

Code reference	current draft language	Proposed Change	Justification	DCF Response
65C28.018 (1)	...unless remaining in the school of origin is not in the best interest of the child as documented in FSFN		Code needs to outline a clear point person for making the final determination of best interest. Although it reads as a joint decision, if there is dissension, there may need to be an escalation process outlined.(probably in local agreements)	While the DCF/CBC is ultimately responsible for the child's welfare, we encourage each CBC to create an escalation process in their local agreement with the school district.
65C28.018 (1) (a)		Insert at the end of (a) "In the event that a school change is being contemplated"	this best interest determination and form should not be required unless a change of school is being contemplated.	It is implicit in the checklist and rule that a best interest determination regarding whether to change a child's school is only to be done "in the event that a school change is being contemplated."
65C28.018 (1) e and (3)			two sections of FAC refer to the best interest determination process; recommend combining into one	Repetitive requirements will be deleted.
65C28.018 (2)	draft adds : the Child welfare professional shall provide the child's new school with any documentation in the child's record that is required for enrollment	" child welfare professional shall notify the new school of child's foster care status and request that transfer coordination be implemented between the schools"	under the new law, children in foster care can immediately enroll in a new school even if they cannot produce normally required enrollment documents. It provides that the enrolling school must contact the previous school. Given this, the FAC should not place the burden of gathering enrollment information on the child welfare professional.	The rules do not alleviate the schools responsibility to obtain the child's previous school records. The rule simply requires the CBC to provide the new school with any information it currently possesses.
65C28.018 (4)	If no suitable out-of home care placement is found within the same geographic boundaries....	delete	not clear why this would remain in the FAC if the goal is to keep the child in school of origin. The best interest determination process would encompass this section.	Agree.
65C28.018 (5)	If the school district agrees to provide transportation....	delete; replace with " until such reasonable time as the school district transportation can commence, the child welfare porfessional shall make efforts to ensure continued attendance.	under the new law transportation must be provided if the best interest determination is that the child should remain. This implies the school can decline to provide transportation, and also places the burden on the CW representative to arrange transportation until the school can complete. (note to self: Local agreements should define time frames)	Language will be added that arrangements for transporation to the school of origin shall be in accordance with local agreement.
School stability checklist for children in out-of-home care			if any of the Best interest factors are answered no, does that drive a recommendation that it is not in the child's best interest to remain in the school ?	The best interest determination should be based on a comprehensive evaluation of all of the best interest factors.
School stability checklist for children in out-of-home care			recommend deleting all signature lines except that of the determining child welfare professional. Otherwise, this just creates a signature routing nightmare if any participating parties are not present in person. This unnecessarily delays the process.	The signatures of participants will be required to document agreement with the best interest decision and/or participation in the decision-making process.

School stability checklist for children in out-of-home care			not sure the relevance of the "avaialble new schools in the child's new school district" box. I think this muddies the waters of a best interest determination.	If more than one school is available, the best interest determination would involve which of the schools, if any, are in the child's best interest to attend.
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