

	<b>INDIANA DEPARTMENT OF CHILD SERVICES</b> <b>CHILD WELFARE POLICY</b>	
	<b>Chapter 7: In-Home Services</b> <b>Section 06: Educational Services</b>	
	<b>Effective Date:</b> July 1, 2023	<b>Version:</b> 8

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## POLICY OVERVIEW

Success in school is more likely to occur when planning for the child’s safety, stability, well-being, and permanency is fully integrated with the child’s educational plan. Therefore, educational services are provided to the child and family, as part of the Case Plan/Prevention Plan or Informal Adjustment/Prevention Plan, to meet the child’s educational goals and needs.

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## PROCEDURE

The Indiana Department of Child Services (DCS) will work with the Indiana Department of Education (DOE) and a child’s parent, guardian, or custodian to ensure a child receiving in-home services receives educational services to meet the child’s individual needs.

**Note:** If a child is expelled from school, DCS will assist the parent, guardian, or custodian in identifying an alternate education plan.

### Education Services for Children Receiving In-Home Services

The Family Case Manager (FCM) will:

1. Complete the Release of Education Records form and submit to the school in which the child was last enrolled to obtain comprehensive educational records (see Practice Guidance);
2. The FCM will discuss the child’s educational best interests with the following to determine whether an Individualized Education Program (IEP) or a Section 504 Plan (504 Plan) should be considered:
  - a. The child,
  - b. The parent, guardian, or custodian, and
  - c. The Child and Family Team (CFT) (see policy 5.07 Child and Family Team Meetings).

**Note:** The FCM should recommend and encourage the child’s parent, guardian, or custodian to include the child’s teacher, school social worker, Education Services Team (if applicable), or any other identified educational supports to participate as members of the CFT.

3. Assist the parent, guardian, or custodian in referring the child for testing to identify any special education needs and/or related services the child may need if the child displays signs that an educational need may be present or learning objectives are not being met. See below for “Special Education Services for Children Receiving In-Home Services”;

4. Determine if tutoring services are necessary by reviewing:
  - a. The child's comprehensive educational records, and
  - b. Patterns in the child's performance that may explain poor academic achievement (e.g., several school placements, inconsistent attendance, inappropriate behaviors).

**Note:** If a child has poor attendance at school a tutor should not be put in place until a pattern of regular school attendance is established.

5. Create a referral to the Education Services Team if assistance is needed regarding the child's education and determine if tutoring services are needed by:
  - a. Communicating with the school's administration team or multidisciplinary team to determine what academic interventions are being used to meet the child's current academic needs. Request to see data supporting the school's decision to use certain interventions and measure progress,
  - b. Requesting to see progress monitoring data to determine if the child is making adequate progress toward academic goals if the child receives special education services,

**Note:** For a child with an IEP, grades on the report card are not always the best measure of the child's progress and academic performance.

- c. Making a referral to an outside tutoring service if it is determined to be appropriate, for a child who has received in-school tutoring and is still struggling. Ensure the tutoring service knows who to communicate with to determine what interventions and strategies are being used or have been used with the child, and
- d. Requesting regular updates from the tutoring provider on the child's progress toward the child's individual goals.

**Note:** The DCS Education Services Team is available to consult with field staff as they make decisions about each child and case. The Education Services Team is also available to accompany field staff to school meetings when necessary.

6. Ensure the child's identified educational goals and needs, as well as efforts to enable the child's school to provide appropriate support and to protect the safety of the child, are included in the child's Case Plan/Prevention Plan and CFT Meeting notes (see policies 5.07 Child and Family Team Meetings and 5.08 Developing the Case Plan/Prevention Plan);

**Note:** DCS must confer with the school in preparing the Case Plan/Prevention Plan for all children in care and must reference the school contact in the Predispositional Report. If a child's home placement has been changed from out-of-home to in-home, the School Notification and Best Interest Determination (BID) may be used to invite school personnel to provide information and participate in case planning and to identify the collaboration that occurred to determine the child's school enrollment.

7. Encourage the parent, guardian, or custodian to complete the forms for free or reduced lunch and textbook assistance, if applicable;

8. Provide information about the 21<sup>st</sup> Century Scholar program, and encourage the parents, guardians, or custodians of eligible 7<sup>th</sup> and 8<sup>th</sup> graders to complete and submit the application for the 21<sup>st</sup> Century Scholar program by June 30<sup>th</sup>. See the 21<sup>st</sup> Century Scholars site for additional information on enrollment and creating a 21<sup>st</sup> Century ScholarTrack Student Account;

**Note:** All youth in the 21<sup>st</sup> Century Scholars program are required to adhere to the program's pledge. All youth in the 21<sup>st</sup> Century Scholars program have the right to opt out of the program at any time.

