

	<b>INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE MANUAL</b>	
	<b>Chapter 8:</b> Out-of-Home Services	<b>Effective Date:</b> October 1, 2014
	<b>Section 20:</b> Educational Services	<b>Version:</b> 6

<b>POLICY [REVISED]</b>
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**[REVISED]** The Indiana Department of Child Services (DCS) must obtain a copy of the educational records for each school aged child in out-of-home care. DCS will review the educational records to determine whether an Individualized Education Plan (IEP) should be considered to address the child’s educational needs. 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, [5.07 Child and Family Team Meetings](#).

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

DCS will ensure 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. **[REVISED]** The youth is eligible for and actively pursuing a Test Assessing Secondary Completion (TASC) certificate;

**Note:** Some scholarships and grants will not be available if TASC is completed instead of obtaining a high school diploma.

2. **[REVISED]** An alternate education plan has been recommended by the school the child attended at the time of placement and approved by the court;
3. **[REVISED]** The youth has graduated from high school or has successfully completed the TASC assessment; or
4. The youth has a medical condition which prohibits him or her 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 unless the CFT concludes that the child’s educational needs would be better served in another school.

**[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 whether or not the child will attend the same school he or she previously attended prior to any placement change. If the child must transfer schools, the information to be provided to the court includes, but is not limited to:

1. Efforts made to allow the child to remain at the school he or she attended at the time of removal or any placement change;
2. Why it is in the best interest of the child to transfer schools;
3. The distance of the new school the child will be attending from the child's current placement;

4. Arrangements for enrollment with the new school including transfer of education records;
5. The child's current placement;
6. If the child is in a residential placement other than a foster family home, the current residence of the child's parent, guardian, or custodian so that the court may determine legal settlement;
7. The school and the school corporation where the child will attend school while in out-of-home care; and
8. **[NEW]** The transportation plan that has been developed to ensure the child is able to attend school.

**Note:** Unless educational services are provided in a residential facility where the child is placed, each child should have a transportation plan regardless of whether the child will be attending the same school or changing schools.

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).

**[REVISED]** DCS will not pay for the costs associated with the attendance at a private school that is not included in the services provided by a residential facility through a placement agreement. See Related Information for suggestions on responding to requests for private education for children in out-of-home care.

**[REVISED]** DCS will ensure that DCS wards in the 7<sup>th</sup> through 12<sup>th</sup> grades are enrolled in the 21<sup>st</sup> Century Scholars program.

DCS will ensure that youth, age 17 years of age or older, 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. State of Indiana Division of Student Financial Aid.

**Note:** If the youth will be completing high school or TASC prior to age 17 then he or she should be provided the information sooner.

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 relating to Special Education](#)
3. [20 USC 1232g \(b\)\(1\)\(E\), \(L\)](#)
4. [42 USC 675\(1\)\(G\)](#)
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](#)
11. [IC 20-26-11-9: School Corporations; General Administrative Provisions](#)

<b>PROCEDURE [REVISED]</b>
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The Family Case Manager (FCM) will:

1. Work with school personnel to ensure that the child is registered for school;
2. Ensure that the appropriate school corporations are notified if the child is transferring to a school in a different school corporation and notice is required under [IC 20-26-11-9](#), by completing the [School Notification \(SF47412\)](#) form. See separate policy [8.22 School Transfers and Legal Settlement](#);

**Note:** The [School Notification \(SF47412\)](#) form should also be used to notify the school of the child's placement in substitute care, change of placement in substitute care, and return to parent/guardian even when the child remains in the same school or corporation.

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, if applicable. 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. Ensure 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 separate policy, [5.07 Child and Family Team Meetings](#) and Related Information;
7. Recommend and encourage the child's parent, guardian, or custodian to include the child's school social worker, counselor, educational liaison (if applicable), or another school representative as a participant of the CFT;
8. Document the information regarding educational stability for each placement in the [Case Plan \(SF2956/DCS0046\)](#) and provide that information to the court;
9. **[REVISED]** Assist the parent, guardian, custodian, and/or resource parent(s) in the completion of forms for free or reduced lunch and textbooks, if applicable;
10. **[REVISED]** Provide children in the 7<sup>th</sup> through 12<sup>th</sup> grades with information about the 21<sup>st</sup> Century Scholar programs;
11. **[REVISED]** Ensure that a completed application for the 21<sup>st</sup> Century Scholar program is submitted for all 7<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 completed online by visiting [www.scholars.in.gov](http://www.scholars.in.gov). The application process requires the FCM to:
  - a. Assist the youth in completing the application,
  - b. Ensure the youth acknowledged that he or she 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> grades who have not already enrolled in the 21<sup>st</sup> Century Scholars program submit an application and complete the following:

- a. Update his or her address with 21<sup>st</sup> Century Scholars annually, and
  - b. Sign the 21<sup>st</sup> Century Scholars Affirmation Statement during his or her senior year of high school. See <http://www.in.gov/ssaci/2384.htm> for more information.
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 CFT Meeting held at age 17 (see separate policies, [11.6 Independent Living-Transition Plan](#) and [11.15 Post-Secondary Education](#)); and
- 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](#).

