

It's All About Education

Based upon my own personal experience, it is my firm belief that “education is the great equalizer”. With that in mind and a new school year beginning, it is imperative that we address the educational needs of OUR youth in the child welfare system. In order to help ensure that youth in the foster care system are provided with the same educational services and opportunities as all other youth, the Nevada Legislature recently passed the Educational Decision Maker Law, Assembly Bill No. 156.

The Educational Decision Maker (EDM) Law requires the court to appoint an educational decision maker who has the knowledge and skills to act in the best interest of the child in all educational matters. It is presumed to be in the best interest of the child for the court to appoint the parent/guardian, or the permanent caregiver, as the EDM. If the parent/guardian is unwilling or unable to be the EDM, or the court finds it is not in the best interest for the parent/guardian to serve as the EDM, then the court may appoint a relative, fictive kin, foster parent, or a Guardian Ad Litem to be the EDM.

The EDM had several significant responsibilities, including, but not limited to the following: addressing disciplinary issues with the child and school; ensuring that the child is receiving special education services as mandated by Federal and State Law; participating in any educational meetings, including IEP's; communicating concerns regarding the educational placement and/or services and making recommendations to DFS; and appearing at any court hearings and making recommendations to the court as to the child's educational placement and educational services necessary to transition the child to independent living, if the child is at least 14 years of age.

Finally, in addition to appointing an EDM for each child in the child welfare system, Assembly Bill No. 156 also requires DFS to include certain educational information in their periodic reports to the court. Such educational information includes: grade and school of enrollment; a copy of the most recent report card; number of credits earned during the most recent semester; deficiency in credits, if any; number of absences; a copy of the Individualized Education Plan (IEP) developed for the child; a copy of any plan developed in accordance with Section 504 of the Rehabilitation Act of 1973; and the child's scores on any academic assessments or standardized examinations

Effective implementation of the EDM Law will assist us in ensuring that OUR youth are provided with the same educational services and opportunities as youth not in the child welfare system. But, more importantly, it will help provide OUR youth with the great equalizer, a meaningful and successful educational experience!