

**Policy Title:** Revised Educational Stability and Continuity for Children and Youth in Care  
**Applies To:** DHS Social Work Services Staff, CUA Case Managers and Provider Staff  
**Replaces:** Educational Stability and Continuity in Care – Best Interest Determination, Issued March 10, 2017.

**OVERVIEW**

Children and youth are especially vulnerable to educational disruptions when they enter out-of-home care or change placements. Recognizing the potential for adverse impact on crucial educational outcomes like high school graduation, the federal *Fostering Connections to Success and Increasing Adoptions Act* (2008), the *Uninterrupted Scholar’s Act* (2013), and the *Every Student Succeeds Act* (2015) mandate that county child and youth agencies collaborate with local school districts to support education stability and continuity for children and youth in out-of-home placement. In addition, Pennsylvania Juvenile Court Rule 1148 (effective May 2019) requires that children and youth in Philadelphia Department of Human Services (DHS) custody continue to attend their current or last enrolled school (school of origin) upon placement or after any placement change unless the Court finds that doing so is not in the student’s best interest.

Given the importance of education to wellbeing and preparation for adulthood, child welfare workers must address educational stability and continuity during all phases of case management. DHS, Community Umbrella Agency (CUA) and Provider Workers are required to partner with the Education Support Center (ESC), schools, and stakeholders to minimize school changes, monitor attendance and academic progress, and support resource linkages for children and youth in care. This applies to students in public schools including charters, non-public schools, and non-traditional settings, such as a GED program or home schooling.

This policy revision details expectations to support educational stability and continuity for children and youth at the time of initial out-of-home placement or any placement change, as well as on-going case management to support positive educational outcomes. Accompanying procedures detail roles, responsibilities, and required documentation. For any circumstances not specifically referenced in this policy, the assigned DHS SWSM or CUA CM must consult with the Education Support Center and/or the Law Department.

Acronyms	Term
<b>BID</b>	Best Interest Determination
<b>CBH</b>	Community Behavioral Health
<b>CPP</b>	Child Permanency Plan
<b>CRU</b>	Central Referral Unit
<b>CWO</b>	Child Welfare Operations
<b>DBH</b>	Department of Behavioral Health
<b>EDM</b>	Educational Decision Maker

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<b>ESC</b>	Education Support Center
<b>IDS</b>	Intellectual disAbility Services
<b>IEP</b>	Individual Education Plan (or Program)
<b>ISP</b>	Individual Service Plan
<b>LEA</b>	Local Education Agency
<b>MOU</b>	Memorandum of Understanding
<b>SCP</b>	Single Case Plan
<b>SDP</b>	School District of Philadelphia

## POLICY STATEMENT

### Initial Out-of-Home Placement or Placement Change

Distance and transportation to a child or youth's school of origin must be considered when attempting to locate an appropriate placement location. This includes placements identified by the DHS Central Referral Unit (CRU) or DHS Hotline, and also when a CUA or Provider identifies respite homes or placement moves within their network.

Whenever children and youth enter placement or experience a placement change, interim transportation must be provided to the school of origin until a Best Interest Determination (BID) process is held and/or on-going transportation can be arranged with the local educational agency. The DHS SWSM who completes an initial placement, or the assigned CUA CM for placement changes, is responsible for confirming interim transportation arrangements and ensuring the child or youth attends school the next scheduled school day.

The DHS SWSM or CUA CM making the placement will coordinate interim school transportation with the direct caregiver (resource parent or provider staff). Assistance with interim arrangements also can be requested from the Education Support Center. Full details are found listed in the Procedures and Practice section.

CWO staff, that is DHS SWSMs and CUA CMs, must be prepared to provide information, including any potential safety concerns with remaining at the school of origin, when communicating with the Law Department to request an Order of Protective Custody and at every subsequent Court hearing. No DHS SWSM, CUA CM, Provider, or resource parent may enroll or unenroll a child or youth in a new school without an education stability consult, then judicial review and approval.

The case management team and/or provider must contact the ESC any time a school-aged child or youth moves placement locations within their network or returns to placement after being AWOL and/or disconnected from school. For respite or emergency placements, the interim school transportation procedures apply. For on-going placements completed by the CRU, CUA or Provider network, the ESC will

review transportation options and any educational concerns. If factors indicate that a school change may be warranted, then ESC will facilitate a BID process.

