

CASA Educational Decision Makers: The EDM Toolkit

Improving Life Outcomes for Children in Care

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**“IT IS DOUBTFUL THAT ANY CHILD MAY
REASONABLY BE EXPECTED TO SUCCEED IN
LIFE IF HE IS DENIED THE OPPORTUNITY OF
AN EDUCATION.”**

BROWN V. BOARD OF EDUCATION (1954)



**EDUCATION
LAW CENTER**

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Who We Are

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- Happi Grillon, MSW
Executive Director
CASA of Philadelphia County



- Maura McInerney, Esq.
Legal Director
Education Law Center



Education Law Center

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Education Law Center-PA is a non-profit, legal advocacy organization dedicated to ensuring access to a quality public education for all children in Pennsylvania.

We work in three strategic areas:

- **Ensuring equal access**
- **Adequate and equitable funding**
- **Dismantling the school-to-prison pipeline**



Through direct representation, impact litigation, and policy advocacy we work to advance the educational rights of at-risk students, including children in foster care.

CASA PHILADELPHIA COUNTY

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- **The mission of Court Appointed Special Advocates (CASA) of Philadelphia is to deliver personalized, integrated, child-centered advocacy for abused and neglected children in foster care through a diverse community of trained volunteers.**
- CASA EDM Program



Today's Presentation

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- Overview of Educational Needs of Children in Care
- Why Courts Appoint EDMs
- Your Role as an EDM
- Educational Rights of Children in Care
 - Right to School Stability & Immediate Enrollment
 - Special Education Rights
 - Rights in the School Discipline Context
 - Other Rights You Should Know About
 - The Road to Graduation
- Questions

Why EDMs Matter



- **Children in foster care are among the most educationally disadvantaged:**
- Twice as likely to drop out
- 2-4 times more likely to repeat a grade
- More likely to be subject to school discipline
- Score significantly below their peers on standardized tests
- More likely to be undercredited
- While the vast majority desire to attend college only 7-13% gain access to any higher education & only 3% obtain bachelor's degrees.

[National Fact Sheet on Foster Care and Education](#), Legal Center for Foster Care & Education, updated 2018

Why EDMs?

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Beginning in 2011, PA Juvenile Court Rules required judges to consider **education** at every stage of the court process.

The amended rules required judges to consider whether a child needs an **Educational Decision Maker (“EDM”)** as a last resort because:

- (1) The **child has no active, informed educational decision maker to serve in this role** (parent, foster parent, etc.) or
- (2) The Court finds that it is in the **best interest of the child** to limit decision making rights of the parent or guardian

Why CASA?

- **NO POOL OF EDMs for the court to appoint**
- **CASA has an excellent track record of recruiting and training community volunteers to advocate for children in foster care**
- **CASA EDMs are highly effective.**

What Can EDMs Do?

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- As an EDM makes all education decisions for the child including:
 - Addressing special education needs
 - Intervening on behalf of the child re school behavior/discipline problems
 - Reviewing and correcting a child's education records
 - Ensuring progress towards graduation
- As an EDM, you have the legal right to:
 - Obtain education records
 - Attend IEP meetings
 - Participate in teacher conferences
 - Be notified of problems in school
 - Determine where a child with disabilities is placed, the services the child receives and when and how the child will graduate
- As an EDM, you have no rights beyond making education decisions

What should a CASA EDM Do?

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- **Advocate and make education decisions** in the best interest of the child
- **Collaborate** with the school team to provide a quality appropriate education
- **Work with a child's entire team**
- **Report** to the court

An EDM works to ensure:

- **Stability:** Minimizes school changes
- **Immediate enrollment:** And transfer of education records
- **Appropriate Placement:** In the least restrictive education environment appropriate to your student's needs
- **Engagement:** That a child attends and connects to school
- **Progress:** That a child has the resources/services s/he needs to make progress toward grade promotion and high school graduation
- **Transition:** That youth receive the supports and services they need to make a successful transition after graduation.

Once you are appointed EDM you should:

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Meet with “your” student!

Get acquainted with your student’s school

Request all educational records

Review the child’s education records and talk to the youth, current caregiver and others about the child.

Create an educational history & assessment (see Toolkit)

- **Identify the child’s strengths**
- **Assess your student’s current educational needs.**
- ***Talk to your student about their future***
- **Make a list of questions/issues to follow up on with school.**

Introduce Yourself to Your Student's School

- Introduce yourself to the staff at your student's school.
 - Try to identify a good “point person” at the school, perhaps an assistant principal or guidance counselor, and get their contact information
- **Bring a copy of the court order appointing you as EDM and ask the school to put in the student's file**
- Ask the school to update their files with your contact information so that you will be invited to meetings and receive notices about your student
- Ask for a copy of the school calendar (so you know the schedule for parent-teacher meetings, school breaks, and reporting periods) as well as for any upcoming meetings regarding your student.

