



**CALIFORNIA DEPARTMENT
OF EDUCATION**

TOM TORLAKSON
STATE SUPERINTENDENT OF
PUBLIC INSTRUCTION

1430 N STREET, SACRAMENTO, CA 95814-5901 • 916-319-0800 • WWW.CDE.CA.GOV

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Dear County and District Superintendents, Charter School Administrators, and High School Principals:

Coursework and Graduation Requirements for Migratory Children and Newly Arrived Immigrant Pupils

On September 20, 2018, Assembly Bill 2121 was signed into law, requiring local educational agencies to take specific actions relating to migratory children and newly arrived immigrant students. The bill amends California *Education Code (EC)* sections 51225.1 and 51225.2, and it defines the term “Pupil participating in a newcomer program” in Section 51225.2(a)(6). These changes become effective on January 1, 2019.

Existing law requires school districts to exempt foster care, homeless, and former juvenile court students from all locally adopted coursework and requirements that are supplemental to statewide coursework requirements. This exemption also applies to students from military families who transfer between schools any time after the completion of the second year of high school. The amended law extends these provisions to migratory students and newly arrived immigrant students.

EC sections 51225.1 and 51225.2 require school districts, county offices of education, and charter schools to take action when it determines that foster care, homeless, juvenile court, and military family students are reasonably able to complete the local graduation requirements within a fifth year of high school. These sections also require that school districts, county offices of education, and charter schools accept or issue these students full or partial credit for coursework satisfactorily completed while attending another school, even if the student did not complete the entire course. AB 2121 extends these provisions to migratory students and to students participating in an English language proficiency program designed for newly arrived immigrant students who are in their third or fourth year of high school.

For more information regarding legislation affecting English learners, please visit the California Department of Education English Learner Legislation web page at <https://www.cde.ca.gov/sp/el/t3/elleg.asp>.

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If you have questions regarding coursework and high school graduation requirements, please contact Peter Callas, Education Administrator, High School Innovations and Initiatives Office, by phone at 916-319-0669 or by email at pcallas@cde.ca.gov.

If you have questions regarding English learner programs and services, please contact Theresa Hawk, Education Administrator, Technical Assistance and Monitoring Office, by phone at 916-319-0950 or by email at thawk@cde.ca.gov.

Sincerely,



Tom Torlakson

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