

Requirements for Graduation; Exemptions for Students Who Take the Alternate Assessment (Adds Education Code Section 51225.31)

SEC. 21. 51225.31. (a) (1) Notwithstanding any other law, a local educational agency shall exempt an individual with exceptional needs who has satisfied the eligibility criteria specified in subdivision (b) from all coursework and other requirements adopted by the local governing body that are in addition to the statewide coursework requirements specified in Section 51225.3 and shall award the student a diploma of graduation from high school, as defined in Section 7801(23)(A)(ii)(I)(bb) of Title 20 of the United States Code.

(2) In accordance with Section 300.102(a)(3) of Title 34 of the Code of Federal Regulations, the awarding of the diploma pursuant to this subdivision does not change a local educational agency's obligation to provide a free appropriate public education or otherwise constitute a change in placement.

(b) An individual with exceptional needs shall be eligible for this provision if their individualized education program provides for each of the following:

(1) The pupil shall take the alternate assessment aligned to alternate achievement standards in grade 11, as described by subdivision (c) of Section 60640.

(2) The pupil shall complete state standards aligned coursework to meet the statewide coursework requirements specified in Section 51225.3.

(c) Prior to a pupil commencing grade 10, a pupil's individualized education program team shall determine and notify the parent or guardian whether the pupil may be eligible to graduate pursuant to the exemption granted by this section.

(d) An individual with exceptional needs who meets the criteria for a diploma as described in this section shall be eligible to participate in any graduation ceremony and any school activity related to graduation in which a pupil of similar age would be eligible to participate. Participation in graduation activities shall not be construed as termination of the provision of free appropriate public education, consistent with Section 300.102(a)(3)(ii) of Title 34 of the Code of Federal Regulations.

(e) For purposes of this section, a local education agency includes a school district, county office of education, charter school, or state special school.

Proposed Changes to Independent Study (Adds Education Code Section 51744 and Amends Education Code Sections 51745, 51745.5, 51746, 51747, 51747.5, 51749.5, and 51749.6)

SEC. 22. 51744. (a) It is the intent of the Legislature that local educational agencies offer educational programs that best serve the needs of their students.

(b) By offering a range of quality educational options, including classroom-based, hybrid, and non-classroom based programs, local educational agencies can better tailor instruction to students, improving academic outcomes while maximizing enrollment.

(c) When adopting a written policy pursuant to section 51747, local educational agencies are encouraged to consider offering more than one independent study model for short- and long-term placements in accordance with sections 51747, 51747.5, 51749.5 and 51749.6.