



## **AB 216 Foster/AB1806 Homeless Youth/AB2121 Newcomer Diploma Policy and Waiver Application**

WISH Academy High School complies with the mandates under AB 216 Foster, AB1806 Homeless Youth, and AB2121 Newcomer. Existing law requires school districts to exempt foster care, homeless, military, migrant, and former juvenile course students from all locally adopted coursework and requirements that are supplemental to statewide coursework requirements.

AB 167/216 and AB 1806 requires local educational agencies to take specific actions relating to foster and homeless youth students. In accordance with AB 167/216 and AB 1806, WISH Academy holds the following policy.

- Qualification - AB 167/216 graduation applies to any youth in foster care or on probation who is either removed from their home under Cal. Welf. & Inst. Code § 309 or subject to a petition under Cal. Welf. & Inst. Code § 300 or 602, regardless of where they live.
- Transfer Schools After Second Year: To determine whether a youth completed their second year of high school, WISH Academy will use either the length of enrollment or the number of credits earned, whichever method will make the youth more likely to be eligible.
- Graduation Options: (1) Accept the exemption and graduate using minimum state requirements. (2) Reject the exemption and graduate using school district requirements. (3) Remain in high school a 5th year to complete all school district requirements. Youth have a right to remain in high school for a 5th year even if they turn 19 years old. (4) Acknowledge eligibility but defer decision until a later date. Regardless, youth graduate receiving a normal high school diploma.
- Length of Eligibility: Once a youth is found eligible, they remain eligible, even if they transfer schools again, return to their biological parents' care, or their court case closes.
- Reconsideration: If a youth is found ineligible for AB 167/216 graduation when they transfer schools, they can request that the school reconsider the decision at any later time.
- Notification Requirements: WISH must determine whether a **foster youth** is eligible to graduate under AB 167/216 within 30 days of the youth's transfer into school. This determination, as well as the impact of AB 167/216 graduation on admissions to a four-year university, must be provided in writing to the youth, their Educational Rights Holder, and social worker/probation officer within 30 days of enrollment. The legal duty to determine eligibility and provide notification still exists, even if WISH missed their 30 day notification timeline and even if a youth's case is later closed.
- Who Decides: Only the ERH or a youth who is over 18 years old can determine whether graduating under AB 167/216 is in the youth's best interest. An ERH can change their decision of whether or not to graduate under AB 167/216 at any time prior to the youth's graduation.
- Military Service: AB 167/216 diplomas constitute normal high school diplomas and should allow students to fall into priority enlistment categories for Military Service.



## **AB 216 Foster/AB1806 Homeless Youth/AB2121 Newcomer Diploma Policy and Waiver Application**

AB 2121 requires local educational agencies to take specific actions relating to migratory children and newly arrived immigrant students. **This exemption also applies to students from military families who transfer between school any time after the completion of the pupil's 2nd year of high school.** These provisions are also extended to migratory students and newly arrived. In accordance with AB 2121, WISH Academy holds the following policy.

- **Notification Requirements:** Within 30 days of enrollment, an eligible pupil who transfers after their second year of high school shall be notified of their eligibility to be exempt from all coursework and other requirements adopted by the governing board of WISH that are in addition to the statewide coursework requirements, unless WISH makes a finding that the youth is reasonably able to complete the additional requirements within 4 years of high school. Any WISH graduation requirements that are in addition to the California Department of Education (CDE) requirements (e.g., additional course completion, service learning requirements, or the requirement of a grade above a D, etc.) do not apply.
- **Coursework -** WISH shall accept 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 another public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school or agency even if the pupil did not complete the entire course and shall issue that pupil full or partial credit for the coursework completed. Partial credits must be honored.
- **Transfer Schools After Second Year:** To determine whether a youth completed their second year of high school, WISH Academy will use either the length of enrollment or the number of credits earned, whichever method will make the youth more likely to be eligible.
- **Graduation Options:** (1) Accept the exemption and graduate using minimum state requirements. (2) Reject the exemption and graduate using school district requirements. (3) Remain in high school a 5th year to complete all school district requirements. Youth have a right to remain in high school for a 5th year even if they turn 19 years old. (4) Acknowledge eligibility but defer decision until a later date. Regardless, youth graduate receiving a normal high school diploma.
- **Length of Eligibility:** Once a youth is found eligible, they remain eligible, even if they transfer schools again, return to their biological parents' care, or their court case closes.
- **Reconsideration:** If a youth is found ineligible for AB 167/216 graduation when they transfer schools, they can request that the school reconsider the decision at any later time.
- **Who Decides:** Only the ERH or a youth who is over 18 years old can determine whether graduating under AB 167/216 is in the youth's best interest. An ERH can change their decision of whether or not to graduate under AB 167/216 at any time prior to the youth's graduation.
- **Military Service:** AB 167/216 diplomas constitute normal high school diplomas and should allow students to fall into priority enlistment categories for Military Service.



