Blueprint for Change

Education Success for Children in Foster Care
Who We Are

The Legal Center for Foster Care and Education (Legal Center FCE) seeks to enhance educational opportunities and student achievement for children in foster care. The Legal Center FCE serves as a national technical assistance resource and information clearinghouse on legal and policy matters affecting the education of children in out-of-home care. The Legal Center FCE provides expertise to states and constituents, facilitates networking to advance promising practices and reforms, and provides technical assistance and training to respond to the ever-growing demands for legal support and guidance.

The Legal Center FCE supports both direct education advocacy efforts as well as system reform initiatives for children in foster care, by promoting federal, state and local law, policies, and programs that address the education needs of this population.

About This Publication

The Blueprint for Change sets forth 8 Goals for Youth, as well as specific, correlating Benchmarks for each Goal that would indicate progress toward achieving education success. The Goals address the global issues that challenge the education success for children in out-of-home care. The Benchmarks are the more specific and concrete elements of the broader goal.

Following each goal are National, State, and Local Examples of policies, practices, programs, and resources that exist to improve educational outcomes for children in foster care. This edition is an initial attempt to collect information and categorize these examples under the various Goals and Benchmarks. Each example is coded to reflect which of the Goals and Benchmarks are addressed.

How To Use This Publication

The Blueprint for Change is a tool for change. The Goals and Benchmarks are a framework for both direct case advocacy and system reform efforts.

Direct case advocacy. The Blueprint can be used as a checklist or guide by advocates for children and youth to ensure that all education issues are being addressed. The Blueprint examples contain ideas for legal arguments and strategies to use to achieve the best education outcomes for a particular child or youth.

System reform. The Goals and Benchmarks can be used in numerous ways to spur broader system reform. The Blueprint can be used to accomplish the following:

• Begin conversations among various stakeholder groups;
• Assess a state or jurisdiction’s attention to the issue of education needs for children in out-of-home care;
• Create a template for an action plan for change;
• Identify what data needs to be collected to measure outcomes;
• Begin or enhance existing conversations about cross-system collaboration and information sharing;
• Structure components of curriculum development or training modules;
• Inform a legislative agenda.

The Blueprint for Change is designed to be a tool for all stakeholders (including youth, parents, foster parents and other caregivers, lawyers, caseworkers, teachers and other school staff, child welfare and education system administrators, state agencies, and policymakers). Stakeholders can use the framework of this Blueprint for Change to identify what they can do to promote educational success for youth in foster care in their jurisdictions.
What Next?

The Legal Center for Foster Care and Education plans to build on this existing framework, and design products and activities that will promote these issues and assist advocates and system reformers. The Legal Center FCE will tailor the Blueprint to specific categories of individuals working with children in out-of-home care, including caseworkers, caretakers, legal advocates, and judges. The Legal Center FCE will continue to collect examples of policies and practices advancing each goal.

General Information About The 8 Goals

The 8 Goals identified are written from a youth’s perspective, as a constant reminder that the work we do always remains focused on the children and youth we serve.

We have chosen not to identify youth with disabilities in a separate goal, but instead have addressed unique issues for children with disabilities in Benchmarks under each of the 8 Goals. While all Goals and Benchmarks are relevant to children in out-of-home care with disabilities, the Benchmarks identified at the end of each goal specifically addressing disability issues apply only to youth in out-of-home care with disabilities.

**EDUCATION GOALS FOR YOUTH IN OUT-OF-HOME CARE**

1. Youth Are Entitled to Remain in Their Same School When Feasible
2. Youth Are Guaranteed Seamless Transitions Between Schools and School Districts When School Moves Occur
3. Young Children Enter School Ready to Learn
4. Youth Have the Opportunity and Support to Fully Participate in All Aspects of the School Experience
5. Youth Have Supports to Prevent School Dropout, Truancy, and Disciplinary Actions
6. Youth Are Involved and Engaged in All Aspects of Their Education and Educational Planning and Are Empowered to Be Advocates for Their Education Needs and Pursuits
7. Youth Have An Adult Who Is Invested in His or Her Education During and After His or Her Time in Out-Of-Home Care
8. Youth Have Supports to Enter into, and Complete, Postsecondary Education

Specific Information About The 8 Goals

GOAL 1 addresses the efforts needed to keep children in out-of-home care from having to change schools.

