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**CHILD PLACING AGENCY**

## WHAT SCHOOL STAFF SHOULD KNOW ABOUT FOSTER CARE

### Concepts for educators and other school staff to be aware of for children in foster care

Students come into foster care through no fault of their own, but their status as a “foster child” can be a source of deep shame and stigma. School personnel play an important role in being sensitive and creating a school environment that is emotionally safe and supportive of students who experience foster care. Like their peers, children in foster care will spend most of their day in school and they will likely spend more time with their teacher than they do with their foster parents. For this reason, it is crucial that educators and other school staff understand and are aware of what a child in foster care may be experiencing. Below are some key points to keep in mind as staff work with children in foster care in an educational setting:

#### **Children come into foster care through no fault of their own and have experienced abusive and neglectful environments**

Common concerns include the long-term effects of experiencing chronic abuse and neglect at the hands of a caretaker, exposure to drugs and/or alcohol, and witnessing domestic violence or other criminal behavior. As a result of the trauma they have experienced, children in foster care may have challenges related to attachment and bonding which may affect motivation, engagement, and academic performance.

#### **Negative stigmatization and assumptions should be redirected**

Children in foster care can be negatively labeled and stigmatized in school and in other community settings. Stigmatization can be detrimental to a child’s well-being and educational success. Stigmas in school create challenges which may include the following:

- Delays in enrollment due to assumptions that children in foster care will only be enrolled in the new school for a short period of time.
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- Misdiagnosis of trauma and post-traumatic stress symptoms which can lead to the child not receiving appropriate educational support.
- Placement without consideration of postsecondary aspirations and assumptions that children in foster care do not have postsecondary education goals.

### **Children in foster care have experienced tremendous loss**

Students are often separated from siblings, family members, and personal belongings. Loss of important educational, social, cultural, and familial connections are common and compound the trauma experienced.

### **Upon entering foster care, children become involved with many child welfare professionals**

These professionals can include a child welfare caseworker and support worker, a Court Appointed Special Advocate (CASA), guardian ad litem, and foster parents and their caseworker. It is likely that these people will contact the child's school to get education information regarding the student.

### **Children in foster care experience frequent moves**

Due to a variety of circumstances, children may have to relocate to new homes and communities even after their initial placement. Transitions and school moves may happen quickly, meaning children are not able to say "goodbye" to their current school teachers or friends. School withdrawal procedures may not be followed, which contributes to additional challenges with school transitions. Be aware that each move a child makes can delay academic progress by months. Understand that many children in foster care have a harder time learning because of their experiences. They may have been in educational settings in which they were not well supported because they were viewed as transient students bound to be moved again. Special accommodations may be needed to help secondary students complete course credits when similar courses are unavailable at their new school and/or they enroll partway through a semester.

### **School may be the only consistent environment for children in foster care**

The school day can provide a sense of normalcy and can be an escape from the challenges children face in their home life. In addition, children may experience multiple changes in placement while in care, and their teachers, school staff, and peers may be the only consistent community they experience.

### **School is the last place children in foster care want to attend**

Many teachers expect good grades and school performance to be a priority for their students. However, for children in foster care, school is not a priority or an area of focus. Instead, their focus and top priority is that of survival; survival from moving from home to home, survival from the abuse and neglect they may have faced in their lives, survival from living apart from their other family members, and survival from moving from school to school.

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### **Missing paperwork should not prevent a child from enrolling in school**

Even if the foster parent/caregiver or case manager/family support worker does not have some or all of the necessary enrollment documentation, the student should be enrolled immediately. Children have the right to attend a public school, and schools may make exceptions to their usual rules or take other special steps needed to provide equal educational opportunities to students in out-of-home care. Children in foster care sometimes have missing school records for the following reasons:

