

	<b>INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE MANUAL</b>	
	<b>Chapter 8: Out-of-Home Services</b>	<b>Effective Date: March 1, 2011</b>
	<b>Section 20: Educational Services</b>	<b>Version: 4</b>

<b>POLICY</b>
---------------

The Indiana Department of Child Services (DCS) will assure that all children in out-of-home care are referred for an initial educational evaluation to determine if an Individualized Education Plan (IEP) is needed to meet the child's educational needs. DCS must obtain a copy of the educational records for each school aged child in out-of-home care. The Child and Family Team (CFT) or Case Plan Conference will be utilized to review and discuss the educational needs of each child and to develop a plan to assist in the referral process and ensure that the child's educational needs are met. See separate policy, 5.7 Child and Family Team Meetings.

DCS will encourage the child's parent, guardian, or custodian to invite the child's teacher, school social worker, and any other identified educational supports to participate as a member of the CFT.

DCS will assure that every school aged child in out-of-home care is enrolled in school full time, unless one (1) of the following circumstances exists:

1. The youth is eligible for and actively pursuing a General Education Development (GED) certificate;
2. An alternate education plan has been recommended by the child's home school and approved by the court;
3. The youth has graduated from high school or obtained a GED certificate; or
4. The youth has a medical condition which prohibits them from attending school.

DCS will make every effort to allow the child to remain in the same school that the child attended while living with his or her parent, guardian, or custodian.

**[REVISED]** DCS will document all plans to maintain educational stability for children in out-of-home care on the Case Plan (SF2956/DCS0046) and provide this information to the court. This information should include but is not limited to:

1. If the child will attend the same school previously attended prior to any placement change; or
2. If the child must transfer schools:
  - a. Efforts made to allow the child to remain at the school he or she attended at the time of removal or any placement change,
  - b. Why it is in the best interest of the child to transfer schools,
  - c. The distance of the school the child will be attending from the child's current placement,
  - d. Arrangements for enrollment with new school including transfer of education records,
  - e. The child's current placement,
  - f. The current residence of the child's parent, guardian, or custodian so that the court may determine legal settlement, and

- g. The school and the school corporation where the child will attend school while in out-of-home care.

DCS will not authorize children in out-of-home care to be home schooled without court authorization, except for homebound programs that are administered by a public or private school. DCS will not authorize children in out-of-home care to enroll in non-accredited educational programs that are not recognized by the Indiana Department of Education (DOE). DCS will not pay for the costs associated with private schooling. See Related Information for suggestions on responding to requests for private schooling for children in out-of-home care.

DCS will encourage the child's parent, guardian, or custodian to provide consent to release the child's educational records to the resource parent to ensure that the child receives appropriate educational services. Per Indiana state law, the child's educational records may only be provided to the resource parent after written consent is received from the parent, guardian, or custodian.

DCS requires that a child released from out-of-home care after his or her 18th birthday is provided, at no cost, with a copy of his or her educational record.

DCS will ensure that DCS wards in the 6<sup>th</sup> through 12<sup>th</sup> grade are enrolled in the 21<sup>st</sup> Century Scholars program.

DCS will ensure that all youth are provided with information about:

1. Pell grants;
2. Chafee grants;
3. Federal supplemental grants;
4. The Free Application for Federal Student Aid (FAFSA);
5. Individual Development Accounts (IDA); and
6. The State Student Assistance Commission.

See separate policies, 8.21 Special Education Services, 8.22 School Transfers and Legal Settlement, and 11.6 independent Living/Transition Plan.

