

- If you have a foster child or relative child or relative child in your care and you would like to have the right to make educational decisions for him or her, contact your child's social worker.



To find a listing of your school district's Liaison, contact Foster Youth Services at 661-636-4488 or visit the Kern County Network for Children's website at [www.kcnc.org](http://www.kcnc.org) and click under Foster Youth Services.

**Other Resources:**

Foster Care Ombudsman's website at [www.fosteryouthhelp.com](http://www.fosteryouthhelp.com) or call their toll free number at 1-877-846-1602



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## Educational Rights for Foster Youth



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## EDUCATIONAL RIGHTS FOR FOSTER YOUTH

- If a foster youth is moved to a new home in a different school attendance area, the child is entitled to and the school must allow the child to continue attending the school of origin (the school previously attended) for the remainder of the school year, unless it is not in his or her best interest to do so.
- A foster youth's right to attend the school of origin may be waived if a transfer to a different school is in the "best interest" of the foster youth as agreed to by the school district's Educational Liaison for Foster Youth ("Liaison"), the parent/guardian or other person holding educational rights and the foster child.
- Prior to moving a foster child from his or her school of origin, the Liaison must provide the person holding educational rights and the child with a written explanation stating the basis for the recommendation and how this recommendation serves the youth's best interests.
- If the parent/guardian or other person holding educational rights and the child disagree with the Liaison's recommendation s/he may file an appeal. The foster youth has the right to remain in his or her school of origin until the dispute is resolved.
- School record transfers for foster youth must be provided within two business days of receiving a request.
- Grade protection: A foster youth's grades may not be lowered due to absences caused by a change in placement, attendance at a court hearing, or other court-related activity.
- School credit calculation: The school district must award credit to your child for full or partial coursework satisfactorily completed while attending a public school, juvenile court school, or nonpublic, nonsectarian school.
- Parents and legal guardians have the right to make educational decisions on behalf of their children. For children out of the care of their parents/guardians, the juvenile court may limit their ability to make such decisions. A foster parent or relative does not hold educational rights unless the court makes an order giving it to them.
- The law does not give the court specific guidelines on who should be appointed as responsible adult, but if appropriate, the court is likely to appoint relative caregivers, foster parents, and court-appointed special advocates to make educational decisions on behalf of the child.

A foster parent may have the same authority of a parent or legal guardian to make educational decisions concerning a foster youth with a disability if a court order specifically limits the parent's rights.

In addition, a school district may appoint a foster parent as a "surrogate parent" to represent a child with disabilities or a student referred for an evaluation by the court for special education and related services. A surrogate parent has the authority to make decisions concerning a foster student with a disability in all matters involving the identification, assessment, instructional planning and development, educational placement, review and revision of the Individualized Education Program, and in other matters relating to the provision of a free and appropriate public education.

