

SB

109

SENATE COMMITTEE REPORT

DATE: 2/3/10

FURTHER: Finance

DATE TURNED
IN TO OFFICE: 2/17/10

Community and Regional Affairs Committee considered

SENATE BILL NO. 109

SB 109 REPEAL SECONDARY SCHOOL EXIT EXAM

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

and recommends:

- be replaced with SCS or CS _____ (_____)
- adopt previous SCS or CS _____ (_____)
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

SENATE BILL:
 Same Title
 New Title

HOUSE BILL:
 Same Title
 Technical Title Change
 New Title w/ SCR # _____

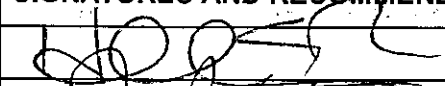

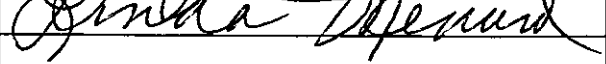
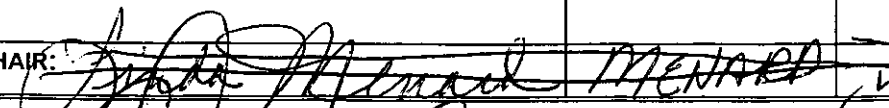

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
EEO	1/26/10	✓			1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do NOT PASS	NO REC	AMEND
	French			✓	
	Thomas	✓			
	MENARD	✓			
CHAIR: 	MENARD	✓			✓
	OLSON				

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[Senator Betty Davis@legis.state.ak.us](mailto:Senator_Betty_Davis@legis.state.ak.us)
<http://www.akdemocrats.org>

Office of Senator Betty Davis

MEMORANDUM

DATE: February 11, 2010
TO: Senator Betty Davis
FROM: Thomas S. Obermeyer
RE: Comments concerning SB 109, 26-LS0527\A "An Act repealing the secondary student competency examination and related requirements; and providing for an effective date."

I cannot anticipate the final disposition of the Senate Community and Regional Affairs Committee regarding SB 109, as it will be continued next Tuesday, 2/16/2010 at 3:30 p.m., but I have noted that there has been no discussion on record of the impact on the exit exam of the continuing *Moore v. State* decision and order by Judge Gleason (See 3AN-04-9756 CI). You will find pertinent parts of this decision in your (S)CRA hearing package. It seems counterintuitive that DEED and the Board of Education continue to require the exit exam in rural or sub-standard districts identified in violation of Constitutional Due Process and failing to provide students an adequate education under *Moore* – at least while a final decision is pending. Marcy Herman, EED Legislative Liaison, said she would ask Deputy Commissioner Les Morse about the time and effect of a new ruling which should be issued by the Court shortly.

Furthermore, I am also concerned that there has been no discussion by the Department about accommodations or waivers for rural or sub-standard districts in violation of *Moore*, or for disadvantaged minorities and English Language Learners, which may or may not be offered, similar perhaps to students with severe disabilities. Also, I am unaware of any alternatives offered by the Department concerning the repeal which might allow the exit exam to be continued for assessment purposes throughout the state without denying diplomas – at least until the expiration of the present contract with Data Recognition Corporation (DRC) in 2015-2016.

Cc: Senate Community & Regional Affairs Committee per Senator Davis

Alaska Student Performance Data
2005 - 2009

DROPOUT COUNTS AND RATES				
School Year	ALL		SPED	
	#	%	#	%
2004-2005	3,791	6.0%	361	5.0%
2005-2006	3,642	5.8%	441	6.0%
2006-2007	3,434	5.5%	451	6.1%
2007-2008	3,232	5.2%	466	6.4%
2008-2009	3,146	5.2%	418	5.9%

GRADUATION COUNTS AND RATES				
School Year	ALL		SPED	
	#	%	#	%
2004-2005	6,905	61.4%	426	39.1%
2005-2006	7,361	61.6%	468	38.9%
2006-2007	7,666	63.0%	510	39.4%
2007-2008	7,855	62.6%	532	40.1%
2008-2009	8,008	67.5%	587	43.6%

Class of 2008 Analysis

- Number of grade 12 non-graduates 2787
- Number of grade 12 students coded by district as drops 1250
- Number of grade 12 continuing students (intend to attend in 08-09) 1537

- Number of grade 12 non-graduates passing all parts of exam 1926 (69.1%)

- Number of grade 12 students who earned certificate of achievement 270*
**Number not included in grade 12 non-graduates*

- Of the students enrolled as 12th graders in the fall of 2007 91.9% passed all parts of the exam between the first opportunity they had to take the exam through the spring of 2008 test administration.

10th Grade Pass Rates on the High School Graduation Qualifying Examination (HSGQE)

READING - GRADE 10 - SPRING						
School Year	All	Caucasian	AKN/AMI	SWD	ED	LEP
2005	69.1%	81.5%	42.5%	25.6%	46.5%	25.7%
2008	85.2%	93.2%	69.1%	47.7%	72.6%	49.9%
2009	90.0%	95.8%	76.3%	60.1%	80.5%	58.2%

WRITING - GRADE 10 - SPRING						
School Year	All	Caucasian	AKN/AMI	SWD	ED	LEP
2005	84.1%	90.4%	70.3%	42.8%	70.9%	61.5%
2008	76.3%	84.3%	59.9%	31.7%	61.4%	42.5%
2009	78.8%	86.4%	60.8%	36.2%	65.6%	45.1%

MATH - GRADE 10 - SPRING						
School Year	All	Caucasian	AKN/AMI	SWD	ED	LEP
2005	71.9%	80.8%	52.9%	28.2%	54.8%	43.0%
2008	76.3%	84.8%	59.6%	35.0%	61.8%	42.2%
2009	80.2%	88.4%	63.5%	41.3%	66.5%	42.0%

AKN/AMI: Alaska Native/American Indian
 SWD: Students with Disabilities
 ED: Economically Disadvantaged
 LEP: Limited English Proficient

-----Original Message-----

Diana and Stuart McElhinney

From: McElhinney [mailto:smcelhinney@yahoo.com]

Sent: Tuesday, February 09, 2010 2:23 PM

To: Sen. Davis

Subject: RE: Senate Bill 109: "Repeal Secondary School Exit Exam"

I sent the below written testimony to Senator Davis this morning but am not sure if it was received or not, so will resend to you:

Exit Exam Requirement Response

Our names are Diana and Stuart McElhinney, parents of Keegan McElhinney, who is a 9th grade student at South Anchorage High School and we would like to provide a response to the Exit Exam Requirement.

We recently moved here from out of state and had a meeting with South Anchorage High School staff last Tuesday, February 02, 2010 to discuss a 504 Plan for Keegan, who has been tested and diagnosed with severe dyslexia. During this meeting, we found out that an Exit Exam is given covering topics of reading, writing, and math and that this exam must be passed or the student will NOT receive a diploma, even if that student has completed class credit requirements. Further discussion brought out the fact that the 504 accommodations a student has for class work are NOT allowed when taking the Exit Exam. This situation will most certainly set up our son for failure and we have very serious concern regarding this matter.

Keegan has been in and out of extra reading programs and Special Education classes throughout his years of schooling. We have been told on two separate instances at two different grades/schools that Keegan was "not bad enough" to qualify for these extra classes, even though he is years behind grade level in reading. We have provided private tutoring twice a week since 2002 at a running total of \$20,310 to date (none of which is tax deductible by the way) and it was the tutors that taught Keegan to read, not the school system.

The current situation leaves us with the 504 Plan option, although we can reevaluate in the current school to see if Keegan does qualify for Special Education classes. Keegan's 504 Plan covers such things as allowing assignments to be turned in typed, so that he can use the tools of spelling and grammar check and the thesaurus and allowing extra time for assignments, etc. The 504 Plan is designed to help him develop tools that will help in both getting class work done at a higher quality and preparing him for work situations outside of a class setting. Putting Keegan in a testing situation that does not allow the same kinds of accommodations puts Keegan at a great disadvantage and the dyslexia is enough of a hardship all by itself. He will have to use whatever tools he can, along with his personal strengths, to be successful in life. Not receiving a High School degree would be a tremendous set-back.

As parents we would like to see the Exit Exam requirement eliminated for all students and the money used to provide appropriate resources in the school system to help students like Keegan. We have been blessed to be able to provide the

private tutoring for Keegan but not all families are able to do so. It would be wonderful to have such resources in the school system, as well as books on tape/CD for all English, Science, History/Social Studies assignments because dyslexic students' comprehension level and vocabulary level are much higher than their reading level would point to. The teaching and testing methods that work for regular students will not work for students like Keegan because they are based on the written word that has little meaning. Students with dyslexia learn best using oral and visual aides (multi-sensory learning/testing), rather than reading text. Even math story problems affect the results of testing because dyslexic students will expend tremendous mental concentration to read the math problem and not focus on working the solution to that math problem.

We found it interesting to note that the State of Alaska Driver Manual states the following regarding the written test for a driver's license, "If you can understand the English language, but are unable to read or have difficulty reading, you may bring someone who may read the questions to you but you must independently answer the questions." It seems the state can allow oral testing in this forum but does not allow the same accommodation for students taking the Exit Exam. Please consider the ramifications of the Exit Exam and eliminate this as a requirement for graduation from High School.

Thank you for your time and attention to this matter.

Diana and Stuart McElhinney
smcelhinney@yahoo.com

February 10, 2010

Attn: Senate Bill 109: Removal of the Exit Exam Requirement

As high school counselors, we are in support of Senate Bill 109: Removal of the Exit Exam Requirement. We agree that by removing the Exit Exam Requirement, it would remove the risk that a student can be denied a diploma after 12 years of education by one exam. We are in favor of encouraging youth to stay in school long enough to get a diploma and reduce the dropout rate.

We believe that the resources and staff that are utilized in administering the HSGQE are tremendous. Classroom instructional time, staff training, administrative planning, and direct counseling services to students in the personal/social/academic domains have suffered due to the time required to prepare and administer the HSGQE.

The HSGQE favors the left-brained students, who tend to learn by lecture, memorize easier, and don't become confused with the answer choices. Right-brained students don't do as well on these tests in spite of knowing the topic; rather, they see every answer as a possibility under the right conditions. In spite of knowing the information, they are likely to select an incorrect answer.

Finally, we feel that the HSGQE does not truly reflect the knowledge students hold. It does not prepare the students for the real world where they are allowed to use resources, manuals, ask questions, and are not allowed to perform at the 50% percentile.

Thank you for considering our comments.

Sincerely,

Margaret Griffin and Micki Dunn
School Counselors, Skyview High School
907-260-2300

2/15/10

Concerning Senate Bill 109: Repeal Secondary School Exit Exam

I think that the High School Graduation Qualifying Exam should not be required to pass in order to actually receive your diploma from high school. The following reasons will be stated below to explain my point of view on the discussion.

First of all, I think that it puts too much pressure on students, especially seniors, because students are already trying to pass the required classes that they are taking. Along with the finals students have to take just to pass those other six or so classes, is just not right to do. There is already a lot of pressure for students to pass the class and should not have more put on them. If students already pass all of their required classes, then they should be allowed to graduate. For me this will be my third time taking the test. Last year I was just focusing on my regular classes and trying to finish them, I could not properly prepare for the High School Graduating Qualifying Exam which led to me rushing through it so I could be done with it.

Test anxiety is my second reason why students should not have to take the High School Graduation Qualifying Exam. Being so nervous from testing anxiety can mess up a student's performance during tests. Test Anxiety could lead to failing the test, which would not let that student graduate from high school.

My last reason is that seniors in high school should focus on what they are doing now and in the future, like college or trade schools. They need to start focusing on what they need to do for the future, and not worry about a test.

Sincerely,



Daniel Franklin
Student at Homer Flex High School
4122 Ben Walters Lane
Homer, AK 99603

2/16/2010

Concerning Senate Bill 109: Repeal Secondary School Exit Exam

I think the High School Graduation Qualifying Exam should be required.

The stress of the schoolwork and test preparations should teach the students an important life skill, multitasking. Going between schoolwork and test prep is very stressful, it also provides the experience of managing two very important events so you would be ready for anything.

Sincerely,



Mihael Kuzmin



Alaska State Legislature

Please enter into the record my testimony to the Senate Community & Regional Affairs
committee name

Committee on SB 109, dated 2-16-2010
bill # / subject public hearing date

Senate Bill 109: Removal of the High School Qualifying (HSQE) Exams

As a Career Guidance Liaison for the Kenai Peninsula School District I would like to support SB 109. In my opinion the time taken to prepare for and administer the test, has caused school counselor's valuable time in assisting students with immediate and long-term social, scholastic and planning needs.

I also believe students who do not test well may be more motivated to drop out of school if they feel their efforts are not worthwhile. I believe there are probably better assessments available that would link student's high school efforts to future careers or training options.

Please support SB 109 and remove the HSQE exam requirement from our schools.

Signed: Loretta Knudson-Spalding, Career Guidance Liaison
Testifier

Kenai Peninsula Borough School District
Representing (optional)

148 N Binkley Soldotna, AK 99669
Address

Phone number

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Senator Bettye Davis Bettye.Davis@legis.state.ak.us
<http://www.akdemocrats.org>

SB 109 Exit Exam Bullet Points

-
- The Exit Exam is the only exam which denies diplomas to hundreds of students after 12 years of schooling.
 - Even if all credits have been satisfied for graduation, a student failed on the Exit Exam receives a worthless, non-marketable "certificate of achievement," lowering morale, self-confidence, and self-respect, discouraging continuing in school.
 - Exit exam encourages dropouts both by those who pass think they can drop out of school without earning a diploma, and those who fail and see no future in continued education.
 - Exit Exam disadvantages poor and non-white students and English Language Learners who might not have access to high-quality schools.

- **Passage rates of Alaska natives and other minorities in Alaska are much lower than whites.**
- **Delivery of education in Alaska is unique and does not need to follow a national testing model. Roughly half the states primarily in high density population areas covering about 2/3-3/4 of all students have an Exit Exam. Alaska is not high density education with 53 school districts spread over vast areas, and many districts with few students.**
- **Despite a court order that the State in *Moore v. State* is still in violation of Constitutional Due Process and Equal Protection in a number of districts, DEED and the Board of Education still retain the Exit Exam without alternative.**
- **The slight improvement in graduation rates touted by DEED since introducing the Exit Exam likely has less to do with motivation of individual students on the Exit Exam than renewed emphasis on achievement and assessment per NCLB and other assessment standards.**
- **The Exit Exam has been "watered down" over the years and only tests 8th-9th or 10th grade proficiency in a few subjects. It is unneeded.**
- **The trend is toward End of Course Exams which more accurately test achievement and progress throughout high school years.**

- **THE EXPENSE OUTWEIGHS ANY BENEFIT – THIS MONEY COULD BE BETTER SPENT IN OTHER AREAS OF EDUCATION**
- **The Alaska Exit Exam costs over \$1.5 million per year, *i.e.*, over \$123 per student, or about 20% of the \$48 million 7 –year contract with Data Recognition Corporation (DRC).**
- **The long contract with DRC creates a disincentive to eliminate the Exit Exam which has been combined with NCLB. DEED has no reason to wait for a replacement of the Exit Exam which is no longer needed. The Exit Exam was introduced before NCLB requirements. The only other exam on the horizon is Workkeys to be given to 11th graders in 2011 at a reported cost of \$795,000 and is not a comparable substitute for the Exit Exam.**
- **Hidden and indirect costs of the Exit Exam have not been adequately calculated by DEED including:**
 - **remediation in the millions of dollars not only to the state, but to individual districts**
 - **teacher and administrator training time and expense**
 - **teaching to the exam while skipping substantive subjects in the curriculum.**

- **school disruption during Exit Exam**
- **lost days of instruction and learning while students prepare for and take or retake the exam**

- 17% decrease in the number of dropouts statewide when comparing 2005 to 2009
- 16% increase in the number of dropouts statewide when comparing 2005 to 2009

DROPOUT COUNTS AND RATES				
	ALL		SPED	
School Year	#	%	#	%
2004-2005	3,791	6.0%	361	5.0%
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2006-2007	3,434	5.5%	451	6.1%
2007-2008	3,232	5.2%	466	6.4%
2008-2009	3,146	5.2%	418	5.9%

2005 to 2009 -17.0% -0.8%
 -645

- 16% increase in the number of graduates statewide
- 38% increase in the number of SWD receiving diplomas over that time period (2005 to 2009)
- More than 1,100 more diplomas in 2009 than were issued in 2005.
- For SWD that number increased by 161.
- Enrollments have declined about 2% of this time period

GRADUATION COUNTS AND RATES				
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Senior Class analysis

- Over 67% of the seniors in 2008 that completed the school year but did not receive a diploma had already pass all three parts of the HSGQE
- 1,549 seniors

HSGQE Cohort Analysis

- 2008 senior cohort class had a combined cumulative pass rate of over 90%
- Over 90% of class passed all three parts of the HSGQE during their 3 year testing window

End of Course Exams

5 states require EOC in 2009

- All 5 states require EOC's as a requirement for graduation (MD, MS, NY, TN, VA)
- 10 states are transitioning to EOC's (by 2015 - 15 EOC & 14 Comprehensive exams)
- 3 states will require Graduation Exam AND EOC (MA, SC, WA)
- Typical EOC content areas – Algebra I, Algebra II, Geometry, English 9, 10, Biology

Current Grade 10 HSGQE Pass Rates (Spring 2009):

Reading – 90%

Writing – 79%

Math – 80%

Achievement Gaps

READING - GRADE 10 - SPRING						
School Year	All	Caucasian	AKN/AMI	SWD	ED	LEP
2005	69.1%	81.5%	42.5%	25.6%	46.5%	25.7%
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2009	80.2%	88.4%	63.5%	41.3%	66.5%	42.0%



Sean Parnell, Governor
State of Alaska

GOVERNOR'S COUNCIL ON DISABILITIES AND SPECIAL EDUCATION

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January 27, 2010

Senator Donald Olson
120 4th St, State Capitol, Rm 3
Juneau, Alaska 99801

Re: Senate Bill 109: Removal of the requirement to pass the High School Graduation Qualifying Exam (HSGQE) in order to receive a diploma

Senator Olson,

The Governor's Council on Disabilities and Special Education formally endorses Senate Bill 109 which removes the requirement to pass the High School Graduation Qualifying Exam (HSGQE) in order to receive a diploma.

In 1997, the Alaska legislature passed a law that requires students to pass the High School Graduation Qualifying Exam (HSGQE) in order to receive a diploma. Students began taking the HSGQE in 2000, but implementation of this law was postponed until 2004. As a result of a lawsuit, students with disabilities were not required to pass until 2005. In 2007, the HSGQE was changed to make the writing portion more challenging and the reading portion less challenging. Students must take the HSGQE for the first time in the spring of their 10th grade year. The HSGQE takes 3 days to complete. Students who do not pass can take the exam each fall and spring. Students who do not pass the HSGQE can miss up to 6 days of instruction each year retaking this exam.

Passing the HSGQE is not required by federal law. The No Child Left Behind Act (NCLB) requires that high school students be tested but does not require students pass an exam in order to receive a diploma. Alaska tests students in 9th and 10th grade. The HSGQE is a minimum competency exam and is not designed to test college readiness or work-related skills. The HSGQE is not a nationally recognized exam and is not used in determining University admission.

Dropout rates increased after the implementation of the HSGQE and had not reached pre-HSGQE levels by 2008. The 2003 dropout rate was 4.9%; it increased to 6% in 2004 and was 5.2% in 2008. The dropout rate for students with disabilities has increased from 4.9% in 2004 to 6.4% in 2008.

While the Council understands and supports the need for accountability in the education system, we feel a high stakes exam in high school is not the correct way to address accountability. Intervention follows the point of accountability, thus it makes more sense to provide intervention in 2nd or 3rd grade when a student is 1 or 2 years behind instead of waiting until 10th grade when they are 3 to 5 years behind. The Council recommends a system of accountability that communicates student skill level without the high stakes component of the exam (e.g., Work Keys assessment).

The Department of Education and Early Development (EED) has been successful in working with low performing schools in rural Alaska using data-driven instruction to bring student academic skills up to grade level. EED should expand this program and insist schools focus on earlier intervention instead of requiring the HSGQE as a requirement for a diploma.

Sincerely,

Donna Swihart, Chair
Donna Swihart, Chair

Creating Change That Improves the Lives of People with Disabilities

Alaska State Legislature

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Senator Bettye Davis

SB 109, 26-LS0527A

“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” hurdle 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 public 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 nation's 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.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329


MEMORANDUM

February 27, 2009

SUBJECT: Sectional Summary of SB 109 (Work Order No. 26-LS0527\A)

TO: Senator Bettye Davis
Attn: Thomas Obermeyer

FROM: Jean M. Mischel
Legislative Counsel



You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Deletes the high school competency examination reference in the Department of Education and Early Development's annual report to the legislature.

Section 2. Deletes the high school competency examination reference in the Department of Education and Early Development's annual report to the public on school performance.

Section 3. Deletes the high school competency examination reference in the Department of Education and Early Development's school accountability system.

Section 4. Deletes the high school competency examination reference in the charter school operational requirements.

Section 5. Repeals the high school competency test requirements.

Section 6. Provides a July 1, 2011, effective date.

JMM:ljw
09-124.ljw

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: SB109
() Publish Date: _____

Identifier (file name): SB109-EED-TLS-1-26-10
Title: "An Act repealing the secondary student competency examination and related requirements; and providing for an effective date."
Sponsor: Sen. Bettye Davis
Requester: Senate Education
Dept Affected: Education & Early Development
RDU: Teaching & Learning Support
Component: School & Student Achievement
Component Number: 2796

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual		0.0	(1,338.5)	(1,518.2)	(1,574.3)	(1,602.8)	(508.0)	
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING		0.0	0.0	(1,338.5)	(1,518.2)	(1,574.3)	(1,602.8)	(508.0)

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES ()								
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF		0.0	(1,338.5)	(1,518.2)	(1,574.3)	(1,602.8)	(508.0)	
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL		0.0	0.0	(1,338.5)	(1,518.2)	(1,574.3)	(1,602.8)	(508.0)

Estimate of any current year (FY2010) cost: _____

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

This bill would repeal those statutes and language related to secondary students taking the competency examination which was required in order to graduate from high school. [AS 14.03.075 & AS 14.07.165(5)] This would take effect beginning July 1, 2011.

The EED entered into a contract in FY'09 with the test contractor and has 7, one year renewal options which expires on 12/31/15. FY16 savings are only for the Fall test and the retake -- does not include the Spring test and retake.

Prepared by: Eddy Jeans, Director
Division: School Finance
Approved by: Larry LeDoux
Commissioner

Phone 465-8679
Date/Time 1/26/10 12:00 AM
Date 1/26/2010

(e) In addition to the grades enumerated in (a) of this section, an elementary school consists of a pre-elementary program supervised by the department under AS 14.07.020(a)(8), operated by the department as a head start program under AS 14.38.010, or located in a public school for federal funding purposes. Except for a child with a disability who is receiving special education or related services under AS 14.30.180 — 14.30.350, pre-elementary students may not be counted in a school's average daily membership under AS 14.17. (§ 1 ch 98 SLA 1966; am §§ 1, 2 ch 117 SLA 2008)

Effect of amendments. — The 2008 amendment, effective October 21, 2008, added "Except as provided in (e) of this section" at the beginning of subsection (a), and added subsection (e).

Collateral references. — Zoning regulations as applied to public elementary and high schools. 74 ALR3d 136.

Sec. 14.03.070. School age. A child who is six years of age on or before September 1 following the beginning of the school year, and who is under the age of 20 and has not completed the 12th grade, is of school age. (§ 1 ch 98 SLA 1966; am § 1 ch 1 FSSLA 1987; am § 19 ch 85 SLA 1988; am § 1 ch 101 SLA 2004)

Effect of amendments. — The 2004 amendment, effective July 1, 2004, substituted "on or before September 1" for "before August 15."

Collateral references. — Power of public school authorities to set minimum or maximum age requirements for pupils in absence of specific statutory authority. 78 ALR2d 1021.

Sec. 14.03.075. Secondary student competency testing. (a) A student may not be issued a secondary school diploma unless the student passes a competency examination in the areas of reading, English, and mathematics or receives a waiver from the governing body. A governing body may not grant a waiver to a student before the student's final semester of attendance. The department shall determine the form and contents of the examination and shall score completed examinations.

(b) A student who fails the examination required under this section shall be retested at least once during a school year on those portions of the examination that the student has not passed. A student who passes any portion of the test may not retake that portion of the test. A student who, when retested, passes the portions of the test not previously passed and who meets any other graduation requirements shall receive a diploma from the school district. This subsection does not apply to a student who is a child with a disability if the student's individualized education program team recommends that the student not be retested.

(c) Notwithstanding (a) of this section,

(1) a student who is a child with a disability and who does not achieve a passing score on the examination required under (a) of this section, with or without accommodation, is eligible to receive a diploma if the student successfully completes an alternative assessment program required by the student's individualized education program or required in the education plan developed for the student under 29 U.S.C. 794; an alternative assessment program must, to the maximum extent possible, conform to state performance standards established for the competency examination required under (a) of this section; this paragraph does not apply to a student unless the department determines that the student has taken and failed to pass the competency examination with or without accommodations and the department approves the student's alternative assessment program described under this paragraph; and

(2) a student who transfers into a public high school in this state shall receive a diploma if the student

(A) meets graduation requirements imposed by the governing body and the state; and

(B) has passed a competency examination in the state from which the student transferred.

(d) A student who fails to qualify for the issuance of a diploma under (a) of this section or a retest under (b) of this section by the end of the student's final semester of

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attendance, but who has met all other graduation requirements of a governing body and the state, shall be awarded a certificate of achievement. A certificate of achievement may include the following information:

- (1) the portions of the examination described under (a) of this section that were passed;
- (2) the student's attendance record; and
- (3) other information indicating the qualifications of the student that the governing body determines appropriate.

