



**DEPARTMENT OF CHILDREN
AND FAMILIES**

Eloise Anderson
Secretary

**DEPARTMENT OF PUBLIC
INSTRUCTION**

Tony Evers, PhD
State Superintendent



Foster Care Educational Services Glossary

A

“Administrative panel review” means a review of the child's permanency plan that must be conducted no less frequently than every six months while the child is in out-of-home care. The review is generally conducted by either the court or a three-person panel designated by the child welfare agency and appointed by the court. [Wis. Stat. §§ 48.38(5) and 938.38(5)]

“Adoptive parent” means a person who has adopted a child in this state or who has adopted in another state a child who was placed for adoption with that person in this state. [Wis. Stat. § 48.434(1)(a)]

“Age out” means to achieve a threshold age at which funding for a child's out-of-home care placement ends.

“Alcohol and other drug abuse” means the legal or illegal use of alcohol or other drugs to such an extent that the social, educational, vocational, or intellectual functioning of an individual is adversely affected.

B

“Board” or “School Board” means the school board or board of school directors in charge of the schools of a school district. [Wis. Stat. § 115.001(7)]

C

“Caseworker” means the employee of the child welfare agency who has lead responsibility for coordinating services for a child in the care of that child welfare agency.

“Case plan” has the same meaning as “permanency plan.”

“Chapter 48” means that chapter of the Wisconsin statutes that sets forth the procedures and policies for the operation of the child welfare system. Chapter 48 is also known as the “Children's Code.”

“Chapter 938” means that chapter of the Wisconsin statutes that sets forth the procedures and policies for the operation of the juvenile justice system. Chapter 938 is also known as the “Juvenile Justice Code.”

“Child,” for purposes of child welfare, means a person who is less than 18 years of age, except that for the purposes of investigating or prosecuting a person who is alleged to have violated a state or federal criminal law or any civil law or municipal ordinance, “child” does not include a person who has attained 17 years of age. [Wis. Stat. §§ 48.02(2) and s. 938.02(2)]

“Child,” for purposes of children with disabilities, means any person who is at least 3 years old but not yet 21 years old and who has not graduated from high school and, for the duration of a school term, any person who becomes 21 years old during that school term and who has not graduated from high school. [Wis. Stat. § 115.76(3)]

“Child in need of protection or services” (CHIPS) means a child for whom the juvenile court can order services and includes:

- a child who is without a parent or guardian;
- who has been abandoned;
- who has been sexually or physically abused or is at substantial risk of being sexually or physically abused;
- whose parents indicate that they are unable to care for or provide necessary special treatment or care for the child;
- who has been placed for care or adoption illegally;
- who is receiving inadequate care and the parent is missing, incarcerated, hospitalized, or institutionalized;
- who is at least age 12 and signs a petition indicating he or she is in need of special care or treatment which the parent, guardian, or legal custodian are unwilling, neglecting, unable, or needs assistance to provide;
- whose parent, guardian, or legal custodian neglects, refuses, or is unable for reasons other than poverty to provide necessary care, food, clothing, medical or dental care, or shelter so as to seriously endanger the physical health of the child;
- who is suffering emotional damage evidenced by severe anxiety, depression, withdrawal, or aggression for which the parent, guardian, or legal custodian is neglecting, refusing, or is unable, for reasons other than poverty, to obtain necessary treatment;
- who is suffering from an AODA or other drug impairment, exhibited to a severe degree, for which the parent, guardian, or legal custodian is neglecting, refusing, or unable to provide treatment; or
- who has not been immunized as required by Wis. Stat. § 252.04 and not exempted under Wis. Stat. § 252.04(3).

[Wis. Stat. § 48.13, Wis. Stats.]

“Child-placing agency” means a child welfare agency licensed to place children in licensed foster homes and licensed group homes, and, in some cases, to license foster care and treatment foster care providers and to place children for adoption. [Wis. Stat. § 48.60(1); Wis. Adm. Code § DCF 54.01(4)(d)]

“Child welfare agency,” as used in this document, includes juvenile justice agencies, both of which are subunits of county and tribal departments of social or human services. [Wis. Stat. §§ 46.215, 45.22, and 46.23]

“Child with a disability” means a child who, by reason of any of the following, needs special education and related services:

- Cognitive disabilities,
- Hearing impairments,
- Speech or language impairments,
- Visual impairments,
- Emotional or behavioral disabilities,
- Orthopedic impairments,
- Autism,
- Traumatic brain injury,
- Other health impairments,
- Learning disabilities.

