



Commonwealth of Kentucky

**Department for
Community Based Services**

FOR IMMEDIATE RELEASE

Department of Education

**Contact: Jill Midkiff
502.564.7042, ext. 3465**

**Nancy Rodriguez
502.564.2000, ext. 4610**

State agencies develop plan to reduce academic interruptions for foster children

Form designed to assist caseworkers, improve education outcomes for most vulnerable students

FRANKFORT, Ky. (Sept. 3, 2013) – Kentucky children in foster care will now be able to quickly and easily access their education records, no matter where they may live, which will reduce unnecessary interruptions or delays in their schooling.

Representatives from the Kentucky Department of Education (KDE) and the Department for Community Based Services (DCBS), with input from the Kentucky School Boards Association (KSBA), have developed a mutually beneficial implementation plan to obtain school records without parental consent for children in foster care.

The accessibility of these records by DCBS caseworkers will reduce interruptions in the academic lives of Kentucky's most vulnerable students.

The plan allows DCBS caseworkers to use an "Educational Passport" form that streamlines the process of seeking records of a child without parental consent. The caseworkers will provide school districts with proof that the agency has legal custody or is otherwise legally responsible for the care and protection of the child. School districts will document each caseworker request using a form created by the KSBA.

The new plan is part of Kentucky's implementation of the [Uninterrupted Scholar's Act \(USA\)](#), signed by President Obama in January 2013, which amends the [Family Educational Rights and Privacy Act \(FERPA\)](#) to make it easier for child welfare agencies to obtain the education records of children and youth with whom they work.

The USA permits educational agencies and institutions to disclose a student's education records, without parental consent, to DCBS caseworkers. FERPA, enacted in 1974, protects the privacy of students' education records, giving certain rights to parents.

“KDE is committed to working with our state and other education partners to improve the educational outcomes of some of Kentucky’s most vulnerable students,” said Education Commissioner Terry Holliday. “KDE will continue to provide guidance and support to districts regarding this important issue.”

The USA does not exclude or make exception for special education records. In addition to the USA, Kentucky regulation provides that parents may grant authority in writing for a foster parent to make educational decisions on the child’s behalf.

“Our partnership with the Department for Education in implementing the Uninterrupted Scholars Act will contribute toward the improvement of educational outcomes for Kentucky’s children in foster care,” said DCBS Commissioner Teresa James. “This act allows us timely possession of educational records, thereby reducing interruptions in the academic lives of our children in out of home care.”

###

Visit the KDE website at <http://www.education.ky.gov>. Follow us on Twitter at www.twitter.com/kydeptofed and Like us on Facebook at www.facebook.com/kydeptofed