

DISTRICT LEADERSHIP CHECKLIST

**for Supporting the
Unique Needs of Students
in Foster Care, Experiencing
Homelessness or in the
Juvenile Justice System**



NATIONAL CENTER FOR YOUTH LAW

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An earlier version of this tool was created as part of the Professional Learning Network (PLN), convened by the California Collaborative for Educational Excellence and hosted by NCYL, with a special focus on supporting youth in foster care. The earlier version can be found [here](#).

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Introduction

This is a tool for local education agency leadership to support planning and monitoring for students that are experiencing homelessness,¹ in foster care² or involved with the juvenile justice system³ (together, “students with unique needs”).

Students with unique needs are entitled under California and federal law to certain protections and rights in the context of their education. For example:

- All three student groups have rights related to school stability including the right to remain in their school of origin (SOO), a Best Interest Determination (BID) to determine school placement, immediate enrollment and transportation to SOO;
- All three student subgroups are eligible for an exemption from local graduation requirements and can enroll in a 5th year of high school;
- Students in foster care generate supplemental and concentration funding for districts through the Local Control Funding Formula, and accordingly districts’ investment of those funds should be principally directed toward and effective in serving that subgroup.

The above and other legal protections all help improve opportunities for these students to succeed in school. However, this improvement can only happen if district leadership develops thoughtful, equity-focused strategies, planning and policies.

Using the Checklists

This tool – a collection of checklists – includes key questions to help district leadership determine if the district has included the use of equity-focused strategies, planning and policies related to the education of students with unique needs. This tool should be utilized by district leadership, which may include but is not limited to school board members, superintendents, assistant superintendents, directors, and program coordinators. Since monitoring the ongoing academic, behavioral, and social-emotional well-being of students with unique needs is a continuous and evolving process, district leadership should consider revisiting this tool each year – if not to complete the tool in its entirety, then to use it as a foundation for conversation and strategizing.

Though some of the same planning may benefit multiple of these three student subgroups, the checklists separate the three subgroups into distinct columns so district leadership can probe deeply into whether and how data, practices and policies impact each subgroup. Please use what is applicable to your district, and add questions as you deem necessary.

This document does not constitute or provide legal advice. You should contact an attorney to obtain advice with respect to any particular legal issue or question.

1 A child who meets the definition of “homeless children and youths” in Section 11434a(2) of Title 42 of the United States Code.

2 A child who is the subject of a juvenile dependency court petition (Cal. Welf. & Inst. Code § 300).

3 A child who is the subject of a juvenile delinquency court petition (Cal. Welf. & Inst. Code § 602).

Data Systems Checklist

Use this checklist to identify and assess the use and effectiveness of data systems to identify and track educational data for students with unique needs.

	FOSTER YOUTH	YOUTH IN JUVENILE JUSTICE SYSTEM	YOUTH EXPERIENCING HOMELESSNESS
Which databases are used to identify and monitor the needs of ...?			
Are district staff utilizing the databases available to them to address the needs of ...? (e.g., Foster Focus, Los Angeles Education Passport System, Student Information Tracking System, CalPads, CA Dashboard).			
Who is authorized to use and monitor the systems that are available? (district level and/or site level staff)			
How often are these data systems used/monitored?			
Is access to other data systems needed to support...?			

Demographic Data Checklist

Use this checklist to study enrollment and other characteristics of students with unique needs.

	FOSTER YOUTH	YOUTH IN JUVENILE JUSTICE SYSTEM	YOUTH EXPERIENCING HOMELESSNESS
Does our student information system have data tags to identify these groups, and if so, are there measures to protect these data tags from inappropriate dissemination?			
How many students are enrolled in our district?			
How many students with unique needs are enrolled in comprehensive vs. alternative education settings (e.g. continuation, community day, independent study, credit recovery, COE community, court or opportunity schools) in our district?			
How many students age 14+ are taking Independent Living Plan classes and have current Transitional Independent Living Plans?			
Which student groups do we have disaggregated data for by age / grade / school site / race/ethnicity?			
Are there clusters of students in certain grades or schools?			
Can we disaggregate data by living arrangement? (e.g. home of legal guardian, short term residential therapeutic program, placement with relative, foster parent, shelter, motel/hotel, shared housing)			
How many youth experiencing homelessness are <u>unaccompanied minors</u> ⁴ ?			
Are we able to review attendance data for...?			
Are we able to review chronic absenteeism data for...?			
Are we able to review data on suspension and expulsion rates for...?			
Are we able to review data on statewide academic metrics, including ELA, Mathematic and other standardized assessments for ...?			

