute package to the Secretary of Education within 5 school days of receiving the decision. This is why it is so important to make sure the parties have a copy of the best interest form within 48 hours of the meeting. Only the parties listed on this slide are eligible to dispute the best interest meeting decision.

V(G) – Disputes Relating to BIMs

The request shall include:

- ▶ The name and contact information of the requesting party, including the relationship to the student, phone number, E-mail, and mailing address;
- ▶ The name of the school in which the student's enrollment is sought by the requesting party;
- ▶ The basis for seeking the student's enrollment in that school;
- ▶ A copy of the completed Best Interest Determination Form attached hereto as Appendix A and any other documents, emails or records that were part of the decision-making process;
- ▶ The facts and issues in dispute; and
- ▶ The date of the request.

Submitted to the Secretary of Education within 5 school days of the BIM.

The dispute package should include copies of all items that were used to make the original determination:

- The name and contact information of the requesting party, including the relationship to the student, phone number, E-mail, and mailing address;
- The name of the school in which the student's enrollment is sought by the requesting party;
- The basis for seeking the student's enrollment in that school;
- A copy of the completed Best Interest Determination Form and any other documents, emails or records that were part of the decision-making process;
- The facts and issues in dispute; and
- The date of the request.

The request for dispute resolution may be deemed incomplete if the request does not include the contact information of the requesting party or is not dated.

V(G) – Disputes Relating to BIMs

After the Secretary receives the request:

- ▶ The Secretary of Education or his or her designee shall notify the LEA Foster Liaisons, DFS caseworker, and the disputing party that dispute resolution was initiated.
- ▶ The Secretary of Education, or his or her designee, shall review the facts and issues in dispute, confer with relevant parties, and review documentation relevant to the best interest determination.
- ▶ Within ten (10) business days of receipt of the request for dispute resolution, the Secretary of Education, or his or her designee, shall issue a written decision informing the party requesting dispute resolution whether the best interest determination is upheld or overturned.
- ▶ A copy of the Secretary of Education's decision shall be provided to the LEA Foster Liaisons, DFS caseworker, and the requesting party.
- ▶ The student shall be enrolled and provided all appropriate educational services in the school determined by the Secretary of Education, or his or her designee.

Upon receiving the complete dispute package, the Secretary of Education or designee will notify the liaisons and caseworker of the dispute. Within 10 business days, the Secretary or designee will issue a written decision and that decision will be provided to both liaisons, the DFS caseworker, and the requesting party if not already mentioned. If the decision is to move the student, then the student shall be immediately enrolled and provided with appropriate educational services.

V(F) – Immediate School Enrollment

When a determination is made that remaining in the School of Origin is not in a child's Best Interest:

- a. The LEA Foster Liaison of the new school will ensure the child is enrolled in the new school (based on the determination made in the Best Interest meeting) Immediately (within 2 school days) after the DSCYF staff has provided registration materials (including IEP, if applicable).
- b. The new school will accept a DSCYF letterhead statement as proof of residency of a child experiencing Foster Care with the placement address identified.
- c. The new school will accept registration materials from DSCYF via fax or email.
- d. The LEA Liaison of the new school will notify the DFS Caseworker if there are any anticipated barriers to the student starting school. For example, alternative placement decisions, Special Education placement decisions, or discipline decisions.
- e. The new school will Immediately contact the school last attended to obtain relevant academic and other records.
- f. The School of Origin will Immediately transfer the child's relevant academic and other records to the new school.
- g. The new school shall Immediately apply full credits and is encouraged to accept partial credits to benefit the student pursuant to 14 DE. Admin. Code § 505.10.
- h. The LEA of the new school will host subsequent Best Interest meetings in accordance with 14 DE. Admin. Code § 903.

