



Foster Youth Policy

Board Approved: 12/14/2023

The Governing Board of iLEAD Empower Generations Charter School (the “Charter School”) desires to ensure that foster children are provided equal access to the same free, appropriate public education provided to other children and youth. Foster learners will be given access to the education and other services that such learners need to ensure that they have an opportunity to meet the same challenging State learner academic achievement standards to which all learners are held. Foster learners will not be stigmatized or segregated in a separate school or program based on the learner’s status as foster youth.

I. Definitions

- Foster child/learner/youth means a child who has been removed from his or her home pursuant to Welfare and Institutions (“W&I”) Code section 309, is the subject of a petition filed under W&I sections 300 or 602, or has been removed from his or her home and is the subject of a petition filed under W&I Code sections 300 or 602.
- The Charter School is the school of origin when the learner attended the Charter School when permanently housed or was last admitted at the initial detention or placement or subsequent change in placement of a foster child. If the school the foster child attended when permanently housed is different from the school in which the foster child was last admitted, or if there is some other school that the foster child attended with which the foster child is connected and that the foster child attended within the immediately preceding 15 months, the foster child liaison, in consultation with, and with the agreement of, the foster child and the person holding the right to make educational decisions for the foster child, shall determine, in the best interests of the foster child, the school that shall be deemed the school of origin.

II. Foster Child Liaison

The School’s foster child liaison is the CEO or designee, contact director@empowergenerations.org. The School’s foster child liaison is required to do all of the following:

- Ensure and facilitate the proper educational placement, admission in school and checkout from school of foster children.
- Assist foster children when transferring from one school to another school in ensuring proper transfer of credits, records and grades.

- The foster child liaison, in consultation with, and with the agreement of, the foster child and the person holding the right to make educational decisions for the foster child, may recommend, in accordance with the foster child's best interests, that the foster child's right to attend the school of origin be waived and the foster child be admitted in a public school that learners living in the attendance area in which the foster child resides are eligible to attend.
- Before making a recommendation to move a foster child from his or her school of origin, the foster liaison shall provide the foster child and the person holding the right to make educational decisions for the foster child with a written explanation stating the basis for the recommendation and how the recommendation serves the foster child's best interest.
- If the foster child liaison, in consultation with the foster child and the person holding the right to make educational decisions for the foster child, agrees that the best interests of the foster child would best be served by his or her transfer to a school other than the school of origin, the foster child shall immediately be admitted in the new school.

III. Admission

All foster learners are required to follow the school's process for admitting learners, including filling out and submitting the school's admissions packet on time. As with all learners, admission depends upon availability. In the event of an oversubscription in a grade, foster learners will participate in the lottery as with any other learner.

If the foster child seeking admission has outstanding fees, fines, textbooks or other items or moneys due to the school last attended or is unable to produce clothing or records normally required for admission, such as previous academic records, medical records, including, but not limited to, records or other proof of immunization history, proof of residency, other documentation or school uniforms, this will not serve as a basis for non-admission. Within two days of admission of the foster child, the foster child liaison will contact the school last attended by the foster child to obtain all academic and other records.

If a dispute arises regarding the request of a foster child to remain in iLEAD Empower Generations Charter School as the school of origin, the foster child has the right to remain in iLEAD Empower Generations Charter School pending resolution of the dispute. The dispute shall be resolved in accordance with the Uniform Complaint Procedures adopted by the School.

Admission in iLEAD Empower Generations Charter School as the school of origin will be allowed, unless a determination is made that it is not in the best interest of the foster child to attend iLEAD Empower Generations Charter School. Best interest factors include, but are not limited to, appropriateness of the current educational setting and proximity to the school in which the child is admitted at the time of placement.

IV. Former Foster Children

If the jurisdiction of the court is terminated while a foster child is in high school, iLEAD Empower Generations Charter School shall allow the former foster child to continue his or her education in iLEAD Empower Generations Charter School as the school of origin through graduation.

V. Course Work and Graduation

The Charter School will accept coursework satisfactorily completed by the foster child while attending another public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school even if the learner did not complete the entire course and shall issue that learner full or partial credit for coursework completed. The credits accepted shall be applied to the same or equivalent course, if applicable, as the coursework completed in the prior school. The Charter School will not require the foster child to retake a course if the learner has satisfactorily completed the entire course in a public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school. If the learner did not complete the entire course, the Charter School shall not require the learner to retake the portion of the course the learner completed unless the Charter School, in consultation with the holder of educational rights for the learner, finds that the learner is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the foster youth shall be admitted in the same or equivalent course, if applicable, so that the learner may continue and complete the entire course.

