Fostering a Child with an IEP

Many children who are in foster care experience difficulties in school. They may be dealing with trauma, both related to the circumstances through which they entered foster care and those of being removed from their families. As a result, children may have a hard time directing their attention and energies to learning in school. In addition, frequent transfers from school to school may further strain some children's burdens. The heavy thoughts, fears, worries, and concerns children carry into school each day often keep them from easily accessing the parts of the brain where learning can occur. In fact, sometimes, kids who have experienced adversity spend a lot of time working in their survival brain, making a traditional school setting difficult for learning and behavior.

Because children who've experienced adversity come from a place that makes learning more difficult, they will often also have an IEP (Individualized Education Plan) to assist them and provide accommodations to help them be successful in the traditional school setting.

When a school-age child comes into your care, it will be critical that you are aware if the child has an IEP. Your involvement on the IEP team is at the birth parent's discretion. It is important that both foster parents and birth parents work together to build a strong co-parenting partnership to ensure the child receives the best services possible.

What is an IEP?
The Wisconsin Department of Public Instruction defines an IEP like this:

> *An individualized education program is a written statement for a student with a disability that is developed, reviewed, and revised by a team of people, including the student's family, that outlines an educational plan for the student.*

By law, children affected by emotional, learning, or physical disabilities have a right to special educational services from the ages of three through 21—or longer if the youth has not yet graduated from high school. These disabilities are categorized as:

- Autism
- Attention Deficit Hyperactivity Disorder (ADHD)
- Cognitive Disabilities (CD)
- Emotional Behavioral Disability (EBD)
- Hearing Impairments (HI)
- Speech and Language Impairments (SL)
- Other Health Impairments (OHI)
- Orthopedic Impairments (OI)

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- Significant Developmental Delay (SDD)
- Specific Learning Disabilities (SLD)
- Traumatic Brain Injury (TBI)
- Visual Impairments (VI)

Some children may require physical or occupational rehabilitation to meet their educational goals.

This plan is based on an evaluation conducted by the school to determine what disabilities the child has and which services must be in place to help a child meet individual educational goals. Sometimes, children who are placed in foster care may not have an IEP when they come into care. In that case, any care or education team member can make a referral for an IEP evaluation. However, before that evaluation can take place, permission must be given by the birth parent or legal guardian. Should a birth parent not consent, the agency may file for temporary guardianship in order to ensure that the child will receive special educational services.

The IEP is developed by a team of people, which may include teachers, guidance counselors, special education directors, social workers, nurses, administrators, and school psychologists. Foster parents may be involved as part of the IEP team, but only if the birth parent gives written permission for that to happen. This may feel unfair or uncomfortable. This is another reason why building trusting co-parenting relationships between foster parents and birth parents is essential.

Others who may also be involved include people from supporting agencies, involved relatives, and the child whenever possible. The child will be evaluated in depth before a planned IEP meeting. Specific plans of action are then proposed to help the child meet defined educational goals.

As part of the assessment, the child's biological parents will be asked for input that is often invaluable to the total evaluation.

Wisconsin public schools must follow strict state and federal education laws and regulations in creating and implementing these educational plans. These regulations protect the educational rights of all children and ensure that education accommodates their individual needs and abilities.

If the child in your care has an IEP and is involved in special educational services, you may find it helpful to stay in contact with the child's teachers, special education teachers and aides, guidance counselors, the school social worker, administration, and anyone else who is regularly involved with the child during the school day. You might also request to be invited to participate in the IEP team or obtain more detailed information about any plans for the child in your care if the child's biological parents agree.

If the child in your care will be starting a new school or you don't know if special education services

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were in place previously, you can ask the child's caseworker for an evaluation. Please note that it is the responsibility of the new school to request the records from a previous school. If an IEP was in place previously, the law mandates that the new school provide continuity of special educational services for the child.

Complex laws govern the IEP process. However, excellent resources at the state and national levels help foster parents understand this process. Many can be accessed through the Wisconsin Family Connections Center. One such resource is the Wisconsin Family Assistance Center for Education, Training & Support, Inc., or FACETS. You can reach them at 877-374-4677 or at wifacets.org.

You are an important link in meeting the special educational needs of the children in your care! Your daily support and encouragement can make all the difference in the educational achievement of these vulnerable children.

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Resources

From the Resource Library

- *When the School Says No… How to Get the Yes! - Securing Special Education Services for Your Child,* by Vaughn K. Lauer
- *Lost at School: Why Our Kids with Behavioral Challenges are Falling through the Cracks and How We Can Help Them,* by Ross W. Greene, Ph.D.
- *Help for Billy,* by Heather T. Forbes, LCSW
- Helping Kids in Care Change Schools
- Helping Children & Youth in Care Achieve School Success

Learn in the Champion Classrooms

- Introduction to Services and Resources for Children with Disabilities: A Family Voices "Did You Know" Learning Session
- Special Education: Keeping It Real from Birth to 21
- Erasing the Belonging Gap Within Schools
- Conscious Responses: What Parents and Schools Need to Know to Support Kids Impacted by Trauma
- Special Ed Strategies for Virtual, Hybrid, and In-person Learners
- Let's Talk: School Challenges

Additional Resources

- Wisconsin Department of Public Instruction
- Wisconsin Family Assistance Center for Education, Training, and Support (WI FACETS)
- Wisconsin Statewide Parent-Educator Initiative (WSPEI)
- Wisconsin Special Education Mediation System (WSEMS)
- Disability Rights Wisconsin (DRW)
- Legal Action of Wisconsin
- Office of Special Education and Rehabilitative Services
- *The Special Education Playbook for Parents: The Complete Guide to Navigating the 504/IEP Process to Unlock Your Child's Unique Learning Profile and Help Them Thrive at School,* by Rose Lyons

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