⁴ The federal McKinney-Vento Act defines unaccompanied youth as “a homeless child or youth not in the physical custody of a parent or guardian”, and whose living arrangement meets the definition of homeless. [42 USC § 11434a(6)].

Demographic Data for State-Required Accountability Metrics

California’s accountability and continuous improvement system is based on multiple measures that assess and provide information about how local educational agencies and schools are meeting the needs of California’s diverse student population. Performance on these measures is reported on the [California School Dashboard](#).⁵

	FOSTER YOUTH	YOUTH IN JUVENILE JUSTICE SYSTEM	YOUTH EXPERIENCING HOMELESSNESS
Has a review of the annual and change-over-time data for the previous 3+ academic years been disaggregated for students on state-required metrics in the following areas for...			
<ul style="list-style-type: none"> Standardized test performance AP test passage (with a score of 3+) High school graduation rate High school dropout rate Chronic absenteeism Suspensions Expulsions 			
<ul style="list-style-type: none"> College/Career Preparedness Indicator (CCI) as indicated by a broad course of study including rigorous courses such as honors and advance placement. 			
Has analysis of the general student population outcomes been compared to the following student groups...?			

⁵ California School Dashboard and System of Support. Retrieved from <https://www.cde.ca.gov/ta/ac/cm/>.

AB 167/216/1806 Checklist: Eligibility for Exemption from Local Graduation Requirements and 5th Year of High School

Education Code section 51225.1 provides additional opportunities to graduate for foster youth, former juvenile court school students, and students experiencing homelessness, among other students identified in the statute. If these students change schools after completing two years of high school and cannot reasonably complete the local graduation requirements, the law allows them to opt into an exemption to graduate by meeting only the state coursework requirements of 130 credits. Additionally, they are eligible to enroll in a fifth year of high school to complete LEA coursework requirements for a diploma.

	FOSTER YOUTH	YOUTH IN JUVENILE JUSTICE SYSTEM	YOUTH EXPERIENCING HOMELESSNESS
How many students who transfer into our school/district/county after their 2 nd year of high school are <u>notified</u> of AB 167/216/1806 rights?			
Of those students, how many were <u>found eligible</u> to graduate under AB 167/216/1806 last year?			
<ul style="list-style-type: none"> Of those students, how many <u>actually</u> graduated with an exemption from LEA coursework requirements? 			
<ul style="list-style-type: none"> Of those students, how many opted into a 5th year of high school? 			

Services for Students with Disabilities Checklist

Students with unique needs who also have disabilities may be eligible for services and accommodations through an Individualized Education Program (IEP) or Section 504 plan.

	FOSTER YOUTH	YOUTH IN JUVENILE JUSTICE SYSTEM	YOUTH EXPERIENCING HOMELESSNESS
How many students were <u>referred</u> for special education assessment last year?			
How many students were <u>assessed</u> for special education eligibility?			
How many students were found <u>eligible</u> for special education services?			
<ul style="list-style-type: none"> How many students were eligible under the category: Other Health Impairment (OHI)? 			
<ul style="list-style-type: none"> How many students were eligible under the category: Emotional Disturbance? 			
Of students that qualified for special education services, how many were in each academic setting?			
<ul style="list-style-type: none"> Special Day Class 			
<ul style="list-style-type: none"> Resource 			
<ul style="list-style-type: none"> Non-Public School 			
How many students were spending 80% or more of their day in a general education setting?			
How many students were <u>referred</u> for a Section 504 assessment last year?			
How many students <u>were placed on</u> a Section 504 plan last year?			
How many <u>total</u> students were on a Section 504 plan last year?			