If the Charter School has knowledge that the transcript from the transferring local educational agency may not include certain credits or grades for the learner, it shall contact the prior local educational agency within two business days to request that the prior local educational agency issue full or partial credits. The prior local educational agency shall issue appropriate credits and provide all academic or other records to the Charter School within two business days of the request.

A foster learner shall not be prevented from retaking or taking a course to meet the eligibility requirements for admission to the California State University or the University of California.

A foster learner who transfers between schools any time after the completion of the learner's second year of high school and is in the learner's third or fourth year of high school, the School shall exempt from all coursework and other requirements adopted by the School that are in addition to the statewide coursework requirements specified in Education Code section 51225.3, unless the School makes a finding that the learner is reasonably able to complete the School's graduation requirements in time to graduate from high school by the end of the learner's fourth year of high school.

If the School determines that the foster learner is reasonably able to complete the School's graduation requirements within the learner's fifth year of high school, the School shall do all of the following: 1) Consult with the learner and the learner's educational rights holder of the learner's option to remain in school for a fifth year to complete the School's graduation requirements; 2) Consult with the learner and the learner's educational rights holder, about how remaining in the School for a fifth year to complete the School's graduation requirements will affect the learner's ability to gain admission to a postsecondary educational institution; 3) Consult with and provide information to the learner about transfer opportunities available through the California Community Colleges; 4) Permit the learner to stay in school for a fifth year to complete the School's graduation requirements upon agreement with the learner, if the learner is 18 years of age or older, or if under 18 years of age, with the person holding the right to make educational decisions for the learner; 5) Consult with a learner in foster care regarding the learner's option to remain in the learner's school of origin.

To determine whether a foster learner is in the third or fourth year of high school, the number of credits the learner has earned to the date of transfer, the length of the learner's school admission, or, for learners with significant gaps in school attendance, the learner's age as compared to the average age in the third or fourth year of high school, may be used, whichever will qualify the learner for the exemption.

Within 30 calendar days of the date that a foster learner may qualify for the exemption from local graduation requirements transfers into a school, the School shall notify the learner, the educational rights holder, and the School's liaison for foster children and youth of the availability of the exemption and whether the learner qualifies for an exemption. If the School fails to provide timely notice, the learner shall be eligible for the exemption from local graduation requirements once notified, even if that notification occurs after the learner is no longer in foster care, if the learner otherwise qualifies for the exemption.

A foster learner that has been exempted from local graduation requirements in accordance with Education Code section 51225.1 and completes the statewide coursework requirements specified in Education Code section 51225.3 before the end of the learner's fourth year of high school and that learner would otherwise be entitled to remain in attendance at the school, the School shall not require or request that the learner graduate before the end of the learner's fourth year of high school.

If a foster learner is exempted from local graduation requirements pursuant to Education Code section 51225.1, the School shall, in addition to providing the notification identified above, consult with the learner and the learner's education rights holder regarding the following:

- Discussion regarding how any of the requirements that are waived may affect the learner's postsecondary education or vocation plans, including the ability to gain admission to a postsecondary educational institution;
- Discussion and information about other options available to the learner, including, but not limited to, a fifth year of high school, possible credit recovery, and any transfer opportunities available through the California Community Colleges;
- Consideration of the learner's academic data and any other information relevant to making an informed decision on whether to accept the exemption.

If a foster learner who is eligible for the exemption from local graduation requirements and would otherwise be entitled to remain in attendance at the School shall not be required to accept the exemption or be denied admission in, or the ability to complete, courses for which the learner is otherwise eligible, including courses necessary to attend an institution of high education, regardless of whether those courses are required for statewide graduation requirements.

If a foster learner is not exempted from local graduation requirements or has previously declined the exemption, the School shall exempt the learner within 30 days of the exemption request if an exemption is requested by the learner or learner's educational rights holder and the learner qualifies for the exemption. EC 51225.1(h) If a foster learner was eligible for an exemption and was not properly notified of the availability of the exemption or declined the exemption, the Charter School shall exempt the learner within 30 days of the date of the exemption request, if an exemption is requested by the learner or learner's educational rights holder and the learner at one time qualified for the exemption, even if the learner is no longer considered a "foster learner."

