

Students in foster care tend to be more likely to be eligible for special education supports and services. Legal mandates require individualized educational plans (Section 504 Plan/ Individualized Education Program). Frequent school setting changes require timely advocacy for students who are eligible for (IDEA/504) special education. Parent/caregiver/surrogate involvement is critical at each stage of the (504/IEP) process. CASA's role is essential to facilitate or provide this involvement, monitor a child's progress, provide individualized attention to ensure the student's opportunity to gain a meaningful education, and safeguard their educational rights. As a matter of advocacy, the importance of obtaining the complete educational records of any student cannot be overstated.

## Students eligible for and receiving services through an Individualized Education Program (IEP) or Physical/Mental Impairment:

Students with an Individualized Education Program (IEP) under IDEA or Section 504 of the Rehabilitation Act of 1973 are required to receive individualized modifications and accommodations that enable the student to receive a Free and Appropriate Public Education (FAPE) in the least restrictive environment;

IEPs are legally mandated plans outlining the student's disability, eligibility for special education services, present levels of performance, annual goals, supports and accommodations, services, and placement. 504 Plans outline how the school will support a student with a disability and remove barriers to learning. The goal is to give the student equal access to the general experience as their non-disabled peers;

Students need a champion in the educational process. Ensure that an educational surrogate has been requested or appointed. CASA may serve in this role;

The educational team must have current information to write, implement and monitor the IEP or 504 Plan. The IEP or 504 Plan must be reviewed and updated more often if student is struggling and at least once a year;

When services in the IEP or 504 Plan are implemented, it should result in educational progress consistent with the student's abilities. (FAPE) If this is not the current trend for a student, request an IEP or a 504 meeting and ask to re-examine the IEP or 504 Plan, what services are missing and how to provide better supports;

Parent/caregiver/surrogate can request IEP or 504 Plan meetings as often as needed;

At the IEP or 504 Plan meeting, seek and clarify information specific to the student's needs and/or requests and corresponding supports (i.e., tutoring) are written in the IEP or 504 Plan. Remember to ask questions for the student, teacher, or caregiver specific to the effectiveness or implementation of the individualized supports. Bring in the student for input, or at a minimum, the student perspective to the meeting;

Students with IEPs and 504 Plans are legally required to be educated (placement) in the least restrictive environment (LRE). Least Restrictive Environment (LRE) is the requirement in federal and state law that students with disabilities receive their education, to the maximum extent appropriate, with nondisabled peers. Special education students should not be removed from regular classes unless, even with supplemental aids and services, education in regular classes cannot be achieved satisfactorily;

Students must be re-evaluated at least every 3-years and if the parent/caregiver/surrogate disagrees with the school's evaluation, they can request an Independent Education Evaluation (IEE); and

Share relevant information with the court including an update about the student's educational progress and vulnerabilities, identification of unmet educational needs and recommend supports and services.

## Students Experiencing School Setting Changes:

When a student is placed at a new school, ensure that the previous IEP and 504 Plan (records) arrive at the new school, request a meeting to examine and review the IEP or 504 Plan considering the new placement; and

Remember, the student may move schools and the IEP moves with them. If the service is not in the document, there is no way to enforce that the student receives the service in the new school.