

AMENDED IN ASSEMBLY APRIL 14, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 854**

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**Introduced by Assembly Member Weber**

February 26, 2015

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An act to amend Sections 42920.5, 42921, 42922, 42923, and 42924 of, to add Sections 42921.5, 42926, and 42927 to, and to repeal and add Sections 42920 and 42925 of, the Education Code, relating to educational services.

LEGISLATIVE COUNSEL'S DIGEST

AB 854, as amended, Weber. Educational services: pupils in foster care.

(1) Existing law requires 6 specified foster children services program sites to receive a certain allowance that is required to be used exclusively for foster children services. Existing law authorizes any county office of education, or consortium of county offices of education, to apply to the Superintendent of Public Instruction for grant funding, to the extent the funds are available, to operate an education-based foster youth services program to provide educational and support services for foster children who reside in a licensed foster home or county-operated juvenile detention facility, as specified.

This bill would instead authorize a county office of education, or consortium of county offices of education, *in addition to the 6 specified program sites*, to apply to the Superintendent for grant funding, to the extent funds are available, to operate an education-based foster youth services program to provide educational support for pupils in foster care. *The bill also would provide, commencing with the 2016–17 fiscal year, that each of the 6 specified program sites shall receive, in addition*

to their local control funding formula apportionment, an allowance equal to the amount the school district spent on foster children service programs in the 2014–15 fiscal year.

(2) Existing law also requires each foster youth services program to identify at least one person as the foster youth educational services coordinator, if sufficient funds are available, and assigns the foster youth *educational services program coordinator* certain responsibilities, and requires him or her to facilitate the provision of educational services, as provided, to certain foster youth. Existing law authorizes a foster youth services program to prescribe a methodology for determining which pupils may be served.

This bill would instead require the identified foster youth educational services coordinator to facilitate the provision of educational support to any pupil in foster care residing or attending school in the county, as specified. The bill would ~~require~~ *authorize* a foster youth services program, in consultation with *school districts*, the county social services ~~agency~~ *agency*, and *the* county probation department, to prescribe the methodology for designing specific educational supports for pupils in foster care, as specified. The bill would require each foster youth services program to develop and implement a foster youth services plan, as specified, and to ~~assist school districts in developing and implementing work with its county office of education to ensure the implementation of~~ certain portions of ~~their~~ *county and school district* local control and accountability plans, as specified. The bill would require each foster youth services program to establish ~~an~~ *a local* interagency oversight board, *Executive Advisory Council*, as provided. ~~This~~ *The* bill would require each foster youth services program to assist school districts in specific ways, and would require each school district or charter school to designate a schoolsite-based staff person as a liaison to pupils in foster care if a schoolsite has one or more pupils in foster care, and to provide the liaison's contact information to the *school district foster youth services coordinator and the county foster youth services coordinator*. By imposing additional duties on school districts and charter schools, the bill would impose a state-mandated local program.

(3) Existing law requires the Superintendent, by February 15 of each even-numbered year, to report to the Legislature and the Governor on the foster children services provided by school districts, as specified, and requires each school district providing foster children services to report to the Superintendent, by January 1 of each even-numbered year,

any information the Superintendent may require for purposes of preparing the report.

The bill would instead require each county office of education providing foster youth services to report to the Superintendent, by January 1 of each even-numbered year, any information the Superintendent may require *and that is accessible to the foster youth services program* for purposes of preparing the report that is submitted to the Legislature and the Governor by February 15 of each even-numbered year, and would require the report to include different information, including aggregate educational outcome data, as specified.

(4) Existing law provides that any school district which provides educational services for foster children pursuant to the provisions above shall receive funding in any fiscal year for those services only by such sums as may be specifically appropriated by the annual Budget Act of the Legislature for that fiscal year for support of those school-centered foster children services which provide program effectiveness and potential cost savings to the state.

