

Assembly Bill No. 167

Passed the Assembly September 8, 2009

Chief Clerk of the Assembly

Passed the Senate September 2, 2009

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2009, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

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

LEGISLATIVE COUNSEL'S DIGEST

AB 167, 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 from all coursework and other requirements adopted by the governing board of the district that are in addition to the statewide coursework requirements if the pupil, while he or she is in grade 11 or 12, transfers to the district from another school district or between high schools within the district, unless the district makes a finding that the pupil is reasonably able to complete the additional requirements in time to graduate from high school while he or she remains eligible for foster care benefits pursuant to state law. 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.

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

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

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

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

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

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

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

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

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

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

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

(A) Three courses in English.

(B) Two courses in mathematics.

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

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

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

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

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

(b) The governing board, with the active involvement of parents, administrators, teachers, and pupils, shall adopt alternative means for pupils to complete the prescribed course of study that may include practical demonstration of skills and competencies, supervised work experience or other outside school experience, career technical education classes offered in high schools, courses offered by regional occupational centers or programs, interdisciplinary study, independent study, and credit earned at a postsecondary institution. Requirements for graduation and

specified alternative modes for completing the prescribed course of study shall be made available to pupils, parents, and the public.

(c) Notwithstanding any other provision of law, a school district shall exempt a pupil in foster care from all coursework and other requirements adopted by the governing board of the district that are in addition to the statewide coursework requirements specified in this section if the pupil, while he or she is in grade 11 or 12, transfers into the district from another school district or between high schools within the district, unless the district makes a finding that the pupil is reasonably able to complete the additional requirements in time to graduate from high school while he or she remains eligible for foster care benefits pursuant to state law. A school district shall notify a pupil in foster care who is granted an exemption pursuant to this subdivision, 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 shall provide information about transfer opportunities available through the California Community Colleges.

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

Approved _____, 2009

Governor