

AMENDED IN SENATE MAY 1, 2013

SENATE BILL

No. 237

Introduced by Senator Calderon
(Coauthor: Assembly Member Brown)

February 12, 2013

An act to amend Sections 51430 and 51442 of the Education Code, relating to retroactive high school diplomas.

LEGISLATIVE COUNSEL'S DIGEST

SB 237, as amended, Calderon. High school diplomas: retroactive high school diplomas; *diplomas: veterans.*

Existing law authorizes a high school district, unified school district, or county office of education to retroactively grant a high school diploma to veterans of World War II, the Korean War, or the Vietnam War, under specified conditions. Existing law also defines “veteran” for the purpose of retroactive high school diplomas.

This bill would make those provisions applicable to all veterans, and would revise the definition of veteran for purposes of those provisions to include, among other things, service in humanitarian missions.

Existing law also requires each pupil completing grade 12, unless he or she is granted a waiver for specified reasons, to successfully pass the high school exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school.

This bill would authorize the governing board of a high school district, unified school district, or county office of education, before granting a retroactive high school diploma, as specified, to require a person eligible to receive a retroactive high school diploma to pass the high school exit examination.

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

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

1 SECTION 1. Section 51430 of the Education Code is amended
2 to read:
3 51430. (a) Notwithstanding any other law, *and except as*
4 *provided in subdivision (c)*, a high school district, unified school
5 district, or county office of education may retroactively grant a
6 high school diploma to a person who has not received a high school
7 diploma if he or she meets either of the following conditions:
8 (1) The person was interned by order of the federal government
9 during World War II and was enrolled in a high school operated
10 by the school district or under the jurisdiction of the county office
11 of education immediately preceding his or her internment and did
12 not receive a high school diploma because his or her education
13 was interrupted due to his or her internment during World War II.
14 (2) The person is a veteran, as defined in Section 51442, was
15 honorably discharged from his or her military service, was enrolled
16 in a high school operated by the school district or under the
17 jurisdiction of the county office of education immediately
18 preceding his or her military service, and did not receive a high
19 school diploma because his or her education was interrupted due
20 to his or her military service.
21 (b) A high school district, unified school district, or county
22 office of education may retroactively grant a high school diploma
23 to a deceased person who meets the conditions of paragraph (1)
24 or (2) of subdivision (a), to be received by the next of kin of the
25 deceased person.
26 (c) *The governing board of a high school district, unified school*
27 *district, or county office of education may, before granting a*
28 *retroactive high school diploma pursuant to subdivision (a),*
29 *require a person who is eligible to receive a retroactive high school*
30 *diploma to pass the high school exit examination required for high*
31 *school graduation pursuant to Chapter 9 (commencing with Section*
32 *60850) of Part 33.*
33 SEC. 2. Section 51442 of the Education Code is amended to
34 read:

1 51442. For purposes of this article, “veteran” means a person
2 who has served 90 days or more in the military service of the
3 United States during a war with a foreign power, as defined in
4 Section 22804, a humanitarian mission, or any national emergency
5 declared by the President of the United States and who has received
6 an honorable discharge from that service.

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