

AMENDED IN SENATE MAY 10, 2016

AMENDED IN ASSEMBLY APRIL 13, 2016

AMENDED IN ASSEMBLY MARCH 28, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2306

Introduced by Assembly Member Frazier

February 18, 2016

An act to ~~add Section 51225 to~~ amend Sections 48645.3, 48645.5, 48647, 51225.1, and 51225.2 of the Education Code, relating to ~~high school graduation~~ *juvenile court school pupils*.

LEGISLATIVE COUNSEL'S DIGEST

AB 2306, as amended, Frazier. ~~High school graduation requirements: pupils transferring from juvenile court schools. Juvenile court school pupils.~~

Existing law provides for the administration and operation of juvenile court schools by the county board of education, and requires the county office of education and the county probation department to have a joint transition planning policy to, among other things, coordinate school placement and enrollment.

This bill would express the Legislature's intent that juvenile court schools have a rigorous curriculum that includes a course of study that prepares pupils for high school graduation and career entry and fulfills the requirements for admission to the California State University and the University of California. The bill would require the joint transition planning policy to contain specified information relating to assisting eligible youth in completing the Free Application for Federal Student

Aid (FAFSA) and admission applications for postsecondary educational institutions, thereby imposing a state-mandated local program.

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, and authorizes the governing board of a school district to prescribe other coursework requirements that are in addition to the statewide requirements. *Existing law exempts pupils in foster care and pupils who are homeless children or youths from local graduation requirements and also requires a school district and county office of education to accept coursework satisfactorily completed by those pupils while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school.*

~~This bill would require a school district to exempt a pupil from all other coursework requirements for graduation adopted by the governing board of the school district that are in addition to the statewide coursework requirements for graduation, unless the school district makes a finding that the pupil is reasonably able to complete the additional coursework requirements in time to graduate from high school. The bill would require the school to which the pupil transfers to provide notice to the pupil and specified other parties of the availability of the exemption and whether the pupil qualifies for the exemption. *make that exemption and requirement to accept coursework satisfactorily completed applicable to former juvenile court school pupils, as defined.* The bill would also require a county office of education to issue a diploma of graduation to a pupil who completes statewide coursework requirements for graduation while attending a juvenile court school, as specified. *school but does not complete coursework and other requirements that are in addition to the statewide graduation requirements.* By placing additional requirements on school districts and county offices of education, the bill would impose a state-mandated local program.~~

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. Section 48645.3 of the Education Code is amended
2 to read:

3 48645.3. (a) Juvenile court schools shall be conducted in a
4 manner as shall be prescribed by the county board of education to
5 best accomplish the provisions of Section 48645. The minimum
6 schoolday shall be 240 minutes. Minimum schooldays shall be
7 calculated on the basis of the average number of minutes of
8 attendance during not more than 10 consecutive days in which
9 classes are conducted. The minimum schoolday for pupils in
10 attendance in approved vocational education programs, work
11 programs prescribed by the probation department pursuant to
12 Section 883 of the Welfare and Institutions Code, and work
13 experience programs shall be 180 minutes, which shall be
14 calculated on the basis of the average number of minutes of
15 attendance during not more than 10 consecutive days in which
16 classes are conducted. The county board of education shall adopt
17 and enforce a course of study and evaluate its program in
18 accordance with Sections 51040, 51041, 51050, and 51054 and
19 the provisions of Article 3 (commencing with Section ~~51200~~)
20 ~~51220~~) of Chapter 2 of Part ~~28~~, except subdivision (e) of Section
21 ~~51220~~: 28.

22 (b) Juvenile court schools shall not be closed on any weekday
23 of the calendar year, except those weekdays adopted by the county
24 board of education as school holidays or set aside by the county
25 board of education for inservice purposes. However, the county
26 board of education may close juvenile court schools when it deems
27 the closing is necessary to accommodate contingencies.

