



**STUDENTS INVOLVED WITH DCFS:
WHAT YOU CAN SHARE,
WHAT YOU CAN KNOW**
STUDENT DATA PRIVACY CONFERENCE 2018

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Community Program
Administrator

utah department of
human services
Child and Family Services

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SAFE CHILDREN, STRENGTHENED FAMILIES

DHS AGENCIES

- *Child and Family Services (DCFS)
- *Juvenile Justice Services (JJS)
- *Systems of Care (SOC)
- Office of Quality and Design (OQD)
- Division of Services for People with Disabilities (DSPD)
- Division of Substance Abuse and Mental Health
- Office of Licensing
- Aging and Adult Services
- Office of Public Guardian
- Office of Recovery Services

*Agencies most likely to be involved with schools

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Agencies that are included within Department of Human Services. Not all agencies are represented, just the main ones.



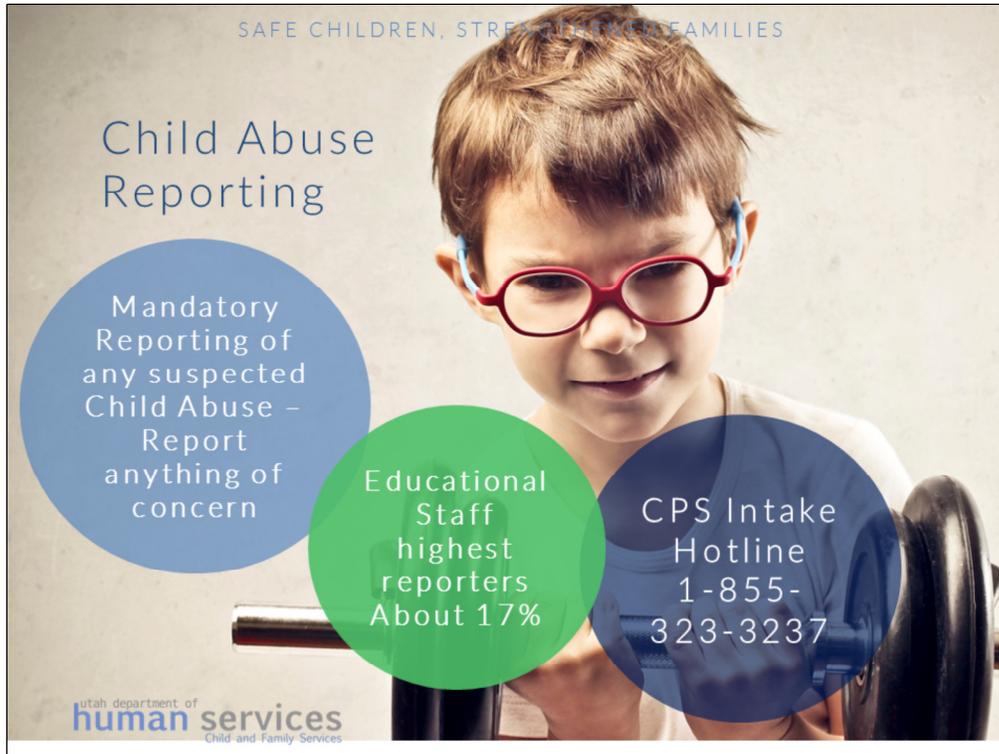
Homeworks is the DCFS initiative to focus more on In-home services with families. It has been shown through research that children who remain in the home with their families have better outcomes than children that were brought into foster care. (MIT study)
Always a balancing act – safety vs trauma of removal



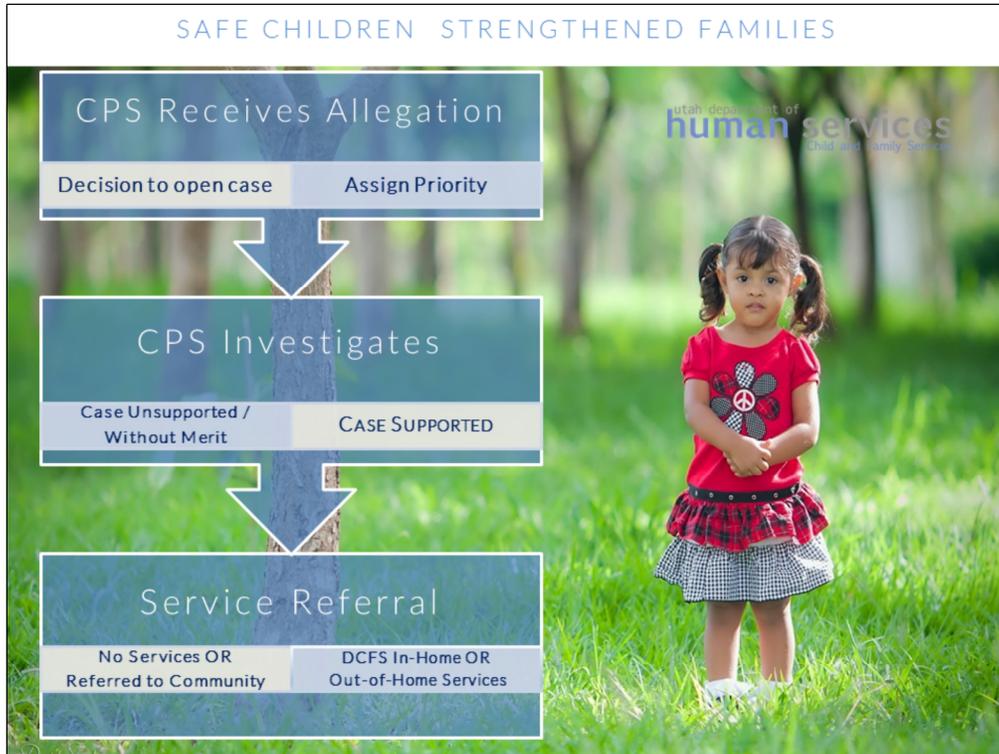
Foster care should be rare and brief. Kids need to be in families, whether that is their own family or another permanent family.



