



# APPENDICES

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## APPENDIX A: GLOSSARY OF TERMS

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This glossary defines keywords, terms, and acronyms used by DFPS and the courts to identify programs and services. The glossary also contains some common terms that may be used in the school setting.

### AAL - Attorney ad Litem

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An attorney ad litem is appointed to represent the legal interests of a child when DFPS asks to be made the child's legal conservator or seeks to have the parent's rights to the child terminated.

### Abuse Hotline

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1-800-252-5400 or <https://www.txabusehotline.org/> is the hotline number for Statewide Intake (SWI) at DFPS, which provides 24-hour intake services to report abuse, neglect, and exploitation of children, adults with disabilities, or the elderly. Statewide Intake also provides referral services and can answer procedural questions on protective services investigations. State law requires school staff to immediately report all cases of suspected child abuse and neglect to SWI.

### BVS - Bureau of Vital Statistics

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Bureau of Vital Statistics, also referred to as Vital Statistics or Vital Statistics Section, is operated by the Department of State Health Services (DSHS), which is part of the Texas Health and Human Services Commission (HHSC). BVS issues birth certificates and other vital documents for Texans.

### Caregiver

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Caregiver may be a relative, kinship caregiver, legal guardian, a representative such as a foster parent paid by a child placing agency or CPS, or a representative of a facility (like a residential treatment center) who provides care to a child or youth.

### CASA - Court Appointed Special Advocates

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Court Appointed Special Advocates are appointed as volunteer advocates or guardians ad litem to represent the best interests of a child.

### Categorically Eligible

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People, including children, who meet federal eligibility requirements based on income, disability, or specific designations for certain programs or services. Children in foster care are categorically eligible for Head Start and the federal National School Lunch Program (including breakfast and summer meal programs).

### CBC - Community-Based Care

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Community-Based Care is a newer model for delivering services and providing case management to children in foster care. It utilizes a private, non-profit, or governmental entity as a single contractor for a certain geographic area (referred to as catchment areas; catchment areas are based on DFPS regions, but do not mirror DFPS regions exactly).

Transitioning to CBC in a catchment area happens in phases. In Phase II, the CBC contractor/CBC caseworker is responsible for all the traditional activities that DFPS conservatorship caseworkers have been responsible for, such as reunification services, placement, kinship services, going to court, adoption, transitional services, and monitoring/supporting a child's education.

More information is available on the DFPS Community Based Care website. [https://www.dfps.state.tx.us/Child\\_Protection/Foster\\_Care/Community-Based\\_Care/default.asp](https://www.dfps.state.tx.us/Child_Protection/Foster_Care/Community-Based_Care/default.asp)

## **CPD - Core Professional Development**

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Core Professional Development is the initial training program for all caseworkers of Child Protective Services (CPS) and Child Protective Investigations (CPI). It includes a mentoring program for new caseworkers.

## **CPI - Child Protective Investigations**

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Child Protective Investigations, a primary division of the Department of Family and Protective Services (DFPS) that is responsible for investigating allegations of child abuse and neglect. This responsibility includes children in their own homes as well as children in foster care who are placed in kinship homes when the kinship home is not also licensed as a foster home.

## **CPS - Child Protective Services**

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Child Protective Services is a primary division of the Department of Family and Protective Services (DFPS), and is responsible for:

- Providing services to children and families in their own homes through its Family-Based Safety Services (FBSS) division.
- Monitoring and administering the state foster care system and Community-Based Care (CBC) programs and contracts.
- Providing services and case management to children who have been removed and placed in foster care (out-of-home care), as well as their families.

## **Court Order**

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Official document signed by a judge that defines the legal relationship of a child or youth to DFPS or certain individuals, such as parents. The court order contains confidential information about the child's case and sometimes why they are in the foster care system. A child cannot enter, remain in care, or exit care without a court order

## **CPOS - Child's Plan of Service**

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Child's plan of service is a living document that outlines the plans for a child's care and goals while in foster care. Every child, youth, and young adult in extended foster care has a CPOS. It outlines services for every aspect of foster care, including social and emotional issues, education, health care, etc.

## **CVS - Conservatorship**

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An acronym for the legal term "conservatorship." This is the term used to refer to a child in the legal custody of DFPS. Sometimes, caseworkers who work with children in foster care refer to themselves as CVS workers.

## **DAEP - Disciplinary Alternative Education Program**

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Disciplinary Alternative Education Program is established in accordance with TEC § 37.008 and defined as an educational and self-discipline alternative instructional program, adopted by local policy, for students in elementary through high school grades who are removed from their regular classes for mandatory or discretionary disciplinary reasons.

## **DFPS Department of Family and Protective Services**

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The Texas Department of Family and Protective Services is charged with protecting children and adults who are vulnerable from abuse, neglect, and exploitation.



## **DFPS (Department of Family and Protective Services) Caseworker**

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The DFPS caseworker has multiple responsibilities to the child or youth who may have experienced abuse or neglect. The CPI caseworker investigates allegations of abuse and neglect. The CPS caseworker ensures children's needs are met while in foster care or while receiving services in their own homes (either through Family-Based Safety Services prior to removal or reunification services after removal). The caseworker is the direct link with the child, caregiver, court system, and multiple service providers. Caseworkers and foster parents are to be notified by school staff if they have concerns about a child or youth in DFPS conservatorship.

## **ECI - Early Childhood Intervention**

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Early Childhood Intervention provides special support services to children under the age of three (birth to 36 months). Children in DFPS conservatorship are referred to ECI through their Medicaid health provider, STAR Health, or a DFPS caseworker or Community-Based Care caseworker.

