



**CASA**

Court Appointed Special Advocates

**FOR CHILDREN**

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**THE NATIONAL COURT APPOINTED  
SPECIAL ADVOCATE ASSOCIATION**

CASA/GAL Pre-Service Volunteer Training Curriculum

# Pre-Work Handouts

**CHAPTER SEVEN**

**HEARST** *foundations*



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## CHAPTER 7

# Pre-Work Handouts

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## Pre-Work Instructions

This section details the work you need to complete before the next classroom session. Completing this work prior to the session will allow you to fully participate during the training session and build the knowledge and skills you need to be an effective and successful CASA/GAL volunteer.

Please read through the Pre-Work handouts found in this document. Reading this information prior to the session will give you a foundation in several concepts covered in the chapter, including: resilience, how relationships in youth build resilience, how adverse childhood experiences affect resilience, permanence, concurrent planning, the educational challenges that children in child welfare system face, advocacy for children across age ranges, advocacy for children across age ranges, and advocacy for LGBTQ youth. You will also get familiar with working on a case of LGBTQ youth and writing the resources section of a court report.

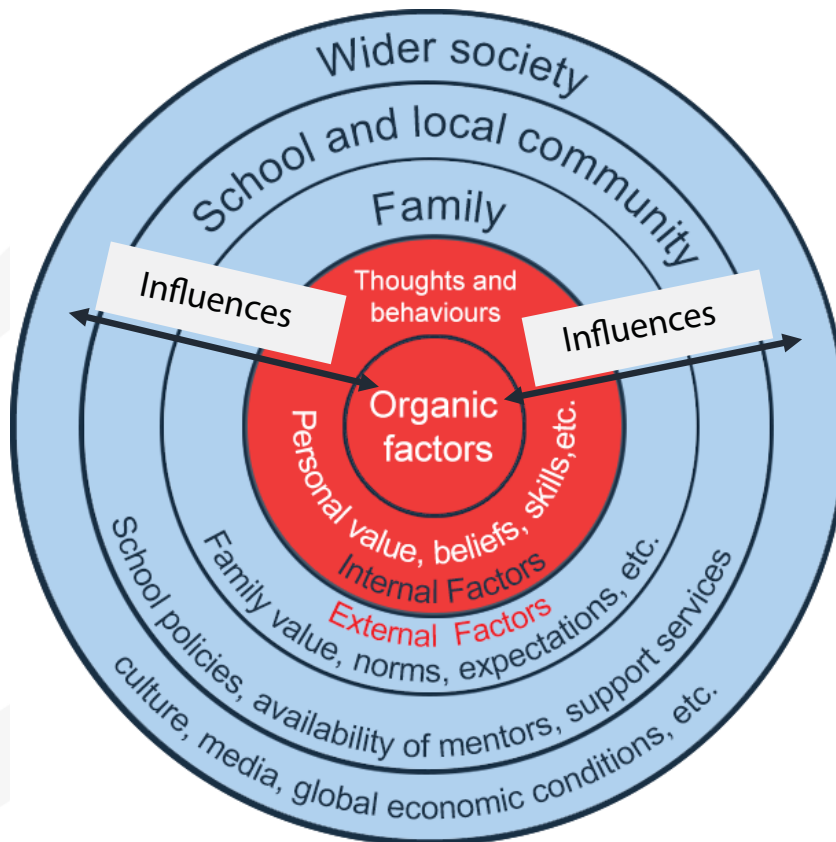
# Statistics on Youth Aging Out of Foster Care

According to Casey Family Programs, about 25,000 young people between the ages of 18 and 21 must leave foster care each year. These young people have experienced maltreatment and have lived with instability and are unprepared for the social and financial demands of emancipation.

Aging out of foster care without a permanent home is the highest risk outcome for a foster youth.

## Ecological Model of Factors Affecting Resilience

Resilience research has increasingly embraced an ecological model, in which the child's functioning and behavior is viewed within the context of the child's relationships, including family, school, peers, neighborhood and the wider society. While genetic factors do play a role in resilience, ultimately much more important is the quality of interpersonal relationships and the availability of networks of support.



