



**Administrative Policies and Procedures: 21.14**

<b>Subject:</b>	<b>Serving the Educational Needs of the Child/Youth</b>
<b>Authority:</b>	TCA 37-1-130; 37-1-131; 37-1-140; 37-5-106; 49-6-3001; Individuals with Disabilities Education Act, 20 U.S.C. Sec.1400 et. Seq.; McKinney-Vento Homeless Education Act of 2001; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794
<b>Standards:</b>	<b>DCS Practice Model Standards:</b> 6-401, 6-404, 6-405, 6-406, 6-407, 6-408 6-400
<b>Application:</b>	All Department of Children Services Employees, Resource Parents, Contract Provider Agencies, All Children/Youth in DCS custody

**Policy Statement:**

All children/youth of compulsory school attendance age will be enrolled in an educational program with appropriate services in the least restrictive environment. Children under the age of five (5) will receive educational services based on need.

**Purpose:**

To ensure and promote appropriate and successful educational programming for children/youth.

**Procedures:**

**A. Responsibilities of the Family Service Worker (FSW)**

1. Ensure that the child/youth is enrolled in an appropriate education program based on age and individual needs. Consult with the regional educational specialist for information on the programs below or for other regional programs:
  - a) **Ages birth to four:**
    - ◆ **Tennessee Early Intervention System (TEIS)** -TN Department of Education: For disabled children, ages birth through 3, make a referral to a **TEIS** regional office. **TEIS** will develop an **Individualized Family Service Plan (IFSP)**. At age 3, ensure a timely transition to public school special education services. **Note: A TEIS referral is required in every CPS investigation that results in a CPS classification of "allegation indicated."** (See CPS Policy [14.7, Child Protective Services Transfer and Closure.](#))
    - ◆ **Special education services** are provided by school systems beginning at age three (3).
    - ◆ **Early Head Start** – Pre natal to age 3 if family is economically qualified.
    - ◆ **Books from Birth** – One (1) free book per month for children under the

age of 5 regardless of income.

- ◆ **Even Start:** An education program for economically qualified families that is designed to improve the academic achievement of young children and their parents, especially in the area of reading. Serves children through age 7.
- ◆ **Pre Kindergarten programs** – Voluntary public school programs serving four year olds. Family must qualify economically.
- ◆ **Tennessee Head Start:** School readiness program for children age four through age five. The family must be economically qualified.

b) **Ages five to eighteen:**

- ◆ **Public School settings:** Excluding youth placed at youth development centers, all children and youth in DCS custody will be educated in local public schools, except for those children/youth that have an identified treatment need that would justify service at a provider agency in-house school or a DCS group home in-house school.
  - ◆ **Special Education/Section 504 Services:** If a disability is suspected and the child/youth has not been previously identified, the FSW will make an immediate written referral to the school for an evaluation for special education eligibility. A referral form may be obtained from the school.
  - ◆ **Tutoring Services:** If needed, tutoring will first be sought from the school where the child is enrolled. Available community resources must be utilized to reinforce and support the child/youth's appropriate placement. The child's school may provide **after school supplemental educational programs, after school programs (LEAPs), and/or 21<sup>st</sup> Century Community Learning Centers.** Consult with the regional education specialist for a list of educational services provided by local public school systems
  - ◆ **Non traditional educational settings:** Children/youth who are not attending public school are enrolled in other educational settings using the guidelines established in DCS Policy **21.20, Non Traditional Educational Settings.**
2. Monitor and limit changes in a student's educational placement in order to avoid disruptions in the learning process.
  3. Enter educational information into the current child welfare information system as soon as it becomes available.
  4. Monitor the student's educational progress by communicating regularly with school personnel and resource parents. Collect information regarding attendance, academics, and behavior.
  5. Use the Child and Family Team process to address school issues when a child/youth is:
    - a) Experiencing significant behavioral and/or academic problems;
    - b) Not attending school regularly; and/or

