



National Center
for **Youth Law**



FosterEd | Arizona
Champions for System-Involved Scholars

Education 101 for Youth Experiencing Foster Care

updated 3/2025

Our Vision

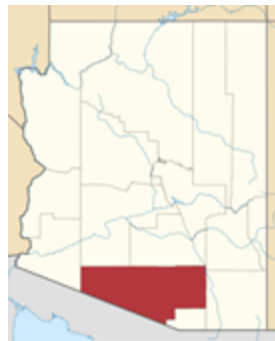
At FosterEd we are working to create a reality where all youth experiencing foster care, graduate from high school with a variety of options for their future, in which they are excited about.



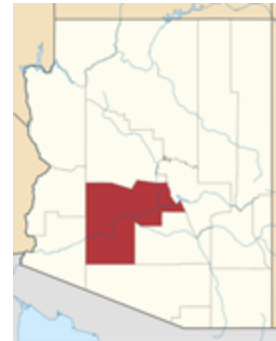


FosterEd accepts referrals for students Pre-K to 12th grade.

Regions Served



PIMA COUNTY
DCS Offices + TUSD



MARICOPA COUNTY
DCS Offices



YAVAPAI COUNTY
Schools + DCS Offices



Other counties can be served through consultations.

Big Areas of Education Confusion

- ESSA | Every Student Succeeds Act (est. 2017)
- BIDs | Best Interest Determination Meeting
- Special Education
- 504 Plans
- Educational Rights & Access
- School Discipline



ESSA's Key Points

School of Origin

A child in foster care is to enroll or remain in the school of origin



Enrollment:

- Per ESSA, a student in foster care has the right to immediate enrollment.
 - The Notice to Provider is the only document needed for enrollment.
- Students have the right to remain in their school of origin the entire time they are in foster care. This means they would follow the same feeder school pathway as their peers.

School of Origin

- The school in which a child is enrolled at the time of placement in foster care, including preschool
- - OR -
- The school in which the child is enrolled at the time of change in foster care placement (ESEA Section 1111(g)(1)(E)(i))

Best Interest Determination (BID) Meetings

- BID Meetings Purpose: to have a comprehensive discussion about which school will best serve the student and their educational needs and goals.
- **SB 1205** | Must be scheduled within 5 days of a *student changing placement* & the student must start within 2 days of completed meeting.
- Must Include, according to SB 1205:
 - Student (if appropriate)
 - DCS Case Worker
 - Student's Parent Guardian, Custodian, Caregiver, or Foster Parent
 - Representative from the Local Education Agency (LEA)/School of the student's school of origin
- ***Potential New LEA/School should be included if a change is being considered****
- Best Practices: All the above PLUS
 - Placement
 - Family of Origin (FO) Parent. Biological or Adoptive Parents
 - Education Rights Holder/Educational Surrogate, if they have an IEP
- Be Aware: District LEA's will typically add in other relevant district/school staff.
- TRANSPORTATION IS A SHARED RESPONSIBILITY between DCS, LEA, and placements (based on contracts). Cost should not be a factor.

Info to have BEFORE Scheduling BID Meetings

Helpful Information to have when scheduling a BID Meeting			
Student's Details	Living Situation + Details	Important Adults	Potential Meeting Dates & Times
<ul style="list-style-type: none"> •Name: •Age/DOB: •Grade: •Credits (HS): •Current Address: 	<input type="checkbox"/> Foster Family <input type="checkbox"/> Kinship Family <input type="checkbox"/> Group Home <input type="checkbox"/> Other: <ul style="list-style-type: none"> •Name(s): •Contact Info: 	<ul style="list-style-type: none"> •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
<ul style="list-style-type: none"> •School Name: •District: •Dates of Attendance: •Add. Details: <p>*If the student hasn't been there for long, please include the previous school in meeting.</p>	<ul style="list-style-type: none"> •School Name: •District: •Grade: •Add. Details: 	<input type="checkbox"/> IEP <ul style="list-style-type: none"> •Least Restrictive Environment Level: <input type="checkbox"/> 504 <ul style="list-style-type: none"> •Add. Details: 	<ul style="list-style-type: none"> •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?

*This grid is updated occasionally by DCS, what you may receive could look different.

Difference between a BID & a “Meeting”

If there's no placement change but a student wants to change schools you should have a supportive team “meeting” not a BID Meeting.