(e) The department shall by regulation establish uniform standards for

- (1) pre-examination study materials; and
- (2) procedures to be followed during administration of an examination.

(f) The department shall by regulation establish uniform standards for an alternative assessment program required under (c)(1) of this section. The alternative assessment program required under (c)(1) of this section applicable to an individual student may not be changed after February 1 of the student's junior year of study.

(g) In this section,

(1) "child with a disability" has the meaning given in AS 14.30.350;

(2) "individualized education program team" has the meaning given in AS 14.30.350.

(§ 1 ch 58 SLA 1997; am § 2 ch 94 SLA 2001; am § 24 ch 35 SLA 2003)

Effect of amendments. — The 2001 amendment rewrote subsections (a) and (b) and added subsections (c)-(g). The amendment to subsections (a) and (b) by section 2, ch. 94, SLA 2001 amended those subsections before they became effective. Sections 7 and 11, ch. 94, SLA 2001 amend §§ 3, ch. 58, SLA 1997 to make this entire section effective February 1, 2004.

The 2003 amendment, effective February 1, 2004, at the end of paragraph (1) of subsection (g), substi-

tuted "in AS 14.30.350" for "children with disabilities" in AS 14.30.350".

Effective dates. — Section 3, ch. 58, SLA 1997 made this section effective January 1, 2002. However, § 7, ch. 94, SLA 2001 changes the effective date of the section to February 1, 2004.

Editor's notes. — AS 14.30.350, cited in (g)(2) of this section, was repealed by § 41, ch. 67, SLA 2001.

Sec. 14.03.077. High school diploma for certain veterans. (a) Notwithstanding other provisions of this chapter, the commissioner shall award a high school diploma to a person who

(1) makes application under (b) of this section; if a person is deceased or incapacitated, an immediate family member may apply on behalf of the person;

(2) never received a high school diploma; and

(3) actively served in the United States armed forces or the Alaska Territorial Guard during the period of August 7, 1940, through July 25, 1947, and

(A) died in active service;

(B) was honorably discharged; or

(C) was released from active duty because of a service-related disability.

(b) The commissioner shall provide a form or electronic format for a person to apply under this section. The commissioner may accept an affidavit to support the award if documentation is not readily available from the military or other sources. (§ 1 ch 13 SLA 2001)

Sec. 14.03.078. Report. The department shall provide to the legislature by February 15 of each year an annual report regarding the progress of each school and school district toward high academic performance by all students. The report required under this section must include

(1) information described under AS 14.03.120(d);

(2) the number and percentage of students in each school who pass the examination required under AS 14.03.075, and the number who pass each section of the examination;

(3) progress of the department

(A) toward implementing the school accountability provisions of AS 14.03.123; and

(B) in assisting high schools to become accredited;

Current Grade 10 HSGQE Pass Rates (Spring 2009):

Reading – 90%

Writing – 79%

Math – 80%

Achievement Gaps

READING - GRADE 10 - SPRING						
School Year	All	Caucasian	AKN/AMI	SWD	ED	LEP
2005	69.1%	81.5%	42.5%	25.6%	46.5%	25.7%
2008	85.2%	93.2%	69.1%	47.7%	72.6%	49.9%
2009	90.0%	95.8%	76.3%	60.1%	80.5%	58.2%

WRITING - GRADE 10 - SPRING						
School Year	All	Caucasian	AKN/AMI	SWD	ED	LEP
2005	84.1%	90.4%	70.3%	42.8%	70.9%	61.5%
2008	76.3%	84.3%	59.9%	31.7%	61.4%	42.5%
2009	78.8%	86.4%	60.8%	36.2%	65.6%	45.1%

MATH - GRADE 10 - SPRING						
School Year	All	Caucasian	AKN/AMI	SWD	ED	LEP
2005	71.9%	80.8%	52.9%	28.2%	54.8%	43.0%
2008	76.3%	84.8%	59.6%	35.0%	61.8%	42.2%
2009	80.2%	88.4%	63.5%	41.3%	66.5%	42.0%

welce



**Anchorage
School
District**

5530 E. Northern Lights Blvd.
Anchorage, Alaska 99504-3135
(907) 742-4000

February 2, 2009

Mr. Larry LeDoux
Commissioner of Education and Early Development
Department of Education and Early Development
P.O. Box 110500
Juneau, Alaska 99811-0500

Attention: Dottie Knuth
Via FAX (907) 465-4156

Dear *Larry* Commissioner LeDoux:

In response to the request for review and public comment on the proposed regulation changes on the timeline for the mandated WorkKeys/WIN assessments and on the Quality Schools application and reports for small districts, the Anchorage School District submits the attached comments:

I appreciate the opportunity to forward our comments as they relate to the proposed changes in Department of Education and Early Development regulations.

My staff and I are available to answer any questions regarding our responses and will forward any additional remarks to the proposed changes, as you deem necessary.

Sincerely,

Carol Comeau
Superintendent

Attachment

cc: Anchorage School Board
Rhonda Gardner, Assistant Superintendent, Instruction
Laurel Vorachek, Director, Assessment and Evaluation
Jane Berglund, Chief Information Officer

cc: *Muel
Eddy*

SUBJECT: 4 AAC 06.715 Work ready/college ready transitional skills curriculum and benchmark assessments; 4 AAC 06.717 Work ready/college ready transitional skills assessment

The Anchorage School District believes the WorkKeys exam is a quality assessment that provides important information for students and families, educators, employers, and universities about student achievement related to college and work readiness. Further, the WIN curriculum and benchmark assessments provide opportunities for students to advance their studies in and awareness of work related proficiencies.

However, at minimum, the Anchorage School District supports the proposed regulation to delay the mandated use of these assessments by one year. These tools and assessments are available to students and districts ready to access them, and a delay in implementing the mandate doesn't limit a school or district's ability to move forward. The delay would enable districts that have technological or other implementation challenges to continue to work through them to ensure a smooth roll out should the mandate come.

Under the current system of assessment, the Anchorage School District does not believe the WorkKeys/WIN assessments should be mandated. Between the mandated Standards Based Assessments, HSGQE, TerraNova, NAEP, ELPA, Kindergarten Profile, etc., and district-specific formative, benchmark, and progress monitoring assessments that are a critical part of any instructional program, districts do not have the time or resources to invest in another mandated exam.

The Anchorage School District proposes bolder action, however. We propose that the State Board and the Department of Education of Early Development work with the Alaska Legislature and districts to replace the essential skills High School Graduation Qualifying Exam with the much more robust and meaningful WorkKeys Exam at the 10th grade.

The requirement for the HSGQE was created in response to concern that some students were graduating high school without the essential skills necessary to be productive in the world of work. An unintended consequence of that action has been that many students now set their sights too low - only on passing the HSGQE rather than reaching toward even higher levels of proficiency and achievement. Many students question why they should be required to continue high school when they have already passed the exam as 10th graders. Unfortunately, since the exam is essential skills, the students' perception that they have met necessary levels of achievement for life-long success is misguided.

The Anchorage School District believes there is a much better alternative that would provide businesses and universities information they need about the academic preparation of graduated students, that would inspire students to continue their studies rather than end them prematurely, and that would provide students invaluable information about career fields available to them as well as their relative preparation for them. That alternative is WorkKeys.

In addition, WorkKeys is part of the ACT continuum of assessments accessed by many schools and students that includes, among others, the Explore (8th grade), PLAN (10th grade), and ACT (11th and 12th grade). For students and their advisors to be able to plan the student's education over a series of years with information from these exams would be much more valuable than a pass/fail score on the HSGQE. Because of the availability of these exams, we do not believe the WIN assessments need ever be mandated. Rather, we suggest the assessments and very valuable curriculum remain available for those who choose to use them to augment their existing system of assessment.

Because WorkKeys is designed expressly to reflect what businesses expect of entering workers and the ACT is designed expressly to reflect what colleges expect of entering students, the two assessment programs are unique in what they measure and in the scores they report. But there are also commonalities in the expectations for readiness in the two tests.

ACT conducted a statistical concordance between the respective college and workforce training readiness levels in reading and mathematics. They found that the concordance between ACT College Readiness Benchmarks and WorkKeys Level 5 shows that the levels of readiness in reading and mathematics are comparable.

Comparability between WorkKeys Job Profile Level 5 and ACT College Readiness Benchmarks in Reading and Mathematics¹

WorkKeys Test	WorkKeys Readiness Level	Comparable ACT Score Ranges and College Readiness Benchmark
Reading for Information	5	19-23 Benchmark = 21
Applied Mathematics	5	18-21 Benchmark = 22

This statistical concordance adds value to the assessment from the perspective of the individual student for course planning and post-secondary guidance. The

student receives information about their readiness to make successful transitions to college and work after high school from one assessment. If a student scores below a 5 in the Reading for Information and/or Applied Mathematics test, it provides critical information in terms of necessary coursework to be completed during the student's remaining time in high school in order to be prepared for first-year college courses. The student also receives information about whether he or she has the skills that businesses expect of entering workers through the WorkKeys Readiness Level. This also provides valuable information in course planning so, if necessary, students can take the coursework to ensure that they have the workforce skills when they graduate from high school. Since it is a national exam, WorkKeys results and certificates are also portable throughout our highly mobile country and mean the same thing regardless of the state in which our students ultimately choose to work or attend post-secondary programs.

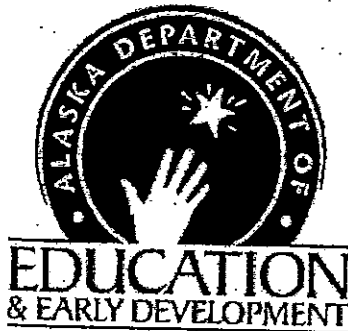
The bottom line is that the WorkKeys exam has the potential to inspire and encourage students to higher levels of achievement while providing desired accountability and information for prospective employers and universities, whereas the HSGQE encourages apathy and low expectations. Further, the HSGQE causes significant harm to the small number of students who, largely due to special needs or language acquisition challenges, are unable to pass and are thus denied a diploma.

Rather than artificially set a pass/fail mark on this exam for which such a distinction was never intended, we propose instead that the final scores received by the student, after however many attempts the student makes while in high school to achieve higher scores, be placed on the transcript and the diploma. The diploma could also be printed in such a way that an explanation of those scores is printed on the back of the diploma or transcript to provide that information to prospective employers.

We encourage the State Board of Education and Early Development, along with Alaska legislators, to take this bold step in increasing both the academic expectations and the relevancy of state assessments for Alaska's students.

SUBJECT: 4 AAC 33.310 Applications; 4 AAC 33.320 Grant Awards; 4 AAC 33.330 Reporting Requirements, Regarding Quality School Funding Grants

This regulation does not directly impact the Anchorage School District as our Quality School Grant exceeds \$10,000. We have never found the required application and report to be particularly onerous for our district.



Commissioner Roger Sampson
Department of Education
& Early Development
801 W. Tenth Street, Suite 200
Juneau, Alaska 99801-1894
www.eed.state.ak.us

Date: April 7, 2004

N • E • W • S R • E • L • E • A • S • E

More information Harry Gamble, Information Officer, 465-2851

State Enters Stipulation In Disabilities Class Action Lawsuit

Students with Disabilities Can Get Diplomas in 2004 Without Passing Exit Exam

Attorney General Gregg Renkes and Education Commissioner Roger Sampson announced the filing of a joint stipulation today in U.S. District Court that would allow students with disabilities in the Class of 2004 to get a diploma without passing the state's high school exit exam. The stipulation was based on an agreement by the State of Alaska and the lawyers who filed a class action lawsuit in U.S. District Court.

As many as 500 high school seniors with disabilities have not passed all three parts of the high school exam – reading, writing and math. Under the injunction, the students still need to complete all other state and district graduation requirements. About 800 seniors have disabilities.

The lawsuit was filed March 16 against the State Board of Education & Early Development, two Department of Education & Early Development officials and the Anchorage School District.

"We have stated from the outset that we have concerns any time the State Board and Department of Education & Early Development are implicated in treating students unfairly," said Education Commissioner Roger Sampson. "Our aim is exactly the opposite. We are working to provide a top rate education for each and every child in the state and to help them make a successful transition to life after graduation." Sampson added: "The agreement with the plaintiffs will allow both sides to negotiate in good faith the issues raised in the suit to reach a resolution that is fair for all involved."

Sampson and Attorney General Gregg Renkes said the stipulation will provide time for the State to seek guidance from the Legislature and the State Board of Education regarding options for settling the lawsuit. "We need to know whether the legislature will act on pending legislation affecting this case before we can engage in meaningful settlement negotiations," said Renkes.

The key points of the stipulation are:

- Members of the class action lawsuit include all students who have an Individualized Education Program (IEP) under the federal Individuals with Disabilities Education Act or a Section 504 Plan under the Rehabilitation Act of 1973 and who have taken or who must the high school graduation qualifying exam. About 18,000 students statewide at all grade levels have IEPs.
- The high school exam will not be used to deny a class member a high school diploma in the spring of 2004 if the student has met all other requirements for a diploma.
- The State of Alaska will notify secondary school principals and special education directors about the stipulation. Schools will be required to notify parents, special education teachers and affected students.
- The State of Alaska and the plaintiffs' lawyers will enter into negotiations to try to resolve the issues raised in the lawsuit. The first negotiation is expected to be May 18.
- The State of Alaska and lawyers for the plaintiffs will report to the court progress on the negotiations no later than July 9.

###



ASSESSED PERFORMANCE STANDARDS

**HIGH SCHOOL GRADUATION
QUALIFYING EXAMINATION**



READING PERFORMANCE STANDARDS FOR THE HSGQE

- R4.1 Apply knowledge of syntax, roots, and word origins, and use context clues and reference materials, to determine the meaning of new words and to comprehend text.
- R4.2 Summarize information or ideas from a text and make connections between summarized information or sets of ideas and related topics or information.
- R4.3 a. Identify and assess the validity, accuracy, and adequacy of evidence that supports an author's main ideas. b. Critique the power, logic, reasonableness, and audience appeal of arguments advanced in public documents.
- R4.4 Read and follow multi-step directions to complete complex tasks.
- R4.7 Express and support assertions, with evidence from the text or experience, about the effectiveness of a text.
- R4.8 Analyze and evaluate themes across a variety of texts, using textual and experiential evidence.

WRITING PERFORMANCE STANDARDS FOR THE HSGQE

- W4.1 Write a coherent composition with a thesis statement that is supported with evidence, well-developed paragraphs, transitions, and a conclusion.
- W4.2 Demonstrate understanding of elements of discourse (purpose, speaker, audience, form) when completing expressive (creative, narrative, descriptive), persuasive, research-based, informational, or analytic writing assignments.
- W4.3 Use the conventions of Standard English independently and consistently including grammar, sentence structure, paragraph structure, punctuation, spelling, and usage.
- W4.4 Revise writing to improve style, word choice, sentence variety, and subtlety of meaning in relation to the purpose and audience.

MATHEMATICS PERFORMANCE STANDARDS FOR THE HSGQE

NOTE: Clarifying comments for the HSGQE are in italics. Some performance standards are not in the full versions found in the Alaska Standards booklet; if certain aspects of a performance standard are not assessed on the HSGQE, they are not included in this document.

Numeration

- M1.3.1 Read, write, model, and order real numbers, explaining scientific notation (*read only*), exponents (*square and cube only*) and percents.
- M1.2.2 Use, model, and identify place value positions from 0.001 to 1,000,000.
- M1.4.3 Compare and contrast the relationship between various applications of the same operation.
- M1.3.3 Translate between equivalent representations of the same number, *including simple exponents*. Select a representation that is appropriate for the situation.
- M1.3.4 Describe and model the relationship of fractions to decimals, percents, ratios and proportions.
- M1.3.5 Use, explain, and define the rules of divisibility, prime and composite numbers, multiples, and order of operations.
- M1.4.5 Recognize, describe, and use properties of the real number system.

Measurement

- M2.3.1 Estimate and measure various dimensions to a specified degree of accuracy.
- M2.4.2 Estimate and convert measurements between different systems.
- M2.2.3 Use a variety of measuring tools; describe the attribute(s) they measure.
- M2.3.4 Describe and apply the relationships between dimensions of geometric figures to solve problems using indirect measurement; describe and apply the concepts of rate and scale.
- M2.3.5 Apply information about time zones and elapsed time to solve problems.
- M2.2.6 Read, write, and use money notation, determining possible combinations of coins and bills to equal given amounts; count back change for any given situation.

Estimation and Computation

- M3.4.1 Use estimation to solve problems and to check the accuracy of solutions; state whether the estimation is greater or less than the exact answer.
- M3.3.2 Apply basic operations efficiently and accurately, using estimation to check the reasonableness of results.
- M3.4.2 Add and subtract real numbers using powers.
- M3.4.3 Multiply and divide real numbers in various forms including powers.
- M3.3.5 Convert between equivalent fractions, decimals, percents, and proportions. Convert from exact to decimal representations of irrational numbers.
- M3.4.5 Use ratios and proportions to model and solve fraction and percent problems with variables.

Functions and Relationships

- M4.3.1 Identify numeric and geometric patterns to find the next term and predict the n th term.
- M4.4.2 Create and solve linear equations and inequalities.
- M4.4.3 Create and solve simple systems of equations.
- M4.3.4 Translate among and use tables of ordered pairs, graphs on coordinate planes, and linear equations as tools to represent and analyze patterns.
- M4.3.5 Find the value of a variable by evaluating formulas and algebraic expressions for given values.

Geometry

- M5.3.1 Identify, classify, compare, and sketch regular and irregular polygons.
- M5.2.2 Compare and contrast plane and solid figures (e.g., circle/sphere, square/cube, triangle/pyramid) using relevant attributes, including the number of vertices, edges, and the number and shape of faces.
- M5.3.3 Apply the properties of equality and proportionality to solve problems involving congruent or similar shapes.
- M5.3.4 Estimate and determine volume and surface areas of solid figures using manipulatives and formulas; estimate and find circumferences and areas of circles.
- M5.2.6 Locate and describe objects in terms of their position with and without compass directions; identify coordinates for a given point or locate points of given coordinates on a grid.
- M5.2.7 Sketch and identify line segments, midpoints, intersections, parallel, and perpendicular lines.

Statistics/Probability

- M6.3.1 Collect, analyze, and display data in a variety of visual displays including frequency distributions, circle graphs, histograms, and scatter plots.
- M6.3.2 Interpret and analyze information found in newspapers, magazines, and graphical displays.
- M6.3.3 Determine and justify a choice of mean, median, or mode as the best representation of data for a practical situation.
- M6.3.4 Make projections based on available data and evaluate whether or not inferences can be made given the parameters of the data.
- M6.1.4 Find and record the possibilities of simple probability experiments; explain differences between chance and certainty, giving examples.
- M6.2.5 Conduct simple probability experiments using concrete materials and represent the results using fractions and probability.

* Process Skills

(Problem Solving, Communication, Reasoning, Connections)

- M8.3.3 Use appropriate vocabulary, symbols, and technology to explain, justify, and defend mathematical solutions.
- M7.2.2 Select and apply a variety of strategies including making a table, chart or list, drawing pictures, making a model, and comparing with previous experience to solve problems.
- M10.3.1 Apply mathematical skills and processes to science and humanities.
- M10.3.2 Apply mathematical skills and processes to situations with peers and community

Process skills are assessed but not separately reported on individual student reports.

Larry LeDoux
Commissioner

P.O. Box 110500

Juneau, AK 99811-0500

www.eed.state.ak.us

SEAL OF THE STATE OF ALASKA
STATE OF ALASKA

DEPARTMENT OF EDUCATION
AND EARLY DEVELOPMENT

Eric Fry
Information Officer

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Media Advisory

FOR IMMEDIATE RELEASE
AUGUST 3, 2009

COMMISSIONER'S OFFICE

Annual AYP Results to be Announced

The Alaska Department of Education & Early Development on Friday, August 7, in Anchorage will release the school-level results of the No Child Left Behind accountability system. These are the "adequate yearly progress" reports for public schools.

Alaska Education Commissioner Larry LeDoux and Director of Assessment, Accountability & Information Management Erik McCormick will hold a news conference on August 7, starting at 10 a.m., in the Governor's Office conference room at the Atwood Building in Anchorage. It is located at 550 West 7th Ave., Suite 1700.

The news conference also will be available by teleconference. Call 1-800-315-6338. The code is 0707#.

The press packet will be available at www.eed.state.ak.us at 8:30 a.m. on August 7. Copies will be available at the news conference.

Contact: Information Officer Eric Fry at 907-465-2851 or eric.fry@alaska.gov.

###



EDUCATION
& EARLY DEVELOPMENT

Graduation Rates in Alaska Fact Sheet

The **Graduation Rate** is reported as a fraction. The numerator is the sum of the number of graduates receiving a regular diploma before June 30. The denominator is the sum of the number of graduates, plus the number of dropouts in grade nine three school years prior, plus the number of unduplicated dropouts in grade ten two school years prior, plus the number of unduplicated dropouts in grade eleven in the prior school year, plus the number of unduplicated dropouts in grade 12 during the current year, plus the number of grade 12 continuing students.

A **graduate** is defined as a student who was received a regular diploma from a state- or district-approved education program, as evidenced by receipt of a secondary school diploma from school authorities. Any student who receives a diploma under a waiver from the competency examination required under AS 14.03075 (a), as specified by the state board is considered to be a graduate. This does not include an individual who:

- receives a certificate of completion;
- receives a certificate of attendance;

The statewide Graduation Rate has remained relatively consistent over the last five years, however the number of graduates has increased for four consecutive years:

<u>School Year</u>	<u>Graduation Rate</u>	<u>Graduate Count</u>
2004	62.9%	7,270
2005	61.4%	6,905
2006	61.6%	7,361
2007	63.0%	7,666
2008	62.4%	7,796

The Alaska Native/American Indian Graduation Rate has shown improvement over the same five year time period:

<u>School Year</u>	<u>Graduation Rate</u>	<u>Graduate Count</u>
2004	46.1%	1,327
2005	43.2%	1,233
2006	45.1%	1,442
2007	51.2%	1,689
2008	47.8%	1,508

Please note that the new Graduation Rate required by the Final Title 1 Regulations under NCLB will use a different calculation. The new Graduation Rate, also known as the Four-Year Adjusted Cohort Rate, will follow an actual group of students across four years of high school. Alaska will no longer be incorporating prior years' counts of dropouts to calculate the Graduation Rate.

Thomas Obermeyer

From: McCormick, Erik A (EED) [erik.mccormick@alaska.gov]
Sent: Wednesday, March 18, 2009 12:06 PM
To: Thomas Obermeyer
Cc: Jeans, Eddy (EED); Herman, Marcy J (EED)
Subject: SB 109 Hearing 03/16/09
Attachments: Erik McCormick (erik.mccormick@alaska.gov).vcf; HSGQESpring2008Statewide.pdf; Graduation Rate Fact Sheet.doc; 2008 Graduation Rates by Subgroup.xls

Mr. Obermeyer,

Attached are three documents in support of the **SB 109 Hearing** hearing on Monday, chaired by Senator Davis.

- HSGQESpring2008Statewide.pdf

Spring 2008 HSGQE statewide results showing trend data from the Spring administrations 2006 through 2008. Subgroup information is provided as promised.

- Graduation Rate Fact Sheet.doc

This document provides our regulatory definition and calculation for the current Graduation Rate that we use in Alaska. NCLB requires us to report a graduation rate that measures a percentage of students graduating over a four year period. The document brings to attention that although the statewide Graduation Rate has remained relatively consistent over the last five years, the number of graduates has increased for four consecutive years. This is due largely to the efforts of public school districts to retain those students that may need more than four years to graduate.

- 2008 Graduation Rates by Subgroup.xls

In the hearing I stated that in 2008, there were 1,500 seniors identified as continuing seniors and that did not receive a diploma. Of those 1,500 seniors I stated that 69% of them had passed all three parts of the exam. The 1,500+ seniors were identified in the denominator of the Graduation Rate and represent those seniors that completed the school year but did not receive a diploma.

Please don't hesitate to contact me if you have any questions or concerns.

Thank you.

Erik

Erik McCormick
Director
Assessment, Accountability &
Information Management
Alaska Dept. of Education &
Early Development
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Email: erik.mccormick@alaska.gov

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Thank you.

Erik

Erik McCormick

Director

Assessment, Accountability &
Information Management

Alaska Dept. of Education &

Early Development

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2/18/2009

Graduation Rate

2008 High School Graduates	2008 Grade 12 Continuing Students	2008 Grade 12 Dropouts	2007 Grade 11 Dropouts	2006 Grade 10 Dropouts	2005 Grade 9 Dropouts	2008 Graduation Rate
7,855	1,549	1,038	776	693	638	62.6%

↑

= 20% grads

3145 = 40% Grad.

= $\frac{\text{grads}}{\text{grads} + \text{continuing} + \text{dropouts 9-12}}$

	2008 High School Graduates	2008 Grade 12 Continuing Students	2008 Grade 12 Dropouts	2007 Grade 11 Dropouts	2006 Grade 10 Dropouts	2005 Grade 9 Dropouts	2008 Graduation Rate
Male	3833	910	590	413	378	349	59.2%
Female	4022	639	448	363	315	289	66.2%
African American	262	86	49	48	29	36	51.4%
Alaska Native	1453	453	359	254	261	247	48.0%
American Indian	70	11	12	11	14	24	49.3%
Asian/Pac. Islander	575	111	76	52	28	24	66.4%
Caucasian	4742	713	423	336	327	277	69.6%
Hispanic	389	68	65	32	19	26	64.9%
Two or More Races	364	107	54	43	15	4	62.0%
W/D	532	351	109	105	102	58	42.3%
W/O/D	7323	1198	929	671	591	580	64.9%
EP	616	276	150	112	97	93	45.8%
CON. DIS	1832	650	349	259	233	131	53.0%

AK Nat./Amer. Ind.

