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Administrative Offices – PazLo Education Foundation

Downtown Los Angeles
700 Wilshire Boulevard, Suite 400
Los Angeles, CA 90017
Phone: (323) 765-7014
www.matrix4success.org

FOSTER YOUTH EDUCATIONAL RIGHTS

1. RIGHT TO REMAIN IN YOUR SCHOOL OF ORIGIN

- You have the right to stay in the same school after you move to a new foster care placement. Your “school of origin” can be:
 - ◆ The school you attended when you first entered foster care,
 - ◆ The school you most recently attended, or
 - ◆ Any school you attended in the last 15 months that you feel connected to.
- Your school district must work with you, your education rights holder (ERH), your caregiver, and your social worker/probation officer to develop a plan to transport you to your school of origin.
- If you are transitioning from elementary school to middle school or from middle school to high school, you have the right to transition to the same school as your classmates.
- If there is any disagreement about which school you will attend, you have the right to stay in your school of origin until the disagreement is resolved.

2. RIGHT TO IMMEDIATE ENROLLMENT IN SCHOOL

- You have the right to immediately enroll in your regular home school after you move placements.
- You cannot be forced to attend a continuation school or other alternative education program, such as independent study, even if you are behind in credits or have discipline problems at school.
- You have a right to immediately enroll in school and begin attending classes, even if you do not have the paperwork you would normally need for enrollment (such as birth certificate, transcript, or individualized education program) or you did not check-out from your previous school.
- Your previous school must send your education records to your new school after you enroll.
- You have the right to participate in any activities available at your new school, such as sports teams, tutoring, or after-school clubs, even if you miss a tryout.

3. RIGHT TO PARTIAL CREDITS FOR HIGH SCHOOL STUDENTS

- If you change schools during the school year, you have a right to partial credits in all classes that you are passing when you leave your old school, even if you do not complete the entire class.
- After you change schools, your new school must accept any partial credits issued by your old school.
- After you change schools, you have the right to be enrolled in the same or similar classes you were enrolled in at your last school.
- You cannot be forced to retake a class or part of a class that you have already completed with a passing grade, if it would make you off-track for high school graduation.
- You have the right to take or retake any class that you need to go to a California State University or University of California.
- Your grade cannot be lowered because you were absent from school for a court hearing, placement change, or a court-related activity,

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4. GRADUATION RIGHTS

- If you are behind on your credits, and you transferred schools after your 2nd year of high school, you may be eligible to graduate under Assembly Bill (AB) 167/216 by completing only the state graduation requirements (130 credits in specific classes) instead of your school district's requirements.
- Your school must inform you of your right to this option within 30 days of your school transfer, including consulting with you and your ERH about your options. If you do not qualify when you transfer, the school must reassess whether you qualify within the first 30 days of the next school year. You can also request a reassessment at any time and the school must complete it within 30 days.
- You have the right to stay in high school for a fifth year to complete your school district graduation requirements, or the state graduation requirements, even if you are over eighteen.
- If you are eligible (even if you were not originally eligible, your district failed to inform you when you were eligible, or you are now attending adult school), the decision of whether to graduate under AB 167/216, to defer the decision, or to change your mind before you graduate, is made by your ERH, or you if you are over eighteen.

5. SCHOOL DISCIPLINE RIGHTS

- You cannot be suspended for more than five school days in a row or for more than 20 days in a school year.
- You have a right to be told why you are being suspended and the right to provide your version of events and evidence before you are suspended, unless there is an emergency. If the behavior for which you are being suspended could subject you to criminal charges, you should consult with your ERH or attorney before providing an oral or written statement to the school or police.
- Your attorney and social worker must be invited to a meeting before your suspension can be extended beyond five days and a suspension can only be extended if you are being considered for expulsion.
- You have a right to a formal hearing, and to be represented by an attorney at that hearing, before you are expelled.
- If you are facing school discipline, your ERH, attorney and social worker must be notified. If you are in special education, they must be invited to a meeting to decide whether your behavior was related to your disability.

6. COLLEGE RIGHTS

- You have the right to have the application fee waived when you apply to a community college in California.
- You have the right to receive the maximum amount of federal student aid and you may be eligible for up to \$5,000 per year from the Chafee scholarship.
 - ◆ **Note:** College rights do not apply to 602 probation youth living at home with their parents.

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7. RIGHT TO YOUR SCHOOL RECORDS

- You have the right to access your school records if you are sixteen years or older or have finished grade ten.
- Your social worker/probation officer and ERH can access your school records as well.
- Your caregiver can access your current school records.

EDUCATION RIGHTS HOLDER

Every foster youth under age eighteen must have an ERH, who is required to make education decisions in the youth's best interest. Foster youth who are eighteen or older have the right to make their own education decisions. Your ERH may be your parent or legal guardian, your caregiver, or another person chosen by the court. Your ERH cannot be your social worker or probation officer, your attorney, or group home or school staff members. It is important to know who your ERH is. If you need information about who your ERH is, you can contact your social worker or attorney.

If you believe your education rights have been violated, you can file a complaint. The school has 60 days to investigate and give you a written response. For information about how to file a complaint, please visit the [California Department of Education's Uniform Complaint Procedures](#), or call the California Department of Education Integrated Student Support and Programs Office at 916-319- 0836.

For more information about your education rights, please see the [Foster Youth Education Toolkit](#) or the [California Youth Education Task Force](#). You also can contact your school district's Foster Youth Educational Liaison or your county's Foster Youth Services Coordinating Program from the [Foster Youth Services page](#).