

# TOP 10 THINGS EDUCATORS NEED TO KNOW ABOUT EDUCATION FOR STUDENTS IN FOSTER CARE IN RESIDENTIAL TREATMENT CENTERS (RTCS)

1  Educators need to know the decision-makers involved in the life of a student in foster care.

2  Schools need to know when a student is in foster care while also protecting the confidentiality of that information.

3  Federal and state law require students in foster care receive educational instruction in the least restrictive setting.

4  Students in foster care should participate in decisions about where and how they receive education.

5  Students in foster care need access to age-appropriate activities and experiences.

6  When a change in schools occurs, the law requires enrollment within three school days and records transfer within 10 working days.

7  A student's treatment and school teams should collaborate to address how to best serve the student's individual education needs.

8  Students in foster care receive special considerations when disciplinary decisions are made.

9  Students in care benefit when schools implement trauma-informed care plans.

10  The local school district must appoint a surrogate parent for students who receive special education services within 30 days of realizing there is a need.

## FOSTER CARE AND EDUCATION RESOURCES

Various agencies, advocates, and child welfare organizations offer resources and programs to assist students in foster care, including the Department of Family and Protective Services, the Texas Education Agency, every local education agency (schools districts and open-enrollment charter schools), the Texas Higher Education Coordinating Board, Texas public institutions of higher education, and Disability Rights Texas, the federally designated protection and advocacy agency for people with disabilities. Contact information and extensive foster care and education resources and tools are available through the non-exhaustive list of websites below:

### [Children's Commission on Foster Care and Education](#)

### [Disability Rights Texas - Education Resources](#)

### [Texas Court Appointed Special Advocates - Educational Advocacy Guidebook](#)

### [Texas Department of Family & Protective Services - Education](#)

### [Texas Education Agency - Foster Care and Student Success](#)

### [Texas Higher Education Coordinating Board - College for All Texans](#)

### [Texas Workforce Commission - Foster Care Programs](#)



Texas Department of  
Family and Protective Services



STRENGTHENING THE VOICES OF CASA STATEWIDE



The materials in this report should not be construed as an advisory or ruling issued by the Supreme Court of Texas or any other court on specific cases or legal issues. Contributions to this guide are solely intended to address the improvement of the law, the legal system, and the administration of justice related to child welfare cases. This Top Ten List was developed by a multi-disciplinary workgroup with members representing the education, legal, and provider communities and is designed to be used as a guide to assist with considerations for the education of children in foster care who reside in a Residential Treatment Center. For a detailed document addressing the topics highlighted in this Top Ten List please visit [TexasChildrensCommission.gov](https://www.texaschildrenscommission.gov).

# TOP 10 THINGS EDUCATORS NEED TO KNOW ABOUT EDUCATION FOR STUDENTS IN FOSTER CARE IN RESIDENTIAL TREATMENT CENTERS (RTCS)

There are three documents in this Top 10 series: one for educators, one for providers, and one for legal professionals. Each document is designed for a specific audience to encourage improved educational outcomes for children in foster care and complement the information in the other documents in the series. This resource was developed by a multi-disciplinary workgroup with members representing the education, provider, and legal communities. It is intended to raise awareness and provide a basic introduction to several educational considerations for children residing in residential treatment centers.

1



## **Educators need to know the decision-makers involved in the life of a student in foster care are.**

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When a child cannot safely live at home with a parent or other appropriate caregiver, the Department of Family and Protective Services (DFPS) may find it necessary to request that a court give the agency temporary legal possession of the child, also known as temporary managing conservatorship (TMC). As the temporary managing conservator of the child, DFPS may place the child with an appropriate relative or close family friend that is willing and able to care for the child or may place the child in a foster home until the child achieves permanency, such as being reunited with a parent or adopted. When a child has specialized needs that cannot be met in a foster home setting, the child may temporarily reside in a residential treatment center (RTC).