1. Prevention Services – such as family Support Center and partnership with Prevent Child Abuse, Utah
2. Child Protective Services (CPS) – investigation of validity of child abuse/neglect referrals
3. In-Home (or Home Based) services –Services offered to children and families in the home. Children may be at risk of removal. Includes services known as “Family Preservation” services.
4. DCFS administers funds to the DV shelters and treatment agencies
4. Out-of-Home Services:
 - Foster Care – Court ordered (or voluntary) custody of children to the Division of Child and Family Services
 - Transition to Adult Living (TAL) – Services to older children in foster care (14+) with the goal of teaching them skills to help them become successful adults.
 - Indian Child Welfare Act (ICWA) – services for children in foster care with Native American heritage and eligible for tribal membership
 - Family Drug Courts – Specialized court service designed for families with substance abuse problems. Goal is to provide intensive services in order to reunify the family more quickly than traditional foster care.
 - Adoption and Post Adoption – assistance to families that will adopt children in care, including post adoption supports with the goal of sustaining adoptive placements
 - Kinship Services – Services to families that have taken children related to them into their home on a permanent basis



Utah has a mandatory reporting law
Utah code 62A-4a-403, ANYONE with REASON TO BELIEVE must report
FAILURE TO REPORT = CLASS B MISDEMEANOR
65,000 Calls a year
Average Wait Time is Around 30 Seconds
Professionals Have a Designated Line
Operates 24/7



Referrals can come to us by phone, email, letter, police report, etc. All allegations are documented.

Calls come in to CPS INAKE.

Intake worker has a guide / decision tree with the criteria that they follow as they talk to you on the phone.

Intake worker makes the decision to accept it for investigation or not to accept it for investigation.

If it is accepted, it is assigned a priority.

If it is not accepted, it means it did not meet the criteria that the state statute dictates must be met in order to accept it for investigation.

They will not accept information from a third party. It has to be directly from the person that heard the disclosure from the child. You should sit with that person and offer support while they call.

Priority 1: 1 hr response time. Imminent risk and there is no adult available (police, school, medical personnel, etc.) to provide protection (on-call workers)

Priority 2: 24 hours. Current marks/injuries Or child is in imminent danger (on-call workers)

Priority 3: End of the 3rd business day. All other investigations.

Case is assigned to a worker at the local office where the child lives.

CPS investigator conducts investigation: they talk to child, parents, alleged perpetrator,

collaterals, referent, review documents and history.

They must keep the identity of the referent confidential, although sometimes the nature of the information will lead them to deduce the identity.

CPS worker decides if the allegations are “supported” by the evidence or “unsupported” or “without merit”. *Without Merit is used in the event that at completion of the investigation that the alleged abuse or neglect did not occur, or that the alleged perpetrator was not responsible. This differs from an Unsupported finding, where there is insufficient evidence to conclude that the abuse or neglect occurred, but we did not conclude that the allegation was without merit. (Sometimes kids change their story.)

For cases that are supported, CPS investigator can do one of 4 things: close without services, close with a referral to a community service (sometimes they will follow up on this), transfer the case for in-home services with the family (either court ordered or not), or if safety is a concern, they will remove the child and bring them into foster care.

When doing a removal, workers follow have an evidence based assessment they are required to fill out which assists in guiding them in the decision of whether or not to remove the child.



2017 Stats

The other 6% are unable to complete, unable to locate, or without merit.

*Unable to Complete is used when a family moves out of the state and our request for courtesy work by the other state is declined, or if initial face-to-face contact with the child has been made, but there is insufficient evidence to make a finding because the whereabouts of the child and/or family are unknown (absconded).

Most frequently supported allegation: Neglect 45% (includes child-endangerment, non-supervision, and deprivation of necessities) was the allegation most frequently confirmed; followed by Sexual Abuse (27%) and Physical abuse (23%) and Psychological Abuse (23%) and DV (18%).

