

Regulation 6173.3: Education For Juvenile Court School Students

Status: ADOPTED

Original Adopted Date: 12/01/2016 | **Last Revised Date:** 12/01/2023 | **Last Reviewed Date:** 12/01/2016 **2023**

CSBA NOTE: The following administrative regulation is for use by districts that maintain secondary schools. Juvenile court schools are operated by county offices of education pursuant to Education Code 48645-48646 **48650** and serve students who are under the protection or authority of the county juvenile justice system. Pursuant to Education Code 48645.2, such schools may be administered either by the County Superintendent of Schools or by the board of the district in which the juvenile court school is located, through a contract between the County Board of Education and the district's governing board.

Education Code **48647**, 51225.1, and 51225.2, as amended by AB 2306 (Ch. 464, Statutes of 2016), establish educational rights of former juvenile court school students who transition into a district school. These include rights related to the immediate enrollment of such students, the immediate transfer of educational records, the transfer of coursework and credits, the option to remain in school for a fifth year to complete graduation requirements upon agreement with the student or the student's educational rights holder, and exemption from district-established graduation requirements under certain conditions.

The following optional paragraph reflects the intent expressed in Education Code 48647 to encourage collaboration between the district and county agencies to ensure effective communication, enrollment, and placement practices.

The Superintendent or designee shall collaborate with the County Superintendent of Schools and the county probation department to facilitate the transition of students from a juvenile court school into the regular schools of the district. Such collaboration may include, but not be limited to, the development of data-sharing systems, communication strategies, and other structures that aid in the enrollment, placement, and continuous educational progress of such students.

Enrollment

CSBA NOTE: Education Code 48645.5 requires the immediate enrollment of a student who has had contact with the juvenile justice system. Pursuant to Education Code 48645.5 and 48853.5, such a student must be enrolled even if he/she the student (1) has outstanding fees, fines, textbooks, or other items or monies due to the previous school; (2) does not have clothing normally required by the school, such as school uniforms; or (3) is unable to produce records normally required for enrollment.

A former juvenile court school student transferring into a regular district school shall be immediately enrolled in the school. The Superintendent or designee shall not deny enrollment to a student solely on the basis of his/her an arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other contact with the juvenile justice system. (Education Code 48645.5)

Transfer of Coursework and Credits

CSBA NOTE: The following section is for use by districts maintaining high schools. Education Code 51225.2, as amended by SB 532 (Ch. 918, Statutes of 2022), addresses the transferability of coursework and credits completed by a student enrolled in a juvenile court, as provided below.

Education Code 51225.2, as amended by SB 532, requires the transferring school to include in the student's educational record a determination of days of enrollment and/or seat time and an official transcript with full and partial credits earned, or any measure of full or partial coursework being satisfactorily completed.

When a student enrolled in a juvenile court school transfers ~~from a juvenile court school~~ into a district school, the district will receive an official transcript from the transferring school or district which reflects full and partial credits and grades earned by the student and includes: (Education Code 51225.2)

1. A determination of the days of enrollment and/or seat time, if applicable, for all full and partial credits earned based on any measure of full or partial coursework being satisfactorily completed

Partial coursework satisfactorily completed includes any portion of an individual course, even if the student did not complete the entire course

2. Separate listings for credits and grades earned at each school and local educational agency so it is clear where credits and grades were earned
3. A complete record of the student's seat time, including both period attendance and days of enrollment

The district shall transfer the credits and grades from the transferring school's transcript onto an official district transcript in the same manner as described in Item #2, above. (Education Code 51225.2)

If the Principal or designee has knowledge that the transcript from the transferring school may not include certain credits or grades, the Principal or designee shall contact the prior school within two business days to request that the full or partial credits be issued, which shall then be issued and provided by the prior school within two business days of the request. (Education Code 51225.2)

The district shall accept and issue full credit for any coursework that the ~~student has satisfactorily completed at that school~~ and shall ~~former juvenile court school student has satisfactorily completed while attending another public school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school.~~ (Education Code 51225.2)

CSBA NOTE: Pursuant to Education Code 51225.2, districts may not require ~~the~~ a student who has completed an entire course to retake the course. If the student did not complete the entire course, he/she,

If the entire course was completed, the district shall not require the student to retake the course. (Education Code 51225.2)