In addition to a foster parent or family caregiver, a child in foster care<sup>1</sup> has many child welfare professionals involved in their life. A brief description of some of the individuals who may have a role in the child welfare case can be found in the Foster Care Overview (Chapter 4) of the [Foster Care and Student Success Resource Guide](#) developed by TEA, DFPS, and the Children's Commission. Certain individuals, such as the child's DFPS or Community-Based Care<sup>2</sup> caseworker, Attorney ad Litem, Guardian ad Litem, Court Appointed Special Advocate (CASA) volunteer, or Regional Educational Specialist, are allowed access to the child and their education information and will contact the school<sup>3</sup> to get education information.

# TOP 10 THINGS EDUCATORS NEED TO KNOW ABOUT EDUCATION FOR STUDENTS IN FOSTER CARE IN RESIDENTIAL TREATMENT CENTERS (RTCS), CONTINUED

2



## Schools need to know when a student is in foster care while also protecting the confidentiality of that information.

Schools need to be informed when a student is in foster care, must maintain the confidentiality of that information, and share it only for the purpose of supporting the student's education. Upon enrollment in the school, the student's caseworker or caregiver will provide paperwork (DFPS Form 2085 Placement Authorization or DFPS Form 2085-E Designation of Education Decision-Maker) which identifies the student as being in foster care and allows for the student to be immediately enrolled in school, coded appropriately in PEIMS, and found eligible for school nutrition programs. The school may also receive copies of court orders regarding the student and communications regarding the student's child welfare case such as the fact that the student will be missing school to attend court or therapy.

All documents containing information related to the student's status as a youth in foster care are confidential. Protecting a student's privacy applies to both oral and written communication. Physical files should be kept in a secure, locked area. Digital information should be password protected in order to avoid potential harm to a student. Any information pertaining to the student's status in foster care should only be shared with school personnel such as the principal, a school counselor, special education staff, or teachers, if necessary, to meet the student's educational needs.

The student's attorney ad litem and guardian ad litem are entitled to receive and review otherwise confidential documents, including education records, psychological records, and medical records.<sup>4</sup> They are also entitled to visit with the student at any time.<sup>5</sup> If an attorney or guardian ad litem or any other member of the student's child welfare team requests to see the student at the school, it is important to refrain from sharing details that may identify the student as a child in foster care to the student's teacher or peers, such as the relationship of the person to the student or the purpose of the visit.

For more information, please refer to "[Information Sharing between Child Welfare and Schools: Maintaining Privacy and Promoting Educational Success](#)" developed by TEA, DFPS, and the Children's Commission.

# TOP 10 THINGS EDUCATORS NEED TO KNOW ABOUT EDUCATION FOR STUDENTS IN FOSTER CARE IN RESIDENTIAL TREATMENT CENTERS (RTCS), CONTINUED

3



## **Federal and State law require children in foster care receive educational instruction in the least restrictive setting.**

Regardless of residential placement, students in foster care<sup>6</sup> should attend school in the least restrictive educational environment appropriate to meet their educational needs. Under federal and state law, students in foster care also have the right to remain enrolled in their school of origin despite any placement changes. The school of origin can be the same school that the student was attending upon removal or the school that the student is attending at the time of any subsequent change to their residential placement while in foster care. A student in foster care should continue in the school of origin unless it is not in the student's best interest.<sup>7</sup> If a school change is necessary, prompt enrollment in the new school and records transfer is required.

Many RTCs choose to have an on-campus charter school to provide consistency in the therapeutic or treatment approach. Per DFPS policy, students placed at an RTC may attend school at the RTC facility if the school meets the student's individual educational needs and is the least restrictive environment.<sup>8</sup> Students placed in RTCs should not be segregated from the general school population as a standard procedure or excluded from normal school activities unless such activities are discussed and determined to be prohibitive for appropriate reasons other than location of residence. Students residing in RTCs and attending local, off-campus public or charter schools should have as typical a school experience as their needs and behaviors allow.

