



**Los Angeles County
Office of Education**

Supporting the education of children and youth: Partnering with your local foster youth services coordinating program



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OVERVIEW OF EXISTING FOSTER YOUTH SERVICES COORDINATING PROGRAM



- The Countywide Foster Youth Services Program (FYS) was created in 2000. The Program is codified in Education Code (EC 42921-42925) and funded by the California Department of Education.
- AB 854 (2016) shifted the focus of the Foster Youth Services Programs and increased the focus on capacity building. It also changed the name of the programs to the Foster Youth Services Coordinating Programs (FYSCP).
 - FYSCPs serve students in foster care as defined in the Local Control Funding Formula (LCFF). This is the accountability structure used to address the needs of vulnerable students.
 - AB 3223 (2024) added a population of students to those served by the FYSCPs to include students at Imminent Risk of Removal (IRR) to foster care under the Title IV E definition. These students are receiving case management services and have agreed to participate in case plan.
 - Students who are at IRR are not included in the LCFF definition.



OVERVIEW OF EXISTING FOSTER YOUTH SERVICES COORDINATING PROGRAM



- Goal: To increase the overall capacity of the education community at the county level in order to expand access to services and to assist LEAs in the delivery of direct services for foster youth, with the explicit goal of improving foster youth educational outcomes.
- 57 COEs receive funding to implement the FYSCP. Each COE develops and implements an FYSCP plan and budget that aligns with the needs established within their county.
 - Note: AB 3223 did not add any additional funding for the FYSCPs



FYSCP RESPONSIBILITIES (1 OF 2)



- Provide supports to all students in foster care, including those placed in kinship care or by tribal courts, and defines these students in alignment with the definition used in the Local Control Funding Formula (LCFF).
 - Education Code 42338.01—(see next slides)
- Priority for services and supports are given to students in foster care who are living in and out of home placements.
- Programs are encouraged to first provide services to students in foster care who reside in a congregate care settings, and those with high academic needs, as determined by the local Executive Advisory Council.
- Coordinate with school districts (including charter schools) within its jurisdiction and ensure those districts are providing services to foster youth as specified in the county's FYSCP Coordinating Program Plan.



FYSCP RESPONSIBILITIES (2 OF 2)



All FYSCP shall:

- Develop and enter into an agreement with the county child welfare agency to leverage federal Title IV-E funds and any other funds that may be used to specifically address the educational needs of students in foster care or explain annually in writing why an agreement is not practical or feasible.
- Develop and implement a foster youth services coordinating plan. The plan must include the establishment of ongoing collaboration with local education agencies, county child welfare agencies, and county probation departments to determine the proper educational placement of the foster youth.
- Requires the Executive Advisory Council to regularly review the recommendations of the FYSCP Coordinating Plan and authorizes a member of the council or the FYSCP Coordinator to request the Superintendent of Public Instruction mediate a solution in the event of a disagreement.



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AB 3223 PROBATION IRR FYSCP RESPONSIBILITIES



EC 42921 (D) also states that “it is the intent of the legislature that pupils in foster care with the greatest need for services be identified as the first priority for foster youth services coordinating programs”. Therefore, FYSCPs shall prioritize those students with the greatest needs and those in out-of-home care.

FYSCPs are not funded to meet the educational needs of all eligible students and are mandated to facilitate cross system collaboration to empower the stakeholders in the lives of these students, to leverage existing resources and support and prevent the duplication of services.

All students subject to a 602 petition (regardless of whether they are eligible for FYSCP services) are also eligible for an array of support and services through their local education agency (LEA). See EC 48850 (a), 48853.5, 48911, 48915.5, 49069.5, 51225.2 and 51225.2