28 (c) (1) The county board of education may adopt and enforce
29 a course of study that enhances instruction in mathematics and
30 English language arts for pupils attending juvenile court schools,
31 as determined by statewide assessments or objective local
32 evaluations and assessments as approved by the county
33 superintendent of schools.

34 (2) The enhanced course of study adopted pursuant to paragraph
35 (1) shall meet the standards adopted pursuant to Section 60605.8,
36 as appropriate, and shall be tailored to meet the needs of the
37 individual pupil to increase the pupil's academic literacy and
38 reading fluency.

1 *(d) It is the intent of the Legislature that pupils in juvenile court*
 2 *schools have a rigorous curriculum that includes a course of study*
 3 *preparing them for high school graduation and career entry and*
 4 *fulfilling the requirements for admission to the University of*
 5 *California and the California State University.*

6 SEC. 2. *Section 48645.5 of the Education Code is amended to*
 7 *read:*

8 48645.5. (a) Each public school district and county office of
 9 education shall accept for credit full or partial coursework
 10 satisfactorily completed by a pupil while attending a public school,
 11 juvenile court school, or nonpublic, nonsectarian school or agency.
 12 The coursework shall be transferred by means of the standard state
 13 transcript. If a pupil completes the graduation requirements of his
 14 or her school district of residence while being detained, the school
 15 district of residence shall issue to the pupil a diploma from the
 16 school the pupil last attended before detention or, in the alternative,
 17 the county superintendent of schools may issue the diploma.

18 (b) A pupil shall not be denied enrollment or readmission to a
 19 public school solely on the basis that he or she has had contact
 20 with the juvenile justice system, including, but not limited to:

- 21 (1) Arrest.
- 22 (2) Adjudication by a juvenile court.
- 23 (3) Formal or informal supervision by a probation officer.
- 24 (4) Detention for any length of time in a juvenile facility or
- 25 enrollment in a juvenile court school.

26 (c) Pursuant to subparagraph (B) of paragraph (8) of subdivision
 27 (f) of Section 48853.5, a pupil who has had contact with the
 28 juvenile justice system shall be immediately enrolled in a public
 29 school.

30 *(d) If a pupil completes the statewide coursework requirements*
 31 *for graduation specified in Section 51225.3 while attending a*
 32 *juvenile court school, the county office of education shall issue to*
 33 *the pupil a diploma of graduation and shall not require the pupil*
 34 *to complete coursework or other requirements that are in addition*
 35 *to the statewide coursework requirements.*

36 SEC. 3. *Section 48647 of the Education Code is amended to*
 37 *read:*

38 48647. (a) Local educational agencies are strongly encouraged
 39 to enter into memoranda of understanding and create joint policies,
 40 systems, including data sharing systems, transition centers, and

1 other joint structures that will allow for the immediate transfer of
2 educational records, create uniform systems for calculating and
3 awarding course credit, and allow for the immediate enrollment
4 of pupils transferring from juvenile court schools.

5 (b) As part of their existing responsibilities for coordinating
6 education and services for youth in the juvenile justice system, the
7 county office of education and county probation department shall
8 have a joint transition planning policy that includes collaboration
9 with relevant local educational agencies to improve communication
10 regarding dates of release and the educational needs of pupils who
11 have had contact with the juvenile justice system, to coordinate
12 immediate school placement and enrollment, and to ensure that
13 probation officers in the community have the information they
14 need to support the return of pupils who are being transferred from
15 juvenile court schools to public schools in their communities. *The*
16 *joint transition planning policy shall describe how the county office*
17 *of education and the county probation department shall assist*
18 *eligible youth in completing the Free Application for Federal*
19 *Student Aid (FAFSA) and admission applications for postsecondary*
20 *educational institutions.*

21 *SEC. 4. Section 51225.1 of the Education Code is amended to*
22 *read:*

23 51225.1. (a) Notwithstanding any other law, a school district
24 shall exempt a pupil in foster care, as defined in Section 51225.2,
25 ~~or~~ a pupil who is a homeless child or youth, as defined in Section
26 11434a(2) of Title 42 of the United States Code, *or a former*
27 *juvenile court school pupil* who transfers between schools any
28 time after the completion of the pupil's second year of high school
29 from all coursework and other requirements adopted by the
30 governing board of the school district that are in addition to the
31 statewide coursework requirements specified in Section 51225.3,
32 unless the school district makes a finding that the pupil is
33 reasonably able to complete the school district's graduation
34 requirements in time to graduate from high school by the end of
35 the pupil's fourth year of high school.