“Child with a disability” may, at the discretion of the local educational agency and consistent with DPI rules, include a child who, by reason of his or her significant developmental delay, needs special education and related services. [Wis. Stat. § 115.76(5)]

“County agency” means a county Department of Social Services or Department of Human Services. [Wis. Stat. §§ 46.215, 46.22, and 46.23]

“Court” means, unless otherwise specified, the court assigned to exercise jurisdiction under Ch. 48 or Ch. 938, Wis. Stats., and is known, respectively, as the children's court or the juvenile court. [Wis. Stat. §§ 48.02(2m) and 938.02(2m)]

“Court-ordered placement” means a court disposition implemented by court order under which the child is placed in an out-of-home setting. [Wis. Stat. §§ 48.028(2)(e); 48.345(3) and (3m); 938.028(2)(c); 938.34(3); and 938.345(1)(a), (e), and (g), (1m)(a), (3) and (4)]

“Court report” means the report submitted to the court prior to the entering of a dispositional order and which includes the child's social history, the rehabilitation or treatment plan, the services to be provided, the objectives of the plan (including academic, social, and vocational skills), and a plan for the provision of educational services to the child. [Wis. Stat. §§ 48.33 and 938.33]

“Custody,” depending upon context, means either legal custody or physical custody.

D

“Delinquent” means a juvenile who is 10 years of age or older who has violated any state or federal criminal law, except as provided in Wis. Stat. §§ 938.17, 938.18, and 938.183, or who has committed contempt of court, as defined in Wis. Stat. § 785.01(1), as specified in Wis. Stat. § 938.355(6g). [Wis. Stat. § 938.02(3m)]

“Department of Corrections” (DOC) means the agency of the state created by Wis. Stat. § 15.14 and charged, in part, with the powers and duties described at Wis. Stat. § 938.48.

“Department of Children and Families” (DCF) means the agency of the state created by Wis. Stat. § 15.20 and charged, in part, with the powers and duties described at Wis. Stat. § 48.48.

“Department of Human/Social Services” (DHSS) means a county department responsible for social services, emotional illness treatment, developmental disabilities services, and other services as defined at Wis. Stat. § 46.23. [Note: All counties have either a department of human services or a

department of social services, although the name of the specific agency may differ (e.g., Department of Health and Human Services).]

“Department of Public Instruction” (DPI) means Wisconsin’s state education agency, administered by the elected State Superintendent of Public Instruction, created by Wis. Stat. § 15.37 and charged, in part, with the powers and duties under Wis. Stat. Ch. 115.

“Department of Social Services” (DSS) means a county department responsible for social services as defined at Wis. Stat. §§ 46.215 (Milwaukee) and 46.22 (balance of state). [Note: All counties have either a department of human services or a department of social services, although the name of the specific agency may differ (e.g., Department of Health and Human Services).]

“Dispositional order” means the order of the court made at a dispositional hearing regarding services to be provided to a child or juvenile. [Wis. Stat. §§ 48.355 and 938.355, Wis. Stats.]

“Division of Milwaukee Child Protective Services” means the subdivision of the Department of Children and Families that has responsibility for the provision of child welfare services in Milwaukee County. This division assumed this responsibility from the Milwaukee County Department of Human Services effective on January 1, 1998.

“DCF 12” means the DCF administrative rule related to caregiver background checks.

“DCF 21” means the DCF administrative rule related to re-entry into out-of-home care for youth 18 years of age or over, but under 21 years of age.

“DCF 37” means the DCF administrative rule related to information to be provided to out-of-home care providers.

“DCF 52” means the DCF administrative rule related to residential care centers for children and youth.

“DCF 54” means the DCF administrative rule related to child-placing agencies.

“DCF 56” means the DCF administrative rule related to foster home care for children.

E

“Education Passport” means a Department of Children and Families form (DCF-F-5046-E) designed to be used by child welfare workers whenever a student enters out-of-home care, changes placement, or exits care and is to be shared with school staff for the purpose of sharing information to support the educational success of the student. [DCF Form “Education Passport,” DCF-F-5046-E]

“Every Student Succeeds Act” or **“ESSA”** means the federal law signed in 2015 that amends the Elementary and Secondary Education Act (ESEA) of 1965.

F

“FERPA” means the Family Educational Rights and Privacy Act, a federal law governing public school maintenance of student records. [20 U.S.C. § 1232g; 34 CFR Part 99]

“Foster child” means, generally, a child placed for care and maintenance in an out-of-home care placement by the Department of Children and Families, a county agency, a child welfare agency, or

a circuit or tribal court. Most placements are made by court order but they may also be made via a voluntary placement agreement.

