



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 8.1d

Meeting Date: November 6, 2014

Subject: Approve Amended Changes to Board Policy 5150: Foster Youth to be Titled as Board Policy 6173.1: Foster Youth

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: _____)
- Conference/Action
- Action
- Public Hearing

Department: Foster Youth/Legal

Recommendation: Approve amendment to Foster Youth Policy renumbering from 5150 to 6173.1 in order to align with California School Board Association's numbering system.

Background/Rationale: To align with CSBA numbering system.

Financial Considerations: none

Documents Attached:
Original and red-lined BP Foster Youth

Estimated Time of Presentation: (N/A if on Consent Agenda)

Submitted by: Raoul Bozio, Manager II, Legal Services

Approved by: José L. Banda, Superintendent

Sacramento City USD

Board Policy

Education For Foster Youth

BP 6173.1

Instruction

The Governing Board acknowledges its obligation to support foster youth and provide them with full access to the district's educational program, as well as implement strategies as necessary to improve academic achievement and behavioral performance of foster youth in the district.

The Governing Board also recognizes that foster youth are a very transient population. This transiency may lead to unstable school placements. In addition, many foster youth have experienced trauma and loss, both of which are known to affect students' academic success. Multiple barriers facing foster youth may also result in an increase in classroom disruption and students missing out on valuable academic time. Loss of school time causes many foster youth to fall behind their peers and eventually lose interest in school.

This policy will set a course of action for staff, administrators and schools to follow in order to comply with current legislation to address the needs and rights of foster youth within the district. This policy includes regulations regarding the district's educational liaison for foster youth, foster youth enrollment, transfer of course work and credits, graduation requirements and extra-curricular activities.

The goal of this policy is to ensure the protection of foster youth rights and that foster youth receive the necessary tools and supports needed to ensure that their educational journey is successful.

- (cf. 5131.6 - Alcohol and Other Drugs)
- (cf. 5147 - Dropout Prevention)
- (cf. 5149 - At-Risk Students)
- (cf. 6011 - Academic Standards)
- (cf. 6145 - Extracurricular and Cocurricular Activities)
- (cf. 6145.2 - Athletic Competition)
- (cf. 6164.2 - Guidance/Counseling Services)
- (cf. 6173 - Education for Homeless Children)

Definitions

Foster youth means a child who has been removed from his/her home pursuant to Welfare and Institutions Code 309, is the subject of a petition filed under Welfare and Institutions Code 300 or 602, or has been removed from his/her home and is the subject of a petition filed under Welfare and Institutions Code 300 or 602 or is a nonminor who is under the transition jurisdiction of a juvenile court, as described in Welfare and Institutions Code 450, and

satisfies the criteria specified in Education Code 42238.01.
(Education Code 42238.01, 48853.5)

Pursuant to Education Code 42238.01, as added by AB 97 (Ch. 47, Statutes of 2013), “foster youth” includes a nonminor who is under the transition jurisdiction of the juvenile court and satisfies criteria specified in law.

Person holding the right to make educational decisions means a responsible adult appointed by a court pursuant to Welfare and Institutions Code 361 or 726.

In instances where the rights of the parent/guardian have been limited, the court may appoint an educational representative on a temporary or long-term basis to make educational decisions for the student.

School of origin means the school that the foster youth attended when permanently housed or the school in which he/she was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which he/she was last enrolled, or if there is some other school that the foster youth attended within the preceding 15 months and with which the youth is connected, the district liaison for foster youth shall determine, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, and in the best interests of the foster youth, which school is the school of origin. (Education Code 48853.5)

Best interests means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the foster youth’s access to academic resources, services, and extracurricular and enrichment activities that are available to all district students.
(Education Code 48850, 48853)

School climate

The Board desires to provide foster youth with a safe, positive learning environment that is free from discrimination and harassment and that promotes students’ self-esteem and academic achievement. The Superintendent or designee shall develop strategies to build a foster youth’s feeling of connectedness with his/her school, including, but not limited to, strategies that promote positive discipline, the development of resiliency and interpersonal skills, and the involvement of foster parents, group home administrators, and/or other caretakers in school programs and activities.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 6020 – Parent Involvement)

District Liaison

Pursuant to Education Code 48853.5, districts are required to designate a staff person as the educational liaison for foster youth.

