

**School Enrollment and
Placement Guidelines for
Children and Youth in DCFS Care**

1. Who are “children” and “youth”?

“Children” and “youth” include those for whom the DCFS Guardianship Administrator has been awarded either temporary or permanent legal custody (wards), and have been placed by DCFS in Emergency Reception Centers (ERC, formerly known as shelters), with a foster parent, relative caregiver, in a residential facility or in a Youth Transitional Living Program (ILO/TLP).

Whenever the terms “child,” “children” and/or “youth” are used in this document, they refer to a child, children or youth for whom the Department of Children and Family Services (DCFS) is legally responsible through temporary protective custody, custody or guardianship via court order, or children whose parent(s) has signed an adoptive surrender or voluntary placement agreement with DCFS.

2. What are the DCFS requirements for school enrollment?

Children and youth are expected to be enrolled in the local school district or training programs until they graduate, reach age 18 or complete their IEP program (up to age 22) if they are receiving special education services. The exception to local school district enrollment occurs when there is a change in a child's placement or living arrangement. In this situation, the child may maintain attendance at his or her former school district if it is determined to be in the best interest of the child.

3. How is residency defined for a child or youth?

The resident school district for a child legally involved with DCFS is the district where the child resides, whether placed by DCFS with a foster parent, a relative caregiver, in an ERC or in a residential facility. Legal custody for residency and enrollment DOES NOT mean guardianship. See the Illinois School Code (105 ILCS 5/10 20.12b) for further details.

4. How is residency defined for a child who is placed outside Illinois?

According to 105 ILCS 5/14-1.11a, the resident school district for children who are placed by DCFS outside Illinois (whether in a foster home, with a relative caregiver, in an ERC or in a residential facility) shall be the school district which last provided at least 45 days of educational service to the child until the student is no longer under the guardianship of an Illinois public agency or until the student is returned to Illinois. For children in special education, the caseworker should submit DCFS form CFS 407-5 Notice of Special Education Responsibility to the appropriate school district.



5. Who may enroll a child or youth in school?

Foster parents, relative caregivers and residential case managers are authorized to enroll any child that is placed in their care by DCFS or its authorized private agencies. The DCFS Placement/Payment Authorization form (CFS 906) identifies the foster caregiver, ERC or residential facility charged with custody of the child. Please also see Question 14.

6. May school districts designate one specific person to enroll children or enroll children only on certain designated dates and/or days of the week?

School districts cannot impose requirements for enrollment more restrictive than those established under relevant Illinois and federal law (ISBE Registration Guidance). Therefore, enrollment practices unique to children under the guardianship of DCFS may not delay enrollment in any way. Also, some districts designate particular days for registration; nonetheless, if a child is presented for registration/enrollment on a day other than those designated, the district must still permit the registration.

7. What are the timelines for school enrollment of children or youth?

Children are to be enrolled immediately upon presentation for enrollment by the authorized foster caregiver or case manager, as long as a copy of the DCFS Placement/Payment Authorization form (CFS 906) to verify residency and, if available, a copy of the ISBE Student Transfer Form (ISBE 33-78) to verify good educational standing have been provided. Other documentation needed for enrollment has specific timelines, as outlined in the chart below.

Documentation	Immediately upon enrollment	As soon as possible	By October 15th of the new school year	Within 30 days of enrollment
Proof of Residency: DCFS Placement/Payment Authorization form (CFS 906)	X			
The CFS 906 is the only document needed to establish the residency of a child for whom DCFS is legally responsible. The CFS 906 provides information about the legal status of the child and provides the name and address of the foster parent, relative caregiver, ERC or residential provider to whom DCFS has granted custody.				
School Transcripts		X		
The lack of school transcripts may not delay enrollment or attendance. The child welfare caseworker should request a copy of the transcript from the former school to present at enrollment. If a copy of the transcript is not available at enrollment, the receiving district must immediately take steps to obtain the transcript from the previous school. The enrolling district may use SIS to obtain transcript records. Pursuant to the requirements of Section 6 of the Illinois School Student Records Act, such records may be obtained upon request of the records custodian of the receiving school district, with or without a prior release of information on behalf of the student.				

