



Chapter 1: New Developments

Introduction

The Center on Education Policy (CEP) has been tracking the development and implementation of state-mandated high school exit exams over the past seven years. This chapter outlines new developments CEP has identified since the release of our 2007 report on exit exams. In the past year, there were no further additions to our list of states with state-mandated high school exit exams. Consequently, there continue to be 26 states that currently have or plan to implement high school exit exam policies. More states report plans to move to end-of-course exams. These tests are usually standards-based and assess mastery of specific course content. In 2002, there were only two states using this type of exam. By 2015 there will be 14 states using such exams, including three states that plan to implement dual testing systems—a combination of a comprehensive assessment and end-of-course exams.

Arizona continues to face lawsuits challenging its exit exam policy, and has reinstituted the augmentation formula, an alternative path to the state's exit exam requirement. Meanwhile, New Jersey and Maryland work to strengthen and further develop alternative paths to graduation. And although states continue to move forward with implementation of exit exam policies, they are challenged by a number of reports that question the effect of the exams and, in the case of California, suggest higher dropout rates in 12th grade that are correlated with the implementation of the state's high school exit exam policy.

Key Findings

- State officials in Washington are enforcing consequences based on students' performance on the state-mandated Washington Assessment of Student Learning (WASL) exit exam. Despite delays in the mathematics and science requirements, high school seniors in the class of 2008 were the first required to pass the reading and writing sections of the WASL in order to receive their high school diploma. As of the end of the 2007-08 school year, a total of 23 states require students to take and pass high school exit exams in order to receive a high school diploma.
- The great majority of students, especially students of color, are affected by exit exam policies. The 23 states currently implementing these policies have 68% of the total number of students enrolled in the nation's public high schools, and 74% of the enrollment of students of color. By 2012, when Arkansas, Maryland, and Oklahoma begin to implement their exit exam policies, these percentages will grow to 75% of all student enrollment and 84% of students of color.

- Another three states (Connecticut, Oregon, and Pennsylvania) have considered adopting high school exit exam policies. In the face of opposition, Oregon and Pennsylvania state officials have opted to allow the use of alternative assessments. Facing similar opposition, other states (Arizona, Maryland, and New Jersey) work to develop and refine alternative paths to graduation.
- End-of-course exams are growing in popularity among the states, and minimum-competency exams are being phased out. In 2002, only two states had end-of-course exams, while ten states had minimum-competency exams. In 2008, four states had end-of-course exams, and only two had minimum-competency exams. During each of those years, comprehensive exams were the other type of exams used. By 2015 there will be 14 states with end-of-course exams, and none with minimum-competency exams.
- Most states (18 out of 23) that currently implement high school exit exam policies report having alternative paths to graduation for general education students. But some experts argue that these alternative paths, which often consist of options such as replacing exit exam requirements with passing scores on Advance Placement or International Baccalaureate courses, are unlikely to benefit a large number of students.

Number of States with Mandatory Exit Exams Stays the Same

The number of states that have implemented or plan to implement mandatory exit exams has reached a standstill. Although three additional states (Connecticut, Pennsylvania, and Oregon) have considered implementing high school assessments, state officials in Pennsylvania and Oregon opted to allow the use of alternative assessments, and state officials in Connecticut did not reach any final decision in the past year. Consequently, there are still a total of 26 states that currently withhold or plan to withhold high school diplomas based on students' performance on state-mandated exams. In 2008, 23 states required students enrolled in public high schools to achieve passing scores on state-mandated high school exit exams in order to receive a high school diploma. This includes Washington, where state officials began to enforce the exit exam requirement in 2008. An additional 3 states (Arkansas, Maryland, and Oklahoma) will begin withholding diplomas based on students' performance on these exams within the next few years. By 2012, a total of 26 states will withhold diplomas based on students' performance on exit exams.

There are 6 states that require students to take, but not pass, college entrance exams and work readiness tests to graduate from high school. **Box 1** briefly summarizes the use of ACT and SAT exams in these states.

Total Number of States and Students Affected

Figure 1 displays the 23 states that, as of school year 2007-08, require students to pass exams to receive a high school diploma, 5 more states than in 2002 (CEP, 2002).

By 2012, an additional three states will withhold diplomas based on students' exam performance. Maryland stopped using the Maryland Functional Test as its exit exam in 2004 (CEP, 2004), but will resume withholding diplomas in 2009, when students will be required to pass the Maryland High School Assessment to graduate. Arkansas will begin withholding diplomas with the class of 2010, and Oklahoma will begin withholding diplomas for the first time with the class of 2012.

In the 2007-08 school year, 68% of the nation's high school students and 75% of the nation's minority high school students were enrolled in public school in the 23 states with exit exams (see **table 2**). By 2012, an estimated 74% of high school students in the nation and 84% of minority high school students will be enrolled in public school in the 26 states with planned exit exams.

Six states currently require high school students to take either the ACT or SAT examination before completing high school, but do not require that students achieve specific scores in order to receive their high school diploma. In other words, students must take the exams, but are not required to pass the exams. Colorado, Illinois, Kentucky, Michigan, and Wyoming require students to take the ACT, and Maine requires the SAT. States are incorporating this requirement as part of an overall effort to improve student readiness for college and to provide students with incentives to attend postsecondary institutions. Two states, Michigan and Wyoming, administer WorkKeys assessments. These assessments, developed by ACT, measure workplace readiness across a variety of applied and personal skill sets, such as applied mathematics, reading for information, listening, and teamwork.

Three states are using the SAT or ACT to meet some of the requirements of the No Child Left Behind Act. Maine replaced its previous high school examination with the SAT and uses it to meet the high school math and English assessment requirements of the No Child Left Behind Act. In Michigan and Illinois, the ACT is used to meet part of the assessment requirements of NCLB; however, neither state uses the ACT as the sole examination for this requirement. For example, Illinois' Prairie State Achievement Examination includes not only the ACT, but also a Harcourt-developed science test and two WorkKeys assessments to fulfill the high school testing requirement.

High school students in Colorado, Kentucky, and Wyoming are required to take the ACT. However, exam scores are not used for NCLB accountability purposes. The requirement is intended to encourage more students to apply to college and provide additional information about college readiness to teachers and administrators. Wyoming uses the results to qualify students for a scholarship program.