For the meetings that are easily decided and the determination is that the student should enroll in the school of residence there are guidelines in place to make sure that happens smoothly. This includes the new school enrolling the student within 2 days after the meeting even if all of the necessary documentation isn't provided. The enrolling school will work with DFS and the sending school to acquire the missing documentation. This includes accepting registration materials via fax or email and accepting a letter on DSCYF letterhead as proof of residency for a child experiencing foster care. For high school students this also means applying full credits and partial credits in accordance with the options outlined in Regulation 505 – Graduation Requirements.

For logistical reasons it is understood that DFS may need to arrange transportation for the student for a few days until LEA transportation can be arranged.

For purposes of school enrollment for students experiencing foster care, "enrollment" means enrolled and attending.

V(H) - Transportation

- ▶ Transportation must be cost effective.
- ▶ Transportation for a student who is attending their school of origin instead of their school of residence will be reimbursed if it meets the guidelines set forth in the MOU.
- ▶ DOE will not reimburse for additional transportation costs related to extracurricular activities (ie. interscholastic athletics, clubs, after school tutoring, and work-based learning).
- ▶ The MOU very specifically outlines “cost effective” and reporting requirements.
- ▶ This section of the MOU is managed by the DOE Operations Support Team.
 - This team communicates the necessary information to the LEA transportation supervisors.

Transportation costs are not allowed to be a factor in making a best interest determination. In order to ensure the integrity of the decision, transportation costs related to transporting a student to and from their school of origin are reimbursed to the LEA. However, to maximize potential reimbursement the transportation must be provided in the most cost effective manner. This section of the MOU goes into great detail to outline “cost effective” and the reporting requirements involved. Transportation costs related to extracurricular activities will not be reimbursed. However, LEAs are encouraged to work with DFS to ensure students can still participate in activities. What other funding does the district have to support these students? While it is important for liaisons to have a general understanding of the guidelines regarding transportation, this section of the MOU is managed by DOE’s Operations Support Team and they provide support and training to the LEA transportation supervisors around foster care transportation.

Transportation FAQs

- ▶ Students who exit care within a school year are entitled to school of origin transportation for the remainder of the year.
- ▶ Questions related to transportation should be directed to DOE's transportation office via the LEAs transportation supervisor.
- ▶ Summer school - Transportation for summer is only provided for foster students if other students are receiving transportation to the same program.
- ▶ Respite - DOE does not reimburse for transportation related to respite locations.
- ▶ Daycare - These should be addressed on a case-by-case basis by the transportation supervisor in coordination with DOE.

At times, liaisons have reached out with questions related to transportation and foster care. Ultimately, it is recommended that if you have specific questions related to transportation of a student experiencing foster care you should ask them of your transportation supervisor. If that person doesn't know the answer, then the supervisor should reach out to the DOE transportation office. This will ensure the most accurate response. Some frequent topics for clarification include the information on this slide.

- Students who exit care within a school year are entitled to school of origin transportation for the remainder of the year.
- Transportation for summer is only provided for students experiencing foster care, if non-foster care students are receiving transportation to the same program.
- DOE does not reimburse for transportation related to respite locations. Meaning that if DFS relocates a student temporarily for respite reasons, then they must make arrangements for the transportation.
- Questions related to daycare transportation should be addressed on a case-by-case basis by the transportation supervisor in coordination with DOE.



Unique Situations

- ICPC Placements
- Students on Safety Plans

There are two other areas related to the placement of students that come up frequently and frequently result in a lot of questions. The next few slides will look at these unique situations in more detail.

ICPC

Interstate Compact for the Placement of Children (ICPC) – establishes procedures for the placement of children across state lines.

- ▶ Before registering the student, request the name of the DELAWARE caseworker.
- ▶ Contact that caseworker to verify the ICPC is in place.
- ▶ If there is no assigned caseworker, reach out to me immediately with the student's name, date of birth, and placing state PRIOR to registering the student.
- ▶ These are unique cases, therefore, the MOU, etc. do not apply.