36 (b) If the school district determines that the pupil in foster care,
37 ~~or~~ the pupil who is a homeless child or youth, *or the former juvenile*
38 *court school pupil* is reasonably able to complete the school
39 district's graduation requirements within the pupil's fifth year of
40 high school, the school district shall do all of the following:

1 (1) Inform the pupil of his or her option to remain in school for
2 a fifth year to complete the school district's graduation
3 requirements.

4 (2) Inform the pupil, and the person holding the right to make
5 educational decisions for the pupil, about how remaining in school
6 for a fifth year to complete the school district's graduation
7 requirements will affect the pupil's ability to gain admission to a
8 postsecondary educational institution.

9 (3) Provide information to the pupil about transfer opportunities
10 available through the California Community Colleges.

11 (4) Permit the pupil to stay in school for a fifth year to complete
12 the school district's graduation requirements upon agreement with
13 the pupil, if the pupil is 18 years of age or older, or, if the pupil is
14 under 18 years of age, upon agreement with the person holding
15 the right to make educational decisions for the pupil.

16 (c) To determine whether a pupil in foster care, ~~or~~ a pupil who
17 is a homeless child or youth, *or a former juvenile court school*
18 *pupil* is in the third or fourth year of high school, either the number
19 of credits the pupil has earned to the date of transfer or the length
20 of the pupil's school enrollment may be used, whichever will
21 qualify the pupil for the exemption.

22 (d) (1) (A) Within 30 calendar days of the date that a pupil in
23 foster care who may qualify for the exemption from local
24 graduation requirements pursuant to this section transfers into a
25 school, the school district shall notify the pupil, the person holding
26 the right to make educational decisions for the pupil, and the pupil's
27 social worker or probation officer of the availability of the
28 exemption and whether the pupil qualifies for an exemption.

29 (B) If the school district fails to provide timely notice pursuant
30 to subparagraph (A), the pupil described in subparagraph (A) shall
31 be eligible for the exemption from local graduation requirements
32 pursuant to this section once notified, even if that notification
33 occurs after the termination of the court's jurisdiction over the
34 pupil, if the pupil otherwise qualifies for the exemption pursuant
35 to this section.

36 (2) (A) Within 30 calendar days of the date that a pupil who is
37 a homeless child or youth may qualify for the exemption from
38 local graduation requirements pursuant to this section transfers
39 into a school, the school district shall notify the pupil, the person
40 holding the right to make educational decisions for the pupil, and

1 the local educational agency liaison for homeless children and
2 youth designated pursuant to Section 11432(g)(1)(J)(ii) of Title
3 42 of the United States Code, of the availability of the exemption
4 and whether the pupil qualifies for an exemption.

5 (B) If the school district fails to provide timely notice pursuant
6 to subparagraph (A), the pupil described in subparagraph (A) shall
7 be eligible for the exemption from local graduation requirements
8 pursuant to this section once notified, even if that notification
9 occurs after the pupil is no longer a homeless child or youth, if the
10 pupil otherwise qualifies for the exemption pursuant to this section.

