

High School Exit Examination

The Solano County Office of Education (SCOE) desires to ensure that its students who graduate from high school can demonstrate grade-level competency in reading, writing, and mathematics and are given the opportunity to learn the subjects covered in the high school exit examination required for high school graduation. SCOE also desires to prepare all students to obtain a diploma of high school graduation to enable them to take advantage of opportunities for postsecondary education and/or employment.

The County Superintendent or designee shall ensure that SCOE programs and services, including, but not limited to, instructional materials, staff development, and remediation programs, are aligned with the exit exam.

The Superintendent or designee shall administer the exit exam in accordance with law.

Students may be allowed to take the exit exam with variations, accommodations, or modifications in accordance with law and administrative regulation.

Supplemental instruction shall be offered to any student in grade 7-12 who does not demonstrate "sufficient progress," as defined in Board policy, toward passing the exit exam.

Definitions

Variation means a change in the manner in which a test is presented or administered, or in how a student is allowed to respond, and includes, but is not limited to, accommodations and modifications as defined in Education Code Section 60850.

Accommodation means any variation in the assessment environment or process that does not fundamentally alter what the test measures or affect the comparability of scores.

Modification means any variation in the assessment environment or process that fundamentally alters what the test measures or affects the comparability of scores.

District and Test Site Coordinators

On or before July 1 of each school year, the Superintendent shall designate a high school exit examination coordinator from among SCOE's employees and shall notify the test contractor of the identity and contact information of the coordinator. The coordinator or Superintendent or designee shall be available throughout the year; shall serve as the liaison between SCOE and the test contractor and between SCOE and the California Department of Education (CDE) for all matters related to the exit examination; and shall perform additional duties specified in 5 CCR 1209-1211.5.

Annually, the coordinator or Superintendent or designee shall designate a test site coordinator for each test site to fulfill the responsibilities specified in 5 CCR 1210-1211.5.

All SCOE and test site coordinators shall sign a test security affidavit pursuant to 5 CCR 1211.5.

Access to exam materials shall be limited to students taking the exam and individuals who have signed the test security affidavit, including employees directly responsible for test administration. All SCOE and test site coordinators shall be responsible for inventory control.

Administration

The Superintendent or designee shall administer the exit exam in each high school program on the dates designated by the Superintendent of Public Instruction (SPI) as exam days or make-up days.

The high school exit exam shall be administered as follows:

1. Students in grade 10, including students with disabilities who are otherwise exempt from the requirements of the exit exam, shall take each section of the exit exam once during the school year, either during the grade 10 census administration or the designated grade 10 make-up administration.
2. Students in grade 11 who have not yet passed one or both sections of the exit exam shall have up to two opportunities per year to take the section(s) of the exam not yet passed and may elect to take the exit exam during these opportunities. These students may be tested in successive administrations within a school year. Students should be offered appropriate remediation or supplemental instruction before being retested.
3. Students in grade 12 shall have up to three opportunities to take the section(s) of the exit exam not yet passed. Students in grade 12 may elect to take the exit exam up to five times during the school year and may take the exit exam in successive administrations. Students should be offered appropriate remediation or supplemental instruction before being retested.
4. Adult students shall have up to three opportunities per year to take the section(s) of the exit exam not yet passed and may elect to take the exit exam during these opportunities. Students should be offered appropriate remediation or supplemental instruction before being retested.

If a student does not possess sufficient English language skills to be assessed on the exit exam, the Superintendent or designee may defer the exam requirement for a period of up to 24 calendar months of enrollment in the California public school system until the student has completed six months of instruction in reading, writing, and comprehension in the English language.

Test administrators at the test sites shall be responsible for the accurate identification of eligible students to whom the exit exam is to be administered. This identification shall be made through the use of photo identification or positive recognition by an employee of SCOE.

Any student found to have cheated, assisted others in cheating, or compromised the security of the exit exam shall not receive a score from that test administration.

Testing Variations for All Students

The Superintendent or designee may provide any student taking the exit exam with extra time within a testing day, simplified or clarified test directions (but not test questions), student marks (other than responses) including highlighting in test booklets, and/or testing in a small group setting.