GOAL 2 addresses the efforts needed to make school changes, when they do happen, as least disruptive as possible, including additional supports needed to successfully complete the transition.

GOAL 3 focuses on young children, who we define as children from birth through age five.

GOAL 4 is not about mobility issues for children in foster care, but about all other education issues they face, even if they are maintained in a consistent, stable placement. The goal encompasses both issues of discrimination (youth in out-of-home care not being treated equally to other students) and the need for additional supports.

GOAL 5 combines school discipline, dropout, and truancy -- three distinct issues -- under one goal. While there is overlap across these issues, they are combined in one to simplify the document, not to imply that they are the same issue.

GOAL 6 addresses youth involvement and engagement, and includes the issue of participation in court proceedings. While the reason for youth participation in court is for purposes beyond education, the presence of youth in court can bring education issues to the forefront of court proceedings.

GOAL 7 addresses both education advocates (one person or several people who can stand up for the child, speak on their behalf, and mentor and guide them in their education goals and pursuits) and legal education decision makers (individual or individuals who have the legal authority to make education decisions).

GOAL 8 addresses postsecondary education pursuits, and includes the important issue of continuing child welfare and court involvement for youth over 18. While extending jurisdiction for youth over 18 is important for many reasons, education pursuits are a critical part of this bigger issue.
Youth in out-of-home care live, on average, in two to three different places each year. When youth move, they often are forced to change schools. Studies indicate that frequent school changes negatively affect students' educational growth and graduation rates. Youth in care are entitled to educational stability, and efforts must be made to keep them in their same school whenever possible. School may be the one place the youth has had (and can continue to have) consistency and continuity.

Youth’s foster care placement decisions take school stability into account, and school stability is a priority whenever possible and in the child’s best interests.

Youth have sufficient foster home and permanent living options available in their home communities to reduce the need for school moves.

When in their best interests, youth have a legal right to remain in the same school (school of origin) even when they move outside the school district, and schools that retain children are not financially penalized.

Youth are entitled to necessary transportation to their school of origin, with responsibilities clearly designated for transportation costs.

Youth have necessary support and information to make school of origin decisions; youth, birth parents, caseworkers, foster parents, courts, attorneys, schools, and educators are trained about legal entitlements and appeal and dispute procedures.

Youth with disabilities continue in an appropriate education setting, regardless of changes in foster care placements, and transportation is provided in accordance with the youth’s Individualized Education Program (IEP).
Sometimes school moves cannot be avoided or may be in the best interests of the child. These school moves should happen with minimal disruption to the youth’s education. When state or local requirements delay enrollment, critical classroom time is lost. Youth need immediate enrollment in the new school, and to have full access to all academic programs and other activities. Important records and information about the student’s prior schooling must follow the youth to the new school, with appropriate credit given for work completed at the school of origin.

BENCHMARKS THAT SHOW PROGRESS TOWARD THIS GOAL

2-A Youth have a right to be enrolled immediately in a new school and to begin classes promptly.

2-B Youth can be enrolled in school by any person who has care or control of the child (i.e., caseworker or foster parent).

2-C Youth enrollment and delivery of appropriate services are not delayed due to school or record requirements (i.e., immunization records, birth certificates, school uniforms); designated child welfare, education, and court staff facilitate and coordinate transitions and receive training on special procedures.

2-D Youth education records are comprehensive and accurate, and promptly follow youth to any new school or placement; records are kept private and shared only with necessary individuals working with the youth.

2-E Youth who arrive in a new school during the school term are allowed to participate in all academic and extracurricular programs even if normal timelines have run or programs are full.

2-F Youth receive credit and partial credit for coursework completed at the prior school.

2-G Youth have the ability to receive a high school diploma even when they have attended multiple schools with varying graduation requirements.