11 (3) (A) *Within 30 calendar days of the date that a former*
12 *juvenile court school pupil may qualify for the exemption from*
13 *local graduation requirements pursuant to this section transfers*
14 *into a school, the school district shall notify the pupil, the person*
15 *holding the right to make educational decisions for the pupil, and*
16 *the pupil's social worker or probation officer of the availability*
17 *of the exemption and whether the pupil qualifies for an exemption.*

18 (B) *If the school district fails to provide timely notice pursuant*
19 *to subparagraph (A), the pupil described in subparagraph (A)*
20 *shall be eligible for the exemption from local graduation*
21 *requirements pursuant to this section once notified, even if that*
22 *notification occurs after termination of the court's jurisdiction*
23 *over the pupil, if the pupil otherwise qualifies for the exemption*
24 *pursuant to this section.*

25 (e) If a pupil in foster care, ~~or~~ a pupil who is a homeless child
26 or youth, *or a former juvenile court school pupil* is exempted from
27 local graduation requirements pursuant to this section and
28 completes the statewide coursework requirements specified in
29 Section 51225.3 before the end of his or her fourth year of high
30 school and that pupil would otherwise be entitled to remain in
31 attendance at the school, a school or school district shall not require
32 or request that the pupil graduate before the end of his or her fourth
33 year of high school.

34 (f) If a pupil in foster care, ~~or~~ a pupil who is a homeless child
35 or youth, *or a former juvenile court school pupil* is exempted from
36 local graduation requirements pursuant to this section, the school
37 district shall notify the pupil and the person holding the right to
38 make educational decisions for the pupil how any of the
39 requirements that are waived will affect the pupil's ability to gain
40 admission to a postsecondary educational institution and shall

1 provide information about transfer opportunities available through
 2 the California Community Colleges.

3 (g) A pupil in foster care, ~~or~~ a pupil who is a homeless child or
 4 youth, *or a former juvenile court school pupil* who is eligible for
 5 the exemption from local graduation requirements pursuant to this
 6 section and would otherwise be entitled to remain in attendance
 7 at the school shall not be required to accept the exemption or be
 8 denied enrollment in, or the ability to complete, courses for which
 9 he or she is otherwise eligible, including courses necessary to
 10 attend an institution of higher education, regardless of whether
 11 those courses are required for statewide graduation requirements.

12 (h) If a pupil in foster care, ~~or~~ a pupil who is a homeless child
 13 or youth, *or a former juvenile court school pupil* is not exempted
 14 from local graduation requirements or has previously declined the
 15 exemption pursuant to this section, a school district shall exempt
 16 the pupil at any time if an exemption is requested by the pupil and
 17 the pupil qualifies for the exemption.

18 (i) If a pupil in foster care, ~~or~~ a pupil who is a homeless child
 19 or youth, *or a former juvenile court school pupil* is exempted from
 20 local graduation requirements pursuant to this section, a school
 21 district shall not revoke the exemption.

22 (j) (1) If a pupil in foster care is exempted from local graduation
 23 requirements pursuant to this section, the exemption shall continue
 24 to apply after the termination of the court’s jurisdiction over the
 25 pupil while he or she is enrolled in school or if the pupil transfers
 26 to another school or school district.

27 (2) If a pupil who is a homeless child or youth is exempted from
 28 local graduation requirements pursuant to this section, the
 29 exemption shall continue to apply after the pupil is no longer a
 30 homeless child or youth while he or she is enrolled in school or if
 31 the pupil transfers to another school or school district.

32 (3) *If a former juvenile court school pupil is exempted from*
 33 *local graduation requirements pursuant to this section, the*
 34 *exemption shall continue to apply after the termination of the*
 35 *court’s jurisdiction over the pupil while he or she is enrolled in*
 36 *school or if the pupil transfers to another school or school district.*

37 (k) A school district shall not require or request a pupil in foster
 38 care, ~~or~~ a pupil who is a homeless child or youth, *or a former*
 39 *juvenile court school pupil* to transfer schools in order to qualify
 40 the pupil for an exemption pursuant to this section.

1 (l) (1) A pupil in foster care, the person holding the right to
2 make educational decisions for the pupil, the pupil’s social worker,
3 or the pupil’s probation officer shall not request a transfer solely
4 to qualify the pupil for an exemption pursuant to this section.

5 (2) A pupil who is a homeless child or youth, the person holding
6 the right to make educational decisions for the pupil, or the local
7 educational agency liaison for homeless children and youth
8 designated pursuant to Section 11432(g)(1)(J)(ii) of Title 42 of
9 the United States Code, shall not request a transfer solely to qualify
10 the pupil for an exemption pursuant to this section.