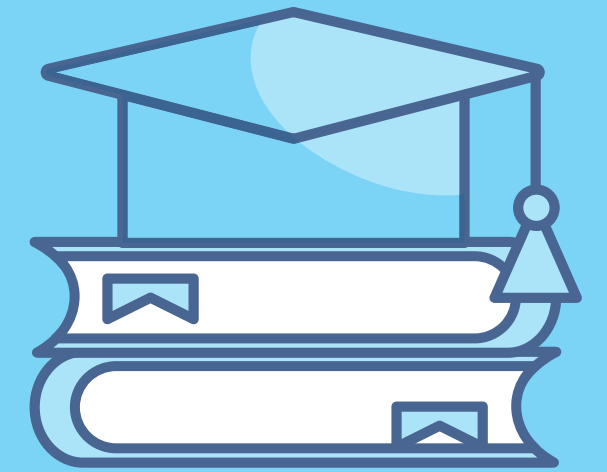
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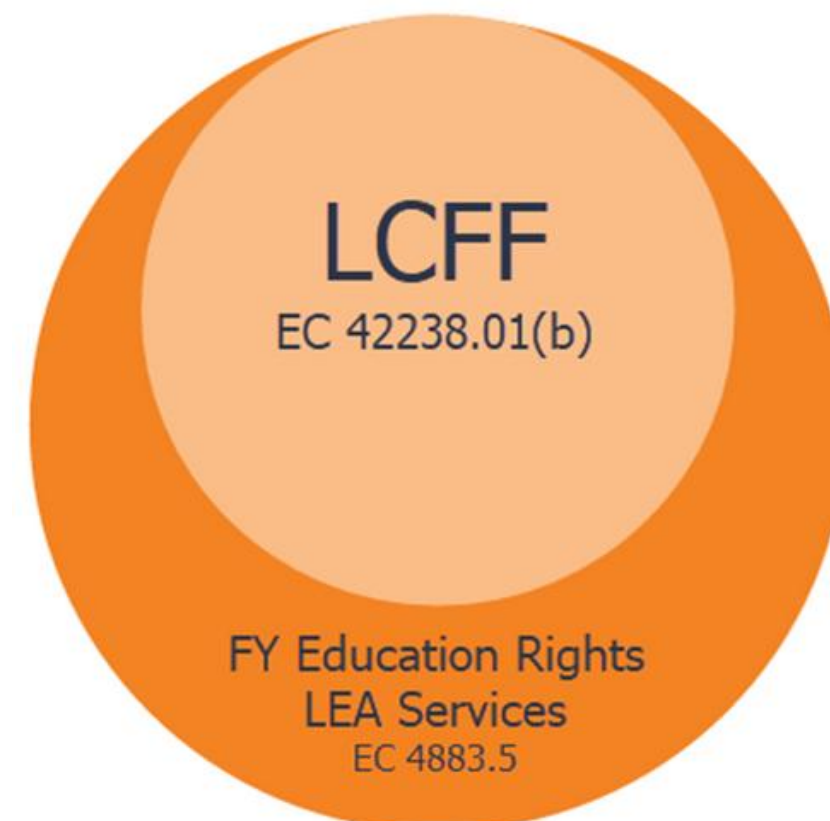
FOSTER YOUTH DEFINITIONS

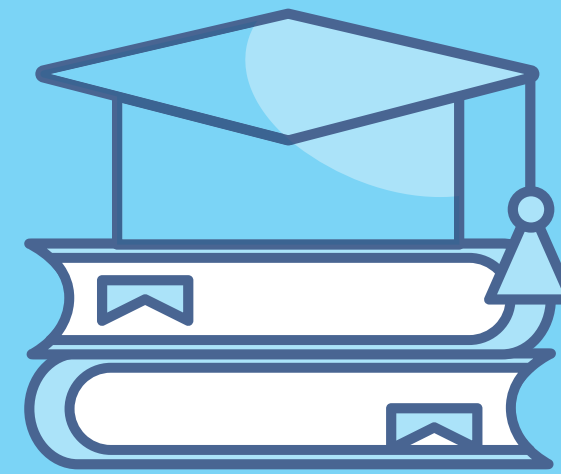


LCFF VS. FY EDUCATION RIGHTS



- The LCFF definition of foster youth excludes some students that are eligible for education entitlements defined in additional education code sections.
- Students who are included in the broader definition of “foster youth” are eligible for foster youth education rights and are served by the district foster youth programs regardless of whether they “count” for LCFF.