## **Emergency Shelters**

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A shelter facility that houses children and youth for up to 90 days while they await a longer-term foster placement. Emergency Shelters are temporary housing until more appropriate placements and services are available. Children and youth in emergency shelters are provided services under the McKinney-Vento Homeless Education Act, which includes immediate school enrollment and transportation to the student's school of origin.

## **ETV - Education and Training Voucher**

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The Education and Training Voucher is a federally funded and state administered program that provides financial assistance for youth and young adults ages 16 to 23 to attend college or vocational programs.

## **Ex Parte Hearing**

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An emergency hearing, usually held when a child first enters foster care.

## **FBSS - Family-Based Safety Services**

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Family-Based Safety Services is a division of CPS that provides in-home services to children and families. These services are mostly short-term and designed to prevent the child from being removed by helping families address parenting or other issues that impact child safety. Parents retain legal custody of their children during this time, although the children may voluntarily be placed with a relative.

## **Fictive Kin**

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A person who is fictive kin is a person with a long-standing and significant relationship with the child or family. A close family friend is considered fictive kin.

## **Fostering Connections to Success and Increasing Adoptions Act**

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Federal child welfare law that directs child welfare agencies to ensure educational stability for children and youth in foster care and coordinate with educational agencies in the process.

## **Foster Home**

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A home licensed by the state to provide a temporary home for children who are in foster care. Foster homes are given reimbursement for providing room, board, and transportation to the child living in their home. A child may also live with a relative, who goes through the process of becoming "licensed," and in doing so, becomes eligible for the same monthly reimbursement payment.

## Foster Parent

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An adult contracted by a Child Placing Agency (CPA) or CPS to provide daily care for children in CPS custody.

## GAL - Guardian ad Litem

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Guardian ad litem appointed to represent a child's best interests when DFPS asks to be made the child's temporary conservator or seeks to have the parent's rights to the child terminated.

## GRO - General Residential Operation

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General residential operation is a term used for residential treatment centers (RTCs), emergency shelters, and large group homes (such as cottage-style facilities).

## HHSC - Health and Human Services Commission

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The Texas Health and Human Services Commission operates several state social services programs, such as Medicaid and the Supplemental Nutrition Assistance Program (SNAP). DFPS used to be part of HHSC, but DFPS is now a stand-alone agency. The Department of State Health Services (DSHS) is still part of HHSC, which operates the Bureau of Vital Statistics (BVS).

## IDEA - Individuals with Disabilities Education Act

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Individuals with Disabilities Education Act is federal law that prescribes the education and ancillary services to children and youth receiving special education services in the least restrictive environment (LRE), as appropriate.

## IEP - Individualized Education Program

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An individualized education program is a written document developed, reviewed, and revised at least annually by the student's admission, review, and dismissal (ARD) committee that details the student's special education and related services.

## JJAEF - Juvenile Justice Education Program

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Juvenile Justice Alternative Education Program is an alternative educational setting in which the child is supervised by the Texas Juvenile Justice Department (TJJD). Twenty-five counties currently have mandatory JJAEFs and 5 other counties have discretionary JJAEFs.

## Kinship Caregiver

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A kinship caregiver is a biological relative or fictive kin (close family friend) who provides care to a child in DFPS custody (conservatorship). A kinship caregiver may be licensed as a foster family or unlicensed.

## Managing Conservatorship

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Managing conservatorship is a legal term in Texas used in child custody and child welfare cases. It means that a judge appoints a person or agency (i.e. DFPS) to be legally responsible for a child.

Temporary managing conservatorship (TMC) is time-limited and, in DFPS cases, generally can last up to 12 months from a child's removal. TMC can be extended an additional six months from the child's removal when extraordinary circumstances are approved by a judge.

Permanent managing conservatorship (PMC) can last until a child turns 18. DFPS, a kinship caregiver, or other adult approved by a judge, can be given PMC. Giving PMC to DFPS does not require that one or both parent's parental rights be terminated. However, for a child in the PMC of DFPS to be adopted, all parental rights must be terminated.



## McKinney-Vento

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Refers to the McKinney-Vento Homeless Assistance Act, which requires every school district and open-enrollment charter to designate a local McKinney-Vento Liaison to facilitate the identification, enrollment, and academic success of students experiencing homelessness. Local McKinney-Vento Liaison takes the lead on providing services and outreach to students experiencing homelessness, including immediate enrollment of students experiencing homelessness without records normally required for enrollment, even if they have missed application or enrollment deadlines during a period of homelessness. Students experiencing homelessness are automatically eligible for the federal Breakfast/Lunch program. School districts and open-enrollment charter schools must provide School of Origin transportation at the request of the parent, guardian, or in the case of an unaccompanied youth, at the request of the local McKinney-Vento Liaison if it is in the best interest of the student to support school stability.

## PAL - Preparation for Adult Living

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Preparation for Adult Living is a program most youth in foster care start around age 16 to gain additional knowledge and skills for a successful transition to adulthood. When funding is available, or other criteria are met, a youth may engage in PAL services as early as age 14.

## PMC - Permanent Managing Conservatorship

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Permanent Managing Conservatorship or Permanent Managing Conservator refers to the status of a child who has been placed in the permanent conservatorship (custody) of DFPS until the child is adopted, turns 18, or when legal custody is given to an individual (such as a relative). It is also referred to as long-term foster care.

## Providers

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Persons or organizations who are under contract with DFPS to provide certain services to children and youth in foster care and their families.

## RCCI - Residential Child Care Investigations

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Residential Child Care Investigations – which is a part of CPI – investigates alleged violations of minimum standards or abuse/neglect allegations for children in licensed foster care settings.