Washington Begins Implementation of Exit Exams

CEP has been tracking the state of Washington's progress toward implementing the state-mandated Washington Assessment of Student Learning (WASL) since our first report on exit exams in 2002. At that time state representatives reported that the exam, which was administered for the first time on a voluntary basis in 1999 and statewide in 2001, assessed students in English language arts and mathematics (CEP, 2002). On CEP's survey for the 2004 annual report on exit exams, state representatives from Washington reported the state's intention of adding a writing and science component to the assessment (CEP, 2004). The science assessment would become a graduation requirement for the class of 2010. However, in May 2007, the governor signed a bill postponing the requirement for students to pass the mathematics and the science sections of the WASL. The two subjects will now be a requirement starting with the class of 2013. Even so, state officials moved forward to enforce consequences, and students in the class of 2008 were the first required to achieve passing scores on the reading and writing sections of the WASL in order to receive a high school diploma.

More States Consider Implementing Exit Exams

State officials in three states (Connecticut, Pennsylvania, and Oregon) are considering proposals to reform their high schools. All three states have considered proposals that involve state-required high school assessments. These states continue to refine proposed policies as they conduct studies and consider other or multiple assessments.

Connecticut

For over a year, some state education officials in Connecticut have tried to persuade state policymakers to implement a state-mandated high school exit exam. Several proposals were presented, and finally in December 2007, the state board of education endorsed a high school redesign proposal (Becker, 2007). In

Figure 1

States with Mandatory Exit Exams

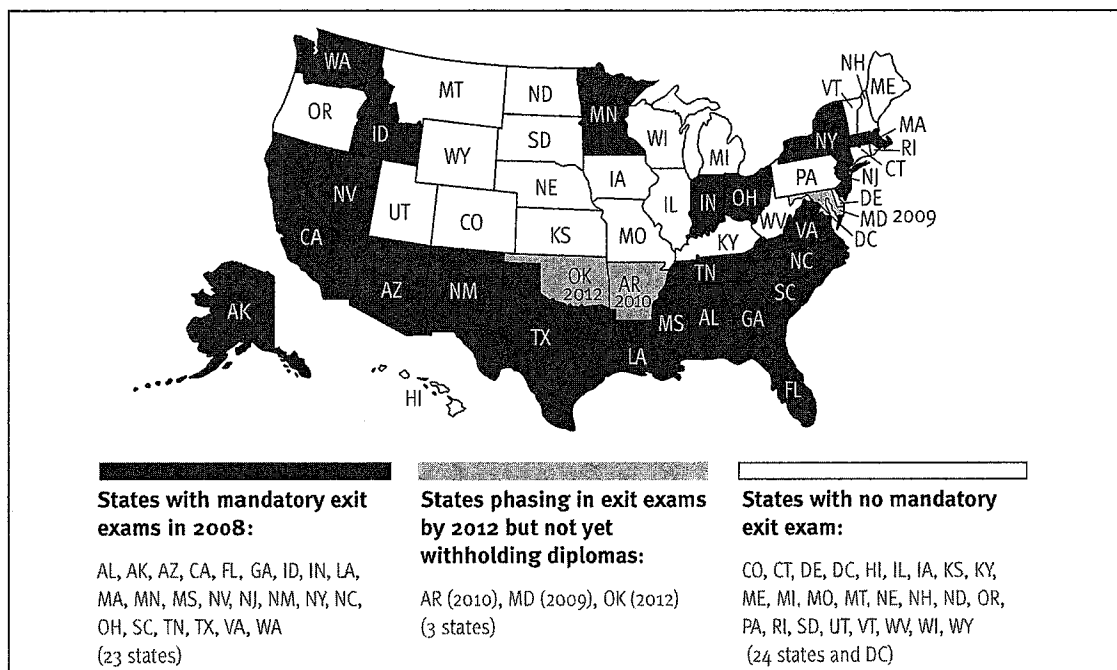


Figure reads: Alabama has a mandatory exit exam and is withholding diplomas from students based on exam performance. Maryland is phasing in a new mandatory exit exam and plans to begin withholding diplomas based on this exam in 2009. Colorado does not have an exit exam, nor does it plan to implement one.

Source: Center on Education Policy, exit exam survey of state departments of education, May 2008.

Table 2

Percentage of Public High School Students Enrolled in States with Exit Exams

Student Group	2008 (23 states)	2012 Projected (26 states)
All students	68%	74%
White	62%	66%
Latino	79%	88%
African American	72%	80%
Asian/Pacific Islander	76%	81%
American Indian/Native Alaskan	59%	80%
All minority students (Latino, African American, Asian/Pacific Islander, American Indian/Native Alaskan)	75%	84%

Table reads: In 2008, 72% of the nation's African American public school students in grades 9-12 were enrolled in school in states with exit exams; in 2012, 80% of African American public school students in grades 9-12 will be enrolled in school in states with exit exams.

Source: Calculations by the Center on Education Policy, based on data from Western Interstate Commission for Higher Education, 2008.

early January 2008, the department released a news report announcing that Commissioner Mark McQuillan would host a “Listening Tour” in which he would share details of the proposal with educators, parents, students, and business and community leaders and hear their comments.

The proposal, which takes into account recommendations from the state board of Education’s Ad Hoc Committee on Secondary School Reform, suggests that new graduation requirements include state-administered end-of-course exams. It also suggests an increase in required credits, a set of required courses, locally administered end-of-course performance tasks, student success plans with career path options, a senior project, and embedding learning skills such as communication and teamwork skills into the curriculum. If approved, these new requirements would be enforced starting with the graduating class of 2015.

It was also reported that, in the 2008 general assembly, the state board will request funds to conduct a feasibility study to determine the cost—both to the state and to local regional school districts—for the new graduation requirements. It is anticipated that the state board will present its recommendations to the general assembly in its 2009 session (CDE, 2008).

Pennsylvania

In 2006, the Governor’s Commission on College and Career Success called for Pennsylvania to set statewide graduation requirements in English, mathematics, science, and social studies. The commission endorsed the use of state-developed, end-of-course assessments in core academic subjects. In January 2008, the state board of education responded to the commission’s recommendation by proposing the following changes to existing graduation requirements, beginning with the graduating class of 2014.

For reading, writing, math, science, and social studies, students will be able to demonstrate proficiency by:

- Passing the Pennsylvania System of School Assessment (PSSA)
- Passing an Advanced Placement or International Baccalaureate exam
- Passing new Graduation Competency Assessments (GCAs), or
- Passing a local assessment that independent evaluators certify is equivalent to the state GCAs

The GCAs will be developed according to the Pennsylvania standards, as follows:

- Mathematics content traditionally taught in Algebra I, Algebra II, and geometry courses
- Reading, writing, speaking and listening content traditionally included in high school literature and composition courses
- History, civics and government content traditionally included in high-school level American history, World history, and civics and government courses
- Science, technology, environment and ecology content traditionally taught in high-school level biology and chemistry courses

These changes were recommended unanimously by the state board of education. In early July 2008, Governor Ed Rendell’s administration and state lawmakers agreed to make the subject-specific final exams optional for now. The exams will be available for school districts to use on a voluntary basis beginning in the 2009-10 school year (Associated Press, 2008). Currently, Pennsylvania does not meet CEP’s criteria for a state with mandated exit exams.