From [www.embracethefuture.org.au/resiliency](http://www.embracethefuture.org.au/resiliency)

## Concurrent Planning

Given the two possible permanent resolutions to a case—return to parent and adoption by a relative or nonrelative—your role is to encourage the court and child welfare professionals to do what is called “concurrent planning,” which means working on two plans at the same time from the very beginning of a case: one to return the child home and another to find an alternative permanent placement. Traditionally, case management in child welfare has consisted of efforts to reunite children with their parent(s), and if those efforts failed, a second plan would be pursued. This created a process that kept many children in foster care for too many years.

Concurrent planning was developed as an alternative that moves a case more quickly through the system with better results. The concurrent planning approach is family-centered, with parents involved in decision making from the start. Throughout the case, parents are regularly given direct, culturally sensitive feedback about their progress. From the start of the case, while providing services to the parents, the caseworker explores kinship options, the applicability of the Indian Child Welfare Act and possible foster/adoptive situations for the child.

## Permanent Resolutions: Questions to Consider

There are only two truly permanent options: return to parents and adoption. These resolutions are most possible when the following questions can be answered and the underlying issues they suggest have been dealt with.

Return to Parents	Adoption
<ul style="list-style-type: none"> <li>• Have issues that brought the child into care been addressed by the agency?</li> </ul>	<ul style="list-style-type: none"> <li>• Are we ready to proceed with a termination of parental rights (TPR) case?</li> </ul>
<ul style="list-style-type: none"> <li>• Have the parents made the changes that the child protection agency requested?</li> </ul>	<ul style="list-style-type: none"> <li>• Do legal grounds exist?</li> </ul>
<ul style="list-style-type: none"> <li>• Has the child protection agency caseworker observed and documented a reduction of risk?</li> </ul>	<ul style="list-style-type: none"> <li>• Have we also considered the best interest issues that must be presented to the judge?</li> </ul>
<ul style="list-style-type: none"> <li>• What have the visits we observed told us about the parents' ability to care for the child?</li> </ul>	<ul style="list-style-type: none"> <li>• How long will the court process take?</li> </ul>
<ul style="list-style-type: none"> <li>• Have we considered recommending a trial placement as a way to observe actual changes in childcare?</li> </ul>	<ul style="list-style-type: none"> <li>• Have the parents been asked to release the child for adoption?</li> </ul>
<ul style="list-style-type: none"> <li>• Have new issues that relate to risk been observed and addressed?</li> </ul>	<ul style="list-style-type: none"> <li>• Is the child already living with caretakers who are willing and able to adopt?</li> </ul>
<ul style="list-style-type: none"> <li>• Has the child protection agency changed the rules or "raised the bar" in reference to expectations that are not related to risk?</li> </ul>	<ul style="list-style-type: none"> <li>• Are there relatives who are available to adopt?</li> </ul>
<ul style="list-style-type: none"> <li>• Would the child protection agency remove this child today?</li> </ul>	<ul style="list-style-type: none"> <li>• How soon can the child be placed?</li> </ul>



## Permanent Resolutions, Cont'd.

Return to Parents	Adoption
<ul style="list-style-type: none"> <li>• Is this a multi-problem family that is likely to relapse?</li> </ul>	<ul style="list-style-type: none"> <li>• Who can help the child through the placement process?</li> </ul>
<ul style="list-style-type: none"> <li>• What services can be put in place to prevent relapse?</li> </ul>	<ul style="list-style-type: none"> <li>• Have we assessed and evaluated the child’s particular needs and strengths?</li> </ul>
<ul style="list-style-type: none"> <li>• Have the legal and/or biological father(s) been identified?</li> </ul>	<ul style="list-style-type: none"> <li>• What is the child’s relationship with his/her siblings?</li> </ul>
<ul style="list-style-type: none"> <li>• Have we recognized the child’s grief and need to reconnect to the family of origin?</li> </ul>	<ul style="list-style-type: none"> <li>• Should the child be placed with siblings? Can the child be placed with siblings?</li> </ul>
	<ul style="list-style-type: none"> <li>• Have we identified a placement option that will be able to meet the child’s needs?</li> </ul>
	<ul style="list-style-type: none"> <li>• Have the child’s ethnic and cultural needs been considered and addressed?</li> </ul>
	<ul style="list-style-type: none"> <li>• Are we holding up the child’s placement waiting for a specific type of family?</li> </ul>
	<ul style="list-style-type: none"> <li>• Are the child’s needs so severe that finding appropriate parents is unlikely?</li> </ul>
	<ul style="list-style-type: none"> <li>• Is the child able to accept “parenting”?</li> </ul>

