BEST PRACTICES FOR ENROLLMENT/DISENROLLMENT COURT HEARINGS (HEARINGS IMMEDIATELY BEFORE OR AFTER A SCHOOL TRANSFER)

Before Every Court Hearing

STEP 1

Ensure Appropriate ERH Appointed: After every change in home placement, the CSW/PO reviews whether the ERH remains appropriate.

STEP 2

Preparing Court Report: The CSW/PO compiles records and information collected from the ERH, youth, caregiver, and prior and new school during disenrollment/enrollment process. The court report includes assurances that the youth: (1) was appropriately disenrolled from their previous school; (2) was awarded partial credits on an official transcript (for high school age youth); (3) had their complete education records transferred to the new school; (4) was immediately enrolled in their new school after ERH determined it was not in their best interest to remain in their school of origin; and (5) is enrolled in the least restrictive environment, as determined by the ERH. **See CSW/PO Court Report Language.**

STEP 3

Attorney Consultation with Client About School Transfer: The Attorney for Youth and Attorney for Parent (if parent holds education rights) each consult with their respective client about the school transfer, including confirmation that the student is enrolled in the least restrictive environment, and that records were transferred. **See Attorney for Youth Checklist, Attorney for Parent Checklist.**

STEP 4

ERH Statement to Court: ERH submits a **JV-537 Form** explaining the youth's needs to the court, indicating whether the proposed change of placement is in the youth's best interest and whether any efforts have been made to keep the youth in their school of origin.

At Every Court Hearing

STEP 1

Court Inquires: (1) If the prior caregiver is the youth's ERH, the court asks all parties whether that person is able and willing to remain in that role, or if a new ERH is needed; (2) ensures school of origin was properly considered prior to the school transfer, and (3) ensures that the youth was immediately enrolled in the same or equivalent courses, in the least restrictive education setting according to the ERH (with any special education supports or services required by their IEP/504 plan), and all relevant education records were transferred to the new school (including partial credits for high school aged youth). **See Judge's Checklist.**

STEP 2

Court Orders Regarding School Transfer: Court makes any orders necessary to ensure any needs identified in Step 1 are met.

After Every Court Hearing

The ERH/CSW/PO follows up on any court orders. This can include enrolling a youth in their least restrictive environment, holding a CFT meeting to address school of origin concerns, or gathering partial credits.

