



## SUMMARIES OF PENDING CALIFORNIA LEGISLATION RELATING TO THE EDUCATION OF STUDENTS IN FOSTER CARE

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**STATUS:** Enrolled 9/6/11 On Governor's Desk  
**MEASURE:** AB 212: California Fostering Connections to Success Act: A  
**AUTHOR(S):** Beall  
**SUMMARY:** This bill makes various technical and clarifying changes to the California Fostering Connections to Success Act of 2010 and contains clean up legislation in response to the passage of AB 12

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**STATUS:** Enrolled 9/6/11 On Governor's Desk  
**MEASURE:** AB 165: Pupil fees  
**AUTHOR(S):** Lara  
**SUMMARY:** This bill would prohibit a pupil enrolled in a public school (Including Charter or Alternative schools) from being required to pay a pupil fee, as defined, for participation in an educational activity, as defined, as specified. The bill would provide that this prohibition is not to be interpreted to prohibit solicitation of voluntary donations. Extends the uniform complaint process to include complaints related to the imposition of pupil fees, requires a school district, county office of education (COE) and charter school to use its adopted uniform complaint process to identify and resolve any related deficiencies.

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**STATUS:** Enrolled 9/1/11 On Governor's Desk  
**MEASURE:** SB 709: Foster children: school placement: disputes.  
**AUTHOR(S):** Brownley  
**SUMMARY:** In response to AB 354, this bill will clarify within Ed Code that pupils in foster care can enroll in school without medical records, including immunization records. Additionally this bill adds a section in the HSC that conforms to the Education Code provisions specifying that if a child or youth in foster care is missing her or her immunization records, the school district shall allow the child to enroll in school. This bill seeks to reconcile the two codes and thus remove any unnecessary barriers and delays children and youth in foster care encounter to enroll in school.

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**STATUS:** 7/5/11 In Senate-Held at Desk  
**MEASURE:** AB 733: Pupil records: privacy rights  
**AUTHOR(S):** Ma  
**SUMMARY:** Makes various changes to the existing statute that limits the disclosure of student educational records in order to bring it into conformity with the federal Family Educational and Privacy Rights Act (FERPA).

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**STATUS:** Enrolled 9/8/11 On Governor's Desk  
**MEASURE:** SB 368: Developmental services: decision-making  
**AUTHOR(S):** Lui  
**SUMMARY:** This bill gives courts the authority to appoint an authorized representative to assist a minor child who has developmental disabilities in ensuring that his/her needs are met by their regional center, and is modeled on statutes establishing court-appointed "educational rights holders." And gives court-appointed authorized representatives the right to have access to a child's information and records, including the regional center case file, the right to participate in the IPP process, and the right to provide written consent for the child in dealings with a regional center that include assessment, eligibility, and the creation of an IPP.

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**STATUS:** Enrolled 9/1/11 On Governor's Desk  
**MEASURE:** AB 207: School attendance: residency requirements  
**AUTHOR(S):** Ammiano  
**SUMMARY:** This bill requires school districts to accept reasonable evidence that a pupil meets the residency requirements for school attendance in that district, and specifies which documentation schools must accept as proof of residency and provides that a pupil meets residency requirements when a pupil is placed in a regularly established licensed children's institution, or a licensed foster home, or a family home.

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**STATUS:** Last Amended 5/17/11 Hearing 6/28/11 Hearing cancelled at the request of the author  
**MEASURE:** SB 121: Pupils: foster children: special education  
**AUTHOR(S):** Lui  
**SUMMARY:** SB 121 specifies the process that must be followed before a foster youth may be placed in a non-public school, and places new requirements on those institutions, the Superintendent of Public Instruction (SPI), and education rights holders

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**STATUS:** Enrolled 9/6/11 On Governor's Desk  
**MEASURE:** AB 194: Public postsecondary education: priority enrollment: foster youth.  
**AUTHOR(S):** Beall  
**SUMMARY:** This bill, until January 1, 2017, would require the California State University and each community college district, and requests the University of California, with respect to each campus in their respective jurisdictions that administers a priority enrollment system, to grant priority for registration for enrollment to foster youth or former foster youth, as defined. This bill does have a mandated cost.