	<ul style="list-style-type: none"> <li>c) Transitioning from school to school. Pursuant to <i>TCA 37-1-130</i>, DCS is required to notify the receiving school system as far in advance as possible of the intended placement of students entitled to special education and related services. The CFTM will designate a person to make this notification for appropriate students.</li> <li>6. The DCS Well-Being Teams may assist in obtaining <b>in-home wrap around services</b> for the child/youth and resource family. The goal of the CFTM will be to prevent placement disruption and allow the child/youth to remain in the same school.</li> <li>7. Ensure the involvement of the birth parents in the child's education.</li> <li>8. Attend <b>Individual Education Plan (IEP)</b> and Section 504 meetings (or ensure attendance by a supervisor designee) and:             <ul style="list-style-type: none"> <li>a) Include the education specialist as appropriate and necessary.</li> <li>b) Encourage the resource parents to attend. The school has the responsibility to notify and involve the birth parents.</li> <li>c) Ensure that the school appoints a <b>surrogate parent</b> if parental rights have been terminated, if the birthparents are unknown, or if the school in conjunction with DCS is unable to locate a parent.</li> </ul> </li> <li>9. Consult with the regional education specialist when:             <ul style="list-style-type: none"> <li>a) Special education/Section 504 concerns arise;</li> <li>b) Significant discipline problems arise or the child has a history of school discipline problems. This would include expulsions, zero tolerance offenses, suspension of ten (10) days or more, and/or truancy issues;</li> <li>c) A child/youth has significant treatment issues that may impact the school day. In a CFTM, the FSW will work with the education specialist, parents, resource parents, surrogate parent, school, and others as necessary to determine education supports and recommendations. The Well-Being Teams may be able to identify additional resources;</li> <li>d) There is a delay in the transfer of school records from school to school; or</li> <li>e) School enrollment problems arise.</li> <li>f) A child is transferring from TEIS to special education in public school.</li> <li>g) There is required notification to school principals of certain delinquency adjudications. Refer to DCS Policy <a href="#"><u><b>21.18, Notification to School Principals of Certain Delinquent Adjudications</b></u></a> for the listing of adjudications and the process for consulting with the Education Specialist to report them to school principals.</li> </ul> </li> </ul>
<p><b>B. Responsibilities of the Education Specialist</b></p>	<ul style="list-style-type: none"> <li>1. Provide consultation/technical assistance to local DCS staff and contract provider agencies.</li> <li>2. Provide ongoing in-service training regarding educational issues to DCS Family Service Workers, resource parents, and other staff in his/her region.</li> </ul>

	<ol style="list-style-type: none"> <li>3. Provide consultation concerning special education services.</li> <li>4. Attend Child and Family Team Meetings and IEP meetings as necessary.</li> <li>5. Assist Family Service Worker with problems regarding school enrollment, school records, discipline and the provision of appropriate educational services.</li> </ol>
<p><b>C. Responsibilities of the DCS Well-Being Team</b></p>	<ol style="list-style-type: none"> <li>1. The Well-Being nurse and/or psychologist will attend IEP meetings when available and deemed appropriate.</li> <li>2. The DCS TennCare Representative and/or Well-Being nurse will be available to assist the resource parent, DCS family service worker, provider agency case managers and the education specialist in accessing medically necessary health services (medical or behavioral) identified by the school. If the child/youth is TennCare-Medicaid eligible, all medically necessary services are the responsibility of TennCare under EPSDT.</li> </ol>
<p><b>D. Education Training</b></p>	<ol style="list-style-type: none"> <li>1. Family Service Workers and Resource Parents are required to have two (2) hours of in-service training per year regarding education services.</li> <li>2. Training may be made available through the regional training coordinators and the regional education specialist.</li> </ol>
<p><b>E. Education Plan for children in temporary or emergency placements</b></p>	<p>If the child/youth is in a temporary, emergency type of placement, it is the Department's expectation that the child/youth remain in his former school if doing so is in the child's best interest. The local school system is obligated to provide transportation for children falling within the <i>McKinney-Vento Homeless Act of 2001</i>. The DCS Family Service Worker, in consultation with any involved agency case manager, will:</p> <ol style="list-style-type: none"> <li>1. Advocate for enrollment, transportation (if needed) and other services under McKinney-Vento for those DCS children who are McKinney-Vento eligible.</li> <li>2. Utilize the public school system's McKinney-Vento liaison.</li> <li>3. Seek help from the regional education specialist or DCS attorney if needed.</li> <li>4. Collaborate with school systems and contract providers regarding transportation to ease the burden on the involved school system(s) where feasible.</li> <li>5. In the event of a dispute with the school, request that the resource parent transport the child back and forth to the child's school until his/her placement is made in a more permanent setting. If the resource parent is unable for legitimate reasons to transport the student, DCS will provide an alternative.</li> </ol>

