

Educational Best Practices for General Residential Operations

Background-

Senate Bill 781 was passed during the 86th legislative session. This bill created a requirement that all General Residential Operations (GRO) that provide treatment services for children with emotional disorders must develop an operational plan. An operational plan must include an educational plan, which requires an operation to:

- Identify whether the GRO will provide public or private education for children in care.
- Identify whether the GRO will provide education through on-site or off-site schools.
- Include any discussions, plans, and agreements with local schools that will provide education to the children in care.
- If the children will attend public school, provide either a statement from the local school district regarding the impact of the GRO's proposed services on the district or an explanation of the reasons why the GRO cannot obtain the statement and any other alternative educational services the GRO will offer.

The bill also tasked Residential Child Care Regulation (RCCR) to collaborate with the Texas Education Association (TEA) in developing best practices for the education of children placed in GROs. These best practices are not required by Minimum Standards, rather the goal is to ensure children in care receive quality educational services and experience positive educational outcomes.

This guide is separated into sections based on the required elements of an educational plan.

Assess and Describe the Educational Needs for the Children at your operation.

Conducting a quality needs assessment

Taking a systematic approach to assessing the educational needs of the children in your care is vital to developing a quality educational plan. A needs assessment helps you identify targeted strategies and prioritize resources to help the children in your care reach their educational goals. This assessment will help develop or improve the overall educational program for your operation.

Specifically, a needs assessment process helps to:

1. identify the differences between your current educational program (what is) and the desired educational program goals (what should be);
2. place these differences or needs in priority order;
3. implement strategies and practices to meet the needs or overcome barriers; and
4. target resources to improve and support **your operation's educational program.**

The National Institute for Children's Health Quality provides a [detailed explanation](#) on completing a quality needs assessment.

A thorough child intake assessment

Although your operation has an overall educational program, it is vital to thoroughly assess **each child's individual needs prior to admission or as soon as possible in the case of emergency placement.** Minimum standards mandate admission and service **planning address a child's educational needs, but at times a child's diagnosis,** history of trauma, or other needs receive immediate priority. Research from around the world identifies links between education and improved life outcomes. Quality education can assist in improving long-term health, financial security, mental health, and social stability. Therefore, it is a best practice to obtain as much information as possible about a **child's education history as you would** for their behavioral history. One intake model health professionals utilize is [Adverse Childhood Experiences](#). Standardizing or operationalizing a trauma informed practice such as this will help inform individual student needs and supports.

Early identification of a child's educational requirements will help determine if your **current educational plan can effectively serve the child's best interests. It's** important to develop an educational plan that allows for adjustments and flexibility to help each individual child reach their goals.

Individual Educational Plan (IEP)

IEP stands for "Individualized Education Program." By law, the school district provides an IEP for all students receiving special education services. The IEP is based on a written plan, designed specifically for a child. By law, the school district provides an IEP for all students receiving special education services. The IEP is created by a group of people who, in Texas, are referred to as the Admission, Review & Dismissal (ARD) committee. You, as a parent, are a very important **member of your child's ARD committee.** This means you play a big part in creating **your child's IEP.**

Each child who has previously attended school and received special education should arrive with an IEP. This IEP will detail the educational needs of that child and your accommodation to meet these needs is expected. An IEP is an important **resource when assessing the child's needs and your operation's** ability to meet their needs. Obtaining an IEP prevents you from having to start from scratch and facilitates **the continuity of the child's education.**

It is a best practice to review IEPs as soon as possible to determine if the child requires a modification of content depending on special needs (ex: larger font, audio recordings, etc.). Being aware of **these needs early in the child's care assists** you in meeting not just their educational needs, but their needs when participating in their service planning processes and overall care.

Special populations

Children served in residential treatment centers often have greater functional impairment in areas such as behavior, academia, attachment, running away, substance abuse, self-injury, suicidality, and criminal activity.¹ It is a best practice to account for these aspects when developing your educational plan.

Although many students who reside in GROs have experienced some type of barrier during their education, it is significant for the success of each student to identify their strengths as much as their obstacles. Other special populations to consider include children who need enrollment in English as a Second Language (ESL), Special Education, or Twice Exceptional courses. Connecting each student to the necessary program will result in better long-term outcomes.

