

# WHAT YOU NEED TO KNOW ABOUT EDUCATION AND STUDENTS IN FOSTER CARE



## School Stability

Some students in foster care tend to struggle more in school than their peers. School stability is important because school changes can cause students to fall behind. It can take 4-6 months for students to catch up after a school change.

All students in foster care have the right to:

- \* Stay in their original school when they enter foster care or change foster homes, as long as it's in their **best interest**;
- \* Appropriate transportation to their school of origin; and
- \* Immediate enrollment in a new school, even without registration documents.

## Education Planning

Parents and foster parents play important roles in education planning for children in foster care.

- When a child is in foster care, parents can still access their child's school records (like report cards, special education records, or transcripts) and make education decisions for them.\*
- Parents and foster parents should attend parent-teacher conferences and school meetings to keep up with their child's progress.\*
- Parents can attend school events, participate in IEP meetings, consent to special education services, and otherwise be fully involved in their child's education.\*
- A school official or judge may assign a foster parent to be a surrogate parent and make special education decisions for a child in foster care only if a parent's rights have been terminated, limited, or they can't be located.

*\*Unless there is a court order in place limiting these rights.*

**Read more about Best Interest Determinations & Transportation on the back!**



Advocates for Children of New York

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## Best Interest Determinations & Transportation



- \* A best interest determination is made whenever a student enters care or changes foster care placements.
- \* The foster care agency and ACS decide which school the child will attend with input from the school, parent, and student. A foster parent can never change a child's school on their own.

The agency must consider many factors in making a determination, including:

- Safety
  - Special services the student gets
  - Number of school changes so far
  - Effect of commute on student
  - Social and emotional effects of a school change
  - Student and parent preference
  - Involvement in extracurricular activities
  - Time of year
  - What school any siblings attend
- \* Students in foster care can get transportation to their original school. Transportation may be provided by MetroCard, yellow bus, or car service.
  - \* Yellow bus service is not available in every situation and can take time to set up. Talk to the agency to discuss your child's transportation options!

You can find more information on school stability, student and parent rights, transfers, and transportation for youth in foster care at [www.schools.nyc.gov/school-life/special-situations/students-in-foster-care](http://www.schools.nyc.gov/school-life/special-situations/students-in-foster-care)



**Questions? Contact me for help!**

**Name:**

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**Email address:**

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**Phone number:**

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**Project Achieve at Advocates for Children of New York works with students and families involved in the foster care system.**

**[www.advocatesforchildren.org/  
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