For students with disabilities, the school placement must conform with an approved Individualized Education Program (IEP)<sup>9</sup>, and any change in educational placement for a student with a disability must be determined by the student's Admission, Review, and Dismissal (ARD) Committee.<sup>10</sup> Students in foster care who receive special education services prior to being placed at the RTC must continue to receive the same protections under the Individuals with Disabilities Act (IDEA) and a referral for an evaluation should be made if a disability is suspected.

Students also may be eligible to receive services under Section 504 of the Rehabilitation Act of 1973. Section 504 prohibits schools from discrimination against students with disabilities.<sup>11</sup> While Section 504 is similar to the IDEA, students cannot simultaneously receive services under both the IDEA as special education students and Section 504. Students are eligible to receive services under one classification or the other. The goal of Section 504 is to level the playing field by accommodating students with disabilities so they can access the same services as their peers. The goal of special education is to provide a Free Appropriate Public Education (FAPE) by providing an IEP and related services.

# TOP 10 THINGS EDUCATORS NEED TO KNOW ABOUT EDUCATION FOR STUDENTS IN FOSTER CARE IN RESIDENTIAL TREATMENT CENTERS (RTCS), CONTINUED

4



## Students in foster care should participate in decisions about where and how they receive education.

Stakeholders in the child protection system, including judges, lawyers, providers, advocates, caregivers, and others, recognize the importance of the voices of youth, parents, and family. Encouraging students in foster care to participate in the decisions about where and how they receive education can build trust and improve engagement. Youth voice is important in valuing and respecting the student and encourages meaningful involvement and control that is psychologically and emotionally beneficial for them. The school setting offers students in care opportunities to develop positive connections with peers and supportive adults, as well as build skills for success, social-emotional learning, and resilience. Asking students about their interests can also help develop post-secondary pathways.

Students should be allowed to meaningfully participate in the decision-making process regarding their education and service plans, including their enrollment conference<sup>12</sup>, if age and developmentally appropriate. Educators, child welfare advocates, and providers should discuss the student's educational needs in terms that are clear and age appropriate and encourage the student's participation during these meetings. For students with disabilities, IDEA requires that students age 16 and older receive an invitation to attend or provide feedback with regard to their IEP. When the student turns 18, the student will become a member of their own ARD Committee and will have decision-making power with regard to their IEP and other special education decisions.<sup>13</sup>

Educators can help ensure that the student's perspective is shared, by gathering information from the student and disseminating that information to the student's education and child welfare advocates.

# TOP 10 THINGS EDUCATORS NEED TO KNOW ABOUT EDUCATION FOR STUDENTS IN FOSTER CARE IN RESIDENTIAL TREATMENT CENTERS (RTCS), CONTINUED

5



## Students in foster care need access to age-appropriate activities and experiences.

Engaging in normal, age-appropriate activities and experiences is a critical component of healthy child development. However, experiencing abuse or neglect and being removed from a family to foster care is not “normal.” Although cultivating normal childhood experiences while in foster care is a challenge, especially for those who are residing in an RTC, federal and state law require that children in foster care are allowed to engage in normalcy activities and experiences.

In the educational setting, normalcy can range from making the school’s daily announcements to competing in a sport. A student in foster care should be encouraged to develop friendships and participate in school clubs and other positive activities in and out of school that pique their interests. Participation in activities can provide opportunities for young people to learn teamwork, build confidence, explore new interests, deepen relationships with peers, family and other adults, and meet new people.

