

Introduced by Senator Wyland

February 24, 2009

An act to amend Section 60850 of the Education Code, relating to pupil assessment.

LEGISLATIVE COUNSEL'S DIGEST

SB 264, as introduced, Wyland. Pupil assessment: high school exit examination: American history.

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, commencing with the 2003–04 school year and each school year thereafter, each pupil completing grade 12 to successfully pass the exit examination as a condition of graduation from high school. Existing law requires that each pupil take the high school exit examination in grade 10 beginning in the 2001–02 school year, and allows each pupil to take the examination during each subsequent administration, until each section of the examination has been passed.

This bill would require that a reading selection that is used as part of the administration of the examination relate to American history.

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

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

- 1 SECTION 1. Section 60850 of the Education Code is amended
- 2 to read:

1 60850. (a) ~~The Superintendent of Public Instruction~~, with the
2 approval of the ~~State Board of Education~~ *state board*, shall develop
3 a high school exit examination in English language arts and
4 mathematics in accordance with the statewide academically
5 rigorous content standards adopted by the ~~State Board of Education~~
6 *state board* pursuant to Section 60605. To facilitate the
7 development of the examination, the superintendent shall review
8 any existing high school subject matter examinations that are linked
9 to, or can be aligned with, the statewide academically rigorous
10 content standards for English language arts and mathematics
11 adopted by the ~~State Board of Education~~ *state board*. By October
12 1, 2000, the ~~State Board of Education~~ *state board* shall adopt a
13 high school exit examination that is aligned with statewide
14 academically rigorous content standards.

15 (b) (1) ~~The Superintendent of Public Instruction~~, with the
16 approval of the ~~State Board of Education~~ *state board*, shall
17 establish a High School Exit Examination Standards Panel to assist
18 in the design and composition of the exit examination and to ensure
19 that the examination is aligned with statewide academically
20 rigorous content standards. Members of the panel shall include,
21 but are not *necessarily* limited to, teachers, administrators, school
22 board members, parents, and the general public. Members of the
23 panel shall serve without compensation for a term of two years,
24 and shall be representative of the state's ethnic and cultural
25 diversity and gender balance. ~~The superintendent~~ *Superintendent*
26 shall also make the best effort to ensure representation of the state's
27 diversity relative to urban, suburban, and rural areas. The State
28 Department of Education shall provide staff to the panel.

29 (2) *A reading selection that is used as part of the*
30 *administration of the examination shall relate to American history.*

31 (c) ~~The Superintendent of Public Instruction~~ shall require that
32 the examination be field tested before actual implementation to
33 ensure that the examination is free from bias and that its content
34 is valid and reliable.

35 (d) Before the ~~State Board of Education~~ *state board* adopts the
36 exit examination, the ~~Superintendent of Public Instruction~~ shall
37 submit the examination to the Statewide Pupil Assessment Review
38 Panel established pursuant to Section 60606. The panel shall review
39 all items or questions to ensure that the content of the examination
40 complies with the requirements of Section 60614.

1 (e) The exit examination prescribed in subdivision (a) shall
2 conform to the following standards or it shall not be required as a
3 condition of graduation:

4 (1) The examination may not be administered to a pupil who
5 did not receive adequate notice as provided for in paragraph (1)
6 of subdivision (f) regarding the test.

7 (2) The examination, regardless of federal financial participation,
8 shall comply with Title VI of the Civil Rights Act (42 U.S.C. Sec.
9 2000d et seq.), its implementing regulations (34 C.F.R. Part 100),
10 and the Equal Educational Opportunities Act of 1974 (20 U.S.C.
11 Sec. 1701).

12 (3) The examination shall have instructional and curricular
13 validity.

14 (4) The examination shall be scored as a criterion referenced
15 examination.

16 (f) For purposes of this section, the following terms have the
17 following meanings:

18 (1) “Accommodations” means any variation in the assessment
19 environment or process that does not fundamentally alter what the
20 test measures or affect the comparability of scores.
21 “Accommodations” may include variations in scheduling, setting,
22 aids, equipment, and presentation format.

23 (2) “Adequate notice” means that the pupil and his or her parent
24 or guardian have received written notice, at the commencement
25 of ~~the pupil’s 9th grade~~ *9 for that pupil*, and each year thereafter
26 through the annual notification process established pursuant to
27 Section 48980, or if a transfer pupil, at the time the pupil transfers.
28 A pupil who has taken the exit examination in ~~the 10th grade~~ *10*
29 is deemed to have had “adequate notice” as defined in this
30 paragraph.

31 (3) “Curricular validity” means that the examination tests for
32 content found in the instructional textbooks. For the purposes of
33 this section, any textbook or other instructional material adopted
34 pursuant to this code and consistent with the state’s adopted
35 curriculum frameworks shall be deemed to satisfy this definition.

36 (4) “Instructional validity” means that the examination is
37 consistent with what is expected to be taught. For the purposes of
38 this section, instruction that is consistent with the state’s adopted
39 curriculum frameworks for the subjects tested shall be deemed to
40 satisfy this definition.

- 1 (5) “Modification” means any variation in the assessment
- 2 environment or process that fundamentally alters what the test
- 3 measures or affects the comparability of scores.
- 4 (g) The examination shall be offered to individuals with
- 5 exceptional needs, as defined in Section 56026, in accordance with
- 6 paragraph (17) of subsection (a) of Section 1412 of Title 20 of the
- 7 United States Code and Section 794 and following of Title 29 of
- 8 the United States Code. Individuals with exceptional needs shall
- 9 be administered the examination with appropriate accommodations,
- 10 where necessary.
- 11 (h) Nothing in this chapter shall prohibit a school district from
- 12 requiring pupils to pass additional exit examinations approved by
- 13 the governing board of the school district as a condition for
- 14 graduation.