If a foster learner is exempted from local graduation requirements, the School shall not revoke the exemption.

If a foster learner is exempted from local graduation requirements, the exemption shall continue to apply after the learner is no longer a foster learner while the learner is admitted in the School or if a foster learner who is exempt from local graduation requirements transfers to the School from another school.

The School shall not require or request a foster learner to transfer schools in order to qualify the learner for an exemption.

A complaint for noncompliance with this section may be filed with the School under the School's Uniform Complaint Procedures.

If the Charter School determines that a foster learner who transfers between schools any time after the completion of the learner's second year of high school is not reasonably able to complete the Charter School's graduation requirements within the learner's fifth year of high school, the Charter School shall exempt that learner from the Charter School's graduation requirements and provide the learner the option to remain in the school for a fifth year to complete the statewide coursework requirements. The Charter School shall consult with the learner and the learner's educational rights holder regarding all of the following:

- The learner's option to remain in school for a fifth year to complete the statewide standards;
- How waiving the Charter School's requirements and remaining school for a fifth year may affect the learner's postsecondary education or vocation plans, including the ability to gain admission to an institution of higher education;
- Whether any other options are available to the learner, including, but not limited to, possible credit recovery, and any transfer opportunities available through the California Community Colleges;
- The learner's academic data and any other information relevant to making an informed decision on whether to accept the exemption and option to remain in school for a fifth year to complete the statewide coursework requirements.

If a learner is not eligible for an exemption in the year in which the learner transfers between schools because the Charter School makes a finding that the learner is reasonably able to complete the Charter School's graduation requirements in time to graduate from high school by the end of the learner's fourth year of high school, the Charter School shall nonetheless reevaluate eligibility and provide written notice to the learner and learner's educational rights holder and the learner's social worker or probation officer, if applicable, whether the learner qualifies for an exemption within the first 30 calendar days of the following academic year, based on the course completion status of the learner at the time of reevaluation to determine if the learner continues to be reasonably able to complete the Charter School's graduation requirements in time to graduate from high school by the end of the learner's fourth year of high school.

If it is determined within the first 30 calendar days of the following academic year, that given their course completion status as the time the reevaluation conducted that the learner is not reasonably able to complete the Charter School's graduation requirements in time to graduate

from high school by the end of the learner's fourth year of high school, the Charter School shall provide the learner with the option to receive an exemption from all coursework and other requirements that are in addition to the statewide coursework requirements or to stay in school for a fifth year to complete the Charter School's graduation requirements upon agreement with the learner, or the learner's educational rights holder and provide notification of availability of these options.

The decision whether to accept an exemption from the Charter School's graduation requirements is in the sole discretion of the learner (if over 18) or the learner's educational rights holder based on the learner's best educational interests.

VI. Transportation

If the foster learner requires transportation to continue to attend the Charter School as the school of origin, the Charter School will ensure that the foster child receives transportation in a cost effective manner.

VII. Records

A foster family agency with jurisdiction over a currently admitted or former learner, a short-term residential treatment program staff responsible for the education or case management of a learner, and a caregiver who has direct responsibility for the care of the learner, including a certified or licensed foster parent, an approved relative or non related extended family member, or a resource family (as defined below), may access the current or most recent records of grades, transcripts, attendance, discipline and online communication on platforms established by schools for learners and parents, and any individualized education programs (IEPs) that may have been developed, or any plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 of a currently admitted or former foster learner.

A foster family agency, short-term residential treatment program, or caregiver may review and receive learner records pursuant to subdivision (a) for purposes of monitoring the learner's educational progress, updating and maintaining the learner's education records as required by Section 16010 of the Welfare and Institutions Code, and ensuring the learner has access to educational services, supports, and activities. These purposes include, but are not limited to, admitting the learner in school, assisting the learner with homework, class assignments, and college and scholarship applications, and admitting the learner in extracurricular activities, tutoring, and other afterschool and summer enrichment programs.

A "resource family" means an individual or family that has successfully met both the home environment assessment and the permanency assessment criteria necessary for providing care for a child placed by a public or private placement agency by court order, or voluntarily placed by a parent or guardian.