2-H Eligible youth with disabilities receive the protections outlined in federal and state law, including timelines for evaluations, implementation of an Individualized Education Program (IEP) or an Individual Family Service Plan (IFSP), and placement in the least restrictive environment, even when they change school districts.
According to the American Academy of Pediatrics, children in foster care have higher rates of physical, developmental, and mental health problems, and may enter into foster care with unmet medical and mental health needs. These critical health needs must be addressed in the early years in order to ensure that young children are developing appropriately and will be ready to benefit from school. Critical to addressing the pre-learning needs of young children is linking them to the full range of screening and early intervention services available.

**BENCHMARKS THAT SHOW PROGRESS TOWARD THIS GOAL**

3-A Young children have all the appropriate health interventions necessary, including enrollment in the Medical Assistance Early Periodic Screening, Diagnosis, and Treatment (EPSDT) Program, and receive comprehensive evaluations and treatment.

3-B Young children are given special prioritization and treatment in early childhood programs (including Head Start, Early Headstart, and preschool programs).

3-C Young children receive developmentally appropriate counseling and supports in their early childhood programs with sensitivity to their abuse and neglect experiences.

3-D Young children have caretakers who have been provided information on the children’s medical and developmental needs, and who have received training and support to be effective advocates.

3-E Children under age three with developmental delays, or a high probability of developing such delays, are identified as early as possible, promptly referred for evaluation for early intervention services, and promptly evaluated and served.

3-F Young children at high risk of developmental delays are screened appropriately and qualify for early intervention services whenever possible.

3-G Children under age three who have been involved in a substantiated case of child abuse and neglect, who have been identified as affected by substance abuse or withdrawal symptoms resulting from prenatal drug exposure, or who have experienced a substantiated case of trauma due to exposure to family violence are referred to the early intervention system for screening.

3-H Children with disabilities ages three to school age are referred and evaluated, and receive appropriate preschool early intervention programs.

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National, State, and Local Examples in the Blueprint Database
Too often, youth are prevented from accessing school services available to all other youth. Not only must youth in out-of-home care receive equal treatment, they also will frequently need additional supports. The absence of family and educational stability combined with histories of abuse and neglect mean that youth in care experience higher rates of grade retention and lower academic achievement than their peers. Effectively responding to these needs may require the creation of specific policies and additional supports designed to improve academic achievement and broaden their access to all aspects of the school experience.

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National, State, and Local Examples in the Blueprint Database
Studies indicate that youth in out-of-home care have dropout, truancy, and disciplinary rates far higher than the general student population. When youth are frustrated by frequent moves and rough transitions, they are more likely to act out, skip school, or drop out altogether. And, of course, children who have experienced abuse or neglect and have been removed from their parents often experience learning difficulties and other problems that interfere with school success. These youth need appropriate support, programs, and interventions to keep them engaged and in school. In addition, youth in care need counselors and school advocates who will ensure the best possible placement and increase the odds that youth will complete their education.

BENCHMARKS THAT SHOW PROGRESS TOWARD THIS GOAL

5-A Youth are not disproportionately subjected to school discipline or school exclusion, and are not placed in alternative schools for disruptive students as a means to address truancy or as a disciplinary measure.

5-B Youth have access to school counselors and other school staff familiar with the needs of children who have experienced abuse and neglect, and the staff has mastered effective remediation strategies.

5-C Youth have advocates at school disciplinary and other proceedings who are trained on procedures related to dropout, truancy, and discipline.

5-D Youth at risk of truancy or dropping out have access to programs and supports designed to engage them in school.

5-E Youth who have dropped out of school have access to programs and supports designed to reintegrate them into a school or a General Educational Development (GED) program.

5-F Youth with disabilities have behavior intervention plans in place to minimize inappropriate school behaviors and to reduce the need for disciplinary action or referral to the police.