This bill would instead provide that a county office of education that provides ~~education~~ *educational* support for pupils in foster care shall receive funding in any fiscal year for that support only by such sums as may be specifically appropriated by the annual Budget Act of the Legislature for that fiscal year for support of foster youth services programs that provide pupils in foster care with supplemental educational support. The bill also would require county offices of education *with a foster youth services program, to the extent possible,* to develop and enter into a memorandum of ~~understanding~~ *understanding, contract, or formal agreement* with the county child welfare agency to leverage funding, as specified.

(5) This bill also would require the Superintendent to identify a State Foster Youth Services Director within the State Department of Education who would have certain responsibilities related to foster youth services programs, and would authorize the State Foster Youth Services Director to form an advisory committee, as specified. The bill would also authorize the Superintendent to provide funding to one or more local educational agencies to work with the State Foster Youth Services Director to provide the statewide technical support needed to improve the educational success of pupils in foster care, as specified.

(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 42920 of the Education Code is repealed.  
2 SEC. 2. Section 42920 is added to the Education Code, to read:  
3 42920. The Legislature finds and declares all of the following:  
4 (a) Pupils in foster care represent one of the most vulnerable  
5 and academically at-risk pupil groups enrolled in California  
6 schools. The academic status of pupils in foster care is often  
7 profoundly impacted by the foster care system in which many  
8 pupils in foster care experience multiple placements with an  
9 average frequency of one placement change every six months. Due  
10 to this movement, pupils in foster care lose an average of four to  
11 six months of educational attainment with each move. Therefore,  
12 it is essential to recognize, identify, and plan for the critical and  
13 unique educational needs of pupils in foster care.  
14 (b) A high percentage of pupils in foster care are working  
15 substantially below grade level, and over one-half of the pupils in  
16 foster care are retained at least one year in the same grade level.  
17 Pupils in foster care earn lower grades and achieve lower scores  
18 on standardized achievements tests in reading and mathematics,  
19 have lower levels of engagement in school, and are half as likely  
20 as pupils not in foster care to be involved in extracurricular  
21 activities. The long-term consequences of poor academic  
22 experiences are significant. Pupils in foster care are twice as likely  
23 as pupils not in foster care to drop out of school before graduation  
24 and only 45 percent of pupils in foster care have graduated from  
25 high school at the time of emancipation. Foster youth are similarly  
26 under represented in college enrollment rates and dramatically  
27 underperform their peers in relation to college completion. Pupils  
28 in foster care are also subject to disproportionate levels of  
29 disciplinary measures, including suspension and expulsion. It is  
30 imperative that California close the foster youth achievement gap  
31 so that pupils in foster care can realize their full potential, reach

1 their college and career goals, and become independent, productive  
2 members of society.

3 (c) Foster youth are an especially vulnerable pupil population,  
4 as they are often also members of other underserved pupil groups.  
5 In 2013, the demographic data of pupils in foster care in California  
6 were as follows:

7 (1) The largest ethnic group amongst pupils in foster care was  
8 Hispanic, with nearly half of the population.

9 (2) African American and Native American pupils continue to  
10 be disproportionately represented in the child welfare system, as  
11 researchers found that 26 percent of pupils in foster care were  
12 African American despite African Americans only accounting for  
13 7 percent of the pupil population in California, and 2 percent of  
14 pupils in foster care were Native American despite Native  
15 Americans only accounting for 1 percent of the pupil population  
16 in California.

17 (3) Nearly one in five pupils in foster care had special education  
18 needs, which is over twice the rate of the statewide pupil  
19 population.

20 (4) More than one in ten pupils in foster care were English  
21 learners.

22 (d) Compounded by the research that indicates that there is a  
23 need for California to close the achievement gap between specific  
24 ethnic pupil populations and white pupils, addressing the foster  
25 youth achievement gap will further efforts that support education  
26 equity for all pupils.

27 (e) Given their current academic status, pupils in foster care are  
28 more likely to achieve to their full potential when they are provided  
29 services and programs designed to meet their particular needs,  
30 including, but not limited to, supplemental instruction, counseling,  
31 tutoring, and other support services.