SAFE CHILDREN, STRENGTHENED FAMILIES

KEY STATISTICS:
Services Provided

79% FAMILIES WITH
SUPPORTED CASE OF ABUSE &
NEGLECT WERE REFERRED TO
COMMUNITY SERVICES

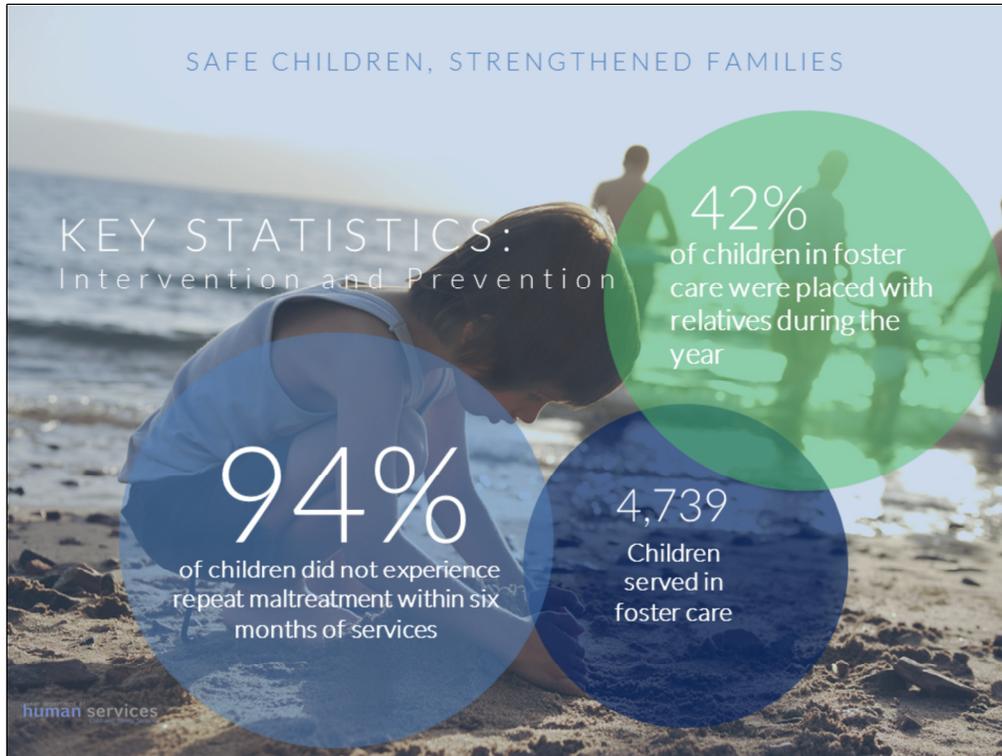
17% OF CHILD VICTIMS
RECEIVED IN HOME SERVICES

14% OF CHILD VICTIMS
SERVED RECEIVED FOSTER CARE
SERVICES



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2016 statistics. Can be found in the DCFS Annual report at http://dcfs.utah.gov/wp-content/uploads/2013/08/DCFS-Annual-Report-FY16_no-appendix.pdf



2017 statistics. Can be found in the DCFS Annual report



2016 stats:

When we remove a child we first look at the non-custodial parent for placement. Then a relative, and then foster care as a last resort.

-Majority are reunified with their family.

-Adoption: 20% adoption by a non-relative and 10% adoption by a relative

-Custody: first explore adoption but custody and guardianship to a relative is also acceptable if adoption is ruled out (child does not want to be adopted or parental rights cannot be terminated)

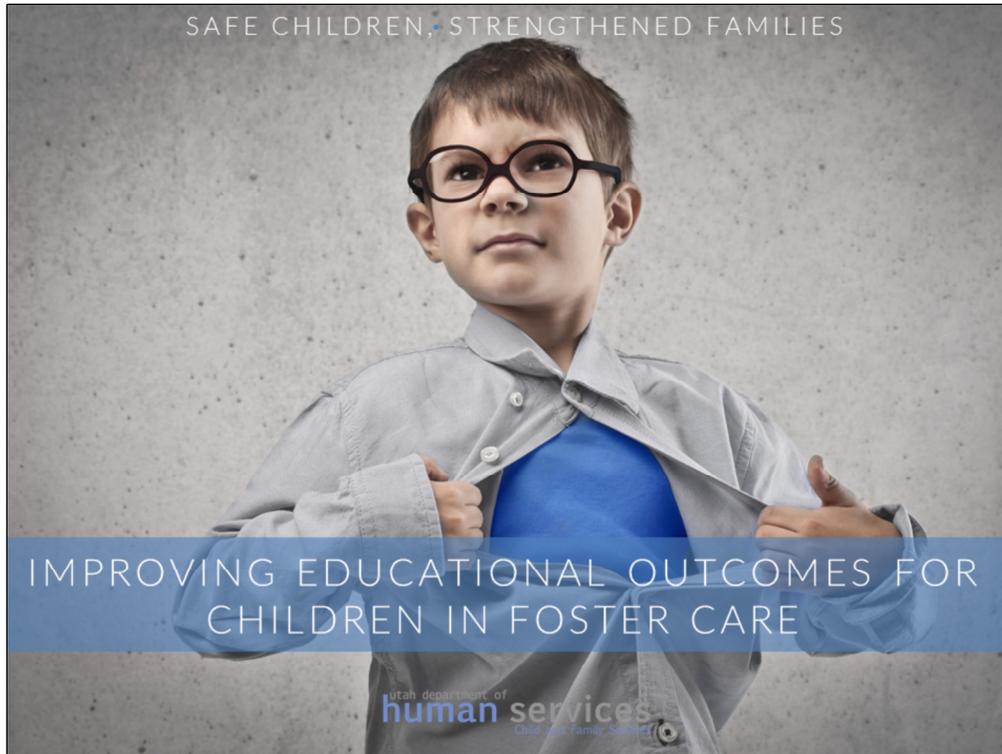
-8 % age out of foster care... this is a last resort if not adoptive or other family is found. We do not like to do this.