Oregon

Last year, the state board voted to expand graduation requirements and have students demonstrate proficiency in math, reading, writing, and speaking to ensure students are better prepared for work and college. The Oregon Statewide Assessment of Knowledge and Skills (OAKS), which assesses reading, math, and writing, was proposed by the state board as the assessment to measure proficiency. However, board members opted to not have the OAKS as the only path to a high school diploma. Instead, they are supportive of a proposal described as “multiple pathways and options.” Under this proposal, students would be required to demonstrate proficiency in math, reading, writing, and speaking by:

- Achieving a state-determined score on the OAKS,
- Achieving a state-determined score on an approved test (i.e., SAT, ACT, PSAT, PLAN, Advanced Placement, or other), or
- Completing an approved, locally scored assessment (i.e., work sample or student project)

The state will enforce the new requirements starting with the graduating class of 2012. After a public hearing held on May 28, 2008, the state board made a final decision in favor of this approach on June 19, 2008 (ODE, 2008).

More States Move Toward End-of-Course Exams

CEP groups the types of state tests into three categories based on the states’ own descriptions of their tests:

- **Minimum-competency exams**, which generally focus on basic skills below the high school level
- **Comprehensive exams**, which are aligned with state standards in several subject areas and are generally targeted at the 9th- or 10th-grade level
- **End-of-course exams**, which assess whether students have mastered the content of specific high school courses; these exams are usually standards-based, and students take each test after completing a specific course.

In past reports, CEP referred to the comprehensive exam as the “standards-based exam.” However, with a number of states moving toward end-of-course exams, which also tend to be standards-based, we find that relabeling these exams as the “comprehensive” exams more accurately distinguishes the two types of exams. That is, comprehensive exams tend to be longer, assess multiple subjects according to each state’s requirements, and are taken by all students in a specific grade (typically 10th). End-of-course exams assess mastery of specific courses and are administered to students as they complete each specific course.

Over the past few years, CEP has reported a gradual move away from minimum-competency exams and toward comprehensive and end-of-course exams. In the past two years, a growing number of state officials have reported intention or interest in moving toward end-of-course exams. Noting this strong pull toward end-of-course exams, CEP conducted interviews of state and district representatives in two states that have completely shifted to end-of-course exams, two states that plan to implement dual testing systems, and two states that are in the process of replacing their current testing systems with end-of-course exams. The themes identified in these interviews are reported in Chapter 2 of this report. **Figure 2** illustrates the shift to end-of-course exams, and **table 3** summarizes some of the upcoming changes.

By 2015, no state will be using minimum-competency exams, a shift from the 10 states that reported using these exams in 2002. Fifteen states will be using comprehensive exams, and fourteen will be using end-of-course exams (including three states that will be using a dual exam system).