- When students come into foster care, the change can be abrupt and immediate, which may not afford the foster parents/caregivers the opportunity to formally withdraw the student from the previous district.
- The child may have experienced inconsistency and significant lapses in education and school attendance or may have moved schools prior to entering the foster care system.
- The previous district may not be informed of the child's departure, or the receiving district may not know where the child was previously enrolled.
- Transitions in foster care rarely occur at semester breaks, so the receiving districts may ask for current records before grades are available.
- Special Education departments are sometimes left out of the loop and unaware of the child's departure, resulting in IEP transfers being overlooked or delayed.
- When a child enters foster care, school staff may be confused about who is legally allowed to have the child's records as well as who has the legal authority to make education-related decisions. Some school officials may be hesitant to release education records without the consent of a parent or guardian.
- School staff should work with foster parents/caregivers, the case manager/family support worker, and other professionals involved in the life of a child in foster care to ensure that the child's education is disrupted as little as possible, despite missing records.

### **Children often enter foster care with gaps in their education**

Some children may not be prepared to enter their age-appropriate grade at the time they enter foster care for a variety of reasons. Chronic absenteeism, delays in transferring records from school to school, changes in their Individual Education Program (IEP) team, and the loss of course credits contribute to gaps in students' education.

### **Child welfare partners may provide academic information from the previous school setting**

Foster parents/caregivers and the case manager/family support worker may streamline the enrollment process by providing information from the student's previous school at the time of enrollment such as school transcripts, report cards, class schedules, IEP team reports, and other documents, if available. The enrolling school must still formally request a student's records from the previous school.

### **Communicating with the case manager/family support worker can be helpful**

When enrolling an out-of-home youth in school, foster parents/caregivers can add the case manager/family support worker as a second contact person. The case

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manager will receive information from the school, which saves time by streamlining communication and increasing coordination within the child's team.

### **Trauma and adverse child experiences may impact a child's learning and behavior**

Because of trauma and adverse childhood experiences, children in foster care may show signs of depression or anxiety and may have trouble socializing with their peers and trusting adults. School staff will benefit from additional training on the impact of trauma and how to implement trauma-informed practices in the classroom.

### **Learn the child's background**

Teachers and school counselors often do not have the background information of foster children. Typically, information pertaining to the child is not permitted to be released due to issues of confidentiality. However, with information comes understanding. Many times, this information is necessary for a teacher to fully understand the student's needs and abilities. It is important that teachers communicate with the foster parents/caregiver to have a better understanding of the child and their needs. The more information a teacher may have on the child, the better equipped the teacher becomes at helping the child be successful in the academic setting. Students may not be identified publicly as being in foster care. Providing information about services and assistance for children in foster care should be done in confidence without invading the child's privacy. It also lets the child know they are supported and valued at their new school.

### **Determine the needs of the child in foster care**

Like the average student population, the skills and abilities of children in foster care vary significantly. However, these children often face an uphill battle to graduate from high school on time due to home and school transitions, possible gaps in education, and emotional upheaval which result in some children lacking the skills or credits necessary to be placed in the age-appropriate grade level. Be aware that children in foster care tend to perform less well in school than their peers. Thirty to forty percent of children in foster care are also in special education, so the child may already have an IEP or may need one. Determine the student's academic, social and emotional level and then find ways to help him/her fit into the class by using accommodations and adaptations to support educational success. The instability children in foster care experience often creates a lack of consistent adults in their lives who know their academic history and current support needs. Teachers should invite foster parents/caregivers to collaborate and help assess the student's current level of achievement and provide input in setting reasonable goals for the academic year. Some teachers may feel challenged by the highly involved foster parents/caregivers who advocate strongly for the child in their care. Children in foster care need someone who is willing to stand up for them and assist in obtaining necessary services. Partnering with foster parents/caregivers will increase the chances of academic success for the child. Conducting an education evaluation helps

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schools ensure that children in foster care receive the support they need to succeed in the classroom. It allows schools to identify areas of strength and concern for a child based on their education history, provide necessary interventions to address any concerns, and monitor the child's progress toward high school graduation. Further, having a child's personal and educational information in one file will help to smooth out any subsequent changes of school, making it easier for the child to stay on track for graduation. School staff should collect the following information for the evaluation:

- Personal information (name, date of birth)
- Contact information (child, caregiver, caseworker, education decision maker, etc.)
- Last school attended and grade level
- Grades/credits earned, and state testing completed/passed
- Attendance and behavior history
- Special education or other services received
- Services needed and/or areas of concern

#### **Be understanding of the child's situation**

If a foster child should lash out in anger or frustration towards the teacher or towards other students, due to the myriad of emotions the child is struggling to deal with, teachers need to be equipped to handle the child's emotional turmoil. Teachers need to be prepared for the emotional challenges the child may face in the classroom and be mindful of the situation and the challenges children in foster care face. Background information and insight can be most helpful as teachers consider how to best handle these situations.

#### **Maintaining confidentiality and sensitivity is important**

Children do not want to be stigmatized as "foster children" and often do not want school staff or their peers to know they are in foster care. Children in foster care communicate that this label has negative connotations and can be embarrassing and shameful. School staff should make every effort to protect the privacy of students in foster care and respect the sensitive nature of their situation. School staff should avoid discussing private student matters in public places such as a break room, where other school staff or students may overhear confidential information. Teachers and other staff should refrain from asking children in foster care personal questions related to why they are in care. If a child shares this very personal information, it should be completely up to the child and not because school personnel initiated the discussion. Using a loudspeaker or other public means to notify children in foster care of appointments and visitors related to their case is not appropriate.

#### **Practice academic understanding**

Foster children are often behind academically and may struggle with the fact that they are coming from outside school districts with different expectations. There will likely be gaps in learning and disabilities due to the instability and multiple displacements. The child may have a learning disability due to poor maternal health

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during pregnancy or prenatal exposure to drugs and alcohol. The enormous emotional burdens of grief, loss and uncertainty about the future can also impair a child's ability to concentrate, learn and acquire new skills. Teachers can support the student's development by ensuring that routines are regular, and that the child has opportunities to practice needed skills and is alerted to any schedule changes. Because of their situation, children in foster care struggle with completing homework. Teachers need to keep this in mind and be sensitive to this fact when assigning homework.

### **Be flexible with homework and due dates**

Teachers can be of tremendous help to both foster children and foster parents/caregivers by allowing flexibility on deadlines and due dates for homework, as well as test taking. This is particularly true when assigning homework or test dates around visitations with birth parents and biological family members. Students in foster care may miss school due to parent and sibling visits, court dates, therapy, and other appointments. Schools should work with these students to ensure they are able to make up coursework missed due to such activities. Often, children in foster care are filled with various anxieties and emotions on the day of a visitation, as well as the day prior to and following the visitation. During this time, they are trying to process their emotions that come from visiting with and saying goodbye to their birth family. No matter the reasons for entering foster care, school assignments and activities that assume all children live with their birth family or know their family history may be difficult and present challenges for children in foster care. Assignments such as creating a family tree, bringing in a baby picture, making a Mother's/Father's Day card or giving a presentation about a memorable family vacation can be very difficult. Alternative activities for these types of school assignments should be offered to all students so as not to call attention to the select students for whom the situation may be difficult. Diversifying the classroom materials and content to include foster, adoptive, relative caregiving families can help children in foster care feel less singled out. Securing permission for a special activity such as a field trip can be challenging when the foster parents/caregivers do not have legal authority to give permission. It may take more lead-time than normal to get approval through the appropriate channels.

### **Implement trauma-informed practices in the classroom**

According to the National Child Traumatic Stress Network, "child traumatic stress occurs when children and adolescents are exposed to traumatic events and traumatic situations, and when this exposure overwhelms their ability to cope with what they have experienced." Although the experiences and responses to trauma and loss differ among children, it is important that educators and other advocates are sensitive to and aware of the impact that trauma may have on learning, student behavior, student response to adults, and interaction with peers. Implementing trauma informed practices in the classroom and raising the level of awareness about the impact of adverse life experiences on a student's learning process, classroom behaviors, and cognitive development will help educators,

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school personnel, and other advocates respond in a way that is the most sensitive and adaptive to a child's needs. Teachers can structure materials and tasks in the classroom to help the child achieve success, even if academics are a problem. Providing structure and predictability in the classroom can help to offset the inconsistencies and unpredictability in a child's life.