The Superintendent designates the following position as the district’s educational liaison for foster youth: (Education Code 48853.5)

Coordinator, Foster Youth Services
5735 47th Avenue, Box # 763
Sacramento, CA 95824
(916) 643-9409

Enrollment

Education Code 48853 and 48853.5 provide regulations regarding the educational rights of foster youth.

A student placed in a licensed children’s institution or foster family home within the district shall attend programs operated by the district unless one of the following circumstances applies: (Education Code 48853, 48853.5)

- a. The student has an individualized education program requiring placement in a nonpublic, nonsectarian school or agency, or in another local educational agency;
(cf. 6159 - Individualized Education Program)
(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)
- b. The parent/guardian or other person holding the right to make educational decisions for the student determines that it is in the best interest of the student to be placed in another educational program;

At the initial placement or any subsequent change in placement, the student exercises his/her right to continue in his/her school of origin, as defined above.

The district liaison may, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, recommend that the youth’s right to attend the school of origin be waived and he/she be enrolled in any school that students living in the attendance area in which the foster youth resides are eligible to attend. All decisions shall be made in accordance with the foster youth’s best interests. (Education Code 48853.5)

If the liaison, in consultation with the foster youth and the person holding the right to make educational decisions for the foster youth, agrees that the best interests of the youth would be

served by his/her transfer to a school other than the school of origin, the principal or designee of the new school shall immediately enroll the foster youth. The foster youth shall be immediately enrolled even if he/she: (Education Code 48853.5)

- a. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended;
(*cf. 5125.2 - Withholding Grades, Diploma or Transcripts*)
- b. Does not have clothing normally required by the school, such as school uniforms
(*cf. 5132 - Dress and Grooming*)
- c. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and medical records, including, but not limited to, immunization records or other documentation
(*cf. 5141.26 - Tuberculosis Testing*)
(*cf. 5141.31 - Immunizations*)
(*cf. 5141.32 - Health Screening for School Entry*)

If any dispute arises regarding the request of a foster youth to remain in the school of origin, the youth has the right to remain in the school of origin pending resolution of the dispute. (Education Code 48853.5)

Effect of Absences on Grades

The grades of a student in foster care shall not be lowered for any absence from school that is due to either of the following circumstances: (Education Code 49069.5)

- a. A decision by a court or placement agency to change the student's placement, in which case the student's grades shall be calculated as of the date he/she left school;
- b. A verified court appearance or related court-ordered activity.
(*cf. 5121 - Grades/Evaluation of Student Achievement*)

Transfer of Coursework and Credits

Education Code 51225.2 addresses the transferability of coursework completed by foster youth.

When a foster youth transfers into a district school, the district shall accept and issue full credit for any coursework that the foster youth has satisfactorily completed while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency and shall not require the foster youth to retake the course. (Education Code 51225.2)

The district's educational liaison for foster youth shall work with registrars, counselors and/or administrators to develop and maintain protocol regarding the issuance of partial credits in SCUSD.

Graduation Requirements

Pursuant to Education Code 51225.3, any foster youth who transfers into the district or between district schools in grades 11-12 is exempted from locally established high school graduation requirements.

To obtain a high school diploma, a foster youth shall pass the high school exit examination in English language and mathematics, complete all courses required by Education Code 51225.3, and fulfill any additional graduation requirement prescribed by the Board.