Figure 2 Types of Exit Exams States are Using or Plan to Use

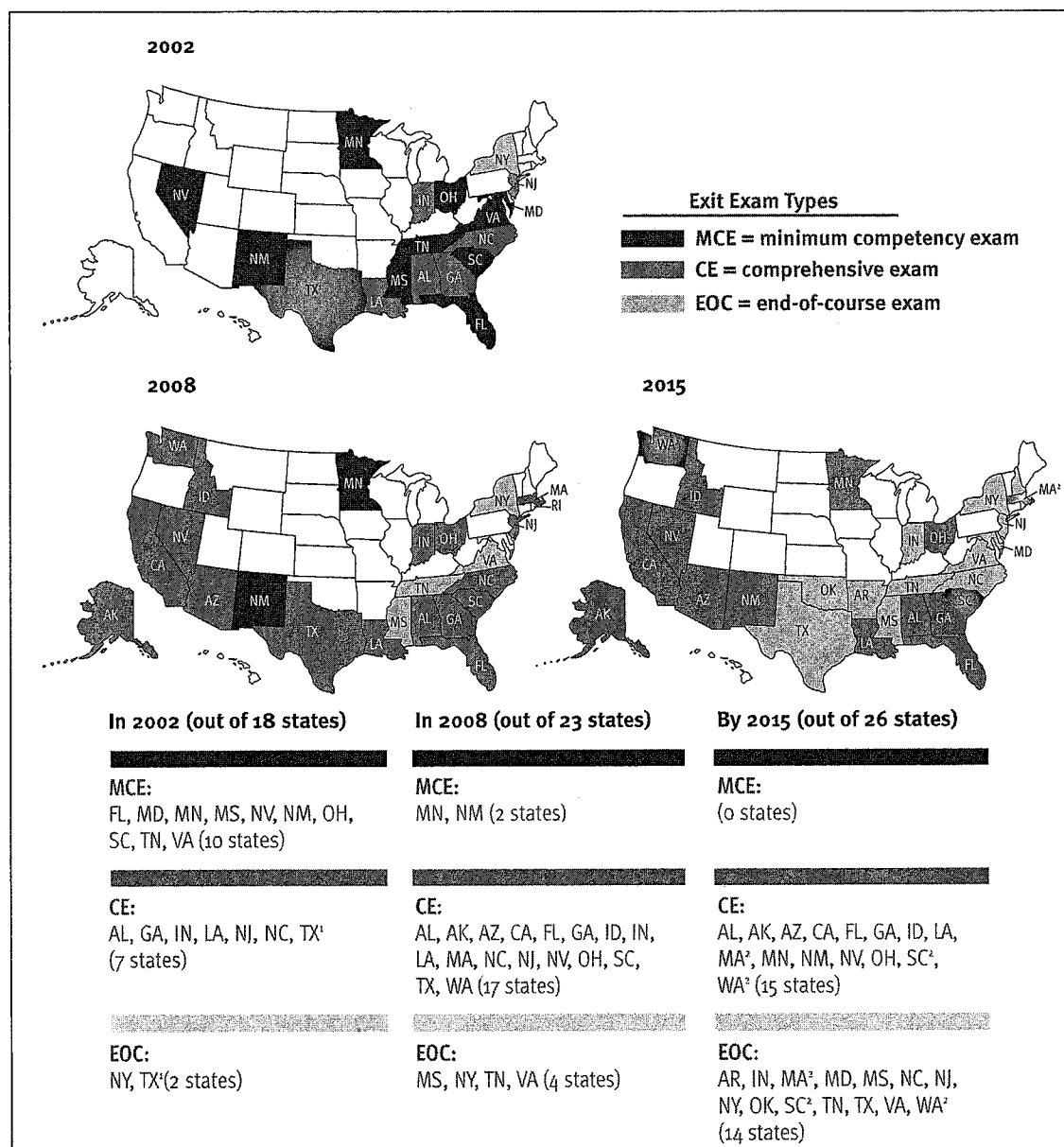


Figure reads: In 2002, 10 of the 18 states with fully implemented exit exams, including Florida, used minimum-competency exams, while 7 states, including Alabama, used comprehensive exams, and 2 states, including New York, used end-of-course exams. By 2015, none of the 26 states with mandatory exit exams will use minimum-competency exams, 15 will use comprehensive exams, and 14 will use end-of-course exams. Three states, including Massachusetts, will use a combination of comprehensive and end-of-course exams.

¹ In 2002, Texas gave students the option to pass either a CE or an EOC exam.

² By 2015, Massachusetts, South Carolina, and Washington will require students to pass the comprehensive exams plus end-of-course exams.

Table 3

Moving Toward End-of-Course Exams

Completely Moving to End-of-Course Exams	Dual Testing System Comprehensive + End-of-Course Exams	Considering End-of-Course Exams
<p>States are in the process of abandoning minimum-competency and comprehensive exams to replace them with end-of-course exams in the following courses:</p> <p>Indiana: Algebra I and English 10 (2012)</p> <p>Maryland: English 2, algebra/data analysis, biology, and government (2009)</p> <p>New Jersey: Biology (2010), and eventually Algebra II, language arts literacy, geometry, and chemistry</p> <p>North Carolina: Algebra I, English I, U.S. history, civics and economics, and biology (2010)</p> <p>Texas: Three end-of-course assessments in four core subjects (2015)</p>	<p>In addition to their comprehensive exams, these states will add end-of-course exams in some courses:</p> <p>Massachusetts: One of four science content areas (biology, chemistry, introductory physics, technology/engineering) (2010), U.S. history (2012)</p> <p>South Carolina: Biology (2010)</p> <p>Washington: Algebra I and geometry (2014)</p>	<p>Officials in the following states are working on various proposals that may include end-of-course exams:</p> <p>Alabama: Proposing new diploma with requirement of passing three out of five subject-area tests.</p> <p>Georgia: Department of Education working on a proposal to phase out the current comprehensive assessment and replace it with a series of end-of-course tests.</p> <p>Louisiana: State officials considering replacing the Graduation Exit Exam with eight end-of-course exams.</p> <p>New Mexico: Current minimum-competency exam scheduled to terminate July 1, 2010; EOC exams are under consideration for the new graduation requirements.</p> <p>Connecticut: State studying end-of-course exams that might be used if state officials choose to implement exit exams policy.</p>

Table reads: Indiana will replace its current comprehensive exams with end-of-course exams beginning with students graduating in 2012. South Carolina will add an end-of-course exam in biology in addition to its current comprehensive exam, starting with the class of 2010. In Louisiana, state officials have discussed replacing the Graduation Exit Exam with eight end-of-course exams, but a final decision has not been made.

Source: Center on Education Policy, exit exam survey of state departments of education, May 2008.

Five States Completely Moving to End-of-Course Exams

At the time CEP published its 2007 annual report on state-mandated high school exit exams, state officials in only one new state, Texas, had officially reported their intention of replacing their current exam with end-of-course exams (CEP, 2007a). This year, state officials from three additional states (Indiana, New Jersey, and North Carolina) have officially reported their intention to replace their current assessment with end-of-course exams. These states are in addition to Maryland, which over the past few years has been in the process of transitioning to end-of-course exams.

Indiana

Indiana has been administering the Graduation Qualifying Examination (GQE) since 1997 and began withholding diplomas based on students' performance on this exam with the graduating class of 2000. The GQE assesses English language arts through grade 9 and mathematics through pre-algebra and Algebra I.

On October 5, 2007, the governor of Indiana and the superintendent of public instruction announced that the GQE will be phased out and will be replaced by the End-of-Course Assessments (ECAs). Students in grade 9 in the 2007-08 school year (the graduating class of 2011), will be the last cohort required to achieve passing scores on the GQE. Students in grade 9 in the 2008-09 school year (the graduating class of 2012), will be the first required to achieve passing scores on the ECAs for Algebra I and English 10. Students will take the ECAs at the completion of each course. These exams are already available.

New Jersey

New Jersey has undergone a number of changes in the tests it requires students to pass to receive a high school diploma. The state began with the High School Proficiency Test (HSPT₁₁), which was first administered in 1983 and became a state graduation requirement for all public high school students who graduated with the class of 1994. The class of 2000 was the last required to pass the HSPT₁₁. The High School Proficiency Assessment (HSPA), which assesses language arts literacy and mathematics, was first administered to 11th-grade students in 2002 and became a graduation requirement for students in the graduating class of 2003. The HSPA included a science assessment that was supposed to become a graduation requirement starting with the class of 2007. The science section of the HSPA, however, was never used as a graduation requirement and was replaced by a biology end-of-course exam in 2008.

The New Jersey DOE announced that it plans to replace the HSPA with end-of-course exams for all content areas. The biology test is the first step in this direction. The state department of education piloted end-of-course exams in Algebra II in May 2008 on a volunteer basis. Other end-of-course assessments are planned for language arts literacy, geometry, and chemistry.

North Carolina

North Carolina has been administering the North Carolina Competency Tests in reading comprehension and mathematics since the 1978-79 school year and began withholding diplomas based on students' performance on these exams with the graduating class of 1982.

In CEP's 2007 survey, state representatives reported that students entering 9th grade in 2006-07 (the graduating class of 2010) would be required to pass end-of-course exams in Algebra I, English I, U.S. history, civics and economics, and biology, *in addition* to the competency tests in reading and mathematics (CEP, 2007a). In our 2008 survey, however, state representatives reported that the old reading and mathematics tests are graduation requirements for students who entered 9th grade before 2006-07. These tests are being phased out. Now, students who entered 9th grade in 2006-07 and are following the college/university preparation, college/technical preparation, and career preparation courses of study will be held to new exit standards, which include passing the five end-of-course tests and completing a graduation project. In other words, students in the graduating class of 2009 will be the last cohort required to achieve passing scores on the North Carolina Competency Tests in reading and mathematics. Students in the graduating class of 2010 will be the first required to achieve passing scores on the five end-of-course exams, which will be administered at the completion of each course.