If the entire course was not completed at the previous school, the student shall be issued partial credit for the coursework completed and shall not be required to ~~retake~~take the uncompleted portion of the course ~~completed~~. (Education Code 48645.5, 51225.2) However, a student may be required to retake the portion of the course completed if the Superintendent or designee, in consultation with the holder of educational rights for the student, finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a former juvenile court school student in any particular course, ~~he/she~~the student shall be enrolled in the same or equivalent course, if applicable, so that ~~he/she~~the student may continue and complete the entire course. (Education Code 51225.2)

CSBA NOTE: The following paragraph should be revised to reflect district practice, consistent with district policy related to partial credit awarded to homeless students and foster youth. Although Education Code 51225.2, as amended by AB 2306 (Ch. 464, Statutes of 2016), requires districts to award partial credits to former juvenile court school students who transfer from school to school, there is no uniform system for calculating and awarding partial credits. The following paragraph reflects a recommendation in the California Child Welfare Council's Partial Credit Model Policy and Practice Recommendations and is consistent with the approach provided in AR 6173 - Education for Homeless Children and AR 6173.1 - Education for Foster Youth.

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject.

In no event shall the district prevent a former juvenile court school student from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code 51225.2)

Applicability of Graduation Requirements

If a student completes district graduation requirements while being detained in a juvenile facility, the district shall issue the student a diploma from the school the student last attended, unless the County Superintendent issues the diploma. (Education Code 48645.5)

CSBA NOTE: The remainder of this section addresses the completion of graduation requirements by students who transfer from a juvenile court school to a district school after completing two years of high school. Education Code 51225.1, as amended by AB 2306 (Ch. 464, Statutes of 2016), exempts such students from district-established graduation requirements under certain conditions.

A student who transfers to a district school from a juvenile court school shall generally be expected to complete all courses required by Education Code 51225.3 and to fulfill any additional graduation requirements prescribed by the Governing Board.

However, when a student who has completed ~~his/her~~the second year of high school transfers from a juvenile court school into a district school, ~~he/she~~the student shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of ~~his/her~~the student's fourth year of high school. Within 30 calendar days of the student's transfer, the Superintendent or designee shall notify the student, the ~~person holding the right to make~~student's educational decisions for ~~him/her~~rights holder, and

the student's social worker or probation officer of the availability of the exemption and whether the student qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the termination of the court's jurisdiction over the student. (Education Code 51225.1)

To determine whether a student is in his/her third or fourth year of high school, the district shall use either the number of credits he/she has earned as of the date of the transfer or the length of his/her school enrollment, whichever qualifies him/her for the exemption. (Education Code 51225.1)

The Superintendent or designee shall notify any former juvenile court school student who is granted an exemption and the person holding the right to make educational decisions for him/her how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.1)

The district shall not require or request a former juvenile court school student to transfer schools in order to qualify for an exemption, and no request for a transfer solely to qualify for an exemption shall be made by a student, the person holding the right to make educational decisions for the student, or the student's social worker or probation officer. (Education Code 51225.1)

If a student is exempted from local graduation requirements, the exemption shall continue to apply after the termination of the court's jurisdiction over the student or if he/she transfers to another school or school district. (Education Code 51225.1)

If the Superintendent or designee determines that a former juvenile court school student is reasonably able to complete district graduation requirements within his/her fifth year of high school, he/she shall: (Education Code 51225.1)

1. Inform the student and, if the student is under 18 years of age, the person holding the right to make educational decisions for him/her, of the option available to the student to remain in school for a fifth year to complete the district's graduation requirements and how that will affect his/her ability to gain admission to a postsecondary educational institution
2. Provide information to the student about transfer opportunities available through the California Community Colleges
3. Upon agreement with the student or with the person holding the right to make educational decisions for him/her if he/she is under 18 years of age, permit the student to stay in school for a fifth year to complete the district's graduation requirements

CSBA NOTE: Pursuant to Education Code 51225.1, as amended by SB 532, to determine whether a student with significant gaps in school attendance is in the third or fourth year of high school, the student's age as compared to the average age of students in the third or fourth year of high school may be used.

To determine whether a student is in the third or fourth year of high school, the district shall use either the number of credits the student has earned as of the date of the transfer, the length of school enrollment, or, for a student with significant gaps in school attendance, the student's age as compared to the average age of students in the third or fourth year of high school, whichever qualifies the student for the exemption. (Education Code 51225.1)

CSBA NOTE: Education Code 51225.1, as amended by SB 532, requires the district to exempt a student who qualifies for an exemption from district-established graduation requirements, under the circumstances described below.

