

# **Education Primer for Attorneys Guardian *Ad Litem***



**Enrollment  
Special Education  
Discipline  
Homebound  
Expulsion**

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## QUICK TIPS

- 1. Take a Zen approach to special education. Nothing is permanent—all arrangements and services can be altered or enhanced to accommodate the student.**
- 2. To the extent you can, work with the Education Surrogate Parent (ESP), the natural parent, DFS, and other agencies to determine what services may be necessary.**
- 3. Rope in the experts—try to seek advice, documentation, or participation from the child’s therapist, psychologist, and psychiatrist when appropriate.**
- 4. Above all, trust your instincts. Even if you do not know the specific legal requirement, if something does not sound right it probably is not appropriate.**
- 5. Kids do not typically hate school for no reason. If they connect with the teachers, other students, or the materials, they are more likely to succeed.**

## OVERVIEW

A quality education is essential to help students in foster care. With the amount of upheaval, stress, and disruption they face in their lives, a stable appropriate education will help children in foster care achieve educational success and launch them into independence. Statistically, studies have shown that kids in foster care experience on average 1 or 2 placement changes per year, which often translates into change in school placements. Not surprisingly, children in foster care tend to have lower standardized test scores, graduate from high school at lower rates than non-foster kids, and are less likely to go on to higher education. They are also more at risk for suspensions and expulsions.

Therefore, it is critically important to check up on your client's educational needs to ensure he or she is receiving all of the services and accommodations necessary to complete his/her education. Not all students in foster care need special education or accommodations, and some are over-identified as special education students because of learning struggles or behavior issues. Other students have problems enrolling in a new school quickly, despite federal and state legislation requiring schools to promptly enroll students in foster care.

This manual aims to provide an understanding of how to help advocate for your client if he or she is having difficulty with school or the services provided by the school district.

# SPECIAL EDUCATION ISSUES

## I. WHEN TO SPOT FOR SPECIAL EDUCATION SERVICES

As a GAL, you should routinely ask your client how he or she is doing in school. If your client does NOT have special education, it might be appropriate to request an evaluation when:

- Your client is falling behind in school with grades;
- Your client is being asked to repeat a grade in school;
- Your client has experienced multiple suspensions in the same school year (more than 3 suspensions or more than 10 cumulative days suspended); and/or
- Your client takes a significant number of medications or takes medications for mental health or ADHD.

### A. WHEN A CHILD IS IN FOSTER CARE, WHO HAS EDUCATION RIGHTS? PARENT, DFS, EDUCATIONAL SURROGATE

- Unless an educational surrogate parent (ESP) exists, or the court has explicitly prohibited the parent from making educational decisions, you will need to try to work with the parent first.
- If the parent does not cooperate or follow up, it is appropriate to ask the Family Court or the School District to facilitate appointment of an ESP. Alternatively, if the child has a relative caregiver, that individual can step in and help with educational issues.<sup>1</sup>
- In the absence of a parent, an ESP, or a relative caregiver, you have the option to file a motion (or make an oral motion) with the Family Court to request permission to intervene on educational issues until an ESP can be appointed.
- Alternatively, you can take the ESP training through the Department of Education and become an ESP for your child client.

### B. TYPES OF SPECIAL EDUCATION

#### **504 Plans**

Section 504 of the 1973 Rehabilitation Act provides for accommodations for students who have disabilities and need some extra assistance at school. Some examples of 504 Plans include extra time on tests, special seating, time out, mentoring, behavior interventions, and incentive

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<sup>1</sup> It is important to note that if a child was placed with a relative caregiver prior to entering foster care, the caregiver may not make educational decisions unless and until he or she attends the ESP training.

structures for students with disabilities. 504 Plans are often a precursor to a comprehensive IEP plan. Such plans may work better for some students. Although students have significant rights and protections under a 504 Plan, they do not provide the same degree of due process protection as IEPs.

