

What rights do I have when it comes to school?

You have rights at school and they're backed by federal law, not just good intentions. Under the Every Student Succeeds Act (ESSA), if you're in foster care, you're entitled to:

Stay at your school, even if placement changes. You have the right to stay at your "school of origin" unless it's not in your best interest. You also have the right to free transportation to your school.

Share what would help you the most. When you first enter foster care (and any placement after), there's a process called "Best Interest Determination (BID)" that the foster care agency and school do - to decide whether it's in your best interest to stay at your school of origin or not. YOU can speak up during this process; your parents, caregivers and other adults can too.

Get enrolled and attend a new school quickly. No waiting around or missing classes while paperwork gets sorted out.

Have your records follow you. Your new school should be able to get your old records quickly, without you having to chase them down.

An Education Decision-Maker (EDM). Every foster youth under 18 has a specific adult who makes school-related decisions for you. This person can be your biological parent, foster parent, attorney/lawyer, or someone appointed by the court, but it can't be your caseworker. If you don't know who your EDM is, ask about it!



PRO TIPS:

- **Get Curious:** Write down all the questions you have about school.
- **Speak Up:** Make sure what you want is heard by your caseworker, school staff, foster parent, attorney/lawyer, and judge.
- **Follow-up:** Sometimes this process takes time, continue to check in with the adults.

Here are some good practices and rights from related laws you may want to advocate for yourself about:

Your credits are protected. Schools should accept the coursework you've already done and they have to move your credits over quickly so you can graduate on time.

You can do the same activities as everyone else. Sports, clubs, academic programs - you get to be a part of them like any other student - and you should get help with transportation to them.

If you have a disability, you're protected. You have the right to be evaluated and get support through a functional behavioral assessment (FBA), a 504 plan, or Independent Education Plan, as soon as possible.

Want to learn more? Check out the [Legal Center for Foster Care & Education](#)

Something's not being followed? Reach out to your attorney/lawyer, GAL, CASA, caseworker, or Educational Decision Maker for help.
Bring this document with you!

TALK TO US!

Email: outreach@fosterclub.com

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