

# **HOW CAN THE EDUCATION SPECIALISTS HELP THE COURTS?**

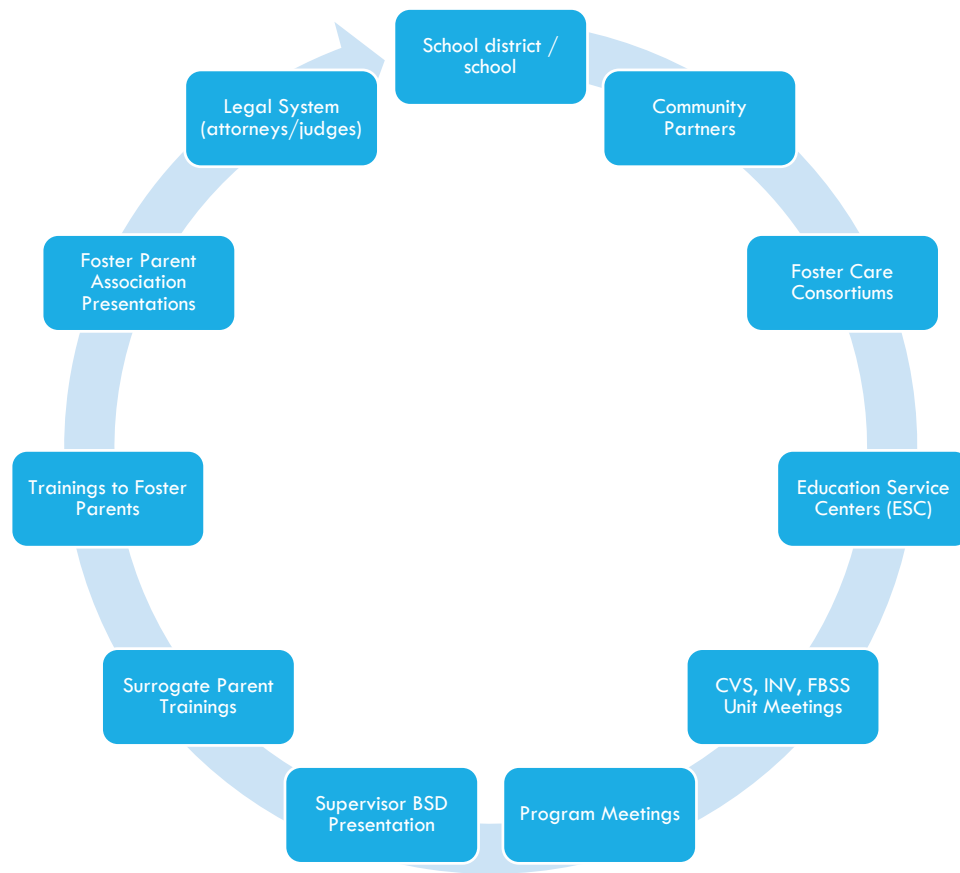
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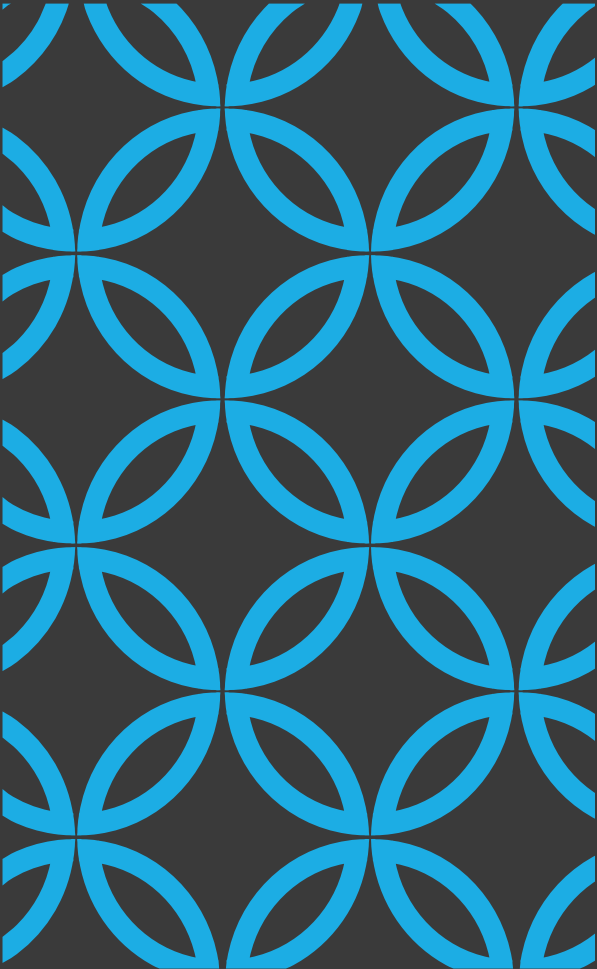
# CPS EDUCATION SPECIALISTS