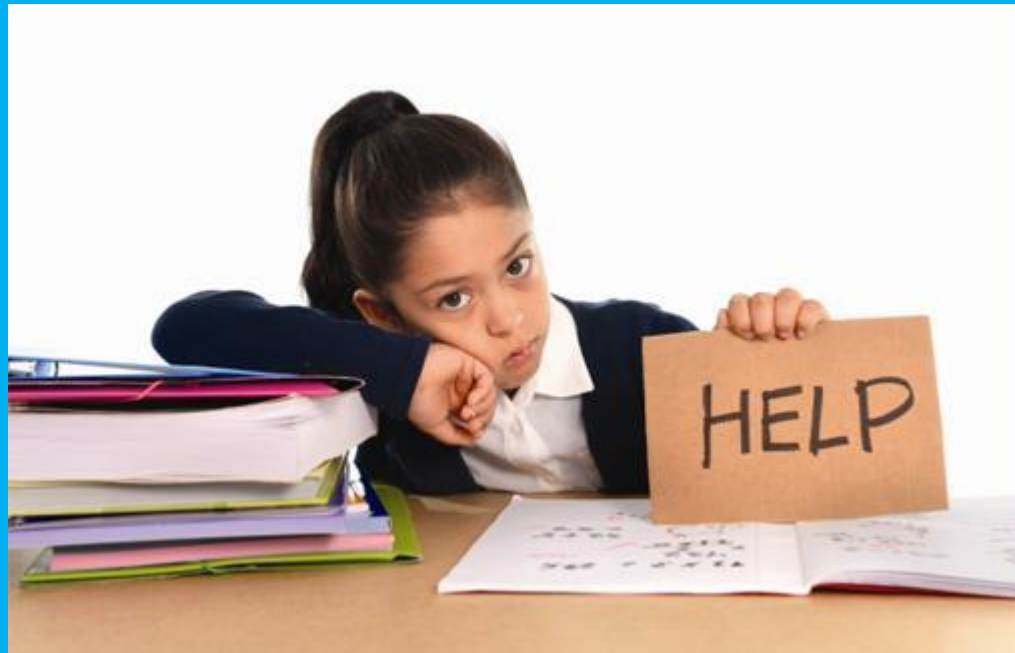
EDM Toolkit

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- Tool 1: What is an EDM?
- Tool 2: What does a Student Need to be Successful?
- Tool 3: School Stability
- Tool 4: Collaborating & Communicating w/ Schools
- Tool 5: Rights for Students with Disabilities
- Tool 6: How to Handle School Discipline Problem
- Tool 7: Rights of Students in Residential Settings
- Tool 8: Transition Planning
- Tool 9: Graduation and Postsecondary
- Glossary, EDM Referral Guide, Resources & Sample Court Orders and Form Letters

Educational Rights

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Federal & State Laws

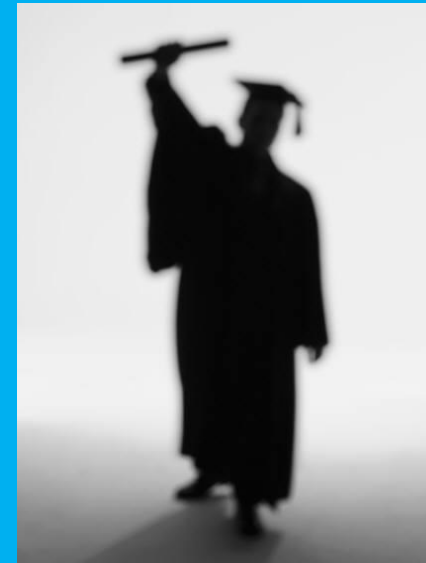
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- **State Laws & Rules**
 - **Juvenile Court Rules** – Pa. R.J.C.P. 147 & 1147 (Judges must consider educational needs of child & whether to appoint EDM at every stages hearing (2011))
 - **Pennsylvania School Code** – 24 P. S. § 1-101 & 22 Pa Code 11.11 (enrollment, truancy, school discipline, special education, graduation requirements etc.)
 - **Pennsylvania Constitution** – Education Clause, Due Process & Equal Protection
- **Federal Laws:**
 - **Every Student Succeeds Act (2015) & Fostering Connections Act (2008)** (establishing obligations of child welfare & ed to provide school stability)
 - **Individuals with Disabilities Education Act (“IDEA”)** 20 U.S. Code § 1400 (right to free, appropriate public education in least restrictive environment)
 - **Section 504, Rehabilitation Act of 1973** 29 U.S.C. § 701 et seq.
 - **Family Education Rights & Privacy Act (“FERPA”)** 20 U.S.C. § 1232g
 - **Equal Education Opportunities Act & Titles VI, VII, IX of Civil Rights Act of 1964**
 - **U.S. Constitution** - Due process & Equal protection claims

School Stability & Enrollment

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Youth with even one fewer placement change per year are almost twice as likely to graduate.