## RTC - Residential Treatment Centers

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Residential Treatment Centers are regulated by HHSC to provide placements and services to youth who require specialized services. An RTC is a type of general residential operation (GRO).

## RTB - “Reason to Believe”

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“Reason to Believe” is a finding made after a CPS investigation confirming/substantiating allegations of child abuse or neglect.

## School of “origin” and “enrolled at the time of placement”

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The school of “origin” is language used in McKinney-Vento law to describe the school the student attended when permanently housed, or the school in which the student was last enrolled (42 U.S.C. §11432(g)(3)(G)). For students in DFPS conservatorship (custody), federal and state law do not use school of “origin” language and instead “enrolled at the time of placement” is used when describing provisions that allow students to remain in their school, even when placed outside of the attendance area for the school or school district (TEC § 25.001 (g)).

## **SHARS - School Health and Related Services**

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School Health and Related Services provide additional services in a school setting to children and youth in foster care through a Medicaid program available to Texas public schools for students receiving special education services. SHARS provides additional resources to schools. The caregiver and/or education decision-maker may be asked during an ARD by the school to sign consent in order for the district to access these funds.

## **TLS - Transitional Living Services**

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Transitional Living Services provide a systematic and integrated approach to transition planning, services, and benefits for youth in foster care and young adults who have left foster care at age 18 or older. Services are available to youth ages 14 up to age 23.

## **TMC - Temporary Managing Conservatorship**

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Temporary Managing Conservatorship refers to the status of a child when the child has been placed in the conservatorship of DFPS but no final orders have been issued by a court determining the permanent legal status for the child. TMC for a child generally lasts for less than a year.

## **Transition Centers**

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Transition Centers are one-stop providers run by non-profit organizations for youth currently in foster care or young adults who were previously in foster care, for youth experiencing homelessness, and for youth at risk of other negative outcomes. [www.texasyouthconnection.org](http://www.texasyouthconnection.org)



## APPENDIX B: RIGHTS OF CHILDREN AND YOUTH IN FOSTER CARE

Texas CPS Rights of Children and Youth in Foster Care

[https://www.dfps.state.tx.us/Child\\_Protection/Foster\\_Care/Childrens\\_Rights.asp](https://www.dfps.state.tx.us/Child_Protection/Foster_Care/Childrens_Rights.asp)

### AS A CHILD OR YOUTH IN FOSTER CARE I HAVE THE RIGHT TO: SAFETY AND CARE

1. Be told:
  - Why am I in foster care?
  - What will happen to me?
  - What is happening to my family (including brothers and sisters)?
  - How is DFPS planning for my future?
2. Good care and treatment that meets my needs in the most family-like setting possible. This means I have the right to live in a safe, healthy, and comfortable place and I am protected from getting hurt, treated with respect, and have some privacy for personal needs.
3. Be told the rules by a person at the place where I am living.
4. Be free from abuse, neglect, exploitation, and harassment from any person in the household or facility where I live.
5. Be kept informed about any investigations that involve me.
6. Be treated fairly.

### FAMILY AND OTHER CONTACTS

7. Live with my siblings who are also in foster care, if possible. If I am not living with my siblings, I have the right to know why. If there are no safety or other compelling reasons why I cannot live with my siblings, it is my caseworker's job to try and find a home where I can live with my siblings.
8. Visit and have regular contact with my family, including my brothers and sisters (unless a court order or case plan doesn't allow it) and to have my worker explain any restrictions to me and write them in my record. I have the right to file a court petition to request access to my sibling(s) if I have been separated from my sibling(s) because of an action by DFPS.
9. Visit and have contact with persons outside the foster care system. These visitors can be, but are not limited to, teachers, church members, mentors, and friends.

### HAVE A NORMAL LIFE

10. Speak and be spoken to in my own language. This includes Braille if I am blind or sign language if I am deaf. If my foster parents or caregiver does not know my language, CPS will give me a plan to meet my needs to communicate.
11. Go to school and get an education that fits my age and individual needs.
12. Have my religious needs met.

13. Participate in childhood activities that are appropriate for my age and maturity, including youth leadership development, foster family activities, and unsupervised childhood and extracurricular activities (including playing sports, playing in the band, going on field trips, spending time with friends, etc.).
14. Privacy, including sending and receiving unopened mail, making and receiving private phone calls, and keeping a personal journal, unless an appropriate professional or court says that restrictions are necessary for my best interest.
15. Personal care, hygiene, and grooming products and training on how to use them.
16. Comfortable clothing for my age and size and similar to clothing worn by other children in my community. I also have the right to clothing that protects me against the weather. If I'm a teenager, I should have the reasonable opportunity to select my clothing.
17. Have my personal items and gifts at my home and to get additional things within reasonable limits, as planned for and discussed by my caregiver and caseworker, and based on my caregiver's ability.
18. Personal space in my bedroom to store my clothes and belongings.
19. Be informed of search policies (going through my personal items). I have the right to be told if certain items are forbidden (or if I am not allowed to have them) and why. If my belongings are removed, it must be documented.
20. Healthy foods in healthy portions for my age and activity level.
21. Seek employment, get paid for work done at my placement (except for routine chores or work assigned as fair and reasonable discipline), keep my own money, and have my own bank account in my own name, depending on my age or level of maturity.
22. Give my permission in writing before taking part in any publicity or fundraising activity for the place where I live, including the use of my photograph.
23. Refuse to make public statements showing my gratitude to a foster home, child-placing agency, or operation.
24. Not get pressured to get an abortion, give up my child for adoption, or to parent my child, if applicable.

