

Foster Youth Policy

Lake View Charter School

BP 6173.1

Adopted: 01/23/20

Revised: 06/05/24 v4

The Governing Board of Lake View Charter School (the “Charter School”) desires to ensure that foster children are provided equal access to the same free, appropriate public education provided to other children and youth. Foster students will be given access to the education and other services that such students need to ensure that they have the opportunity to meet the same challenging State student academic achievement standards to which all students are held. Foster students will not be stigmatized or segregated in a separate school or program based on the student’s status as foster youth.

The purpose of the Lake View Charter School Governing Board approving this Foster Youth Policy is to accomplish the following:

1. Define Foster Child/Student/Youth and School of Origin
2. Establish a Foster Child Liaison
3. Outline Admission Requirements for Foster Children
4. Outline the Rights of Former Foster Children
5. Outline Course Work and Graduation Requirements for Foster Children
6. Establish Transportation Requirements for Foster Children
7. Outline Who Has Access to Records for Foster Children

1. Definitions:

- **Foster child/student/youth** means a child who has been removed from his or her home pursuant to Welfare and Institutions (“W&I”) Code section 309, is the subject of a petition filed under W&I sections 300 or 602 or has been removed from his or her home and is the subject of a petition filed under W&I Code sections 300 or 602. The definition of foster youth includes a dependent child of a court of an Indian tribe, consortium of tribes, or tribal organization.
- The Charter School is the **school of origin** when the student attended the Charter School when permanently housed or was last admitted at the initial detention, placement, or subsequent change in placement of a foster child. If the school the foster child attended when permanently housed is different from the school in which the foster child was last admitted, or if there is some other school that the foster child attended with which the foster child is connected and that the foster child attended within the immediately preceding 15 months, the foster child liaison, in consultation with, and with the agreement of, the foster child and the person holding the right to make educational decisions for the foster child, shall determine, in the best interests of the foster child, the school that shall be deemed the school of origin.
- The “school of origin”, includes placement into NPS, subject to existing special education law, for the purpose of the following rights:
 - The right to remain in the school of origin at the initial detention or placement, or any subsequent change in placement, for the duration of the jurisdiction of the court;
 - For the students in grades kindergarten through eighth grade, inclusive, the right to remain at the school of origin through the end of the academic year if

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- the jurisdiction of the court is terminated before the end of an academic year; and
- The right to remain in the school of origin through graduation if the jurisdiction of the court is terminated while a foster child is in high school.
- Foster youth are offered first priority for enrollment in after-school programs and intersession programs such as summer school, including credit recovery classes. A foster student moving during an intersession period, the student's educational rights holder shall determine which school the student attends for the intersession period.

2. Foster Child Liaison: The School's foster child liaison is:

Megan Motta, megan.motta@sequoiagrovesd.org

The School's foster child liaison is required to do all of the following:

- Ensure and facilitate the proper educational placement, enrollment in school, and checkout from the school of foster children.
- Assist foster children when transferring from one school to another in ensuring proper transfer of credits, records, and grades.
- 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 of the School has proposed a change in placement due to an act for which the decision to recommend expulsion is at the discretion of the Executive Director.
- The foster child liaison, in consultation with, and with the agreement of, the foster child and the person holding the right to make educational decisions for the foster child, may recommend, in accordance with the foster child's best interests, that the foster child's right to attend the school of origin be waived and the foster child be enrolled in a public school that pupils living in the attendance area in which the foster child resides are eligible to attend.
- Before making a recommendation to move a foster child from his or her school of origin, the foster liaison shall provide the foster child and the person holding the right to make educational decisions for the foster child with a written explanation stating the basis for the recommendation and how the recommendation serves the foster child's best interest.
- If the foster child liaison, in consultation with the foster child and the person holding the right to make educational decisions for the foster child, agrees that the best interests of the foster child would best be served by his or her transfer to a school other than the school of origin, the foster child shall immediately be enrolled in the new school.

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- 3. Admission:** All foster students are required to follow the school's process for admitting students, including filling out and submitting the school's admission packet on time. As with all students, admission depends on availability. In the event of an oversubscription in a grade, foster students will participate in the lottery as with any other student.

If the foster child seeking admission has outstanding fees, fines, textbooks, or other items or moneys due to the school last attended or is unable to produce clothing or records normally required for admission, such as previous academic records, medical records, including, but not limited to, records or other proof of immunization history, proof of residency, other documentation or school uniforms, this will not serve as a basis for non-admission. Within two days of the admission of the foster child, the foster child liaison will contact the school last attended by the foster child to obtain all academic and other records.

If a dispute arises regarding the request of a foster child to remain at Lake View Charter School as the school of origin, the foster child has the right to remain at Lake View Charter School pending resolution of the dispute. The dispute shall be resolved in accordance with the Uniform Complaint Procedures adopted by the School.

Admission to Lake View Charter School as the school of origin will be allowed unless a determination is made that it is not in the best interest of the foster child to attend Lake View Charter School. Best interest factors include but are not limited to, the appropriateness of the current educational setting and proximity to the school in which the child is enrolled at the time of placement.

- 4. Former Foster Children:** If the jurisdiction of the court is terminated before the end of an academic year, the Lake View Charter School shall allow a former foster child who is in kindergarten or any of grades 1 to 8, inclusive, to continue his or her education at the school of origin through the duration of the academic school year.

