# INITIAL STATEMENT OF REASONS

California High School Proficiency Examination (CHSPE)

## INTRODUCTION

Education Code (EC) section 48412 provides for the administration of an examination to verify an eligible test taker’s proficiency in basic skills taught in high school. The law requires the State Board of Education (SBE) to award a certificate of proficiency to persons who demonstrate that proficiency. The law further requires the CDE to develop standards of competency in basic skills taught in public high schools and to provide for the administration of examinations prepared by, or with the approval of, the CDE to verify competency.

**PROBLEM AGENCY INTENDS TO ADDRESS**

New definitions are needed to align title 5 of the California Code of Regulations (5 CCR) section 11520 with the eligibility criteria in EC section 48412(a)(1) and to clarify that payment is required at the time of the examination registration or when requesting services and that administration fees are comprised of different costs.

The objective for the proposed definition for “eligibility” is to confirm how the student shall demonstrate enrollment as required in EC section 48412(a)(1).

In EC section 48412(c)(1), “fee” is defined to be “an amount sufficient to recover the costs” to administer the test. This sufficient amount is the combination of costs, e.g., vendor costs, testing center costs, and state administration costs, and also includes costs for requesting services, such as additional score reports or certificates.

Thus, 5 CCR section 11520 must be updated to ensure that the public understands what is necessary to verify eligibility to take the examination and that the administration fee (cost of the examination) is made up of multiple fees.

## BENEFITS ANTICIPATED FROM REGULATORY ACTION

The benefits of using these definitions are to provide the public consistency and clarity of what can be used to determine eligibility to take a test of proficiency and what costs are included in the fee charged for the test taker to register for an examination. Proposed section 11520(c) is being added to state that a student must provide proof of enrollment in at least their second semester of sophomore year to be eligible to take one of the proficiency exams. Proposed section 11520(d) is being added to show that the test taker will have to pay a fee to take the exam, as well as when requesting additional documentation such as score reports or certificates.

## SPECIFIC PURPOSE OF EACH SECTION – GOV. CODE SECTION 11346.2(b)(1)

The specific purpose of each adoption or amendment, and the rationale for the determination that each adoption or amendment is reasonably necessary to carry out the purpose of which it is proposed, together with a description of the public problem, administrative requirement, or other condition or circumstance that each adoption or amendment is intended to address, is as follows:

General changes were made to the proposed regulations to include grammatical edits, and renumbering and/or re-lettering to reflect deletions or additions.

**SECTION 11520**

**Proposed Section 11520(c)** is added to clarify how a student’s eligibility shall be verified. This change is necessary to ensure the 5 CCR regulations for students’ eligibility for the proficiency examination are in alignment with EC section 48412(a)(1).

**Proposed Section 11520(d)** is added to clarify that “fee” includes all costs of registration, and includes other costs for services after the registration, including ordering additional score reports. This change is necessary so students are fully aware of what costs may be included in their payment for the examination.

## Economic Impact ASSESSMENT PER GOV. CODE SECTION 11346.3(b)

This amendment to the regulations will not have an economic impact on the State of California as this test is voluntary and not mandated by the State or federal government.

### Purpose:

The proposed regulations will not have any effect on agencies.

### Creation or Elimination of Jobs within the State of California: N/A

The proposed regulations directly impact potential test takers, test contractors, and testing centers. They are designed to provide clarity regarding the documentation required to prove a test taker’s eligibility and identity. There is no evidence that the regulations will either create or eliminate jobs within California.

### Creation of New or Elimination of Existing Businesses within the State of California: N/A

The proposed regulations directly impact potential test takers, test contractors and testing centers. The regulations are designed to provide clarity regarding eligibility and proper documentation required to prove a test taker’s eligibility and identity. There is no evidence the regulations will either create or eliminate existing businesses within California.

### Expansion of Businesses or Elimination of Businesses Currently Doing Business within the State of California: N/A

The proposed regulations directly impact potential test takers, test contractors and testing centers. The regulations are designed to provide clarity regarding eligibility and proper documentation required to prove a test taker’s eligibility and identity. There is no evidence the regulations will either expand or eliminate businesses within California.

### Benefits of the Regulations to the Health and Welfare of California Residents, Worker Safety, and the State’s Environment – Gov. Code Section 11346.1(b)(1): N/A

These proposed regulations will have no adverse effect nor benefit on worker safety or the State’s environment.

### Reasonable Alternatives that Would Lessen the Impact on Small Businesses – Gov. Code Section 11346.2(b)(4)(B):

The SBE has not identified any alternatives that would lessen any adverse impact on small business.

### Evidence Relied Upon to Support the Initial Determination that the Regulations Will Not Have a Significant Adverse Economic Impact on Business – Gov. Code Section 11346.2(b)(5):

The proposed regulations would not have a significant adverse economic impact on any business because individuals who take and pass the proficiency examination would only have a positive impact on business by increasing the pool of eligible employment candidates.

## OTHER REQUIRED SHOWINGS

### Studies, Reports or Documents Relied Upon – Gov. Code. Section 11346.2(b)(3):

The SBE did not rely upon any technical, theoretical, or empirical studies, reports, or documents in proposing the adoption, amendment, or repeal of these regulations.

### Reasonable Alternatives Considered or Agency’s Reasons for Rejecting Those Alternatives – Gov. Code Section 11346.2(b)(4)(A):

No other alternatives were presented to or considered by the SBE.

### Analysis of Whether the Regulations are an Efficient and Effective Means of Implementing the Law in the Least Burdensome Manner – Gov. Code Section 11346.3(e):

The proposed regulations have been determined to be the most efficient and effective means of implementing the law in the least burdensome manner.

### Determination of Inconsistent/Incompatible Existing Regulations – Gov. Code Section 11346.5(a)(3)(D):

An evaluation of the proposed regulations has determined they are not inconsistent/incompatible with existing regulations, pursuant to Government Code section 11346.5(a)(3)(D).

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