## DISCIPLINE

25. Be free of any harsh, cruel, unusual, unnecessary, demeaning, or humiliating punishment. This means I should never:
  - Be shaken, hit, spanked, or threatened with being shaken, hit, or spanked
  - Be forced to do unproductive work
  - Be denied food, sleep, access to a bathroom, mail, or family visits
  - Have myself or my family made fun of
  - Be threatened with losing my placement or shelter, or
  - Be treated in a way meant to embarrass, control, harm, intimidate, or isolate me by use of physical force, rumors, threats, or inappropriate comments.
26. Be disciplined in a manner that is appropriate to how mature I am, my developmental level, and my medical condition. I must be told why I was disciplined. Discipline does not include the use of restraint, seclusion, corporal punishment, or threat of corporal punishment.



27. Be informed of emergency behavioral intervention policies in writing. I have the right to know how they will control me if I cannot control my behavior, and to know how they will keep me and those around me safe.

## PLANS FOR ME WHILE IN CARE

28. See my caseworker at least once a month and in private.
29. Receive a complete plan that addresses my needs and services, including transition activities when I am 14 or older, that plans for my life as an adult, to include a career, college, or help enrolling in an educational or vocational job training program. I also have the right to a copy or summary of my plan and the right to review it.
30. Actively participate in creating my plan for services and permanent living arrangements. I have the right to ask someone to act on my behalf or to support me in my participation. At age 14, I have the right to invite two or more additional people of my choosing, that are not my foster parent or caseworker, to participate in my case planning meetings.

### **If I am an older youth:**

31. If I am age 14 or older, I have the right to one or more Circle of Support Conferences or Transition Planning Meetings.
32. If I am age 14 or older, I have the right to be told about services, programs and benefits available to me when I leave care (PAL, Education and Training Voucher program, College Tuition and Fee Waiver, STAR Health-Medicaid, Extended Foster Care, etc.).
33. If I am age 16 or older, I have the right to attend Preparation for Adult Living (PAL) classes and other state and regional activities as required or appropriate to my plan for services.
34. If I am age 16 or older, I have the right to get help in obtaining a place to live and information on the cost of housing when aging out of care, so that I can plan for my future independence.

## MEDICAL

35. Good medical, dental, and vision care, and mental health and developmental services that adequately meet my needs. I have the right to also request that the care or services be separate from adults (other than young adults) who are receiving services.
36. Not be forced to take unnecessary or excessive medication.
37. Be involved in decisions about my medical care:
  - I may consent to my own treatment in some cases if allowed by the health care provider. For example, the law allows me to consent to my own counseling for suicide prevention, drug or alcohol problems, or sexual, physical or emotional abuse, and I can agree to be treated for serious contagious or communicable diseases.
  - If I am pregnant and unmarried, I can agree to hospital, medical or surgical treatment, other than abortion, related to the pregnancy. If I have a child who is in my legal care, I can consent to all medical care for my child.
  - If I am 16 years old or older, I have the right to ask a judge to legally authorize me to make some or all of my own medical decisions, such as which kinds of medications I should take.

## LEGAL/COURTS

38. Contact and speak privately to: my caseworker, attorneys, ad litem, probation officer, court appointed special advocate (CASA), and Disability Rights Texas at any time.
39. Go to court hearings and speak to the judge, including talking to the judge about where I am living and what I would like to see happen to me and my family.

## RECORDS

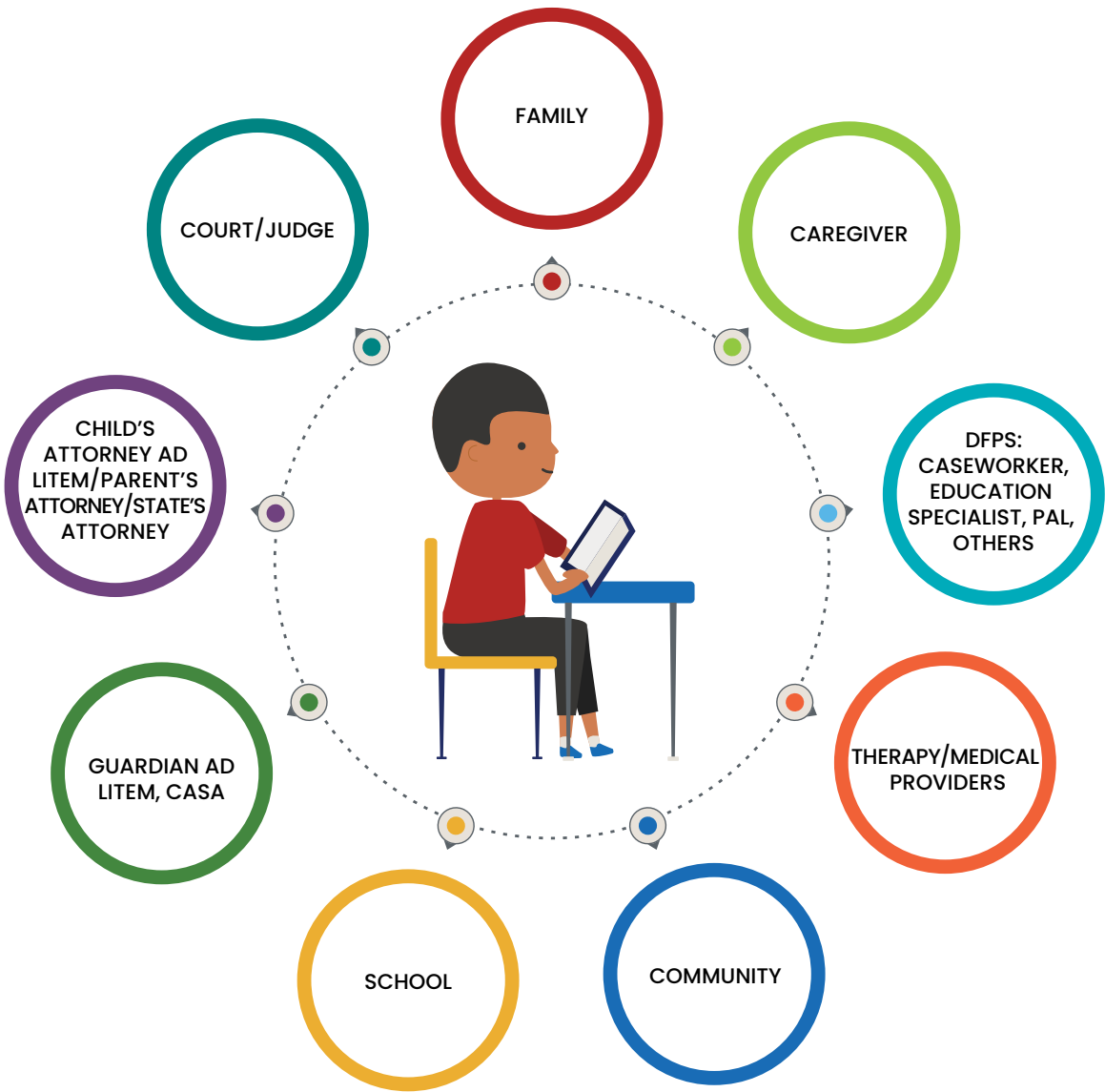
40. Expect that my records and personal information will be kept private and will be discussed only when it is about my care.
41. A copy of the CPS Rights of Children and Youth in Foster Care and that they be explained to me in my primary language or in any means that successfully explains it to me.
42. Have a credit report run annually beginning at age 14, be informed of the results, and receive assistance in interpreting the report and disputing any inaccuracies.
43. Receive help with getting my driver's license, social security card, birth certificate, and state ID card if I am age 16 or older.
44. Get necessary personal information within 30 days of leaving care, including my immunization records, proof of Medicaid enrollment, information about how to set up a Medical Power of Attorney, and information contained in my education portfolio and health passport.

