



Joette Katz  
Commissioner

**DEPARTMENT of CHILDREN and FAMILIES**  
*Making a Difference for Children, Families and Communities*



Dannel P. Malloy  
Governor

**MEMORANDUM OF UNDERSTANDING**

Agreement between the Department of Children and Families ("DCF"), located at 505 Hudson Street, Hartford, Connecticut 06106 and the Connecticut State Board of Education ("CSBE"), located at 165 Capitol Avenue, Hartford, Connecticut 06106:

**WHEREAS**, it is in the mutual interests of the parties to ensure that the DCF has sufficient information by which to determine the educational progress for those children for whom the Commissioner of DCF is the guardian or statutory parent ("DCF children"); and

**WHEREAS**, DCF is required to collect, interpret and publish statistics relating to children and youth in the care and custody of the Commissioner of DCF pursuant to Connecticut General Statutes ("CGS") §17a-3(a)(5); and

**WHEREAS**, the Commissioner of DCF is required to provide or arrange for the provision of suitable education for every child under her supervision, either in public schools, special educational programs, private schools, educational programs within the institutions or facilities under her jurisdiction, or work and training programs otherwise provided by law pursuant to CGS §17a-6(l); and

**WHEREAS**, the Commissioner of DCF will need all child-specific education data available for DCF children when determining whether it is in a child's best interests to remain in his/her "schools of origin" pursuant to CGS §17a-16a; and

**WHEREAS**, the Commissioner of DCF will also need all child-specific education data for those children who receive services from DCF but for whom the Commissioner is not the guardian or statutory parent in order to fulfill her responsibilities to them; and

**WHEREAS**, the Commissioner of the State Department of Education ("SDE") is the chief administrative officer of the SDE and in that capacity administers, coordinates and supervises the activities of the SDE in accordance with the policies established by the CSBE, pursuant to CGS § 10-3a; and

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**WHEREAS**, the CSBE, through the Commissioner of the SDE, must assess educational resources, staff, achievement, program and curriculum, student achievement and community involvement every five years, pursuant to CGS §10-4p(c)(3); and

**WHEREAS**, the SDE is required to create a public school information system into which all public school systems must place data concerning students and staff. One purpose of the system is to improve school-to-school and district-to-district information exchanges, and maintain the confidentiality of individual student and staff data pursuant to CGS §10-10a(b); and

**WHEREAS**, DCF wishes to ensure that it has all educational information concerning DCF children and those other children to whom it provides services; and

**WHEREAS**, both agencies wish to increase the number of students who graduate from high school on time;

**NOW THEREFORE**, it is hereby understood and agreed by the parties that:

- 1) the Commissioner of DCF, acting as the statutory parent or guardian of DCF children, may receive confidential student information upon written request in compliance with the Family Education Rights and Protection Act, 20 U.S.C. § 1232g (FERPA) and the regulations promulgated thereunder, 34 C.F.R. § 99.1 et seq.; and
- 2) representatives of the parties ("Representatives") will meet and determine how to transfer or otherwise electronically provide DCF with access to education data concerning DCF children;
- 3) Representatives also will identify the data points necessary for DCF to fulfill its responsibility to DCF children;
- 4) Representatives will develop a method by which to notify the Commissioner of the SDE when DCF is no longer the guardian or statutory parent of child; and
- 5) Representatives will develop a process to transfer data concerning children receiving services from DCF but for whom the Commissioner of DCF is not the guardian or statutory parent. DCF must provide documentation to the SDE demonstrating that DCF has the written consent of the parent or guardian consistent with the requirements of 34 CFR 99.30 to access such child-specific education data.

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CONFIDENTIALITY OF STUDENT INFORMATION: DCF acknowledges that the CSBE and the SDE must fully comply with the requirements of FERPA. Therefore, the CSBE reserves the right to refuse to disclose records which the CSBE or the SDE deems may violate the requirements of FERPA and its regulations.

CONFIDENTIALITY OF DCF CLIENT INFORMATION: SDE acknowledges that DCF case-specific information is confidential pursuant to CGS §17a-28. Therefore, SDE will ensure that such information is securely held and will not further disclose such information except with the written permission of DCF.

STATUTORY AUTHORITY: The statutory authority for the CSBE to enter into this MOU is as follows: CGS §§ 4-5, 4-8. The statutory authority for DCF to enter into this MOU is as follows: CGS §17a-6.

CANCELLATION: This MOU shall remain in full force and effect, unless cancelled by either DCF or the CSBE with fifteen (15) days written notice to the other party.

AMENDMENTS: Revisions to the MOU's objectives, services, or plan must be approved in writing by DCF and the CSBE. A formal amendment, in writing, shall not be effective until executed by both parties to the Agreement.

APPROVALS AND ACCEPTANCES

For the Connecticut State Board of Education:

Stefan Pryor
Commissioner of Education:

Date 10/31/11

For the Department of Children and Families:

Joette Katz
Commissioner of Children and Families

Date 10/7/11