

**SAN DIEGO UNIFIED SCHOOL DISTRICT**

**Date:** May 4, 2021

**To:** High School Principals

**Subject:** ENROLLMENT OF STUDENTS IN COURSE PERIODS WITHOUT EDUCATIONAL CONTENT AND ENROLLMENT OF STUDENTS IN COURSES IN WHICH THEY HAVE ALREADY RECEIVED A GRADE OF “C” OR BETTER

**Department and/or**

**Persons Concerned:** High Schools Administrators, Head Counselors, School Counselors and School Registrars

**References:** California Education Code 51228.1, 51228.2, and 51228.3 relating to pupil instructions

**Action Requested:** Review statute, enroll students in appropriate courses, and complete district compliance documentation

**Brief Explanation:**

On October 9, 2015, the Governor approved Assembly Bill No. 1012, an act relating to pupil instruction that went into effect with the 2016-17 school year.

The bill prohibits school districts from assigning a pupil enrolled in grade 9, 10, 11 or 12 to any course period without educational content, except under prescribed conditions.

The bill also prohibits schools from enrolling students in previously completed courses in which the grade received was sufficient to satisfy requirements for admission to the California public institutions of postsecondary education, and the minimum requirements for graduation, unless the course is repeatable for credit. Therefore, it is permissible for a student who receives a “D” to repeat a course in order to remediate the low grade; however, students who receive a grade of “C” or above may not repeat the same course.

The bill applies to all schools except alternative schools, community day schools, continuation schools, and opportunity schools. (See Attachment 1 for a list of schools for which the bill will not apply.)

**DEFINITION OF A “COURSE WITHOUT EDUCATIONAL CONTENT”** A “course without educational content” is defined as one course period when any of the following occurs:

1. A pupil is sent home before the conclusion of the school day.
2. A pupil is assigned to a course in which he or she is not expected to complete curricular assignments, but rather is assigned to assist a certificated employee in a course that employee is teaching.

3. The pupil is not assigned daily to the site's total number of course periods that are included in the site's master schedule.

This statute does not prohibit districts from offering any of the types of courses listed below, as stipulated by California Education Code.

1. Dual enrollment in community college
2. Evening high school programs
3. Independent study
4. Work-based Learning Courses or Work Experience Education
5. Other instructional programs as permitted by California Education Code

**Dual Enrollment:** To be in compliance with the statute, students in any of these types of courses must be enrolled in the appropriate course code. All approved dual enrollment college course codes are titled with the name of the college site (e.g., CITY, MESA, MIRA, and UCSD).

**Work-Based Learning:** Approved work-based learning courses, listed below, are offered through the district College, Career and Technical Education Department.

- Exploratory Work Experience Education (8501)
- General Work Experience Education (8502, 8505)
- Vocational Work Experience Education (8503, 8506)

Schools wishing to offer Work Experience Education (WEE) courses must follow the guidelines stipulated in Administrative Procedure 4126, including annual submission of a WEE plan to the Office of College, Career and Technical Education.

**Independent Study:** Administrative Procedure 4316 describes requirements for enrollment of a student in independent study coursework. Enrollment of a student in iHigh Lab (8155) requires that the student also be enrolled in a Board-approved online course.

## **EXCEPTIONS**

A student may be assigned to a course without educational content or to repeat a course in which the student has already received a grade of "C" or better if **ALL** of the following conditions have been met:

1. The pupil or, if still a minor, the student's parent, guardian, or educational rights holder has consented in writing to the assignment.
2. A school official has determined that the pupil will benefit from being assigned to the course.
3. The principal or vice principal of the school has stated in a written document maintained at the school that, for the relevant school year, no pupils are assigned to those classes unless the school has met conditions 1 and 2, above. This information must be filed in the student's cumulative folder for documentation purposes in the event that the school is audited or a

uniform complaint is filed regarding the student's enrollment in the course (See Attachment2).

Students in grade 12 who request a short schedule (a schedule with one period free of coursework) must meet the following criteria and have the proper exception paperwork in their cumulative file:

- Criteria 1: The student has completed, or is currently enrolled in, all SDUSD graduation required classes.
- Criteria 2: The student has earned 36 graduation credits prior to beginning 12<sup>th</sup> grade.
- Criteria 3: The student has a cumulative overall GPA of 3.0 or higher.
- Criteria 4: The student is a graduating "class of" senior in good standing.
- Criteria 5: The student has attempted and completed (or is currently enrolled in) at least one advanced studies course: college course, Advanced or Honors weighted courses, AP course, IB course and/or CTE college articulated course during grades 10-12.

#### **NONCOMPLIANCE:**

A complaint of noncompliance may be filed with the district under the Uniform Complaint Procedures.

#### **IMPLEMENTATION:**

To assure compliance, all non-exempt district schools that serve students in grades 9-12 must complete the Principal's Certification of Compliance with AB 1012 and Student Enrollment Consent forms (Attachments 2 and 3) within two weeks of the beginning of each school term.

All district schools serving students in grades 9-12 must enroll students only in the courses agreed upon by the Principal and Area Superintendent, and submitted in writing to the Office of Leadership and Learning

Schools must have a syllabus that describes the educational content of each course and the types and numbers of major assignments that students are required to complete for which they receive grades that are recorded by the teacher. The educational content should include the following information: course standards, objectives, anticipated outcomes, and major assignments.

It should be noted that the IEP for a special education student provides adequate documentation of compliance with AB 1012 so long as the school is carrying out the IEP with fidelity.

**iHigh Lab:** Students who are enrolled in iHigh Lab (8155) must be concurrently enrolled in a Board approved online course. Enrollment in iHigh Lab without such concurrent enrollment is not compliant with AB 1012.

**Med EX Home:** Students who are enrolled in Med EX Home (5901) have the requirement of a shortened day included in the student's 504 or IEP.

Questions regarding this circular should be addressed to Sharon Rubalcava Program Manager,

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Office of Leadership and Learning  
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Counseling and Guidance, at (619) 725-7255 Office of Leadership and Learning.

APPROVED:

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Chief, Leadership and Learning