

	<p><b>DEPARTMENT OF CHILDREN AND FAMILIES</b></p> <p><b>Eloise Anderson Secretary</b></p>	<p><b>DEPARTMENT OF PUBLIC INSTRUCTION</b></p> <p><b>Tony Evers, PhD State Superintendent</b></p>	
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## Local Education Agency (LEA) Responsibilities Related to ESSA

### Foster Care Points of Contact Role and Responsibilities

In order to enhance collaboration at the community level, the Department of Public Instruction (DPI) and Department of Children and Families (DCF) requested that county and tribal child welfare agencies (CWAs), along with local education agencies (LEAs), identify a Point of Contact (POC). Each school district was asked to identify a **Foster Care** Point of Contact (FCPOC) with whom county and tribal child welfare agencies should communicate. Similarly, each county and tribal child welfare agency was asked to identify an **Education** Point of Contact (EDUPOC) with whom school districts should communicate. The chart below outlines the general duties associated with the FCPOC role, best practice recommendations, and useful resources.

## Communication

### *Responsibilities*

- Serve as the communication liaison with the local CWA.
- Facilitate the sharing of information subject to laws and agency procedures, including:
  - Wis. Stat. §§ 48.396, 48.78, 48.981(3)(c)6., 115. 298,
  - Wis. Stat. § 118.125(2)(q); the Family Educational Rights and Privacy Act (FERPA) [20 U.S.C. § 1232g], and
  - the Individuals with Disabilities Education ACT (IDEA) [20 U.S.C. 1400 et. seq].

### *Practice Considerations*

- Provide information to the CWA of whom to notify of:
  - The placement of a child into an out-of-home care facility located within the school district.
  - Subsequent permanency plan hearings or administrative panel reviews under Wis. Stat. § 48.38(5) or (5m),
- Allow time for cross-system education; share expertise and knowledge with one another so each better understands the other's work.
- Explore ways to remain connected.

Resources
Notification to school (see sub. (1r)): <a href="https://docs.legis.wisconsin.gov/statutes/statutes/48/XIV/64">https://docs.legis.wisconsin.gov/statutes/statutes/48/XIV/64</a> Points of Contact: LEA Staff <a href="https://docs.google.com/spreadsheets/d/1P4LqjBagGusqe3mU5yjBTdjDPROFK6uK IECDrqnfZQ/edit#gid=613075740">https://docs.google.com/spreadsheets/d/1P4LqjBagGusqe3mU5yjBTdjDPROFK6uK IECDrqnfZQ/edit#gid=613075740</a> Points of Contact: CWA Staff <a href="https://dcf.wisconsin.gov/map/essa">https://dcf.wisconsin.gov/map/essa</a>

## Policy/Procedure Development

### *Responsibilities*

- Collaborate with the CWA Education POC to develop policies and procedures around making best interest determinations and transportation.

### *Practice Considerations*

- Establish a process for in-district communication on child welfare issues.
- Develop an in-district process to ensure that appropriate LEA staff immediately receive all available, relevant information provided by the CWA.

Resources
Promoting School Success for Children in Foster Care Desk Guide: <a href="https://dcf.wisconsin.gov/files/cwportal/fc/fcschoolsuccess-dskguide.pdf">https://dcf.wisconsin.gov/files/cwportal/fc/fcschoolsuccess-dskguide.pdf</a>

## Best Interest Determination (Educational Stability)

### Responsibilities

- Coordinate with the CWA when a child is placed, or will be changing placements, to implement the best interest determination procedure;

#### OR

- Provide the best interest determination procedure, and training on implementing the procedure, to child welfare staff so they can facilitate the best interest determination with the CWA.
- Ensure the child continues to be enrolled in the school of origin while the best interest determination process is underway.

### Practice Considerations

- Establish a process for occasionally reviewing the policy established for making the best interest determinations with all of the CWAs (including tribes) with overlapping jurisdictions.
- Review the guidance provided by the DCF and the DPI prior to meeting with the EDU POC.

