

MEMORANDUM OF UNDERSTANDING
BETWEEN
Texas Education Agency
AND
Texas Department of Family and Protective Services

I. Purpose

The purpose of this Memorandum of Understanding (MOU) is to establish a working arrangement between the Texas Education Agency (TEA) and the Department of Family and Protective Services (DFPS) to share certain information to facilitate DFPS' evaluation of educational outcomes of students in foster care.

II. Statutory Background

This MOU is adopted pursuant to Senate Bill 939 as enacted by the 81st Regular Session of the Texas Legislature and codified at section 7.029 of the Texas Education Code.

III. Agreement of the Parties

TEA and DFPS agree to perform the following under this MOU:

DFPS shall:

1. Annually, or at a more frequent interval mutually agreed upon by the parties, provide TEA with a data set of all the individuals in the conservatorship of DFPS following an adversary hearing pursuant to section 262.201 of the Texas Family Code.
2. Ensure that the data set shall contain the information, including individually identifiable information such as date of birth, which is necessary for TEA to match the data set to its records and extract responsive information from its data systems.
3. Retain any outcome reports provided by TEA, in acknowledgment of the fact that TEA does not retain outcome reports after providing them to DFPS.
4. Share information with TEA in accordance with state and federal law.

TEA Shall:

1. Annually, or at a more frequent interval mutually agreed upon by the parties, provide DFPS with outcome reports, comprised of aggregate information concerning educational outcomes of foster children.
2. For each data set provided by DFPS, TEA will provide preliminary matching statistics to DFPS and obtain DFPS approval prior to running the outcome reports.
3. Ensure the aggregate information concerning educational outcomes includes information relating to
 - student academic achievement, such as TAKS scores and participation in Gifted and Talented programs
 - graduation rates and dropout rates
 - school attendance,
 - disciplinary actions,
 - receipt of special education services, and
 - any other measures identified and mutually agreed upon by the parties.
4. Where possible, subdivide aggregate information at the geographic level requested by DFPS, generally the county and/or regional level.
5. Where possible, subdivide aggregate information to reflect age, race/ethnicity and gender.
6. Provide DFPS with educational outcome information in a manner consistent with state and federal law, including the Family and Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g).
7. TEA will destroy the data set provided by DFPS 30 days after the last set of outcome reports has been completed.

IV. Contacts

DFPS: Donald Baumann, PhD
 CAPTA Evaluation Lead
 701 W. 51st St.
 Austin, Texas 78751
 512-438-3859

Donald.Baumann@dfps.state.tx.us

TEA: Nina Taylor
 Director, Information Analysis Division
 1701 N. Congress Avenue
 Austin, Texas 78701-1494
 512-475-2085

nina.taylor@tea.state.tx.us

mailto:tim.kennedy@courts.state.tx.us

V. Term of the MOU

This MOU is effective January 1, 2010, and will continue in effect unless modified in writing by the mutual consent of both parties or terminated by either party upon 60 days prior written notice to the other party by certified or registered mail, return receipt requested.

This MOU may be amended or revised at any time upon the mutual written consent of the parties.

The foregoing constitutes the full agreement on this subject between DFPS and TEA concerning the sharing of information within the scope of this MOU. The undersigned represent that they are authorized to enter into this MOU on behalf of DFPS and TEA, respectively.

Texas Education Agency

By Reginold Pegues

Name: Reginold Pegues

Title: Deputy Associate Commissioner

Date: 1-26-10

Department of Family and Protective Services

By Audrey Deckinga

Name: Audrey Deckinga

Title: CPS Assistant Commissioner

Date: 1/5/10

**Contract Number Request
for Administrative Contracts**

To request a contract number for administrative contracts not procured with the assistance from the HHSC Enterprise Contract and Procurement Services (ECPS), complete the following and submit directly to Contract Oversight and Support (COS) via the HCATS e-mail box.

Division (e.g., Finance): Child Protective Services
Department (e.g., Federal Funds): Contract Performance Division
Contract Begin/End Dates (MM/DD/YY): 01/01/2010 to 08/31/2012
Contractor VID: 37017017015
Contract Manager Name: Donald Baumann
LBB Contract Type: Other
LBB Contract Category: Other
Contract Subject (i.e., primary service): MOU

Contractor Primary Contact Information

Name: Nina Taylor

Title: Director, Information Analysis Division

Phone Number: 512-475-2085

Service Counties (List counties to be served or indicate "Statewide"): Statewide

Current FY Budget, if applicable: NA

Total Maximum Contract Amount, if applicable: NA

Goods/Services indicator: Services

Primary Payment Type: Does Not Apply

Financial Method: Non-Financial

See APPENDIX B of the HCATS User Manual for definitions of the requirements listed above.

**Contract Routing Form
Administrative Contracts**

Contractor Name: Texas Education Agency	Type of Service: Data sharing agreement (MOU)	Contract Term: Effective January 1, 2010		
Contract Number: 530-10-0095-00001	Initial <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Budget or Estimated Value: N/A	Amendment <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Current Amend Amt:

All Contracts: Printed Name	Reviewer Signature	Date
Contract Manager: Donn Baumann, CAPTA Team Lead	<i>Donn Baumann</i>	1-5-10
Supervisor: Andreana Ledesma, Contract Performance Director	<i>Andreana Ledesma</i>	1-5-10
Budget:		
Legal: Audrey Carmical	<i>Audrey Carmical</i>	1/5/10

Administrative Interagency Contracts, MOU, MOAs \$0-99,999	Signatory: Printed Name	Approval Signature	Date
APS or CPS Regional Director, or Division Director Audrey Deckinga Assistant Commissioner for Child Protective Services		<i>Audrey Deckinga</i>	1-5-10

Administrative Interagency Contracts, MOU, MOAs \$100,000 and greater; and Administrative Contracts (including Interlocal Contracts) \$1-\$999,999.99	Signatory: Printed Name	Approval Signature	Date
Assistant Commissioner for the Responsible Program, or COO for Administrative/State Office related contracts			

Administrative Contracts (including Interlocal Contracts) \$1,000,000-\$4,999,999.99	Signatory: Printed Name	Approval Signature	Date
Chief Operating Officer			

Administrative Contracts (including Interlocal Contracts) \$5,000,000 and above	Signatory: Printed Name	Reviewer Signature	Date
Assistant Commissioner, CFO, or COO			
DFPS Commissioner			

Review Responsibilities:

Each reviewer will sign to indicate the transaction has been reviewed and approved. The reviewers should discuss and resolve their questions, concerns, and issues with the contract manager or procurement officer. **Signature represents a completed review, no further action is being requested, and certifies the transaction is in compliance with all applicable statutes, DFPS policies, and procedures.**

Signatory Information: This form is utilized to ensure all necessary reviews have been conducted. Note, that all contract amendments are signed by the original signatory.

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 AGENCY ACCOUNTING