Other:

2% Juvenile Justice Services

1% Runaway

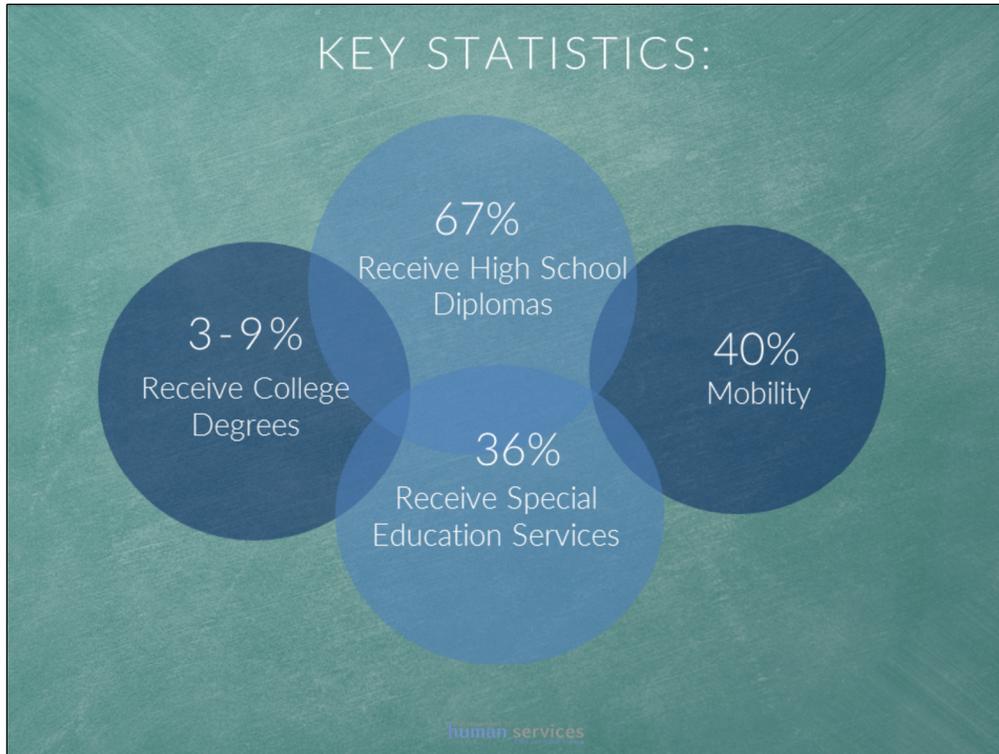
1% referred outside of DCFS



How do we improve educational outcomes? Kids are in school the majority of their day and education is the #1 indicator for success.



First let's examine how our students perform.



Only 67% graduate in Utah, compared to 83% of general population.
40% mobility – moving from school to school.
36% Special ed – and those are only the ones we know about.
Only 3-9% get a college degree.

MOBILITY RATES: 8 SCHOOLS ON AVERAGE



One of the biggest barriers children constantly face is high mobility. Between 2010 and 2012, the average number of schools that kids transferred to during their time in foster care was 8.

EVERY MOVE: 4-6 MONTHS ACADEMIC DELAYS



Research tells us that every time a child moves, he or she falls behind by 6 months! That means by the time they get to high school, they will be so far behind, it could take literally years to catch up. How on earth can kids get excited to learn, if 3-4 times a year they are moving schools and leaving teachers and friends behind?

HOW TRAUMA AFFECTS LEARNING

- Kids in child welfare all experience extreme trauma
- Relationships with teachers and counselors can be fractured as a result of being uprooted, causing destroyed routines
- Ongoing instability creates further stress and impairs learning ability
- Cognitive and emotional functions become focused on coping and survival rather than learning
- The question to ask is not what is wrong with the child in foster care, but what happened to them!



On top of those other challenges is the challenge of trauma. Assume that a child in foster care has experienced trauma. The sheer nature of them being in care and uprooted from their home and families and their perception of instability and not knowing where they will be the next day is traumatic, not to mention the abuse and neglect they have suffered. --Think about that the next time a teacher is complaining about the behavior of a child in foster care.

Trauma affects learning – actually has an impact on the brain. Can a child be focused on learning when they are trying to survive and dealing with trauma?



So how do we increase successful outcomes?



--More POSITIVE attention from teachers will make a difference.

--they need someone who believes in them and will do future planning with them, they do not believe that they have a future.

