

2016-17

Legislative Update

Student Support Services

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Ed liaison for foster children: notice of ed rights of foster children

SUMMARY: Requires CDE, in consultation with the CA Foster Youth Ed Task Force, to develop a standardized notice of the ed rights of foster children, as specified, and to make the notice available to ed liaisons for foster children for dissemination by posting the notice on its Internet Web site.

FOSTER YOUTH EDUCATION RIGHTS



1. RIGHT TO REMAIN IN YOUR SCHOOL OF ORIGIN

- You have the right to stay in the same school after you move to a new foster care placement. Your "school of origin" can be:
 - The school you attended when you first entered foster care,
 - The school you most recently attended, or
 - Any school you attended in the last 15 months that you feel connected to.
- Your school district must work with you, your education rights holder,* your caregiver, and your social worker/probation officer to develop a plan to transport you to your school of origin.
- If you are transitioning from elementary school to middle school or from middle school to high school, you have the right to transition to the same school as your classmates.
- If there is any disagreement about which school you will attend, you have the right to stay in your school of origin until the disagreement is resolved.

2. RIGHT TO IMMEDIATE ENROLLMENT IN SCHOOL

- You have the right to immediately enroll in your regular home school after you move placements.
- You cannot be forced to attend a continuation school or other alternative education program, such as independent study, even if you are behind in credits or have discipline problems at school.
- You have a right to immediately enroll in school and begin attending classes, even if you do not have the paperwork you would normally need for enrollment (such as birth certificate, transcript, or IEP) or you did not check-out from your previous school.
- Your previous school must send your education records to your new school after you enroll.

3. RIGHT TO PARTIAL CREDITS FOR HIGH SCHOOL STUDENTS

- If you change schools during the school year, you have a right to partial credits in all classes that you are passing when you leave your old school, even if you do not complete the entire class.
- After you change schools, your new school must accept the partial credits issued by your old school.
- After you change schools, you have the right to be enrolled in the same or similar classes you were enrolled in at your last school.
- You cannot be forced to retake a class or part of a class that you have already completed with a passing grade, if it would make you off-track for high school graduation.
- You have the right to take or retake any class that you need to go to a California State University or University of California.
- Your grade cannot be lowered because you were absent from school for a court hearing, placement change, or a court-related activity.

4. GRADUATION RIGHTS

- You have the right to stay in high school for a fifth year to complete your school district graduation requirements, even if you are over 18.
- If you are behind on your credits, and you transferred schools after 10th grade, you may be eligible to graduate under AB 167/216 by completing only the state graduation requirements (130 credits in specific classes) instead of your school district's requirements.
- If you are eligible, the decision of whether to graduate under AB 167/216 is made by your education rights holder.

5. COLLEGE RIGHTS

Child abuse and neglect poster

SUMMARY: Requires the Superintendent of Public Instruction to create a poster that notifies children of the appropriate telephone number to call to report child abuse or neglect.

The bill requires the superintendent, on or before July 1, 2017, to post the downloadable versions of the poster on the department's Internet Web site.

Encourages districts to post where students frequently congregate.

Sex equity in education: Title IX

SUMMARY: Requires schools to post their web sites with information relating to Title IX.

Student financial aid: Chafee grant awards

SUMMARY: Would, commencing with the 2017-18 academic year, make a new Chafee grant award to a student only if the student attends a qualifying institution that is eligible for participation in the Cal Grant Program pursuant to a specified provision of the Cal Grant Program enabling act or if the student attends an institution that is not located in California that satisfies a specified provision of the Cal Grant Program enabling act.

Diploma alternatives: CAHSPE fee waiver: foster youth

SUMMARY: Current law authorizes CDE to charge a fee for each proficiency examination application in an amount sufficient to recover the costs of administering the requirements of these provisions. Current law prohibits the department from charging the fee to an examinee who qualifies as a homeless child or youth.

This bill would prohibit the department from charging the fee to a foster youth, as defined, who is under 25 years of age.

Before and after school programs: enrollment

SUMMARY: The After School Education and Safety (ASES) Program Act of 2002, establishes the ASES Program to serve pupils in grades K-9.

This bill, beginning July 1, 2017, would give first priority enrollment to pupils who are identified by the program as homeless youth or as being in foster care, and 2nd priority enrollment, for programs serving middle schools, to pupils who attend the program daily.

Juvenile Court School Pupils

SUMMARY: Affords former juvenile court school students who transfer from a juvenile court school to a school district upon completion of his/her 2nd year of high school the same rights as homeless and foster youth.

- Immediate Enrollment
- State Grad Req + Right to complete a 4th year
- Right a 5th year
- Retention of status once exempted
- Partial Credits

Minors: Mental Health Counseling Services

SUMMARY: Authorizes a MFT trainee, clinical counselor trainee, a psychology trainee and a social work intern, while working under supervision, to provide outpatient mental health treatment or counseling services to minors.

Bullying: Electronic Acts

SUMMARY: Defines “bullying via an electronic act” to mean the creation or transmission of a communication by means of an electronic device that includes a video.

Bullying: Cyber Sexual

SUMMARY: Defines “cyber sexual bullying” as the dissemination, incitement or solicitation of a photograph or visual recording by a student to another student or to school personnel via an electronic act with the purpose or effect of humiliating or harassing a student.

Includes engaging in an act of “cyber sexual bullying” as an act of bullying via an electronic act for which a student may be suspended or expelled from school.

Intradistrict Transfer of a student convicted of a violent felony or misdemeanor

SUMMARY: Authorizes school district to transfer a student convicted of a violent felony or misdemeanor if the student and the victim are enrolled at the same school. Requires a board policy.