

**Introduced by Senator Romero**February 24, 2006

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An act to amend Section 60851 of the Education Code, relating to high school graduation.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1684, as introduced, Romero. High school: diploma of graduation.

Existing law requires all pupils to pass the high school exit examination in order to obtain a diploma of graduation from high school, except as specified. Existing law permits a pupil to take the high school exit examination in grade 10 and during each subsequent administration, until each section of the examination has been passed. Existing law, including regulations, requires that a pupil may receive an equivalency certificate upon successful passage of a general educational development test and requires that the individual be a resident of the state or a member of the armed services assigned to duty in this state and be at least 18 years of age or be younger if he or she meets certain criteria.

This bill would permit a pupil in any of grades 11 or 12 or a student in an adult education program who has taken, but not passed, both parts of the high school exit examination and who has completed all other requirements for graduation from high school, or is in the process of completing, through courses in which the pupil is currently enrolled, all other requirements for graduation from high school other than passing the high school exit examination, to take the general educational development test instead of the high school exit examination. This bill would require the pupil be awarded a diploma of graduation from high school upon the passage of the general educational development test and the completion of all requirements

for graduation from high school other than passage of the high school exit examination. This bill would prohibit the pupil being charged a fee to take the general educational development test if the pupil is currently enrolled in grade 11, grade 12, or any adult educational program offered by a school district or county office of education that permits a pupil to take the high school exit examination without paying any fee.

By permitting pupils who meet certain criteria to take the general educational development test instead of the high school exit examination and, therefore, requiring schools to monitor and verify additional pupil actions and test results, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
 State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 60851 of the Education Code, as  
 2 amended by Section 1 of Chapter 3 of the Statutes of 2006, is  
 3 amended to read:  
 4 60851. (a) ~~Commencing with the 2003–04 school year and~~  
 5 ~~each school year thereafter, each~~ Each pupil completing grade 12  
 6 shall successfully pass the high school exit examination as a  
 7 condition of receiving a diploma of graduation or a condition of  
 8 graduation from high school, *except as provided in subdivisions*  
 9 *(c) and (g)*. Funding for the administration of the high school exit  
 10 examination *and for the administration of the general*  
 11 *educational development test pursuant to subdivision (g)* shall be  
 12 provided for in the annual Budget Act. The Superintendent shall  
 13 apportion funds appropriated for ~~this purpose~~ *these purposes* to  
 14 enable school districts to meet the requirements of this  
 15 subdivision and subdivisions (b), (c), ~~and~~ (d), *and (g)*. The state

1 board shall establish the amount of funding to be apportioned per  
2 test administered, based on a review of the cost per test.

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

7 (c) (1) ~~At the parent or guardian's request~~ *of the parent or*  
8 *legal guardian*, a school principal shall submit a request for a  
9 waiver of the requirement to successfully pass the high school  
10 exit examination to the governing board of the school district for  
11 a pupil with a disability who has taken the high school exit  
12 examination with modifications that alter what the test measures  
13 and has received the equivalent of a passing score on one or both  
14 subject matter parts of the high school exit examination. ~~A~~ *The*  
15 governing board of a school district may waive the requirement  
16 to successfully pass one or both subject matter parts of the high  
17 school exit examination for a pupil with a disability if the  
18 principal certifies to the governing board of the school district  
19 that the pupil has all of the following:

20 (A) An individualized education program adopted pursuant to  
21 the federal Individuals with Disabilities Education Act (20  
22 U.S.C. Sec. 1400 et seq.) or a plan adopted pursuant to Section  
23 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec.  
24 794(a)) in place that requires the accommodations or  
25 modifications to be provided to the pupil when taking the high  
26 school exit examination.

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

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

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

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

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

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

30 (1) The results of the assessments administered pursuant to  
31 Article 4 (commencing with Section 60640) of Chapter 5 of Part  
32 33 and the minimum levels of proficiency recommended by the  
33 state board pursuant to Section 60648.

34 (2) The grades ~~of the pupil~~ and other indicators of academic  
35 achievement *of the pupil, as* designated by the school district.

36 (g) (1) *A pupil in any of grades 11 or 12 or a student in an*  
37 *adult education program may take the general educational*  
38 *development test if both of the following criteria apply to the*  
39 *pupil:*

1 (A) He or she has taken the high school exit examination at  
2 least two times, has taken each part of the examination at least  
3 one time, and has not passed both parts of the examination.

4 (B) He or she has completed all other requirements for  
5 graduation from high school or is in the process of completing,  
6 through courses in which the pupil is currently enrolled, all other  
7 requirements for graduation from high school other than passing  
8 the high school exit examination.

9 (2) The pupil shall be awarded a diploma of graduation from  
10 high school upon passage of the general educational  
11 development test, if taken pursuant to this subdivision, and the  
12 completion of all requirements for graduation from high school  
13 other than passage of the high school exit examination.

14 (3) The pupil shall not pay a fee to take the general  
15 educational development test pursuant to this subdivision if the  
16 pupil is enrolled in grade 11, grade 12, or any adult educational  
17 program offered by a school district or county office of education  
18 that permits a pupil to take the high school exit examination  
19 without paying any fee.

20 SEC. 2. If the Commission on State Mandates determines that  
21 this act contains costs mandated by the state, reimbursement to  
22 local agencies and school districts for those costs shall be made  
23 pursuant to Part 7 (commencing with Section 17500) of Division  
24 4 of Title 2 of the Government Code.