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6162.52 - High School Exit Examination)

However, when a foster youth who has completed his/her second year of high school transfers into the district from another school district or transfers between high schools within the district, he/she shall be exempted from all district-adopted coursework and other district-established graduation requirements that are in addition to the statewide coursework requirements specified in Education Code Section 51225.3, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of his/her fourth year of high school. Within 30 calendar days of the foster youth's transfer, the Superintendent or designee shall notify the foster youth, the person holding the right to make educational decisions for him/her, and the foster youth's social worker of the availability of the exemption and whether the foster youth qualifies for it. (Education Code 51225.1, 60851)

Outstanding fees

Education Code 48904 (b) (2)) provides the process for all students to participate in a program of voluntary work for the minor in lieu of the payment of outstanding fees.

When a foster youth has outstanding fees, fines, textbooks, or other items and is unable to pay or return the property, the school district shall provide a program of voluntary work in lieu of the payment of monetary damages. Upon completion of the voluntary work, the grades, diploma, and transcripts of the foster youth shall be released. (Education Code 48904 (b) (2))

Eligibility for Extracurricular Activities

A foster youth whose residence changes pursuant to a court order or decision of a child welfare worker shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. (Education Code 48850)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

Collaboration & Information Sharing

Education Code 48853.5 encourages districts to collaborate with other agencies to provide services to foster youth.

To address the needs of foster youth and help ensure the maximum utilization of available funds, the Superintendent or designee shall collaborate with local agencies and officials including, but not limited to, the county placing agency, social services, probation officers, and juvenile court officers. The Superintendent or designee shall explore the feasibility of entering into agreements with these groups to coordinate services and protect the rights of foster youth. In addition, the Superintendent or designee shall establish protocol to ensure the timely and appropriate sharing of foster youth educational records with the applicable placement agencies.

(cf. 1020 - Youth Services)

Local Control Accountability Plan (LCAP)

Pursuant to Education Code 52060, as added by AB 97 (Ch. 47, Statutes of 2013), each district is required to update the LCAP by July 1 each year, based on an evaluation rubric to be adopted by the SBE no later than October 1, 2015.

At least annually and in accordance with the established timelines, the Superintendent or designee shall report to the Board on the outcomes for foster youth regarding the goals and specific actions identified in the LCAP, including, but not limited to, school attendance, student achievement test results, graduation rates, and suspension/expulsion rates. As necessary, evaluation data shall be used to determine and recommend revisions to the LCAP for improving or increasing services for foster youth.

(cf. 0500 - Accountability)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6162.52 - High School Exit Examination)

Foster Youth Council

The Superintendent, or designee, may develop a Foster Youth Council made up of current and/or former foster youth students. The purpose of the Foster Youth Council is to provide input regarding Foster Youth Services programming, as well as provide feedback to the district regarding progress to Local Control Accountability Plan goals that are specific to foster youth.

Legal Reference:

EDUCATION CODE

32228-32228.5 Student safety and violence prevention

42238.01-42238.07 Local control funding formula

42920-42925 Foster children educational services
48645-48646 Juvenile court schools
48850-48859 Educational placement of students residing in licensed children's institutions
48915.5 Suspension and expulsion; students with disabilities, including foster youth
48918.1 Notice of expulsion hearing for foster youth
49061 Student records
49069.5 Foster care students, transfer of records
49076 Access to student records
51225.1 Exemption from district graduation requirements
51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course
51225.3 High school graduation
52060-52077 Local control and accountability plan
56055 Rights of foster parents in special education
60851 High school exit examination
HEALTH AND SAFETY CODE
1522.41 Training and certification of group home administrators
1529.2 Training of licensed foster parents
120341 Foster youth: school placement: immunization records
WELFARE AND INSTITUTIONS CODE
300 Children subject to jurisdiction
309 Investigation and release of child
317 Appointment of legal counsel
361 Limitations on parental or guardian control
366.27 Educational decision by relative providing living arrangements
602 Minors violating law; ward of court
726 Limitations on parental or guardian control
727 Order of care, ward of court
16000-16014 Foster care placement
UNITED STATES CODE, TITLE 20
1415 Procedural safeguards; placement in alternative educational setting
UNITED STATES CODE, TITLE 29
794 Rehabilitation Act of 1973, Section 504
UNITED STATES CODE, TITLE 42
670-679b Federal assistance for foster care programs
11431-11435 McKinney-Vento Homeless Assistance Act



APPROVED

**SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION**

Agenda Item# 10.1

Meeting Date: September 4, 2014.

