

Agenda--February 14-15, 2007

California State Board of Education (SBE) meeting agenda.

AGENDA February 14-15, 2007

State Board Members

Kenneth Noonan, President
Ruth Bloom, Vice President

James Aschwanden
Alan Bersin
Yvonne Chan
Don Fisher
Ruth E. Green
David Lopez
Johnathan Williams
Andrew Estep– Student Member

Secretary & Executive Officer
Hon. Jack O'Connell

Executive Director
Roger Magyar

SCHEDULE OF MEETING	LOCATION
Wednesday, February 14, 2007 9:00 a.m. ± STATE BOARD OF EDUCATION Closed Session – IF NECESSARY (The public may not attend.)	California Department of Education 1430 N Street, Room 1101 Sacramento, California 916-319-0827

The Closed Session (1) may commence earlier than 9:00 a.m.; (2) may begin at or before 9:00 a.m., be recessed, and then be reconvened later in the day; or (3) may commence later than 9:00 a.m.

CLOSED SESSION AGENDA

Conference with Legal Counsel – Existing Litigation: Under *Government Code* sections 11126(e)(1) and (e)(2)(A), the State Board of Education hereby provides public notice that some or all of the pending litigation which follows will be considered and acted upon in closed session:

- *California Association of Private Special Education Schools, et al., v. California Department of Education, et al.*, Los Angeles County Superior Court, Case No. BC272983, and related appeal (Second Appellate District, Case No. B1818435)
- *California Parents for the Equalization of Educational Materials v. California State Board of Education, et al.* U.S. Eastern District of California, Case No. 2:06-CV-00532-FCD-KJM
- *Californians for Justice Education Fund v. State Board of Education, et. al.*, Alameda County Superior Court Case No. RG06265395
- *Centinela Valley Union High School District v. State Board of Education, et al.*, Los Angeles Superior Court, Case No. BS093483
- *Coachella Valley Unified School District, et.al., v. State of California, et.al.* Case No. CPF-05-505334
- *Emma C., et al. v. Delaine Eastin, et al.*, United States District Court, Northern District of California, Case No. C 96 4179

- *EMS-BP, LLC, Options for Youth Burbank, Inc. et al. v. California Department of Education, et al.*, Sacramento County Superior Court, Case No. 03CS01078 / 03CS01079 and related appeal
- *Hindu American Foundation, et al., v. California State Board of Education, et al.*, Sacramento Superior Court Case No. 06CS00386
- *K.C. et al. v. Jack O'Connell, et al.*, U.S. District Court, Northern District of California, Case No. C 05 4077 MMC
- *Kidd, et al., v. California Department of Education, et al.*, Alameda Superior Court Case No. 2002049636
- *Medina, et al., v. State of California Department of Education et al.*, San Francisco Superior Court Case No. CPF-06-506068
- *Mendoza, et al. v. State of California, et al.* Los Angeles Superior Court Case No. BS105481
- *Mendoza, et al. v. State of California, et al., and Los Angeles Parents Union, et al.*, California Court of Appeal, Second Appellate District, Div. Three, Case No. B195835
- *Opportunity for Learning – PB, LLC; Opportunities for Learning – C, LLC, and Opportunities for Learning WSH, LLC* Notice of Appeal Before the Education Audit Appeals Panel
- *Options for Youth, et al., v. California Department of Education, et al.*, Los Angeles Superior Court Case No. BC 347454
- *Options of Youth, - Burbank, Inc., San Gabriel, Inc., Upland, Inc., and Victor Valley* Notice of Appeal Before the Education Audit Appeals Panel, OAH #2006100966
- *Porter, et al., v. Manhattan Beach Unified School District, et al.*, United States District Court, Central District, Case No. CV-00-08402
- *Roxanne Serna, et al., v. Delaine Eastin, State Superintendent of Public Instruction, et al.*, Los Angeles County Superior Court, Case No. BC174282
- *Sonoma County Superintendents of Schools, et. al. v. Special Education Hearing Office, et.al.* Sacramento County Superior Court, Case No. 04AS0393
- *Valenzuela, et al., v. Jack O'Connell, et al., Alameda Superior Court, Case No. JCCP 4468*

Case Name Unspecified: Disclosure of case names would jeopardize existing settlement negotiations

Conference with Legal Counsel – Anticipated Litigation: Under *Government Code* sections 11126(e)(1) and (e)(2)(B), the State Board of Education hereby provides public notice that it may meet in closed session to decide whether there is a significant exposure to litigation, and to consider and act in connection with matters for which there is a significant exposure to litigation. Under *Government Code* sections 11126(e)(1) and (e)(2)(C), the State Board of Education hereby provides public notice that it may meet in closed session to decide to initiate litigation and to consider and act in connection with litigation it has decided to initiate.

Under *Government Code* section 11126(c)(14), the State Board of Education hereby provides public notice that it may meet in closed session to review and discuss the actual content of pupil achievement tests (including, but not limited to, the High School Exit Exam) that have been submitted for State Board approval and/or approved by the State Board.

Under *Government Code* section 11126(a), the State Board of Education hereby provides public notice that it may meet in closed session regarding the appointment, employment, evaluation of performance, or dismissal of public employees, or a complaint or charge against public employees. Public employees include persons exempt from civil service under Article VII, Section 4(e) of the California Constitution.

Wednesday, February 14, 2007	California Department of Education
9:00 a.m. Pacific Standard Time ± STATE BOARD OF EDUCATION Public Session	1430 N Street, Room 1101 Sacramento, California 916-319-0827

Thursday, February 15, 2007	California Department of Education
8:00 a.m. Pacific Standard Time ± STATE BOARD OF EDUCATION Closed Session – IF NECESSARY (The public may not attend.)	1430 N Street, Room 1101 Sacramento, California 916-319-0827



Thursday, February 15, 2007	California Department of Education
8:00 a.m. Pacific Standard Time ± STATE BOARD OF EDUCATION Public Session	1430 N Street, Room 1101 Sacramento, California 916-319-0827

Please see the detailed agenda for more information about the items to be considered and acted upon. The public is welcome.

**ALL TIMES ARE APPROXIMATE AND ARE PROVIDED FOR CONVENIENCE ONLY
ALL ITEMS MAY BE RE-ORDERED TO BE HEARD
ON ANY DAY OF THE NOTICED MEETING
THE ORDER OF BUSINESS MAY BE CHANGED WITHOUT NOTICE**

Persons wishing to address the State Board of Education on a subject to be considered at this meeting, including any matter that may be designated for public hearing, are asked to notify the State Board of Education Office (see telephone/fax numbers below) by noon of the third working day before the scheduled meeting/hearing, stating the subject they wish to address, the organization they represent (if any), and the nature of their testimony. Time is set aside for individuals so desiring to speak on any topic NOT otherwise on the agenda (please see the detailed agenda for the Public Session). In all cases, the presiding officer reserves the right to impose time limits on presentations as may be necessary to ensure that the agenda is completed.

REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY

Pursuant to the *Rehabilitation Act of 1973* and the *Americans with Disabilities Act of 1990*, any individual with a disability who requires reasonable accommodation to attend or participate in a meeting or function of the California State Board of Education (SBE), may request assistance by contacting the SBE Office, 430 N Street, Room 5111, Sacramento, CA, 95814; telephone, 916-319-0827; fax, 916-319-0175.

CALIFORNIA STATE BOARD OF EDUCATION

Public Session

AGENDA

February 14-15, 2007

Wednesday, February 14, 2007 – 9:00 a.m. Pacific Standard Time ±

California Department of Education, 1430 N Street, Room 1101, Sacramento, California; 916-319-0827

Call to Order

Salute to the Flag

Communications

Announcements

Report of the Superintendent

SPECIAL PRESENTATIONS

Public notice is hereby given that special presentations for informational purposes may take place during this session.

ITEM 1 (DOC; 57KB; 1p.)	PUBLIC COMMENT. Public Comment is invited on any matter <u>not</u> included on the printed agenda. Depending on the number of individuals wishing to address the State Board, the	INFORMATION
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presiding officer may establish specific time limits on presentations.

ITEM 2 (DOC; 57KB; 2pp.)	Application to the United States Department of Education local assistance funds available through the federal Public Charter School Grant Program <ul style="list-style-type: none">• Attachment 1 (DOC; 38KB; 4pp.)	ACTION INFORMATION
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ITEM 3 (DOC; 76KB; 2pp.)	Update to the Public Charter Schools Grant Program: Request to Expand the List of Schools Approved to Receive Grant Awards, Pending the Availability of Funding.	ACTION INFORMATION
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ITEM 4 (DOC; 63KB; 2pp.)	Appointment of a Student Member to the Child Nutrition Advisory Council	ACTION INFORMATION
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ITEM 5 (DOC; 93KB; 5pp.)	California High School Exit Examination and SB 267: Consideration of a course of action to adopt regarding pupils with disabilities who have met all other state and local graduation requirements, but who are unable to satisfy the CAHSEE requirement or obtain a waiver of the requirement under Section 60851(c) of the Education Code <ul style="list-style-type: none">• State Board of Education Staff Memorandum (DOC; 92KB; 8pp.)• Attachment 1 (DOC; 40KB; 4pp.)• Attachment 2 (DOC; 2,277KB; 7pp.)• Attachment 3 (DOC; 114KB; 1p.)• Attachment 4 (DOC; 328KB; 4pp.)• Attachment 5 (DOC; 41KB; 1p.)• Invited Speaker Presentation, SELPA (DOC; 55KB; 2pp.)• Invited Speaker Presentation, CARS+ (DOC; 59KB; 2pp.)• Invited Speaker Presentation, Dr. Alice Parker (PPT; 1.16MB; 22pp.)<ul style="list-style-type: none">◦ Invited Speaker Presentation, Dr. Alice Parker PDF version for accessibility (Posted 11-Feb-2009; PDF; MB; 22pp.) [Note this document was not available on the original agenda. It was added for accessibility reasons at a later date.]• Invited Speaker Presentation, Dr. Judy Elliott (PDF; 98KB; 14pp.)	ACTION INFORMATION
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Adjournment of Day's Meeting

Thursday, February 15, 2007 - 8:00 a.m.± Pacific Standard Time (Upon adjournment of Closed Session if held)

California Department of Education, 1430 N Street, Room 1101, Sacramento, California

Call to Order

Salute to the Flag

REPORT OF THE SUPERINTENDENT (unless presented on the preceding day)

ITEMS DEFERRED FROM PRECEDING DAY

Any matters deferred from the previous day's session may be considered.

CLOSED SESSION

AGENDA

[State Board of Education Retreat - February 15, 2007](#) (DOC; 31KB; 3pp.)

The State Board of Education will use the day to discuss its history, constitutional and statutory responsibilities, procedures, practices, priorities, goals, and policy or programmatic interests. It will consider how it may improve its operations, increase its effectiveness, and enhance the performance of California's schools.

*****ADJOURNMENT OF MEETING*****

For more information concerning this agenda, please contact at 1430 N Street, Room 5111, Sacramento, CA, 95814; telephone 916-319-0827; fax 916-319-0175. To be added to the speaker's list, please fax or mail your written request to the above-referenced address/fax number.

This agenda is posted on the [State Board of Education's Web site](http://www.cde.ca.gov/be/ag/ag/) [http://www.cde.ca.gov/be/ag/ag/]

Questions: State Board of Education | 916-319-0827

Last Reviewed: Thursday, August 04, 2011

California Department of Education

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CALIFORNIA STATE BOARD OF EDUCATION

FEBRUARY 2007 AGENDA

<p>SUBJECT</p> <p>PUBLIC COMMENT. Public Comment is invited on any matter <u>not</u> included on the printed agenda. Depending on the number of individuals wishing to address the State Board, the presiding officer may establish specific time limits on presentations.</p>	<p><input type="checkbox"/> Action</p> <p><input checked="" type="checkbox"/> Information</p> <p><input type="checkbox"/> Public Hearing</p>
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RECOMMENDATION

Listen to public comment on matters not included on the agenda.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

N/A

SUMMARY OF KEY ISSUES

N/A

FISCAL ANALYSIS (AS APPROPRIATE)

N/A

ATTACHMENT(S)

None



CALIFORNIA STATE BOARD OF EDUCATION

FEBRUARY 2007 AGENDA

SUBJECT	
Application to the United States Department of Education local assistance funds available through the federal Public Charter School Grant Program	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

RECOMMENDATION

The California Department of Education (CDE) recommends that the State Board of Education (SBE) direct the CDE to apply for \$100 million in federal funds under the Public Charter School Grant Program (PCSGP) to award sub-grants to assist in the development and initial operation of approximately 250 new charter schools between October 1, 2007, and September 30, 2010.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education previously directed the CDE to apply for PCSGP funds in 1995, 1998, 2001, and 2004. This application is similar to previous applications. If the application is granted, California will be able to provide local assistance to charter schools in three annual competitive award cycles through 2010.

SUMMARY OF KEY ISSUES

As in previous grant award periods, California's PCSGP will award sub-grants to approximately 80-85 charter schools each year to assist in planning and initial implementation, as well as some dissemination activities. Preference is awarded to applicants proposing to locate charter schools in the attendance areas of public schools in NCLB Program Improvement, in the High Priority Schools Grant Program, or having an Academic Performance Index (API) statewide decile rankings of 1 or 2. Due to a new federal priority in this forthcoming grant period, preference will also be awarded for charter high schools that will serve low-performing, high-risk students. Funding levels are based on enrollment size, whether the school is new or conversion, and whether it is classroom-based or nonclassroom-based.

The federal announcement to submit an application for the PCSGP was released on Friday, December 22, 2006. The application is due February 16, 2007, at 1:00 p.m. Pacific Standard Time.

FISCAL ANALYSIS (AS APPROPRIATE)

This application, if funded, will result in up to \$100 million in local assistance funds for charter school Start-Up, Implementation, and Dissemination activities.

Up to five percent of the grant award may be used for costs to administer the State grant. CDE will use these funds to administer the grant, monitor and evaluate the performance of sub-grantees, provide technical assistance and training to all charter schools, and disseminate promising practices developed in charter schools. Without these funds, the Charter Schools Division would be unable to adequately provide resources and assistance to the charter school community in California.

ATTACHMENT(S)

An Item Addendum will be provided that incorporates an executive summary of the states' federal grant application

Attachment 1: Federal Announcement for PCSGP Applications, 2007-2010 (4 Pages)

Dear SEA Directors,

The fiscal year 2007 closing date notice for the Charter School Program (CSP) CFDA No. 84.282A grant application was published to the Federal Register February 16, 2007, <http://www.ed.gov/legislation/FedRegister/announcements/2006-1/012306d.html>. The California Department of Education (CDE) estimates available funds for FY07 new awards is \$72,000,000 and 15-18 SEAs will be applying for FY07 funds. The California Department of Education (CDE) estimates 10-12 awards will be made.

***The following States currently have approved applications under this program
(project periods ending 07/31/08 or 07/31/09)***

U282A050003 Nevada Department of Education
U282A050004 Wisconsin Department of Public Instruction
U282A050005 Oregon Department of Education
U282A050007 New York State Education Department
U282A050008 Delaware Department of Education
U282A050010 Minnesota Department of Education
U282A050011 District of Columbia Public Schools
U282A050012 Idaho State Department of Education
U282A050013 Utah State Office of Education
U282A050015 Florida Department of Education

U282A060005 Pennsylvania Department of Education
U282A060008 New Jersey Department of Education
U282A060009 Kansas State Department of Education
U282A060010 Connecticut Department of Education
U282A060012 New Mexico Public Education Department
U282A060013 South Carolina Department of Education
U282A060015 Tennessee Department of Education
U282A060016 Louisiana Department of Education
U282A060017 Arkansas Department of Education

The CSP office will be providing two national technical assistance phone conferences for States and their grant teams. These technical assistance phone conference will provide potential applicants a review of the competitive priorities, the selection criteria and the application requirements. The CSP CFDA No. 84.282A is a mandatory <http://www.grants.gov>. A complete application package can be downloaded at <http://www.grants.gov>. The CSP team has scheduled two phone conferences to provide technical assistance to answer questions about the CSP application, selection criteria, application requirements and grants Dates and times for phone conferences to provide technical assistance are:

January 12 12:30-2:00pm (EST)

January 13 12:30-2:00pm (EST)

We would encourage you to register and download the complete application at <http://www.grants.gov> prior to the phone conference.

If you and your state CSP grants team are interested in participating in these technical assistance phone conferences, please contact Leslie Hankerson, leslie.hankerson@ed.gov, (202) 205-8524. Please provide Ms. Hankerson with the names, e-mail addresses, and phone numbers for each individual participating. Ms. Hankerson will be sending a confirmation email with information to access the United States Department of Education (USDOE) conference phone line. In addition, you will be provided with power point resources which will be reviewed during the technical assistance phone conferences.

In addition, there are two revisions to the application I would like to bring to your attention. First, FY 2007 competitive preference priorities have been increased from 4 to 5. Under 34 CFR 75.105(c)(2)(i) we give preference to and will award up to an additional fifty (50) points to an application, depending on how well the application meets these priorities. These priorities are:

Priority 1 - Secondary Schools (10 points). Projects that support activities and interventions aimed at improving the academic achievement of secondary school students who are at greatest risk of not meeting challenging State academic standards and not completing high school.

Priority 2 - Periodic Review and Evaluation (10 points). The State provides for periodic review and evaluation by the authorized public chartering agency of each charter school at least once every five years, unless required more frequently by State law, to determine whether the charter school is meeting the terms of the school's charter, and is meeting or exceeding the student academic achievement requirements and goals for charter schools as provided under State law or the school's charter.

Priority 3 - Number of High-Quality Charter Schools (10 points). The State has demonstrated progress in increasing the number of high-quality charter schools that are held accountable in the terms of the schools' charters for meeting clear and measurable objectives for the educational progress of the students attending the schools, in the period prior to the period for which an SEA applies for a grant under this competition.

Priority 4 - One Authorized Public Chartering Agency Other than a Local Educational Agency (LEA), or an Appeals Process (10 points). The State--

(a) Provides for one authorized public chartering agency that is not an LEA, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or

(b) In the case of a State in which LEAs are the only authorized public chartering agency, allows for an appeals process for the denial of an application for a charter school.

Priority 5 - High Degree of Autonomy (10 points). The State ensures that each charter school has a high degree of autonomy over the charter school's budgets and expenditures.

Note: In responding to each of the competitive preference priorities, the Secretary encourages applicants to provide documentation, including citations and examples from their State's charter school law.

Second, an additional selection criterion has been added for the Fiscal Year 2007 competition. States proposing to use up to 10% of their award for dissemination activities and for States not proposing to use up to 10% of their award for dissemination are required to address this selection criteria in their narrative response. The selection criteria is:

(vi) The Secretary considers the quality of the evaluation to be conducted of the proposed project. In determining the quality of the evaluation, the Secretary considers the extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data to the extent possible (30 points).

Note: A strong evaluation plan should be included in the application narrative and should be used, as appropriate, to shape the development of the project from the beginning of the grant period. The plan should include benchmarks to monitor progress toward specific project objectives and also outcome measures to assess the impact on teaching and learning or other important outcomes for project participants. More specifically, the plan should identify the individual and/or organization that has agreed to serve as evaluator for the project and describe the qualifications of that evaluator. The plan should describe the evaluation design, indicating: (1) what types of data will be collected; (2) when various types of data will be collected; (3) what methods will be used; (4) what instruments will be developed and when; (5) how the data will be analyzed; (6) when reports of results and outcomes will be available; and (7) how the applicant will use the information collected through the evaluation to monitor progress of the funded project and to provide

accountability information both about success at the initial site and effective strategies for replication in other settings. Applicants are encouraged to devote an appropriate level of resources to project evaluation.

If you should have any questions or need assistance, please feel free to contact me directly. We look forward to working with you to expand the number of high quality charter schools in the nation!

*Dean Kern
Director, Charter Schools Program
Office of Innovation and Improvement
US Department of Education
400 Maryland Ave., SW
Washington, DC 20202
wk: (202) 260-1882
fx: (202) 205-5630*



CALIFORNIA STATE BOARD OF EDUCATION

FEBRUARY 2007 AGENDA

SUBJECT	
Update to the Public Charter Schools Grant Program: Request to Expand the List of Schools Approved to Receive Grant Awards, Pending the Availability of Funding	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

RECOMMENDATION

The California Department of Education (CDE) recommends that the State Board of Education (SBE) expand the list of schools approved to receive grant awards under the federal Public Charter Schools Grant Program (PCSGP), pending the availability of funding.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At the November SBE meeting, the SBE approved 67 applications for funding under the PCSGP for a total of \$23,869,000. Twenty additional schools were also approved for funding pending the Department of Finance and the Legislature's action to raise CDE's expenditure authority by \$8,851,510. These additional funds are carry-over from previous grant cycles.

SUMMARY OF KEY ISSUES

The PCSGP is in the last year of its three-year grant period and all funding not obligated this year will revert to the federal government. Because the grant award period ends on September 30, 2007, the most recent grant cycle was shortened to 23 months. Normally Start-up grants are funded for three years and Implementation and Dissemination grants are funded for two years. Due to this shortened grant cycle, some of these 87 schools have elected not to accept their grant awards as they will be unable to meet the requirement to open by September 30, 2007.

In order to utilize the funds applicants have decided not to accept, the CDE proposes to fund up to an additional 15 schools for a total of \$5,807,778. These grants will only be awarded to the extent funds become available. Only schools that scored above 75 out of a possible 100 points will be considered. The score of 75 indicates that the school met all basic grant requirements.

FISCAL ANALYSIS (AS APPROPRIATE)

Expanding the list of schools approved to receive grant awards under the PCSGP has no direct impact on state funding. Expanding the list will ensure that federal funds are used to the maximum extent available to provide grant awards to additional high-quality charter schools.

ATTACHMENT(S)

Attachment 1: Public Charter School Grant Program, Additional Schools
Recommended for Funding Pending Availability of Funds (1 Page)

Additional Grants Recommended For Funding Pending Availability of Funds

START-UP GRANTS		
County	School	Amount
Alameda	KIPP East Bay College Prep	\$405,000
Los Angeles	Freeman College Preparatory	\$405,000
Los Angeles	Los Angeles Design High School	\$332,766
Los Angeles	Millennium Charter School	\$405,000
Los Angeles	Rosie the Riveter Charter High School	\$405,000
Los Angeles	Sequoia Academy of Science	\$402,120
Los Angeles	Wisdom Science Academy	\$402,120
Merced	Juanita Marquez Retana Learning Academy	\$405,000
Sacramento	California Aerospace Academy	\$405,000
Sacramento	Natomas Pacific Pathways Prep	\$395,811
San Diego	Health Sciences High and Middle College in San Diego	\$404,961

IMPLEMENTATION GRANTS		
County	School	Amount
Los Angeles	College-Ready Academy High School #5	\$360,000
Los Angeles	Opportunities Unlimited Charter High School	\$360,000
San Bernardino	Pathways to College	\$360,000
Ventura	University Charter Middle School at CSU Channel Islands	\$360,000



CALIFORNIA STATE BOARD OF EDUCATION

FEBRUARY 2007 AGENDA

SUBJECT Appointment to the Child Nutrition Advisory Council (CNAC)	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing
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RECOMMENDATION

Appoint Alexandria Icenhower for a one year term as the student member on the Child Nutrition Advisory Council.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education appoints members to the Child Nutrition Advisory Council (CNAC) pursuant to Education Code Section 49533. The CNAC is composed of 13 members, eleven of whom serve three-year, staggered terms. The student member serves a one-year term. The thirteenth member is a designee of the State Superintendent of Public Instruction. The CNAC shall include a representative from each of these groups: school administrators, school boards, school food service managers, classroom teachers, curriculum coordinators, nutrition education specialists, lay people, child care food program sponsors, secondary high school students, recognized parent-teacher organizations, and qualified consultants specializing in nutrition, education, child care, or health and welfare.

SUMMARY OF KEY ISSUES

The student member has traditionally been selected from among applicants for the student member of the Board position. The proposed applicant was one of the seven students interviewed by the SBE screening committee. She was not recommended to the Governor for consideration as the student member, but was well regarded by the screening committee. She has experience with school nutrition issues as she currently serves as a student representative to the Coronado Unified School District's School Nutritional Board.

