



**Los Angeles County  
Office of Education**

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## **SB532 (Caballero) Expanding Access to High School Diplomas for Highly Mobile Students**

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### **Overview**

A high school diploma is a documented pathway out of poverty for many young people. A high school diploma offers access to a wide array of career, educational and vocational opportunities. Research shows that students who experience homelessness, are in foster care or formerly in juvenile court school, are in military families, or are migrant, experience higher than average school mobility, chronic absenteeism, discipline, and lower educational achievements. Additionally, students that do not achieve a high school diploma are at greater risk for negative life outcomes such as health disparities, lower employment earnings, homelessness, and criminal justice involvement. Not attaining a high school degree is the greatest single risk factor for homelessness as a young adult.<sup>1</sup> **Amending Education Code 51225.1 can help to build bridges to a high school diploma and post-secondary success for highly mobile students with unique needs by ensuring that they can access a pathway to graduation.** Minor amendments to this law can streamline implementation for schools, raise graduation rates for mobile students, and ensure that all eligible students can access its supports.

Currently, E.C. 51225.1 offers additional opportunities to achieve a high school diploma for students who experience homelessness, are in foster care, formerly in juvenile court school, are in military families, are migrant or in newcomer program. These expanded opportunities to achieve a high school diploma are currently triggered for students that experience a school move after their second year in high school or enroll in school in their third or fourth year as newcomers. State statute requires school districts, county offices of education, and charter schools to assess and determine eligibility for highly mobile students to access a fifth year of high school and the ability to receive a exemption from local school district coursework requirements that are in addition to the state coursework requirements for a diploma.

Strengthening E.C. 51225.1 will help to mitigate a permanent, post-pandemic departure from school for California's highly mobile students. California must prioritize strengthening pathways to graduation for highly mobile youth; their future educational, employment and life opportunities depend on access to a high school diploma.

### **SB532 Proposes to Strengthen Education Code by:**

1. Proposes to *clarify* the education code to include requirements for school districts, county offices of education and charter schools to inform pupils who are foster youth or homeless of their option ***to remain in the pupil's school of origin when they opt into a fifth year of high school*** (as provided by state law).
2. Proposes to *amend* the education code to provide eligible pupils ***the option to remain in school for a fifth year to complete the statewide coursework requirements.***
3. ***For pupils with significant gaps in attendance, allow an LEA to utilize the pupil's age compared to the average age of pupils in the third or fourth year of high school*** to determine their eligibility for the exemption.
4. Proposes ***to require school districts to exempt pupils from local graduation requirements*** when requested if, (1) *the pupil was not notified of eligibility for the exemption* or (2) *the pupil declined the exemption, even if they are no longer experiencing homelessness, or the court jurisdiction (foster or juvenile) has ended.*
5. Proposes to require school districts to reevaluate pupils not eligible for the exemption (1) ***during the first 30 days of the academic year that follows the school move to determine if the pupil continues to make academic progress to complete the school districts course work requirements*** (2) ***if the pupil is not reasonably able to complete the school district coursework requirements by the end of their fourth year, the school district shall offer to exempt the pupil from all coursework that are in addition to the statewide coursework requirements.***
6. Proposes to *amend* the education code to ***apply to eligible pupils who are enrolled in an adult education program regardless of the pupil's age;*** as well as pupils who ***met the definition for a pupil in foster care, homeless child***

<sup>1</sup> Chapin Hall at the University of Chicago (2019). *Missed Opportunities: Education Among Youth Experiencing Homelessness in America.*

*or youth, a former juvenile court school, military family, or a migratory child while they were enrolled in high school.*

7. ***Require LEA's to report annually the number of pupils that graduate with an exemption from LEA coursework requirements, report the graduation rates for 4 year and 5 year cohorts and disaggregate the data by pupil student group.***
8. Lastly, proposes to amend the education code to *recognize* that federal law empowers pupils identified as unaccompanied homeless youth<sup>2</sup> ***to act as their own educational decision maker for purposes of this section,*** in alignment with the federal McKinney-Vento Act.

## **Background**

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 5<sup>th</sup> year of high school to complete Local Education Agency (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.

