



Huntington Beach Union High School District Board Policies and Administrative Regulations

AR 6173.1
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Instruction

Education for Foster Youth

Definitions

Foster youth means a child who has been subject to one of the following: (Education Code 48853.5)

1. Has been removed from the home pursuant to Welfare and Institutions Code 309 (temporary custody)
2. Is the subject of a petition filed under Welfare and Institutions Code 300 or 602 (jurisdiction of juvenile court)
3. Has been removed from the home and is subject of a petition filed under Welfare and Institutions Code 300 or 602.

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

School of origin means the school the foster youth attended when permanently housed or the school in which the student was last enrolled. If the school the foster youth attended when permanently housed is different from the school 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 shall, in consultation and agreement with 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. Education Code 48853.5)

Best interest means a placement that ensures that the youth is placed in the least restrictive educational program and has access to academic resources, services, and extracurricular and enrichment activities that are available to district students. (Education Code 48853)

Education for Foster Youth, (continued)

District Liaison

The district's liaison for foster youth shall:

1. Ensure and facilitate the proper educational placement, enrollment in school, and check-out from school of students in foster care. (Education Code 48853.5)
2. Ensure proper transfer of credits, records, and grades when a student in foster care transfers from one school to another or from one district to another. (Education Code 48853.5, 48645.5)
3. Ensure that students in foster care receive appropriate school-based services, such as supplemental instruction, counseling, or after-school services.
4. Develop protocols and procedures so that district staff, including principals, school registrars, and attendance clerks are aware of the requirements for the proper enrollment, placement, and transfer of foster youth.
5. Collaborate with the county placing agency, social services, probation officers, juvenile court officers, nonprofit organizations, and advocates to help coordinate services for foster youth.
6. Monitor the educational progress of foster youth and provide reports to the Superintendent or designee and the Governing Board based on indicators identified in the Board policy.

Enrollment

A foster youth 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)

1. The student has an individualized education program requiring placement in a nonpublic, nonsectarian school or agency or in another local agency.
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 is entitled to remain at the school of origin, as defined above, for the remainder of the academic school year pursuant to Education Code 48853.5.

Education for Foster Youth, (continued)

The district liaison may, in consultation with and 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 that the student be enrolled in the school of residence. All decisions shall be made in accordance with the foster youth's best interest.

Prior to making any recommendation to move a foster youth from the school of origin, the 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 interest.

The role of the 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 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 a 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 youth shall be immediately enrolled even if there are 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.

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, they may submit an appeal in writing to the Superintendent. The Superintendent shall make a determination within 30 days of receipt of the written appeal. Within 30 days of receipt of the Superintendent's decision, the parent/guardian or foster youth may appeal the decision in writing to the Board. The Board shall consider the issue at the next regularly scheduled meeting. The Board's decision shall be final.

Applicability of Graduation Requirements

When a foster youth in grade 11 or 12 transfers into the district from another school district, he/she shall be exempted from all coursework and other graduation requirements adopted by the Board that are in addition to the statewide coursework requirements specified in Education Code 51225.5, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school while remaining in foster care.

Education for Foster Youth, (continued)

This exemption does not apply to the state requirements for graduation or the high school exit examination. (Education Code 51225.5, 60851)

The Superintendent or designee shall notify any student who is granted an exemption and, as appropriate, the person holding the right to make educational decisions for the student if any of the requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges.

Grades and Credits

Grades for a student in foster care shall not be lowered if the student is absent from school due to either of the following circumstances: (Education Code 49069.5)

1. A decision by a court or placement agency to change the student's placement, in which case the student's grades and credits shall be calculated as of the date the student left school.
2. A verified court appearance or related court-ordered activity.

Eligibility for Extracurricular Activities

A foster youth who changes residency 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 athletics or other extracurricular activities. (Education Code 48850)

Adopted: 7/13/10