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**STATUS:** Enrolled 8/30/11 On Governor's Desk  
**MEASURE:** SB 578: Schools: pupils in foster care: course credit  
**AUTHOR(S):** McLeod  
**SUMMARY:** Requires a school district or coe to: accept coursework satisfactorily completed by a pupil in foster care while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency, even if the pupil did not complete the entire coursework and to issue that pupil full or partial credit for the coursework completed. Requires the credits accepted pursuant to this bill to be applied to the same or equivalent course, if applicable, as the coursework completed in the prior public school, juvenile court school, or a nonpublic, nonsectarian school or agency. Prohibits a school district or coe from requiring a pupil in foster care to retake a course if the pupil has satisfactorily completed the entire course and prohibits, if a pupil does not complete an entire course, requiring a pupil to retake the portions of the course completed, unless the school district or county office of education, in consultation with the holder of educational rights for the pupil, finds that the pupil is reasonable able to complete the requirements in time to graduate from high school. Specifies that when partial credit is awarded in a particular course, a pupil in foster care shall be enrolled in the same or equivalent coursework, if applicable, so that the pupil may continue and complete the entire course. Specifies that a pupil in foster care shall not be prevented from retaking or taking a course to meet the eligibility requirements for admission to the CSU and the UC.

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The complete text of the above referenced bills can be found at: <http://www.leginfo.ca.gov/bilinfo.html>

## CHAPTER \_\_\_\_\_

An act to add Section 48204.1 to, and to repeal Section 48204.6 of, the Education Code, relating to school attendance.

## LEGISLATIVE COUNSEL'S DIGEST

AB 207, Ammiano. School attendance: residency requirements.

Existing law requires each person between 6 and 18 years of age not otherwise exempted to attend the public full-time day school or continuation school or classes in the school district where the person's parent or legal guardian is located. Existing law provides various exceptions to this residency requirement, including, but not limited to, authorizing a pupil to attend school in a school district in which his or her parent or legal guardian is employed.

This bill would require a school district to accept a wide range of documents and representations from the parent or legal guardian of a pupil living with his or her parent or legal guardian as reasonable evidence that the pupil meets those residency requirements, including, but not limited to, property tax payment receipts, rental property contract, lease, or payment receipts, utility service contract, statement, or payment receipts, pay stubs, voter registration, correspondence from a government agency, or a declaration of residency executed by the parent or legal guardian of a pupil. The bill would, if an employee of a school district reasonably believes that the parent or legal guardian of a pupil has provided false or unreliable evidence of residency, authorize the school district to make reasonable efforts to determine that the pupil actually meets the residency requirements.

The bill would specify that it not be construed as limiting access to pupil enrollment in a school district as otherwise provided by state and federal statutes and regulations.

Existing law provides that any school district that is adjacent to an international border may accept a wide range of documents and representations from the parent or guardian of a pupil for purposes of establishing residency in a school district, as specified. Existing law requires those school districts to make reasonable efforts to determine whether a pupil meets the residency requirements if any employee of such a school district reasonably believes that the

parent or guardian of the pupil has provided false or unreliable evidence of residency.

This bill would repeal these provisions.

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

SECTION 1. Section 48204.1 is added to the Education Code, to read:

48204.1. (a) A school district shall accept from the parent or legal guardian of a pupil reasonable evidence that the pupil meets the residency requirements for school attendance in the school district as set forth in Sections 48200 and 48204. Reasonable evidence of residency for a pupil living with his or her parent or legal guardian shall be established by documentation showing the name and address of the parent or legal guardian within the school district, including, but not limited to, any of the following documentation:

- (1) Property tax payment receipts.
- (2) Rental property contract, lease, or payment receipts.
- (3) Utility service contract, statement, or payment receipts.
- (4) Pay stubs.
- (5) Voter registration.
- (6) Correspondence from a government agency.
- (7) Declaration of residency executed by the parent or legal guardian of a pupil.

(b) Nothing in this section shall be construed to require a parent or legal guardian of a pupil to show all of the items of documentation listed in paragraphs (1) to (7), inclusive, of subdivision (a).

(c) If an employee of a school district reasonably believes that the parent or legal guardian of a pupil has provided false or unreliable evidence of residency, the school district may make reasonable efforts to determine that the pupil actually meets the residency requirements set forth in Sections 48200 and 48204.

(d) Nothing in this section shall be construed as limiting access to pupil enrollment in a school district as otherwise provided by federal and state statutes and regulations. This includes immediate enrollment and attendance guaranteed to a homeless child or youth, as defined in the federal McKinney-Vento Homeless Assistance

Act (42 U.S.C. Sec. 11434a(2)), without any proof of residency or other documentation.

(e) Consistent with Section 11432(g) of the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.), proof of residency of a parent within a school district shall not be required for an unaccompanied youth, as defined in Section 11434a(6) of Title 42 of the United States Code. A school district shall accept a declaration of residency executed by the unaccompanied youth in lieu of a declaration of residency executed by his or her parent or legal guardian.

SEC. 2. Section 48204.6 of the Education Code is repealed.