

Trauma Related Needs of Foster Youth

Trauma is a response to one or more overwhelmingly stressful events, or “adverse experiences,” where one’s ability to cope, or “resilience,” is dramatically undermined. Adverse childhood experiences can include physical abuse, neglect, prenatal trauma (e.g., prenatal substance exposure, medical neglect), exposure to violence in the family or community, or interrupted attachment such as being separated from a parent or primary caregiver through foster care involvement, death, incarceration, or divorce. Repeated or ongoing childhood trauma, which may occur even before an age when permanent memories are formed, is often referred to as complex or developmental trauma, and is particularly challenging to identify and treat.¹

Trauma and Its Impact on Development and Learning

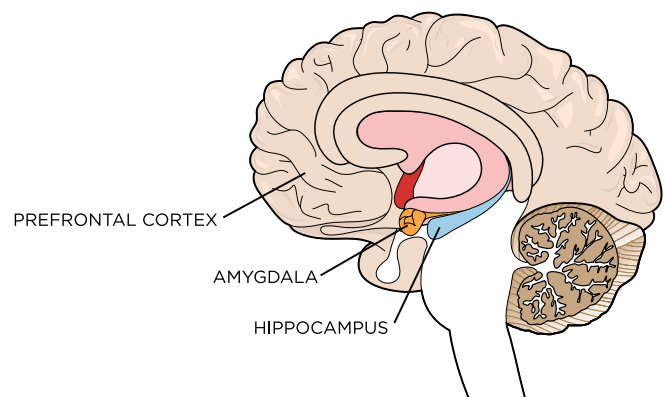
Trauma & Foster Youth

While all children may encounter adverse childhood experiences, youth in foster care disproportionately face complex or developmental trauma. Foster youth have endured multiple adverse childhood experiences, including: (1) the abuse, neglect, or abandonment that brought them into the child welfare system; (2) being removed from their families; and (3) repeated home and/or school placement changes while in the system.² This increased incidence of trauma among foster youth has developmental repercussions that impact foster youth in school.

Trauma Impacts Brain Development

Exposure to trauma in the developing years changes the chemistry, structure, and functioning of the brain. At birth, the parts of the brain known as the “reptilian brain,” governing basic bodily functions, are well developed. However, the “mammalian” or “emotional” brain that regulates emotions, and the “neomammalian” or “thinking” brain that controls cognitive processing, decision-making, learning, language, memory and impulse control, develop during the first several years of life.³ Trauma greatly impacts the development of these structures.

When children experience trauma, portions of the emotional brain including the amygdala, which activates a survival response (fight, flight, or freeze) in emergencies, expand. In a life threatening situation, a survival response is appropriate. However, when the emotional brain is strengthened it becomes constantly activated, and children are more easily triggered, even by events that pose no objective threat. For example, a child who is constantly running away in fear when threatened by an abusive caregiver may be triggered by a teacher who innocently threatens to take privileges away, and will inappropriately respond by running away. On the other hand, the hippocampus, responsible for learning and memory, shrinks. This means there is less brain capacity to focus on learning. The prefrontal cortex of the thinking brain, responsible for behavior, cognition, social and emotional regulation, also shrinks. The prefrontal cortex allows humans to stop and determine whether a survival



response is appropriate given the social context. The same child whose fear response is easily triggered, then, also has a diminished capacity to stop and consider whether that response is appropriate.

The chemistry of the brain is also impacted by trauma. Children with trauma experience reduced cortisol levels (responsible for energy levels and socialization) and decreased electrical activity and connections between brain cells.⁴ Reduced brain connectivity and energy levels cause children to process incoming information, including social and academic cues, slowly. This slower processing, if not understood, can cause frustration for both the student who is trying to keep up in class, and the teacher who might perceive a slow response time as lack of motivation or even defiance.

Consequences of Trauma

MENTAL HEALTH

The brain changes described above result in mental health challenges for many traumatized children. Changes to the amygdala and hippocampus are associated with depression, anxiety, and other mental health disorders, and research has linked trauma to increased rates of post-traumatic stress disorder (“PTSD”), anxiety, and depression.⁵ In fact, as a result of the trauma they endure, foster youth experience PTSD at rates more than double

that of U.S. war veterans.⁶ The effects of this trauma are also cumulative and so older foster youth present with higher rates of trauma and mental health symptoms.⁷

LACK OF HEALTHY ATTACHMENT AND DEFICIENT SOCIAL SKILLS

A strong healthy attachment to a primary caregiver allows children to gain the emotional intelligence and self-confidence necessary for them to explore their world. When these attachments are interrupted or severed (e.g., through multiple foster home changes), the parts of the brain responsible for social regulation do not develop normally, and children may develop difficulty managing relationships appropriately.

This can develop to either extreme: (1) being unable to connect with or trust any adult; or (2) trusting adults who haven't earned it, potentially putting the child into unsafe situations (i.e., a lack of stranger danger). Lack of stable attachments lead to oversensitive emotional responsiveness, whereby children have strong reactions to the objectively neutral behavior of others. If a child is unable to build healthy attachments to adults, they will also struggle when attempting to connect with their peers.

Attachment trauma makes it more difficult to navigate social situations or adapt to changing social contexts, like those that might be experienced in school.⁸ Children with attachment related trauma may often appear defiant to adults as they are always pushing boundaries and limits, or they can be withdrawn, without the skills to successfully connect with others.

CLASSROOM BEHAVIOR

Persistent trauma (e.g., being exposed to domestic violence on a regular basis) causes persistent activation of fear responses in the amygdala and hyperarousal in the brain that remains even when trauma or danger is not present. Children may constantly view the world as a dangerous place, which impacts their ability to regulate their behavior and social responses.⁹ In order to feel safe and in control, many trauma-exposed children develop behavioral coping mechanisms that can frustrate teachers and evoke reactions that both strengthen the child's expectations of confrontation and danger and reinforce a negative self-image.

For example, a child may have been conditioned through abusive relationships to fear asking questions. When that child faces an academic task that they do not understand, they may shut down and refuse to complete work. This refusal gives them a sense of control over what they perceive to be a scary situation. This will inevitably lead to a confrontation with the teacher, which can easily trigger a traumatized child's overactive and hard-wired fighting response. The child's hyperarousal and weakened prefrontal cortex make it difficult to calm down, and the child could then face exclusionary school discipline. While the child is being excluded from class, he or she is not receiving the extra academic support needed to be successful academically, and their perception of being unable to succeed in school is reinforced. Different children

use different coping mechanisms in response to fear-inducing events. School staff who are not equipped to look carefully may misunderstand the purposes of a child's coping behavior and, as a result, attempt to correct for those behaviors in ways that exacerbate the problem.

LEARNING & MEMORY

Brain changes resulting from trauma can cause deficits in executive functioning, including in memory, impulse control, and cognition.¹⁰

First, children learn through a combination of implicit and explicit memory. Through implicit memory, formulated in the reptilian brain, children learn and remember unconscious skills and associate experiences with sensory input (e.g., sounds, smells), such as walking, speaking, or responding to the sound of a parent's voice. These unconscious skills and associations remain in children who have experienced trauma, and sometimes raises unconscious but painful emotional responses to stimuli in school (for example, to the sound of a loud bell or a stern tone of voice), that the child may not be able to explain. Explicit memory, thought to be formulated in the hippocampus, allows children to talk about past, present, or future events. Explicit memory is crucial for school, for example, to remember story time from yesterday or a history lesson learned this morning, but is often impaired in children who have experienced trauma.

Additionally, the ability to control impulses, also crucial for success in school, is undermined in children who have experienced trauma. The overactive emotional brain, with diminished reasoning capability, creates reactive impulses that cannot be controlled.

Finally, the prefrontal cortex and the connections between various parts of the brain are crucial for problem solving and other elements of cognition, which studies show are impaired in children with trauma.¹¹

SUCCESS IN SCHOOL

The deficits in mental health, social skills, behavior, learning and memory created by trauma unsurprisingly lead to poor outcomes for students in schools that do not specifically address the impact of trauma. In some cases, one impacted domain, such as social skills or mental health, may be preventing the child from making progress. In many cases, the global impact of complex trauma experienced by foster youth makes it difficult to tease out precisely which results or effects are creating obstacles to education achievement. Overall, studies have associated trauma with: (1) decreased reading ability; (2) lower grade-point average; (3) increased school absences; and (4) decreased rates of high school graduation.¹²

RESILIENCE AND SELF-REGULATION

The good news is children are resilient. Resilience is the capacity to exhibit a positive, adaptive response in the face of significant adversity.¹³ Interventions can help children rebuild trust and acquire developmental skills and the capability to learn.

Resilience is not something that you are either born with or not. It develops as children grow and learn better thinking and self-management skills. For example, children exposed to trauma often lack self-regulation skills because an adult never taught those skills to them. Self-regulation skills are learned as early as rocking or singing to an upset baby or teaching skills to teenagers such as taking deep breaths and checking in with their body's state of

arousal when they become upset. Self-regulation skills and resilience can be taught to children through supportive relationships with parents and caretakers, teachers and other important adults, and peers. Schools can play an important role in helping children who have experienced trauma develop the resilience that will help them develop, learn, and grow into healthy adults.

What Can Schools Do?