Every Student Succeeds Act,

20 U.S.C. § 6301



- Children in foster care have a **right to stay in the same school** even when they change foster care placements.
- Remaining in the same school is presumed to be in a child's best interest unless there are factors weighing against this:
 - EDMs participate in “Best Interest Determination” or “BID” conferences.
 - Each School District must have a “Foster Care Point of Contact” who facilitates this conference and helps with decision making, and arranges transportation.
 - Districts and child welfare agencies have MOUs which address how transportation will be provided, arranged and funded

Important Considerations

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- Research establishes the school stability supports school success.
- Consider what the child wants
- The right to school stability applies even if a child is in a “residential placement”
- The right applies for the entire time that the child is in foster care, but not when the child exits care
- The right to school stability also applies to children who are homeless, including children who are living on their own AFTER leaving foster care at age 18.

Immediate Enrollment


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- If a child does not remain in the same school, the child has a legal right to “**immediate enrollment**” in a new school even without:
 - ✦ Enrollment documents
 - ✦ Education records, including IEPs

The school cannot inquire into the reasons the child is foster care or must enroll in any child who is of school age.
- If a child is a “beginner” and missed the September deadline for enrollment, request that the child be granted “immediate enrollment” in school as a exception to the district’s policies.

Children in Residential Settings

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- EVERY child has legal right to attend the public school of the “host” district, where the residential placement is located. See 24 P.S. 13-1306 

UNLESS a court order REQUIRES the child to be educated in an on-grounds school OR the IEP Team identifies a different placement OR the child is placed by the district in AEDY because he is currently expelled for a weapons or other serious offense.

- Residential placements cannot force the child to attend an on-grounds school or condition acceptance into placement on attendance at on-grounds schools.
- As EDM can notify the “host” school district that the child must be immediately enrolled in public school. The EDM not the staff at a facility makes that decision.

School Placement



- A school district cannot refuse to enroll a child based on the child's disciplinary or delinquency record.
- **A school district cannot automatically enroll a child in an AEDY program** based on the child's disciplinary record or placement history
 - Exception: If child is currently expelled for a weapons offense, the district may assign that student to an *alternative assignment* or provide *alternative education services* for the length of the expulsion. The district has discretion in this case. *See Hoke v. Elizabethtown Area Sch. Dist.*, 833 A.2d 304 (Pa. Commw. Ct. 2003).
- **Students returning from delinquency placement are entitled to an informal hearing before placed in AEDY.**

School Placement Considerations



- Where does the student want to attend school?
- Did student make progress towards graduation?
- Is the Student engaged in their current school?
- What is the living placement goal?
- What courses are needed to graduate?
- Has student engaged in Career and Technical education and could benefit from a school placement that offers this track?
- Where can IEP be best implemented?

SPECIAL EDUCATION

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***THE INDIVIDUALS WITH
DISABILITIES EDUCATION ACT:***

A PARENT-DRIVEN SYSTEM

EDM Role

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- Why is an EDM needed?
 - Special education is a *parent driven* system.
 - EDMs are needed to **consent to an evaluation, change in placement, and services** etc.
 - **Ensure prompt and thorough evaluation,**
 - **Robust and detailed IEPs,** including transition plans
 - **Ensure child is not disciplined due to disability.**
- Individuals with Disabilities Education Act (IDEA) is a strong civil rights law which empowers you as EDM to consent to placement & services and challenge IEP-related decisions.

IDEA “Parent”

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- Under the law, parents, *not students*, have the right to:
 - Request and consent to an initial evaluation or re-evaluation
 - Consent to special education services
 - Initiate dispute resolution procedures and initiate legal challenges
 - Be a decision-making member of the IEP team and agree to changes in placement or the education program
- Parents protect the rights of students with disabilities.
- All “IDEA Parents” are entitled to meaningful participate in the process and be notified of any proposed changes in placement or services.

What Does an EDM Do in Special Education Process?

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- Consent to initial evaluation*
- Participate in IEP meetings
- Agree to or reject IEP plan
- Determine the child's placement
- Ensure progress towards IEP Goals -- a FAPE (Free and Appropriate Education)

*Others can also consent to initial evaluation, including caseworkers under limited circumstances.


