



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 add further strain to the burden some children carry.

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)
- 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.

Children and youth with special education needs often have a special plan individualized to their specific needs called an Individual Educational Plan or IEP. 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. For children and youth in foster care, any member of the care or education team 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.

Others who may also be involved include: people from supporting agencies, involved relatives, and the child whenever possible.

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An in-depth evaluation of the child will happen 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 assessment.

Wisconsin public schools must follow strict state and federal education laws and regulations in creating these educational plans and in implementing them. These regulations are created to protect the educational rights of all children to an education that 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, the special education teachers and aides, guidance counselors, the school social worker, administration and anyone else who is involved regularly 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 in place for the child in your care, if the child's biological parents are in agreement.

If the child in your care will be starting a new school or if you don't know if there were special education services in place previously, you can ask the child's case worker 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 continuity of special educational services for the child by the new school.

Complex laws govern the IEP process. However, there are excellent resources at the state and national level to help foster parents understand this process. Many can be accessed through the [Foster Care and Adoption Resource Center](#) operated by the Coalition. 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.

Know that you are an important link in meeting the special educational needs of the children you foster! 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 [Lending Library](#)

- *Every Child Deserves a Chance: A Parent's Welcome to the Special Education Process* by the Parent Education Project of Wisconsin, Inc. (Booklet and DVD)
- *S.A.F.E. at School*, by Marilyn Schoettle, M.A.
- *Writing Measurable IEP Goals & Objectives*, by Barbara Bateman and Cynthia Herr
- *When the School Says No... How to Get the Yes! - Securing Special Education Services for Your Child*, by Vaughn K. Lauer

Tip Sheets

- [Helping Kids in Care Change Schools](#)
- [Helping Children & Youth in Care Achieve School Success](#)

Additional Resources

- [Special Education In Plain Language: User Friendly Handbook on Special Education Laws, Policies and Practices in Wisconsin](#)
- [Educational Services for Children Placed in Foster Care](#)
- [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](#)

From the [Champion Classrooms](#)

- [Let's Talk: School Challenges](#)



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