

**Assembly Bill No. 144**

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Passed the Assembly September 7, 2007

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*Chief Clerk of the Assembly*

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Passed the Senate September 5, 2007

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*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2007, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to add and repeal Section 60860 of the Education Code, relating to pupil testing.

## LEGISLATIVE COUNSEL'S DIGEST

AB 144, Coto. Pupil testing: high school exit examination: Franklin-McKinley School District.

Existing law requires the Superintendent of Public Instruction, with the approval of the State Board of Education, to develop a high school exit examination in English language arts and mathematics in accordance with state academic content standards. Existing law requires each pupil completing grade 12 to successfully pass the high school exit examination as a condition of receiving a graduation diploma or a condition of graduation from high school, unless the pupil is otherwise exempted. Existing law requires each pupil to take the high school exit examination in grade 10 and authorizes a pupil to take the exit examination during each subsequent administration, until each section of the exit examination has been passed.

This bill would require the State Department of Education, commencing on January 1, 2008, to provide the mathematics portion of the high school exit examination to the Franklin-McKinley School District for administration to pupils enrolled in grade 8 on the dates designated by the Superintendent for the administration of that portion of the examination to pupils in grade 10. The bill would authorize the school district to offer for administration the mathematics portion of the examination on those dates designated by the Superintendent to pupils enrolled in specified mathematics courses in grade 8 in the district. The bill would prohibit the school district from administering the mathematics portion of the examination to a pupil in grade 8 more than one time during a school year. The bill would declare that a pupil who passes the mathematics portion of the examination has passed that portion of the examination for purposes of satisfying the requirement for receipt of a diploma of graduation or the condition of graduation from high school. The bill would not eliminate the requirement that each pupil take the high school exit

examination in grade 10, unless the United States Department of Education approves the exemption of pupils who take and pass the mathematics portion of the examination in grade 8 pursuant to this act from the federal No Child Left Behind Act of 2001 mathematics assessment requirement in grade 10. The Franklin-McKinley School District would be required to ensure that all pupils taking the mathematics portion of the high school exit examination have been provided the English language arts and reading instruction necessary to understand and take the mathematics portion of the examination. The Franklin-McKinley School District would be required to pay all costs associated with the administration of the mathematics portion of the high school exit examination to its grade 8 pupils enrolled in the specified mathematics courses if the district chooses to offer the examination to those pupils. The bill would repeal those provisions on January 1, 2010.

This bill would declare that, due to special circumstances applicable to the Franklin-McKinley School District, a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution, and the enactment of a special statute is therefore necessary.

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

SECTION 1. Section 60860 is added to the Education Code, to read:

60860. (a) Commencing on January 1, 2008, the department shall provide the mathematics portion of the high school exit examination to the Franklin-McKinley School District for administration on the dates designated by the Superintendent for the administration of that portion of the examination to pupils in grade 10.

(b) The Franklin-McKinley School District may offer for administration to grade 8 pupils enrolled in algebra I, geometry, or algebra II in the district, the mathematics portion of the high school exit examination, on the dates designated by the Superintendent for the administration of that portion of the examination to pupils in grade 10. The school district shall not administer the mathematics portion of the examination to a pupil

enrolled in grade 8 in the district more than one time during a school year.

(c) A pupil who passes the mathematics portion of the examination pursuant to this section shall have passed that portion of the examination for purposes of satisfying the requirement for receipt of a diploma of graduation or the condition of graduation from high school.

(d) This section does not eliminate the requirement pursuant to subdivision (b) of Section 60851 that each pupil take the high school exit examination in grade 10 unless the United States Department of Education approves the exemption of pupils passing the mathematics portion of the examination pursuant to this section from the requirement under the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.) for a mathematics assessment of all pupils at one grade level in any of grades 10 to 12, inclusive.

(e) The Franklin-McKinley School District shall ensure that pupils taking the mathematics portion of the high school exit examination pursuant to this section have been provided the English language arts and reading instruction necessary to understand and take the mathematics portion of the examination.

(f) The Franklin-McKinley School District shall pay all costs associated with the administration of the mathematics portion of the high school exit examination to its grade 8 pupils enrolled in the specified mathematics courses if the district chooses to offer the examination to those pupils pursuant to this section.

(g) This section shall remain in effect only until January 1, 2010, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2010, deletes or extends that date.

SEC. 2. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances that have resulted in the Franklin-McKinley School District being a low-income, urban school district that needs additional ways to motivate pupils to succeed in grade 8 and to prepare for high school and postsecondary education.







Approved \_\_\_\_\_, 2007

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*Governor*