

Foster Youth Transfers to Alternative Education Programs

A. Purpose

The District shall ensure that any decision to transfer a foster youth to an alternative education placement is made in accordance with state and federal law and prioritizes the student’s educational stability, academic progress, and best interests.

Foster youth shall not be transferred to an alternative education program unless the District has determined that such placement is in the student’s best educational interest and complies with the student protections outlined in Education Code Section 48853, 48645.5, and 48929.

B. General

Definitions

Foster Youth

A student who is subject to a dependency order of the juvenile court or who has been removed from their home and placed in foster care as defined in Education Code Section 48853.

Educational Rights Holder (ERH)

The person legally authorized to make educational decisions for the student.

School of Origin

The school the student attended when permanently housed or the school last enrolled in, as defined under Education Code Section 48853.5.

Alternative Education Program

Includes continuation schools, community day schools, county community schools, or other district-operated alternative education placements.

C. Procedures

Educational Stability and Best Interest Determination

Foster youth have the right to remain in their school of origin unless it is determined that remaining in the school of origin is not in the student’s best interest.

Prior to transferring a foster youth to an alternative education program, the District shall conduct a Best Interest Determination (BID) that includes consideration of:

- The student’s academic progress and credit accumulation
- The student’s attendance and behavioral history
- The student’s social-emotional needs
- The impact of school mobility on the student’s educational stability
- Input from the student, caregiver, Educational Rights Holder, and relevant school staff
- Transportation feasibility

Foster Youth Transfers to Alternative Education Programs

The Best Interest Determination shall be documented and maintained in the student's educational record.

Voluntary Transfers

A foster youth may be voluntarily transferred to an alternative education program when the student and Educational Rights Holder request or agree to the placement.

Prior to approving a voluntary transfer, the District shall:

1. Conduct a meeting with the student, Educational Rights Holder, and appropriate school staff.
2. Review the student's educational record, including academic progress, credits, and attendance.
3. Provide information regarding the alternative education program, including graduation pathways, instructional schedule, and support services.
4. Ensure the Educational Rights Holder understands that participation is voluntary.

The voluntary transfer must be documented in writing and signed by the Educational Rights Holder.

Students who voluntarily transfer may request to return to a comprehensive school if the alternative placement is no longer appropriate.

Involuntary Transfers

Foster youth shall not be involuntarily transferred to an alternative education placement unless the District has exhausted appropriate interventions and determined that such placement is necessary and in the student's best interest.

Prior to an involuntary transfer, the District shall:

1. Provide written notice to the Educational Rights Holder explaining the proposed transfer and the reasons for the recommendation.
2. Offer the student and Educational Rights Holder the opportunity to meet with district staff to review the proposed placement.
3. Consider alternatives to transfer, including behavioral supports, counseling, credit recovery, or other interventions.
- 4.

For transfers to continuation schools, the District shall comply with Education Code Section 48645.5, including documentation that other interventions have been attempted prior to transfer.

The District shall ensure that foster youth are not disproportionately referred to alternative education placements due to behaviors related to trauma, placement instability, or circumstances beyond the student's control.

Foster Youth Transfers to Alternative Education ProgramsProhibited Transfer Practices

The District shall not transfer a foster youth to an alternative education program:

- Solely due to poor attendance related to placement changes
- Solely due to academic deficiencies
- For administrative convenience
- As a substitute for disciplinary procedures
- Due to the student's foster care status

Transfer decisions must comply with nondiscrimination requirements outlined in Education Code Section 220.

Documentation Requirements

For any foster youth transfer to an alternative education program, the District shall maintain documentation including:

- Best Interest Determination documentation
- Written notice to the Educational Rights Holder
- Meeting notes and participant list
- Academic and behavioral records reviewed
- Documentation of interventions attempted (if applicable)
- Written consent from the Educational Rights Holder for voluntary transfers

All records shall be maintained in accordance with district recordkeeping policies.

Appeal Process

The Educational Rights Holder may appeal an involuntary transfer decision by submitting a written request to the Superintendent or designee within five (5) school days of receiving written notice of the transfer decision.

The District shall review the appeal and issue a written determination within ten (10) school days. During the appeal process, the student shall remain in their current educational placement unless otherwise agreed upon by the Educational Rights Holder.

Role of the Foster Youth Liaison

The District's Foster Youth Liaison shall:

- Ensure compliance with foster youth education laws
- Participate in Best Interest Determinations when feasible
- Assist in coordinating services between schools, caregivers, and child welfare agencies
- Support the student's educational stability and access to services