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Date: \_\_\_\_\_ Check one:  Foster Youth (AB216)  Homeless Youth (AB1806)  Newcomer (AB2121)

Educational Rights Holder: \_\_\_\_\_ Social Worker (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_ Address: \_\_\_\_\_

Name of Student: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Current High School: \_\_\_\_\_ Date of Enrollment: \_\_\_\_\_

**Foster youth** in California have special rights to help them remain on track for high school graduation. Under Assembly Bills 167/216 ("AB 216"), foster youth who are off track for high school graduation, and transfer after their second year of high school, may be eligible to graduate by completing the minimum state requirements. Students who graduate under AB 167/216 do not have to complete additional school district requirements, which generally range from 80-120 credits.

**Homeless Youth** in California must be considered homeless, transfer after the 2nd year of high school, unable to complete local requirements within 4 years, and be informed within 30 days of transfer. (AB 1806 – Ch. 767, Stats. 2014)

**Newcomer** in California extends homeless and foster provisions to students that are newly arrived immigrant pupils, **students from military families that transfer after his/her 2nd year of high school,** and are in their 3rd or 4th year of high school.

- We have determined and certify that the above named student does satisfy all requirements for AB216 or AB106 or AB2121.
- We have determined and certify that the above named student does **NOT** satisfy all requirements for AB216 or AB106 or AB2121.

**The above named student has the following graduation options:**

**Option A:** Graduate by completing state requirements and accept AB216, AB1806 or AB2121 eligibility. Please note that there are advantages and disadvantages to graduating under AB216, AB1806 or AB2121. While a student may graduate with classmates and receive a regular high school diploma, they may sacrifice important learning opportunities that are necessary to succeed in higher education and employment. **Students who graduate under AB216 or AB1806 or AB2121 are not eligible to apply directly to a California State University (CSU) or University of California (UC) school.** The above named student is currently in the 11th or 12th grade and will complete the following California mandated high school graduation requirements:

CA State Minimum Graduation Requirements		
Course Requirement (check all completed reqs)	Total Credits	Missing Courses
<input type="checkbox"/> 3 years of English	30	
<input type="checkbox"/> 2 years of Mathematics (including Algebra 1)	20	
<input type="checkbox"/> 1 year of Biological Science	10	
<input type="checkbox"/> 1 year of Physical Science	10	
<input type="checkbox"/> 1 year of World history	10	
<input type="checkbox"/> 1 year of US History	10	
<input type="checkbox"/> 1 semester of American Government	5	
<input type="checkbox"/> 1 semester of Economics	5	
<input type="checkbox"/> 1 year of Visual/Performing Arts OR 1 year of Foreign Language	10	
<input type="checkbox"/> 2 years of Physical Education	20	



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Total: 130 Credits

Option B: Attempt to graduate high school at the end of the 4th year by completing all school district graduation requirements. Students may attempt to accomplish this by concurrently enrolling in a community college, continuation school, or independent study program.

Option C: Remain in high school for a 5th year, and complete all additional school district graduation requirements. The right to a 5th year of high school applies even if the student will be older than 18 years old during that additional school year. The student will be allowed to remain at the local high school and will not be required to transfer to a continuation school, independent study program, or adult school to complete the 5th year.

Please make sure to keep a copy of this certification letter for your records. If the student was not found eligible for AB 216 OR AB 1806 or AB 2121 graduation, you or the student may request reconsideration of eligibility at any time. If the student was found eligible, this letter can be used at any future school to verify that the student is already certified as AB 216 or AB 1806 or AB 2121 eligible. The above named student retains the right to graduate under AB 216 or AB 1806 or AB 2121 even if he/she transfers schools again or their foster care/probation case closes before they receive their high school diploma.

Once the student's ERH has determined which graduation plan to take, please notify us by checking the appropriate box below and returning this form. Please note that the school district cannot allow a student to graduate under AB 216 or AB 1806 or AB2121 without receiving this document. The student and/or ERH can change their decision regarding graduating under AB216 or AB1806 or AB2121 at any time until the student receives their high school diploma.

If you have any questions or concerns about graduation, please contact the student's academic counselor.

Select Graduation Option:

- Option A: Graduate under AB216 or AB1806 or AB2121 in 4 years
Option B: Graduate under school district requirements in 4 years
Option C: Graduate under school district requirements in 5 years

Student: \_\_\_\_\_ Signature: \_\_\_\_\_

Education Rights Holder: \_\_\_\_\_ Signature: \_\_\_\_\_
(or 18 year old Student)

Academic School Counselor: \_\_\_\_\_ Signature: \_\_\_\_\_

Social Worker/Probation Officer: \_\_\_\_\_ Signature: \_\_\_\_\_

Table with 3 columns: AB216/AB1806/AB2121 Authorizing Signature, Decision (APPROVED/DENIED), Date. Includes a Comment row and Site Administrator/Counselor rows.