Subject: New Foster Youth Board Policy – BP 5150

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading
- Conference/Action
- Action
- Public Hearing

Department:

Youth Development Support Services Department.

Recommendation:

Approve new Foster Youth Services Board Policy

Background/Rationale:

The purpose of this brief presentation is to provide a summary of Foster Youth Board Policy and highlight revisions made since last Board meeting. As presented to the Board on August 21, 2104, the new Foster Youth Board policy will allow SCUSD to formally align to state and federal legislation regarding foster youth.

Financial Considerations:

None

Documents Attached:

Executive Summary
Final Revised – BP 5150
Redline Revision – BP 5150

Estimated Time of Presentation: 4 minutes

Submitted by: Lisa Allen, Interim Chief of Schools; Stacey Bell,
Youth Development Director & Aliya Holmes, Foster
Youth Services Coordinator

Approved by: José L. Banda, Superintendent

Board of Education Executive Summary

Department Name: Youth Development Support Services



Agenda Title: New Foster Youth Board Policy
Date of Board Meeting: September 4, 2014

I. OVERVIEW / HISTORY

The proposed new Foster Youth Board Policy will ensure the district's alignment with current legislative requirements, and continue the work of Foster Youth Services (FYS) as presented to the Board on August 21, 2104.

III. BUDGET

N/A

IV. GOALS, OBJECTIVES, AND MEASURES

N/A

V. MAJOR INITIATIVES

The purpose of this Board presentation is to request approval for the new Foster Youth Board Policy, as previously presented to Board.

The major initiatives of the proposed Foster Youth Board Policy are:

1. Set a course of action for schools, staff and administrators to follow in order to comply with current legislation to address the needs and rights of foster youth within the district;
2. Ensure that foster youth rights are protected;
3. Ensure that foster youth receive the necessary tools and supports needed to ensure that their educational journey is successful.

The Policy covers the following areas as previously presented. Per Board request, an additional area has been added to cover the development of a Foster Youth Council:

1. School Climate;
2. District Liaison;
3. Enrollment;
4. Effects of Absences On Grades;
5. Transfer of Coursework and Credits;
6. Graduation Requirements;
7. Outstanding Fees;
8. Eligibility for Extra Curricular Activities;
9. Collaboration and Information Sharing;
10. Local Control Accountability Plan;
11. Foster Youth Council.

Board of Education Executive Summary
Department Name: Youth Development Support Services



Agenda Title: New Foster Youth Board Policy
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VI. RESULTS

N/A

VII. LESSONS LEARNED / NEXT STEPS

If the new Foster Youth Board Policy is approved by Board, the following next steps will be implemented in order to develop the Administrative Regulations and continue the Foster Youth Services work.

- The FYS Coordinator/Ed Liaison, in collaboration with the FYS stakeholders group, will develop Administrative Regulations for approval by the Superintendent and Cabinet;
- The FYS Coordinator/Ed Liaison shall work with registrars, counselors and administrators to develop and maintain protocol regarding the issuance of partial credits in SCUSD;
- FYS Department will continue ongoing focus on Whole Child-Whole Year, by continuing to provide foster youth with priority access and intentional engagement into youth development and other support programming;
- Utilizing Social Justice Youth Development principal of keeping youth at the center, FYS has developed a Foster Youth Council. This advisory group consists of foster youth student representatives from various school sites who will work in partnership with the SCUSD FYS administration and staff in both program development and LCAP implementation;
- SCUSD FYS will continue to look for funding and other ways to support ongoing services for all foster youth within the district, including but not limited to mentoring services.