1523

464

371

265

275

271

48.1%

SPRING 2008 HSGQE

Total Numbers and Percentages of Students Scoring Above and Below Proficiency

Grade 10							
Subject	Test Year	Proficient		Not Proficient		Enrollment	Participation Rate
		Count	Percentage	Count	Percentage		
READING	Spring 2006 ¹	7,097	73.7%	2,529	26.3%	10,389	92.7%
READING	Spring 2007	8,534	90.9%	857	9.1%	10,040	93.5%
READING	Spring 2008	8,021	85.2%	1,396	14.8%	9,990	94.3%
WRITING	Spring 2006 ¹	8,591	89.9%	967	10.1%	10,389	92.0%
WRITING	Spring 2007	7,622	81.2%	1,766	18.8%	10,040	93.5%
WRITING	Spring 2008	7,194	76.3%	2,239	23.7%	9,990	94.4%
MATHEMATICS	Spring 2006 ¹	7,395	77.1%	2,201	22.9%	10,389	92.4%
MATHEMATICS	Spring 2007	7,563	80.6%	1,815	19.4%	10,040	93.4%
MATHEMATICS	Spring 2008	7,162	76.3%	2,226	23.7%	9,990	94.0%

¹ Percent Proficient and Percent Not Proficient rates only include students that participated in the exams.

² Participation rate is calculated by dividing the total count of students tested by the enrollment on the first day of testing.

³ Proficiency scores were adjusted and these changes are reflected beginning 2007.

Note: 2006 is the first year both a 10th grade SBA and 10th grade HSGQE test was administered. 10th graders' results represent both populations using only the questions. The Participation Rate may not include all of these students as some may be 2nd year 10th graders.

**STATEWIDE SPRING 2008 HSGQE
GRADE 10
Statewide Results by Ethnicity, Gender, and Groups**

READING	Proficient		Not Proficient		Enrollment	Participation Rate
	Count	Percentage	Count	Percentage		
African American	245	78.8%	66	21.2%	336	92.6%
Alaska Native/American Indian	1,490	69.1%	665	30.9%	2,317	93.0%
Asian/Pacific Islander	531	78.1%	149	21.9%	717	94.8%
Caucasian	4,926	93.2%	361	6.8%	5,575	94.8%
Hispanic	385	79.7%	98	20.3%	516	93.6%
Two or more races	444	88.6%	57	11.4%	526	95.2%
Female	4,090	87.6%	581	12.4%	4,943	94.5%
Male	3,931	82.8%	815	17.2%	5,047	94.0%
Disabled	439	47.7%	481	52.3%	1,066	86.3%
Non Disabled	7,582	89.2%	915	10.8%	8,924	95.2%
Limited English Proficient	553	49.9%	555	50.1%	1,190	93.1%
High Income	2,184	72.6%	825	27.4%	3,306	91.0%
Not Low Income	5,837	91.1%	571	8.9%	6,684	95.9%
Grant	453	74.9%	152	25.1%	635	95.3%

WRITING	Proficient		Not Proficient		Enrollment	Participation Rate
	Count	Percentage	Count	Percentage		
African American	206	65.6%	108	34.4%	336	93.5%
Alaska Native/American Indian	1,294	59.9%	867	40.1%	2,317	93.3%
Asian/Pacific Islander	496	73.4%	180	26.6%	717	94.3%
Caucasian	4,473	84.3%	831	15.7%	5,575	95.1%
Hispanic	343	71.3%	138	28.7%	516	93.2%
Two or more races	382	76.9%	115	23.1%	526	94.5%
Female	3,974	85.0%	704	15.0%	4,943	94.6%
Male	3,220	67.7%	1,535	32.3%	5,047	94.2%
Disabled	292	31.7%	628	68.3%	1,066	86.3%
Non Disabled	6,902	81.1%	1,611	18.9%	8,924	95.4%
Limited English Proficient	471	42.5%	636	57.5%	1,190	93.0%
High Income	1,849	61.4%	1,162	38.6%	3,306	91.1%
Not Low Income	5,345	83.2%	1,077	16.8%	6,684	96.1%
Grant	402	66.2%	205	33.8%	635	95.6%

MATHEMATICS	Proficient		Not Proficient		Enrollment	Participation Rate
	Count	Percentage	Count	Percentage		
African American	192	61.1%	122	38.9%	336	93.5%
Alaska Native/American Indian	1,278	59.6%	866	40.4%	2,317	92.5%
Asian/Pacific Islander	515	76.1%	162	23.9%	717	94.4%
Caucasian	4,482	84.8%	801	15.2%	5,575	94.8%
Hispanic	327	68.1%	153	31.9%	516	93.0%
Two or more races	368	75.1%	122	24.9%	526	93.2%
Female	3,528	76.0%	1,117	24.0%	4,943	94.0%
Male	3,634	76.6%	1,109	23.4%	5,047	94.0%
Disabled	320	35.0%	593	65.0%	1,066	85.6%
Non Disabled	6,842	80.7%	1,633	19.3%	8,924	95.0%
Limited English Proficient	465	42.2%	636	57.8%	1,190	92.5%
High Income	1,842	61.8%	1,138	38.2%	3,306	90.1%
Not Low Income	5,320	83.0%	1,088	17.0%	6,684	95.9%
Grant	410	67.7%	196	32.3%	635	95.4%

Percent Proficient and Percent Not Proficient rates only include students that participated in the exams.
Participation rate is calculated by dividing the total count of students tested by the enrollment on the first day of testing.

* 2007 was the first year both a 10th grade SBA and 10th grade HSGQE test was administered. 10th graders' results represent both populations using only the HSGQE questions. The Participation rate includes all of these students as some may be 2nd year 10th graders.

SPRING 2008 HSGQE
Total Numbers and Percentages of Students
Scoring Above and Below Proficiency
HSGQE STUDENT RETESTS

		Grade 11			
Subject	Test Year	Proficient		Not Proficient	
		Count	Percentage	Count	Percentage
READING	Spring 2006 ²	863	43.3%	1,129	56.7%
READING	Spring 2007	590	58.6%	416	41.4%
READING	Spring 2008	283	47.2%	316	52.8%
WRITING	Spring 2006 ²	419	62.8%	248	37.2%
WRITING	Spring 2007	380	41.9%	526	58.1%
WRITING	Spring 2008	328	34.9%	613	65.1%
MATHEMATICS	Spring 2006 ²	669	40.7%	976	59.3%
MATHEMATICS	Spring 2007	472	35.4%	860	64.6%
MATHEMATICS	Spring 2008	321	32.0%	682	68.0%

¹ Percent Proficient and Percent Not Proficient rates only include students that participated in the exams.

² Proficiency scores were adjusted and these changes are reflected beginning 2007.

**STATEWIDE SPRING 2008 HSGQE
GRADE 11
Statewide Results by Ethnicity, Gender, and Groups**

READING	Proficient		Not Proficient	
	Count	Percentage	Count	Percentage
African American	17	58.6%	12	41.4%
Alaska Native/American Indian	64	29.8%	151	70.2%
Asian/Pacific Islander	17	26.2%	48	73.8%
Caucasian	137	68.8%	62	31.2%
Hispanic	17	39.5%	26	60.5%
Two or more races	10	71.4%	4	28.6%
Female	148	56.7%	113	43.3%
Male	135	39.9%	203	60.1%
Disabled	35	22.0%	124	78.0%
Non Disabled	248	56.4%	192	43.6%
Limited English Proficient	36	20.3%	141	79.7%
Low Income	56	36.8%	96	63.2%
Not Low Income	227	50.8%	220	49.2%
Migrant~	n/a	n/a	n/a	n/a
WRITING	Proficient		Not Proficient	
	Count	Percentage	Count	Percentage
African American	23	33.8%	45	66.2%
Alaska Native/American Indian	89	26.3%	250	73.7%
Asian/Pacific Islander	23	31.1%	51	68.9%
Caucasian	141	43.8%	181	56.2%
Hispanic	14	21.9%	50	78.1%
Two or more races	15	42.9%	20	57.1%
Female	148	46.8%	168	53.2%
Male	180	28.8%	445	71.2%
Disabled	53	19.9%	214	80.1%
Non Disabled	275	40.8%	399	59.2%
Limited English Proficient	45	18.6%	197	81.4%
Low Income	68	25.9%	195	74.1%
Not Low Income	260	38.3%	418	61.7%
Migrant~	n/a	n/a	n/a	n/a
MATHEMATICS	Proficient		Not Proficient	
	Count	Percentage	Count	Percentage
African American	24	31.2%	53	68.8%
Alaska Native/American Indian	70	20.3%	274	79.7%
Asian/Pacific Islander	25	28.4%	63	71.6%
Caucasian	152	41.6%	213	58.4%
Hispanic	16	27.1%	43	72.9%
Two or more races	13	37.1%	22	62.9%
Female	173	34.4%	330	65.6%
Male	148	29.6%	352	70.4%
Disabled	61	21.3%	226	78.7%
Non Disabled	260	36.3%	456	63.7%
Limited English Proficient	34	14.2%	206	85.8%
Low Income	55	20.3%	216	79.7%
Not Low Income	266	36.3%	466	63.7%
Migrant~	n/a	n/a	n/a	n/a

¹ Percent Proficient and Percent Not Proficient rates only include students that participated in the exams.

~ Figure suppressed due to confidentiality standards.

SPRING 2008 HSGQE
Total Numbers and Percentages of Students
Scoring Above and Below Proficiency
HSGQE STUDENT RETESTS

Grade 12					
Subject	Test Year	Proficient		Not Proficient	
		Count	Percentage	Count	Percentage
READING	Spring 2006 ²	389	41.7%	543	58.3%
READING	Spring 2007	200	48.4%	213	51.6%
READING	Spring 2008	134	49.4%	137	50.6%
WRITING	Spring 2006 ²	138	52.3%	126	47.7%
WRITING	Spring 2007	105	34.9%	196	65.1%
WRITING	Spring 2008	213	60.9%	137	39.1%
MATHEMATICS	Spring 2006 ²	339	42.6%	457	57.4%
MATHEMATICS	Spring 2007	215	35.3%	394	64.7%
MATHEMATICS	Spring 2008	152	33.7%	299	66.3%

¹ Percent Proficient and Percent Not Proficient rates only include students that participated in the exams.

² Proficiency scores were adjusted and these changes are reflected beginning 2007.

STATEWIDE SPRING 2008 HSGQE GRADE 12

Statewide Results by Ethnicity, Gender, and Groups

READING	Proficient		Not Proficient	
	Count	Percentage	Count	Percentage
African American	4	57.1%	3	42.9%
Alaska Native/American Indian	23	21.9%	82	78.1%
Asian/Pacific Islander	12	33.3%	24	66.7%
Caucasian	64	82.1%	14	17.9%
Hispanic	9	50.0%	9	50.0%
Two or more races	4	50.0%	4	50.0%
Female	70	56.5%	54	43.5%
Male	64	43.5%	83	56.5%
Disabled	10	14.7%	58	85.3%
Non Disabled	124	61.1%	79	38.9%
Limited English Proficient	18	18.8%	78	81.3%
Low Income	18	29.0%	44	71.0%
Not Low Income	116	55.5%	93	44.5%
Migrant-	n/a	n/a	n/a	n/a
WRITING	Proficient		Not Proficient	
	Count	Percentage	Count	Percentage
African American	8	57.1%	6	42.9%
Alaska Native/American Indian	64	47.8%	70	52.2%
Asian/Pacific Islander	22	55.0%	18	45.0%
Caucasian	79	73.1%	29	26.9%
Hispanic	16	66.7%	8	33.3%
Two or more races	5	45.5%	6	54.5%
Female	94	73.4%	34	26.6%
Male	119	53.6%	103	46.4%
Disabled	51	45.9%	60	54.1%
Non Disabled	162	67.8%	77	32.2%
Limited English Proficient	49	48.0%	53	52.0%
Low Income	43	49.4%	44	50.6%
Not Low Income	170	64.6%	93	35.4%
Migrant-	n/a	n/a	n/a	n/a
MATHEMATICS	Proficient		Not Proficient	
	Count	Percentage	Count	Percentage
African American	11	37.9%	18	62.1%
Alaska Native/American Indian	33	19.2%	139	80.8%
Asian/Pacific Islander	11	23.9%	35	76.1%
Caucasian	65	46.4%	75	53.6%
Hispanic	9	37.5%	15	62.5%
Two or more races	6	28.6%	15	71.4%
Female	82	36.6%	142	63.4%
Male	70	30.8%	157	69.2%
Disabled	18	14.3%	108	85.7%
Non Disabled	134	41.2%	191	58.8%
Limited English Proficient	18	14.4%	107	85.6%
Low Income	23	19.3%	96	80.7%
Not Low Income	129	38.9%	203	61.1%
Migrant-	n/a	n/a	n/a	n/a

¹ Percent Proficient and Percent Not Proficient rates only include students that participated in the exams.
- Figure suppressed due to confidentiality standards.

Moore v. Alaska, decision 6-21-07

RE: HSGQE – Exit Exam

p. 33 #81. “This reform was a reaction by the legislature to frustration that children were receiving high school diplomas but were lacking in basic skills.”

p.34 #83. “State acknowledges that ‘children have a property interest in their prospective diploma, and cannot be deprived of that property interest by a test that is unfair to them because they have not had notice of the content of the test.’”

p. 36 #92 ‘Bering Strait’s graduation rate has fallen significantly since 2002-2003, when it was 59.4%. This may be due to the introduction of the exit exam requirement since that date, but also may be due in part to the “Quality Schools” program in place there that allows students additional time to complete their studies past 12th grade.’”

p. 38 #95 “While the dropout rate may be some indication as to whether an educational program is meeting a student’s need, the evidence showed that not all students drop out because of low academic achievement. Family and work commitments, among other reasons, may also be factors.”

p.38 #96 “Some students drop out because they are unable to pass the exit exam.

p.56 #164 Mr. Morgan was concerned about the exit exam and the impact may have on students dropping out: “There’s so much focus to pass [the exit exam] and I think there’s more to life than just passing the exist exam.”

p. 56 #165 Mr. Morgan ... had classes in photography, foreign languages and pottery, which have not been available to his children. He also believes there were more teachers. And he remembered that everyone graduated then. Now, he is ‘saddened by the kid who [does not] get the diploma but still walks.

p. 72. #226 “Dr. Davis (BSSD) testified that small schools in Alaska should not be expected to offer all of the course available in large schools. Instead, his position is that “we should offer an adequate education.”

p. 72. #229 Dr. Davis defines an adequate education as an “education that gives young people the tools to succeed in whatever live they choose.” He testified that BSSD students are receiving an adequate education due in part to supplemental activities and education from families. He does not think they meet state standards but they are successful based on their own standards and the improvements they have made.

p. 77. Note: Bering Strait School District has some of the highest paid teachers and highest funding per student (Kuspuk School District: received \$21,758 per student in 2005).

p. 79 #246 Dr. Laster testified that "we are in good faith really working to try to get those core competencies to students: reading, writing and math. But it's really important to have an interdisciplinary approach; an approach that respect the community that kids come from, the culture that they come from, that engages them in a way that grabs them and engages them and has them working on stuff that that is rally meaningful to them."

26. No evidence was presented that the State has redirected any district supervisory personnel or any school district appropriations, except that in the 2007-2008 school year, the State required the school districts in which it had intervened to pay for the cost of the district coaches.

III. HSGQE Remediation Plans

27. This Court's June 2007 decision held that because the State had failed to meet its constitutional oversight responsibilities, the State was violating the substantive due process rights of students by deny high school diplomas to students in chronically underperforming school districts who had failed the High School Graduation Qualifying Exam (HSGQE).²⁴

28. Following this Court's 2007 decision, the State Board adopted a regulation that requires all school districts to have a HSGQE remediation plan in place for all high school juniors and seniors who had not passed one or more section of the HSGQE.²⁵ For intervention districts, the regulation provides that the remediation plans must be reviewed and approved by the Commissioner and must "begin no later than the start of the second semester of the students' 11th grade year."²⁶ Remediation is defined as "additional instruction and study that targets the skills tested on the HSGQE."²⁷

²⁴ Decision and Order at 191-194.

²⁵ 4 AAC 06.759.

²⁶ 4 AAC 06.759(b)(1)(B).

²⁷ 4 AAC .06.759(f).

29. In December 2007, each of the intervention districts submitted remediation plans to the Department. [Exs. 2548-2552]

30. Of the five intervention districts, the Department has approved one remediation plan -- the plan submitted by the Yupiit School District. [Ex. 2548]

31. The interim Commissioner wrote to each of the four other intervention districts in December 2007 that the district's plan needed further information before Departmental approval would be forthcoming. [Exs. 2549-52]. However, there is no indication in the record before this Court that the Department has done any additional follow up on the remediation plans since that time. [Tr. 10/7/08 at 88; see also ex. 436]

32. This Court has reviewed each of the remediation plans from the intervention districts. [Exs. 2548-2552] The plans do not appear to require that each student who has failed the exam who is in 11th or 12th grade has an individualized plan that focuses on the student's area(s) of deficiency in an effort to maximize that student's likelihood of passage of the exam. And the plans do not insure that each such student has an assigned professional to monitor that student's progress toward proficiency on the exam. Nor is there any evidence that the Department has taken steps to confirm that the districts actually have the plans in operation for each of these students.

33. The Department presented a detailed analysis of HSGQE results at the evidentiary hearing in June 2008. [Exs. 2514-2522] The analysis focused on how many students in the classes of 2006 and 2007 had passed all three sections of the exam by their senior year. [Tr. 6/10/08 at 39-41] The analysis showed that a substantial majority of students who stay in school are passing the exit exam, including

students in the intervention districts. However, the Department's analysis excluded all those students who had dropped out or transferred to another school before passing all three sections. Superintendents from intervention and plaintiff districts testified that those students who remain in school have the opportunity to learn the material tested on the HSGQE. [See, e.g., tr. 10/21/08 at 147-148] Yet a review of the Department's statistics demonstrates that numerous students throughout the state are unable to pass the exam even after five opportunities. According to the Department's statistics, and excluding all students who have dropped out before they passed the exam, in 2007 over 1,100 students statewide failed to pass the HSGQE exam after five opportunities, while 8,524 students passed. [Ex. 2514 at 8]

IV. Findings Regarding the Components of the District Level Interventions

A. The Northwest Lab Evaluation

34. An evaluation of the State's improvement process prepared by Timothy Speth of the Northwest Regional Educational Laboratory, in partnership with the Alaska Comprehensive Center, was admitted as an exhibit at the October 2008 evidentiary hearing. [Ex. 477]²⁸ The Lab is a federally-funded research institution with a reputation for performing quality research. Both former Commissioner Sampson and Dr. John Davis were on the Lab's Board for many years, and Commissioner LeDoux is currently on the Lab's Board. [Tr. 10/6/08 at 114; 10/8/08 at 71, 129] Dr. Darling-Hammond

²⁸ Although the report is entitled an evaluation of the "District Improvement Coaches Project," it also addressed other aspects of the district improvement process. [Ex. 477]

thereby negatively impacting the likelihood of prompt and significant improvement in student achievement.

155. The evidence indicated that the Department is currently undertaking some efforts to expand its capacity to provide assistance to the districts. But no evidence was presented that the Department has undertaken any effort to assess its capacity to determine what it would require to effectively assist districts and schools to provide students with a constitutionally adequate education. Yet Eddy Jeans, the Department's legislative liaison, testified that "the legislature gave us a very clear message that when we determine what additional resources we need, we are to come back to them and ask for them." [Tr. 10/7/08 at 46]

CONCLUSIONS OF LAW

1. This Court's June 2007 Decision and Order concluded that the Department was not fulfilling its constitutional oversight responsibility in chronically underperforming districts and schools, and ordered the Department to take adequate remedial measures to establish compliance. The State asks this Court to now find that the deficiencies identified in the June 2007 Order have been cured, and that this Court should accept "the State's system as compliant with the Education Clause."⁴⁶ But the Plaintiffs ask this Court to find that the State's current intervention efforts fail to comply with the requirements of the Court's June 2007 Order and that the Department continues to be

⁴⁶ State's Proposed Findings of Fact and Conclusions of Law at 53, ¶ 22.

out of compliance with the oversight duties imposed by the Education Clause of the Alaska Constitution."⁴⁷

2. In an order issued near the outset of this case in June 2006, this Court held that under the Education Clause, it is the Court's responsibility "to determine a constitutional floor with respect to educational adequacy, and to determine if that constitutional floor is currently being met."⁴⁸

3. The District Plaintiffs remaining in this action now seek to have this Court expressly hold that the Education Clause establishes a fundamental right to education. But at this juncture, where the issue is the adequacy of the State's oversight of and assistance to chronically underperforming school districts, and no individual student plaintiffs are asserting that they are not being accorded their constitutional right to an education, this Court will instead maintain the "constitutional floor" analysis first set out in this case in June 2006 and determine whether the State's current efforts to comply with the Education Clause are adequate. Stated differently -- has the State now demonstrated that it is fulfilling its constitutional responsibility to "maintain a system of public schools?"⁴⁹

4. Because the State has been ordered to take remedial action to correct an ongoing constitutional breach, it bears the burden of proof on the issue of compliance.

⁴⁷ District Plaintiffs' Proposed Findings of Fact and Conclusions of Law at 54, ¶ 20.

⁴⁸ Order re State's Motion to Establish Standard of Review at 4, quoting *Campaign for Fiscal Equity, Inc. v. State of New York*, 86 N.Y. 2d 307, 315 (N.Y. 1995).

⁴⁹ Alaska Const. Article VII, § 1.

5. The first prong of the June 2007 Order addressed the State's obligation to establish "clear standards" for school districts to retain full local control.⁵⁰ Certainly, the Legislature has the authority to delegate its constitutional responsibility to maintain public schools to the Department of Education and Early Development as well as to local school districts.⁵¹ But for the reasons more fully articulated in this Court's June 2007 decision, when making a broad delegation to local school districts of the constitutional responsibility to maintain schools, the State "must establish clear standards" for those districts necessary to retain local control.⁵²

6. By clearly describing the boundaries that insure full local control, these standards correspondingly serve to define the threshold that activates the Department's constitutional duty to intervene and provide oversight and assistance to local officials. Clear standards should also reduce the risk of premature and untimely intervention by giving specific and reliable notice to all interested parties of the circumstances that would activate the State's duty to intervene and assist.

7. The State has developed comprehensive desk audit and instructional audit regulations to determine those districts and schools that necessitate State intervention. The District Plaintiffs in this action are not asserting that the State has improperly

intervened in certain districts, or that the State should have intervened in other districts.

The evidence at the compliance hearings did demonstrate several concerns with the audit process, such as restrictions on the distribution of the narrative audit summaries.

⁵⁰ Decision and Order at 189.

⁵¹ Decision and Order at 162-165, 173, ¶ 2.

⁵² Decision and Order at 189.

and the lack of clear standards for when an instructional audit will not result in an intervention. But on the current record, this Court agrees with the State with respect to this component of this Court's June 2007 Order, such that any constitutional questions arising from the details of implementing the audit regulations should be asserted by future challenge, and are not directly before this Court at this time. See *State v. Alaska Civil Liberties Union*, 159 P.3d 513, 514-515 (Alaska 2006).⁵³

8. For the same reasons, this Court finds that any constitutional questions arising from the implementation of school-level interventions are not now directly before this Court, as to date no such interventions have been undertaken and no party is before this Court at this time asserting a claim of unconstitutionality with respect to those potential school-level interventions.

9. The "clear standards" prong of this Court's June 2007 Decision and Order contains a separate component that is applicable to the intervention districts. The Order also emphasized the need for the State to "insure that each school district has a demonstrated plan to provide children a meaningful opportunity to achieve proficiency in the State's performance standards, and meaningful exposure on the remaining content standards, and insure that the district plan is fully implemented and actually in use in the district classrooms."⁵⁴

10. Although the Department has created a set of content standards, it has not provided clear guidance to school districts as to how much and what kind of exposure to

⁵³ Likewise, constitutional questions that might arise from SB 285's provisions concerning the potential redirection of appropriations and redirection of school district personnel are not properly before this Court at this time.

⁵⁴ Decision and Order at 189, ¶ 41.

those standards must be given in order to insure that students receive an education that is adequately broad in content, as well as adequately demanding in performance.

11. Without clear standards to guide them in attempting to meet the content standards, the underperforming districts focusing their efforts on meeting performance standards have no way of ensuring that their students have an adequate opportunity to obtain a well-rounded education, and not just an education that builds proficiency in a set of narrow, albeit critical, skills. Likewise, the Department has not articulated any standard that it will apply to determine whether and when its oversight duty requires it to give troubled districts assistance in assuring meaningful exposure to the content standards.

12. For the foregoing reasons, this Court finds that the State has not met its constitutional responsibility to "maintain a system of public schools" with respect to this component of the first prong of the June 2007 Order.

13. The second prong of the June 2007 Order focused on the State's oversight responsibility of chronically underperforming districts, and required the State to provide "considerably more" "oversight," "assistance" and "direction" in "a concerted effort to remedy the situation."⁵⁵

14. Strong and persuasive evidence was presented at the compliance hearing demonstrating that, for a variety of reasons, the State's current district-level interventions have fallen considerably short of complying with this oversight requirement in two basic respects: first, because the remedial measures included in the interventions have not been effectively implemented and have not adequately meet the

⁵⁵Decision and Order at 189.

needs they were meant to serve; and, second, because the interventions target an unjustifiably narrow range of problems, while ignoring many other educational problems that these local districts have not adequately addressed on their own.

