

## Education for Foster and Mobile Youth Policy

### Introduction

Antioch Charter Academy I & II (ACA I & II or the “Charter School”) recognizes that foster and mobile youth may face significant barriers to achieving academic success due to their family circumstances, disruption to their educational program, and their emotional, social, and other health needs. To enable such students to achieve state academic standards, ACA I & II shall provide them with full access to the school’s educational program. ACA I & II will also implement strategies identified as required by law and necessary for the improvement of the academic achievement of foster youth in the school’s local control and accountability plan (LCAP).

### Definitions

- “*Foster youth*” means a child who has been removed from his/her home pursuant to California Welfare and Institutions Code section 309 and/or is the subject of a petition filed under Welfare and Institutions Code section 300 or 602. This includes children who are the subject of cases in dependency court and juvenile justice court.
- “*Former juvenile court school pupil*” means a pupil who, upon completion of the pupil’s second year of high school, transfers from a juvenile court school to the school.
- “*Child of a military family*” refers to a student who resides in the household of an active duty military member.
- “*Currently Migratory Child*” refers to a child who, within the last 12-months, has moved with a parent, guardian, or other person having custody to the school from another Local Educational Agency (LEA), either within California or from another state, so that the child or a member of the child’s immediate family might secure temporary or seasonal employment in an agricultural or fishing activity, and whose parents or guardians have been informed of the child’s eligibility for migrant education services. “*Currently Migratory Child*” includes a child who, without the parent/guardian, has continued to migrate annually to secure temporary or seasonal employment in an agricultural or fishing activity.
- “*Pupil participating in a newcomer program*” means a pupil who is participating in a program designed to meet the academic and transitional needs of newly arrived immigrant pupils that has as a primary objective the development of English language proficiency.

- “*Educational Rights Holder*” (*ERH*) means a parent, guardian, responsible adult appointed by a court to make educational decisions for a minor pursuant to Welfare and Institutions Code sections 319, 361 or 726, or a person holding the right to make educational decisions for the pupil pursuant to Education Code section 56055.
- “*School of origin*” means the school that the foster youth attended when permanently housed or the school in which the foster youth was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which he/she was last enrolled, or if there is some other school that the foster youth attended within the immediately preceding 15 months, the school liaison for foster youth, in consultation with and with the agreement of the foster youth and the ERH for the youth, shall determine, in the best interests of the foster youth, the school that shall be deemed the school of origin.
- “*Best interests*” means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, the opportunity to be educated in the least restrictive educational program and the foster youth’s access to academic resources, services, and extracurricular and enrichment activities that are available to all ACA I & II students.

### **Foster and Mobile Youth Liaison**

In order to help facilitate the enrollment, placement, and transfer of Foster and Mobile Youth to the Charter School, ACA I & II shall designate a Foster and Mobile Youth liaison. ACA I & II’s liaison for Foster and Mobile Youth is Marianne Dubitsky, Co-Administrator, (925) 755-1252, [mdubitsky@antiochcharteracademy.org](mailto:mdubitsky@antiochcharteracademy.org).

The Foster and Mobile Youth Liaison shall be responsible for the following:

1. Ensure and facilitate the proper educational placement, enrollment in the Charter School, and checkout from the Charter School of foster youth.
2. Ensure proper transfer of credits, records, and grades when foster youth transfer to or from the Charter School.

When a foster youth is enrolling in the Charter School, the Foster and Mobile Youth Liaison shall contact the school last attended by the student within two (2) business days to obtain all academic and other records. The last school attended by the foster youth shall provide all required records to the new school regardless of any outstanding fees, fines, textbooks, or other items or monies owed to the school last attended. When a foster youth is transferring to a new school, the Foster and Mobile Youth Liaison shall provide the student’s records to the new school within two (2) business days of receiving the new

school's request, regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to the Charter School.