## Roles of the Education Specialist

- Communicate and advocate for educational needs
- Focus on ensuring academic records are tracked
- Education Portfolio (green biner) tracking
- Psychiatric Admission Tracking
- Participate in Admission, Review, and Dismissal (ARD) meetings
- Create better educational outcomes for youth in foster care
- Trainings/Consortiums
- Help address 2085E form concerns
- Provide information and referral services regarding education-related resources
- Works with DFPS staff to ensure that children in the conservatorship of DFPS receive appropriate educational services
- Act as a liaison with the Texas Education Agency (TEA), Independent School Districts (ISD), and any other program specialist within DFPS



# PRESENTATIONS / TRAININGS



# CONSULTATIONS

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Caseworkers / Case Managers

CASA

Therapists

Caregivers/Kinship

Schools

Attorneys

Judges

Other Stakeholders involved in the child's life

# COLLABORATIONS

Collaborate w/PAL

Collaborate w/Universities

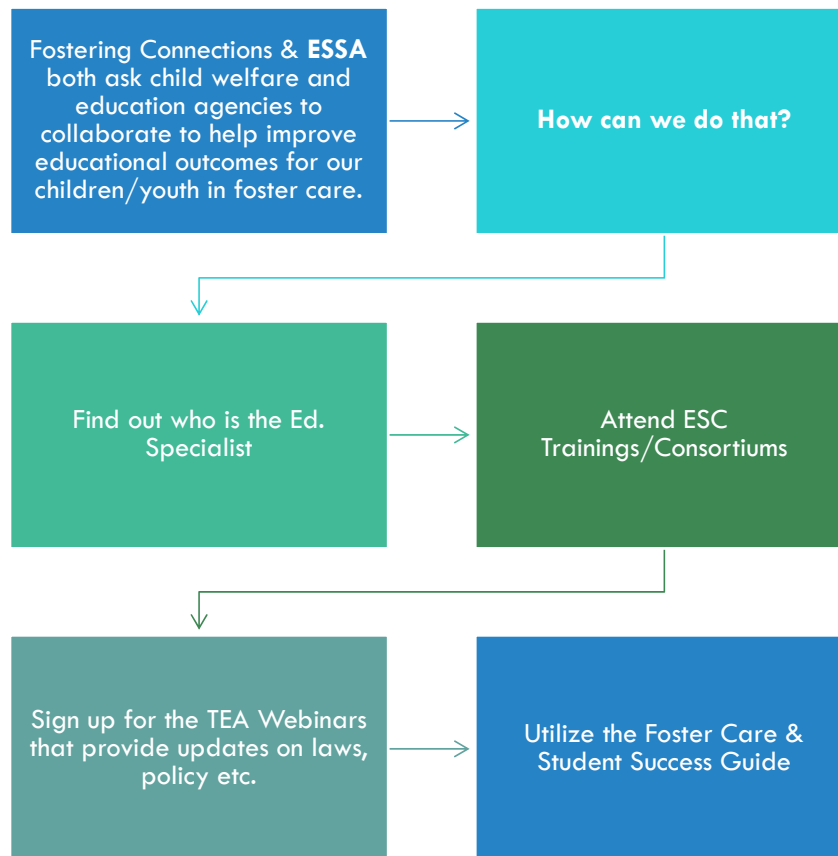
Attend Conferences

Collaborate w/Well Being  
Specialists

Collaborate with FGDM

Collaborate with court system





## CROSS- SYSTEM COLLABORATION

# POINTS OF CONTACT

## ESSA – Every Student Succeeds Act

Federal law requires Local Education Agency (LEAs) to designate an ESSA Foster Care Point of Contact (POC) to coordinate with the local child welfare agency concerning immediate enrollment, education best interest, transportation, collaboration and other ESSA requirements that support school stability for students in foster care.

State law states that each school district and open-enrollment charter school shall appoint at least one employee to act as a liaison to facilitate the enrollment in or transfer to a public school of a child in the district who is in the conservatorship of the state.