32 (f) Policies and laws addressing the educational rights of pupils  
33 in foster care must be implemented so that pupils in foster care are  
34 immediately enrolled in school, provided access to meaningful  
35 opportunities to meet state *pupil academic standards*, ~~educated in~~  
36 ~~the least restrictive educational environment~~, *achievement*  
37 *standards to which all pupils are held*, and provided access to a  
38 rigorous curriculum, adequately prepared to enter postsecondary  
39 education, and afforded the academic resources, services, and  
40 extracurricular and enrichment activities *made* available to other

1 pupils enrolled in California's public ~~schools~~. *schools, including,*  
 2 *but not limited to, interscholastic sports administered by the*  
 3 *California Interscholastic Federation. In fulfilling their*  
 4 *responsibilities to these pupils, educators, county placing agencies,*  
 5 *caregivers, advocates, and the juvenile counts will work together*  
 6 *to ensure that each pupil is placed in the least restrictive*  
 7 *educational environment.*

8 (g) Foster youth services programs provide pupils in foster care  
 9 needed educational support and are a state priority.

10 SEC. 3. Section 42920.5 of the Education Code is amended to  
 11 read:

12 42920.5. (a) ~~(1)~~ Commencing with *the 2016–17 fiscal year*  
 13 ~~1982–83, year~~; and each fiscal year thereafter, each of the following  
 14 six foster youth services program sites: Elk Grove, Mount Diablo,  
 15 Sacramento City, San Juan, Paramount, and the Placer Nevada  
 16 consortium, shall receive, in addition to ~~the base revenue limit,~~  
 17 *their local control funding formula apportionment*, an allowance  
 18 from the amount annually transferred to Section A of the State  
 19 School Fund equal to the amount the *school* district spent on foster  
 20 children service programs in *the 2014–15 fiscal year* ~~1981–82,~~  
 21 *year*, adjusted to reflect cost-of-living increases by the total  
 22 percentage increase received by all categorical education programs.  
 23 In no event shall this cost-of-living adjustment exceed the inflation  
 24 adjustment provided pursuant to Section 42238.

25 ~~(2)~~

26 (b) This allowance shall be used exclusively for foster children  
 27 services.

28 ~~(3)~~

29 (c) The six program sites may continue to record revenue  
 30 received pursuant to this subdivision in the same manner used to  
 31 record revenue received for foster children services in the 1981–82  
 32 fiscal year.

33 ~~(4)~~

34 (d) The six program sites shall maintain their foster children  
 35 services programs in fiscal year 1995–96 and each subsequent  
 36 fiscal year at a program level comparable to that at which they  
 37 administered those programs in fiscal year 1994–95.

38 ~~(b)~~ Commencing with fiscal year ~~1982–83~~, the base revenue of  
 39 each of the six school districts specified in paragraph (1) of  
 40 subdivision (a) shall be permanently reduced in an amount equal

1 to the amount spent on foster children services in fiscal year  
2 1981-82.

3 SEC. 4. Section 42921 of the Education Code is amended to  
4 read:

5 42921. (a) In addition to the six program sites specified in  
6 Section 42920.5, a county office of education, or consortium of  
7 county offices of education, may elect to apply to the  
8 Superintendent for grant funding, to the extent funds are available,  
9 to operate an education-based foster youth services program to  
10 provide educational support for pupils in foster care.

11 (b) Each foster youth services program operated pursuant to  
12 this chapter, shall have at least one person identified as the foster  
13 youth educational services coordinator. The foster youth  
14 educational services coordinator shall facilitate the provision of  
15 educational support pursuant to subdivision (e) to any pupil in  
16 foster care residing or attending school in the county.

17 (c) For purposes of this chapter, a pupil in foster care ~~has the~~  
18 ~~same meaning as~~ *means* a foster youth, as defined in paragraph  
19 (b) of Section 42238.01 *or a foster child who resides in a*  
20 *county-operated juvenile detention facility.*

21 (d) (1) It is the intent of the Legislature that pupils in foster  
22 care with the greatest need for services be identified as the first  
23 priority for foster youth services.