Friendship and socialization are essential in maintaining health and psychological well-being. Educators play a big role in helping students participate in age-appropriate activities and in creating bonds with peers and adults. These experiences can create positive memories and connections and build resiliency in children. Here are some practical ways to help:

- **Treat students in foster care the same as others and be inclusive.** Children often feel left out and stigmatized by placement in foster care. When around their peers and other adults, treat the student in foster care in the same manner as other students. Avoid instances that would isolate or single the student out. Be mindful of drawing attention to the student’s living situation. It is the student’s choice to share their circumstances.
- **Encourage participation.** Support the student’s participation in electives and extracurricular activities such as playing sports, playing in the band, going on field trips, attending pep rallies, and other school activities. All these events help the student build connections with peers, build self-confidence, and provide them the opportunity to experience and navigate school just as a student who is not in foster care would. If the child attends a school that does not have elective or extracurricular activities, or if the child has interests outside of what school offers, find ways to support and promote those interests.
- **Communicate often** with the treatment center staff regarding potential opportunities for the student to experience “normal” activities.
- **Help them make and keep friends.** Placement in an RTC separates students in foster care from their friends and family. They may need extra help, emotional support, and encouragement to make new friends. Having strong friendships will improve the student’s experiences in events and extracurricular activities.
- **Be their mentor.** It is usually ok to take the student under your wing and be their mentor. Your relationship with them may be what helps the student cope with all the change occurring in their lives.
- **Be patient.** Generally, students in foster care have either witnessed or experienced trauma. Because of this, they may push you and others away and be afraid to get close to people. Be aware that many activities may be new to the student, so they may not know what to do or how to navigate the experience. They may require extra attention, patience, and guidance during these times.

# TOP 10 THINGS EDUCATORS NEED TO KNOW ABOUT EDUCATION FOR STUDENTS IN FOSTER CARE IN RESIDENTIAL TREATMENT CENTERS (RTCS), CONTINUED

6



**When a change in schools occurs, the law requires enrollment within three school days and records transfer within 10 working days.**

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Placement changes and school moves negatively impact academic growth, which is exacerbated when placement and school instability occur simultaneously.<sup>14</sup> When a student changes schools, failure to promptly transfer records presents a challenge because the receiving school may be delayed in determining the educational needs of the student due to lack of access to their current coursework, grades, or educational progress. To alleviate this issue, if a school transfer is needed, the law requires enrollment within three school days.<sup>15</sup> Additionally, the law requires school districts ensure records, including any special education records or plans, are transferred through the Texas Records Exchange (TReX) system within 10 working days of the date a student begins enrollment at the receiving school.<sup>16</sup> Schools must allow a student in foster care to enroll even without the documents otherwise required for enrollment, and DFPS must ensure these documents are submitted to the school within 30 days of enrollment.<sup>17</sup> In addition, the school must hold an enrollment conference with the student within the first two weeks of enrollment.<sup>18</sup>

The foster care liaison at the student's school is responsible for facilitating the successful enrollment, transfer of records, or withdrawal for students in DFPS conservatorship. Beyond records transfer, communication and collaboration between education, child welfare, and legal professionals can support educational continuity, expedited enrollment and withdrawals, and streamlined transitions in the event of a school move.

# TOP 10 THINGS EDUCATORS NEED TO KNOW ABOUT EDUCATION FOR STUDENTS IN FOSTER CARE IN RESIDENTIAL TREATMENT CENTERS (RTCS), CONTINUED

7



**A student's treatment and school teams should collaborate to address how to best serve the student's individual education needs.**

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School districts and RTCs should develop agreements about providing education services to children and youth placed in RTCs pursuant to TEA and DFPS rules to best serve the student's individual education needs.<sup>19</sup>

When a student in foster care changes schools because of a placement change, prompt records transfer is critical to ensure the student's needs are met in a timely manner. Due to the special needs of students residing in RTCs, it is imperative that the student's caregiver and advocates work with schools to ensure that processes including withdrawal, enrollment, records transfer, and enrollment conferences are promptly completed. Beyond records transfer, communication and collaboration between the education, child welfare, and legal professionals can support a more seamless transition between schools.