Resources
Best Interest Determination Worksheet: <a href="https://dpi.wi.gov/sites/default/files/imce/foster-care/best-interest-determination_worksheets.pdf">https://dpi.wi.gov/sites/default/files/imce/foster-care/best-interest-determination_worksheets.pdf</a>
Best interest page: <a href="https://dpi.wi.gov/foster-care/best-interest-determination">https://dpi.wi.gov/foster-care/best-interest-determination</a>

## Transportation

### Responsibilities

- Collaboratively develop and coordinate local written transportation procedures, which are to include:
  - How transportation to the school of origin will be arranged, provided, and funded
  - Identification of the agency responsible for funding immediate transportation needs while a permanent arrangement is being developed
  - A statement that transportation to the school of origin will begin immediately
- Work with the CWA when a child is placed, or will be changing placements, to implement the transportation procedure;

**OR**

- Provide the transportation procedure, and training on implementing the procedure, to school staff so they can facilitate the transportation conversation with the CWA.

### Practice Considerations

- Consult with LEAs and CWAs in cases where the transportation plan for a child is disputed.
- Review the guidance provided by the DCF and the DPI prior to meeting with the EDU POC.
- Come to the table ready to explore all possible options – public transportation; add to an existing bus route; provide bus passes to older children; work with community-based organizations/volunteers; etc.

### Resources

Transportation page:

<https://dpi.wi.gov/foster-care/transportation-procedures>

Model Transportation Procedure:

[https://dpi.wi.gov/sites/default/files/imce/foster-care/model\\_transportation\\_procedures.pdf](https://dpi.wi.gov/sites/default/files/imce/foster-care/model_transportation_procedures.pdf)

Sample Student Transportation Plan:

[https://dpi.wi.gov/sites/default/files/imce/foster-care/sample\\_student\\_transportation\\_plan\\_2.pdf](https://dpi.wi.gov/sites/default/files/imce/foster-care/sample_student_transportation_plan_2.pdf)

Joint DPI/DCF Letter re: Transportation Policy:

<https://dpi.wi.gov/sites/default/files/imce/foster-care/Updated%20Joint%20Letter%2C%20signed%2C%20scanned.pdf>

## Dispute Resolution

### *Responsibilities*

- Assist child welfare and LEA staff when issues arise or the joint policies and procedures need to be amended.

### *Practice Considerations*

- Trouble-shoot issues identified by their respective agency staff that may exist between the LEA and CWA.
- If disputes over transportation arise, the recommendation is to split the cost.
- Always consider the best interest of the child.
- Consult with the DCF and DPI POCs.

Resources
State-Level Points of Contact: <a href="https://dpi.wi.gov/foster-care/foster-care-point-of-contact">https://dpi.wi.gov/foster-care/foster-care-point-of-contact</a>

## Enrollment

### *Responsibilities*

- Facilitate the immediate transfer of pupil records to the school of residence, if that is the result of the best interest determination, including progress and behavioral records and pupil physical health records (with copies of IEPs and Section 504 plans, if applicable) [29 U.S.C. § 701 et. seq.]
- Facilitate the immediate enrollment in the school of residence if that is the result of the best interest determination.

### *Practice Considerations*

- Clearly identify roles and responsibilities for enrollment when working with the CWA.
- Request the Education Passport from the CWA.
- Ensure data systems accurately reflect contact information and the roles and rights of each member of the student’s caregiving team.
- Obtain written consents or court orders to share pupil records with foster parents.
- Ensure school mailings are sent to parents/guardians, out-of-home care providers, and, when appropriate, caseworkers.

Resources
Promoting School Success for Children in Foster Care Desk Guide: <a href="https://dcf.wisconsin.gov/files/cwportal/fc/fcschoolsuccess-dskguide.pdf">https://dcf.wisconsin.gov/files/cwportal/fc/fcschoolsuccess-dskguide.pdf</a>
Education Passport Quick Reference Guide: <a href="https://dcf.wisconsin.gov/files/ewisacwis-knowledge-web/quick-reference-guides/person-management/education.pdf">https://dcf.wisconsin.gov/files/ewisacwis-knowledge-web/quick-reference-guides/person-management/education.pdf</a>

## Training/Professional Development

### *Responsibilities*

- No formal requirement.

### *Practice Considerations*

- Provide or arrange for inter-agency training on the following:
  - The complex educational, emotional, psychological, and sociological needs of children placed in out-of-home care and their families.
  - The responsibilities, authority, and limitations of each agency.
- Provide and publicize training and professional development opportunities to improve educational outcomes for children in out-of-home care, including credit transfers between elementary, middle, and high schools; and between those schools and post-secondary educational institutions; and the availability of financial and other assistance for post-secondary education.
- Provide training for community stakeholders on the educational rights and needs of children in out-of-home care.