

---

**SENATE COMMITTEE ON EDUCATION**  
**Senator Carol Liu, Chair**  
**2015 - 2016 Regular**

---

**Bill No:** AB 224  
**Author:** Jones-Sawyer  
**Version:** April 7, 2015  
**Urgency:** No  
**Consultant:** Lynn Lorber  
**Hearing Date:** June 24, 2015  
**Fiscal:** Yes

**Subject:** Pupils: educational liaison for foster children

**SUMMARY**

This bill requires the California Department of Education to develop a standardized notice of educational rights of foster youth, post the notice on its website, and provide the notice to foster youth liaisons, foster youth, parents or educational rights holders.

**BACKGROUND**

Existing law:

- 1) Establishes rights for youth who are in foster care, as follows:
  - a) Be educated in the least restrictive environment and have equal access to academic resources, services, and extracurricular activities, including interscholastic athletics. (Education Code § 48850)
  - b) Attend a regular public school when residing in a licensed children’s institution, except under specified circumstances. (EC § 48853)
  - c) Remain in his or her school of origin when a new placement occurs, and while the resolution of a dispute regarding educational placement is pending. (EC § 48853 and § 48853.5)
  - d) Be promptly transferred between schools and have educational records transferred within two business days, and be immediately enrolled in a new school, even if he or she has outstanding fees, fines, textbooks, or money due to the prior school, or is unable to produce clothing or records required for enrollment. (EC § 48853.5 and § 49069.5)
  - e) Be deemed to have met residency requirements for the purpose of participation in interscholastic sports and other extracurricular activities. (EC § 48850)

- f) Receive full or partial credit for coursework satisfactorily completed at another school, even if he or she hasn't completed the entire course, and not be required to retake some or all of a course he or she has taken at another school.  
(EC § 49069.5 and § 51225.2)
  - g) Be exempt from local graduation requirements which exceed state requirements.  
(EC § 51225.1)
  - h) Not have grades and credits be lowered as a result of a placement change or court appearance. (EC § 49069.5)
  - i) Have a meeting with specified personnel present when a local educational agency (LEA) proposes a change of placement due to expulsion. (EC § 48911 and § 48915.5)
  - j) Among other rights, to live in a safe, healthy, and comfortable home where he or she is treated with respect, be free from physical, sexual, emotional, or other abuse, or corporal punishment, receive adequate and healthy food, and adequate clothing, make and receive confidential telephone calls and send and receive unopened mail, attend school and participate in extracurricular, cultural, and personal enrichment activities, consistent with the child's age and developmental level, with minimal disruptions to school attendance and educational stability, at 16 years of age or older to have access to existing information regarding the educational options available, and have access to age-appropriate, medically accurate information about reproductive health care, the prevention of unplanned pregnancy, and the prevention and treatment of sexually transmitted infections at 12 years of age or older.  
(Welfare and Institutions Code § 16001.9)
- 2) Requires each LEA to designate a staff person as the educational liaison for foster youth, and requires that person to ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of foster youth, and to ensure proper transfer of credits, records, and grades when students change schools or school districts.  
(EC § 48853.5)
- 3) Requires the Foster Care Ombudsperson to produce a poster delineating the rights of foster children and youth, and post it in specified foster care settings.  
(Health and Safety Code § 1530.91)

## ANALYSIS

This bill requires the California Department of Education (CDE) to develop a standardized notice of educational rights of foster youth, post the notice on its website, and provide the notice to foster youth liaisons, foster youth, parents or educational rights holders. Specifically, this bill:

- 1) Requires the California Department of Education (CDE), in collaboration with the California Foster Youth Education Task Force, to develop a standardized notice of existing

educational rights of foster youth, including information about the process for foster youth to file a complaint.

- 2) Requires any version of the notice prepared for use by foster youth to also include, to the greatest extent practicable, existing rights that are not specific to education. If the rights not specific to education are included in the notice, the California Department of Education (CDE) must consult with the Office of the State Foster Care Ombudsperson.
- 3) Requires the CDE to post the notice on its website and make copies of the notice available to educational liaisons for foster youth.
- 4) Requires the education liaisons for foster youth to ensure that public notice of the educational rights of foster youth is disseminated or posted in a public area at schools where students who are in foster care are in attendance.
- 5) Requires the education liaison for foster youth to provide, at the time a foster youth seeks enrollment and by the most cost efficient and effective means possible, notice of the educational rights to the foster youth and to the parent, guardian, or educational rights holder.

## STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “Over the last decade, California has been a leader in enacting legislation to protect the education rights of foster youth. Unfortunately, far too many foster youth and their education rights holders and foster parents are unaware of these protections. As such, they lack the tools to effectively advocate for their education rights and to help break down the barriers to their educational success.”
- 2) ***Foster Youth Education Task Force.*** This bill requires the CDE to consult with the Foster Youth Education Task Force to develop a notice of educational rights of students in foster care. The Foster Youth Task Force was established in 2004 and consists of representatives of more than 35 organizations, including foster youth advocates, and representatives of state and local agencies, postsecondary education institutions, and local educational agencies (LEA). <http://cfyETF.org/>
- 3) ***Fiscal impact.*** According to the Assembly Appropriations Committee, this bill imposes:
  - a) Minor administrative costs to CDE to create a standardized notice, post the notice online and provide technical assistance to LEAs.
  - b) Proposition 98 (General Fund) state mandated costs, likely in the low tens of thousands, for the education liaisons to disseminate and post notice of rights. There are 9,919 schools and approximately 60,000 foster youth in California.
- 4) ***Related legislation.*** AB 379 (Gordon, 2015) expands the Uniform Complaint Procedures to include complaints of non-compliance with certain rights and responsibilities regarding

the education of students who are in foster care or who are homeless. AB 379 is scheduled to be heard by this Committee on June 24.

AB 854 (Weber, 2015) expands the uses of Foster Youth Services (FYS) funding to support students in all foster care placements, makes significant changes to the FYS program, and establishes a State Foster Youth Services Coordinator in the California Department of Education (CDE).

**SUPPORT**

- Alliance for Children’s Rights
- California Alliance of Child and Family Services
- California Catholic Conference
- California School Employees Association
- California State PTA
- California Youth Connection
- Child Abuse Prevention Center
- Children Now
- Junior League of Orange County
- Junior League of San Diego
- National Association of Social Workers, California Chapter
- National Center for Youth Law
- Public Counsel
- Youth Law Center

**OPPOSITION**

None received.

**-- END --**