

AB 379 (Gordon)

Foster Youth: Educational Rights

SUMMARY

Numerous laws in California give foster children extra protections aimed at improving their ability to be successful in school. Despite these laws, California's foster children still have the worst educational outcomes of all of our state's children. One major reason for this is that foster children lack a mechanism for enforcing the educational rights afforded to them. Including foster youth education rights in the State's Uniform Complaint Procedure will provide a way to enforce these important rights and will lead to improved education outcomes for our foster youth.

BACKGROUND

The education outcomes of pupils in foster care are abysmal. A recent study found that California's foster youth were significantly more likely to change schools than other at-risk students, were significantly more likely to be enrolled in the lowest-performing schools than other at-risk students, were significantly more likely to drop out than any other at-risk student group and tested below basic and far below basic in English Language Arts and Math at twice the rate of students statewide.

These outcomes are linked to foster youth's school mobility, extended absences, experiences of trauma, lack of parent advocacy, or other factors unique to this population.

Recognizing the needs of this vulnerable population, the Legislature has passed several bills that address the unique educational needs of foster youth. As a result of these reforms, foster youth have the right to remain in their school of origin, immediate enrollment, enrollment in their

local comprehensive school, partial credits, graduate with state minimum requirements rather than district requirements when a transfer occurred following the second year of high school and the student cannot reasonably complete district requirements, and access the same academic resources, services, and extracurricular activities that are available to all pupils.

Although foster youth have possessed many of these rights for over ten years, the reality is the education rights of foster youth are routinely ignored. One reason for this is the lack of an appropriate enforcement mechanism. Including foster youth education rights in the California Department of Education's (CDE) Uniform Complaint Procedure (UCP) will provide a way to enforce these important—and too long ignored—rights.

THIS BILL

AB 379 will allow foster youth to access the UCP to resolve alleged violations of foster youth's educational rights.

It will reduce timelines for Local Education Agencies (LEAs) to respond to complaints alleging a violation the right to immediate enrollment.

AB 379 will also reduce timelines for LEAs to respond to complaints alleging a violation of the rights to remain in the school of origin when the LEA has refused to allow the foster youth to remain in the school of origin pending resolution of a dispute.

Lastly, AB 379 will provide for the award of compensatory education services to foster youth when the district has been found in violation of law and that violation resulted in

the denial of the foster youth's right to attend school.

SUPPORT

- Alliance for Children's Rights
- ChildrenNow

OPPOSITION

- None on file

FOR MORE INFORMATION

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