

SPECIFIC WAIVER COVER SHEET
CALIFORNIA STATE BOARD OF EDUCATION
APRIL 2003 AGENDA
Item No. W-3

<p>TITLE: Request by San Diego City Unified District to waive <i>Education Code</i> Section 60851 (a), “the requirement to successfully pass the exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school” for nineteen special education students.</p> <p>CDSIS: 1-12-02</p>	<p><u> X </u> ACTION <u> </u> INFORMATION <u> </u> PUBLIC HEARING <u> </u> CONSENT</p>
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RECOMMENDATION:

The Department recommends:

Approval, for **Student 086, Student 087, Student 088, Student 089, Student 090, Student 092, Student 093, Student 094, Student 095, Student 096, Student 097, Student 098, Student 099, Student 100, Student 101, Student 103, and Student 104**, a waiver of the requirement to “successfully pass the exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school” for the **mathematics portion of the test.** Approval, for **Student 085, and Student 091**, a waiver of the requirement to “successfully pass the exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school” for the **English Language Arts portion of the test.**

Summary of Previous State Board of Education Discussion and Action:

In December 2001, the State Board of Education (SBE) adopted Policy # 01-07, California High School Exit Examination: Waiver of Test Passage for Specific Special Education Students. The authority for this waiver is *Education Code (EC) 56101*, the “child specific” waiver necessary or beneficial to the content and implementation of a pupil’s Individual Educational Program (IEP).

Summary of Key Issue(s):

EC 60851 (a) signed by the Governor in March 1999, states “commencing with the 2003-04 school year and each school year thereafter, each pupil completing grade 12 shall successfully pass the exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school.”

The waiver of *EC 60851 (a)* allows students who have taken the CAHSEE using a modification that alters what is being tested on one or both portions and received a score of 350 or higher on one or both portions to graduate without having completed the “successful passage of the CAHSEE.” Information reviewed from each student requesting a waiver

includes: 1) an IEP or Section 504 Plan reviewed and approved by the student's IEP team and parent dated prior to the exam, that indicates all of the accommodations and/or modifications that the student needs to access and participate in statewide assessments, 2) a certified transcript showing sufficient high-school-level coursework (either satisfactorily completed or in progress) in a high-school level curriculum sufficient to have gained the skills and knowledge otherwise needed to pass the CAHSEE, and 3) a copy of the CAHSEE Student Parent Report showing the "equivalent of a passing score."

The school district has provided all required documentation that indicates the nature of each student's disability, the rationale as to why the modification(s) used to achieve the equivalent of a passing score was necessary to allow each student to access the test, evidence that each student is being successful in sufficient high-school-level coursework to complete a high school curriculum of sufficient rigor to have gained the skills and knowledge otherwise needed to pass the CAHSEE as well as certification that each student attained the equivalent of a passing score on either the mathematics portion or the English Language Arts portion of the exam as indicated above. Policy # 01-07, California High School Exit Examination: Waiver of Test Passage for Specific Special Education Students, requires that the LEA attach **an Individual Education Plan (IEP) or 504 Plan reviewed and approved by the student's IEP team within the last 12 months.** The packages for Students 085, 086, 087, 088, 089, 090, 091, 092, 093, 094, 095, 096, 098, 100, 101, and 103 include all requirement documents. The packages for Student 097, Student 099 and Student 104 **include IEPs that were signed prior to and following the 12 month period prior to the dates of the test administration.** Therefore, the entire Waiver Request is presented as an Action item.

Authority for the waiver: E.C. 56101

Request date: 11/18/02

Effective dates of waiver: 2001-2002 CAHSEE test year

Fiscal Analysis (as appropriate): No Fiscal impact.

Background Information:

Waiver request forms and supporting documents are attached. Further background information is available for inspection in the Waiver Office, if required.