CALIFORNIA DEPARTMENT OF EDUCATION

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STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

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Dear County and District Superintendents and Direct-Funded Charter School Administrators:

Assembly Bill 3022: Retroactive High School Diplomas

On September 26, 2018, Governor Brown signed AB 3022 (Gonzalez Fletcher et al.), Chapter 772, Statutes of 2018, into law, thereby adding subsection (3) to Section 51430 of the California *Education Code (EC)*. This letter provides information on the implementation of *EC* Section 51430 subsection (3).

Existing law authorizes a high school district, unified school district, or county office of education to retroactively grant a high school diploma to persons whose education was interrupted due to internment by order of the federal government during World War II and to veterans of World War II, the Korean War, or the Vietnam War.

Effective January 1, 2019, a high school district, unified school district, county office of education, or the governing body of a charter school may retroactively grant a high school diploma to a departed or deported person who has not received a high school diploma if that person:

- Departed California against his or her will, as defined in subdivision (d) of *EC* Section 48204.4; and
- At the time of his or her departure, was enrolled in grade 12 of a high school operated by the school district, by or under the jurisdiction of the county office of education, or by the charter school; and
- Did not receive a high school diploma because his or her education was interrupted due to his or her departure; and
- Was in good academic standing at the time of his or her departure.

This amended law provides students who have been deported, voluntarily or otherwise, an opportunity to complete their high school diploma. When considering whether to award a high school diploma to a pupil, local educational agencies shall consider any coursework that may have been completed by the pupil outside of the United States or that may have been completed through online or virtual courses.

For more information regarding legislation affecting English learners, please visit the California Department of Education English Learner Legislation web page at https://www.cde.ca.gov/sp/el/t3/elleg.asp.

If you have questions regarding coursework and high school graduation requirements, please contact Peter Callas, Education Administrator, High School Innovations and Initiatives Office, by phone at 916-319-0669 or by email at pcallas@cde.ca.gov.

If you have questions regarding English learner programs and services, please contact Theresa Hawk, Education Administrator, Technical Assistance and Monitoring Office, by phone at 916-319-0950 or by email at thawk@cde.ca.gov.

Sincerely,

Tom Torlakson

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