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DPS: 2024-40

MEMORANDUM

TO: School District Superintendents
FROM: Paul O. Burns, Ed.D.
DATE: May 3, 2024
SUBJECT: **Section (s.) 39.4023, Florida Statutes (F.S.), Placement and education transitions; transition plans**

This memo serves as a reminder that s. 39.4023, F.S., provides guidance for the Department of Children and Families (DCF) to address educational transitions and placement. This emphasizes the importance of the Florida Department of Education (FDOE) and DCF working in collaboration to ensure communication and joint decision-making between local educational agencies (LEAs) and community-based agencies.

Education Transitions

Children in out-of-home care frequently change childcare, early education programs and schools. These changes can occur when the child first enters out-of-home care, when the child must move from one caregiver to another or when the child returns home upon reunification. A child’s educational setting should only be changed when maintaining the educational setting is not in the child’s best interest.

Mandatory Educational Transition plans

DCF or the community-based care lead agency shall create and implement an individualized transition plan each time a child experiences a school change.

Minimizing School Changes

If it is in the child’s best interest, every effort must be made to keep a child in the school of origin. Any placement decision must include thoughtful consideration of which school a child will attend if a school change is necessary.

Members of a multidisciplinary team convened for a purpose other than a school change must determine the child’s best interest regarding remaining in the school or program of origin if the child’s educational options are affected by any other decision made by the multidisciplinary team. This must be made in consultation with the following individuals, including, but not limited to:

- the child;
- the parents;
- the caregiver;
- the child welfare professional;
- the guardian ad litem, if appointed;
- the educational surrogate, if appointed;
- childcare and educational staff, including teachers and school counselors; and
- the school district representative or foster care liaison.

DR. PAUL O. BURNS
CHANCELLOR OF PUBLIC SCHOOLS

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Please refer to [s. 39.4023\(4\)\(c\), F.S.](#), to access all the factors to be considered before scheduling a multidisciplinary team meeting.

When a child enters out-of-home care or undergoes a placement change, the child shall, if possible, remain with a familiar childcare provider or early education program unless there is an opportunity to transition to a higher-quality program. If this is not possible, the plan must allow the child to say goodbye to important figures in the educational environment.

Please ensure that you notify FDOE at StudentSupportServices1@fldoe.org when there is a change to your LEA's foster care contacts.

FDOE's points of contact for foster care are [Jennifer Kruis](#), Assistant Chief, Bureau of Federal Educational Programs, and [Beverley Wilks](#), School Social Work Consultant, Bureau of Exceptional Education and Student Services.

PB/bw

cc: School District Student Services Directors