Look for Signs of Trauma¹⁴

YOUNG CHILDREN (0-5)	ELEMENTARY SCHOOL CHILDREN (6-12)	ADOLESCENT CHILDREN (13-18)
<ul style="list-style-type: none"> Activity levels that are much higher or lower than peers Startling easily or being difficult to calm Repeating traumatic events over and over in dramatic play or conversation Clinginess, reluctance to explore the world Frequent tantrums Irritability, "fussiness" 	<ul style="list-style-type: none"> Frequent headaches or stomachaches with no apparent cause Behaviors common to younger children (e.g., thumb sucking, bed wetting) Difficulty transitioning from one activity to the next Talking often about scary feelings, ideas Frequent tears or sadness Fighting with peers/adults Being quiet or withdrawn Wanting to be left alone Eating much more or less than peers Getting into trouble at home or school Difficulty paying attention Changes in school performance 	<ul style="list-style-type: none"> Talking about trauma incidents constantly, or denying that it happened Refusal to follow rules, or talking back frequently Risky behaviors (e.g., using drugs or alcohol, running away from home, or getting into trouble with the law) Being tired all the time, sleeping much more (or less) than peers, nightmares Not wanting to spend time with friends Fighting

Implement Whole School Trauma Sensitivity

The Trauma and Learning Policy Institute, a collaboration of Massachusetts Advocates for Children and Harvard Law School, has developed a framework for creating trauma-sensitive practices at the school-wide level.¹⁵ School districts and schools that invest in the following critical areas can begin to address the needs of *all* students who have experienced trauma, including foster youth.

LEADERSHIP INVESTMENT

Administrators at a school must support and promote trauma-sensitivity through strategic planning, assessing staff needs, revising policy, providing appropriate professional development opportunities, and investing time and resources into creating trauma-sensitive school cultures.

TRAUMA-SENSITIVE POLICIES, INCLUDING DISCIPLINARY PRACTICES

New policies developed by leadership should balance accountability with an understanding of trauma triggered behaviors. They should seek to minimize exclusion from social and academic environments and to actively teach students how to regulate their own behavior.

COLLABORATION WITH STAKEHOLDERS

Schools should not feel alone in meeting the needs of children who have experienced trauma. They should work to support and collaborate with the adults already present, such as social workers, probation officers, caregivers, ERHs, or mental health providers. Additionally, schools should reach out to community agencies for assistance in supporting the needs of students. Promising practices include building

a support team for each youth combining their network of caring adults with their school team. See [Youth and Community Engagement](#).

ACCESS TO RESOURCES AND SERVICES

Schools should develop connections to services, including mental health services, available within the school district and from external community partners. For foster youth, this includes building a strong relationship with child welfare and probation agencies to identify available supports.

PROFESSIONAL DEVELOPMENT

All staff, from teachers to custodians, must be trained to understand how trauma affects children, and equipped with tools for building trauma-informed relationships and implementing trauma-sensitive instructional strategies.

TRAUMA-INFORMED NONACADEMIC STRATEGIES

School personnel should be familiar with ways that the school can support the non-academic needs of youth through, for example, mentoring relationships or extracurricular activities.

TRAUMA-SENSITIVE INSTRUCTIONAL STRATEGIES

Perhaps the most crucial element, teachers must be trained to implement instructional strategies that are effective for children who have experienced trauma. While this requires teachers to modify current practices, the strategies that work for traumatized children are successful with all children. These strategies: (1) ensure that students are not punished for the symptoms of their trauma; and (2) actively build factors shown to improve resilience.¹⁶

Create a Sense of Safety: Students who have experienced complex trauma do not routinely feel safe. Providing a safe environment can help reduce a child's overstimulated fear responses and make way for learning. To create a safe environment, teachers can:

- build predictable structure with consistent routines;
- implement a school-wide positive behavior intervention program;
- create clear expectations during unstructured times (e.g., passing periods, lunch);
- provide transition opportunities (e.g., 5 minutes to read a book or a warm up question); and
- provide clear pathways to emotional support for students who elect to utilize it.

Provide a Sense of Control: Helping children build a sense of mastery over their own life is critical for developing appropriate responses to stressful situations.¹⁷ Teachers can:

- give youth choices and not ultimatums;
- engage youth in a semi-private conversation, instead of in front of classmates;
- limit the number of adults involved to avoid confusion or mixed-messages;
- provide adequate personal space;
- not block escape routes (when individuals are agitated, they are more likely to experience fight or flight response);
- keep verbal interactions calm and use simple, direct language;

- build self esteem by providing opportunities for students to be successful such as inviting a student to participate in an activity they excel at, giving a student a question they will be asked the night before so they can prepare, or relating lessons to known areas of interest; and
- celebrate even the smallest successes, for example, by thanking a student for showing up on time, or writing a post-it note praising them for turning in their homework.

Foster Connections: Having at least one stable, caring relationship with an adult is crucial for developing resilience and a sense of self.¹⁸ Intentional development of relationships with teachers, aides, or other staff is crucial for meeting the needs of foster youth. In addition, relationships with students can be built by:

- creating opportunities to develop meaningful relationships between peers including through classroom group work activities or encouraging club/sport participation;
- empathizing with a student who is struggling;
- allowing a student to share their experiences on their own timeline; and
- not isolating students who need to be removed from a situation. An adult should always be nearby to provide support when the student is ready to talk or to help them self-regulate.



Teach Self-Regulation: Strong self-regulation skills enable individuals to manage their own behavior and emotions.¹⁹ Some common self-regulation techniques include:

- teacher modeling of self regulation with opportunities for students to practice;
- breathing;
- taking breaks;
- writing down feelings; and
- doing an internal check in to monitor signs of stress in the student's body.

Use Culturally Responsive Strategies: Children who are solidly grounded in cultural traditions show more effective responses to stress.²⁰ Teachers and schools should seek to understand and value cultural traditions, including faith-based traditions, that are important to youth.

Additional Trauma Resources

The National Child Traumatic Stress Network

Started by Congress in 2000, this network brings together the nation's top experts in childhood trauma and has an entire section of the website dedicated to resources for school personnel. **[Visit the network here.](#)**

Aces Too High News

News site that contains the latest research about adverse childhood experiences, including abuse, neglect, and toxic stress. Reports on research based practices being implemented in schools, cities, and community agencies around the country. **[See the latest news here.](#)**

The Trauma and Learning Policy Initiative

Initiative dedicated to ensuring that children traumatized by exposure to family violence and other adverse childhood experiences succeed in school. The publications *Helping Traumatized Children Learn Volume 1: A Report and Policy Agenda* and *Volume 2: Creating and Advocating for Trauma-Sensitive Schools* are available for download from the website. **[Find the publications here.](#)**

The Heart of Learning: Compassion, Resiliency, and Academic Success

A handbook containing valuable information that will be helpful to teachers on a daily basis as they work with students whose learning has been adversely impacted by trauma in their lives. **[Find the handbook here.](#)**

Calmer Classrooms: A Guide to Working with Traumatized Children

Assists kindergarten, primary, and secondary teachers and other school staff in understanding and working with children and youth who have experienced trauma.

[Find the guide here.](#)

Center for Social and Emotional Foundations for Early Learning

Teaching tools for child care professionals and early childhood teachers. **[Visit the center here.](#)**

Section Endnotes

- ¹ Bessel A. van der Kolk, *Developmental Trauma Disorder*, 35:5 *Psychiatric Annals* 390, 406 (2005).
- ² Jim Casey Youth Opportunities Initiative, Issue Brief #5, *Trauma Informed Practice with Young People in Foster Care 2-3* (2012), available at <http://www.aecf.org/resources/trauma-informed-practice-with-young-people-in-foster-care/>.
- ³ Cathy A. Malchiodi, *Creative Interventions with Traumatized Children 7-8* (The Guilford Press 2008); Child Welfare Information Gateway and Children's Bureau, Issue Brief: *Understanding The Effects of Maltreatment On Brain Development 2* (2015).
- ⁴ Id. at 6-7.
- ⁵ J. Douglas Bremner, *Traumatic Stress: Effects on the Brain*, 8 *Dialogues in Clinical Neuroscience*, No. 4, 2006, at 445.
- ⁶ Jim Casey Youth Opportunities Initiative, *supra* note 2, at 4.
- ⁷ Id.
- ⁸ Child Welfare Information Gateway and Children's Bureau, *supra* note 3, at 9.
- ⁹ Id. at 8-9.
- ¹⁰ Id.
- ¹¹ Id.
- ¹² Maura McInerney & Amy McClindon, Education Law Center, *Unlocking the Door to Learning: Trauma-Informed Classrooms & Transformational Schools* (2014), available at <http://www.elc-pa.org/resource/unlocking-the-door-to-learning-trauma-informed-classrooms-and-transformational-schools/>.
- ¹³ National Scientific Council on the Developing Child, *Supportive Relationships and Active Skill-Building Strengthen the Foundations of Resilience*, (Harvard University Center on the Developing Child Working Paper No. 13, 2015), available at <http://developingchild.harvard.edu/resources/supportive-relationships-and-active-skill-building-strengthen-the-foundations-of-resilience/>.
- ¹⁴ Safe Start Center, *Tips for Staff and Advocates Working with Children: Polyvictimization*, Office of Juvenile Justice and Delinquency Prevention, available at http://ojjdp.gov/programs/safestart/TipSheetFor_Polyvictimization.pdf.
- ¹⁵ Susan F. Cole, et al., *Trauma and Learning Policy Institute, Helping Traumatized Children Learn: Supportive School Environments for Children Traumatized by Family Violence* (2013).
- ¹⁶ National Scientific Council on the Developing Child, *supra* note 13.
- ¹⁷ Id. at 5.
- ¹⁸ Id.
- ¹⁹ Id.
- ²⁰ Id.

