



OVERVIEW OF KEY FOSTER CARE LEGISLATION
PUPIL SERVICES
FOSTER YOUTH ACHIEVEMENT PROGRAM

Bill No.	Statutory Cite	Summary
AB 490	An act to amend Sections 48645.5, 48850, 48859, 49061, 49069.5, 49076, and 56055 of, and to add Sections 48853 and 48853.5 to, the Education Code, and to amend Sections 361, 366.27, 726, 727.2, 4570, 16000, and 16501.1 of the Welfare and Institutions Code, relating to minors.	<ul style="list-style-type: none"> • The educational and placement decisions of foster youth should be in the student’s best interest • If a residential placement is changed, foster youth are allowed to remain in their school of origin, which is the school of residence at the time of detainment, last school attended or a school the student attended and felt most comfortable. • Every effort should be made for foster youth to be immediately enrolled in school • Records must be transferred within two school days • Ensure that students in foster care credits, grades, and graduation requirements are protected • School districts are required to calculate and accept partial credits • Foster youth should be referred to academic resources, support services, and extracurricular activities
AB 1933	An act to amend Section 48853.5 of the Education Code, relating to foster children	<ul style="list-style-type: none"> • Allows foster youth to attend their school of origin and, if applicable, matriculate to the secondary school in the same attendance area when the child is placed with a family in a different neighborhood. • The above is permitted throughout the time in which the student is under the jurisdiction of the court. • If court jurisdiction is terminated before the end of the school year, the student is permitted to stay at their school of origin for the remainder of that year.
AB 643	Also see as amendment to Family Education Rights and Privacy Act (FERPA)	<ul style="list-style-type: none"> • Permits school districts to release education records to child welfare agencies (i.e., Department of Children and Family Services) without prior consent of the parents. • Eliminates the requirements that education agencies notify parents before records are released. • A school can release records to a 3rd party listed on a court order, such as the child welfare agency or case worker, caretaker, child’s attorney, or a court appointed special advocate (CASA).
AB 1909	California Education Code sections 48853.5, 48911, 48915.5	<ul style="list-style-type: none"> • Requires educational liaisons of school districts to notify the foster child's attorney and the social worker of any pending disciplinary proceedings involving the child, including those for expulsion, to extend a suspension, or to render a manifestation determination for children with exceptional needs. • Notice is to be provided 10 days prior to any hearing to determine whether child should be expelled.
AB 2060		<ul style="list-style-type: none"> • Requires that the court, after limiting a parent’s educational rights in dependency or wardship proceedings, to determine if there is a responsible adult who is a relative, non-relative extended family member, or other adult known to the foster youth and who is available and willing to serve as the foster youth’s educational rights holder, before appointing someone who is not known to the foster youth. • The appointed educational rights holder or surrogate parent is required to meet with the foster youth, investigate the foster youth’s educational needs and whether those needs are being met, and present recommendations to the court or attend court to participate in any portion of a hearing that concerns the foster youth’s education.



OVERVIEW OF KEY FOSTER CARE LEGISLATION

PUPIL SERVICES

FOSTER YOUTH ACHIEVEMENT PROGRAM

AB 1858		<ul style="list-style-type: none"> • Sets standards and mandates enhanced oversight for nonpublic schools. Also ensures that residential placement decisions do not control school assignment and requires the State Department of Education and the California School Information Services' system meet the needs of pupils in foster care and include disaggregated data on pupils in foster care.
Bill No.	Statutory Cite	Summary
AB 216	California Education Code section 51225.1, 51225.3 See California Department of Education for state graduation requirements: www.cde.ca.gov/ci/gs/hs/hsgtable.asp	<ul style="list-style-type: none"> • Requires school districts to exempt foster student who transfers between schools any time after the completion of the student's 2nd year of high school from all coursework and other requirements adopted by the governing board of the school district that are in addition to the statewide coursework requirements, unless the school district finds that the student is reasonably able to complete the school district's graduation requirements in time to graduate from high school by the end of his/her fourth year of high school. Requires a school district that determines that a foster student is reasonably not able to complete the school district's graduation requirements within the student's 4th year of high school to take specified actions, including permitting the student to stay in school for a 5th year to complete the graduation requirements. • Prohibits a school or school district from requiring/requesting that the student graduate before the end of his/her 4th year of high school, if a pupil is exempted and completes the statewide coursework requirements before the end of his/her 4th year in high school. • The bill would prohibit a student in foster care, the educational rights holder, the student's social worker, or the student's probation officer from requesting a transfer solely to qualify the student for an exemption. • The exemption shall continue to apply after the termination of the court's jurisdiction over the foster youth. • Student must be informed of the affects this exemption will have on admission to a postsecondary educational institution and be informed of transfer opportunities available through the California Community Colleges. • Pupils who choose to decline the AB 216 exemption, should be advised that they may accept the exemption at anytime thereafter.
AB 12		<ul style="list-style-type: none"> • Extends foster care eligibility to age 21, including KIN-GAP • In order to be eligible for Assembly Bill 12, foster youth must meet <u>one or more</u> of the following criteria: <ul style="list-style-type: none"> ○ Be enrolled in a high school (or equivalent) program ○ Be enrolled in college or a vocational program ○ Be employed at least 80 hours per month ○ Participate in a program or activity designed to remove barriers to employment ○ Unable to do one of the above requirements because of a medical condition • Foster youth can decide whether or not they want to participate in extending foster care until age 21



OVERVIEW OF KEY FOSTER CARE LEGISLATION

PUPIL SERVICES

FOSTER YOUTH ACHIEVEMENT PROGRAM

SB 578		<ul style="list-style-type: none">• Foster youth are awarded <u>full</u> or <u>partial</u> credits for the coursework completed while attending a previous school; even if the pupil did not complete the entire course.• Foster youth will not be required to retake or repeat any portions of a course already completed.• The credits accepted shall be applied to the same or equivalent courses to those which were previously in progress, if applicable.• Prohibit a pupil in foster care from being prevented from retaking or taking a course to meet the eligibility requirements for admission to the California State University or University of California campuses.
--------	--	---