15. The State's district-level intervention plans provide districts with measurement and assessment tools and some organizational assistance meant to enhance the districts' use of those tools. But the Department underestimated the complexity involved in implementing the use of tools like "Response to Instruction" and AIMSWeb in chronically underperforming districts. As a result, the State has not provided sufficient training and technical support to allow the tools to be effectively and efficiently implemented. Moreover, the State's intervention plans mistakenly assumed that the districts would have the expertise and experience to make appropriate use of the assessment tools after implementation, and as a result did not provide adequate follow up and on-site assistance.

16. The State did not adequately tailor its remedial efforts to the particular needs of the schools and districts in which they were implemented. To the contrary, the Department's only significant effort to assess particularized needs -- its instructional audits -- played no role in the Department's choice of the remedial measures included in its district interventions. Nor did the Department make any systematic effort to monitor and evaluate its intervention efforts so that its remedial measures could be adjusted, refined, and supplemented when information established the need for change.

17. Despite the June 2007 Order's specific mandate of a "concerted effort" to provide "considerably more" assistance in resolving the districts' problems, the State's own

witnesses described the Department's interventions as considerably less. Multiple witnesses described the current intervention components as "somewhat minimalistic," an "initial intervention," a "first step," or a "foundation" for other needed elements. But in chronically underperforming school districts, setting up an initial intervention, then waiting five to seven years as the Department proposes to assess the results is not sufficient to remedy the constitutional violations identified in the June 2007 Order.⁵⁶

18. The State has also failed to adequately address its constitutional responsibility to "insure that its educational standards are being implemented at the local level."⁵⁷ Instead, it appears that the State is just beginning to determine the extent to which a curriculum aligned to the State's performance standards is being taught in all the public schools in this state. The State asserts that its approach "to focus the first years of the intervention on changing the delivery of instruction" and then "dealing with the issue of curriculum was based on appropriate professional judgment."⁵⁸ But all public schools in this state should be teaching a curriculum that includes (yet certainly should not be limited to) materials aligned with the State's performance standards. The instructional audits of the chronically underperforming districts that the Department undertook in the fall of 2006 -- over two years ago -- clearly demonstrated that was not the case. In these circumstances, an

incremental, minimalist initial approach, that is only now beginning to address curriculum, is constitutionally inadequate.

⁵⁶ See, *supra*, Findings at paragraph 141.

⁵⁷ Decision and Order at 188.

⁵⁸ State's Proposed Findings of Fact and Conclusions of Law at 17, ¶ 22.

19. Positive evidence concerning the interventions has been presented. For example, many of the technical and organizational problems that initially surfaced have been addressed and resolved, collaborative meetings appear to have been quite helpful at many schools, and additional training has been provided. [See, e.g., tr. 10/6/08 at 45-47] Pointing to this progress, the State's expert, Dr. Guthrie, urges that the best thing to do at this juncture is essentially nothing – to wait for several years in order to allow the current remedial measures an opportunity to work. The State echoes this position, urging the Court to conclude that the State is doing enough, that it will continue to assist chronically underperforming schools, and that this action should now be dismissed.

20. A "first step" or "initial intervention" or "somewhat minimalistic" approach may well be the best approach in some settings, as when the Department initiates timely steps to address incipient problems arising well before a district chronically fails. But here, the districts targeted for intervention are districts with chronically underperforming schools – schools with lengthy histories of failing to overcome the achievement gap for generations of children -- and the Department was ordered to take concerted remedial action because it has violated its constitutional oversight duty by failing to meaningfully intervene before the problems became chronic.

21. The parties do not dispute that the intervention districts face significant hurdles in attempting to correct their students' underperformance, including geographic, cultural, environmental and cultural influences. But the evidence also establishes that there is an array of promising, research-backed remedial measures to address the educational needs of students in these districts which have not yet been successfully implemented.

Such measures could include efforts to build in-house expertise, to increase the level of available teaching capacity, to create meaningful incentives to promote the recruitment and retention of high quality teachers, to provide content specialists, on-site coaches and mentors, targeted educational resources, and more extensive professional development focused on the particularized needs of the intervention districts. They could also include pre-K, curriculum development and alignment, and resources directed at improving student attendance and the school's interface with the local community.

22. Although the State asserted in its closing argument that teaching capacity is a problem for local districts to address, teacher qualifications and training are controlled by the State through the certification process.⁵⁹ And the State did not demonstrate an insurmountable conflict between local control/local capacity on the one hand, and State assistance with targeted support on the other hand. The two are complementary, not mutually exclusive: "A more efficient state system operates when the state is able to fulfill its responsibilities well and doesn't leave that to every little local district to try to have to replicate or create because the state hasn't provided some of the foundation that's needed for the districts to be able to proceed effectively." [Tr. 10/9/08 at 65; Dr. Darling-Hammond] And, in any event, "local control does not supersede a child's right to learn."

[Tr. 10/8/08 at 185; Dr. John Davis]

23. To date, the State has categorically declined to consider an early-education component such as pre-K in its interventions. In ruling out this option, the State has relied on this Court's holding that the Education Clause does not require pre-K to be included as

⁵⁹ AS 14.20.020; 4 AAC 12.200 – 4 AAC 12.900.

an integral part of the system of public education that the Legislature must routinely provide throughout the state.⁶⁰ But that ruling was not intended to exempt pre-K from being considered and used as a case-specific measure to remedy a constitutional violation.

24. During the 2008 hearings the State occasionally referred to the problem of children being unprepared to begin school as stemming from problems within the community. These references echoed the report of the State's expert, Dr. Guthrie, who referred to "cultural and community misalignment."⁶¹ But to the extent local conditions create unique educational problems that impair a public school's ability to provide a constitutionally adequate education, then the school district and the Department have a constitutional duty to address the educational aspects of those problems that are amenable to educational solutions. And when a local district lacks the capability to resolve these educational problems on its own, the Department's oversight duty requires it to intervene and provide assistance to the local district in a concerted effort to remedy these problems. This Court finds persuasive the response of a New York court to a similar argument, which "rejects the argument that the state is excused from its constitutional obligations when public school students present with socio-economic deficits."⁶² Conditions within a community do not diminish the State's constitutional duty to "maintain a system of public schools open to all children of the State."

⁶⁰ Decision and Order at 177, ¶¶ 11, 12.

⁶¹ Ex. 2584 at 62406-07.

⁶² *Campaign For Fiscal Equity v. State*, 719 N.Y.S.2d 475, 516 (Sup. Ct. N.Y. 2001), *aff'd*, 769 N.Y.S.2d 106, 116 (N.Y. 2003).

25. In addition to addressing the Education Clause of Alaska's Constitution, this Court's June 2007 Order held that due process is violated if the State withheld high school diplomas from students in chronically underperforming districts who had not passed the HSGQE but were "not being accorded a meaningful opportunity to acquire proficiency in the very material that is tested on the exam,"⁶³ when the State had failed to provide adequate oversight and assistance to the district.

26. The State has now required the intervention districts to submit copies of their HSGQE remediation plans to the Department for review. But this Court's expectations were, and are, that in each chronically underperforming school district, the Department would immediately insure that an individualized remedial plan had been developed for each current 11th and 12th grader who has not yet passed the exam, including but not limited to appropriate formative assessments, and that each such student would have a designated professional at the school district (or Department, if necessary) with the responsibility of monitoring that student's remedial plan. In addition, the Department, through on-site visits and follow-up interviews, would insure that such a plan was actually in place for each of the students in chronically underperforming districts who had not yet passed the exam. To date, there is no indication that this has occurred in any of the intervention districts.

27. Based upon all of the evidence presented, this Court finds that the Department, through delegation from the Legislature, is not currently meeting the State's constitutional responsibility to "maintain a system of public schools open to all children of the State." The schools in the chronically underperforming school districts are not constitutionally

⁶³ Decision and Order at 193-194.

adequate; the Education Clause requires considerably more from the State in the way of oversight and assistance to those districts. And yet, while this Court has identified several shortcomings in the above Findings, it may well be that the requisite constitutional floor could be met without all of those deficiencies being fully rectified. Rather, it is the entirety of the deficiencies which together result in this Court's finding that the requisite constitutional floor has not been met at this time.

28. The Court further concludes, however, that the Department has made good faith efforts to achieve compliance with the June 2007 Order and the Education Clause and that the deficiencies in its efforts to date may well stem from uncertainty about the extent of the requirements in the June 2007 Order and the scope of the Department's oversight responsibilities. Moreover, the dedication to school improvement of the many educators in this process -- including the educators and other personnel within the Department and in the school districts -- is well evident and deserving of considerable respect. For these reasons, this Court will accord to the Department an additional opportunity to comply voluntarily with requirements of the Education Clause and this Court's orders, as further directed below.

ORDER

To establish compliance, IT IS ORDERED that the State shall proceed as follows:

- A. Prepare and file with this Court a draft of standards that address the State's constitutional responsibility to insure that chronically underperforming school

districts are providing students in those districts with meaningful exposure to the State's content standards.

B. Review, reconsider, and -- after consulting with the districts and giving due considerations to their views -- file with this Court revised district intervention plans that address and incorporate as appropriate remedial measures related to each of the problem areas identified in these Findings. [See Findings of Fact, Parts V, A-E and Part VII]

C. File with this Court a plan of action that addresses the concerns identified in these Findings with respect to the adequacy of the remediation plans in the intervention districts for the High School Graduation Qualifying Exam.

Given the Department's continuing non-compliance with its constitutional duty to date, the time that has already been lost in attempting to establish compliance, and the severe consequences to students in the intervention districts caused by continued non-compliance, time is of the essence at this point in the proceedings. Accordingly, the State shall file and serve the materials described above no later than sixty days from the date of distribution of this Order. The State is strongly encouraged to work closely with each of the Intervention districts in preparing these materials. The District Plaintiffs are accorded ten days thereafter to file and serve any objections. Additional proceedings shall be scheduled thereafter as warranted.

IT IS SO ORDERED this 4th day of February, 2009.

Sharon Gleason
Sharon L. Gleason
Judge of the Superior Court

I certify that on 2-4-09 a copy of the above was mailed to each of the following at their address of record (list name if not an agency)

CSED AG PD DA

[Signature]
Deputy Clerk / Secretary

Trickey
AG
Brayner

The New York Times
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May 12, 1999

Albany Legislators Seek to Dilute New, Tougher Graduation Exams

By RAYMOND HERNANDEZ

An unusual bipartisan coalition of state lawmakers, whose constituents range from inner-city residents to affluent suburbanites, is pushing to scale back new, more stringent graduation requirements for nearly all public high school students.

The lawmakers contend that the new graduation standards are being phased in too quickly, do not accurately measure the overall academic performance of students and could result in increased failure and dropout rates in school districts across the state.

The rising concern in the State Legislature comes as the Board of Regents, the body charged with setting educational policy for the state, and the State Education Commissioner press ahead with new standardized tests that all high school students will eventually have to pass to graduate. Some lawmakers fear that as many as 20 percent of seniors may be unable to pass the tests.

Beginning next year, students will have to pass a more rigorous English Regents exam to earn a high school diploma. In later years, students will have to pass similar standardized tests in four other subjects: math; American history and government; global studies, and science.

It is not clear what action the Legislature might take to scale back the new standards, or whether such a move would have the support of Gov. George E. Pataki, whose aides declined to comment today. But one measure has already been proposed in the Assembly to allow school districts to use alternative standards to the Regents exam for graduation. The Democratic-controlled Assembly and the Republican-led Senate are holding joint hearings on the issue around the state.

Aides to the leaders of both chambers say they have heard widespread concerns that the new graduation requirements may deny diplomas to thousands of students.

That the Senate and the Assembly have found common ground on this issue is remarkable, given that their leaders agree on almost nothing else. To date, both houses have jointly passed only about two dozen pieces of legislation this session, none of them major, and budget talks are still deadlocked almost six weeks past the deadline.

"There's growing concern that relying on one set of standardized, time-pressured tests will leave hundreds of thousands of students behind," said Assemblyman Richard L. Brodsky, a Democrat from Westchester County who proposed legislation to allow alternative standards.

"This issue has resonance that goes well beyond the traditional fault lines that have polarized education debates in the past," Mr. Brodsky added. "It affects every community in the state, whether they are in the inner cities or in the suburbs."

Dean G. Skelos, a Republican from Nassau County who is a deputy majority leader in the State Senate, agreed. "There is really universal and bipartisan concern with what they are doing," he said of the new Regents standards. "We are hopeful that the Board of Regents will get the message that the Legislature is not happy with what they have done."

But in an interview late this afternoon, Richard P. Mills, the State Education Commissioner and one of the architects of the new graduation standards, said any move to relax the standards would rob students of the education they need to compete in the workplace. "The reason we raised the standards was in response to a public outcry that the old standards were too low," he said, adding, "We just have to stay the course and insist that children get the education that they need."

Mr. Mills said the new standards had already raised academic performance. He said 78 percent of high school seniors passed the Regents English exam last year, even though it was not required for graduation. "The standards are working," he said.

The Commissioner is chosen by the Regents, who in turn are appointed by the Legislature.

An aide to Mayor Rudolph W. Giuliani said the Mayor favored the tougher standards. The Regents' plan "restores the value of a high school diploma," said the spokeswoman, Sunny Mindel. "To reverse this would be a terrible step backward in time."

The state first offered the Regents exam in 1879 as a standard for colleges to use in evaluating high school graduates. But until now, students only needed to pass a competency test to graduate, and only a minority -- fewer than 25 percent of graduates in New York City -- have taken diplomas showing they passed the more difficult Regents exams.

Mr. Mills and the Board of Regents have contended that the old two-tiered testing system had created two classes of students: high

achievers, who often go on to college, and low achievers, who lack the skills to function well in the workplace.

But Mr. Mills and the Regents are not just requiring students to pass the Regents exams to graduate. They also say that they are making the exams considerably harder. The new exams are being phased in gradually, beginning this June, when 11th graders will be required to take the two-day, six-hour reading, writing and listening test in English. The class of 2003 will be required to take five subject exams: in math, science, global studies, American history and government, and English.

That has led to widespread concern, if not panic, among parents, teachers and administrators over the prospect of widespread failures.

Lawmakers here are careful to point out that they heartily applaud the Regents' effort to raise the academic performance of students. But they also argue that the tests are just one measure of academic ability, and that many school districts, particularly poor ones, lack the resources to prepare low-achieving students to take the new tests.

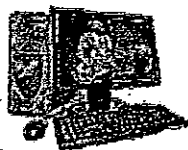
Jeffrion L. Aubrey, a Democratic Assemblyman from Queens, said he was particularly troubled that teachers did not have enough time to review the tests. "How can teachers construct a curriculum or conduct classes around a test they haven't really had a chance to see?" Mr. Aubrey asked. "That's not fair. I would raise the curriculum standard first, without tying it to a test that means as much as this one does."

Steven Sanders, a Democrat from Manhattan who is the chairman of the Assembly's Education Committee, expressed similar concerns. "Are we really prepared in this state to witness perhaps as many as 15 or 20 percent of our high school seniors not to graduate, and then to suffer the very real consequences of what that will mean?" he asked.

Senator Michael A. L. Balboni, a Republican from Nassau County, said he supported the effort to enact higher standards, but questioned the reliance on a single series of tests to determine the academic fate of a high school student.

"This is an example of rushing perhaps in the right direction, but not having all the details worked out ahead of time," he said.

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High school graduation tests have little tie to college, report finds

WASHINGTON (AP) — Many high school graduation tests don't measure whether students are ready for college or work, and some states haven't even made clear what the purpose of their test is, a study finds.

Of the 25 states that have or plan graduation exams, only one, Georgia, says its test ensures students are prepared for higher education or work. Most of the states gear their tests toward 10th or 11th grade learning, and some gauge pre-9th grade skills, according to a study released Wednesday by the Center on Education Policy, a nonprofit research group.

With 20 states now withholding diplomas from students who don't pass tests in English and math, if not other subjects, the common assumption is that the tests measure college readiness, said Keith Gayler, the lead author of the report. That's wrong, he said.

The center found some states had little clarity about the purpose of their tests, which makes the exams harder to explain and defend politically, said director Jack Jennings.

"If they're not clear, then they can't write an exam that's legitimate," Jennings said of state leaders. "We're urging states to re-examine their policies."

High-school graduation now hinges on exit exams for more than half of all public school students, and that number is expected to grow to seven in 10 students by 2009.

Meanwhile, colleges and employers continue to warn that schools are graduating students who cannot communicate, analyze or reason well enough to succeed without remediation. High school exit exams have been promoted as a way to ensure students leave with quality skills.

The graduation exams appear to be encouraging schools to cover more content and to add remedial courses or other help for students at risk of failing the tests, the report said.

But there are drawbacks to the tests, too, it said, such as a narrowing of curriculum and the steering of some students away from a traditional diploma.

The center takes no position on the tests, aiming instead to highlight what's working and what's not as state leaders weigh decisions. For its annual report, the center collected data from the states, reviewed research and convened a national panel on the tests' impacts.

Many state officials said their high schools and colleges have not discussed tying the exit exams to what students need to know in college. Maryland and Washington were exceptions, and several states have moved toward more challenging tests.

With the debate over the exams quieting somewhat, states have a chance to close gaps in achievement for blacks, Hispanics and poor kids, Gayler said. To move right to high school tests that measure college readiness, he said, would yield "so few students passing at this point that the reforms would crumble under their own weight."

Typically, 65% to 85% of students pass their test on their first try. Comparisons between states are inappropriate because tests are different, the report said.

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Thousands of students did not graduate this year because they failed exit tests, but the total number is not available because of appeals and a lack of data tracking, the report said.

Earlier this year, an alliance of education groups called the American Diploma Project warned that high school graduation has lost its meaning. In calling for more rigor, the group said exit exams should be good enough to test years of high school content, and colleges should use the tests in determining where to place new students.

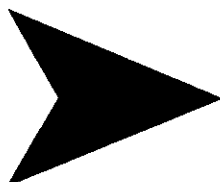
Few higher education systems do that now. Among the 25 states with current or planned exit exams, only New Mexico, New York and Texas reported that some of their public colleges and universities consider high school exit tests in admitting or placing students.

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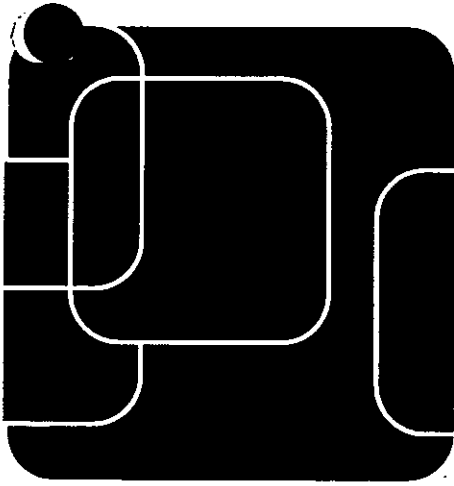
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State High School Exit Exams: Trends in Test Programs, Alternate Pathways, and Pass Rates

November 2009



Credits and Acknowledgments

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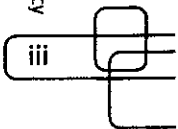
The Center on Education Policy extends its deepest gratitude to the officials in the 26 states who responded to our state survey on exit exams, verified the information in the state profiles, and answered other questions about exit exam policies. Without their assistance, this report would not have been possible.

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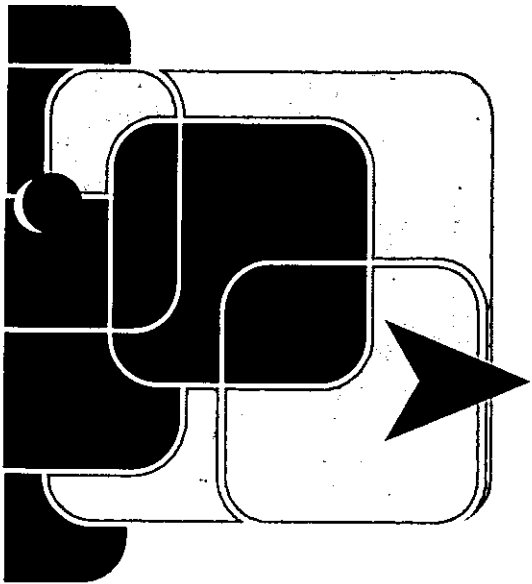
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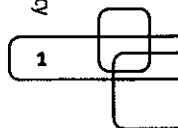
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Summary

Since 2002, the Center on Education Policy (CEP), an independent nonprofit organization, has been studying state high school exit examinations—tests students must pass to receive a high school diploma. This is our eighth annual report of findings from this comprehensive study, which is based on a survey of all 26 states with current or planned mandatory exit exams, interviews with officials in three states, and other information.

Unlike our past reports that focused mostly on changes that occurred during a single year, this year's report looks across the entire eight years of the study to identify longer-term trends in state policies and student performance. Chapter 1 describes the evolution of policies governing state exit exams and the features of these exams over the past eight years. This chapter also examines long-term changes in the types and amount of technical assistance and financial support that states provide to school districts, educators, and students. Chapter 2 examines this year's special topic—alternate pathways to graduation that states offer students who are struggling to pass exit exams. Chapter 3 analyzes trends in students' pass rates on exit exams and gaps in pass rates between different subgroups of students.



Key Findings

Several key findings emerged from this year's study of state high school exit exams.

Policy Changes and Changes in Tests

- **Changes in exit exam policies over the past eight years reflect states' struggles to develop standards and testing systems that are sufficiently demanding but also achievable and fair.** Since 2002, the stakes attached to state high school exit exams have risen for students and schools. Sixteen more states have begun withholding diplomas from students based on their exam performance, and the number of states that also use their high school exit exams for accountability under the federal No Child Left Behind Act (NCLB) has risen from 2 to 24. Many states have changed their exams to reflect new academic standards and curricula. Since 2002, most states have increased the number of subjects tested. And several states have shifted from minimum competency exams to comprehensive or end-of-course (EOC) exams aligned to content at a higher grade level.
- **At the same time, states have sought to soften the sting of exit exam mandates by phasing in requirements and allowing for adjustments.** On average, states with exit exam requirements have waited four years between the time their tests were first administered and the time diplomas were first withheld based on test performance. Some states have also taken a gradual approach to introducing new subjects to be tested. All of the exit exam states have modified their requirements to accommodate students with disabilities. In addition, most states have instituted alternate pathways to graduation that a few students utilize. Exit exam policies continue to be controversial, and future changes are likely.

- ▶ **Since 2004, states have expanded the purposes of their exit exams to include improving teaching and monitoring school performance, in addition to assessing whether students are well-prepared academically.** In 2004, most states with exit exams reported that the purpose of these tests was to assess whether students have acquired the competencies expected at the high school level; only a limited number of states also reported using the exams for other purposes. By 2009, most states with exit exams reported that they also used these tests to evaluate school and district performance and encourage early identification of students who needed extra instructional support, among other purposes. Eighteen states reported using performance data from exit exams to inform policy decisions, and 9 used the tests to guide instruction. In 2009, 11 states cited improving students' readiness for work and postsecondary education as a purpose of their exit exams, up from just 1 state in 2004.
- ▶ **Even though states have made some similar changes in exit exam policies, the key features of exit exams continue to vary greatly across states, as does data collected to gauge exam impact.** Although all of these exams rely mainly on multiple-choice questions, they differ in the subjects tested, testing time, standards to which they are aligned, cut scores, and the use of test results.
- ▶ **States have developed exit exam policies using input from peer and external reviews.** This input includes reviews by third-party testing experts, studies of alignment with state standards, special task forces to address particular concerns such as high failure rates, and peer review by the U.S. Department of Education to ensure the exams comply with NCLB requirements.
- ▶ **In recent years, many states have increased technical assistance to districts and schools related to exit exams, but many have also dramatically cut funding for remediation programs.** In 2002, only half the states with exit exams required districts to provide remediation services, and just one-third provided students with study guides to the exams; even fewer states provided teachers with instructional resources related to exit exams. By 2009, the scope of technical assistance tied to exit exams had expanded greatly. For example, 19 of the 26 states with exit exams assist schools in identifying and helping struggling students, 18 provide teachers with professional development to raise pass rates on the exams, and 14 provide districts with direct technical assistance for student remediation programs. At the same time, however, states report a significant decline in state funding for remediation.

Alternate Pathways to Graduation

- ▶ **Nineteen states of the 26 states offer alternate pathways to graduation for general education students who have difficulty passing the regular exit exam but can demonstrate mastery of high-school-level knowledge in other ways.** Passing an alternative assessment, such as the SAT, and collecting a portfolio assessment of classroom work are the most common alternate pathways that states offer general education students. Four states offer waivers or flexible cut scores that allow students to graduate if they have failed the exit exam but meet other graduation requirements and comply with very specific criteria, such as completing additional courses or scoring within a certain margin of the cut score on an exit exam. Students who graduate through a waiver, however, do not always receive a regular diploma.
- ▶ **Twenty-two of the 26 states also offer specific alternate pathways for students with disabilities, but only two states have alternatives for English language learners.** Fourteen states make available alternative assessments, including portfolio assessments or modified standardized tests, as pathways for students with disabilities who are struggling to pass exit exams. Eleven states offer waiver options specifically for students with disabilities. Most states allow English language learners (ELLs) to take exit exams with accommodations, and most offer ELLs the same alternate pathways available to general education students. Idaho and Minnesota offer alternate pathways aimed at ELLs who have been in the country for a limited number of years.

- ▶ **States rely heavily on advisory committees to design and implement alternate pathway policies; states also stress the importance of monitoring, training, and communication in implementing these alternatives.** In Maryland, New Jersey, and Washington, the three states where we conducted case study interviews, committees that were broadly representative of stakeholders were involved in the details of designing, implementing, revising, and evaluating state exit exams, including policies for alternate pathways. All three states also faced political challenges in balancing flexibility against rigor and fairness, and technical challenges in developing and implementing alternate pathways with limited state staff. Officials in the three states also emphasized the importance of monitoring the use of alternate pathways, providing training to teachers, and actively communicating with stakeholders about policies concerning alternate pathways.