#### **Expect trust issues regarding children in foster care**

Foster children often have difficulty trusting others, especially when it comes to adults, as well as building a healthy relationship with an adult figure. The relationships between teachers and foster children are often unhealthy ones. Therefore, it is important to keep in mind that the foster child may have experienced harsh words, yelling, and abuse from the adults they trusted in the past.

#### **Understand there will be social issues**

Children in foster care often have a difficult time with social skills due to the personal traumas they may have faced before coming into care. As a result, these children may find it difficult to interact with their peers, and instead choose to not become socially involved for fear of receiving additional trauma. Outbursts of anger toward teachers and peers can be common for these children. Teachers can assist the child in helping them develop appropriate and adequate social skills, and at the same time, encourage the child to become more involved in the school with clubs and organizations, music, sports, and other extra-curricular activities.

#### **Try to build relationships, establish trust, and develop a positive rapport with children in foster care**

Children in foster care often have a difficult time trusting adults and developing relationships. These children have had adults disappoint them and may be reluctant to interact. This can be especially challenging when the child needs help but is unable to ask for it. School staff should be patient and go the extra mile to try to engage a child who may be struggling in silence. School staff should also take the opportunity to celebrate personal accomplishments and student successes. Encouragement and support are essential elements of building rapport and trust. Research demonstrates the importance of a trusted, caring, supportive adult as a critical factor for children in foster care. Discuss a child's positive attributes with him/her and communicate these to foster parents/caregivers, the case manager/family support worker, and other adults involved in the child's life.

#### **Children in foster care have many strengths**

Children in foster care have talents, incredible resilience, friendships, caring family members, and relationships with other supportive adults. These strengths should be celebrated, nurtured, supported, and integrated into student engagement strategies.

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### **Children in foster care want to be empowered with decision making and engage in goal setting**

Children in foster care may experience a sense of loss and powerlessness. They often feel like they have little or no involvement in the decisions being made about their lives. Children benefit from being included in decision making and discussions related to their school success and long-term goals. Educators and supportive adults can use positive youth development practices that provide choices and include the child in the decision-making processes. Building a sense of empowerment and control over their lives is a crucial element of a child's ability to overcome the trauma they have experienced prior to and while in foster care. Involving the child in age appropriate decision-making opportunities regarding their education can also be an effective student engagement effort.

### **Children in foster care can go to college when they receive the support they need and are connected with the right resources**

Students' goals and dreams for the future serve as strong motivators during challenging times. Preparing students for postsecondary education and training and helping them realize the range of program options can help in supporting their goals and engaging students in planning for their future. Encouraging and supporting self-determination and self-advocacy can influence students to learn to speak up for themselves, direct and redirect their lives, solve problems, reach valued postsecondary education and training goals, and take part in their communities. Students should be provided with access to appropriate academic supports, high school course planning, SAT/ACT and other assessment preparation, as well as guidance and follow-up in selecting and applying to postsecondary education and training programs. College scholarships, grants, and supportive campus-based programming are available to assist children in foster care as they transition to college and career training opportunities. Additionally, child welfare programs and services are available to help children prepare for and transition to adulthood. Educators and counselors should be aware of these opportunities and, when able, connect students to these resources.

### **Federal and state legislation supports students in foster care**

Educational issues supported by law include immediate enrollment, school stability, maintaining school placement, smooth transitions, designated school district foster care liaisons or campus champions, and coordination between child welfare and education professionals.