To receive a high school diploma, students must fulfill state and district graduation requirements. Each LEA has the right to establish their own local graduation requirements which includes the minimum statewide course requirements. Often LEA's may establish requirements such as those needed by the California State colleges and University of California schools, typically known as A-G requirements, in addition to any other courses the LEA has deemed necessary for graduation. For example, service- learning projects or senior projects. Furthermore, different high schools within an LEA may have different coursework requirements for a diploma. State-mandated graduation coursework requirements (the state minimums) equate to 130 credits and are as follows:

- Three years of English
- Two years of mathematics (including Algebra I)
- Three years of social science (including U.S. history and geography; world history, culture, and geography; one semester of American government; and one semester of economics)
- Two years of science (including biology and physical science)
- Two years of physical education
- One year of foreign language or visual and performing arts or commencing with the 2012–13 school year, career technical education. For purpose of satisfying the minimum course requirement, a course in American Sign Language shall be deemed a course in foreign language EC 51225.3

A high school diploma is a documented pathway out of poverty for many young people. A high school diploma offers access to a wide array of educational, and vocational opportunities. Research shows that students who experience homelessness, are in foster care or formerly in juvenile court school, are in military families, or are migrant, experience higher than average school mobility, chronic absenteeism, discipline, and lower educational achievements. Additionally, students that do not achieve a high school diploma are at greater risk for negative life outcomes such as health disparities, lower employment earnings, homelessness, and criminal justice involvement. Not attaining a high school degree is the greatest single risk factor for homelessness as a young adult.

The COVID19 pandemic and move to distance learning is exacerbating school engagement and learning disparities for these groups of students. California has invested millions of dollars to purchase technology, and access to internet connectivity in an attempt to create equitable access to learning for all students. However, technology, and internet do not fully capture the magnitude of the learning disparities students are facing. The absence of suitable learning environments, lack of support from adults to navigate online learning, trauma, social isolation, and family stressors contribute to the burdens students are carrying. Early anecdotes from LEA's reports of distance learning during the second half of the 19/20 academic year identify lower than average student engagement for all student groups. For example, a report out of LAUSD (the state's largest school district) showed that student engagement in distance learning for students that identified as foster youth or homeless youth peaked at 56% (of students logged on at least once) from school closure in

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<sup>2</sup>The pupil is a homeless child or youth, as defined in paragraph (2) of Section 725 of the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11434a(2)).

March until the end of the school year compared to the general student body, which peaked at 84%<sup>3</sup>. Unfortunately, student engagement for highly mobile students is likely to be lower than the general student population averages.

***The existing law does not go far enough to provide meaningful and realistic opportunities to achieve a diploma for these students. Furthermore, existing law needs to be further clarified to ensure consistent implementation of the law across the state.***

Currently, the law requires LEA's to assess students for eligibility of the exemptions provided under this law during the semester that the student experiences a school move. However, if a student is not assessed for eligibility, declines the exemption, or is found ineligible for the exemption, the existing law does not currently require LEA's to continue to monitor student progress towards graduation or offer another opportunity to opt into the exemption. Instead, existing law places the burden on students to proactively seek opportunities or assistance with meeting graduation requirements. If a student was never notified of their eligibility for exemption, unaware of the exemption, or continues to experience school instability, their ability to achieve a high school diploma diminishes. Data in chart 1 below shows the staggering 4 year and 5 year cohorts graduation rates of highly mobile students as compared to all students California<sup>4</sup>. The proposed amendment would place the responsibility on the LEA to reassess students for eligibility for the exemption in the first 30 days of the following school year after a transfer and, offer the student the exemption in their 4<sup>th</sup> year if they are not able to complete the LEA coursework requirements that are in addition to the statewide requirements.

Over the past few years, many homeless and foster liaisons across the state have grown very concerned with the language contained within EC 51225.1 in regard to allowing students to remain for a fifth year. Not every LEA offers this option. Existing law allows students in foster care and experiencing homelessness to remain in their school of origin. This bill proposes to clarify that a foster child / homeless child can remain in their school of origin if they opt into a 5<sup>th</sup> year of high school (and not be forced to transfer), as well opt into a 5<sup>th</sup> year to complete *only* the statewide coursework requirements. Due to the nature for being highly mobile, a student that experiences a school move after their second year, or experience multiple school transfers, will likely be severely credit deficient. Completing the state minimum coursework requirements in the 4<sup>th</sup> year may as be challenging, as such these students may need a 5<sup>th</sup> year to complete the state minimums. **Once the waiver is offered, it cannot be revoked.** Often, in order to opt into a 5<sup>th</sup> year of high school a school district may require a student to transfer to an adult school, which increases school mobility for that student and further diminishes chances of completing high school.

