

IEM Charter Schools Foster Youth Policy

Introduction

To enable foster youth to achieve state and charter school academic standards, IEM Charter Schools shall provide full access to the educational program and implement strategies identified as necessary for the improvement of the academic achievement of foster youth in the charter school's local control and accountability plan (LCAP).

Definitions

1. Foster youth means a child who has been removed from their home pursuant to CA Welfare and Institutions Code section 309, is the subject of a petition filed under Welfare and Institutions Code sections 300 or 602, or has been removed from his/her home and is the subject of a petition filed under Welfare and Institutions Code 300 or 602.
2. Educational Rights Holder means a parent, guardian, or responsible person appointed by a court to make educational decisions pursuant to Welfare and Institutions Code sections 361 or 726, or Education Code 56055. This is established on form JV535.
3. School of origin means the school that the foster youth attended when permanently housed or the school in which he/she was last enrolled.
4. Best interests means that, in making educational decisions for a foster youth, consideration is given to, among other factors, the opportunity to be educated in the least restrictive educational program and the foster youth's access to academic resources, services, and enrichment activities that are available to all charter school students.

Charter School Foster Youth Liaison

In order to help facilitate the enrollment, placement, and transfer of foster youth to IEM Charter Schools, the charter school shall have a foster youth liaison. Contact information for the foster youth liaison can be obtained at the main office:

IEM Charter Schools
4535 Missouri Flat Rd #1A. Placerville, CA 95667

The liaison for foster youth shall:

1. Ensure and facilitate the proper educational placement, enrollment, and withdraw from the charter school for students in foster care.
2. Ensure proper transfer of credits, records, and grades when students in foster care transfer to or from the charter school.
3. When required by law, notify the foster youth's attorney and the appropriate representative of the county child welfare agency of pending expulsion proceedings if

the decision to recommend expulsion is a discretionary act; and, a manifestation determination prior to a change in the foster youth's placement, when he/she is a student with a disability under state and federal special education laws.

4. As needed, make appropriate referrals to ensure that students in foster care receive necessary special education services and services under Section 504 of the federal Rehabilitation Act of 1973.
5. As needed, ensure that foster youth receive appropriate school-based services.
6. Develop protocols and procedures for creating awareness for charter school staff, including but not limited to directors and office staff, of the requirements for the proper enrollment, placement, and transfer of foster youth.
7. Collaborate with the county placing agency, social services, probation officers, juvenile court officers, and other appropriate agencies to help coordinate services.
8. Monitor the educational progress of foster youth and provide reports to Director or designee as needed.

This policy does not grant the charter school foster youth liaison authority that supersedes the authority granted under state and federal law to a parent or legal guardian retaining educational rights, a responsible person appointed by the court to represent the child pursuant to Welfare and Institutions Code sections 361 or 726, a surrogate parent, or a foster parent exercising authority under the Ed Code. The role of the charter school foster youth liaison is advisory.

Enrollment

A student placed in a licensed children's institution or foster family home shall attend programs operated by the charter school unless one of the following circumstances applies: (Education Code 48853, 48853.5)

1. The student has an individualized education program requiring placement in a nonpublic, nonsectarian school or agency, or in another local educational agency.
2. The parent/guardian or other person holding the right to make educational decisions for the student determines that it is in the best interest of the student to be placed in another educational program and indicates in writing that determination. The educational rights holder should be aware of the following:
 - a. The student has a right to attend a traditional public school in the least restrictive environment.
 - b. The alternate educational program is a special education program, if applicable.
 - c. The decision to unilaterally remove the student from the school and to place them in an alternate education program may not be financed by the school.
 - d. Any attempt to seek reimbursement for the alternate education program may be at the expense of the parent/guardian or other person holding the right to make educational decisions for the student.
3. At the initial placement or any subsequent change in placement, the student exercises his/her right to continue in his/her school of origin, as defined above.

- a. The student may continue in the school of origin for the duration of the court's jurisdiction.
- b. If the court's jurisdiction over a grade K-8 student is terminated prior to the end of a school year, the student may continue in his/her school of origin for the remainder of the academic school year.
- c. If the court's jurisdiction is terminated while the student is in high school, the student may continue in their school of origin until they graduate.
- d. If the student is transitioning between school grade levels, they shall be allowed to continue in the district of origin in the same attendance area to provide them the benefit of matriculating with his/her peers in accordance with the established feeder patterns of school districts.

The charter school liaison may, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, recommend that the youth's right to attend the school of origin be waived and they be enrolled in any school that students living in the attendance area of the school district in which the foster youth resides are eligible to attend or in charter school consistent with current enrollment procedures. All decisions shall be made in accordance with the foster youth's best interests.