Some children show less interest in obtaining conventional education but are **passionate about trades or specialty skills. Discuss different "magnet" schools that specialize in trades with the ISD.** Schools specific to music, welding, automotive, art, medical, cosmetology, etc. may be available upon request and application. Encouraging and providing students opportunity to learn more about something they are passionate about can help produce a more positive educational outcome.

Some children are anxious to get their education completed as soon as possible and request to enroll in a GED course. Your local ISD should have resources that are available in your area to accommodate this child.

If a child in your care falls off their educational track or goals, it is a best practice to have a discussion with your local ISD to see what assistance the child can receive. **If you are not using an ISD, review the child's records to evaluate and determine the educational level of the child to assist with the child's educational planning.** As required by minimum standard 748.1301, for children receiving treatment services an operation must designate a liaison between the agency **and the child's school.** **Your operation's liaison should be involved** in early intervention when a child is missing their educational goals. The liaison will be instrumental in ensuring the child has all educational needs met while coordinating their overall care at the operation. Early intervention will prevent the child from falling too far behind.

Special Education

The process of transferring from special education to general classes and vice versa **requires the caregivers request the child's educational records and have a discussion with the school's Admission Review and Dismissal (ARD) committee.** A Full Individual Evaluation (FIE) should be requested to determined eligibility.

The TEA Office of General Counsel oversees the Special Education Mediation and Due Process Hearing programs. Caregivers have the right to dispute the following:

- IEP facilitation is used when a parent and a school district cannot agree in an admission, review, and dismissal (ARD) committee meeting on important **issues related to a student's** individualized education program (IEP) or when a meeting is expected to address difficult issues.
- The special education complaints process is used to investigate alleged violations of special education requirements relating to one or more students.
- Alternate dispute resolution options for a special education complaint include an early resolution proposal, mediation, and TEA-assisted resolution in which a Texas Education Agency (TEA) staff member helps the parties resolve their dispute by phone.
- Mediation with the help of a trained mediator may be used any time a parent and a school district cannot agree about **a student's special education and/or** related services. A due process hearing is a formal way for parents and **school districts to resolve disagreements about a student's special education** and/or related services. Alternate dispute resolution options for a due process hearing include mediation, resolution session, and informal settlement agreements between the parties.
- Refer to the TEA website relating to special education disputes for more information: <https://tea.texas.gov/about-tea/government-relations-and-legal/special-education-hearings/office-of-general-counsel-special-education-general-information>

Identify whether the GRO will provide public or private education for children in care.

Types of educational settings available to children

- Local ISD
- Charter School
- Private School
- Non-Public Residential School
- Online Schooling
- Hybrid Schooling (online and in person)

Choosing a type of school system can be challenging for any operation. **It's a best practice to learn about the differences between public, private, and charter schools while accounting for your operation's resources.** Additionally, you must consider the **school system's** ability to meet the needs of your students and willingness to work with your operation.

The following are basic characteristics of public, charter, and private schools.

Public schools

- Run by local school districts
- Funded by the public
- Must follow all state and federal education laws
- Free to attend
- No application needed (only registration), but some public magnet schools may require applications
- May not reject kids because they have disabilities or learn and think differently
- Required by law to evaluate students for special education
- Required by law to provide IEPs
- Required by law to provide classroom accommodations
- Students are required by law to meet state academic standards

Charter schools

- Independent public schools
- Funded by the public or
- Open-enrollment charter schools may accept charitable donations from private sources and other public sources
- Must follow education laws, but have freedom from some rules
- Free to attend
- May require an application to attend
- May not reject kids because they have disabilities or learn and think differently
- Required by law to evaluate students for special education
- Required by law to provide IEPs
- Required by law to provide classroom accommodations
- Students are required by law to meet state academic standards

Private schools

- Run by private organizations
- Funded privately
- Little to no government oversight
- Not free to attend
- Require an application to attend
- May not reject kids because they have disabilities or learn and think differently but can reject applicants for almost any other reason
- Not required by law to evaluate students for special education
- Required by law to provide classroom accommodations
- Not required by law to provide IEPs, however a local school district may provide services to a child in private school through a service plan
- Students are NOT required by law to meet state academic standards
- Schools are NOT accountable for student achievement under federal law

Process to enroll students in public school and most commonly asked questions

Per the Texas Education code, TEC 29.012(c) 89.1115(d)(1)(A), the local educational agency (LEA) in which a General Residential Operation is located must provide a free appropriate public education for all children residing in the operation, unless the child was placed in the facility by another LEA.