FISCAL ANALYSIS (AS APPROPRIATE)

N/A

ATTACHMENT(S)

Attachment 1: A copy of Alexandria Icenhower's 2007-08 Student Member Application.
(This document is not available for web viewing. A copy is available in the
State Board of Education office.)



CALIFORNIA STATE BOARD OF EDUCATION

FEBRUARY 2007 AGENDA

SUBJECT California High School Exit Examination (CAHSEE) and Senate Bill (SB) 267: Consideration of a course of action to adopt regarding pupils with disabilities who have met all other state and local graduation requirements, but who are unable to satisfy the CAHSEE requirement or obtain a waiver of the requirement under Section 60851(c) of the <i>Education Code</i>	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing
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RECOMMENDATION

The California Department of Education (CDE) recommends that the State Board of Education (SBE) take action as deemed necessary and appropriate. CDE proposes the discussion proceed in accordance with Attachment 1.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At its meeting in December 2001, the SBE adopted a waiver process, through which students with disabilities, who take the CAHSEE with modifications and score the equivalent of a passing score are able to satisfy the CAHSEE requirement. A modification used by a student, such as using a calculator on the math portion of the CAHSEE, fundamentally alters what the CAHSEE is assessing. Therefore, the use of a modification creates an alternate way for students to demonstrate mastery of the standards assessed on the CAHSEE. The results are not directly comparable to the results from the standard form of the CAHSEE. The SBE recognized the creation of this alternate demonstration of the CAHSEE and adopted a waiver process. Later, a similar process was enacted by the Legislature in *Education Code* Section 60851 (c), which requires that the student's principal make a waiver request to the local school board. The local board may grant the waiver if the pupil 1) has an individualized education program (IEP) or Section 504 plan that that permits such a modification, 2) has completed or will complete, the coursework necessary to pass the exam, and 3) scores the equivalent of a passing score on that part of the CAHSEE while using a modification. Since December 2001, students with disabilities throughout the state have been able to satisfy the CAHSEE requirement through the waiver process.

In 2004, the SBE approved the request for proposals (RFP) for SB 964, a study regarding options for graduation requirements and assessments for students with disabilities. The results of the SB 964 study provided CDE with information that was considered in the development of the January and March 2006 board items.

SUMMARY OF PREVIOUS ACTION, Cont.

In January 2006, as part of its regularly scheduled meeting, the SBE was presented with the results of a public meeting held by CDE on December 15, 2005. This meeting, held at the request of State Superintendent of Public Instruction Jack O'Connell, invited interested parties to provide input on potential alternate ways for all students to demonstrate mastery of the content assessed on the CAHSEE consistent with *Education Code* Section 60856, which directs the study of,

"the appropriateness of other criteria by which high school pupils who are regarded as highly proficient but unable to pass the High School Exit Examination may demonstrate their competency and receive a high school diploma."

At its meeting on March 8, 2006, the SBE adopted Superintendent O'Connell's position that,

"there is no practical alternative available that would ensure all [non-special education] students awarded a high school diploma have mastered the subject areas tested by CAHSEE."

SUMMARY OF KEY ISSUES

Consideration of a course of action to adopt regarding pupils with disabilities who have met all other state and local graduation requirements, but who are unable to satisfy the CAHSEE requirement or obtain a waiver of the requirement under Section 60851(c) of the *Education Code*

Background

The CAHSEE is one of the cornerstones of California's accountability system. Before California implemented standards-based accountability, our schools had widely disparate standards for what children were learning and what constituted graduation requirements. The state now holds every school in California accountable to the same minimum standards before issuing a high school diploma.

The CDE and the SBE have gone to great lengths to ensure the reliability and validity of the CAHSEE and, to that end, received and studied yearly independent reports conducted by the Human Resources Research Organization (HumRRO). CDE has reviewed the literature on similar exams and has monitored other states' activities in this realm. We have conducted outreach and training on the CAHSEE and its content, have created study tools and guidance for districts, parents and students, and have sent a clear policy message about the importance of this exam as a graduation requirement.

Students with Disabilities and SB 267

During the 2005-06 legislative session, the Legislature passed and the Governor signed into law, SB 267, which enacted *Education Code* Section 60852.4. This new law contained two primary provisions: (1) allowing certain students with disabilities in the

SUMMARY OF KEY ISSUES, Cont.

Class of 2007 who met a series of seven criteria to receive an exemption of the CAHSEE requirement and (2) required that by June 1, 2007, the Superintendent of Public Instruction, with the approval of the state board, recommend to the Legislature a course of action to adopt regarding pupils with disabilities who have met all other state and local graduation requirements, but who are unable to satisfy the CAHSEE requirement or obtain a waiver of the requirement under *Education Code* Section 60851 (c). Therefore, the CDE is reviewing possible courses of action in developing the recommendation to the legislature. A similar exemption provision was provided the previous year by SB 517 to a similar group of special education students in the class of 2006. In order to be eligible for the exemption, students must meet a prescribed set of criteria including, but not limited to,: 1) attempt at least two times to pass the portion or portions of the exam that they did not pass in 10th grade, 2) take remedial instruction on the portions not passed, and 3) then attempt to pass the portions for which they received remediation. This current exemption will sunset on December 31, 2007 (*Education Code* Section 60852.4(d).).

According to the independent evaluator, HumRRO, in its October 2006 report (p. 31), the CAHSEE pass rate for students with disabilities is the lowest among subgroups for the class of 2006. The chart below provides the number and rate of students in the class of 2006 (as provided by HumRRO) who met the CAHSEE requirement and also includes the number of students receiving special education services who received diplomas as of June 2006. These data provide an important context as we consider possible courses of action.

Estimated Percent of Students in the Class of 2006 Passing Both Portions of CAHSEE through May 2006

Group	Percent Passed	Number Passed	Students with IEPs receiving diplomas as of June 2006*
All Students	91.2%	399,344	
Asian	95.3%	41,787	
Hispanic	85.5%	145,228	
African American	83.7%	28,188	
White, non-Hispanic	97.3%	160,214	
Economically Disadvantaged	85.7%	140,049	
English Learners	76.0%	53,851	
Students with Disabilities**	47.8%	19,017	22,029

*Source: California Special Education Management Information System (CASEMIS) data as of June 2006
 **Students in special education programs who had not passed the CAHSEE by the end of 11th grade and were subsequently exempted from the CAHSEE requirement were excluded from all rows of the table except for the last row.

The purpose of this review of courses of action is to ensure that all students with disabilities have meaningful way to demonstrate their mastery of California's academic

SUMMARY OF KEY ISSUES, Cont.

content standards. Any course of action is not to be designed as an “exemption” of the CAHSEE requirement for these students; rather it should be seen as an alternative pathway for these students to demonstrate what they know and are able to do.

Below is a brief description of several courses of action provided as possible approaches for students with individualized education programs or section 504 plans to demonstrate mastery of California’s academic content standards. This list is designed as a starting point for a discussion between policy makers, researchers, professional educators, parents and concerned members of the public.

After input and discussion from Superintendent O’Connell, SBE, invited speakers and the public, Superintendent O’Connell will consider the feasibility of suggested courses of action, including associated costs and benefits and present this detailed information to the SBE at its March meeting.

Potential Courses of Action	Description of Potential Courses of Action
Maintain the CAHSEE requirement for all students	<ul style="list-style-type: none"> • This proposal maintains current law; that is, the exemption will sunset on December 31, 2007 and all students, including students with disabilities, will be required to satisfy the CAHSEE requirement. • Students with disabilities would still have access to all accommodations and modifications listed in their IEP’s and section 504 plans
Make changes to CAHSEE Waiver Process (<i>EC 60851.c</i>)	<ul style="list-style-type: none"> • Change the waiver requirement to include other, more specific requirements, such as: <ul style="list-style-type: none"> ○ Add provision that requires if a student meets all of the current criteria, the local board <u>shall</u> grant a waiver ○ Add appeal provision to waiver that would require local board, if it denies a local waiver, the student’s request will be submitted to the state board for a review
Develop a State-endorsed Certificate of Completion	<ul style="list-style-type: none"> • Students with disabilities who are unable to pass the CAHSEE, but have met all other state and local requirements may exit school, and their district will be required to issue these students a state-endorsed certificate of completion <ul style="list-style-type: none"> ○ This certificate is not equivalent to a high school diploma • Students receiving a certificate of completion must be allowed to participate in all graduation activities
Develop a Juried Assessment	<ul style="list-style-type: none"> • Student must satisfy various requirements in key areas to be considered to have satisfied the CAHSEE requirement through the Juried Assessment, such as: <ul style="list-style-type: none"> ○ Numerous CAHSEE attempts ○ Demonstrated 95% attendance ○ Participation in remedial course ○ Teacher and principal recommendations supported by documentation

Potential Courses of Action	Description of Potential Courses of Action
Allow Compensatory Scoring of standard CAHSEE form	<ul style="list-style-type: none">Students would continue to take both portions of the CAHSEE, and if unable to pass each part of the exam independently, the scores can be combined as a proxy for passing the CAHSEE
Create On-Demand CAHSEE Strand Tests	<ul style="list-style-type: none">Eligible students would take CAHSEE "strand-tests" to satisfy the requirement<ul style="list-style-type: none">Each strand (number sense, Algebra I, etc.) would be represented by its own strand-test
Develop CAHSEE Alternative Assessment	<ul style="list-style-type: none">A newly-developed test could be used to assess students with disabilities who cannot pass the CAHSEEThis test would be developed using the same guidelines and procedures used in the development of the California Modified Assessment (CMA)

FISCAL ANALYSIS (AS APPROPRIATE)

All costs associated with the activities indicated above will be new costs and will likely require changes to budget provisions.

ATTACHMENT(S)

Attachment 1: Schedule for February 14, 2007 Course of Action Discussion (4 pages)

Attachment 2: Matrix of Testing Variations, Accommodations, and Modifications (7 pages)

Attachment 3: Data Analysis of CAHSEE Results of Students with Disabilities Using Accommodations and Modifications (excerpt from HumRRO Report) (1 page)

Attachment 4: Comparison of State Options from SB 964 Study (4 pages)

Attachment 5: Alternate Paths for Students with Disabilities (excerpt for Center for Education Policy study) (1 page)

CALIFORNIA STATE BOARD OF EDUCATION

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STAFF MEMORANDUM

TO: STATE BOARD OF EDUCATION MEMBERS

FROM: SBE STAFF

DATE: FEBRUARY 8, 2007

RE: BOARD ITEM #5 – CALIFORNIA HIGH SCHOOL EXIT EXAMINATION (CAHSEE) AND SB 267: CONSIDERATION OF A COURSE OF ACTION TO ADOPT REGARDING PUPILS WITH DISABILITIES WHO HAVE MET ALL OTHER STATE AND LOCAL GRADUATION REQUIREMENTS, BUT WHO ARE UNABLE TO SATISFY THE CAHSEE REQUIREMENT OR OBTAIN A WAIVER OF THE REQUIREMENT UNDER SECTION 60851(c) OF THE EDUCATION CODE

Background

State law generally requires that all students in California pass the math and English portions of the California High School Exit Examination (CAHSEE) to receive a high school diploma. (Ed. Code sec. 60851(a).) Students with disabilities who take the examination with “modifications” -- which by definition alter what the test measures -- and achieve the equivalent of a passing score (350 points) on one or both portions of the test, may apply to their local governing board for a “waiver” of the requirement to pass that portion or portions of the CAHSEE. (Ed. Code. sec. 60851(c)(1).) The local board “may” grant the waiver if the pupil 1) has an individualized education plan or Section 504 plan that permits such modifications, and 2) has completed, or will complete, the coursework necessary to pass the exam. (Ed. Code sec. 60851(c)(1).)

In connection with a lawsuit challenging the CAHSEE requirement on behalf of special education students, the State Board, CDE, and the Superintendent O’Connell agreed to support legislation that would “exempt” special education students in the classes of 2006 and 2007 from the CAHSEE requirement, so long as those students demonstrated a diligent effort to pass the CAHSEE. Among other things, they are required to: 1) attempt at least two times to pass the portion or portions of the exam that they did not pass in 10th grade, 2) take remedial instruction on the portions not passed, and 3) then attempt to pass the portions for which they received remediation. (Ed. Code sec. 60852.4.; SB 267 (2006); SB 517 (2006).)

This exemption will sunset on December 31, 2007. (Ed. Code sec. 60852.4(d).) In conjunction, the Legislature has directed the Superintendent of Public Instruction and the State Board of Education to recommend how to proceed respecting special education students and the CAHSEE requirement:

By June 1, 2007, the Superintendent of Public Instruction, with the approval of the state board, shall recommend to the Legislature a course of action to adopt regarding pupils with disabilities who have met all other state and local graduation requirements, but who are unable to satisfy the California High School Exit Examination requirement or obtain a waiver of the requirement under Section 60851(c) of the Education Code.

(SB 267 sec. 3 (2006).)

The Legislature, of course, is concerned about special education students because their pass rate on the CAHSEE is the lowest among subgroups for the Class of 2006. These data were presented by the independent evaluator Human Resources Research Organization (HumRRO) in its October 2006 report (p. 31), and is summarized below:

**Estimated Percent of Students in the Class of 2006
Passing Both Portions of CAHSEE through May 2006**

<u>Group</u>	<u>Total Passed</u>
All Students	91.2%
Asian	95.3%
Hispanic	85.5%
African American	83.7%
White, non-Hispanic	97.3%
Economically Disadvantaged	85.7%
English Learner	76.0%
Special Education	47.8%

It bears noting that the 47.8% pass rate for special education students does not include those students who were eligible for a “waiver” by virtue of their achieving the equivalent of a passing score through the use of modifications. (HumRRO did not collect that data.) It should also be noted that the high school graduation rate for special education students who graduated in 2005 – before the CAHSEE requirement became effective – is estimated by CDE (according to one methodology) to be approximately 56%. (Another method used by CDE estimates that rate at approximately 40%.) Knowing the pre-CAHSEE graduation rate helps answer the question to what extent special education students do not graduate high school due to their failure to pass the CAHSEE.

Issue Presented for February 14 State Board Meeting

The State Board will devote most of its February 14 meeting to considering the question posed by the Legislature: 1) Should all special education students be required to pass the CAHSEE (with the current waiver provision that permits students to use modifications)? or 2) is there an appropriate and better alternative to the CAHSEE?

The California Department of Education (CDE) has prepared a summary of a number of possible courses of action that is attached to its agenda item. We recommend that any evaluation of these possible courses of action consider four principles or criteria:

1. Does the option allow students to demonstrate mastery of California's world class content standards?
2. Is it of equal rigor to the CAHSEE?
3. Will it ensure that the California high school diploma is a meaningful document?
4. Is it practical to implement in California?

California's high school exit exam must help ensure that all of our students are equipped with the skills and knowledge necessary to truly compete in today's information-driven global economy.

ATTACHMENTS:

- Ed. Code sec. 60851
- Ed. Code sec. 60852.4
- SB 267 (2006)

SBE Staff Contact Person

Paul Seave

Attachment: *Education Code Secs. 60851 and 60852.4, and SB 267 (2006)*

Education Code sec. 60851.

a) Commencing with the 2003-04 school year and each school year thereafter, each pupil completing grade 12 shall successfully pass the high school exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school. Funding for the administration of the high school exit examination shall be provided for in the annual Budget Act. The Superintendent shall apportion funds appropriated for this purpose to enable school districts to meet the requirements of this subdivision and subdivisions (b), (c), and (d). The state board shall establish the amount of funding to be apportioned per test administered, based on a review of the cost per test.

(b) Each pupil shall take the high school exit examination in grade 10 beginning in the 2001-02 school year and may take the examination during each subsequent administration, until each section of the examination has been passed.

(c) (1) At the parent or guardian's request, a school principal shall submit a request for a waiver of the requirement to successfully pass the high school exit examination to the governing board of the school district for a pupil with a disability who has taken the high school exit examination with modifications that alter what the test measures and has received the equivalent of a passing score on one or both subject matter parts of the high school exit examination. A governing board of a school district may waive the requirement to successfully pass one or both subject matter parts of the high school exit examination for a pupil with a disability if the principal certifies to the governing board of the school district that the pupil has all of the following:

(A) An individualized **education** program adopted pursuant to the federal Individuals with Disabilities **Education** Act (20 U.S.C. Sec. 1400 et seq.) or a plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)) in place that requires the accommodations or modifications to be provided to the pupil when taking the high school exit examination.

(B) Sufficient high school level coursework either satisfactorily completed or in progress in a high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the high school exit examination.

(C) An individual score report for the pupil showing that the pupil has received the equivalent of a passing score on the high school exit examination while using a modification that fundamentally alters what the high school exit examination measures as determined by the state board.

(2) A school district shall report to the state board, in a manner and by a date determined by the Superintendent, the number and characteristics of waivers reviewed, granted, and denied under this subdivision and any additional information determined to be in furtherance of this subdivision.

(d) The high school exit examination shall be offered in each public school and state special school that provides instruction in grades 10, 11, or 12, on the dates designated by the Superintendent. An exit examination may not be administered on any date other than those designated by the Superintendent as examination days or makeup days.

(e) The results of the high school exit examination shall be provided to each pupil taking the examination within eight weeks of the examination administration and in time for the pupil to take any section of the examination not passed at the next administration. A pupil shall take again only those parts of the examination he or she has not previously passed and may not retake any portion of the exit examination that he or she has previously passed.

(f) Supplemental instruction shall be provided to any pupil who does not demonstrate sufficient progress toward passing the high school exit examination. To the extent that school districts have aligned their curriculum with the state academic content standards adopted by the state board, the curriculum for supplemental instruction shall reflect those standards and shall be designed to assist the pupils to succeed on the high school exit examination. This chapter does not require the provision of supplemental services using resources that are not regularly available to a school or school district, including summer school instruction provided pursuant to Section 37252. In no event shall any action taken as a result of this subdivision cause or require reimbursement by the Commission on State Mandates. Sufficient progress shall be determined on the basis of either of the following:

(1) The results of the assessments administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 and the minimum levels of proficiency recommended by the state board pursuant to Section 60648.

(2) The grades of the pupil and other indicators of academic achievement designated by the school district.

Education Code sec. 60852.4:

(a) Notwithstanding any other provision of law, a school district or state special school as designated in Sections 59000 and 59100 shall grant a high school diploma to a pupil with a disability who is scheduled to graduate from high school in 2007, has not passed the high school exit examination or is eligible for a waiver pursuant to subdivision (c) of Section **60851**, and has not received a waiver pursuant to subdivision (c) of Section **60851**, if all of the following criteria exist:

(1) The pupil has an operative individualized **education** program adopted pursuant to the federal Individuals with Disabilities **Education** Act (20 U.S.C. Sec. 1400 et seq.) or a plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794 (a)).

(2) The individualized **education** program or Section 504 plan of the pupil, that is dated on or before July 1, 2006, indicates that the pupil has an anticipated graduation date, and is scheduled to receive a high school diploma on or before December 31, 2007.

(3) The school district or state special school certifies that the pupil has satisfied or will satisfy all other state and local requirements for the receipt of a high school diploma on or before December 31, 2007.

(4) The pupil has attempted to pass those sections not yet passed of the high school exit examination at least twice after grade 10, including at least once during the current grade 12 year of the pupil, with the accommodations or modifications, if any, specified in the individualized **education** program or the Section 504 plan of the pupil.

(5) (A) Either (i) the pupil received remedial or supplemental instruction focused on those sections not yet passed of the high school exit examination from his or her school, private tutoring, or another source, or (ii) the school district or state special school failed to provide the pupil with the opportunity to receive that remedial or supplemental instruction.

(B) If the pupil received remedial or supplemental instruction as described in clause (i) of subparagraph (A), the pupil has taken those sections not yet passed of the high school exit examination at least once following the receipt of that remedial or supplemental instruction. This subparagraph does not apply if following the receipt of that remedial or supplemental instruction, there is no further administration of the examination on or before December 31, 2007.

(6) No later than 30 days prior to the receipt of a diploma in 2007, the pupil, or the parent or legal guardian of the pupil if the pupil is a minor, has been notified in writing pursuant to Section 300.503 of Title 34 of the **Code** of Federal Regulations that the pupil is entitled to receive free appropriate public **education** up to and including the academic year during which the pupil reaches the maximum age pursuant to subdivision (c) of Section 56026, or until the pupil receives a high school diploma, whichever event occurs first.

(b) A school district or state special school shall submit documentation relating to the denial of a high school diploma on or before December 31, 2007, pursuant to this section, to the state board within 15 days of the determination that the pupil with a disability who is scheduled to graduate from high school in 2007, does not meet the criteria stated in subdivision (a). The state board shall review any denial of a high school diploma by a school district or state special school pursuant to this section no later than its next regularly scheduled meeting, occurring at least 30 days after receipt of the above documentation from the school district or state special school. If the state board finds that the pupil meets the criteria stated in subdivision (a), the state board may require the school district or state special school to grant a high school diploma to the pupil.

(c) Each school district and state special school shall report to the Superintendent, in a manner and by a date determined by the Superintendent, all of the following information:

(1) Documentation of the procedure used to implement this section.

(2) The number of pupils granted diplomas pursuant to this section.

(3) Any additional information determined to be in furtherance of this section.

(d) This section shall remain in effect only until December 31, 2007, and as of that date is repealed, unless a later enacted statute, that is enacted before December 31, 2007, deletes or extends that date.

Senate Bill 267 (2006):

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature hereby finds and declares all of the following:

(a) It is the intent of the Legislature to address the needs of pupils with disabilities who are scheduled to receive a high school diploma in 2007, who have not yet satisfied the requirement to pass the California High School Exit Examination.

(b) It is further the intent of the Legislature that the Superintendent of Public Instruction and the State Board of Education shall make recommendations to the Legislature not later than June 1, 2007, about pupils with disabilities who are scheduled to receive a high school diploma in 2008, with regard to the California High School Exit Examination requirement.

SEC. 2. Section 60852.4 is added to the Education Code, to read:

60852.4. (a) Notwithstanding any other provision of law, a school district or state special school as designated in Sections 59000 and 59100 shall grant a high school diploma to a pupil with a disability who is scheduled to graduate from high school in 2007, has not passed the high school exit examination or is eligible for a waiver pursuant to subdivision (c) of Section 60851, and has not received a waiver pursuant to subdivision (c) of Section 60851, if all of the following criteria exist:

(1) The pupil has an operative individualized education program adopted pursuant to the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) or a plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794 (a)).

(2) The individualized education program or Section 504 plan of the pupil, that is dated on or before July 1, 2006, indicates that the pupil has an anticipated graduation date, and is scheduled to receive a high school diploma on or before December 31, 2007.

(3) The school district or state special school certifies that the pupil has satisfied or will satisfy all other state and local requirements for the receipt of a high school diploma on or before December 31, 2007.

(4) The pupil has attempted to pass those sections not yet passed of the high school exit examination at least twice after grade 10, including at least once during the current grade 12 year of the pupil, with the accommodations or modifications, if any, specified in the individualized education program or the Section 504 plan of the pupil.

(5) (A) Either (i) the pupil received remedial or supplemental instruction focused on those sections not yet passed of the high school exit examination from his or her school, private tutoring, or another source, or (ii) the school district or state special school failed to provide the pupil with the opportunity to receive that remedial or supplemental instruction.

(B) If the pupil received remedial or supplemental instruction as described in clause (i) of subparagraph (A), the pupil has taken those sections not yet passed of the high school exit examination at least once following the receipt of that remedial or supplemental instruction. This subparagraph does not apply if following the receipt of that remedial or supplemental instruction, there is no further administration of the examination on or before December 31, 2007.

(6) No later than 30 days prior to the receipt of a diploma in 2007, the pupil, or the parent or legal guardian of the pupil if the pupil is a minor, has been notified in writing pursuant to Section 300.503 of Title 34 of the Code of Federal Regulations that the pupil

is entitled to receive free appropriate public education up to and including the academic year during which the pupil reaches the maximum age pursuant to subdivision (c) of Section 56026, or until the pupil receives a high school diploma, whichever event occurs first.