11 (3) *A former juvenile court school pupil, the person holding the*
12 *right to make educational decisions for the pupil, the pupil’s social*
13 *worker, or the pupil’s probation officer shall not request a transfer*
14 *solely to qualify the pupil for an exemption pursuant to this section.*

15 (m) (1) A complaint of noncompliance with the requirements
16 of this section may be filed with the local educational agency under
17 the Uniform Complaint Procedures set forth in Chapter 5.1
18 (commencing with Section 4600) of Division 1 of Title 5 of the
19 California Code of Regulations.

20 (2) A complainant not satisfied with the decision of a local
21 educational agency may appeal the decision to the department
22 pursuant to Chapter 5.1 (commencing with Section 4600) of
23 Division 1 of Title 5 of the California Code of Regulations and
24 shall receive a written decision regarding the appeal within 60
25 days of the department’s receipt of the appeal.

26 (3) If a local educational agency finds merit in a complaint, or
27 the Superintendent finds merit in an appeal, the local educational
28 agency shall provide a remedy to the affected pupil.

29 (4) Information regarding the requirements of this section shall
30 be included in the annual notification distributed to, among others,
31 pupils, parents or guardians of pupils, employees, and other
32 interested parties pursuant to Section 4622 of Title 5 of the
33 California Code of Regulations.

34 *SEC. 5. Section 51225.2 of the Education Code is amended to*
35 *read:*

36 51225.2. (a) ~~(1)~~ For purposes of this section, ~~“pupil”~~ *the*
37 *following definitions apply:*

38 (1) *“Pupil in foster care”* means a child who has been removed
39 from his or her home pursuant to Section 309 of the Welfare and
40 Institutions Code, is the subject of a petition filed under Section

1 300 or 602 of the Welfare and Institutions Code, or has been
2 removed from his or her home and is the subject of a petition filed
3 under Section 300 or 602 of the Welfare and Institutions Code.

4 (2) ~~For purposes of this section, “pupil~~ “Pupil who is a homeless
5 child or youth” means a pupil who meets the definition of
6 “homeless child or youth” in Section 11434a(2) of Title 42 of the
7 United States Code.

8 (3) “Former juvenile court school pupil” means a pupil who,
9 upon completion of the pupil’s second year of high school, transfers
10 to a school district from a juvenile court school.

11 (b) Notwithstanding any other law, a school district and county
12 office of education shall accept coursework satisfactorily completed
13 by a pupil in foster ~~care~~ ~~or care~~, a pupil who is a homeless child
14 or youth, or a former juvenile court school pupil while attending
15 another public school, a juvenile court school, or a nonpublic,
16 nonsectarian school or agency even if the pupil did not complete
17 the entire course and shall issue that pupil full or partial credit for
18 the coursework completed.

19 (c) The credits accepted pursuant to subdivision (b) shall be
20 applied to the same or equivalent course, if applicable, as the
21 coursework completed in the prior public school, juvenile court
22 school, or nonpublic, nonsectarian school or agency.

23 (d) A school district or county office of education shall not
24 require a pupil in foster ~~care~~ ~~or care~~, a pupil who is a homeless
25 child or ~~youth~~ youth, or a former juvenile court school pupil to
26 retake a course if the pupil has satisfactorily completed the entire
27 course in a public school, a juvenile court school, or a nonpublic,
28 nonsectarian school or agency. If the pupil did not complete the
29 entire course, the school district or county office of education shall
30 not require the pupil to retake the portion of the course the pupil
31 completed unless the school district or county office of education,
32 in consultation with the holder of educational rights for the pupil,
33 finds that the pupil is reasonably able to complete the requirements
34 in time to graduate from high school. When partial credit is
35 awarded in a particular course, the pupil in foster ~~care~~ ~~or care~~, the
36 pupil who is a homeless child or ~~youth~~ youth, or the former juvenile
37 court school pupil shall be enrolled in the same or equivalent
38 course, if applicable, so that the pupil may continue and complete
39 the entire course.