A student may also be provided the following testing variations if they are regularly used in the classroom:

1. Special lighting, special acoustics, or special or adaptive furniture
2. Visual magnifying or audio amplification equipment
3. Noise buggers (e.g., an individual carrel or study enclosure)

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4. Testing of individual students in a separate room provided that the student is directly supervised by an employee who has signed the test security affidavit
5. Colored overlay, mask, or other means to maintain visual attention to the exam or test items
6. Manually Coded English or American Sign Language to present test administration directions

At least 30 working days before the proposed administration of the exit exam, the Superintendent or designee shall submit a request to the CDE for a case-by-case review of a proposed variation that is not specified in law. The request shall include a description of the requested variation(s) and, if applicable, a certification that the student's individualized education program (IEP) or Section 504 plan specifies that the requested variation is appropriate and necessary to access the exam due to the student's identified disability(ies) and that such variation is currently listed in his/her IEP or Section 504 plan.

Testing Variations for English Language Learners

In addition to testing variations allowed for all students, identified English language learners may be allowed the following testing variations if regularly used in the classroom or for assessments:

1. Flexible setting: English language learners may have the opportunity to be tested in a separate room with other English language learners provided that the students are directly supervised by an employee who has signed the test security affidavit.
2. Flexible schedule: English learners may have additional supervised breaks within a testing day.
3. Flexible time: English learners may have extra time on the exam within a testing day.
4. Translated directions: English learners may have the opportunity to hear the test directions printed in the test contractor's manual translated into their primary language. English learners may have the opportunity to ask clarifying questions about the test directions in their primary language.
5. Glossaries: English learners may have access to translation glossaries (English to primary language and/or primary language to English). The glossaries are to include only the English words or phrases with the corresponding primary language words or phrases. The glossaries shall include no definitions, formulas, or parts of speech.

Accommodations/Modifications for Students with Disabilities

A student with disabilities shall be permitted to take the exit exam with accommodations or modifications when the student's individualized education program (IEP) or his/her Section 504 plan specifies their use on the exam, for standardized testing, or during classroom instruction and assessments.

The use of accommodations shall not invalidate a student's test score(s). Accommodations may include:

1. Presentation accommodations, including large-print versions in 20-point font, exam items enlarged if larger than 20-point font is required, Braille transcriptions provided by the test contractor, audio or oral presentation of the mathematics section of the exam, or use of Manually Coded English or American Sign Language to present test questions on the mathematics section of the exam or any prompts or passages present in the writing task

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2. Response accommodations, including responses marked in the test booklet and transferred to the answer document by an employee who has signed the test security affidavit; responses dictated orally, in Manually Coded English, or in American Sign Language to a scribe for selected-response items (e.g., multiple-choice test questions); responses dictated orally or in Manually Coded English to a scribe, audio recorder, or speech-to-text converter on the writing portion of the exam and the student indicates all spelling and language conventions; word processing software with spell and grammar check tools turned off on the writing portion of the exam; or an assistive device that does not interfere with the independent work of the student on the multiple-choice or writing portion of the exam
3. Scheduling/timing accommodations, including testing over more than one day after consultation with the test contractor, supervised breaks within a section of the exam, and administration of the exam at the most beneficial time of day to the student after consultation with the test contractor
4. Setting accommodations, including tests administered by a test examiner to a student at home or in the hospital

For purposes of receiving a high school diploma, the use of modifications shall invalidate a student's test score for the section of the exam for which the modification(s) were used because they fundamentally alter what the test is designed to measure. If the score is equivalent to a passing score, the student may be eligible for a waiver as detailed below. Modifications may include:

1. Arithmetic table or formulas, calculators, or math manipulatives on the mathematics section of the exit exam
2. Audio or oral presentation of the multiple-choice portion of the English language arts section of the exit exam
3. Manually Coded English or American Sign Language to present the multiple-choice portion on the English language arts section of the exit exam
4. Spell checkers, grammar checkers, or word processing software programs that check or correct spelling and/or grammar on the writing portion of the exit exam
5. Mechanical or electronic devices or other assistive devices that are not used solely to record the student's responses including, but not limited to, transcribers, scribes, voice recognition or voice-to-text software, and that identify a potential error in the student's response or that correct spelling, grammar, or conventions on the writing portion of the exit exam
6. Responses dictated orally, in Manually Coded English, or in American Sign Language to provide an essay response to a scribe and the scribe provides spelling, grammar, and language conventions
7. Dictionary on any section of the exit exam

Exemption for Students with Disabilities Beginning in 2009-10

SCOE shall grant a certificate of completion to a student with a disability who has not passed the exit exam if all of the following criteria are satisfied:

1. The student has an IEP or Section 504 plan.
2. The IEP or 504 plan states that the student is scheduled to receive a high school diploma.

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3. The student has satisfied or will satisfy all other state and SCOE requirements for the receipt of a high school diploma on or after July 1, 2009.

Waiver for Students with Disabilities

The parent/guardian of a student with disabilities who has taken any section of the exit exam with one or more modifications and has received the equivalent of a passing score may request that his/her child receive a waiver of the requirement to successfully pass the exam. The requirement to successfully pass the exit exam may be waived if the principal certifies that the student has all of the following:

1. An IEP or Section 504 plan in place that requires the accommodations or modifications to be provided to the student when taking the exit exam
2. Sufficient high school level coursework either satisfactorily completed or in progress in the high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the exit exam
3. An individual score report showing that the student has received the equivalent of a passing score on the exam while using a modification that fundamentally alters what the exit exam measures as determined by the State Board of Education (SBE)

The principal or designee shall notify parents/guardians of students with disabilities about the criteria and process for applying for a waiver of the requirement to successfully pass the exit exam.

Records

The Superintendent or designee shall maintain a summary data file of all students who participate in each test administration. This summary data file shall include the following information for the English language arts section and the mathematics section for each test administration:

1. The date on which each section of the exam was taken
2. The full name of each student who took each section of the exam
3. The grade level of each student at the time each section of the exam was taken
4. Whether each student has satisfied the requirement to successfully pass each section of the exam

In addition, the Superintendent or designee shall provide the test contractor with the student demographic information specified in 5 CCR 1207.

Within 60 days of receiving electronic data files from the test contractor, the Superintendent or designee shall enter the following information in each student's permanent record:

1. The date on which the student took each section of the exam
2. Whether the student has satisfied the requirement to successfully pass each section of the exam

Notifications

At the beginning of each school year, the Superintendent or designee shall provide written notification of the exit exam requirement to all students in grades 9-12 and to their parents/guardians. Such notification shall also be provided to any student who transfers into a SCOE program after the beginning of the school year at the time of the student's transfer. The

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notification shall include, at a minimum, the date of the exam, the requirements for passing the exam, and the consequences of not passing the exam, and shall inform the parent/guardian that passing the exam is a condition of graduation. The Superintendent or designee shall maintain documentation that the parent/guardian of each student has been sent this written notification.

Prior to each administration of the exit exam, the Superintendent or designee shall notify students of the provisions of 5 CCR 1220 related to the consequences of cheating.

- Attachments: (A) Parental Request for Waiver Form (sample)
(B) Principal's Certification and Request for Waiver Form (sample)

Legal Reference:

EDUCATION CODE

35146 Closed sessions
35186 Williams Uniform Complaint Procedures
37252-37254.1 Supplemental instruction
51041 Evaluation of educational program
52378 Supplemental school counseling program
56026 Individuals with exceptional needs
56101 Waiver of code or regulation
60810 Assessment of language development
60850-60859 Exit examination

CODE OF REGULATIONS, TITLE 5

1200-1225 High school exit examination

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

CODE OF FEDERAL REGULATIONS, TITLE 34

300.503 Prior notice

COURT DECISIONS

O'Connell v. Superior Court (Valenzuela), (2006) 141 Cal.App.4th 1452
Smiley v. California Department of Education, (2002) 45 Fed.Appx. 780
Chapman v. California Department of Education, (2002) 229 F.Supp.2d 981