Unfortunately, some students who want to opt into a 5<sup>th</sup> year to finish high school experience school push out or are encouraged to transfer to the local adult school to complete their diploma or an equivalency diploma. Adult school settings may not honor the previously issued exemption of LEA coursework requirements, and instead require the student to graduate under the adult school requirements. These additional barriers may prohibit a student from finishing high school and push the student to drop out rather than endure these challenges. Furthermore, because of the general life instability highly mobile students face, they often experience significant gaps in attendance and may return to adult schools after long periods of absence and due to their age, may be dissuaded from completing their diploma because they are no longer eligible for the exemption. Thus, allowing students enrolled in adult school to remain eligible for the exemption from LEA coursework requirements, and to do so regardless of their age is critical.

Under the federal McKinney-Vento Act, unaccompanied homeless youth have the right to choose whether to attend their school of origin or a local school, to file disputes on their own behalf, and to enroll and participate fully in school despite lacking a parent or legal guardian. 42 U.S.C. §11432(g)(3). In giving rights directly to students, the McKinney-Vento Act is distinct from other federal education laws, such as the Individuals with Disabilities Education Act (IDEA). The Act also requires state and local educational agencies to review and revise policies to remove barriers to the identification, enrollment, and retention of homeless youth. 42 U.S.C. §11432(g)(1)(I). SB 532 recognizes these federal rights by clarifying that unaccompanied homeless youth can make their own decisions about their rights under Ed. Code 51225.1. This clarification will ensure that unaccompanied youth can participate fully in school and avail themselves of their educational rights. It also fulfills the state's duty under the McKinney-Vento Act to revise its policies to remove barriers

<sup>3</sup> Los Angeles Unified School District (2020). Student Engagement Online During School Facilities Closures: Ana Analysis of L.A. Unified Secondary Students' Schoology Activity from March 16 to May 22, 2020. <http://laschoolboard.org/sites/default/files/IAU%20Report%202020%200707%20-%20Student%20Engagement%20Online%20During%20Closures.pdf>

<sup>4</sup> California Department of Education Data Quest, 2019-20 Five- Year and 2018019 Four-Year Cohort Graduation Rate Comparison. <https://dq.cde.ca.gov/dataquest/dqcensus/Coh5yr4YrComp.aspx?cde=00&agglevel=state&year=2019-20> Accessed on 2.26.21

to unaccompanied youth being able to enroll (which includes full participation under the federal law) and remain in school until graduation. SB 532 does not alter educational decision-making under IDEA or other state or federal laws.

The California Department of Education currently reports graduation rates for students in several manners including, cohort for 4<sup>th</sup> and 5<sup>th</sup> year graduates. This bill would require additional reporting by school districts to identify the number of students that graduate by meeting with an exemption from LEA coursework requirements and disaggregate this data by student group. Graduation data publicly available can be disaggregated by the following student groups: low-income students, foster students, homeless students and migrant students. This data will better help the state understand the impact of Ed. Code 51225.1 exemption and will provide critical data for the longitudinal data system currently in development.

**Chart 1**

Student Group	2018-19 Four-Year Cohort Students	2019-20 Five-Year Cohort Students	2018-19 Four-Year Graduates	2019-20 Five-Year Graduates	2018-19 Four-Year Graduation Rate	2019-20 Five-Year Graduation Rate
<a href="#">Statewide</a>	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%

**Previous legislation that SB532 builds upon**

Bill # / Year	Author	Status	Bill Information
AB167 (2009)	Adams	Chaptered	Created the initial exemption from LEA coursework requirements for a diploma that are in addition to statewide coursework requirements for a diploma for youth in foster care while in the 11 <sup>th</sup> or 12 <sup>th</sup> grade; required notifications of eligibility for exemption and the potential impact of utilizing the exemption on attending post-secondary educational institutions.
AB216 (2013)	Stone	Chaptered	This bill changed the statute to apply to students that experience a school move after their 2 <sup>nd</sup> year of high school; provided the option for pupils to opt into a 5 <sup>th</sup> year to complete LEA coursework requirements for a diploma; established the criteria for determine a pupils' year in school; and prohibited LEA's from requiring pupils to transfer to complete their qualify for the exemption.
AB1806 (2014)	Bloom	Chaptered	Expanded the existing exemptions of LEA coursework requirements and access to a 5 <sup>th</sup> year to students experiencing homelessness as defined by the McKinney-Vento Act.
AB2306 (2016)	Frazier	Chaptered	Expanded the existing exemptions of LEA coursework requirements and access to a 5 <sup>th</sup> year to former juvenile court school students.
AB365 (2017)	Muratsuchi	Chaptered	Expanded the existing exemptions of LEA coursework requirements and access to a 5 <sup>th</sup> year to students of military families.
AB2121 (2018)	Caballero	Chaptered	Expanded the existing exemptions of LEA coursework requirements and access to a 5 <sup>th</sup> year to students that are migratory and newcomers.