(b) A school district or state special school shall submit documentation relating to the denial of a high school diploma on or before December 31, 2007, pursuant to this section, to the state board within 15 days of the determination that the pupil with a disability who is scheduled to graduate from high school in 2007, does not meet the criteria stated in subdivision (a). The state board shall review any denial of a high school diploma by a school district or state special school pursuant to this section no later than its next regularly scheduled meeting, occurring at least 30 days after receipt of the above documentation from the school district or state special school. If the state board finds that the pupil meets the criteria stated in subdivision (a), the state board may require the school district or state special school to grant a high school diploma to the pupil.

(c) Each school district and state special school shall report to the Superintendent, in a manner and by a date determined by the Superintendent, all of the following information:

(1) Documentation of the procedure used to implement this section.

(2) The number of pupils granted diplomas pursuant to this section.

(3) Any additional information determined to be in furtherance of this section.

(d) This section shall remain in effect only until December 31, 2007, and as of that date is repealed, unless a later enacted statute, that is enacted before December 31, 2007, deletes or extends that date.

SEC. 3. By June 1, 2007, the Superintendent of Public Instruction, with the approval of the state board, shall recommend to the Legislature a course of action to adopt regarding pupils with disabilities who have met all other state and local graduation requirements, but who are unable to satisfy the California High School Exit Exam requirement or obtain a waiver of the requirement under Section 60851 (c) of the Education Code.

SEC. 4. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that certain pupils with disabilities are able to graduate from high school in 2007, it is necessary that this act take effect immediately.

Schedule for February 14, 2007 State Board of Education discussion of the consideration of a course of action to adopt regarding pupils with disabilities who have met all other state and local graduation requirements, but who are unable to satisfy the CAHSEE requirement or obtain a waiver of the requirement under Section 60851(c) of the Education Code

1. Presentation of issues and data by CDE
2. Presentations (10 minutes each) by invited speakers representing a spectrum of views and perspectives:
 - Loni Allen, Education Resource Specialist, Parents Helping Parents
 - Dr. Judy Elliott, Assistant Superintendent of School Support Services, Long Beach Unified School District
 - Roger Heller, Senior Staff Attorney, Disability Rights Advocates
 - Dale Mentink, Senior Attorney, Protection & Advocacy, Inc.
 - JoAnn Murphy, Executive Director, Special Education Program at Poway Unified School District
 - Linda Nimer, President-Elect, CARS+ (California Association of Resource Specialists and Special Education Teachers)
 - Dr. Alice D. Parker, Former Assistant Superintendent of Public Instruction and State Director of Special Education, CDE
 - Don Shalvey, Chair, Advisory Commission on Special Education

(Bios for each of these presenters begin on Page 2)

3. Opportunity for public comment.

In addition to public comment provided at this meeting, members of the public are encouraged to submit written comment to the State Board of Education.

Short Biographies of the Invited Presenters

Loni Allen the parent of three children, two of whom have disabilities, a son who is currently a senior in high school and a daughter who graduated from high school three years ago and currently attends college. She has been employed for six years at Parents Helping Parents in Santa Clara, a parent training and information center. She presents trainings to assist parents to understand their child's right to special education supports and services. She runs a year round workshop for parents to encourage leadership and advocacy for their children with disabilities. She has an associate degree in Ornamental Horticulture and Mechanical Design.

Judy Elliott, Ph.D., is currently the Assistant Superintendent of School Support Services in the Long Beach Unified School District (LBUSD), Long Beach, California. LBUSD is the third largest urban school system in the state with approximately 94,000 students.

Formerly a Senior Researcher at the National Center on Educational Outcomes, University of Minnesota, she worked and continues to assist districts and state departments of education in their efforts to update and realign curriculum frameworks, instruction, and assessments to include all students.

Her research interests focus on effective instruction, IEP development and its alignment with standards and assessments, decisions making for accountability, accommodation, and assessment as well as translating information on standard and assessments for various audiences including parents, teachers, school boards, and other community groups.

Dr. Elliott continues to serve as a national consultant and staff development professional to school districts and organizations. Judy has trained thousands of staff, teachers, and administrators, both in the South Pacific and United States, in areas to include behavior management, linking assessment to instruction and intervention, strategies and tactics for effective instruction, curricular modification for students with mild to significant disabilities, intervention and teacher assistance teams, authentic and curriculum-based evaluation, instructional environment evaluation, collaborative teaching, strategies for difficult-to-manage students, accountability and assessment practices.

Some of the most recent co-published books are *Improving the test performance of students with disabilities (2nd Edition)*; *Testing students with disabilities: Practical strategies for complying with state and district requirements (2nd Edition)*; *Strategies and tactics for effective instruction*; and *Timesavers for educators, and Response to Intervention: Policy Considerations and Implementation*.

Roger Heller joined Disability Rights Advocates (DRA) in 2005. His practice focuses on high impact litigation in the areas of physical access, testing, and mental health. Before joining DRA in 2005, Mr. Heller worked as a litigation associate at O'Melveny & Myers LLP in San Francisco, focusing on class action defense and international arbitrations. He also worked as an extern for

Honorable Michael Dolinger of the United States District Court for the Southern District of New York. Outside of work, Mr. Heller has devoted significant time to protecting the rights of homeless people in San Francisco through his work with the San Francisco Coalition on Homelessness. Mr. Heller received his law degree in 2001 from Columbia University School of Law and his B.A. in Economics from Emory University in 1997. He is admitted to practice in All California Courts as well as the U.S. District Courts for the Northern District of California.

Dale Mentink has been an attorney with Protection & Advocacy, Inc. since 1988 practicing mostly in the area of special education and other children's issues. Protection & Advocacy is a state-wide disability rights advocacy organization.

JoAnn Murphy is the Executive Director of the Poway Unified SELPA and currently serves as the Chair for the CAHSEE AD Hoc committee in the California State SELPA organization. She served as a member on the SB 964 Advisory panel assessing options and providing recommendations for alternatives to the high school exit exam for students with disabilities eligible for a high school diploma. Ms. Murphy has over thirty years of experience in the field of special education as an administrator, program specialist and classroom teacher. Her training and background as a specialist in learning disabilities has provided a clear perspective on the needs of students in the learning process.

Linda Nimer, President-elect of CARS+ (California Association of Resource Specialists and Special Educators). Ms. Nimer holds a lifetime secondary credential in PE with minor in history and has earned a MA in Special Education, a learning handicapped credential, a moderate/severe credential, an RS certificate, and a CLAD. Ms. Nimer started teaching as a substitute so that she could spend more time with my 5 children. Her first full-time assignment was working with special education students in an alternative education setting in Clovis, CA and she has spent the past twelve years teaching in Fresno Unified School District (middle school and elementary resource specialist and currently at Wawona Middle School as a functional skills teacher). She has also taught CLAD classes at National University for three years.

Ms. Nimer has been selected as a state teacher for Independent Study programs, a national winner for the use of media in the classroom and was selected as a Fulbright Memorial Fund teacher.

Areas of focus in her teaching have been transition and recycling for which she has received multiple grants.

Alice Parker is Coordinator of Strategic Educational Services for Sopris West Educational Services, a Cambium Learning company specializing in reaching the tough to teach with proven and practical products, programs, professional development, and consultation. She is the past president of the National Association of State Directors of Special Education and the 2006 recipient of their Heritage Award for service to children with disabilities and the nation. She has also received the Friend of Children Award from the National Association of School Psychologists for her contribution to national policy and legislation on

behalf of children with disabilities and their parents. She was Assistant Superintendent of Public Instruction and the State Director of Special Education, California Department of Education for more than 8 years, providing leadership for state and federal programs for these children and youth in need. Prior to becoming State Director she was a local district director for student services, a school principal, a manager of special education programs, an augmentative specialist, and a teacher.

Alice has a doctorate from the University of San Francisco in Education-Organization and Leadership, a Masters in Communicative Disorders from San Francisco State University, and a B.A. from Indiana University in Speech Pathology and Audiology.

Alice is married to Tony with five children, ages 42, twins—37, 32, and 27. She has two bright and beautiful granddaughters, and a handsome, wonderful grandson. Her three passions, other than her family and her work, are gardening, cooking, and golf.

Don Shalvey is the Chief Executive Officer and co-founder of Aspire Public Schools, a not-for-profit charter school organization founded to enrich students' lives and reshape public school systems by building a system of high performing charter schools across the state. Dr. Shalvey has 40 years of experience in public education and is widely recognized as a leader in public school reform and the charter school movement.

Prior to establishing Aspire Public Schools, Dr. Shalvey was the Superintendent of San Carlos School District, where he sponsored the first charter school in California in 1992. The San Carlos Charter Learning Center became a California Distinguished School and has since served as a model for many other charter schools.

In 1998, Dr. Shalvey and entrepreneur Reed Hastings co-founded Californians for Public School Excellence, a grass-roots organization that led to the passage of the Charter Schools Act of 1998, which lifted the cap on the number of charter schools in the state. Dr. Shalvey is a frequent advisor to policy makers, practitioners and authorizers of charter schools across the nation. He currently serves as the Chair of the California Commission for Special Education; he is also a Board member on a number of not-for-profit organizations including: Jobs for the Future (JFF), Ed Source, and the Stanford University School of Education. His work has been recognized in a variety of national publications and television/radio shows including: The Wall Street Journal, Fast Company, Newsweek and the Charlie Rose Show and NPR. The prestigious Ashoka Foundation recently recognized Don as a Fellow for his outstanding work as a social entrepreneur. This year Don was one of six citizens selected to receive The James Irvine Foundation Leadership Award for his effective and entrepreneurial leadership benefiting the people of California.



Testing Variations, Accommodations, and Modifications

Note: Refer to the *California Code of Regulations, Title 5, Education*, for each specific assessment program for more detail.

Matrix 1. Matrix of Test Variations, Accommodations, and Modifications for Administration of California Statewide Assessments (January 2007)

Test Variation (1) Accommodation (2) Modification (3)	STAR Program				CAHSEE	CELDT	Physical Fitness
	CAT/6 Survey	CST	STS	Aprenda/3			
Test administration directions that are simplified or clarified (does not apply to test questions)	ALL	ALL	ALL	ALL	ALL	ALL	ALL
Student marks in test booklet (other than responses) including highlighting	ALL For grade 3 marks must be removed to avoid scanning interference or transcribe	ALL For grades 2 and 3 marks must be removed to avoid scanning interference or transcribe	ALL For grades 2 and 3 marks must be removed to avoid scanning interference or transcribe	ALL	ALL	ALL For grades K–2 mark with a red ball point pen ONLY; marked test booklets may not be used again.	Not Applicable
Test individual student separately, provided that a test examiner directly supervises the student	1	1	1	1	1	1	1

Revised 12/21/06

All	These test variations may be provided to all students.
Test Variation (1)	Eligible students may have testing variations if regularly used in the classroom.
Accommodation (2)	Eligible students shall be permitted to take the examination/test with accommodations if specified in the eligible student's IEP or Section 504 Plan for use on the examination, standardized testing, or for use during classroom instruction and assessment.
Modification (3)	For the STAR Program and CELDT , eligible students shall be permitted to take the tests with modifications if specified in the eligible student's IEP or Section 504 Plan. Eligible students shall be permitted to take the CAHSEE with modifications if specified in the eligible student's IEP or Section 504 Plan for use on the examination, standardized testing, or for use during classroom instruction and assessment.

Test Variation (1) Accommodation (2) Modification (3)	STAR Program				CAHSEE	CELDT	Physical Fitness
	CAT/6 Survey	CST	STS	Aprenda/3			
Visual magnifying equipment	1	1	1	1	1	1	Not Applicable
Audio amplification equipment	1	1	1	1	1	1	1
Noise buffers (e.g. individual carrel or study enclosure)	1	1	1	1	1	1	Not Applicable
Special lighting or acoustics; special or adaptive furniture	1	1	1	1	1	1	Not Applicable
Colored overlay, mask, or other means to maintain visual attention	1	1	1	1	1	1	Not Applicable
Manually Coded English or American Sign Language to present directions for administration (does not apply to test questions)	1	1	Not Applicable	1	1	1	1
Student marks responses in test booklet and responses are transferred to a scorable answer document by an employee of the school, district, or nonpublic school	2	2	2	2	2	2	Not Applicable
Responses dictated [orally, or in Manually coded English or American Sign Language] to a scribe for selected-response items (multiple-choice questions)	2	2	2	2	2	2	Not Applicable

Revised 12/21/06

All	These test variations may be provided to all students.
Test Variation (1)	Eligible students may have testing variations if regularly used in the classroom.
Accommodation (2)	Eligible students shall be permitted to take the examination/test with accommodations if specified in the eligible student's IEP or Section 504 Plan for use on the examination, standardized testing, or for use during classroom instruction and assessment.
Modification (3)	For the STAR Program and CELDT , eligible students shall be permitted to take the tests with modifications if specified in the eligible student's IEP or Section 504 Plan. Eligible students shall be permitted to take the CAHSEE with modifications if specified in the eligible student's IEP or Section 504 Plan for use on the examination, standardized testing, or for use during classroom instruction and assessment.

Test Variation (1) Accommodation (2) Modification (3)	STAR Program				CAHSEE	CELDT	Physical Fitness
	CAT/6 Survey	CST	STS	Aprenda/3			
Word processing software with spell and grammar check tools turned off for the essay responses (writing portion of the test)	Not Applicable	2	Not Applicable	Not Applicable	2	2	Not Applicable
Essay responses dictated orally or in Manually Coded English to a scribe, audio recorder, or speech-to-text converter and the student provides all spelling and language conventions	Not Applicable	2	Not Applicable	Not Applicable	2	2	Not Applicable
Assistive device that does not interfere with the independent work of the student on the multiple-choice and/or essay responses (writing portion of the test)	2	2	2	2	2	2	Not Applicable
Braille transcriptions provided by the test contractor	2	2	2	2	2	2	Not Applicable
Large print versions Test items enlarged if font larger than required on large print versions	2	2	2	2	2	2	Not Applicable
Extra time on a test within a testing day	2	ALL	ALL	ALL	ALL	ALL	ALL
Test over more than one day for a test or test part to be administered in a single sitting	2	2	2	2	2	2	Not Applicable

Revised 12/21/06

All	These test variations may be provided to all students.
Test Variation (1)	Eligible students may have testing variations if regularly used in the classroom.
Accommodation (2)	Eligible students shall be permitted to take the examination/test with accommodations if specified in the eligible student's IEP or Section 504 Plan for use on the examination, standardized testing, or for use during classroom instruction and assessment.
Modification (3)	For the STAR Program and CELDT , eligible students shall be permitted to take the tests with modifications if specified in the eligible student's IEP or Section 504 Plan. Eligible students shall be permitted to take the CAHSEE with modifications if specified in the eligible student's IEP or Section 504 Plan for use on the examination, standardized testing, or for use during classroom instruction and assessment.

Test Variation (1) Accommodation (2) Modification (3)	STAR Program				CAHSEE	CELDT	Physical Fitness
	CAT/6 Survey	CST	STS	Aprenda/3			
Supervised breaks within a section of the test	2	2	2	2	2	2	Not Applicable
Administration of the test at the most beneficial time of day to the student	2	2	2	2	2	2	2
Test administered at home or in hospital by a test examiner	2	2	2	2	2	2	2
Dictionary	3	3	3	3	3	3	Not Applicable
Manually Coded English or American Sign Language to present test questions	2 Math	2 Math, Science, History-social Science	Not Applicable	2 Math	2 Math	2 Writing	Not Applicable
	3 Reading, Language, Spelling	3 ELA		3 Reading, Language, Spelling	3 ELA	3 Reading, Listening, Speaking	

Revised 12/21/06

All	These test variations may be provided to all students.
Test Variation (1)	Eligible students may have testing variations if regularly used in the classroom.
Accommodation (2)	Eligible students shall be permitted to take the examination/test with accommodations if specified in the eligible student's IEP or Section 504 Plan for use on the examination, standardized testing, or for use during classroom instruction and assessment.
Modification (3)	For the STAR Program and CELDT , eligible students shall be permitted to take the tests with modifications if specified in the eligible student's IEP or Section 504 Plan. Eligible students shall be permitted to take the CAHSEE with modifications if specified in the eligible student's IEP or Section 504 Plan for use on the examination, standardized testing, or for use during classroom instruction and assessment.

Test Variation (1) Accommodation (2) Modification (3)	STAR Program				CAHSEE	CELDT	Physical Fitness
	CAT/6 Survey	CST	STS	Aprenda/3			
Test questions read aloud to student or used audio CD presentation	2 Math	2 Math, Science, History-social Science	2 Math	2 Math	2 Math	2 Writing	Not Applicable
	3 Reading, Language, Spelling	3 ELA	3 Reading, Language, Spelling	3 Reading, Language, Spelling	3 ELA	3 Reading	
Calculator on the mathematics tests	3	3	3	ALL Grades 9-11 and Problem Solving section in Grades 5–8	3	Not Applicable	Not Applicable
				3 All other sections			
Calculator on the science tests	Not Applicable	3	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Arithmetic table or formulas (not provided) on the mathematics tests	3	3	3	3	3	Not Applicable	Not Applicable

Revised 12/21/06

All	These test variations may be provided to all students.
Test Variation (1)	Eligible students may have testing variations if regularly used in the classroom.
Accommodation (2)	Eligible students shall be permitted to take the examination/test with accommodations if specified in the eligible student's IEP or Section 504 Plan for use on the examination, standardized testing, or for use during classroom instruction and assessment.
Modification (3)	For the STAR Program and CELDT , eligible students shall be permitted to take the tests with modifications if specified in the eligible student's IEP or Section 504 Plan. Eligible students shall be permitted to take the CAHSEE with modifications if specified in the eligible student's IEP or Section 504 Plan for use on the examination, standardized testing, or for use during classroom instruction and assessment.

Test Variation (1) Accommodation (2) Modification (3)	STAR Program				CAHSEE	CELDT	Physical Fitness
	CAT/6 Survey	CST	STS	Aprenda/3			
Arithmetic table or formulas (not provided) on the science tests	Not Applicable	3	Not Applicable				
Math manipulatives on the mathematics tests	3	3	3	3	3	Not Applicable	Not Applicable
Math manipulatives on the science tests	Not Applicable	3	Not Applicable				
Word processing software with spell and grammar check tools enabled on the essay responses writing portion of test	Not Applicable	3	Not Applicable	Not Applicable	3	3	Not Applicable
Essay responses dictated orally, in Manually Coded English, or in American Sign Language to a scribe [audio recorder, or speech-to-text converter] (scribe provides spelling, grammar, and language conventions)	Not Applicable	3	Not Applicable	Not Applicable	3	3	Not Applicable
Assistive device that interferes with the independent work of the student on the multiple-choice and/or essay responses	3	3	3	3	3	3	Not Applicable
Unlisted Accommodation or Modification	Check with CDE						

Revised 12/21/06

All	These test variations may be provided to all students.
Test Variation (1)	Eligible students may have testing variations if regularly used in the classroom.
Accommodation (2)	Eligible students shall be permitted to take the examination/test with accommodations if specified in the eligible student's IEP or Section 504 Plan for use on the examination, standardized testing, or for use during classroom instruction and assessment.
Modification (3)	For the STAR Program and CELDT , eligible students shall be permitted to take the tests with modifications if specified in the eligible student's IEP or Section 504 Plan. Eligible students shall be permitted to take the CAHSEE with modifications if specified in the eligible student's IEP or Section 504 Plan for use on the examination, standardized testing, or for use during classroom instruction and assessment.

Note: Refer to the *California Code of Regulations, Title 5, Education*, for each specific assessment program for more detail.

Matrix 2. Matrix of Test Variations for Administration of California Statewide Assessments for English Learners (January 2007)

Test Variation	STAR Program		CAHSEE	Physical Fitness
	CAT/6 Survey	CST		
Hear the test directions printed in the test administration manual translated into the student's primary language. Ask clarifying questions about the test directions in the student's primary language.	Variation Allowed	Variation Allowed	Variation Allowed	Variation Allowed
Additional supervised breaks within a testing day or following each section (STAR) within a test part provided that the test section is completed within a testing day. A test section is identified by a "STOP" at the end of it.	Variation Allowed	Variation Allowed	Variation Allowed	Not Applicable
ELs may have the opportunity to be tested separately with other ELs provided that the student is directly supervised by an employee of the school who has signed the test security affidavit and the student has been provided such a flexible setting as part of his/her regular instruction or assessment.	Variation Allowed	Variation Allowed	Variation Allowed	Variation Allowed
Access to translation glossaries/word lists (English-to-primary language). Glossaries/ word lists shall not include definitions or formulas.	Not Allowed	Variation Allowed Math, science, history-social science	Variation Allowed	Not Applicable
		Not Allowed ELA		

Data Analysis of CAHSEE Results of Students using Accommodations and Modifications - Tables 3.21 and 3.22 from HumRRO Report (October 31, 2006)

Table 3.21. Frequency of Accommodations and Modifications and Percent Scoring 350 or More: ELA

Answer Sheet Code	Data Base Code	Description of Accommodation or Modification	No. of Students			% Scoring > 349		
			Grade 10	Grade 11	Grade 12	Grade 10	Grade 11	Grade 12
Accommodations								
B	TS	Transfer of Responses to Answer Document	148	92	118	54.7%	21.7%	16.1%
C	OR	Oral Responses Dictated to a Scribe	82	117	114	37.8%	14.5%	20.2%
D	SO	Spell Checker Or Grammar Checker Off	173	191	204	70.5%	27.2%	28.4%
E	EO	Essay Reponses	71	110	126	50.7%	19.1%	23.0%
F	AN	Assistive Device	60	72	57	41.7%	37.5%	31.6%
G	BV	Braille Version	15	18	12	80.0%	11.1%	16.7%
H	LV	Large Print Version	114	62	72	61.4%	24.2%	18.1%
J	TD	Test Over More Than One Day	246	308	337	26.8%	17.5%	19.3%
K	SB	Supervised Breaks	2,014	2,362	2,051	30.2%	16.6%	16.6%
L	BT	Beneficial Time	277	372	404	24.9%	14.0%	13.6%
M	HH	Tested At Home Or Hospital	54	31	31	33.3%	38.7%	29.1%
Modifications								
N (ELA)	DI	Dictionary	524	1,138	1,306	27.1%	18.1%	19.0%
O	SL	Sign Language	28	39	54	3.6%	12.8%	11.1%
P	OP	Oral Presentation	1,554	3,208	3,896	24.3%	17.8%	20.3%
T	SC	Spell Checker Or Grammar Checker	179	369	623	44.1%	22.5%	18.3%
U	ER	Essay Reponses	46	86	124	32.6%	22.1%	30.7%
V	AD	Assistive Device	9	16	21	22.2%	25.0%	33.3%
W	UM	Unlisted Modification	118	312	327	19.5%	11.2%	15.3%

Table 3.22. Frequency of Accommodations and Modifications and Percent Scoring 350 or More: Math

Answer Sheet Code	Data Base Code	Description of Accommodation or Modification	No. of Students			% Scoring > 349		
			Grade 10	Grade 11	Grade 12	Grade 10	Grade 11	Grade 12
Accommodations								
B	TS	Transfer of Responses to Answer Document.	132	80	82	42.4%	12.5%	23.2%
C	OR	Oral Responses Dictated to a Scribe	62	85	60	40.3%	23.5%	25.0%
G	BV	Braille Version	10	27	25	70.0%	22.2%	20.0%
H	LV	Large Print Version	94	66	70	45.7%	24.2%	18.6%
J	TD	Test Over More Than One Day	86	167	176	18.6%	16.8%	21.9%
K	SB	Supervised Breaks	1,653	2,046	1,810	28.0%	16.6%	15.8%
L	BT	Beneficial Time	217	287	311	26.7%	13.2%	11.6%
M	HH	Tested At Home Or Hospital	41	29	34	24.4%	17.2%	32.4%
N (Math)	DM	Dictionary	48	106	202	15.6%	13.2%	19.8%
O	SL	Sign Language	43	68	107	25.6%	8.8%	11.2%
P	OP	Oral Presentation	1,287	2,446	2,718	21.2%	15.0%	18.5%
Modifications								
Q	CA	Calculator	4,389	9,582	9,882	25.8%	17.5%	17.5%
R	AT	Arithmetic Table	157	325	483	18.5%	21.2%	16.6%
S	MM	Math Manipulatives	25	85	71	56.0%	28.2%	19.7%
V	AD	Assistive Device	2	14	7	50.0%	7.1%	14.3%
W	UM	Unlisted Modification	99	276	287	15.2%	12.3%	12.5%

