



**Dr. Matt Wayne, Superintendent**

24411 Amador Street, Hayward, CA 94544 T 510.784.2600

July 30, 2021

Dear HUSD High School Families:

Governor Gavin Newsom recently signed into law [AB 104](#). There are two key components of this law which may apply to you. Below you will find an explanation of the law, along with the components, requirements, and timelines.

#### Retention:

AB 104 adds Education Code section 48071, which requires school districts to meet and consult with a parent/guardian within 30 calendar days after receiving a written request for an “eligible pupil” to be retained in the same grade level for the 2021-2022 school year. An “eligible pupil” is defined as a student who has received a D, F, or No Pass (No Credit) grade for at least one-half of the student’s coursework in the 2020-2021 school year but does not include a pupil enrolled in grade 12 during the 2020-2021 school year. During this consultation the school must discuss all available learning recovery options, including access to retake prior semester courses where the student received the deficient grades, and other interventions and supports. The consultation must include a discussion about the impacts of retention including data which concludes that retention does not always produce higher achievement. The school must notify the parent/guardian of a final determination of the student’s retention within 10 calendar days of the consultation.

#### Grade Changes:

High Schools must grant a request from a high school student to change a letter grade to a Pass (Credit) or No Pass (No Credit) grade for a high school course during the 2020-2021 school year (not applicable to current 9th graders). This request does not require input or approval from the teacher, counselor, or administrator and is specified in Education Code 49066.5 as part of AB 104. There is no limit to the number of or type of courses eligible for this transcript adjustment. The California Department of Education developed a specific application for these requests and it is located [here](#) as well as in each HUSD high school and the Parent Hub 24823 Soto Rd. Hayward 94544. Students have 15 calendar days following this announcement to make any grade change requests.

A timeline is included below.

- Friday July 30th: HUSD posts application and list of postsecondary schools participating on our website and all high school websites.
- Friday July 30th: HUSD sends Blackboard message to all HS families with application and list of all postsecondary schools participating.

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**Made in Hayward**

- Wednesday August 11th: Applications are due no later than 4:00 PM in the high school office or via email to the school principal.

Here you will find a list of [postsecondary schools](#) who have indicated that they will be accepting Pass (Credit) or No Pass (No Credit) grades without prejudice to the applicant.

Finally, AB 104 provides that districts must allow high school students who were in their third or fourth year of high school during the 2020-2021 school year, and who were not on track to graduate in four years, to be exempt from all of the district's graduation requirements that exceed statewide requirements. This is referenced in Education Code 51225 which was added as part of AB 104. Students who meet this criteria still must meet statewide coursework requirements to graduate and can be provided the opportunity to do so through completion of a fifth year of high school instruction, credit recovery, or another manner decided upon by the school and family in accordance with established policy. Students who wish to pursue this option should contact their school principal or counselor.

We are looking forward to the new school year and wish your family the best. Should you have any questions please do not hesitate to contact my office or your school principal.

Sincerely,

Dr. Lisa Davies, Assistant Superintendent  
Educational Services  
High School Supervisor  
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Mat Clark, Director, Student Placement  
Student Family Services  
Student Records  
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Hayward High School  
Dave Seymour, Principal  
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Mt. Eden High School  
Monique Walton, Principal  
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Tennyson High School  
Veronica Estrada, Principal  
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