Students who are in the custody of another state's' child welfare agency are occasionally placed in Delaware. In order to do this legally, the placing state has to go through a formal ICPC process PRIOR to placing the student in Delaware. It is important that registrars are aware to be on the lookout for this. Before registering the student, request the name of the DELAWARE caseworker. If they are not able to identify a Delaware caseworker, it is a good indication that an ICPC is not in place. If there is no assigned caseworker, reach out to me immediately with the student's name, date of birth, and placing state PRIOR to registering the student. If there is a caseworker, then contact that caseworker to verify the ICPC is in place. Then determine the appropriate steps forward based on the information provided by the caseworker.

These are unique cases, therefore, the MOU, etc. do not apply. A student on and ICPC will register for their school of residence only and if a placement change is necessary, they will be returned to their sending state.

Students on DFS Safety Plans

DOE and DSCYF provide joint guidance on this in 2019. Highlights of that guidance include:

- ▶ These are used in lieu of DFS obtaining custody when it is safe to do so.
- ▶ Since students on Safety Plans are not in the custody of DFS, Title I protections such as school of origin and transportation for students in foster care do not apply.
- ▶ The guidance document provides a number of suggestions for supporting impacted students using a trauma informed approach.

DOE and DSCYF provide joint guidance on this in 2019. There are a few important highlights from that guidance. Safety Plans are used in lieu of DFS obtaining custody when it is safe to do so. Since students on Safety Plans are not in the custody of DFS, Title I protections such as school of origin and transportation for students in foster care do not apply.

The guidance document can be found on the DOE website and provides a number of suggestions for supporting impacted students using a trauma informed approach. Liaisons should review this document and share it with others, as appropriate.



DOE has provided a couple of data systems In order to help liaisons keep track of all of these moving parts. These resources are located in eSchoolPLUS and the EdInsight Reports Portal. These icons are available on your EdAccess or ClassLink portal.

DOE Foster Care (eSchool)

Menu ☐ Registration ☐ DOE Foster Care

DOE Foster Care

🔍

New entry: Click the Save icon to create the screen for this student.

School Year*	Foster Care	Do Not Share FC Status	DFS Worker	DFS Worker Phone Number	Foster Care Entry Month/Year	Foster Care Exit Month/Year	
<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>

- This will be updated monthly by DOE upon receipt of the DSCYF data file.
- Used for verification purposes for transportation reimbursement, accountability, etc.
- Each SY will show as a new entry.
- EdInsight report will generate this information. It will need to be checked regularly to ensure accuracy. Email Jenn Davis with any irregularities.

This is the DOE Foster Care screen. You can access this by searching for a student in eSchool and then going to Registration and then DOE Foster Care from the menu. This screen will be updated once a month for any child entering or exiting foster care based on a data file we receive from DSCYF. Please remember that there is a lag in this data. For example, if DOE receives the file on March 3 and runs the match on March 5th a student who enters or exits foster care from March 3rd to April 2nd will not be updated until the April 5th update. This also applies to any update in the DFS Worker information. It is important that this screen is correct so, if you know a student has entered care and they are not showing 2 months after they entered, please notify the State Coordinator with the student's name, date of birth, student ID and month they entered care. This will help us correct any matching issues that sometimes happen. This data is used for verification of transportation reimbursement and state and federal accountability purposes. Please make sure you are checking your lists of students in foster care regularly.

DOE Foster Care BIM (eSchool)

Menu □ Registration □ DOE Foster Care BIM

DOE Foster Care BIM

🔍

New entry: Click the Save icon to create the screen for this student.

DOE Foster Care BIM Fields									
Meeting Date*	Foster Care Coordinator*	Meeting Attendees*	Current Building*	Date of Placement Change	Meeting Decision*	Enter Other Meeting Decision	School to Attend*	Notes	School of Origin Transportation

No Longer Eligible for Services

Other

Transition to School of Residence

?

Remain in School of Origin

- **This will need to be updated by the liaison after every meeting.**
- Used for verification purposes for transportation reimbursement, accountability, etc.
- As a meeting is entered, another line will appear.