9. Provide the youth with the following information during a CFT Meeting held immediately prior to the youth's 17<sup>th</sup> birthday (see policies 11.06 Transition Plan for Successful Adulthood, 11.10 Education and Training Voucher Program, and 11.15 Post-Secondary Education):
  - a. Pell grants,
  - b. Indiana Education Training Voucher (ETV) Program through Older Youth Services,
  - c. Chafee grants,
  - d. Federal supplemental grants,
  - e. Individual Development Accounts (IDA),
  - f. The Indiana Commission for Higher Education – State Financial Aid,
  - g. The Indiana Division of Student Financial Aid, and
  - h. Free Application for Federal Student Aid (FAFSA).

**Note:** Each Indiana emancipated Senior or the parent, guardian, or custodian of an unemancipated Senior is required to be provided an affirmation link by the Seniors' school regarding their intent to file a FAFSA. Remind students and their parent, guardian, or custodian to complete the affirmation. The FCM will make a referral to the Education Services team if the family would like additional support processing and/or applying for the career and college information provided on the affirmation link. All information above should be provided earlier if the youth is applying to colleges before 17 years of age/senior year or is pursuing a High School Equivalency (HSE) Diploma.

11. Have the youth and parent, guardian, or custodian sign an Acknowledgement of Receipt of Information about Various Educational Programs. Give the youth and caregiver a copy of this form and upload the form to the case management system; and
12. Ensure all educational information (e.g., current grade level, school name and address, and IEP or 504 Plan date and specifics), decisions, and actions taken are documented in the case management system as changes occur, or at least annually.

DCS will ensure every school-age child receiving in-home services is enrolled in school unless one (1) of the following circumstances exists:

1. The youth is eligible for and actively pursuing an HSE Diploma;

**Note:** Some scholarships and grants will not be available if an HSE Diploma is completed instead of obtaining a high school diploma.

2. An alternate education plan has been recommended through the child's current school of enrollment;

**Note:** If the education plan is included in the Dispositional Order or the child's educational needs are the primary focus of the DCS case, the alternate education plan should be submitted for approval by the court.

3. The youth has graduated from high school or has successfully completed an HSE Diploma;
4. The child is enrolled in a home school program that is providing instruction equivalent to that given in public schools for a child of the same age and grade level; or

**Exception:** Education through an accredited school is optimal. However, in some unique circumstances home school or private school education may best meet the child's educational needs. In these instances, the decision to pursue home school or private school education shall be decided in a CFT Meeting and shall not be made without the approval of the parent, guardian, or custodian. The FCM may also make a referral to the Education Services Team

5. The child has a physician verified medical condition, which prevents the child from attending school.

### **Special Education Services for Children Receiving In-Home Services**

In addition to the steps outlined above, the FCM will complete the following for a child receiving in-home services and special education services:

1. Attend the child's IEP or 504 Plan conferences and provide relevant input;

**Note:** The school is not required to notify DCS of meetings. The FCM should confer with the parent, guardian, or custodian regarding attendance at meetings related to the child's education.

2. Encourage and empower the child's parent, guardian, or custodian to attend all IEP or 504 Plan conferences, educational meetings, and reviews. The FCM should also encourage the parent, guardian, or custodian to work with the school to coordinate a transition plan for the child when deemed necessary for the child's educational development;
3. Request to see progress monitoring data to determine if the child is making adequate progress toward academic goals if the child receives special education service;
4. Request assistance from the Education Services Team if the IEP or 504 Plan is complicated and/or support is needed;
5. Obtain a copy of the finalized IEP or 504 Plan for the child's case file; and
6. Ensure IEP or 504 Plan information is documented in the case management system.

The FCM Supervisor will:

1. Provide guidance to the FCM as needed; and
2. Ensure documentation is entered accurately in the case management system.

The DCS Education Services Team will

1. Assist the FCM with the child's educational needs; and
2. Attend CFT Meetings and/or IEP or 504 Plan conferences, when applicable.

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## RELEVANT INFORMATION

### Definitions

#### Education Records

Education records are documents and information about a student which are maintained by the school (e.g., date and place of birth; Social Security Number [SSN]; pictures; address of the parent, guardian, or custodian; emergency contact information; grades; test scores; special education records; disciplinary records; medical and health records the school creates/collects and maintains; documentation of attendance, awards, and conferred, degrees earned).

#### High School Equivalency (HSE)

An HSE is an exam, which measures an examinee's levels of achievement relative to that of a graduating high school senior. The HSE is equivalent to the exam or qualification which was formerly known as a General Educational Diploma (GED).