34 C.F.R. § 300.300, 34 C.F.R. § 300.519(g)

Bill of Rights for Students with Disabilities

1. Identification (“Child Find”)
2. Evaluation (ER)
3. Free and Appropriate Public Education (FAPE)
4. Least Restrictive Environment (LRE)
5. Individual Education Program (IEP)
6. IDEA Parent
7. Prior Written Notice
8. Comparable Services
9. Graduation and Transition Planning
10. The Right to Disagree


Child Find: Right to Evaluation

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- **Child Find**”: Schools are obligated to identify and evaluate ALL children with disabilities in need of special education.
- **An EDM can request an initial evaluation at any time.**
 - Make the request for an evaluation in writing
 - Schools must provide a “**Permission to Evaluate**” (PTE) form in response to your written request or provide a PTE **within 10 days** of an oral request for an evaluation.
 - **TIP: Keep a copy of your written request and PTE** 
- Once the PTE is signed and returned to the school, the school has **60 calendar days** (minus summer vacation) to complete the evaluation.
- **Schools must complete these steps in the required 60 day timeframe unless you agree to an extension.** They cannot have “waiting lists” for evaluations, or refuse to evaluate because the child is learning English or needs a bi-lingual evaluation.

Re-evaluations

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- An IDEA-eligible child **must be re-evaluated:**
 - at least **once every 3 years**
 - **2 years if child has an Intellectual Disability;**
 - A parent or teacher/school may request a reevaluation to address a concern (the school is not obligated to conduct more than one re-evaluation/year unless needed to confer a FAPE)
- If the parent thinks that an evaluation was not done properly or sufficiently, they may request that the district pay for an **Independent Educational Evaluation (IEE) at public expense.** 

Functional Behavioral Assessment (FBA)

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A functional behavioral assessment should be conducted when a child's behavior interferes with her ability to learn.

- An FBA relies on a variety of measures to identify the purposes (or the function) of specific behavior and to aide the Individualized Education Program (“IEP”) team in developing interventions to directly address the problem behavior.

School Placement: Right to Least Restrictive Environment

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- Every student with disabilities **must be offered a full continuum of placements.**
- To the maximum extent possible, children with disabilities must be **educated in the least restrictive environment:** in regular education classrooms with non-disabled peers.
- Separate school/classes are appropriate **only** if nature/severity of disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.
- School placement decisions are made **AFTER** an IEP Team develops an IEP.

Right to a Free Appropriate Public Education

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- Child must make **meaningful progress** based on objective, measurable goals and benchmarks.
- EDMs: Review progress monitoring, report cards, suspensions
- Education and related services must be **reasonably calculated to yield educational benefit** in the following:
 - Academic skills
 - Social, emotional and physical growth
 - Development of skills that will lead to independence and self-sufficiency
 - But NOT required to maximize potential

The Contract: Individualized Education Program (IEP)

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- The IEP is the **instrument for providing FAPE**. It is a written, legally-enforceable agreement. What is written must be provided.
- Must be **updated annually & implemented w/n 10 days once finalized**. The content of the IEP is determined by the “**IEP Team**”
 - **IEP Team includes:** Parent, child (when appropriate), school personnel; AND others with special knowledge *invited at the discretion of the school or parent*.
- The IEP must include:
 - present levels of performance, strengths and needs
 - measurable annual goals & specific benchmarks
 - specially designed instruction, related services
 - **transition services starting at age 14**
 - educational placement.

Positive Behavior Support Plan (PBSP)

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- Helpful for students whose behaviors impede their ability to learn, often product of a Functional Behavioral Assessment (FBA).
- A PBSP is a written document that provides the specifics regarding:
 - 1) the identified inappropriate behavior(s);
 - 2) the function or purpose of the behavior;
 - 3) the strategies to prevent the behavior;
 - 4) the replacement skills that should be taught; and
 - 5) how those implementing the plan should react to the inappropriate behaviors.
- A PBSP should be individualized to the student and incorporated as part of their IEP.

Right to Notice & Consent

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- **Notice of Recommended Educational Placement (“NOREP”):** Parents must be given **prior written notice** when a school district proposes or refuses to take an action regarding the identification, evaluation, placement, or provision of FAPE for a student.
- EDMs have **10 calendar days** to consent to or reject the proposed change or the change may be implemented.
- If the EDM does not complete and return the NOREP within 10 calendar days **the school may proceed with the proposed changes unless it concerns initial services.**



Right to Comparable Services Upon Transfer

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- When a child with an IEP transfers school districts within the state, the new district must provide **“services comparable to those described in the previously held IEP.”**
- New district must consult parent, and provide the comparable services until it “adopts the previously held IEP or develops, adopts, and implements a new IEP that is consistent with Federal and State law.”