## COMPLAINTS

45. Make calls, reports, or complaints without being punished, threatened with punishment, or retaliated against; and I have the right to make any of these calls privately and anonymously if I choose and the call center permits it. Depending on the nature of the complaint, I have the right to call:
  - The DFPS Texas Abuse/Neglect Hotline at 1-800-252-5400
  - The HHSC Ombudsman for Children and Youth currently in Foster Care at 1-844-286-0769
  - The DFPS Office of Consumer Relations at 1-800-720-7777
  - Disability Rights Texas at 1-800-252-9108
46. To get information from my caseworker, attorney, CASA, or any other individual in my case about where I can make my complaint if I have one.
47. Be kept informed about the outcomes of any complaints made to the HHSC Ombudsman for Children and Youth currently in Foster Care.

**APPENDIX C: KEY PEOPLE INVOLVED IN THE LIFE OF A STUDENT IN FOSTER CARE.**

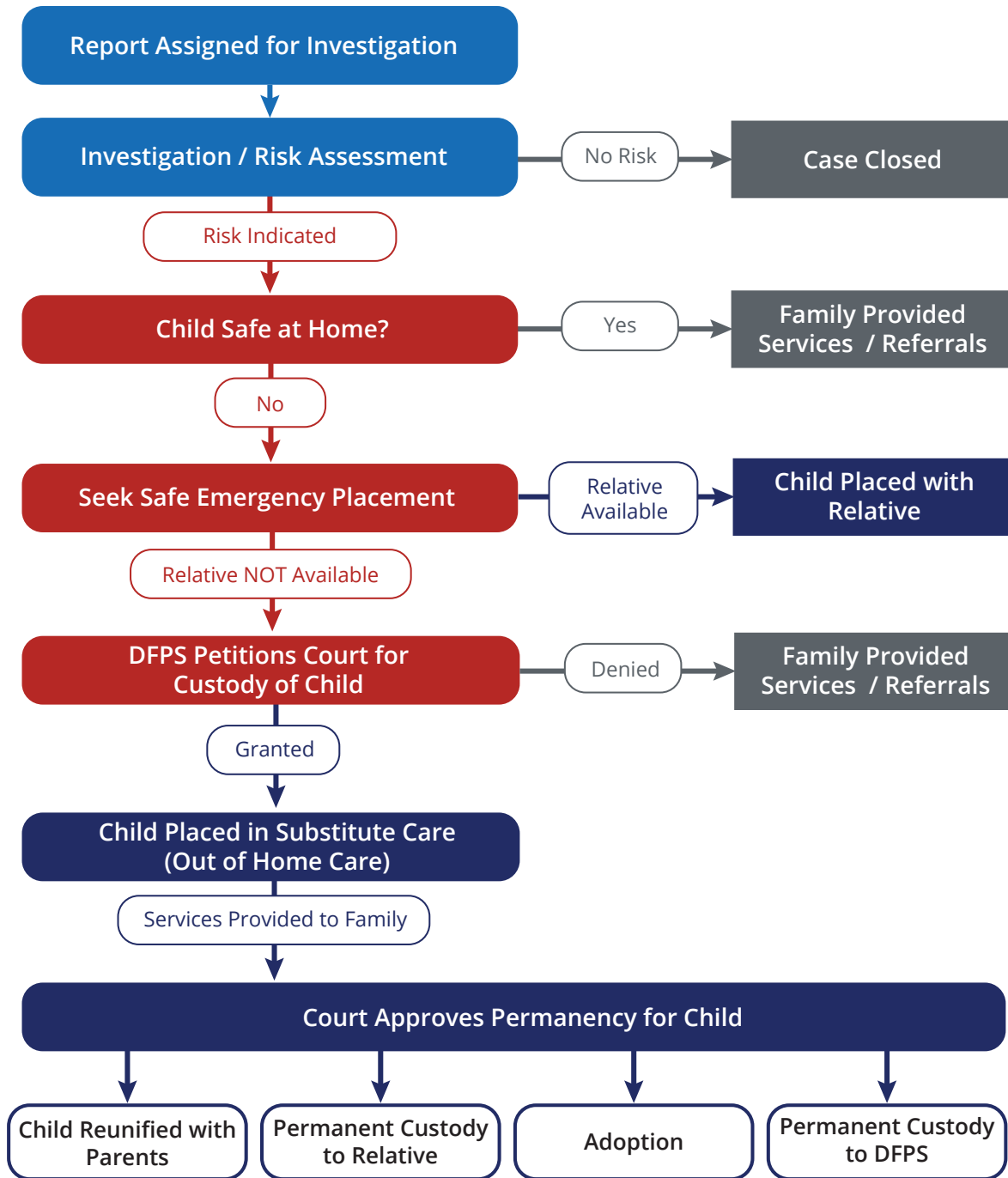
**THERE ARE MANY KEY PEOPLE AND SYSTEMS INVOLVED IN A STUDENT’S LIFE. EVERYONE MUST WORK TOGETHER FOR EDUCATIONAL SUCCESS!**