If the parties agree that the best interests of the youth would be served by his/her transfer to a school other than the school of origin, the principal or designee of the new school shall immediately enroll the foster youth, consistent with any enrollment procedures if the next school is a charter school. The foster youth shall be immediately enrolled even if the foster youth:

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended
2. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and medical records, including, but not limited to, immunization records or other documentation.

If any dispute arises regarding the request of a foster youth to remain in the school of origin, the youth has the right to remain in the school of origin pending resolution of the dispute. The dispute shall be resolved in accordance with the existing charter school dispute resolution process.

Transportation

IEM Charter Schools shall not be responsible for providing transportation to allow a foster child to attend school, unless required by federal law. The charter school is not required to provide transportation to a foster youth who has an individualized education program unless the individualized education program team determines that transportation is a necessary related service.

Effect of Absences on Grades

The grades of a student in foster care shall not be lowered for any absence from school that is due to either of the following circumstances:

1. A decision by a court or placement agency to change the student's placement, in which case the student's grades shall be calculated as of the date he/she left school.
2. A verified court appearance or related court-ordered activity.

Transfer of Coursework and Credits

When a foster youth transfers into IEM charter schools, the charter school shall accept and issue full credit for any coursework that the foster youth has satisfactorily completed while attending another public school, a juvenile court school, a school in a country other than the United States, or a nonpublic, nonsectarian school or agency and shall not require the foster youth to retake the course.

If the foster youth did not complete the entire course, he/she shall be issued partial credit for the coursework completed and shall not be required to retake the portion of the course that he/she completed at his/her previous school. However, the charter school may require the foster youth to retake the portion of the course completed if, in consultation with the holder of educational rights for the foster youth, the charter school finds that the foster youth is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a foster youth in any particular course, they shall be enrolled in the same or equivalent course, if applicable, so that he/she may continue and complete the entire course.

In no event shall the charter school prevent a foster youth from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California.

Applicability of Graduation Requirements

To obtain a high school diploma, a foster youth shall complete all courses required by IEM Charter Schools, and fulfill any additional graduation requirements prescribed by the Governing Board.

However, when a foster youth who has completed their second year of high school transfers into the charter school, they shall be exempted from all charter school-adopted coursework and other charter school-established graduation requirements, unless the charter school makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of their fourth year of high school. ([AB 216](#))

The Director or designee shall notify the foster youth, the person holding the right to make educational decisions for the foster youth, and the foster youth's social worker of the availability of the exemption and whether the foster youth qualifies for it. If the charter school fails to

provide timely notice, the foster youth shall be eligible for the exemption from local graduation requirements, even if that notification occurs after the termination of the court's jurisdiction.

To determine whether a foster youth is in their third or fourth year of high school, the charter school shall use either the number of credits the foster youth has earned as of the date of the transfer or the length of the foster youth's school enrollment, whichever qualifies them for the exemption.

If a foster youth is exempted from local graduation requirements pursuant to this section and completes the statewide coursework requirements specified in Educational Code section 51225.3 before the end of the student's fourth year of high school and that student would otherwise be entitled to remain in attendance at the charter school, the charter school shall not require or request that the student graduate before the end of the student's fourth year of high school.

The charter school shall not require or request a foster youth to transfer schools in order to qualify for an exemption and no request for a transfer solely to qualify for an exemption shall be made by a foster youth or any person acting on behalf of a foster youth.

If a foster youth is not exempted from local graduation requirements or has previously declined the exemption, the charter school shall exempt the student at any time if an exemption is requested by the foster youth and the foster youth qualifies for the exemption. Likewise, if the foster youth is exempted, the charter school may not revoke the exemption, even after the termination of the court's jurisdiction over the student.

Upon making a finding that a foster youth is reasonably able to complete the charter school graduation requirements within their fifth year of high school, the Director or designee shall:

1. Inform the foster youth and the person holding the right to make educational decisions for the youth of the foster youth's option to remain in school for a fifth year to complete the charter school's graduation requirements and how that will affect his/her ability to gain admission to a postsecondary educational institution
2. Provide information to the foster youth about transfer opportunities available through the California Community Colleges
3. Upon agreement with the foster youth or, if they are under 18 years of age, the person holding the right to make educational decisions for him/her, permit the foster youth to stay in school for a fifth year to complete charter school's graduation requirements.

Complaints of Noncompliance

Complaints of noncompliance with this policy shall be governed by charter school's Complaint Resolution Policy.