

**Youth in foster care and/or on probation have protected education rights.**

## What are my rights?

### Right to School of Origin:

- You have a right to attend your 'school of origin': (1) the school you attended when you were first to removed from your parents; (2) the last school you attended; or (3) any school you attended in the last 15 months where you felt a connection.
- You can remain at your school of origin until the end of the year after your case closes if you are elementary or middle school, and all the way until graduation if you are in high school.
- You may be eligible for transportation support to get back to your school of origin.

### Right to Immediate Enrollment:

- You have a right to be immediately enrolled in and attend school, even if you do not have any of the required documents (transcripts, immunization records, proof of residence).
- You cannot be forced to attend a continuation school, adult school, independent study program, or school for pregnant/parenting teens, even if you are not on track for high school graduation, have failing grades, or have behavior problems at school. (Unless you have been formally expelled or your IEP requires you to go to school somewhere else).

### Right to Partial Credit:

- You have a right to receive partial credits when you transfer schools mid-semester for all work you completed before moving.
- You cannot be forced to retake parts of a class you already passed if it would throw you off-track for graduation.
- You must be enrolled in the same or similar courses as those you were in at your last school.

#### Need Help?

Jasmin Flores

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[allianceforchildrensrights.org](http://allianceforchildrensrights.org)

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## Right to an Alternative Graduation Path:

- You have a right to obtain your high school diploma under AB 167/216 if you:
  - Transfer after your second year of high school
  - Are behind in credits and cannot reasonably catch up within 4 years of high school
  - Complete state graduation requirements (130 credits)
- You have a right to receive a letter telling you whether you are eligible for this graduation option within 30 days of transferring to a new school.
- Your school must consult with you and your education rights holder about your right to remain in high school for a fifth year to finish your district's graduation requirements or the state minimum, how graduating using the state minimum may impact your ability to apply straight to a 4 year college, and possible credit recovery and transfer opportunities.
- If you are initially found ineligible for the exemption, you have a right to be reevaluated within 30 days of the next school year, or at any time if you request it.
- Only your education rights holder or you, if you are 18 or older, have the right to decide if you should graduate under AB 167/216.

## What can you do to protect your rights?

- Ask your caregiver, education rights holder (if you are under 18), social worker, or probation officer for help.
- Work with your education rights holder to figure out what school would be best for you.
- If you disenroll, make sure they officially 'disenroll' you, get a grade for each class (even if you were only there for a short amount of time), and ask your counselor to give you a final transcript including partial credits.
- Go and enroll at your new school. Bring a copy of your transcript; a document, such as a gas bill, that shows your current address; and any other school records you have, including your IEP. Remember, you have a right to immediate enrollment even if you do not have any of these documents. Meet with a school counselor to set up your class schedule. You must be enrolled in the same classes you were taking at your last school. They cannot make you take all elective classes.
- Ask your school counselor to request your records from your old school, including an official transcript with all partial credits and check out grades.
- Ask your school counselor to evaluate you for AB 167/216 graduation and request they put your eligibility in writing. Keep this letter in case you transfer to another school.

**If you believe that your enrollment, partial credit, or AB 167/216 graduation rights have been violated, speak with your education rights holder, social worker, or probation officer.**

**You can also contact the Alliance for Children's Rights at 213.368.6010 for assistance.**

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