Three States Will Implement a Dual Testing System

In 2013, Massachusetts, South Carolina, and Washington will require public high school students to pass a comprehensive assessment plus new end-of-course exams in order to receive a high school diploma. Last year, four states (Massachusetts, New Jersey, North Carolina, and South Carolina) were reported in this category. This year, New Jersey and North Carolina have moved to the group of states in which state officials plan to completely abandon the comprehensive exams and replace them with end-of-course exams.

State officials in Massachusetts and South Carolina continue their plans to implement dual testing systems. In Massachusetts, students will be required to pass, in addition to the comprehensive exam, an end-of-course exam in one of four science classes: biology, chemistry, introductory physics, or technology/engineering, starting with the class of 2010; and an additional end-of-course (or end-of-series) exam in U.S. history starting with the class of 2012. In South Carolina, students will have to pass end-of-course exams in science and U.S. history in addition to passing the state's comprehensive high school exit exam that assesses English language arts and mathematics. Washington is the only new state in which state officials plan to implement a dual testing system.

Washington

As reported earlier in this chapter, state officials in Washington moved forward in withholding diplomas from students who fail to pass the reading and writing WASL, starting with public high school students in the class of 2008. The state was scheduled to enforce the requirement of passing the reading, writing, and math WASL in 2008. However, in May 2007, a bill passed by the state legislature and signed by the governor postponed the requirement for passing the mathematics WASL for the class of 2008 and the science WASL for the class of 2010 to the class of 2013. At that time, the legislature and the governor asked the state board of education to research the use of end-of-course exams to augment or replace the WASL. In March 2008, state lawmakers and Governor Chris Gregoire voted to replace the WASL math test with end-of-course exams in Algebra I and geometry starting with students graduating in 2014.

As it currently stands, students in the class of 2013 remain the first cohort to be required to achieve passing scores on a mathematics test, but they will have the option of taking the comprehensive WASL math assessment or the two end-of-course exams. Students in the class of 2014 will be the first cohort required to achieve passing scores on the WASL reading, writing, and science assessments, and on the Algebra I and geometry end-of-course exams.

Six Additional States Consider End-of-Course Exams

As more and more states make the move to end-of-course exams, a growing number of other states are considering similar actions. Of the states that currently require comprehensive assessments as their state-mandated high school exit exams, three (Alabama, Georgia, and Louisiana) are considering abandoning their current assessments and replacing them with end-of-course exams. State officials in New Mexico are considering end-of-course exams, among other forms of assessment, to replace the current minimum-competency exam they have opted to phase out.

Additionally, state officials in Connecticut are considering implementing state-mandated high school exit exams. If state officials choose to require exit exams, they are likely to use end-of-course exams. On June 30, 2008, Governor Charlie Crist of Florida signed a bill that authorizes, but does not mandate, the creation of end-of-course exams. And in July 2008, Governor Ed Rendell of Pennsylvania signed a bill that allocated funds for the development of subject-specific end-of-course exams that districts may use on a voluntary basis for now. CEP will continue to monitor the progress in these states.

Alabama

Alabama currently administers the Alabama High School Graduation Examination, 3rd Edition. This is a comprehensive exam aligned to 11th grade and is administered to all students for the first time in 10th grade. State officials are considering a new requirement of passing three out of five subject-area tests (reading, mathematics, and a choice of science, language, or social studies).

Georgia

Public high school students in Georgia are currently required to pass the Georgia High School Graduation Tests and the Georgia High School Writing Test. These are comprehensive exams aligned to grades 9-11 and are administered to all students for the first time in 11th grade. The state department of education is working on a proposal to phase out the GHSGT and replace it with a series of end-of-course assessments. This plan is still under development and a final decision has not been reached.

Louisiana

In Louisiana, students are currently required to pass the Graduation Exit Examination. This is a comprehensive exam aligned to grades 9-12 and is administered for the first time to students in 10th grade. The state board has discussed replacing this exam with end-of-course tests, but there is no official policy at this time.

New Mexico

The 2007 state legislative session terminated the current New Mexico High School Competency Exam effective July 1, 2010. This is a minimum-competency exam aligned to 8th-grade standards in reading, language arts, math, science, and social studies and is administered for the first time to students in 10th grade. New Mexico is the last of all states that previously administered minimum-competency exams to terminate this type of exam. Beginning with students in 11th grade in 2010-11 (the graduating class of 2012), students will be required to demonstrate competency in math, reading and language arts, science, and social studies based on new assessments. End-of-course exams are under consideration, but are not yet being developed.

Legal Challenges to Exit Exams

In the past year, Arizona and California continued to struggle with legal challenges to their high school exit exam policies.

Arizona

Challenging the Constitutionality of the Exit Exam

The *Espinoza v. State of Arizona* lawsuit, which challenges the constitutionality of the state's exit exam requirement, was filed on April 8, 2006, on behalf of a group of students in the class of 2006 who had met all graduation requirements except passing the exam. The plaintiffs argue that the state inadequately funds education, thereby depriving many students of the services they need to reach state academic standards and pass Arizona's Instrument to Measure Standards (AIMS). The suit mentions three specific groups of students harmed by the exit exam requirement: racial/ethnic minority students, low-income students, and English language learners. This sort of litigation has delayed the implementation of exit exams in many other states.

On May 15, 2006, a superior court judge denied the request to suspend the exam for students in the class of 2006. The judge scheduled a hearing for July 2006. As of June 2008, the trial was still underway. According to a representative of the plaintiffs, the presiding judge for the case dismissed all claims with the exception of the claim pertaining to the provision of adequate funding for economically disadvantaged students. The plaintiffs may appeal the decision to dismiss the claims (E. Katz, William E. Morris Institute for Justice, personal communication).

Exit Exam Requirements for English Language Learners

The *Flores v. Arizona* lawsuit was first brought against the state in 1992 by the Arizona Center for Law in the Public Interest. In 2000, the plaintiffs won the case, and a court ordered Arizona to improve funding for English language learners (Bland, 2005; CEP, 2006). But in July of 2005, with the threat of Arizona's Instrument to Measure Standards (AIMS) becoming a high school graduation requirement, the attorney in the original case asked a federal court to suspend the requirement for ELL students until the state complied with an earlier court order to improve instruction for these students.

