

CLIENT NEWS BRIEF

New Law Calls for Greater Collaboration between Court Schools and Counties

Last fall, Governor Gavin Newsom signed Assembly Bill (AB) 1354 which creates new legal requirements for a county office of education and certain charter schools operating juvenile court schools. Notably, AB 1354 reaffirms the Legislature's intent for greater collaboration between county offices of education, county probation departments, and local educational agencies regarding students transitioning in and out of juvenile court schools. Many county offices of education provide educational services to students in court schools while county probation departments have responsibility for all other aspects of the student's incarceration. Consequently, most county offices of education have existing agreements with counties regarding these transitions, which need to be updated to meet the requirements of this new law.

AB 1354 now requires, as part of a student's exit from court school, that the county office of education oversee and coordinate:

- A transfer of the student's records to the relevant local educational agency within 72 hours of the student's release from the juvenile facility. (These records include the student's IEP/Section 504 Plan);
- Provision of information about postsecondary academic and vocational opportunities, including college financial aid programs, to the student; and,
- Immediate enrollment in an appropriate public school in the student's community, including acceptance of course credits for coursework completed at the court school and placement in appropriate courses.

AB 1354 also clarifies the requirements for court school students to have a developed individualized transition plan if detained for more than 20 consecutive school days. This plan must be designed in collaboration with county probation departments, as needed, to address the student's academic, behavioral, social-emotional, and career needs and, prior to the student's release, identify with and establish programs, services, and individuals to support a student's successful transition out of court school.

With many juvenile court schools closed due to the COVID-19 pandemic, county offices operating court schools may want to take this time to evaluate how the program enrolls students in and transitions students out of the court school. Also, county offices of education should review procedures with county probation departments regarding the development and sharing of individualized learning plans, IEPs, Section 504 Plans, and individualized transition plans.

May 2020
Number 38



Michael E. Smith
Partner

Fresno & Bakersfield Offices
msmith@lozanosmith.com



Joshua Whiteside
Associate

Fresno Office
jwhiteside@lozanosmith.com



As the information contained herein is necessarily general, its application to a particular set of facts and circumstances may vary. For this reason, this News Brief does not constitute legal advice. We recommend that you consult with your counsel prior to acting on the information contained herein.

CLIENT NEWS BRIEF

May 2020
Number 38

For more information about AB 1354, including questions about revisions to agreements and procedures with county probation departments regarding the operation of juvenile court schools, please contact the authors of this Client News Brief or an attorney at one of our [eight offices](#) located statewide. You can also subscribe to our [podcast](#), follow us on [Facebook](#), [Twitter](#) and [LinkedIn](#) or download our [mobile app](#).

As the information contained herein is necessarily general, its application to a particular set of facts and circumstances may vary. For this reason, this News Brief does not constitute legal advice. We recommend that you consult with your counsel prior to acting on the information contained herein.