School of Origin Checklist

Education Code sections 48853 and 48852.7 grant students in foster care, certain students in the juvenile justice system, and students experiencing homelessness who experience a residence or placement change the right to continue to attend their school of origin through the end of the school year for students in grades one through eight, and have the right to remain in their high school, even if they are no longer under the jurisdiction of the court or they are no longer experiencing homelessness.

	FOSTER YOUTH	YOUTH IN JUVENILE JUSTICE SYSTEM	YOUTH EXPERIENCING HOMELESSNESS
What is the number of best interest determinations (BID) facilitated in our district annually?			
How many students transferred in and out of our district last year?			
How many students remain in their school of origin vs. enrolling in their school of residence each academic year?			
How many students requested and were provided transportation to their school of origin?			
Is there a process to ensure the education rights holder has been informed of these students' right to remain at their school of origin?			
Is there a process to ensure these students promptly receive transportation to their school of origin, if needed?			
Is there a clear dispute resolution process regarding school of origin placement that applies to each of these groups?			
Are school changes coordinated with the school calendar for each of these groups, if a school transfer must occur?			

Supports and Resources Checklist

Leveraging community resources and local partnerships supports high-quality academic and enrichment opportunities by broadening the experiences that may be typically offered to students and by expanding access to local expertise. Better aligning and utilizing these resources can also help school systems identify and access low-cost services or facilities to support learning opportunities on and off school sites.⁶

	FOSTER YOUTH	YOUTH IN JUVENILE JUSTICE SYSTEM	YOUTH EXPERIENCING HOMELESSNESS
Which site-level academic supports and resources are available specifically for...			
Which site-level socioemotional counseling, supports, and resources are available specifically for...?			
What plans are in motion to develop new site-level supports and resources specifically for...?			

Local Control Accountability Plan (LCAP) Review for Goals, Action Steps, and Funding

The LCAP development process and document itself are important avenues for considering the needs of and planning for students with unique needs. The following checklist is based upon the most recent revised annual update template. For the 2021-22 school year, the district is required to utilize the Annual Update Template, which includes reporting on the 2019-20 LCAP and the 2020-21 Learning Continuity and Attendance Plan.

STAKEHOLDER ENGAGEMENT	YES	NO	UNSURE
Does my district/county office drafting committee identify parents, students, advocates or other stakeholders on behalf of foster youth/justice involved, and students experiencing homelessness?			
Are the identified stakeholders engaged and participating in the drafting/approval committee/process?			
Are there district-level policies, data collection/analysis, and MOUs with child welfare, probation, and community-based organizations?			

⁶ U.S. Department of Education, Better Use of Community Resources. Retrieved from : <https://www.ed.gov/oii-news/better-use-community-resources>

GOALS AND ACTIONS	FOSTER YOUTH	YOUTH IN JUVENILE JUSTICE SYSTEM	YOUTH EXPERIENCING HOMELESSNESS
Does the LCAP address those district goals specific for...?			
Was a root cause analysis completed to identify needs, create goals and actions for...?			
Do we include explanations for why goals were included and targeted to specific student groups?			
Do the goals and actions listed adequately address the identified needs for...?			
Is there a clear timeline to implement the identified actions for...?			
Are there strategies differentiated by grade span (e.g., primary, middle, and high school)?			
STAFF			
Are there sufficient staff to fully implement the identified actions?			
Is there hiring and/or assignment, training, and supervision of staff who work with specific student groups at each school site?			
Does professional development opportunities provided to all staff include topics specific to addressing the academic and social and emotional needs of students ...?			
INCREASED OR IMPROVED SERVICES FOR FOSTER YOUTH			
Does the district plan effectively describe the areas of improvement needed for foster youth, and how principally directed and effective actions are planned to improve these conditions?			
Does the principally directed and effective actions include expected measurable outcomes for the goals and actions related to foster youth?			