The DFPS Education Specialist in DFPS State Office serves as the state POC.

DFPS Regional Education Specialists serve as regional **POC, advocates, liaisons, and expert educational resources** between local school districts and CPS staff in providing the best educational outcomes for children in DFPS/CPS conservatorship.

## EDUCATION SPECIALIST BY REGION



| Region                | Specialist                               | Phone Number   |
|-----------------------|------------------------------------------|----------------|
| 1                     | <a href="#">Pauline Taylor</a>           | (806) 786-4961 |
| 2                     | <a href="#">Terri Powdrill</a>           | (325) 340-2873 |
| 3E                    | <a href="#">Jorge Sanchez</a>            | (512) 460-8730 |
| 3W                    | <a href="#">Blythe Ortega</a>            | (817) 781-0217 |
| 4                     | <a href="#">Kathy Thurman</a>            | (903) 440-3339 |
| 5                     | <a href="#">Keri Louviere</a>            | (409) 221-1589 |
| 6A Harris County only | <a href="#">Felicia Bennett Chambers</a> | (832) 454-5874 |
| 6B All other counties | <a href="#">Jennifer Heimbach</a>        | (936) 524-0693 |
| 7                     | <a href="#">Tammy Lee</a>                | (512) 581-8132 |
| 8                     | <a href="#">Makada Ward</a>              | (210) 213-3524 |
| 9/10                  | <a href="#">Haleigh Flores</a>           | (325) 262-0527 |
| 11                    | <a href="#">Mitzi Puentes</a>            | (956) 257-6255 |
| 12 (State Office)     | <a href="#">Felicia Penn</a>             | (737) 249-8357 |

## EDUCATIONAL STABILITY PROVISIONS IN ESSA - BASIC OVERVIEW

|                                              |                                                                                                                                                                                                                                                                                                   |
|----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>SCHOOL OF ORIGIN</b>                      | The school in which the student was enrolled upon entry into foster care or any subsequent placement change.                                                                                                                                                                                      |
| <b>EDUCATION BEST INTEREST DETERMINATION</b> | The decision-making process that determines what school setting is best for the child. ESSA requires educators and child welfare systems to work together and collaboratively determine which school setting is in the child's best interest, whenever possible.                                  |
| <b>STREAMLINED TRANSITIONS</b>               | The process for ensuring a student seamlessly transitions from one school to another, in the event of a school move (see <i>Chapter 11: The School Experience</i> , on page 117).                                                                                                                 |
| <b>DESIGNATED POINTS OF CONTACT (POC)</b>    | A person who has been appointed by TEA, the LEA, or DFPS to coordinate the educational needs of students in foster care.                                                                                                                                                                          |
| <b>TRANSPORTATION</b>                        | LEAs and DFPS must work together to ensure that a child promptly receives transportation to their school of origin when a determination is made that remaining in the school is in the child's best interest.                                                                                     |
| <b>DISPUTE RESOLUTION</b>                    | A process between education and child welfare systems to resolve disputes concerning education best interest decisions or transportation planning for a student in foster care to continue attending the school of origin.                                                                        |
| <b>DATA COLLECTION AND REPORTING</b>         | ESSA requires disaggregated data on students in foster care, including academic achievement, dropout, and graduation information. <sup>100</sup> Previous reauthorizations, including No Child Left Behind, did not require this information to be collected, disaggregated, and reported by TEA. |

# WHAT IS CHILD FIND? SCHOOLS MUST IDENTIFY, LOCATE, AND EVALUATE ALL STUDENTS IN NEED OF SPED SERVICES

Federal requirement under IDEA –ALL children ages birth to 21 in need of SPED services are Identified, Located and evaluated.