If the jurisdiction of the court is terminated while a foster child is in high school, Lake View Charter School shall allow the former foster child to continue his or her education at Lake View Charter School as the school of origin through graduation.

- 5. Course Work and Graduation Requirements:** The Charter School will accept coursework satisfactorily completed by the foster child while attending another public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school even if the pupil did not complete the entire course and shall issue that pupil full or partial credit for coursework completed.

The credits accepted shall be applied to the same or equivalent course, if applicable, as the coursework completed in the prior school. The Charter School will not require the foster child to retake a course if the pupil has satisfactorily completed the entire course in a public school,

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a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school. If the pupil did not complete the entire course, the Charter School shall not require the pupil to retake the portion of the course the pupil completed unless the Charter School, in consultation with the holder of educational rights for the pupil, finds that the pupil is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the foster youth shall be enrolled in the same or equivalent course, if applicable, so that the pupil may continue and complete the entire course.

A foster youth shall not be prevented from retaking or taking a course to meet the eligibility requirements for admission to California State University or the University of California.

A foster student who transfers between schools any time after the completion of the student's second year of high school and is in the student's third or fourth year of high school, the School shall exempt from all coursework and other requirements adopted by the School that are in addition to the statewide coursework requirements specified in Education Code Section 51225.3, unless the School makes a finding that the student is reasonably able to complete the School's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school.

If the School determines that the foster student is reasonably able to complete the School's graduation requirements within the student's fifth year of high school, the School shall do all of the following: 1) Inform the student of the student's option to remain in school for a fifth year to complete the School's graduation requirements; 2) Inform the student, and the student's educational rights holder, about how remaining in the School for a fifth year to complete the School's graduation requirements will affect the student's ability to gain admission to a postsecondary educational institution; 3) Provide information to the student about transfer opportunities available through the California Community Colleges; 4) Permit the student to stay in school for a fifth year to complete the School's graduation requirements upon agreement with the student, if the student is 18 years of age or older, or if under 18 years of age, with the person holding the right to make educational decisions for the student.

To determine whether a foster student is in the third or fourth year of high school, either the number of credits the pupil has earned to the date of transfer or the length of the student's school admission may be used, whichever will qualify the student for the exemption.

Within 30 calendar days of the date that a foster student may qualify for the exemption from local graduation requirements transfers into a school, the School shall notify the student, the educational rights holder, and the School's liaison for foster children and youth of the availability of the exemption and whether the student qualifies for an exemption. If the School fails to provide timely notice, the student shall be eligible for the exemption from local graduation requirements once notified, even if that notification occurs after the student

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is no longer in foster care, if the student otherwise qualifies for the exemption.

A foster student that has been exempted from local graduation requirements in accordance with Education Code Section 51225.1 and completes the statewide coursework requirements specified in Education Code Section 51225.3 before the end of the student's fourth year of high school and that student would otherwise be entitled to remain in attendance at the school, the School shall not require or request that the pupil graduate before the end of the student's fourth year of high school.

If a foster student is exempted from local graduation requirements pursuant to Education Code Section 51225.1, the School shall notify the student and the person holding the right to make educational decisions for the student how 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.

If a foster student who is eligible for the exemption from local graduation requirements and would otherwise be entitled to remain in attendance at the School shall not be required to accept the exemption or be denied admission in, or the ability to complete, courses for which the student is otherwise eligible, including courses necessary to attend an institution of high education, regardless of whether those courses are required for statewide graduation requirements.

If a foster student is not exempted from local graduation requirements or has previously declined the exemption, the School shall exempt the student at any time if an exemption is required by the student and the student qualifies for the exemption.

If a foster student is exempted from local graduation requirements, the School shall not revoke the exemption.

If a foster student is exempted from local graduation requirements, the exemption shall continue to apply after the student is no longer a foster student while the student is admitted in the School or if a foster student who is exempt from local graduation requirements transfers to the School from another school.

The School shall not require or request a foster student to transfer schools in order to qualify the student for an exemption.

A complaint for noncompliance with this section may be filed with the School under the School's Uniform Complaint Procedures.

6. Transportation: If the foster student requires transportation to continue to attend the Charter

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School as the school of origin, the Charter School will ensure that the foster child receives transportation in a cost-effective manner.

- 7. Records:** A foster family agency with jurisdiction over a currently admitted or former pupil, a short-term residential treatment program staff responsible for the education or case management of a student, and a caregiver who has direct responsibility for the care of the student, including a certified or licensed foster parent, an approved relative or non-related extended family member, or a resource family (as defined below), may access the current or most recent records of grades, transcripts, attendance, discipline and online communication on platforms established by schools for pupils and parents, and any individualized education programs (IEPs) that may have been developed, or any plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 of a currently admitted or former foster pupil.

A foster family agency, short-term residential treatment program, or caregiver may review and receive pupil records pursuant to subdivision (a) for purposes of monitoring the pupil's educational progress, updating and maintaining the pupil's education records as required by Section 16010 of the Welfare and Institutions Code, and ensuring the pupil has access to educational services, supports, and activities. These purposes include but are not limited to, admitting the pupil to school, assisting the pupil with homework, class assignments, and college and scholarship applications, and admitting the pupil to extracurricular activities, tutoring, and other afterschool and summer enrichment programs.

A “resource family” means an individual or family that has successfully met both the home environment assessment and the permanence assessment criteria necessary for providing care for a child placed by a public or private placement agency by court order or voluntarily placed by a parent or guardian.