#### Code References

1. IC 20-33-2: Compulsory School Attendance
2. 511 IAC 7-38-1: Access to and Disclosure of Educational Records
3. 20 USC 1232g (b)(1)(E)
4. 42 USC 675(5)(G)
5. IC 21-12-6 Twenty-first Century Scholars Program; Established
6. IC 21-12-6.5 Eligibility for Twenty-First Century Scholars Program for Foster Care Youth
7. IC 4-4-28 Individualized Development Accounts
8. IC 20-50-3 Transportation for Students in Foster Care
9. IC 20-50-2 Tutoring and Mentoring for Homeless Children and Foster Care Children
10. IC 20-51-2 Certified School Scholarship Programs

<b>PROCEDURE</b>
------------------

The Family Case Manager (FCM) will:

1. Work with school personnel to assure that the child is registered for school;
2. Assure that the appropriate school corporations are notified. Notice is required under IC 20-26-11-9. See separate policy, 8.22 School Transfers and Legal Settlement;
3. Provide the resource family with any available educational information (e.g., the name of the school the child last attended, the child's current grade level, and a summary of academic progress);
4. Refer the child for testing to identify any special education needs and/or related services the child may need. If it is determined that the child needs individual tutoring, contact the school about this service. See separate policy, 8.21 Special Education Services;
5. Assure that educational goals and issues are included in the child's Case Plan (SF2956/DCS0046);
6. Collaborate with the CFT to assess the effects of placement on the child's school attendance and academic performance and attempt to minimize school disruptions. See Related Information below and see separate policy, 5.7 Child and Family Team Meetings;
7. Recommend and encourage the child's parent, guardian, or custodian to include the child's school social worker, counselor, or another school representative to participate as a member of the CFT;
8. **[REVISED]** Document the information regarding educational stability in the 'Placement Information' on the Case Plan (SF2956/DCS0046) and provide that information to the court;
9. Assist the parent, guardian, or custodian, and/or resource parent (s) in the completion of forms for free or reduced lunch, and textbooks;
10. Provide children in the 6<sup>th</sup> through 12<sup>th</sup> grades with information about the 21<sup>st</sup> Century Scholar programs; and
11. Ensure that a completed application for the 21<sup>st</sup> Century Scholar program is submitted for all 6<sup>th</sup> through 8<sup>th</sup> graders in out-of home care by June 30<sup>th</sup>. Applications for the 21<sup>st</sup> Century program may be obtained by calling toll free 1-888-528-4719, by visiting [www.scholars.in.gov](http://www.scholars.in.gov), or through the youth's school. The application process requires the FCM to:
  - a. Assist the youth in completing the application,
  - b. Sign application to verify the youth is in foster care, and
  - c. Have the youth and caregiver sign an Acknowledgement of Receipt of Information about Various Educational Programs (ACRCPT070901FRM). Give the youth and caregiver a copy and place the original in the youth's case file.
12. Ensure that youth in 9<sup>th</sup> through 12<sup>th</sup> grade who have not already enrolled in the 21<sup>st</sup> Century Scholars program submit an application. Applications for students in grades 9 through 12 must also be accompanied by 21<sup>st</sup> Century Scholars Program Enrollment Letter;
13. Provide youth with information regarding Pell grants, Chafee grants, federal supplemental grants, the Free Application for Federal Student Aid (FAFSA), and the State Student Assistance Commission at the Child and Family Team (CFT) Meeting held at age 17. See separate policies, 11.6 Transition Planning and Services and 11.X Post-Secondary Education.

**Note:** This information may be provided earlier if the youth will be applying to colleges prior to age 17.

14. Provide youth who have obtained over \$400 in earned income with information about opening an IDA. See separate policy, [11.15 Post-Secondary Education](#);
15. Update the youth's address with 21<sup>st</sup> Century Scholars annually; and
16. Ensure that the youth signs the 21<sup>st</sup> Century Scholars Affirmation Statement during their senior year of high school. See <http://www.in.gov/ssaci/2384.htm> for more information.

## **PRACTICE GUIDANCE**

### **NEW Transportation for Students in Care**

If the child in out-of-home care has been placed with a resource family in the same school district but outside the attendance area for the school where the child was previously attending, and the child continues to attend the school the child attended or would have attended before the placement, then the school district must provide transportation to and from the child's school and home where the child is currently placed. If the resource family home is in an adjoining school district, and the child continues to attend school in the child's original school district, the child's original school district and the school district of the resource family are jointly responsible for providing transportation to and from the child's school and home where the child is currently placed per IC 20-50-3-5.