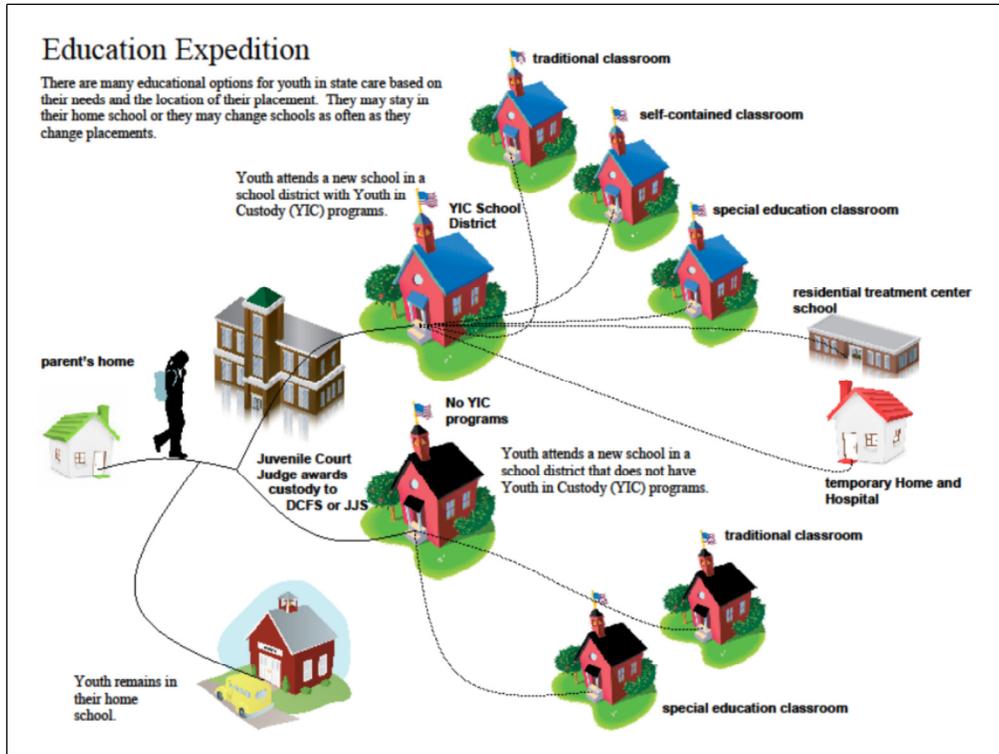
--Resources and technology: they need access and they need to learn how to safely navigate them, not have them taken away because they are in foster care.

--least restrictive: They need to be in mainstream school when possible. DCFS and UCCYIC is moving away from self-contained classrooms. Recent research indicates that they are able to catch up academically, but they are not able to gain the social skills they need to be successful outside the self contained atmosphere.

--The school is a large part of the child's environment and needs to be a place where they feel like their peers, rather than a "Foster Child". The stigma that they can suffer if others know they are in foster care can be debilitating. (Many times where they call kids down to the office to meet with "their caseworker").



Teaming is a core principle of our practice model framework. Every case has a child and family team that is supposed to meet regularly. The decision to transfer schools should be made in the context of the team. Educators and education input must be included. Anyone on the team or involved in the life of the child may also request a meeting at any time.



A look at the education system set up for youth in custody.



There are several federal and state laws that need to be followed for students in foster care:

The Fostering Connections Act 2008 made following provisions:

All children in state custody must be enrolled in school full time. It requires states to have records of the child's school placement.

Any medical condition which prevents a child from attending school on a full time basis must be documented.

If there is a medical or any other situation that prevents a child from attending on a full time basis, any alternative educational arrangements for a child must be documented.

Efforts will be made to prevent disruptions in the child's educational placement. This includes efforts to maintain a child in the school they are enrolled in at the time the child comes into custody or any time a child must change placements while in custody, if there are no safety issues preventing the child from remaining in the school of origin.

If it is not in the best interest of the child to remain in the school of origin, the child must be immediately enrolled in a new school.

The Law makes provisions to provide reimbursement of travel expenses to a provider who is willing to transport a child back to their school of origin if the child is IV-E eligible.

More information on what this looks like in practice will be covered later.

ESSA (2016) also requires that efforts must be made to help foster children maintain education stability, and that child welfare and education must work together to figure out transportation issues.

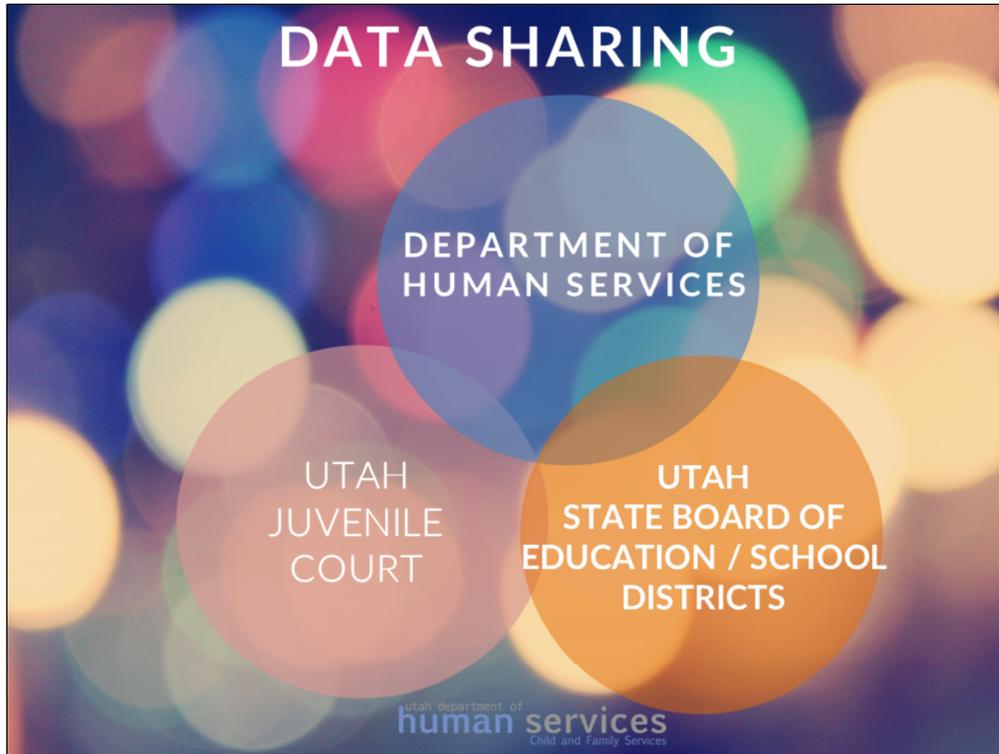
DCFS has implemented training for workers on these issues, but problems may persist with caseworkers, so we want you to be aware of these issues.



