

1 Welfare and Institutions Code

2
3 Select Provisions
4
5

6 **Section 16000.**

7
8 (a) * * *

9
10 (b) It is further the intent of the Legislature to ensure that all pupils in foster care and
11 those who are homeless as defined by the federal McKinney-Vento Homeless
12 Assistance Act (42 U.S.C. Sec. 11301 et seq.) have the opportunity to meet the
13 challenging state pupil academic achievement standards to which all pupils are
14 held. In fulfilling their responsibilities to pupils in foster care, educators, county
15 placing agencies, care providers, advocates, and the juvenile courts shall work
16 together to maintain stable school placements and to ensure that each pupil is
17 placed in the least restrictive educational programs, and has access to the academic
18 resources, services, and extracurricular and enrichment activities that are available
19 to all pupils. In all instances, educational and school placement decisions must be
20 based on the best interests of the child.
21

22
23 **Section 16010.**

24
25 (a) When a child is placed in foster care, the case plan for each child recommended
26 pursuant to Section 358.1 shall include a summary of the health and education
27 information or records, including mental health information or records, of the child.
28 The summary may be maintained in the form of a health and education passport, or
29 a comparable format designed by the child protective agency. The health and
30 education summary shall include, but not be limited to, the names and addresses of
31 the child's health, dental, and education providers; the child's grade level
32 performance; the child's school record; assurances that the child's placement in
33 foster care takes into account proximity to the school in which the child is enrolled
34 at the time of placement; the number of school transfers the child has already
35 experienced; the child's educational progress, as demonstrated by factors,
36 including, but not limited to, academic proficiency scores; credits earned toward
37 graduation; a record of the child's immunizations and allergies; the child's known
38 medical problems; the child's current medications, past health problems, and
39 hospitalizations; a record of the child's relevant mental health history; the child's
40 known mental health condition and medications; and any other relevant mental
41 health, dental, health, and education information concerning the child determined to
42 be appropriate by the Director of Social Services. The health and education
43 summary may also include the name and contact information for the educational

1 liaison, as described in subdivision (b) of Section 48853.5 of the Education Code,
2 of the child's local educational agency. If any other law imposes more stringent
3 information requirements, then that section shall prevail.
4

- 5 (b) Additionally, a court report or assessment required pursuant to subdivision (g) of
6 Section 361.5, Section 366.1, subdivision (d) of Section 366.21, or subdivision (c)
7 of Section 366.22 shall include a copy of the current health and education summary
8 described in subdivision (a). With respect to a nonminor dependent, as described in
9 subdivision (v) of Section 11400, a copy of the current health and education
10 summary shall be included in the court report only if and when the nonminor
11 dependent consents in writing to its inclusion.
12
13

14 **Section 16501.1**
15

- 16 (a) (1) The Legislature finds and declares that the foundation and central unifying
17 tool in child welfare services is the case plan.
18
19 (2) * * *
20
21 (b)–(e) * * *
22
23 (f) The case plan shall be developed as follows:
24
25 (1)–(7) * * *
26
27 (8) Effective January 1, 2010, a case plan shall ensure the educational stability of
28 the child while in foster care and shall include both of the following:
29
30 (A) An assurance that the placement takes into account the appropriateness
31 of the current educational setting and the proximity to the school in
32 which the child is enrolled at the time of placement.
33
34 (B) An assurance that the placement agency has coordinated with the
35 person holding the right to make educational decisions for the child and
36 appropriate local educational agencies to ensure that the child remains
37 in the school in which the child is enrolled at the time of placement or,
38 if remaining in that school is not in the best interests of the child,
39 assurances by the placement agency and the local educational agency to
40 provide immediate and appropriate enrollment in a new school and to
41 provide all of the child's educational records to the new school.