TEA has comprised a list of most commonly asked questions about enrolling students in public school and corresponding answers or resources. Please follow this link to access this resource: [TEA General Inquiry about public school enrollment](#).

Accountability Ratings

Accountability ratings are given to public schools in Texas based on a state created system. The accountability system provides districts with an A-F rating.

Currently, Texas evaluates under three domains:

- Student achievement (based on student test scores and college and career readiness);

- School progress (based on comparing student test score improvement over time and with similarly situated students); and
- Closing the gaps (based on the achievement rates of certain subgroups of students).

The A-F rating is tied to typical A-F grade percentages (90% is an A, 80% is a B, etc.), but the grade percentages come from a complicated system that relies mainly on standardized test scores. Although the A-F rating can provide some basic information, schools and districts have many strengths that a simple letter grade may fail to capture. **To see a school's or district's accountability rating, visit the Texas Education Agency's [TXschools.gov](https://www.txschools.gov).**

School systems vary greatly in their academic reputation and State accountability ratings. In many circumstances children must go to the public school that their residences is zoned in. If your operation elects to use a local school district, it is a **best practice to be aware of their accountability rating to ensure your student's needs can or are met.**

Transfer of credits

State law supports education stability by allowing a child or youth enrolled in primary or secondary public school and placed outside the school attendance zone or outside the school district to continue to attend the school the child was enrolled in at the time of the original placement, or any subsequent placements, unless it is **not in the child's best interest to remain in the same school. The student may attend the school without payment of tuition until he or she completes the highest grade offered at the school at the time of the student's enrollment. The student is entitled to continue to attend the school regardless of whether the student remains in the conservatorship of the department for the duration of the student's enrollment in the school.** *Texas Education Code §25.001(g) and (g-1)*

Any credits a child has earned at a Texas public school must be accepted by all other Texas public schools; however, this is not the same for private schooling. Discuss with any potential school systems about the transferability of credits to ensure your students do not lose any credits already obtained. This is an important factor in your educational plan given that many of your children may have already experienced a loss of credits or other setbacks in their education. Such setbacks can lead to discouragement and frustration in students.

To ensure a student maintains their educational credits and accomplishments:

- Maintain detailed records of what the student has learned, and the milestones reached to assist with transferring credits.
- If a child is in DFPS conservatorship, obtain an updated Education Passport **which is created and updated by the child's DFPS caseworker.**
- If the child must be absent from school for a period (for admission into a medical or psychiatric hospital for example), discuss with the school district **how the child's education** can continue to stay on track.

Identify whether the GRO will provide education through on-site or off-site schools.

When determining the appropriate educational setting for your operation and students, it is a best practice to base the decision on the needs assessment discussed earlier in this document. This is a multidimensional decision that may require outreach to the local educational community. Including the local education community early in the process will help build a positive working relationship.

Since the onset of COVID 19, caregivers of all types have had to adjust and evolve with CDC guidelines and recommendations. Although it has been challenging, there has been an increased use of online or blended in person/online education system. It is key to keep in mind that not all students learn their best in the same settings. It is recommended that your educational plan makes considerations for students who learn best in different settings. This is especially important in the case you utilize an off-site school which may shut down due to COVID or other safety precautions. It is important **that you ensure the children's education** can continue if you must switch to on-site or virtual learning on a short notice.

Support systems and tutorial resources for children

Children will come to your operation with all different backgrounds. They may need assistance adjusting to your chosen education setting, as this setting may be different from what they were used to before their admission. Here are some support systems and tutorial resources to assist children:

- [Texas Virtual School Network TXVSN.org](https://txvsn.org)
- [Social Emotional Learning \(SEL\)](#)
- <https://tea.texas.gov/about-tea>

If you select an on-site education setting for your operation, consider having the children participate in transitions (from one period to another) to provide a normalcy experience similar to a public-school setting. Having to navigate through **passing periods, lunches and free time develops children's social skills.** It will also assist them in adapting to a different school setting once discharged.

