1. **Comment:** SOP 4.28.3 Accessing Educational Records for Children and Youth in Foster Care and Guidelines for Educational Passports: Page 1, Under Forms and Resources: The document **FY 13-15 McKinney Vento Funded Grant Programs-**I am concerned that this document will become outdated very quickly and it will not be updated appropriately. Can we remove the names and e-mails and just have the county and phone numbers? If the names and e-mail addresses are important, can we request that KDE be made responsible for maintaining an updated version of this form? It can be e-mailed directly to Sarah Cooper as necessary.

**Response:** No change was made as a result of this comment.

1. **Comment:** SOP 4.28.3 Accessing Educational Records for Children and Youth in Foster Care and Guidelines for Educational Passports: Page 1, under Forms and Resources: The document **Statewide School Contact List-**I am concerned that this document will become outdated very quickly and it will not remain current. Can we remove the names and just have the county and phone numbers? If the names are important, can we request that KDE be made responsible for maintaining an updated version of this form? It can be e-mailed directly to Sarah Cooper as necessary.

**Response:** No change was made as a result of this comment.
2. **Comment:** SOP 4.28.3 Accessing Educational Records for Children and Youth in Foster Care and Guidelines for Educational Passports: Page 1, 1st paragraph of the introduction: Can you please define a “student case plan?” Is this the IEP?

**Response:** This language has been revised to say “child’s case plan.”
3. **Comment:** SOP 4.28.3 Accessing Educational Records for Children and Youth in Foster Care and Guidelines for Educational Passports: Page 2, Procedure #2: There is a concern that when workers request the school to complete the Educational Passport form and send it on to the receiving school, along with the educational records, they will not do so within two (2) days.

**Response:** It is the school’s responsibility, in regulation, to ensure that the educational records arrive within stated timeframes. The burden is on the school to ensure that this happens. It is the SSW’s responsibility to provide the educational passport form to the school requesting specific records. The SSW must also obtain a copy of the form, completed by the school the child is transferring from, and provide it to the new school.
4. **Comment:** SOP 4.28.3 Accessing Educational Records for Children and Youth in Foster Care and Guidelines for Educational Passports: Page 2, Procedure #3 does not make sense to me. The intent is clearer when discussed again under practice guidance.

**Response:** The language in this statement has been revised for clarity.
5. **Comment:** SOP 4.28.3 Accessing Educational Records for Children and Youth in Foster Care and Guidelines for Educational Passports: Page 2, Procedure #4: There is a concern regarding getting the fees waived.

**Response:** The regulatory language, regarding waiver of fees, will be referenced in the joint letter (between the Kentucky Department of Education (KDE) and DCBS) which the SSW will provide to the school when requesting records.

Language has also been added to the Educational Passport form, regarding this and citation of the regulation is located there.

Finally, language has been clarified in the SOP.
6. **Comment:** SOP 4.28.3 Accessing Educational Records for Children and Youth in Foster Care and Guidelines for Educational Passports: Page 2, procedure #5: In procedure #2, it states that the school is responsible for sending the educational passport to the new school, but procedure #5 makes it seem as if it is the SSW’s responsibility. Can you please clarify this?

**Response:** Language has been added to the SOP to clarify this.
7. **Comment:** SOP 4.28.3 Accessing Educational Records for Children and Youth in Foster Care and Guidelines for Educational Passports: Page 3, Procedure #8: Do we have a copy of the directive from the commissioner of DCBS to provide to the school? Where can it be found?

**Response:** A letter has been created between DCBS and KDE and it is linked in SOP, under the Forms and Resources tab.
8. **Comment:** SOP 4.28.3 Accessing Educational Records for Children and Youth in Foster Care and Guidelines for Educational Passports: Page 4, last bulleted point under Practice Guidance: FSOSs are concerned that foster parents should be given a copy of the child’s records since they are the parent completing homework assignments. The SOP states that foster parents may have the records if the birth parents grant permission, but sometimes we cannot locate birth parents and sometimes they are deceased–it’s not always feasible to obtain their permission.

**Response:** Regulatory language states that the birth parent must grant permission for the foster parent to have access to educational records. If a birth parent cannot be located a foster parent may be appointed as surrogate by a judge or the school. Refer to [SOP 4.28.2 Providing Educational Services Under the Individuals with Disabilities Act (IDEA)](https://manuals.sp.chfs.ky.gov/chapter4/12/Pages/4282ProvidingEducationalServicesUndertheIndividualswithDisabilitiesAct%28IDEA%29.aspx) for further information regarding educational surrogates.
9. **Comment:** I’m not sure if adding exceptional children’s education (ECE) records to the SOP language is possible. We have run into a roadblock on our grant where JCPS says they cannot release ECE records unless the birth parent has signed a release. Because my knowledge of the Uninterrupted Scholars Act is limited, I don’t argue with them, but I feel it would be helpful for all involved if this can be clarified in the language whether the SOP applies to both regular school records as well as ECE records.

**Response:** A clarification is being requested from the US Dept. of Education. Information regarding this will be released after it’s received.
10. **Comment:** FSOSs do not feel that staff will be able to obtain educational records requested from the schools in a timely manner.

**Response:** See answer to number 4.
11. **Comment:** There is a concern regarding who is responsible for getting the Educational Passport form to the schools to complete. Do the schools have these forms on hand? Or will we be providing them?

**Response:** See the answer to #4 and #7.
12. **Comment:** As part of the educational passport there are additional services in relation to an IEP, such as speech services, counseling, etc. that sometimes take place in the school. Would those records follow the child to the new school using the educational passport form or will this be something the SSW requests separately?

**Response:** All of this information is pertinent to the child’s education and is listed on the educational passport form.
13. **Comment:** Any infraction that a child may receive as a result of disciplinary action for behaviors was not included in the request for records; however, this may be something the SSW requests separately. We think this is a good process and will assist in the worker maintaining the child’s current school records as well.

**Response:** Discipline records are not routinely requested unless it has an impact on the child’s education. If this is the case, that information will be provided.
14. **Comment:** It seems like getting the educational passport completed would be a good task to place on each case plan for a child in OOHC as submitting the educational passport form and documenting it in service recordings when children change school is often missed. We know how often children in OOHC disrupt their placement, so an automatic task for the worker on each case plan would help them in remembering to submit the form in the event the children have to change schools.

**Response:** This has been added to the Case Planning Objectives and Tasks tip Sheet.
15. **Comment:** Should the new [FAQ Sheet for FERPA](http://www.fostercareandeducation.org/database.aspx?EntryID=1601&command=core_download&method=inline) be included as a link in this SOP?

**Response:** Yes.
16. **Comment:** It would be helpful if something could be sent out informing staff what the McKinney Vento grant is because no one has heard of it.

**Response:** A “Did You Know” was sent out regarding this matter on March 9, 2012. An updated “Did You know” will be provided to staff in the coming weeks regarding this matter.