



JULY 2003 AGENDA

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| SUBJECT California High School Exit Examination (CAHSEE): Proposed Amendments to Title 5 Regulations on the CAHSEE. | X | ACTION |
| | X | INFORMATION |
| | | PUBLIC HEARING |

Recommendation:

Approve the Notice of Proposed Rulemaking and CAHSEE regulations and start the 45-day public comment process.

Summary of Previous State Board of Education Discussion and Action

In October, the State Board of Education (SBE) adopted revised CAHSEE regulations regarding definitions for accommodations and modifications, the waiver process, and a few other technical changes. The California Department of Education (CDE) stated at that time that staff would review the entire set of all CAHSEE regulations for clarity and for consistency and, in December, the SBE approved revisions to the entire set of CAHSEE regulations to go out for a 45-day public comment period. When the October regulations were reviewed by the Department of Finance and the Office of Administrative Law, concerns were raised about the impact of the recent changes in the law. Senate Bill (SB) 1476 was enacted in September, and included definitions of accommodations and modifications, and moved the waiver process to the local level. These changes impacted both the regulations adopted in October as well as the regulations approved in December. As a result, the regulations approved by the SBE in December were not circulated for the 45-day notice and comment period.

Summary of Key Issue(s)

Now that the CAHSEE has been administered several times, the CDE has become aware of the need for additional regulations to clarify the underlying statute. SB 2 was enacted in June 1999. In October of 2002, *California Education Code* section 60851 was amended effective January 1, 2003. In addition, the previously adopted regulations for CAHSEE have been revised twice. Based on these factors, CDE looked at the existing regulations in total to ensure that all sections are consistent with each other, and to address new issues and the new amendments to section 60851.

Several of the sections have been revised, mostly in organization rather than substance. Many of the changes are non-substantive and are made for purposes of consistency and clarity. For example, the terms "test" and "examination" were used interchangeably. For clarity, a definition of examination was inserted, and this term is used consistently throughout the regulations.

Several sections were reorganized to streamline them and to make them clearer and easier to use. For example, the test site coordinator and district coordinator regulations set forth in sections 1209 and 1210 were reorganized to clarify what each person must do prior to, during and after the administration of the CAHSEE. These sections now read much like checklists, and the goal

Summary of Key Issue(s)

is to clarify and simplify the tasks for these individuals. No substantive changes were made to either of these provisions.

An analysis of the substantive changes that have been made will be provided in the supplemental mailing.

Fiscal Analysis (as appropriate)

None.

Attachment(s)

The following attachments will be provided in the supplemental mailing:

Attachment 1: Proposed Regulations Title 5. EDUCATION
Division 1. State Department of Education
Chapter 2. Pupils
Subchapter 6. California High School Exit Examination
Article 1. General

Attachment 2: The Initial Statement of Reasons

Attachment 3: Notice of Proposed Rulemaking