The lawsuit continues to challenge the state of Arizona. In March 2007, the court once again ruled that the legislature's attempt to meet the education needs of English language learners falls short of adequate. The judge ordered the legislature to comply by the end of the legislative session, but the session ended without a resolution to this issue. In October 2007, the judge found the state in violation of the March 2007 order of the court, and the state was ordered to appropriate funds for programs aimed to help ELL students achieve proficiency in English. In December 2007, the state legislature and Superintendent Horne went before the 9th Circuit Court of Appeals to argue that the judge was illegally ordering them to spend more money for ELL students.

In February 2008, the United States 9th Circuit upheld the judge's ruling and ordered the State of Arizona to comply by March 4, 2008. That month the judge accepted arguments by the attorneys for the Republican legislative leaders who stated they could not meet the March 4 deadline for funding. The judge gave them until April 15, 2008. Each day after April 15 would cost the state \$2 million in fines, and after May 15, 2008, the daily fines would go up to \$5 million (AEA, 2008). However, according to a representative of the plaintiffs, in April the Arizona legislature approved a \$40.6 million appropriation for the implementation of a model for funding the ELL program. The plaintiffs responded by filing a motion of relief, citing that the funds earmarked by the legislature were not adequate and that the funding did not target the places where it was most needed. As of June 2008, briefings for these claims were in progress (T. Hogan, Arizona Center for Law in the Public Interest, personal communication).

California

Lawsuit Challenges Fairness of State Exit Exam

On July 18, 2007, a tentative settlement agreement was reached in the longstanding *Valenzuela v. O'Connell* lawsuit challenging the fairness of the California High School Exit Exam (CAHSEE). The lawsuit was filed on February 8, 2006, by a San Francisco law firm and contends that the exam unfairly penalizes students who have not received adequate learning resources. The settlement agreement, which is outlined in Assembly Bill (AB) 347, leaves the exit exam in place, stating that students who complete grade 12 without achieving a passing score on both parts of the CAHSEE may receive two additional years of academic assistance in the material tested on the exam at no charge to them.

The bill requires school districts that receive state funds for intensive instruction to prepare students for the CAHSEE, to provide, among other things, the following services to students who complete grade 12 without achieving passing scores on both parts of the exam:

- Two consecutive years of additional instruction after completing grade 12 or until students pass both parts of the CAHSEE, whichever comes first
- Two consecutive years of intensive instruction to improve English proficiency for English language learners after completing grade 12 or until students pass both parts of the CAHSEE, whichever comes first
- Notification and counseling to students about the availability of instruction and services, and of their right to file a complaint if they are not provided these services

The bill also outlines district reporting and monitoring requirements designed to document the support provided to students who have not passed the CAHSEE.

The agreement received approval on July 19, 2007, by Alameda Superior Court Judge Robert Freedman and was passed by the legislature and signed by the governor on October 12, 2007.

Some New Developments on Alternative Paths to Graduation

All states with mandated high school exit exams offer alternative paths to graduation. States vary in the types of alternative paths they allow. Some examples include alternative exams, substitute exams (i.e. ACT/SAT), waivers, multiple indicators of mastery, etc. Although some states offer alternative paths that lead to a regular high school diploma, some alternative paths lead to certificates of completion, certificates of attendance, special diplomas or the like.

As displayed in **table 4**, all 23 states that currently withhold diplomas based on students' performance on mandated high school exit exams have alternative measures for students with disabilities, and 18 of the 23 states have them for general education students. Only 3 of the 23 states have alternative measures specifically for English language learners, but ELL students in all states can use the alternative measures available to general education students. Only about half of the states that offer alternative paths were able to provide information on the percentage or number of students who completed high school in 2007 using alternative measures. Detailed information on each of the states can be found in the individual state profiles in the CD accompanying this report.

Alternative paths may play a major roll for students with disabilities and English language learners in some states. In Mississippi, for example, 61.2% of students with disabilities in the class of 2007 received a certificate of completion or an occupational diploma, which do not require that students pass the state's high school exit exam. In the same year in Florida, approximately 20% of English language learners satisfied the graduation requirement through an alternative assessment (ACT/SAT). Of the 9,762 students who received certificates of completion, approximately 25% were English language learners. And, an additional 3% of ELL students received a State of Florida diploma by passing the GED. Such large percentages of students completing high school through alternative measures are not the norm.

Some experts argue that, with a few exceptions, alternative measures affect a very small percentage of students overall. For example, a common form of substitute assessment allows students to use passing scores on Advanced Placement (AP) or International Baccalaureate (IB) exams in place of the state's exit exam, but the number of students who fail the state exam and pass AP or IB exams is minuscule. In fact, for general education students, states that were able to provide information on the percentage of students graduating through alternative paths reported percentages in the single digits. Some reported that less than 1% of general education students completed high school through alternative paths in 2007. However, the true impact of these alternatives is hard to capture on a state survey, especially because almost half of the states that offer alternative paths do not collect this data at the state level.

Table 4 Alternative Paths to Graduation, 2007

State	General Education Students	Students with Disabilities	English Language Learners
Alabama		✓*	
Alaska		✓*	
Arizona	✓	✓	
California		✓	
Florida	✓*	✓*	*
Georgia	✓*	✓	
Idaho	✓	✓	✓
Indiana	✓*	✓*	*
Louisiana		✓*	
Massachusetts	✓*	✓*	*
Minnesota	✓	✓	✓
Mississippi	✓	✓*	*
Nevada	✓*	✓*	
New Jersey	✓*	✓*	✓*
New Mexico	✓	✓	
New York	✓	✓	
North Carolina	✓	✓*	
Ohio	✓*	✓*	*
South Carolina	✓*	✓	
Tennessee	✓*	✓*	
Texas		✓	
Virginia	✓*	✓*	
Washington	✓	✓	
	18	23	3

Table reads: For students graduating in 2007, the state of Arizona offered alternative paths to graduation for general education students and for students with disabilities, but it did not offer alternative paths specifically for English language learners. State representatives did not provide CEP with information on the percentage or the number of students who completed high school through alternative paths.

* These states were able to provide information on the percentage or number of students who completed high school through alternative paths. Florida, Indiana, Massachusetts, Mississippi and Ohio do not offer alternative paths specifically for English language learners. However, they were able to report information on the number or percentage of English language learners who graduate using alternative paths available to general education students.

Note: Information in this table represents alternative paths to graduation. This does not necessarily mean alternative paths to a regular high school diploma.