BID Meeting	Supportive Team “Meeting”
When: A student has changed placements.	When: A student (or placement) would like to change the school of origin, where they are currently.
Why: Per SB1205 and because it's helpful.	Why: To ensure that a student's needs will be met at the new potential school they are interested in attending.
Discuss: If a student should remain in school of origin. Connections? IEP needs? Transportation? Credits?	Discuss: What's going on that's leading to them wanting to change. Friends? Bullying? Class Options? IEP Needs?
Who: ESSA POC, Student (if appropriate) DCS Case Worker, Student's Parent/Guardian/Caregiver, or Foster Parent,	Who: DCS, Student, Placement, Bio/Adopt Parents, and School-- isn't necessary but recommended to ensure the student's needs will be met there. No ESSA POC needed.
Lead By: DCS	Lead By: DCS
How: Virtually or In Person. DCS connects with team.	How: Email, Virtual, In Person. DCS connects with team.
Enrollment: within 2 days of the completed meeting. Student has the right to stay at School of Origin. Student should stay in School of Origin until meeting happens.	Enrollment: Will need to go through the school's Enrollment or Open Enrollment process. Schools/Districts will be able to deny based on their enrollment criteria.
Transportation: DCS/School/Placement shared responsibility per ESSA	Transportation: School is not required to provide.
Special Education: If a student's IEP needs can not be met at the school they would like to attend (School of Origin or Interest) then that school is not a real option. The team and Schools will need to work together to identify the best fit school for the student that also provides their IEP Services. See info on Least Restrictive Environment as well.	

Why Special Education is Important for Youth in Foster Care

Nearly 1 in 4 children in foster care is classified with a disability, more than twice the rate of the statewide population.*

- IEPs are to support a student with a disability in accessing their education through:
 - specialized instruction
 - specialized services/supports
 - accommodations
 - modifications
- FosterEd supports the sometimes more complicated special education process for youth in care with diagnosis of:
 - ADHD
 - Autism
 - PTSD
 - Anxiety
 - Depression
- Students in foster care are more likely to be classified with an **emotional disturbance**, **intellectual disability** and **developmental delay** than other students in the statewide population.*

So you think a student might need an IEP?

Basic Starting Questions

1. What are the academic, behavioral, and general concerns?
2. Are there any medical diagnoses?
3. What kind of support are they currently getting at school?

Have you met with the school to discuss these concerns?

YES...

NO...

It's been some time, we still have concerns, and think an IEP is the right next step.

But we haven't gotten an update in a while.

Reach out to the school requesting a meeting to discuss student progress and concerns.
*This can be done by anyone on the student's team.

Concerns Continue... Time to Request an IEP

Written request to test is submitted to the school by an IDEA Right's Holder.
-Explains current concerns
-Medical diagnosis, if appropriate
-States who holds IDEA Rights and who else should be included

15 School Days

Review of Existing Data (RED) Meeting is held with the School & Student's Team.
-Concerns & School Supports discussed
-Assessment Plan Agreed Upon
-Permission to Test is Signed by IDEA Rights Holder

60 Calendar Days

Meeting with Evaluation Results and MET Report Created if Eligible.
-Special Education Eligibility Determined
-Services Recommended
-MET: Multidisciplinary Education Team Report

