

## **CHECKLIST FOR EDUCATION ADVOCACY**

### **I. Rights for Children with Disabilities**

#### ***At-risk infants and toddlers (under age 3) need early intervention services.***

- † Advocate for comprehensive evaluation by Early Steps (Children's Medical Services) or FDLRS if there is suspicion of an unidentified disability.
- † Advocate for Individualized Family Service Plan (IFSP)
- † Advocate for comprehensive services.
- † Advocate for qualified personnel.

#### ***Pre-school children (3 through 5) with disabilities need an appropriate education.***

- † Advocate for comprehensive evaluation by school district or FDLRS if there is suspicion of an unidentified disability.
- † Advocate for Individualized Education Plan (IEP) or IFSP.
- † Advocate for comprehensive services.
- † Advocate for qualified personnel.

#### ***School districts have duty to identify children with disabilities.***

- † Determine if school has identified child as having a disability.
- † Determine if medical or other professionals have identified or suggested that child has disability.
- † Review school records and ask caregivers and teachers if child is having academic or behavioral problems at school.
- † Advocate for comprehensive evaluation by school if there is suspicion of a disability that has not been identified.

#### ***A surrogate parent must be appointed for all foster children needing early intervention or special education services who have no parent, foster parent, guardian or relative caregiver involved in their child's education.***

- † Determine if parent, foster parent or relative caregiver is involved in child's education.
- † Request appointment as surrogate parent by school district or juvenile judge.
- † Or advocate for another adult who is independent of school district to be appointed.
- † Ensure that consent forms are signed only by parent, foster parent, guardian, relative caregiver, or surrogate parent, and not by case workers or GALs (unless appointed as surrogate parent).

#### ***School districts must provide appropriate special education services to children with disabilities.***

- † Determine unique educational needs of child from caregivers, teachers and professionals involved with child.
- † Review IEP and other records to see if needs are being addressed by school.
- † Request IEP meeting
- † Advocate for comprehensive assessments, services and placement that child needs.
- † Advocate for qualified personnel.

#### ***Students with disabilities age 16 and older need to have a transition plan in IEP.***

- † Ensure that appropriate measurable postsecondary goals are identified.
- † Advocate for appropriate transition assessments related to training, education, employment and independent living skills.

- † Advocate for transition services needed to assist child in reaching those goals.

***Students' misconduct needs to be appropriately addressed.***

- † Ensure that manifestation hearings are properly held.
- † Advocate for Functional Behavioral Assessment by qualified personnel.
- † Advocate for appropriate Behavioral Intervention Plan.
- † Ensure educational services are continued during any discipline period.

**II. Rights for Students Regardless of Disability**

***Infants and toddlers with substantiated cases of abuse or neglect need to be referred for an evaluation by Early Steps.***

- † Advocate for comprehensive evaluation.
- † Advocate for comprehensive services.

***Three and four year olds benefit from pre-kindergarten.***

- † Advocate for enrollment in voluntary universal pre-kindergarten education program for all children who could benefit.
- † Advocate for enrollment in Head Start and Early Head Start programs.

***All school-age children need to be in school.***

- † Advocate for continued enrollment in same school throughout foster care unless unsafe or otherwise impractical.
- † Advocate for transportation to be provided by school district to maintain same school.
- † Demand immediate enrollment if not in school.

***Homeless children must be in school. Homeless includes children living in emergency or transitional shelters, abandoned in hospitals or awaiting foster care placement.***

- † Determine whether it is in best interests for child to remain in home school or new school.
- † Advocate for continuation in home school or immediate access to new school based on that determination.
- † Ensure elimination of obstacles: no need for residency, record or guardianship requirements; need for transportation

***Older foster care children, not limited to those with disabilities, may need independent living transition services.***

- † Advocate for independent living assessments and educational and vocational assessments.
- † Ensure that identified needs are addressed in transition plan, choice of school courses and activities.
- † Ensure that youth is included in each step of process.

***All students must be afforded due process in school discipline proceedings.***

- † Ensure that students in the expulsion process are provided with notice of the violation and an opportunity to be heard before the School Board.