Documentation	Immediately upon enrollment	As soon as possible	By October 15th of the new school year	Within 30 days of enrollment
ISBE Student Transfer Form (ISBE 33-78)		X		
<p>Illinois school districts are required to provide an ISBE Student Transfer form ISBE 33-78 to any student who is moving out of the school district. ISBE 33-78 contains the information about whether or not the student is "in good standing." If a child or youth for whom DCFS is legally responsible is presented for enrollment without an ISBE Student Transfer form, the receiving district must immediately take steps to obtain the document from the previous school. In order to expedite enrollment, a school district may verify student good standing via disciplinary information in the Student Information System (SIS). In situations where the student has already been found eligible for special education and related services, the district may be required to enroll the student regardless of the student's proof of good standing. Under the Individuals with Disabilities Education Act of 2004 (IDEA), the obligation to provide services to students with disabilities is ongoing even during terms of expulsion.</p>				
Medical Card (Medicaid)		X		
<p>A copy of the Medical Card is not required for enrollment. However, child welfare caseworkers and caregivers are instructed to cooperate with providing a copy at school enrollment. (DCFS Education Procedures 314.30(a)) The Medical Card will assist the school district in claiming certain costs for any medical and administrative services provided by the school under the Medicaid Program.</p>				
Individualized Education Program (IEP) form		X		
<p>If a copy of the current Individualized Education Program (IEP) is available at enrollment, the receiving school district must enroll the child and adopt the IEP of the former local school district without an IEP meeting if: i) the parents indicate, either orally or in writing, satisfaction with the current IEP; and ii) the new district determines that the current IEP is appropriate and can be implemented as written. If the IEP team determines that the current IEP is inappropriate, the district shall schedule an IEP meeting and provide parental notice within 10 days of enrollment to develop an IEP for the child. The school district must implement the existing IEP until the revised IEP is developed. (23 Illinois Administrative Code Section 226.50 (a) (1))</p>				
<p>For students in special education, lack of a current copy of the IEP may not delay enrollment or attendance. If a copy of the IEP is not available at enrollment, the receiving district must immediately take steps to obtain the IEP from the previous school district, while immediately enrolling the child, and providing the special education placement and services it deems appropriate for the needs of the child. The receiving district shall request the student's records from the sending school district by the end of the next business day after the date of enrollment. The sending district shall forward the student's records to the receiving school district within 10 days of notice that the student has transferred. No later than 10 days after the expiration of the time allotted for the sending school district to forward the child's records, the receiving district shall initiate an IEP meeting by providing parental notification. (23 Illinois Administrative Code Section 226.50 (a) (2))</p>				

Documentation	Immediately upon enrollment	As soon as possible	By October 15th of the new school year	Within 30 days of enrollment
Proof of health exam and immunizations			X	X
Proof of health examination and immunization is required prior to entering kindergarten or first grade, sixth grade and ninth grade. If proof of health exam or immunization cannot be submitted at enrollment, the child shall receive the health exam or immunization and the caregiver shall present proof by October 15th of the current school year. If enrolling a child after October 15th, the school should provide the parent 30 days to present proof of the health exam and immunization records. (105 ILCS 5/27-8.1)				
Eye examinations			X	X
Proof of eye examination is required only at enrollment in a new school district, or prior to enrollment in kindergarten. If proof of eye exam cannot be submitted at enrollment, the child shall receive the eye exam and the caregiver shall present proof by October 15th of the current school year. If enrolling a child after October 15th, the school should provide the parent 30 days to obtain the eye exam. (105 ILCS 5/27-8.1)				
Certified copy of birth certificate				X
The Illinois Missing Children Records Act (325 ILCS 50) requires submission of a certified copy of a child's birth certificate upon 30 days of enrollment. The school will make a copy of the certified birth certificate and return the certified copy to the person enrolling the student. If a certified copy is not obtainable, the Missing Children Records Act allows provision of alternate identification (passport, visa, governmental identification), which must be determined acceptable by the Illinois State Police. If alternative identification is not available, the caseworker may also provide a signed and notarized affidavit explaining the inability to produce a certified copy of the birth certificate.				