Sacramento City USD

Board Policy Foster Youth

BP

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The goal of this policy is to ensure the protection of foster youth rights and that foster youth receive the necessary tools and supports needed to ensure that their educational journey is successful.

- (cf. 5131.6 - Alcohol and Other Drugs)
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(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

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(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 – Parent Involvement)

District Liaison

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- a. The student has an individualized education program requiring placement in a nonpublic, nonsectarian school or agency, or in another local educational agency;
(cf. 6159 - Individualized Education Program)
(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)
- b. The parent/guardian or other person holding the right to make educational decisions for the student determines that it is in the best interest of the student to be placed in another educational program;

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of the new school shall immediately enroll the foster youth. The foster youth shall be immediately enrolled even if he/she: (Education Code 48853.5)

- a. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended;
(*cf. 5125.2 - Withholding Grades, Diploma or Transcripts*)
- b. Does not have clothing normally required by the school, such as school uniforms
(*cf. 5132 - Dress and Grooming*)
- c. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and medical records, including, but not limited to, immunization records or other documentation
(*cf. 5141.26 - Tuberculosis Testing*)
(*cf. 5141.31 - Immunizations*)
(*cf. 5141.32 - Health Screening for School Entry*)

If any dispute arises regarding the request of a foster youth to remain in the school of origin, the youth has the right to remain in the school of origin pending resolution of the dispute. (Education Code 48853.5)

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The grades of a student in foster care shall not be lowered for any absence from school that is due to either of the following circumstances: (Education Code 49069.5)

- a. A decision by a court or placement agency to change the student's placement, in which case the student's grades shall be calculated as of the date he/she left school;
- b. A verified court appearance or related court-ordered activity.
(*cf. 5121 - Grades/Evaluation of Student Achievement*)

Transfer of Coursework and Credits

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The district's educational liaison for foster youth shall work with registrars, counselors and/or administrators to develop and maintain protocol regarding the issuance of partial credits in SCUSD.

Graduation Requirements

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To obtain a high school diploma, a foster youth shall pass the high school exit examination in English language and mathematics, complete all courses required by Education Code 51225.3, and fulfill any additional graduation requirement prescribed by the Board.

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6162.52 - High School Exit Examination)

However, when a foster youth who has completed his/her second year of high school transfers into the district from another school district or transfers between high schools within the district, he/she shall be exempted from all district-adopted coursework and other district-established graduation requirements that are in addition to the statewide coursework requirements specified in Education Code Section 51225.3, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of his/her fourth year of high school. Within 30 calendar days of the foster youth's transfer, the Superintendent or designee shall notify the foster youth, the person holding the right to make educational decisions for him/her, and the foster youth's social worker of the availability of the exemption and whether the foster youth qualifies for it. (Education Code 51225.1, 60851)

Outstanding fees

Education Code 48904 (b) (2)) provides the process for all students to participate in a program of voluntary work for the minor in lieu of the payment of outstanding fees.

When a foster youth has outstanding fees, fines, textbooks, or other items and is unable to pay or return the property, the school district shall provide a program of voluntary work in lieu of the payment of monetary damages. Upon completion of the voluntary work, the grades, diploma, and transcripts of the foster youth shall be released. (Education Code 48904 (b) (2))

Eligibility for Extracurricular Activities

A foster youth whose residence changes pursuant to a court order or decision of a child welfare worker shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities.
(Education Code 48850)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

Collaboration & Information Sharing

Education Code 48853.5 encourages districts to collaborate with other agencies to provide services to foster youth.

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(cf. 1020 - Youth Services)

Local Control Accountability Plan (LCAP)

Pursuant to Education Code 52060, as added by AB 97 (Ch. 47, Statutes of 2013), each district is required to update the LCAP by July 1 each year, based on an evaluation rubric to be adopted by the SBE no later than October 1, 2015.

At least annually and in accordance with the established timelines, the Superintendent or designee shall report to the Board on the outcomes for foster youth regarding the goals and specific actions identified in the LCAP, including, but not limited to, school attendance, student achievement test results, graduation rates, and suspension/expulsion rates. As necessary, evaluation data shall be used to determine and recommend revisions to the LCAP for improving or increasing services for foster youth.