**TIP:** Working in new and coordinated ways often means making the circle bigger. Brainstorm ways to involve others who also work with students in foster care.

## APPENDIX D: CPS PROCESS — FLOW CHART

CPS Flow Chart




Note: This chart is for reference only and does not necessarily represent the flow of a case. Graphic is adapted from the DFPS 2011 Annual Report & Data Book, p. 29.



## APPENDIX E: PLACEMENT AUTHORIZATION FORM 2085 - SAMPLE FORMS

Below are screen-shots of two different varieties of Placement Authorization Forms. Either of these could be provided by the caregiver at enrollment.

### 2085 KO - PLACEMENT AUTHORIZATION KINSHIP OR OTHER NON-FOSTER CAREGIVER



Texas Department of  
Family and Protective Services

Form K-908-2085KO  
Revised April 2020

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### PLACEMENT AUTHORIZATION – KINSHIP OR OTHER NON-FOSTER CAREGIVER

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**Purpose:** Use this form to authorize placement in a regular kinship placement. |

**Directions:** To complete this form, see 2085KOins. After completing this form mark each box to indicate that information has been reviewed with the caregiver. Obtain signatures and give the original to the caregiver and maintain a copy in the case record. Contact your supervisor for issues regarding use of this form with regular kinship placements. |

CHILD'S INFORMATION |

The Texas Department of Family and Protective Services (DFPS) has managing conservator of |


Child's Name: [REDACTED]	Person ID: [REDACTED]	Medicaid No. [REDACTED]	Date of Birth: [REDACTED]
Legal County: [REDACTED]	Court No.: [REDACTED]	Cause No.: [REDACTED]	Date of Placement: [REDACTED]

Ethnicity: <input type="checkbox"/> Hispanic <input type="checkbox"/> Other	Race: <input type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Unable to Determine <input type="checkbox"/> Native Hawaiian/Pacific Islander
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CAREGIVER INFORMATION

Caregiver's Name: [REDACTED]	Relationship to child. Select all that apply:   <input type="checkbox"/> Relative <input type="checkbox"/> Temporary Possessory Conservator <input type="checkbox"/> Other: [REDACTED]
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### 2085 FC - PLACEMENT AUTHORIZATION FOSTER CARE/RESIDENTIAL CARE:



Texas Department of  
Family and Protective Services

Form K-910-2085FC  
Revised April 2020

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### PLACEMENT AUTHORIZATION FOSTER CARE/RESIDENTIAL CARE

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**Purpose:** Use this form to authorize placement in a foster care setting. |

**Directions:** To complete this form, see 2085FCins. After completing this form and obtaining signatures, give the original to the caregiver and file a copy in the case record. Contact your supervisor for issues regarding use of this form with foster care placements. ||

This form and other documentation frequently refers to "DFPS Caseworkers". References to "DFPS Caseworkers" refers to employees of the Department of Family and Protective Services **or** employees of a Single Source Continuum Contractor (SSCC). The SSCC acts as an authorized agent of DFPS pursuant to Texas Family Code Chapter 264 Subchapter B-1. The SSCC has the same authority as DFPS regarding case management duties and associated responsibilities.

The Single Source Continuum Contract (SSCC) is [REDACTED].

CHILD'S INFORMATION |

The Texas Department of Family and Protective Services (DFPS) has managing conservator of |


Child's Name: [REDACTED]	Person ID: [REDACTED]	Medicaid No. [REDACTED]	Date of Birth: [REDACTED]
Legal County: [REDACTED]	Court No.: [REDACTED]	Cause No.: [REDACTED]	Date of Placement: [REDACTED]



# APPENDIX F: DESIGNATION OF EDUCATION DECISION-MAKER (2085-E)

Below is a screenshot of the front and back pages Education Decision-Maker form E-2085 that is required to be provided to the school for all students in DFPS managing Conservatorship.

Form K-908-2085-E  
Revised September 2015



## DESIGNATION OF EDUCATION DECISION-MAKER CHILD PROTECTIVE SERVICES (CPS) - PERMANENCY

**Purpose:** DFPS must ensure that this form is provided to the court and the child's school under Texas Family Code §261.004 within five days of the Adversary Hearing. DFPS must inform the court of any changes in the Education Decision-Maker or Surrogate Parent, if applicable, in the next permanency hearing report. DFPS must provide the updated information to the school no later than five days after any changes in the Education Decision-Maker or Surrogate Parent, if applicable.