### **Individual Education Plans or “IEPs”**

Under the Individuals with Disabilities Education Act (IDEA), students with specific disabilities receive special rights and related services based on their individual needs. Each child identified under IDEA is entitled to a **free appropriate public education (FAPE)**.<sup>2</sup>

Delaware has a very strong FAPE requirement, which exceeds the federal definition, but complies with the Third Circuit’s determination that a child with a disability has a right to receive an education that confers a meaningful benefit based on the child’s individual potential:

**FAPE:** Free appropriate public education means special education that is specially designed instruction including classroom instruction, instruction in physical education, home instruction and instruction in hospitals and institutions, and related services as defined by Department of Education rules and regulations approved by the State Board of Education and as may be required to assist a child with a disability to benefit from an education that:

- a. Is provided at public expense, under public supervision and direction and without charge in the public school system;
- b. Meets the standards of the Department of Education as set forth in this title or in the rules and regulations of the Department as approved by the State Board;
- c. Includes elementary, secondary or vocational education in the State;
- d. Is individualized to meet the unique needs of the child with a disability;
- e. Provides significant learning to the child with a disability; and
- f. Confers meaningful benefit on the child with a disability that is gauged to the child with a disability's potential.

No court, administrative tribunal, school district, or school shall use a definition of "free appropriate public education" that states or implies that the term encompasses a lesser educational program than enumerated in this definition. Courts, administrative, tribunals, and schools may use a definition of "free appropriate public education" that states or implies that the term encompasses a more enhanced educational program than described in this definition, if consistent with a decision of the United States Third Circuit Court of Appeals or the United States Supreme Court.<sup>3</sup>

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<sup>2</sup> 20 U.S.C. §1401 (9); 20 U.S.C. §1412 (a)(1); 14 Del. C. §3101(5).

<sup>3</sup> 14 Del. C. §3101(5).

### C. WHO/WHAT IS COVERED UNDER THE IDEA?

- Kids under 3 years of age
- Kids age 3-5
- School children from age 5-21
- Any educationally related services that are appropriate for the individual child

In order to qualify under IDEA for special education services, a student must be classified as:

- Autistic
- Deaf or hearing impaired
- Blind or sight impaired
- Emotionally disturbed
- Developmentally delayed
- Learning disabled
- Physically impaired
- Speech impaired
- Language impaired
- A child with a traumatic brain injury
- Other health impaired

### D. THE PURPOSE OF SPECIAL EDUCATION (IDEA)

- Definition of Special Education: “Specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability, including....instruction in the classroom, in the home, in hospitals and institutions, and in other settings (physical education).<sup>4</sup>
- Related Services: transportation, and such developmental, corrective and other supportive services...as may be required to assist a child with a disability to benefit from special education...<sup>5</sup>

The school district has a duty to identify and serve children with disabilities.<sup>6</sup> Upon identification, the school will then conduct psycho-educational or other types of testing to determine what the student’s areas of need are. However, it is not uncommon for schools to fail to evaluate students with disabilities. For example, students with severe behavior problems may often be disciplined without being evaluated for special education. Many of these students have mental health disorders that impede their ability to learn without accommodations. Therefore, if you think your client is having difficulty in school – either with grades, the school environment, or behaviors – it is helpful to work with the parent, ESP, the school, or Family Court to have the child evaluated for special education and related services.

Once the request for a special education evaluation is processed, the school has 45 school days or 90 calendar days to begin the evaluation.<sup>7</sup> After the evaluation is completed, the school will convene a meeting to determine whether the student qualifies for either a 504 Plan or an IEP. If the child meets a specific classification, a full written plan will be developed.

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<sup>4</sup> 20 U.S.C. §1412 (29)

<sup>5</sup> 20 U.S.C. §1401 (26).

<sup>6</sup> 20 U.S.C. §1412 (a)(3)(A); 34 C.F.R. §300.111.

<sup>7</sup> 14 Del. Admin. C. §925.2.3; 34 C.F.R §300.301(b)(ii).

## **TIPS**

**It is helpful for the GAL to participate in the IEP process for a few reasons:**

- You may have special knowledge that will help the school team develop the plan.
- You will need to know what accommodations and services your client requires in school.
- If you disagree with the schools assessment, you can help the parent, ESP and/or Family Court to determine the next step. The parent or ESP will receive information on their legal recourse if they disagree with the school's assessment. Generally, the parent/ESP can file an administrative complaint, a due process proceeding, or request an independent evaluation.