Trends and Gaps in Exit Exam Pass Rates

- ▶ **Improvements in initial pass rates varied across states, although increases in pass rates were greater in mathematics than in reading.** Sixteen of the 26 states had three or more years of consecutive data on the percentages of students who passed exit exams on the first try (the “initial” pass rate). Over three or more years, 8 of these 16 states showed average annual growth in the initial math pass rates of more than 2 percentage points, and four more states made gains that exceeded 1 percentage point. In reading, only three states showed growth in initial pass rates of more than 2 percentage points, and five more states had gains that exceeded 1 percentage point. Initial pass rates decreased slightly in a few states.
- ▶ **Five states (Alabama, Arizona, California, Massachusetts, and Texas) reported the data needed to calculate three-year trends in the percentages of students passing exit exams by the end of grade 12 (the “cumulative” pass rate).** Between 2006 and 2008, Alabama, California, and Massachusetts had cumulative pass rates around 95 percent in both reading and mathematics. The cumulative pass rates in Texas have been consistently higher in reading than mathematics, but the difference has become smaller in the past three years. The difference between initial and cumulative pass rates varies from less than 8 percentage points in Massachusetts to more than 20 percentage points in California. Alabama had a gradual decrease in its initial pass rates in reading, but its cumulative pass rate was steady. Arizona also shows a widened difference in both subjects as its cumulative pass rates grow faster than its initial pass rates.
- ▶ **Gaps in initial pass rates between subgroups remain large.** Gaps in initial pass rates were evident in all states between Latino and white students, between African American and white students, and between low-income students and the general student population. In most cases, these gaps were wider than 5 percentage points, and in some cases exceeded 30 percentage points.
- ▶ **In most states, gaps in initial pass rates have narrowed, but at different paces.** States that have made more progress in narrowing gaps in pass rates are not limited to those with relatively large gaps. Rather, some states with relatively small gaps have made great progress in closing initial pass rate gaps. Other states have made no progress in closing these gaps, but their pass rate gaps have remained relatively narrow since they began withholding diplomas. And some states with relatively large gaps in initial pass rates showed no improvement in narrowing the gaps. There is no clear-cut pattern or explanation for these differences.

Profiles with detailed information about exit exams in individual states can be found on CEP’s Web site (www.cep-dc.org). **Table 1** summarizes the major characteristics of exit exams in these 26 states. **Figure 1** displays the 24 states that, as of school year 2008-2009, require students to pass exams to receive a high school diploma.

Table 1

Major Characteristics of State Exit Exams

State	Current Exam	Year Diplomas First Withheld Based on Current Exam	Subjects Tested	Type of Test	Grade Level of Alignment	Grade Test First Administered	Prior Exit Exam or Exit Exam Being Phased Out
Alabama	Alabama High School Graduation Exam (AHSGE) 3 rd Edition ¹	2001	Reading, language, math, science, social studies	Comprehensive	11 th	10 th	Alabama High School Graduation Exam (AHSGE) 1 st and 2 nd Editions
Alaska	Alaska High School Graduation Qualifying Exam (HSGQE)	2004	Reading, writing, math	Comprehensive	8 th -10 th	10 th	None
Arizona	Arizona's Instrument to Measure Standards (AIMS)	2006	Reading, writing, math, science	Comprehensive	10 th	10 th	None
Arkansas	Arkansas Comprehensive Assessment Program	2010	English II, algebra I	End-of-course	Varies	Varies	None
California	California High School Exit Examination (CAHSEE)	2006	ELA, math	Comprehensive	ELA (through 10 th), math (6 th -7 th and algebra I)	10 th	None
Florida	Florida Comprehensive Assessment Test (FCAT)	2003	Reading and math	Comprehensive	10 th	10 th	High School Competency Test (HSCT)
Georgia	Georgia High School Graduation Tests (GHSGT)	1994	ELA, writing, math, science, social studies	Comprehensive	9 th -11 th	11 th	Basic Skills Test
Idaho	Idaho Standards Achievement Test (ISAT)	2006	Reading, language usage, math, and science	Comprehensive	10 th	10 th	None

continues ►

State	Current Exam	Year Diplomas First Withheld Based on Current Exam	Subjects Tested	Type of Test	Grade Level of Alignment	Grade Test First Administered	Prior Exit Exam or Exit Exam Being Phased Out
Indiana	Graduation Qualifying Exam (GQE)	2000	ELA, mathematics	Comprehensive	9 th , including pre-algebra and algebra I	10 th	
	End-of-Course Assessments (ECAs) ¹	2012	Algebra I, Algebra II, Biology I, English III	End-of-course	Varies	Varies	Graduation Qualifying Exam (GQE)
Louisiana	Graduation Exit Examination (GEE)	2003	ELA, math, science, social studies	Comprehensive	9 th -12 th	10 th	Graduation Exit Exam
Maryland	Maryland High School Assessment (HSA)	2009	English 2, algebra/data analysis, biology, government	End-of-course	10 th	Varies	Maryland Functional Tests
Massachusetts	Massachusetts Comprehensive Assessment System (MCAS)	2003	ELA, math, science (2010)	Comprehensive plus end-of-course exams in science (2010)	10 th /high school standards	10 th ; science will vary	None
Minnesota	Graduation Required Assessments for Diploma (GRAD) ¹	2010	Reading, writing, math	Comprehensive	High School Standards	Varies	Basic Skills Test (BST)
Mississippi	Mississippi Subject Area Testing Program (SATP)	2006	English II (with writing component), algebra I, Biology I, U.S. history from 1877	End-of-course	Aligned to course content	Varies	Functional Literacy Examination (FLE)
Nevada	High School Proficiency Examination (HSPE)	2003	Reading, writing, math, science	Comprehensive	9 th -12 th	10 th , writing in 11 th	High School Proficiency Examination (earlier version based on 1994 curriculum)
New Jersey	High School Proficiency Assessment (HSPA)	2003	Language arts literacy, math; end-of-course exam in biology (2011)	Comprehensive plus one end-of-course exam in biology (2011)	11 th	11 th	High School Proficiency Test ¹¹

continues ►

State	Current Exam	Year Diplomas First Withheld Based on Current Exam	Subjects Tested	Type of Test	Grade Level of Alignment	Grade Test First Administered	Prior Exit Exam or Exit Exam Being Phased Out
New Mexico	New Mexico High School Competency Examination (NMHSCE) ⁶	1990	Reading, language arts, written composition, math, science, social studies	Minimum competency	8 th	10 th	New Mexico High School Competency Examination (NMHSCE)
New York	Regents Examinations	2000	ELA, math, science, global history and geography, U.S. history and government	End-of-course	9 th -12 th	Varies	Regents Competency Tests
North Carolina	North Carolina Competency Tests and Test of Computer Skills ⁷	1981 (math/reading) 2001 (computer skills) 2010 (end-of-course exams)	Reading comprehension, math, computer skills; starting 2010, end-of-course exams in algebra I, English I, U.S. history, civics and economics, biology	Comprehensive In 2010, five end-of-course exams	8 th ; end-of-course exams (course-specific)	8 th ; end-of-course exams will vary	North Carolina Competency Test and Tests of Computer Skills
Ohio	Ohio Graduation Tests (OGT)	2007	Reading, writing, math, science, social studies	Comprehensive	10 th	10 th	9 th -Grade Proficiency Tests
Oklahoma	Oklahoma End-of-Instruction (EOI) Exams	2012	Algebra I, English II, and two of the five additional subjects (Algebra II, geometry, English III, Biology I, and U.S. history)	End-of-course	High school standards	Varies	None
South Carolina	High School Assessment Program (HSAP)	2006	ELA, math, science (2010)	Comprehensive plus end-of-course exams in science (2010)	Through 10 th	10 th ; end-of-course exam will vary	Basic Skills Assessment Program (BSAP)
Tennessee	Gateway Examinations	2005	English I, II, and III, Algebra I and II, geometry, biology I, chemistry, U.S. history, physics (2013)	End-of-course	10 th	Varies	Tennessee Competency Test

State	Current Exam	Year Diplomas First Withheld Based on Current Exam	Subjects Tested	Type of Test	Grade Level of Alignment	Grade Test First Administered	Prior Exit Exam or Exit Exam Being Phased Out
Texas	Texas Assessment of Knowledge and Skills (TAKS) ⁴	2005	ELA (reading/writing), math, science, social studies	Comprehensive	Aligned to course content	11 th	Texas Assessment of Academic Skills (TAAS)
Virginia	Standards of Learning (SOL)	2004	English (reading/writing), algebra I, algebra II, geometry, biology, earth science, chemistry, world history to 1500, world history from 1500 to present, Virginia and U.S. history, world geography	End-of-course	Aligned to course content	Varies	Literacy Passport Test
Washington	Washington Assessment of Student Learning (WASL) ⁴	2008	Reading, writing, math (2013), science (2013)	Comprehensive plus end-of-course exams	10 th	10 th	None

Table reads: Alabama currently administers the Alabama High School Graduation Exam (AHSGE), 3rd Edition, for which consequences began for the class of 2001. The exam assesses reading, language, math, science, and social studies, and is considered by the state to be a comprehensive, standards-based exam aligned to 11th grade standards. The current test replaced the Alabama High School Graduation Exam, 1st and 2nd Editions.

⁴ Alabama, Indiana, Minnesota, New Mexico, North Carolina, Texas and Washington will transition to new exams. See state profiles, found in the accompanying CD or online, for detailed information.

Note: This year's report uses the term "comprehensive" to refer to exit exams aligned to state standards in several subject areas and generally targeted to the 9th- or 10th-grade level. Previous CEP reports referred to these as "standards-based" exams.

Note: ELA = English language arts.

Source: Center on Education Policy, exit exam survey of state departments of education, August 2009.

Figure 1 States with Mandatory Exit Exams

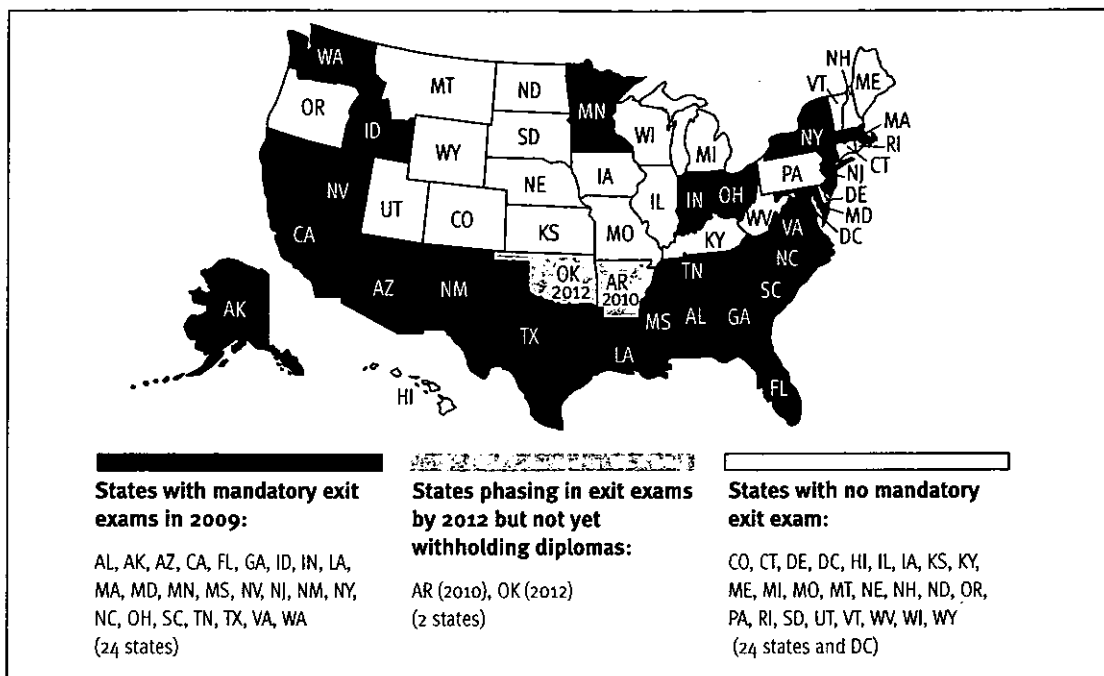


Figure reads: Alabama has a mandatory exit exam and is withholding diplomas from students based on exam performance. Arkansas is phasing in a new mandatory exit exam and plans to begin withholding diplomas based on this exam in 2010. Colorado does not have an exit exam, nor does it plan to implement one.

Source: Center on Education Policy, exit exam survey of state departments of education, August 2009.

Recommendations

In this report we review the development over eight years of state policies affecting high school exit exams, showing both the commonalities and the differences among the states. We also review state policies setting out alternate paths to high school diplomas, and analyze the trends in initial and cumulative pass rates for these exams.

From this work, we have arrived at recommendations both to improve the immediate implementation of state policies in this area and to assist the states in making sounder long-term policies as they seek to ensure that all students are able to earn a diploma.

Immediate Recommendations

- **States should increase funding to ensure that all students are prepared for the exams and are given assistance in preparing for re-takes of the exams if they do not pass on the first try.** In this report we have noted that several states initially provided remediation funds to assist students taking the exams after failing them, and that these states have cut back on this funding. If states want students to pass the exams, they must not only ensure that they are properly prepared for the first try but that they also have access to additional assistance to prepare for re-taking the exams.
- **With alternate pathways, there should be much greater communication to students and their parents about these different ways to secure a diploma.** Although these alternates are always meant to

be for a minority of students, all students should be aware that they can use alternate pathways, especially if they have already passed another qualifying exam or will have great problems taking a standardized multiple-choice exam.

- ▶ **States need to increase oversight of alternate pathways designed for students with disabilities.** In many states, it is the responsibility of local schools and districts to administer alternate pathways, to decide qualifications for graduation through the pathways, and to keep records of student performance. States have little information about how well the state-designed pathways serve their target student population. Consequently, states are not able to easily apply lessons learned from current policy implementation to inform future decisions.
- ▶ **States should collect and make public data on cumulative pass rates on these exams.** Trend analyses in this report heavily rely on initial pass rates because cumulative pass rates are not easily accessible in many states. Such information on cumulative pass rates, however, could have been very helpful for the public to understand the effects of these exams.

Long-term Research Recommendations

In Appendix A we summarize recent studies on the effects of these exams. Research is sparse in this area, as shown by the relatively few studies we list; and the findings of these studies are contradictory or at best mixed. Since these exams now affect more than two-thirds of American students, and soon will affect about three-fourths of students (when all the states have carried out their intended policies), much greater attention ought to be paid to understanding the effects of these exams.

Therefore, we recommend that the following questions be addressed comprehensively through research:

- Are these exams helping to prepare students for further education or employment after completion of high school? Since the states vary in their exams, are some state exams better than others in achieving this goal?
- Are students passing these exams in states with these policies better prepared for further education and employment than are students in states without such exam policies? If there are such effects, are they due to demographic factors or to the test policies or to some other factors?
- What impact are these exams having on curriculum, instruction, and student motivation to learn?
- Are students earning diplomas through alternate pathways less well prepared for further education or employment than are students passing the regular exams?
- Are policies requiring passage on these exams for receipt of diplomas leading to higher dropout rates from school?
- How can the rigor of different state exams be examined and publicized to encourage a fuller public understanding of these policies?
- If all or some of the states adopt common academic standards, what is the future for high school exit exam policies?

Study Methods

CEP used the following methods, explained in more detail in this section, to identify issues and collect information for this year's study:

- Conducted a detailed survey of all 26 states with current or planned high school exit exams
- Interviewed officials in Maryland, New Jersey, and Washington State who were familiar with the state high school exit exams
- Reviewed major research conducted by others on exit exams
- Kept abreast of important events related to exit exams

As in previous years of this study, CEP designed and conducted an annual survey of state department of education officials in the 26 states with current or planned exit exams. The survey was piloted with Maryland and was revised further based on comments and suggestions from that state. Respondents were designated by their state's chief state school officer and usually worked in the state assessment department. CEP staff partially filled in the survey, based on information collected and reported in 2008. In February 2009 we asked these designated officials to verify, update, and add information to survey forms for their state. All 26 states responded to our survey.

We used the states' survey responses to develop detailed profiles about exit exams in each of the 26 states, which the state contacts reviewed for accuracy. We also used the survey responses to tally the state exam features, policies, and actions that appear throughout the report. The state profiles are available on CEP's Web site at www.cep-dc.org.

Some states did not answer all the survey questions, often because the data were unavailable or their policies were in flux. (Exam policies are in flux for several reasons, but a main one is that state legislatures are under continuing and significant political pressure to moderate or ameliorate the effects of these exams.) In many states, we followed up with e-mails and phone calls to ensure the information in this report was accurate and up-to-date. However, some statistics or policies will undoubtedly have changed soon after publication because events in this field move quickly.

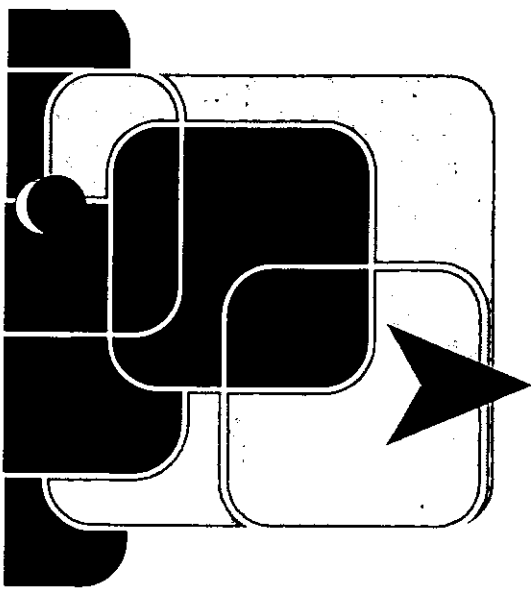
To further understand how exit exam policies evolve, we conducted open-ended, semi-structured interviews with officials in Maryland, New Jersey, and Washington State. These three states were chosen because of their different designs of alternate pathways, the recent public discussions about their exit exams, and the volatility of high school assessment policies in these states. Interviews were recorded, transcribed, verified by the interviewees, coded, and analyzed for themes.

In addition, we collected state and federal policy documents and reviewed relevant studies that were either published or publicized during the past year. We tracked media coverage of exit exams and searched state and U.S. Department of Education Web sites for exit exam developments and information.

To be included in this study, state exit exams had to meet the following criteria:

1. The state requires students to pass state exit exams to receive a high school diploma, even if the students have completed the necessary course work with satisfactory grades.
2. The exit exams are a state mandate rather than a local option—in other words, the state requires students in all local school districts to pass exit exams, rather than allowing districts to decide for themselves whether to make the exams a condition of graduation.

We have also included states that are phasing in exit exam policies that meet these criteria, referred to in this report as “planned” exit exams. By this we mean that the state has a legislative or state board directive to have a test in place between 2002 and 2012; has already begun developing the tests; and is piloting the tests with students, although diplomas are not yet being withheld.



Chapter 1: Evolution of Exit Exam Policies over the Past Eight Years

Since 2002, the Center on Education Policy (CEP) has been collecting extensive information about high school exit exams, including test characteristics, testing policies related to accountability and state assistance, and student performance on the exams. As the data accumulate, some general trends in exit exam policies have emerged.

This chapter summarizes exit exam policy changes across states over the past eight years (2001-2008 school years). It provides a longitudinal perspective on the evolving nature of state testing policy. In the past, CEP's annual reports focused on the policy changes within a single year. We realize that policy change often involves several years of effort, and an examination of the development of these changes can be instructive to future policy decision making. Unlike the "New Developments" chapters in the previous annual reports, this chapter synthesizes the changes over several years and across states in order to find underlying patterns of policy development. What actions have states taken to improve exit exam policies as they gain experience with the tests? Are there any commonalities in their actions?

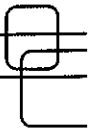
The purpose of this report is not to identify the optimal design for high school testing policy. State policies are diverse, and even similar policies may yield divergent outcomes in different contexts. Our goal, therefore, is to acknowledge the diverse policy options and to discuss how each functions in its particular context.

Changes in Exit Exam Policies

For the past eight years, changes in exit exam policies reflect the states' struggles to set high standards and at the same time, make those high standards achievable and fair for schools. Many states have changed their standards and curricula and the way they use exit exams. When implementing the exit exam policies, states have been very careful about the way exit exams are introduced or phased in, making adjustments for students with special needs. In this chapter, we discuss in detail some common actions states have taken to develop exit exam policies, starting with updating standards and test purposes, followed by various phase-in approaches and adjustments for students with special needs. We also look at the role that external and peer review play in shaping policy.

Changes in Standards and Curricula

Many states have changed their high school standards and curriculum in recent years to either meet federal requirements or respond to the public push for high school graduates' readiness for work or postsecondary education. Exit exams have been developed or revised to reflect new standards and curricula and to push the local implementation of these changes.



Changes in standards have inevitably resulted in various changes in exit exams. Alabama, for example, shifted the testing focus from basic skills to 11th-grade state standards in the late '90s as the state set out to pursue higher standards. Arizona introduced new test items in 2005 based on the state's new standards adopted in 2003 for reading and math and in 2004 for writing. North Carolina voted in 2005 to adopt new standards by including requirements for passing additional end-of-course (EOC) exams.¹ Mississippi revised its Algebra I and English II exams in 2007-08 to reflect the state's new curriculum frameworks. Tennessee also reported changes in its high school curriculum in 2008 and the alignment of EOC exams with the new curricula. In 2009, New Jersey approved revised core curriculum standards in six content areas and plans to phase in new graduation requirements to ensure college and work readiness over the next seven years (New Jersey Department of Education, 2009). Colorado, though not currently requiring exit exams, is considering revamping high school assessments in 2010 and changing its diplomas to reflect the new high school standards approved by the state school board and the higher education commission in July 2009 (Brown, 2009). While most changes have been toward increased rigor, some have narrowed the scope of tests. In 2004, California revised the blueprint for its mathematics test by replacing questions with less frequently encountered data display with more frequently encountered data display.

Expanded Purposes of Exit Exams

As accountability for student performance has increased over the years, the purposes of exit exams have expanded to be more relevant to teaching and school monitoring. In 2004, when CEP first began surveying states about the purposes for their exit exams, most states reported that the tests were to assess whether individual students have achieved competencies to be expected at the high school level. Only one state (South Carolina) reported that the purpose of exit exams was to "identify areas in which students need additional support and indicate the academic achievement for schools, districts and the State." By 2009, all states except Alaska and Texas reported using part of the exit exams for federal accountability purposes; nine states use the exams to provide information to guide instruction; eighteen states indicate that they use performance data from high school exit exams to inform policy decisions; and most states reported using exit exams to evaluate school and district performance, encourage early identification of students needing additional instructional support, promote service to minority students, and help schools align curricula with state standards. The expanded use of high school exit exams signifies that exit exams play an increasingly important role in high school accountability.

By 2009, eleven states² included readiness for work and postsecondary education as a purpose of their exit exams. (In 2004, only one state, Georgia, indicated that its exit exam was aimed at certifying that students were prepared to enter the work force or college.) However, few external evaluations examine the relationship between student performance on exit exams and performance at work or in college. A study by the Center for Educational Policy Research found that state high school exams were generally at a level of challenge that was not sufficient for test scores to be good measures of student readiness for college (Brown & Conley, 2007). A study by Achieve (2004) also concluded that state exit exams did not adequately measure the necessary knowledge and skills needed for college and the work place.

Phase-in Approaches

States used various types of phase-in approaches to introduce new exit exam policies. The development of exit exams is often shaped by reactions received during early years of implementation; therefore, how exit exams are introduced and phased in sometimes plays an important role in policy formation.

¹ North Carolina fully transitioned to EOC exams in 2009. Please see the state's profile for detailed information.

² Arkansas, California, Indiana, Maryland, Minnesota, Nevada, New York, North Carolina, Oklahoma, Texas, and Washington.

Some states phase in exit exam requirements by allowing time between the year tests are first administered and the first year high school diplomas are withheld. Arkansas, for instance, began administering its EOC exams in the 2000-01 school year but will not withhold diplomas until 2010. On average, states start to withhold diplomas four years after the first administration of a new exit exam.

Other states phase in the exit exam policy by gradually increasing the number of subjects tested. English and mathematics are usually the first subjects tested. Though NCLB does not require exit exams for high school graduation, some states, such as Arkansas, Massachusetts, Nevada, and New Jersey, added exit exams in science in recent years to fulfill NCLB requirements for testing science at the high school level. Alabama included social studies as a test subject in 2004; Massachusetts voted in 2006 to test social studies as a required subject in 2012, but the state board voted to waive the requirement in 2009 for the classes of 2012 and 2013 (Valero, 2009).

Idaho exemplifies another phase-in approach that focuses on gradually increasing cut scores and aligning test content to standards at higher grade levels. It began administering the Idaho Standards Achievement Test (ISAT) as an exit exam in 2004. Its phase-in approach allowed the class of 2006 to pass the exam at an 8th-grade proficiency level, the class of 2007 at a 9th-grade level, and the class of 2008 at the full 10th-grade level.

Some states used a phase-in approach to introduce new tests or to transition from old to new tests. For example, Minnesota has been making the transition since 2006 from the Basic Skills Tests (BSTs) to the Graduation Required Assessments for Diploma (GRAD). The GRAD writing test replaced the Basic Skills written composition test in 2007; the GRAD reading tests replaced the Basic Skills reading test in 2008; and the GRAD mathematics test replaced the Basic Skills mathematics test in 2009.³ Mississippi adopted a similar approach when replacing its Functional Literacy Exams (FLE) with the Mississippi Subject Area Testing Program (SATP).