Comparison of State Options from SB 964 Study

Table 6: Graduation Options for Students with Disabilities in States with High School Exit Exams

State	High School Exit Examination (HSEE)	State Alternative Assessment to HSEE for Students with Mild and/or Severe Cognitive Disabilities	State Standard Graduation Requirements Differ for Students with Disabilities	How Graduation Requirements Differ for Students with Disabilities	Nonstandard Diploma Options	Description of Nonstandard Diploma Options (When Applicable)
Alabama	Alabama High School Graduation Exam (AHSGE)	No	No	NA	Yes	<ul style="list-style-type: none"> Occupational Diploma Local Certificate
Alaska	High School Graduation Qualifying Exam (HSGQE)	<ul style="list-style-type: none"> Modified HSGQE (mild) Nonstandardized HSGQE process (portfolio/juried assessment) (mild) Alternative Assessment (severe) 	No	NA	Yes	Certificate of Achievement
Arizona	Arizona's Instrument to Measure Standards (AIMS) Class of 2006	AIMS-A (Alternate) (severe)	Yes	<ul style="list-style-type: none"> Alternate courses approved by IEP team Performance criteria lowered 	No	NA
California	California High School Exit Exam (CAHSEE) Class of 2006	No	No	NA	Yes	<ul style="list-style-type: none"> Certificate of Achievement Golden State Seal Merit Diploma
Florida	Florida Comprehensive Assessment Test (FCAT)	No; SAT and ACT cut scores established (all students)	Yes	<ul style="list-style-type: none"> Alternate courses Performance criteria lowered 	Yes	<ul style="list-style-type: none"> IEP/Sp. Ed. Diploma Certificate of Attendance
Georgia	Georgia High School Qualification Test (GHSQT); HS Writing Test	Georgia Alternate Assessment (severe)	Yes	Alternate courses	Yes	<ul style="list-style-type: none"> IEP/Sp. Ed. Diploma Certificate of Attendance Diploma Seal Options
Idaho	Idaho Standards Achievement Tests (ISAT) Class of 2006	No; SAT and ACT cut scores established (all students)	Yes	Local appeal if IEP outlines other requirements	No	NA
Indiana	Graduation Qualifying Exam (GQE)	No	No	NA	Yes	Certificate of Attendance

NA: Not Applicable

Comparison of State Options from SB 964 Study (continued)

Table 6: Graduation Options for Students with Disabilities in States with High School Exit Exams
(continued)

State	High School Exit Examination (HSEE)	State Alternative Assessment to HSEE for Students with Mild and/or Severe Cognitive Disabilities	State Standard Graduation Requirements Differ for Students with Disabilities	How Graduation Requirements Differ for Students with Disabilities	Nonstandard Diploma Options	Description of Nonstandard Diploma Options (When Applicable)
Louisiana	Graduation Exit Examination for the 21st Century (GEE 21)	No	No	NA	Yes	<ul style="list-style-type: none"> • Career/Technical Endorsement • Academic Endorsement
Maryland	High School Assessment (HSA) Class of 2009	No	No	NA	No	NA
Massachusetts	10 th Grade Massachusetts Comprehensive Assessment System (MCAS)	MCAS-Alt-portfolio (severe)	Yes	Individual consideration state process	Yes	<ul style="list-style-type: none"> • Certificate of Attendance • Certificate of Achievement
Minnesota	Basic Skills Test (BST)	No	Yes	Modified curriculum	No	NA
Mississippi	Subject Area Testing Program (SATP)	Alternate Assessment (teachers collect evidence; Review Committee approves or rejects evidence)	Yes	Those specifically noted in an IEP	Yes	Certificate of Attendance
Nevada	High School Proficiency Exam (HSPE)	Skills and Competencies Alternate Assessment of Nevada (SCAAN) (severe)	No	NA	Yes	Adjusted Diploma
New Jersey	High School Proficiency Assessment (HSPA)	<ul style="list-style-type: none"> • Special Review Assessment (SRA) (mild) • Alternate Proficiency Assessment (APA) (severe) 	Yes	Those specifically noted in an IEP	No	NA
New Mexico	New Mexico High School Competency Examination (NMHSCE)	New Mexico Alternate Assessment (severe)	Yes	<ul style="list-style-type: none"> • Alternate courses • Modified curriculum 	Yes	<ul style="list-style-type: none"> • Multiple pathways to diploma (standard, career readiness, and ability); different HSEE requirements

NA: Not Applicable

Comparison of State Options from SB 964 Study (continued)

Table 6: Graduation Options for Students with Disabilities in States with High School Exit Exams (continued)

State	High School Exit Examination (HSEE)	State Alternative Assessment to HSEE for Students with Mild and/or Severe Cognitive Disabilities	State Standard Graduation Requirements Differ for Students with Disabilities	How Graduation Requirements Differ for Students with Disabilities	Nonstandard Diploma Options	Description of Nonstandard Diploma Options (When Applicable)
New York	Regents Comprehensive Exam	IEP/504 Teams can recommend Regents Competency Exams, which lead only to local diplomas	No	NA	Yes	IEP/Sp. Ed. Diploma
North Carolina	North Carolina High School Competency Test (NCHSCT)	<ul style="list-style-type: none"> • NC Alternate Assessment Academic Inventory (NCAAI) (mild) • NC Alternate Assessment Portfolio (NCAAP) (severe) 	Yes	<ul style="list-style-type: none"> • Alternate courses • Modified curriculum: Four courses of study, leading to one diploma 	Yes	<ul style="list-style-type: none"> • Certificate of Achievement • Certificate of Attendance
Ohio	Ohio Graduation Test (OGT)	Ohio Alternate Assessment (severe)	Yes	Those specifically noted in an IEP	No	NA
South Carolina	High School Assessment Program (HSAP)	High School Alternate Assessment Program (HSAP-Alt) (severe)	Yes	Alternate course decisions made by local districts	Yes	Certificate of Achievement
Tennessee	Gateway Tests (Mathematics, Science, Language Arts)	Tennessee Comprehensive Assessment Program Alternative Assessments (TCAP-Alt) (severe)	Yes	<ul style="list-style-type: none"> • Alternate courses • Performance criteria lowered 	Yes	<ul style="list-style-type: none"> • IEP/Sp. Ed. Diploma • Certificate of Attendance
Texas	Texas Assessment of Knowledge and Skills (TAKS); English III/ Writing; Algebra I/Geometry; HS Science; Social Studies	Locally Determined Alternative Assessment (LDAA)	Yes	Alternate courses	No	NA
Utah	Utah Basic Skills Competency Test (UBSCT) Class of 2006	Utah Alternate Assessment (UAA) (severe)	Yes	Those specifically noted in an IEP	Yes	<ul style="list-style-type: none"> • Alternative Completion Diploma • Certificate of Completion

NA: Not Applicable

Comparison of State Options from SB 964 Study (continued)

Table 6: Graduation Options for Students with Disabilities in States with High School Exit Exams
(continued)

State	High School Exit Examination (HSEE)	State Alternative Assessment to HSEE for Students with Mild and/or Severe Cognitive Disabilities	State Standard Graduation Requirements Differ for Students with Disabilities	How Graduation Requirements Differ for Students with Disabilities	Nonstandard Diploma Options	Description of Nonstandard Diploma Options (When Applicable)
Virginia	Standards of Learning Tests (SOL) — English; Algebra I/II/ Geometry; Science; History	Virginia Alternate Assessment Program (severe)	No	NA	Yes	Modified Standard Diploma
Washington	Washington Assessment of Student Learning (WASL) Class of 2008	Washington Alternate Assessment System (severe)	Yes	<ul style="list-style-type: none"> •Credits reduced •Alternate courses used 	Yes	IEP/Sp. Ed. Diploma

NA: Not Applicable

Excerpt from State High School Exit Exams: A Challenging Year
Center for Education Policy (CEP), August 2006

Table 25 Alternate Paths for Students with Disabilities

State	Alternative or Substitute Assessments	Waiver, Appeal, or Other Special Evaluation Method	Exemption or Delay	Special Diplomas or Certificate
Alabama		✓		✓
Alaska	✓			
Arizona		✓	✓	
California		✓	✓	✓
Florida		✓		
Georgia		✓		✓
Idaho		✓		
Indiana		✓		✓ ¹
Louisiana		✓		✓
Maryland	*	✓		✓
Massachusetts	✓	✓		✓
Minnesota		✓		
Mississippi	✓			✓
Nevada				✓
New Jersey	✓		✓	
New Mexico	✓			✓
New York	✓		✓	✓
North Carolina			✓	✓
Ohio	✓	✓	✓	
Oklahoma ²			✓	
South Carolina	✓			✓ ³
Tennessee				✓
Texas	✓		✓	✓
Virginia				✓
Washington	✓			✓

Table reads: Alabama permits students with disabilities to apply for a waiver of the exit exam requirement and also grants a special diploma to student with disabilities who do not meet the exit exam requirement. Alaska allows students with disabilities to take an alternative assessment instead of the regular exit exam. Arizona exempts some students with disabilities from its exit exam requirement and allows those who are not exempt to apply for the augmentation process available to all students.

¹ Information on this option came from Indiana Department of Education, 2006, rather than from the state survey response.

* Option is under development.

³ Information on this option came from follow-up e-mails with South Carolina staff rather than from the state survey response.

Source: Center on Education Policy, exit exam survey of state departments of education, June 2006, items 20 & 21.

Executive Summary
Course of Action for CAHSEE Requirements
Presented on Behalf of the SELPA Organization
February 14, 2007

Topic:

Consideration of a course of action to adopt regarding pupils with disabilities who have met all other state and local graduation requirements, but who are unable to satisfy the CAHSEE requirement or obtain a waiver of the requirement under Section 60851(c) of the *Education Code*.

Background:

The original position of the SELPA organization has always been in support of students with disabilities meeting the CAHSEE requirements for graduation with a diploma with continued use of accommodations or modifications as outlined in each student's Individual Education Plan (IEP) provided that the students with disabilities have the "opportunity to learn." This includes equal access to the CORE curriculum and qualified staff in content specific areas, in addition to training and support for special education teachers. Until an appropriate foundation for effective instruction in standards based curriculum is available for students with disabilities, they will be unable to meet the CAHSEE requirements.

Review of suggested course of action:

- **Maintain the CAHSEE requirement for all students**
 - Protects the integrity and rigor of the process for demonstrating mastery of state content standards
 - Provides no alternative pathway for students with disabilities to demonstrate mastery in content standards
 - Does nothing to ensure that students with disabilities have had the "opportunity to learn"
 - Ensures that the diploma issued in California is a meaningful diploma but it denies students with disabilities the opportunity to achieve a diploma
 - It is practical to implement

- **Make changes to CAHSEE Waiver Process**
 - Protects the integrity and rigor of the process for demonstrating mastery in state content standards
 - Ensures that this option is available for students with disabilities
 - It is practical to implement; however, state board review of an appeal would need to occur in a timely way

- **Develop a State endorsed Certificate of Completion**
 - This certificate is not equivalent to a high school diploma
 - Ensures equal rigor for the CAHSEE but denies students with disabilities who have completed all of the other requirements for graduation the opportunity to receive a standard diploma
 - A certificate of completion does not hold the same value or meaning with employers and does not ensure an understanding that these students have the skills and knowledge to be successful in the work force
 - It is practical to implement but insufficient as an option
 - Consideration should be given to a three tiered diploma option:
 - A standard diploma with recognition for passing CAHSEE
 - A standard diploma
 - A certificate of completion

Executive Summary (continued)
Presented on behalf of the SELPA Organization
February 14, 2007

- **Develop a Juried Assessment**
 - Demonstrates mastery of content standards in alternate ways while maintaining academic rigor
 - Maintains the integrity of the diploma as long as it is standardized
 - Could be difficult to implement; the process may be cumbersome

- **Allow compensatory scoring of standard CAHSEE form**
 - Not enough information to know if this minimizes the demonstration of mastery on content standards
 - This option may create an incentive to refer and identify students as disabled in order to take advantage of this scoring option
 - This option may be impractical to implement

- **Create On Demand CAHSEE strand tests**
 - Meets all the requirements to demonstrate mastery on content standards with the same academic rigor and intent of CAHSEE
 - Maintains the diploma as a meaningful document and could address the unique needs for students with disabilities
 - Could be practical if developed on a statewide and standardized basis

- **Develop CAHSEE alternative assessment**
 - Meets the same requirements to demonstrate mastery on content standards while meeting the unique needs of special education students
 - Maintains academic rigor and protects integrity of the diploma
 - Could be practical if developed on a statewide and standardized basis

Summary:

Students with disabilities can and should demonstrate the mastery of content standards using alternate pathways to meet the same requirements and academic rigor. CDE has offered some viable alternatives to accomplish this goal with options such as Juried Assessment, On Demand Strand Assessments or Alternative Assessments. Caution should be given to ensure that any options considered do not provide an inherent incentive to identify students as disabled. The development of solid options will take time, effort and resources. Timelines need to be established and interim options for CAHSEE requirements need to be considered.

The SELPA Organization supports the development of alternative pathways for students with disabilities to demonstrate mastery of content standards while protecting the academic rigor and integrity of the standard diploma. Many viable options have been presented by CDE for board consideration. The development of solid options will take time, effort and resources. We recommend that the exemption for students with disabilities remain in place until alternate diploma or assessment options are developed.

Respectfully submitted,
JoAnn Murphy
Chair, CAHSEE AD HOC Committee
SELPA Organization

CARS+
CAHSEE Presentation
SBE, February 14, 2007

- Students and teachers are frustrated with lack of success.
- Students need a diploma to qualify for financial aid and military service.
- SPI and teachers have high expectations for students.
- Success difficult to measure with just one instrument, such as the CAHSEE.
- High stakes test does not show employer desired qualities.
- SB 964 report in May 2005 made 3 recommendations:
 - CDE should look into the technical adequacy and feasibility of alternate assessments.
 - Use successful completion of CAHSEE-level content coursework to meet graduation requirements. Needs infrastructure in place before implementation.
 - Continue the waiver process and certificate of completion.
- HumRRO's suggestions in their 2005 Evaluation Report:
 - Schools/districts should provide opportunities to allow students to master skills needed, but also provide alternative diploma for those with no access to general education curriculum.
 - Alternate routes should be made available and announced to the public such as – community college, senior year portfolios, summer courses, additional years of school, and alternate diplomas.
- “One size fits all” is not true in regards to special education students.
- NCLB allows states to “use an alternate form of assessment”. California is leading the nation in putting together a test that will align with the California Content Standards.
- Alternative Diploma
 - Proficient/Advanced – Golden State Seal Merit Diploma
 - Basic/BB/FBB – Diploma with notation of not passing CAHSEE
- CARS+ recommends the development of a test that would address the same two percent of the population as the California Modified Assessment.
 - 19 states have alternatives to their HS exit exam (AK, AZ, GA, ID, MD, MA, MN, MI, NV, NJ, NM, NY, NC, OH, SC, TN, UT, VA, WA)
- If CAHSEE Waiver Process (EC 60851.c) remains in effect, change “may” to “shall” in regards to granting the waiver.
- CARS+ preferred recommendation is that a CAHSEE Performance Appeal be put in place.
 - Acceptable attendance (95%)
 - Successful completion of all course work with specific GPA
 - Take CAHSEE multiple times (at least twice) showing growth
 - Participate in remedial program (as per IEP)
 - IEP to record information in ITP
 - 14 states allow these kinds of exemptions for SWDs (AK, AZ, CA, FL, GA, ID, IN, MA, MN, NJ, NM, NC, OH, TX)

- Advantages of standardizing the Appeal Process
 - Number of students receiving diplomas will likely increase
 - SWDs will be able to graduate and apply for student loans
 - Motivation to stay in school may increase
 - Diploma would imply having passed CAHSEE with modifications
 - Appeal process is consistent with current education code (change wording from “may” to “shall”)
 - Implementation does not require significant training, it exists in ITP
- Disadvantages
 - Significant oversight needed to ensure fairness across state
 - Differentiates SWDs from general population
- Adjudicated locally – district-level decides whether to grant appeal (IN)
 - Benefits – perceived as fair, decision is made “close to home”; extenuating circumstances easier to confirm.
 - Drawbacks – local officials may have incentives to keep graduation rates high; may be seen as unfair due to differences between districts.
- Adjudicated at state – officials decide to grant or not (GA)
 - Benefits – perceived as more fair because all districts would be treated equally.
 - Drawbacks – may be administrative burden to state; no familiarity with individual.
- One size does NOT fit all.



Is Justice blind to
the inequities of
the CAHSEE for
students with
disabilities?

CAHSEE: Promising Results & a Road Ahead



Alice D. Parker, Ed.D.

Coordinator, Strategic
Initiatives

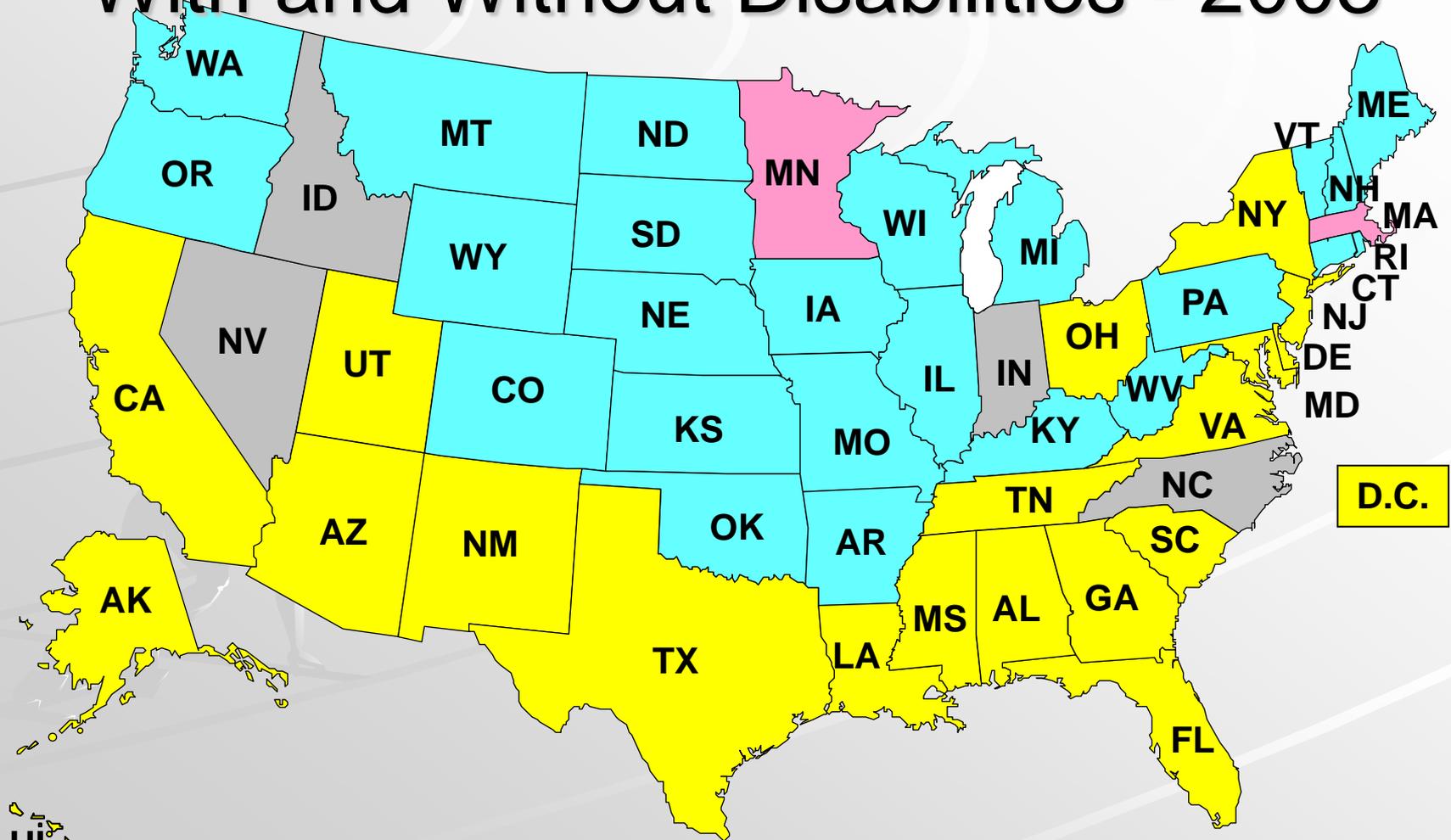
Sopris West Educational
Services

February 14, 2007

Outcomes

- ✦ Review where high stakes tests are used
- ✦ Understand longitudinal data and progress made
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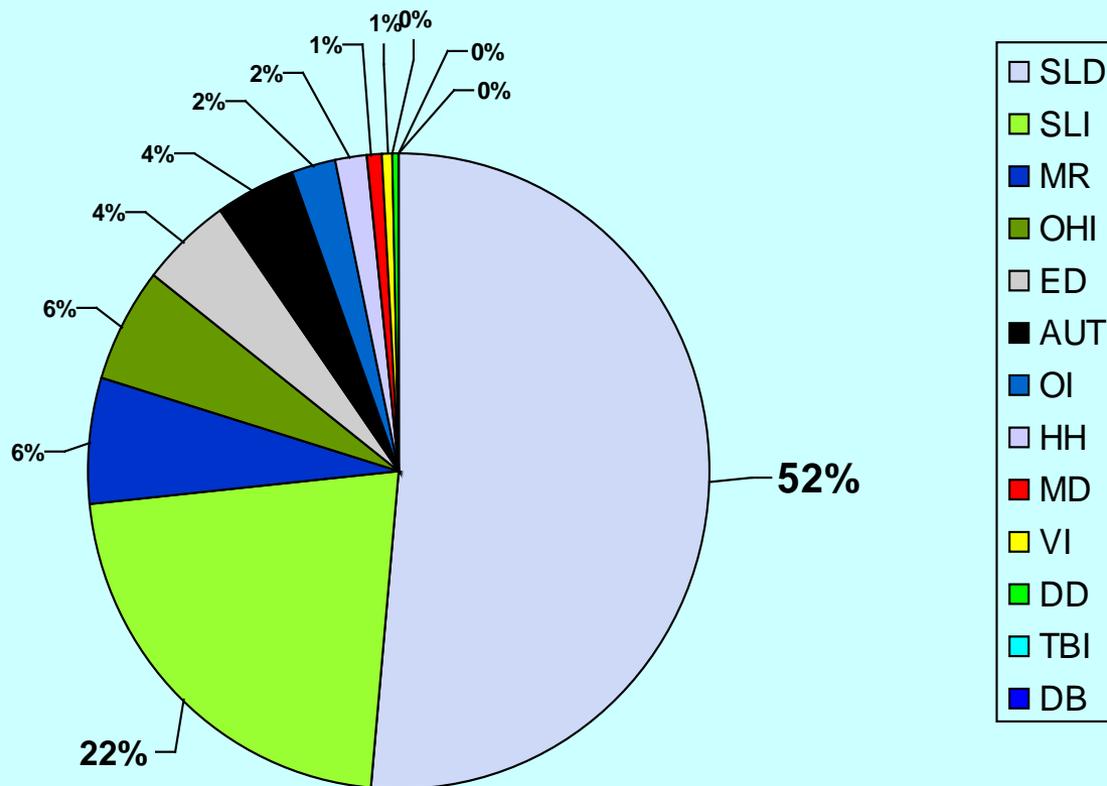
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First Graduating Class Required to Pass Exit Exam