### **School staff are role models**

Many children in foster care have never had a positive adult role model in their life and may have never had encouragement from a caring adult. As a result, they may experience low self-esteem or little self-worth. The child is going to spend more time with his/her teachers than any other adult while in foster care. Therefore, teachers should be as encouraging as possible. Even the smallest step forward and any advances in progress by the child should be noted and celebrated by the

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teacher, both regarding academics and behavior. Praise for an accomplishment, no matter how small, can be most effective in aiding in the development and healing of the child.

### **Become an advocate**

What children in foster care need most are strong advocates in their schools. More than anyone else, teachers are aware of how important education and a high school degree are for all children. Without a doubt, teachers can make a tremendous impact in the life of a child in foster care. Teachers are often able to be a positive role model and influence for children in foster care. In addition, teachers can help provide foster parents/caregivers and case managers with the help they need when meeting a foster child's educational needs. School staff, foster parents/caregivers, case managers, family support workers, and birth families can all contribute to school success when they understand the challenges and are willing to collaborate in providing support to these children.

## **Communicating 'need-to-know' information within a school district**

Federal and state laws and policies require that a child's status of being in the state's custody must generally, be kept confidential. However, there will be times when information related to a student must be communicated to a teacher or school staff member who works with the student in order to ensure that the student's health, welfare, or safety needs are being met. While sharing information among school staff that have a legitimate interest in working with a student is necessary, schools must be careful not to violate the privacy of children who are in foster care by sharing information with others who do not have a need to know. Exercising professionalism and sensitivity when addressing confidentiality issues is critical to developing an educational environment that protects and benefits children in foster care. School personnel who might need to know non-academic information about a child in foster care include the following:

- Superintendent, Principal, or administrative staff — if necessary for enrollment, administrative or educational purposes
  - Teacher(s) — if necessary for education or other relevant classroom purposes
  - School counselor, school nurse — if necessary for educational or physical/mental health purposes
  - Special education personnel — if student is or may be eligible for special education services
  - Coaches — if necessary or relevant to some aspect of the activity
  - Bus driver — may need to know a child's address for transportation purposes but may not need to know the student is in foster care
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- Front-office staff and volunteers — may need to know who will pick the student up from school but may not necessarily need to know the student is in foster care
- Cafeteria staff — may need to know a student is eligible for school meal programs but do not need to know on what eligibility grounds

Decisions to share confidential information must be made on a case-by-case basis, sharing only the minimum information necessary and only with individuals who need to know the information to support the child's education and well-being. In general, it is appropriate for the following types of information to be shared with relevant school personnel:

- Current address for child
- Identity of individual with authority to enroll child in school
- Case manager/family support worker contact information
- Birth certificate or other identification
- Previous schools attended
- Transcripts, report cards
- Special education or 504 eligibility, including any IEP reports or Behavioral Intervention Plans
- Immunizations
- Vision or hearing evaluations
- Medicaid eligibility or number, if necessary for services

Based on a case-by-case determination by the case manager/family support worker or caregiver/foster parent, it may be appropriate to share the following:

- Relevant court orders
- Contact information for the biological family
- Fact that child is in a relative or kinship placement
- Child's relevant medical, disability, or health history
- Mental or behavioral health issues
- Medications, including psychotropic medications
- Alcohol or substance abuse history and/or treatment (generally only with consent of all parties, including the youth)
- Social history
- History with law enforcement or juvenile justice

It is NEVER appropriate to share the following information:

- Abuse/neglect history
  - Fact that child was adopted
  - Name of the person who reported the abuse or neglect, if known
  - CPS investigation details
  - Biological or foster family income in order to determine services for the child in foster care
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## Discipline and special considerations for children in foster care

Children in foster care are roughly three times more likely to be disciplined in school than other students. This trend persists for many reasons. Children in foster care may have a history of neglect and physical or emotional abuse as well as removal from home and school disruptions. These traumatic experiences may impact a child's response to stimuli and result in challenging behavior. Disciplinary actions taken against children in foster care can often have far more significant consequences than intended, negatively affecting their housing stability and potentially their long-term permanency goals. Non-exclusionary and supportive approaches to dealing with disruptive behavior can benefit all children, but these approaches are especially important for children in foster care and can help them stay in school and improve their educational outcomes.