(cf. 0500 - Accountability)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6162.52 - High School Exit Examination)

Foster Youth Council

The Superintendent, or designee, may develop a Foster Youth Council made up of current and/or former foster youth students. The purpose of the Foster Youth Council is to provide input regarding Foster Youth Services programming, as well as provide feedback to the district regarding progress to Local Control Accountability Plan goals that are specific to foster youth.

Legal Reference:

EDUCATION CODE

32228-32228.5 Student safety and violence prevention

42238.01-42238.07 Local control funding formula

42920-42925 Foster children educational services
48645-48646 Juvenile court schools
48850-48859 Educational placement of students residing in licensed children's institutions
48915.5 Suspension and expulsion; students with disabilities, including foster youth
48918.1 Notice of expulsion hearing for foster youth
49061 Student records
49069.5 Foster care students, transfer of records
49076 Access to student records
51225.1 Exemption from district graduation requirements
51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course
51225.3 High school graduation
52060-52077 Local control and accountability plan
56055 Rights of foster parents in special education
60851 High school exit examination
HEALTH AND SAFETY CODE
1522.41 Training and certification of group home administrators
1529.2 Training of licensed foster parents
120341 Foster youth: school placement: immunization records
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670-679b Federal assistance for foster care programs
11431-11435 McKinney-Vento Homeless Assistance Act

Sacramento City USD

Board Policy Foster Youth

BP

The Governing Board acknowledges its obligation to support foster youth and provide them with full access to the district's educational program, as well as implement strategies as necessary to improve academic achievement and behavioral performance of foster youth in the district.

The Governing Board also recognizes that foster youth are a very transient population. This transiency may lead to unstable school placements. In addition, many foster youth have experienced trauma and loss, both of which are known to affect students' academic success. Multiple barriers facing foster youth may also result in an increase in classroom disruption and students missing out on valuable academic time. Loss of school time causes many foster youth to fall behind their peers and eventually lose interest in school.

This policy will set a course of action for staff, administrators and schools to follow in order to comply with current legislation to address the needs and rights of foster youth within the district. This policy includes regulations regarding the district's educational liaison for foster youth, foster youth enrollment, transfer of course work and credits, graduation requirements and extra-curricular activities.

The goal of this policy is to ensure the protection of foster youth rights and that foster youth receive the necessary tools and supports needed to ensure that their educational journey is successful.

(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5147 - Dropout Prevention)
(cf. 5149 - At-Risk Students)
(cf. 6011 - Academic Standards)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6173 - Education for Homeless Children)

Definitions

Foster youth means a child who has been removed from his/her home pursuant to Welfare and Institutions Code 309, is the subject of a petition filed under Welfare and Institutions Code 300 or 602, or has been removed from his/her home and is the subject of a petition filed under Welfare and Institutions Code 300 or 602 or is a nonminor who is under the transition jurisdiction of a juvenile court, as described in Welfare and Institutions Code 450, and satisfies the criteria specified in Education Code 42238.01.

(Education Code 42238.01, 48853.5)

Pursuant to Education Code 42238.01, as added by AB 97 (Ch. 47, Statutes of 2013), “foster youth” includes a nonminor who is under the transition jurisdiction of the juvenile court and satisfies criteria specified in law.

Person holding the right to make educational decisions means a responsible adult appointed by a court pursuant to Welfare and Institutions Code 361 or 726.

In instances where the rights of the parent/guardian have been limited, the court may appoint an educational representative on a temporary or long-term basis to make educational decisions for the student.

