**AB 2060 – FACT SHEET**

(Education Rights Holders for Foster Children)

**What Does AB 2060 Do And How Does It Help Foster Children Succeed in School?**

1. **When possible, foster children’s education rights must be held by a relative or other adult who knows the child.** In cases where a child is placed in foster care due to abuse or neglect, and the parents are not willing or able to make education decisions for the child, the court may limit the parents’ education rights and appoint a “responsible adult” to be the child’s education rights holder.

AB 2060requires the court to see if there is a caregiver, relative, or other adult known to the child (such as a family friend, CASA, former teacher, or clergy) who could serve as the child’s education rights holder, before turning to a school district surrogate (for special-education students), or a volunteer. Foster children benefit from maintaining connections with relatives and other supportive adults—even an adult who cannot offer the child a place to live can provide ongoing support and stability in the child’s life by holding the child’s education rights.

1. **Education rights holders and surrogates must meet with the child, investigate education needs, and report to the court.**  Too often, courts limit parents’ education rights – but fail to ensure that the education rights holder who takes the parents’ place does a better job of protecting the child’s educational interests! AB 2060 creates clear, explicit standards for education rights holders. They must:
   * Meet with the child;
   * Investigate the child’s educational needs and whether these needs are being met;
   * For each hearing in the child’s case, either give the child’s social worker information and recommendations in advance, give the court a written report (the JV-537 form can be used for this), or attend the hearing.

**What children’s attorneys, CASAs, caregivers, and education rights holders can do to help implement AB 2060:**

* Make sure the court addresses education issues for the child at every hearing.
* If the child’s parents or current education rights holder is not able or willing to be effective in protecting the child’s educational interests, ask the court to appoint a new education rights holder.
* Make sure the education rights holder’s report and recommendations are considered at every court hearing.