Note: State officials in Arkansas, Maryland, and Oklahoma are still considering alternative paths to graduation. Because these states have not begun to withhold diplomas based on students' performance on state-mandated high school exit exams, they did not report percentages or numbers of students who completed high school through alternative paths in 2007. These states were excluded from this table to facilitate the display of information from other states.

Source: Center on Education Policy, exit exam survey of state departments of education, May 2008.

One of our expert reviewers argues that the variance in exit exam requirements plus the varying alternative paths across states illustrates our nation's lack of understanding of what a high school diploma represents in terms of knowledge and skill. He explained:

A high school diploma is becoming ever less comparable among states. Years ago, all diplomas represented a number of credits completed and perhaps completion of a minimum competency exam. There was no pretense that a diploma was a measure of knowledge and skill. Now, states are trying to assert that a diploma should be a measure of something, but what exactly varies dramatically. This would be fine if students did not exist in a national economy (let alone a global economy) but, alas, they do.

Furthermore, he asks, "Why not prepare all students for the AP/IB and then allow some lower score on those exams to count?" After all, he explained, "There is no pretense that the state exit exams and the AP/IB are in any way comparable. They are simply measures that legislators deem rigorous. The alternatives," he concluded, "aren't really going to get states off the hook as far as getting many more kids to pass the exam requirement."

Developments in Alternatives for General Education Students

The following section briefly summarizes some of the most notable recent developments in alternative assessments for general education students.

Alabama

In May 2008, the board of education approved a proposal that both increased graduation requirements and relaxed exit exam requirements for high school seniors. The proposal creates two high school tracks—the Advanced Academic Endorsement and the Credit Based Endorsement.

In prior years, high school students had to "opt-in" to receive an Advanced Academic Endorsement, and about 39% of students did so. This advanced track requires four credits in English, four in social studies, four in science, four in mathematics (including Algebra II with trigonometry), 2.5 credits in P.E., health, arts, and computer, two credits in foreign language, and 3.5 in electives. Plus it requires that students pass all five end-of-course exams that make up the Alabama High School Graduation Exam (AHSGE).

The Credit Based Endorsement requires the same course work minus the specific math and the foreign language requirement. Students on this track will only be required to pass three of the five end-of-course exams in reading, mathematics, and choice of science, language, or social studies. After approval from the board, now all students will be automatically enrolled in the advanced track and will have the choice to "opt-out" of it with parent consent (ALSDE, 2008; Stock, 2008).

Arizona's Augmentation Formula

In 2005, a bill passed in Arizona that officially implemented the augmentation formula. The augmentation formula is an alternative path to graduation in Arizona. Through this formula high school students who failed one or more sections of Arizona's Instrument to Measure Standards could "augment" their scores with points derived from course grades of "C" or better. To qualify for this alternative, students would have to complete and pass all required courses, take the AIMS assessment each time the test was offered, and participate in remediation programs available at the student's school in the failed subject area(s). The policy was set to expire automatically on January 1, 2008. However, a large number of students were benefiting from augmentation and would have been denied a high school diploma without it. In the 2005-06 school year, 2,855 (almost 6%) and in the 2006-07 school year, 3,425 (again almost 6%) high school seniors met the graduation requirement by augmenting their scores with course grades (CEP, 2007b).

On May 13, 2008, a bill passed in the state Senate that would reinstitute augmentation (Scarpinato, 2008). On May 14, 2008, the House passed the augmentation bill, and the governor is expected to sign it. But the bill passed without sufficient votes to give it an emergency clause. This means that the bill will not take effect until 90 days after the legislature adjourns. In a memorandum from Superintendent Tom Horne, all schools were encouraged to allow students who would graduate only if augmentation were approved to walk for graduation but to give them a certificate of compliance with local requirements rather than a diploma. Diplomas will be mailed out to these students when the bill becomes effective, which will most likely be in September 2008 (ADE, 2008).

Maryland Adds New Alternative Assessments

Although newspapers have been flooded with stories of students who cannot achieve passing scores on the exit exam despite repeated attempts, the Maryland Board of Education continues to move forward with plans to enforce the HSA as a graduation requirement starting with the class of 2009. However, in response to the growing concerns, the state board agreed to make certain changes and approved a number of alternative options. These include:

- The Maryland Adult External High School Diploma
- The GED
- Specific Advanced Placement and International Baccalaureate course exams
- A combined-score option for which students must attain a combined score of 1602 (no minimum score required for individual tests)
- The Bridge Plan for Academic Validation
- A modified High School Assessment for students with disabilities who fall outside the NCLB 2% exemption

The Bridge Plan for Academic Validation was approved in November 2007. This plan allows students who repeatedly fail the HSA to instead complete assigned projects for the assessments that they are unable to pass. For a student to participate in the Bridge Plan, he or she must be firmly on the path to completing graduation requirements, have taken an HSA exam twice without passing or meeting the combined-score option, and have participated in locally administered or approved assistance.

New Jersey

The Special Review Assessment (SRA) has been New Jersey's alternative to the High School Proficiency Assessment (HSPA), the state's high school exit exam, for many years. But with about 12% of high school seniors failing to achieve passing scores on the HSPA and graduating using the SRA, this alternative has come under attack as a "backdoor" path to a high school diploma. In response to such criticism, the department of education and the state board of education announced plans to phase out the SRAs, but opted not to in response to the public's interest in some type of alternative opportunity for struggling students (NJSBE, 2008).

Instead, the state board of education decided to improve the SRA by: establishing specific SRA administration windows; having the state test vendor assign and distribute performance tasks directly to high schools; having the state vendor organize and supervise scoring by New Jersey teachers in regional scoring centers; and requiring districts in which 10% of their students use the SRA to submit a plan for reducing student reliance on it. These changes will become effective in 2009-10.

In addition, students who have met all other graduation requirements except passing the HSPA can either return to school at testing time the following year and retake the HSPA or pass the GED test. New Jersey also has adult high school programs in which a student can earn a district high school diploma. There is also the Thirty College Credit program, by which a student can be awarded a state-issued high school diploma for documented college credits earned.

Recent Reports Challenge High School Exit Exams

While 26 states currently implement or will soon implement the requirement that students pass state-mandated high school exams in order to receive their high school diploma and state officials from other states consider implementing such requirements, reports continue to come out challenging such policies. Following are brief summaries of some of the reports that have made national news.

