

## **Child Welfare Education Bill List**

### **Prepared for Informational Purposes for the CA FYETF**

**[AB 1573](#) ([Brownley D](#)) **School attendance: residency requirements: foster children.****

**Location:** 7/13/2012-A. CHAPTERED

**Summary:** Current law requires persons between the ages of 6 and 18 to attend a public school within the school district in which the pupil's parent or legal guardian resides, unless otherwise exempted. This bill would deem a pupil who is a foster child who remains in his or her school of origin to have met the residency requirements for school attendance in that school district. To the extent that this bill would impose additional duties on a school district of origin, this bill would impose a state-mandated local program. This bill contains other related provisions and other current laws.

**[AB 1712](#) ([Beall D](#)) **Minors and nonminor dependents: out-of-home placement.****

**Location:** 8/30/2012-A. ENROLLMENT

**Summary:** Current law, the California Fostering Connections to Success Act, revises and expands the scope of various programs relating to the provision of cash assistance and other services to and for the benefit of certain foster and adopted children, and other children who have been placed in out-of-home care, including children who receive Aid to Families with Dependent Children-Foster Care (AFDC-FC), Adoption Assistance Program, California Work Opportunity and Responsibility to Kids (CalWORKs), and Kinship Guardianship Assistance Payment Program (Kin-GAP) benefits. Among other provisions, the act extends specified foster care benefits to youth up to 19, 20, and 21 years of age, described as nonminor dependents, if specified conditions are met, commencing January 1, 2012. This bill also would make a nonminor dependent who has been receiving specified aid, as described above, between January 1, 2012, and December 31, 2012, and who attains 19 years of age prior to January 1, 2013, eligible to continue to receive that aid, notwithstanding the age limitations in current law, provided that the nonminor dependent continues to meet all other applicable eligibility requirements. This bill would impose a state-mandated local program by increasing county duties. This bill contains other related provisions and other current laws.

**[AB 1909](#) ([Ammiano D](#)) **Foster children: placement: suspension and expulsion: notifications.****

**Location:** 8/30/2012-A. ENROLLMENT

**Summary:** Current law requires each local educational agency to designate a staff person as the educational liaison for foster children, as defined. Current law requires the educational liaison to ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of foster children, and to assist foster children when transferring from one school to another school or from one school district to another school district in ensuring the proper transfer of credits, records, and grades. This bill would require the educational liaison, if designated by the superintendent of the local educational agency, to notify the foster child's attorney and the appropriate representative of the county child welfare agency of pending expulsion proceedings if the decision to recommend expulsion is a discretionary act, pending proceedings to extend a suspension until an expulsion decision is rendered if the decision to recommend expulsion is a discretionary act, and, if the foster child is an individual with exceptional needs, pending manifestation determinations, as specified. This bill contains other related provisions and other current laws.

**[AB 2060](#) ([Bonilla D](#)) **Juveniles: educational decisions.****

**Location:** 8/17/2012-A. CHAPTERED

**Summary:** Current law authorizes the court to limit the right of a parent to make educational decisions for a dependent child or ward of the court under specific circumstances. If the court limits a parent's right to make educational decisions for his or her child, current law authorizes the court to temporarily appoint a responsible adult to make educational decisions for the child. Under current law, if the court cannot identify a responsible adult to fulfill that role while dependency proceedings are pending, the court may make educational decisions for the child, except as specified. After a child has been adjudged a dependent child or a ward of the juvenile court, if the court cannot identify a responsible adult to make educational decisions for the child, the court is required to refer the child to the local educational agency for appointment of a surrogate parent if the child has special education needs. If appointment of a surrogate parent is not warranted because the child does not have special education needs, and the child does not have a foster parent, the court may make educational decisions for the child. This bill would require the court, after limiting a parent's educational rights in dependency or wardship proceedings, to determine if there is a responsible adult who is a relative, nonrelative extended family member, or other adult known to the child and who is available and willing to serve as the child's educational representative before appointing an educational representative or surrogate who is not known to the child. This bill would also require an appointed educational representative or surrogate parent to meet with the child, investigate the child's educational needs and whether those needs are being met, and present recommendations to the court or attend court to participate in any portion of a hearing that concerns the child's education. By requiring a higher level of service by local educational agencies in the appointment and performance of surrogate parents, this bill would impose a state-mandated local program. This bill contains other related provisions and other current laws.

