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**THIRD READING**

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Bill No: SB 532  
Author: Caballero (D), et al.  
Amended: 4/8/21  
Vote: 21

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SENATE EDUCATION COMMITTEE: 7-0, 3/17/21  
AYES: Leyva, Ochoa Bogh, Cortese, Dahle, Glazer, McGuire, Pan

SENATE APPROPRIATIONS COMMITTEE: 7-0, 5/20/21  
AYES: Portantino, Bates, Bradford, Jones, Kamlager, Laird, Wieckowski

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**SUBJECT:** Pupil instruction: high school coursework and graduation requirements: exemptions

**SOURCE:** California Youth Connection  
Los Angeles County Office of Education  
SchoolHouse Connection

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**DIGEST:** This bill: (1) expands and strengthens the rights for foster youth, homeless youth, former juvenile court school students, children of military families, and migratory children to be exempted from local graduation requirements if certain conditions are met; (2) 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 if certain conditions are met; and (3) requires LEAs to annually report to the California Department of Education (CDE) on the number of students, who in the prior school year, graduated with an exemption from the LEA's local graduation requirements.

**ANALYSIS:**

Existing law:

- 1) Requires LEAs to exempt students in foster care, students who are homeless children or youth, former juvenile court school students, students who are children of military families, and students participating in a newcomer program

(hereafter “mobile 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 an LEA makes a finding that a student is reasonably able to complete the LEA’s graduation requirements in time to graduate from high school by the end of the student’s fourth year of high school. (Education Code § 51225.1)

- 2) Requires an LEA, if the LEA determines that the mobile student is reasonably able to complete the LEA’s graduation requirements within the student’s fifth year of high school, to do all of the following:
  - a) Inform the student of his or her option to remain in school for a fifth year to complete the LEA’s graduation requirements.
  - b) Inform the student, and the person holding the right to make educational decisions for the student, about how remaining in school for a fifth year to complete the LEA’s graduation requirements will affect the student’s ability to gain admission to a postsecondary educational institution.
  - c) Provide information to the student about transfer opportunities available through the California Community Colleges.
  - d) Permit the student to stay in school for a fifth year to complete the LEA’s graduation requirements upon agreement with the student, if the student is 18 years of age or older, or, if the student is under 18 years of age, upon agreement with the person holding the right to make educational decisions for the student. (EC § 51225.1)
- 3) Requires, in order to determine whether a mobile student is in the third or fourth year of high school, either the number of credits the student has earned to the date of transfer or the length of the student’s school enrollment to be used, whichever will qualify the student for the exemption. (EC § 51225.1)
- 4) Requires an LEA, within 30 calendar days of the date that a mobile student who may qualify for the transfers into a school, to notify the student, the person holding the right to make educational decisions for the student, and the student’s social worker or probation officer, or LEA liaison for homeless children and youth, as applicable, of the availability of the exemption and whether the student qualifies for an exemption. (EC § 51225.1)
- 5) Requires, if an LEA fails to provide timely notice, the mobile student to be eligible for the exemption from local graduation requirements once notified, even if that notification occurs after the student no longer meets the definition of a student in foster care, a student who is a homeless child or youth, a former

juvenile court school student, or a student who is a child of a military family, if the student otherwise qualifies for the exemption. (EC § 51225.1)

- 6) Prohibits a mobile student who is eligible for the exemption and would otherwise be entitled to remain in attendance at the school from being required to accept the exemption or from being denied enrollment in, or the ability to complete, courses for which he or she is otherwise eligible, including courses necessary to attend an institution of higher education, regardless of whether those courses are required for statewide graduation requirements. (EC § 51225.1)
- 7) Requires an LEA, if a mobile student is not exempted or has previously declined the exemption, to exempt the student at any time if an exemption is requested by the student and the student qualifies for the exemption. (EC § 51225.1)
- 8) Prohibits an LEA from revoking the exemption. (EC § 51225.1)
- 9) Requires a mobile student's exemption to continue to apply after the termination of the court's jurisdiction over the student, after the student is no longer a homeless child or youth, or after the student no longer meets the definition of "children of military families," as applicable, while he or she is enrolled in school or if the student transfers to another school or LEA. (EC § 51225.1)
- 10) Prohibits an LEA from requiring or requesting a mobile student to transfer schools in order to qualify the student for an exemption. (EC § 51225.1)

This bill expands and strengthens the rights for foster youth, homeless youth, former juvenile court school students, children of military families, migratory children, and students participating in a newcomer program to be exempted from local graduation requirements if certain conditions are met; requires LEAs to provide those students the option to remain in school for a fifth year to complete the statewide coursework requirements if certain conditions are met; and requires LEAs to annually report to the CDE on the number of students, who in the prior school year, graduated with an exemption from the LEA's local graduation requirements. Specifically, this bill:

- 1) 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.

- 2) Authorizes, for pupils with significant gaps in school attendance, 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.
- 3) Requires an LEA 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 or the person holding their educational rights later requests the exemption, even if the student is no longer homeless or the court's jurisdiction over the pupil has terminated.
- 4) Requires an LEA 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.
- 5) Requires an LEA, within the first 30 calendar days of the next academic year after they were determined to be ineligible because the LEA found that the pupil was reasonably able to complete the LEA's requirements in time to graduate from high school by the end of the pupil's fourth year of high school, to reevaluate eligibility 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 LEA's graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school, the LEA 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.
- 6) 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.