LCFF foster youth are included in:

**Foster Youth
Education
Rights**

**CALPADS
Foster
Reports***

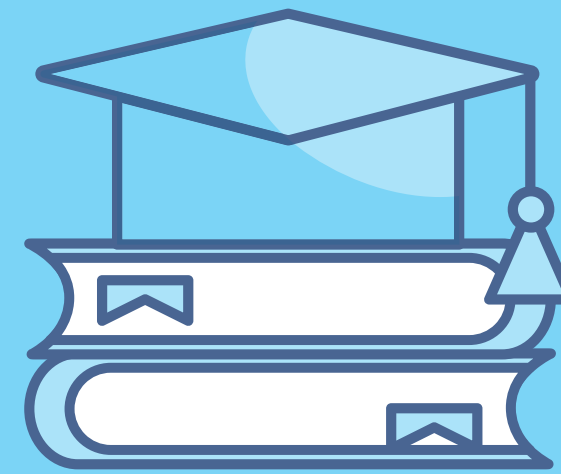
**DataQuest &
Dashboard**

LCAP Goals

LEA Services

FYSCP Services

*Tribal foster youth are not in the foster match and related reports but can be locally identified and reported to CALPADS by the district (code 193).



All students who are subject to a 602 petition, regardless of where they are living, are entitled to all of the entitlements afforded all students in foster care.

These entitlements are contained in the following Education code sections and are based on the definition of a student in foster care per EC. 48853.5.:

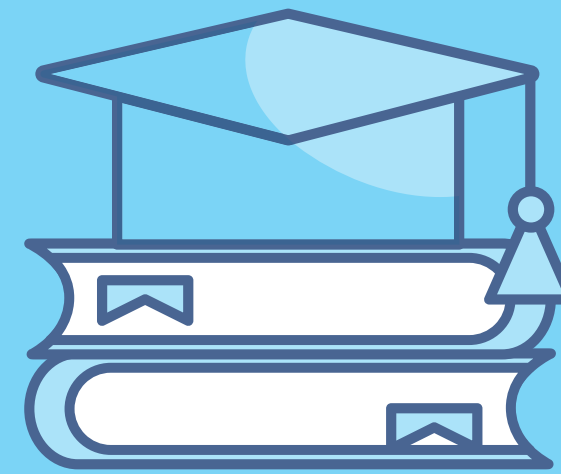
- E.C. 48850(a), 48853.5, 48911, 48515.5, 49069.5, 51225.1 and 51225.2

**Foster Youth
Education Rights**

LEA Services



Defining a Student in Foster Care in Education Code



E.C. 48853.5.

(a) This section applies to a foster child. “Foster child” means any of the following:

(1) A child who has been removed from their home pursuant to Section 309 of the Welfare and Institutions Code.

(2) A child who is the subject of a petition filed under Section 300 or **602 of the Welfare and Institutions Code, whether or not the child has been removed from their home.**

(3) A dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court pursuant to the tribal court’s jurisdiction in accordance with the tribe’s law.

(4) A child who is the subject of a voluntary placement agreement, as defined in subdivision (p) of Section 11400 of the Welfare and Institutions Code.



FOSTER YOUTH DEFINITIONS CHART



- Located on the CDE “Foster Youth in California Schools” web page.
- Describes which of the different entitlements, supports, and services are afforded to each of the categories of foster youth.
- Click on “foster youth definitions” to download a detailed excel workbook with education code references of all of the code sections mentioned on the previous slide.

Foster Youth in California Schools

Information, resources, and educational outcomes for foster youth students

Definitions Quick Facts Data & Outcomes Accountability Education

Foster Youth Definitions

Different definitions of children and youth in foster care are used in relation to federal, state, and local entitlements, and programmatic funding supporting foster youth in schools at the state and federal levels. The foster youth definitions included here are a summary of the definitions resource document created by the CDE.