The other screen you should be using in eSchool is the DOE Foster Care BIM screen. This is where you should be entering information related to the best interest meeting. It should be updated as soon as possible after the meeting. If a meeting did not occur, but attempts were made to hold a meeting you should notify the State Coordinator immediately and document the attempts on this screen. As I mentioned before, there is a lag in the information we received from DSCYF therefore this information can also be used for verification purposes related to transportation reimbursement and accountability. There are also times when I need to access this screen to collect data or when consulting with DFS. Please make sure you are updating this after every meeting.

EdInsight Reports Portal

- ▶ Student Groups □ Foster Care Student List
 - ▶ This report can be run to verify your students in foster care by building.
- ▶ Student Groups □ Delaware Family Court Reports
 - ▶ This report is run at the request of the DFS Worker for use in court.
 - ▶ It is run by student and provides student level data that is frequently requested by the court.

Liaisons also have access to 2 specific reports in the EdInsight Reports Portal. The first can be found under Student Groups and is labeled Foster Care Student List. Liaisons can run this list to see who is identified in foster care or has left foster care in their district. This report pulls from eSchool.

The second report can also be found under Student Groups and is labeled Delaware Family Court Reports. This report is student specific and printable. It was created at the request of the courts to provide more detailed education information during case hearing. The report can be requested by the DFS worker and should be requested at least a week in advance. Please follow your district's rules regarding transferring of student information via email, fax etc.

eSchool → Infinite Campus

DOE is transitioning to a new student management system.

- ▶ What are the aspects of eSchool, related to foster care, that are working well and need to stay?
- ▶ What needs to be changed?
- ▶ What additional functionality would you like to have?

[Delaware, welcome to Infinite Campus - Infinite Campus](#)

DOE is transitioning to a new student management system. Over the next couple of years we will be making a statewide transition from eSchool to Infinite Campus. In my email about this meeting, I asked you to take a look at the preview materials that are currently available on the Infinite Campus website. I will be working with the technology team regarding several aspects of the system, one of which is foster care. It is important for me to have input from you, as the end users. The link on the bottom of this slide will take you to the Infinite Campus Delaware page. This page has open access to webinars, tutorials, etc. that you can access to become more familiar with the new platform. Some LEAs will be making this transition for the 2024-2025 school year and the rest will transition for 2025-2026. If you want to know when your LEA is transitioning, please reach out to your LEA's technology support.

Student Safety

IN SOME CASES, THE PARENT(S)/ GUARDIAN(S) OF STUDENTS IN FOSTER CARE ARE NOT PERMITTED TO KNOW WHERE THE STUDENT IS LIVING DUE TO SAFETY CONCERNS. SINCE THEIR RIGHTS HAVE NOT BEEN TERMINATED, THEY ARE STILL PERMITTED TO HAVE ACCESS TO EDUCATIONAL INFORMATION. THE DOCUMENT LINKED BELOW PROVIDES RECOMMENDATIONS OF WAYS TO ENSURE THE SAFETY OF THE STUDENTS. LEAS SHOULD STILL REVIEW THEIR OTHER POLICIES AND PRACTICES THAT MAY NOT BE COVERED IN THE DOCUMENT.

PLEASE REFER TO [THE STRATEGIES FOR STUDENT SAFETY DOCUMENT ON THE WEBSITE.](#)

Student safety is always a priority. To that end, DOE has provided a guidance document to address student safety related to sharing of educational information. When student's parents still have educational rights but they are not permitted to know where their child is living, schools must make every effort to ensure that information is not accessible to them. This means doing things like removing the address from printed material like report cards and progress reports and modifying their access in Home Access Center so parents don't see their physical address when they log in. Instructions on how to do all of this are located in the Strategies for Student Safety document located in the Foster Care section of the DOE website. The document is also directly linked in this page of the presentation.

