

Education for Foster Youth

The Solano County Office of Education (SCOE) recognizes that foster youth may be at greater risk for poor academic performance due to their family circumstances, disruption of their educational program, and emotional, social, and other health needs. SCOE desires to ensure that foster youth have access to the academic resources, services, and extracurricular and enrichment activities that are available to other students by coordinating with the districts to provide students in foster care with full access to educational opportunities and other support services necessary to assist them in achieving state and district academic standards and meeting the same challenging academic standards as other students.

The County Superintendent or designee shall ensure that placement decisions for foster youth are based on the students' best interests as defined in law and administrative policy. To that end, s/he shall designate a staff person as an educational liaison for foster youth to help facilitate the enrollment, placement, and transfer of foster youth. The Superintendent or designee and educational liaison shall ensure that all appropriate staff including, but not limited to, each principal, school registrar, and attendance clerk, receive training regarding the enrollment, placement, unique educational needs, and rights of foster youth.

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

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 including, but not limited to, the county placing agency, social services, probation officers, juvenile court officers, nonprofit organizations, and advocates. 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.

SCOE's educational liaison shall regularly report to the Superintendent or designee and/or Board on the educational outcomes of foster youth enrolled in the county including, but not limited to, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, and suspension/expulsion rates.

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

Person holding the right to make educational decisions means a responsible adult appointed by a court pursuant to Welfare and Institutions Code 361 or 727.

School of origin means the school that the foster youth attended when permanently housed or the school in which s/he was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which s/he was last enrolled, or if there is

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some other school that the foster youth attended within the preceding 15 months and with which the youth is connected, the SCOE educational liaison shall, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, determine, in the best interest of the foster youth, which school is the school of origin.

Best interest 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 other students.

SCOE Liaison

The County Superintendent designates the following staff position as the COE liaison for foster youth:

Educational Liaison
2460 Clay Bank Road, Fairfield, CA 94533
(707) 399-4855

SCOE's educational liaison for foster youth shall:

1. Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of students in foster care
2. Ensure proper transfer of credits, records, and grades, when students in foster care transfer from one school to another or from one district to another
3. As needed, make appropriate referrals to ensure that students in foster care receive necessary special education services and services under Section 504 of the federal Rehabilitation Act of 1973
4. Ensure that students in foster care receive appropriate school-based services, such as supplemental instruction, counseling, or after-school services
5. Develop protocols and procedures so that staff, including principals, school registrars, and attendance clerks, are aware of the requirements for the proper enrollment, placement, and transfer of foster youth
6. Collaborate with the county placing agency, social services, probation officers, juvenile court officers, nonprofit organizations, and advocates to help coordinate services for the county's foster youth
7. Monitor the educational progress of foster youth and provide reports, as needed, to the Superintendent or designee and/or the Board

The Superintendent or designee shall regularly monitor the caseload of SCOE's educational liaison, as well as his/her additional duties outside of the foster youth program, to determine whether adequate time and resources are available to meet the needs of the county's foster youth.

Enrollment

A foster youth placed in a licensed children's institution or foster family home shall attend programs operated by his/her local district of residence unless one of the following circumstances applies:

1. The student has an individualized education program (IEP) requiring placement in a nonpublic, nonsectarian school or agency or in another local educational agency (LEA).

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2. 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.
3. 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
 - a. The student may continue in the school of origin for the duration of the court's jurisdiction or, if the court's jurisdiction is terminated prior to the end of a school year, for the remainder of the school year.
 - b. To provide the student the benefit of matriculating with his/her peers in accordance with the established feeder patterns of school districts, a student who is transitioning between school grade levels shall be allowed to continue in the district of origin in the same attendance area. A student who is transitioning to a middle school or high school shall be allowed to enroll in the school designated for matriculation in another school district

SCOE's educational 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 s/he 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.

Prior to making any recommendation to move a foster youth from his/her school of origin, SCOE's educational liaison, in consultation with the appropriate district liaison, shall provide the youth and the person holding the right to make educational decisions for the youth with a written explanation of the basis for the recommendation and how this recommendation serves the youth's best interests.

The role of SCOE's educational liaison shall be advisory with respect to placement decisions and determination of the school of origin.

If the liaison, in consultation with the foster youth, the person holding the right to make educational decisions for the foster youth, and the appropriate district personnel when necessary, agree 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 or program shall immediately enroll the student in the new school/program. The youth shall be immediately enrolled even if s/he has outstanding fees, fines, textbooks, or other items or monies due to the school last attended or is unable to produce records, such as academic or medical records, proof of residency, or clothing normally required for enrollment.

Within two business days of enrollment, the appropriate SCOE or district liaison shall contact the school last attended by the student to obtain all academic and other records. Upon receiving a request from a new school, the liaison shall provide all records within two business days of receiving the request.

If the person with the right to make educational decisions for a foster youth or the foster youth disagrees with the liaison's enrollment recommendation, s/he may appeal the decision to the district superintendent. The district superintendent shall make a determination within 30 days of receipt of the appeal. Within 30 days of receipt of the superintendent's decision, the parent/guardian or foster youth may appeal that decision to the district's governing board. The governing board shall consider the issue at its next regularly-scheduled meeting. The governing board's decision shall be final.

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.

OFFICE OF THE SOLANO COUNTY SUPERINTENDENT OF SCHOOLS

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Legal Reference:

EDUCATION CODE

32228-32228.5 Student safety and violence prevention
42920-42925 Foster children educational services
48645-48646 Juvenile court schools
48850-48859 Educational placement of students residing in licensed children's institutions
49061 Student records
49069.5 Foster care students transfer of records
49076 Access to student records
51225.3 High school graduation
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

WELFARE AND INSTITUTIONS CODE

300 Children subject to jurisdiction
309 Investigation and release of child
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 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

Policy Cross-Reference:

0410 Nondiscrimination in Programs and Activities
0450 Comprehensive Safety Plan
0500 Accountability
1020 Youth Services
1400 Relationships with Other Governmental Agencies
5113.1 Chronic Absence and Truancy
5117 Interdistrict Attendance
5121 Grades/Evaluation of Student Achievement
5125 Student Records
5125.2 Withholding Grades or Transcripts
5131 Conduct
5131.6 Alcohol and Other Drugs
5132 Dress and Grooming
5137 Positive School Climate
5141.26 Tuberculosis Testing
5141.31 Immunizations
5141.32 Health Screening for School Entry

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Policy Cross-Reference:

- 5144.1 Suspension and Expulsion/Due Process
- 5144.2 Suspension and Expulsion/Due Process (Students with Disabilities)
- 5145.3 Nondiscrimination-Harassment
- 5145.9 Hate-Motivated Behavior
- 6011 Academic Standards
- 6145 Extracurricular and Cocurricular Activities
- 6159 Individualized Education Program
- 6159.2 Nonpublic, Nonsectarian School and Agency Services for Special Education
- 6159.3 Appointment of Surrogate Parent for Special Education Students
- 6162.51 Standardized Testing and Reporting Program
- 6162.52 High School Exit Examination
- 6164.4 Identification and Evaluation of Individuals for Special Education
- 6164.6 Identification and Education Under Section 504
- 6173 Education for Homeless Children
- 6174 Education for English Language Learners
- 6177 Summer School