Disciplinary Challenges of Foster Youth

While schools often need to take formal disciplinary action to protect the safety of everyone on campus, foster youth are subject to disproportionate levels of school discipline due to unmet mental health needs caused by the trauma and abuse they experience. See **Trauma Related Needs of Foster Youth**. Law and best practice require schools to attempt to modify behavior through other interventions before more formal disciplinary actions or involuntary school transfers are made.

Indicators of Need

Poor Grades and/or Standardized Test Scores: Foster youth change placements regularly and often lack a consistent adult identifying their education deficits, including undiagnosed disabilities.¹ Youth may act out in frustration or to hide their academic deficits.

Defiance of Authority and Extreme Emotional Reactions: Foster youth are twice as likely as war veterans to suffer from post-traumatic stress disorder or other mental health conditions that cause anxiety, irrationality, irritability, and aggression.²

Inappropriate Peer Interactions: Foster youth often struggle to establish appropriate social boundaries and may be negatively influenced by peers due to abuse/neglect and a lack of long-term healthy relationships.

Best Practices for Addressing Disciplinary Challenges

STEP 1

Enroll in Comprehensive School: Foster youth with disciplinary challenges, including those with prior or current delinquency involvement, have a right to attend their local comprehensive school. *Cal. Educ. Code §§ 48645.5, 48853.5(d)(4)(B)*. See **Enrolling Foster Youth**. Among other advantages, these schools provide crucial opportunities to enhance positive student engagement (e.g., sports, clubs, tutoring). This is particularly important for foster youth who lack outside opportunities to participate in these activities. Placement in alternative school settings often leads to reduced participation in school, access to supports needed to improve problem behaviors, and likelihood of successful high school graduation. If suggesting a voluntary change to an alternative school, see **Voluntary Transfer of Students out of Comprehensive Schools**.

STEP 2

Identify Needs and Gather Information Early: Disciplinary challenges may be obvious at enrollment or may reveal themselves later. Early and consistent communication with the youth and the adults in their life (e.g., ERH, caregiver, social worker, youth's legal representative) will ensure a quick response when reaching out for assistance. Gathering necessary education records will help identify the youth's triggers and both successful and unsuccessful interventions attempted in the past. See **Requesting Education Records**.

STEP 3

Meet and Create an Intervention Plan: When youth first begin to demonstrate disciplinary challenges, quickly bring together a team of all key individuals (e.g., youth, ERH, caregiver, social worker/probation officer, legal representative for the youth, mental health providers, relevant school personnel). Encourage the youth to share their struggles and solutions or supports they feel would help them. Other participants should discuss their experiences working with the youth with a focus on meeting the youth's needs moving forward. For example, identifying triggers for poor behavior and prior successful interventions is more productive than lecturing the youth about each of their past suspensions. Identify available school and outside resources and interventions and determine who will be responsible for implementing them. See **Discipline Intervention Idea Bank**. If participants are unable to attend in person or by phone, encourage them to submit input in writing. Complete the **Discipline Intervention Plan**.

STEP 4

Track Intervention Effectiveness and Regularly Check In: Use the **Discipline Intervention Plan** to track the provision and success of interventions. If services become unavailable, or prove ineffective in meeting the needs of the youth, reconvene the team to discuss new interventions and update the **Discipline Intervention Plan** as necessary. Document ineffective interventions to demonstrate when more intensive services or alternative disciplinary actions are warranted. *Cal. Educ. Code § 48900.5*.

¹ In one study, 65% of foster children experience seven or more school changes (K-12). Peter J. Pecora et al., *Improving Family Foster Care: Findings from the Northwest Foster Care Alumni Study*, Casey Family Programs 35 (2005), available at <http://www.casey.org/northwest-alumni-study/>.

² Id.; Melinda Smith & Jeanne Segal, *Post Traumatic Stress Disorder: Symptoms, Treatment and Self-Help for PTSD* (helpGuide.org 2014), available at http://www.helpguide.org/mental/post_traumatic_stress_disorder_symptoms_treatment.htm (last visited Oct. 9, 2014).

STEP 5

Special Education (If Needed): If interventions fail to bring about positive change, consider whether special education assessment, placement, and/or services may be appropriate. See **Special Education and Foster Youth**.

STEP 6

Hold Meeting to Consider Potential Voluntary Change to Alternative School Program (If Needed): In rare instances, a youth may be better served at an alternative school site (e.g., continuation school, independent study program, community day school). Continuation school transfers may only be used to promote the educational interests of the youth (e.g., cannot be used to address truancy or required as a form of discipline). If suggesting a voluntary change to an alternative school, inform the ERH of their right to a meeting to weigh their options. The transfer may only occur with the informed, written permission of the ERH. See **Voluntary Transfer of Students out of Comprehensive Schools**.

STEP 7

Foster Discipline and Involuntary Transfers (If Needed): Foster youth are disproportionately impacted by all forms of school discipline and are disproportionately represented in alternative school settings. If a youth has not responded to positive interventions or other alternatives, and has committed an act that is subject to formal discipline under the law, there are some key ideas to keep in mind when applying formal disciplinary procedures to them:

ERH: Most formal disciplinary actions require notification of an ERH. Unless you have received formal notification from the court about who the ERH is, do not assume that it is the caregiver. If notification is provided to the wrong person, discipline proceedings may be improper and overturned. See **Education Decision Makers for Foster Youth**.

Notification of Legal Representative for the Youth and Social Worker/Probation Officer: If a foster youth is being considered for expulsion or suspension for the remainder of the semester, inform the legal representative for the youth and social worker/probation officer.

Involuntarily Enrolling Any Youth in an Alternative School Setting: Foster/probation youth can only be forced to attend a continuation school, adult school, or independent study program in the following circumstances:

- 1. Continuation Schools:** All three conditions must be met: (1) they have committed an act enumerated in California Education Code Section 48900 or have been habitually truant or irregular in attendance; (2) other means have failed to bring about student improvement; and (3) a formal hearing has occurred. The final decision to impose the involuntary assignment cannot be made by or involve any staff from the current school.
- 2. Community Day Schools:** Any of the three conditions must be met: the youth has been (1) formally expelled and provided with all due process rights; or (2) referred by probation pursuant to Sections 300 and 602 of the California Welfare and Institutions Code; or (3) referred by a school attendance review board.
- 3. Independent Study Programs:** Prior to starting an independent study program, the youth's ERH must sign an agreement that describes the school and/or district's independent study policies, outlines the duration and scope of the proposed independent study program, including its learning objectives, and explicitly states that independent study is strictly voluntary.

Cal. Educ. Code §§ 48432.5, 48662, 48853.5(g), 48900, 51747, 51749.5, 51749.6.



Student's Name: _____ D.O.B.: _____

If Student Exhibits:

Defiance and Extreme Emotional Reactions

Example: Talks back to teachers, has angry outbursts.

Try This Intervention:

Behavior Support Plan. Approach youth in a calm manner, present options when possible.

Allow for a "cooling off" period when a student becomes upset. Allow them to do a lap around the building with a teacher.

Teach specific coping methods for dealing with anger (deep breathing, counting to 10, walking away).

School-based counseling. Give the youth a weekly, daily, or "as-needed" opportunity to speak with a trusted adult on campus.

Develop a signal with the student to alert teachers and administrators when they are having a bad day.

If Student Exhibits:

Inappropriate Peer Interactions

Example: Regularly participates in off-task behavior with a group of peers.

Try This Intervention:

Group-based counseling. Support youth to develop positive social relationships and social skills.

Participation in group extracurricular activities. This will give the youth an opportunity to interact with peers in the pursuit of a positive goal.

Teach social scripts. Have a counselor meet with the youth to role play different scenarios with peers and to plan pro-social ways to respond to them.

If Student Exhibits:

Poor Grades and/or Standardized Test Scores

Example: Not passing a class, or scoring "below basic" on the state standardized test.

Try This Intervention:

School-based tutoring

Assistance with organization skills from a peer or counselor

Remedial classes

Additional Notes:

Consider a special education assessment to determine if additional services and supports are appropriate. Consult a school psychologist or see [Special Education and Foster Youth](#) for more information.



Student's Name: _____ D.O.B.: _____

EXAMPLE

Behavior to be Addressed,
Including Frequency

Physical and verbal conflict with peers during passing periods 3-4 times per week including shoving, name calling, using profanity

Interventions

School counselor will meet with student to: (1) discuss appropriate behavior in the halls; (2) practice social scripts of appropriate peer interactions

Start Date/Frequency of Service

9/15/14, 2 times per week for 30 min. each session for 3 months

Name/Position of Responsible Person

Mrs. Sanchez, School Psychologist

Outcome

Counselor met with student 22 times over 12 weeks. Student was responsive to intervention. Student reduced number of peer conflicts during passing periods to 1 per week. It is recommended that this service continue until youth has no conflicts with peers over a 1 month period.