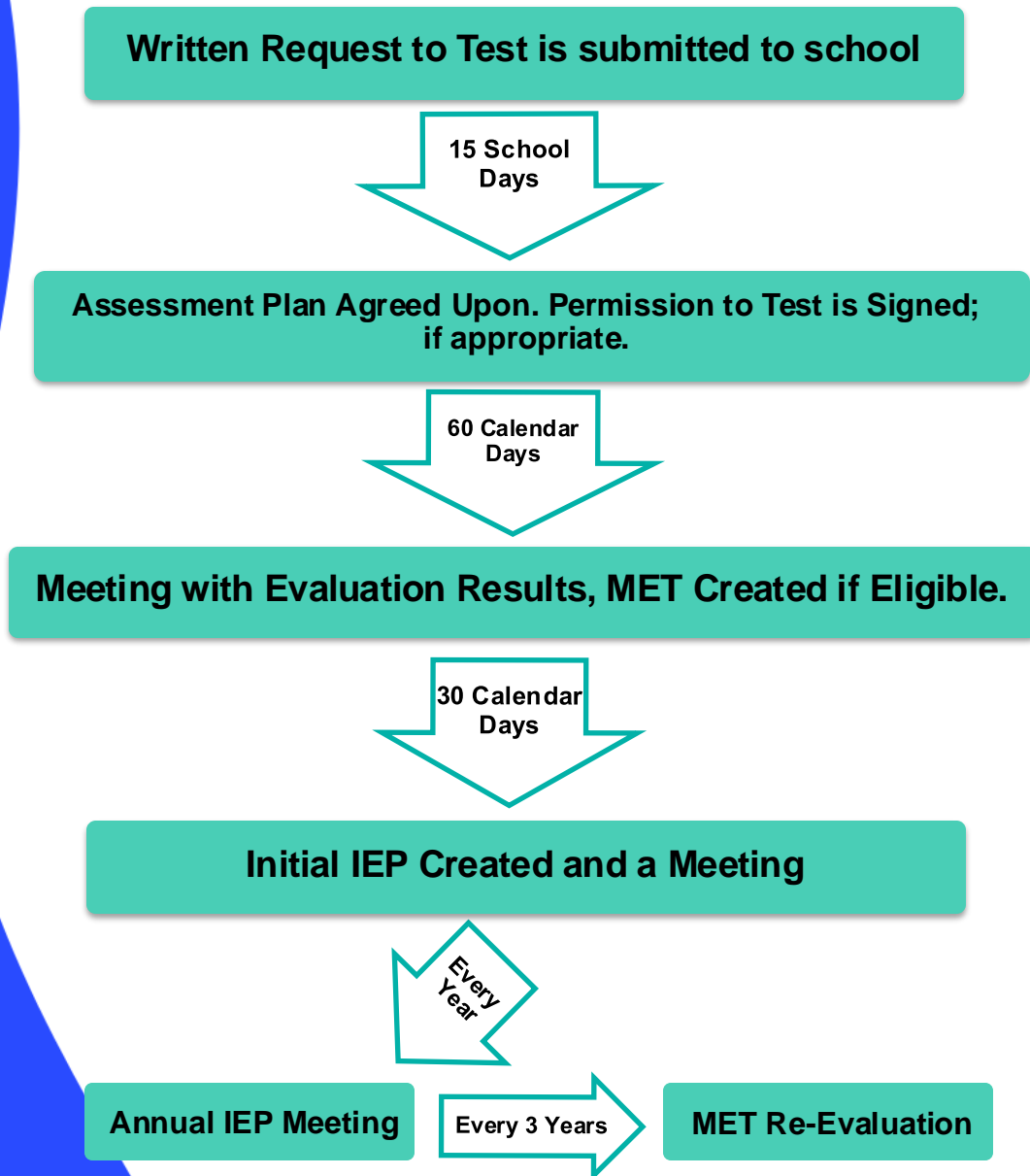
Can take an extra 30 Calendar Days

Initial IEP Created and Reviewed in a Meeting
-Direct Services
-Goals
-Least Restrictive Environment (LRE) Determined

Every Year: Annual IEP Meeting
-Progress Discussed
-Direct Services & Goals
-Least Restrictive Environment (LRE) Determined

Every 3 Years: Triannual MET Re-Evaluation
-Progress Discussed
-Eligibility Reassessed

IEP & Evaluation Timeline



Things To Know, IEPs:

Who can request an evaluation?

- Only the IDEA Right's Holder/Parent's request triggers the timeline, so it's best to come from them. You can always support them in sending the 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 learning disability.
- IEPs are not designed to help a student "catch up" they are designed to provide necessary specialized instruction for the student due to a disability.
- Students with IEPs may continue to show below grade level abilities. IEP Services are designed to support a student where they are.

LRE Levels: Least Restrictive Environment:

- Level A: Available at most traditional schools.
- Level B & C: Dependent on the districts programming, not every school has these services. Districts decide which schools have the appropriate LRE options and services to meet the student's needs. *Districts will provide transportation when student can't attend the home school.
- Level D: Most restrictive learning environment. Typically, a separate private day school. *Usually, a student will work their way up to this level.

IEP/MET Meetings:

- Technically the Special Education Parent decides who from the outside team can attend. DCS is not required to be present.

504 Basics

- Provides accommodations that help a student access general education curriculum and/or the general education setting when they have a medical diagnosis impacting their access.
- Accommodations can not change or modify the academic curriculum. If they do, this is cause for concern.
- Best to provide a medical diagnosis that is impacting school performance/behaviors.
- Educational Rights Holder/IDEA Parent does not have to sign for this; anyone can sign that has Guardianship rights (see table on next slide).
- If the school recommends a 504 over an IEP, this can be treated as an intervention to see if the student's needs can be adequately met through accommodations (504) vs specialized instruction (IEP).
- A 504 Plan provides accommodations and light services to address a student's disability vs a Behavioral Intervention Plan (BIP) addresses a student's challenging behavior(s).
- It's best to include a BIP built from a Functional Behavioral Assessment (FBA) to best support 504 Plans where there are behavioral challenges.
- Don't have to be updated yearly, but you can request a review and update anytime.

Accommodation Examples:

- Additional time on tests.
- Teacher provided notes.
- Presenting a project individually to a teacher vs the whole class.
- Able to take short breaks.
- Access to a standing desk.