24 (2) In consultation with *school districts*, the county social  
25 services ~~agency~~ *agency*, and the county probation department, a  
26 foster youth services program operated pursuant to this chapter  
27 ~~shall may~~ prescribe the methodology for designing specific supports  
28 for pupils in foster care, ~~and, in including, guiding principles that~~  
29 *establish a hierarchy of services. In doing so, shall consider at*  
30 ~~least all of the following:~~ *applicable methodologies may include,*  
31 *but are not limited to,* the needs of specific age groups, pupils in  
32 foster care in specific geographic areas with the highest  
33 concentration of pupils in foster care, and pupils in foster care with  
34 the greatest academic need. A foster youth services program ~~shall~~  
35 *is encouraged to* first provide services for pupils in foster care who  
36 reside in group ~~homes or other homes~~, institutional ~~settings~~,  
37 *settings, or other placements with pupils with high academic needs,*  
38 *as determined by the local Executive Advisory Council.*

39 (e) Each foster youth services program operated pursuant to this  
40 chapter shall develop and implement a foster youth services ~~plan~~

1 ~~documenting~~ plan. *The plan shall document* how the program will,  
2 to the extent possible, do ~~all~~ of the following:

3 (1) Collaborate with county child welfare agencies, county  
4 probation departments, and school districts to minimize changes  
5 in school placement and support the implementation of subdivision  
6 (c) of Section 48853. *To the extent possible, the foster youth*  
7 *services program may pay for the cost of transportation to support*  
8 *this paragraph.*

9 (2) Collaborate with county child welfare agencies, county  
10 probation departments, and school districts so that when it is in  
11 the best interests of a pupil in foster care to transfer schools,  
12 transfers are done at an educationally appropriate time, educational  
13 records are quickly transferred, appropriate partial credits are  
14 awarded, and the pupil in foster care is quickly enrolled in  
15 appropriate classes.

16 (3) In an effort to support the educational achievement of pupils  
17 in foster care, how they will do ~~all~~ of the following:

18 (A) Collaborate with county child welfare agencies, county  
19 probation departments, and school districts to ensure pupils in  
20 foster care have an active education team ~~that includes that, to the~~  
21 ~~extent possible, may include~~ an educational rights holder, caregiver,  
22 social worker, teacher, counselor, court appointed special advocate,  
23 other stakeholders, and the ~~pupil~~ pupil, if appropriate.

24 (B) Participate in education teams as is helpful and needed.

25 (C) Help the education team assess the educational strengths  
26 and needs of the pupil in foster care, and help develop, monitor,  
27 and update an education plan based on those strengths and needs.

28 (D) Provide tutoring, mentoring, counseling, transition,  
29 school-based social work, and emancipation services, if those  
30 services are ~~part of the education plan established by the education~~  
31 ~~team, and after a full evaluation that determines that~~ established  
32 *as needed and identified by the local Executive Advisory Council*  
33 *to ensure that the services are aligned with local control and*  
34 *accountability plan priorities and the county child welfare agency,*  
35 *county probation department, or school district are unable to*  
36 *provide those services.*

37 (E) Maintain information on all of the following for purposes  
38 of ensuring that pupils in foster care, ~~education~~ educational rights  
39 holders, and other education team members are informed of all  
40 available opportunities:

- 1 (i) Available schools to ensure appropriate placement.
- 2 (ii) Educational programs, including linked learning programs
- 3 and special education programs.
- 4 (iii) English learner programs.
- 5 (iv) After school and summer enrichment opportunities.
- 6 (v) Other appropriate supports and services.
- 7 (F) Maintain information on postsecondary educational
- 8 institutions, career and technical education programs, and
- 9 postsecondary opportunities for purposes of ensuring that pupils
- 10 in foster care, ~~education~~ *educational* right holders and other
- 11 members of the education team have the information necessary to
- 12 support access to postsecondary education, career program, and
- 13 related supports, including financial aid.
- 14 (G) Collaborate with local postsecondary educational
- 15 institutions, including the California Community Colleges, the
- 16 California State University, and the University of California, and
- 17 with county independent living programs to facilitate a seamless
- 18 transition from high school to postsecondary educational
- 19 institutions, and provide pupils in foster care currently enrolled in
- 20 high school with assistance with college application, matriculation,
- 21 and financial aid.
- 22 (4) ~~Advocate~~ *Facilitate*, on behalf of individual pupils in foster
- 23 ~~care~~ *care*, to ~~ensure appropriate~~ *ensure*:
- 24 (A) Transfer of records.
- 25 (B) Transcript analysis.
- 26 (C) Credit recovery.
- 27 (D) ~~Individualized~~ *Timely individualized* education programs
- 28 in collaboration with the school district in accordance with the
- 29 federal Individuals with Disabilities Education Act (20 U.S.C. Sec.
- 30 1400 et seq.) and ~~related state laws~~ *all special education services*.
- 31 (E) ~~Placement~~ *Timely placement* in English learner ~~programs~~,
- 32 *programs, in collaboration with school districts*, as needed.
- 33 (F) Enrollment in, or transition to, comprehensive schools or
- 34 the least restrictive educational placements, when appropriate.
- 35 (G) Education entitlements specific to pupils in foster care are
- 36 provided, including, but not limited to, receiving partial credits,
- 37 the right to attend the pupil's school of origin, *access to*
- 38 *extracurricular and enrichment activities, including, but not limited*
- 39 *to, interscholastic sports administered by the California*

1 *Interscholastic Federation made available to all other pupils, and*  
 2 ~~modified~~ graduation requirements.

3 (5) ~~Ensure~~ *Collaborate with school districts, county child*  
 4 *welfare agencies, juvenile courts, county probation departments,*  
 5 *and special education local plan areas in an effort to have pupils*  
 6 *in foster care have* ~~education~~ *an identified educational rights*  
 7 ~~holders~~ *holder* with the capacity to support educational success  
 8 by:

9 (A) Helping a school district identify the ~~education~~ *educational*  
 10 rights holder of a pupil in foster care.

11 (B) Collaborating with county child welfare agencies and county  
 12 probation departments to identify a responsible adult familiar with  
 13 the pupil in foster care to serve as the pupil's ~~education~~ *educational*  
 14 rights holder.

15 (C) Recruiting volunteer ~~education~~ *educational* rights holders  
 16 to be used only after the county child welfare agency, county  
 17 probation department, and juvenile court have taken every  
 18 reasonable effort to find a responsible adult familiar with the pupil  
 19 in foster care to serve as the pupil's educational rights holder.

20 (D) Training and building the capacity of biological parents,  
 21 foster parents, and all other ~~education~~ *educational* rights holders  
 22 to support educational success, including, but not limited to, the  
 23 provision of information related to requirements for postsecondary  
 24 education application, matriculation, enrollment, and financial aid.

25 (6) Collaborate with county child welfare agencies, county  
 26 probation departments, and school districts to facilitate information  
 27 ~~sharing~~ *sharing, to the extent possible.* This includes, but is not  
 28 limited to:

29 (A) Collaborating with county child welfare agencies and county  
 30 probation departments to develop, monitor, and regularly update  
 31 the education portion of child welfare and probation case plans.

32 (B) Providing education related information to the county child  
 33 welfare agency to assist the county child welfare agency in  
 34 delivering services to foster children, including, but not limited  
 35 to, education status and progress information required to be  
 36 included in court reports.

37 (C) Responding to requests from the juvenile court for  
 38 information and working with the juvenile court to ensure the  
 39 coordination and delivery of necessary educational services.

1 (D) Establishing a mechanism for the efficient and expeditious  
2 transfer of health and education records, and the health and  
3 education passport.

4 (7) Support interagency efforts to improve the educational  
5 outcomes of pupils in foster-care: *care, to the extent possible*. This  
6 includes, but is not limited to:

7 (A) Collaborating with county child welfare agencies, county  
8 probation departments, and school districts to gather and analyze  
9 aggregate information on the educational challenges and outcomes  
10 of pupils in foster care.

11 (B) Facilitating communication and collaboration between  
12 school districts and county agencies, including, but not limited to,  
13 the county child welfare agencies, county probation departments,  
14 county mental health agencies, and courts within a county.

