

School Stability Matters

Foster youth transfer schools an average of eight times while in foster care, losing four to six months of learning each time.¹

As a result of school instability, only 21% of foster youth are proficient in English by 11th grade, and 6% in math.²

Fewer than 60% of foster youth graduate from high school.³

Overview of the Law

Foster youth have a right to remain in their school of origin if it is in their best interest, as determined by their ERH.

School of origin is the default. Before making any recommendation to move a foster youth from their school of origin, the district's AB 490 Liaison must provide the youth and their ERH with a written explanation of how it is in the youth's best interests not to stay in their school of origin. See **School of Origin Recommendation Letter**. Further, a youth cannot be moved from their school of origin until after a written waiver of this right is obtained by the school district from the ERH.

Definition of School of Origin: A youth's school(s) of origin includes: (1) the school the youth attended at the time they entered the foster care and/or probation system(s); (2) the school the youth most recently attended; or (3) any school the youth attended in the preceding 15 months with which they have a connection (e.g., sports team, relationships with peers or teachers).

Feeder Patterns: If youth are transitioning between elementary and middle or middle and high school, school of origin includes the next school within the school district's feeder pattern.

Scope of School of Origin: School of origin rights apply to all schools, including magnet programs and charter schools.

Duration of School of Origin Rights: If a youth's court case closes while they are in elementary or middle school, they have a right to remain in their school of origin until the end of the current school year. If youth are in high school when their case closes, they have a right to remain in their school of origin until they graduate from high school.

Transportation Funding: Many foster parents, including relatives, are eligible for funding from their local child protective services agency if they transport a youth to their school of origin after a placement change. See **All County Letter 11-51**, page 3 and **All County Letter 13-03**, page 2 for funding rates. Under the Every Student Succeeds Act, school districts must work with child welfare agencies to ensure a youth is transported to their school or origin. Each school district's Title 1 plan must include assurances that the district will collaborate with the state and local child welfare agency to develop and implement clear written procedures for how transportation to school of origin will be provided. These written procedures outlining how transportation costs will be shared between agencies, including how any disputes will be resolved, must be in place as of December 10, 2016.

Dispute Resolution: If at any time, there is a dispute regarding a youth's right to remain in a school of origin, the youth has a right to remain in that school until the dispute is resolved. Disputes should be referred to the school district's dispute resolution process. A complaint can also be filed on the youth's behalf through the Uniform Complaint Procedures Act. See **Enforcement of Foster Youth Education Rights: AB 379**.