5-G Youth with disabilities receive the procedural protections outlined in federal law so that they are not punished for behavior that is a symptom of their disability.
GOAL 6
Youth Are Involved and Engaged in All Aspects of Their Education and Educational Planning and Are Empowered to Be Advocates for Their Education Needs and Pursuits

Encouraging youth to be engaged in education decision making and planning helps them take an active role in their educational future and gives direction and guidance to the professionals and adults advocating on their behalf. Participation in court proceedings, school meetings, the special education process, and transition planning for postsecondary education or jobs allows youth to become advocates on their own behalf. Appropriately trained professionals should facilitate this participation.

BENCHMARKS THAT SHOW PROGRESS TOWARD THIS GOAL

6-A Youth are routinely asked about their educational preferences and needs, including their view on whether to change schools when their living situation changes.

6-B Youth receive training about their educational rights commensurate to their age and developmental abilities.

6-C Youth are given the opportunity to participate in court proceedings, and their engagement is supported with transportation and accommodations to decrease the impact on school attendance and schoolwork; attorneys, guardians ad litem, CASAs, and judges are trained on involving youth in court, and encourage youth participation.

6-D Youth participate in school and child welfare meetings and planning about their education and their future.

6-E Youth are surrounded by school and child welfare professionals with appropriate training and strategies to engage youth in education planning.

6-F Youth with disabilities actively participate in the special education process, especially in transition planning for post-school education and employment, and are provided with the supports necessary to effectively participate.

National, State, and Local Examples in the Blueprint Database
Youth need supportive adults to help them achieve their education goals and pursuits. It is critical that all students, and in particular students with disabilities, have an available adult who has the authority to make education decisions on their behalf. It is also critical that youth have adults available to advocate for their rights and needs, and to serve as mentors as they navigate the educational system. Trauma-sensitive training and a full understanding of federal disability law is necessary for any adult who advocates for a child in care or serves as a surrogate parent or authorized decision maker.

Youth are entitled to have a knowledgeable and trained education advocate who reinforces the value of the youth’s investment in education and helps the youth plan for post-school training, employment, or college; efforts must be made to recruit appropriate individuals (i.e., foster parents, birth parents, child welfare caseworkers, teachers, and guidance counselors).

Youth exiting care (because of age or because their permanency objectives have been reached) have significant connections to at least one adult to help the youth continue education pursuits.

Youth have an education decision maker at all times during a child welfare case, who is trained in the legal requirements relating to education decisions for children with and without disabilities.

Youth with disabilities who are eligible for the appointment of a surrogate parent have access to a pool of qualified, independent, and well-trained individuals who can serve in that role, and are assigned a surrogate in a timely manner, but no later than 30 days after a determination that a surrogate is needed.

• A 2001 Bay Area study found 68% of school-age children had special education needs, but only 36% were receiving services.

• A 2006 Oregon study found that youth in foster care were less likely to have an advocate at their planning meeting (42% v. 69%).

adapted from National Working Group on Foster Care and Education, Educational Outcomes for Youth in Foster and Out-of-Home Care (January 2014).
Like other students, youth in care want postsecondary education; however, studies indicate that they realize this dream less frequently than the general population. To achieve their full potential, older youth in care and those exiting care need support and opportunities to participate in a wide range of postsecondary programs. Research shows that education outcomes improve when youth can stay in care beyond age 18. In addition, these youth need career and college counseling, assistance with applications and financial aid, and support while participating in their educational program of choice.

BENCHMARKS THAT SHOW PROGRESS TOWARD THIS GOAL

8-A Youth are exposed to postsecondary education opportunities, and receive academic support to achieve their future education goals.

8-B Youth in care and youth who have exited care (because of age or because their permanency objectives have been reached) have financial support or tuition fee waivers to help them afford postsecondary education.

8-C Youth have clear information and concrete help with obtaining and completing admission and financial aid documents.

8-D Youth have access to housing during postsecondary school vacations or other times when school housing is unavailable.

8-E Youth over 18 can remain in care and under the courts’ jurisdiction to receive support and protection while pursuing postsecondary education.

8-F Youth have access to academic, social, and emotional supports during, and through completion of, their postsecondary education.

8-G Youth with disabilities pursuing higher education goals receive the supports to which they are entitled to under federal and state laws.