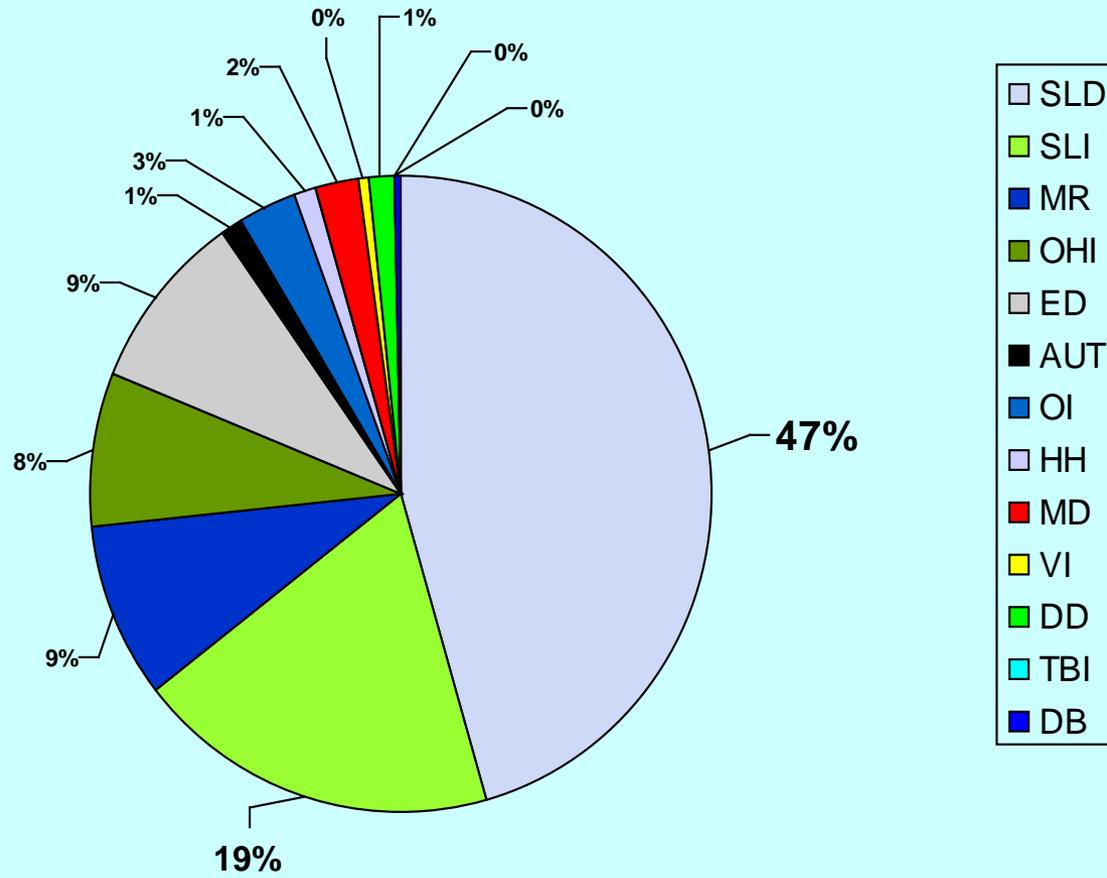


Source – NCEO Synthesis Report 54 - <http://education.umn.edu/nceo/OnlinePubs/SynthReport54.pdf>

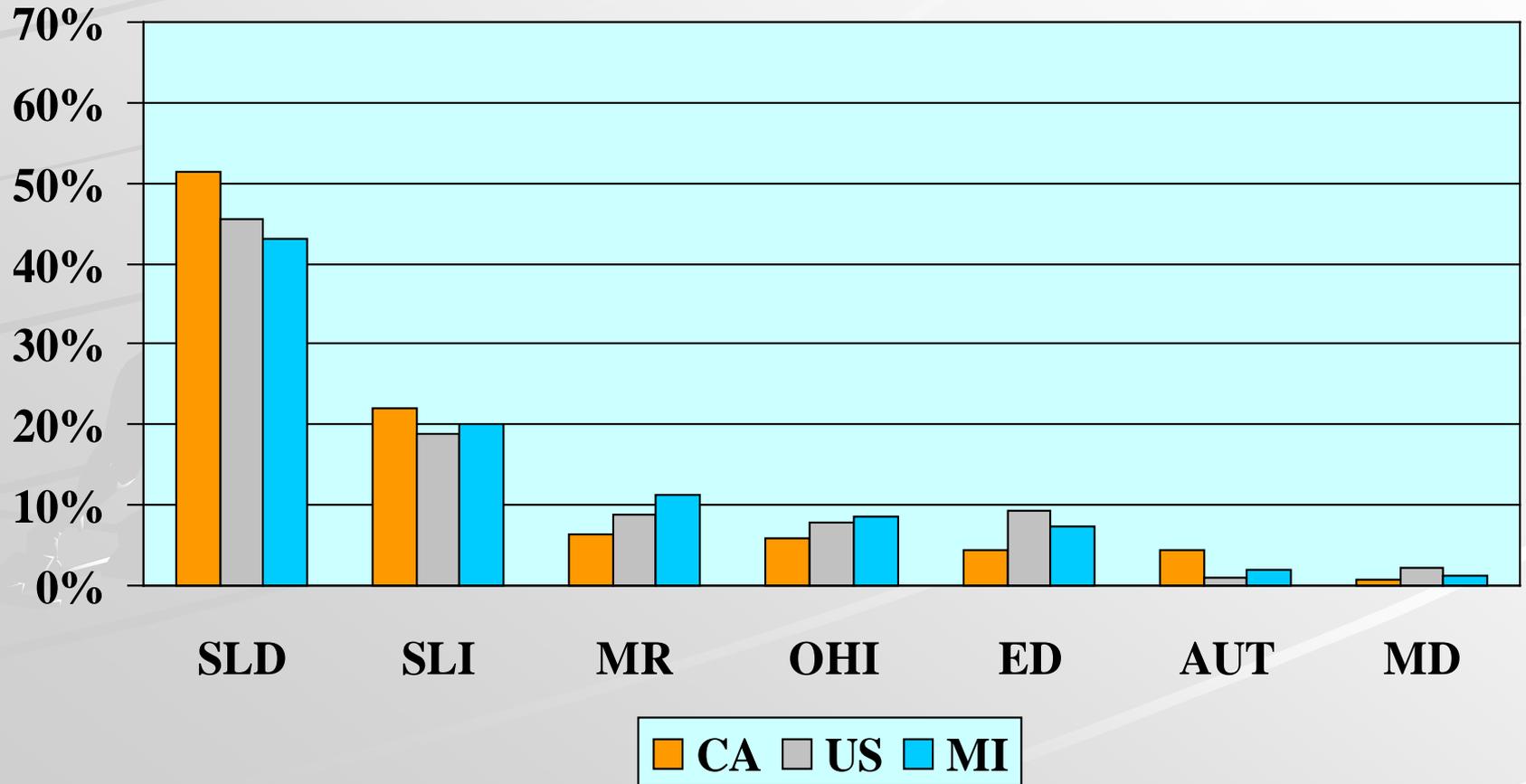
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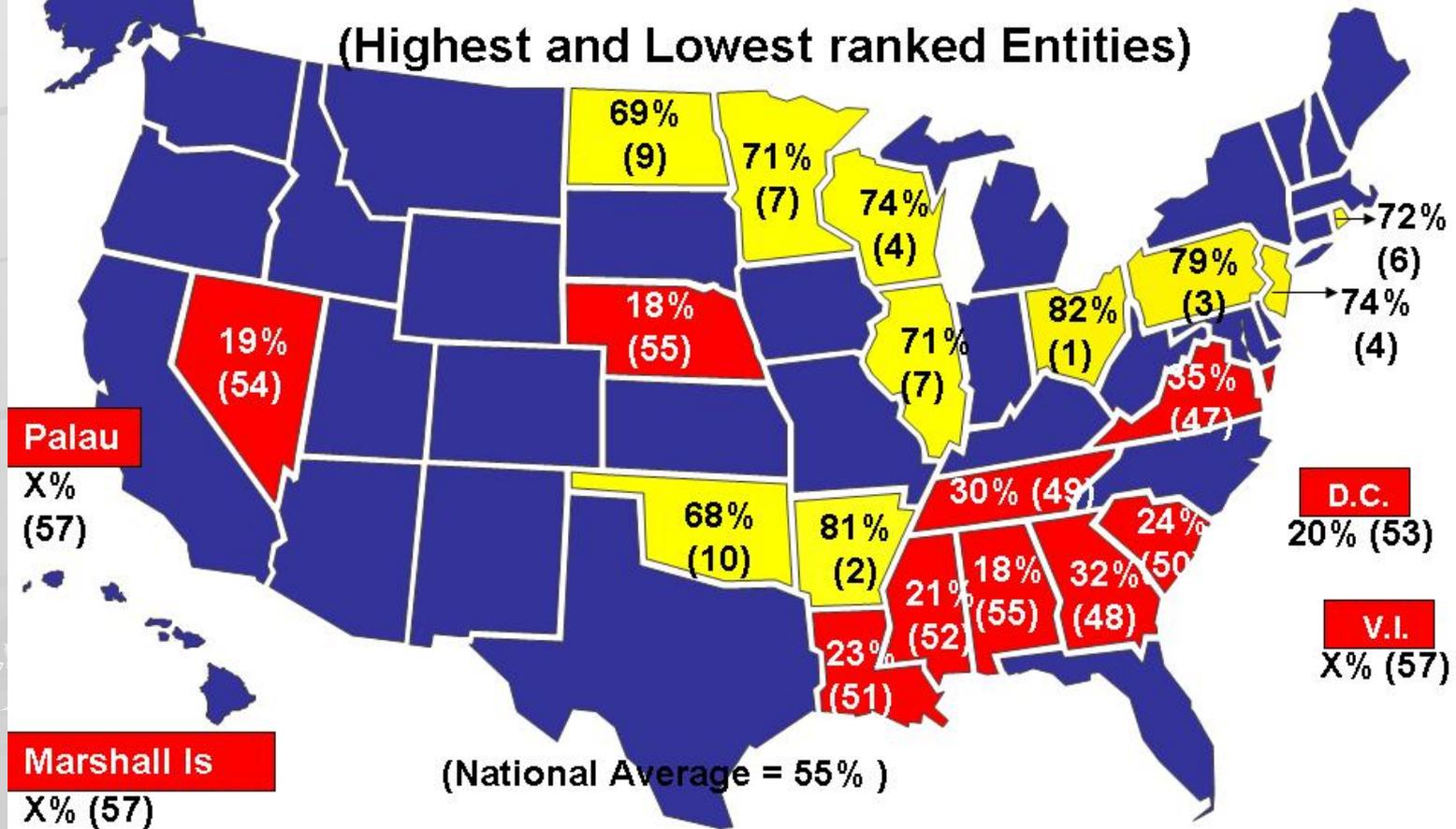


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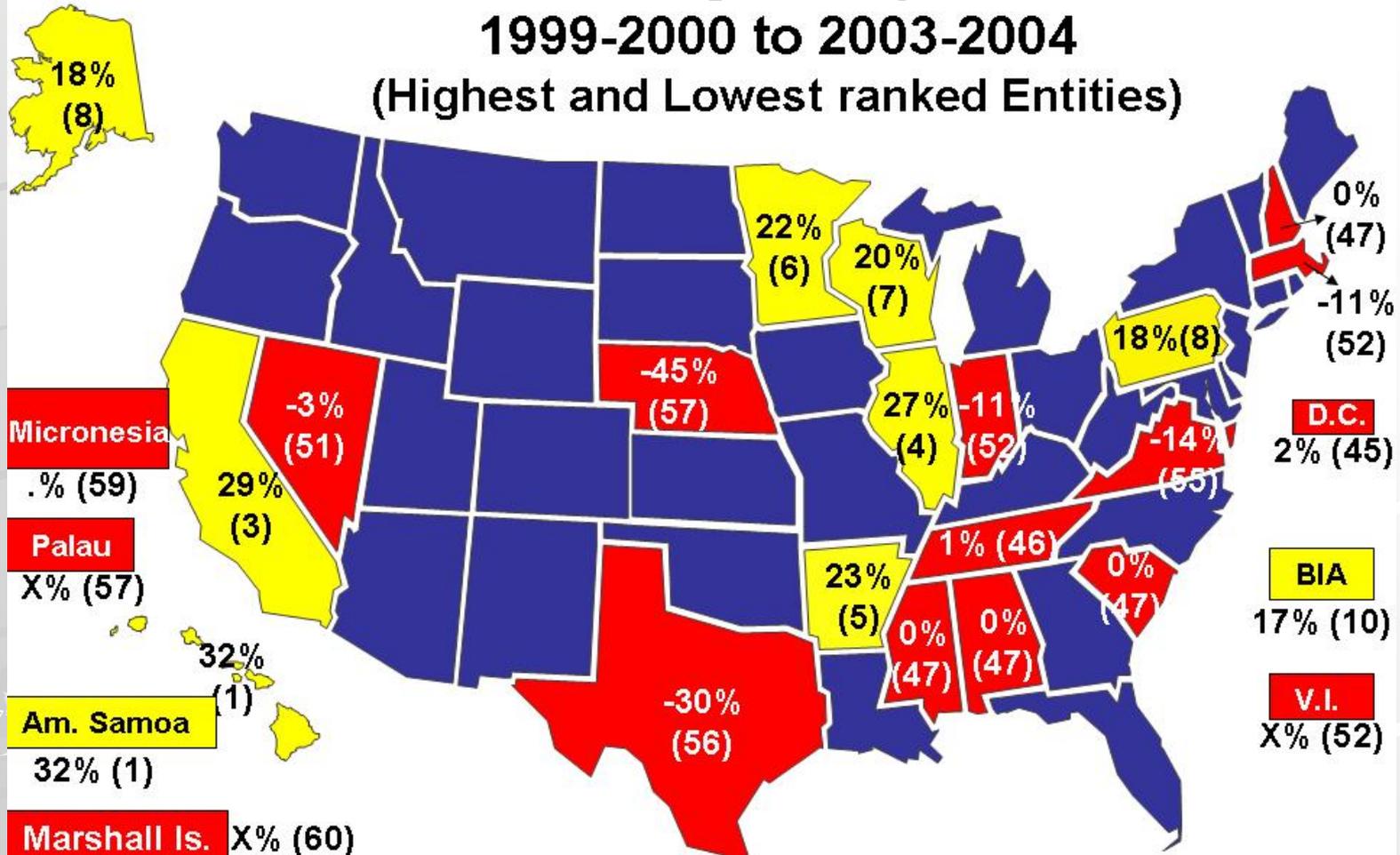
(Highest and Lowest ranked Entities)



Largest % of students with disabilities exiting with a diploma
 Smallest % of students with disabilities exiting with a diploma
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Source: 2003-2004 School Year IDEA Data provided by OSEP Table 1.1b. See www.monitoringcenter.lsuhscc.edu - State Ranks-Part B

Percent Change in Diploma Rate: 1999-2000 to 2003-2004 (Highest and Lowest ranked Entities)

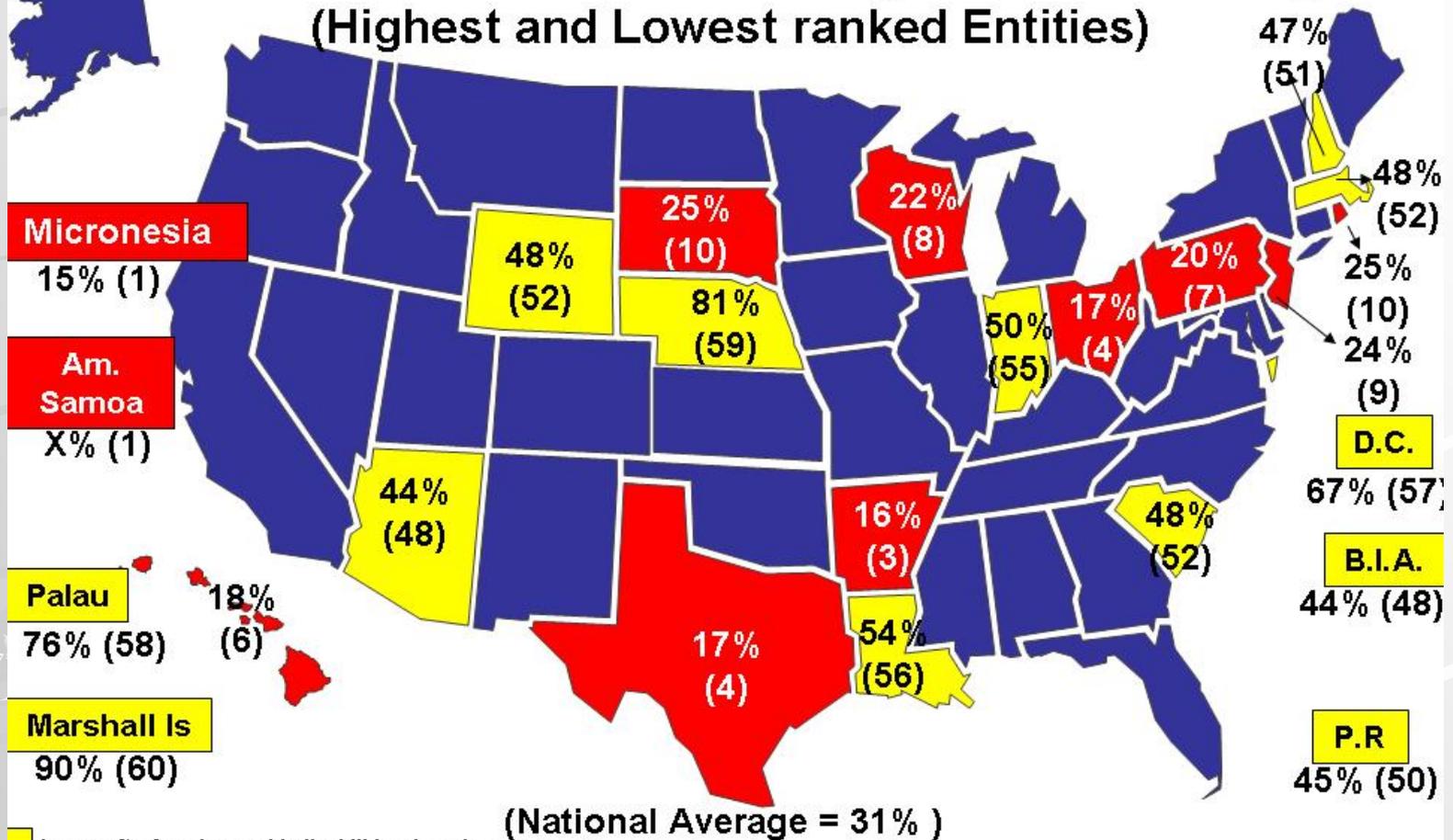


 Highest Ranked for Percent of Change in Diploma Rate
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Source: 2003-2004 School Year IDEA Data provided by OSEP Table 1.6c. See www.monitoringcenter.lsuohsc.edu - State Ranks-Part B