## II. KIDS ALREADY RECEIVING SPECIAL EDUCATION

### A. GENERAL RIGHTS:

- Children with Disabilities are entitled to a Free Appropriate Public Education (FAPE).
- The education has to be provided in the least restrictive environment (LRE).
- Under Delaware Law and the Third Circuit an Individual Education Plan (IEP) must be reasonably calculated to enable a child to receive meaningful educational benefits in light of the student's intellectual potential.<sup>8</sup>

### B. WHAT'S IN AN IEP

- |                                 |   |
|---------------------------------|---|
| ■ Amount of hours in special ed | ■ Type of placement                                 |
| ■ Assistive technology          | ■ Therapy services (occupational, speech, physical) |
| ■ Specific learning devices     | ■ Behavior intervention plans                       |
| ■ Emotional support services    | ■ Testing accommodations                            |

### TIPS

- Work with parent or educational surrogate parent or become an ESP.
- Review psycho-educational evaluation(s): Before determining eligibility, a school psychologist or other qualified individual will submit reports and evaluations regarding the student's areas of need.
- Ask the following questions:
  - How recent are the evaluations?
  - Do the recommendations correspond to the IEP accommodations?
  - Are there areas of need missing on the IEP?
  - Are behavior issues being addressed?
- Be practical.
- As the GAL, your duty is to consider the **best interest of the child**. However, it is imperative to find out what the child wants. For example, some teenagers do not want special education help for a variety of reasons. Other students would rather go to an alternative school than receive certain accommodations. Finding out what your client wants will be helpful in determining how you advocate for services.
- Manage expectations (of yourself, your client, the ESP/parent) to determine how best to achieve the educational interests of your child client.

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<sup>8</sup> See 14 *Del. C.* § 3101 (5); *Shore Reg'l High Sch. Bd. of Ed. v. P.S.*, 381 F.3d 194, 198 (3d Cir. 2004) (quoting *Polk v. Cent. Susquehanna Intermediate Unit* 16, 853 F.2d 171, 182-85 (3d Cir. 1988)); *Mary T. v. Sch. Dist. of Phila.*, 575 F.3d 235, 240 (3d. Cir. 2009).

# DISCIPLINE OF SPECIAL EDUCATION STUDENTS

## I. CASE BY CASE DETERMINATION FOR VIOLATIONS OF THE SCHOOL CODE OF CONDUCT

The IDEA requires schools to consider on a case-by-case basis whether any unique circumstances warrant not pursuing the disciplinary change in placement process for a student with disabilities (or suspected of having a disability) who violates the school code of conduct.<sup>9</sup>

- School officials can remove an IDEA-eligible student from his/her regular school placement (i.e. suspension) for up to 10 consecutive school days, if the punishment is appropriate and is administered in the same manner as for non-disabled students.
- If the school plans to suspend a special education student for more than 10 days, parents/ESPs are entitled to immediate notice of the decision to discipline the student and the applicable procedural safeguards.<sup>10</sup>

### A. MANIFESTATION DETERMINATION

- A manifestation determination review (MDR) must occur within ten school days of the date the decision was made to punish the student if a change in placement has occurred.
- At the MDR, the school team will determine if: (1) the conduct was caused by or had a direct and substantial relationship to the child's disability; or (2) if the conduct was a direct result of the agency's failure to implement the IEP.
- If the behavior is a manifestation of the student's disability, then the team must develop a behavior intervention plan or modify the plan to address behavioral issues.
- If the behavior is **not** a manifestation of the student's disability, the student can be disciplined in the same manner as non-disabled students.
- At the manifestation determination review, **the decision is not based on whether the student knew right from wrong, but rather whether the incident was a manifestation of the student's disabilities.**<sup>11</sup>
- Manifestation determination also applies to children who are IDEA eligible, but not yet identified/evaluated as special education, where parents request services or where school has knowledge/notice, or pattern of behavior<sup>12</sup> (this may provide some protection for §504 protected students as well).
- If child might be IDEA eligible, special ed evaluation must be expedited upon request.<sup>13</sup>

<sup>9</sup> 34 C.F.R. § 300.530(a).

<sup>10</sup> 20 U.S.C. § 1415(k)(1)(H).

<sup>11</sup> Laurens County School District #55, 31 LRP 5972 (South Carolina SEA 1999). *See* S-1 v. Turlington, 633 F.2d 342 (5th Cir. 1981).

<sup>12</sup> 34 C.F.R. § 300.527.