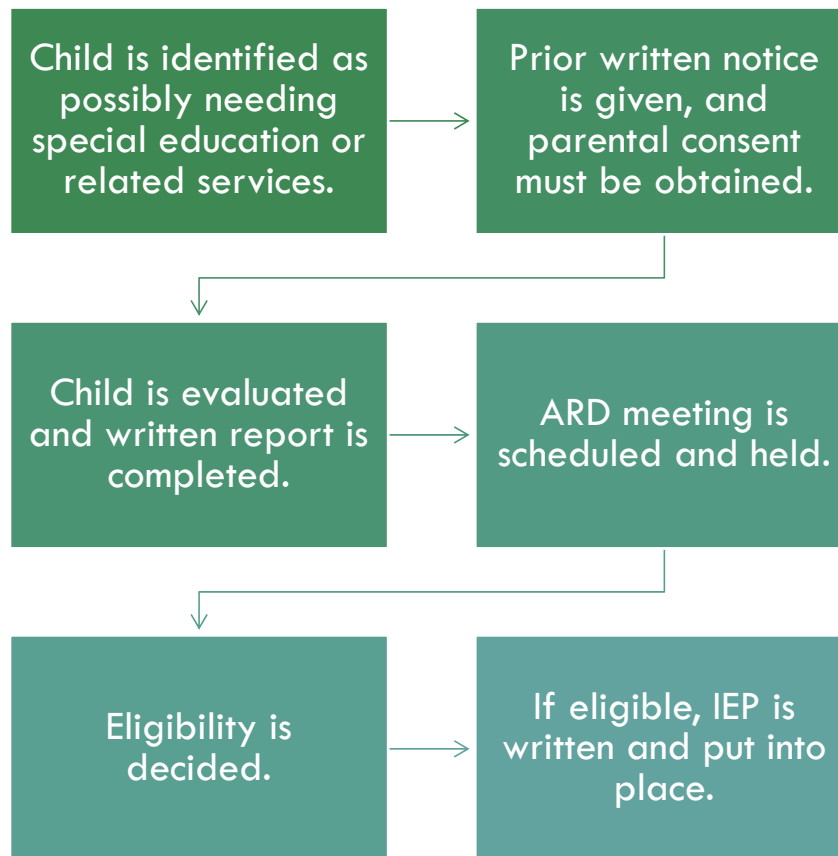
## **Evaluation provides information to assist in determining:**

Whether the student has a disability

The need for Specially Designed Instruction, which is Special Education, and related services

The need for evidence-based interventions and how to monitor student's progress

**\*\*A school MAY NOT take a passive approach they must seek out IDEA eligible students. How is this done? –TEA Child Find & Evaluation**



## WHAT IS THE PROCESS FROM CHILD FIND TO INDIVIDUALIZED EDUCATION PROGRAM?

## TWO REQUIREMENTS THAT QUALIFY A STUDENT FOR AN IEP

A child qualifies for special education services under one or more of the disability categories outlined in the IDEA. The law lists specific challenges, like learning disabilities, ADHD, autism, and others.

The disability must affect the child's educational performance and/or ability to learn and benefit from the *general education curriculum*. **The child must need specialized instruction to make progress in school.**

# 13 DISABILITY CATEGORIES

Specific Learning Disability (SLD)  
Deaf/Hard of Hearing (DHH)

Speech Impairment (SI)  
Intellectual Disability (ID)

Other Health Impairment (OHI)  
Orthopedic Impairment (OI)

Autism (AU)  
Traumatic Brain Injury (TBI)

Multiple Disabilities (MD)  
Deaf-Blindness (DB)

Emotional Disturbance (ED)  
Visual Impairment (VI)

Noncategorical Early Childhood (NCEC)

# ACCOMMODATIONS VS. MODIFICATIONS

## Accommodations

Accommodations intend to reduce or even eliminate the effects of students' disabilities on academic task but do not lower expectations.

## Modifications

Modifications change what the student is expected to master. Decision to modify should be data driven and individualized for the student.