## Placement with Relative or Kin: Questions to Consider

Living with someone the child already knows and feels safe with can mitigate the child's feelings of loss, which are part of any placement. The use of a relative or kin placement should be evaluated from the beginning of agency involvement. The following questions should serve as guidance in considering both the pitfalls and benefits involved with kin and relative placements:

- Have the relatives/kin been carefully evaluated?
- Is there a written home study?
- What are the parents' thoughts and wishes in reference to this relative?
- What will be the ongoing relationship with the parents?
- Will the parents create problems with the placement or compromise the child's safety?
- Will the relative be able to protect the child from hostile or inappropriate parental behavior?
- Will the relative be able to be positive about the parent to the child?
- Will there be an "unofficial" return to the biological parents?
- Will this relative support the present service plan?
- If the plan changes, will the relative support the change?
- How will visitation be accomplished?
- Are the relatives able to understand and cooperate with agency expectations?
- Have the relatives of both parents been considered, regardless of the removal home?
- Is placement with relatives a way we can protect the child's roots in his/her community?
- Will placement with a particular relative mean that the child must leave the community?
- Will placement with a particular relative mean that the child will lose other important relative or kinship ties?

## Placement with Relative or Kin, Cont'd.

- Will a relative placement mean that the child will have to endure another move?
- What losses will the child experience if another move is required?
- Have we considered sibling attachments, as well as any “toxic” sibling issues?
- Is this potential caretaker related to all the siblings?
- Is this relative able and willing to take all the siblings?
- Will placement with the siblings be positive for this child?
- Will this placement support the child’s ethnic and cultural identity?
- Is this seen as permanent by the potential caretakers?
- Would this relative consider adoption?
- Are there the same issues in the extended family that existed with the parents?
- What pre-placement relationship existed?
- Does the child have any attachment to these relatives?
- Have the child’s wishes been considered?

## Long-Term Foster Care—An Impermanent Solution: Questions to Consider

When faced with long-term foster care as the “only” alternative, it is our obligation to insist that this not be the end of the planning process, but rather the beginning of a new dialogue around how to make permanence a reality. Begin this dialogue with these questions:

- What other options have been explored?
- Does the child need specialized care? Is it possible for him/her to have a legal and emotional attachment with a person with whom he/she does not live?
- Is there a significant role model or mentor involved with this child? What barriers exist to this person becoming the legal parent?
- What are the barriers to the caregiver adopting? How can these barriers be removed?
- Have all adoption subsidies, other financial resources and continuing services been explored and offered?
- Who have been the child’s support and attachments in the past? Can any of them be involved now?
- Who are the child’s attachments and support in the present? What is their current involvement?
- What family or kin connections are available—especially with siblings?
- Can parents or other kin be involved anew in this stage of the child’s life?
- What does the child want?
- What resources and persons will be available when this child is an adult?
- Who will be this child’s family for the rest of his/her life?

Adapted from materials created by Jane Malpass, consultant, North Carolina Division of Social Services, and Jane Thompson, attorney, North Carolina Department of Justice. Used with permission.

## Questions Based on K-12 Experiences

Reflect on your own K-12 school experience by thinking about the following questions:

- What enabled you to succeed in school? If school was difficult for you, what would have been helpful?
- Did you ever have to move from one school to another? How did it feel or how might it feel to be the “new kid” in school, particularly in the middle of the school year?
- Did you have someone at home who helped you with homework, attended parent-teacher conferences or advocated for additional services if you needed them?

