

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i>   TELEPHONE NO.: _____ FAX NO.: _____ EMAIL ADDRESS: _____ ATTORNEY FOR <i>(Name):</i> _____	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>  STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
<b>CHILD'S NAME:</b> <b>CHILD'S DATE OF BIRTH:</b>	
<b>ORDER DESIGNATING EDUCATIONAL RIGHTS HOLDER</b>	CASE NUMBER: _____

**Educational Rights Holder for Child or Youth**

1.  The rights of
  - a. *Name 1:*
    - parent 1
    - parent 2
    - guardian
    - Indian custodian
  - b. *Name 2:*
    - parent 1
    - parent 2
    - guardian
    - Indian custodian

to make  educational  developmental-services decisions for the child or youth

*Check one for each named educational right holder.*

(1) <input checked="" type="checkbox"/> are retained. (2) <input checked="" type="checkbox"/> are fully restored. (3) <input checked="" type="checkbox"/> are temporarily limited under section 319(g). (4) <input checked="" type="checkbox"/> are limited under section 361(a) or 726(b). (5) <input checked="" type="checkbox"/> have been terminated under section 366.26 or 727.31. (6) <input checked="" type="checkbox"/> transferred to the youth on their 18th birthday.	(1) <input checked="" type="checkbox"/> are retained. (2) <input checked="" type="checkbox"/> are fully restored. (3) <input checked="" type="checkbox"/> are temporarily limited under section 319(g). (4) <input checked="" type="checkbox"/> are limited under section 361(a) or 726(b). (5) <input checked="" type="checkbox"/> have been terminated under section 366.26 or 727.31. (6) <input checked="" type="checkbox"/> transferred to the youth on their 18th birthday.
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Other Educational Rights Holders—see attached.
2.  The following adult(s) is/are designated as the educational rights holders, as defined in rule 5.502.
 

a. <i>Name 1:</i> Address:  Telephone: Email: Relationship to child or youth: <input checked="" type="checkbox"/> Confidential Name <input checked="" type="checkbox"/> Confidential Address <input checked="" type="checkbox"/> Other Educational Rights Holders—see attached.	b. <i>Name 2:</i> Address:  Telephone: Email: Relationship to child or youth: <input checked="" type="checkbox"/> Confidential Name <input checked="" type="checkbox"/> Confidential Address
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3. The adult(s) identified in item 2  Name 1  Name 2 is/are *(check all that apply):*
  - a.  The *first* educational rights holder(s) identified by the court for this child or youth.
  - b.  The *same* educational rights holder(s) as last identified by the court, with new contact information in item 2, above.
  - c.  A *different* educational rights holder from the one last identified by the court.

**NOTICE**

Provision of the information on this form—as well as on forms JV-535(A), JV-536, JV-537, JV-538, JV-539, JV-540, or any equivalent form—to the parent(s), guardian(s), or Indian custodian(s) named in 1 **will** create a safety risk (for example, because of the placement's confidentiality). The information **may not** be disclosed to the parent, guardian, or Indian custodian.

<b>CHILD'S NAME:</b>	CASE NUMBER:
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- 3. d.  The successor guardian or conservator and, as such, holds decisionmaking rights.
- e.  The caregiver in a planned permanent living arrangement and holds  educational  developmental-services decisionmaking rights under section 361(a)(1)(E). See item 6 for limitation of parental decisionmaking rights.

**Having considered the evidence and made the findings required by law, THE COURT ORDERS that**

- 4.  The responsible adults identified in 2 are appointed the educational rights holders for the child or youth and are authorized to make  educational  developmental-services decisions for the child or youth to the extent permitted by law.
- 5.  (Check only if 2, 3, and 4 do not apply.) The court cannot identify a parent, guardian, Indian custodian, or other responsible adult to act as the educational rights holder.
  - a.  The court hereby refers the child to the local educational agency for appointment of a surrogate parent under section 7579.5 of the Government Code.
  - b.  The court, with input from any interested person, will make  educational  developmental-services decisions.
    - The appointment of a surrogate parent is not warranted.
    - (Before the dispositional hearing) The child's attorney and the social worker or probation officer must make every effort to identify a responsible adult to make future educational or developmental-services decisions for the child.
- 6.  The appointment of any previous educational rights holder or developmental-services decision maker is terminated.

**Appointed Educational Rights Holder—Rights and Duties**

- 7. The appointed educational rights holder is authorized to have access to the child's or youth's  educational  developmental-services records and information to the extent permitted by law.
- 8. The appointed educational rights holder may authorize the release of  educational  developmental-services records to the child's attorney or CASA volunteer to the extent permitted by law.
- 9. The appointed educational rights holder must comply with all applicable state and federal confidentiality laws, including sections 362.5, 827, 4514, and 5328 and Government Code section 7579.5(f), and may share information only to the extent necessary to further the interests of the child or youth.
- 10. The appointed educational rights holder must meet with the child or youth; investigate the child's or youth's educational and developmental-services needs and whether those needs are being met; and, before each scheduled review hearing, provide information and recommendations to the social worker or probation officer **OR** make written recommendations to the court **OR** attend the review hearing and participate in any part of the hearing that concerns the child's education or development **OR** do all of these. The rights holder may submit written recommendations on *Educational Rights Holder Statement* (form JV-537) or in any other suitable format. To the greatest extent possible, the educational rights holder must consult and collaborate with the educational liaison or regional center service coordinator, as applicable, to gather information needed to meet the needs and protect the rights of the child or youth.

**Service of Order**

- 11. If this is the first form JV-535 completed in this case or it includes any information different from information on the previous JV-535, the clerk will provide a copy of this form, form JV-535(A), and any other attachments to: the child (if 10 years old or older) or youth; the attorney for the child or youth; the social worker or probation officer; the Indian child's tribe, if applicable; the local foster youth educational liaison; the county office of education foster youth services coordinator; the regional center service coordinator, if applicable; and the educational rights holder or surrogate parent in person or by first-class mail no later than five court days after the order is signed. The clerk may also make the form available to the parent or guardian (unless otherwise indicated on this form, or parental rights have been terminated, or the child has reached 18 years of age and reunification services have been terminated), to the CASA volunteer, and if requested, to any other person entitled to notice under section 293.
- 12. The assigned social worker or probation officer must notify the educational rights holder of the date, time, and location of each court hearing.

**This order applies to any local educational agency, school, school district, or regional center serving the child or youth in the State of California.**

Related findings and orders are attached on form JV-535(A) or its equivalent.

Date: ▶ \_\_\_\_\_

JUDICIAL OFFICER