LCAP BUDGET AND ACTUAL EXPENDITURES FOR ACTIONS AND SERVICES FOR FOSTER YOUTH

Are we able to revise/increase new year budgeted expenditures as necessary to support all actions/services for foster youth?		
Are funds being intentionally allocated to address the needs of foster youth vs. going to programs that student groups can participate in, in addition to the general student population?		
With budgetary limits, have innovative ways to use funds to meet the underlying needs of foster youth been considered?		
Have other funding streams, besides LCFF, been identified that can be used for programs, supports, services, and resources specific to foster youth?		

ANNUAL UPDATE FOR DEVELOPING THE 2021-22 LOCAL CONTROL AND ACCOUNTABILITY PLAN

Does the analysis of in person instructional offerings include the use of data or feedback to describe specific challenges and success for student in these groups?			
Does the analysis of the distance learning program include the use of data or feedback to describe specific challenges and success experienced by student in these groups?			
Does the analysis of the distance learning program specifically address access to devices and connectivity, student participation and progress for these groups?			
Does the analysis of actions to address pupil learning loss identify the effectiveness of these actions, and identify the successes and challenges for these groups?			
Does the analysis of mental health and social and emotional well-being include any information or disaggregated data (by student group) to describe the success and challenges during the 2020-21 school year experienced by ...?			
Does the analysis of pupil and family engagement include specific information regarding the challenges and successes engaging and reaching out to ...?			
Does our district budget identify how 2020 and 2021 federal coronavirus relief funding is being used to support programs, supports, services and resources specific to these student subgroups?			

Policies and Practices Checklist

Districts should assess whether they have the following policies and practices in place, which relate to the topic-specific checklists above. This is a non-exhaustive list of policies and practices that are either required by law or encouraged based on promising practices to support students with unique needs.

	YES	NO	UNSURE
Are district and site-specific staff trained in Trauma Informed Practices in Schools?			
Are district and site-specific staff trained in Culturally Responsive Practices in Schools?			
Do we have policies on restorative justice practices, to be implemented at every level of our district?			
Do we have a standard policy or protocol to identify students' needs for mental health services and how to make referrals for students, either within or outside of the district? This should be separate from the special education assessment process.			
Are protocols in place to assess eligibility for AB 167/216 opportunities, notify students and their Education Rights Holders of eligibility, and to prevent over and under qualification?			
Do we have a policy on the responsibilities of District AB 490 Foster Youth and McKinney Vento Liaisons?			
Do we have protocols for immediate enrollment and identification of students with unique needs?			
Do we have a plan for how to assess and apply partial credits for students that transfer in / out of district?			
Do we have practices to minimize mobility for students with unique needs at the primary, middle, and high school levels?			
Do we have an Education for Foster Youth policy that reflects the latest state and federal legislation? (CSBA AR6173.1)			
Do we have a written notification of foster youth education rights?			
Does our county office of education have a joint transition planning policy to support students leaving court schools? (AB 2276/1354)			
Do we have an MOU or other agreements in place to support students returning from court schools? (AB 2276/1354)			
Do we have designated personnel to ensure adequate transition supports for students returning from court schools? (AB 1354)			

Do we have a policy on when and how to communicate and share confidential information with probation officers and other law enforcement about students involved in the juvenile justice system?			
Do we have a policy to ensure eligibility of students with unique needs in extracurricular activities?			
Is there a district education surrogate program, which provides surrogates for students with special needs, or suspected needs, when an Education Rights Holder is not available?			
Do we explain Uniform Complaint Procedures on our district website?			
Do we have a policy or practice of notifying education rights holders, social workers, and attorneys of school discipline of students with unique needs?			
Do we have clear written policies on disciplinary consequences for specific on-campus behaviors?			
Do we have written policies and information for parents on procedures for voluntary or involuntary transfer to alternative education settings?			
Do we have written policies regarding our district independent study option and information for parents on enrollment procedures?			
Are our policies reviewed annually (or at LCAP approval) to assess needed updates?			
Do we have robust practices to support families before making referrals to School Attendance Referral Boards?			