Write down your experiences.

## Educational Challenges for Children in the Child Welfare System

Most children have parents who monitor their academic progress, attend parent-teacher conferences, enroll them in appropriate classes and generally ensure they receive a high-quality education. When these children do not receive appropriate educational opportunities, their parents speak up on their behalf. Foster youth frequently lack such educational advocates. As a consequence, they often fail to receive the educational opportunities they need to succeed in school and, as a result, fall behind their peers academically. As a CASA/GAL volunteer, you can help advocate for a child's educational needs.

Teachers who see the child every day have a wealth of knowledge about the child's behavior, attitude, likes and dislikes, and about the best ways to communicate with that child. As you inquire about a child's progress in school, you may discover that the child has special educational needs and should be referred for an evaluation. In some areas, an abundance of resources may be available for special-needs children; in other areas, you may have to advocate for the creation of needed resources.



## Cultural Considerations

Children from racial, ethnic or cultural backgrounds, different from the majority culture, may also have special needs based on discriminatory practices in the educational system. For instance, children may face racist or homophobic taunts, teachers who believe they can't learn, and testing that is racially or culturally biased. Many studies have found that children from minority racial or ethnic groups are overrepresented in the special education population and underrepresented in gifted and talented programs. Additionally, according to the National Education Association report Truth in Labeling, students of color experience "excessive incidence, duration, and types of disciplinary actions, including suspensions and expulsions."

It is important to realistically assess the school difficulties of a child and determine how the educational system, as well as the child's particular school setting, may be creating or sustaining those problems.

# Initial Case Notes for the Brown Case (Homework)

## CPS Case File

Last Name of Case:			<b>Brown</b>		
Legal Number(s):			<b>11-7-012345-5</b>		
Child(ren)'s Name	DOB	Age	Ethnicity	Sex	Current Location
Jessica Brown	February 20	15 years	White	F	Kinship Care Candice Clark

Current Caretaker(s)	Address	Phone
Paternal Cousin (Kinship): Candice Clark (not married)	19004 Coltfeld Court	555-1018

Attorneys for:		
Mother	Dawn Schute	555-6542
Father	Nancy Andrews	555-9870
CPS	Chris Johnson	555-5428



## Case History

August 7 (last year): Urgent Care Center notified CPS of 14-year-old Jessica Brown, who had been treated for broken ribs. Jessica told CPS social worker (SW) that she had run away from home the night before after being beaten “for the last time” by her mother’s live-in boyfriend, Wayne Pender. According to police records, there is a history of violence between Mr. Pender and the youth’s mother, Helen Brown.

August 8 (last year): Child released from hospital and placed by CPS into emergency foster care.

August 19 (last year): Youth removed from foster home after a series of arguments with the foster family. Youth explained to SW that the arguments originated because she attempted to confide to her foster mother that she is lesbian. The foster mother said she didn’t feel comfortable with Jessica sharing a room with her 13-year-old daughter. Jessica has been placed in Abigail Barton Home for Girls.

November 8 (last year): Abigail Barton Home for Girls notified SW that Jessica Brown did not return to the group home after school.

December 21 (last year): SW received call from Jessica asking for assistance. Youth had been living on the street since running away from the group home. Youth stated she had been “harassed and bullied” by other girls in the group home. When SW asked youth to explain, the youth said other girls “hit me with batteries, sticks and their fists” and teased her with names such as “Jessie the Lessie” and “dyke.” SW located emergency foster care for Jessica.

December 29 (last year): Youth placed with paternal cousin, Candice Clark (age 30).

## Case History, Cont'd.

CASA History: Case Initially Assigned to:	June Miller	Date Assigned: Date Terminated:	8/14 (last year) Four months ago
Current CASA:	You and your team	Date Assigned:	Today
Initial CPS Social Worker: Current CPS Social Worker:	Angela Rodriguez Angela Rodriguez	Danielle Mancuso	

## Court-Ordered Services

### For the Child:

Psychological evaluation and counseling (if recommended)

Educational needs met as appropriate

### For the Father:

N/A

### For the Mother:

Domestic violence survivor's classes

Parenting classes

## Beyond Alphabet Soup: Some Key Acronyms in Education Advocacy

Below are some terms that are used often in educational settings. You need not memorize them, but be aware that they might be included in a child's school records. You can use the information below as reference material.

