

The Rights of California Foster Youth



Individuals involved in the foster care system have rights and protections. Reinforcing these rights allows for greater success for the youth of California.

General Foster Youth Rights

Foster youth have rights regarding their health and well-being. These range from the right to see a doctor to the right to private storage space. More information can be found on the Foster Youth Bill of Rights.

Education Rights Holder

Foster youth under 18 should have an education rights holder (ERH). The ERH is responsible for advocating for the education needs of the student. This individual must be someone other than the youth's social worker, lawyer, or staff from the youth's group home or school.

Foster Youth Education Rights

- **Right to remain in your school of origin:** Foster youth have the right to stay in the school they attended when they first entered foster care, the school they most recently attended, or any school they attended in the last 15 months that they choose.
- **Right to immediate enrollment in school:** Even without paperwork such as immunization records, foster youth have the right to attend school after displacements.
- **Right to partial credits for high school students:** The partial credit model allows foster youth who experience disruptions to receive partial or full credit for work satisfactorily completed.
- **Graduation rights:** A fifth year of school is offered for some youth who face displacements that might affect their graduation status.
- **College rights:** Application fees may be waived for foster youth applying to college. Foster youth also have access to specific scholarships and grants.
- **School discipline rights:** Suspensions are limited and foster youth or care providers can request a formal hearing with an attorney present.
- **Right to school records:** Foster youth have rights to their school records if they are 16 or older or have finished 10th grade.

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Did you know?

According to the Center for Disease Control, there were more than 405,000 children living in foster care in the United States in 2016. An estimated 10% of foster youth will age out of the foster care system every year. These youth lose many resources including health care, access to education services, financial assistance, housing services, and the support of a case manager or social worker. In addition to the increased rates of trauma these youth experience, transitional-age foster youth face disproportionately higher rates of homelessness, unemployment, and lack of access to health care.

California's Resources

The Child Welfare Information Gateway presents material on transition plans for foster youth, including the definition and legal requirements.
childwelfare.gov

A Foster Youth Education Toolkit provides instruction on enrollment in schools, determining needs, and supporting foster youth through school.
kids-alliance.org

The California Foster Care Education Law Fact Sheet has information on current laws affecting foster youth, including early care and education, special education, and mental health services in public and private education settings.
cfyef.org

Foster Youth Education Rights provides information on rights related to foster youth attending school.
cde.ca.gov

Foster Youth Rights provides guidance on the rights of foster youth related to in-home care and family visitations.
fosteryouthhelp.ca.gov

The Judicial Branch of California website provides information about special education rights. If a parent requests an IEP/504 assessment in writing, the school is required by law to honor the request.
<https://www.courts.ca.gov/1106.htm>

For more information on upcoming trainings visit cirinc.org/events/ or reach out to cirinc@cirinc.org

Archived trainings: cirinc.org/up/archive
Additional resources: cirinc.org/up/resources.html

CIR, Inc. presents free training events and resources on this topic funded by the California Governor's Office of Emergency Services, Victims Services Branch with funding made possible through the United States Department of Justice, Victims of Crime Act, 2015-VA-GX-0058.



UP Project
Under-served Populations Training Project

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