3. When required by law, notify the foster youth's attorney and the appropriate representative of the county child welfare agency at least ten (10) calendar days preceding the date of the following:
  - a. An expulsion hearing for a discretionary act under the Charter School's charter.
  - b. Any meeting to extend a suspension until an expulsion decision is rendered if the decision to recommend expulsion is a discretionary act under the Charter School's charter. The foster youth's attorney and the agency representative will be invited to participate.
  - c. A manifestation determination meeting prior to a change in the foster youth's placement if the change in placement is due to an act for which the recommendation for expulsion is discretionary and the student is a student with a disability under state and federal special education laws. The foster youth's attorney and the agency representative will be invited to participate.
4. As needed, make appropriate referrals to ensure that students in foster care receive necessary special education services and services under Section 504 of the federal Rehabilitation Act of 1973.
5. As needed, ensure that students in foster care receive appropriate school-based services, such as counseling and health services, supplemental instruction, and access to after-school services.
6. Develop protocols and procedures for creating awareness for ACA I & II staff, including but not limited to support staff and office staff, of the requirements for the proper enrollment, placement, and transfer of foster youth.
7. Collaborate with the county placing agency, social services, probation officers, juvenile court officers, and other appropriate agencies to help coordinate services for students in foster care who attend the Charter School.
8. Monitor the educational progress of youth in foster care and provide reports to the Co-Administrators and the Charter Council based on indicators identified in the Charter School's local control and accountability plan.

This Policy does not grant the Foster and Mobile Youth Liaison authority that supersedes the authority granted under state and federal law to a parent or legal guardian retaining educational rights, a responsible person appointed by the court to represent the child pursuant to Welfare and Institutions Code sections 319, 361 or 726, a surrogate parent, or a foster parent exercising authority under Education Code section 56055. The role of the Foster and Mobile Youth Liaison is advisory with respect to placement options and determination of the school of origin.

## **School Stability and Enrollment**

ACA I & II will work with youth in foster care and their ERH to ensure that each youth is placed in the least restrictive educational programs and has access to the academic resources, services, and extracurricular and enrichment activities that are available to all pupils, including, but not limited to, performances. All decisions regarding education and placement will be based on the best interest of the child and shall consider, among other factors, educational stability and the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress.

Foster youth and children of military families have the right to remain in their school of origin if it is their best interest. The Charter School will immediately enroll a foster youth or child of a military family seeking re-enrollment in the Charter School as his/her school of origin (subject to the school's capacity and pursuant to the procedures stated in ACA I & II's charter), even if he/she has outstanding fees, fines, textbooks, or other items or monies due to the school last attended or is unable to meet normal enrollment documentation or other requirements (e.g. producing medical records or academic records from a previous school).

At the initial detention or placement, or any subsequent change in placement, a youth in foster care may continue in his/her school of origin for the duration of the court's jurisdiction. A child of a military family may continue in his/her school of origin as long as the student meets the definition of a child of a military family as described above. Youth in foster care and children of military families have the right to remain in their school of origin following the termination of the court's jurisdiction or termination of the child's status as a child of a military family, as follows:

- For students in Kindergarten through eighth grade, inclusive, the student will be allowed to continue in the school of origin through the duration of the academic year in which the student's status changed.

The Foster and Mobile Youth Liaison may, in consultation with and with the agreement of the youth in foster care and the ERH for the youth, recommend that the youth's right to attend the school of origin be waived and he/she be enrolled in any district school that the student would otherwise be eligible to attend as a resident of the school district or in the Charter School consistent with current enrollment procedures. All decisions shall be made in accordance with the youth's best interests.

Prior to making any recommendation to move a youth in foster care from his/her school of origin, the Foster and Mobile Youth Liaison shall provide the youth and the ERH with a written explanation of the basis for the recommendation and how the recommendation serves the youth's best interests.

If any dispute arises regarding a youth's request to remain in the Charter School as the youth's school of origin, the youth in foster care has the right to remain in the Charter School pending resolution of the dispute. The dispute shall be resolved in accordance with the existing ACA I & II dispute resolution process.

### **Transportation**

ACA I & II shall not be responsible for providing transportation to allow a youth in foster care to attend school, unless there is an agreement with a local child welfare agency that the Charter School assumes part or all of the transportation costs in accordance with Section 6312(c)(5) of Title 20 of the United States Code, or unless required by federal law. The Charter School is not prohibited from providing transportation, at its discretion, to allow a youth in foster care to attend school.

In accordance with Section 6312(c)(5) of Title 20 of the United States Code, the Charter School shall collaborate with local child welfare agencies to develop and implement clear written procedures to address the transportation needs of youth in foster care to maintain them in their school of origin, when it is in the best interest of the youth.

For any student who has an individualized education program (IEP), the student's IEP team will determine if the student requires special education transportation as a related service regardless of the student's status as a youth in foster care or child of a military family.

### **Effect of Absences on Grades**

The grades of a youth in foster care shall not be lowered for any absence from the Charter School that is due to either of the following circumstances:

1. A decision by a court or placement agency to change the student's placement, in which case the student's grades shall be calculated as of the date he/she left school.
2. A verified court appearance or related court-ordered activity.