



Department of Children and Family Services Policy and Procedure Guide

Division No: 3–Child Welfare

Effective Date:
November 19, 2008

Chapter No: 14–Education

Item No: 5–Education Information in Court Reports

POLICY: The Department of Children and Family Services will advise the Fresno County Juvenile Court through the various Court reports of the educational status of each child for whom a petition has been filed.

PURPOSE: To ensure that each foster child, if possible and in their best interest, continue to attend their school of origin. Also to ensure that each foster child has “a meaningful opportunity to meet the academic achievement standards to which all pupils are held.”

REFERENCE: [AB 490](#)
[California Rule of Court 5.651](#)
CWS/CMS Hidden Text
[Review of Dependency Status \(RDS\) Court Reports PPG](#)
[Initial Child’s Folder PPG](#)
Change in Schools PPG
[JV-225 \(English\)](#)
[JV-225 \(Spanish\)](#)
[JV-535 \(English\)](#)
[JV-535 \(Spanish\)](#)

PROCEDURE:

I. JV-225 Form

- A. At the time of removal, the Social Worker will have the parent/legal guardian complete the JV-225 “Your Child’s Health and Education” form.

Submitting Party Division/Program Manager/ Deputy Director Approval	–	_____	–	_____
		Name		Date
Deputy Director’s Approval	–	Andrea Sobrado	–	8/27/08
		Name		Date
Director’s Approval	–	Catherine A. Huerta	–	8/27/08
		Name		Date

Item 5 - Education Information in Court Reports

- B. The JV-225 form is to be filed with the Court upon completion. If the JV-225 is completed by the time the Detention report is written, then the JV-225, as well as the Detention report, should be filed with the Court at the same time. The JV-225 form is to be flagged in order for it to be filed with the Court separately. At each subsequent hearing, any changes or updates to the JV-225 must be provided to the Court by reporting this information in the respective Court report or filing an updated JV-225.
- C. The assigned Office Assistant from Emergency Response (ER) will enter the information from the JV-225 into the Health and Education Passport (HEP) section of CWS/CMS while the case remains in ER. The JV-225 should not be included in the Child's Folder, as it contains confidential history about the parents. However, the HEP will be placed into the Child's folder. For JV-225 forms that are obtained once the case has left ER, the assigned Social Worker is responsible for entering the information into the HEP.

II. DETENTION REPORTS

- A. Detention reports are created in CWS/CMS, which currently do not have a section addressing the education rights and needs of a child. Therefore, the Department will create an "Education" section in the Detention report, which is to be included after the "Reasonable Efforts" section.
- B. The Education section will include, to the extent that the information is available:
 - 1) Who holds the educational rights of each child. This is usually the custodial parent. However, if a parent has left a child with a relative or friend and they have a written note indicating the relative or friend can make educational decisions, then the relative or friend holds the right to make educational decisions.
 - 2) Whether the parent or legal guardian's educational rights should be temporarily limited.
 - 3) If the child was enrolled in school prior to removal, are they still attending that same school?

Item 5 - Education Information in Court Reports

4) If the child is unable to attend the same school as they were before removal or it is not in their best interest, in what school is the child now enrolled? If a change in schools is needed, the educational liaison will be consulted, however, the Social Worker, the person who holds the educational rights, and the child are to decide together what is in the child's best interest. If a decision can not be reached between the three, then the child is allowed to remain enrolled in the same school as they were before removal until the matter can be resolved.

5) Whether the out-of-home placement is the environment best suited to meet the unique needs of children with disabilities and to serve the child's best interest if he or she has a disability. Also, whether the placement promotes educational stability because the placement is close to the child's school.

6) Add the following sample text. Delete what does not apply:

"The parents currently hold the educational rights for the child. The Department is in agreement with the parents remaining the educational rights holder. The parents' educational rights should be temporarily limited because _____. Prior to removal, the child was attending _____ School, and continues to be enrolled there/is now enrolled in _____ School. The decision to change schools was made in consultation with the educational liaison, the educational rights holder, and the child and the Social Worker because _____. The child's placement is close to the child's school. The child, _____, has a disability, and the care provider is best suited to meet the child's needs. The JV-225 for the child was filed with the Fresno County Juvenile Court on (date) ~OR~ has not yet been provided by the parents and DCFS respectfully requests the Court to direct the parents to complete the form."

III. Jurisdiction Reports

- A. The Education section from the Detention report will be copied into the Jurisdiction report after the "Case Status" section.
- B. The Education section will be updated with any new information (see above). If the JV-225 was completed by the parents after the Detention report was completed, then the JV-225 will be flagged separately for filing at the same time as the Jurisdiction report.

