

§749.1007. What are a child's rights regarding education?

*Subchapter G, Children's Rights
January 2007*

Medium-Low

(a) A child must have an appropriate education through participation in an educational/vocational program in the most appropriate and least restrictive educational settings, for example: attending regular classes conducted in an accredited elementary, middle, or secondary school within the community.

(b) Foster parents and caregivers must, as applicable:

Medium-Low

(1) Attend and participate in school staffings, conferences, and education planning meetings;

Medium-Low

(2) Make reasonable efforts to allow the child to participate in extracurricular activities; and

Medium-Low

(3) Make reasonable efforts to allow the child to participate in school extracurricular activities to the extent of his interests and abilities and in accordance with his service plan.

Division 4, Educational Services

§749.1891. What responsibilities do I have for the education of a child in care?

*Subchapter K, Foster Care Services: Daily Care, Problem Management
Division 4, Educational Services
September 2010*

- (a) You must arrange an appropriate education for each child, including:
- Medium-Low (1) Ensuring the child in care attends an educational facility or program that is approved or accredited by the Texas Education Agency, the Southern Association of Colleges and Schools, the Texas Private School Accreditation Commission unless approved by the child's service planning team with documented justification;
 - Low (2) Ensuring a school-age child has the training and education in the least restrictive setting necessary to meet the child's needs and abilities;
 - Medium-Low (3) For a child attending an accredited educational facility or program, ensuring the facility or program implements a special education student's individual education plan (IEP); and
 - Medium-Low (4) Advocating that a school-age child receives the educational and related services to which he is entitled under provisions of federal and state law and regulations.
- Medium-Low (b) For children receiving treatment services you must designate a liaison between the agency and the child's school.

§749.1893. What responsibilities do caregivers have for the educational needs of a child in their care?

*Subchapter K, Foster Care Services: Daily Care, Problem Management
Division 4, Educational Services
January 2007*

- Caregivers must:
- Medium-Low (1) Review report cards and other information received from teachers or school authorities with the child and provide necessary information to agency staff;
 - Medium-Low (2) Counsel and assist the child regarding adequate classroom performance;
 - Low (3) Permit, encourage, and make reasonable efforts to involve the child in extracurricular activities to the extent of the child's interests and abilities and in accordance with the child's service plan;
 - Medium-Low (4) Provide a quiet, well-lighted space for the child to study and allow regular times for homework and study;
 - Medium (5) Know what emergency behavior interventions are permitted and being used with the child;

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- Medium-Low (6) Request ARD, IEP, and ITP meetings if concerned with the child's educational program or if the child does not appear to be making progress; and
- Medium-Low (7) Attend ARD, IEP, ITP meetings, other school staffings, and conferences to represent the child's educational best interests, including the child being evaluated for and provided with services needed for the child to benefit from educational services, and positive behavior supports designed to decrease the need for negative disciplinary techniques or interventions.

§749.1895. What are the specific requirements for the educational program of a child diagnosed with a pervasive development disorder?

*Subchapter K, Foster Care Services: Daily Care, Problem Management
Division 4, Educational Services
January 2007*

You must ensure that the educational program for a child with a pervasive development disorder:

- Medium-Low (1) Encourages normalization through appropriate stimulation and by encouraging self-help skills; and
- Medium-Low (2) Is appropriate to his intellectual and social functioning.

Division 5, Recreational Services

§749.1921. What responsibilities do foster parents have for providing a child with opportunities for recreational activities?

*Subchapter K, Foster Care Services: Daily Care, Problem Management
Division 5, Recreational Services
January 2007*

- Medium-Low (a) Caregivers must provide daily indoor and outdoor recreational and other activities appropriate to the needs, interests, and abilities of the children so every child may participate.
- (b) Except for written medical orders to the contrary, your programs for non-ambulatory children must include:
 - Medium (1) Physical fitness development that prescribes a variety of body positions; and
 - Medium-Low (2) Changes in environment.
- Low (c) Each child must have individual free time as appropriate to the child's age and abilities.

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