

# Educational Judicial Bench Card

# NEGLECT



## EDUCATION DECISION MAKING

- Is there an *active, involved, and available* educational decision-maker (EDM)?
- Does the EDM want the support of an education attorney?
  - Confirm the EDM understands the role of an education attorney.
- Is the EDM acting consistent with the child's best interests?

## EARLY INTERVENTION/CHILDHOOD SERVICES (Ages 0 – 5)

- Are there any developmental concerns?
- Is a referral to Strong Start or Early Stages necessary?
  - Will the EDM consent to evaluations?
- What are the results of any screenings or evaluations?
- Is the child attending preschool/Head Start?

## SCHOOL ENROLLMENT AND SCHOOL STABILITY

- Is the student enrolled in school?
  - If so, where?
- Does the student need any materials?
- Are there school stability concerns now or in the future?
- What is the school plan for next year?
- Who provides transportation and are there any issues?
- Does the student require re-enrollment and records transfer?
- If the student is returning from Psychiatric Residential Treatment Facility (PRTF), what is the plan for the student's school placement?

## SCHOOL ATTENDANCE/ENGAGEMENT

- Does the student have any unexcused absences?
  - If so, how many and what were the reasons?
- Is the student experiencing failure due to absences?
- Are any interventions necessary and have any been attempted?
- Does the student participate in any extracurricular activities?

## SCHOOL PERFORMANCE/DISCIPLINE RECORD

- Is the student on track for promotion?
- If the student is in high school, are they on track for graduation?
- Are any supports needed?
- Does the student have a disciplinary record?
- What were the lengths of any suspensions or expulsions?
- If long-term suspension or expulsion, has there been a Manifestation Determination Review (MDR)? Disciplinary hearing?
- Is the attendance record accurate?
- Has the student had access to work assignments while out of school or serving in-school suspension?

## SPECIAL EDUCATION

- Does the student have an Individualized Education Program (IEP) or 504 Plan?
- Is the plan current and being implemented?
- What supports are being provided to the EDM (i.e. OSSE, Ombudsman's Office, AJE, CLC, Ed Attorney, etc.)?
- Is there reason to suspect a disability impacting education (i.e. not making progress, behavior or disciplinary issues, not attending classes, history of trauma, mental health issues)?
- Has the student had a referral for evaluations for special education and/or related services?
- Does the youth feel additional supports are needed?

## POST-HIGH SCHOOL EDUCATION PLANS (Beginning at age 14)

- Does the student have post-high school plans and goals?
- Is there a transition/independent living plan in place?
- Has there been any engagement with CFSA Office of Youth Empowerment (OYE)?
- Referral to Rehabilitation Services Administration (RSA) / Department of Disability Services (DDS)?
- Is the student ready to assume educational decision-making rights at 18?

# Educational Judicial Bench Card

# DEL/PINS



## SCHOOL ENROLLMENT & ATTENDANCE

- Is the student enrolled in school? Where?
- Does the student attend school & classes regularly?
- Is the student experiencing failure due to absences?
- Are there attendance barriers (i.e. child care, transportation, probation meetings, mental health, undocumented suspensions)?
- School disruption from change in detention level?

## SPECIAL EDUCATION

- Does the student have an Individualized Education Program (IEP) or 504 Plan?
  - Is the plan current and being implemented?
  - Concerns with IEP, placement, implementation?
  - What is the nature & severity of the disability?
  - What is the impact on student (home, school, & community, including probation compliance)?
- Is there a suspected disability/need to evaluate?
- Does parent/student need an education attorney?
- Does parent/student want an education attorney?
- Does student have an educational decision-maker (EDM)?

## TRANSFER OF RIGHTS

- At age 18, students automatically become own EDMs.
- Is new education attorney needed?
- Does the student want supported decision-making or to execute Power of Attorney for parent to make educational decisions?

## POST-HIGH SCHOOL PLANNING

- Does the student have a transition plan and goals?
- Is the student linked to Department of Disability Services (DDS)/Rehabilitation Services Administration (RSA)?
- Have vocational assessments been completed?

## SCHOOL PERFORMANCE/ DISCIPLINE RECORD

- Is the student on track for promotion/graduation?
- Does student have a disciplinary record?
- If long-term suspension/expulsion, has there been a Manifestation Determination Review (MDR) or disciplinary hearing?
- Has student had access to work assignments while out of school or serving in-school suspension?
- Is IEP being implemented in alternate setting?

## EDUCATION ISSUES RELATED TO DETENTION

### Youth Services Center/Detention

- Records requested from Local Education Agency (LEA)/school of origin?
- Is student continuing in same classes?
- Plan to ensure continuation of credits/grades?
- Non-DCPS students: School plan upon release?

### Group Homes/Family Reunification Homes

- Has student remained in school of origin?
- Any attendance barriers (i.e. transportation)?

### Psychiatric Residential Treatment Facilities (PRTFs), Residential Treatment Centers (RTCs), and New Beginnings Youth Development Center

- No IEP: Does student need evaluations?
- IEP: Is the LEA aware of placement?
- Diploma track: Enrolled in DC credit-earning classes?
- GED track: Enrolled in GED prep?
- Discharge planning: Is student accepted to an appropriate DC school placement?

### Other Placement (Short-Term Placement)

- Did school of origin provide assignments to facility?
- Plan to ensure progress towards current courses?

## ALTERNATIVE/ ADULT EDUCATION

- Is student over-age/under-credited?
- Does student wish to pursue GED, JobCorps or an Adult Education Program?
- Is student linked to an appropriate program?