National, State, and Local Examples in Blueprint Database
**GOAL 1 • Youth Are Entitled to Remain in Their Same School When Feasible**

**Benchmarks that show progress toward this goal:**

1-A Youth’s foster care placement decisions take school stability into account, and school stability is a priority whenever possible and in the child’s best interests.

1-B Youth have sufficient foster home and permanent living options available in their home communities to reduce the need for school moves.

1-C When in their best interests, youth have a legal right to remain in the same school (school of origin) even when they move outside the school district, and schools that retain children are not financially penalized.

1-D Youth are entitled to necessary transportation to their school of origin, with responsibilities clearly designated for transportation costs.

1-E Youth have necessary support and information to make school of origin decisions; youth, birth parents, caseworkers, foster parents, courts, attorneys, schools, and educators are trained about legal entitlements and appeal and dispute procedures.

1-F Youth with disabilities continue in an appropriate education setting, regardless of changes in foster care placements, and transportation is provided in accordance with the youth’s Individualized Education Program (IEP).

**GOAL 2 • Youth Are Guaranteed Seamless Transitions Between Schools and School Districts When School Moves Occur**

**Benchmarks that show progress toward this goal:**

2-A Youth have a right to be enrolled immediately in a new school and to begin classes promptly.

2-B Youth can be enrolled in school by any person who has care or control of the child (i.e., caseworker or foster parent).

2-C Youth enrollment and delivery of appropriate services are not delayed due to school or record requirements (i.e., immunization records, birth certificates, school uniforms); designated child welfare, education, and court staff facilitate and coordinate transitions and receive training on special procedures.

2-D Youth education records are comprehensive and accurate, and promptly follow youth to any new school or placement; records are kept private and shared only with necessary individuals working with the youth.

2-E Youth who arrive in a new school during the school term are allowed to participate in all academic and extracurricular programs even if normal timelines have run or programs are full.

2-F Youth receive credit and partial credit for coursework completed at the prior school.

2-G Youth have the ability to receive a high school diploma even when they have attended multiple schools with varying graduation requirements.

2-H Eligible youth with disabilities receive the protections outlined in federal and state law, including timelines for evaluations, implementation of an IEP or an Individual Family Service Plan (IFSP), and placement in the least restrictive environment, even when they change school districts.

**GOAL 3 • Young Children Enter School Ready to Learn**

**Benchmarks that show progress toward this goal:**

3-A Young children have all the appropriate health interventions necessary, including enrollment in the Medical Assistance Early Periodic Screening, Diagnosis, and Treatment (EPSDT) Program, and receive comprehensive evaluations and treatment.

3-B Young children are given special prioritization and treatment in early childhood programs (including Head Start, Early Headstart, and preschool programs).

3-C Young children receive developmentally appropriate counseling and support in their early childhood programs with sensitivity to their abuse and neglect experiences.

3-D Young children have caretakers who have been provided information on the children’s medical and developmental needs, and who have received training and support to be effective advocates.

3-E Children under age three with developmental delays, or a high probability of developing such delays, are identified as early as possible, promptly referred for evaluation for early intervention services, and promptly evaluated and served.

3-F Young children at high risk of developmental delays are screened appropriately and qualify for early intervention services whenever possible.

3-G Children under age three who have been involved in a substantiated case of child abuse and neglect, who have been identified as affected by substance abuse or withdrawal symptoms resulting from prenatal drug exposure, or who have experienced a substantiated case of trauma due to exposure to family violence are referred to the early intervention system for screening.

3-H Children with disabilities ages three to school age are referred and evaluated, and receive appropriate preschool early intervention programs.

**GOAL 4 • Youth Have the Opportunity and Support to Fully Participate in All Aspects of the School Experience**

**Benchmarks that show progress toward this goal:**

4-A Youth are entitled and encouraged to participate in all aspects of the school experience, including academic programs, extracurricular activities, and social events, and are not excluded because of being in out-of-home care.

4-B Youth receive the additional supports necessary to be included in all aspects of the school experience.

4-C Youth’s records relating to his or her education and needs are made available to necessary individuals working with the youth, while respecting the youth’s privacy.
GOAL 4 continued...