For students who receive special education services, Texas law requires that transition services be included in the IEP no later than when the student reaches the age of 14.<sup>20</sup> While these transition services focus on post-secondary activities that tend to be different from the transition services provided through a Preparation for Adult Living (PAL) specialist, including the PAL specialist in the planning process is recommended to coordinate services. According to federal regulations, beginning no later than the first IEP to be in effect when the student turns 16 years of age, or younger if determined appropriate by the ARD committee, the IEP must include appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills and the transition services, including courses of study, needed to assist the student in reaching the postsecondary goals.<sup>21</sup>

# TOP 10 THINGS EDUCATORS NEED TO KNOW ABOUT EDUCATION FOR STUDENTS IN FOSTER CARE IN RESIDENTIAL TREATMENT CENTERS (RTCS), CONTINUED

8



**Students in foster care receive special considerations when disciplinary decisions are made.**

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Students in care are dealing with many uncertainties and stresses that most students do not have to endure. This may manifest into behavioral issues in the school setting. Students in foster care are 3.4 times more likely to be suspended from school compared to their peers.<sup>22</sup> Communication and collaboration between RTC staff and instructional staff are essential for helping students in foster care learn positive behaviors that can amplify their successes in life. Educators and administrators should identify strategies that will address challenging student behaviors rather than turn to exclusionary practices and referrals.

When a student in foster care is facing disciplinary action at school, Texas law requires the school to consider whether the impact of being in foster care or of having a disability that impairs the student's capacity to appreciate the wrongfulness of the student's conduct was a factor before a removal may occur.<sup>23</sup> Additionally, under the Individuals with Disabilities Education Act (IDEA), special procedures apply if a student with a disability is removed from their class for disciplinary reasons.<sup>24</sup>

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**Students in care benefit when schools implement trauma-informed care plans.**

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Many schools employ positive behavior interventional systems, restorative practices, or restorative discipline to support student growth in social and emotional learning in lieu of traditional exclusionary practices and referrals. All of these approaches include building positive school climate and addressing student behavior. The approaches emphasize belonging over exclusion, social engagement over control, and meaningful accountability over punishment. Restorative practices positively impact learning and benefit all members of a school's community. Creating a trauma-informed plan reduces problem behaviors and emotional difficulties that interfere with learning and optimizes positive and productive functioning for all children and youth.<sup>25</sup> These strategies can provide continuity for students in foster care who are placed in Residential Treatment Centers because there is more cohesion between the therapeutic and educational approaches.

Visit TEA's webpage on [positive behavior interventions and supports for students](#) for more information.

# TOP 10 THINGS EDUCATORS NEED TO KNOW ABOUT EDUCATION FOR CHILDREN IN FOSTER CARE IN RESIDENTIAL TREATMENT CENTERS (RTCS)

10



**The local school district must appoint a surrogate parent for students who receive special education services within 30 days of realizing there is a need.**

Every student in foster care has an education decision-maker selected by DFPS to make day to day education decisions on the student's behalf.<sup>26</sup> In addition, students who receive special education services who do not have a parent who has retained education decision-making rights need a surrogate parent to advocate on their behalf regarding their special education needs. Federal and state law require schools to appoint a surrogate parent for students who receive special education services within 30 days of realizing there is a need.<sup>27</sup> Upon appointing a surrogate parent for the student in foster care, the school must provide written notice of the appointment to the student's educational decision-maker and caseworker as soon as practicable.<sup>28</sup>

A surrogate parent may also be appointed by the judge to ensure the student's special education rights are protected.<sup>29</sup> In doing so, courts can ensure the student in foster care placed in an RTC continues to have an informed and engaged surrogate parent who is familiar with their background, educational needs and goals, and is well-trained in the child welfare system as well as the impact of trauma on children. The surrogate parent may be a Court Appointed Special Advocate (CASA) volunteer, a community member, a retired educator, or any other qualified person who is willing to serve and complete required training.<sup>30</sup> However, the surrogate parent may not be the student's caseworker or any other employee of any agency that is involved in the student's education or care.<sup>31</sup> The surrogate parent must consult with the student's attorney ad litem, guardian ad litem, foster parent, caregivers, teachers, caseworkers, and other court-appointed volunteers and is an included member of the child's ARD Committee.<sup>32</sup>

If the court has appointed a surrogate parent, the school does not need to appoint one. If the school district determines that the court-appointed surrogate parent is not properly performing their duties, the school district must consult with DFPS about the issue, and DFPS will notify the court of any agreement to review the appointment of the surrogate parent.<sup>33</sup> Regardless of whether the surrogate parent is appointed by the school or the court, the surrogate parent fulfills a critical role of being a voice for the student for any decisions related to special education.

