Guidelines for Caseworkers and Foster Parents Regarding School Suspensions and Expulsions

All children and youth for whom the Department is legally responsible are expected to be in school until they graduate or reach age 18. It is important for foster parents and caseworkers to be aware of individual school district discipline policies and procedures. School districts must provide a copy of discipline policies to parents on an annual basis and a copy of procedures when requested. If a student is suspended or expelled the following guidelines are recommended:

- **If a student is suspended** the foster parent should contact the caseworker and both the foster parent and caseworker should meet with school personnel.
  - If the student’s behavior is having an impact on his ability to receive an education, the student may benefit from being referred for a special education case study under the Individuals with Disabilities Education Act (IDEA) or accommodations under Section 504 of the Rehabilitation Act of 1973.
  - It is important to have all suspensions documented. If the school district sends a student home for any reason other than illness, the foster parent should request that the removal be documented as a formal suspension.
  - In-school suspensions should also be documented and a copy placed in the education section of the child’s case file.
  - If the student is receiving special education services the child’s behavior plan should be reviewed or if no behavior plan exists one should be considered.

- For a student who is suspended more than twice in the same semester, the foster parent should immediately contact the caseworker. The caseworker with input from the foster parent should record the suspension on an Unusual Incident Report (UIR). The caseworker should provide a copy of the UIR as well as the documentation regarding the student’s suspensions; educational profile (assessment) CFS 407-4 and the education report form CFS 407 to either the education liaison (POS) or education advisor’s office for his or her review. The caseworker and foster parent should meet with the school to develop or revise a behavior plan for the student.

- **When an expulsion is being recommended**, the foster parent will receive a letter from the school indicating that an expulsion hearing is to occur. The foster parent should contact the caseworker IMMEDIATELY and send a referral for the DCFS Legal Services Contract so the student has legal representation at the hearing. The regional education advisor’s office should also be notified.
  - If the expulsion is upheld, the caseworker in conjunction with the education liaison (POS) or the education advisor (DCFS) should prepare a plan of action for the child while the expulsion is in effect.
  - If the child brings a weapon or drugs to school and/or if he is a danger to himself and/or others, the expulsion will most likely be upheld at the expulsion hearing.
If the child is in 6th through 11th grade and the school district has access to an alternative school program with a zero reject policy, the child may be able to attend school there. If this is the case, the foster parent and the caseworker should participate with the alternative school personnel in determining a plan for when and if the child will return to the school from which he was expelled, the duration of the alternative school program and the curriculum the child will receive.

If no alternative program is available, a private school option may be required. If the need for a private school placement is determined, the agency providing the foster home should be the first source for payment of the tuition. If this is not possible, the case should be referred to the DCFS’ Guardian’s office for resolve (Telephone: 312-814-8600; TTY: 312-814-6989).

The above intervention guidelines for reporting suspensions and expulsions apply to all students, including those receiving special education services. For students receiving special education or in need of special education services there are additional protections under the Individuals with Disabilities Education Act (IDEA). School districts must continue to provide a free appropriate public education to students receiving special education services for children with disabilities if they have been suspended or expelled for more than 10 consecutive days or if a series of removals constitute a pattern.

Any suspension or expulsion must be reported by the school immediately to the parent along with a full statement of the reasons for the discipline, a copy of which is given to the school board. The school district shall also provide the parents written notice of their right to request that the district review the suspension decision (Section 5/10-22/6 of the Illinois School Code).

DCFS has contracted with the Land of Lincoln Legal Assistance Foundation to provide legal representation for students who are at-risk of being expelled or who have been expelled from public schools. Review and assistance by the education advisor in the region is recommended before the referral to the contractor Caregivers, caseworkers or surrogate parents are to make referrals directly to the contractor or subcontractor providing services for the county of the child or youth's substitute care placement.

1. **Legal Assistance Foundation of Metropolitan Chicago** provides services to Cook County: (312) 347-8385


3. **Land of Lincoln Legal Assistance Foundation** directly provides services to all of the remaining counties in Illinois: (618) 462-0029