<p><b>Forms:</b></p>	<p>None</p>
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<b>Collateral Documents</b>	DCS Educational Work Plan
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<b>Glossary:</b>	
<b>Term</b>	<b>Definition</b>
<b>21<sup>st</sup> Century Community Learning Centers:</b>	A grant program administered by the TN Department of Education. Federal funding provides resources for extended learning activities to students attending high-poverty schools.
<b>After School Supplemental Educational Programs, After School Programs (Leaps):</b>	The Tennessee Department of Education provides grants for agencies to develop high-quality after-school programs for at-risk students. Unclaimed lottery prizes provide the funding for the Lottery Education After-School Programs (LEAPs).
<b>Books from Birth:</b>	A new, age-appropriate, hardcover book is provided each month to children from birth to age 5 at no cost to the family, regardless of income.
<b>Early Head Start:</b>	The mission of Early Head Start (EHS) is to promote healthy prenatal outcomes for pregnant women, enhance the development of very young children, and promote healthy family functioning. This program is offered to low income families with children ages prenatal to 3 years.
<b>Even Start:</b>	An education program for the low-income families that is designed to improve the academic achievement of young children and their parents, especially in the area of reading. This program offers grants to support local family literacy projects that integrate early childhood education, adult literacy (adult basic and secondary-level education and instruction for English language learners), parenting education, and interactive parent and child literacy activities for low-income families with parents who are eligible for services under the <i>Adult Education and Family Literacy Act</i> and their children from birth through age 7. Teen parents and their children from birth through age 7 also are eligible.

<p><b>Individual Education Plan (IEP):</b></p>	<p>A written plan developed by an IEP team (formerly M-Team) for children eligible to receive special education services. The plan specifies:</p> <ul style="list-style-type: none"> <li>◆ Current levels of academic functioning</li> <li>◆ Annual goals,</li> <li>◆ Learning objectives</li> <li>◆ Transition goals (14 years old and older)</li> <li>◆ Assistive technology devices needed</li> <li>◆ Testing accommodations</li> <li>◆ Need for a behavior plan or behavior goals</li> <li>◆ Additional services, if needed (related services)</li> </ul>
<p><b>Individualized Family Service Plan (IFSP):</b></p>	<p>A written plan for a TEIS eligible child developed by the child’s family and a multi-disciplinary team. The plan includes the needs and strengths of the child and family, describes goals for them and how those goals will be met.</p>
<p><b>In-Home Wrap Around Services:</b></p>	<p>TennCare refers to these services as intensive mental health case management, CTT (Continuous Treatment Team) or CCFT (Comprehensive Child and Family Treatment). These services are available to children/youth in DCS custody that are in level 2 placements or lower.</p>
<p><b>Pre Kindergarten programs:</b></p>	<p>Voluntary educational programs provided by most TN school systems. This program serves children 4 years of age if family is economically qualified.</p>
<p><b>Special Education Services:</b></p>	<p>Specialized educational services provided to disabled children, age birth (TEIS birth – 3) to age 22 (public schools age 3 -22).</p>
<p><b>Section 504 Services:</b></p>	<p>Services provided to disabled children by a school based on Section 504 of Rehabilitation Act of 1973. This act prohibits discriminatory practices towards the disabled. In schools, a Section 504 Service Plan outlines accommodations that will be provided to a child based on the child’s disability.</p>
<p><b>Surrogate parent:</b></p>	<p>An individual appointed by the Local Education Agency (LEA) in specific instances to act in the place of a parent in order to ensure that the rights of a child eligible for special education services under IDEA are protected.</p>
<p><b>Tennessee Early Intervention System (TEIS):</b></p>	<p>A division of the TN Department of Education/Division of Special Education that is Tennessee’s system for the coordination and provision of special education services for disabled infants and toddlers, ages birth to three who meet the State’s definition for</p>

	services under IDEA Part C.
<b>Tennessee Head Start:</b>	A school readiness program serving economically qualified families and children. The program consists of comprehensive education, social, and health components.