“Foster home” means any facility operated by a person required to be licensed under Wis. Stat. § 48.62(1), in which care and maintenance are provided to no more than four children unless all of the children are siblings or up to six children if that will allow the placement of a sibling group. [Wis. Stat. §§ 48.02(6), 48.62(1), and 938.02(6); Wis. Adm. Code § DCF 56.03(14)]

“Foster parent” means a person with primary responsibility for the care and supervision of one or more foster children placed in his or her licensed foster home. [Wis. Adm. Code § DCF 56.03(15)]

“Free Application for Federal Student Aid” or **“FAFSA”** means the Free Application for Federal Student Aid, a program under the U.S. Department of Education designed to assist certain individuals in attending postsecondary educational programs. [U.S. Department of Education]

“Free Appropriate Public Education” (FAPE) means special education and related services that:

- are provided at public expense, under public supervision and direction, and without charge;
- meet the standards of the Department of Public Instruction and the Individuals with Disabilities Education Act (IDEA);
- include preschool, elementary school, or secondary school education in the state; and
- are provided in conformity with an Individualized Education Program (IEP) that meets the requirements of the IDEA. [Wis. Stat. § 115.76(7)]

G

“Group home” means any facility operated by a person required to be licensed by the DCF under Wis. Stat. § 48.625 for the care and maintenance of five to eight children. [Wis. Stat. §§ 48.02(7), 48.625, and 938.02(7); and Wis. Adm. Code Ch. DCF 57]

“Guardian” means the person named by the court having the duty and authority of guardianship. [Wis. Stat. §§ 48.02(8), 48.023, and 938.02(8)]

“Guardianship” means the duty and authority to make important decisions in matters having a permanent effect on the life and development of a child and the duty to be concerned about a child's general welfare including, but not limited to:

- consent to marriage;
- enlistment in the armed forces;
- major medical, psychiatric, and surgical treatment;
- obtaining a driver's license;
- the authority to represent the child in legal actions and make other decisions of substantial legal significance concerning the child;
- the right and duty of reasonable visitation with the child;
- the rights and responsibilities of legal custody except when legal custody has been vested in another person or when the child is under the supervision of the Department of Corrections or a county department. [Wis. Stat. § 48.023 and Ch. 54]

H

“Homeless” (under the McKinney-Vento Homeless Assistance Act) means an individual who lacks a fixed, regular, and adequate nighttime residence. This includes children and youth who:

- share the housing of other persons due to the loss of housing, economic hardship, or a similar reason;
- are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
- are living in emergency or transitional shelters;
- are abandoned in hospitals;
- have a primary night-time residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;
- are migratory children who qualify as homeless because they are living in circumstances described above.

[42 U.S.C. § 11301 et. seq.]

I

“Independent living services” mean a series of services designed to assist children in out-of-home care in making a successful transition from that care to independent living, generally when they age out of care, and to assist individuals aged 18-21 who have left care in making a successful transition to independent living. [Ref. 42 U.S.C. § 677(a)]

“Independent Living Transition Plan” (ILTP) means a plan that is developed for every youth in out-of-home care over the age of 15 that identifies the youth’s life skills development needs and describes how those needs will be met through identified goals and activities. At age 17½ years, the ILTP focuses on the transition to self-sufficiency, including housing, employment, permanent connections, referral to community resources, etc., as well as identifying ongoing independent living needs and services to be provided up to age 21. [Wis. Stat. §§ 48.385 and 938.385]

“Indian” means any person who is a member of an Indian tribe, or who is an Alaska Native and a member of a Regional Corporation as defined in 1606 of Title 43. [Wis. Stat. §§ 48.02(8d) and 938.02(8d); 25 U.S.C. § 1903(i)(3)]

“Indian child” means any unmarried person who is under age 18 and is either, (a) a member of an Indian tribe, or (b) is eligible for membership in an Indian tribe and is the biological child of a member of an Indian tribe. [Wis. Stat. §§ 48.02(8g) and 938.02(8g); 25 U.S.C. § 1903(i)(4)]

“Indian tribe” means any Indian tribe, band, nation, or other organized group or community of Indians recognized as eligible for services provided to Indians by the Secretary (of the Department of the Interior) because of their status as Indians, including any Alaska Native village as defined in section 1602(c) of Title 43. [Wis. Stat. §§ 48.02(8r) and 938.02(8r); 25 U.S.C. § 1903(8)]

“Individualized Education Plan” or **IEP** means a written statement for a child with a disability that is developed, reviewed, and revised in a meeting in accordance with the law and that establishes the educational program required for the child. [Wis. Stat. §§ 115.76(9) and 115.787; Wis. Adm. Code § DPI 11.02(6)]

