Foster Youth Education Legislation

AB 216/167: Reduced Course Graduation



- Foster youth who transfer to a new high school after their second year may graduate by **completing minimum state graduation requirements** if, at the time of transfer, they cannot reasonably complete additional local school district requirements within four years of high school. *Cal. Educ. Code 51225.1*.
- If the youth is not able to graduate within 4 years he/she is allowed to remain for a **fifth year of high school** to complete local graduation requirements. The school district **must inform the youth** of his/her right to remain in high school and make arrangements to allow for continued enrollment in the local comprehensive school of residence, if the education rights holder (ERH) determines that it is in the **youth's best interest**. The **ERH or youth over age 18** is the only person who can determine if graduating under AB 216 is in the youth's best interest.
- Applies to **foster and juvenile justice youth** who have been removed from their home or are subject to a petition under WIC Sections 300, 309 or 602
- Once a foster youth enrolls into a new school he/she must meet with a school counselor or district foster youth liaison within the **first 30 days** to determine if he/she is eligible for graduation under AB 216.
- Once a youth is found eligible for graduation under AB 216 the decision **cannot be revoked**. If a youth is found ineligible at the time he/she meets with a counselor to review eligibility, he/she can request to be **reconsidered for eligibility at a later time**.

AB 490: Immediate Enrollment



- Allows foster youth to be **immediately enrolled** in school even if all required school records, immunizations or school uniforms are not available
- Requires school districts to **calculate and accept credit** for full or partial coursework satisfactorily completed by the student
- Authorizes the **release of educational records** of foster youth to the county placing agency for the purpose of compliance with Welfare and Institutions Code (WIC) 16010, case management responsibilities required by Juvenile Court or law, or to assist with transfer of enrollment of a pupil
- Requires an LEA to deliver foster youth's **education information and records** to the next educational placement **within 2 days** of receiving a request from previous school
- Ensures that foster youth will **not be penalized for absences** due to placement changes, court appearances, or related court activities
- Allows foster youth to remain in **their school of origin**

AB 1933: School of Origin



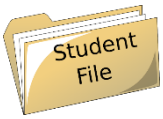
- Allows foster youth to remain in his/her **school of origin** for as long as the child is in foster care, if it is in the child's best interests
- **Definition of "school of origin"**- the school that the foster youth attended when he/she was **permanently housed** or in which the foster youth **was last enrolled** while in foster care. If there is another school that the foster child is **connected to and attended in the last 15 months**, that may also be deemed the school of origin. *Cal. Ed Code 48853.5 (g)*.
- If a foster youth's residence changes, the LEA must let the youth remain in his/her school of origin for as long as the court has jurisdiction over the youth's placement. *Cal. Ed Code 48853.5(f)*.



AB 643: Access to Student Records

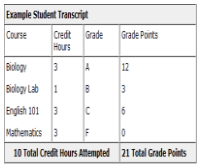
- Allows records of foster youth to be **released to child welfare agencies** (DCFS, Probation, etc.) for the purposes of addressing the youth's educational needs without the consent of his/her education rights holder
- Amends Section *49076 of the Education Code*, relating to public schools

SB 233: Caregiver Access to Student Records



- Ensures that **caregivers** have access to a copy of the foster youth's health and education records
- Authorizes a foster youth's case plan to include his/her ERH contact information in addition to his/her health and education records
- Requires caregivers to notify a foster youth's ERH, and in some instances his/her social worker, of any educational needs of a foster youth that require an ERH's consent or participation
- If caregiver is unable to communicate with ERH, he/she is required to communicate that information with the foster youth's social worker or attorney instead of ERH
- Amends Sections *49069.3 and 49076 of the Education Code*

SB 578: Accept Partial Credits for Foster Youth



Example Student Transcript

Course	Credit Hours	Grade	Grade Points
Biology	3	A	12
Biology Lab	1	B	3
English 101	3	C	6
Mathematics	3	F	0
10 Total Credit Hours Attempted			21 Total Grade Points

- Requires districts or COEs to **accept coursework satisfactorily completed** by a foster youth while attending another school and to **award full or partial credit** for such coursework as specified
- Prohibits a school district or COE from **requiring a foster youth to retake a course** if he/she has satisfactorily completed the entire course in a public school, juvenile court school or NPS
- Requires the credits accepted to **be applied to the same or equivalent course**, if applicable, as the coursework completed in the student's previous public school, juvenile court school or non-public school (NPS)
- Prohibits, if a foster youth does not complete an entire course, a school district or COE from **requiring him/her to retake the portions** of the course completed, unless the school district or COE in consultation with the youth's ERH for the youth, find that he/she is reasonably able to complete the requirements in time to graduate from high school
- Specifies that when partial credit is awarded in a particular course, a foster youth **shall be enrolled in the same or equivalent coursework**, if applicable, so that the student may continue and complete the entire course