Dropout Rate: 2003-2004

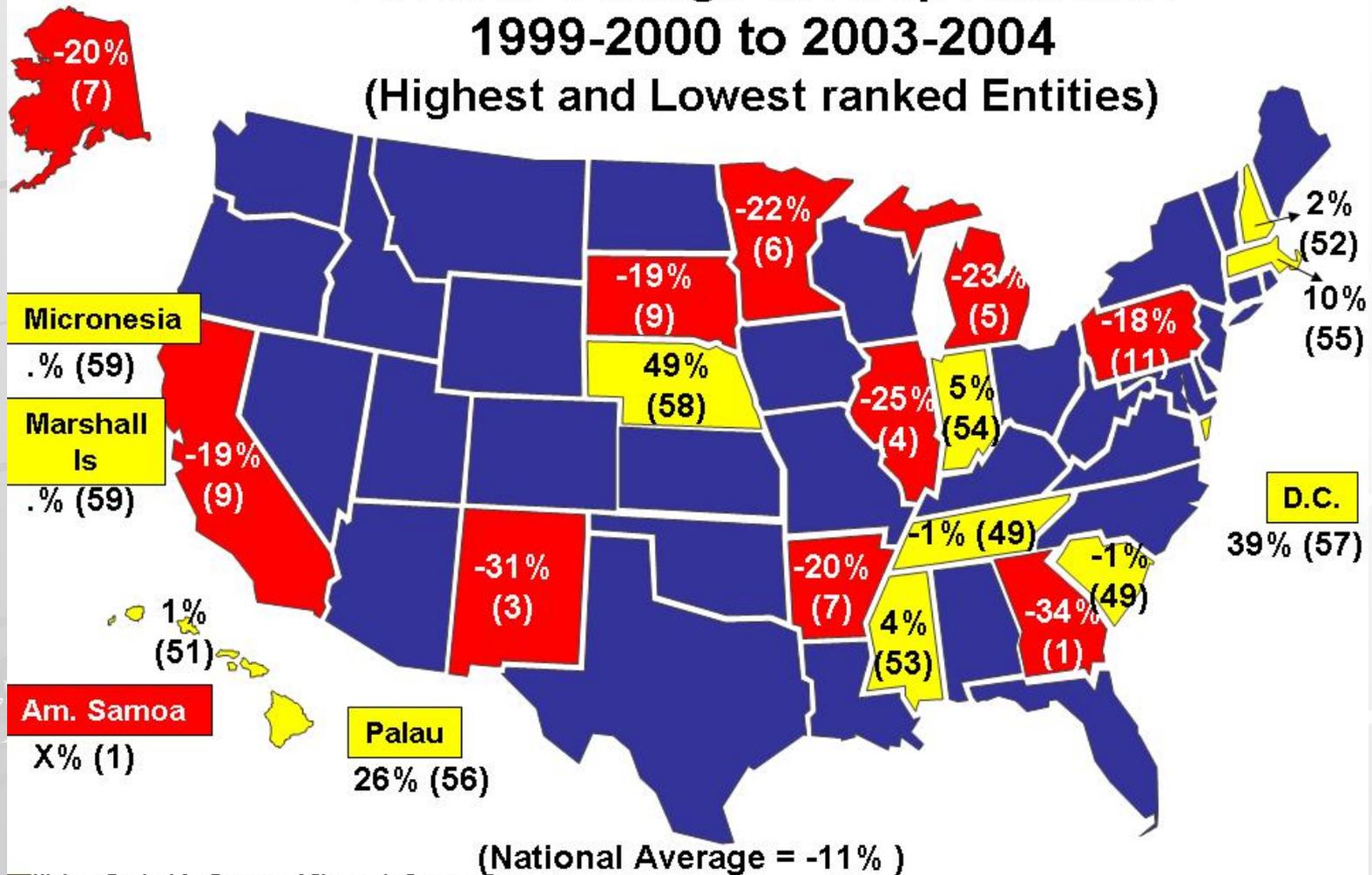
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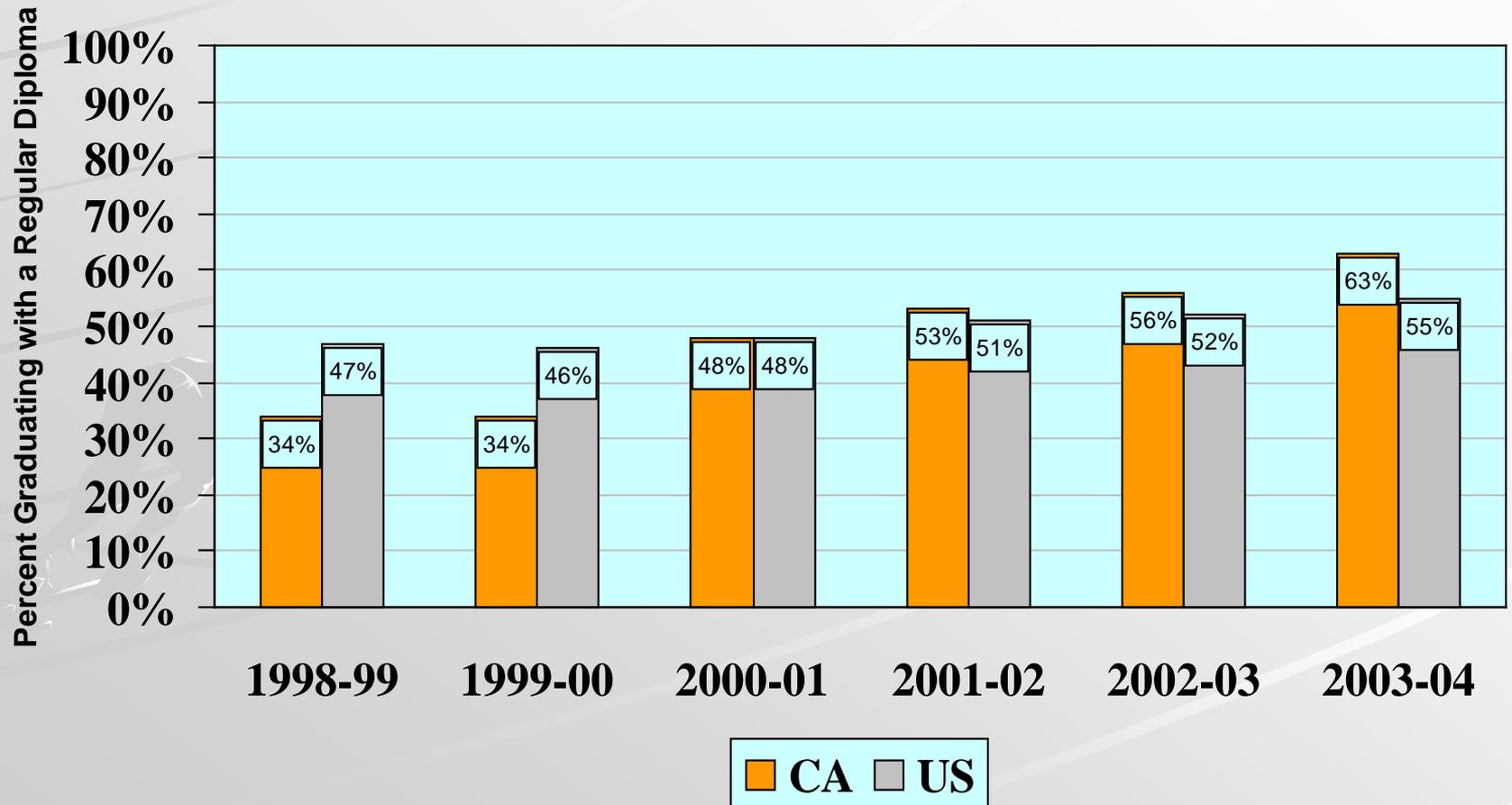
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NATIONAL BASELINE	174,360	48		190,951	51		195,108	52		214,069	55	
MICHIGAN	5,256	37	-11	5,420	39	-12	8,741	42	-10	6,907	54	-1
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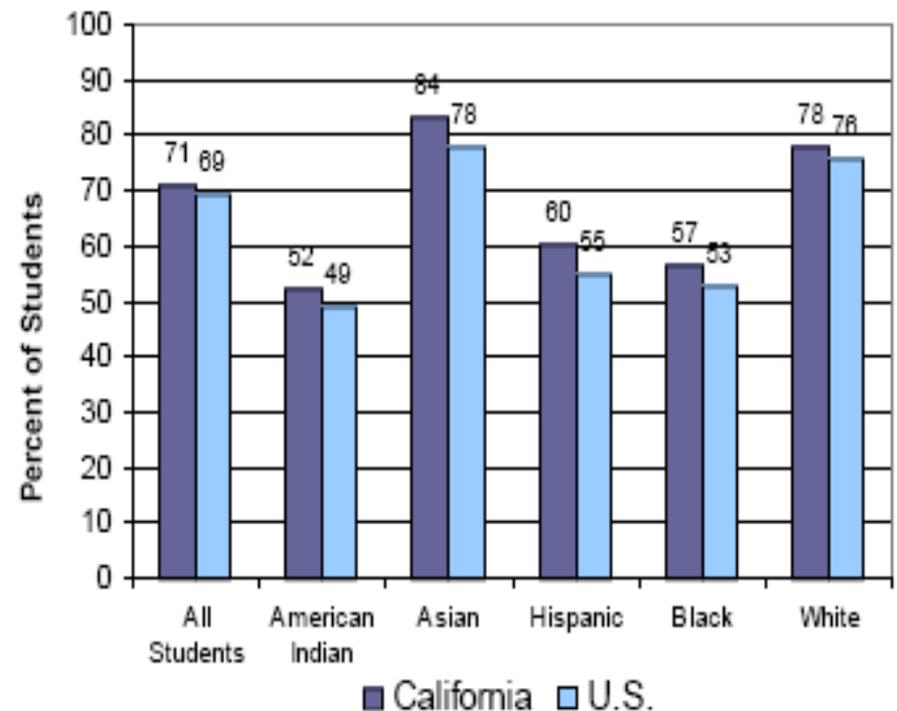
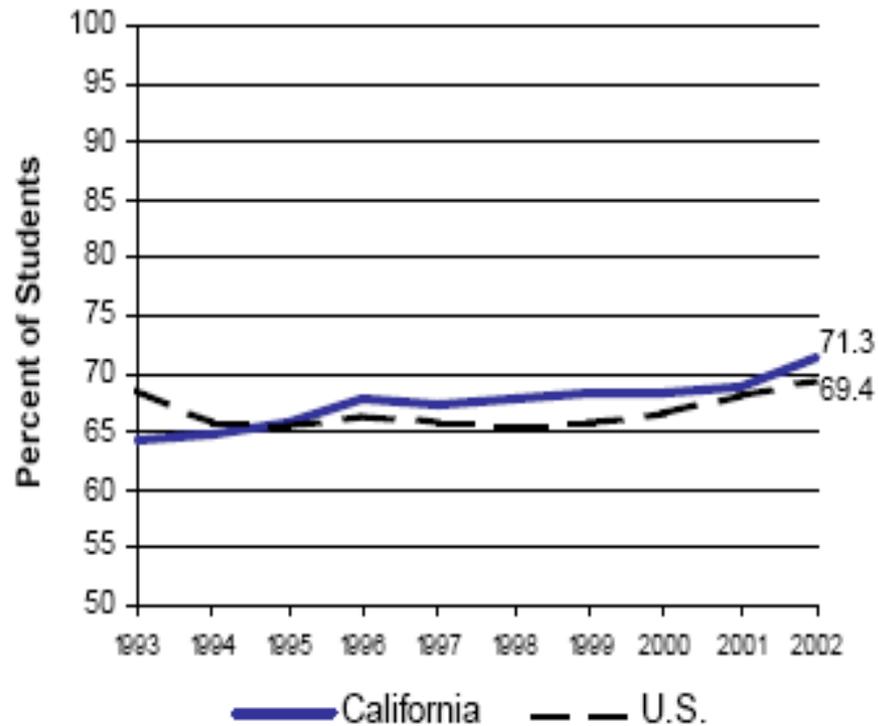


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High School Graduation Rates

10-Year Graduation-Rate Trend* (All Students)

State vs. U.S. Comparison (2002)

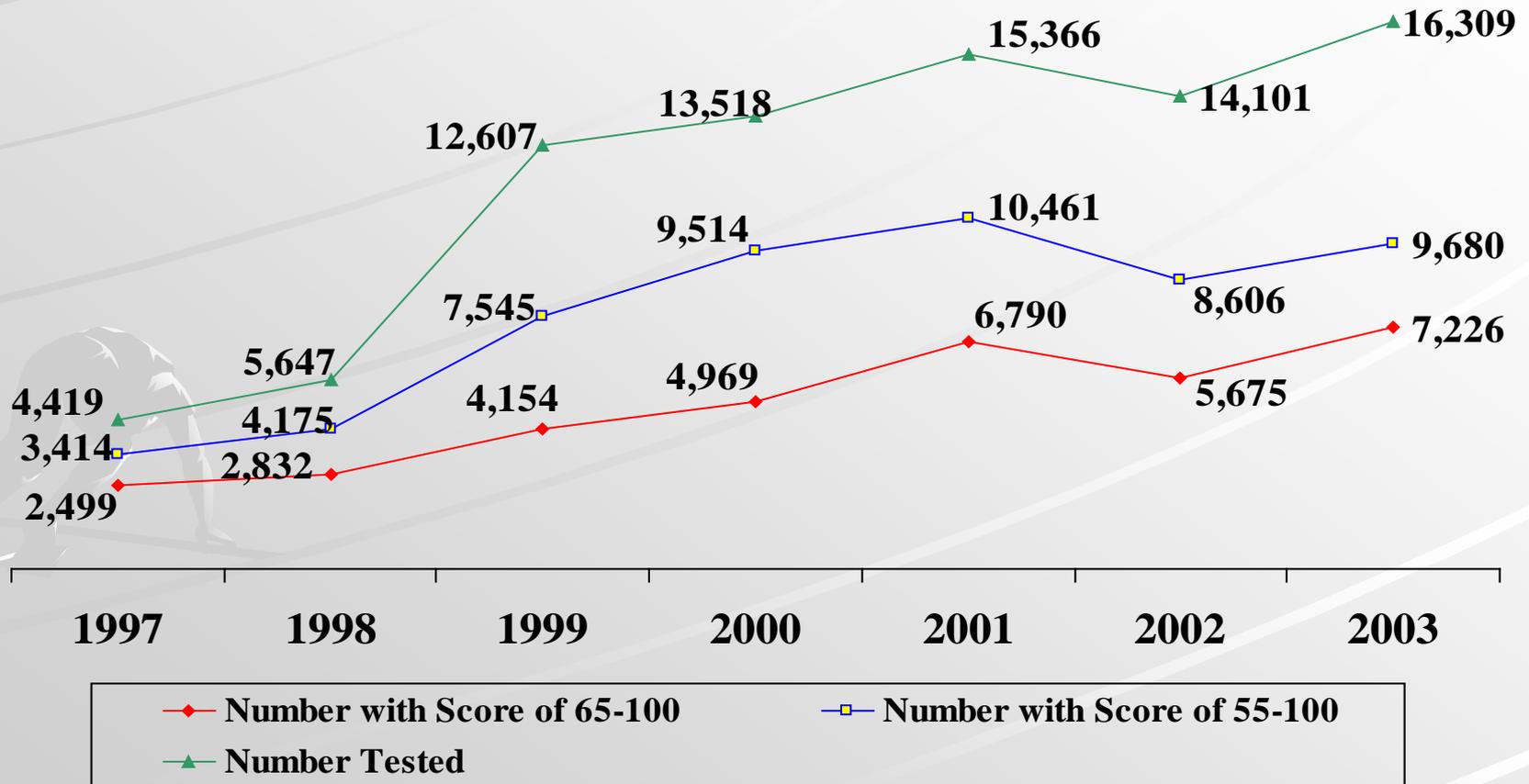


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Regents English Examination

Students with Disabilities

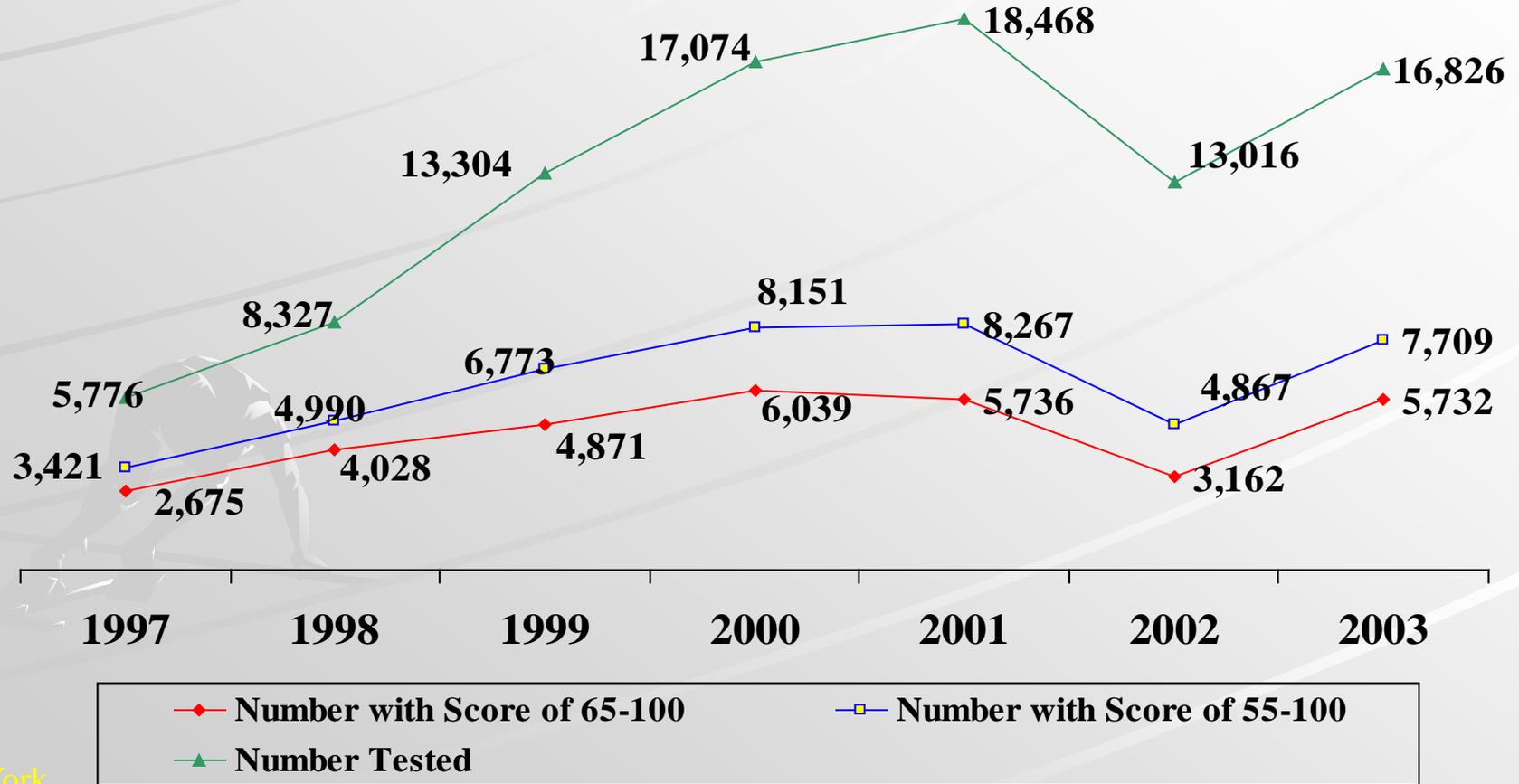
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New York

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- A pervasive emphasis on curricular alignment with frameworks---access to and progress in the general curricula
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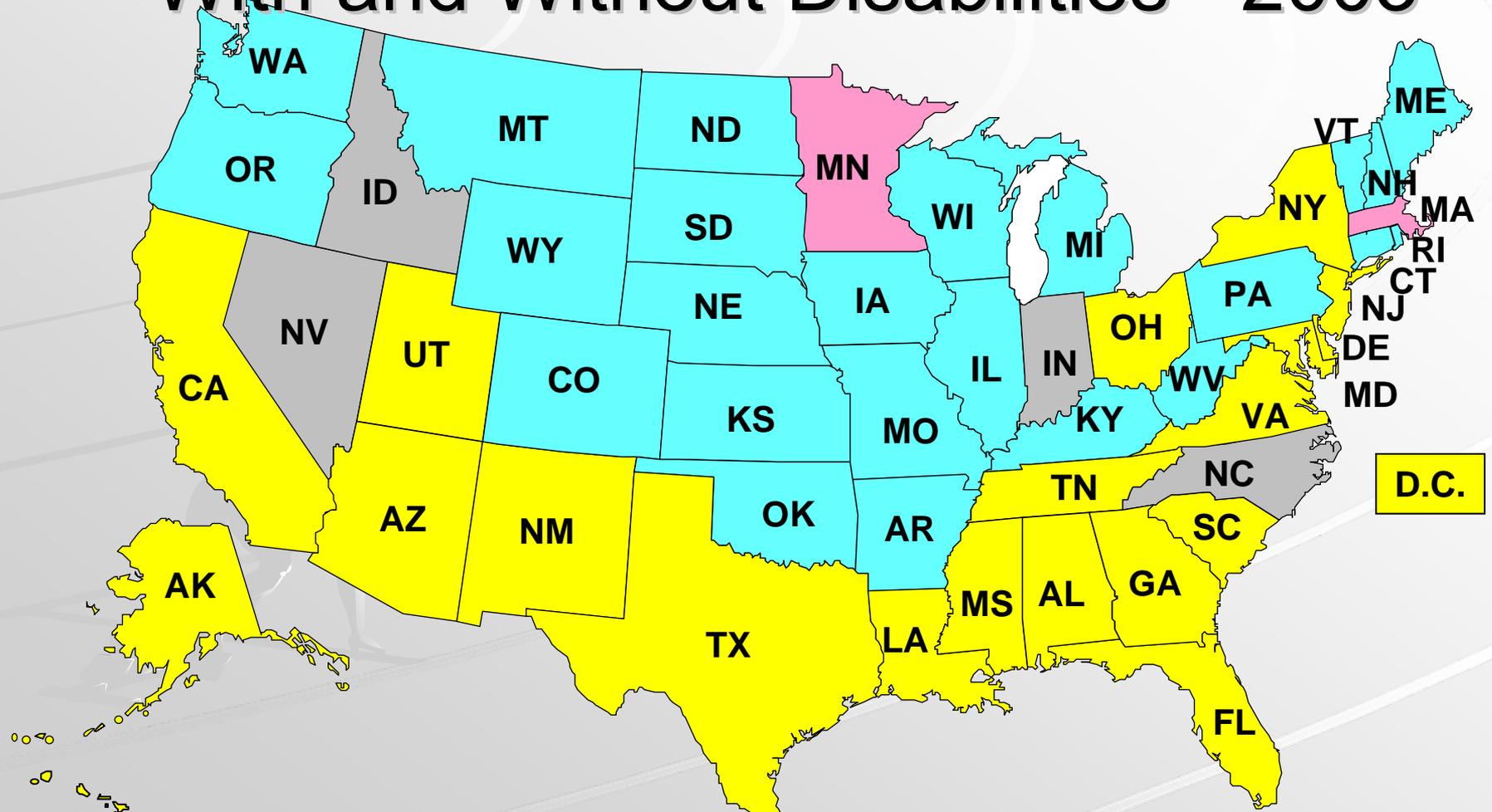
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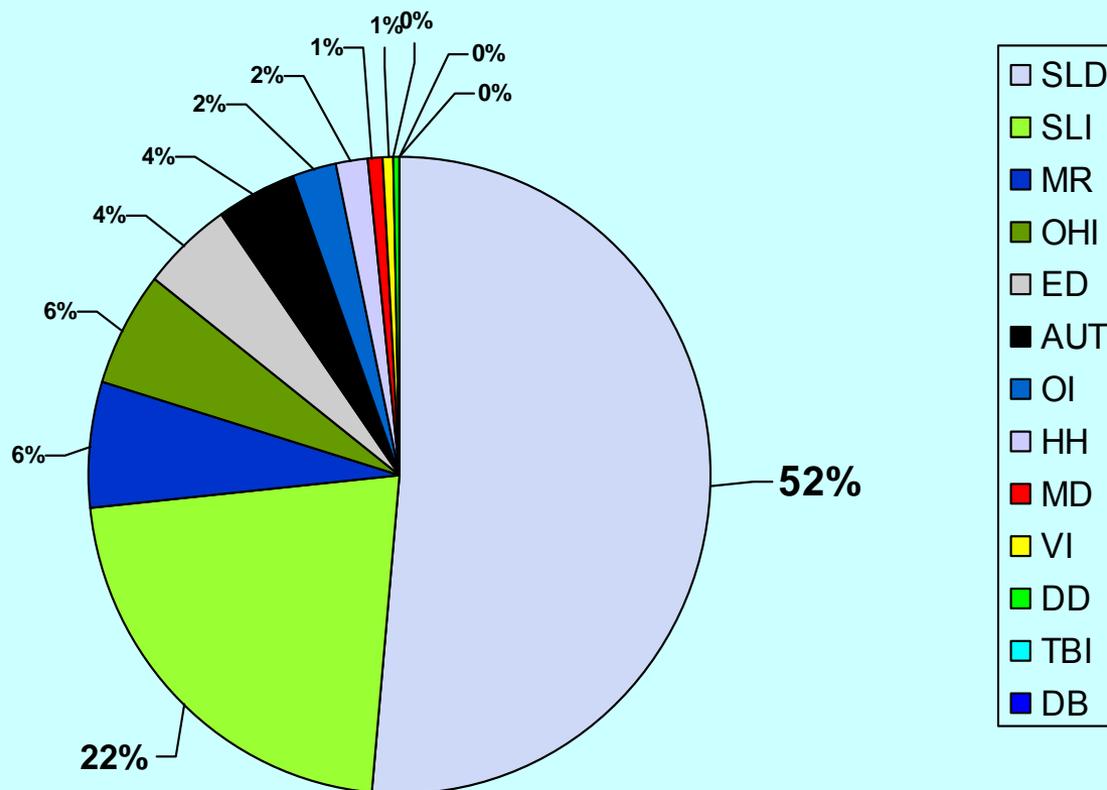
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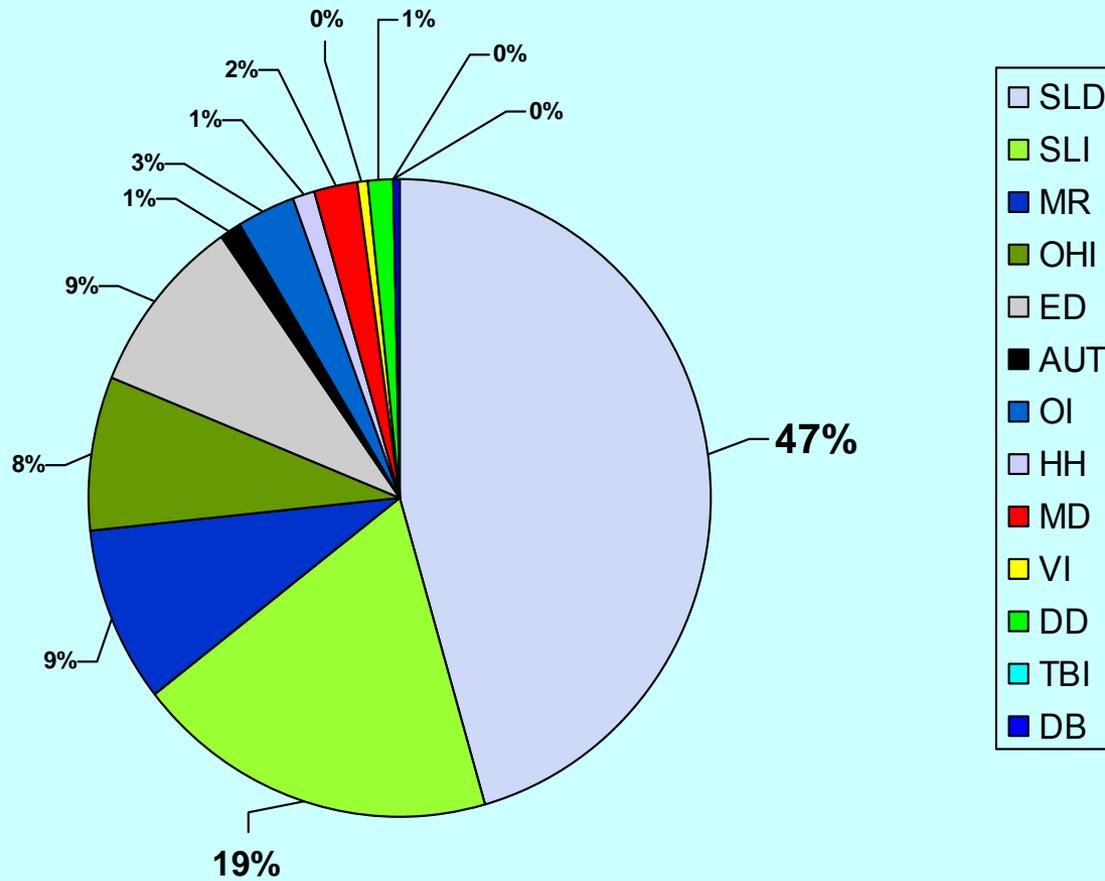
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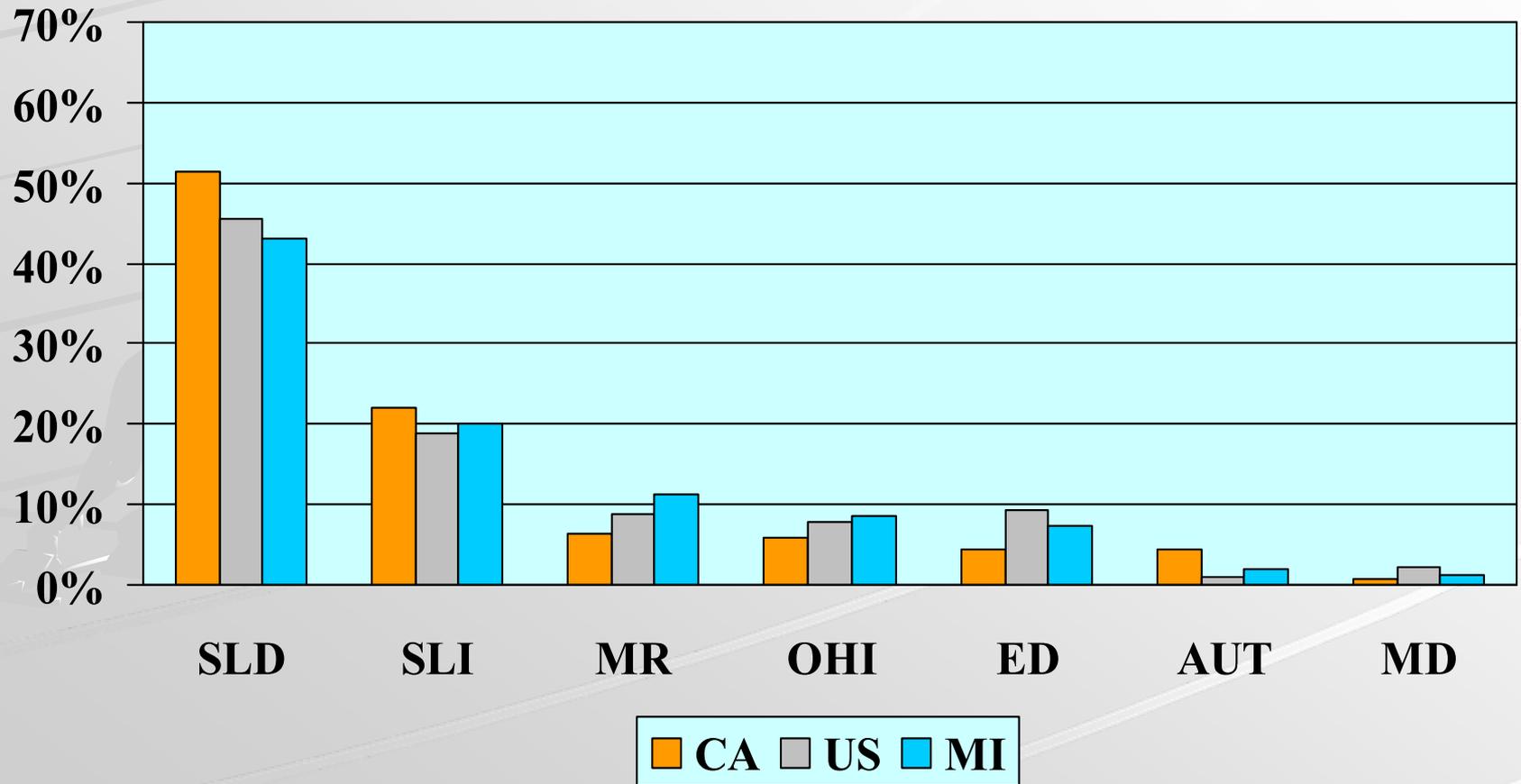
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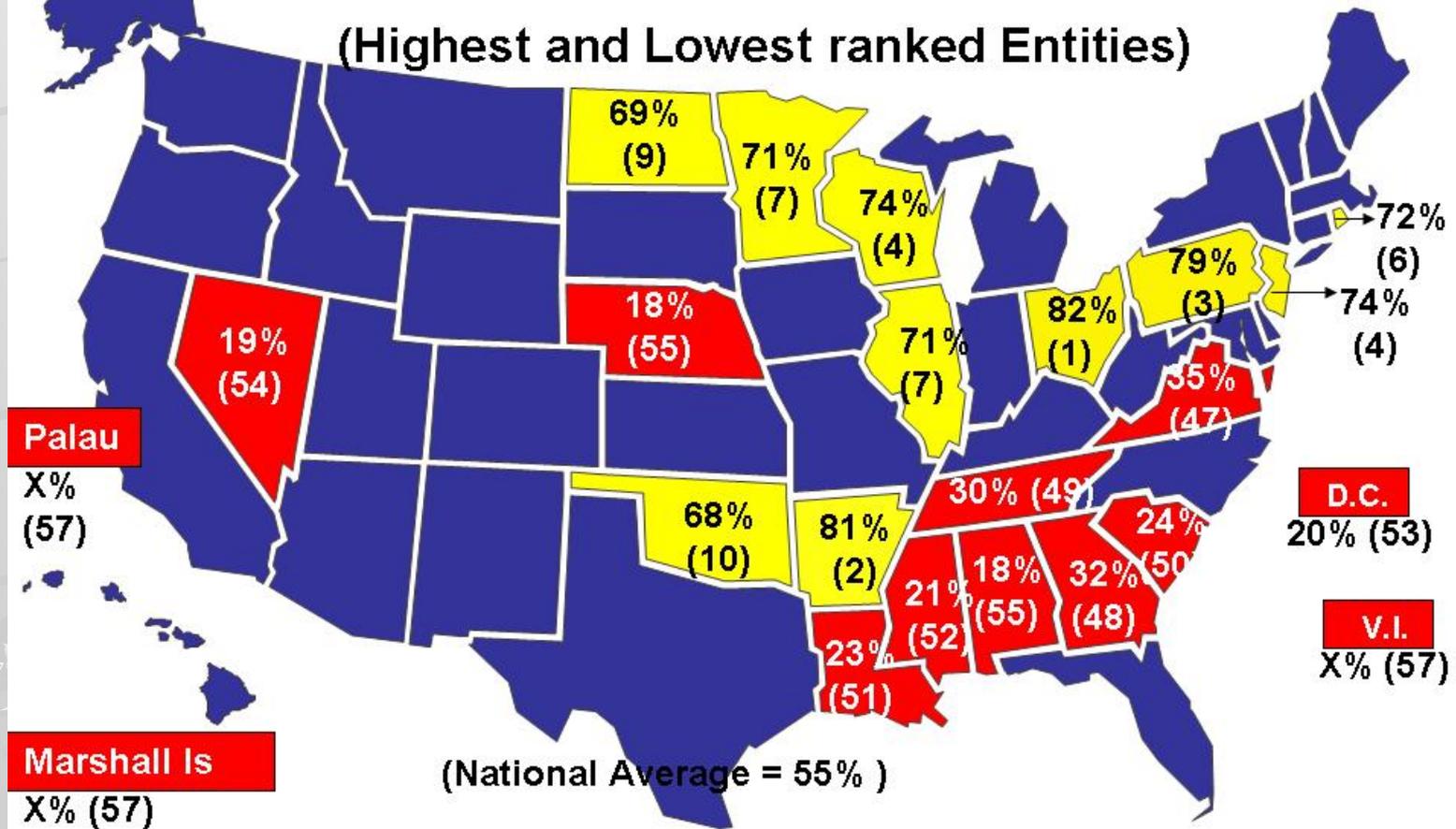