<sup>13</sup> 34 C.F.R. § 300.521 (d).

## **B. FUNCTIONAL BEHAVIOR ASSESSMENT—BEHAVIOR INTERVENTION PLANS**

If the misbehavior was a manifestation of the student’s disabilities, the school must conduct a Functional Behavioral Assessment (FBA).<sup>14</sup>

The FBA identifies trigger behaviors and helps the IEP team select interventions to directly address the problem behavior. In addition to an FBA, the school must develop a Behavior Intervention Plan (BIP) or review and revise the prior plan to appropriately handle misbehaviors.

## **C. SUSPENSIONS**

The school district is required to provide FAPE for students suspended for more than 10 days (or totaling more than 10 days for a series of removals) to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child’s IEP.<sup>15</sup>

It’s important to participate, as well as ask for CMH, therapist, DFS and any other social work/counselor to also participate. It is also important to look at all of the child’s circumstances and not only his/her educational classification. For example, a child who is classified with a learning disability may also be diagnosed with a mood disorder or impulsivity. If the child gets into a fight at school, the incident can still be a manifestation of the student’s disability even though the classification does not encapsulate *all* of the child’s actual disabilities.<sup>16</sup> (In Delaware, schools tend to classify students with one disability, even though the areas of need may include other disabilities).

## **TIPS**

- Sometimes kids do better when they get a fresh start at a new program--so if the school district proposes an alternative setting, it may benefit your client in some cases.
- Keep an eye out for the school district using an alternative placement for a student who has repeated offenses for fighting, disruptions, or defiance of authority. Sometimes, that student may need additional accommodations in lieu of behavioral consequences.
- If you represent a child that has behavior issues in school, try to make sure the child has a Behavior Intervention Plan to help deescalate his/her issues.

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<sup>14</sup> 34 C.F.R. § 300.530(d)(ii).

<sup>15</sup> 34 C.F.R. § 300.530.

<sup>16</sup> 34 C.F.R. § 300.530(a), (e); 14 Del. Admin. C. §926.30.1; 30.5.

## II. WHEN ZERO TOLERANCE KICKS IN EVEN FOR SPECIAL EDUCATION STUDENTS

### A. WEAPONS, DRUGS AND SERIOUS BODILY INJURY<sup>17</sup>

All bets are off when weapons, drugs and serious bodily injury are involved. The district can unilaterally move a child to an interim placement for 45 days (but would still hold a MDR meeting).

- **Dangerous Weapon:** means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 1/2 inches in length.<sup>18</sup>
- **Drugs:** The child knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function, or (a) The term “controlled substance” is one identified under schedule I, II, III, IV, or V of 21 U.S.C. §812(c). These are serious drugs, not cigarettes or alcohol. (b) The term “illegal drug” means a controlled substance, but not one that is legally possessed.
- **Serious Bodily Injury:** The child has inflicted serious bodily injury upon another person while at school or a school function as defined in 18 U.S.C. § 1365(h)(3), which is defined as (A) a substantial risk of death; (B) extreme physical pain; (C) protracted and obvious disfigurement; or (D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty;
- The term "bodily injury" means--(A) a cut, abrasion, bruise, burn, or disfigurement; (B) physical pain; (C) illness; (D) impairment of the function of a bodily member, organ, or mental faculty; or (E) any other injury to the body, no matter how temporary.<sup>19</sup>

### B. OTHER ISSUES

- Parents/ESP can appeal if they disagree with the change of placement or removal.
- School Districts may request a hearing if they believe the child is "substantially likely to injury him/herself or others" even when weapons, drugs and serious bodily injury are not involved. In that situation, the decision will be made by a hearing officer.<sup>20</sup>

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<sup>17</sup> 20 U.S.C. § 1415(k)(7).

<sup>18</sup> 18 U.S.C. § 930(g)(2).

<sup>19</sup> 18 U.S.C. § 1345(h).

<sup>20</sup> 20 U.S.C. § 1415(k)(3)(A) and (B).

### III. EXPULSION

From time to time, you may work with a child who is at risk of expulsion from school. The first step is to determine whether the child violated the school code of conduct. Based on the individual school code of conduct, the consequences may range from a warning, to in-school suspension, to out-of-school suspension, to expulsion.