Right to Transition Services

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- Starting at age 14, students have the right to services to help them meet post-secondary goals related to training, education, employment, and independent living.
- IEP must contain measurable transition goals
- Goals should be based on transition assessments (e.g. interests inventory, vocational assessment)
- For youth in child welfare system, transition plan in IEP should be **coordinated with child welfare transition plan.**

Transition Planning

An Important Part of Planning for Graduation

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1. **Postsecondary Education or Training**

Specific goals for getting into and having the skills to be eligible for specific programs.

2. **Employment**

Specific goals for getting a job and having the skills to be qualified for a job or career.

3. **Independent/Community Living**

Specific goals for acquiring skills that adults need to function in the community.

4. **Community Participation**

Specific goals for participating in community and extracurricular activities.

5. **Adult Service Connections**

Specific goals for the young adult to access and/or establish eligibility for adult-serving systems or benefits needed for the transition.

IEP and Evaluation Timelines

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- Evaluation
 - ✦ Provide a “Permission to Evaluate” (PTE) form provided within 10 days of verbal request.
 - ✦ Once PTE is signed and returned, District has **60 calendar days** (minus summer vacation) to complete the evaluation report
- Implementing/Revising IEPs
 - ✦ Must be implemented w/in 10 school days
 - ✦ IEP team must meet at least annually
 - ✦ Parents may request an IEP meeting at any time
- Reevaluations
 - ✦ Every 3 years (2 years if child with Intell. Disability); or
 - ✦ If parent requests a reevaluation; or
 - ✦ If school believes “conditions warrant”
 - ✦ BUT school need not agree to more than one per year

Does a student age 18 have additional rights?

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Can a student over age 18 make special education decisions, such as consent to an initial evaluation?

No, under Pennsylvania law – unlike New Jersey -- the “age of majority” for special education purposes is age 21.

Does a student over 18 have a right to obtain education records and make decisions regarding disclosure of records?

Yes. EDMs also have an independent right to obtain records and determine disclosure.

Special Education Records

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IDEA & Family Education Rights Privacy Act

You have a right to obtain records directly from a child's school.
There is no timeline governing this.

Case workers have a right to obtain records for children in out-of-home care.

Uninterrupted Scholars Act 20 U.S.C. 1233g; 34 CFR§ 99

Schools do not need to obtain consent prior to requesting and obtaining education records from another school.

Under Pennsylvania school law, education records must be provided from one school to another within 10 days of the request for records.

The Right to Disagree

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Dispute Resolution Processes

EDMs should request an IEP meeting to discuss concerns, but if that does not resolve the problem:

- Due process proceeding
- Complaint to PA Bureau of Special Education (Letter)
- **Mediation**
- IEP Facilitation
- Alternative dispute resolution options
- **See Office of Dispute Resolution website**
<https://odr-pa.org/>

Right to Accommodations in School

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**Important Rights For Children Who
Have Any Qualifying Disability**

Rights of Child Under Sec. 504

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- “Qualifying disability” is **broadly defined**
 - *Includes ADHD, ODD, alcoholism, behavioral health issues*
- Right to **accommodations in school** to ensure child has “equal access” to curriculum and learning
- Protects child from all forms of “discrimination” based on disability
- Right to request an evaluation
 - *Provide documentation as evidence of child’s disability*
- Plan should be informed by parent, doctor, **evidence-based** accommodations (see websites for model 504 plans)

SCHOOL DISCIPLINE

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RULES AND CONSEQUENCES

School Discipline: Negative effects of school pushout

Suspensions
are associated
with:

Low
Academic
Achievement

Dropping
Out

Future
Misbehavior

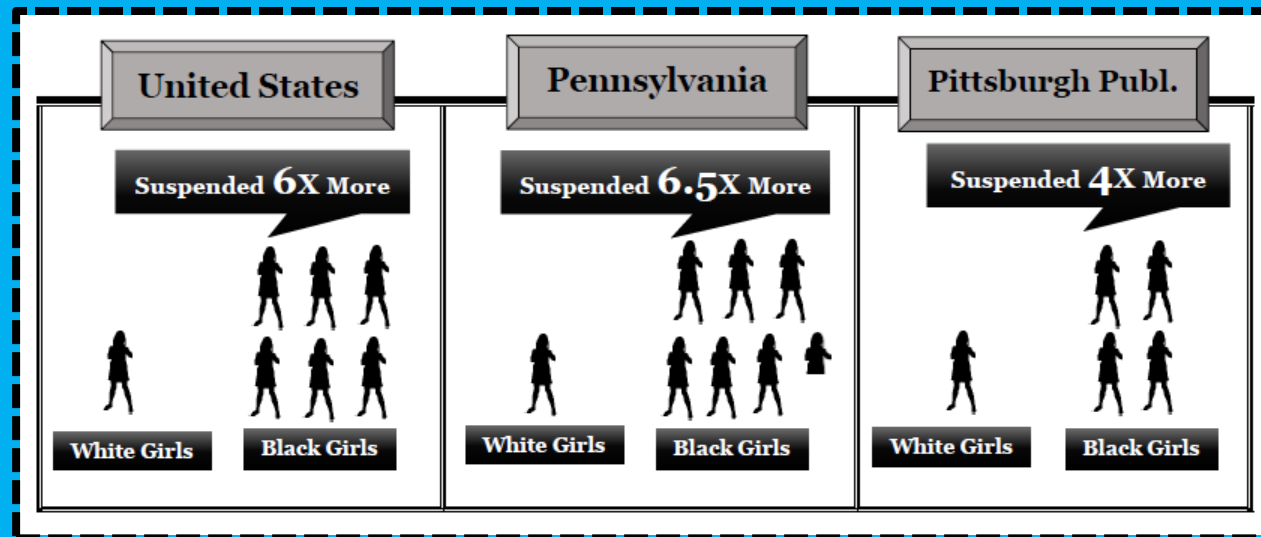
Truancy

Substance
Abuse

Entry into
Juvenile
Justice

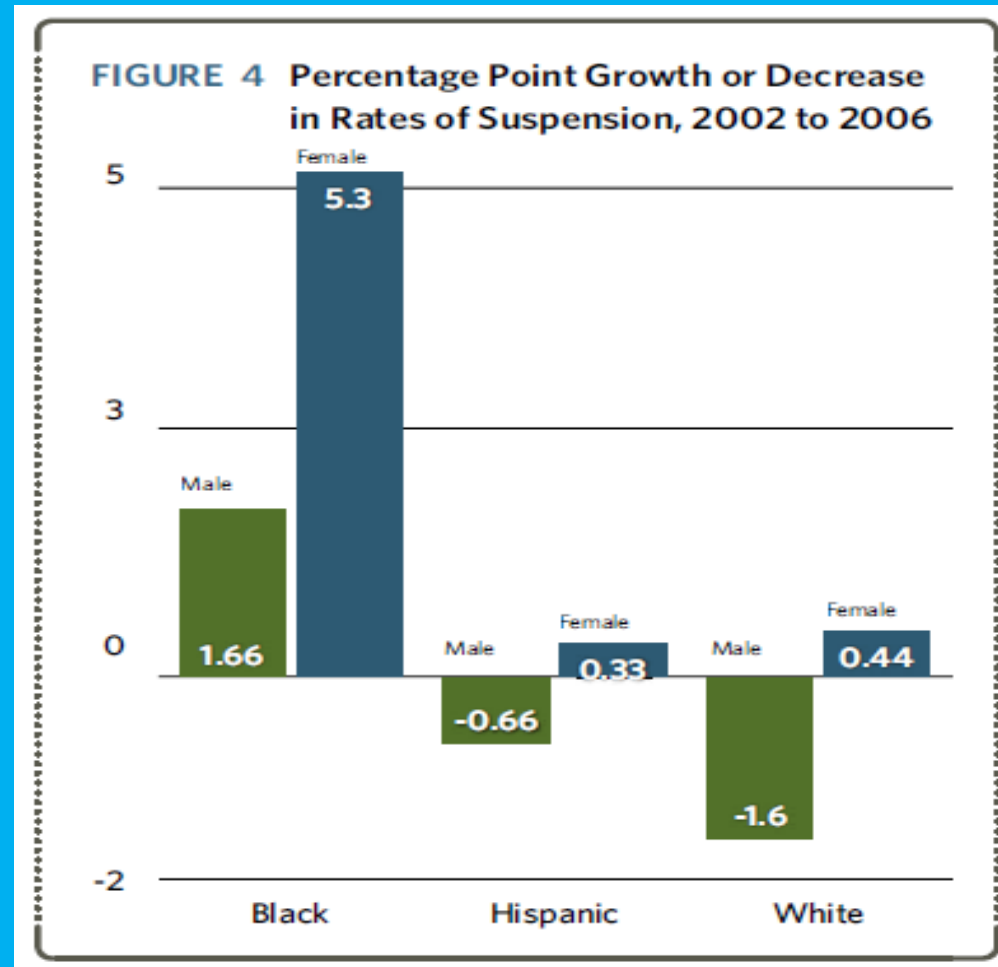
Rates of School Push Out: Black Girls

FASTEST GROWING DEMOGRAPHIC IN THE
JUVENILE JUSTICE SYSTEM



Black Girls: Increasing Suspensions

- More likely to be pushed out, often due to subjective school policies that may be discriminatory.