School of origin means the school that the foster youth attended when permanently housed or the school in which he/she was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which he/she was last enrolled, or if there is some other school that the foster youth attended within the preceding 15 months and with which the youth is connected, the district liaison for foster youth shall determine, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, and in the best interests of the foster youth, which school is the school of origin. (Education Code 48853.5)

Best interests means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the foster youth’s access to academic resources, services, and extracurricular and enrichment activities that are available to all district students.
(Education Code 48850, 48853)

School climate

The Board desires to provide foster youth with a safe, positive learning environment that is free from discrimination and harassment and that promotes students’ self-esteem and academic achievement. The Superintendent or designee shall develop strategies to build a foster youth’s feeling of connectedness with his/her school, including, but not limited to, strategies that promote positive discipline, the development of resiliency and interpersonal skills, and the involvement of foster parents, group home administrators, and/or other caretakers in school programs and activities.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 – Parent Involvement)

District Liaison

Pursuant to Education Code 48853.5, districts are required to designate a staff person as the educational liaison for foster youth.

The Superintendent designates the following position as the district’s educational liaison for foster youth: (Education Code 48853.5)

Coordinator, Foster Youth Services
5735 47th Avenue, Box # 763
Sacramento, CA 95824
(916) 643-9409

Enrollment

Education Code 48853 and 48853.5 provide regulations regarding the educational rights of foster youth.

A student placed in a licensed children’s institution or foster family home within the district shall attend programs operated by the district unless one of the following circumstances applies: (Education Code 48853, 48853.5)

- a. The student has an individualized education program requiring placement in a nonpublic, nonsectarian school or agency, or in another local educational agency;
(cf. 6159 - Individualized Education Program)
(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)
- b. The parent/guardian or other person holding the right to make educational decisions for the student determines that it is in the best interest of the student to be placed in another educational program;
- e.—At the initial placement or any subsequent change in placement, the student exercises his/her right to continue in his/her school of origin, as defined above.

The district liaison may, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, recommend that the youth’s right to attend the school of origin be waived and he/she be enrolled in any school that students living in the attendance area in which the foster youth resides are eligible to attend. All decisions shall be made in accordance with the foster youth’s best interests. (Education Code 48853.5)

If the liaison, in consultation with the foster youth and the person holding the right to make educational decisions for the foster youth, agrees that the best interests of the youth would be

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served by his/her transfer to a school other than the school of origin, the principal or designee of the new school shall immediately enroll the foster youth. The foster youth shall be immediately enrolled even if he/she: (Education Code 48853.5)

- a. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended;
(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)
- b. Does not have clothing normally required by the school, such as school uniforms
(cf. 5132 - Dress and Grooming)
- c. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and medical records, including, but not limited to, immunization records or other documentation
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.31 - Immunizations)
(cf. 5141.32 - Health Screening for School Entry)

If any dispute arises regarding the request of a foster youth to remain in the school of origin, the youth has the right to remain in the school of origin pending resolution of the dispute. (Education Code 48853.5)

Effect of Absences on Grades

The grades of a student in foster care shall not be lowered for any absence from school that is due to either of the following circumstances: (Education Code 49069.5)

- a. A decision by a court or placement agency to change the student's placement, in which case the student's grades shall be calculated as of the date he/she left school;
- b. A verified court appearance or related court-ordered activity.
(cf. 5121 - Grades/Evaluation of Student Achievement)

Transfer of Coursework and Credits

Education Code 51225.2 addresses the transferability of coursework completed by foster youth.

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When a foster youth transfers into a district school, the district shall accept and issue full credit for any coursework that the foster youth has satisfactorily completed while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency and shall not require the foster youth to retake the course. (Education Code 51225.2)

The district's educational liaison for foster youth shall work with registrars, counselors and/or administrators to develop and maintain protocol regarding the issuance of partial credits in SCUSD.

Graduation Requirements

Pursuant to Education Code 51225.3, any foster youth who transfers into the district or between district schools in grades 11-12 is exempted from locally established high school graduation requirements.

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To obtain a high school diploma, a foster youth shall pass the high school exit examination in English language and mathematics, complete all courses required by Education Code 51225.3, and fulfill any additional graduation requirement prescribed by the Board.