**SB 121** (Liu D) Pupils: foster children: special education.

**Location:** 8/29/2012-S. ENROLLMENT

**Summary:** Current law requires a pupil who is placed in a licensed children's institution or foster family home to attend programs operated by the local educational agency unless the pupil is entitled to remain in his or her school of origin, the pupil has an individualized education program requiring placement elsewhere, or the pupil's parent or guardian, or other person holding the right to make educational decisions for the pupil, determines that it is in the best interests of the pupil to be placed in another educational program. This bill would require that, if the pupil's parent or guardian, or other person holding the right to make educational decisions for the pupil, makes that determination, he or she shall provide a written statement to that effect to the local educational agency, as specified. The bill would authorize a local educational agency to provide a parent, guardian, or other person holding the right to make educational decisions for the pupil with specified information, including, among other things, that the pupil has the right to attend a regular public school in the least restrictive environment. This bill contains other related provisions and other current laws.

**SB 1135** (Runner R) Graduation requirements: pupils in foster care.

**Location:** 5/24/2012-S. APPR.

**Summary:** Current law requires a pupil to complete specified courses while in grades 9 to 12, inclusive, in order to receive a diploma of graduation from high school. Current law authorizes the governing board of a school district to adopt rules specifying additional coursework requirements. Current law requires a school district to exempt a pupil in foster care from all coursework and other requirements adopted by the governing board of the school district that are in addition to the statewide coursework requirements for graduation if the pupil, while he or she is in grade 11 or 12, transfers into the school district from another school district or between high schools within the school district, unless the school district makes a finding that the pupil is reasonably able to complete the additional requirements in time to graduate from high school while he or she remains eligible for foster care benefits. This bill would recast those provisions relating to pupils in foster care and would instead require a school district to exempt a pupil from all coursework and other requirements adopted by the governing board of the school district that are in addition to the statewide coursework requirements unless the school district makes a finding that the pupil is reasonably able to complete the requirements in time to graduate from high school by the end of the pupil's 4th year of high school. The bill would make the exemption from local graduation requirements applicable only to a pupil who transfers between schools during or after the pupil's 3rd year of high school and who is currently in foster care or, at the time of transfer, was in foster care. The bill would allow either the number of credits the pupil has earned to the date of transfer or the length of the pupil's school enrollment to be used to determine whether a pupil is in the 3rd year of high school, whichever would qualify the pupil for the exemption. The bill would, within 30 days of a pupil's transfer, require the school district to notify the pupil who may qualify for the exemption and the adult holding the right to make educational decisions for the pupil and inform them of whether or not the pupil qualifies for the exemption. The bill would prohibit a school or school district from requiring or requesting that a pupil graduate before the end of his or her 4th year of high school if the pupil is exempted and completes the statewide coursework requirements before the end of his or her 4th year in high school and the pupil is otherwise entitled to remain in attendance at the school. This bill contains other related provisions and other current laws.

**SB 1568** (DeSaulnier D) Pupils: foster children: educational placement.

**Location:** 8/31/2012-S. ENROLLMENT

**Summary:** Current law requires a local educational agency serving a foster child to allow the foster child to continue his or her education in the school of origin for the duration of the jurisdiction of the court over the child. Current law requires the local educational agency to allow a foster child to continue in the school of origin through the duration of the academic school year if the jurisdiction of the court is terminated before the end of the school year. This bill would impose a state-mandated local program by also requiring a local educational agency to allow a former foster child to continue his or her education in the school of origin through graduation if the jurisdiction of the court is terminated while the foster child is in high school. The bill would provide that a school district is not required to provide transportation to a former foster child who has an individualized education program that does not require transportation as a related service and who changes residence but remains in his or her school of origin, unless the individualized education program team determines that transportation is a necessary related service. The bill also would make conforming, clarifying, and nonsubstantive changes. This bill contains other related provisions and other current laws.

**Total Measures: 7**

**Total Tracking Forms: 7**