

AMENDED IN SENATE JUNE 3, 2009  
AMENDED IN ASSEMBLY MARCH 25, 2009  
CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 167**

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**Introduced by Assembly Member Adams**  
*(Coauthor: Senator Liu)*

January 28, 2009

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An act to amend Section 51225.3 of the Education Code, relating to high school graduation.

LEGISLATIVE COUNSEL'S DIGEST

AB 167, as amended, Adams. High school graduation: local requirements: foster children.

(1) Existing law prescribes the course of study a pupil is required to complete while in grades 9 to 12, inclusive, in order to receive a diploma of graduation. Existing law authorizes the governing board of a school district to adopt rules specifying additional coursework requirements.

This bill would require a school district to exempt a pupil in foster care who transfers to the district in grade 11 or 12 and who otherwise would not be able to graduate from high school while he or she remains eligible for foster care benefits pursuant to state law from any additional coursework requirements the governing board has adopted, *unless the district makes a finding that the pupil is reasonably able to complete the additional requirements in time to graduate with his or her class.* The bill would require a school district to notify a pupil in foster care who is granted an exemption, and, as appropriate, the person holding the right to make educational decisions for the pupil, if any of the requirements that are waived will affect the pupil's ability to gain

admission to a postsecondary educational institution, and to provide information about transfer opportunities available through the California Community Colleges.

By requiring school districts to perform additional duties in complying with the exemption requirement, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) The state has a duty to care for and protect the children the  
4 state places into foster care, and as a matter of public policy, the  
5 state assumes an obligation to ensure the health, safety, and  
6 education of children in foster care.

7 (b) While a good education is critical to every child’s successful  
8 transition into adulthood, it is especially true for children who  
9 spend long periods of their childhood in foster care. Research  
10 indicates that 83 percent of foster children are held back by grade  
11 3, 75 percent are working below grade level, and only 33 percent  
12 of foster children will graduate from high school.

13 (c) California’s foster children are all too often bounced from  
14 placement to placement and from school to school without regard  
15 to the impact on their education. These constant transitions often  
16 result in education-related problems, including a loss of school  
17 credits, academic problems, and a delay in earning a high school  
18 diploma. Studies show high school pupils who change schools  
19 even once are less than 50 percent as likely to graduate from high  
20 school as compared to high school pupils who do not change  
21 schools.

1 (d) The state sets minimum high school graduation standards  
2 for the state's school districts. However, school districts have  
3 flexibility with regard to additional coursework pupils are required  
4 to complete to graduate from high school. A foster child in high  
5 school who has taken the courses required for graduation in his or  
6 her current school district and is forced to relocate to another school  
7 district in his or her junior or senior year may be faced with  
8 additional graduation requirements at his or her new school with  
9 little time to complete those courses in order to graduate with the  
10 rest of his or her class.

11 (e) The key to improving outcomes for foster youth is identifying  
12 the specific roadblocks to their educational success and working  
13 to remove them.

14 (f) It is therefore the intent of the Legislature in enacting this  
15 act that foster children who transition to a new school district in  
16 their junior or senior year of high school only be required to meet  
17 state standards for graduation.

18 SEC. 2. Section 51225.3 of the Education Code is amended to  
19 read:

20 51225.3. (a) A pupil shall complete all of the following while  
21 in grades 9 to 12, inclusive, in order to receive a diploma of  
22 graduation from high school:

23 (1) At least the following numbers of courses in the subjects  
24 specified, each course having a duration of one year, unless  
25 otherwise specified::

26 (A) Three courses in English.

27 (B) Two courses in mathematics.

28 (C) Two courses in science, including biological and physical  
29 sciences.

30 (D) Three courses in social studies, including United States  
31 history and geography; world history, culture, and geography; a  
32 one-semester course in American government and civics; and a  
33 one-semester course in economics.

34 (E) One course in visual or performing arts or foreign language.  
35 For the purposes of satisfying the requirement specified in this  
36 subparagraph, a course in American Sign Language shall be  
37 deemed a course in foreign language.

38 (F) Two courses in physical education, unless the pupil has been  
39 exempted pursuant to the provisions of this code.

1 (2) Other coursework requirements adopted by the governing  
2 board of the school district.

3 (b) The governing board, with the active involvement of parents,  
4 administrators, teachers, and pupils, shall adopt alternative means  
5 for pupils to complete the prescribed course of study that may  
6 include practical demonstration of skills and competencies,  
7 supervised work experience or other outside school experience,  
8 career technical education classes offered in high schools, courses  
9 offered by regional occupational centers or programs,  
10 interdisciplinary study, independent study, and credit earned at a  
11 postsecondary institution. Requirements for graduation and  
12 specified alternative modes for completing the prescribed course  
13 of study shall be made available to pupils, parents, and the public.

14 (c) Notwithstanding any other provision of law, a school district  
15 shall exempt a pupil in foster care who transfers to the district in  
16 grade 11 or 12 and who otherwise would not be able to graduate  
17 from high school while he or she remains eligible for foster care  
18 benefits pursuant to state law from any additional coursework  
19 requirements the governing board has adopted pursuant to  
20 paragraph (2) of subdivision (a) *unless the district makes a finding*  
21 *that the pupil is reasonably able to complete the additional*  
22 *requirements in time to graduate with his or her class.* A school  
23 district shall notify a pupil in foster care who is granted an  
24 exemption pursuant to this subdivision, and, as appropriate, the  
25 person holding the right to make educational decisions for the  
26 pupil, if any of the requirements that are waived will affect the  
27 pupil's ability to gain admission to a postsecondary educational  
28 institution and shall provide information about transfer  
29 opportunities available through the California Community  
30 Colleges.

31 SEC. 3. If the Commission on State Mandates determines that  
32 this act contains costs mandated by the state, reimbursement to  
33 local agencies and school districts for those costs shall be made  
34 pursuant to Part 7 (commencing with Section 17500) of Division  
35 4 of Title 2 of the Government Code.

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2 **CORRECTIONS:**  
3 **Text—Page 3.**  
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