Caseworkers should not be pulling children out of school for visits, therapy, etc.

Court attendance is the only exception: they are required by law to attend court. Foster parents / Caseworkers should get homework and assignments beforehand.

DCFS policy states that children have to be enrolled in school within 3 business days of coming into custody OR moving foster homes, if a change in school is necessary.



In 2014, we collaboratively implemented an MOU that has been signed between the 3 agencies to share educational information for Youth in Care.

IN 2016 legislative session – made into law. This means there are no FERPA restrictions to sharing information between the agencies when it comes to children in foster care.

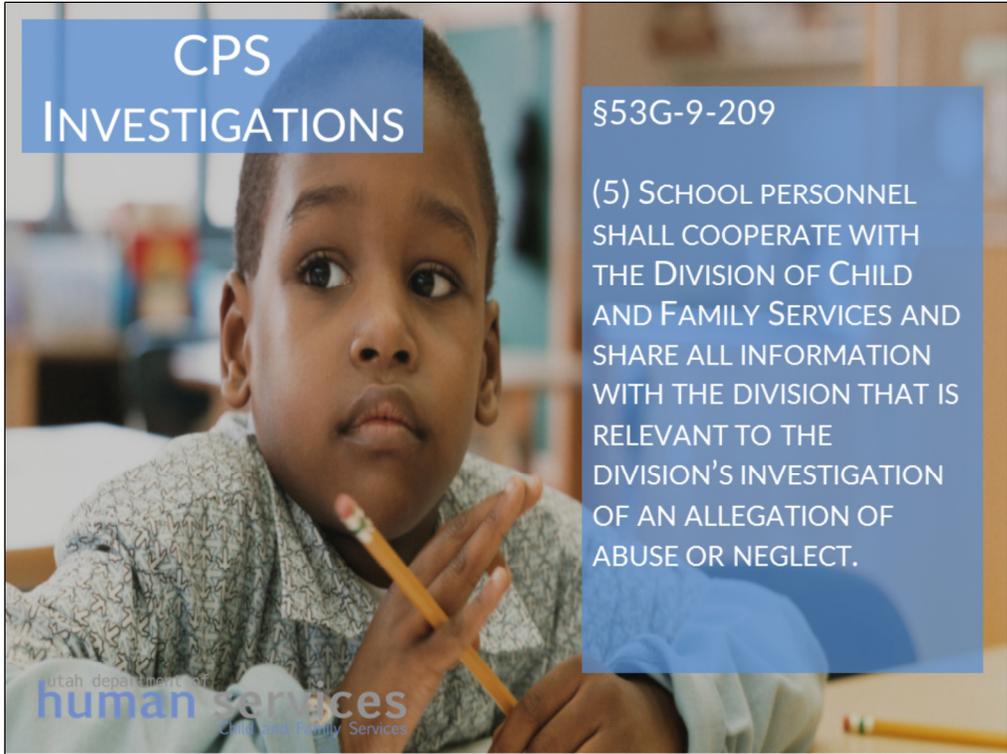
We use the information gathered from schools to inform the child and family team about education decisions and also to fill out the education court report – which is a required form from the juvenile court to report on the child’s education progress. All DHS employees have identification badges that they can provide when requesting information. You can request that they send you a copy of their badge if records are requested electronically.

- (3) A student data manager may share a student's personally identifiable student data with a caseworker or representative of the Department of Human Services if:
 - (a) the Department of Human Services is:
 - (i) legally responsible for the care and protection of the student, including the responsibility to investigate a report of educational neglect...
 - (ii) providing services to the student;
 - (4) The Department of Human Services, a school official, or the Utah Juvenile Court may share personally identifiable student data to improve education outcomes for youth:
 - (a) in the custody of, or under the guardianship of, the Department of Human Services;
 - (b) receiving services from the Division of Juvenile Justice Services;
 - (c) in the custody of the Division of Child and Family Services;
 - (d) receiving services from the Division of Services for People with Disabilities; or
 - (e) under the jurisdiction of the Utah Juvenile Court.



§53E-9-308

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CPS
INVESTIGATIONS

§53G-9-209

(5) SCHOOL PERSONNEL SHALL COOPERATE WITH THE DIVISION OF CHILD AND FAMILY SERVICES AND SHARE ALL INFORMATION WITH THE DIVISION THAT IS RELEVANT TO THE DIVISION'S INVESTIGATION OF AN ALLEGATION OF ABUSE OR NEGLECT.