The [Foster Youth Definitions](#) (XLSX) document was created to describe the services are afforded to each of the categories of foster youth. The information provided for informational purposes only, may not be comprehensive, and is subject to change due to regulatory changes. The table below and the Foster Youth Definitions document provide more details.

CATEGORY OF FOSTER YOUTH	Included in Local Control Funding Formula (LCFF)	Included in Every Student Succeeds Act (ESSA)
OUT-OF-HOME Child Welfare	Yes	Yes
OUT-OF-HOME Probation	Yes	Yes
IN-HOME PROBATION	Not Included	Not Included
FAMILY MAINTENANCE	Yes	Not Included
NON-MINOR DEPENDENTS	Yes	Yes
VOLUNTARY PLACEMENT AGREEMENTS	Yes	Yes
TRIBAL FOSTER YOUTH (AB 1962)	Yes	Only for Title IV-E tribes
EMERGENCY REMOVALS	Not Included	Does not differentiate between emergency removal and placement



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FOSTER YOUTH ENTITLEMENTS



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AB 490 AND BEYOND



AB 490 (2004) was a landmark legislation that granted a series of educational entitlements to students in foster care in California. Today many of these entitlements are included in the Federal Every Student Succeeds Act (2015) which reauthorized the Elementary and Secondary Education Act.

California also provides students in foster care additional rights when they are enrolled in public school TK-12 and other entitlements in the California community college and CSU systems.



FY EDUCATION ENTITLEMENTS: A SUMMARY

- School stability
- School of origin
- Transportation to school of origin
- Immediate enrollment
- Immediate (2 day) transfer of records
- Least restrictive learning environment
- Access to all curricular and extra-curricular activities/supports
- Partial credit
- Credit and grade protection
- School placements based on best interest
- Local graduation requirements exemption
- Notice of all school discipline actions
- Immediate CIF eligibility



School Stability

School Stability:

- Students in foster care have the right to remain in their School of Origin (SOO) for as long as they have an active petition (300 and/or 602).
 - School of origin is defined as:
 - The School they were last attending
 - The school they were attending prior to entering foster care
 - Any school they state they are connected to that they attended in the preceding 15 months
 - The decision to remain in the SOO or enroll in a new school is made by the Education Rights Holder and the student with some exceptions;
 - Health and safety
 - Court order
 - Condition of Probation
- SOO entitlements include:
 - When they matriculate from elementary to middle school or middle to high school (feeder patterns)
 - Through the end of the school year that the case closes
 - Until graduation for a student in high school when a case closes.



Transportation to School of Origin



- Transportation to the School of Origin only applies to those students on probation who are also considered a student in foster care per LCFF.
 - This is because this is a Federal requirement and only student in a court-ordered placement (Title IVE) are considered in foster care federally.
 - Probation Departments can participate in cost-sharing agreements in order to collaborate with the local school districts in ensuring transportation to SOO is provided.



Immediate Enrollment and Record Transfer



- Immediate Enrollment
 - Students in foster care must be immediately enrolled in the new school even if they are lacking routinely required items such as educational records, immunization records, school uniforms or if they have outstanding fees and fines.
 - Enrollment means attending classes
- Immediate Record transfer
 - Within 2 business days of enrollment the new school must request educational records from the prior school.
 - Upon receiving a request for records, the prior school must send educational records within 2 business days.



Least Restrictive Environment and Full Access

- Least Restrictive Learning Environment:
 - Students must be placed in the least restrictive, most comprehensive program available and able to meet their needs.
 - They cannot be required to attend a continuation or Juvenile Court School unless their offense was school related and placement is part of the rehabilitation plan*.
- Access to all curricular and extra curricular activities:
 - Students in foster care are entitled to equal access to all resources, supports and services that are available to all students.

*this does not include court ordered school placements



Partial Credit and Grade Protection



- Partial Credit
 - Students in foster care (and all other students) must be granted partial credit for work successfully completed at any prior school.
 - A prior school must calculate and send the partial credits and the new school must include them on the official transcript.
 - Students shall not be forced to retake any portion of a course they already successfully completed.
- Grade Protection
 - A student in foster care cannot have their grades lowered due to absences that are case-related.