### **Documenting Educational Stability in ICWIS**

The information regarding educational stability should be documented in the 'Placement Information' of the Case Plan (SF2956/DCS0046). The FCM should answer the question 'Has the child been placed in proximity to the school in which the child was enrolled at the time of placement?' Then provide all other required educational stability details in the 'Explain' area next to the question.

## **FORMS AND TOOLS**

1. Case Plan (SF2956/DCS0046) - Available in ICWIS
2. Acknowledgement of Receipt of Information about Various Educational Programs (ACRCPT070901FRM) – Available in ICWIS
3. [21<sup>st</sup> Century Scholars Program Enrollment Letter](#)

## **RELATED INFORMATION**

### **Minimizing School Disruptions**

School disruption can cause extreme emotional stress for a child and may affect his or her academic performance, development, and/or overall well-being. There are ways the FCM can attempt to minimize the effects on the child, including:

1. Placing the child with a resource family living in the same school district;
2. Assisting the resource family living in a different district with arranging transportation for the child, so that he or she can continue to attend the same school;
3. Delaying a change in placement until the end of a school semester or year, so long as waiting does not endanger the child's safety and/or well being;
4. Scheduling medical and court appointments during non-school hours, whenever possible; and/or

5. Contacting other schools in the same or an adjoining school district regarding the requirement for and the availability of school-provided transportation between the school and the resource family home.

### **NEW! School Corporation**

Any public school corporation established by, and under the laws of, the state of Indiana. The term includes, but is not necessarily limited to, any:

- (1) school city;
- (2) school town;
- (3) school township;
- (4) consolidated school corporation;
- (5) county school corporation;
- (6) metropolitan school district;
- (7) township school corporation;
- (8) united school corporation; or
- (9) community school corporation.

### **Private Schools**

The CFT should review requests for a child to attend private school. See separate policy 5.7, Child and Family Team Meeting. The team should consider whether any of the following conditions apply:

1. The child attended the private school prior to being removed from his or her home;
2. The child has documented educational, medical, and/or psychological needs that would be better served by a specific private school; and/or
3. The child is placed in a residential facility that runs an in-house school or educational program.

If private schooling is requested, the CFT should consider funding options including, but not limited to, payment of tuition by the child's parent, guardian, or custodian and scholarships offered by the school. See separate policy, 5.7 Child and Family Team Meetings.

### **GED Information and Eligibility**

GED information and eligibility requirements can be obtained from any local school corporation, or the Department of Education website ([www.doe.in.gov](http://www.doe.in.gov)). On the website, type "GED" in the Search field to bring up information about pursuing a GED in Indiana.

Youth interested in obtaining a GED should be informed that obtaining a GED can limit their post-secondary education options and funding.

### **Education Records**

Education records include a range of information about a student that is maintained in schools. Examples include but are not limited to:

1. Date and place of birth, parent(s) and/or guardian addresses, and where parents can be contacted in emergencies;
2. Grades, test scores, courses taken, academic specializations and activities, and official letters regarding a student's status in school;
3. Special education records;
4. Disciplinary records;
5. Medical and health records that the school creates or collects and maintains;
6. Documentation of attendance, schools attended, courses taken, awards conferred, and degrees earned; and

7. Personal information such as a student's identification code, social security number, picture, or other information that would make it easy to identify or locate a student.

Personal notes made by teachers and other school officials that are not shared with others are not considered education records. Additionally, law enforcement records created and maintained by a school or district's law enforcement unit are not education records.

**[REVISED] Legal Settlement and Termination of Parental Rights**

If parental rights are terminated, the court should re-determine legal settlement. If the child is in his or her permanent placement, then the address of that placement should be provided to the court. If the child is not in his or her permanent placement, the address of the current resource parent(s) should be provided to the court. The address of the DCS local office should only be provided for the purpose of determining legal settlement if no other address can be used.