## REFERENCES

1. The term “child in foster care” includes all children, youth, and young adults in DFPS managing conservatorship. Where appropriate, the terms “child,” “youth,” or “young adult” are also used.
2. Community-Based Care is a system under which a single private contractor in a designated geographic area is responsible for creating a network of services, foster homes and other living arrangements, and providing case management for each child in the Texas foster care system. For more information, please see: [https://www.dfps.state.tx.us/Child\\_Protection/Foster\\_Care/Community-Based\\_Care/default.asp](https://www.dfps.state.tx.us/Child_Protection/Foster_Care/Community-Based_Care/default.asp)
3. The term “school” in this document refers only to a public school, also known as a Local Education Agency (LEA), including school district campuses and open enrollment charter schools.
4. Tex. Fam. Code § 107.002(a)(2); Tex. Fam. Code § 107.006(c).
5. Tex. Fam. Code § 107.006(a).
6. The term “student in foster care” is used throughout this document to include all school age children, youth, and young adults in DFPS managing conservatorship. Where appropriate, the terms “child,” “youth,” or “young adult” are also used.
7. 42 U.S.C. § 675(1)(G); 20 U.S.C. § 6311(g)(1).
8. CPS Policy Handbook Section 15231 Choosing a Public School or Residential Treatment Center (RTC) Program. Available online at [https://www.dfps.state.tx.us/handbooks/CPS/Files/CPS\\_pg\\_x15000.asp#CPS\\_15231](https://www.dfps.state.tx.us/handbooks/CPS/Files/CPS_pg_x15000.asp#CPS_15231).
9. Public schools must provide a written IEP designed specifically for each student receiving special education services which is developed by an Admission, Review, and Dismissal (ARD) Committee outlining the manner in which the school district will provide a Free and Appropriate Public Education (FAPE) to the student, including where they will attend school and what positive and appropriate behavioral interventions will be used. See 34 CFR, §300.322 (b)(2).
10. A student’s ARD Committee consists of members designated by law who meet to determine eligibility for special education services, to develop an IEP for a child, if applicable, and to make most of the major decisions about a student’s special education program. See 20 U.S.C. § 1414(d)(1)(B); Tex. Educ. Code § 29.005; 19 Tex. Admin. Code § 39.1050.
11. 34 C.F.R. 104.4(a).
12. Each school district and open-enrollment charter school must develop systems to ease the transition of a student in foster care during the first two weeks of enrollment at a new school. An enrollment conference must also occur within this timeframe. See Tex. Admin. Code § 89.1605; Tex. Educ. Code § 25.007.
13. When a student with a disability turns 18, the student becomes their own education decision-maker and joins their ARD Committee in place of their parents. See 34 C.F.R. §§ 300.320(c) and 300.520; Tex. Admin. Code § 89.1049; Tex. Educ. Code § 29.017.
14. Children and Youth Services Review 87. (2018). The effect of placement and school stability on academic growth trajectories of students in foster care. Available online at: <https://www.unco.edu/cebs/foster-care-research/pdf/Academic-Growth-Trajectories.pdf>.
15. Tex. Fam. Code § 264.115(a); DFPS policy requires enrollment within two days. See CPS Policy Handbook Section 15310 Time Frame for Completing the Child’s Enrollment. Available online at [http://www.dfps.state.tx.us/handbooks/CPS/Files/CPS\\_pg\\_x15000.asp#CPS\\_15310](http://www.dfps.state.tx.us/handbooks/CPS/Files/CPS_pg_x15000.asp#CPS_15310).
16. Tex. Educ. Code § 25.007(b)(1); 19 Tex. Admin. Code § 89.1603.
17. Tex. Educ. Code § 25.002(g).
18. Each school district and open-enrollment charter school must develop systems to ease the transition of a student in foster care during the first two weeks of enrollment at a new school. An enrollment conference must also occur within this timeframe. See Tex. Admin. Code § 89.1605; Tex. Educ. Code § 25.007.
19. Tex. Educ. Code § 25.007(b)(10); Tex. Admin. Code § 89.1617; CPS Policy Handbook Section 15373 Required Notification of School-Related Information. Available online at [https://www.dfps.state.tx.us/handbooks/CPS/Files/CPS\\_pg\\_x15000.asp#CPS\\_15373](https://www.dfps.state.tx.us/handbooks/CPS/Files/CPS_pg_x15000.asp#CPS_15373).
20. Tex. Educ. Code §29.0111; 19 Tex. Admin. Code § 89.1055(h).
21. 34 CFR §300.320(b); 19 TAC 89.1055(l); Tex. Educ. Code § 29.011.
22. Fiscal Notes. Helping Foster Youth in Higher Education. (April 2020). Available at <https://comptroller.texas.gov/economy/fiscal-notes/2020/apr/education.php>.

