

**General Education
Overview:
What You Need To Know About
School Districts**

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Foster Youth

- 62,000 foster youth in California
- 75% work below grade level in school
- Nearly 50% fail to complete high school (16% avg.)
- 25% earn a GED instead of a high school Diploma

Educational Challenges for Children in Foster Care

- 43% move 3 or more times
- 11% move 5 or more times
- Half have been retained
- 35% are in special education
- 4-6 months of educational progress is lost each time a school is changed

County Office of Education (COE)

- Oversight of School District's budget
- Operates specialized programs (migrant ed., homeless, foster care)
- Staff Development
- Technology Services
- Charter Schools
- Regional Occupational Centers (ROP), Vocational Training
- Special Education Services not offered by districts
- Operates Community Day Schools, Ranches, Juvenile Hall School

School Districts

- School districts are the local legal entity responsible for the overall education of school age students (TK-12th grade) within the district's boundaries
- Each school district will include a person who acts as Foster Youth Liaison
- Foster Youth Liaison is responsible for ensuring that all laws and protections regarding foster youth are followed

Education Rights Holder

- The Educational Rights Holder (ERH): is the individual responsible for representing the child's best interest regarding educational services
- If the parent is unable to function as the ERH, the juvenile court judge may remove the parent's educational rights
- The court may appoint an ERH or demand that the LEA appoint a temporary surrogate

Responsibilities of the Educational Rights Holder

Who

- The child's parent or legal guardian
- a court appointed responsible adult
- a surrogate parent appointed by the court or school district
- a juvenile court

What

- Enrollment in school
- Preference for placement in school of origin
- consent for assessment for special education
- consent for implementation of IEP
- request for special education due process

AB 490

Educational Rights of Foster Youth

- School Stability
 - Child has a right to stay in school of origin provided it is in the best interest of the child.
- Immediate Enrollment
 - A youth in foster care must be immediately enrolled in a new school regardless of health and educational records etc
- Youth in care must attend general education program unless:
 - Child has an IEP
 - Child is incarcerated or in emergency care
 - Educational rights holder determines it is in the best interest for the child to remain in the school of origin and in a specialized program

AB 490 Continued

- Transfer of Records
 - must be received within 2 business days of child enrolling in school
- Local education Agencies (LEA)
 - must have AB490 designee (Foster Youth Liaison) listed by name and title
- Absences
 - Student may not be punished for attending court-related activities and missing school time (the child advocate should give the child or the school attendance office a court visit verification slip)

AB 167

Foster Youth Graduation Requirement Waiver

- Typical Graduation Requirement = 220-240 credits
- UC/CSU Graduation Requirement = 150-180 credits
- California Minimum = 130 credits
- Foster Youth Grad Plan = 130 credits

AB 167

Foster Youth Graduation Requirement Waiver

Who Qualifies

- Any Foster youth who have changed schools during the 11th or 12th grade and
 - Who cannot be reasonably expected to meet graduation requirements by the end of their 12th grade year

AB 167

Foster Youth Graduation Requirement Waiver

Flexibility

- May choose to graduate on time without the special grad plan
- May choose to spend a 5th year at the school to meet grad requirements of either plan
- May switch back to the district's grad plan at any time

Student Records: Cumulative Files

Cumulative Records (CUM Files)

- A running record of child's progress and other documents beginning when they first entered any school system
- A legal document that must be kept by all schools
- May include discipline, attendance, academic and other extraneous information
- Advocates and Education Rights holders have the the right to access any and all of their child's records that are maintained by school districts or private schools

CUM Folders: What May be Inside

- Student enrollment forms
- Court documents
- Home language survey
- Individual Learning Plan
- Report Cards
- Birth Certificate
- Immunization Records
- Suspension/Expulsion Records
- Promotion/ Retention Records

- State Testing Results
- Attendance Forms/SARB documents
- English Language Learner Info.
- Health information
- SST information/Interventions
- Special Education information

Cumulative Files

- Editing or withholding school records is prohibited by the district
- Schools must make records available within five (5) business days
- Files are keep permanently on students
- Records can be viewed during normal business hours
- Schools can charge a reasonable fee to furnish copies of records

Special Education

Special education is defined in federal law as "specially designed instruction to meet the unique needs of a student with a disability..."

Categories of Disabilities

- Autism
- Hearing Impairment
- Orthopedic Impairment
- Visual Impairment
- Specific Learning Disability
- Other Health Impairment
- Emotional Disturbance
- Intellectual Disability
- Speech Language Impairment
- Traumatic Brain Injury
- Deaf-Blind
- Deaf
- Multiple Disabilities

Special Education: Section 504

Disabilities that qualify under Section 504:

(This is not an exhaustive list)

- ADHD
- Obsessive Compulsive Disorder
- Conduct Disorder
- Asthma
- Diabetes
- Allergies
- Dyslexia
- Pervasive Developmental Disorder
- Other medical disorders or conditions that may prevent the child from fully accessing academic curriculum

A 504 Plan creates classroom accommodations that help the student successfully access curriculum and instruction

Referral and Assessment Process Special Education/504

If a parent, caregiver, advocate, teacher, principal, counselor suspects a child has a disability:

- A written request for assessment should be addressed to the Director of Special Education
- Within 15 calendar days of receiving the written request, the school will present the student's parents or ERH with a written response with an assessment plan or a suggestion of attempts at other interventions or a denial of the assessment request.

Referral and Assessment: Continued

Once assessment has begun, the district has 60 calendar days to:

- Complete an assessment and write reports
- Hold a meeting to share the assessment results with the parent and/or EHR to determine eligibility and write an Individualized Education Plan (IEP) or decline to offer services
- If declined, request a 504 plan (if applicable)

Specialized School Support

- **Student Study (success) Team:**
 - The SST is a problem solving team that identifies strategies, interventions and/or programs to support students to solve or alleviate academic difficulties and/or accompanying behavioral problems.
- **COST (Coordination of Services Team):**
 - The COST team is similar to an SST but utilizes nurses, counselors, teachers, community resources, etc... to create a better understanding of an academic and/or emotional issue and create a plan to deal with it

Outside Community Resources May be Available at Your School. ASK!

Keys to a Successful Partnership with a School or School District

- Assume positive intent
- Ask Questions
- Come prepared to work as a team
- Speak up when you feel something is not right
- Listen
- Do your homework
- Keep all of your interactions student-focused
- Assume positive intent

Resources:

Rights of Foster Youth (AB 490):

<http://www.cde.ca.gov/ls/pf/fy/resources.asp>

Foster Youth Grad Plan (AB 167):

<http://www.cfyetf.org/uploads/AB%20167%20FAQ.pdf>

<https://www.childwelfare.gov/fostercaremonth/>

Educational Rights Holders:

http://www.courts.ca.gov/cms/rules/index.cfm?title=five&linkid=rule5_650