

SPECIFIC WAIVER COVER SHEET
CALIFORNIA STATE BOARD OF EDUCATION
APRIL 2003 AGENDA
Item No. W-4

<p>TITLE: Request by Fallbrook Union High School 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 one special education student.</p> <p>CDSIS: 8-3-2003</p>	<p><u> X </u> ACTION <u> </u> INFORMATION <u> </u> PUBLIC HEARING <u> </u> CONSENT</p>
--	--

RECOMMENDATION:

The Department recommends:

Approval, for **Student 109**, 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**.

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). Under normal circumstances, Waiver Requests are presented as Consent Calendar items. However, when significant required information is not included in the initial request but is provided as a supplement, the Waiver Request is presented as an Action item.

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 the student’s disability, the rationale as to why the modification(s) used achieve the equivalent of a passing score was necessary to allow the student to access the test, evidence that the 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 the student attained the equivalent of a passing score on the mathematics portion of the exam. The initial request for Student 109 was incomplete, as the IEP did not specify the modification used. Subsequently, appropriate supplemental documentation was provided. Therefore, the item is presented for Action.

Authority for the waiver: *Education Code* Section 56101

Request date: 12/09/02

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.