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Always request an evaluation if you suspect that a child may qualify for special ed or if there are issues and you are not quite sure what is happening with that child.

Always request the special education file when you request education records for children in foster care, as a regular course of action. Chances are, one exists.

Parents should always be invited and engaged in the child’s educational process.

When a child is in care, their parents are still the child’s legal representative in academic and special education matters, unless there is a court order terminating their rights or prohibiting them from interacting with the child, the school or involvement with educational decisions for the child.

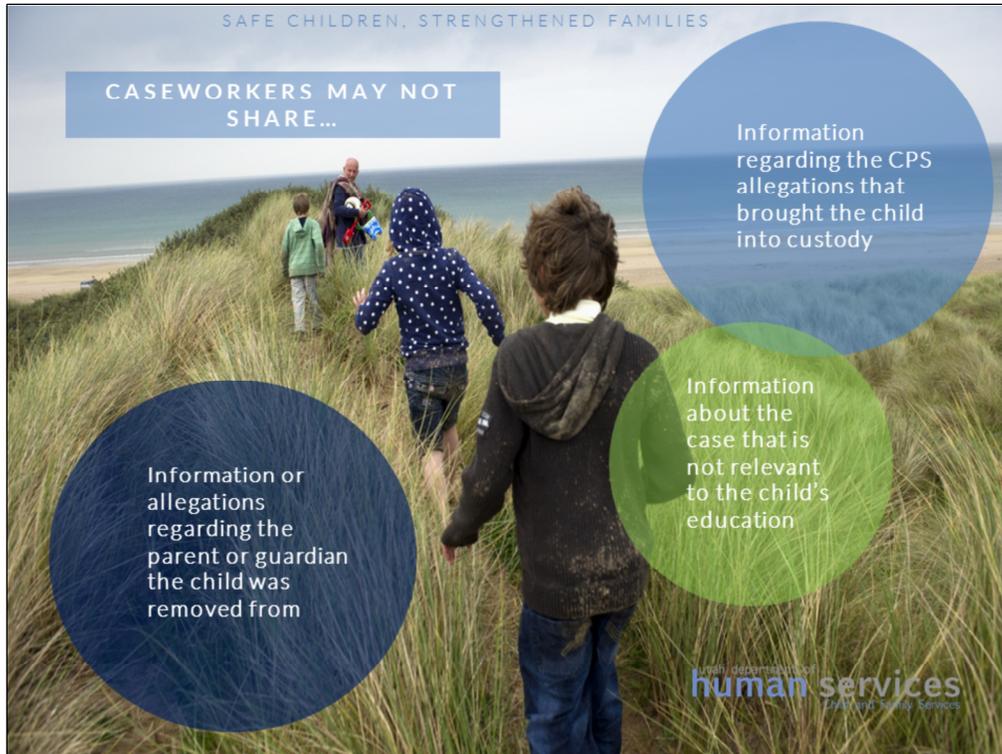
If the parents are not engaged in the educational decision, IDEA defines specific individuals who may act as the parents. These individuals are an adoptive parent, foster parent, guardian, grandparent, step-parent or other relative with whom the child is living.

Again, caseworkers may not act as the parent for educational decisions under IDEA. Caseworkers may sign the IEP as a participant of the IEP team, but NOT as the parent/guardian. Caseworkers from DCFS attend IEP meetings as participants. They may not act as the child’s parent in relationship to an IEP. They may sign the IEP as a participant but not as the parent. As an "agent of the state" who is paid by the state, it is a conflict of interest for the caseworker to act as the representative in special ed decisions, in effect, authorizing state dollars for that child's education.



Collaboration at the case level:
Information that Caseworkers may share

Caseworkers may only share psychological assessments through the GRAMA process. USBE will be sending out information about this to school districts very shortly.



What caseworkers may not share.

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INFORMATION REGARDING IN-HOME CASES

Caseworkers may not identify DCFS is working with the family or share any information regarding the family without a signed release of information from the parent/guardian.

Education staff may be invited to the team meeting with prior permission and consent from the parent/guardian

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In-home cases, since DCFS does not have parent/guardian authority, we must have parental permission to share information with educators (a signed release of information). We cannot even confirm that we have a case with them without their permission.

