

## Communication to Administrators and Counselors

### New Assembly Bill, AB 2121:

Please be advised, Assembly Bill 2121 (AB 2121), was signed into law on September 20, 2018 and went into effect on January 1, 2019. AB 2121 requires local educational agencies (LEA) 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 defines the term “Pupil participating in a newcomer program” in Section 51225.2 (a) (6). **\*\* Definitions provided on page 4.**

Existing California law requires school districts to **exempt** foster care, homeless, former juvenile court students, and students from military families from all locally adopted coursework and requirements that are supplemental to statewide coursework requirements.

The amended law **extends** these provisions to migratory students and **newly** arrived immigrant students.

### AB 2121: EC Sections 51225.1 and 51225.2

1. Requires that 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 the school district that are in addition to the statewide coursework requirements, unless the school district makes a finding that the youth is reasonably able to complete the additional requirements within 4 years of high school.
2. Any L.A. Unified graduation requirements that are in addition to the California Department of Education (CDE) requirements (e.g., additional course completion, service learning requirements, etc.) do not apply to youth graduating under AB 2121
3. Notwithstanding any other law, a local educational agency 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.***

## Counselor Action:

### **LAUSD Policy:**

Policy will be updated to include Migrant, Newcomer, and Military youth.

### **Current LAUSD policy to refer to for guidance:**

Health and Human Services is updating Bul-6718.0, Educational Rights and Guidelines for Youth in Foster Care, Experiencing Homelessness, and/or Involved in the Juvenile Justice System, dated August 8, 2016

### **ACTION REQUIRED:**

- \* Please review the attached list of students that may be eligible for the exemption.
- \* Refer to Bul-6718.0, Educational Rights and Guidelines for Youth in Foster Care, Experiencing Homelessness, and/or Involved in the Juvenile Justice System, dated August 8, 2016.
- \* Follow procedures for AB 167/216 & AB 1806 exemptions.
- \* Counselors will need to annotate Attachments J, K, and K1(from BUL-6718.0) to reference AB 2121.
- \*Counselors will utilize Attachments J, K, and K1(from BUL-6718.0) to determine if the exemption is an option for your student.
- \* If the exemption is an option, meet with the student and family to offer the exemption as an option and document meeting outcomes accordingly.
- \***Document in Counseling Communication whether the student will or will not utilize the AB 2121 exemption.**

### **TIMELINE FOR ACTION:**

**Meet with your students by February 15.**

## DEFINITIONS AND RELATED MISIS SCREENS:

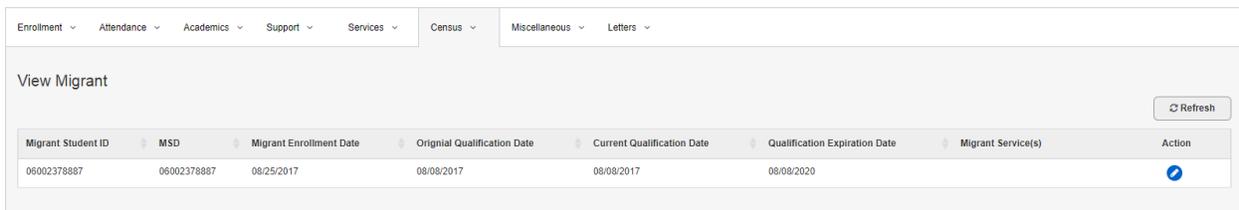
### Definition of Migratory Students:

According to sections 1115(c)(1)(A) (incorporated into the MEP by sections 1304(c)(2), 1115(b)), and 1309(3) of the ESEA, and 34 C.F.R. § 200.103(a), a child is a “migratory child” if the following conditions are met:

1. The child is not older than 21 years of age; *and*
  - a) the child is entitled to a free public education (through grade 12) under state law, or
  - b) the child is not yet at a grade level at which the LEA provides a free public education; *and*
2. The child made a qualifying move in the preceding 36 months as a migratory agricultural worker or a migratory fisher, or did so with, or to join a parent/guardian or spouse who is a migratory agricultural worker or a migratory fisher; *and*
3. With regard to the qualifying move identified in paragraph 3, above, the child moved due to economic necessity from one residence to another residence, and
  - a) From one school district to another; or
  - b) In a state that is comprised of a single school district, has moved from one administrative area to another with such district; or
  - c) Resides in a school district of more than 15,000 square miles and migrates a distance of 20 miles or more to a temporary residence. (NRG, Ch. II, A1)

Migrant student eligibility is established through an interview conducted by a **trained and certified Migrant Education Technician**. Once the eligibility of a student is established, the MEP office will input an MSD number in *MiSiS*.

*\*Migratory Student: They have an MSD number in MiSiS. You will find Migrant Status under the Census Drop Down menu.*



The screenshot shows a web interface for the MiSiS system. At the top, there is a navigation bar with dropdown menus for Enrollment, Attendance, Academics, Support, Services, Census, Miscellaneous, and Letters. Below this is a section titled "View Migrant" with a "Refresh" button. A table displays the following data:

Migrant Student ID	MSD	Migrant Enrollment Date	Original Qualification Date	Current Qualification Date	Qualification Expiration Date	Migrant Service(s)	Action
06002378887	06002378887	08/25/2017	08/08/2017	08/08/2017	08/08/2020		

**Definition of Newcomer:**

"Newcomers are foreign-born EL students who have been enrolled in a U.S. school for three years or less." Identified in MiSiS as LEP (and then we need to check enrollment date)

\*\* This aligns with the CDE definition: *[(EC Section 51225.2(a) 6)] If a pupil participating in a newcomer program is exempted from local graduation requirements pursuant to this section, the exemption shall continue to apply after the pupil no longer meets the definition of a “pupil participating in a newcomer program” while he or she is enrolled in school or if the pupil transfers to another school, including a charter school, or school district.*

(MiSiS: Reports > English Learner > English Learner Rosters)

\*The report has a field that tells you the number of EL years. Newcomers would be 3 or less.

**Reports**

**Military Family:**

Military Family status may be documented in MiSiS under Enrollment on the Student Detail Screen. (MiSiS >Enrollment>Military Family Members)