BEHAVIOR 1

Behavior to be Addressed,
Including Frequency

Interventions

Start Date/Frequency of Service

Name/Position of Responsible Person

Outcome

BEHAVIOR 2

Behavior to be Addressed,
Including Frequency

Interventions

Start Date/Frequency of Service

Name/Position of Responsible Person

Outcome

BEHAVIOR 3

Behavior to be Addressed,
Including Frequency

Interventions

Start Date/Frequency of Service

Name/Position of Responsible Person

Outcome

Voluntary Transfer of Students Out of Comprehensive Schools

The majority of students who are voluntarily transferred by school districts out of their "regular" comprehensive high schools are sent to continuation schools. Continuation schools were created to serve as a safety net for students at-risk of dropping out by providing effective and individualized instructional programs with a wide variety of options to meet student needs. Today, there are approximately 460 continuation schools in operation across the state of California. Some of these programs meet the original intent for these schools, and are an effective avenue for high school completion for the youth who attend them. Each year the California Department of Education highlights several "model" schools that exemplify these values.¹

Common Reasons Students are Transferred

Comprehensive schools seek to voluntarily transfer students to continuation schools for a variety of reasons, including credit deficiency, attendance problems, and behavioral issues.

Problematic Transfers

Voluntary transfers are problematic when they occur without meaningful participation of education rights holders ("ERHs") or continuation school staff, and without an informed, individualized determination of whether the transfer is in the student's best education interests. Without continuation school input into the best interests discussion, it is very difficult for many continuation schools to meet their original purpose of providing critical academic and support services that students need to succeed.²

Voluntary transfers are different from involuntary transfers in that ERHs choose a voluntary transfer after making a well informed decision about what is in the student's best interests. Involuntary transfers can occur, assuming other legal requirements are met, without an ERH's agreement. To learn more about involuntary transfers, see [Disciplinary Challenges of Foster Youth](#).

Reversing the Tide

A recent study on continuation schools concluded that "careful identification and placement practices allow district offices and receiving schools to develop support services targeted to students' specific needs,"³ which in turn lead to more positive student outcomes. Districts with the most successful outcomes for students utilize these practices. Assembly Bill 570 was enacted to spread these proven practices across the state. It mandates that districts create and utilize clear policies for the transfer of youth to continuation schools, including only allowing for a transfer when it is in the student's best education interests. The following pages provide districts with tools to help carefully develop and implement such policies that will, in turn, allow continuation schools to effectively serve these students once they arrive.

Overview of the Law

- Foster and probation youth have the right to immediately enroll in their local comprehensive school.
- Students cannot be voluntarily transferred to a continuation school unless their ERH determines that the transfer is in their best education interests. For more information on ERHs, see [Education Decision Makers for Foster Youth](#).
- ERHs have the right to meet with both the transferring school and the continuation school before a voluntary transfer takes place to determine if transferring is in the student's best education interests.
- School districts must develop and consistently implement clear policies to determine which students to recommend for voluntary enrollment in a continuation school.
- Voluntary transfer policies must ensure that no group of students, including foster or probation youth, students of color, English language learners, or special education students, are disproportionately enrolled in continuation schools.
- Students who voluntarily transfer to a continuation school have the right to return to their comprehensive high school at the beginning of the following school year.

Cal. Educ. Code §§ 48432.3, 48432.5, 48850, 48852.7, 48853.

Disproportionality

Research demonstrates that several at-risk student populations are overrepresented in continuation schools in California,⁴ in violation of the law:

- Continuation school students are three times more likely than students in comprehensive high schools to be in foster care or living with a relative other than a parent.
- Boys are disproportionately overrepresented in continuation schools. They represent 50% of statewide eleventh grade enrollment but 58% of continuation school enrollment.
- African-American and Latino students are also disproportionately overrepresented in continuation schools. They constitute approximately 50% of statewide eleventh grade enrollment but 66% of continuation school enrollment.
- Finally, English Language Learners are also disproportionately overrepresented in continuation schools. Only 14% of eleventh graders statewide are English Language Learners compared to 21% in continuation schools.

Foster and Probation Youth Disproportionality

School Instability and Mid-Semester Enrollment: When foster and probation youth move homes and schools in the middle of a semester, school districts often automatically enroll them in continuation schools, in violation of their rights. Foster and probation youth have the highest rates of school mobility, changing schools an average of eight times while in care.⁵ As a result, they are disproportionately overrepresented in continuation schools: 17% of alternative school students move homes two or more times a year, compared with only 7% of students in comprehensive high schools.⁶ For more information, see [Enrolling Foster Youth](#).

High Needs: Foster and probation youth also have the highest education needs of all at-risk student populations. Only 58% of foster and probation youth graduate high school, compared with 84% of students statewide.⁷ This discrepancy is due to the many unique challenges foster

youth face. For example, foster youth experience high levels of school instability: only 68% of students in foster care attended the same school for the full school year compared to 90% of students statewide.⁸ Foster and probation youth also present behavioral issues based on the trauma they have experienced: they are classified as “emotionally disturbed” at a rate five times higher than other students statewide.⁹

All of these challenges often lead to high rates of poor attendance and credit deficiencies.¹⁰ Although foster and probation youth have a clear legal right to attend their local comprehensive school, these students are often pushed out to continuation schools due to these challenges. This push out can occur either when a student is enrolling mid-semester or at any other time throughout the school year. This further contributes to foster and probation youth disproportionality in continuation schools, in violation of the law.

Prior Interventions

Voluntary enrollment in a continuation school must be based on a determination that the continuation school can best serve the education needs of the student. Additionally, foster and probation youth have a clear legal right to attend their local comprehensive school unless their ERH agrees that attending another school is in their best interests. Before recommending a student transfer to a continuation school, best practices require that appropriate interventions first be implemented to address the student’s needs. Interventions should be implemented for a sufficient amount of time to determine their effectiveness. If positive progress is not demonstrated, consider implementing new interventions. Only consider recommending a student for a voluntary transfer to a continuation school at the conclusion of this process.

Cal. Educ. Code §§ 48432.3(a),(b)(1).

Best Practices

STEP 1

Identify why the student is being recommended for transfer to a continuation school (e.g., credit deficiency, poor attendance). This information will be used to develop the [Prior Intervention Plan](#) in Steps 2 and 3 below.

Researchers discourage transfers to continuation schools to address behavioral challenges because the primary purpose of continuation schools is to serve credit deficient students with academic needs.¹¹

STEP 2

Schedule a meeting with student’s ERH and other key stakeholders to discuss what has been attempted in the past to assist the student and current options for intervention. See [Intervention Meeting Notification](#).

STEP 3

At the meeting with the student’s ERH, identify appropriate interventions using the [Prior Intervention Idea Bank](#) and the [Discipline Intervention Idea Bank](#). Complete the [Prior Intervention Plan](#).

STEP 4

Implement at least one appropriate intervention to address each reason the student is being recommended for a transfer using the [Prior Intervention Plan](#).

STEP 5

Monitor interventions at regular intervals via the [Prior Intervention Plan](#) and record whether each intervention was successful or not. In order to be effective, interventions must be implemented consistently over a period of time (e.g., one to two months) and monitored frequently (e.g., once a week) to ensure that modifications can be made as soon as they are necessary.

Eligibility Criteria and Transfer Meeting

If interventions (as detailed in the previous steps) have been attempted for the recommended time period to address each area of concern for the student, but have not produced the desired improvements, consider whether transfer to a continuation school might be appropriate.

Best Practices

STEP 1

Establish clear criteria for when students will be recommended for transfer to a continuation school. These criteria must be based on: (1) the best education interests of the student; and (2) whether the options and opportunities offered at the continuation school will meet the student's needs.

These criteria must be applied uniformly and must be designed to ensure that no group of students is disproportionately enrolled in continuation schools.

Key considerations include:

Academics: How well can the continuation school support a student who is struggling with basic reading, writing and math skills or who is failing multiple classes? What about a student who is on an Honors or A-G college track?

Special Education: Does the continuation school offer the services required by the student's Individualized Education Program?

Behavior: How well can the continuation school support the behavioral and/or mental health needs of the student? What services are available and would they meet the student's needs?

Future Plans: What does the student want to do after graduation? Will a school transfer impact those plans? How well can the continuation school support the student in preparing for their post high school goals?

EXAMPLE OF CLEAR CRITERIA

If a continuation school is solely designed to help students who are credit deficient and thus off-track for high school graduation, transfer criteria could include that the student: (1) must be 20 or more credits off-track for graduation; (2) must have a minimum of 8th grade reading, writing and math skills; and (3) cannot have more than 2 entries in their discipline log in the past year.

EXAMPLE OF SERVICES TO MEET A STUDENTS NEEDS

For students fitting the above criteria, the continuation school could meet their needs by offering students: (1) an extended school day so that they can take a higher than average course load; (2) the option to take a normal course load plus online courses to recoup credits; (3) more individualized adult instruction in the form of small student to teacher ratio (15:1); and (4) teacher assistance afterschool to make up missing work.

STEP 2

If the student's school team feels like the student is not making enough progress on his/her **Prior Intervention Plan**, schedule a meeting by sending the ERH the **Transfer Notification**.

The Prior Intervention Plan team (which includes the ERH, student, and an administrator from the comprehensive school) and an administrator from the continuation school should meet and review interventions previously attempted and recorded using the **Prior Intervention Plan**. For each planned intervention, determine whether it was attempted and if it was successful.

