



**Los Angeles County
Office of Education**

Foster Youth Services Coordinating Program



A TECHNICAL GUIDE TO

A B

740

ASSEMBLY BILL 740

SUMMARY

Sponsored by: Assemblymember Kevin McCarty, 7th Assembly District
Co-Sponsors: Black Minds Matter Coalition, Children's Advocacy Institute, Children's Law Center, Legal Advocates for Children & Youth

Assembly Bill (AB) 740 was introduced in 2021, due to the low academic outcomes and higher rates of school discipline that youth in foster care face compared to their peers. Data reveals that students in foster care are suspended at a rate of 331% more than the statewide average, which in turn affects their school attendance, due to missing class time.

High suspension and expulsion rates were the leading force behind the creation of this bill, as well as ensuring that students in foster care have "experienced advocates" that work to ensure this vulnerable population of students are supported.

AB 740 requires local education agencies (LEAs) starting January 1, 2023, to provide written notification to a minor's education rights holder, attorney, county social worker, tribal social worker (if applicable). The bill provides a student in foster care's educational rights holder, attorney, and county social worker and a child's tribal social worker and, if applicable, county social worker the same rights a parent or guardian of a child has to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, and other documents and related information.

The following documents are provided as a guide to enhance your forms to reflect the aforementioned changes in the notification requirement, per AB 740.

AB 740 NOTIFICATIONS

AB 740 requires LEAs (including Charter Schools) to send written notification when a student in foster care is being faced with:

- Suspension (includes an in-school suspension)
- Expulsion
- IEP meeting when a Manifestation Determination takes place
- Involuntary Transfer to a continuation school

Required parties that receive all rights a parent or guardian receives (including any documents and related information to the above mentioned incidences) are listed below.

Where to find this information:



01 — County Social Worker

Educational Passport System (EPS). If the information is not included, email the DCFS YES Inbox - youth.education.support@dcfs.lacounty.gov and they will provide the CSW information.



02 — Minor's Attorney

To find the student's attorney's name and phone number within Los Angeles County, call The Children's Law Center at 323-980-1700.



03 — Educational Rights Holder (ERH)

EPS houses JV 535 forms provided by the court, which indicates a change of the ERH. If this information is not listed in EPS, send an inquiry to the DCFS YES Inbox - youth.education.support@dcfs.lacounty.gov

Please note, by sending an inquiry to the DCFS, YES inbox, this does NOT fulfill the notification process. The YES inbox, only provides information and will not forward onto the minor's CSW.



04 — Tribal Social Worker

This information comes from self-identification by the family or tribe.

EDUCATIONAL PASSPORT SYSTEM (EPS)

How to Access the Foster Youth Core Application in EPS

To access the EPS Portal visit <https://epsportal.lacoe.edu>. If you need access to the Foster Youth Core application, please contact your EPS Administrator. [Click here](#) to look up the EPS Administrator(s) for your district/charter school.

You may view a notification that a JV-535 has been uploaded for a student in EPS from the View Student - Details Tab and preview the first page of the form in the Foster Youth Core application. The Document Library application gives you access to view the entire uploaded JV-535 form.

View Student

Details Counselor Logs Group Homes Enrollments School Transfer (1399) SCOE

First Name Last Name Middle Name

SSID Name Suffix Birth Date

Gender Special Ed Indicator Language Proficiency

Notes

JV 535 Uploaded? (Request to View using Document Library) YES Last Uploaded Date 12/07/2022

SSID

View info from JV-535 form
(Search may take up to a minute)

ERH Name per DCFS Feed

ERH Phone per DCFS Feed

AB 740 Foster Youth Discipline Notification

This document was created by the Los Angeles County Office of Education, Foster Youth Services Coordinating Program and the Los Angeles Children's Law Center of California in conjunction with the FYSCP Executive Advisory Council

Student : Date of Birth: Grade: SSID #
School: District:
Date of Enrollment: Special Education: Yes No Section 504: Yes No

History

Total # of days previously suspended: Other means of correction used? Yes No

If yes, please explain

Disciplinary Action

Date of Incident: Start Date of Discipline: Student can return to school:

Type of Incident: In-school Suspension # of periods: Out-of-school Suspension
 Manifestation Determination Involuntary Transfer Expulsion

Incident details, including evidence:

Did the student provide their account of the incident: If yes, when: If no, why:

Student's account of the incident or attach student incident report:

Was law enforcement called in relation to the incident: Yes No

Future Meetings or Hearings

Manifestation IEP Suspension meetings Pre-expulsion hearing Expulsion hearing

Date and time of meeting or hearing: Address of meeting or hearing:

School Site and District Contact Information

School Site Administrator:

District Foster Youth Liaison:



Children's Law Center of California

Excellence In Advocacy

*Serving Los Angeles, Placer and
Sacramento Counties*

January 1, 2023

RE: Request for Notices of School-Discipline Related Proceedings for Los Angeles County Foster Youth

This is to inform you and your Local Education Agency that Children's Law Center of California is the primary provider of representation for foster youth in Los Angeles County.

Pursuant to AB 1909 (2012) and AB 740 (2022), please provide our office notice of and an invitation to attend (if applicable) the following proceedings affecting any Los Angeles County foster child in your school/district:

1. Any suspension, including in-school suspensions for more than one class (as required by California Education Code §§ 48911.1(d) and 48911(d)).
2. Any meeting to determine whether a suspension will be extended until the district's governing board has made a decision on an expulsion recommendation (as required by California Education Code § 48911(g)).
3. Any expulsion hearing (as required by California Education Code § 48918.1(a)). Notice should be provided at least 10 calendar days before the date of the hearing.
4. Any meeting of an Individualized Education Program team to make a manifestation determination decision (as required by California Education Code §48915.5(d)).
5. Any involuntary transfers (as required by California Education Code § 48432.5(b)). Notice should provide opportunity to request a meeting with the designee of the district superintendent before the transfer.
6. For charter schools, any plans to involuntarily remove (disenroll, dismiss, transfer, or terminate) a foster child. Notice must be provided no less than 5 schools days before the effective action (as required by California Education Code § 47605(c)).

Please use the following contact information for any notifications and invitations:

Children's Law Center of California
101 Centre Plaza Dr.
Monterey Park, CA 90041
(323) 980-1700
educationnotice@clcla.org

If you have any questions or concerns, please contact us by telephone or email.

ACKNOWLEDGEMENTS

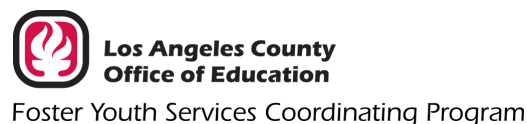
The LACOE Foster Youth Services Coordinating Program would like to thank the below community partners for their help in creating this guide:

Children's Law Center of California (Los Angeles)
Los Angeles County, Department of Children and Family Services - Education Unit
Alliance for Children's Rights
Foster Youth Services Coordinating Program, Technical Assistance Program
LACOE'Child Welfare and Attendance

Mission:
To facilitate collaboration and build capacity in order to maximize the educational success of students in foster care.

Children's Law Center fights to ensure the well being and future success of our clients through a multi-disciplinary, independent and informed approach to advocacy. A powerful voice for foster youth fighting for family reunification, permanence, educational opportunity, health and mental health services, self-sufficiency and overall well-being, we're working toward local, statewide and national policy change and child welfare system reform

Please visit our website at www.clccal.org for more information.



Please visit our website at www.lacoe.edu or call 562-922-6469 for more information

Updated: March, 28, 2023