Changes from the school of origin may only occur if Family Court affirms such action, informed by the joint BID made by the Education Support Center and the local educational agency (LEA). The case management team and/or provider are required to participate in and inform the BID process. If a school change is approved, the Education Support Center will notify the involved schools and all case parties, ensuring students are promptly enrolled in the least restrictive educational setting with any necessary supports to meet their academic needs.

Children and youth in residential placement settings with on-grounds schools are not to be automatically enrolled in that school, unless the Court has ordered both the residential placement and enrollment in the on-grounds school or as a result of the Court's agreement with a BID. Children and youth in residential placements must have the option to attend a public school near where the placement is located.

### **Case Management to Support Positive Educational Outcomes**

The educational needs of children and youth in out-of-home placements are to be reviewed and addressed throughout their involvement with DHS, the CUA, and contracted Providers. All service planning and documentation must include education goals and updates. The assigned case management team is responsible for communicating regularly with schools to monitor student progress, regularly uploading school records into the electronic case file, and providing updates in court proceedings.

All child welfare partners must work together to ensure school-aged children and youth in placement avoid unnecessary educational disruptions and attend school regularly. CUA CMs and providers must support resource connections and advocate that youth receive the education services and any accommodations or remediation needed to progress to high school graduation and connect to post-secondary opportunities.

Parents and caregivers should be informed and engaged in educational planning. Parents retain the right to make educational decisions for their children in placement, unless the Court suspended those rights, or the parent is failing to respond. If parents or legal guardians are not active in education decisions, including addressing any special education needs, then efforts must be made to secure an alternate Educational Decision Maker (EDM) to act on the child or youth's behalf. Only a parent, guardian, surrogate parent, or EDM recognized by the LEA can sign an Individualized Education Plan (IEP) documenting special education accommodations; DHS SWSMs, CUA CMs, and Provider Staff are not permitted to sign. Resource parents should also support school engagement and can sign permission slips and make decisions about daily activities that fall under the Reasonable and Prudent parenting guidance.

**Procedure Title:** Education Stability Requirements at the time of Initial Out-of-Home Placement or Placement Location Change

**Applies To:** DHS Social Work Services Staff, CUA Case Managers, and Provider Staff

**Related Policy:** Revised Educational Stability and Continuity for Children and Youth in Care

## PROCEDURE OVERVIEW

- To maintain educational stability for children and youth in out-of-home placement, child welfare staff make every effort to minimize school changes and work with partners to coordinate transportation to school.
- Interim school transportation is the responsibility of child welfare staff and/or caregivers for any respite or emergency placements, and until on-going transportation can be arranged once there is confirmation that the placement will continue.
- The procedures that follow are agreed upon via a Memorandum of Understanding (MOU) with the School District of Philadelphia (SDP).
- For students attending other schools, the ESC will make transportation arrangements with the relevant LEA, including charters or out of county districts, as required by federal education legislation.

Following any initial out-of-home placement or placement change, including moves within the current CUA or Provider network, the Education Support Center works with stakeholders to confirm transportation arrangements and review any school concerns.

- CWO workers communicate with the ESC Liaison and gather input from children or youth if age appropriate, and from resource caregivers and parents if educational rights are not terminated.
- If any factors indicate a school move may be warranted, the ESC will facilitate a BID process and then communicate the results to the assigned City Solicitor(s).
- If all the case parties and Family Court are in agreement, then the student is to be immediately enrolled in a public school.

## PROCEDURE and PRACTICE CONSIDERATIONS

### ROLES AND RESPONSIBILITIES

- If there is a safety concern about remaining in the school of origin when children and youth enter placement or change placements, the assigned DHS SWSM or CUA CM should immediately inform the DHS Court Representative, the assigned or on-call City Solicitor, and the ESC of the safety concerns.
- Once ESC is notified, a liaison will be assigned to initiate a BID.
  - The judge may approve a school transfer when granting the Order of Protective Custody.
  - Travel distance is not generally considered a safety concern and should not be addressed with the emergency judge, but may be addressed later at the shelter care or adjudicatory hearing.
- When completing the CUA Placement Referral, DHS SWSMs should enter information into the School section for each child or youth in the family. Current school name(s) can be found in existing electronic case records or by contacting the CRU designee who has access to the SDP student information system. For students attending charter, private or parochial schools, the ESC can assist with contact.