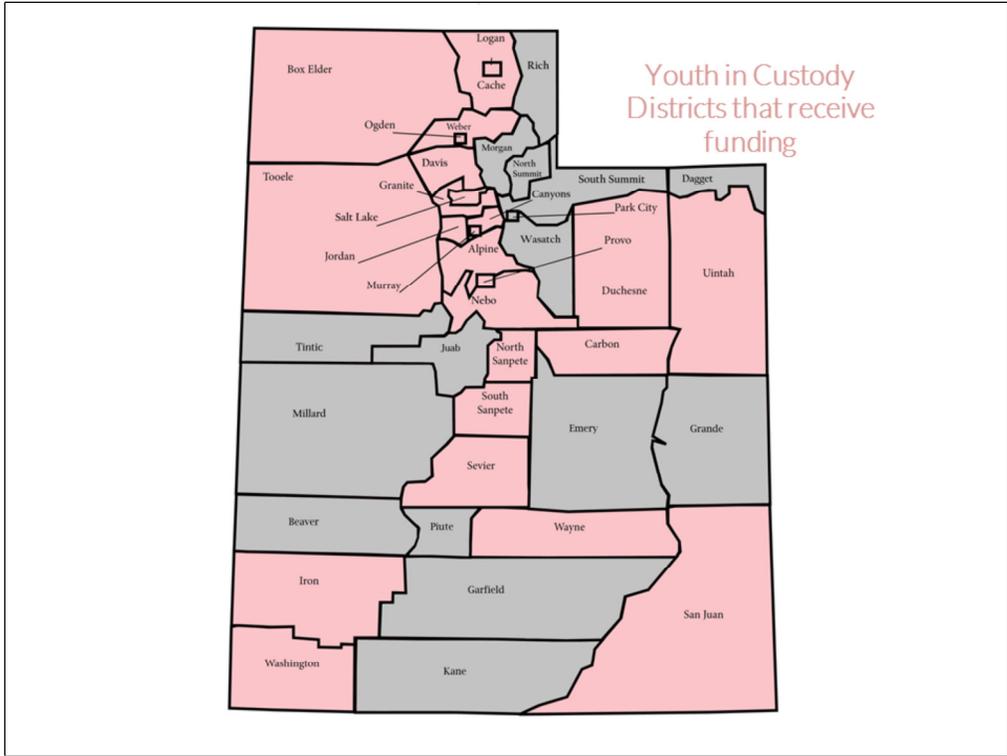
WHAT EDUCATORS CAN DO

- Provide input and/or be included in Child and Family Team meetings, when possible.
- Keep in contact with the caseworker and foster parent.
- When information is needed, prepare a written statement for DCFS caseworker clearly communicating what information you need, the purpose for the information (what it will be used for) and why it is relevant to the child's educational services.
- Request that the caseworker respond to information requests in writing.
- Assist with timely records transfer when the child needs to change schools.



At the State Level – we have the Utah Coordinating Council for Youth in Care, an advisory council. Here we discuss the line item for the Youth in Custody (YIC) Program and the best way to disperse those funds to support services and supports for these youth in the districts. We look at latest evidence based and research based practice and recommend changes based on them. We approve the funding requests from the school districts on an annual basis. Members include representatives from DCFS, JJS, Juvenile court, Division of Substance Abuse and Mental Health, a Superintendent, tribal representative, and the State Board of Education.

Additionally, we have recently formed a subcommittee of Juvenile Court Judges who have made education a priority within the last 3 years. They have implemented the **Education Court Report**, which is a way for them to look at how the child is doing academically for each court hearing, which we may ask your assistance on filling out.



Districts in pink have YIC programs.

[CONTACT INFO](#)

EDUCATING YOUTH IN STATE CARE

<https://hs.utah.gov/education/>

Coordinated efforts between agencies can make a difference and ensure educational success in the lives of children in foster care and youth involved in juvenile justice services.

This section can help you see how your role interconnects with other agencies and give you the resources you need when interacting with them.

Print Educating Youth in State Care

[PRINT NOW](#)



MAP OF CONTACTS

Donec id elit non mi porta gravida at eget metus. Nullam quis risus eget urna mollis ornare vel eu leo. Nullam quis risus eget urna mollis ornare vel eu leo.

[SEE MAP](#)



EDUCATION SERVICES

Youth in custody may encounter numerous barriers to school success. By working together, schools, Child and Family Services, and Juvenile Justice Services can understand the unique situations and experiences of children in care.

[LEARN MORE](#)

Website put together by the agency collaboration, great resource for educators. Answers to frequently asked questions, map of all important contacts in each county.

SAFE CHILDREN, STRENGTHENED FAMILIES

DCFS Regions

NORTHERN REGION
* Box Elder, Cache, Rich, Weber, Morgan, Davis

SALT LAKE VALLEY REGION
* Salt Lake, Tooele

WESTERN REGION
* Summit, Wasatch, Utah, Juab, Millard

EASTERN REGION
* Daggett, Duchesne, Uintah, Carbon, Emery, Grand, San Juan

SOUTHWEST REGION
* Sanpete, Sevier, Beaver, Piute, Wayne, Iron, Garfield, Washington, Kane



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DCFS has a region education specialist in each region, there to interface with you about any educational issues / questions / concerns that you may have problems with when a child is in foster care.

DCFS is broken down into 5 statewide regions. If you don't know which region you are in, take a look so you can know which education specialist you need to connect with for problems.

SAFE CHILDREN, STRENGTHENED FAMILIES

DCFS REGIONAL
EDUCATION
SPECIALISTS

human

Northern Region:
Bekah Jeffreys
(801) 395-5956
bjeffreys@utah.gov

Salt Lake Valley Region
Darcie Peterson
(801) 952-4110
darciepeterson@Utah.gov

Western Region:
Eric Jenkins
(801) 318-4315
ericjenkins@utah.gov

Eastern Region:
Candace Jensen
(435) 749-2408
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Southwest:
Paige Pryor
(435) 233-0375
ppryor@utah.gov

Education Specialists

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QUESTIONS OR CONCERNS:

TANYA ALBORNOZ
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PROGRAM
ADMINISTRATOR
801-696-4866
TALBORNO@UTAH.GOV

THANK YOU!

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Please feel free to contact me with any questions or concerns!

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THANK YOU!

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