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 | INFORMATIONAL LETTER |
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TRANSMITTAL: 90 INF-43

TO: Commissioners of Social Services
 Directors of Voluntary Agencies

DIVISION: Family and Children Services

DATE: August 24, 1990

SUBJECT: Foster Care: Department Policy on Educational Information Related to Foster Children

SUGGESTED DISTRIBUTION: Directors of Services
 Children's Services Staff
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ATTACHMENTS: There are no attachments to this INF.

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
88 INF 40		428.3 430.11 443.3	Section 8007 of PL101-239 Sections 475(1) and 475(5) of the Social Security Act		

The purpose of this informational letter is to interpret and emphasize Department policy and regulations regarding provision of a foster child's educational background and record to foster parents or the foster care provider with whom the foster child is placed. Title IV-E of the Social Security Act was amended by P.L. 101-239, effective April 1, 1990, to require the provision of educational information. Accordingly, social services commissioners and voluntary child-caring agencies are reminded of their responsibility to assure that current Departmental policy and regulations are being implemented. The following are references to Department standards.

Uniform Case Record Requirements

Under section 428.3, subdivision (b)(4), of Department regulations, information and documents must include "data and official documents relating to the identification and/or history of a child." We interpret this to include educational information. Paragraph (iii) of this same subdivision specifically requires the case record to include "any educational and/or vocational training reports or evaluations, including school reports and Committee on the Handicapped evaluation and/or recommendations for any child in foster care placement." Uniform case records, including educational and school information, are reviewed and updated every six months.

Appropriateness of Placement (Continuity in the Child's Environment)

The new federal amendments include a requirement that the child's placement in foster care takes into account proximity to the school in which the child is enrolled at the time of placement.

New York standards clearly reflect this policy. Section 430.11, subdivision (c)(2)(i), of Department regulations states that the uniform case record must show "that the child has been placed in a setting which enables him or her to maintain ties to his or her previous school, neighborhood, peers and family members, or show the reasons why such placement was not practicable or in the best interests of the child." The Department interprets this regulation, along with section 430.11(c)(1)(i), to indicate the importance of continuity of environment in placement of children in foster care.

Agency Requirements Related to Operation of Certified or Approved Foster Family Boarding Homes

Under Department regulations in section 443.3(j), authorized agencies are required to provide "basic information to foster parents about each

child who is to be placed in the home." This information is to include "school and educational experiences." In addition, conferences with foster parents are to "identify and discuss concerns" related to the child's "functioning in the home, school and community."

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The 1988 Model Foster Parent Manual, which was issued June 1, 1988 to commissioners of social services and executive directors of voluntary child-caring agencies, discusses the responsibilities of agencies to provide educational information to foster parents about the child placed in foster care (see pages 8-12). It is expected that caseworkers will provide such information at placement and will continue to discuss with foster care providers the child's school reports, experiences, and problems.

SUMMARY

In calling your attention to existing policy and regulations, the Department's intent is to assure that authorized agencies are in compliance with the recent amendments to Title IV-E related to educational information and continuity of environment.

Joseph Semidei
Deputy Commissioner
Division of Family
and Children Services