- 7) 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.
- 8) Requires each LEA to report to the CDE annually on the number of students who, for the prior school year, graduated 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.

## Comments

- 1) *Need for this bill.* According to the author’s office, “This bill aims to strengthen Education Code 51225.1, which currently provides expanded opportunities to achieve a high school diploma for highly mobile students (students who experiencing homelessness, are in foster care, formerly in juvenile court school, are in military families, are migrant or in the newcomer program), that experience a school move after their second year in high school. Currently Ed. Code 51225.1 provides students with the option to opt into a 5th year of high school to complete LEA coursework requirements that are in addition to the statewide coursework requirements, or graduate with an exemption from LEA coursework requirements in their fourth year of high school.”
- 2) *Statewide graduation requirements vs. local graduation requirements.* Since the 1986-87 school year, the Education Code has required students receiving a diploma from a California high school to have completed all of the following one-year (unless otherwise specified) courses while in high school:
  - Three courses in English.
  - Two courses in mathematics, including one year of Algebra I.
  - Two courses in science, including biological and physical sciences.
  - 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.
  - One course in visual or performing arts, foreign language, or commencing with the 2012-13 school year, career technical education.
  - Two courses in physical education.

Existing law authorizes local school district governing boards to impose additional graduation requirements beyond the state-mandated graduation requirements, and many school districts and charter schools have added some additional local graduation requirements, such as four years of English or three years of math, or a health course, and some have even incorporated the robust University of California/California State University A-G admission requirements into their local graduation requirements.

- 3) *Effect of mobility on academic outcomes.* Numerous studies indicate that student mobility is associated with poor educational outcomes. One meta-analysis (Mehana, 2004) on the effects of school mobility on reading and math achievement in the elementary grades found the equivalent of a 3–4 month performance disadvantage in achievement. Another (Reynolds, 2009) found that frequent mobility was associated with significantly lower reading and math achievement by up to a third of a standard deviation, and that students who moved three or more times had rates of school dropout that was nearly one-third of a standard deviation higher than those who were school stable. One longitudinal study (Temple, 1999) found that half of the one year difference between mobile and non-mobile students could be attributed to mobility, and that it is “frequent, rather than occasional, mobility that significantly increases the risk of underachievement.” Another longitudinal study (Herbers, 2014) found that students who experience more school changes between kindergarten and twelfth grade are less likely to complete high school on time, complete fewer years of school, and attain lower levels of occupational prestige, even when controlling for poverty. Results of this study indicated more negative outcomes associated with moves later in the grade school career, particularly between fourth and eighth grade.
  
- 4) *Mobile student graduation rates.* Below is a table of the statewide graduation rates for mobile students, which are significantly less than the overall statewide graduation rate:

Student Group	2018-19 4-Year Cohort	2019-20 5-Year Cohort	2018-19 4-Year Grads	2019-20 5-Year Grads	2018-19 4-Year Rate	2019-20 5-Year Rate
Statewide	494,337	494,635	417,496	430,108	84.5%	87.0%
Foster Students	7,647	7,665	4,279	4,767	56.0%	62.2%
Homeless Students	34,470	34,563	24,122	25,852	70.0%	74.8%
Migrant Students	5,621	5,628	4,586	4,778	81.6%	84.9%

- 5) *Expanding the 5th year option.* Under existing law, LEAs must offer a 5th year option to mobile students that qualify for the local graduation requirement exemption in order to meet those local graduation requirements (or exempt them from those requirements if the student so chooses). This bill would extend the requirement to offer a 5th year option to mobile students in order to satisfy just the statewide graduation requirements if it appears they won't reasonably able to satisfy the statewide requirements within four years. Under the local control funding formula, 5th year students continue to generate average daily attendance.

### **Related/Prior 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.

AB 365 (Muratsuchi, Chapter 739, Statutes of 2017) extended to students from military families certain rights regarding exemptions from local graduation requirements and acceptance of partial credit which are currently afforded to other groups of highly mobile students.

**FISCAL EFFECT:** Appropriation: No    Fiscal Com.: Yes    Local: Yes

According to the Senate Appropriations Committee, 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 notice.

There would likely be a minor increase in average daily attendance funding, to the extent that students affected by this measure decide to continue to attend high school for a 5th year.

**SUPPORT:** (Verified 5/21/21)

California Youth Connection (co-source)

Los Angeles County Office of Education (co-source)

SchoolHouse Connection (co-source)

ACLU of California

California Association for Bilingual Education

California Teachers Association  
Californians Together  
Ceres Unified School District  
Children Now  
Disability Rights California  
John Burton Advocates for Youth  
Law Foundation of Silicon Valley  
Lawyers Committee for Civil Rights of the San Francisco Bay Area  
Monterey County Office of Education  
National Association of Social Workers, California Chapter  
National Center for Youth Law  
Parent Institute for Quality Education  
Patterson Joint Unified School District  
Public Advocates  
Public Counsel  
Santa Clara County Office of Education  
Teach Plus  
Youth Law Center

**OPPOSITION:** (Verified 5/21/21)

None received

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