4-D Youth’s appointments and court appearances are scheduled to minimize their impact on the child’s education, and children are not penalized for school time or work missed because of court or child welfare case-related activities.

4-E Youth are not inappropriately placed in nonpublic schools or other alternative school settings, including schools for students with disabilities.

4-F Youth receive supports to improve performance on statewide achievement tests and other measures of academic success (such as attendance and graduation).

4-G Youth are surrounded by trained professionals that have the knowledge and skills to work with children who have experienced abuse and neglect; school curricula and programs utilize the research on trauma-informed care.

4-H Youth with disabilities are located, evaluated, and identified as eligible for special services.

4-I Youth with disabilities receive the special help they need to learn content appropriate to their grade level or, when that is not possible, the content that is appropriate to their learning level.

4-J Youth with disabilities receive their education in regular classrooms (with the necessary supports and accommodations) whenever possible.

GOAL 5 • Youth Have Supports to Prevent School Dropout, Truancy, and Disciplinary Actions

Benchmarks that show progress toward this goal:

5-A Youth are not disproportionately subjected to school discipline or school exclusion, and are not placed in alternative schools for disruptive students as a means to address truancy or as a disciplinary measure.

5-B Youth have access to school counselors and other school staff familiar with the needs of children who have experienced abuse and neglect, and the staff has mastered effective remediation strategies.

5-C Youth have advocates at school disciplinary and other proceedings who are trained on procedures related to dropout, truancy, and discipline.

5-D Youth at risk of truancy or dropping out have access to programs and supports designed to engage them in school.

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5-F Youth with disabilities have behavior intervention plans in place to minimize inappropriate school behaviors and to reduce the need for disciplinary action or referral to the police.

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GOAL 6 • Youth Are Involved and Engaged in All Aspects of Their Education and Educational Planning and Are Empowered to Be Advocates for Their Education Needs and Pursuits

Benchmarks that show progress toward this goal:

6-A Youth are routinely asked about their educational preferences and needs, including their view on whether to change schools when their living situation changes.

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6-F Youth with disabilities actively participate in the special education process, especially in transition planning for post-school education and employment, and are provided with the supports necessary to effectively participate.

GOAL 7 • Youth Have An Adult Who Is Invested in His or Her Education During and After His or Her Time in Out-of-Home Care

Benchmarks that show progress toward this goal:

7-A Youth are entitled to have a knowledgeable and trained education advocate who reinforces the value of the youth’s investment in education and helps the youth plan for post-school training, employment, or college; efforts must be made to recruit appropriate individuals (i.e., foster parents, birth parents, child welfare caseworkers, teachers, and guidance counselors).

7-B Youth exiting care (because of age or because their permanency objectives have been reached) have significant connections to at least one adult to help the youth continue education pursuits.

7-C Youth have an education decision maker at all times during a child welfare case, who is trained in the legal requirements relating to education decisions for children with and without disabilities.

7-D Youth with disabilities who are eligible for the appointment of a surrogate parent have access to a pool of qualified, independent, and well-trained individuals who can serve in that role, and are assigned a surrogate in a timely manner, but no later than 30 days after a determination that a surrogate is needed.

GOAL 8 • Youth Have Supports to Enter into, and Complete, Postsecondary Education

Benchmarks that show progress toward this goal:

8-A Youth are exposed to postsecondary education opportunities, and receive academic support to achieve their future education goals.

8-B Youth in care and youth who have exited care (because of age or because their permanency objectives have been reached) have financial support or tuition fee waivers to help them afford postsecondary education.

8-C Youth have clear information and concrete help with obtaining and completing admission and financial aid documents.

8-D Youth have access to housing during postsecondary school vacations or other times when school housing is unavailable.

8-E Youth over 18 can remain in care and under the courts’ jurisdiction to receive support and protection while pursuing postsecondary education.

8-F Youth have access to academic, social, and emotional supports during, and through completion of, their postsecondary education.

8-G Youth with disabilities pursuing higher education goals receive the supports to which they are entitled under federal and state laws.

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