
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair

2021 - 2022 Regular Session

SB 532 (Caballero) - Pupil instruction: high school coursework and graduation requirements: exemptions

Version: April 8, 2021

Policy Vote: ED. 7 - 0

Urgency: No

Mandate: Yes

Hearing Date: April 19, 2021

Consultant: Lenin Del Castillo

Bill Summary: This bill expands the ability for certain groups of at-risk students to be exempted from local graduation requirements and requires local educational agencies (LEAs) to provide those students the option to remain in school for a fifth year to complete the statewide coursework requirements.

Fiscal Impact:

- This bill could result in unknown, potentially significant ongoing reimbursable state mandated costs for LEAs to modify procedures for determining which students are exempt, notifying the appropriate parties, providing guidance regarding the bill's requirements, and to investigate and resolve complaints. LEAs could also incur one-time costs to update the annual uniform complaint procedures (UCP) notice.
- There would likely be a minor increase in average daily attendance (ADA) funding, to the extent that students affected by this measure decide to continue to attend high school for a 5th year.

Background: Existing state law establishes a minimum set of courses required for high school graduation. The governing boards of LEAs are authorized to supplement the state minimum requirements at the local level. In addition, the University of California and the California State University require a minimum 15-unit pattern of courses for admission as a first-time freshman. These requirements exceed the minimum state graduation requirements.

Existing law requires school districts to exempt students in foster care, those who are homeless, and students who transfer from juvenile court schools and students who transfer between schools any time after the completion of the students' second year of high school from all coursework and other requirements that are in addition to state graduation requirements, unless a school district makes a finding that a student is reasonably able to complete the school district's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school.

Further, existing law requires a school district or a county office of education to accept coursework satisfactorily completed in another school by a student in foster care, a student who is homeless, and a student who transfers from juvenile court schools, even if the student did not complete an entire course, and requires that a student be issued full or partial credit for work completed.

Proposed Law: This bill requires an LEA, if the LEA determines that a mobile student is reasonably able to complete the LEA's graduation requirements within the student's fifth year of high school, to inform a pupil in foster care or the pupil who is a homeless child or youth of the pupil's option to remain in the pupil's school of origin, pursuant to federal law. For pupils with significant gaps in school attendance, the bill authorizes the pupil's age as compared to the average age of pupils in the third or fourth year of high school to be used to determine whether a mobile student is in the third or fourth year of high school.

This bill requires a school district to exempt a mobile student who was at one point eligible for the exemption, but who was not properly notified of the availability of the exemption or who declined the exemption, if at any time the mobile student later requests the exemption, even if the student is no longer homeless or the court's jurisdiction over the pupil has terminated.

This bill requires a school district to provide a mobile student the option to remain in school for a fifth year to complete the statewide coursework requirements, if the mobile student, who transferred between schools any time after the completion of the student's second year of high school, is not reasonably able to complete the school district's graduation requirements within the student's fifth year of high school, but is reasonably able to complete the statewide coursework requirements within the student's fifth year of high school.

This bill requires a school district to reevaluate a mobile student's eligibility within the first 30 calendar days of the next academic year after they were determined to be ineligible, in order to determine if the student continues to be reasonably able to complete the school district's graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school. If the student is not reasonably able to complete the school district's graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school, the school district must exempt the student from all coursework and other requirements adopted by the governing board of the school district that are in addition to the statewide coursework requirements and notification of the availability of the exemption.

This bill extends the exemptions provisions to mobile students who are enrolled in an adult education program, regardless of their age, and to students enrolled in an adult education program, who, while enrolled in high school, would have qualified as mobile students. It specifies that for purposes of the exemptions provisions for a student who is an unaccompanied youth, as that term is defined in federal law, the "person holding the right to make educational decisions for the pupil" is the unaccompanied youth themselves.

This bill requires each LEA to report to the CDE annually the number of students that graduate with an exemption from the LEA's graduation requirements that are in addition to the statewide coursework requirements, and requires that data to be reported for students graduating in the fourth year and fifth year cohorts, and to be disaggregated by student category.

Related Legislation: AB 2121 (Cabellero, Chapter 581, Statutes of 2018) extended to students who are migratory children and to students participating in a newcomer

program certain rights regarding exemptions from local graduation requirements and acceptance of partial credit that are currently afforded to other groups of highly mobile students, and extended the applicability of those provisions to charter schools.

Staff Comments: This bill expands requirements on LEAs related to local graduation requirements exemptions. While the graduation exemptions are consistent with existing law, this bill's new implementation requirements are likely to constitute a new reimbursable mandate. School districts will incur costs to modify procedures for determining which pupils are exempt, notifying the appropriate parties, and providing guidance regarding the bill's requirements. The extent of these costs will depend upon how the new mandate is implemented at the local level. Most districts will only have minor costs, and may not seek reimbursement for these changes; if they do, however, those costs are likely to be deemed reimbursable by the Commission on State Mandates.

This bill expands the UCP process to include the bill's provisions for which complaints may be made to LEAs. Once a complaint is received, LEAs are required to investigate and resolve it in accordance with requirements in state regulations. Based on the Commission on State Mandate's statewide cost estimate for the existing UCP mandate, the costs to address a complaint can vary significantly. Specifically, the costs submitted by 12 school districts varied due to the type of staff used and the time staff took to handle claims. Staff were paid between \$52 and \$175 per hour and spent from nine to 105 hours per claim. Assuming 10-20 complaints from school districts were to materialize for noncompliance, costs could range from about \$5,000 or \$10,000 (assume the lowest staff costs and minimal hours spent on a complaint) to about \$200,000 to \$400,000 (assuming the highest paid staff and maximum hours spent on a complaint) statewide. And if the Commission determines the bill's requirements to be a state reimbursable mandate, it could create pressure for the state to increase funding in the K-12 mandate block grant to reflect its inclusion.

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