



CLIENT NEWS BRIEF

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NEW LAWS EASE PROOF OF IMMUNIZATION AND COURSE CREDIT REQUIREMENTS FOR FOSTER YOUTH TRANSFERRING TO NEW SCHOOLS

The Governor recently signed into law two new bills impacting the education of foster youth in California. Assembly Bill (AB) 709 will allow foster children, when enrolling in new schools, to enroll in and attend school immediately even if they are unable to produce medical records, including proof of immunization history, at the time of enrollment. Senate Bill (SB) 578 places new duties on school districts to accept coursework for transferring foster youth.

AB 709

AB 709 is intended to remove unnecessary barriers and delays in enrolling students who are in foster care. Under current law, foster children have the right to remain at their schools of origin and to attend feeder schools as they transition between grade levels. Foster children may waive this right if a determination is made by their assigned foster child liaison, in consultation with the foster child and the person holding the educational decisionmaking rights for the foster child, that the transfer is in the child's best interests. Once this determination is made, the foster child must be enrolled immediately in another public school in the attendance area in which the foster child resides.

AB 709 takes effect January 1, 2012, adds section 120341 to the Health and Safety Code, and amends Education Code section 48853.5. AB 709 will allow foster children, when transferring into a new school, to immediately enroll in the new school without proof of immunizations. School districts are still obligated after enrolling foster children, however, to obtain the immunization records for these students or to ensure that they are immunized.

SB 578

SB 578 is intended to help students in foster care maintain credit towards graduation and prevent them from falling behind with each change in school placement. Effective January 1, 2012, SB 578 will require school districts and county offices of education (COE) to award partial and complete class credit for successfully completed coursework to students in foster care who transfer from another public school, a juvenile court school or a nonpublic, nonsectarian school or agency. Full or partial credit for satisfactorily

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completed coursework for transferring foster youth must be granted even if the student did not complete the entire course. A school district or COE must apply credits accepted from the former school to the same or equivalent course offered by the district or COE. For example, if students earn core curriculum class credit at their former schools, they would be given core curriculum class credit at the new school. According to the Senate Committee on Education's Bill Analysis, prior to SB 578, there was nothing in the law that required schools to apply course credits towards core curriculum and graduation requirements, and often the transferred classes were treated as elective credits instead. This often resulted in foster youth lagging behind their peers and losing months of academic progress when they transferred to new schools.

SB 578 also provides that districts and COEs cannot require foster youth to retake courses that were satisfactorily completed *in their entirety* at other schools. If the coursework was only partially completed, students may not be required to retake the completed portion of the courses unless the school district, in consultation with the holder of the students' educational rights, determines that these students are reasonably able to complete the course requirements in time for high school graduation. Further, when awarding credit for partially completed coursework in a particular course, foster youth must be enrolled in the same or equivalent course, if applicable, at their new schools to allow them to complete the courses.

Finally, SB 578 prohibits school districts or COEs from preventing foster youth from taking or retaking courses to meet the eligibility requirements for admission to the California State University or the University of California.

For questions about this legislation or the educational rights of foster youth in general, please contact one of our [eight offices](#) located statewide or visit our [website](#).

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