



**HELPING CHILDREN IN
FOSTER CARE SUCCEED IN
SCHOOL**

*Navigating the requirements to
provide seamless transitions
for Children in Foster Care*

May 14, 2012

Missouri Department of Elementary
and Secondary Education

**SPECIAL EDUCATION:
TRANSFER STUDENTS**

Note:

**You may want to have copies available as we will be
referring to the Department's model forms
"Transfer : In-State Documentation Form"
and
"Transfer: Out-of-State Documentation Form"
during the webinar**

District Procedures and Practices



Initial Contact / Enrollment Paperwork

- Train staff who process new enrollees to the district
 - “Trigger” words
- Check enrollment forms
 - Common language



Records

- Requesting records
 - Must be requested within two (2) business days of enrollment
 - Must be sent from previous school within five (5) business days of request in Missouri
 - FERPA does not require Release of Information for previous school to provide educational records to the receiving school
 - **Cannot keep student out of school** pending receipt of school records



Interviews

- Interviews with parents
- Interviews with previous school staff
- Interviews with student (if appropriate)



300.323 When IEP's Must be in Effect for in-state transfer students

If a child with a disability (who had an IEP that was in effect in a previous public agency in the same State) transfers to a new public agency in the same State, and enrolls in a new school within the same school year, the new public agency (in consultation with the parents) must provide FAPE to the child (including services comparable to those described in the child's IEP from the previous public agency), until the new public agency either--(1) Adopts the child's IEP from the previous public agency; or (2) Develops, adopts, and implements a new IEP that meets the applicable requirements in Sec. Sec. 300.320 through 300.324.

Beginning the Transfer Process

Is there reason to suspect that the new student is a student with a disability based on enrollment paperwork, interviews and/or student records?



Is the student transferring from In-State or Out-of-State? Be sure to use the correct form so that you follow the required compliance procedures for the type of transfer of your student



Plan to Provide FAPE

IDEA requires that students with IEP's receive FAPE

IDEA requires that, if an IEP is received at enrollment and there is a delay in accepting or rejecting that IEP OR if the IEP is rejected and there is a delay in developing a new annual IEP, the public agency in consultation with the parent must provide FAPE to the child including services comparable to those in the previous IEP



Decisions about the IEP

Accept = Implement
EXACTLY

Reject = provide
comparable services
until new annual IEP
is developed

NO IEP
Amendment
to Transfer
IEP's



NO
Interim
IEP



Decisions about the Evaluation Report

Accept = Child
continues to be
IDEA eligible

Reject =
conduct a
reevaluation



Educational Surrogate

- Be ready to follow process for identifying the need for an educational surrogate



IDEA Transfer Student Process

Resources:

- Special Education Compliance 573-751-0699
- October 26, 2011 webinar
<http://dese.mo.gov/webinar/Webinar10-26-11SE.htm>
- Sample Documentation Form:
<http://dese.mo.gov/se/compliance/MOSampleForms/Index.html>
- Compliance Standards and Indicators
<http://dese.mo.gov/se/compliance/StandardsManual/index.html>



SENATE BILL 291

Missouri's Senate Bill 291 "Foster Care Education Bill of Rights"

- The law requires that Missouri public school districts and child placing agencies must ensure that foster children don't "fall through the cracks" when receiving an education.
- Includes sections 167.018 and 167.019, RSMo
- *Effective August 28, 2009*



Missouri's Senate Bill 291 Section 168.018, RSMo

Requires school districts to designate a staff member as "the educational liaison" for children in foster care.

The "Educational Liaison" is **required** to:

- Ensure and facilitate the proper educational placement of foster care children
- Ensuring proper transfer of credits, records and grades
- Request school records within two (2) business day (section 167.022)
- Submit school records within three (3) business days of receiving a request for a foster care student's records.



Missouri's Senate Bill 291

Section 167.019, RSMo

- A foster care student's school district of residence shall issue a diploma to a foster care student providing the student completes the district's graduation requirements.
- A school district shall ensure that if a foster care student is absent from school because of a change in placement made by a court or child placing agency, or because of a verified court-appearance or court-ordered activity, the grades and credits of the foster care student shall be calculated as of the date the student left school, and the student's grades shall not be lowered as a consequence of the absence.



Missouri's Senate Bill 291

Section 167.019, RSMo

- Subject to federal law, school districts shall permit access of foster care student records to any child placing agency for the purpose of fulfilling educational case management responsibilities required by a juvenile officer or by law and to assist with the school transfer and placement of a student.



Missouri's Senate Bill 291

Section 167.019, RSMo

Transportation...

- The transportation of foster care students to school is not addressed in the Foster Care Education Bill of Rights or in other law.
- However, transportation options should be taken into consideration.