If a former juvenile court school student was not properly notified of an exemption, declined the exemption, or was not previously exempted, the student or the student's educational rights holder may request the exemption and the Superintendent or designee shall exempt the student within 30 days of the request. A student may request the exemption even if the student is no longer a juvenile court student. (Education Code 51225.1)

CSBA NOTE: Pursuant to Education Code 51225.1, as amended by SB 532, the district is required to reevaluate a student's eligibility for an exemption from district-established graduation requirements, as described below.

When the Superintendent or designee determines that a student who transferred into a district school is reasonably able to complete district-established graduation requirements by the end of the student's fourth year of high school, the student shall not be exempted from those requirements. Within 30 calendar days of the following academic year, the student shall be reevaluated based on the student's course completion status at the time, to determine if the student continues to be reasonably able to complete the district-established graduation requirements in time to graduate by the end of the student's fourth year of high school. Written notice as to whether the student then qualifies for the exemption shall be provided to the student, the student's educational rights holder, and if applicable, to the student's social worker or probation officer. (Education Code 51225.1)

If, upon reevaluation, it is determined that the former juvenile court student is not reasonably able to complete the district-established graduation requirements in time to graduate from high school by the end of the student's fourth year of high school, the Superintendent or designee shall provide the student with the option to receive an exemption from district-established graduation requirements or stay in school for a fifth year to complete the district-established graduation requirements upon agreement with the student, or if under 18 years of age, the student's educational rights holder, and shall provide notifications in accordance with Education Code 51225.1. (Education Code 51225.1)

CSBA NOTE: Pursuant to Education Code 51225.1, as amended by SB 532, the district is required to consult with a former juvenile court student who is granted an exemption from district-established graduation requirements and the student's educational rights holder, as described below.

When a former juvenile court student is exempted from district-established graduation requirements, the Superintendent or designee shall consult with the student and the student's educational rights holder about the following: (Education Code 51225.1)

1. Discussion of how any requirements that are waived may affect the student's postsecondary education or vocation plans, including the ability to gain admission to a postsecondary educational institution
2. Discussion and information about other options available to the student, including, but not limited to, a fifth year of high school, possible credit recovery, and any transfer opportunities available through the California Community Colleges
3. Consideration of the student's academic data and any other information relevant to making an informed decision on whether to accept the exemption

The district shall not require or request a former juvenile court student to transfer schools in order to qualify for an exemption and shall not grant any request made by a former juvenile court student, the student's educational rights holder, or the district liaison on behalf of the student, for a transfer solely to qualify for an exemption. (Education Code 51225.1)

CSBA NOTE: Education Code 51225.1 prohibits the district from requiring a student who is eligible for an exemption from district-established graduation requirements from accepting the exemption or being denied enrollment, as described below.

The Superintendent or designee shall not require a former juvenile court student who is eligible for an exemption from district-established graduation requirements and would otherwise be entitled to remain in attendance at the school, to accept the exemption or be denied enrollment in, or the ability to complete, courses for which the student is otherwise eligible, including courses necessary to attend an institution of higher education, regardless of whether such courses are required for statewide graduation requirements. (Education Code 51225.1)

CSBA NOTE: Education Code 51225.1 prohibits the district from revoking a student's exemption from district-established graduation requirements.

If a former juvenile court student is exempted from district-established graduation requirements, the exemption shall not be revoked. Additionally, the exemption shall continue to apply after the termination of the court's jurisdiction over the student while still enrolled in the school or if the student transfers to another school, including a charter school, or school district. (Education Code 51225.1)

CSBA NOTE: Pursuant to Education Code 51225.1, the district may not require or request a student who is exempted from district-established graduation requirements and completes statewide coursework requirements before the end of the student's fourth year of high school to graduate early, as described below.

The Superintendent or designee shall not require or request that a former juvenile court student who is exempted from district-established graduation requirements and who completes the statewide coursework requirements before the end of the fourth year of high school, and would otherwise be entitled to remain in school, graduate before the end of the student's fourth year of high school. (Education Code 51225.1)

CSBA NOTE: Pursuant to Education Code 51225.1, as amended by SB 532, if the district determines that a student who is eligible for the exemption from district-established graduation

requirements is reasonably able to complete those requirements in time to graduate from high school by the end of the student's fifth year, the district is required to provide the following.