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- The CRU considers school addresses when looking for placement options and makes initial inquiries as to caregiver ability to provide interim school transportation. The ESC can support upon request.

### **Interim School Transportation**

- For initial placements, interim transportation to school is the first responsibility of the resource home caregiver or staff at emergency shelters or other congregate providers.
  - Emergency shelters must arrange for child or youth to return to the last school the child or youth was enrolled in prior to placement. If a youth is listed as “not active” in the school, the emergency shelter must email the ESC the next business day.
- The DHS SWSM completing an initial placement confirms interim transportation arrangements with the resource parent, emergency, or respite caregiver.
- When a child or youth is placed in a kinship home, it is imperative that the DHS SWSM completes the Kinship Parent packet and the CUA Placement Referral as soon as possible, with all of the necessary information on the forms filled in to expedite the approval of the CUA assignment process.
- In the event of issues that prevent the packet and referral from being fully approved and forwarded to the CUA, such as not completing all of the information fully and correctly, the CRU and Investigation or Hotline Administrator must communicate to immediately resolve the issues preventing the packet and referral from being approved by the CRU.
- If a kinship resource parent is not able to provide transportation for a child or youth to the school of origin the first day of school following the placement, the responsibility of interim school transportation belongs to the DHS SWSM for one business day after the completed Kinship Parent packet and CUA Placement Referral has been fully approved and the case is assigned to a CUA. Interim transportation to school will remain the responsibility of the assigned Investigation or Hotline Team until the issues with the packet and referral have been resolved and they are approved by CRU, and one business day has elapsed from the time of the electronic approval of the case being assigned to the CUA. In the event that the assigned SWSM is not able to provide interim school transportation the SWS or SWA will identify an alternate staff member via the section volunteers or overtime list.
- For any young child or youth who is not able to get to school on their own, resource parent supports include mileage reimbursement or Septa passes for students and caregivers if needed, that can be requested through the ESC.
- For Placement location changes, the assigned CUA CM confirms interim transportation with the resource caregiver to begin the first scheduled school day after the move occurs.
- In cases that have already been assigned to a CUA, when a resource caregiver is unable to provide needed transportation, the CUA CM contacts the Resource Provider Social Worker to develop transportation arrangements.
- If the RPSW is unable to arrange transportation with the Provider support staff, the CUA must arrange to provide the interim transportation for the school aged children and youth depending on their age and intellectual, physical, and psychological abilities, until other arrangements can be made.
- For any new congregate care placements or moves within a provider network, agency staff must immediately notify the assigned team and legal parties, and they are responsible for interim transportation to the school of origin until Family Court approves any school change.

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### **Education Support Center Consult and Transportation Request**

- After the child or youth has physically entered the out-of-home resource setting, the assigned DHS SWSM or CUA CM must immediately send a placement confirmation email to CRU (and to Hotline after hours). The assigned DHS SWSM or CUA CM must include information about any challenges with immediate interim transportation being provided by the resource parent. If there are challenges with interim transportation being provided on the next school day following placement the DHS SWSM or CUA CM makes an online referral to [https://bit.ly/ocf\\_esc](https://bit.ly/ocf_esc).
- When placement is secured, the DHS SWSM documents the interim transportation plans in a Structured Progress Note within three business days so the ESC can access the information to inform next steps.
- Any time a child or youth is placed outside of Philadelphia, the assigned DHS SWSM or CUA CM must contact the ESC within one business day to discuss arrangements for school transportation.
- For any initial placement or placement change processed by the CRU, the ESC receives an automatic notification and assigns a liaison within 24 hours. Siblings are assigned to the same ESC liaison whenever possible.
- For any placement changes that do not go through the CRU, the CUA CM or Provider must notify the Law Department and Education Support Center.
- Temporarily placements utilized as a condition of a Safety Plan are not referred to the ESC for consult.
- The ESC notifies the counselor from the school of origin, or the LEA point of contact during school breaks, that a student in their school has entered placement or changed placement location and provides the updated address and contact information so the school can update their data system.
- The ESC reviews educational records and consults with CWO staff, school partners, stakeholders, and EDMs to identify any concerns with the child or youth's safety, engagement or progress in school. If the consult indicates that a school change may be warranted, then ESC initiates a BID process as described below.
- At the same time, the ESC checks eligibility for on-going transportation, based on distance from the placement location to the school of origin, in accordance with existing MOUs with SDP or other LEAs.
- For SDP schools, the ESC Liaison will notify the school counselor who then submits the transportation request. Transportation requests submitted between November and July take three to five days to process, from August to October requests can take up to ten days. Transportation options are on the next page.