Adjustment for Special Groups

State exit exams are often under attack for the challenges they present to students with special needs. All states that mandate exit exams have made some modifications to their policy to accommodate students with disabilities. These policy accommodations include alternative assessments, alternative diplomas or certificates, and waivers. In this report, we consider all these modifications to be alternate pathways to graduation. We will discuss the development of alternate pathways in greater detail in Chapter 2.

Input from external and peer review provides important information for the changes described above. Though these different types of review serve distinctively different purposes, both have helped many states establish and consolidate their high school testing systems. While external reviews examine the quality, rigor, and alignment of exit exams with state standards, the peer review from the Department of Education (ED) ensures that exit exams used for NCLB purposes⁴ are in compliance with NCLB requirements.

Seventeen states have their exit exams reviewed by a third party, such as testing companies, evaluation specialists, or researchers at local universities. Conducted by specialists or test developers, external reviews report student performance and content alignment and vary widely in study scope and approach (CEP 2006); nevertheless, the review provides empirical evidence for test validity and detailed analysis of student performance. For instance, Virginia conducted an alignment study in which researchers found that the State Standards of Learning (SOLs) for the EOC tests in Algebra I and II and geometry are inconsistent with the cognitive demand of the tests; the EOC reading test emphasizes some SOLs more than others (Abrams & McMillan, 2007). ED recommended in 2007 that the state develop and implement a plan to address the findings of the report.

³ It is reported in our survey that the state is still administering the BST tests in 2009. The mathematics and reading BSTs are administered as retests until the class of 2009 has graduated and sufficient notice of retirement of the exam has been given.

⁴ Of the 26 states, only Alaska and Texas do not use their exit exams for NCLB purposes.

States also organize special task forces and ongoing review by technical advisory committees for advice on specific state concerns. For example, in response to a higher-than-anticipated failure rate on the Graduation Required Assessments for Diploma (GRAD) in late 2008 and early 2009, Minnesota established a legislative task force to review the policy implications of the GRAD and its effect on high school graduation. In 2005, Maryland also established a task force to examine alternative assessment options for special education students and others unlikely to be able to demonstrate their mastery of state standards on the High School Assessments (HSAs), even with continued intervention. As a result, the state approved an alternate pathway to graduation called the Bridge Plan for Academic Validation in November 2007 and administered modified HSAs in 2008.

As 24 of the 26 states use at least part of the exit exams for NCLB accountability, recommendations from the U.S. Department of Education also play an important role in shaping state exit exam policies. The purpose of peer review by ED is to see if the state testing systems are in compliance with NCLB. ED has given full approval to ten⁵ of the 26 states through its peer review process. All ten states except Alaska⁶ include high school exit exams in the evaluation of state assessment systems.

Another ten states with exit exams earned the status of Full Approval with Recommendations, meaning that the state standards and assessment system meet all statutory and regulatory requirements, but some elements of the system could be improved.⁷ Most of the suggestions for improvement concern the use of alternative assessments for special education students and English language learners. For instance, in 2006 ED recommended that Arizona “strengthen its Arizona Instrument to Measure Standards Alternate (AIMS-A), expand the range of accommodations for English language learners and address discrepancies in test participation rates.” Another set of recommendations from ED to the states focuses on alignment between tests and standards. Idaho, for instance, was urged by ED in 2006 to conduct an alignment study of Idaho Standards Achievement Tests to examine “the level of success of the State’s major revisions and provide a basis for continued improvement.” A recommendation was also made to Indiana to “increase the rigor and challenge of the Graduate Qualifying Exam (GQE) in mathematics at grade 10 in terms of alignment to grade-level content standards.”

Three states that require exit exams for graduation (Mississippi, Nevada, and New Jersey) have not met the statutory and regulatory requirements of NCLB; they are currently designated as Approval Pending. Specifically pertaining to high school assessment systems, ED recommends that Mississippi and Nevada collect additional evidence for their high school exit exams, since they are used to meet NCLB requirements. In 2007, ED expressed concerns with the alignment of Nevada’s High School Proficiency Examination (HSPE) to grade-level content standards. ED also challenged the technical quality of Mississippi’s High School Alternative Assessment and its alignment with grade-level content standards.

State-mandated exit exams still face many challenges and are prone to revision. Recently, California’s budget crisis has pressured its budget conference committee in 2009 to propose eliminating high school exit exams as a graduation requirement (Mitchell, 2009); the provision was defeated, but California reinstated the exemption for students with disabilities pending development of some alternative form of assessment for these students. Alabama overhauled its graduation exams by replacing its comprehensive high school exit exams with EOC exams and the ACT⁸. Many states are still searching for a valid approach to evaluate the learning of special education students and English language learners. Last but not least, little is known about the connection between passing the high school exit exams and future job and college performance.

⁵ Alabama, Alaska, Georgia, Louisiana, Maryland, Massachusetts, Minnesota, Ohio, Oklahoma, and Tennessee.

⁶ Alaska uses the Grade 10 Standards-based Assessment for NCLB purposes instead of the Alaska High School Graduation Qualifying Exam.

⁷ Decision letters on states’ final assessment systems under NCLB can be found at www.ed.gov/admins/lead/account/nclbfinalassess/index.html. All citations in this section are quoted from state letters. All ten states include high school exit exams for peer review. States may use different cut scores for graduation and NCLB purposes.

⁸ Information retrieved on September 13, 2009, from www.al.com/news/birminghamnews/metro.ssf?/base/news/1252656964314590.xml&coll=2.

Diversity of Exit Exams

Most of the states in our study were no strangers to state testing before high school assessment was required for federal accountability purposes. Of the 26 states currently or soon to be withholding high school diplomas based on state exit exams, 18 had developed and started administering state tests at the high school level before the enactment of NCLB. Some states had more years of experience in high school testing than others. For example, North Carolina, New York, and Florida administered minimum-competency tests in the 1970s or earlier, while most of the other states started requiring high school testing in the late '90s or right before NCLB.

All 26 states mandated high school exit exams as a way to improve academic rigor and accountability. Since 2002, not only have more states administered high school exit exams, state high school exams have also become increasingly high-stakes for both students and schools. More states began withholding diplomas from individual students and using exit exams for both federal and state accountability at the school level. In 2009, seven states indicated that they use exit exams for both NCLB and additional state accountability purposes.

Exit exams are of three types: 1) minimum-competency tests that measure only a small body of knowledge and skills as defined by the state standards, 2) comprehensive tests that integrate content knowledge in several relevant courses together, or 3) End-of-Course (EOC) tests that gauge student learning at the end of specific courses. CEP (2008) identified a movement toward EOC exams in several states and analyzed the benefits and challenges of using EOC assessments. According to the report, state officials perceived EOC exams as more efficient in assessing content mastery, improving school accountability, and increasing alignment between standards and curriculum. However, because EOC exams involve numerous tests, they tend to present logistical challenges around score reporting and maintenance as well as schedules for tests, remediation, and retests. **Figure 2** illustrates state's use of the three types of exams at different time points.

High school exit exams may be aligned to various grade levels, ranging from 8th to 12th grade. Even if two states test the same subjects, the tests may differ greatly in content and difficulty. In addition to the different test types, the test results are often reported using different achievement levels—advanced/proficient/needs improvement/failing, pass with distinction/pass/low pass, or advanced/mastery/basic/approaching basic/unsatisfactory, to name a few—which reveal varying amounts of information on the level of achievement and the achievement gaps among students.

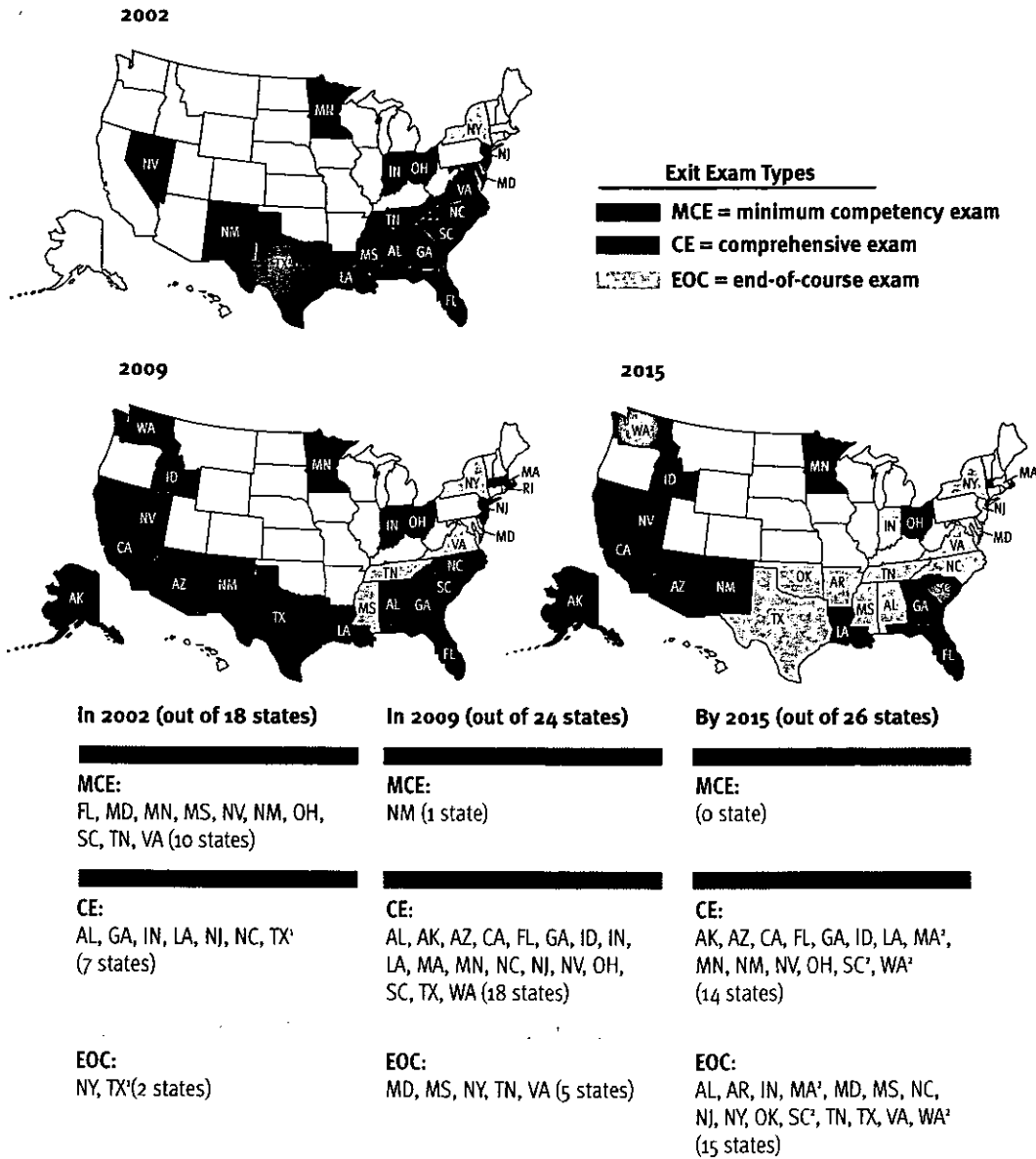
Most of the states require students to pass the exams in certain subject areas with specific cut scores, but some states permit students to graduate without passing every subject. For example, Maryland employs a compensatory scoring system so students may meet the graduation testing requirement by meeting a minimum score on each test (which is lower than the previously set passing score) and achieving a combined passing score. Since May 2008, Alabama has adopted the credit-based endorsement system wherein students are required to take tests in five subject areas, but only need to pass three (reading, mathematics, and one other in science, language, or social studies) to graduate with “diplomas with endorsement.”⁹ Ohio and Texas also allow students who have passed part of EOC exams to graduate.

The cut scores for passing exit exams are not necessarily the same as the cut scores states use for reporting adequate yearly progress (AYP) under NCLB. As of 2009, of the 24 states that use high school exit exams for NCLB purposes, 14 use the same cut scores for graduation and NCLB proficiency, and 9 use lower cut scores for graduation than for NCLB proficiency.¹⁰ States also differ in terms of which test administration is used for NCLB. The majority of the states use student performance on the first administration of the tests for NCLB accountability purposes, but states such as Nevada, New York, and Tennessee count students' retest performance as well.

⁹ A regular diploma requires passage of all five tests. Students earning diplomas with endorsement are counted as graduates for school accountability purposes.

¹⁰ Alaska and Texas do not use high school exit exams to meet NCLB requirements. The cut scores in New Mexico are under consideration.

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



16

State High School Exit Exams: Trends in Test Programs, Alternate Pathways, and Pass Rates

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, 14 will use comprehensive exams, and 15 will use end-of-course exams. Three states, Massachusetts, South Carolina and Washington 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.

Source: Center on Education Policy, exit exam survey of state departments of education, August 2009.

The range of tested subjects has evolved since 2002 and varies widely across states. Some states, such as California, test only English language arts and mathematics, while graduation in states such as Tennessee now depends on tests in as many as ten subjects. Most states have increased the number of tested subjects since 2002. A major drive of the expansion is NCLB's requirement for including science in state assessments by 2007-08. In 2003, 8 of the 23 states with high school exit exams reported science as a tested subject for high school graduation purposes; in 2005, 16 of 25 states reported that they would use the existing science exit exams or develop new science exams to meet NCLB's requirement. As of 2009, 22 of the 26 states have tested or plan to test science in high school, though some states do not withhold diplomas for not passing the science tests.

As states test more subjects, the cost of state testing has become a concern. In 2009, the Massachusetts Board of Elementary and Secondary Education voted to waive the history and social science requirement for a Competency Determination (CD) for the classes of 2013 because of budget constraints (Massachusetts Department of Elementary and Secondary Education, 2009). The tests were scheduled for full operation in fall 2009, but officials expect "the FY2010 budget item pertaining to assessment to be lower than the amount in this year's budget, which would make the transition of the history tests cost-prohibitive." Florida has also cut testing budgets in 2009, citing financial pressures (Valero, 2009).

High school exit exams differ across states with regard to how much time a student has to take a test. Of the 26 states, 13 implemented power tests¹¹ that attach no time constraints at all. In Nevada, though the tests are timed, students are allowed to use as much time as they need to complete the exam. In other states, the total testing time ranges from 97 minutes (North Carolina's math tests¹²) to 194 minutes (Indiana's English language arts test). Some tests have multiple sessions or allow more time as an accommodation, and may continue for days.

One test design feature that states have in common is the use of multiple-choice test items. All states use multiple-choice questions in their tests, and some, such as Alabama, Idaho, Maryland, and Tennessee, use only multiple choice question items. In addition to multiple-choice items, 19 states include essay writing in their writing or English language arts tests. Of the 26 states, 16 use a combination of constructed-response and multiple-choice questions.

Item format is an important consideration for testing policy because it determines cost, communication of test results, teacher training and, most importantly, classroom instruction that prepares students for tests. As the current economic recession crimps state budgets, some states have pared constructed-response or extended-response test items. In 2008, Washington State Superintendent Randy Dorn defeated longtime school chief Terry Bergeson, an ardent supporter of the Washington Assessment of Student Learning (WASL), with a promise to make high school exams shorter and cheaper with fewer extended-response questions to shorten the turnaround time on test results. Computerized scoring, often used with multiple-choice test items, has also been embraced to save time, money, and staffing for the test administration. In 2005, 18 states reported that they relied on testing contractors to score constructed-response questions.

While designing a high-stakes, mandatory test is difficult, attaching consequences to test results is even more fraught with problems. In 2009, the Minnesota legislature decided to repeal the requirement that students must pass the mathematics test to earn a diploma, in fear of a precipitous drop in graduation rates. The daunting prospect of withholding large numbers of diplomas and the challenge of aligning exams to school curricula and state standards, along with public opposition to high-stake assessments, have led some states, such as Alaska, Arizona, California, and Maryland, to postpone the implementation of high school exit exams. States that have not required exit exams, such as Pennsylvania, have also had heated discussion about whether to do so. In June 2009, Pennsylvania put off developing state-mandated EOC exams because consensus could not be reached. The state board of education proposed a revised plan in July and the review board approved the state exit exams in October (Barnes, 2009; Mauriello, 2009; Hardy, 2009).

¹¹ In so-called "power tests," enough time is given for test takers to answer as many test items as they can.

¹² This high school competency test was eliminated in 2009.

State Assistance for Local Implementation of Exit Exams

The evolution of state exit exams suggests that, as the state testing systems are institutionalized, exit exams have become a powerful policy lever to influence teaching and learning in high schools. Since 2002, many states have reported increased technical support to districts and schools but decreased financial support for remedial programs.

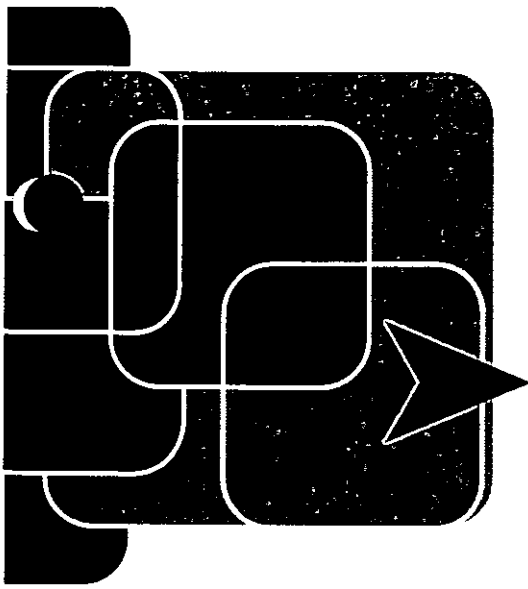
In 2002, only half of the states required districts to have remediation services, let alone provided support with these services. When we first explored state assistance in 2003, most states delivered their support to schools through professional training, with an emphasis on test content, format, and the interpretation of test results. About one-third of the states (8 out of 25), provided students with study guides to tests, and fewer states provided teachers with resources for classroom instruction.

As of 2009, state assistance tied to exit exams that goes to teachers, schools, and districts has expanded dramatically. Some states have become more actively and directly involved in informing instruction, improving school leadership, and influencing curriculum. Eighteen states provide professional development for teachers that goes beyond test preparation, helping teachers become “more proficient in their content areas” to raise initial pass rates on the exit exams. Nineteen states reported that they provide assistance to schools in terms of helping schools identify and target students for assistance and/or implement comprehensive school reform. At the district level, 15 states reported that they assist districts in using formative assessment and/or improving the instructional leadership. Additionally, 14 states provide direct technical assistance for remediation programs for students who have failed the tests, and 10 states provide funding for remediation as well. A recent example is a special summer program sponsored by the Georgia Department of Education in 2009. The Project Exam Preparation for Science and Social Studies (Project ExPreSS) gives two weeks of intense instruction to students who narrowly missed passing the science and social studies portions of the Georgia High School Graduation Tests. Sixty-eight percent of participating students passed the portion they failed before (Fowler, 2009).

On the other hand, state budget data we collected indicates a significant decline in the amount of state funding for remediation programs. For example, Louisiana reported \$3 million funding for remediation for 2001-02 school year, and this budget had dropped to \$2,039,284 in 2008-09. South Carolina reported that its 2008-09 budget for remediation programs was at \$62 million, half of the amount schools received in 2004-05. In Massachusetts, funding for MCAS remediation was cut from \$50 million in fiscal year 2003 to \$7.65 million in 2005 and \$7.58 million in 2006. CEP’s high school exit exam report in 2006 suggested that remediation programs can be effective in improving passing rates if provided with adequate funding and efficient management. The decreasing state funding may diminish the benefits these programs offer to struggling students.

Conclusions

This chapter highlighted changes in high school exit exam policies in four different aspects: the changing standards and curriculum the tests are aligned to, the expanded purposes exit exams are designed for, the different phased-in approaches that introduce exit exam policy changes, and the test adjustments for students with special needs. Feedback on exit exams from external and peer review is an important factor shaping these changes. Despite some common changes in exit exam policies across states, exit exams remain diverse in terms of test features, such as grade levels tests are aligned to, tested subjects, test time, test item format, scoring, and the use of test outcomes. Lastly, in a number of states, provision of technical assistance has been increased for local implementation of exit exam policies, but at the same time, in a number of states financial support for remediation programs has decreased.



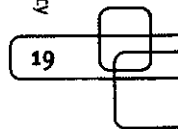
Chapter 2: Trends in Alternate Pathways to High School Graduation

The stakes for high school exit examinations are so high for students and schools that states are often pushed to employ additional policies to give more flexibility in determining whether students have met graduation requirements. Many states have responded by providing alternate pathways to graduation that give students options of ways to graduate from high school without passing the state-mandated exit exams. These pathways, usually for students with special needs or those with records of failing the exit exams, may give students additional opportunities to demonstrate their levels of knowledge and skills. The main goal of alternate pathways is to provide appropriate and reasonable options for students without creating loopholes that water down the value of the high school diploma. Therefore, discussions about alternate pathways in many states have centered on test equivalence and integrity as understood by the public to make the exit exam system more resilient.

This chapter provides an overview of the various state policies that offer alternate pathways to graduation. It also describes the challenges associated with alternate paths: adding flexibility to accountability while assuring test fairness and maintaining high standards. The term *alternate pathways* refers to options for students to graduate high school without passing the state-mandated regular exit exams. One design of alternate pathways is the use of *alternative tests* (or alternative assessments in some states) where regular exit exams are substituted by other standardized tests with similar or adapted formats and objectives. For instance, the alternate pathways in Washington State allow students to graduate through alternative assessments, such as SAT and ACT; the state's alternate pathways also include other options for graduation, such as portfolio assessment, grade comparison, and scores on Advanced Placement exams.

Multiple forces have shaped the development of alternate pathway policies. First and foremost is the desire to address the needs of students receiving special education services, English language learners, and other students who do not demonstrate their best performance on standardized tests. Unlike remediation, which seeks to prepare students to pass the exit exams after failure, alternate paths allow students to demonstrate their learning using different measures. Ideally, alternate path policies reflect a broader way of thinking about test validity and fairness to these students that goes beyond standardized tests, though some of them can be logistically and technically cumbersome.

A second motivation behind alternate path policy is the need to address concerns about making valid judgments about student learning based on standardized assessments, particularly for students with achievement around the cut score level. Multiple retake opportunities may ease such concerns, but may not be the most effective way for students to spend their learning time as they repetitively prepare for the same exams. States have adopted various approaches, such as alternative or substitute tests, flexible cut scores, and grade comparison, as explained later in this chapter, to ensure decisions made based on test results take other factors into consideration. Some of the alternate pathways, however, make exit exams more norm-referenced than criteria-referenced tests.



Alternate pathways are sometimes employed to avoid redundancy of testing. One example is the use of Advanced Placement (AP) tests as substitutes for exit exams. Maryland waives the exit exams for students who have earned satisfactory scores on corresponding AP exams¹³. The assumption is that satisfying AP scores provide evidence for students' mastery of a subject; therefore, students should not spend time preparing for the exit exams. Washington State offers a similar AP score option, but it does not relieve students of taking multiple tests. Students are not exempt from taking the state's exit exam, the WASL, but if they fail the WASL, they can still graduate if they have earned satisfactory AP scores. Few students take advantage of the AP score option because it is rare for students who score well on AP tests to fail the WASL in the first place. As other substitute tests, AP exams are not necessarily designed based on state content standards; states that adopt this approach need to verify the comparability of AP and exit exams.

Overall, alternate pathways try to address concerns about test validity and fairness, and at the same time to reach the same or a similar level of rigor as the regular state exit exams. Increasing flexibility without loosening standards is the central goal in designing and implementing alternate pathway policies.

We distinguish alternate pathways for general students from those for students receiving special education services because policies designed for these two student groups address different sets of concerns about standardized testing and are usually managed at different institutional levels in the education system. Alternate pathways for general education students can be categorized into four major types of designs: alternative assessments, portfolio assessments, waivers, and flexible cut scores.

Alternative and Portfolio Assessments for General Education Students

Nineteen¹⁴ of the 26 states with exit exams offer alternate pathways for general education students to graduate without earning passing scores in all tested subjects. **Table 2** summarizes the alternate pathways available to general education students in each of these nineteen states. Compared to previous years, more states were able to provide CEP with detailed information about how general education students use different routes to graduate from high school. For example, some states were able to report the specific number of students using each of the multiple pathways. This will contrast somewhat with the data availability for students with disabilities presented later in the chapter.

All substitute and portfolio assessments reported in Table 2 lead to a regular diploma, which indicates that they are most likely to be accepted as comparable to the substituted exit exams. However, the limited number of students who took substitute and portfolio assessments in most states seems to suggest, among other things, that these tests are not necessarily easier than the regular exit exams.

The most commonly used substitute test is published standardized tests, such as Advanced Placement exams, the PSAT, the ACT, the SAT, the CPT, and International Baccalaureate exams. States that picked the same tests may set different cut scores depending on the grade levels in which the replaced state-mandated exit exams are given.

Six states¹⁵ allow general education students to use substitute tests. Virginia and Washington reported less than 1% of students graduating through this route, while Florida reported 4.5% (about 7,110 students) satisfied the graduation test requirement through substitute tests.

New Jersey developed its own alternative assessments, Performance Assessment Tasks (PATs), which consist of all constructed response questions. As part of the state's Special Review Assessments (SRAs)¹⁶, PATs are

¹³ Maryland started withholding diplomas in 2008-09 and was not able to report the percentage of students who graduated using AP scores.

¹⁴ These states are: Arizona, Florida, Georgia, Idaho, Indiana, Maryland, Massachusetts, Mississippi, Nevada, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Virginia, and Washington.

¹⁵ The six states are Florida, Maryland, New York, North Carolina, Virginia, and Washington.

¹⁶ In 2009 the SRA was renamed the Alternate High School Assessment (AHSAs).

