

AB 490 OVERVIEW

Assembly Bill 490 (2003) created new rights and duties related to the education of dependents and wards in foster care. Some of these rights and duties have been expanded by later laws. Educators, social workers, probation officers, caretakers, advocates, and juvenile courts must work together to serve the educational needs of students in foster care. All educational and school placement decisions must be based on the child's best interests and consider, among other factors, educational stability and the least restrictive educational setting necessary to achieve academic progress. *EC §§ 48850(a)(1), 48853(h); WIC §§ 361(a)(5), 726(c)(2), 850(a)(1).*

Requires county placing agencies to promote educational stability by considering in placement decisions the child's school of attendance area.

Requires Local Educational Agencies (LEAs) to designate a staff person as a foster care education liaison to ensure proper placement, transfer and enrollment in school for foster youth.

Supports school stability by allowing foster youth students to remain in their school of origin for as long as they are a dependent. Further, they have the right to remain in their school of origin pending resolution of school placement disputes.

Allows a foster child to be immediately enrolled in a school even if all typically required school records, immunizations, or school uniforms are not available.

Makes LEAs and county social workers or probation officers jointly responsible for the timely transfer of students and their records when a change of schools occurs.

Authorizes the release of educational records of foster youth to the county placing agency, for purpose of compliance with WIC 16010, case management responsibilities required by the Juvenile Court or law, or as to assist with the transfer or enrollment of a pupil.

Requires all LEAs to calculate and accept credit for full or partial coursework satisfactorily completed by the student and earned while attending a public school, juvenile court school or nonpublic, nonsectarian school.

Requires that a comprehensive public school be considered as the first school placement option for foster youth.

Ensures that foster youth will not be penalized for absences due to placement changes, court appearances, or related court ordered activities.

Foster youth are automatically eligible for free school meals.

Pre-school aged foster youth have priority registration for any state or federal funded pre-school programs such as Early Start or Head Start.