### Unintended negative impacts of discipline for children in foster care

Children in foster care who experience multiple moves through many foster care placements are 5 to 10 times more likely to become involved with the juvenile justice system than their peers in the general population. Schools must recognize that discipline affects a child's day-to-day learning and academic and social development and consequently their future prospects as well. Discipline is an excellent opportunity for school administrators and staff to build positive relationships with children in foster care by modeling empathy and fair disciplinary procedures that avert the negative impacts of disciplinary measures.

- *Suspension and Expulsion*

Multiple school suspensions and disciplinary actions have a negative impact on a child's education. Children in foster care are much more likely to be disciplined in comparison to the general student population. School suspensions and expulsions contribute to education gaps and learning delays and seriously increase a child's likelihood of dropping out of school.

- *Absences*

Children in foster care often have absences related to their being in care (e.g., medical appointments, court dates, visits with their biological family). Unexcused absences can lead to discipline with significant negative consequences for the child. Schools should examine why children are missing class and should work with foster parents/caregivers to ensure that any absences related to a child's being in foster care are recorded as excused. This cooperation will help to limit disciplinary ramifications on the child's education.

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Steps to stop or reduce the number of absences include the following strategies:

- Communicate with the child's support team early and often at the first sign of attendance concerns
- Provide more individualized instruction or other help to catch up in school
- Adjust the child's class schedule
- Provide vocational courses or work experience
- Help the child obtain services that might address the cause of the absences

- *Behavior*

Children in foster care are subject to the same school discipline policies as are their peers not in care unless the child in foster care is in a special education program. By implementing appropriate intervention strategies, schools can effectively reduce and prevent problem behavior of children in foster care. Tools such as functional behavioral assessments and subsequent positive behavioral interventions (e.g., adjusting schoolwork, changing where a child sits in class, allowing for regular breaks) can break patterns of misbehavior and keep children in class, learning. Such steps will ensure that children in foster care do not experience further delays in learning and development due to discipline-induced gaps in education.

School staff should notify the child's foster parent/caregiver and their case manager/family support worker regarding events that may significantly impact the education of a child, including the following school disciplinary actions:

- Any disciplinary actions for which parental notice is required
- Citations issued for misdemeanor offenses on school property or at school-sponsored activities
- Reports of restraint and seclusion

## **Who is involved in the life of a child in foster care?**

When a child is placed in foster care, there are many adults and service providers who play a critical role in meeting the child's physical and emotional needs. It is helpful for education professionals to understand the various people and systems that may work with a child in foster care. School personnel may interact with other child welfare professionals involved in the life of a child in foster care.

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### **Case Manager/Family Support Worker**

The case manager and family support worker are the primary child welfare staff members responsible for the oversight of the child's case and they have multiple responsibilities. These individuals are the direct link with the child, parents, foster parents/caregiver, the court system, and multiple service providers. The case manager and family support worker are responsible for ensuring the child's needs are met and that all necessary and appropriate services are provided to the child while in foster care. These workers visit with the child at least once a month and supervise or coordinate visits with siblings and family members. A case manager or family support worker may communicate with school personnel regarding a child's injury or an incident related to the child. Case managers interview alleged victims outside the presence of their family and any alleged perpetrators. These interviews often take place at school. The case manager will ask where the teacher will be in case the child wants a third-party present or needs to ask a question of a staff member. The case manager/family support worker will also assist in obtaining parental consent for evaluations and approval of participation in school-related activities, field trips, and extracurricular activities. If parental consent cannot be obtained, the case manager may provide approval.