## School Transportation Support

Available options for children and youth attending SDP schools generally include:

Any Student living less than 1.5 miles from school	Students living more than 1.5 miles from school Grade K-6 <sup>th</sup>	Students living more than 1.5 miles from school Grade 7 <sup>th</sup> -12 <sup>th</sup>
<ul style="list-style-type: none"> <li>Walk or ride, unless extenuating circumstances (e.g., crossing busy intersection)</li> </ul>	<ul style="list-style-type: none"> <li>Yellow bus route if available</li> <li>Mileage reimbursement, Septa pass for caregiver or family resource, other supports explored on a case-by-case basis</li> <li>5<sup>th</sup>-6<sup>th</sup> grade students may receive Septa pass, based on travel, age and developmental factors</li> </ul>	<ul style="list-style-type: none"> <li>Septa pass</li> <li>Other supports on case-by-case basis</li> </ul>

- For any student whose IEP accommodations specify door-to-door transportation, SDP arranges appropriate transportation. An attendant is provided for K-2<sup>nd</sup> grade students and on a case-by-case basis for 3<sup>rd</sup>-4<sup>th</sup> grade.
- For any child or youth whose developmental stage or capacity impacts independent travel, or if there are safety concerns, the ESC will explore additional options with SDP. CUA CMs and Providers can request assistance by contacting the ESC and providing key case information.
- The Education Support Center also works with charter schools or LEAs in other counties to arrange transportation as needed.

## Best Interest Determination (BID) Process

The BID process is the forum for stakeholders to contribute to decision-making about whether changing schools may be in a student's best interest. When factors indicate that a school change may be warranted, the assigned ESC Liaison will complete a more in-depth case file review and engage stakeholders regarding issues or concerns. A determination should be reached in no more than five business days from the time of Liaison assignment.

- If the court orders a child or youth to attend an on-grounds school, the BID Process is not necessary.
- If there are safety concerns at the school of origin, the BID resolution must take place immediately.
- An assigned ESC Liaison initiates communication and works with the LEA Foster Care representative to coordinate the BID, including scheduling a phone or video conference if all parties are not in agreement based on email communication.
- In the BID process, the LEA Foster Care liaison will be the primary contact for school representative(s) and the ESC for the child or youth's team and other stakeholders, including providers and/or behavioral health representatives as applicable. The CUA CM plays an important role in communicating with parents, caregivers, and the child or youth if age appropriate to garner their input and participation.
- Factors considered when determining whether changing schools may be in a student's best interest:
  - Safety.
  - Attachment to the current school, including meaningful relationships with staff and peers.

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- Student's academic record and school success, including history of school transfers and how they have impacted the student.
  - Appropriateness of the current program and programs that exist in a new school to meet the student's social-emotional and educational needs including any necessary services for Special Education, English Learners, gifted education, any disability or other special needs.
  - Potential impact of a move on academic progress and credit accumulation.
  - How the length of a commute impacts the student, based on developmental stage.
  - Efforts to arrange for transportation.
  - Student, parent and/or caregiver preferences.
  - Efforts to keep siblings together.
  - Move coincides with a natural transition time, e.g., vacation or holidays.
- If there is disagreement regarding the best interest determination, the ESC and LEA dispute resolution points of contact will coordinate a case review and conference to resolve the concern. During the resolution process the student must continue to attend his or her school of origin.
  - The ESC shares the BID information with the Law Department and if all parties agree a school change is in the child or youth's best interest, the ACS can then request a judicial determination. Court orders that the student's school be changed can be pursued during scheduled case hearings or via an administrative order if necessary.
  - Upon conclusion of the BID process, the ESC will inform all stakeholders, support school enrollment as needed, and support on-going transportation arrangements with the relevant school.