(cf. 6146.1 - High School Graduation Requirements)
(cf. 6162.52 - High School Exit Examination)

However, when a foster youth who has completed his/her second year of high school transfers into the district from another school district or transfers between high schools within the district, he/she shall be exempted from all district-adopted coursework and other district-established graduation requirements that are in addition to the statewide coursework requirements specified in Education Code Section 51225.3, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of his/her fourth year of high school. Within 30 calendar days of the foster youth's transfer, the Superintendent or designee shall notify the foster youth, the person holding the right to make educational decisions for him/her, and the foster youth's social worker of the availability of the exemption and whether the foster youth qualifies for it. (Education Code 51225.1, 60851)

Outstanding fees

Education Code 48904 (b) (2)) provides the process for all students to participate in a program of voluntary work for the minor in lieu of the payment of outstanding fees.

When a foster youth has outstanding fees, fines, textbooks, or other items and is unable to pay or return the property, the school district shall provide a program of voluntary work in lieu of the payment of monetary damages. Upon completion of the voluntary work, the grades, diploma, and transcripts of the foster youth shall be released. (Education Code 48904 (b) (2))

Eligibility for Extracurricular Activities

A foster youth whose residence changes pursuant to a court order or decision of a child welfare worker shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities.
(Education Code 48850)

(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)

~~Education Code 48853.5 encourages districts to collaborate with other agencies to provide services to foster youth.~~

Collaboration & Information Sharing

Education Code 48853.5 encourages districts to collaborate with other agencies to provide services to foster youth.

To address the needs of foster youth and help ensure the maximum utilization of available funds, the Superintendent or designee shall collaborate with local agencies and officials including, but not limited to, the county placing agency, social services, probation officers, and juvenile court officers. The Superintendent or designee shall explore the feasibility of entering into agreements with these groups to coordinate services and protect the rights of foster youth. In addition, the Superintendent or designee shall establish protocol to ensure the timely and appropriate sharing of foster youth educational records with the applicable placement agencies.

(cf. 1020 - Youth Services)

Local Control Accountability Plan (LCAP)

Pursuant to Education Code 52060, as added by AB 97 (Ch. 47, Statutes of 2013), each district is required to update the LCAP by July 1 each year, based on an evaluation rubric to be adopted by the SBE no later than October 1, 2015.

At least annually and in accordance with the established timelines, the Superintendent or designee shall report to the Board on the outcomes for foster youth regarding the goals and specific actions identified in the LCAP, including, but not limited to, school attendance, student achievement test results, graduation rates, and suspension/expulsion rates. As necessary, evaluation data shall be used to determine and recommend revisions to the LCAP for improving or increasing services for foster youth.

(cf. 0500 - Accountability)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6162.52 - High School Exit Examination)

Foster Youth Council

The Superintendent, or designee, may develop a Foster Youth Council made up of current and/or former foster youth students. The purpose of the Foster Youth Council is to provide input regarding Foster Youth Services programming, as well as provide feedback to the district regarding progress to Local Control Accountability Plan goals that are specific to foster youth.

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Legal Reference:

EDUCATION CODE

32228-32228.5 Student safety and violence prevention
42238.01-42238.07 Local control funding formula
42920-42925 Foster children educational services
48645-48646 Juvenile court schools
48850-48859 Educational placement of students residing in licensed children's institutions
48915.5 Suspension and expulsion; students with disabilities, including foster youth
48918.1 Notice of expulsion hearing for foster youth
49061 Student records
49069.5 Foster care students, transfer of records
49076 Access to student records
51225.1 Exemption from district graduation requirements
51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course
51225.3 High school graduation
52060-52077 Local control and accountability plan
56055 Rights of foster parents in special education
60851 High school exit examination

HEALTH AND SAFETY CODE

1522.41 Training and certification of group home administrators
1529.2 Training of licensed foster parents
120341 Foster youth: school placement: immunization records

WELFARE AND INSTITUTIONS CODE

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