AB 2306: Juvenile Court Schools (*see AB 216)



- Allows school districts to **exempt former juvenile court school students** who transfer between schools any time after their second year of high school from all coursework and other district requirements that are in addition to the statewide coursework requirements as specified in *E.C 51225.3*. Students who qualify under AB 2306 will be eligible to use the state coursework requirement of 130 credits (refer to AB 216)

AB 1166: Retroactively Exempt (*see AB 216)



- If the receiving high school fails to provide notice of the possible exemption to a foster youth within the required 30 calendar day period, then he/she shall still be eligible for the exemption even if he/she no longer qualifies as a foster youth
- If the foster youth is exempt from the local graduation requirements then the exemption will continue to apply to the foster youth **even if he/she is no longer in foster care** or if he/she **transfers to another high school**.

AB 1909: Student Discipline



- Requires a district's educational liaison to **notify** a foster youth's appropriate county child welfare representative (social worker, probation officer, etc.) of pending expulsion proceedings, a suspension extension until an expulsion decision is rendered, and pending manifestation determination for foster youth with an IEP
- Must be notified within **10 days** of expulsion hearing
- The bill authorizes the foster youth's caregiver or **ERH to provide the contact information** of the youth's attorney to the school district when he/she has been **placed outside of the county of jurisdiction**.

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AB 1227: Human Trafficking Awareness



- AB 1227 requires California public schools to **offer education and training on human trafficking**.
- Requires school districts **to include human trafficking prevention education in grades 7-12** (at least once in middle school and once in high school) as part of comprehensive sexual health education

AB 81: Residency Requirements for Sports



- Requires CIF to allow foster youth to **maintain residential eligibility** to participate in school sports when his/her residential placement changes in the following ways: (1) A transfer pursuant to a court order; (2) A transfer pursuant to the determination of a social worker that changes are needed in that student's home setting.

AB 1567: Before and After School Programs



- Gives **1st priority access** to state funded after school programs for foster youth in elementary school
- Gives **2nd priority access** to state funded after school programs for foster youth in middle and high school who attend daily
- Requires an after school or before school program to inform the ERH or caregiver of the foster youth's right to receive **priority enrollment** and how to request priority enrollment
- **Prohibits** a before or after school program from **charging family fees** or conduct individual eligibility determinations based on need or income for foster youth
- Requires administrators of before and after school programs to **allow self-certification** of a student as foster youth and authorizes administrators to obtain this information through district foster youth liaisons

AB 12: Extended Foster Care Benefits



- Allows services for eligible foster youth to **extend beyond age 18 up until 21**; these youth are designated as "non-minor dependents" (NMDs)
- The decision to remain in foster care beyond age 18 is **voluntary**.
- To become eligible, at the **six month hearing** prior to a foster youth turning 18, the social worker or probation officer **must have a plan** to ensure the youth meet at least ONE of the following participation criteria:
    - Working toward completion of high school or equivalent program (e.g. GED); OR
    - Enrolled in college, community college or a vocational education program; OR
    - Employed at least 80 hours a month; OR
    - Participating in a program designed to assist in gaining employment; OR
    - Unable to do one of the above requirements because of a medical condition

SB 12: Postsecondary Education Financial Aid Assistance



- Requires social workers and probation officers to list in youth's case plan a person who will provide **assistance with college application and financial aid** for foster youth ages 16 and older

AB 1567: Higher Education Outreach & Assistance for Foster Youth

- Requires social services and county welfare departments, in coordination with California State University and CA Community Colleges, to **verify eligibility of foster youth** for participation in programs and other benefits.

Revised 2/18/20

SB 89: CA Foster Youth Sexual Health Education Act



- Requires social workers and probation officers to verify **if foster youth ages 10 and older** who are in middle or high school have received **comprehensive sexual health education** that meet requirements set forth in the CA Healthy Youth Act
- Ensure foster youth have been informed on how to consent to and access reproductive and sexual health services
- Requires social services to develop a sexual health education curriculum that can be administered to students in foster care in the event that they are not able to receive it in school
- Requires child welfare workers, caregivers, and judges to be trained on the sexual health curriculum developed by social services

AB 413: At-Promise and not At-Risk



- Requires the term "at-risk" to be replaced with **"at-promise**" to describe youth for the purposes of various provisions of the Education and Penal Codes
- This bill, for the purposes of the Education Code, define "at-promise" to have the same meaning as "at-risk".
- Amends Sections *234.1, 8266.1, 8423, 8801, 11300, 33426, 42920, 44324, 45391, 48660.1, 51266, 54690, 60901, and 69981 of, and to add Section 96 to, the Education Code*