“Individuals with Disabilities Education Act” (IDEA) means the federal special education law. [20 U.S.C. §1400 et. seq.; 34 CFR Part 300]

J

“Juvenile,” for the purposes of the juvenile justice system, means person who is less than 18 years of age, except that for purposes of investigating or prosecuting a person who is alleged to have violated a state or federal criminal law or any civil law or municipal ordinance, “juvenile” does not include a person who has attained 17 years of age. [Wis. Stat. § 938.02(10m)]

K

“Kinship Care” means a program under which a specified relative other than a parent may receive a monthly payment to care for a minor child. The primary eligibility criteria are that there is a child welfare-related need for the placement, that the placement is in the child’s best interest, and that the child currently or might in the future come under the jurisdiction of the court as a child or juvenile in need of protection or services. There is no financial eligibility requirement for the program. [Wis. Adm. Code Ch. DCF 58] Stats.]

L

“Legal custody” means a legal status created by the order of a court, which confers the right and duty to protect, train, and discipline a child, and to provide food, shelter, legal services, education, and ordinary medical and dental care for a child, subject to the rights, duties, and responsibilities of the guardian of the child and subject to any existing parental rights and responsibilities and the provisions of any court order. [Wis. Stat. §§ 48.02(12) and 938.02(12)]

“Level of Need” means a rating of a child that is used to inform decision making on placement and service provision. The level of need is derived from an algorithm that is based on an assessment of a child’s functioning. [Wis. Adm. Code § DCF 56.03(21r)]

“License” means a document authorizing an agency or individual to operate a facility or program for which the license is given. “A permission granted by competent authority to engage in a business or occupation or in an activity otherwise unlawful.” [Merriam-Webster Dictionary]

“Licensing agency” means the DCF, a county agency, a tribe, or a child-placing agency licensed by the DCF to license foster homes. [Wis. Adm. Code § DCF 56.03(24)]

“Local Education Agency” (LEA) means:

- a public school district; or
- a state-operated agency that provides instruction or education support services for students in any of grades prekindergarten through 12 or ungraded, including the Department of Children and Families, the Department of Health Services, and the Department of Corrections; or
- an organization administering a charter school under Wis. Stat. § 118.40(2r). [Wis. Stat. § 115.76(10)]

M

“McKinney-Vento Homeless Assistance Act” means the federal law that requires public school districts to identify, enroll, and provide specific services for children and youth who are defined as being homeless. [42 U.S.C. 11301 et. seq.]

O

“Out-of-home care” means any placement in which the child or youth is living due to a court order or a voluntary placement agreement (i.e., shelter care, the home of a relative other than a parent, foster care, group home, or residential care center for children and youth). [Wis. Stat. §§ 48.02(12r) and 938.02(12r)]

P

“Parent” means either a birth parent or an adoptive parent whose adoption of a child has been finalized. [Wis. Stat. §§ 48.02(13) and 938.02(13)]

“Parental rights” means all of the legal rights, and the corresponding legal obligations, that go along with being the parent of a child, which include: the right to legal and physical custody of the child, the right to physical access or visitation with the child, the right to inherit property from the child and to have the child inherit property from the parent, the right to consent to medical care and treatment for the child, the right to consent to the marriage of the child or its enlistment in military service, the ability to contract on behalf of the child, the obligation to provide financial support for the child, the responsibility to provide a legal defense of the child in legal proceedings, the obligation to care for, direct and supervise the child, the obligation to be legally liable for certain damages caused by the child, the obligation to see that the child attends school, and the obligation to protect the child and provide a safe living environment for the child.
[<http://glossary.adoption.com/parental-rights.html>]

“Permanency plan” means a plan designed to ensure that a child is reunified with his or her family whenever possible, or that the child quickly attains a placement or home providing long-term stability. [Wis. Stat. §§ 48.38(l)(b) and 938.38(1)(b)]

“Physical custody” means actual custody of a child in the absence of a court order granting legal custody to the physical custodian. [Wis. Stat. §§ 48.02(14) and 938.02(14)]

“Point of Contact” means one employee each of the Department of Public Instruction, the Department of Children and Families, every local education agency, and every county and tribal child welfare agency to serve as the primary contact person for assuring that the requirements of the Every Student Succeeds Act related to students in out-of-home care are achieved. [Ref. 20 U.S.C. § 1111(g)(1)(E)(iv) and § 1112(c)(5)(A)]

“Pupil records” means all records relating to individual pupils maintained by a school but does not include any of the following:

1. Notes or records maintained for personal use by a teacher or other person who is required by the state superintendent under s. 115.28(7) to hold a certificate, license, or permit if such records and notes are not available to others.
2. Records necessary for, and available only to persons involved in, the psychological treatment of a pupil.
3. Law enforcement unit records. [Wis. Stat. § 118.125(1)(d)]

R

“Reasonable and Prudent Parent Standard” means a standard for an out-of-home care provider to use in making decisions concerning a child’s participation in age or developmentally appropriate extracurricular, enrichment, cultural, and social activities that is characterized by careful and sensible parental decisions that maintain the health, safety, best interests, and cultural, religious, and tribal values of the child while at the same time encouraging the emotional and developmental growth of the child. [Wis. Stat. § 48.02(14r)]

“Relative” means a person so identified for specific purposes in Wis. Stat. §§ 48.02(15), 49.19(l)(a)2.a., and 938.02(15). It also includes, for Indian children, the definition of “extended family member” at Wis. Stat. 48.028(2)(am) and 939.028(2)(a).

“Residential care center for children and youth” means a residential facility required to be licensed as a child welfare agency under s. 48.60, Wis. Stats., and Ch. DCF 52, Adm. Code, that provides treatment and custodial services to children, youth, and young adults ages 18, 19 and 20. [Wis. Stat. §§ 48.02(15d) and 938.02(15d)]

“Reunification” means, for a child placed in out-of-home care, the permanence goal of return of the child to the child’s home. [Wis. Stat. § 48.38(4)(fg)1.]

S

“School of origin,” under the McKinney-Vento Homeless Assistance Act, means the school the student attended when permanently housed, or the school in which the student was last enrolled, including a preschool and a designated receiving school at the next grade level for a feeder school. [42 U.S.C. § 11432(g)(3)(l)] Under the Fostering Connections to Success and Increasing Adoptions Act and the Every Student Succeeds Act, “school of origin” means the school in which the child was enrolled or was most recently enrolled in at the time of the removal from his or her home and placement into out-of-home care.

“School of residence” means the school in the district in which the out-of-home care placement is located. Once the child is enrolled in the school of residence, it becomes the school of origin (in cases where the out-of-home care placement changes in the future).

“Shelter care facility” means a non-secure place of temporary care and physical custody for children, including a holdover room. [Wis. Stat. §§ 48.02(17), 48.66, 938.02(17), and 938.22; and Wis. Adm. Code § DCF 59.02(4g) and, in general, Wis. Adm. Code Ch. DCF 59]

“Special education” means specially designed instruction, regardless of where the instruction is conducted, that is provided at no cost to the child or the child's parents, to meet the unique needs of a child with a disability, including instruction in physical education. [Wis. Stat. § 115.76(15)]

T

“Termination of parental rights” means that, pursuant to a court order, all rights, powers, privileges, immunities, duties, and obligations existing between parent and child are permanently severed. [Wis. Stat. § 48.40(2)]

“Title IV-E” means Part IV-E of the federal Social Security Act created for the purpose of enabling each State to provide, in appropriate cases, foster care and transitional independent living programs for children . . . and adoption assistance for children with special needs. . . [42 U.S.C. §§ 670 to 675]

“Transportation,” for a child with a disability, means travel to and from school and between schools; travel in and around school buildings; and specialized equipment, such as special or adapted buses, lifts, and ramps, if required for the child to benefit from special education. Transportation, for a child or youth in foster care, can include a child with a disability, but also includes travel to and from the school of origin to their current out-of-home care placement. [34 CFR § 300.34]

“Treatment plan” means:

- For a child in a foster home, the comprehensive services plan developed by the treatment team with a level of need of 3 to 5 who is placed in a foster home with a Level 3 to 5 certification. [Wis. Adm. Code § DCF 56.03(37m)]
- For a child in a group home, a written plan of services to meet the specific treatment goals and care needs of a resident. [Wis. Adm. Code § DCF 57.04(42)]
- For a child in a residential care center for children and youth, a written plan of services to meet the specific treatment goals and needs of an individual resident. [Wis. Adm. Code § DCF 52.03(25)]

“Tribal court” means a court that has jurisdiction over Indian child custody proceedings, and that is either a court of Indian offenses or a court established and operated under the code or custom of an Indian tribe, or any other administrative body of an Indian tribe that is vested with authority over Indian child custody proceedings. [Wis. Stat. §§ 48.02(18j) and 938.02(18j); and 25 U.S.C. § 1903(12)]

V

“Voluntary placement” means the placement of a child in a foster home (for no more than 180 days) or group home (for no more than 15 days) which is accomplished by voluntary consent of a child's parent, the child (if age 12 or older), the foster parent, and a placing agency. [Wis. Stat. § 48.63(l)]