### **BIP: Behavior Intervention Plan**

A Behavior Intervention Plan (BIP) takes the observations made in a Functional Behavioral Assessment and turns them into a concrete plan of action for managing a student's behavior. This plan guides teachers and school staff in addressing behavior issues. It is especially important for children who have experienced trauma and/or removal from their parents, as standard school disciplinary procedures may not work or may further traumatize the child. A BIP may include ways to change the environment to keep behavior from starting in the first place, provide positive reinforcement to promote good behavior, employ planned ignoring to avoid reinforcing bad behavior, and provide supports needed so that the student will not be driven to act out due to frustration or fatigue. Once a behavior plan is agreed to, the school and staff are legally obligated to follow it.

### **CPSE: Committee on Preschool Special Education**

A Committee on Preschool Special Education (CPSE) coordinates special education evaluations and services for children ages 3 to 5. Referrals to a CPSE often come from early-intervention programs if they determine that the child continues to need services after age 3. The goal is to provide services that will best ensure that the child enters kindergarten prepared to learn. Required participants are the same as those listed for the CSE (below).

### **CSE: Committee on Special Education**

The Committee on Special Education (CSE) is a multidisciplinary team appointed by a school's board of education. The CSE is responsible for students with disabilities from ages 5 to 21. The CSE is authorized to identify students in need of services by determining eligibility, develop an Individualized Education Plan (IEP), place students in the least restrictive environment in which they can succeed, and provide appropriate services to meet the child's educational needs.

## **Beyond Alphabet Soup, Cont'd.**

The team meets at least annually to review a child's IEP and determine a program from that point forward. CSE meetings should include the parent or guardian of the student (including the foster parent), the district's CSE chairperson, a school psychologist, a parent member (someone who is a parent of another student in the district—often a student with an IEP), the child's general education teacher, the child's special education teacher or service provider and the student (especially older youth). As a CASA/GAL volunteer, you should also be able to attend CSE meetings.

### **504 Plan**

A 504 Plan is a plan developed to ensure that a student who has a disability identified under the law and needs accommodations that will ensure academic success and access to the learning environment, is provided with such accommodations. These plans are often used for students who need additional services that do not rise to the level of an Individualized Education Plan.

### **FAPE: Free, Appropriate Public Education**

This is part of the IDEA (Individuals with Disabilities Education Act) requirement, in which “appropriate” means “providing meaningful educational progress.” A student with disabilities has the right to receive special education and related services that will meet his or her individual learning needs, at no cost to the parents.

### **FBA: Functional Behavioral Assessment**

An assessment process for gathering information regarding a child's behavior, its context and consequences, variables, the student's strengths, and the expression and intent of the behavior for use in developing behavioral interventions. An FBA is performed when a child is having behavioral challenges in school.

## **Beyond Alphabet Soup, Cont'd.**

### **IEP: Individualized Education Plan**

This is a written educational plan of special education for students from age 3 to 21 who are eligible under IDEA and state laws. The IEP is tailored to each child's needs and identifies goals and objectives, necessary accommodations and related services.

The IEP is developed by a team of people, including but not limited to foster parents, parents, guardians, special education and regular education teachers, therapists, psychologists and the child, when appropriate. Sometimes the CASA/GAL volunteer will participate in these IEP meetings. An educational surrogate may be appointed if the family is not available, but even with a surrogate assigned to the child, the parents still have a right to involvement. Knowledge of the child's schooling is one way for parents to stay connected to a child's progress even when the child is in out-of-home placement.

### **IFSP: Individualized Family Service Plan**

This is a written developmental plan of early intervention services for children from birth to age 3, and their families who are eligible under IDEA and state laws. The plan must involve and include the family of the child involved.