15 (C) Providing training and technical assistance to school  
16 districts, governing boards of school districts, county child welfare  
17 agencies, county probation departments, and county mental health  
18 agencies.

19 (D) Collaborate with local colleges and universities to facilitate  
20 a seamless transition from secondary to postsecondary educational  
21 institutions, and provide pupils in foster care currently enrolled in  
22 high school with assistance with college application, matriculation,  
23 and financial aid applications.

24 (f) Each foster youth services program operated pursuant to this  
25 chapter shall ~~assist school districts in developing and implementing~~  
26 ~~the portion of the school district's local control and accountability~~  
27 ~~plan describing the specific actions and strategies the school district~~  
28 ~~will undertake to increase the academic performance of pupils in~~  
29 ~~foster care, as required by work with their county office of~~  
30 ~~education to ensure the implementation of subdivision (c) of~~  
31 ~~Section 52060, and shall assist school districts in projecting the~~  
32 ~~cost of implementing these specific actions and strategies. Foster~~  
33 ~~52060 and subdivision (c) of Section 52066 for pupils in foster~~  
34 ~~care. In doing so, the foster youth services programs shall may~~  
35 ~~consider, but are not limited to, the following in their support of~~  
36 school districts in developing and implementing the specific actions  
37 and strategies to support the educational achievement of pupils in  
38 foster-care that may include, but are not limited to, all of the  
39 following: *care*:

- 1 (1) Ensuring that the school district has the necessary  
 2 infrastructure to support the educational success of pupils in foster  
 3 care, which may include, but is not limited to, local policies,  
 4 practices, and agreements.
- 5 (2) Providing the school district’s foster youth liaison with  
 6 additional resources to increase the liaison’s capacity to execute  
 7 his or her responsibilities.
- 8 (3) Maintaining information on educational programs, supports,  
 9 and services provided by the school district, including, but not  
 10 limited to, linked learning and career pathways programs,  
 11 credit-recovery classes, after school classes, school tutoring  
 12 resources, California High School Exit Examination tutoring  
 13 resources, other remediation services, school social worker  
 14 counseling, school-based mental health services, in-school  
 15 therapeutic services, summer enrichment opportunities, support  
 16 services offered to lesbian, gay, bisexual, transgender, and gender  
 17 nonconforming youth, summer enrichment opportunities, college  
 18 planning, and financial aid workshops and counseling.
- 19 (4) Regularly assessing the educational strengths and needs of  
 20 pupils in foster care.
- 21 ~~In collaboration with the education support team, developing,~~  
 22 *Developing*, monitoring, and regularly updating ~~an~~ education  
 23 ~~success plan~~ *plans* for a pupil in foster care that lists the strengths  
 24 and needs, goals and objectives, and the programs, supports, and  
 25 services the pupil in foster care will receive.
- 26 (6) Ensuring that each pupil in foster care receives the programs,  
 27 supports, or services ~~specified in the pupil’s education plan~~ needed  
 28 *needed* by the pupil to succeed academically.
- 29 ~~Carefully monitoring~~ *Monitoring* the educational progress  
 30 of a pupil in foster care and notifying the ~~pupil’s~~ *appropriate*  
 31 education support team of significant changes.
- 32 (g) Each foster youth services program operated pursuant to  
 33 this chapter shall establish ~~an a local interagency oversight board.~~  
 34 *Executive Advisory Council*.
- 35 (1) ~~The oversight board~~ *Executive Advisory Council* shall include  
 36 representatives from the county child welfare agency, the county  
 37 probation department, school districts, local postsecondary  
 38 educational institutions, and community organizations. If possible,  
 39 ~~the oversight board shall include~~ *Executive Advisory Council may*  
 40 *include, but is not limited to,* foster youth, caregivers, ~~education~~

1 *educational rights holders, dependency attorneys, court*  
2 *representatives, and other interested stakeholders.*

3 ~~(2) The oversight board shall meet at least quarterly, and shall~~  
4 ~~elect an oversight board chairperson from outside the county office~~  
5 ~~of education. Oversight board chairpersons shall not serve terms~~  
6 ~~longer than two years. Composition of the oversight board shall~~  
7 ~~be determined by the chairperson, consistent with paragraph (1);~~  
8 ~~and the foster youth services coordinator shall be a permanent~~  
9 ~~member of the oversight board. *Executive Advisory Council.*~~

