

51225.2.

(a) For purposes of this section, the following definitions apply:

(1) "Former juvenile court school pupil" means a pupil who, upon completion of the pupil's second year of high school, transfers to a school district or charter school, excluding a school district operated by the Division of Juvenile Justice of the Department of Corrections and Rehabilitation, from a juvenile court school.

(2) "Local educational agency" means a school district, county office of education, or charter school.

(3) "Partial coursework satisfactorily completed" includes any portion of an individual course, even if the pupil did not complete the entire course.

(4) "Pupil in foster care" has the same meaning as "foster child," as that term is defined in subdivision (a) of Section 48853.5.

(5) "Pupil participating in a newcomer program" means a pupil who is participating in a program designed to meet the academic and transitional needs of newly arrived immigrant pupils that has as a primary objective the development of English language proficiency.

(6) "Pupil who is a child of a military family" means a pupil who meets the definition of "children of military families" under Section 49701.

(7) "Pupil who is a homeless child or youth" means a pupil who meets the definition of "homeless children and youths" in Section 11434a(2) of Title 42 of the United States Code.

(8) "Pupil who is a migratory child" means a pupil who meets the definition of "currently migratory child" under subdivision (a) of Section 54441.

(b) (1) Notwithstanding any other law, a local educational agency shall issue, and the new local educational agency shall accept, full or partial credit for all full or partial coursework satisfactorily completed by a pupil in foster care, a pupil who is a homeless child or youth, a former juvenile court school pupil, a pupil who is a child of a military family, a pupil who is a migratory child, or a pupil participating in a newcomer program, while attending a public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school.

(2) The transferring local educational agency shall issue the full and partial credits on an official transcript for the pupil and shall ensure the transcript includes all of the following:

(A) All full and partial credits and grades earned based on any measure of full or partial coursework being satisfactorily completed, including a determination of the days of enrollment or seat time, or both, if applicable, at a school of that local educational agency or a prior local educational agency, or any other public school, juvenile court school, charter school, school in a country other than the United States, or nonpublic, nonsectarian school.

(B) The credits and grades for each school and local educational agency listed separately so it is clear where they were earned.

(C) A complete record of the pupil's seat time, including both period attendance and days of enrollment.

(3) The new local educational agency shall transfer the credits and grades onto an official transcript of the new local educational agency for the pupil in the same manner as described in subparagraph (B) of paragraph (2) and pursuant to the requirements of subdivision (c).

(4) If the new school or new local educational agency has knowledge that the transcript from the transferring local educational agency may not include certain credits or grades for the pupil, it shall contact the prior local educational agency within two business days to request that the prior local educational agency issue full or partial credits pursuant to this paragraph. The prior local educational agency shall issue appropriate credits and provide all academic and other records to the new local educational agency within two business days of the request.

(5) For purposes of coursework completed by a pupil who is a child of a military family, "public school" includes schools operated by the United States Department of Defense.

(c) (1) The credits accepted pursuant to subdivision (b) shall be applied for enrollment purposes as specified in subdivision (d) to the same or equivalent course, if applicable, as the coursework completed in the prior public school, juvenile court school, charter school, school in a country other than the United States, or nonpublic, nonsectarian school.

(2) For purposes of the official transcript, the credits accepted pursuant to subdivision (b) shall be added to the credits earned from the same or equivalent course for purposes of calculating the total credits earned for the course but shall separately identify the school and local educational agency in which the credits were earned.

(d) A local educational agency shall not require a pupil in foster care, a pupil who is a homeless child or youth, a former juvenile court school pupil, a pupil who is a child of a military family, a pupil who is a migratory child, or a pupil participating in a newcomer program to retake a course if the pupil has satisfactorily completed the entire course in a public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school. If the pupil did not complete the entire course, the local educational agency shall not require the pupil to retake the portion of the course the pupil completed unless the local educational agency, in consultation with the holder of educational rights for the pupil, finds that the pupil is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the pupil in foster care, the pupil who is a homeless child or youth, the former juvenile court school pupil, the pupil who is a child of a military family, the pupil who is a migratory child, or the pupil participating in a newcomer program shall be enrolled in the same or equivalent course, if applicable, so that the pupil may continue and complete the entire course.

(e) A pupil in foster care, a pupil who is a homeless child or youth, a former juvenile court school pupil, a pupil who is a child of a military family, a pupil who is a migratory child, or a pupil participating in a newcomer program shall not be prevented from retaking or taking a course to meet the eligibility requirements for admission to the California State University or the University of California.

(f) (1) A complaint of noncompliance with the requirements of this section may be filed with the local educational agency under the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations.

(2) A complainant not satisfied with the decision of a local educational agency may appeal the decision to the department pursuant to Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations and shall receive a written decision regarding the appeal within 60 days of the department's receipt of the appeal.

(3) If a local educational agency finds merit in a complaint, or if the Superintendent finds merit in an appeal, the local educational agency shall provide a remedy to the affected pupil.

(4) Information regarding the requirements of this section shall be included in the annual notification distributed to, among others, pupils, parents or guardians of pupils, employees, and other interested parties pursuant to Section 4622 of Title 5 of the California Code of Regulations.

SEC. 5.

If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.