### **LRE: Least Restrictive Environment**

This refers to the services identified in an IEP, which must be provided in the least restrictive environment for the child or youth involved. It is part of the IDEA requirement that children with disabilities shall be educated to the maximum extent possible with their non-disabled peers.

## **Beyond Alphabet Soup, Cont'd.**

### **RTI: Response to Intervention**

Based on a problem-solving model, Response to Intervention (RTI) is the practice of providing high-quality instruction and interventions matched to student need, monitoring progress frequently to make decisions about changes in instruction or goals, and applying child response data to important educational decisions. Schools should have an RTI team or teams, which look at students who are struggling with learning and/or behavior, and develop tailored plans that head off the need for greater intervention (such as an IEP). Often used as a first step before making a referral to a school's CSE.

## Laws Related to Older Youth in Foster Care

### **Preventing Sex Trafficking and Strengthening Families Act of 2014**

The Preventing Sex Trafficking and Strengthening Families Act includes several provisions relevant to children removed from their parents' care or at risk of removal. Focusing on providing support and services for youth at risk of sex trafficking, the law requires child welfare agencies to locate children missing from care, to ensure that children in care have the opportunity to participate in "normal" age-appropriate activities, and for states to provide family strengthening services.

#### *Key Provisions of This Legislation*

- State agencies must report to law enforcement, within 24 hours, information on children or youth identified as victims of sex trafficking.
- State child welfare agencies must develop and implement procedures to locate children and youth who have run away or are missing from foster care. Further, they must determine the factors that led to the child or youth running away and determine what happened to the child while absent from foster care.
- The law defines a standard for reasonable and prudent care (also referred to as normalcy) to mean the careful and sensible parental decisions necessary to maintain the health, safety, well-being and best interest of the child. It provides for foster parents or caregivers to make decisions about the child's participation in extracurricular, enrichment, cultural and social activities including sports, field trips and overnight activities. It requires that states must provide training for caregivers related to this standard.
- The law requires states to develop policies related to foster parent liability and the reasonable and prudent care standard.
- The law eliminates APPLA (Another Planned Permanent Living Arrangement) as a permanency goal for children under 16. This has typically been used as a permanency goal for youth who will "age out" of the system.
- The law requires consultation of youth age 14 or older in the development and revision of his or her case plan. The youth may choose up to two members of the case planning team who are not the youth's foster parent or caseworker. The youth may designate one of these two people as an

## Laws Related to Older Youth in Foster Care, Cont'd.

advisor who may advocate for the youth regarding the application of the reasonable and prudent parent standard. These roles could be filled by the youth's CASA/GAL volunteer if they so choose.

- The case plan must include a document describing the rights of the youth and signed acknowledgment that the youth has received a copy of the plan.
- Youth leaving foster care at age 18 or older must be provided with an official copy of their birth certificate, their social security card, health insurance information (including a health insurance card), their medical records and a driver's license or identification card issued by the state in which they reside.
- The law allows subsidy payments approved as part of a kinship guardianship agreement to go to a successor guardian upon the death or incapacity of the original guardianship. Adoption subsidy payments are already subject to this rule.
- States must collect data on adoption or kinship guardianship disruption and the return of child or youth to foster care.
- All parents of siblings of a child or youth brought into care must be identified and notified within 30 days after removal of the child from the custody of their parent(s). This includes individuals who would have been considered siblings if not for the termination or other disruption of their parents' rights. The only exception is in cases where a sibling's parent does not have legal custody of the sibling. The idea is to ensure that all potential resources within the extended family are explored, including the parents of half-siblings, and that children do not lose contact with siblings or half-siblings while in foster care.

### *Key Impact of This Legislation on CASA/GAL Advocacy*

Advocacy concerns center primarily on the second part of this act. Specifically, there is added strength in advocating for experiences that create a sense of normalcy for children in care and that promote their well-being. Youth under age 16 should no longer have Alternative Planned Permanent Living Arrangement (APPLA) as their permanency goal. Youth age 14 and up must be a participant in their case planning and they must sign the case plan.