Accommodation (504 type) vs Modification (IEP)

- Assignment: Write a 3-paragraph persuasive essay.
- Accommodation: Student is given an outline to help them write the essay and the teacher checks over the outline before they start writing the 3-paragraph essay. Student is also graded at grade level sentence and grammar mastery.
- Modification: Student is given an outline to help them write the essay and the teacher checks over the outline before they start writing a 2-paragraph essay, the teacher also provides feedback and guidance while the student is writing. Student can write simpler sentences and will not be marked down for grammatical errors.

Who can know and do what...Educational Access

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

Types of School Discipline:

1. Detention and referrals.
2. Informal or off-the-books discipline, "stay at home"; typically, not legal/to policy.
3. In-School Suspensions (ISS) or In-School-Intervention (ISI).
4. Out-of-school suspensions.
5. Long-term suspensions (LTS): more than 10 consecutive days out of school.
6. Expulsions: permanent removal from a school.
 - Zero tolerance policy: Certain student acts lead to mandatory expulsion, such as bringing a firearm to school, threatening school staff with physical injury, or threatening damage to the school.
 - But schools have *some discretion* to use alternatives to expulsion for zero tolerance offenses. For example, the school can require community service or mediation.

- **Potential Impacts of Out of School Suspensions/ Long-Term Suspensions for youth in DCS:**
 - Can impact stability of placement.
 - Damage relationship and rapport built with school staff.
 - 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 school.
 - Students aren't allowed to stay home alone during the day.
- 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 responses/reactions might be elevated due to trauma history.

If the hearing has already happened...

- Be sure to confirm if the student was suspended and for how long.
- In many cases *you only have 5 days to submit an appeal.*
- *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.

Manifestation Determination Hearings

- **Please reach out to FosterEd, especially when it could result in a long-term suspension.**
- Happens after a student with an IEP or 504 Plan has had 10 days of out of school suspensions *in a school year. If a youth changes schools during the year, their suspension days carry over with them.*
- Who must be present at the meeting:
 - IDEA Parent
 - Student, if appropriate
- Best practice to include in the meeting:
 - DCS Specialists
 - Placement
 - Other supportive adults
- **2 Questions will be asked** to determine if the behavior is a manifestation of the student's disability: If the answer to either of these questions is a collective "Yes", the student does not continue to serve the suspension.
 - Is the behavior related to the discipline issue, a direct result of the student's disability?
 - Is the behavior related to the discipline issue, a direct result of the school's failure to provide the IEP Services?

Best Practices According to FosterEd

- Double check that the school has an updated Notice To Provider with your information and that your information is listed as on the student's contact list.
 - You can send this directly to the school Attendance Clerks/ Registrar.
- Invite school team to participate or email about CFTs especially when there are behavior concerns.
- Email all team members when things are happening for the student; both celebrations and concerns.
 - *Please don't rely on foster parent/group home to communicate the information.*
 - Notify of changes such as visits, placements, case plan, and court dates.
- You can have access to the online school info systems that have grades and attendance.
- **Strong communication between the DCS Team and the School almost always equals student success!**



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

Other Resources

- **The FosterEd team has other resources you may find helpful in your work supporting youth experiencing Foster Care and their educational journey. These resources should be available online as downloadable pdfs and include:**
- **FosterEd Toolkit** | Several years ago, our team created a comprehensive toolkit that has been used hundreds of times since its online publication. We have spent time updating the toolkit with the most up-to-date information on: ESSA, Best Interest Determination procedures, and many more new policies and best practices
- **Education & Foster Care 101 Presentation & Mini Guide** | Covers the most common questions about Education and Foster Care such as ESSA & BIDSS, IEPs & 504 Plans, Educational Rights & Access, and School Discipline.
- **Finding the “Best Fit School” and School Discipline Mini Guides** | Goes more in depth on these 2 topics and provides practical steps for how to support youth and their teams navigating these things.
- **Education Partner Handbook & Presentation** | We turned our internal training tools into a comprehensive resource anyone can use to become a more supportive and well-informed education partner. This is for anyone who is supporting the educational needs of a child experiencing foster care.
- **Resource Directory** | This directory includes some of FosterEd Arizona’s most trusted partners and most useful community-based agencies. When we needed support or a friend we went to *them*, so we wanted the public to know where to find them too.



Thank you!

What initially began as a seed being planted in Pima County Arizona around 2014, became a thriving and impactful program deeply rooted in service and compassion spanning over the course of a decade.

The ripple effects of the individual services delivered in partnership with youth will be felt for decades to come. FosterEd has been grateful to have been welcomed by so many school districts, child welfare offices, and families for so long and has hope that there will be more to come in the way of positive changes in education for children experiencing foster care. This program has paved the way for others for years to come. Our team would like to extend a heartfelt thank you to all who have been a part of FosterEd's journey from the time of its conceptualization until now, and to the very many children, youth, families, and adult advocates who trusted in us to support them with educational needs big and small.

-FosterEd Arizona team

