

AB 167 AND AB 490 (FOSTER YOUTH) GUIDELINES

AB 167 - District Graduation Requirement Waiver for Foster Youth

Law: AB 167 (Jan. 2010)
California legislation that exempts foster youth who transfer schools or districts in 11th or 12th grade from local graduation requirements, if they would not be able to reasonably meet these additional local requirements.

Student Impact: Affects foster youth who change school districts in the 11th or 12th grade.

Intent: Foster children who transition to a new school district or school in their junior or senior year of high school are only required to meet state mandated graduation requirements for graduation as listed below:

Each course listed is one year long unless otherwise indicated.

| <u>CA State Mandated Graduation Requirements</u> | | <u>Sample District Graduation Requirements</u> | |
|--|---|--|--|
| 3 | English Courses | 4 | English Courses |
| 2 | Math Courses | 3 | Math Courses including Algebra |
| 2 | Science Courses (Biological and Physical) | 3 | Science Courses (Biological and Physical) |
| 3 | Social Studies Courses (US History and Geography; World History, Culture or Geography; one semester of Economics and one semester of Government and Civics) | 3 | Social Studies (US History; Modern World History; one semester Economics; and one semester in American Government) |
| 1 | Visual or Performing Arts or Foreign Language Course | 1 | Fine Arts or Foreign Language Course |
| 2 | PE Courses | 2 | PE Courses |
| | Pass CAHSEE | 1 | Sociology for Living Course |
| | | 6 | Elective Courses Pass CAHSEE |

CAHSEE: All regular education students must pass the CAHSEE. Special Education students are eligible for the CAHSEE waiver.

Exception: If the school district determines the foster youth is able to fulfill the district's requirements to graduate on time, the foster youth must complete the additional requirements.

AB 167 Waiver: The school district of attendance issues an AB 167 Waiver. Contact the District Foster Youth Education Liaison.

Notice Provided: The district must provide notice to the foster youth and educational rights' holder that the waiving of credits needed to graduate may affect the youth's ability to gain admission into post-secondary educational institutions.

Questions: Contact District's Ed Liaisons for Foster and Homeless Ed Services

AB 490 SUMMARY

ENSURING EDUCATIONAL RIGHTS AND STABILITY FOR FOSTER YOUTH --

Effective January 1, 2004, AB 490 (Steinberg), Chapter 862, imposes new duties and rights related to the education of dependents and wards in foster care. The Act's key provisions are as follows:

- Establishes legislative intent that foster youth are ensured access to the **same opportunities** to meet academic achievement standards to which all students are held, maintain stable school placements, be placed in the least restrictive educational placement and, have access to the same academic resources, services and extracurricular and enrichment activities as all other children. Makes clear that **education and school placement decisions** are to be dictated by the **best interest** of the child.
- Creates **school stability** for foster children by allowing them to remain in their school of origin for the duration of the school year when their **placement changes** and remaining in the same school is in the child's best interests.
- Requires county placing agencies to promote educational stability by considering in **placement decisions** the child's school attendance area.
- Requires Local Educational Agencies (LEAs) to designate a staff person as a **foster care education liaison** to ensure proper placement, transfer and enrollment in school for foster youth.
- Makes LEAs and county social workers or probation officers jointly responsible for the **timely transfer of students** and their **records** when a change of schools occurs.
- Requires that a **comprehensive public school** be considered as the first **school placement option** for foster youth.
- Provides that a foster child has the right to remain enrolled in and attend his/her school of origin pending resolution of school placement **disputes**.
- Allows a foster child to be **immediately enrolled** in school even if all typically required school records, immunizations, or school uniforms are not available.
- Requires an LEA to deliver the pupil's **education information and records** to the next educational placement within 2 days of receiving a transfer request from a county placing agency.
- Requires school districts to calculate and accept **credit for full or partial coursework** satisfactorily completed by the student and earned while attending a public school, juvenile court school or nonpublic, nonsectarian school.
- Authorizes the **release of educational records** of foster youth to the county placing agency, for purpose of compliance with WIC 16010, case management responsibilities required by the Juvenile Court or law, or to assist with transfer or enrollment of a pupil.

- Ensures that foster youth will not be penalized for **absences** due to placement changes, court appearances, or related court ordered activities.

Source: Youth Law Center/Children's Law Center of Los Angeles December, 2003