## Laws Related to Older Youth in Foster Care, Cont'd.

Furthermore, there is an opportunity for CASA/GAL volunteers to participate in case planning for these youth if the youth so wishes.

### **Fostering Connections to Success and Increasing Adoptions Act, P.L. 110-351**

The Fostering Connections to Success Act is a significant and far-reaching law enacted in 2008 that is designed to improve outcomes for youth in care, particularly older youth. The legislation is a series of building blocks, based on evidence-based practices that have demonstrated positive outcomes. The focus is on connections to family, to siblings and to other adults to foster successful transitions to adulthood.

#### *Key Provisions of This Legislation*

- State agencies are required to provide notice to relatives within 30 days of the child's removal from the home and to explain the options for the relative's participation in the child's care, from acting as a placement to engaging in the child's case in other ways. This can be the beginning of establishing a permanent connection for the child with the extended family, perhaps even as a permanent placement option.
- In addition to maintaining the child's connection with family, the legislation maintains the child's connection with siblings. Interviews of youth have consistently revealed that the greatest loss they experienced when removed from home is the loss of their connection with their siblings. Too often, they are never able to reconnect with them. With this law in place, state agencies must make reasonable efforts to place sibling groups together in foster, family or adoptive placements, if in the children's best interests. If placement together is not feasible, the agency must ensure continuing contact among siblings, at least once a month.
- A new, specific transition plan must be developed at least 90 days prior to the youth's transition out of foster care (at age 18 or older). This is over and above the plan that should normally begin around the age of 16. The new, personalized plan should be developed with the caseworker and other appropriate representatives. The plan should be as detailed as the youth directs, and include specifics on housing, health insurance, education,

## Laws Related to Older Youth in Foster Care, Cont'd.

opportunities for mentors and continuing support services, workforce supports and employment services.

- Educational stability for children in care is underscored by requiring that the child's case plan include provisions to ensure that the child remains in the school of origin, unless not in the child's best interest. The child's placement should take into account the appropriateness of the educational setting and proximity of the school in which the child is enrolled at the time of placement. If the school of origin is not in the child's best interest, then the agency must provide immediate enrollment in a new school and provide all educational records.

For children in care who are IV-E\* eligible (varies from state from state; nationally about 50% of children in care):

- States may choose to extend support for youth in care to age 19, 20 or 21 and receive federal assistance to provide such support, including the extension of Medicaid. Youth must be enrolled or participating in an eligible program.
- States also have the option of receiving federal assistance to provide payments to qualified grandparents and other kin who are willing to become legal guardians and who meet state requirements for placement.

Once state budgets allow sufficient resources to cover the match requirement, it is anticipated that states will expand these provisions to all children in care, and not exclusively to IV-E\* eligible children, as the federal law allows.

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\* Title IV-E eligibility hinges on the family's income at the time the child was removed from the home. Generally, if the family is or would be eligible for Aid to Families with Dependent Children (AFDC), the child is then Title IV-E eligible. As the summary points out, this generally should not matter in terms of CASA/GAL advocacy, as federal guidelines anticipate that states will have uniform guidelines for all children removed from their parents' care, regardless of Title IV-E eligibility.

## **Laws Related to Older Youth in Foster Care, Cont'd.**

### *Key Impact of This Legislation on CASA/GAL Advocacy*

Search and notification of relatives does not end after 30 days; birth relatives need to understand that there are multiple ways they can be involved beyond acting as a placement option (examples include attending school events, providing transportation and celebrating holidays). When appropriate, volunteers should keep family engaged and informed.

### **Carl Perkins Vocational Education Act**

This law requires integrated academic and vocational education that ensures full and equal access for special populations, including special services that might be needed to succeed.

### **Family Educational Rights and Privacy Act (FERPA)**

This federal law protects the privacy of a student's education records. It also ensures a parent's right to inspect and review these records and to consent to disclosures of personally identifiable information about themselves and their children. FERPA allows schools to disclose those records, without consent, to comply with a judicial order. This may be applicable to CASA/GAL volunteers pursuant to state law.