10 (3) ~~The oversight board *Executive Advisory Council* shall~~  
11 ~~regularly review the recommendations to the foster youth services~~  
12 ~~plan required pursuant to subdivision (e). In the event of a~~  
13 ~~disagreement, the county foster youth services coordinator or the~~  
14 ~~oversight board chairperson *Executive Advisory Council* may ask~~  
15 ~~the State Foster Youth Services Director to mediate a solution.~~

16 SEC. 5. Section 42921.5 is added to the Education Code, to  
17 read:

18 42921.5. Each school district or charter school receiving funds  
19 pursuant to Section 42238.02 shall designate a schoolsite-based  
20 staff person to serve as a liaison to pupils in foster care if the  
21 schoolsite has one or more identified pupils in foster care. Each  
22 such school district and charter school shall provide contact  
23 information for each schoolsite liaison to the *school district foster*  
24 *youth liaison and the county foster youth services coordinator.*

25 SEC. 6. Section 42922 of the Education Code is amended to  
26 read:

27 42922. (a) A county office of education that provides  
28 educational support for pupils in foster care pursuant to Section  
29 42921 shall receive funding in any fiscal year for that support only  
30 by such sums as may be specifically appropriated by the annual  
31 Budget Act of the Legislature for that fiscal year for support of  
32 the foster youth services programs that provide pupils in foster  
33 care with supplemental educational support.

34 (b) The Legislature may appropriate moneys from the General  
35 Fund for this purpose, or, if sufficient funds are available, from  
36 the Foster Children and Parent Training Fund pursuant to the  
37 provisions of Section 903.7 of the Welfare and Institutions Code.

38 SEC. 7. Section 42923 of the Education Code is amended to  
39 read:

1 42923. (a) Each county office of education providing foster  
2 youth services pursuant to this chapter shall, by January 1 of each  
3 even-numbered year, report to the Superintendent any information  
4 as may be required by the Superintendent *and as accessible to the*  
5 *foster youth services program* for purposes of subdivision (b).

6 (b) The Superintendent shall, by February 15 of each  
7 even-numbered year, report to the Legislature and the Governor  
8 on the foster youth services programs. The report shall be prepared  
9 with the advice and assistance of providers of foster youth services  
10 and shall include, but not be limited to, the following:

11 (1) Recommendations regarding the continuation of the foster  
12 youth services programs.

13 (2) Recommendations regarding the effectiveness of the foster  
14 youth services programs, unless program effectiveness is assessed  
15 in another report covering the same time period.

16 (3) Recommendations regarding the broadening of the  
17 application of those services and any changes to foster youth  
18 services programs that would make them more effective.

19 (4) Aggregate educational outcome data for each county in  
20 which there were at least 15 pupils in foster care who attended  
21 school in the county, with information on each of the following  
22 indicators:

23 (A) The number of pupils in foster care who attended school in  
24 the county.

25 (B) The academic achievement of the pupils in foster care who  
26 attended school in the county.

27 (C) The number of pupils in foster care who were suspended  
28 or expelled.

29 (D) The number of pupils in foster care who were placed in a  
30 juvenile hall, camp, ranch, or other county-operated juvenile  
31 detention facility because of an incident of juvenile delinquency.

32 (E) The truancy rates, attendance rates, and dropout rates for  
33 pupils in foster care.

34 (F) (i) The number of pupils in foster care participating in foster  
35 youth services programs pursuant to this chapter who successfully  
36 transition to postsecondary education.

37 (ii) The department shall collaborate with the Chancellor of the  
38 California Community Colleges and the Chancellor of the  
39 California State University to identify indicators that can be used  
40 to track access to postsecondary education for pupils in foster care

1 participating in a foster youth services program pursuant to this  
2 chapter.

3 (5) Whenever possible, the data in the report shall be the same  
4 data that is used by the Superintendent in determining the  
5 Academic Performance Index or in developing the report required  
6 pursuant to Section 49085.

