

Improving Educational Outcomes of Foster Youth with Disabilities

Policy Enhancements to Strengthen the Role of Surrogate Parents

30-40% of children and youth in foster care are in special education

Without a parent advocate many of these children risk falling further behind



Children with disabilities involved in the child welfare system experience many losses...a safe and secure home, relationships with parents, siblings and extended families, and stability in school.

Children with disabilities are at risk for higher rates of abuse and neglect compared to children without disabilities. They are also more likely to have poor educational outcomes. One support that is not always implemented is the appointment of a surrogate parent that can advocate on behalf of the child's education needs in the child's Individual Education Plan (IEP).

The creation and implementation of an IEP is required by the Individuals with Disabilities Education Act (IDEA), which gives parents the right to advocate on behalf of their child with disabilities in the school setting. For students in special education that are in foster care, their parents may not be available or appropriate to act as their advocate. In the case that a parent is unknown or unavailable and the student is a ward of the state, the school district is required to appoint a surrogate parent for the child.

The goal for children with disabilities in the foster care system is the same for all children – to successfully transition to adulthood with a full range of options for their well being as adults.

Recommendations

Identify the gaps in the state of Minnesota. What do child welfare workers and foster care workers know about the surrogate parent policy?

Provide training and awareness. We recommend the MN Dept of Education provide training and information about surrogate parenting policies

Collaborate across services. Strengthen coordination between schools, child welfare, medical, mental health, and community agencies

Create accountability measures. Local Education Agencies and State Education Agencies should link special education funding with compliance.



Coordinating services across different realms – schools, child welfare, and the courts – is challenging



Unfortunately, the appointment of a surrogate parent for youth in foster care is often lacking. There are many unique issues that often make ensuring the appointment of a surrogate parent difficult, such as:

- High mobility/instability in educational settings and foster homes
- Undiagnosed or late diagnoses
- History of abuse and neglect.

Some of the problems stem from the challenges of coordinating services across different realms (schools, social services, and the courts). Youth in foster care may have multiple placements resulting in high mobility across school districts. Schools often must develop plans for students they do not know well. Coordinating between a child welfare worker and foster parents mean attendance at meetings or obtaining signatures by the appropriate adults may be delayed.

Aspects of policy that need attention

Studies have found that foster parents are often unaware of the surrogate parent option. In addition child welfare workers may not be aware that they cannot act as surrogate parent if they work for a state agency.

School districts appoint the surrogate parent for a child and there is the potential that a surrogate parent may not know the child well enough to effectively advocate on the child's behalf. Because of

confidentiality issues, surrogate parents may not be able to receive all the information about the child's needs outside of the educational setting. Foster children also move around frequently, and rules and implementation of surrogate parents vary by state and county. If a child moves outside a school district, they may lose their surrogate parent.

School districts may be unaware of how many children are eligible for a surrogate parent in their district.

Larger districts may have many children in their schools that experience foster care or out of home placement at any given time and not all of them require a surrogate parent. Rural districts may be unaware of the policy because of the low number of children needing the service in their district. In both situations, school boards and school administrators need to know how the non-compliance of the surrogate parent policy impacts these students and therefore the school.

The surrogate parent policy for children with disabilities in foster care, if accessed, has much potential for these youth. The problem is not in the policy itself but in its implementation and enforcement. A good education is one of the many paths to a successful transition to adulthood and an educational surrogate parent plays a key role in improving the odds for children with disabilities in the foster care system.

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