

***ENSURING EDUCATIONAL RIGHTS AND SCHOOL STABILITY FOR FOSTER YOUTH***  
**AB 490 SUMMARY\***

\*Includes updates from AB 1933 and SB 1568, (Education Code (EC) § 48853.5)

Effective January 1, 2004, AB 490 (Steinberg), Chapter 862, imposes new duties and rights related to the education of dependents and wards in foster care. The Act's key provisions are as follows:

1. Establishes legislative intent that foster youth are ensured access to the **same opportunities** to meet academic achievement standards to which all students are held, maintain stable school placements, be placed in the least restrictive educational placement and, have access to the same academic resources, services and extracurricular and enrichment activities as all other children. Makes clear that **education and school placement decisions** are to be dictated by the **best interest** of the child.
2. Creates **school stability** for foster children by allowing them to remain at their school of origin for the duration of the court's jurisdiction including as they move school levels through high school (AB 1933). Maintains **school stability** for foster youth even after court jurisdiction has been terminated (SB 1568). Students are permitted to stay in school of origin through their eighth grade year and students in high school are permitted to remain in school of origin through graduation.
3. Requires county placing agencies to promote educational stability by considering in **placement decisions** the child's school attendance area.
4. 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.
5. 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.
6. Requires that a **comprehensive public school** be considered as the first **school placement option** for foster youth.
7. Provides that a foster child has the right to remain enrolled in and attend his/her school of origin pending resolution of school placement **disputes**.
8. Allows a foster child to be **immediately enrolled** in school even if all typically required school records, immunizations, or school uniforms are not available.
9. Requires an LEA to deliver the pupil's **education information and records** to the next educational placement within 2 days of receiving a transfer request from a county placing agency.
10. Requires school districts 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.
11. 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 to assist with transfer or enrollment of a pupil.
12. Ensures that foster youth will not be penalized for **absences** due to placement changes, court appearances, or related court ordered activities.