Policy Cross-Reference:

5125 Student Records
5131.9 Academic Honesty
5145.6 Parental Notifications
6146.1 High School Graduation Requirements
6146.4 Differential Graduation and Competency Standards for Students with Disabilities
6159 Individualized Education Program
6162.5 Student Assessment
6162.54 Test Integrity/Test Preparation
6164.2 Guidance/Counseling Services
6164.6 Identification and Education Under Section 504
6174 Education for English Learners
6177 Summer School
6179 Supplemental Instruction
6200 Adult Education

EXAMPLE

Parent/Guardian Request for Waiver of the High School Exit Examination Requirement for a Student with Disabilities

Please return the completed form to the principal of your child's high school.

My child, _____ [name] _____ is a student with disabilities attending _____ [high school] _____. S/he 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 more parts of the exam.

I hereby request that the principal submit a request to the County Superintendent or designee for a waiver of the requirement that my child successfully pass the exit examination in order to receive a high school diploma. I understand that, in order to receive such a waiver, state law requires that my child have all of the following:

1. An individualized education program (IEP) adopted pursuant to the Individuals with Disabilities Education Act or a plan adopted pursuant to Section 504 of the Rehabilitation Act of 1973 that specifies the use of the modification(s) on the exit exam, standardized testing, or classroom instruction and assessments
2. Sufficient high school level coursework either satisfactorily completed or in progress in the high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the exit exam
3. An individual score report showing that my child has received the equivalent of a passing score on the exam while using a modification that fundamentally alters what the exit exam measures as determined by the State Board of Education

I hereby certify that, to the best of my knowledge, my child satisfies the conditions listed above.

Parent/Guardian Signature: _____

Date: _____

EXAMPLE

Principal's Certification and Request to Waive the High School Exit Exam Requirement for a Student with Disabilities

Student's Name: _____

Student's Number (for use on open session agenda): _____

Pursuant to Education Code Section 60851, the parent/guardian of _____ [student's name] _____, a child with disabilities, has requested a waiver of the requirement that his/her child successfully pass the high school exit examination in order to receive a diploma from _____ High School. His/her child has taken the high school exit exam with one or more modifications that fundamentally alter what the test measures as determined by the State Board of Education, and has achieved the equivalent of a passing score on one or both parts of the exam.

I certify that the student qualifies for a waiver because s/he satisfies all of the following conditions:

1. Has an individualized education program (IEP) adopted pursuant to the Individuals with Disabilities Education Act or Section 504 plan that specifies the use of the modification(s) on the exit exam, standardized testing or classroom instruction and assessments. (*Attach the IEP or Section 504 plan that indicates the modification needed to participate and access the high school exit exam.*)
 - a. Describe the nature of the student's disability as identified on the IEP or Section 504 plan:
 - b. Describe any modification(s) used on the English/language arts section of the exam:
 - c. Describe any modification(s) used on the mathematics section of the exam:
 - d. List the rationale as to why the modification used was necessary to allow the student to access the test:
 - e. Describe the accommodations/modifications that the student regularly uses for English/language arts in the classroom and on other assessments:
 - f. Describe the accommodations/modifications that the student regularly uses for mathematics in the classroom and on other assessments:
2. Has sufficient high school level coursework either satisfactorily completed or in progress in the high school curriculum sufficient to have attained the skill and knowledge otherwise needed to pass the high school exit examination. (*Attach transcript showing coursework completed.*)

Summarize the student's academic preparation and performance in the subject areas of English/language arts and/or mathematics (depending on the subject of the waiver request) that demonstrate high school level achievement:
3. Has an individual score report showing that s/he has achieved the equivalent of a passing score on the exit exam (350 or more points) using a modification that fundamentally alters what the exam measures. (*Attach a copy of the exit exam Student and Parent Report showing "equivalent of a passing score" in either the English/language arts and/or math portion of the exam.*)

Certified by: _____ [principal's signature] _____ Date: _____