

OAKLAND UNIFIED SCHOOL DISTRICT
Office of the Ombudsperson
Administrative Regulation 1312.3: Uniform Complaint Procedures

Notice of the Rights of Foster Youth

Education Code 48853, 48853.5, 49069.5 51225.1 as amended by AB 379 (Ch. 722, Statutes of 2015). This notice must be posted in the main office of each school and must be posted on the District's webpage.

A foster youth shall receive information about educational rights related to his/her educational placement, enrollment in and checkout from school, as well as the responsibilities of the district liaison for foster youth to ensure and facilitate these requirements and to assist the student in ensuring proper transfer of his/her credits, records, and grades when he/she transfers between schools or between the district and another district.

A foster youth or homeless student who transfers into a district high school or between district high schools shall be notified of the district's responsibility to:

- (1) Accept any coursework or part of the coursework that the student has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency, and to issue full or partial credit for the coursework completed
- (2) Not require the student to retake any course or a portion of a course which he/she has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency
- (3) If the student has completed his/her second year of high school before the transfer, provide the student information about district-adopted coursework and Board-imposed graduation requirements from which he/she may be exempted pursuant to Education Code 51225.1

Foster Youth have the right to:

- (4) Immediate re-enrollment in their local comprehensive public high school if their ERH (Education Rights Holder) decides it is in their best interest, even if they do not have any of the required documents (e.g. transcripts, immunization records, proof of residence). Immediate enrollment rights also apply to charter schools.

NOTE: Foster youth have a right to enroll in school, even without proof of Tdap immunization. School nurses should work with the youth's prior school and/or their social worker to gain access to records demonstrating the child has already been immunized.

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- (5) Enrollment in the same or equivalent classes as those they took at their old school, even if they are transferring mid-semester. Youth cannot be forced to re-take a class they have already passed unless their Education Rights Holder (ERH) agrees, in writing, that it is in their best interest.
- (6) Equal participation in extracurricular activities regardless of try-outs or sign-up deadlines (e.g. sports, tutoring).
- (7) Not be forced to attend a continuation school, adult school, or independent study program, even if they are not on track for high school graduation, having failing grades, or have behavior problems.

**** Limited Exceptions:** If they have an Individualized Education Plan ("IEP") requiring a different placement or have been expelled or transferred to an alternative school after a formal hearing and school board decision.

If you wish to file a complaint regarding non-compliance with this notice, you may file a complaint with:

Gabriel Valenzuela, Ombudsperson

Office of the Ombudsperson
Oakland Unified School District
1000 Broadway, 1st Floor, Suite 150
Oakland, CA 94607
Email: Gabriel.Valenzuela@ousd.org
(510) 879-4281 (Office)
(510) 879-3678 (FAX)

For more information regarding support services and programs, please contact:

Foster Youth Liaison
Jennifer Tam Foster Youth Program Community Schools & Student Services Department Oakland Unified School District Email: jennifer.tam@ousd.org (510) 394-4514 (Office)

Under AB 490 and related laws, foster youth includes any child who is the subject of a juvenile dependency court petition (Cal. Welf. & Inst. Code 300), whether or not the child has been removed from his or her home. (Source: Foster Youth Education Toolkit)

(9/7/16)