If the interventions were not appropriately attempted, new interventions are needed, and/or enough time has not yet passed, the Prior Intervention Plan team should revise the plan. If the entire team, including the ERH and student, agree that appropriate prior interventions were attempted with fidelity and for an appropriate amount of time and the student continues to struggle on a comprehensive campus, it is time to consider a transfer to the continuation school.

Using the **Transfer Meeting Worksheet**, the team should review each criterion for transfer and determine if the student meets it. If the student meets all criteria, the team should then consider whether the student's best education interests can be met at the continuation school.

STEP 3

If the team (including the ERH) agree that the student's education interests are best served in a continuation school, establish clear criteria under which a student will become eligible to transfer back to a comprehensive school in the middle of the school year, and how often the student's eligibility will be reviewed. For more information, see **Right to Return to Local Comprehensive School**. Examples of such criteria include: (1) student is able to get within 10 credits of being on track for graduation; and (2) all grades are a C or above. Eligibility to return to the comprehensive school should be rechecked at each progress report/grading period.

Set a date (e.g., end of the semester, end of the school year) to reconvene and discuss whether the continuation school continues to serve the best education interests of the student, or if the ERH wants to send the student back to the comprehensive campus.

STEP 4

Given all factors discussed at the meeting, and as much time as needed to make a best interests decision, the ERH will then decide whether or not to agree to (and sign) the **Transfer Meeting Worksheet** changing the student's placement to a continuation school.

Best Practices

STEP 1

If the ERH consents to a voluntary transfer, the comprehensive school administrator must ensure the student has been accepted at the continuation school. The continuation school administrator must ensure the student will have access to all classes or programs at the continuation school that the transfer meeting participants determined the student would benefit from. These should have been identified on the Transfer Meeting Worksheet in **Step 4: Recommended Classes or Programs, if Voluntarily Transferred to Continuation School.**

STEP 2

The district should work with the student's ERH to disenroll the student from the comprehensive high school, and ensure the student is awarded all full and partial credits earned. See **Partial Credit Model Policy.**

STEP 3

The continuation school administrator should help the ERH enroll the student at the continuation school. The district must ensure that the continuation school has an updated copy of the student's transcript and that the student is enrolled in the same/equivalent classes as at the comprehensive school (unless the student's ERH has determined that enrolling in different classes is in the student's best education interests).

The continuation school administrator should ensure that the student is enrolled in all the classes or programs that the transfer meeting participants determined the student would benefit from on the Transfer Meeting Worksheet in **Step 4: Recommended Classes or Programs, if Voluntarily Transferred to Continuation School.** The district must ensure the continuation school has a copy of the student's complete education records within 1-2 business days of enrollment.

STEP 4

Continuation school staff working with the student should review the **Step 6: Return Plan** from the Transfer Meeting Worksheet, including the district criteria for moving the student back to the comprehensive campus, and the date chosen for the readmission discussion.



Right to Return to Local Comprehensive School

Students who are voluntarily enrolled in continuation schools have the right to return to their comprehensive school at the beginning of each school year. In addition, these students may return to their comprehensive school at any time during the school year if their ERH determines it is in their best interest and with the district's agreement.

Districts should develop criteria for mid-year return to the comprehensive school and notify students and ERHs of these criteria. For example criteria for mid-year return to the comprehensive school, see Transfer Meeting Worksheet, **Step 6: Return Plan** and **Right to Return Notification**. Continued enrollment in a continuation school past the original school year or semester it was intended for must be based on a determination by the ERH that the ongoing placement will promote the education interests of the student.

Best Practices

STEP 1

The continuation school should conduct a graduation check for the student at the end of each reporting period in which final grades are issued (e.g., semester or trimester grades) to determine the student's progress towards graduation using the **End of Term Graduation Check**.

If the continuation school does rolling credit accumulation, with a student earning grades at their own pace, decide how frequently an **End of Term Graduation Check** will be completed, ensuring it is done at least twice per school year.

STEP 2

The continuation school should document the student's compliance with their Return Plan and its recommendation of whether it is in the student's education interest to remain at the continuation school using the **End of Term Graduation Check**.

STEP 3

At the end of each reporting period in which final grades are issued (or however often the **End of Term Graduation Check** is completed), the continuation school must notify the ERH of the student's right to return to the comprehensive school using the **Right to Return Notification**.

STEP 4

A representative from the continuation school and the comprehensive school must meet with the student and ERH at the end of each reporting period in which grades and credits are issued (or however often the **End of Term Graduation Check** is completed) to discuss the student's **End of Term Graduation Check**, review the student's compliance with their Return Plan, and add any additional interventions into their **End of Term Graduation Check** that are necessary for the student to be successful and/or transfer back to the comprehensive high school. If there is agreement to return the student back to the comprehensive campus, follow the steps (in reverse) laid out in the Intake/Enrollment section above.

Section Endnotes

¹ News Release, California Department of Education, State Schools Chief Tom Torlakson Announces 2016 Model Continuation Schools (March 28, 2016), available at <http://www.cde.ca.gov/nr/ne/yr16/yr16rel23.asp>.

² Jorge Ruiz de Velasco & Milbrey McLaughlin, Raising the Bar, Building Capacity: Driving Improvement in California's Continuation High Schools. (Stanford University 2012), available at <http://files.eric.ed.gov/fulltext/ED537702.pdf>

³ Jorge Ruiz de Velasco & Milbrey McLaughlin, *Alternative schools in California*, in *Changing Places: How Communities Will Improve the Health of Boys of Color 140-155* (Christopher Edley Jr. and Jorge Ruiz de Velasco eds. 2010).

⁴ Id.

⁵ California Healthy Kids Survey 2006-2008, available at http://surveydata.wested.org/resources/CA_Agg_Upper_0608.pdf.

⁶ The Invisible Achievement Gap, Part 1. Data from the Invisible Achievement Gap includes all foster youth but only suitably placed probation youth. There is currently no mechanism to collect data on all other probation youth. These statistics would likely be even worse if that additional data was available.

⁷ Id.

⁸ Id.

⁹ Id.

¹⁰ Ruiz de Velasco, *supra* note 2.

¹¹ Id.

Intervention Meeting Notification



Date: _____
TO: Education Rights Holder: _____
Address: _____

RE: Name of Student: _____ Date of Birth: _____

Dear Education Rights Holder,

The above named student is demonstrating the following area(s) of concern in school:

Credit Deficiency: student has completed ____ credits and needs ____ credits to graduate

Poor Attendance: student has missed: ____ school days/ periods this: semester/ school year

Behavioral Challenges: Student is demonstrating the following behavioral challenges: _____

Other (specify): _____

Due to these areas of concern, the school is considering recommending that your student attend _____, a continuation school. **Such placement would be voluntary and only after you have agreed it would be in the student's best interest.**

However, it is always our goal to serve students in their local, comprehensive school. We would like to hold a meeting to discuss what interventions we can implement, both at home and at school, to avoid a school transfer. As the student's education rights holder, your input is essential to this process.

We have scheduled a meeting for _____. Please contact _____ at: _____ to let us know if you can attend this meeting, or if you would like to reschedule the meeting at a time that is convenient to you. You may also invite anyone else you feel would have information relevant to this conversation (e.g., the youth's social worker, probation officer, therapist, clergy, caregiver, etc.).

We look forward to working with you.

Thank you,



Student's Name: _____ D.O.B.: _____

Area of Concern:

Credit Deficiency

Example: Has failed 3 courses needed for graduation; is off-track 15 credits for graduation.

Try These Interventions:

- School based tutoring
- Assistance with organizational skills from peer and/or staff
- Partial credit retrieval**
- Summer school enrollment
- Dual enrollment in continuation school (with ERH approval)
- Concurrent enrollment at a local community college
- Consideration of AB 167/216 graduation option, if eligible**
- Remedial classes which teach fundamental English and/or Math skills to prepare students to complete high-school level coursework
- Special education assessment referral
- Enrollment in after-school online program

List other possible interventions regularly used in your district:

Area of Concern:

Poor Attendance

Example: Regularly misses whole school days (12 in the last semester) and individual class periods (32 periods in the last semester).

Try These Interventions:

- Identify reason(s) for student's attendance problem (e.g., lack of reliable transportation, social/peer problems at school, etc.) and connect student and their caregiver(s) with community partners to address these reasons
- School-based tutoring
- Mentorship with peers and/or staff
- Participation in group activities (e.g., extracurricular activities, clubs, sports, art/drama/music or other courses in areas of interest)
- Opportunities to make up missed work
- Tiered system of intervention¹

List other possible interventions regularly used in your district:

Area of Concern:

Behavioral Challenges

Example: Talks back to teachers on average 1 time/day; has angry outbursts on average 3 times/week; daily participates in off-task behavior with group of peers.

Try Interventions Listed in the Discipline Intervention Idea Bank:

List other possible interventions regularly used in your district:

¹For more information and resources on implementing a tiered system of attendance interventions, please see <http://www.attendanceworks.org/tools/schools/3-tiers-of-intervention/>.



