

ESSA & BIDS

- Per ESSA: youth in care have a right to remain in their school of origin.
- BID Meetings & **SB 1205** | Must be **scheduled within 5 days** of a student changing placement & the student must **start within 2 days** of the completed meeting.

Helpful Information to have when scheduling a BID Meeting			
Student's Details	Living Situation + Details	Important Adults	Potential Meeting Dates & Times
•Name: •Age: •Grade: •Current Address:	<input type="checkbox"/> Foster Family <input type="checkbox"/> Kinship Family <input type="checkbox"/> Group Home <input type="checkbox"/> Other: •Name(s): •Contact Info:	•Bio/Adoptive Family Name(s): •Contact Info: •Education Rights Holder(ERH)/ Educational Surrogate Name: •Contact Info:	Try to give at least 3 different options within a 5-day window. 1. 2. 3.
School of Origin	Potential School of Residence/ Interest	IEP/504	Other Potentially Helpful Info
•School Name: •District: •Dates of Attendance: •Add. Details: *If the student hasn't been there for long, please include the previous school in meeting.	•School Name: •District: •Grade: •Add. Details:	<input type="checkbox"/> IEP •Least Restrictive Environment Level: <input type="checkbox"/> 504 •Add. Details:	•Current/Relevant Discipline? •Credit Recovery Needs? •Current grades (especially in the middle of the semester) •How long have they been in care? •Mental Health Needs? •Upcoming Changes in Case Plan?

Special Education: Least Restrictive Environment (LRE).

LRE is determined by the amount of services a student with an IEP is receiving, where those services are provided at school, and who is providing those services. Based on a student's IEP LRE level they might be only able to attend certain schools in a district. This greatly impacts the BID processes and finding a good fit school for a student. ([LINK](#): Other levels do exist but these are the primary ones)

- **Level A:** Inside Regular Class 80% or more of the day.
- **Level B:** Inside Regular Class for not more than 79% of the day and no less than 40% of the day.
- **Level C:** Inside Regular Class less than 40% of the day.
- **Level D:** Public or Private Separate Day School for greater than 50% of the school day.
- **Level E:** Public or Private Residential Facility - placement initiated by an IEP team.

IEPs & 504 Plans

IEPs:

Support a student with a disability in accessing their education through:

- specialized instruction
- specialized services/supports
- accommodations
- modifications

Who can request an evaluation?

• Only the IDEA Right Holder's request triggers the timeline, so you can support them with making a request.

• While DCS is "legal guardian" they are not the Special Education/IDEA Parent.

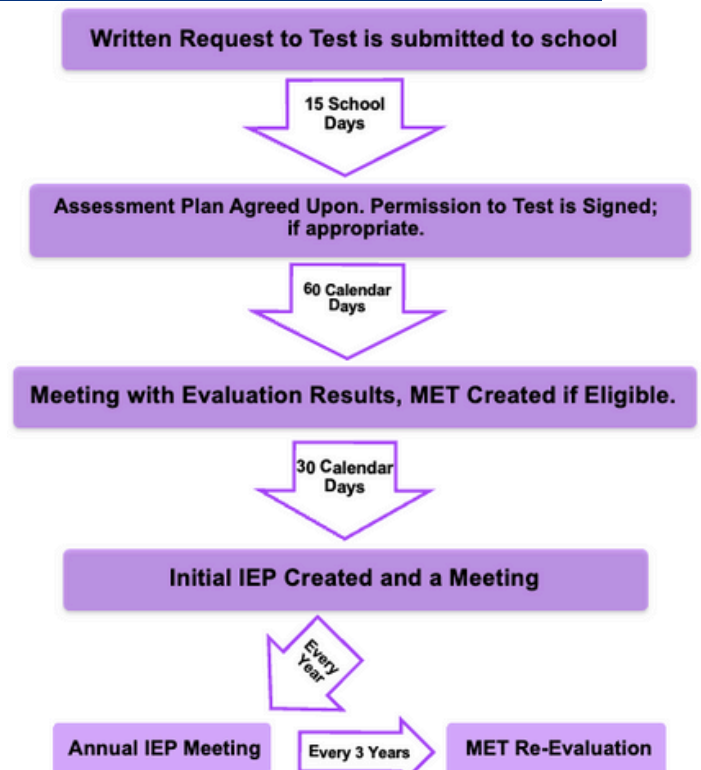
If a student hasn't been in school & is "behind"...

• Remember, they should receive interventions first before an evaluation as they haven't had an opportunity to learn vs assuming they have a disability.

504 Plans:

Provides accommodations that help a student access the general education curriculum and/or the general education setting when they have a medical diagnosis impacting their access.

IEP Evaluation Timeline



Education Rights and Access: Who can do & know what?

What/Who	FO Parent w/ Ed Rights*	DCS Case Worker	Foster/ Kinship	Group Home/ Therapeutic	Educational Surrogate	CASA
Grades/ Attendance	Yes	Yes	Yes	Yes	Yes	Yes
Behavior	Yes	Yes	Yes	Yes	Yes	Yes
Enroll/Unenroll	No	Yes	Yes	Yes	Yes, not ideal.	No
IEP Information	Yes	Yes	Yes	Yes	Yes	Yes
Sign as IDEA Rights Holder/ IDEA parent for IEP	Yes	NO	NO, unless Ed. Rights are severed, or FO parents are unreachable	NO	Yes	NO
Sign for 504 Plan	Yes	Yes, not ideal.	Yes	Yes	N/A	No
Meet w/ School	Yes	Yes	Yes	Yes	Yes	Yes
Have Online School Data	Yes	Yes	Yes	Yes	Yes	Yes
Pick Up Student from School	NO, unless approved by DCS	Yes	Yes	Yes	No	Yes
Speak w/ Student at School	NO, unless approved by DCS	Yes	Yes	Yes	Yes	Yes

*DCS please provide clarity to the schools about what access FO Parents can have. If they retain their Ed Rights and what types of interactions/information is okay. There might be a safety concern with them knowing the students school location. An FO Parent without Ed Rights is unable to do any of the above listed things, unless DCS says otherwise. The updated PPH Form can also help communicate this.
*FO Parent: Family of Origin Parent

School Discipline

For Long Term Suspensions & Expulsions:

- Appeals must be made within 5 days.
- Nearly always, you should appeal Long Term Suspensions or Expulsion decisions because often things are missed related to the student’s experience of Foster Care that could change the final decision details.
- The student might still be suspended but the specifics of the suspension could change.

Potential Impacts of Out of School Suspensions/ Long-Term Suspensions for youth in DCS:

- Can impact the stability of placement.
- Damage relationship and rapport built with school staff.
- Students aren’t able to be home alone during the day.
- Affect access to education because Group Homes aren’t usually staffed during the day in a way that allows for students to do school from home/online.

Other Things to Know:

- A school district does not have to admit a student who has been previously expelled from another school district.
- Withdrawing a student before a Long-Term Suspension or Expulsion Decision, does not necessarily mean the student will be accepted at another school.
- Student history of trauma can have a big impact on the way they act and interact with others at school. There is always something driving the behaviors students are displaying.



Creating space for the student’s voice is critical to understanding and supporting youth in their education & their lives.