8. What information or policies should caregivers request from schools at enrollment?

Caregivers should request, at a minimum, the following information when enrolling any child:

- Student handbook
- School discipline policy
- School fee policy
- School contact information
- School calendar
- For special education students only: Explanation of Procedural Safeguards (ISBE Form 34-57J)

9. Are children and youth entitled to participate in the National School Lunch Program?

As of the beginning of the 2011-2012 school year, children who are wards of the state are eligible to participate in the National School Lunch Program. (Healthy, Hunger Free Kids Act of 2010, 42 U.S.C. Sec. 1758) The caseworker or foster parent who enrolls the child must provide the DCFS Placement/Payment Authorization form to document the legal status of the child.

10. Are children and youth entitled to a waiver of school fees?

Children who are wards of the state are entitled to a waiver of all applicable school fees covered in the enrolling school district’s fee policy required under (105 ILCS 5/2 3.96), which shall, at least, include the fees charged for all textbooks and instructional materials.

Whether a school determines a student’s eligibility for a fee waiver through the National School Lunch Program application, or through a separate application process, children in foster care are considered eligible for free meals, and thus automatically receive school fee waivers. Foster board payments made by DCFS for the care of the child in foster care may not be counted as parental income.

11. Who may sign school-related consents?

DCFS Education Procedures 314.30(c) defines who may provide school-related consent or releases. Who signs for consent depends upon the degree of liability of the proposed action and on whether or not the child is placed in special education. The following table identifies who may provide school consents. (An “authorized agent” is any employee of DCFS or its contracted agencies whom the DCFS Office of the Guardianship Administrator has authorized as its agent.)

Type of Consent or Release	Foster Caregiver or Residential Case Manager	DCFS Guardian or Authorized Agent	Educational Surrogate Parent
School enrollment	X		
Field trips in-state	X		
Field trips out-of-state		X	
Routine social events (picnics, etc.)	X		
Attendance at sporting or cultural events	X		
Extra-curricular activities (not athletic participation)	X		
Athletic participation		X	

Type of Consent or Release	Foster Caregiver or Residential Case Manager	DCFS Guardian or Authorized Agent	Educational Surrogate Parent
Media coverage/ events		X	
Slide show productions		X	
Photographs		X	
Search Authorizations		X	
Voice reproductions		X	
Research projects		X (Only DCFS Guardian)	
Liability releases		X	
Medical examinations or care		X	

12. Who may sign consent for an initial special education evaluation, initial placement, re-evaluation and records release?

Either the foster parents for children placed in a foster home or the educational surrogate parent for children placed in a residential setting are the only individuals authorized to provide consent for special education purposes, as illustrated in the following table.

Type of Consent or Release	Foster Caregiver	DCFS Guardian or Authorized Agent	Educational Surrogate Parent
Consent for initial special education evaluation for student in foster home	X		
Consent for initial special education services for student in foster home	X		
Consent for special education reevaluation for student in foster home	X		

Type of Consent or Release	Foster Caregiver	DCFS Guardian or Authorized Agent	Educational Surrogate Parent
Consent for release of special education records for student in foster home	X		
Consent for initial special education evaluation for student in residential setting			X
Consent for initial special education services for student in residential setting			X
Consent for special education reevaluation for student in residential setting			X
Consent for release of special education records for student, including linkages for transition services, in residential setting			X
Consent to invite representatives of any participating agency that is likely to be responsible for providing or paying for transition services in residential setting			X

13. Must a child transfer schools upon a DCFS foster or residential placement change?

No. When DCFS places a child in a foster home or child care facility in a new school district, the Illinois School Code (105 ILCS 5/10 20.12b) allows the DCFS caseworker, in conjunction with the foster caregiver, to determine whether it is in the best interest of the child to remain in his or her current school district at the time of the transfer. When the decision is made by DCFS for the child to remain in his or her current school district, the child may not be charged tuition as a nonresident pupil. Neither school district is responsible for transportation for the child to attend their current school. For children in special education, the IEP team determines educational placement and whether or not the child requires transportation as a related service in their IEP.