Student Name: _____ Current Grade: _____ Date of Meeting: _____

STEP 1: Meeting Participants

Education Rights Holder(s) (“ERH”) Mandatory Participant	Present?	Name: _____
Student	Present?	Name: _____
Caregiver(s), if different than ERH	Present?	Name: _____
Social Worker/Probation Officer	Present?	Name: _____
Foster Youth Counselor/Liaison	Present?	Name: _____
Academic Counselor	Present?	Name: _____
School Administrator	Present?	Name: _____
Other	Present?	Name: _____
Other	Present?	Name: _____
Other	Present?	Name: _____

STEP 2: Identify Issue(s) to be Addressed

Credit Deficiency: student has completed ____ credits and needs ____ credits to graduate

Poor Attendance: student has missed: ____ school days/ ____ periods this: ____ semester/ ____ school year

Behavioral Challenges: Student is demonstrating the following behavioral challenges: _____

Other (specify): _____

STEP 3: Identify Past Interventions Attempted by School or Others

Past Interventions Attempted: _____

Start/End Dates, Frequency, and Duration of Service: _____

Name/Position of Responsible Person: _____

Outcome: _____

Example Past Intervention: Summer school from 7/1/15-8/15/15; 60 minutes/day, 4x/week for 6 weeks; Mr. Smith (teacher); passed course with a D

STEP 4: Identify Interventions to Implement and Monitor

EXAMPLE

EXAMPLE	AREA OF CONCERN 1	AREA OF CONCERN 2	AREA OF CONCERN 3
Concern to be Addressed, Including Frequency	Concern to be Addressed, Including Frequency	Concern to be Addressed, Including Frequency	Concern to be Addressed, Including Frequency
Student is in danger of failing three classes			
Interventions	Interventions	Interventions	Interventions
Counselor will enroll student in after-school peer tutoring			
Start Date, Frequency of Service, and Duration	Start Date, Frequency of Service, and Duration	Start Date, Frequency of Service, and Duration	Start Date, Frequency of Service, and Duration
2/15/16, 2 times per week for 30 minutes each session for 2 months			
Name/Position of Responsible Person	Name/Position of Responsible Person	Name/Position of Responsible Person	Name/Position of Responsible Person
Mrs. Sanchez, School Counselor			
Outcome	Outcome	Outcome	Outcome
Peer tutor met with student 14 times over 8 weeks. Student was responsive to intervention. Student improved grades in two classes from F to C. It is recommended that this service continue until student is receiving passing grades in all courses.			

ERH Consent (please initial the appropriate option):

_____ I agree with the proposed plan.

_____ I agree with the proposed plan with the exception of: _____

_____ I disagree with the proposed plan.

ERH Signature: _____

Student Signature: _____

Comprehensive School Administrator: _____



Date: _____
TO: Education Rights Holder: _____
Address: _____

RE: Name of Student: _____ Date of Birth: _____

Dear Education Rights Holder,

We are contacting you about the above named student because the student has been recommended for voluntary transfer to a continuation school. The above named student is experiencing the following areas of concern in school:

Credit Deficiency: student has completed ____ credits and needs ____ credits to graduate

Poor Attendance: student has missed: ____ school days/ ____ periods this: ____ semester/ ____ school year

Behavioral Challenges: Student is demonstrating the following behavioral challenges: _____

Other (specify): _____

Due to these areas of concern, the student is being recommended for voluntary placement at _____, a continuation school. It is your right under the law to receive a copy of the district's policy for voluntary transfers to continuation schools. Cal. Educ. Code § 48432.3(b)(3). The district's policy for voluntary transfers to continuation schools is enclosed here for your reference.

As the student's education rights holder, you have the responsibility to determine whether it is in the student's best education interests to remain in his/her current school or transfer to a continuation school. You have the right to discuss whether a voluntary transfer to a continuation school is appropriate for the student with school officials from _____ [Name of current school], and with officials from _____ [Name of continuation school], the continuation school being recommended for the student. Cal. Educ. Code § 48432.3(b)(5).

We have scheduled a meeting for _____. Please contact _____ at: _____ to let us know if you can attend this meeting, or if you would like to reschedule the meeting at a time that is convenient to you. You may also invite anyone else you feel would have information relevant to this conversation (e.g., the child's social worker, probation officer, therapist, clergy, caregiver, etc.) to discuss the recommended voluntary transfer and whether you think it is in the student's best interest to continue attending their current school or transfer to a continuation school.

We look forward to working with you.

Thank you,



Student Name: _____ Current Grade: _____ Date of Meeting: _____

Area(s) of concern:

Credit Deficiency: student has completed ____ credits and needs ____ credits to graduate

Poor Attendance: student has missed: ____ school days/ ____ periods this: ____ semester/ ____ school year

Behavioral Challenges: Student is demonstrating the following behavioral challenges: _____

Other (specify): _____

STEP 1: Meeting Participants

Education Rights Holder(s) (“ERH”) Mandatory Participant	Present? Name: _____
Student Mandatory Participant	Present? Name: _____
Counselor/principal/administrator (transferring school) Mandatory Participant	Present? Name: _____
Counselor/principal/administrator (continuation school) Mandatory Participant	Present? Name: _____
Caregiver(s), if different than ERH	Present? Name: _____
Social Worker/Probation Officer	Present? Name: _____
Foster Youth Counselor/Liaison	Present? Name: _____
Academic Counselor	Present? Name: _____
Other	Present? Name: _____
Other	Present? Name: _____
Other	Present? Name: _____

STEP 2: Eligibility Criteria (required to recommend voluntary transfer to continuation school)

At least 1 intervention per area of concern has been attempted and failed for duration agreed upon in plan (Must review and attach previously created Prior Intervention Plan)

Student is at least 16 years old AND

Student meets the district criteria for transfer to the continuation school, including:¹

Criterion 1: _____

Met /Not Met Explanation of how it was met, or why it is not met: _____

Criterion 2: _____

Met /Not Met Explanation of how it was met, or why it is not met: _____

Criterion 3: _____

Met /Not Met Explanation of how it was met, or why it is not met: _____

¹When completing this form, fill in the criteria your district has chosen to determine whether a student is an appropriate candidate for a continuation school. Then, at the meeting, work with the team to review and “check off” whether the student in question has met those criteria or not. Then, explain how they met it, or why they did not. For example, if you have criterion that the student needs to have an 8th grade reading level, you would check off if they have met this or not, and then fill in the test that you used, and what their reading level was.

STEP 3: Best Interest Determination (required to recommend voluntary transfer to continuation school)

The team has determined it is in the student's best education interest to attend a continuation school by considering the following:

BEST EDUCATIONAL INTEREST CONSIDERATIONS*

*This chart is filled in as an example. It does not represent any particular comprehensive school(s) or continuation school(s) in California. **Download the word version of this chart** and modify it to reflect the specific characteristics of the comprehensive and continuation school options available in your school district prior to your meeting. It should then be augmented at the meeting on the blank lines in each section if there are specific needs or interests of the youth that are relevant. For example, if a student is particularly focused on a career in engineering, you should specify the options related to that field in the "Career Readiness" and "Course Offerings" rows for that youth. The chart should then be used to facilitate a discussion around the student's individual needs and goals and a decision should be made based on an overall consideration of each row about which school would best meet the student's education interests.

COMPREHENSIVE SCHOOL	CONTINUATION SCHOOL
CLASS SIZE	
Larger class sizes- 35:1 ratio	Smaller class sizes- 20:1 ratio
CREDITS	
Students can earn up to 30 credits per semester	Students can earn up to 40 credits per semester
SCHOOL SIZE AND LAYOUT	
2,000 students, 70 classrooms, open campus, where students can enter and exit without close supervision	100 students, 4 classrooms, 1 gated entrance, monitored by security
SUPERVISION	
Teachers and 5 security staff monitor the school site	Teachers and 3 security staff monitor the school site plus extra adult supervision is provided in the form of adult case managers with a ratio of 30:1
TRAUMA INFORMED STAFF	
Part time school psychologist and 1 of 3 academic counselors have received trauma informed training	Entire school staff receives annual trauma informed trainings
COURSE OFFERINGS	
A-G, honors, Advanced Placement, electives, English Language Development	Limited to courses required for graduation; no A-G; very limited electives (no drama or music)
CAREER READINESS	
Career center, Career Technical Education courses, co-enrollment options at community college	Co-enrollment options at community college
EXTRACURRICULAR ACTIVITIES	
Sports, drama, art, newspaper, coding club, community service, student council	Continuation school sports league
SCHEDULE	
7 classes per day including a study hall	5 classes per day plus one period offered for credit recovery, shortened school day
HOMEWORK	
Yes	No
IEP SERVICES	
All services and classroom placements available if required by IEP	No SDC or RSP services offered; limited counseling services offered
OTHER CONSIDERATIONS	
Very close to student's home; student will be able to walk	Farther away from student's home; student will need to take a public bus for 45 minutes each way

STEP 4: Recommended Classes or Programs, if Voluntarily Transferred to Continuation School

Recommended Class/Program 1: _____

Recommended Class/Program 2: _____

Recommended Class/Program 3: _____

STEP 5: School Placement Decision

District Placement Recommendation: _____

ERH School Choice: _____

STEP 6: Return Plan (required prior to voluntary transfer to continuation school)

Earliest student can return to comprehensive campus (e.g., the first day of the following semester):

DATE: _____

Student must meet the following criteria for readmission (e.g., earn 50% of credits off-track for graduation, improve attendance by 5%, etc.):

Criteria 1: _____

Criteria 2: _____

Criteria 3: _____

Meeting for readmission discussion (e.g., the end of the next grading period): DATE: _____

ERH Consent (please initial the appropriate option):

_____ I agree with the proposed plan to move my student to a continuation school and acknowledge that my student has a right to return to their comprehensive school at the beginning of the next school year or at any other time if the district is in agreement.