**Directions:** To complete this form, fill in all applicable fields. For additional questions, contact your Regional Education Specialist. DFPS staff may not appoint a surrogate parent. DFPS staff may only list the name of the surrogate parent appointed by the court or the school.

**SECTION 1: AUTHORITY TO MAKE EDUCATION DECISIONS**

The Texas Department of Family and Protective Services (DFPS) is authorized by court order as provided in the Texas Family Code §153.371 to make education decisions on behalf of the following child currently in the conservatorship of DFPS.

Child's Full Name:		Child's DFPS IMPACT Person ID:	Child's Medicaid Number:
Date of Birth:	County:	Court Number:	Cause Number:

DFPS delegates to the following individual(s) (hereinafter referred to as the Education Decision-Maker) the education decision-making responsibilities on behalf of the child as described in this form. **Note: A representative of DFPS may be named as a primary and/or backup Education Decision-Maker.**

Designated primary Education Decision-Maker (and spouse, if applicable):		Date of designation:
Email:		Telephone Number(s):
Backup Education Decision-Maker:		Date of designation:
Surrogate Education Decision-Maker for special education decisions:	Date of designation:	Designated by: <input type="checkbox"/> Court <input type="checkbox"/> ISD
Email:		Telephone Number(s):

**SECTION 2: SPECIAL EDUCATION RIGHTS AND RESPONSIBILITIES — IF APPLICABLE**

Federal and state law authorize the individual who is acting in the role of the child's parent or who is appointed by the school or the court to be the "surrogate parent" for the child to exercise the rights and responsibilities as outlined by the Individuals with Disabilities Education Act and state law and rule. The individual is usually the foster parent or daily caregiver, but may be a Court Appointed Special Advocate or other individual with knowledge of the child. In some cases the biological parent may retain the right to make certain special education decisions.

The law does not allow a DFPS staff person, school district staff, or anyone employed to provide care or treatment for the child to act as the parent or surrogate for special education decision-making. A foster parent is not considered a person employed to provide care for the child.

At age 18, the rights of the parent to make education decisions are transferred to the child, except for the child with a disability who has been determined to be incapacitated under state law.

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Revised September 2015

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**SECTION 8: ACKNOWLEDGMENT, AGREEMENT, AND SIGNATURES**

As the Education Decision-Maker, I acknowledge and agree that:

- I have no professional interests that conflict with the interest of the child I represent.
- I will comply with the Education Decision-Maker Rights and Responsibilities as described in SECTION 3.
- I understand that failure to cooperate with DFPS may be the basis for revoking this designation.

Education Decision-Maker signature: X	Date Signed:
Backup Signature: X	Date Signed:
DFPS Caseworker (print name): X Email Address:	Phone Number: Alternate Phone Number:
DFPS Supervisor (print name): X Email Address:	Phone Number: Alternate Phone Number:
Child's daily caregiver or facility staff (if different from Education Decision-Maker) (print name): X Email Address:	Phone Number: Alternate Phone Number:

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## APPENDIX G: LIST OF SCHOOL RECORDS TO BE TRANSFERRED THROUGH TREX SYSTEM

School districts and public charter schools are required to participate in the TREx system. Below is a list of school records transferred using TREx.

- Texas Unique ID
  - Social Security number or state-approved alternative ID last reported through TSDS PEIMS
- First, middle, and last name and generation code, if applicable
- Date of birth
- Gender
- Ethnicity and race
- Current grade level
- Immunization information
- Receipt of special education services and individual education plan, if applicable
- Academic year
- Course completion
- Final grade average
- Teachers of record
- Assessment instrument results
- District and campus ID
- Campus name and phone number

For high school students transferring from one Texas public school district or charter school to another, the following additional information is required to be sent via TREx:

- Student's address, including city, state, and zip code
- District or LEA name
- Either the date the exit level requirement for Texas Assessment of Knowledge and Skills (TAKS) was met or the performance level on each end-of-course assessment and the date the performance was met for State of Texas Assessments of Academic Readiness (STAAR)
- Advanced measures completed for the distinguished graduation program, if applicable
- Graduation program type required by the end of the student's junior year
- College Board College Entrance Examination Board (CEEB) campus code and ACT high school code (optional)
- Certification of coursework completion date, if applicable
- Current and previous coursework, including the following:
  - Academic year
  - Session type
  - Campus awarding credit
  - Course category, name, number, abbreviation, semester, grades, and credit
  - Course grade average, final grade average, or both
  - Special explanation codes, if applicable
  - Pass/fail credit indicator codes, if applicable

For additional information about TREx, see the [Student Attendance Accounting Handbook](#).

## APPENDIX H: EDUCATION RECORDS COLLECTED BY CPS SYSTEM CASE RECORD AND EDUCATION PORTFOLIO (CPS HANDBOOK, SECTION 4330 & 4360)

School personnel may assist in maintaining accurate CPS education records by providing copies of school-related information to caregivers and caseworkers when appropriate.