Table 2

Alternate Pathways for General Education Students to Graduate

CEP Classification	State Survey Response	Diploma Eligibility	Number and Percentage of All Students Who Graduated Through Alternate Pathways in 2008
AZ	Class performance	Regular diploma	1,841 students (3%)
FL	Substitute tests	Regular diploma;	7,110 students graduated through an alternative assessment (4.5%)
	Students who do not meet the exit exam requirements may be awarded a certificate of completion instead of diploma.	Certificate of completion	9,299 students graduated with Certificate of Completion (as of Feb. 11, 2009)
GA	Waiver	Certificate of attendance;	83 waivers (July 1, 2007-June 30, 2008)
	Flexible cut scores	Regular diploma	1,398 variances (July 1, 2007-June 30, 2008)
ID	Class performance	Regular diploma	NA
IN	Waiver	Regular diploma	5,061 students (8.4%)

continues ►

Table 2 continued

CEP Classification	State Survey Response	Diploma Eligibility	Number and Percentage of All Students Who Graduated Through Alternate Pathways in 2008
MD	Substitute tests	Regular diploma;	NA
	Portfolio assessment	Regular diploma; External high school diploma is available for students who have exited high schools	NA NA
MA	Portfolio assessment	Regular diploma	314 students granted appeals
MS	Portfolio assessment	Regular diploma	Less than 1% of students submitted appeals substitute
NV	Portfolio assessment	Regular diploma	35 students attempted alternative writing assessment (0.13% of a total student other-population of 24,954)
		Certificate of attendance	NA
NJ	Alternative assessment	Regular diploma	11,513 students (11.5% of graduates)

continues ►

Table 2 continued

CEP Classification	State Survey Response	Diploma Eligibility	Number and Percentage of All Students Who Graduated Through Alternate Pathways in 2008
NM	Waiver	Certificate of completion	NA
	Portfolio assessment	Regular diploma	NA
NY	Substitute tests	Regular diploma	190 students met English language arts requirements (0.1% of graduates); 21 students met math requirements (0.001% of graduates)
	Flexible cut scores	Local or regents diploma	NA
NC	Substitute tests	Regular diploma	NA
		Certificate of achievement	NA
OH	Waiver	Regular diploma	379 students (0.3% of graduates)
OK	Substitute tests	Regular diploma	NA
	Portfolio assessment	Regular diploma	NA

continues ►

Table 2 continued

CEP Classification	State Survey Response	Diploma Eligibility	Number and Percentage of All Students Who Graduated Through Alternate Pathways in 2008
SC	Students who do not pass the HSAP may receive a certificate of attendance issued by a school district.	Certificate of attendance	NA
	Students may receive a state certificate if they complete all credit requirements but have not passed the exit exams.	State certificate	NA
TN	Students who do not receive a regular diploma because they could not pass the exit exams are eligible to receive a certificate of attendance.	Certificate of attendance	NA
VA	Substitute tests	Standard diploma, advanced diploma, or a modified standard diploma	Less than 1% of students use the alternative assessments
	Students may earn verified credits by taking substitute tests. The substitute tests include the Advanced Placement, International Baccalaureate, SAT II, TOEFL, APIEL, Cambridge International Examination, ACT, and CLEP tests.		
	Students who do not meet the requirements for a diploma may receive a certificate of program completion, a general achievement diploma or earn a GED.	Certificate of program completion	0.51%
		General achievement diploma	Group below state definition for personally identifiable result
WA	Portfolio assessment	Regular diploma	0.3% of graduates in reading, 0.1% in writing, and 1.8% in math
	Class performance	Regular diploma	0.02% of graduates in reading, 0.02% in writing, and 0.5% in math
	Substitute tests	Regular diploma	Score on the SAT, ACT, or PSAT tests: 0.3% of reading, 0.1% in writing, and 0.9% in math; Advance Placement (AP) exams: 0% of graduates

Table reads: Florida allows general education students to take substitute tests as alternate pathways to graduate from high school. Students graduating through the substitute tests are eligible for a regular diploma. 7,110 students (approximately 4.5% of graduates in 2007-08 school year) satisfied the graduation test requirement through an alternative assessment (e.g., ACT/SAT). Students may also earn a Certificate of Completion. As of February 11, 2009, the state awarded 9,299 students with Certificates of Completion in 2007-08.

Source: CEP High School Exit Exam Survey, 2002-2009, Center on Education Policy, State Department websites, email and phone inquiries with state department staff.

developed by the state and administered by the schools to students who repeatedly fail exit exams, even after additional instruction. Though the state assigns common cut scores, scoring rubrics, and guidelines, district-appointed SRA panels conduct the actual review and scoring. A greater-than-expected number of students have graduated through the SRAs process in the past few years, which raised state concern about the rigor of local policy implementation¹⁷. To curb increasing reliance on SRAs in the future, effective in 2009-10 the state will allow no more than 10% of students in a district to use this alternate pathway to graduate unless the district submits a plan that will increase the number of graduates using the HSPA. Though a much higher percentage than in most other states, the 10% threshold is considered fairly conservative, since the state SRA rate is about 11.5%. Over a hundred schools met this 10% threshold in 2008.

General education students in seven states¹⁸ also have the option to graduate through portfolio assessments, where students demonstrate mastery through a collection of work. The portfolio assessment in Maryland, called the Bridge Plan for Academic Validation, assigns project modules to students who repeatedly fail the High School Assessments (HSAs). These modules are designed to address areas where students have not fully demonstrated mastery in their HSA performance. The Collection of Evidence option in Washington State allows students who have failed the WASL in math, reading, or writing to show their skills tested on the WASL through a compilation of classroom work samples. These subject-specific work samples are developed under a teacher's supervision and must follow state guidelines for collection. Massachusetts allows students to request a portfolio assessment if they do not belong to a school cohort (6 students or more) that has taken the same sequence of courses. The portfolio includes work collected during one or more years in a subject area. The state specifies minimum components for English language arts, mathematics, and science and technology/engineering. In 2009, the Oklahoma State Board of Education also approved a policy that allows high school freshmen to demonstrate mastery through an end-of-course project. In all four states, the state departments of education determine if the evidence provided in the portfolio qualifies a student to graduate. Starting in the 2010-11 school year, students in New Mexico will also be able to demonstrate competency through portfolio indicators in subjects they failed to pass on the exit exams.

Waivers and Flexible Cut Scores Used By General Education Students

A more controversial set of alternate pathways excuses students from certain exit exams or allows them to graduate with lower cut scores. Georgia, Indiana, New Mexico, and Ohio offer waivers where students may graduate without passing exit exams if they meet all the other graduation requirements. For the waiver option, the eligibility criteria become particularly important to maintain the rigor of the state testing system, so states often attach specific conditions for using the waiver. In Ohio, for instance, diplomas are given to waived students only when they pass four of the five exit exams and the score on the fifth exam is no more than 10 scale-score points below the cut scores. In 2008, only 379 students (0.3%) in Ohio and 83 students in Georgia earned diplomas using the waiver.

Other states take a similar approach to flexible cut scores. The Georgia Board of Education, for instance, offers a variance process that enables students who failed to pass all exit exams to earn a diploma only if they obtained a scale score that falls within one standard error of measurement of the passing score. Students in New York may also appeal for permission to graduate with a local Regents Diploma if their test scores are within three points of the cut scores.

In contrast to substitute and portfolio assessments, waiver and flexible cut score policies often do not lead students to regular diplomas. In Georgia and New Mexico, for example, students who graduate using waivers earn certificates of completion or attendance rather than regular diplomas, which indicate that students met lower than standard high school criteria. Whether or not an alternate pathway results in regular diplomas is an important consideration in designing alternate pathway policies. It influences not only the

¹⁷ For more information, refer to www.njpsa.org/documents/NIDOE_SRA_Paper.doc

¹⁸ Maryland, Massachusetts, Mississippi, Nevada, New Mexico, Oklahoma, and Washington

calculation of graduation rates that are tracked under state accountability systems, but more importantly a student's opportunity to pursue postsecondary education and a future career.

Of the nineteen states with alternate pathways to general education students, eight offer alternative diplomas for general education students who cannot pass all the exit exams or fully meet the state standards. Florida, Maryland, Nevada, New Mexico, North Carolina, and Virginia offer both alternative diplomas and alternate pathways that lead to a regular diploma; South Carolina and Tennessee provide no alternate pathways to a regular high school diploma but grant certificates of attendance to students who fail the exit exams.

Alternate pathways in some states are designed to tie the exit exams more closely to class performance. In Idaho, for example, seniors who are enrolled in the fall semester and have not passed the exit exams may graduate by completing additional courses. The state reviews the course plans to make sure they are aligned to the 10th-grade standards. Arizona's augmentation policy allows students to add to their exit exam scores with points derived from course grades. Washington State uses a "grade comparison" option, where students who failed the exit exams can earn diplomas if they have a grade-point average equivalent to that of students at the same school who took the same course in mathematics or English and pass the exit exams. This option, however, is limited to students who have a 3.2 cumulative grade point average or higher across all courses.

Alternate pathways impact general education students to varying degrees across states. Some alternate pathways, such as the option to substitute Advance Placement scores in Washington State, are barely used, while other pathways, such as the special review process in New Jersey, are used quite widely. Most states reported that a relatively small proportion of students graduated through alternate pathways, but the actual number of students can be quite significant. In Florida, for example, over 7,000 students graduated through an alternative assessment in the 2007-08 school year, although this number represents less than 5% of the overall graduates.

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Alternate Pathways for Students with Disabilities

To meet NCLB requirements, students with disabilities must be included in state assessments, and for most of the 26 states mandating exit exams, the state assessments in high schools are exit exams. The alternate pathways, therefore, are mostly applied for *after* students with disabilities fail the exit exams. The remedial, instead of preventative, nature of alternate pathways also applies to general education students, but it tends to impact a higher percentage of students with disabilities because of the low pass rates with this student subgroup.

Compared to general education students, it is harder to collect information on students with disabilities using alternate pathways to graduation because decisions on students' qualifications for waiver or the designs of alternative assessment are often made at the local level, and states do not usually collect this information¹⁹. For example, the eligibility for waivers is usually determined by individualized education program (IEP) teams, and many states do not collect data on the number or the percentage of students with disabilities graduating with waivers.

Most states provide particular alternate pathways to students with disabilities in addition to the ones available for general education students. States have different policy designs to address the needs of students with disabilities. In tables 3 and 4 we highlight some of the specific alternate pathways. These pathways include variations of three policy designs, alternative assessments, portfolio assessments and waivers.

Fourteen states offer alternative or portfolio assessment options (table 3). The alternative assessments in most states are tests with modified questions or aligned to modified standards. Some states, such as Alaska, Maryland, Oklahoma and Washington, make both forms available. Compared to waivers, more states allow students with disabilities to graduate with regular diplomas after passing alternative or portfolio assessments.

¹⁹For example, Arizona, Minnesota, New Mexico, and North Carolina.

Table 3

Alternate Pathways for Students with Disabilities: Alternative Assessment, Portfolio Assessments and Flexible Cut Scores

CEP Classification	State Survey Response	Diploma Eligibility	Number and Percentage of Students with Disabilities Using Alternative Assessments in 2008
AK	Portfolio assessment	Regular diploma	NA
	Alternative assessment	Regular diploma	NA
ID	Portfolio assessment	Regular diploma	NA
MD	Alternative assessment	Regular diploma	NA
	Alternative assessment	Maryland High School Certificate of Program Completion	NA
MA	Portfolio assessment	Regular diploma	NA
MN	Flexible cut scores	Regular diploma	NA
	Alternative assessment	Regular diploma	Writing: 798 test takers (1.2% of total population tested) Reading: 834 test takers (1.3% of total population tested) Math: 881 test takers (1.4% of total population tested)

Table 3 continued

CEP Classification	State Survey Response	Diploma Eligibility	Number and Percentage of Students with Disabilities Using Alternative Assessments in 2008
MS	Alternative assessment	Regular diploma	Less than 1% of students with disabilities submitted a substitute evaluation
NJ	Alternative assessment	Regular diploma	548 (0.06%)
NM	Alternative assessment	Regular diploma	NA
	Flexible cut scores	Regular diploma	NA
NY	Alternative assessment	Regular diploma	Math: 3,284 (1.7%) ELA: 2,958 (1.5%)
OH	Alternative assessment	Regular diploma	2,476 participated (11.4%)
OK	Alternative assessment	Regular diploma	NA
	Portfolio assessment	Regular diploma	NA
	Flexible cut scores	Regular diploma	NA
SC	Alternative assessment	Certificate of attendance	NA

continues ►

Table 3 continued

CEP Classification	State Survey Response	Diploma Eligibility	Number and Percentage of Students with Disabilities Using Alternative Assessments in 2008
TX	Alternative assessment	Minimum-standard diploma	NA
	Alternative assessment	Minimum-standard diploma	NA
WA	Flexible cut scores	Regular diploma	WASL-Basic: 1.0% in reading, 1.0% in writing, and 0.5% in math
	Portfolio Assessment	Regular diploma	WAAS-Portfolio: 0.5% in reading, 0.5% in writing, and 0.5% in math
	Alternative assessment	Regular diploma	WAAS-DAW: 2.2% in reading, 1.7% in writing, and 2.3% in math

Table reads: Mississippi allows students with disabilities to take an alternative assessment to graduate from high school. Students with disabilities pursuing a regular diploma may participate in the High Stakes Alternative Assessment after their initial participation in subject area testing. Students graduating through the alternative assessment are eligible for a regular diploma. In 2008, less than 1 percent of students with disabilities submitted a substitute evaluation.

Source: CEP High School Exit Exam Survey, 2002-2009, Center on Education Policy, State Department websites, email and phone inquiries with state department staff.

Officials in Washington State revealed in an interview with CEP that portfolio assessments can be costly. The classroom-based evidence option in Washington State, for instance, costs about \$600 per collection of student work, while the cost of a standardized WASL exam is about \$22 per student.

Twelve of the 26 states have waiver options for students with disabilities so they do not need to earn passing scores on the state exit exams to graduate (table 4). As with waivers for general students, some states are very specific about the graduation status that different waiver programs may lead to. Alabama, for instance, has two waivers for students with disabilities that lead to different graduation status. The state waives the requirements for passing exit exams, which results in an occupational diploma upon graduation. The state also allows the local school system to waive one subject area for students with disabilities; with passing scores in the other four areas, students are still able to earn a regular diploma.

Table 4

Alternate Pathways for Students with Disabilities: Waiver Options and Alternative Diploma

CEP Classification	State Survey Response	Diploma Eligibility	Number and Percentage of Students with Disabilities Graduated Through Waiver in 2008
AL	Exempt from passing → Students with disabilities may receive an Alabama Occupational Diploma, which does not require passing the AHSGE.	Occupational diploma	929 (34.9%)
	Exempt from participation in one subject → The school system may offer students with disabilities a waiver for one subject-area test in the student's major disability.	Regular diploma	
AK	If a student does not achieve a proficient score on the HSGQE or the alternative assessment program, the student is eligible to receive a certificate of achievement if all other state and local requirements for graduation have been met. ²⁹	Certificate of achievement	NA
AZ	Exempt from passing Students with disabilities may be exempted from having to pass AIMS to graduate from high school. Students with disabilities who are not exempt from passing the exam and who complete high school may qualify for AIMS augmentation.	Regular diploma	NA
AR	Exempt from passing Students with disabilities may graduate based on their individualized education plan.	Regular diploma	NA
CA	Exempt from passing* Local waiver request. CAHSEE may be waived for eligible students with disabilities. Students must be permitted to use any modifications specified in their individualized education program (IEP) or Section 504 Plan. Modifications fundamentally alter what the test measures and can affect the comparability of scores.	Regular diploma	4,230 (11.2%)
FL	Exempt from passing The FCAT requirement may be waived for students with disabilities who have not achieved a passing score on the exam after two attempts and have met all other requirements.	Regular diploma	3,157 (18%)
GA	Exempt from passing Students with disabilities may apply for the general waiver. A special education diploma is also available for students with disabilities who complete the requirements of their individualized education program.	Certificate of attendance Special education diploma	55 students NA

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²⁹www.eed.state.ak.us/tls/assessment/participation_guidelines/ParticipationGuidelinesSept2007.pdf

Table 4 continued

CEP Classification	State Survey Response	Diploma Eligibility	Number and Percentage of Students with Disabilities Graduated Through Waiver in 2008
MD	For students with disabilities who do not pass the HSA and cannot meet the requirements for a diploma.	Maryland High School Certificate of Program Completion	NA
MS	Exempt from passing Students with disabilities must participate in subject-area testing for NCLB reporting, but these alternate paths do not require that students pass the subject area tests.	Certificate of completion or an occupational diploma	NA
NJ	Exempt from passing Some students with disabilities are exempt from passing—but not from taking—the HSPA, based on their individualized education program (IEP). Students who are designated as “IEP-exempt from passing” must take the exempt portions of the test at least once, but their scores will not affect their graduation status.	Regular diploma	NA
NM	Exempt from passing Standard: Students must meet the district’s graduation requirements that apply to all students.	Regular diploma	NA
	Exempt from passing Career Readiness: Students must take the NMHSCE and meet a competency level determined by the student’s individualized education program (IEP) team.	Regular diploma	NA
	Exempt from passing Ability: Students must take either the NMHSCE or the New Mexico alternate assessment and meet a competency level determined by the IEP team.	Regular diploma	NA
NC	Exempt from passing Students with disabilities who are following the occupational course of study (OCS) are not required to pass the competency test to receive a diploma. Only certain students with disabilities may participate in OCS, as determined by each student’s IEP team.	Regular diploma	NA
	Exempt from participation An IEP team or section 504 committee may determine that a student with disabilities participating in the college/university, college/technical, or career preparation courses of study will not participate in the competency test.	Graduation certificate	NA

continues ➤

Table 4 continued

CEP Classification	State Survey Response	Diploma Eligibility	Number and Percentage of Students with Disabilities Graduated Through Waiver in 2008
OH Exempt from passing	The decision for an exemption is made by the individualized education program (IEP) team on a test-by-test basis because the student has a curriculum that is significantly different in depth and breadth from the general education curriculum.	Regular diploma	NA
SC	Students with or without disabilities who complete all course credit requirements but do not pass the exit examination are eligible for a state certificate.	State certificate	NA
VA	Students with disabilities who do not meet the requirements for a standard or advanced diploma but meet the credit and literacy and numeracy requirements established by the state board of education may receive a modified standard diploma.	modified standard diploma	2,044 (19.53%)
	Students with disabilities who do not meet the requirements for other diplomas but have completed the requirements of their individualized education program (IEP) may receive a special diploma.	special diploma	2,489 (23.79%)

Table reads: Students with disabilities in Alabama may graduate from high school with occupational diplomas without passing the Alabama High School Graduation Exams (AHSGE). In 2008, 929 students with disabilities (34.9% of all graduating student with disabilities) graduated with occupational diplomas. Students with disabilities in Alabama may be exempt from participating in one of the five subjects to graduate from high school with regular diplomas.

*Note: Beginning in the 2009-10 school year, students with disabilities will be exempt from meeting the CAHSEE requirement as a graduation requirement. More information can be found at www.cde.ca.gov/ta/tg/hs/cahseeABx4.asp. For more detailed information on requirements for the local waiver request please contact the California department of education.

Source: CEP High School Exit Exam Survey, 2002-2009, Center on Education Policy, State Department websites, email and phone inquiries with state department staff.

In addition to alternative and portfolio assessments and waivers, some states use lower cut scores for students with disabilities, as in the case of New Mexico's Career Readiness Path, Minnesota's flexible pass scores decided by IEP teams, and Washington's WASL-Basic. Others use modified school curricula, such as North Carolina's Occupational Course of Study program that focuses on post-school employment and independent living. These policy approaches do not hold students with disabilities to the same state standards that are applied to general students, and they lead to a graduation status that may not be comparable to that received by general students who have passed all exit exams.

Comparing tables 3 and 4, we notice some differences between the option of alternative or portfolio assessments and waivers for students with disabilities. As shown in Table 3, three of the four states that reported percentage data, Mississippi, New Jersey, and Washington State, had less than 2.5% of students with disabilities who attempted or graduated through alternative assessment in 2008. In contrast, the three states that reported the percentage data in Table 4 show a much larger student population using waivers to graduate.

Alternate Pathways for English Language Learners

Few states with exit exams offer alternate pathways specifically for ELLs, though many of them allow specific testing accommodations for these students. While most of the states offer ELLs the same alternate pathways offered to general education students, Idaho and Minnesota have policies for students with limited experience in the U.S. education system. ELLs in Idaho may appeal for an alternate measure if they have been in the program for three years or less; if they successfully meet the requirements for this alternate pathway, they will be able to graduate with regular high school diplomas²¹. Minnesota allows districts to exempt ELLs from passing exit exams if they have been in the country for less than four years before graduation.

The Process of Shaping Alternate Path Policy in Three States

To understand the design and implementation of alternate pathways, we interviewed officials working with state high school assessment policies in Maryland, New Jersey, and Washington State. Appendix B explains the rationale for selecting these three states and describes policy background for each state.

The alternate pathway policies in these three states are shaped by recommendations from state advisory committees. The committees in these three states are composed of a broad selection of stakeholders, including representatives from higher education, state and county offices, the business community, advocacy groups, schools, and local education agencies. These committees are involved in the details of designing, implementing, revising, and evaluating the state testing programs. Washington, for example, has multiple advisory committees, and each committee focuses on a particular graduation option in the state testing system. One state official explains the role of advisory committees in Washington as follows:

[The committee members] determine if things are running; they will determine the procedural guidelines and recommend to the legislature if things need to be modified. They are our technical advisors in the area... Though the legislature determines whether students are qualified for diplomas, the CAA Option Advisory Committee would determine what strategies we need to take to prove equivalency [of different alternate pathways]. They would recommend to us what procedures are needed and what analyses would be needed to prove [the equivalency].

Since 2005, Maryland has relied on a special task force to examine alternative options for assessing special student subgroups, such as students with disabilities and English language learners. Since the establishment of its Bridge Plan program, the state's test design group has also worked with teachers to design project modules to ensure the equivalency of its alternate pathways to the regular state exit exams. The advisory committees in New Jersey have been guiding the development of the Special Review Assessment since the 1990s. They help the state education department collect information from the field about the best way to serve students and give advice on policy changes. Recently, the committee has been helping the state respond to criticism of SRA.

Criticisms of alternate pathways policies in these three states have focused on the potential threats alternate pathways pose to the rigor of student testing systems. New Jersey's state department of education issued a report in 2008²² that revealed its concern regarding the unexpectedly high number of students using the

²¹For more detailed information see adm.idaho.gov/adminrules/rules/ldapa08/0203.pdf, p.11.

²²The report can be found at www.njpsa.org/documents/NJDOE_SRA_Paper.doc.

Special Review Assessment to graduate. This concern has precipitated a series of policy adjustments since the 2008 report. As the SRA heavily relies on districts for appropriate implementation, the state faces the challenge of making sure that the districts take the SRA materials seriously and treat them in a secure and confidential manner. One state official described the state's reliance on local implementation in this way:

SRA is locally administered and scored; there is much more latitude and trust invested with local districts. And we try to communicate the validity of diplomas resulting from that path, the validity of results is tied to the credibility of that process. We need them to make sure they take it seriously so that the results can be credible.

For states such as New Jersey, the monitoring strategy is critical because the implementation of alternate pathways is executed by districts and schools. Maryland has reported some promising monitoring strategies to oversee its Bridge Plan, which is also administered and scored at students' schools. In Maryland, a panel of graders makes recommendations to the local superintendent about students' qualifications for passing, and the state spot-reviews this local decision-making process to ensure that student projects demonstrate sufficient qualifications. The state not only gives specific rubrics for grading but also uses a review system to make sure student projects are graded appropriately and that the objectives of the project module are met as expected.

Maryland and New Jersey also reported providing professional training to strengthen local implementation of alternate pathways. Maryland organizes intensive training and publishes guides to explain the use of rubrics, shows samples of student projects, and specifies goals that need to be met under certain timelines. Similar training was also reported by New Jersey. As New Jersey transitions from comprehensive standardized tests to end-of-course exams, training for SRA will change accordingly. The state is planning to bring teachers together to score anonymous student work in future training sessions. In this way, teachers will be able to see student work in other schools, which may help even out differences in grading.

These strategies, however, do not fully address the challenges posed by locally implemented alternate pathways. All three states experience some degree of technical challenge in designing and developing alternate pathways. In Maryland, the amount of content-specific work involved in developing project modules has created tremendous pressure for state staff:

... It's a matter of state belt tightening and this is a whole new set of enormous tasks... of training and developing materials [and] the scoring rubrics. [The projects] require [students] to set up experiments or do significant research; they turn in pretty substantial sets of work ... It's a ton of work to make [projects] fresh and different each time, to also make sure that they're rigorous and in-depth enough to be meaningful.

Washington expressed similar technical challenges when it comes to specifying and communicating learning objectives for math. It has tried to solve the problem by posting sample problems on the state Web site; however, new concerns have ensued regarding the uniqueness of student work:

We have a number of high schools in the state where all the submissions from students are essentially the same, and at this point in time we don't necessarily think that that is teachers deliberately trying to cheat, but we think it's teachers, in a misguided sense of what the target is, thinking that, "So here are some math problems. If I can demonstrate that all the kids can do these math problems, then they will have met the criteria, and so, kids, let me teach you how to do these problems."

Despite the tremendous amount of work and technical challenges, none of the 26 states assigned more than four full-time equivalent staff members to develop, facilitate, and oversee alternate pathways. In some states, alternate pathways are considered local decisions, and no state staff is involved at all. Staffing needs may

vary due to the diverse policies that require different lengths of time for reviewing evidence collected through alternate pathways. The time to review and make a decision on one student document ranges from an hour to a couple of weeks; the appeal process and communication of the results can further increase the work load and lengthen the time needed for implementing alternate pathways. Some states, such as New Jersey, rely on local staff, particularly when alternate pathways are administered by local schools and districts, but it can be difficult sometimes to recruit teachers to score student work.