### **Indian Education Act**

This act provides funding to local educational agencies to support special education programs for Native Americans. It requires tribe or parent involvement in planning, development and operation.

### **Individuals with Disabilities Education Act (IDEA)**

This act ensures that all children with disabilities have access to a free, appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for employment and independent living.

## **Laws Related to Older Youth in Foster Care, Cont'd.**

### **McKinney-Vento Act**

This law ensures that homeless children and youth have equal access to the same free, appropriate public education that is provided to other children. This can be applied to children in foster care.

### **No Child Left Behind Act**

Passed in 2001, this law ensures that all children and youth have a fair, equal and significant opportunity to obtain a high-quality education and reach proficiency on challenging state academic achievement standards and state academic assessments. In addition, this act requires that all schools be safe and drug free.

### **School-to-Work Opportunities Act**

This law provides funds to states for planning grants and for state subgrants to local partnerships to give all students the chance to complete a career major. It assures equal access to the full range of program components for all students, including youth in out-of-home care.

## LGBTQ Glossary

The following are terms and expressions that you may find useful when working with youth or family members who identify as LGBTQ:

**Bisexual:** A person who is emotionally, romantically and sexually attracted to both men and women.

**Coming Out:** The process of disclosing one's sexual orientation or gender identity to others. Because most people in our society are presumed to be heterosexual, coming out is not a discreet life event but often a longer process. Coming out may also be experienced by heterosexual family members or allies of LGBTQ people, who may decide to disclose to others that they have friends or relatives who are LGBTQ.

**Femme:** A term used by some gay men or lesbians to identify their more typically feminine qualities. May also be used to help define one's chosen role within a relationship.

**Gay:** A person whose emotional, romantic and sexual attractions are primarily for individuals of the same sex. This term typically refers to men, but in some contexts it is used as a general term for gay men and lesbians.

**Gender Expression:** An individual's characteristics and behaviors (such as appearance, dress, mannerisms, speech patterns and social interactions) that are perceived as falling somewhere along a continuum of feminine and masculine.

**Gender Identity:** A person's innate, deeply felt psychological identification as a man or woman, which may or may not correspond to the gender assigned to them at birth. Also, some individuals identify as neither male nor female as our society generally understands these terms, and instead identify as a third or other gender.

**Heterosexism:** An ideological system that denies, denigrates and stigmatizes any non-heterosexual form of behavior, identity or relationship.

**Heterosexual:** A person who is primarily or exclusively attracted to people of a different sex romantically, affectionately and sexually. Sometimes referred to as straight.

## **LGBTQ Glossary, Cont'd.**

**Homophobia:** Fear of, aversion to, or discrimination against homosexuality, homosexuals or same-sex relationships.

**Homosexual:** A term used to refer to a person based on his or her same-sex sexual orientation, identity or behavior. Many LGBTQ people prefer not to use this term—especially as a noun—because of its historically negative use by the medical establishment.

**In the closet:** Keeping one's sexual orientation or gender identity secret.

**Intersex:** An individual born with reproductive or sexual anatomy that does not conform exclusively to male or female norms in terms of physiological sex.

**Lesbian:** A woman whose emotional, romantic and sexual attractions are primarily for other women.

**LGBTQ:** An acronym for lesbian, gay, bisexual, transgender and questioning or queer.

**MTF/FTM:** These abbreviations, for male-to-female and female-to-male, refer to an individual's gender transition from the gender assigned at birth to the self-identified present gender. For example, an individual previously identified as a man who is transitioning to an identity as a woman is MTF.

**Queer:** Queer is an umbrella term for sexual and gender minorities. Originally meaning "strange" or "peculiar," queer was a pejorative word for those who were attracted to members of the same sex from the second half of the 19th century until the late 1980s when activists reclaimed the word as the umbrella term it has become.

**Transgender:** An umbrella term for people whose gender identity or expression is different from those typically associated with the sex assigned to them at birth (e.g., the sex listed on their birth certificate).