### **Additional Considerations for Congregate and Out-of-County Placements**

- For any congregate care placement located in Philadelphia, children or youth will continue to attend their school of origin unless a BID indicates transfer is needed and/or the court orders a school change.
- For any resource home or congregate care placement outside of Philadelphia County, ESC will work with the Department of Behavioral Health Intellectual disAbility/Community Behavioral Health (DBH IDS/CBH), the SDP and other local education agencies to support school stability or complete a BID process if travel time does not allow for continued attendance at the school of origin.
- The ESC and the SDP will ensure children and youth placed within 10 miles of Philadelphia have transportation options to attend a Philadelphia public school for continuity or to best meet student needs.
- If no court order specifies a school placement (e.g., on-grounds school), providers must notify both the ESC and the "host" school district when a new placement or placement changed is confirmed.
- The assigned ESC Liaison will initiate the BID process with the provider, the LEA, and case management team and work with all systems to prioritize children or youth attending local public schools and receiving any necessary supports, unless the BID and/or IEP process indicates that a more specialized educational setting will better meet the youth's needs.
- For any students identified as needing special education accommodations or services, the "host" school district where congregate placements are located is responsible for convening a review of the student's IEP and recommended educational placement, with participation from the student's IEP team (including caregivers and/or any EDMs).

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- The BID and IEP planning process should align where possible. The BID will ensure children and youth's needs are best met, while the IEP will ensure the school placement is appropriate and least restrictive. Federal law requires distinct communication and documentation for each.
- Students suspected of having special learning needs have the right to be evaluated, which is also a "host" LEA responsibility. If CWO staff, providers, and/or the ESC see a need, then a request for evaluation must be completed with signature from a parent or other designated EDM.

## **DOCUMENTATION REQUIREMENTS**

- Child Welfare Operations Staff document all educational stability and continuity efforts in Structured Progress Notes in the electronic case record. These efforts include:
  - The proximity of the placement setting to the child or youth's school of origin.
  - Efforts to arrange for transportation.
  - How the current school enrollment meets the child or youth's educational needs.
- After discussion at any case conferences, these efforts must be documented in the next SCP for CUA cases or CPP for DHS cases.
- When placing a child or youth, the assigned CRU SWSM (or Hotline if after hours) documents their conversation with the provider worker or the resource parent regarding interim transportation.
- The assigned CWO Worker documents the interim and ongoing transportation plans in the Structured Progress Notes and the CPP or SCP.
- ESC Staff document the results of the transportation review, initial consult, and a BID process if necessary in the ESC database and uploads the BID form or other documentation under the applicable child or youth's "Child Medical/Behavioral/Educational" folder within three business days.

<b>Procedure Title:</b>	Case Management to Support Positive Educational Outcomes
<b>Applies To:</b>	DHS Social Work Services Staff, CUA Case Managers, and Provider Staff
<b>Related Policy:</b>	Educational Stability and Continuity for Children and Youth in Care, Revised 2020

## PROCEDURE OVERVIEW

All child welfare partners are responsible for supporting educational stability, progress, and outcomes for children and youth in care through every stage of case planning and management. For any school-age child or youth, the assigned DHS or CUA case management team is required to incorporate education goals and updates in service planning, stay informed about school, and connect children or youth to any needed supports, with assistance from the Education Support Center, Achieving Independence Center, and other community resources. Having academic records in the case file, including current performance, past school history, and credit accumulation for high school is essential to monitoring school engagement and progress. Providers also support and monitor educational progress, as outlined in their contract scope of services.

The child welfare system shares responsibility to protect the educational rights of children and youth in out-of-home care, including that students with a qualifying disability receive a “free and appropriate public education.” Children and youth who are not in their parents’ custody often do not have a consistent, engaged adult to make informed education decisions on their behalf and help ensure schools meet their needs. When a child or youth’s parent or legal guardian is deceased, cannot be located, does not respond to education requests, or rights have been terminated by the court, any resource parent is automatically authorized to make education decisions for the child or youth. If the resource parent cannot fulfill this role or the youth is placed in congregate care, the case management team should ensure that children and youth have an engaged adult who can participate in educational decision-making and planning.

