

ECC Legislation Update

May 24, 2012

AB 73 (Feuer)

Would require the Judicial Council to establish a 4-year pilot in 3 counties that would require juvenile court hearings in dependency cases to be presumptively open to the public unless the court finds that admitting the public would not be in the child's best interest.

AB 733 (Ma)

Would amend the Education Code to bring it into compliance with FERPA by clarifying confidentiality requirements relating to the manner in which pupil records may be released, and providing for increased parental rights regarding the manner in which their child's pupil records are shared. Clarifies that a lawfully issued subpoena or court order must be obtained in specified circumstances in order for a law enforcement official to gain access to a pupil's educational records. Provides parents the opportunity to opt their child out of being provided voter registration information by their local county elections official. Also allows for the state to participate in interagency data systems while protecting pupil records.

AB 1573 (Brownley)

Eliminates any potential confusion with respect to the legislative purpose of AB 1933 by providing that a pupil in foster care who remains in his or her school of origin meets the residency requirements for school attendance in that district.

AB 1909 (Ammiano)

Requires every placing agency to notify the educational liaison of the child's local educational agency at the time of the child's placement. This notice must include the name and contact information for the placing agency representative, the holder of education rights and the child's attorney. Requires the educational liaison to notify these persons of impending expulsion proceedings or IEP manifestation determination hearings for which a response is discretionary.

AB 2060 (Bonilla)

Requires the court to determine if there is a responsible adult who is available and willing to serve as the child's educational representative and order the placing agency to conduct an investigation of the child's educational needs and appropriate educational representatives. Would require an appointed educational representative or surrogate parent to meet with the child, investigate the child's educational needs and whether those needs are being met, and present recommendations to the court or attend court to participate in any portion of a hearing that concerns the child's education.

AB 2093 (Skinner)

Requires campuses of the California State University, and requests the California Community Colleges and the University of California, to designate a foster youth campus support program coordinator to provide comprehensive academic, social and financial support to students who are current or former foster youth on public postsecondary educational institution campuses.

AB 2241 (Dickinson)

Establishes the Transitioning Youth for Success Program to prioritize the use of federal funds for neglected, delinquent, or at-risk youth. A county office of education or a school district may submit an application to the State Department of Education to receive funding under this program. Participating local educational agencies would provide programs and services that focus on the special needs of youth who are or have been confined to a facility where a juvenile court school or classes are authorized, to ensure that these youth make a successful transition to further schooling or employment and are provided a support system to ensure their continued education. Would require a comprehensive transition plan be developed and implemented for pupils served by the program and, by December 1, 2013, that consistent measures are developed to evaluate the success of programs and services funded under this program.

AB 2547 (Blumenfield)

Creates a Homeless Youth Advocate Office to: identify obstacles to providing services to homeless youth; coordinate services and facilitate interagency collaboration; improve the quality of services; reduce expenditures caused by overlapping services; and identify funding resources for housing and supportive services.

AB 2608 (Bonilla)

Would increase federal Medicaid reimbursement program funds for California schools and enable more funds for transportation services for students with disabilities.

SB 1088 (Price)

Clarifies existing law by prohibiting a school from denying enrollment or readmission to a student solely on the basis that he or she has had contact with the juvenile justice system. Ensures that expelled students are given more than one opportunity to demonstrate that they have completed their rehabilitation plans so that they can be readmitted to a regular school.

SB 1279 (Wolk)

Directs DSS, in consultation with state and local agencies and child welfare advocates, to identify by January 1, 2015 key outcomes for children and youth involved in the child welfare system. DSS would determine the measures, timelines, processes and any funding or staffing changes needed to implement these requirements and be authorized to secure cooperation from other state

agencies and maintain state data systems to enable outcome reporting, including key outcomes such as employment, criminal justice involvement and higher education.

SB1469 (Runner)

Would make an exemption from local graduation requirements that exceed statewide requirements to a pupil who transfers between schools during or after the pupil's 3rd year of high school, if the pupil is currently in foster care or, at the time of transfer, was in foster care. Would allow either the number of credits the pupil has earned to date or the length of the pupil's enrollment to be used to determine whether a pupil is in the 3rd year of high school, whichever would qualify the pupil for the exemption. Requires the school district to notify a pupil and the person holding the education rights, within 30 days of the pupil's transfer, if the pupil qualifies for the exemption.

SB 1497 (Negrete McLeod)

Would prohibit CALPADS from including an individual pupil in dropout rate data more than one time, and would also prohibit the inclusion of a pupil in the dropout rates indicated in the report on dropouts more than one time.

SB 1568 (DeSaulnier)

Allows former foster youth the option to remain in the school they attended while in the foster care system and to matriculate in accordance with the established feeder pattern in that school district until they graduate.

SB 1571 (DeSaulnier)

Creates a School Supplies for Homeless Children Fund and authorizes taxpayers to designate a specified amount in excess of their tax liability to be transferred to this Fund; requires the Franchise Tax Board to revise its tax return forms to provide for this designation and authorizes qualified non-profit organizations to apply for a grant from this Fund.

School Discipline:

AB 1729 (Ammiano)

Strengthens existing law that requires, in most circumstances, other means of correction to be used and documented prior to the suspension or expulsion of any student, and revises the steps to be taken for suspensions and expulsions of students with exceptional needs. Authorizes a superintendent or principal to use alternatives to suspension or expulsion that are age-appropriate and designed to address the root causes of the pupil's misbehavior. Also provides that a student with exceptional needs is not subject to suspension (except as specified), expulsion or other behavioral interventions, but instead will receive an appropriate assessment identifying behavioral needs, proposed behavioral goals to address the identified needs, and appropriate related services.

AB 2145 (Alejo)

Requires data on pupil suspensions and expulsions to be reported annually and be disaggregated by race, ethnicity, gender, socioeconomic status, English Language Learner status, special education status and offense; this data would be made available on CALPADS.

AB 2242 (Dickinson)

Provides that an act of disruption of school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, or school officials may subject a student to community service, an in-school suspension in a supervised suspension classroom or other means of correction, but not to an off-campus suspension, extended suspension or expulsion.

AB 2537 (Perez)

Provides some discretion for a principal or superintendent to not make a recommendation for expulsion for certain acts if the factual circumstances do not warrant it or other means of correction would address the conduct where expulsion is not already mandated by federal law. Clarifies that possession of an imitation firearm or firecracker does not mandate expulsion and that student possession of over-the-counter or prescription medication is not an offense for which a referral for expulsion is automatic.

AB 2616 (Carter)

Makes several changes to existing law to align California truancy law with research showing that schools and parents should take the lead in truancy prevention and intervention. Provides some limited discretion to school administrators to not identify a pupil as a truant if the pupil has a valid excuse; encourages the school to meet with the student to discuss the root causes and create a joint attendance plan after the first truancy in lieu of immediately referring to law enforcement; caps the fine at \$50; and provides discretion as to whether to involve the juvenile justice system after the fourth truancy instead of the court taking automatic jurisdiction.

SB 1235 (Steinberg)

Requires, rather than encourages, schools to take steps to address high rates of suspension. Initially, if the number of pupils suspended from school during the prior school year exceeds 25% of a school's enrollment or of any numerically significant racial or ethnic subgroup, requires the school district to implement, for a minimum of three years, an evidence-based system of school-wide positive behavioral interventions or evidence-based strategies designed to address school climate. Eventually would apply to schools that suspend 15% or more of its students. Requires the State Superintendent, using data already collected by the State, to publish an annual list of schools with high suspension rates.

***For copies of these bills, go to: www.assembly.ca.gov or www.senate.ca.gov.**