School Placement-Best Interest



- Best Interest Determination
 - All decisions about where the student is to attend school must be made based on the student's best interest: not the convenience of the care provider.
 - Group homes and STRTPS can never hold educational rights and cannot decide where a student attends school.



Local Graduation Requirement Exemption



- Students in foster care may be eligible to graduate at the state minimum graduation requirement if they meet certain qualifiers:
 - Have experienced a school placement change after completing the first 2 years of high school
 - Are subject to a WIC 300 or 602 (along with other mobile populations)
 - Cannot reasonably complete all local graduation requirements with their cohort in 4 years or with a 5th year of high school
- An analysis of eligibility must be completed within 30 days of enrollment and the decision shared with the student and ERH
- **Please note the impact on a student who is incarcerated.**



Notice of Discipline Actions



- Notice of Discipline Actions
 - This includes all disciplinary actions that require parental notice (i.e. in and out of school suspensions, expulsions proceeding, manifestation determination hearings etc.)
- For student subject to a WIC 300 the LEA must notice the social worker (including tribal social worker if there is one), the minor's attorney and the ERH.
- For a student who is subject to a WIC 602 the LEA must notice the minor's attorney and the ERH. They may notice the probation officer but they are not required to.



CIF Eligibility



- CIF Eligibility Determination
 - Students in foster care are considered a family of one, therefore they are immediately eligible to play in high school CIF sports.
 - They do not have to establish residency or explain why they moved to a new school.



FY Education Entitlements: Resources

CDE Foster Youth Education Rights

<https://www.cde.ca.gov/ls/pf/fy/fyedrights.asp>

California Foster Youth Education Task Force (CFYETF)
Education Fact Sheets

<http://www.cfyetf.org/publications.html>



California Foster Youth Education
Task Force

California Foster Youth
Education Law
Fact Sheets

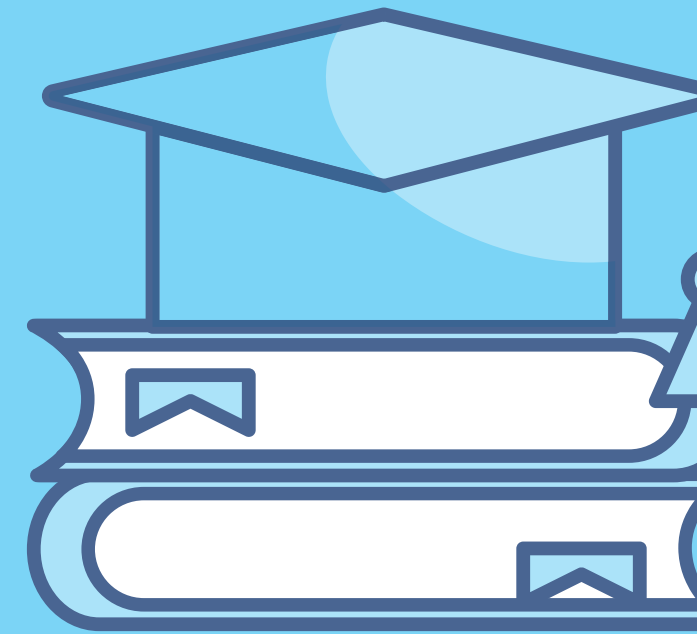
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Student Identification



- Although the definition of students eligible for services through a County Office of Education (COE) now includes youth who are the subject of a 602 petition and identified as being at imminent risk of removal and placement into foster care (per AB 3223-2024) identifying and supporting these students requires cross-agency collaboration.
- There is no statewide data match to identify these students for FYSCPs as there are for other students in foster care. Students subject to a WIC 602 and placed out of home ARE identified to school districts.
- IRR students are not included in the LCFF definition and are therefore not included in the weekly data match.
- Families must self identify their eligibility to the school district as Tribal Youth and other students subject to 602.
- Local processes and procedures are important to help create a pathway for families.



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Questions?

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