AMENDED IN SENATE APRIL 14, 2011

AMENDED IN SENATE MARCH 31, 2011

SENATE BILL No. 578

Introduced by Senator Negrete McLeod

February 17, 2011

An act to add Section 51225.2 to the Education Code, relating to schools.

LEGISLATIVE COUNSEL'S DIGEST

SB 578, as amended, Negrete McLeod. Schools: pupils in foster care: course credit.

(1) Existing law requires a local educational agency to designate a staff person as the educational liaison for foster children and requires the liaison to assist foster children when transferring from one school to another or from one school district to another in ensuring proper transfer of credits, records, and grades.

Existing law requires a school district to exempt a pupil in foster care from graduation requirements adopted by the governing board of the school district that are in addition to the statewide coursework requirements if the pupil, while the pupil is in grade 11 or 12, transfers into the school district from another school district or between high schools within the school district, unless the school 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.

Existing law requires a school district and county office of education to accept for credit full or partial coursework satisfactorily completed by a pupil while attending a public school, juvenile court school, or nonpublic, nonsectarian school or agency. If a pupil completes the

graduation requirements of his or her school district of residence while being detained, the school district of residence is required to issue to the pupil a diploma from the school the pupil last attended before detention, or in the alternative, the county superintendent of schools is authorized to issue the diploma.

This bill would require a school district and county office of education to accept coursework satisfactorily completed by a pupil in foster care while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency even if the pupil did not complete the entire course and to award that pupil full or partial credit for the coursework completed. The bill would prohibit a pupil in foster care from being required to retake a course if the pupil completed the entire course in a public school, a juvenile court school, or a nonpublic, nonsectarian school or agency. If the pupil did not complete the entire course, the bill would prohibit the school district or county office of education from requiring the pupil to retake the course or portions of the course unless the school district or county office of education finds that the pupil is reasonably able to complete the requirements in time to graduate from high school while the pupil remains eligible for foster care.

~~The bill would encourage school districts and county offices of education to develop, implement, or utilize credit recovery programs that will permit a pupil in foster care to recoup the necessary credit in the particular subject matter in order to meet graduation requirements.~~

By requiring a school district *and a county office of education* to award a pupil in foster care full or partial credit for the coursework completed while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency even if the pupil did not complete the entire course, the 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:

SECTION 1. Section 51225.2 is added to the Education Code, to read:

51225.2. (a) For ~~the~~ purposes of this section, "pupil in foster care" means any child who has been removed from his or her home pursuant to Section 309 of the Welfare and Institutions Code, is the subject of a petition filed under Section 300 or 602 of the Welfare and Institutions Code, or has been removed from his or her home and is the subject of a petition filed under Section 300 or 602 of the Welfare and Institutions Code.

(b) Notwithstanding any other law, a school district and county office of education shall accept coursework satisfactorily completed by a pupil in foster care while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency even if the pupil did not complete the entire course and shall issue that pupil full or partial credit for the coursework completed.

(c) The credits accepted pursuant to subdivision (b) shall be applied to the same subject matter as the coursework completed in the prior public school, juvenile court school, or nonpublic, nonsectarian school or agency.

(d) A school district or county office of education shall not require a pupil in foster care to retake a course if the pupil completed the entire course in a public school, a juvenile court school, or a nonpublic, nonsectarian school or agency. If the pupil did not complete the entire course, the school district or county office of education shall not require the pupil to retake the course or portions of the course unless the school district or county office of education finds that the pupil is reasonably able to complete the requirements in time to graduate from high school while the pupil remains eligible for foster care.

~~(e) School districts and county offices of education are encouraged to develop, implement, or utilize credit recovery programs that will permit a pupil in foster care to recoup the necessary credit in the particular subject matter in order to meet graduation requirements.~~

~~(f) For purposes of this section, a credit recovery program includes, but is not limited to, the following programs:~~

~~(1) Online courses.~~

~~(2) Electronic learning laboratories.~~

~~(3) Computerized modules.~~
~~(4) Independent study.~~
~~(5) Direct instruction.~~

SEC. 2. 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.

O