



GOAL 2 School Transitions Educators' Roles

Blueprint Tools

Youth Are Guaranteed Seamless Transitions Between Schools and School Districts When School Moves Occur

When youth must move between schools, they often face delays in enrolling or receiving records. Delays make it harder for youth to access academic and extracurricular programs, and make it difficult for them to keep up with their peers and succeed in school.

What you can do:

- ✓ **Be sure you have received all the child's prior records.** Many states require the prompt transfer of records between schools. When a child in foster care enrolls in your school/class, be sure you have received all the records from the child's previous school, including all IEPs if the child is enrolled in special education. Be proactive. If you have not received the child's records, seek assistance from an administrator or other official in your district. You might also contact the child's attorney, guardian ad litem (GAL), court appointed special advocate (CASA), or caseworker to see if they can help expedite the record transfer.
- ✓ **Ensure that misunderstandings about confidentiality do not pose barriers to the transfer of records between schools.** Under the Federal Educational Rights and Privacy Act, schools can transfer records to another school when the child transfers schools. For such record transfers, schools do NOT need a signed release from the parent. If the old school is unwilling to transfer records, find out why. If necessary, work with the administration and advocates to clarify that the law permits the transfer. As a matter of practice, it may also help to have parents sign a release of information form to circumvent the issue.
- ✓ **Be willing to enroll the child without the records if necessary.** Even the smallest delay can negatively impact the child's educational experience. If records are not immediately available, be willing to enroll the child without the records while working to secure them. Federal child welfare law requires children in foster care to be immediately enrolled in school. Under the federal McKinney-Vento law, children who are "awaiting foster care placement" are entitled to enroll in school even if they don't have required documents. Check with your McKinney-Vento liaison to see whether the child can be enrolled under this law.

Promote policies that support education stability.

The Blueprint for Change: Educational Success for Children in Out-of-Home Care provides a more detailed guide on the benchmarks for meeting the educational needs of youth in care, as well as national state and local examples of how various jurisdictions are meeting these needs. Use the Blueprint as a guide to assessing your jurisdiction's policies. Contact the Legal Center for support promoting educational success for youth in your jurisdiction.
E-mail: cceducation@abanet.org

- ✓ **Assign a foster care liaison (or case manager) for foster children within your school building.** This could be an administrator, school nurse, psychologist, social worker, counselor, teacher or paraprofessional. This person should receive annual training on foster care issues and should help youth in foster care with enrollment and records transfers, and help them find and take advantage of appropriate academic courses and extracurricular activities.
- ✓ **Ensure the school has the information it needs to support the child's educational progress.** Make sure the liaison or other professional in your school consults with the child's former teachers, guidance counselors, and resource providers. These people can provide valuable insights into the child's educational history and progress.
- ✓ **Ensure the child receives credit for all coursework completed and stays on track to graduation.** Youth in care often fail to receive credit for work completed at prior schools. Work with your administration or your designated foster care liaison to ensure you have all necessary information and that the child gets credit for all work completed. Similarly, work with children who have moved frequently to make sure that they are on track for graduation and the school recognizes their prior school work.
- ✓ **Know who the education decision maker is for the child.** The default decision maker is usually the biological or adoptive parents, who have a constitutional right to make education-related decisions for their children.¹ When parents fail to act on behalf of their children, however, youth need alternate decision makers. If the child does not have an existing education decision maker, ask the child's attorney or caseworker to have one appointed. Regardless of whether your client is in regular or special education, the education decision maker should be someone who knows and spends time with the child, understands the child's educational needs, and will advocate for the child.
- ✓ **Be knowledgeable about appropriate information sharing and respect your student's privacy.** Always respect your student's right to privacy. Those in the school who do not have responsibility for, or are not involved with the student are not entitled to information about the student's circumstances. However, you should know who can and should have access to important information about the student's educational progress. The designated liaison or other interested adult should talk with your student's caseworker and/or attorney to determine who has the right to information. Once you are clear on who can and should have access to educational information, keep the lines of communication open and encourage frequent information sharing. Encourage these people to participate in educational planning for the child.
- ✓ **Ensure youth with disabilities receive appropriate services.** When a child with disabilities moves, the child can continue receiving a free appropriate public education in the least restrictive environment. The child is entitled to receive comparable services to those provided under the Individualized Education Program (IEP) at the old school until a

new IEP has been developed and approved. While youth records may not always follow a child, asking whether the child was in a special education class, school, or self-contained program can inform you that the child has special education needs. Because children are entitled to be educated in the least restrictive environment, all efforts should be made to provide the child with needed services within the child's regular education school and classes.

This information is adapted from the **Blueprint for Change: Educational Success for Youth in the Child Welfare System**, published by the **Legal Center for Foster Care and Education**. To see the full publication, use a searchable database on foster care education laws, and access secondary sources and training materials, visit www.abanet.org/child/education/home.shtml.

- ✓ **Advocate for creating a foster care liaison or designee within your school.** Youth in care are better served when one staff person within the school is designated to deal with issues that arise when enrolling children in foster care. This person could receive special training and share knowledge with the rest of the school staff.
- ✓ **Seek opportunities to learn more about child welfare and the child welfare system and arrange for in-service training.** Little time is spent in college-level courses teaching how foster care affects children in the classroom and the child welfare system generally. Take advantage of opportunities to participate in conferences and in-service training that address these issues. Principals and administrators should support teachers and other school staff who are interested in attending such programs.

Endnotes

¹ *Wisconsin v. Yoder*, 406 U.S. 205 (1972); *Pierce v. Society of Sisters of the Holy Names of Jesus and Mary*, 268 U.S. 510 (1925).

Resources:

- ✓ **For information about appointing education decision makers and dealing with confidentiality issues, see *Mythbusting: Breaking Down Confidentiality and Decision-Making Barriers to Meet the Education Needs of Children in Foster Care***, available at www.abanet.org/child/education/mythbusting2.pdf
- ✓ **For practical suggestions to help children in foster care placed in your school or classroom, see:**
 - *What Teachers and Educators Can Do to Help Youth in Foster Care*, found at www.fostercaremonth.org/GetInvolved/Toolkit/Support/Documents/FCM08%20What%20Teachers%20and%20Educators%20Can%20Do.pdf
 - *Why Special Education Teachers Should Care About Foster Care*, found at www.ldonline.org/article/5610
 - *Endless Dreams*, a video and training curriculum about foster care for educators, available at www.casey.org/Resources/Publications/EndlessDreams.htm
- ✓ **For strategies on how to use “awaiting foster care placement” and the McKinney Vento Act and examples of successful collaborations between child welfare and education agencies, see *The McKinney-Vento Act and Children and Youth Awaiting Foster Care Placement***, available at www.abanet.org/child/education/naehcy_%20mckinney_vento.pdf