Item 5 - Education Information in Court Reports

- C. The Health and Education Passport is to be attached to the Jurisdiction report.
- LV. DISPOSITION REPORTS, STATUS REVIEW REPORTS, AND WIC 366.26 HEARING REPORTS
- A. The following information is needed in reports for any hearings related to, or that may affect, a child's education:
 - 1. Whether the parent or guardian's educational rights have or should be limited.
 - 2. What kind of school the child is attending (i.e., public, private, continuation, etc.).
 - 3. If the child is between 3 and 5 years old and is or may be eligible for special education services, whether the child is receiving any early educational opportunities.
 - 4. Whether the child is receiving appropriate services through a current individualized education program (IEP).
 - 5. Whether the child is participating in developmentally appropriate extracurricular and social activities.
 - 6. The child's age, behavior, educational, and developmental achievement, and any discrepancies in achievement in education and in cognitive, physical, and emotional development.
 - 7. Identification of the child's educational, physical, mental health, or developmental needs.
 - 8. Whether the child may have physical, mental or learning-related disabilities or other special education needs and is in need of or is already receiving special education and related services.
 - 9. If the child is 0 to 3 years old, whether the child may be eligible for or is already receiving services available under the California Early Intervention Act, and whether those services are appropriate.

Item 5 - Education Information in Court Reports

10. Whether the child is or may be eligible for CVRC services or is already receiving CVRC services. Copies of the current Individual Family Plan and/or the current Life Quality Assessment should be attached to the report.
11. If recommending that the parent or guardian's educational rights be limited, the reasons those rights should be limited and the actions that the parent or guardian may take to restore those rights if they are limited.
12. If the parent or guardian's educational rights have been limited, when they were limited and who now holds the child's educational rights.
13. Recommendations and case plan goals to meet the child's identified educational, physical, mental health, and developmental needs.
14. Whether any orders to direct an appropriate person to take the necessary steps for the child to begin receiving assessments, evaluations, or services, including those for special education and related services, are requested.
15. In situations where a WIC 241.1 staffing has been held with Juvenile Probation regarding a child, then both Departments need to make a statement about whether they believe the child may have a disability and whether the child is in need of special education and related services or requires an evaluation.
16. For all Disposition, Status Review and WIC 366.26 Hearing Reports, the JV-535 form needs to be reviewed, and if there is new information or a change, then it needs to be completed for each child and attached to the report.
17. For all Status Review reports, the information in the JV-225 form needs to be updated. The Social Worker has a choice of having the parent/care provider complete a new JV-225, or going over the JV-225 with the parent/child/care provider and updating the information in the report. The updated JV-225 needs to be flagged and filed separately from the report.

Item 5 - Education Information in Court Reports

18. For sample text, please refer to the “Educational Template for Court Reports” located in the “Education” folder in cotemps on the “g” drive. Delete what does not apply.

- B. To request school records, complete the “FAX School Records” form located in the “Education” folder in cotemps as soon as possible. If the school does not respond in a reasonable amount of time, contact the Department’s Education Liaison, Kaye Fredrickson, for help.

- C. The “Medical,” “Developmental,” and “Mental and Emotional Status” sections of the report must also be addressed as it relates to the child’s education. For information to include in these sections, please refer to the Review of Dependency Status (RDS) Court Reports PPG (#3-6-5).

EDUCATION TEMPLATE FOR DET AND JURIS

EDUCATION

The parents currently hold the educational rights for the child. The Department is in agreement with the parents remaining the educational rights holder. The parents' educational rights should be temporarily limited because _____. Prior to removal, the child was attending _____ School, and continues to be enrolled there/is now enrolled in _____ School. The decision to change schools was made in consultation with the educational liaison, the educational rights holder, and the child and the Social Worker because _____. The child's placement is close to the child's school. The child, _____, has a disability, and the care provider is best suited to meet the child's needs. The JV-225 for the child was filed with the Fresno County Juvenile Court on (date) ~OR~ has not yet been provided by the parents and DCFS respectfully requests the Court to direct the parents to complete the form.

Educational Template for Court Reports

Educational rights for this child are held by parents

On _____ the court suspended the educational rights of the parents and designated _____ as the child's educational representative or surrogate parent. Child's name is a freshman at name of school in the Fresno Unified School District. Child's name has been enrolled at school name since day/month/year. Since the last hearing, the child has changed schools. The decision to change schools for child's name was made by the child, the educational rights holder, the educational liaison and/or the social worker. A change in school was determined to be in the child's best interest because (explain).

Child's current attendance records (attached for the Court's consideration) show that he has missed approximately # days of school. Of these # days, the child's care provider, cp name, has excused # while # of the absences were unclear, meaning that no communication was received from the care provider as to why he was not in school. Child has had # tardies this school year. Explain:

Behaviorally, school name has reported that there have been no problems.

Child's name teachers report that he is respectful. Child's demeanor in the classroom is quiet and teacher's report that he is hesitant to interact with his peers and does not take initiative to participate in any classroom activities. Child's name has been interested in participating in extra-curricular activities and is currently involved with clubs or sports teams on campus. Currently, the Child's name is involved in the following extracurricular activities: _____.

Academically, child's name currently has a _____ grade point average. This average is based on his date semester grades. A progress report that was created on date (attached for the Court's consideration) shows that he is earning A's in _____ subjects, B's in _____ subject, C's in _____ subject, D's in _____ subject, and F's in _____ subject. Child's name standardized test scores for 1st grade shows that he is above reading level and above math level.

The plan for interventions for low grades is:

Goals for the future:

The JV-535 form for the child is attached for the Court's consideration.