14. Are children who receive special education and related services enrolled in the same way as other children?

Like all children for whom DCFS is legally responsible, those in special education must be enrolled immediately upon presentation of the DCFS Placement/Payment Authorization form (CFS 906) and the ISBE Student Transfer Form. If a copy of the current IEP is available at enrollment, the receiving school district must enroll the child and adopt the IEP of the former local school district without an IEP meeting if the parents indicate, either orally or in writing, satisfaction with the current IEP; and the new district determines that the current IEP is appropriate and can be implemented as written. If the IEP team determines that the current IEP is inappropriate, the district shall schedule an IEP meeting and provide parental notice within 10 days of enrollment to develop an IEP for the child. (23 Illinois Administrative Code 226.50 (a)(1))

15. What if a copy of the IEP is not available at enrollment for a child in special education?

Lack of a current copy of the IEP may not delay enrollment. If a copy of the IEP is not available at enrollment, the receiving district must immediately take steps to obtain the IEP from the previous school, while immediately enrolling the child, and providing the special education placement and services it deems appropriate for the needs of the child. The receiving district shall request the student's records from the sending school district by the end of the next business day after the date of enrollment. The sending district shall forward the student's records to the receiving school district within 10 days of notice that the student has transferred. No later than 10 days after the expiration of the time allotted for the sending school district to forward the child's records, the receiving district shall initiate an IEP meeting by providing parental notification. (23 Illinois Administrative Code Section 226.50(a)(2))

16. What if there is documentation that an initial special education evaluation was started but never completed in a previous school district?

The receiving school district must contact the previous district and obtain the records and complete testing and the eligibility review. If no paperwork can be obtained within 10 days, a domain meeting should be held and testing completed. The receiving district must complete the evaluation. With regard to initial evaluations, an exception may be made to the 60 school day timeline when a child enrolls in a new school district and that school district is making sufficient progress to ensure a prompt completion of the evaluation and the parent and new school district agree to a specific time to complete the evaluation. (34 CFR 300.301(d))



17. What are the responsibilities of the school district when a student with an IEP transfers out?

It is the sending school's responsibility to ensure that the ISBE 33-78 Student Transfer Form is sent to the new district. The school, within 10 days of receiving a request from DCFS or a receiving school district, must also send all school student records to the new school to ensure appropriate placement, services and academic instruction is provided. (See the Illinois School Student Records Act, 105 ILCS 10/8.1(b).)

18. Which students are assigned an educational surrogate parent?

Any child for whom DCFS is legally responsible who is placed in a residential facility and for whom special education services are provided, or an initial special education evaluation has been requested, is assigned an educational surrogate parent. For children placed in foster care, the foster caregiver is delegated these rights.

19. When can an educational surrogate parent be requested?

An educational surrogate parent should be assigned to a child for whom DCFS is legally responsible who is placed in residential care once an initial special education evaluation is requested or if there is information that an evaluation had begun previously. If the child is already in special education, an educational surrogate parent should be requested by the residential program employee upon placement in that residential facility.

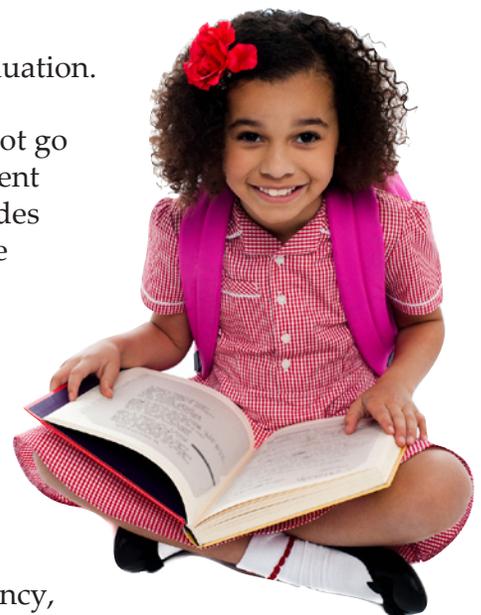
20. Who can request an initial special education evaluation? Can an initial evaluation be started while waiting for the assignment of an educational surrogate parent?

