
QUESTIONS TO ENSURE THAT THE EDUCATIONAL NEEDS OF CHILDREN AND YOUTH IN FOSTER CARE ARE BEING ADDRESSED

PERMANENCY PLANNING FOR CHILDREN DEPARTMENT, NATIONAL COUNCIL OF JUVENILE AND
FAMILY COURT JUDGES

Enrollment

- Is the child or youth enrolled in school?
- At which school is the child or youth enrolled?
- In what type of school setting is the child or youth enrolled (e.g., specialized school)?
- How long has the child or youth been attending his/her current school?
- Where is this school located in relation to the child's or youth's foster care placement?
- Were efforts made to continue school placement, where feasible?
- If currently not in a school setting, what educational services is the child or youth receiving and from whom?
- Is the child or youth receiving homebound or home-schooled educational services?
 - If Yes: Who is responsible for providing educational materials and what information is available about their quality?
 - If Yes: How frequently are educational sessions taking place?
 - What is the duration of each session? (e.g., how many hours?)

Provision of Supplies

- Does the child or youth have appropriate clothing to attend school?
- Does the child or youth have the necessary supplies and equipment (e.g., pens, notebooks, musical instrument) to be successful in school?

Transportation

- How is the child or youth getting to and from school?
- What entity (e.g., school, child welfare agency) is responsible for providing transportation?

Attendance

- Is the child or youth regularly attending school?
- Has the child or youth been expelled, suspended or excluded from school this year/ever?

- If Yes: How many times?
- Have proper due process procedures been followed for the expulsions, suspensions or exclusions from school?
- What was the nature/reason for the child's or youth's most recent expulsion, suspension or exclusion from school?
- How many days of school will the child or youth miss as a result of being expelled, suspended or excluded from school?
- If currently not attending school, what educational services is the child or youth receiving and from whom?
- How many days of school have the child or youth missed this year?
 - What is the reason for these absences?
 - What steps have been taken to address these absences?
- Has the child or youth received any truancies, and if so, for how many days?
- Has the child or youth been tardy, and if so, for how many times?

Performance Level

- When did the child or youth last receive an educational evaluation or assessment?
- How current is this educational evaluation or assessment?
- How comprehensive is this assessment?
- At which grade level is this child or youth currently performing? [Is the child or youth academically on target?]
- Is this the appropriate grade level at which the child or youth should be functioning?
 - If No: What is the appropriate grade level for this child or youth?
- Is there a specified plan in place to help this child or youth reach that level?
- What is this child's or youth's current grade point average?
- If below average, what efforts are being made to address this issue?
- Is the child or youth receiving any tutoring or other academic supportive services?
 - If Yes: In which subjects?

Tracking Education Information

- Does this child or youth have a responsible adult serving as an educational advocate?
 - If Yes: Who is this adult?

- How long has this adult been advocating for the child's or youth's educational needs?
- How often does this adult meet with the child or youth?
- Does this adult attend scheduled meetings on behalf of the child or youth?
- Is this adult effective as an advocate?
- If there is no designated educational advocate, who ensures that the child's or youth's educational needs are being met?
- Who is making sure that the child or youth is attending school?
- Who gathers and communicates information about the child's or youth's educational history and needs?
- Who is responsible for educational decision-making for the child or youth?
- Who monitors the child's or youth's educational progress on an ongoing basis?
- Who is notified by the school if the child or youth is absent (i.e., foster parent, social worker)?
- Who could be appointed to advocate on behalf of the child or youth if his or her educational needs are not met?

Change in Placement / Change in School

- Has the child or youth experienced a change in schools as a result of a change in his or her foster care placement?
 - If Yes: How many times has this occurred?
- What information, if any, has been provided to the child's or youth's new school about his or her needs?
- Did this change in foster care placement result in the child or youth missing any school?
 - If Yes: How many days of school did the child or youth miss?
- Have any of these absences resulted in a truancy petition?
- Were efforts made to maintain the child or youth in his or her original school despite foster care placement change?