#### **TIPS**

- If a student is expelled in one school district, other school districts are not permitted to enroll the student until the expulsion period is completed.<sup>21</sup>
- The student is generally entitled to attend an alternative school, if available—but that partly depends on the nature of the offense and the student’s age.<sup>22</sup>
- The school district will make a recommendation to the school board if they feel expulsion is appropriate. If you are able to attend the expulsion hearing, it is very helpful to advocate for your client. If you disagree with the school board’s determination of expulsion, or the length of time for the expulsion, you may assist the student by appealing the expulsion decision to the state board. The state board shall overturn the decision of a local board only if it decides, after considering the advice of the Secretary, that the local board’s decision was contrary to a specific state or federal law or regulation, was not supported by substantial evidence, or was arbitrary or capricious.
- If a student is expelled, the school district must notify the DMV and the student’s license may be suspended (if that student is of age to have a license).<sup>23</sup>
- If expulsion is likely, you may be able to help the student by:
  - Seeing if the student can be withdrawn before the expulsion proceeding and enrolled in a new district. This option should be used only in discrete cases.
  - Seeing if the student was properly evaluated for special education services, or whether the school failed to determine whether the child received appropriate services before imposing a consequence.
  - Seeing if you can advocate for a reduced time period of expulsion (i.e. 45 days instead of the typical 180 day school year expulsion).
- Students eligible for special education may NOT be expelled if the behavior is a manifestation of the child’s disability.<sup>24</sup> Even if the conduct was NOT a manifestation of the child’s disability, the school district nevertheless has an obligation to provide the student with services and accommodations. However, it is important to note that the student may be removed from a school setting for discipline issues and placed in another setting to receive those educational supports and accommodations.

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<sup>21</sup> 14 Del. C. § 4130 (a).

<sup>22</sup> 14 Del. Admin. C. § 611.1.0.

<sup>23</sup> 14 Del. C. § 4130 (e).

<sup>24</sup> 34 C.F.R. § 300.530; 14 Del. Admin. C. §926.30.1.

# HOMELESSNESS

In Delaware, all children in the foster care system are considered “homeless” for the purpose of school.<sup>25</sup> This qualification is important because it allows children in foster care to immediately enroll in a new school district without full documentation or to remain in their old district, even if their geographic residence is outside the boundaries.

Because children in foster care may be subject to frequent moves or placement disruption, stability in school is crucial. Therefore, anytime a child in foster care is prevented from attending school promptly, the federal McKinney-Vento Homeless Education Assistance Improvement Act and enabling Delaware Administrative Regulations will remove any barriers to immediate enrollment.<sup>26</sup>

## **A. WHO QUALIFIES UNDER THE FEDERAL MCKINNEY-VENTO HOMELESS EDUCATION ASSISTANCE IMPROVEMENT ACT?**

Any child in the foster care system, homeless children, or a child who is considered an unaccompanied youth (who does not have the presence of a parent or legal guardian).<sup>27</sup>

## **B. WHAT DOES MCKINNEY-VENTO DO?**

The Act requires school districts to promptly enroll a homeless child (or a child in foster care) immediately in the school where the student actually lives or the school of origin (i.e. the child’s school before entering care or homelessness). The school shall enroll the student, even if full documentation (including past transcriptions, immunization records, etc.) is unavailable at the time of enrollment. In addition, it requires the school to arrange for transportation for the student—if feasible.

## **C. WHAT IF THE SCHOOL REFUSES TO ENROLL THE CHILD?**

First, work with the child’s DFS case worker and educational surrogate or parent (if available). If a dispute arises, the school must immediately enroll pending resolution of any dispute.

If the school disagrees with enrollment, it must provide written notice of the school’s decision regarding enrollment, contact information for the homeless liaison, and a dispute resolution process.<sup>28</sup> The school will then offer to hold a “best interest” meeting to determine whether that school district is appropriate to meet the child’s educational needs. Some factors considered include the distance from the foster placement to the school, whether the school is the original school, and other accommodations for the student’s education. It is important for the GAL to attend this meeting because you will be able to help determine if the geographic distance and school environment are appropriate for your client!

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<sup>25</sup> 14 Del. Admin. C. § 901.2.0.

<sup>26</sup> 42 U.S.C. § 11431, *et. Seq*; 14 Del. Admin. C. § 901.