#### Individual Development Accounts (IDA)

An IDA is a matched savings account program designed to assist individuals in achieving self-sufficiency through financial literacy and asset generation.

#### Individualized Education Program (IEP)

An IEP is a written statement developed for a child that describes:

1. How a student will access the general education curriculum, if appropriate; and
2. The special education and related services needed to participate in the educational environment.

#### Individuals with Disabilities Education Act (IDEA)

IDEA guarantees that persons between three (3) and 22 years of age with disabilities receive appropriate public education through the development and implementation of an IEP.

#### Section 504 (504 Plan)

The 504 Plan is a Federal law that prohibits disability discrimination by recipients of Federal financial assistance. The qualified student is entitled to receive regular or special education and related aids and services that are designed to meet their individual educational needs as adequately as the needs of students without disabilities are met. The 504 Plan requires, among other things, that a student with a disability receives an equal opportunity to participate in athletics and extracurricular activities and to be free from bullying and harassment based on disability.

#### Transition Individualized Education Program (IEP)

The Transition IEP is a transition plan that begins at the start of ninth (9<sup>th</sup>) grade or 14 years of age, whichever comes first (or earlier if determined appropriate). The Transition IEP identifies annual goals and services for a student and helps the student prepare for the transition from school to adult life.

### Forms and Tools

- [21st Century Scholars Website](#)
- [21<sup>st</sup> Century Scholars Pledge](#)
- [Acknowledgement of Receipt of Information about Various Educational Programs \(SF 55743\)](#)
- Case Plan/Prevention Plan (SF 2956) – available in the case management system

- [Indiana Education Training Voucher \(ETV\) Program](#)
- [Indiana High School Equivalency](#)
- [Indiana Housing and Community Development Authority](#)
- Predispositional Report – available in the case management system
- [Release of Education Records \(SF 55228\)](#)
- [School Notification and Best Interest Determination \(BID\) \(SF 47412\)](#)

#### **Related Policies**

- [5.07 Child and Family Team Meetings](#)
- [5.08 Developing the Case Plan/Prevention Plan](#)
- [11.06 Transition Plan for Successful Adulthood](#)
- [11.10 Education and Training Voucher Program](#)
- [11.15 Post-Secondary Education](#)

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#### **LEGAL REFERENCES**

- [IC 20-33-2: Compulsory School Attendance](#)
- [IC 21-12-6-5.5: Identification and notification of eligible students](#)
- [IC 21-12-6-6.7: FAFSA](#)
- [IC 31-34-15-4: \(Case Plan\) Form; contents](#)
- [511 IAC 7-32 through 511 IAC 7-49: Special Education](#)
- [20 USC 1232: Regulations](#)

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## PRACTICE GUIDANCE- DCS POLICY 7.06

*Practice Guidance is designed to assist DCS staff with thoughtful and practical direction on how to effectively integrate tools and social work practice into daily case management in an effort to achieve positive family and child outcomes. Practice Guidance is separate from Policy.*

### **Comprehensive Educational Records**

Comprehensive educational records include:

1. Attendance over the last few years;
2. School placements;
3. Special education evaluations;
4. IEP's;
5. Indiana Statewide Testing for Educational Progress (ISTEP) scores;
6. Response to Intervention (RTI) data; and
7. Grades

### **Education Notes**

Personal notes made by teachers and other school officials that are not shared with others are not considered education records. Additionally, law enforcement records created and maintained by a school or districts' law enforcement unit are not education records.

### **Evaluation Process**

In order for a child to be eligible for special education and related services, the child must first be determined to have a disability. Parents, teachers, or other school officials who suspect the child may have a disability should request the child be evaluated by a multidisciplinary team to determine if the child has a disability and needs special education or related services as a result of the disability. Generally, an IDEA requires a child to be evaluated within 50 instructional days once the parent has given written consent. Exceptions to the timeline exist if the child moves from one (1) district or state to another after the evaluation was requested or if the parent refuses to make the child available for the evaluation. Under those circumstances, districts are required to make sufficient progress to ensure a timely evaluation is conducted.

### **Individual Development Accounts (IDA)**

There are a limited number of IDAs available in Indiana. In order to open an IDA, individuals must meet the following eligibility requirements:

1. Be an Indiana resident;
2. Have an income below 175% of the Federal Poverty Guidelines;
3. Have at least \$400 per year in earned income;
4. Be able to save a minimum of \$35 per month; and
5. Meet minimum screening requirements.

Youth interested in opening an IDA may visit the Indiana Housing and Community Development Authority website or call 1-317-232-7777 for county specific information.

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