## PROCEDURE and PRACTICE CONSIDERATIONS

### ROLES AND RESPONSIBILITIES

- CUA CMs must incorporate education status updates and goals for each child and youth in the family into all Family Teaming Conferences and SCPs, as well as Transition/Youth Development plans for youth over the age of 14. DHS SWSM and Provider staff include related goals and updates in any CPPs and ISPs.
  - Soliciting input and supporting involvement from caregivers and from youth as developmentally appropriate is another important function of case management and provider staff.
- As part of maintaining communication with schools and monitoring educational progress, DHS, Provider and CUA Workers must send all school records requests for students attending Philadelphia School District schools to the ESC at: [https://bit.ly/ocf\\_esc](https://bit.ly/ocf_esc).
- For students attending charter, private, cyber, or out-of-county schools, requests can be submitted directly to the school by the case manager or care provider. Individual parochial or private schools may have their own policies to release records, DHS SWSMs, CUA CMs and Provider staff should contact the school directly to request records. The ESC can provide assistance and guidance in contacting the schools if there is difficulty obtaining the records.

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- For **committed** children and youth, including youth in dependent or delinquent placement with Shared Case Responsibility, the DHS USA Records Request Letter Template (aka the USA letter) and CUA & Provider USA Records Request Letter Template confirming placement status must be submitted with any school records request. (They can be found in the Forms\_Word, CUA Forms, and Provider Forms online folders). The USA letter must be on the agency's letterhead and is for use by case managers or care providers (e.g., foster care agency or congregate care facility).
- When the records are received, CWO Workers must review and upload them into the electronic case file. Additional records needed for the case file or a Court-approved school move should be requested via the Education Support Center. A copy of the USA letter must be uploaded into the case record.
  - For information regarding obtaining school records for children and youth not in placement, e.g., siblings of children and youth in placement, and those receiving in-home services, see Obtaining School Records for Children and Youth Involved with DHS Memo, issued June 16, 2021.
- To promote educational continuity, case records must include copies of each child or youth's:
  - Current school name and address and grade level.
  - Name and contact information of the EDM or surrogate parent if one has been appointed.
  - Any applicable IEP, Gifted Individualized Education Plan, or 504 Plan for any medical accommodations.
  - Recent report cards and/or other documentation of grades, attendance, and behavior.
  - Child Permanency Plan, Transition Plan for youth over the age of 14, or another relevant plan
  - Education history, including the names and addresses of schools attended.
  - Copy of the Family Educational Rights and Privacy Act (FERPA) release for children receiving in-home services while in the custody of their parent or legal guardian.
- Any child or youth with more than three unexcused absences or a "D" or "F" in any subject needs objectives included in their SCP or FSP/PPP and ISP to address these concerns.
- The CUA CM or DHS SWSM should be prepared to inform the Court of education status at every hearing, and is required to review and update education objectives in all relevant service plans each time a placement changes or at the six-month review if no placement change has occurred.

### **Supports and Accommodations**

- CUA CMs, DHS SWSMs, and Provider staff should make every effort to avoid disrupting child or youth's schooling, including unnecessary absences or having appointments scheduled during the school day.
- All CWO staff should monitor for "early warning indicators" of students disengaging from school including attendance, behavior, or class grades. For children or youth who show signs of academic problems, the case management team should discuss school concerns with the child or youth and caregiver to understand needs and potential resources to support. High school students who are chronically truant may benefit from exploring other school options and should be actively involved in decisions.
- ESC community-based liaisons consult with CWO staff and stakeholders regarding school engagement and resource connections upon request, including during case review meetings and Teamings.
- For any children or youth with identified special education needs, or who show signs of needing accommodations, the case management team must attend school meetings to offer input into the Revised Educational Stability and Continuity for Children and Youth in Care

development or review of an IEP, and follow up with school personnel on implementation of IEP recommendations. The DHS SWSM or CUA CM will request to participate in the IEP process and, if parents/legal guardians are not consistent in actively participating in educational planning meetings despite being invited, the CWO Worker will submit requests to the school for delegation of parental responsibility known as “surrogate parent.” The CWO Worker will document these requests in Structured Case Notes.