1 (e) A pupil in foster-care or care, a pupil who is a homeless
2 child or youth youth, or a former juvenile court school pupil shall
3 not be prevented from retaking or taking a course to meet the
4 eligibility requirements for admission to the California State
5 University or the University of California.

6 (f) (1) A complaint of noncompliance with the requirements
7 of this section may be filed with the local educational agency under
8 the Uniform Complaint Procedures set forth in Chapter 5.1
9 (commencing with Section 4600) of Division 1 of Title 5 of the
10 California Code of Regulations.

11 (2) A complainant not satisfied with the decision of a local
12 educational agency may appeal the decision to the department
13 pursuant to Chapter 5.1 (commencing with Section 4600) of
14 Division 1 of Title 5 of the California Code of Regulations and
15 shall receive a written decision regarding the appeal within 60
16 days of the department’s receipt of the appeal.

17 (3) If a local educational agency finds merit in a complaint, or
18 the Superintendent finds merit in an appeal, the local educational
19 agency shall provide a remedy to the affected pupil.

20 (4) Information regarding the requirements of this section shall
21 be included in the annual notification distributed to, among others,
22 pupils, parents or guardians of pupils, employees, and other
23 interested parties pursuant to Section 4622 of Title 5 of the
24 California Code of Regulations.

25 *SEC. 6. If the Commission on State Mandates determines that*
26 *this act contains costs mandated by the state, reimbursement to*
27 *local agencies and school districts for those costs shall be made*
28 *pursuant to Part 7 (commencing with Section 17500) of Division*
29 *4 of Title 2 of the Government Code.*

30 ~~SECTION 1. Section 51225 is added to the Education Code,~~
31 ~~to read:~~

32 ~~51225. (a) Notwithstanding any other law, for a pupil who at~~
33 ~~any time after he or she completes 10th grade transfers to a school~~
34 ~~district from a juvenile court school, the school district shall exempt~~
35 ~~the pupil from all other coursework requirements for graduation~~
36 ~~adopted by the governing board of the school district that are in~~
37 ~~addition to the statewide coursework requirements specified in~~
38 ~~Section 51225.3, unless the school district makes a finding that~~
39 ~~the pupil is reasonably able to complete the additional coursework~~
40 ~~requirements in time to graduate from high school.~~

1 ~~(b) If a pupil completes the statewide coursework requirements~~
2 ~~for graduation specified in Section 51225.3 while attending a~~
3 ~~juvenile court school, the county office of education shall issue to~~
4 ~~the pupil a diploma of graduation and shall not require the pupil~~
5 ~~to complete other coursework requirements that are in addition to~~
6 ~~the statewide coursework requirements.~~

7 ~~(e) (1) Within 30 calendar days of the date that a pupil who~~
8 ~~may qualify for the exemption from local graduation requirements~~
9 ~~pursuant to subdivision (a) transfers into a school, the school~~
10 ~~district shall notify the pupil, the person holding the right to make~~
11 ~~educational decisions for the pupil, and the pupil's social worker~~
12 ~~or probation officer of the availability of the exemption and~~
13 ~~whether the pupil qualifies for an exemption.~~

14 ~~(2) If the school district fails to provide timely notice pursuant~~
15 ~~to paragraph (1), the pupil shall be eligible for the exemption from~~
16 ~~local graduation requirements pursuant to this section once notified,~~
17 ~~even if that notification occurs after the termination of the court's~~
18 ~~jurisdiction over the pupil, if the pupil otherwise qualifies for the~~
19 ~~exemption pursuant to this section.~~

20 ~~SEC. 2. If the Commission on State Mandates determines that~~
21 ~~this act contains costs mandated by the state, reimbursement to~~
22 ~~local agencies and school districts for those costs shall be made~~
23 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
24 ~~4 of Title 2 of the Government Code.~~