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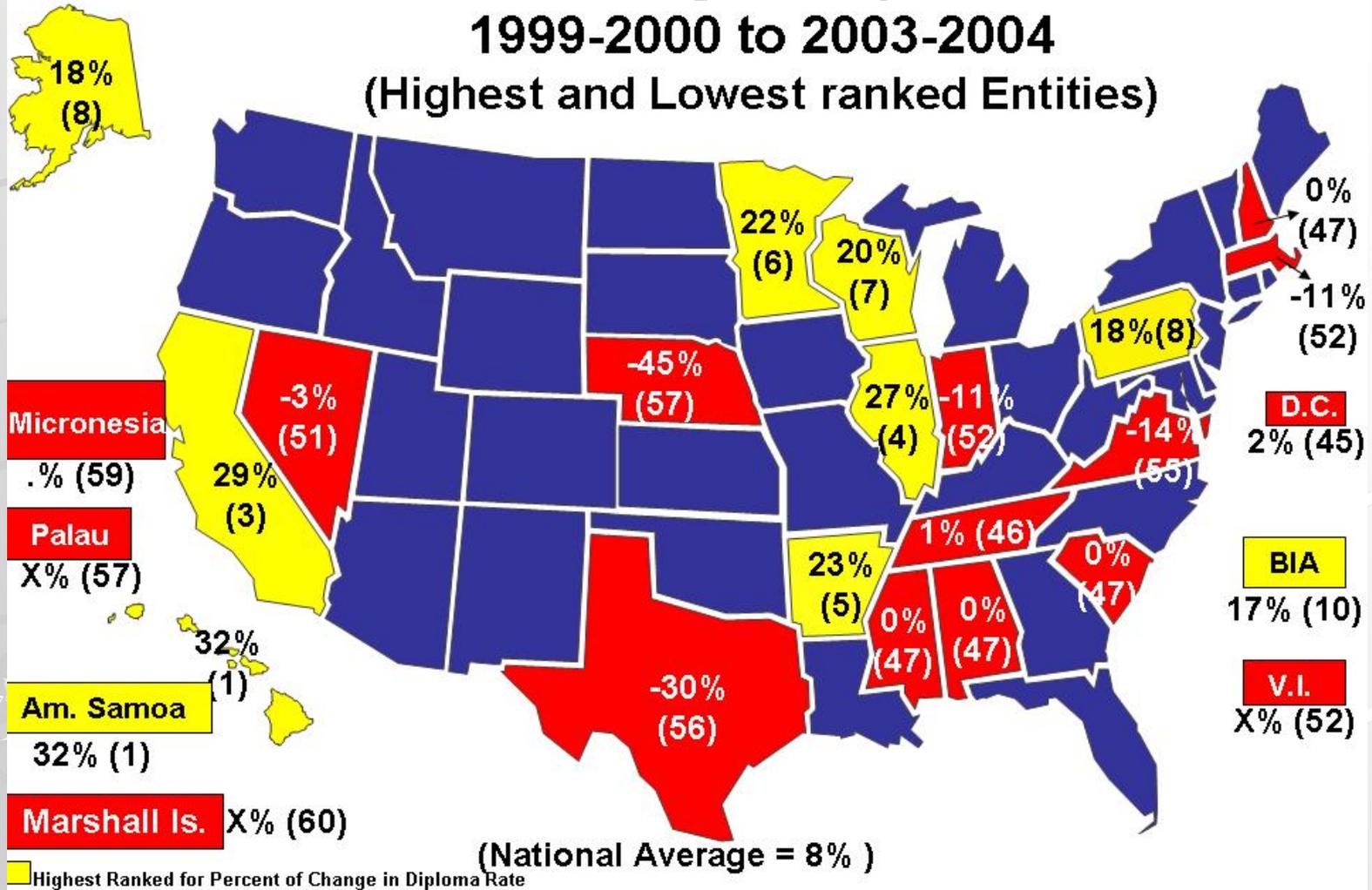
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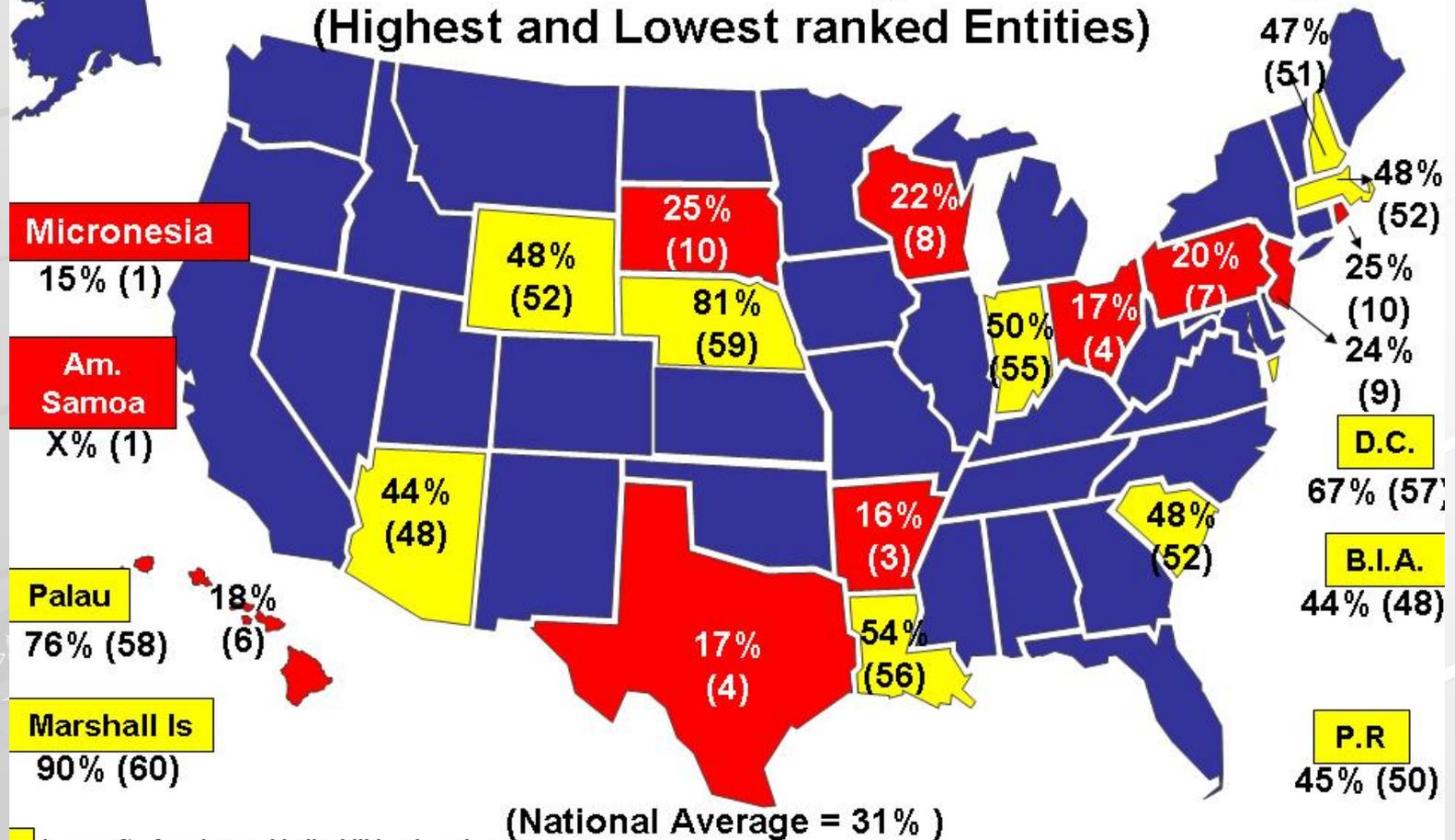
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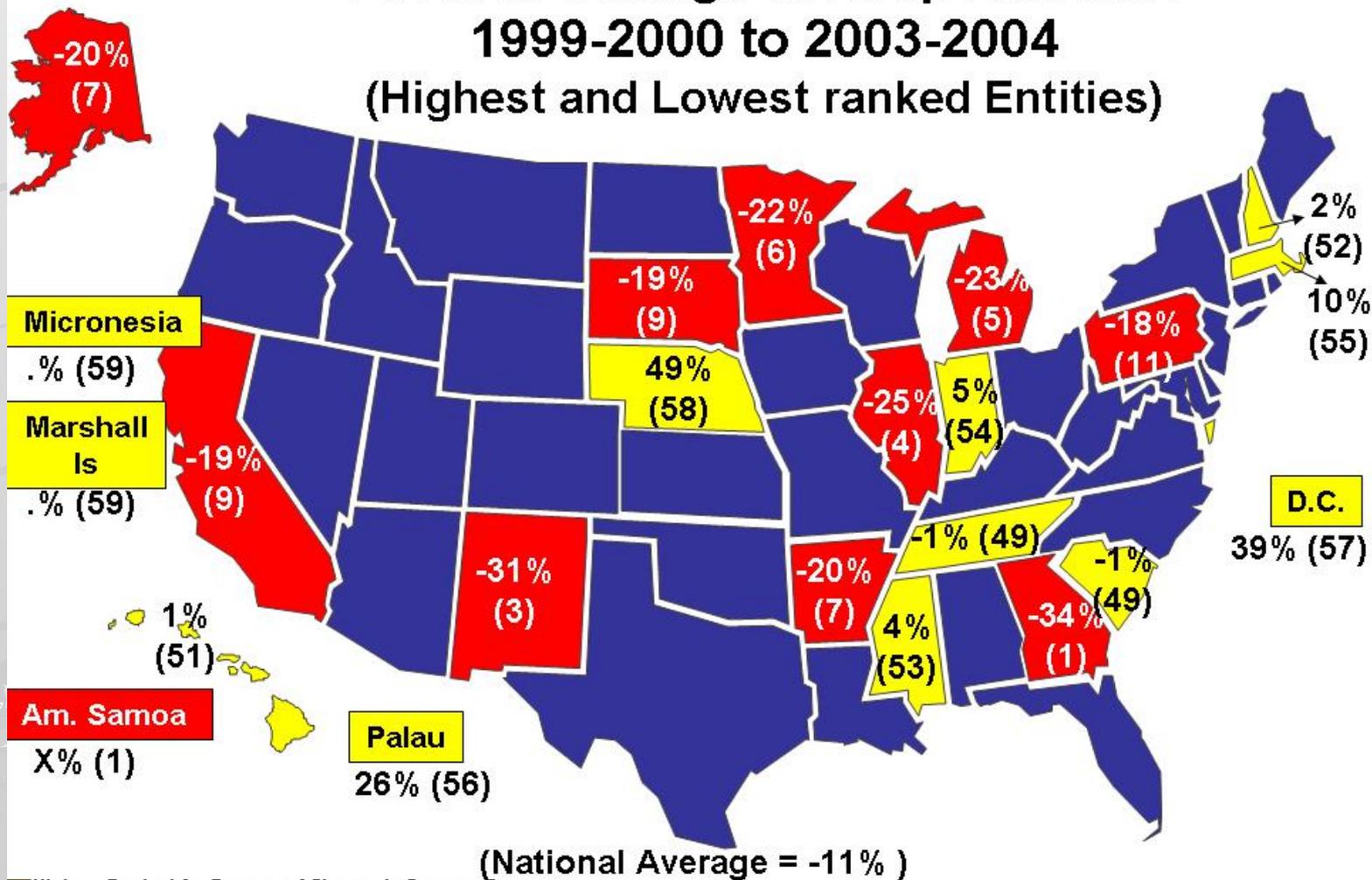
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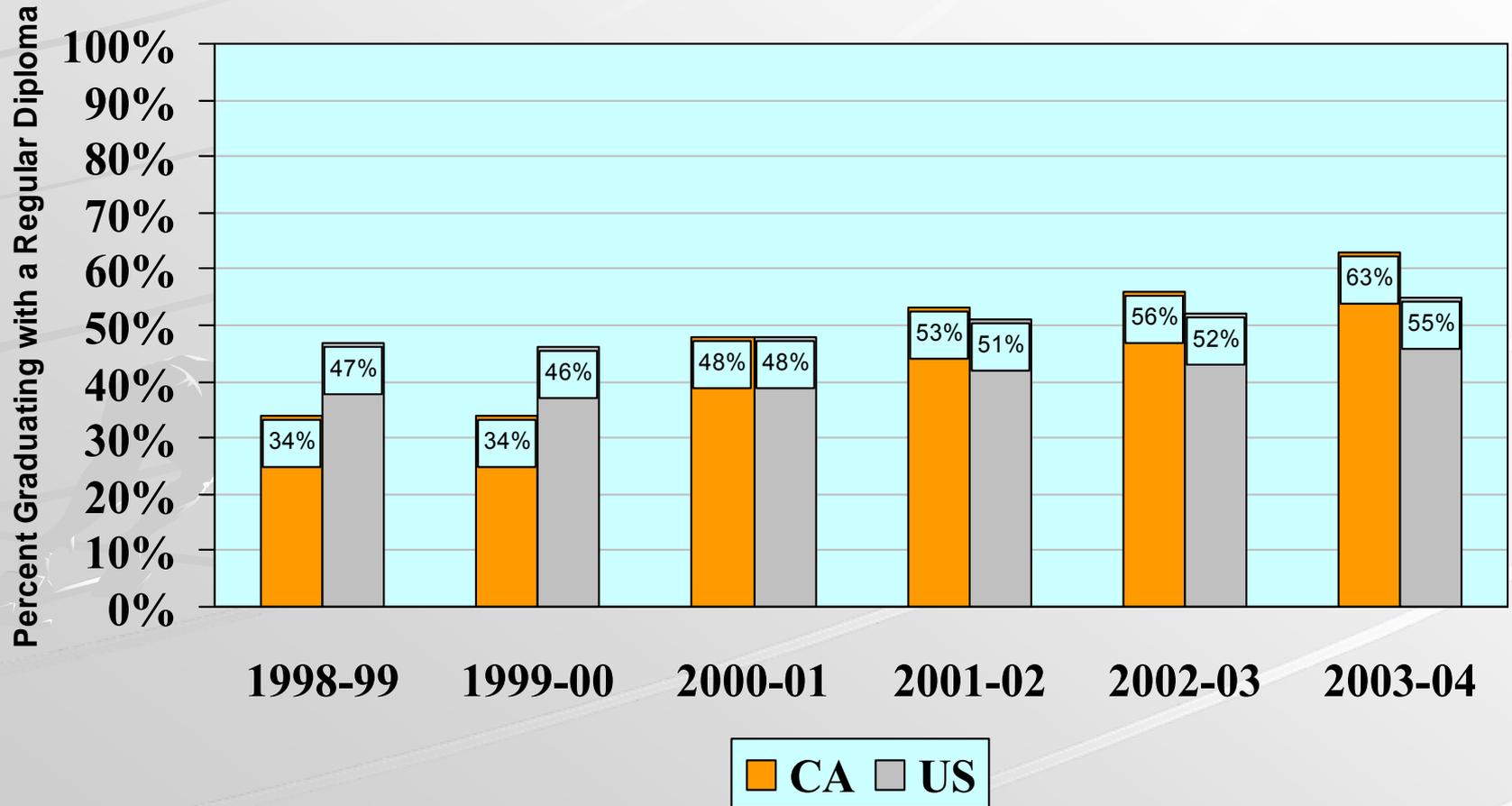
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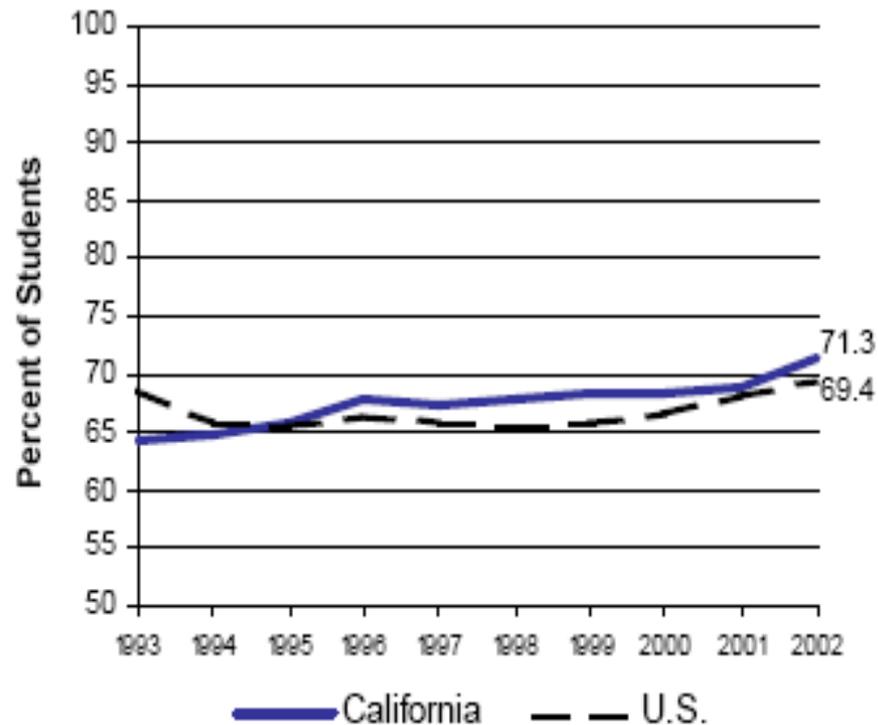
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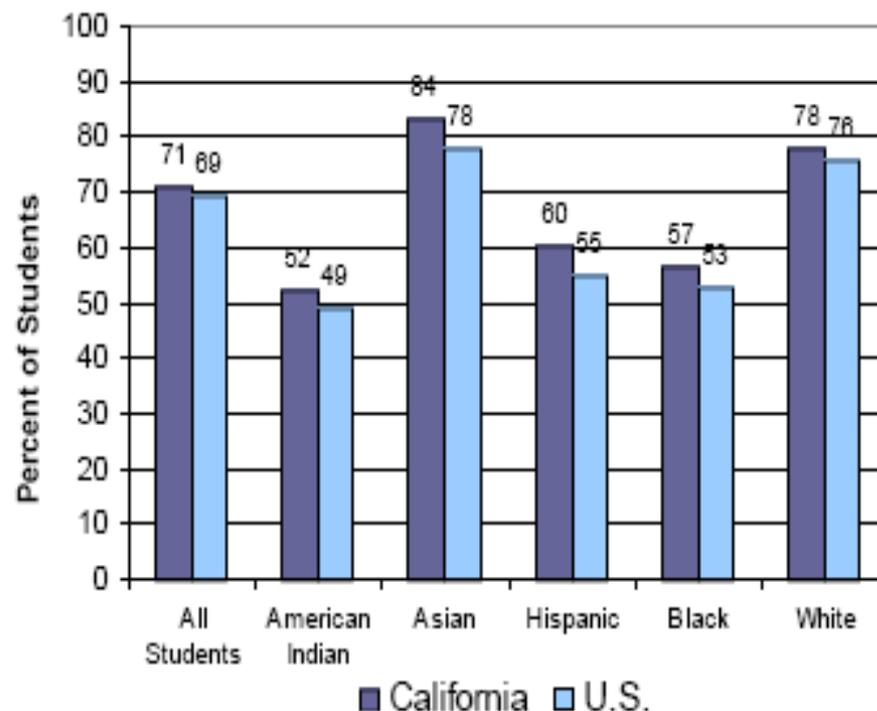
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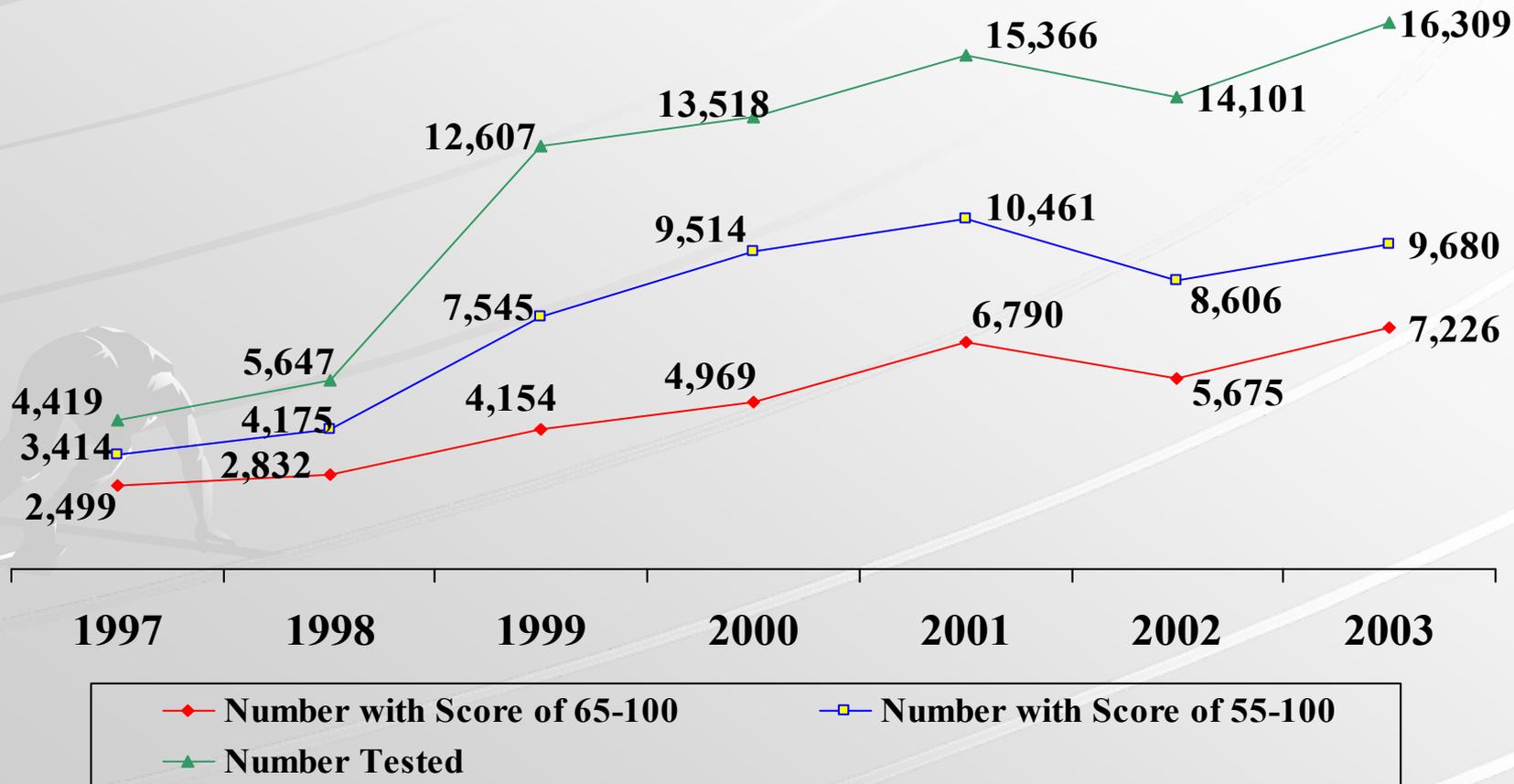


