

DEPARTMENT OF SOCIAL SERVICES

CHILDREN'S DIVISION

P.O. BOX 88

JEFFERSON CITY, MISSOURI

May 13, 2005

MEMORANDUM**WHAT'S INSIDE:**

- Reminder of foster parent's and worker's roles in giving consent for education of children with special

TO: AREA EXECUTIVE STAFF, CIRCUIT MANAGERS AND CHILDREN'S DIVISION STAFF

FROM: FREDERIC M. SIMMENS, DIRECTOR

SUBJECT: PROVIDING CONSENT FOR THE EDUCATION OF STUDENTS WITH DISABILITIES; THE ROLE OF THE FOSTER PARENT "ACTING AS THE PARENT"; AND THE ROLE OF THE CHILDREN'S SERVICE WORKER AS "SURROGATE PARENT" FOR CHILDREN PLACED IN LICENSED RESIDENTIAL FACILITIES.

REFERENCE: CHILDREN'S DIVISION

DISCUSSION:

The purpose of this memorandum is to review policy pertaining to the Foster Parent's role of "Acting as the Parent" for the educational needs of children in alternative care, and the role of the Children's Service Worker in the absence of a "Surrogate Parent" assigned by the Department of Education for children placed in licensed residential facilities.

It is important that the Children's Service Worker and Foster Parent understand their fundamental roles in providing consent under the Individuals with Disabilities Act (IDEA) concerning the education of children with special needs; current policy exists to explain these roles, introduced with Memorandum CS02-02, dated January 23, 2002.

Child Welfare Manual [Section 1, Chapter 3.3](#) identifies responsibilities of the Placement Provider, including:

- To provide for the education of children and to encourage the expression of the child's strengths and special talents;
- To "act as the parent" in public school planning and placement if the student has disabilities. Part of that responsibility is to give consent and written permission at the time of initial evaluation and/or placement for special education and related services and at the time of reevaluation when additional assessments are required. (This applies only to foster/relative providers. The Department of Elementary and Secondary Education will assign a "surrogate parent" for youth in residential facilities.)

Child Welfare Manual Section 1, Chapter 1 identifies responsibilities of the Children's Division, including:

- To provide whatever supports are required by the placement providers who will “act as the parents” in the educational planning and placement for students with disabilities attending public school.
- For youth in residential facilities, the Children's Service Worker is to “act as the parent” in making educational decisions until the Department of Elementary and Secondary Education can appoint a “surrogate parent.”

NECESSARY ACTION:

1. Review this Memorandum, and Memorandum CS02-02 with all Children's Division Staff, Foster Parents, and Foster Parent Trainers.
2. Review Child Welfare Manual [Section 1, Chapter 1.2; Roles and Responsibilities of the Children's Division](#); and [Section 1, Chapter 3.3; Responsibilities of the Placement Resource](#), with all Children's Division Staff, Foster Parents, and Foster Parent Trainers.
3. All questions should be cleared through normal supervisory channels.

FMS/MS/cb