Implicit Bias



Teachers and administrators may harbor negative assumptions about the ability, aspirations and work ethic of black students without awareness of implicit bias.

Black girls are often punished for behaviors based on stereotypes that “defy traditional standards of femininity and closely parallel behaviors of stereotypical images of Black women as hypersexualized, angry, and hostile.” Black girls are “less innocent” and need “less nurturing.”

Adultification of Black Girls:

Girl Interrupted: The Erasure of Black Girl’s Childhood,

Dr. Jamilya Blake/Rebecca Epstein

<https://www.law.georgetown.edu/poverty-inequality-center/wp-content/uploads/sites/14/2017/08/girlhood-interrupted.pdf>

Pushout: The Criminalization of Black Girls in School, Monique Morris

School Discipline

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- Schools boards & schools can “make ***reasonable and necessary*** rules governing the conduct of students in school.” 22 Pa. Code §12.3
- **School rules cannot discriminate against students based on race, gender, disability, etc.**
- Schools can regulate student conduct only **during school hours, including time spent coming to or leaving from school or if conduct substantially disrupts school programs.**
- **Cannot punish students for conduct that occurred before the student enrolled in the district (limited exception: weapon), or occurs outside of school -- including at group home or residential placement**

Fairness in School Discipline

- “Rules and Regulations,” 24 P.S. § 5-510
- “Possession of Weapons Prohibited” (Act 26), 24 P.S. § 13-1317.2
- “AEDY Programs” 24 P.S. § 19-1901-C; 24 P.S. § 19-1901-E
- “Rights of Students,” State Board of Education Regs, Chapter 12
 - ✦ School Rules, 22 Pa. Code § 12.3
 - ✦ Exclusions from School, 22 Pa. Code § 12.6 (*and see* 24 P.S. § 13-1318)
 - ✦ Hearings, 22 Pa. Code § 12.8

ELC Fairness in School Discipline Manual:
http://www.elc-pa.org/pubs/pubs_discipline.html

Suspensions

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Requirements for Suspensions of 4-10 days

- Parents & student have the right to an **informal hearing** and:
 - Written notification of reasons for suspension
 - Sufficient advance notice of time and place of hearing
 - Student can question any witnesses present at the hearing
 - Student can speak and produce witnesses
 - Informal hearing must be held w/in first 5 days of suspension
- 22 Pa. Code §§ 12.6(b)(iv), 12.8 (c).
- ***Right to Transfer Hearing if referred to AEDY (Alternative Education for Disruptive Youth) program***

Suspension for 4 – 10 days:

- For a longer suspension (4 -10 days) you are entitled to an informal hearing, which in Philadelphia is called a:

PARENT CONFERENCE

- This conference should take place within 3 days of the suspension and it is an opportunity to discuss:
 - What happened – including the student's side of the story
 - Ways to improve the behavior going forward
 - Question witnesses
 - You can also bring your own witnesses

Expulsions – anything longer than 10 days

- If you are told that you are suspended for 10 + days, that is an expulsion, and you are entitled to a:
- FORMAL HEARING
- At the formal hearing you have rights!
- You can and should bring your own witnesses
- You can bring a lawyer or an advocate from the School Discipline Advocacy Service (SDAS). 215-204-8812
 - This is a FREE service, where law students help advocate for youth in hearings

Expulsions

- “Exclusion from school by the board of education for a period exceeding 10 school days and may be permanent expulsion from the school rolls.” 22 Pa. Code § 12.6(b)(2)
- All expulsions require a **formal hearing**. *Id.*
- Student *remains* in “regular class” unless at informal hearing school finds student is a “threat.” 22 Pa. Code § 12.6 (c)- (d).
- Formal hearing can be in front of board panel but must be approved by majority vote of **full board**. 22 Pa. Code § 12.8 (b).