Exit Exams Do Not Affect Student Achievement

Researchers Eric Grodsky from University of California, Davis; John R. Warren from University of Minnesota; and Demetra Kalogrides, also from University of California, Davis, released a report that has undergone peer review and been accepted for publication in the *Educational Policy* journal. The researchers used the Long-Term Trend data collected as part of the National Assessment of Educational Progress (LTT NAEP) to examine (1) the effects of state HSEE on long-term trends on academic achievement in mathematics and reading; (2) differences in the effects of state HSEE policies for students from different socioeconomic, academic, and racial/ethnic backgrounds; (3) differences in the effects of state HSEE policies related to difficulty of the state test (minimum competency v. more difficult exams); and (4) the effects of state HSEE on student achievement at the upper and lower ends of the achievement distribution.

The researchers did not find significant effects of exit examinations on academic achievement in either reading or mathematics. This was true for both minimum-competency exams and “more difficult” comprehensive exams. They explained that the absence of effects for even more difficult exams may be due to the small number of years that some states have had the more difficult exams, or it may be that the “more difficult” exams are not substantially more difficult than minimum-competency exams. The researchers explained that the lack of any effect of exit exams on average achievement may mask the effects on inequalities among students and on achievement at different points of the achievement distribution. In subsequent analyses, the authors found that exit exams have no effect on achievement for students at various points on the achievement distribution.

Finally, the authors asked whether the effects of exit exams might be concentrated among students with particular background characteristics. In the end they found that absence of effects of exit exams holds regardless of students’ race/ethnicity, parent education, home environment, and grade level. Overall, the researchers found little evidence of effects of state high school exit exams on student mathematics or reading achievement, and such effects, they stated, “are hardly worth the substantial economic and personal costs of state HSEEs to students, parents, teachers, and the general public.” (Grodsky et al., 2008)

Several Recent Reports Challenge California’s Exit Exam

In October 2007, the eighth annual report produced by the Human Resources Research Organization (HumRRO), *Independent Evaluation of the California High School Exit Examination* (CAHSEE), was presented to the state board of education. Among other things, the evaluation concluded that:

- Although the number of students dropping out of school in grades 9-11 has remained constant from 2000-06, the number of student dropouts at the 12th-grade level has increased substantially. In the class of 2006, 34,097 students in grade 12 dropped out compared to 25,133 in the class of 2005. All ethnic groups, including white students, have seen an increase in dropouts. However, the Hispanic and African American subgroups have had the highest increases (4.4 and 7.1 percentage point increases, respectively; both above the overall 3.7 percentage point increase).
- Although more students are completing Algebra I/Integrated Math I by 12th grade, students benefit most from completing these courses in earlier grades. In 2007, 68% of 12th graders who completed Algebra I in 8th grade achieved a passing score on the math part of the CAHSEE. Yet only 32.7% of 12th graders who completed Algebra I in 12th grade achieved a passing score.
- While the percentage of students taking AP exams and the SAT has increased, the total post-secondary enrollment has decreased. The percentage of students taking AP exams increased from 12.8% in 2000 to 25.5% in 2006, with an increase in the percentage of 11th and 12th grade students scoring 3 or higher (from 14.2% to 26.3%). The percentage of students taking the SAT increased from 36.5% in 2000 to 40.5% in 2007, though the percentage of students scoring 1000 or higher remained constant. Despite increased enrollment in California's four-year universities, a decrease in the number of students enrolled in community colleges has led to a total decline in post-secondary enrollment (from 176,358 in 2000 to 172,797 in 2006).
- Most students reported that they would retake the exam if they did not achieve a passing score (about 90% of 10th graders, 82% of 11th graders, and 73% of 12th graders). But the evaluation also revealed that the majority of students who achieve passing scores on both parts of the test by 11th grade passed the tests on their first attempt in 10th grade. Pass rates for retakes are much lower. Even repeat 10th graders pass at much lower rates. English learners, however, seem to benefit the most from retesting in 11th grade, when an additional 18.9% of these students achieve passing scores (Wise et al., 2007).

This last point is consistent with findings presented in a report titled, *Predicting Success, Preventing Failure: An Investigation of the California High School Exit Exam*, published by the Public Policy Institute of California (PPIC). The authors, Andrew Zau and Julian Betts, looked at test scores and other data for students in the San Diego Unified School District and found that, in this district, only a small fraction of the seniors who failed the CAHSEE in the 2005-06 school year retook the exam the following school year, and of those who did, only 3.1% achieved passing scores. Most importantly, the authors concluded that students at risk of failing the CAHSEE can be identified as early as grade 4. They reported that academic grade point average (GPA) is the strongest predictor of future outcomes on the CAHSEE, followed by absences and classroom behavior. They reported that English language learners, African American students, and students with disabilities are less likely to pass the test. Furthermore, the authors identified a few predictors of success on the CAHSEE. These include a one-point increase in GPA, a large increase in math and ELA scores on the California Standards Test in 9th grade, and early achievement of English language fluency for ELL students.

These findings are contradictory to California's assembly bills 128 and 347, which focus funds for remediation and additional support at grade 12 and two years after grade 12. The authors suggest, among other things, the development of an "early warning system" to identify students, targeting funds toward elementary and middle school students at risk of failing; rigorous studies to determine the effect of assembly bills 128 and 347; and rigorous evaluations of alternative interventions (PPIC, 2008).

Work conducted by the California Dropout Research Project (CDRP) further supports some of the findings reported by HumRRO and by PPIC. In a *Statistical Brief* released in May 2008, CDRP reported that the dropout rate in grade 12 has increased by about 40% in the past decade, with the biggest increase taking place in the 2005-06 school year, the first year of the CAHSEE requirement. In fact, from 1995 to

2006, dropout rates for students in 7th and 8th grade remained steady at about 1%. The rates for students in 9th-11th grade declined from 4% to 3%, and rates for students in grade 12 increased from 4.7% to 7.7% (Rotermund, 2008).

CDRP released another report in which they explained what happened to a group of 167 seniors in the class of 2007 who had not passed the CAHSEE by fall of their senior year yet remained enrolled in school until the end of the school year. These students, who were described as “persistent strugglers” and “hard-working educational persisters,” were disproportionately Latino students from low socioeconomic backgrounds and for the most part (79%) English language learners. This is consistent with HumRRO’s finding that ELL students are the students who benefit most from retest opportunities. These students did not have the characteristics of high school dropouts.

The authors of the CDRP report also found that higher GPA, higher scores on the ELA section of the California Standards Test, and English language proficiency are all strong predictors of students’ ability to pass the CAHSEE. And like the authors of the PPIC report, these authors suggested implementing early-intervention programs. They also agree with continuing support for students who are persistent despite struggles and repeated failure on the CAHSEE (Jimerson et al., 2008).