### **Foster Parent/Caregiver**

The caregiver may be a relative, fictive kin, or a foster parent. Foster parents/caregivers and case managers are to be notified by school staff if there are any concerns about a child in foster care. Foster parents/caregivers have responsibilities related to the child's education. Examples of these responsibilities include:

- Enrolling a child in school, including providing identity or immunization information needed for enrollment (when such documentation is available)
- Determining, in conjunction with the child if appropriate, course selection and participation in extracurricular activities
- Attending routine school events such as parent night, parent-teacher conferences, PTA meetings, and similar activities that involve parents
- Being notified of injury or illness on school grounds or at a school activity on or off school grounds
- Signing agreements such as the Student Code of Conduct and, as applicable, assisting the child with understanding the code
- Receiving report cards, permission slips, and other routine school correspondence, including receiving homework assignments on behalf of the child, if necessary
- Having access to education records
- Being notified of, and taking action regarding, disciplinary or attendance issues
- Assisting in the determination of whether the child should participate in special programs such as Special Education services and before- and after-school programming
- Helping to determine when a referral for a special education evaluation is necessary

### **Biological Family**

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Adults who were in foster care as children, report concern and loss associated with being separated from family, which often influences students' learning processes and their school experience. Each case is unique, and students may or may not see their biological parents, siblings, or other family members. Sensitivity to visitation, court dates, and other circumstances, such as school assignments related to family, is important. Birth parents maintain legal rights to their child's educational decisions.

### **Community**

Students may be involved with community organizations such as after-school clubs, churches, mentoring organizations, and other community-based supports and services. Partnering with community-based organizations, sharing information about available resources, and involving these groups in supporting students is beneficial.

### **Therapy/Medical Providers**

Students may receive counseling, therapy, or other medical or mental health services. Schools are encouraged to coordinate with foster parents/caregivers when possible to ensure that students' individual service needs are met, and that regular school attendance is maintained. Allowing service providers to provide therapeutic or support services within the school setting can help minimize students' absences from school.

### **Court/Judge**

Courts play a critical role in child welfare cases. No child enters or leaves foster care without a court order. Every day, judges decide whether children return home, live with relatives, or become legally available for adoption. Understandably, court dates may cause a range of emotions for children, including anxiety leading up to or following the court date which may make it difficult for students to focus in class or complete schoolwork. Foster parents/caregivers may communicate with school staff about upcoming court dates and absences related to foster care hearings and other activities. School staff can help these students by providing opportunities to remain on track for course completion. The courts continue to monitor the child's circumstances until the child resides in a safe, permanent home. In certain cases, students may have the option of participating in a court hearing via phone, which allows students to remain in school and not miss the entire school day due to traveling for a court date. Schools may assist by providing a phone and quiet, private space for students to use. Providing access to a school counselor prior to and after the phone call can help the child process through their emotions and prepare for their return to the classroom.

### **Child's Attorney**

When a child enters foster care, they are appointed a guardian ad litem by the court, also known as the child's attorney. The guardian ad litem should have access to the child and any information relating to the child. The attorney for the child is also

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entitled to records related to the child, including school records, without requiring a further order or release. The Family Educational Rights and Privacy Act (FERPA) requires schools to provide this information within 45 days of a request being submitted, and it is in the best interest of the child to provide this information to a child's attorney as quickly as possible. The role of the guardian ad litem is to make recommendations to the court, that are in the best interest of the child.

#### **Attorneys for Parents and Department of Children and Families/State of KS**

The attorney for a child's parents and the district attorney are other court-related representatives involved in a child's case. A district attorney will represent the state in its legal proceedings. Parents' attorneys may be hired or appointed by the court, depending on the financial situation of the parents. The Family Educational Rights and Privacy Act (FERPA) requires attorneys to provide schools with a court order or subpoena in order to request academic records for the child of their client. Schools must notify the parent or student before complying with the request.

#### **Court-Appointed Special Advocate (CASA)**

CASA volunteers are trained community volunteers appointed by judges to advocate for the best interests of abused and/or neglected children in court. A CASA volunteer may contact the school in order to gather information, review school records, or interview school personnel in order to advocate for the child in court. A CASA volunteer is entitled to access relevant medical, psychological, educational and other information regarding the child. In some instances, the student's CASA volunteer may play an active role in enrolling the child and advocating for the child's education needs.

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