# SPECIAL EDUCATION & 504 ACCOMMODATIONS: WHAT'S THE DIFFERENCE?

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| 504 Accommodations                                                                                                             | vs.                   | Special Education IEP                                                                                                           |
|--------------------------------------------------------------------------------------------------------------------------------|-----------------------|---------------------------------------------------------------------------------------------------------------------------------|
| Section 504 of the Rehabilitation Act of 1973                                                                                  | Governing Law         | Individuals with Disabilities Education Act amended 2004 (IDEA)                                                                 |
| U.S. Department of Education: Office of Civil Rights                                                                           | Overseeing Agency     | U.S. Department of Education: Office of Special Education and Rehabilitation Services                                           |
| Entire life                                                                                                                    | Ages Covered          | Birth through age 21                                                                                                            |
| Student must have a disability AND the disability affects the student's ability to access curriculum.                          | Eligibility           | Student must qualify in one of 13 categories of disability, AND disability affects the child's ability to access curriculum.    |
| Does not require a written plan.                                                                                               | Written Plan          | Does require a written plan.                                                                                                    |
| Law does not specify evaluation procedures. Simply states "periodic" evaluation.                                               | Evaluation            | Initial evaluation using standard assessment tools. Student must be reevaluated every three years.                              |
| School must get permission to evaluate. School can create a plan without parent participation.                                 | Parent Involvement    | Parents are required to be part of the IEP team.                                                                                |
| Curriculum is not customized for the student. The student completes the same curriculum as students without disabilities.      | Customized Curriculum | The IEP must be an individualized plan that meets the needs of the student.                                                     |
| No requirement to review annually.                                                                                             | Annual Review         | Must review the plan annually. Student must be reassessed and requalified every three years.                                    |
| No goals or progress monitoring.                                                                                               | Goals                 | Goals must be written, measurable, and reviewed annually.                                                                       |
| Student may be given accommodations to 'equal the playing field' so they are able to access curriculum.                        | Accommodations        | Students may be given accommodations to make it easier to access their education.                                               |
| The student can have modified assignments. The student cannot have a completely different curriculum.                          | Modifications         | The student can have modified assignments or modified curriculum.                                                               |
| The student is not eligible to receive extra services.                                                                         | Services              | The student is eligible to receive services such as speech therapy, occupational therapy, etc.                                  |
| 504 Protects students in federally colleges. Student may receive same accommodations, but the college decides what to provide. | College               | IDEA does not protect the child in college. The child would receive protection under section 504 instead.                       |
| Section 504 does not have specific guidelines to protect the rights of the parent and the child.                               | Procedural Safeguard  | IDEA has a clearly defined set of procedural safeguards that must be followed to ensure the rights of the parent and the child. |
| Parent has the right to file a complaint with the Office of Civil Rights.                                                      | Recourse              | There are specific mediation and due process procedures that can be followed to register and resolve complaints.                |

# SPECIAL EDUCATION PROCESS

**Step 1:** a parent, teacher, or other professional may request for the student to be tested (FIE).

**Step 2:** Notice of Rights and Consent for Services – district must provide notice of the steps the school wants to take or not take

- Prior Written Notice – this is if the school will be evaluating, provided within 15 school days
- Notice of Action Refused or Prior Written Notice of refusal – this is if the school will not be evaluating
- Parents must sign the consent form in order for the evaluation process to proceed

**Step 3:** Full and Individual Initial Evaluation – determines eligibility for special education services as well as identifies a disability. Must be completed no later than 45 school days

# SPECIAL EDUCATION PROCESS

**Step 4:** The ARD Meeting – must be held no more than 30 days after the initial evaluation is completed. During the meeting the IEP is developed.

- Notice of the meeting is provided 5 days in advance, parent can agree to a shorter timeframe
- ARD Meetings should be held once a year.
- NOTE: consent for evaluation is not consent for services.

**Step 5:** The IEP – this written plan/agreement between the school and parents will be developed and reviewed at least annually.

**Step 6:** After the Meeting – parent will receive reports that they will need to review to determine if progress is being made or if changes need to be requested during the next ARD/IEP. Parents may request parent/teacher conferences and/or request additional ARD meetings.

# EDUCATION INFORMATION FOR THE COURTS

Immediate enrollment- All kids aged 3-21 in DFPS custody should be enrolled in public school or an exception by the DFPS Education Specialist is required.

Court ordered GED

Absences-A school district shall excuse a student from attending school, including travel, if the student is in the conservatorship of DFPS, participating, as determined and documented by DFPS, in an activity: Ordered by a court or Required under a service plan – from Ed Specialist

Green Education Portfolios should not be empty- this is a piece of our child's history.

If a school requires a verification that a child is entitled to free Pre-K, please email the box [prekverificationltrs@dfps.texas.gov](mailto:prekverificationltrs@dfps.texas.gov)



# HOW CAN THE COURTS HELP US? ATTENDANCE

DFPS requires children to enroll into PreK at the age of 4 (sometimes 3). We provide PreK verification Letters to schools for immediate 'free' enrollment

The State of Texas requires all students from the ages of 6 to 18 to attend school. Once enrolled in school, a child younger than six shall continue to attend school.

Students are to be enrolled into public school within 3 days of a placement change and abide by the 90% seat time.

Schools must be provided documentation to excuse absences due to medical, legal or DFPS related.

Encouraging regular attendance is important.



**THANKS SO MUCH FOR  
HAVING US!**

Kathy Thurman- Region 4

Jennifer Heimbach- Region 6b

Felicia Penn- State Office

**TEXAS**  
Department  
of Family and  
Protective Services