Student Safety

1. Home Access Center –
 - a. The student's address should not be visible to the parent/guardian via their HAC access.
 - i. Instructions – see pages 2-5
2. eSchool –
 - a. Critical Alert - A critical alert should be added to the student's eSchool file to alert staff of the safety concern.
 - i. Instructions – see page
 - ii. Sample Language – "Do not share information regarding the student's address with parent (insert parent name)."
3. Printed Information – If the parent/guardian requests or is receiving something in printed form, every effort should be made to remove the student's address.
 - i. Example – The parent comes in and requests a printed copy of the student's report card or the end of year report card is being mailed home. The person issuing the report card should remove the student's address prior to issuing it to the parent. One way this can be done is by printing the report card, whiting out the address and then copying it.
4. Verbal Information – Staff should not confirm, deny or provide information regarding the student's address via phone or in person.
5. Best Interest Meetings (BIM) – Foster care liaisons should ensure that the student's address is not on any documentation provided at the meeting.

1. Home Access Center –
 - a. The student's address should not be visible to the parent/guardian via their HAC access.
 - i. Instructions – see pages 2-5
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4. Verbal Information – Staff should not confirm, deny or provide information regarding the student's address via phone or

in person.

5. Best Interest Meetings (BIM) – Foster care liaisons should ensure that the student's address is not on any documentation provided at the meeting.



Other

- Regularly review LEA policies for barriers to the success of students experiencing foster care.
- Create and/or regularly review and update a Board Policy specific to students in foster care.
- Notify DOE when there is a change in the liaison.
- Liaisons who do not work year-round must identify a summer contact who will be responsible for meetings etc.
- Train building secretaries, registrars and others who need to understand the uniqueness of working with students in foster care.
- DFS staffing updates.

Finally there are some additional reminders for foster care liaisons.

- Please be an active part of your district or charter school's Board Policy review cycle. Examine policies through the lens of students experiencing foster care and recommend revisions that remove barriers to their success.
- Ensure your Board Policy has its own policy specific to serving students in foster care or that language is added to existing policies that allow for the unique situations faced by students experiencing foster care.
- Your LEA **MUST** have an identified foster care liaison. If there is a change in the person filling this role, either the liaison or district office **MUST** notify the State Coordinator immediately and provide the name of the new contact, and the person's email address and phone number. This information is used to update the contact list on the foster care section of the DOE website.
- Foster care liaisons **MUST** be accessible for best interest meetings year-round, therefore if you are not a 12 month employee the LEA **MUST** identify someone to fill the liaison role during the summer months. Please notify the State Coordinator and provide the name of the new contact, and the person's email address and phone number. This information is used to update the contact list on the foster care section of the DOE website. It is the foster care liaisons responsibility to make sure that the summer contact is adequately trained to fulfill the responsibilities of the liaison in your absence.

- Training should also be provided to building level personnel. For example, secretaries and registrars should be trained to identify students in foster care and follow appropriate procedures. Students experiencing foster care should never be withdrawn or enrolled without ensuring that the foster care liaison has been involved and a best interest meeting has taken place. The same goes for changing their address, transportation or other personal information. Other examples might be making sure school counselors are fully informed of the regulation pertaining to awarding of credit and graduation requirements. School administrators and school counselors may need training on the MOU. It is up to the liaison to identify the appropriate audience and provide the training, as well establish consistent procedures that are appropriate for their LEA.
- DFS has asked for me to request that we provide them some understanding and grace at this time. They are operating at extreme shortages which is causing students to get moved around from caseload to caseload and things may get missed. Additionally, workers from other units like investigation, etc. may be assigned school age cases. We may need to support them through these transitions. If you are struggling with situations related to DFS, please reach out to the county supervisor.

Contact Information:

DOE State Coordinator for Foster Care

Jennifer Davis
DE Department of Education
302.735.4103
Jennifer.Davis@DOE.k12.de.us



I know this has been a lot of information and I thank you for participating. The training and the slides will be available on the foster care page of the DOE website in the future for your reference. Feel free to access any of the links to learn more about specific topics. Thank you again and thank you for all you do to support the students experiencing foster care in Delaware.