7 (6) A discussion of the meaning and implications of the  
8 indicators contained in paragraph (4).

9 SEC. 8. Section 42924 of the Education Code is amended to  
10 read:

11 42924. Any funds allocated to county offices of education for  
12 foster youth services pursuant to Section 42922 shall be used only  
13 for foster youth services and any funds not used by school districts  
14 or county offices of education for those services shall revert to the  
15 state General Fund.

16 SEC. 9. Section 42925 of the Education Code is repealed.

17 SEC. 10. Section 42925 is added to the Education Code, to  
18 read:

19 42925. (a) Each county office of education with a foster youth  
20 services program operated pursuant to this chapter ~~shall~~ *shall, to*  
21 *the extent possible*, develop and enter into a memorandum of  
22 ~~understanding~~ *understanding, contract, or formal agreement* with  
23 the county child welfare agency pursuant to which foster youth  
24 services program funds shall be used, to the maximum extent  
25 possible, to leverage funds received pursuant to Title IV–E of the  
26 federal Social Security Act (42 U.S.C. Sec. 670 et seq.) and any  
27 other funds that may be used to specifically address the educational  
28 needs of pupils in foster care, or they shall jointly explain in  
29 writing, annually, why a memorandum of understanding is not  
30 practical or feasible.

31 (b) *To the extent possible, each foster youth services program*  
32 *is encouraged to consider leveraging other local funding*  
33 *opportunities to support the educational success of pupils in foster*  
34 *care.*

35 SEC. 11. Section 42926 is added to the Education Code, to  
36 read:

37 42926. (a) The Superintendent shall identify a State Foster  
38 Youth Services Director within the department who shall be  
39 responsible for all of the following:

40 (1) Monitoring implementation of this chapter.

1 (2) Facilitating the data sharing and reporting described in  
2 Section 49085.

3 (3) Representing the department in policy and interagency  
4 workgroups related to the educational success of pupils in foster  
5 care, that may include, but is not limited to, collaborating with  
6 child welfare, probation, and judicial agencies.

7 (4) Overseeing the technical assistance described in Section  
8 42927.

9 (5) Providing technical support and mediation to foster youth  
10 services programs and their oversight boards.

11 (6) Review a county office of education’s local control and  
12 accountability plan as it relates to foster youth.

13 (b) The State Foster Youth Services Director may form an  
14 advisory committee to provide consultation to the State Foster  
15 Youth Services Director in regards to the responsibilities described  
16 in subdivision (a).

17 SEC. 12. Section 42927 is added to the Education Code, to  
18 read:

19 42927. (a) The Superintendent may provide funding to one or  
20 more local educational agencies to work with the State Foster  
21 Youth Services Director to provide statewide technical support to  
22 ensure educational, child welfare, and judicial agencies receive  
23 the technical support needed to improve the educational success  
24 of pupils in foster care.

25 (b) Technical assistance may include, but is not limited to, the  
26 following areas:

27 (1) State and local data sharing, and appropriate use of shared  
28 data.

29 (2) Improving county office of education foster youth services  
30 programs.

31 (3) Assisting school districts to develop and implement specific  
32 actions and to increase the academic performance of pupils in  
33 foster care, as required by subdivision (c) of Section 52060.

34 (4) Policy and legal guidance specific to pupils in foster care.

35 (c) Funding for the technical assistance described in this section  
36 may come from the foster youth services budget appropriated by  
37 the annual Budget Act, as determined by the Superintendent, but  
38 shall be no more than 5 percent of the foster youth services budget  
39 allocation for the applicable fiscal year. The remainder of the foster  
40 youth services budget shall be apportioned to county offices of

1 education operating foster youth services programs in accordance  
2 with Section 42921.

3 SEC. 13. If the Commission on State Mandates determines  
4 that this act contains costs mandated by the state, reimbursement  
5 to local agencies and school districts for those costs shall be made  
6 pursuant to Part 7 (commencing with Section 17500) of Division  
7 4 of Title 2 of the Government Code.

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