

## FOSTER FAMILIES: Did You Know?

- **Your child with a disability can get educational services.** Every child age 2 through 21 years old identified as having a disability has the right to free special education and related services. An [Individualized Education Program \(IEP\)](#) must be developed for each individual child with a disability. The IEP specifies the needs of the child and what education and services are necessary to meet the child's needs. (8VAC20-81-10)



- **You should help make important educational decisions for your foster child.** Virginia special education regulations clarify that foster parents can make education decisions regarding the IEP and other important aspects of their foster child's education. Even if birth parents' rights have not been terminated, the foster parent may act as parent. (8VAC20-81-10)
- **You should be informed when decisions are to be made.** Parents must be told when each IEP meeting will occur and are to be present if possible at any IEP meeting. If parents cannot attend, schools must use other methods to allow parents to participate, such as phone calls or audio conferences. The school must pay for any additional costs for the alternative methods. (8VAC20-81-110)
- **Your child's school should be helping solve behavior problems.** Schools, along with parents as part of the IEP team, must consider the use of positive interventions, strategies and supports to address behaviors that are causing problems for the child or others. The IEP team should develop goals and services related to the behavioral needs. IEP teams can also call for a functional behavioral assessment and determine if a behavioral intervention plan is needed to address the child's behaviors. (8VAC20-81-160)



- **School records from previous schools should be sent to a new school.** If your foster child is moving from one school division or district to another, his or her school records including IEPs and other special education information, must be sent quickly from the previous school to the new school. Schools do not need permission from you, birth parents, or the caseworker to transfer records.

(Va Annotated Code 22.1-289; 22.1-3.4)