- Youth in out-of-home care should be connected to positive activities such as out-of-school time or work experience. These and other experiences that promote “normalcy” are essential to healthy youth development and barriers such as transportation should not limit their participation. Connecting youth to opportunities to prepare for and connect to post-secondary education or training is also a priority.

### **Caregiver Involvement and Educational Decision Makers**

- DHS, CUA and Provider staff may **not** act as an Educational Decision Maker, or surrogate, for a child or youth receiving services.
  - The Court can authorize any individual, including the DHS, CUA or Provider worker to consent to an **initial evaluation** of a child or youth living in a congregate care facility.
- Resource parents can independently complete everyday activities that fall under “reasonable and prudent parenting” such as signing permission slips for social, cultural, or extracurricular activities.
- Resource parents may also receive notification of school absences. Other decisions related to special education services or changing school enrollment require an official decision maker. The parent or legal guardian is the child’s official decision maker unless determined otherwise.
- CWO staff should regularly inform parents or legal guardians of children and youth’s education progress and engage in educational decision-making unless their rights are terminated or there are safety threats.
- If parents cannot be located or do not respond to legally mandated invitations to participate in educational planning meetings, the resource parent is allowed to participate in education related meetings, give or deny consent, and make educational decisions for the student. Other adults known to the youth or identified through Advocate organizations can be designated to make education decisions; the CUA case manager should work with the school and/or the court to ensure this occurs.
- “Surrogate parents” are appointed by a school district to support and consent to special education planning and decisions. Educational decision makers are appointed by the court and override any other decision makers on education-related issues.
- For youth in congregate care, CWO staff must identify an educational “surrogate parent” such as a relative, kin, or former foster parent, or request that the court assign an EDM.
- The case management team and EDM should communicate and advocate on behalf of the student to ensure appropriate grade, classroom, and school, verify that credits transfer after any school changes, and protect a child’s rights to fair school discipline proceedings. The ESC is available as a resource to support when challenges arise.

## **DOCUMENTATION REQUIREMENTS**

- School changes are discussed at Family Team Conferences, Permanency Planning Meetings, and FSP Meetings and documented in SCPs, CPPs, ISPs.
- For children and youth receiving case management from DHS and services from a Provider Agency, school changes are documented in FSPs/CPPs and ISPs.
- Child Welfare Operations Staff document all efforts to support education in Structured Progress Notes in the electronic case record. These efforts include:
  - Efforts to support school stability and transportation
  - School progress and how the current school meets the child or youth's educational needs
  - How visits and appointments will be made during school hours whenever possible
  - Efforts to engage parents in educational consent or decision-making and any parental refusal or unavailability to participate.

**RELATED DOCUMENTS AND RESOURCES**

Attachments:

Forms: Best Interest Determination Form BID  
Consent to Educational Record Release (FERPA)  
DHS USA Records Request Letter Template  
CUA & Provider USA Records Request Letter Template

Related Policies or Procedures: Obtaining School Records for Children and Youth Involved with DHS Memo, issued June 16, 2021.  
Educational Stability and Continuity for Children in Substitute Care, issued February 18, 2010 (updated March 5, 2013).  
Placement Process via Central Referral Unit issued 6/21/07.  
New Court Rule Regarding Educational Stability (Law Department Memo) issued 9/6/19.  
Guide for DHS Workers and CUA Case Managers on Mandatory Consultations, February 2017.  
Community Umbrella Agency Practice Guidelines, August 2017.

Other Resources: Philadelphia Department of Human Services and School District of Philadelphia Joint Protocol to Coordinate the Educational Stability and Continuity of Children and Youth in Out of Home Placement.

***POLICY AND PROCEDURE REVIEW AND APPROVAL***

APPROVED BY: Kimberly Ali, DHS Commissioner

REVIEWED BY: Waleska Maldonado, Chief of Prevention, Office of Children and Families  
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Cynthia Schneider, Esq., Senior Attorney, Child Welfare Unit, City of  
Philadelphia Law Department

APPROVAL SIGNATURE

*(Authorizing Leadership Name and title)*

Signature: 

Date: 10/21/2021

Name: Kimberly Ali

Title: DHS Commissioner