_____ I agree with the proposed plan with the exception of _____

_____ I disagree with the proposed plan.

ERH Signature: _____

Student Signature: _____

Comprehensive School Administrator: _____

Continuation School Administrator: _____



Date: _____

TO: Education Rights Holder: _____

Address: _____

RE: Name of Student: _____ Date of Birth: _____

Dear Education Rights Holder,

Delete and replace with: The above named student voluntarily enrolled in _____ (name of continuation school) on _____ (date) to address the following areas of concern in school:

Credit Deficiency: student had completed ____ credits and needs ____ credits to graduate

Poor Attendance: student had missed: ____ school days/ ____ periods this: ____ semester/ ____ school year

Behavioral Challenges: Student was demonstrating the following behavioral challenges: _____

Other (specify): _____

Students who voluntarily enroll in continuation schools have the right to return to their local, comprehensive or “regular” high school at the start of the upcoming school year. Students also may return to their comprehensive school during the school year with the consent of the school district. Please note that students who wish to return to their comprehensive high school at the start of the school year do not need permission from the school district to do so. **The above-named student is eligible to return to his/her comprehensive high school at the start of the upcoming school year.**

As the student’s education rights holder, you decide whether the student should remain in his/her continuation school or return to the comprehensive high school at the start of the upcoming school year. Ongoing voluntary enrollment at a continuation school should be based on the student’s best education interests.

If you would like the above named student to return to his/her comprehensive high school for the upcoming school year, you may enroll the student at his/her comprehensive high school at the start of the school year.

You also may request a return to the comprehensive high school at any time during the school year. In order to return to their comprehensive high school during the school year, students must satisfy either all of their Return Plan Criteria or one of the following Other Criteria:

Return Plan Criteria 1: _____

Return Plan Criteria 2: _____

Return Plan Criteria 3: _____

Other Criteria 1: _____

Other Criteria 2: _____

Other Criteria 3: _____

EXAMPLE Other Criteria: Student earned at least 50% of missing/off-track credits

EXAMPLE Other Criteria: Student improved attendance by 10% since transferring to the continuation school or maintained 90% attendance (excluding excused absences) for a complete semester

We have completed an **End of Term Graduation Check** to help you determine if it is in the student's best education interest to remain at the continuation school or return to the comprehensive high school. The graduation check is attached. **This information is advisory only. It is your decision to enroll the student in his/her comprehensive high school at the start of upcoming school year or request a return to the comprehensive school during the school year.**

Based on this graduation check:

- The student is not on track to graduate high school. The above named student has earned ____ credits since enrolling at the continuation school and needs ____ more credits to graduate.
- The student has attended ____ % of class periods since ____ [DATE].
- The student has had ____ behavioral incidents at school since ____ [DATE].

For additional questions or to schedule a meeting to discuss the above named student's eligibility to return to the regular high school, please contact:

Name/Title/Contact Information for Continuation School Representative:

Name/Title/Contact Information for Comprehensive School Representative:

Thank you,

End of Term Graduation Check



Student Name: _____ DOB: _____ Date: _____

Current Grade: _____ Semester: _____ Date Enrolled at Continuation School: _____

Education Rights Holder Name: _____

Address: _____ Phone Number: _____

Reason for Enrollment at Continuation School:

Credit Deficiency: student had completed ____ credits and needs ____ credits to graduate

Poor Attendance: student had missed: ____ school days/ ____ periods this: ____ semester/ ____ school year

Behavioral Challenges: Student was demonstrating the following behavioral challenges: _____

Other (specify): _____

HIGH SCHOOL GRADUATION PLANNING		
GRADUATION CHECK*		
GRADUATION REQUIREMENTS <i>COURSE NAME: CREDITS REQUIRED</i>	COURSES COMPLETED <i>COURSE NAME: CREDITS EARNED (SCHOOL, SEMESTER SCHOOL YR.)</i>	COURSES REMAINING <i>COURSE NAME: CREDITS REMAINING</i>
Social Studies:		
English:		
Math:		
Science:		
Foreign Language:		
Visual/Performing Arts:		
PE:		
Health:		
Other Electives:		
Required:	Completed:	Remaining:
CURRENT STATUS		
Number of Credits Completed Since Enrollment in Continuation School on (date) _____ : _____ Attendance Percentage: _____		Cumulative High School GPA: _____

*Schools may substitute an attachment of their own graduation check.

COURSE SCHEDULING

Create a tentative course schedule for each remaining school term, ensuring that required courses for graduation are completed first. Include the number of credits remaining for each course.

FALL SCHOOL YEAR: _____	SPRING SCHOOL YEAR: _____	SUMMER SCHOOL YEAR: _____	FALL SCHOOL YEAR: _____	SPRING SCHOOL YEAR: _____

Is the student on track to graduate? Yes No Expected Graduation Date: _____

If the student is on track to graduate, do you believe it is in the student's education interest to remain at the continuation school?

Yes No

If yes, please explain why:

Smaller learning environment

Flexible schedule

Can earn ____ credits per semester (vs. ____ credits per semester at the comprehensive campus)

Other (specify): _____

If the student is not on track to graduate, do you believe it is in the student's education interest to remain at the continuation school?

Yes No

If yes, please list the additional interventions needed to support the student:

School-based tutoring will be provided at the following frequency: _____

Assistance with organization from counselor will be provided at the following frequency: _____

Partial credits

Earned at past schools, but not awarded; will be gathered from the following school(s) by a school counselor:

Course(s) needed to complete partial credits previously earned will be arranged by school counselor. List course names and numbers of partial credits needed:

Summer school enrollment

Dual-enrollment at a college campus (with ERH approval) in _____ class(es) for the purpose of: _____ (e.g., credit recovery)

Consider student for AB 167/216 graduation eligibility. If eligible, counselor has certified them and informed the ERH

Other (specify): _____

Intervention Plan (Use **Prior Intervention Plan** to record this information)

Intervention to be implemented: _____

StartDate/Frequency: _____

Name/Position of Responsible Person: _____

Intervention to be implemented: _____

StartDate/Frequency: _____

Name/Position of Responsible Person: _____

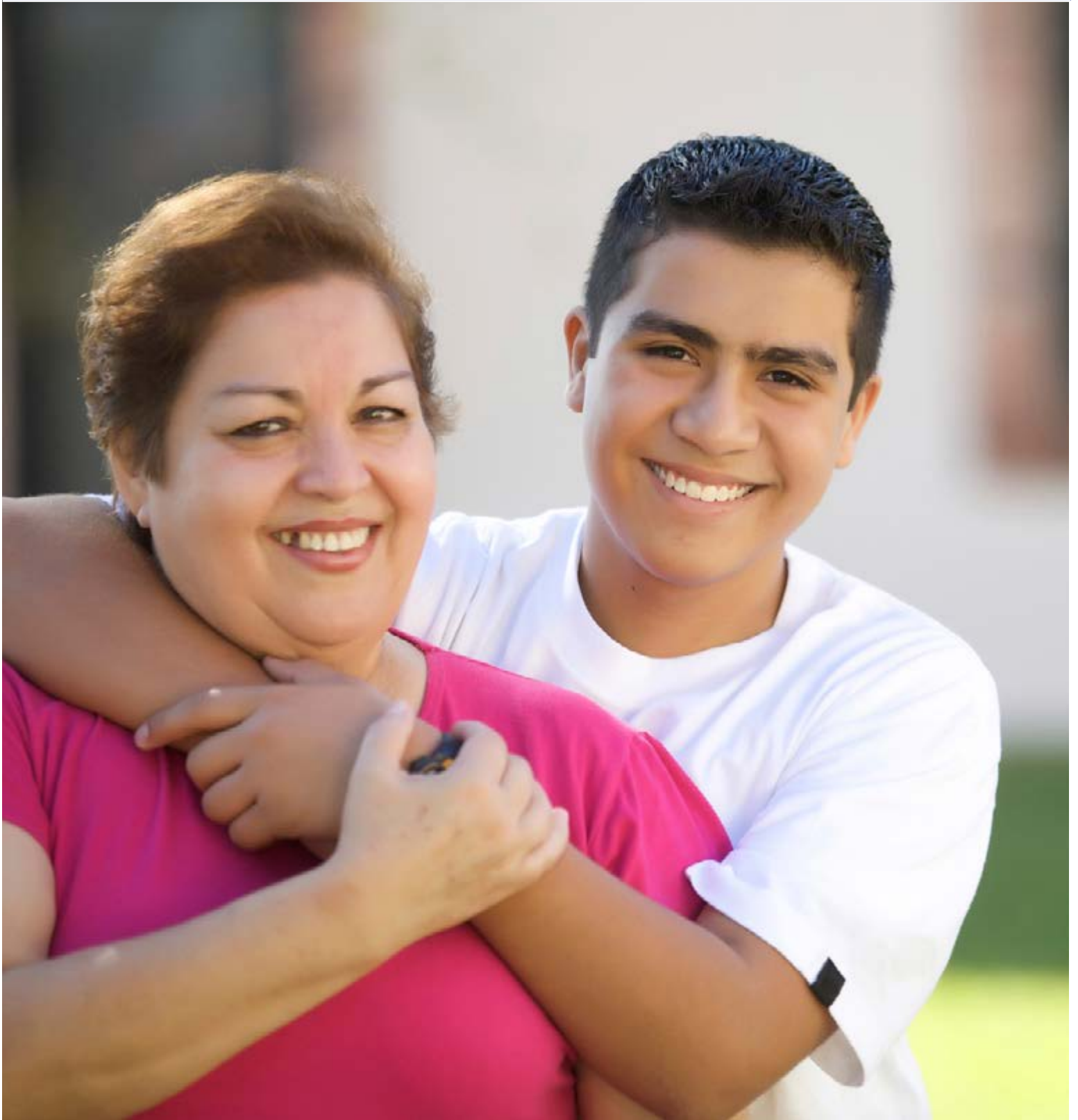
Intervention to be implemented: _____

StartDate/Frequency: _____

Name/Position of Responsible Person: _____

Name/Title/Contact Information of Person Who Completed Graduation Check:

Enforcement of Foster Youth Education Rights: AB 379



Assembly Bill (“AB”) 379

For over a decade, foster youth whose education rights were violated had no reasonable way to protect their rights. For example, if a youth was denied partial credits from their high school, their only fix was to sue the school district in court. Such lawsuits are impracticable.