Upon making a finding that a former juvenile court student is reasonably able to complete district-established graduation requirements within the fifth year of high school, the Superintendent or designee shall: (Education Code 51225.1)

1. Consult with the student and, if under 18 years of age, the student's educational rights holder, of the option to remain in school for a fifth year to complete the district-established graduation requirements and how that will affect the student's ability to gain admission to a postsecondary educational institution
2. Consult with and provide information to the student about transfer opportunities available through the California Community Colleges
3. Upon agreement with the student or with the student's educational rights holder if under 18 years of age, permit the student to stay in school for a fifth year to complete the district-established graduation requirements

CSBA NOTE: Pursuant to Education Code 51225.1, as amended by SB 532, until January 1, 2028, when a student enrolled in a juvenile court school who has completed the second year of high school transfers into the district or transfers between high schools within the district, and is not reasonably able to complete the district-established graduation requirements, but is reasonably able to complete the statewide coursework requirements, within the student's fifth year of high school, the district is required to exempt the student from the district-established graduation requirements and provide the student with the option to remain in school for a fifth year to complete the statewide requirements. In such situations, consultation with the student and the student's educational rights holder is required, as provided below.

When a juvenile court student who has completed the second year of high school transfers into the district or between high schools within the district, and the Superintendent or designee determines that the student is not reasonably able to complete the district-established graduation requirements within the student's fifth year of high school but is reasonably able to complete the statewide coursework requirements within the fifth year of high school, the student shall be exempted from all district-established graduation requirements and be provided with the option to remain in school for a fifth year to complete the statewide requirements. In such situations, the Superintendent or designee shall consult with the student and the student's educational rights holder, regarding the following: (Education Code 51225.1)

1. The student's option to remain in school for a fifth year to complete statewide coursework requirements
2. The effect of waiving the district-established requirements and remaining in school for a fifth year on the student's postsecondary education or vocation plans, including the ability to gain admission to an institution of higher education

3. Other options available to the student, including, but not limited to, possible credit recovery, and any transfer opportunities available through the California Community Colleges
4. The student's academic data and any other information relevant to making an informed decision on whether to accept the exemption and option to remain in school for a fifth year to complete the statewide coursework requirements

Notification and Complaints

Information regarding the educational rights of former juvenile court school students, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.1, 51225.2)

CSBA NOTE: Education Code 51225.1 and 51225.2 provide that complaints of noncompliance with specified requirements related to the educational rights of former juvenile court school students may be filed in accordance with the uniform complaint procedures specified in 5 CCR 4600-4670. As with other complaints covered under the uniform complaint procedures, a complainant may appeal the district's decision to the California Department of Education (CDE) and, if the district or CDE finds any merit in the complaint, the district must provide a remedy to the affected student. See BP/AR 1312.3 - Uniform Complaint Procedures.

Any complaint that the district has not complied with requirements regarding the education of former juvenile court school students, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures.

Policy Reference UPDATE Service

Copyright 2023 by California School Boards Association, West Sacramento, California 95691
All rights reserved.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 4600-4670	Uniform complaint procedures
Ed. Code 48645-48648 48650	Juvenile court schools
Ed. Code 48853.5	Immediate enrollment
Ed. Code 51225.1	Exemption from district graduation requirements
Ed. Code 51225.2	Course credits
Ed. Code 51225.3	High school graduation requirements
W&I Code 602	Minors violating law; ward of court

W&I Code 880-893

Wards and dependent children; juvenile homes, ranches, and camps

Management Resources

California Child Welfare Council
Publication

Description

Partial Credit Model Policy and Practice Recommendations,
September 2013

Website

CSBA District and County Office of Education Legal Services

Website

California Child Welfare Council

Website

California Department of Education, Juvenile Court Schools

Website

CSBA

Website

Youth Law Center

Youth Law Center Publication

Educational Injustice: Barriers to Achievement and Higher
Education for Youth in California Juvenile Court Schools,
2016

Cross References

Code

Description

1312.3

Uniform Complaint Procedures

1312.3

Uniform Complaint Procedures

1312.3-E(1)

Uniform Complaint Procedures

1312.3-E(2)

Uniform Complaint Procedures

5111

Admission

5111

Admission

5111.1

District Residency

5111.1

District Residency

5125

Student Records

5125

Student Records

5125.2

Withholding Grades, Diploma Or Transcripts

5132

Dress And Grooming

5132

Dress And Grooming

5141.26

Tuberculosis Testing

5141.31

Immunizations

5141.31

Immunizations

5145.6

Parent/Guardian Notifications

5145.6-E(1)	Parent/Guardian Notifications
6143	Courses Of Study
6143	Courses Of Study
6146.1	High School Graduation Requirements