<sup>27</sup> 42 U.S.C. § 11431, *et. Seq*; 14 Del. Admin. C. § 901.

<sup>28</sup> 42 U.S.C. § 11431, *et. Seq*; 14 Del. Admin. C. § 901.4.0.

#### **D. WHAT ABOUT KIDS WHO TRANSFER SCHOOLS WITH SPECIAL EDUCATION?**

- The student's new school must review the IEP from the former school.<sup>29</sup>
- The new school must adopt, modify, or draft a new IEP (and behavior plans) for a transferring student within a reasonably prompt amount of time (no time frame is currently specified).<sup>30</sup>
- The new school must also provide comparable services to previous placement until a new IEP is adopted or revised to fit the new school's services.<sup>31</sup>

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<sup>29</sup> 34 C.F.R. § 300.323; 14 Del. Admin. C. §925.23.0.

<sup>30</sup> Id.

<sup>31</sup> Id.

# HOMEBOUND

Generally, a special education student is entitled to be educated in the least restrictive environment that can meet the child's needs. Homebound is only truly appropriate for children who are medically fragile, under a doctor's recommendation, or for a time limited period (i.e. 30 days).

If you confront a situation where your client is being placed on homebound for an extended period of time, it is probably not an appropriate placement.

## **HOMEBOUND OR CHANGE OF PLACEMENT:<sup>32</sup>**

If the school is considering placing a student on homebound, they will need to document and justify that the student with disabilities is “a danger to himself or to herself, or is so disruptive that his or her behavior substantially interferes with the learning of other students in the class.”<sup>33</sup> Then homebound services can be implemented, but only on an emergency basis and it has to be documented in the IEP that it is necessary and temporary by a licensed or certified school psychologist or psychiatrist.

## **TIPS**

- 1) Determine whether your client sees a psychiatrist or psychologist.
- 2) Determine whether the student really is at risk of harm to him/her self or other students.
- 3) Determine the length of time for homebound and what the school’s long term education plan is for the student.

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<sup>32</sup> 14 Del. Admin. C. §925.27.3.

<sup>33</sup> *Id.*

## SAMPLE REQUESTS

### LETTER TO REQUEST A SPECIAL EDUCATION EVALUATION:

To Whom It May Concern:

I am writing to request an evaluation for \_\_\_\_\_ for special education and related services pursuant to the Individuals with Disabilities Education Act (“IDEA”) and Section 504 of the Rehabilitation Act. \_\_\_\_\_ date of birth is \_\_\_\_\_. Please find attached the court order appointing me as his/her *Guardian Ad Litem*.

\_\_\_\_\_ is currently in the Division of Family Services’ custody, and the Family Court Judge has ordered me to sign any consent forms necessary to begin the special education evaluation process. Please see the attached court order.

I understand that \_\_\_\_ school has 45 school days or 90 calendar days to evaluate \_\_\_\_\_ and to hold an eligibility meeting. I further request that \_\_\_\_\_ be evaluated under a variety of assessment tools and in all areas related to his/her disabilities, including social and emotional status, and academic performance pursuant to 14 Del. Admin. C. §925.4. Please contact me if you have any questions at \_\_\_\_\_. Thank you.

Sincerely,

### LETTER TO SCHOOL DISTRICT TO REQUEST IMMEDIATE ENROLLMENT:

To Whom It May Concern:

I am writing on behalf of \_\_\_\_\_, as his/her *Guardian ad litem* to request immediate enrollment. As you are likely aware, under McKinney Vento and Delaware’s enabling regulation, \_\_\_\_\_ should be enrolled immediately, even without medical or other documentation. 42 U.S.C. §11432; 14 Del. Admin. C. §901.4.

**(If the child receives special education, you may add this section: Also, under the IDEA, the school district is required to provide the child a free *appropriate* public education, and must do so without delay. 34 C.F.R. §300.323. )**

If the school has a dispute as immediate enrollment and documentation, you must still enroll \_\_\_\_\_ pursuant to 14 Del. Admin. C. §901.4.1: It is my understanding that if documentation is lacking, then it is the school’s responsibility to assist DFS/ the foster parent/caregiver in obtaining the appropriate documentation. Please contact me as soon as possible to discuss \_\_\_\_\_’s enrollment. Thank you in advance for your consideration.

Sincerely,