23. Tex. Educ. Code § 37.001(a)(4)(E).
24. If a student receiving special education services is removed from their regular classroom or school in excess of 10 school days (consecutive, non-consecutive, or parts of days, if they form a pattern), the school, the parent, and relevant members of the student's ARD Committee must hold a Manifestation of Determination Review (MDR) to determine whether the conduct that led to the student's removal was caused by or had a direct and substantial relationship to the student's disability or was the direct result of the school's failure to implement the student's IEP. Notice of the MDR must be given to the student's educational decision-maker, DFPS or its representative, and parent or surrogate parent at least five school days prior to the scheduled MDR. *See* 20 U.S.C. §§ 1415(k)-1415(k)(1); 34 C.F.R. § 300.530 (e); Tex. Educ. Code § 37.001(a)(4)(D)-(E); Tex. Educ. Code § 25.007(b)(10); Tex. Admin. Code § 89.1617; CPS Policy Handbook Section 15373 Required Notification of School-Related Information. Available online at [https://www.dfps.state.tx.us/handbooks/CPS/Files/CPS\\_pg\\_x15000.asp#CPS\\_15373](https://www.dfps.state.tx.us/handbooks/CPS/Files/CPS_pg_x15000.asp#CPS_15373).
25. For more information, please see Fix School Discipline: How We Can Fix School Discipline Toolkit for Educators, The Public Counsel (2017), <http://www.fixschooldiscipline.org/educator-toolkit/>.
26. Tex. Fam. Code § 263.004; CPS Policy Handbook Section 15371 Designating an Education Decision-Maker. Available online at [http://www.dfps.state.tx.us/handbooks/CPS/Files/CPS\\_pg\\_x15000.asp#CPS\\_15371](http://www.dfps.state.tx.us/handbooks/CPS/Files/CPS_pg_x15000.asp#CPS_15371).
27. 20 U.S.C. § 1415(b)(2); Tex. Educ. Code § 29.0151.
28. 34 C.F.R. § 300.519; Tex. Educ. Code § 29.0151; 19 Tex. Admin. Code § 89.1047(c).
29. 20 U.S.C. § 1415(b)(2); Tex. Fam. Code § 263.0025.
30. Tex. Admin. Code § 89.1047(c)(1); Tex. Educ. Code §§ 29.015, 29.0151(e); Tex. Fam. Code § 263.0025(e).
31. Tex. Educ. Code § 29.0151(c); Tex. Fam. Code § 263.0025(d).
32. Tex. Educ. Code § 29.0151(d)(7).
33. Tex. Educ. Code § 29.0151(f)-(g).