See below for a list of education documents maintained in the student's Case Record and Education Portfolio:



### All Children:

- ▷ Report cards (current school year)
- ▷ Transcripts
- ▷ Birth certificate (copy/birth verification form)
- ▷ Immunization records
- ▷ Placement authorization forms
- ▷ List of medications taken during the school day (the caseworker gives a copy to a school nurse)
- ▷ Standardized testing scores
- ▷ School withdrawal documentation (if applicable)

### Children receiving Special Education or Section 504 Services:

- ▷ ARD meeting for the current school year
- ▷ Results of the child's full and individual evaluation (FIE) or current assessments and evaluations of tests offered by the LEA
- ▷ Results of the child's IEP, updated annually (ARD meeting paperwork)
- ▷ Documentation of services provided under Section 504
- ▷ Individual Transition Plan or Summary of Performance (9–12th grade)
- ▷ All records required for all other children
- ▷ Correspondence to and from the school





## APPENDIX I: A DESCRIPTION OF THE RESPONSIBILITIES AND DUTIES OF DFPS REGIONAL EDUCATION SPECIALISTS

This position coordinates and acts as a liaison between DFPS and LEAs in each DFPS region throughout Texas. The regional education specialist provides assistance and support to DFPS staff as follows:

- » Provides information and referral services regarding developmental disability or education-related resources.
- » Identifies educational services or resources in the region.
- » Helps identify resources for specialized placement that meet the child's educational needs.
- » Assists with case planning to identify specific educational needs and services by conferring with others through individual case staffing and attending permanency planning meetings, as needed.
- » Attends Admission, Review, and Dismissal (ARD) meetings, when possible, when the caseworker is unable to attend.
- » Acts as a liaison with the TEA, LEAs and other program specialists with the DFPS state office.
- » Helps caseworkers resolve education issues with schools and LEAs and acts as a liaison with staff from the DFPS Legal Division, as needed.
- » Develops training curriculum and trains CPS staff and foster parents.
- » Works with regional DFPS staff to ensure that children in the conservatorship of DFPS receive appropriate educational services and that each child's case record includes a copy of the necessary education records. The caseworker creates an Education Portfolio with these records for each school-age child in DFPS conservatorship.
- » Helps coordinators associated with the Preparation for Adult Living (PAL) program develop transition plans for youth who are aging out of DFPS conservatorship.

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## APPENDIX J: RESOURCE SECTION

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### DFPS HOTLINE Numbers:

1-800-233-3405	Adoption Hotline
1-800-862-5252	Licensing Hotline
1-800-647-7418	State Supported Living Centers (SSLC)
1-800-720-7777	Ombudsman Office
1-800-252-5400	Abuse Hotline (Statewide Intake)
1-888-580-4357	Runaway Hotline
1-888-373-7888	Youth Helpline
1-844-888-6565	Family Helpline

The information provided is from the CPS Handbook, Section 15120.



## APPENDIX K: DFPS FORMS, ENROLLMENT, AND IDENTIFICATION FAQS



### WHERE SHOULD SCHOOL STAFF DIRECT CONCERNS ABOUT THE STUDENT'S EMERGENCY CONTACT?

The school should contact the student's caseworker on Form 2085-E to express their concerns.



### DOES THE STUDENT'S EDUCATION DECISION-MAKER HAVE AUTHORITY TO WITHDRAW AND ENROLL A STUDENT IN FOSTER CARE?

Yes, the student's education decision-maker has authority to withdrawal and enroll a student in school (*See Caregiver & Caseworker General Education Decision-Making Responsibilities, on page 100.*)



### IF THE STUDENT IS REMOVED FROM THEIR EDUCATION DECISION-MAKER, WILL ANOTHER EDUCATION DECISION-MAKER AND 2085-E FORM BE ISSUED?

Yes, another education decision-maker will be assigned. The 2085-E form should always be accurate with current information. If the school does not receive new paperwork, please contact the DFPS caseworker located on the 2085-E.



### IF THE STUDENT IS REMOVED FROM THEIR RESIDENTIAL PLACEMENT AND PLACED IN AN EMERGENCY SETTING WITHOUT PAPERWORK (2085 AND 2085-E), WHAT SHOULD THE SCHOOL DO?

The student will always be placed with a Placement Authorization 2085. Sometimes there will be a delay in receiving the 2085-E. If a student is placed without paperwork, contact the student's caseworker immediately.



### WHAT SHOULD THE SCHOOL DO IF THERE IS NO SURROGATE PARENT SIGNATURE LOCATED ON THE 2085-E?

Contact the caseworker for the information. If they do not have a surrogate parent, the school should assign one.



### WHAT SHOULD THE SCHOOL DO IF THE 2085-E REQUIRED SIGNATURES (PAGE 4 OF THE FORM) ARE MISSING OR ILLEGIBLE?

Request a completed 2085-E from the caseworker or request an updated 2085-E that is legible. See Appendix E for a screenshot of the 2085-E form.



### WHO MAY WITHDRAW THE STUDENT FOR APPOINTMENTS? WHERE IS THIS INFORMATION LOCATED?

Any DFPS employee, child placing agency staff, agency representative in Community Based Care (CBC) areas (with proper identification, e.g. badge), or current caregiver may withdraw the student for appointments. The caregiver may notify the school of persons allowed to pick up a student.



**HOW DOES THE SCHOOL IDENTIFY A STUDENT'S TRANSPORTER IF THEIR NAME IS NOT LOCATED ON THE STUDENT'S PAPERWORK?**

DFPS transporters/agency staff will have identification (such as a badge).



**WHAT SHOULD THE SCHOOL DO IF THE CHILD-PLACING AGENCY CASEWORKER REQUESTS INFORMATION ABOUT A STUDENT, BUT THEY ARE NOT LISTED ON THE STUDENT'S PAPERWORK?**

Contact the DFPS caseworker or the caregiver to seek permission to release information to the child-placing agency caseworker.



**IF THE STUDENT'S BIOLOGICAL FAMILY CAN BE INVOLVED IN THE EDUCATION MEETINGS AND DECISIONS, WHERE IS THIS INFORMATION LOCATED?**

This is information that the caseworker would have within a court order. The caregiver may have the information as well. School staff may confirm this information with the child's caregiver or caseworker.

