



**Academic Performance EXcellence Academy**  
An LAUSD authorized public charter school  
1309 North Wilton Place – Office #321  
Los Angeles, CA 90028  
Phone (323) 817-6550 FAX (323) 817-6555  
<http://www.apexacademyla.org>

**School Administration**  
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## **Assembly Bill (AB) 104 Pupil Instruction: Retention, Grade Changes, and Exemptions**

### **OVERVIEW**

Assembly Bill (AB) 104 requires school districts to implement policies that give students opportunities to counteract the impact of the pandemic on students' academic achievement and graduation credits. The new law, which went into effect on July 1, 2021, includes options that include requesting retention for eligible students, as noted below, changing grades to a Pass or No Pass for students enrolled in high school last year, and waiving local district graduation requirements that exceed the state credit and course minimums for students who were juniors or seniors in the 2020-21 school year.

### **INTERIM RETENTION PROCESS**

Education Code section 48071, as part of Assembly Bill (AB) 104, establishes an **interim retention process, applicable only to eligible pupils who were enrolled in grades K-11 during the 2020-2021 school year**. An “eligible pupil” is defined as a pupil who has received deficient grades for at least one-half of the pupil’s coursework in the 2020–21 academic year. For purposes of this policy, a deficient grade is an F, or a No Pass at the secondary level. By statute, a pupil enrolled in grade 12 during the 2020-2021 school year shall not be eligible for retention under this policy. Parents, which include the natural or adoptive parent or guardian, the person having legal custody or other education rights holder, or a student who is age 18 or older, may request retention under this process. **This policy is only in effect for the 2021-2022 school year.**

### **GRADE CHANGES (Pass/No Pass)**

Education Code section 49066.5 (AB 104) establishes that a parent, which includes the natural or adoptive parent or guardian, the person having legal custody, or other educational rights holder, or a student who is age 18 or older and enrolled in high school during the 2020-21 school year, **may apply for one or more of their child's letter grades for a course, taken during the 2020-21 school year in high school**, to be changed to a Pass or No Pass on the student’s transcript. There is no limit as to the number or type of courses eligible for this grade change application. The grade change application shall not negatively affect the student’s grade point average or result in the forfeiture of a student’s eligibility for athletics or school programs.

**The grade change application must be made prior to August 31, 2021.** A school will not accept applications after that date. The school is required to make the change of a student’s grade from a letter grade to a Pass (A-D) or No Pass (F) within 15 days of the request and will notify the student and student’s parent or guardian that the grade was changed.

Absent an application to change a transcript by this date, a letter grade earned in the 2020-21 school year will remain on the student's transcript. Please note some postsecondary educational



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institutions, including those in other states, may not accept a Pass or No Pass grade instead of a letter grade for admission purposes.

**LOCAL GRADUATION REQUIREMENTS EXEMPTION**

Education Code section 51225 was amended by AB 104 to establish an interim graduation exemption process. AB 104 **only applies to eligible pupils who were enrolled in their third or fourth year of high school during the 2020-2021 school year and who are not on track to graduate in four years from all APEX graduation requirement coursework and additional requirements.**

There is no action required from eligible students. APEX staff will contact students and the parent or legal guardian of students eligible for this interim graduation exemption process.

Please contact APEX Academy for any additional questions you may have.

[Link to California Ed. Code](#)