

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 8: Out-of-Home Services Section 21: Special Education Services	
	Effective Date: January 1, 2026	Version: 7

POLICY OVERVIEW

Working together is important. The Indiana Department of Child Services (DCS), the child's school, and the Child and Family Team (CFT) must work as a team to make a good plan for special education services for children in out-of-home care.

POLICY STATEMENT

DCS will ask for a copy of any existing Individualized Education Plan (IEP) or Section 504 Plan (504 Plan). DCS will make sure the child is getting the services listed in the plan. If there is a concern, field staff will work with DCS Education Services to gather information to see if an education evaluation is needed for the child.

Note: A 504 Plan will be requested for a child who does not qualify for an IEP yet has a medical or mental health diagnosis and might need help in school.

DCS will use a CFT Meeting or Case Plan Conference to help the child's parent, guardian, custodian, and resource parent make decisions about disabilities and education needs.

If the child's parent, guardian, custodian or resource parent is not able to make decisions, DCS will work with the Court and the Indiana Department of Education (DOE). They will make sure the child is appointed an Educational Surrogate Parent (ESP) to represent the child. When an ESP is needed, DCS will tell the child's school.

Note: The school is responsible for appointing an ESP when needed.

DCS will invite the child's school to share information and participate in the case planning process. DCS will make sure the following are included in the Case Plan/Prevention Plan:

1. Educational goals;
2. Needs; and
3. Efforts to enable the school to provide appropriate support and to protect the safety of the child.

LEGAL REFERENCES

- [IC 20-18-2-9: "Individualized Education Program"](#)
- [IC 20-35-1-4: "Division"](#)
- [IC 20-35-6: General Provisions](#)
- [IC 31-34-15-4: Form; contents](#)
- [511 IAC 7: Special Education](#)