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Senator Bettye Davis

SB 109, 26-LS0527\A

"An Act repealing the secondary student competency examination and related requirements; and providing for an effective date."

Sponsor Statement

SB 109 repeals the Alaska secondary student competency examination, also known as the High School Graduation Qualifying Exam (HSGQE) or "Exit" exam. The HSGQE was initiated in 2001 and became fully effective in 2004, following the trend for more assessment in the No Child Left Behind Act of 2001. It was never clear that the Alaska HSGQE would improve performance and measure whether students would be better prepared for college, much less determine conclusively that students were receiving diplomas but lacking basic skills. The HSGQE has become a "high stakes" hurtle that has harmed many students in Alaska while exacerbating a court finding in 2007 that the State was violating students' constitutional rights to an education without providing proper assistance and direction. (See *Moore, et al. v. State of Alaska*, 3AN04-9756).

It may be argued that State does not need the HSGQE, as the State and all school districts already require many assessment tests to determine student progress and competency. At the same time there is a trend away from exit exams. The Center on Education Policy (CEP) report in August, 2008 that most states are moving toward end-of course exams which assess mastery of content of a specific high school course in lieu of exit exams. The current Alaska HSGQE reportedly has been changed by the Board of Education and made less difficult than at inception. As a result, the HSGQE has become somewhat redundant, time-consuming, and expensive to administer. To save time and money, beginning in the spring of 2006 sophomores took a test that combined the HSGQE with a standards-based reading and math assessment required by the federal No Child Left Behind Act. Although students took one only exam, some questions counted for one or the other or both exams to satisfy state requirements. (*See Legislative Research Report 06.233, " History, Results, and cost of the HSGQE," June 28, 2006*). The HSGQE reportedly has detracted from the standard curriculum and has also promoted "teaching to the test."

The Department reported in 2007 that over 1,100 students statewide failed to pass the HSGQE after five opportunities, while 8,524 passed. See *Moore*, supra, exhibit 2514, p. 13 of 58, "Findings of Fact, Conclusions of Law and Order." These numbers excluded all students who had dropped out or transferred to another school before passing. The court in *Moore* determined that the State was violating the substantive due process rights of students by denying high school diplomas to students in chronically underperforming school districts. Students were failing the High School Graduation Qualifying Exam, while the State was failing to provide the oversight, assistance, and direction with clear standards to guide districts attempting to meet content and performance standards. As a result, the court concluded that the Department was ultimately failing to "maintain a system of public schools" as required under the Alaska Constitution, Article VII, Section 1. Finding insufficient proof of compliance with its 2007 court order, the court in *Moore* on February 4, 2009 gave the Department 60 days to establish compliance with its constitutional duties and to file with the court "revised district intervention plans that address and incorporate as appropriate remedial measures related to each of the problem areas identified in these Findings."

Alaska's experience with high school exit exams is not new but widespread. Fearful that hundreds of thousands of students would be left behind by one set of standardized, time-pressured tests in New York, an article appeared in the *New York Times* headed "Albany Legislators Seek to Dilute New, Tougher Graduation Exams." It was stated in the article that "an unusual bipartisan coalition of state lawmakers, whose constituents ranged from inner-city residents to affluent suburbanites, is pushing to scale back new more stringent graduation requirements for nearly all pubic high school students." *New York Times*, May 12, 1999.

The Center on Education Policy (CEP) reported in August, 2008 that in the 2007-2008 school year 23 states required students to take and pass exit exams to receive a high school diploma. Three more states, Arkansas, Maryland, and Oklahoma, will begin withholding diplomas within the next few years, leading to a total of 26 states with such policies by 2012. Additionally, Connecticut, Pennsylvania, and Oregon are considering exit exams, but Oregon and Pennsylvania are opting to use multiple measures. The CEP reported that 68% of the nations' public high school students attend school in the 23 states with such policies. By 2012 approximately 75% of the nation's public high school students will be affected, including 84% of low income students and students of color.

The Center on Education Policy (CEP) recommends more funding should be allocated to research aimed at better understanding the impact of exit exams, considering the vast number of students affected by state-mandated high school exit exams. State governments, the CEP reports, should move immediately to collect and release data on final passage rates on these and the rate of students using alternative paths to graduation. As they implement more end-of-course exams, the CEP recommends that states address the need for greater rigor in the content of their exams and provide for greater coordination of high school requirements with college preparedness and work readiness demands.

While dropping the HSGQE does not remedy underlying problems in delivering quality education in underperforming districts already identified by other assessments, it does remove the risk that a student can be denied a diploma after 12 years of education by one exam. Eliminating the HSGQE may also encourage youth to stay in school long enough to get a diploma and reduce the dropout rate. After complying with court-ordered requirements in *Moore*, and perhaps after experience with other on-going assessments, the Department and the Board of Education may better determine whether an exit exam or HSGQE Exam is in the best interests of the state, recognizing that more states seem to be moving away from exit exams toward end-of-course exams.