## **PRACTICE GUIDANCE [REVISED]**

### **[NEW] Exceptions for Home School and Private School Attendance**

Education through an accredited school is optimal. However, in some unique circumstances home school or private school education may best meet the child's educational needs. In these instances, the decision to provide home school or private school education shall be decided in a CFT Meeting and shall not be made without the approval of the parent, guardian, custodian, or court order. The written request for exception must have a detailed plan outlining how the child's academic, social, and/or other needs will be met. If payment of tuition to attend a private school is required, the plan must include the responsibility for, and manner of, the required payment.

### **[NEW] Virtual Schools**

A virtual school is a school in which coursework is taught primarily through online methods. Virtual schools may be public schools (traditional or charter) and may also be nonpublic schools. Schools that are nonpublic have the possibility of not being accredited through the Indiana DOE.

### **[REVISED] 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 he or she previously attended, and the child continues to attend the school he or she 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 his or her 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 he or she is currently placed per IC 20-50-3-5.

### **Documenting Educational Stability in the Management Gateway for Indiana's Kids (MaGIK)**

The information regarding educational stability should be documented in 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.

**[NEW] Utilization of DCS Educational Liaisons**

Educational Liaisons provide support to FCMs in identifying educational barriers and developing effective solutions. FCMs should contact Educational Liaisons to resolve a wide-range of educational problems. Assistance is available via referral through KidTraks.

**[NEW] How to Determine if Tutoring Services are Needed:**

1. Request a comprehensive copy of child’s school records including attendance over the last few years, school placements, special education evaluations, IEPs, Indiana Statewide Testing for Educational Progress (ISTEP) scores, Response to Intervention (RTI) data, and grades.
2. Determine if there are any patterns in the child’s performance that may explain poor academic performance- i.e. several school placements, inconsistent attendance, inappropriate behaviors.
  - a. If a child has poor attendance at school, a tutor should not be put in place until a pattern of regular school attendance is established.
3. Communicate with the school administration team to determine what tutoring services are provided through the school. If the child is placed out-of-home, the following Indiana Code applies to tutoring:

**a. IC 20-50-2-3**

**Tutoring of children who are in foster care or are homeless**

Sec. 3. Each school corporation shall provide tutoring for a child enrolled in a school operated by the school corporation who is:

- (1) in foster care; or
- (2) a homeless child;

if the school corporation determines the child has a demonstrated need for tutoring.

4. Communicate with the school’s administration team or multidisciplinary team (M-Team) in order to determine what academic interventions are being used to meet the child’s current academic needs. Ask to see data that supports the school’s decision to use certain interventions and measure progress.
5. If the child receives special education services, ask to see progress monitoring data to determine if the child is making adequate progress toward academic goals. For children with IEPs, grades on the report card are not always the best measure of a student’s progress and academic performance.
6. If the child has received in-school tutoring and is still struggling, it may be appropriate to make a referral to an outside tutoring service. Make sure the tutoring service knows who to communicate with at the school to determine what interventions and strategies are being used with the child.
7. Ask for regular updates from the tutoring provider on the child’s progress toward the child’s individual goals.

## FORMS AND TOOLS

1. [Case Plan \(SF2956/DCS0046\)](#) - Available in MaGIK
2. [Acknowledgement of Receipt of Information about Various Educational Programs \(ACRCPT070901FRM\)](#)
3. [School Notification \(SF47412\)](#)

## RELATED INFORMATION [REVISED]

### **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. The FCM may attempt to minimize school disruptions by:

1. Placing the child with a resource family living in the same school district;
2. **[REVISED]** Assisting the resource family living in a different district with arrangements for transportation of the child, so that the child 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 adjoining school district regarding the requirement for, and the availability of, school-provided transportation between the school and the resource family home.

### **School Corporation**

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

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, [5.07 Child and Family Team Meetings](#). 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 education 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, [5.07 Child and Family Team Meetings](#).

### **[NEW] Test Assessing Secondary Completion (TASC)**

Indiana has implemented TASC, a replacement for the General Education Development (GED). TASC is the high school equivalency exam which measures an examinee's levels of achievement relative to that of a graduating high school senior. TASC also assesses for career and college readiness.

### **Education Records**

Education records include a range of information about a student that is maintained in schools.

Examples of such information include, but are not limited to:

1. Date and place of birth, parent(s) and/or guardian addresses, and where parents may 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, 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.

### **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.