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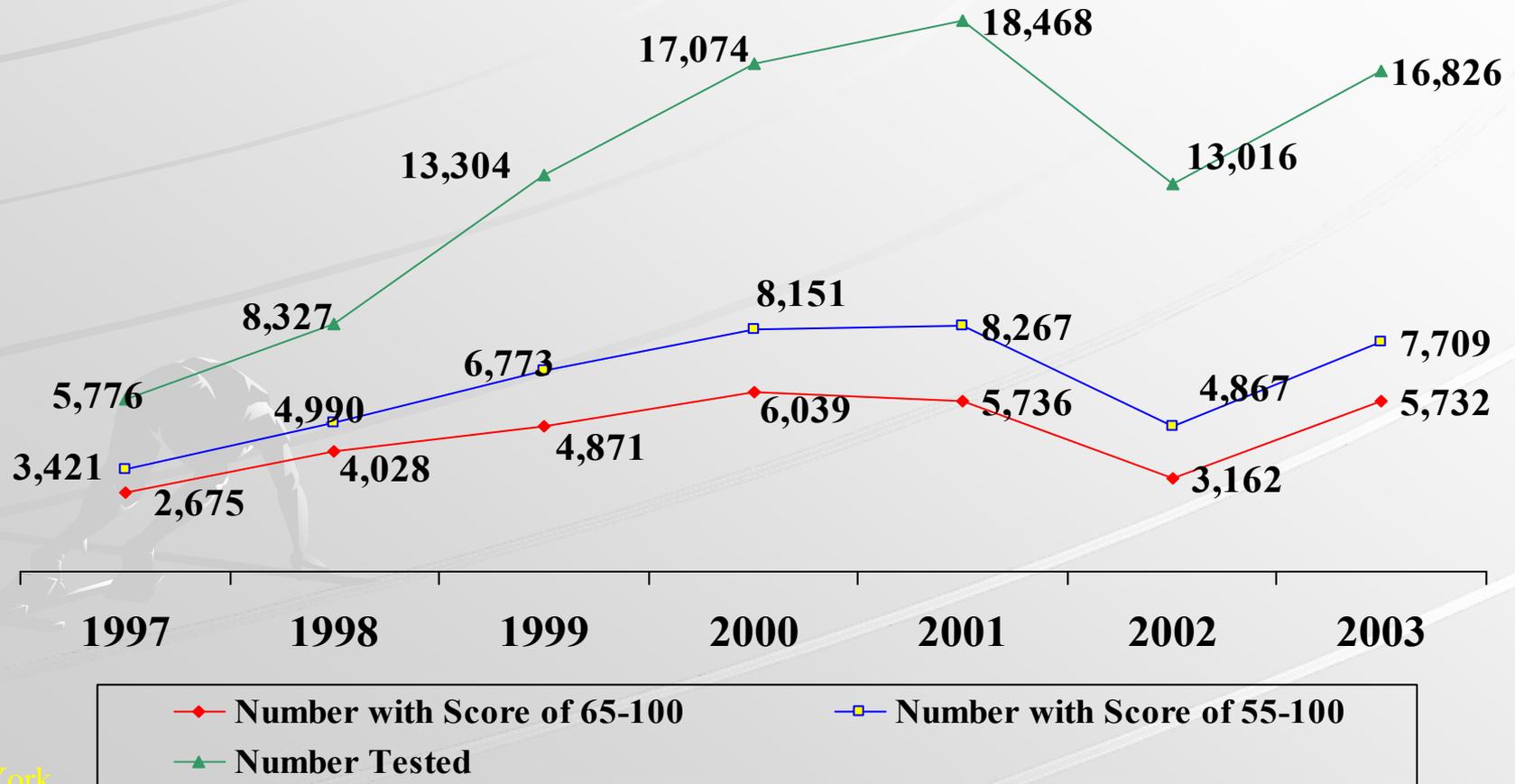
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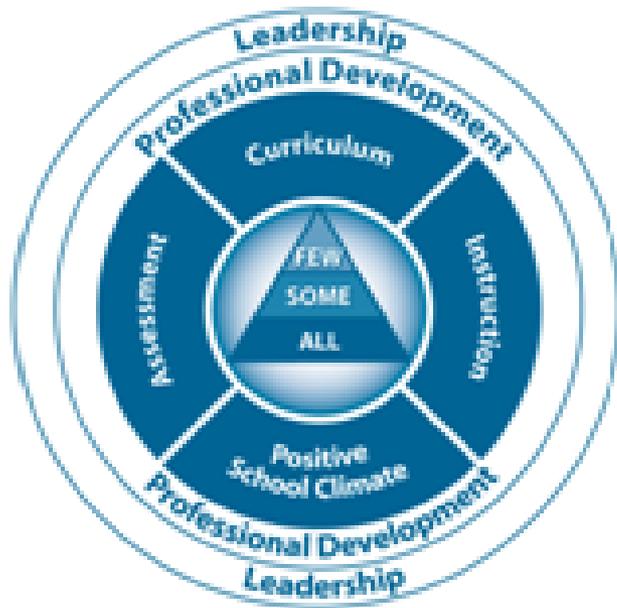


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Alice D. Parker, Ed.D.

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CAHSEE: Access and Equity for All

February 14, 2007

**Presentation to
CA State Board of Education**

**Judy Elliott, Ph.D.
Assistant Superintendent
Long Beach Unified School District**

Presentation Outcomes

- **Review the third largest urban school district's data- Long Beach Unified School District**
- **Examine national trends in alternative routes for graduation for general and special education students**
- **Explore systemic consequences, rigor, & comparability of the alternative routes**
- **Comment on the Department's Potential Courses of Action**

Long Beach Unified School District Demographics

District Population = 93, 000

- **49.7% Hispanic**
 - **18.3% Black**
 - **16.7% White**
 - **2.1% Pacific Islander**
 - **25.5% ELL**
 - **66.6% ELL and FEP combined**
 - **65.9% Free & Reduced Lunch**
- **9.3 Asian**
- **3.5 Filipino**



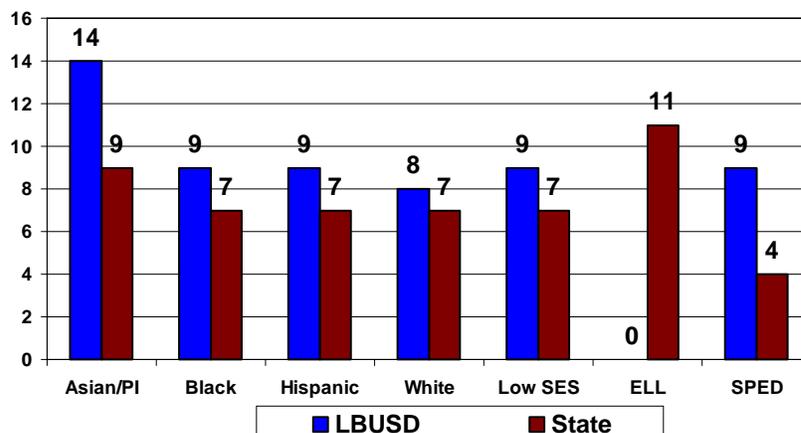
Special Education Demographics

- **7.039%**
- **48% LD**
- **44% Special Education/ELL**
- **Of the 7% of student on IEPs, 54% spend 79% of the day in general education**

Growth by Subgroups for ELA (PROFICIENT+ ADVANCED)

Subgroup	LB2003	LB2006	Growth	State03	State06	Growth
Asian/PI	38%	52%	14%	55%	64%	9%
Black	22%	31%	9%	22%	29%	7%
Hispanic	22%	31%	9%	20%	27%	7%
White	58%	66%	8%	53%	60%	7%
Low SES	22%	31%	9%	20%	27%	7%
ELL	10%	10%	0%	30%	41%	11%
SPED	7%	16%	9%	9%	13%	4%

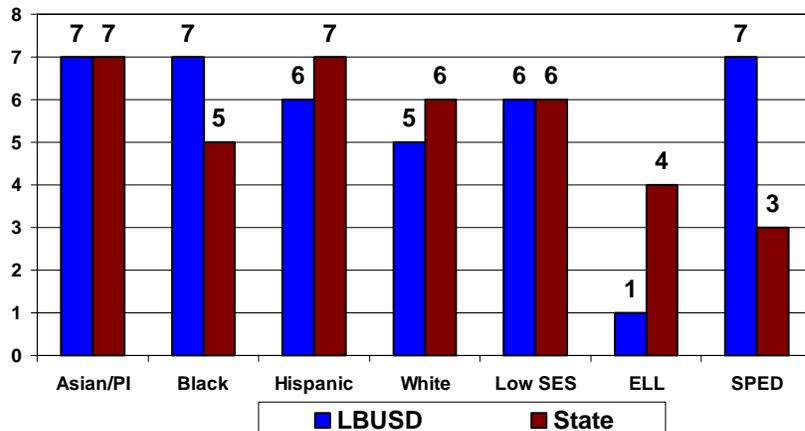
%Subgroup Growth from 2003 to 2006 for LBUSD and State in ELA



Growth by Subgroups for Math (PROFICIENT+ ADVANCED)

Subgroup	LB2003	LB2006	Growth	State03	State06	Growth
Asian/PI	41%	48%	7%	60%	67%	7%
Black	19%	26%	7%	19%	24%	5%
Hispanic	27%	33%	6%	23%	30%	7%
White	51%	56%	5%	47%	53%	6%
Low SES	27%	33%	6%	24%	30%	6%
ELL	20%	21%	1%	20%	24%	4%
SPED	10%	17%	7%	13%	16%	3%

%Subgroup Growth from 2003 to 2006 for LBUSD and State in Math



Growth in AYP: Percent Proficient or Advanced						
		2003	2004	2005	2006	%Growth
ELA	LBUSD S.E.	13.4	14.2	15.7	18.6	39%
	District-wide	34.2	35.5	39.7	43.5	27%
	State SPED	14.0	14.7	17.0	19.6	40%
	State-Wide	36.5	37.4	41.9	44.8	23%
Math	LBUSD S.E.	15.9	16.9	18.1	20.2	27%
	District-wide	38.8	39.8	44.9	48.0	24%
	State SPED	16.1	17.2	19.8	22.4	39%
	State-Wide	38.8	40.2	45.0	48.0	24%

Interesting State Data (HumRRO)						
	% Taking Algebra			% Beyond Algebra		
	Class of 2005	Class of 2006	Class of 2007	Class of 2005	Class of 2006	Class of 2007
All Students	84.4%	85.2%	86.8%	54.6%	55.6%	59.6%
SPED Students	62.7%	65.4%	70.4%	19.5%	19.0%	24.3%

**Alternative Routes to a Standard Diploma:
Available for All Students?**

- **Some states have a process in place (or forthcoming) for all students**
- **Some states have a process just for students with disabilities**
- **Other states have more than one process, one for students with disabilities, and another general alternative route to a standard diploma available for all students**

**All Content Is Highly
Changeable...**

Two Sources:

"Alternative Routes to the Standard Diploma", NCEO, 2003-2004.

"State High School Exit Exams: A Challenging Year"- Center on Education Policy (CEP), 2006.

Alternative Methods of Demonstrating Competency – Special Education Students

- **Different test to demonstrate competency**
- **Different curriculum**
- **Portfolio Assessment**
- **Waiver from exam**

* [NCEO- Alternative Routes to the Standard Diploma, 2005](#)

Who Makes the Request for Alternative Route? *

- **Students**
- **Parent or Guardians**
- **The student's teacher**
- **School personnel**
- **IEP committee**
- **District personnel**
- **In Massachusetts, anyone may request an appeal, but only the Superintendent of schools or designee may actually file an appeal.**
- **Unclear (For some states there was no information found on the Web site to indicate how the process was initiated or by whom).**

* [Alternative Routes to the Standard Diploma, NCEO, 2005](#)

Who Approves Request for Alternative Route? *

- Panel of three members appointed by commissioner
- State Board of Education
- State Superintendent
- Conference Committee
- MCAS Performance Appeals Board recommends to Commissioner
- IEP Team/504 Committee
- State Appeals of Substitute Evaluation Committee
- Standards, Review & Assessment (SRA) Panel
- Committee from another school
- Impartial panel of Experts
- Unclear

*Alternative Routes to the Standard Diploma, NCEO, 2005

Systematic Consequences of the Alternative Routes:

- How many students participate in the alternative route to the standard diploma?
- Are there too many for the system to handle?
- Does the alternative route increase the graduation rate or the dropout rate of students in general or of certain subgroups of students?

What Is the Rigor of the Alternative Routes?

- Do alternative routes require less rigor than the general route to the standard diploma?**
- Does the rigor differ for students with disabilities?**

Judging Comparability

- NCEO used the following semantic identifiers: same standards, same criteria, meeting equivalent standards.**
- The following identifiers indicated non-comparability: lower, waiver, exemption, fewer tests**
- The alternative routes for all students tended to be comparable to the standard route (10 of 14), whereas those for students with disabilities tended to be non-comparable (8 of 14).**

*** NCEO- Alternative Routes, 2005**

Recommendations:

- 1. The alternative route must be based on the same beliefs and premises as the standard route to the diploma.**
- 2. The alternative route should truly be an alternative to the graduation exam, not just another test.**

Recommendations:

- 3. Procedures should be implemented to evaluate the technical adequacy of the alternative route and to track its consequences.**
- 4. The same route or routes should be available to all students.**

Recommendations for the Potential

Courses of Action

Collect accurate data on the percentage or rate of students with disabilities graduating with and without the Waiver. Allow for the aggregation and disaggregation of these data.

Pre CAHSEE Graduation rate was estimated at 56%
Post CAHSEE Graduation rate is estimated at 47.8 % but
DOES NOT include data of students who graduated with the Waiver.

Maintain the CAHSEE Waiver Process (EC60851.c)

Develop a State-endorsed Certificate of Completion

Develop a Juried Assessment

Must carefully address the conditions:

- Are students required to fail CAHSEE before they are offered this option?
- 95% attendance rate is for what grade levels? The student's entire High School career? Tenth grade?
- Specify mandatory remedial coursework
- Teacher and principal recommendations are appropriate. Caution: Can be subjective
- Decision makers at the State level

Allow Compensatory Scoring of Standard CAHSEE Form

This may help offset specific areas of deficit for some students but in the end they must meet the overall passing cut score.

Create On-Demand CAHSEE Strand Tests

Logistical nightmare for Districts to implement

Concern: The ability for CDE/contractor to replicate multiple strand tests for ELA and Math in a valid, reliable robust way to ensure they are measuring the same constructs as the CAHSEE

Develop CAHSEE Alternative Assessment

No.

Develop alternative options (for all students).

Using the CMA as a model is inappropriate as it not intended for this purpose.

Stay the course, because...

You treasure what/who you measure

The best for a few, but not for you

What gets tested, gets taught

Out of sight, out of mind

State Board of Education
Retreat
February 15, 2007

Agenda

The purpose of this gathering is to allow board members to gain greater understanding of the duties and processes of the State Board. It also is an opportunity to explore, question, challenge, or modify elements of board life that the crowded agendas of bimonthly meetings leave no time to attempt. The atmosphere of the retreat is intended to be open and probing. There are no silly questions, but individual inquiries should have no more than four parts unless they are included in a three-question series, in which case each query should have no more than two parts. All members are encouraged to express their views. Listening is only half the fun.

I. OVERVIEW OF THE STATE BOARD

Why does the State Board exist?

What are its powers and responsibilities?

What is most important?

What is the board's relationship to the Governor and Legislature?

What is the board's relationship to the Department of Education?

What is the board's relationship to school districts and county offices?

What is the board's relationship to the federal government?

How has the role and function of the board evolved?

What events, programs, and changing conditions shaped its evolution?

How is the board organized to operate?

What is the role of staff?

What is the function and authority of liaisons?

What commissions advise it and how are they selected?

How does Bagley-Keene affect board operations?

The preceding questions are only a sample. If you have others, please ask.

To help understand what the board does, former board member Suzanne Tacheny will explain the central role of the board in developing content standards, adopting curriculum, guiding assessment, and imposing accountability.

Former staff director for the Curriculum Commission and Director of the Curriculum Frameworks and Instructional Resources Division, Glen Thomas, will discuss the structure and activities of the curriculum development process. This will provide an opportunity to consider the image of the commission in recent years and compare public perceptions to the reality of how it operates.

To add perspective to the deliberations, three sleek former State Board executive directors—John Mockler, Greg Geeting, and Bill Lucia (listed in chronological order)—will contribute informed comment about the topics under review. John is especially knowledgeable about instructional materials because for years he represented and advised publishers. Bill Lucia is a testing expert who was intimately involved with establishing our assessment and accountability programs. Greg is the steady hand who worked for the board longer than anyone and witnessed the changes that have occurred.

Following the discussion of the preceding questions and issues, it might be useful to ask what changes, if any, would our speakers propose for how the board operates. This also would be a good time for board members to express observations or concerns that have occurred to them since joining the board.

II. THE STATE BOARD AND THE LEGISLATURE

How should the board participate in the legislative process?

How actively or extensively should the board be involved?

What legislative issues are of greatest interest to the board?

What criteria should guide selection of bills to monitor?

Should the board rely on a subcommittee for more timely action?

III. BOARD AGENDA AND BOARD MEETING

What do members like or dislike about the board agenda?

Number of items

Number of pages

Time available to study the items

Content of items

What is the process for preparing agenda items?

What changes would improve the agenda or facilitate use of it?

Is a meeting 2 days every two months preferable to 1 day every month?

Is the assignment of items to particular days satisfactory?

Should subjects be heard in a different order?

Should some subjects be assigned to different days?

Is the allocation of time satisfactory?

Is the number of late items (blues) satisfactory?

What changes would improve or facilitate the conduct of board meetings?

IV. CALIFORNIA PUBLIC EDUCATION IN 2025

What should we be doing to prepare the state's schools for 2025?

What are the crucial needs?

What are the primary vulnerabilities?

What are the significant strengths?

What is required to improve policymaking, and what policies are necessary to produce greater academic achievement?

Is there a strategy that can achieve both objectives?

V. EPILOGUE

Other subjects maybe discussed as interest and time permit.