Include any discussions, plans, and agreements with local schools that will provide education to the children in care.

Establishing a positive relationship with the local school system

Having a good relationship with the community and specifically the local ISDs is necessary if you are utilizing the ISD for children in your operation. It is a recommendation to schedule time to meet with the local educational leaders and discuss your mutual goals of successfully supporting your children in care. Have open discussions with the School District about the population of children you serve and what reservations they may have. The more information you can provide to the ISD, the easier it will be to build your relationship.

Conflict between schools and operations can occur if quality communication and information sharing does not occur. **While maintaining the child's privacy and HIPPA regulations,** it is best practice to maintain frequent communication about your **residents' needs and any possible matters** that occur at the operation that may impact the child while at school, for example, if a child must miss class on a regular basis to attend therapy, family visits, or court. Keeping the school informed helps maintain a positive relationship with your operation, while also allowing the school to support the child.

If you have concerns that a child in your care is not receiving the appropriate education services from the ISD, schedule a meeting with the school to discuss **your concerns. Bring the child's IEP to show what the child's needs are.** Involve the **child's CPS Conservator** (if applicable) in meetings and communications with the school. They are the legal guardian of the child and therefore have documentation **the ISD may require and can provide additional insight into the child's education.**

Each school district and open-enrollment charter school in Texas is required to appoint at least one employee to act as a foster care liaison officer. The liaison facilitates the enrollment in or transfer to a public or open-enrollment charter school of any child in the district or area served by the charter school who is in the conservatorship of the state ([TEC § 33.904](#)). [AskTED](#) is a real-time public database where each school district and charter school's foster care liaison are listed. You can view and download foster care liaison information in AskTED. Information is available by district, region, and county.

If the Independent School District does not accept your children

An ISD will not refuse to enroll a child unless your operation is outside of the district boundaries or the ISD is not capable of taking an increase in population **your operation's capacity would result in**. In these situations, you may have to reassess your educational plan to consider other options.

Other considerations

- Foster Care & Student Success, housed in Texas Education Agency's Division of Special Populations, maintains resources and information to advance the education of student's impacted by foster care. The resources and materials provide guidance related to the unique circumstances surrounding students who are in the foster care system and attend Texas public schools. Link is provided here: <https://tea.texas.gov/academics/special-student-populations/foster-care-and-student-success/foster-care-student-success>
- There are many federal and state laws that exist to advance the education of students in foster care. Knowledge of the laws and how to apply them is critical to student success. [Foster Care & Student Success Resource Guide](#) (PDF) provides quick access to information and support local training efforts.
- TEA collected information to help educators in support students' mental and behavioral health.
 - <https://tea.texas.gov/about-tea/other-services/mental-health/mental-health-and-behavioral-health>
- At times the staff members who are available to help children with school work may not have the knowledge or skills to properly assist them. The following are resources that can help:
 - TEA resources- <https://tea.texas.gov/academics/instructional-materials/open-education-resources>

- Any child who may be a dependent of military personnel can receive free tutoring at Tutor.com.
- Many universities and colleges have programs or tutors available to assist younger students.
- Some operations have concerns with children in care having access to online applications. These are valid concerns and the safety of children in care is the number one priority. There are resources that can place parental restrictions on computers, phones and other devices at your operation.
 - The Federal Trade Commission has provided some cyber security resources to help protect children when online.
<https://www.consumer.ftc.gov/topics/protecting-kids-online>

Conclusion

Selecting the best educational plan for children in your operation is a complex, but an important decision. Discussing your options with the community surrounding your operation, your Child Care Regulation inspector, educational professionals, clinicians, and fellow GRO providers will offer support as well as ideas to ensure your students are successful.

Additional Resources

- [Link to SB 781 and excerpt of section 42.254](#)
- [Link to full copy of HHSC 748 Minimum Standards for GRO](#)
- [Texas Administrative Code](#)
- [HHSC Online](#)
- <https://tea.texas.gov/about-tea>

Endnotes

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1. Briggs et al., (2012), pg. 3