Any person involved in a student's education, including a foster parent, residential case manager*, or DCFS/POS caseworker can request that a student be evaluated for special education services. (DCFS Procedures 314.60d) However, testing cannot be given until the foster parent or educational surrogate parent (for residentially-placed students) provides formal consent.

*While a residential case manager can request an initial special education evaluation, he or she cannot sign the consent for evaluation. Therefore, for a student in residential care, the timelines for the provision of special education services, as outlined below, do not go into effect until the educational surrogate parent signs the consent for the student's evaluation. The facility where the student resides is responsible for requesting an educational surrogate parent be assigned when the evaluation is first requested.

21. What is the timeline for an initial special education evaluation?

According to Illinois Administrative Code Section 226.110 Evaluation Procedures, a request for a case study evaluation may be made by a parent of a child, an employee of a state educational agency, another state agency, a local education agency, or a community service agency. Each school district shall have



procedures that designate the steps to be taken in making a request for an evaluation; however, it is recommended that any request for a special education evaluation be made in writing. The district has 14 school days from the date of referral to determine if an evaluation is warranted and provide written notice to the parent of their team's decision. If an evaluation is to be conducted, the district must also provide the parent timely notice to participate in the "domain meeting" and obtain consent for evaluation within 14 school days from the date of referral. The "domain meeting" is a gathering of individuals (including the parent) who have the knowledge and skills necessary to administer and interpret evaluation data and who will identify the assessments necessary to complete the evaluation. The evaluation cannot begin until the foster parent or educational surrogate parent consents in writing for testing to be done. The district has a total of 60 school days from the date of the initial parental consent to complete the evaluation, hold an eligibility review meeting and develop the IEP.

22. Can a student who has been referred for an initial special education evaluation be suspended or expelled?

34 CFR, 300.534 states that a child who has not yet been determined to be eligible for special education and related services and who has engaged in behavior that violated a code of student conduct, may assert any of the same disciplinary procedures, rights and protections that pertain to special education eligible students (in accordance with 300.530) provided that the district had knowledge that the student might be a student with a disability (as defined within this section). A district would be deemed to have knowledge that a child is a child with a disability if before the behavior occurred: (a) the parent expressed, in writing, concerns about the child possibly needing special education and related services; (b) the parent requested a special education evaluation; or (c) a teacher or other school personnel expressed concern about the child's behavior to school administration. In this situation, the student has already been referred for an evaluation.

23. Must a student without an IEP, but for whom an initial special education evaluation has been requested, attend the local public school regular education program?

Yes. The local school district has a total of 60 school days from the date of parental consent to complete the evaluation process. The student cannot be denied educational services during that time. A student who is not yet determined eligible for special education may not be placed in a special education setting. However, interventions such as Response to Intervention (RtI) may be implemented, if appropriate, during this period of time. This type of intervention is a process designed to help schools focus on providing high-quality instruction and interventions to students who may be struggling with learning. Student progress is often monitored to check the effectiveness of instruction and interventions and the data collected are used to shape instruction and make education decisions.

24. When is a child eligible for home/hospital services?

Home/hospital services are intended for students who have a medical condition that will cause an absence for two or more consecutive weeks of school or ongoing intermittent absences. The fact of a student's eligibility for home/hospital services cannot be used to keep a student from enrolling in a public school so long as the condition has been documented in writing by a treating physician. The school district must take steps to ensure that home/hospital services are initiated within five school days of a written request for home/hospital services accompanied by a physician's statement. (See 105 ILCS 5/14-13.01(a).)

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