If you have an IEP: Different rules apply

- If you are removed from school **for more than ten days** and you have an Individualized Education Plan (IEP) – **the school must within 10 days hold **MANIFESTATION DETERMINATION**** to ensure that the behavior triggering the removal from school is **NOT RELATED** to a disability.
- You cannot be excluded from school for behavior that is a “manifestation” of your disability.
 - **related to or result of disability OR**
 - **failure to follow IEP**
- There are some limited exceptions: **45-day safety placement where conduct resulted in serious bodily injury, etc.**

The Road to Graduation & Beyond

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Graduation

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- All students in PA have a right to attend school until the end of the **school year in which they turn 21**.
- Graduation from high school is a change of educational placement and requires **prior written notice for a child with disabilities**.
- Graduation **terminates a student's right to FAPE**, even if they are not 21 years old.
- All children with disabilities in Pennsylvania have the right to earn a **regular high school diploma** in one of TWO ways:
 1. Complete the same courses and earn the same number of credits required for regular education students to graduate; **OR**
 2. Complete the special education program developed by the IEP team (graduating on IEP goals).

Graduation and Transition



- Is the child making progress towards graduation?
- Earning credits? On track to graduate?
- Does he/she need to access a credit recovery program or other services in order to graduate?
- Has the agency identified educational services necessary to support the youth's transition to independent living under 42 Pa.C.S. § 6351?
- If the child will age out of care within ninety days, has the agency developed a detailed transition plan that addresses the child's educational needs as required by 42 U.S.C. § 675(5)(H)?

Graduation/Transition Issues



➤ **Graduation Requirements**

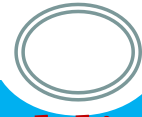
- What does the child need to do to graduate: credit accrual & transfer, waiver of state requirements.
- How will diploma be earned and who will issue diploma?

➤ **Transition Planning**

- Detailed transition plan, which must include education, must be developed at least 90 days prior to exit from care under F.C. 42 U.S.C. 675(H) and J.C.R.P 1613. (Jurisdiction cannot be terminated w/out an acceptable plan)

➤ **Foster Care Extension and Re-Entry--based on expanded criteria under Act 91. 42 Pa. C.S.A. 6302.**

Credit & Diploma Issues



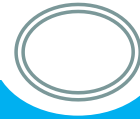
- All credits earned in a public school **MUST** be accepted by another public school.
 - See 22 PA Code §4.24
- School districts and charter schools have wide discretion re requirements. Some have used “demonstration of proficiency” to award credits.
 - 22 PA Code § 4.24. High school graduation requirements.
- Children with disabilities who complete special education program under IEP **MUST** be granted regular high school diploma.”
- Waivers are **NO LONGER** permitted based on extenuating circumstances based written request by school district superintendent for good cause shown.

Scholarship Resources

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- **PHEAA:** State agency that administers many of the state and federal financial aid programs for students pursuing post-secondary education. www.pheaa.org
- **Chafee Education Training Grant:** Eligible youth receive up to \$5,000 per year not to exceed the cost of tuition. Awards granted on a "first-come, first-served" basis.
- **TRIO Programs:**
<http://www.independentlivingpa.org/trio.htm>
- **Student Guide to Financial Aid**
<http://www.independentlivingpa.org/files/2016-2017%20Financial%20Aid%20and%20Scholarships%20Guide.pdf>

Transition to Post-Secondary



- Application Process
- Documentation is needed to access & to support scholarship & financial aid applications
- Youth needs assistance to determine post-secondary and training options, housing, employment & debt etc.,
- Youth often need Accommodations Plan/special services in college
- Access remedial support services
- Mentor Programs
- Realistic Goals and support over breaks etc.

HELPFUL INFORMATION and RESOURCES

School Stability Guidelines & Resources

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- ▶ **Educational Stability for Foster Care Youth in Pennsylvania**
<https://www.pafostercare.org/>
 - **Local Education Agency Foster Care Point of Contact**
 - **Children & Youth Directory**
 - **Federal & State Guidance**
 - **BID Conference Resources & Checklists, webinars**

- **US Department of Education Foster Care Website**
<http://www2.ed.gov/about/inits/ed/foster-care/index.html>

- **Legal Center for Foster Care & Education**
<http://www.fostercareandeducation.org/>

Advocate Resources

- **ELC's Website: *The Right to Special Education in Pennsylvania: A Guide for Advocates and Parents*** ELC's <http://www.elc-pa.org/wp-content/uploads/2014/01/2009A-TheRighttoSpecialEducationinPennsylvaniaGuideforParents2.pdf>
- **Juvenile Law Center's *Transition Planning for Youth With Disabilities Involved in the Child Welfare System:*** http://www.jlc.org/sites/default/files/topic_related_docs/Transition%20Planning%20for%20Youth%20with%20Disabilities%20-%20A%20Guide%20for%20Professionals%20-%20November%202013.pdf
- **PaTTAN Side-by-side chart** of state and federal regulations <http://pattan.net-website.s3.amazonaws.com/images/file/2011/08/15/sidebyside021209.pdf>
- Sample letters and legal forms: <http://www.pattan.net/category/Legal/Forms/>

Contact Information

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