

FACT SHEET: SB 233 (BEALL)

SUMMARY

This bill would improve the coordination of educational services between caregivers of foster children, Local Education Agencies (LEAs), Child Welfare Agencies (CWAs) and education rights holders by clarifying the types of education records that caregivers can access. A foster child's caregiver is not always their education rights holder, but plays a significant role in supporting their education. Caregivers who are regularly informed of a child's progress in school can better support the child's day-to-day educational needs and increase their educational success.

PROBLEM

Caregivers are responsible for updating the child's health and education passport for the CWA, and addressing the child's day-to-day educational needs, whether or not they hold education rights. While existing law states that caregivers must be informed and provided with information regarding the child's current educational needs from CWAs, it is not clear what educational information caregivers can access from LEAs. Without caregivers' proper access to pupil records, children in foster care will continue to have gaps in educational services they need to succeed in school.

PROPOSED BILL

Specifically, this bill:

1. Clarifies that caregivers may access education records to ensure children in foster care receive the educational services they need to succeed in school.

2. Provides a technical statutory alignment with the Rules of Court, requiring Child Welfare case plans to include necessary educational contact information in the child's health and education summary.

3. Updates current education statutes related to education records access with Continuum of Care Reform efforts.

BACKGROUND

California has approximately 60,000 children in foster care. Placement and school instability is commonplace among these children, resulting in poor academic and social/emotional outcomes. Research shows that a child loses four to six months of academic progress each time they change schools. WestEd's landmark report, *The Invisible Achievement Gap*, found that foster children had the lowest graduation rate and highest dropout rate of any student subgroup in the state. Further, due to the trauma they have suffered, many foster children experience emotional and behavioral struggles at school.

Federal and state law has recognized that children in foster care are a unique population that faces multiple educational challenges, and requires extra support and coordination between LEAs, CWAs, education rights holders, and caregivers to improve their educational outcomes. While LEAs and CWAs are responsible for ensuring foster children receive adequate educational services, including protecting the educational stability of children in foster care, and education rights holders are responsible for making education decisions in the best interests of each child, caregivers are responsible for meeting the day-to-day

educational needs of the foster children in their care. For example, this includes making sure children attend school daily, complete and turn in their homework, monitoring their grades, and helping them access education services such as tutoring, and extracurricular activities. In some cases a child's education rights holder is their caregiver, but not always—for example, the child's parents may retain education rights, or a non-caregiver relative or CASA may hold education rights.

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FOR MORE INFORMATION

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