Health Factors Impacting Education

- Does the child or youth have any *physical* issues that impair his or her ability to learn, interact appropriately, or attend school regularly (e.g., hearing impairment, visual impairment)?
 - If Yes: What is this physical issue?

- How is this physical issue impacting the child's or youth's education?
- How is this need being addressed?
- Does the child or youth have any *mental health* issues that impair his or her ability to learn, interact appropriately, or attend school regularly?
- If Yes, what is this mental health issue?
- How is this mental health issue impacting the child's or youth's education?
 - How is this need being addressed?
- Is the child or youth currently being prescribed any psychotropic medications?
 - If Yes: Which medications have been prescribed?
- Has the need for the child or youth to be taking this medication been clearly directly explained to him or her?
- How will this medication effect the child's or youth's educational experience?
- Does the child or youth have any *emotional* issues that impair his or her ability to learn, interact appropriately, or attend school regularly?
 - If Yes: What is this emotional issue?
- How is this emotional issue impacting the child's or youth's education?
 - How is this need being addressed?
- Is the child or youth experiencing any difficulty interacting with other children or youth at school (e.g., Does the child or youth have a network of friends? Has he or she experienced any difficulty with bullying?)
 - If Yes: What is being done to address this issue?

Special Education and Related Services Under IDEA and Section 504

- If the child or youth has a physical, mental health or emotional disability that impacts learning, has this child or youth (birth to age 21) been evaluated for Special Education/Section 504 eligibility and services?
 - If No: Who will make a referral for evaluation or assessment?
 - If Yes: What are the results of such an assessment?
- Have the assessment results been shared with the appropriate individuals at the school?
- Does the child or youth have an appointed surrogate pursuant to IDEA (e.g., child's or youth's birth parent, someone else meeting the IDEA definition of parent, or an appointed surrogate parent)?

- If No: Who is the person that can best speak on behalf of the educational needs of the child or youth?
- Has the court used its authority to appoint a surrogate for the child or youth?
- Has the child's or youth's education decision-maker been informed of all information in the assessment and does that individual understand the results?
- Does this child or youth have an Individualized Education Plan (IEP)?
- If Yes: Is the child's or youth's parent or caretaker cooperating in giving IEP information to the appropriate stakeholders or signing releases?
- Is this plan meeting the child's or youth's needs?
- Is the child's or youth's educational decision-maker fully participating in developing the IEP and do they agree with the plan?
- Does this child or youth have a Section 504 Plan?
 - If Yes: Is this plan meeting his or her needs?
- Is there an advocate for the child or youth participating in meetings and development of this plan?

Extracurricular Activities and Talents

- What are some identifiable areas in which the child or youth is excelling at school?
- Is this child or youth involved in any extracurricular activities?
 - If Yes: Which activities is the child or youth involved in?
- Are efforts being made to allow this child or youth to continue in his or her extracurricular activities (e.g., provision of transportation, additional equipment, etc.)?
- Have any of the child's or youth's talents been identified?
 - If Yes: What are these talents?
- What efforts are being made to encourage the child or youth to pursue these talents?

Transitioning

- Does the youth have an independent living plan?
 - If Yes: Did the youth participate in developing this plan?
- Does this plan reflect the youth's goals?
 - If Yes: Does the plan include participation in Chafee independent living services?

- Does this plan include vocational or post-secondary educational goals and preparation for the youth?
- Is the youth receiving assistance in applying for post-secondary schooling or vocational training?
- Is the youth being provided with information and assistance in applying for financial aid, including federally-funded Education and Training Vouchers (see Chafee Foster Care Independence Program)?
- If the youth has an IEP, does it address transition issues?
 - If Yes: What does this transition plan entail?
- Did the youth participate in developing the transition plan?
- Is this transition plan coordinated with the youth's independent living plan?

PRACTICE TIP: When appropriate, consider addressing these questions directly to the children and youth.

ⁱ National Council of Juvenile and Family Court Judges, <http://www.ncjfcj.org/images/stories/dept/ppcd/pdf/2005educationchecklistfulldoc.pdf>, last visited August 10, 2007