

**Comments Regarding Proposed Administrative Rule
65C-28.018**

	Individual/Agency Contact Information	Comment/Issue (please reference page and line number)	Response (Office of Child Welfare)
2	Devereux-Carol Deloach	My concern with the form is that it implies the decision as to best interest has to be signed off on by the parents, GAL, and the child.....yet it would only be the school system or the CBC who would have to bear the cost of any decision where cost was created.	This checklist will be given to the school district to document the decision to either change schools or remain in the school of origin. The signatures on the form are all potential participants in the decision. Only those who participated are required to sign. The form has been updated to include as applicable for signatures. The cost of transportation cannot be a factor in making the best interest determination.
4	Family Support Services of North Florida- Sarah Markman-Sayar	The draft of the school stability checklist provided presents some ambiguity in the questions. Can we use our own form as long as it meets the requirements of the act and code? <ul style="list-style-type: none">• For example, the questions regarding the child's input on school of origin, cultural ties and involvement in extracurricular activities are written as a "yes" or "no" format only.	A standardized form enhances our partnership with DOE in ensuring consistency of documentation. The y/n has been removed.
5		There is a signature page attached to the school stability checklist. Who is required to sign the form?	The signatures that are required has been clarified.
6		What are the timeline expectations on the questions being answered and the decision made as to when it is in the best interest to move?	With planned placements, the best interest decision should be made prior to the change in placement. In cases of emergency placements, the decision

			<p>should be made as soon as possible after the placement.</p> <p>The timeliness of the decision can also be addressed in local agreements.</p>
7		Is this checklist an ongoing document?	No. Each change in placement requires a new best interest determination.
8		Who is the gatekeeper of the form? Will this become part of the judicial review? Will these questions be added to FSFN education module?	<p>The CBC is the custodian of record of all child case information. A copy of the form must be provided to the child's new school and uploaded into FSFN.</p> <p>At this time there is no plan to add the questions to the FSFN education module; however, if you feel it would be beneficial to add the questions to the FSFN functionality, please complete a FSFN change request and send it to DCF OCW.</p>
9		Who completes? Once complete, where does it go?	The CBC is the custodian of record of all child case information. A copy of the form must be provided to the child's new school and uploaded into FSFN.
10		<p>At the time of removal and placement, the timely answering of certain questions, gathering information, and involving DCPS foster care liaison may be a problem especially for the late night removals. For example:</p> <ul style="list-style-type: none"> • History of child's school transfers are not going to be readily available during first removal. • Length of commute is not going to be known until placement is determined 	<p>In cases of emergency placements, the decision should be made as soon as possible after the placement.</p> <p>The timeliness of the decision can also be addressed in local agreements.</p>
11		The 504 Plan or IEP may not be easily accessible or unknown at the time of new removal to make the determination of best interest	In cases of emergency placements, every effort should be made to obtain the documentation needed to make a best interest determination as soon as possible after placement.

12		Who receives the documentation to be provided in the new school and where is the documentation placed (If in the cumulative file then it will remain there even after the dependency case is closed)?	The school liaison or point of contact for the school district will receive the information from the CBC. The school district determines how to maintain their records. Any concerns can be addressed in the local agreement.
13		FSS currently makes every effort to maintain the child's school of origin. Upon initial placement or placement change, FSS submits a transportation request to the Duval County School Board to see if a bus route exists, or can be set up to transport the child from their new address to their current school. This request can take up to 10 days to process.	Interim transportation should be addressed in local agreement.
14		How are this new rule going to effect the statute that foster parents can home school?	The same best interest determination will be made if foster parents wish to homeschool.
	Heartland For Children, Kathie Southern	In this memo, there is no reference to the responsibilities of the Child Protective Investigator in regards to initial removal and placement. For our Circuit, DCF has been involved in the local planning for implementation and will have a significant responsibility at initial removal, in particular when that is happening in non-licensed out of home placements. The administrative code appears to have accounted for this by stating "child welfare professional", but the memo only addresses CBC staff.	The amendments to 28.018 include all child welfare professionals. Additional guidance will also be sent to investigative staff.
15		(1)(d) states that the cost of transportation cannot be a factor in making the best interest determination. We understand this, but also know that there have been no funds provided to cover the increased costs of implementing ESSA. This is expected to be a significant barrier to implementation.	The requirement regarding the cost of transportation is in ESSA.

16		(5)(a) states that the child welfare professional shall immediately arrange transportation in the interim period while the school board arranges school transportation, but there is no reference for when they do not agree. We recommend that section (5)(b) 2 not be stricken and instead be left in so that other transportation arrangements can be explored if the school board is not in a position to provide transportation.	Local transportation plans are part of the school's Title I plan. Plan covers who is responsible for transportation and costs. Federal guidance on ESSA assigns responsibility to the school districts. Can put in local agreement what to do in interim. Removing (a).
17		(6)(b)2 requires a request for Children's Legal Services to seek the appointment of a surrogate parent by the court. Statute allows for the school board to also make this determination and this is how we handle it here in our Circuit, so we are requesting that the school superintendent or designee also be included as an option to obtain a surrogate parent for a child in care.	Added reference to superintendent
18		School Stability Checklist- Under the best interest section, we would like 1) length of placement and 2) caregiver input to be added as best interest factors.	The decision to change schools does not precede the decision to change a child's placement. Whether the child will have to change schools is a consideration in where the new placement will be. The case manager should communicate with the child's caregiver to gather information regarding the best interest factors. Added the length of time the child attended the school of origin.
19		Currently the column indicating "Best Interest: Y/N" is confusing. The questions don't seem to be worded in a way to warrant a Y/N answer and it is unclear as to whether we are saying yes it is in their best interest to remain in their same school or change schools. We	Agree. Deleted the Y/N column.

		recommend the questions be re-worded or the column be removed from the chart to just allow for comments. A section can be added after the chart where the person filling out the form can indicate clearly if the recommendation is to remain in their same school or change schools after all of the best interest criteria were considered.	
20		We recommend that instead of asking for actual signatures on a form, which will easily delay the decision making and contribute to additional absences, that we use a chart where the name, title and agency of the person consulted with in reference to best interest determination can be listed. The form can be signed by the child welfare professional filling out the form.	This checklist will be given to the school district to document the decision to either change schools or remain in the school of origin. The signatories on the form are all potential participants in the decision. Only those who participated are required to sign.