AB 379 created an enforcement mechanism by which foster youth can now enforce their rights. The law, effective as of January 1, 2016, incorporates foster youth education rights into California’s Uniform Complaint Procedure (“UCP”) process.

The Uniform Complaint Procedure Process

The UCP process provides parents, students, and other interested parties a streamlined way to resolve disputes regarding certain education laws by filing a complaint with the school district or the California Department of Education (“CDE”). In addition to foster youth education rights, the UCP process is used for violations of laws related to, among other things, special education, textbook availability, pupil fees, and teacher placement.

When a complaint is filed with the school district, the school district must investigate and provide a written response including a proposed resolution within 60 days. If a complainant (the person who filed the complaint) is not satisfied with the school district’s response, he or she may file an appeal with the CDE, who must also investigate and respond in writing within 60 days. In some circumstances (e.g., an entire group of students is having their rights violated), a complaint may be filed directly with the CDE for immediate resolution, skipping the normally required step of first filing with the school district. If it is determined that a school district has failed to uphold its responsibility to the student, then the school district may owe, and/or the CDE may order, remedies such as compensatory education services or re-training of staff. See [Sample District and CDE Remedies](#).

5 C.C.R. §§ 4600-4687.

Filing a Complaint

The protections of AB 379 apply to “foster youth,” broadly defined to include all youth removed from their homes or subject to a petition under Cal. Welf. & Inst. Code §§ 300, 309, or 602. This includes youth with open dependency and delinquency cases. See [Who is a Foster Youth?](#)

As with most complaints under the UCP, any individual (e.g., the youth, their education rights holder, caregiver,

social worker/probation officer, legal representative in court), public agency, or organization may file a written complaint with the school district or charter school for a violation of foster youth education laws.

Appropriate Topics to File a Complaint On

Complaints may be filed with the school district or charter school or, under some circumstances, directly with the CDE, for failure to comply with any component of the relevant education code sections.¹ Complaints can be filed for:

SCHOOL PLACEMENT

- School placement decisions being made by someone other than an ERH.

See [Education Decision Makers for Foster Youth](#).

Cal. Educ. Code § 48853.

ENROLLMENT IN REGULAR PUBLIC SCHOOL

- Denial of the right to attend a regular public school;
- forcing a youth to attend a continuation school, independent study program, or other alternative educational setting, without ERH agreement that that is in the youth’s best interests;
- denial of the right to be educated in the least restrictive environment; or
- failure of a foster youth liaison to ensure and facilitate the proper educational placement, enrollment in school, or checkout from school of a foster youth.

See [Enrolling Foster Youth](#).

Cal. Educ. Code §§ 48853, 48853.5.

IMMEDIATE ENROLLMENT

- Denial of the right to immediately enroll for any reason including due to outstanding fees, fines, textbooks, or inability to produce clothing or records normally required for enrollment such as academic or medical/immunization records;
- denial of the right to immediately enroll in the school of residence once it is determined by the ERH that enrollment is in the foster youth’s best interest;
- denial the right to immediate enrollment at a charter school; or
- denial of the right to immediate enrollment in the same or equivalent classes as those the foster youth was taking at their prior school.

See [Enrolling Foster Youth](#).

Cal. Educ. Code § 48853.5.

¹The laws incorporated into the UCP by AB 379 define the responsible entity in slightly different ways. All charter schools must ensure foster youth their rights to immediate enrollment, school of origin, equal access to services, records, and discipline notification. Cal. Educ. Code §§ 48850-48859. The laws regarding partial credits and AB 167/216 do not apply to most charters, unless the charter school is participating as a member of a special education local plan area, although charter schools are encouraged to afford students these opportunities for success. Cal. Educ. Code §§ 49069.5, 51225.1-3. This section of the toolkit refers to “school district” for ease of understanding, but that term should be read to apply to charter schools where the underlying law also applies.

ENROLLMENT IN SCHOOL OF ORIGIN

- Denial of the right to remain in the school of origin while the court case is open;
- denial of the right to remain in a charter school as school of origin;
- denial of a K-8 foster youth's right to remain in their school of origin through the end of the academic school year after their court case is closed;
- denial of a high school foster youth's right to remain in their school of origin through graduation, even if their court case closes while they are still in high school;
- denial of a foster youth's right to matriculate with his or her peers from elementary to middle school or from middle to high school in accordance with established feeder patterns within the district of origin;
- failure of the foster youth liaison to provide a written explanation stating the basis for a recommendation to move a foster youth out of their school of origin; or
- denial of the right to remain in the school of origin pending resolution of a dispute regarding a request to remain in the school of origin.

See **School of Origin**.

Cal. Educ. Code § 48853.5.

EQUAL ACCESS TO SCHOOL SERVICES

- Denial of equal access to academic resources (e.g., tutoring, A-G/Honors courses);
- denial of equal access to other school services (e.g., school based mental health services);
- denial of equal access to extracurricular activities (e.g., sports, art, drama, music);
- denial of equal access to enrichment activities (e.g., field trips, college fairs); or
- denial of equal access to any support or service due to missing a sign-up or try-out deadline.

See **Enrolling Foster Youth**.

Cal. Educ. Code § 48853.

EMERGENCY SHELTER SCHOOLS²

- Educating a foster youth in an emergency shelter for a long period of time;
- educating a foster youth in an emergency shelter even though they are not experiencing a health or safety emergency; or
- educating a foster youth in an emergency shelter even though all four of the following conditions have not been met: (1) a school of origin decision cannot be made quickly; (2) it is not practical to transport the youth to the school of origin in the meantime; (3) the youth would otherwise not receive educational services; and (4) temporary, special, and supplementary services are available to meet the youth's unique needs.

Cal. Educ. Code § 48853(g).

²California law allows foster youth living in emergency shelters to receive schooling at those shelters for short periods of time for either: (1) health and safety reasons; or (2) to provide temporary, special, and supplementary services to meet the youth's unique needs if: (a) a decision regarding whether to attend the school of origin cannot be made promptly; (b) it is not practical to transport the youth to the school of origin; (c) the youth would otherwise not receive educational services; and (d) temporary, special, and supplementary services are available to meet the youth's unique needs. *Cal. Educ. Code § 48853(g)*. This law attempts to strike a balance between ensuring that all youth are receiving education services at all times and the fact that emergency shelters are not set up to provide education services in the way that a local or alternative school site is. Emergency shelter schools should never be long-term education placements.

RECORDS

- Failure to ensure the proper transfer of records from one school to another within 2 business days upon a foster youth's transfer; or
- failure to ensure that the duty to request and transfer records was assigned to a person competent to handle the transfer procedure and aware of the specific education recordkeeping needs of foster youth.

See **Requesting Education Records**.

Cal. Educ. Code § 48853.5; 49069.5.

PARTIAL CREDITS AND CHECKOUT GRADES

- Denial of the right to credits, including partial credits, and/or check out grades upon transfer into or out of the school/district;
- denial of the right to credits based on a determination of seat time;
- denial of the right to have grades and credits calculated as of the date the youth left school without lowering their grades due to absences resulting from a decision to change their home placement;
- denial of the right to have grades calculated without lowering their grades due to absences resulting from court appearances or court ordered activities;
- failure to ensure that the duty to issue or accept partial credits was assigned to someone who is aware of the specific partial credit needs of foster youth who transfer between schools;
- denial of the right to have partial credits applied to the same or equivalent courses as the coursework completed in the prior school;
- denial of the right not to be forced to retake a course or portion of a course satisfactorily completed at a prior school; or
- denial of the right to retake a course to meet the eligibility requirements for admission to the California State University or University of California.

See **Partial Credit Model Policy** and **Enrolling Foster Youth**.

Cal. Educ. Code §§ 48853.5; 49069.5; 51225.2.

GRADUATION UNDER AB 167/216

- Denial of the right to be exempt from coursework and other requirements adopted by the district that are in addition to the statewide requirements if the youth: (1) transferred schools after the completion of their second year of high school; and (2) is not reasonably able to complete district graduation requirements by the end of their fourth year of high school;
- denial of the right to complete additional courses (e.g., A-G courses) for which the foster youth would otherwise be eligible;