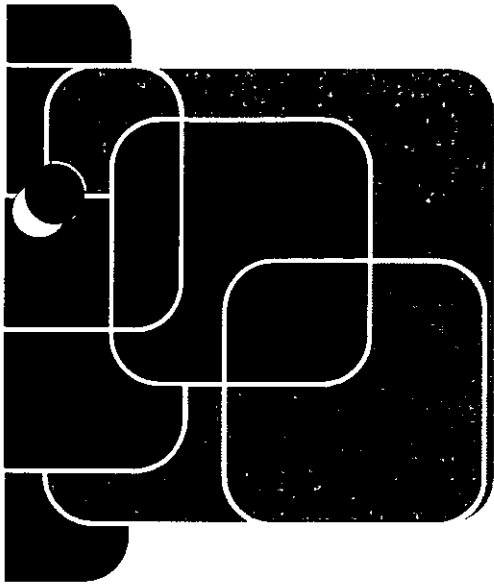
Conclusions

Alternate pathways to graduation can serve as a way to address limitations of standardized assessments and to balance the state accountability system with a certain amount of flexibility. We see both strengths and weaknesses in the approaches states have taken with their alternate pathway policies. Portfolio assessments, for example, allow students to demonstrate their learning in a sometimes less stressful environment and pushes them to learn what they may not have mastered, but it is hard to gauge how comparable the portfolios are with the exit exams. The same dilemma exists for substitute tests. It is cheaper and more convenient for states to use the ACT or SAT than to develop state alternative assessments from scratch; however, these tests are not designed to reflect state curricula and standards; therefore, we must be cautious about comparing student performance on substitute tests with exit exams.

Other alternate pathway policies, such as flexible cut scores and waiver programs, may be more straightforward to implement with detailed descriptions of state rules and direct state oversight; unfortunately, they face some criticism that they lower graduation standards and reinforce or widen existing achievement gaps. In light of the important roles advisory committees play, officials in New Jersey recommended that states proactively connect with and consult relevant stakeholders in the early stage of developing alternate pathways to graduation so their approach can be scrutinized through multiple perspectives, preventing unnecessary complications for implementation.

As supplemental policies to add flexibility to state-mandated assessment, alternate pathways may prevent high school exit exams from denying many struggling high school students a bright future. We count on the future development of state data systems to learn more about how alternate pathways serve students with disabilities. We also hope to see more empirical evidence on how the provision of alternate pathways impacts student learning in high school, and how various graduation statuses through alternate pathways influence student development after high school.





Chapter 3: Trends and Gaps in Exit Exam Pass Rates

In this chapter we turn to the question of how student performance on exit exams has changed since the exams became mandatory for graduation. We are particularly interested in the degree to which the student pass rate on exit exams has increased and the extent to which the pass rate gap between different subgroups of students has changed. We use the initial pass rates—the percentage of students passing on their first attempt—as a proxy for student performance on the exit exams.

Given the variety of tested subjects and numerous policy changes in the 26 states studied, we focus on the initial pass rates in 16 states because they have reported their test results in our surveys for at least three consecutive years. We chose to focus on reading²³ and mathematics because both subjects are required for federal accountability purposes.²⁴ We also limit the data to years in which current exit exams were used to withhold diplomas.²⁵ Table 1 at the beginning of this report shows the years when the states began withholding diplomas based on their exams.

As discussed in Chapter 1, exit exams across states differ greatly in content, question format, and test difficulty levels. Such diversity makes initial pass rates in various states not directly comparable to one another. For instance, difficult test content and low student performance can both contribute to relatively low initial pass rates, but give completely different implications about the state's exit exams. Therefore, we can only compare a state with itself to see if it makes progress from year to year, and we can only do year to year comparisons in states where the exit exam remains unchanged for the years studied. We calculated the average annual growth by dividing the sum of annual changes in the initial pass rates by the number of years for which we had comparable data.²⁶ States are categorized by their amount of average annual growth.

Following the longitudinal trend analysis, we examine the average annual change in the initial pass rate gaps between various subgroups of students. Initial pass rates of African American and Latino students are compared to those of white students, and students eligible for free or reduced-price lunch are compared to all students. Initial pass rates of subgroups of students are limited to years when current exit exams were used to withhold diplomas. The average annual change in initial pass rate gaps reveals the pace at which such gaps narrowed on the state's exit exams. The faster the pace, the greater changes between subgroups in gaps and the narrower the state's gaps.

In comparing average growth or change in pass rates, we need to be cautious about drawing appropriate conclusions. A higher growth in initial pass rate may indicate a state's progress in student performance over time, but we cannot simply infer that student performance in the state's exit exams is better than that in other states with lower growth rates. We cannot conclude that students perform better in states with a high average annual change in gaps, because exit exams vary across states.

²³Reading is called English language arts (ELA) in some states.

²⁴Alaska and Texas use high school tests different from exit exams for NCLB.

²⁵For more detailed information on the year diplomas were first withheld based on current exit exams, refer to table 1, pp. 5-9.

²⁶Years of data vary across states because states first withheld diplomas based on current exit exams beginning in different years.



Initial pass rate is not a flawless measure of student performance. Some states, such as Alabama, allow students to take exit exams before they reach the grade level in which the exams are supposed to be first administered. As a result, the initial rates may include students who have taken tests before reaching the tested grades. Most states do not hold schools accountable for the initial pass rate; therefore, students may not demonstrate their best effort to pass on their first try, which is a limitation of using initial pass rates as a means to measure the outcome of testing policy.

Last but not least, some states show more or less improvement in initial pass rates or gap closing because of a dramatic change (increase or decrease) occurring in one year. Considering that many states started implementing current exit exams only a few years ago, such abrupt and unsustained changes may skew our conclusions about some states' passage rates over time.

On the disk accompanying the printed version of this report and posted on the CEP Web site (www.cep-dc.org) are supplemental figures and tables that provide more detailed state by state information on initial and cumulative pass rates as well as information on the gap in pass rates between different subgroups of students.

Longitudinal Trends in Initial and Cumulative Pass Rates

The 16 states²⁷ included in the analysis show a wide range of change in initial pass rates over varied periods of time.²⁸ Some, such as the initial reading pass rate in Florida and Georgia, barely changed, while some, such as the initial math pass rate in Alaska and Nevada, fluctuate more than 10%. Such fluctuation can be either an increase or a decrease in pass rate.

We then took a closer look at the changes in initial pass rates in each subject area. Eleven of the 16 states showed an average annual growth in the proportion of students passing the test in reading and 13 states showed average annual growth in math. For initial pass rates in reading, Alaska and Nevada had an average annual increase of more than 3 percentage points in initial pass rates (Table 5). Six states showed average annual gains ranging from 1 to 3 percentage points, while initial pass rates in five states changed slightly over the years studied. The initial pass rates in Alabama, California, and New Mexico showed an average annual decrease of more than 1 percentage point.

In math, Louisiana, Nevada, and Tennessee had average annual increases in initial pass rates of more than 3 percentage points. Nine states showed average annual increases from 1 to 3 percentage points in initial pass rates. Initial pass rates in math decreased in California and slightly decreased in Indiana and New Mexico.

In five states, we also compared the initial and cumulative pass rates on exit exams. (Cumulative pass rates include the percentage of students who passed exit exams by the end of grade 12.) The analysis is limited to five states, due to not enough years of comparable test data or missing data in the other states. Fifteen states provided cumulative pass rate data for 2008, but many of them did not report data for 2006 and/or 2007. Some states report cumulative pass rates by subjects and subgroups; some report only certain subjects; some estimate ranges. Alabama, Arizona, California, Massachusetts, and Texas are included in the cumulative pass rate analysis since they provided both initial and cumulative pass rates from 2006 to 2008 in a consistent form and had relatively few changes in their exit exams and relevant policies.

In reading, cumulative pass rates in Alabama, California, Massachusetts and Texas reached around 95% for the three years we studied. The difference between the initial and cumulative pass rate, however, varied by

²⁷Alabama, Alaska, Arizona, California, Florida, Georgia, Indiana, Louisiana, Massachusetts, Nevada, New Jersey, New Mexico, South Carolina, Tennessee, Texas, Virginia.

²⁸States began withholding diplomas based on student performance on their current exit exams in different years. Table 1 provides the beginning years we used for calculating annual average changes.

Table 5

Longitudinal Trends of Initial Pass Rate in Reading and Math

Reading	Math
States with more than 3 percentage points of average annual gain in initial pass rate	
AK, NV	AK, NV, TN
States with between 2 and 3 percentage points of average annual gain in initial pass rate	
LA	AK, MA, SC, TX, VA
States with between 1 and 2 percentage points of average annual gain in initial pass rate	
AZ, MA, SC, TX, VA	AL, AZ, FL, NJ
States with less than 1 percentage point of average annual gain in initial pass rate	
FL, NJ, TN	GA
States with average annual decrease in initial pass rate	
AL, CA, GA, IN, NM	CA, IN, NM

Table reads: Initial reading pass rates in Alaska and Nevada increased by an average of more than three percentage points annually. Initial math pass rates in Alaska, Massachusetts, South Carolina, Texas, and Virginia increased by an average of more than two but less than three percentage points annually.

Source: CEP High School Exit Exam Survey, 2002-2009, Center on Education Policy.

state. For example, the difference in California's initial pass rate compared to its cumulative pass rate was about 20 percentage points while the difference in Massachusetts was about 5 percentage points. From 2006 to 2008, the difference between the initial and cumulative pass rates in reading remained at 5 to 6 percentage points in Texas, narrowed from 3 to 1 percentage point in Massachusetts, and widened in Alabama, Arizona and California. Arizona, for example, increased its cumulative pass rate by 8 percentage points, from 80% in 2006 to 88% in 2008, while its initial pass rates increased by 2 percentage points, from 71% to 73%.

In mathematics, the cumulative pass rates in Alabama, California and Massachusetts were also about 95% from 2006 to 2008. The average difference between the initial and cumulative pass rates in Massachusetts was greater in mathematics than in reading—about 10 percentage points in math compared to about 5 percentage points in reading. The difference between California's initial and cumulative pass rates in mathematics was about the same as the difference in reading, about twenty percentage points. Cumulative pass rates were consistently lower in math than in reading in Arizona and Texas. From 2006 to 2008, the difference between the initial and cumulative pass rates in mathematics was kept at 10 percentage points in Alabama, narrowed from 8 to 6 percentage points in Massachusetts, and widened in Arizona, California and Texas. For example, both initial and cumulative pass rates increased from 2006 to 2008 in Texas, but the growth in the initial pass rate over the three years was less than the growth in the cumulative pass rates over the same time period. As a result, the difference between initial and cumulative pass rate in Texas widened from 7 percentage points in 2006, to a difference of 9 percentage points in 2007, to an 11 percentage point gap in 2008.

Detailed tables and figures with information on each of the five states' initial and cumulative pass rates on reading and mathematics exit exams can be found on the disk accompanying this report and on the CEP Web site at www.cep-dc.org.

There are many possible reasons for the differences between initial and cumulative pass rates. For example, if the cumulative pass rate reflects a high proportion of students passing the exam, it may indicate that remediation programs are successful and that greater proportions of students are succeeding on subsequent re-takes of the test. It could also mean that some students took the exam before they had completed the appropriate courses that would help prepare them for the test. It may also indicate that students who failed to pass the test the first time they took it are increasingly reliant on pursuing additional preparation to help them pass the test. Fifteen states²⁹ indicated in our survey that they currently use the initial pass rate to determine adequate yearly progress (AYP) under NCLB. The initial pass rate weighs more for school accountability than for students who simply care if eventually they graduate. The deviation of school accountability from student accountability may have contributed to students' reliance on remediation and retake opportunities, which in turn increase the cost of exit exams, and schools' reluctance to communicate with students about state policies regarding alternate pathways (CEP, 2009).

The big difference between initial and cumulative pass rates in some states reveals that, of the high school graduates who pass the state exit exams, quite a few rely on additional help beyond teaching in everyday classes. A growing number of states have taken action in recent years by increasing assistance to the improvement of instruction and school leadership, as reported in Chapter 1. However, the persistence of big differences in pass rates in some states highlights the importance of identifying struggling students early and providing them with assistance before they fail the tests.

Gaps in Initial Pass Rates

The gap analysis³⁰ focuses on three student subgroups: African American and Latino students as well as students eligible for free or reduced-price lunch. At varying rates, most states have narrowed the gaps; however, initial pass rate gaps remain large for these subgroups.

Gaps Between African American and White Students

In 2008, African-American students in all of the 15 states³¹ analyzed have a lower initial pass rate than their white peers by 5 to 36 percentage points in reading and by 7 to 40 percentage points in mathematics across states. Looking across the 15 states, the gap in initial pass rates has narrowed annually by an average of 1.1 percentage points in reading and 1.7 percentage points in mathematics.

Table 6 shows that South Carolina, Louisiana, and Nevada narrowed the initial pass rate gaps in reading by an average of more than 3 percentage points every year. Gaps in seven states changed less than 1 percentage point. Annual changes in initial pass rate gaps have fluctuated in Alabama, Indiana, and Florida, but the average changes across years show widened gaps between African American and white students.

For mathematics, gaps in nine states narrowed by more than one percentage point per year. In three of the nine states, Louisiana, Massachusetts, and Tennessee, the gaps have closed by an average of more than three percentage points per year. Initial pass rate gaps between African American and white students in six other states have stalled for the past few years, four (Alabama, Georgia, Indiana and New Jersey) with average annual gap narrowed by less than 1 percentage point, and two (California and Nevada) with slightly widened gaps. Annual gap changes have fluctuated in Nevada since 2004.

²⁹Alabama, Arizona, California, Florida, Georgia, Idaho, Indiana, Louisiana, Massachusetts, Mississippi, New Jersey, Ohio, Oklahoma, Tennessee, Washington. www.eed.state.ak.us/tls/assessment/participation_guidelines/ParticipationGuidelinesSept2007.pdf

³⁰Only initial pass rates are used to calculate gaps.

³¹This gap analysis is based on data drawn from 15 of the 16 states. New Mexico is not included in this analysis due to missing data for African American students in reading and math.

Table 6

Initial Pass Rate Gaps Between African American and White Students in Reading and Math

Reading	Math
States with more than 3 percentage points of average annual gain in narrowing the achievement gap	
LA, NV, SC	LA, MA, TN
States with between 1 and 3 percentage points of average annual gain in narrowing the achievement gap	
AZ, AK, MA, TN, VA	AK, AZ, FL, SC, TX, VA
States with less than 1 percentage point of average annual gain in narrowing the achievement gap	
CA, GA, NJ, TX	AL, GA, IN, NJ
States with less than 1 percentage point of average annual loss in narrowing the achievement gap	
AL, FL, IN	CA, NV

Table reads: Louisiana, Nevada and South Carolina narrowed the initial reading pass rate gaps between African American and white students by an average of more than three percentage points annually. Louisiana, Massachusetts, and Tennessee narrowed the initial math pass rate gaps between African American and white students by an average of more than three percentage points annually.

Source: CEP High School Exit Exam Survey, 2002-2009, Center on Education Policy.

Gaps Between Latino and White Students

In 2008, the initial pass rate gaps between Latino students and their white peers ranged from 6 to 27 percentage points in reading and from 5 to 28 percentage points in mathematics. Across the 15 states³², the gap has narrowed at an average annual rate of 1.5 percentage points in reading and 1.4 percentage points in mathematics.

Table 7 shows the pace at which the initial pass rate gaps in reading have narrowed in the 15 states. The initial pass rate gap between Latino students and their white peers in South Carolina has narrowed at an average annual rate of 6.7 percentage points since the state began withholding diplomas based on its High School Assessment Program (HSAP) in 2006. Initial pass rate gaps in Massachusetts and Nevada have also narrowed by more than an average of 2 percentage points every year. Both Massachusetts and Nevada have used their current exit exams to withhold diplomas since 2003. Indiana had a slightly widened initial pass rate gap in reading between Latino and white students due to their fluctuating annual gap changes.

For most of the 15 states, the average annual progress toward closing the Latino-white initial pass rate gap is greater in mathematics than reading. Gaps between Latino and white students in twelve states narrowed by more than 1 percentage point per year in mathematics. Massachusetts is closing its gap at an average of 3.2 percentage points per year. Three states showed less than a 1 percentage point change in closing the initial pass rate gap.

³²This gap analysis is based on data drawn from 15 of the 16 states. New Mexico is not included in this analysis due to missing data for Latino students in reading and math.

Table 7 Initial Pass Rate Gaps Between Latino and White Students in Reading and Math

Reading	Math
States with more than 2 percentage points of average annual gain in narrowing the achievement gap	
AK, MA, NV, SC	GA, MA, TX
States with between 1 and 2 percentage points of average annual gain in narrowing the achievement gap	
AZ, GA, TX, VA	AL, AK, AZ, FL, NV, NJ, SC, TN, VA
States with less than 1 percentage point of average annual gain in narrowing the achievement gap	
AL, CA, FL, LA, NJ, TN	CA, IN, LA
States with less than 1 percentage point of average annual loss in narrowing the achievement gap	
IN	

Table reads: Alaska, Massachusetts, Nevada and South Carolina narrowed the initial reading pass rate gaps between Latino and white students by an average of more than two percentage points annually. Georgia, Massachusetts and Texas narrowed the initial math pass rate gaps between Latino and white students by an average of more than two percentage points annually.

Source: CEP High School Exit Exam Survey, 2002-2009, Center on Education Policy.

Gaps Between Students Eligible for Free and Reduced-price Lunch (FRL) and All Students³³

In 2008, the average annual gap in initial pass rate between FRL and all students ranged from 4 to 18 percentage points in reading and from 5 to 18 percentage points in mathematics. Across the 16 states, the gap narrowed by an average of about 1 percentage point per year in both reading and mathematics. Alaska had an average rate of 4 percentage points in closing the gap in reading per year (Table 8). Half of the states have made little progress in closing the gap between FRL students and all students in reading. The gap in Alabama widened between 2003 and 2004 and remained steady since 2006. In mathematics, two states closed the gap by more than 2 percentage points, and all 16 states made some progress.

Conclusions

States have made progress in improving the overall initial pass rate and closing initial pass rate gaps between student subgroups, but that progress has varied across states and subject matter. Eight states increased their average annual initial pass rates for all students in mathematics by more than 2 percentage points compared to three states in reading. Five states showed a decrease in their initial pass rates in reading.

The gaps in initial pass rates between different subgroups of students are narrowing, however, remain daunting in both subjects. The average annual change in initial pass rate gaps is a measure that helps illustrate how well states have addressed achievement gaps in high-stakes exit exams. Initial pass rate gaps in most states narrowed, but at different rates. A few recent studies (See Appendix A) provide empirical evidence about the negative effects that exit exams have had on minority and disadvantaged students. It has become a key con-

³³We compare this subgroup to all students because many states do not report initial pass rates of students who are not eligible for free and reduced-price lunch.

Table 8

Initial Pass Rate Gaps Between FRL and All Students in Reading and Math

Reading	Math
States with more than 2 percentage points of average annual gain in narrowing the achievement gap	
AK, MA, NV, NJ, VA	GA, NJ
States with between 1 and 2 percentage points of average annual gain in narrowing the achievement gap	
AZ, GA, LA	AK, LA, MA, SC, TN, TX
States with less than 1 percentage point of average annual gain in narrowing the achievement gap	
CA, FL, IN, NM, SC, TN, TX	AL, AZ, GA, FL, IN, NV, NM, VA
States with less than 1 percentage point of average annual loss in narrowing the achievement gap	
AL	

Table reads: Alaska, Massachusetts, Nevada, New Jersey, and Virginia narrowed the initial reading pass rate gaps between FRL and all students by an average of more than two percentage points annually. Georgia and New Jersey narrowed the initial math pass rate gaps between FRL and all students by an average of more than two percentage points annually.

Source: CEP High School Exit Exam Survey, 2002-2009, Center on Education Policy.

sideration in the design of effective exit exam policy to mitigate the negative effects of high-stakes assessment on these students.

It would be fallacious to compare the pass rates directly and conclude that exit exams in a state are better simply because it has higher pass rates. Some states, such as Nevada and Arizona, have relatively low initial pass rates but faster average annual growth than some others.

Initial pass rate trends within each state reflect both progress and persistent gaps that need to be addressed more effectively in the future. If the ultimate goal of exit exam policies is to promote achievement of all students, states with initial pass rates that have not improved over time may need to reconsider their exit exam policies, particularly when there is a considerable proportion of students who are failing to pass and who are relying on remediation and re-take opportunities to pass the exams.

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Appendix A: Studies of High School Exit Exams in 2009

A few recent studies have looked at the effects of exit exams on high school graduation and dropout rates (Martorell, 2005; Jacob, 2001; Warren & Edwards, 2005; Ou, 2009). For example, Jacob and Dee's 2009 analysis of the 2000 census data shows that exit exams have a small but statistically significant impact on high school completion; their analysis of Common Core of Data shows that Minnesota's Basic Skills Tests (BST) improved student performance in 9th through 11th grade but increased the dropout rate of 12th graders who, in most cases, have failed the exam repeatedly. Reardon and colleagues (2009) compared district data on student achievement and graduation rates before and after the implementation of the California High School Exit Exam (CAHSEE). They found that the CAHSEE decreases the probability of graduation by 15% for 10th graders in the bottom quartile of achievement. The negative impact is larger on the graduation rate of minority low-achieving students, English language learners, and students eligible for free or reduced-price lunch. We summarize a few recent studies as additional resources for readers.

Warren and colleagues (2008) examined the effect of high school exit exams on labor force status or earnings. They found that the rate of postsecondary schooling was not significantly higher in states that required exit exams than in those that did not. Neither was there a significant difference in employment status and wage between high school graduates in states mandating exit exams and those in states that did not. The authors use data from the 1980-2000 U.S. census and the 1984-2002 outgoing rotation groups of the current population survey.

Ou (2009) analyzed data from the New Jersey High School Proficiency Assessment (HSPA) exam to look at the impact of the state's exit exams on student dropout rates. He found that students who barely fail the exam are more likely to drop out than students who barely pass it, indicating that passage or failure on the exam may sway students with comparable achievement levels toward or away from staying in school. The effect is more pronounced for racial minorities and economically disadvantaged students.

Jacob and Dee (2009) examined the impact of exit exams through analysis of two data sets. Using the 2000 Census Public Use Microdata Sample (2000 PUMS), they found that the presence of exit exams reduced the probability of completing high school among white male students and black students. Their analysis of Common Core of Data (CCD) showed that Minnesota's exit exams reduced the dropout rate in grade 10 and 11 but increased the rate in grade 12, particularly in districts with higher proportions of minority students.

Reardon and colleagues (2009) compared ELA test scores, persistence through 11th and 12th grade, and graduation rates of students who were not subject to exit exams with those of students who were in four large California districts (subject to the CAHSEE). They found that exit exams had modest negative effects or no effects at all on student persistence and achievement, but significant negative effects on graduation rates, particularly for minority students whose scores were in the bottom quartile.

Appendix B: Methods of Study

Multiple sources provide information on the 26 states' exit exams, including CEP's high school exit exam survey in 2009, CEP's annual and special reports on high school exit exams in the past seven years, policy documents from state departments of education, and reports from the U.S. Department of Education.

State profiles in CEP's 2002 report provide baseline information, and policy changes since then have been tabulated by state and year. The 2009 survey was administered from February 2009 to June of 2009 to state officials in the 26 states that mandate high school exit exams. The survey collected information on the features of high school exit exams and alternate pathways policies. All 26 states responded to the survey.

Based on data collected in these profiles, we group policy changes into five areas for analysis: historical policy background, test characteristics, student options, state support, and accountability. Themes of policy changes are identified through inductive coding, where we summarize changes across states and years in each of the five areas and then link these changes to see if common policy trends can be identified. We verify background and update policy status in our survey with designated state contacts, and follow news on high school exit exams—i.e. for this report generally from October 1, 2008 to July 15, 2009.

Selection of Interview States

In addition to the state surveys, CEP staff interviewed state officials in Maryland, New Jersey, and Washington State to examine in greater detail the design and implementation of alternate pathway policy in these states.³⁴ These three states were selected based on their designs of alternate pathways to graduation, the recent public debate about their high school assessment policy, and the volatility of state policy pertaining to high school exit exams.

Maryland

Beginning in 2009, Maryland requires all students to meet designated cutoff points on state High School Assessments (HSA) to graduate. To earn a high school diploma, students must pass all four grade-level tests in government, biology, English, and Algebra I and earn a combined score of 1602. In the meantime, the state department of education designed and offered an alternate pathway to graduation called the Bridge Plan to Academic Validation.

The Design of Alternate Pathways

The Bridge Plan is an alternative program through which students can earn their diploma if they failed one or more of the HSAs needed to graduate. The program was piloted in summer 2008 and requires students to complete one or more project modules in failed content areas. Students qualify for the Bridge Plan if they:

1. Have passed the HSA related course
2. Have taken the specific HSA or mod-HSA test twice without passing or earning a combined HSA score of 1602
3. Are firmly on the path to completing all other local and state graduation requirements (including attendance), and
4. Have participated in approved assistance

³⁴See Appendix C for interview protocols.

After the local school system determines that a student will complete a project, a designated school staff member meets with the student and parent/guardian to design an Academic Validation Project Package. The number of projects required varies from one to seven and is determined based upon the size of the gap between a student's HSA score and the cut score needed to attain proficiency. All projects are linked to the Core Learning Goals and are supposed to be comparable to the HSA. Upon completion, a review panel established by the local school system reviews the project and provides recommendations to the local superintendent, who conducts a final review for approval or refusal of the student's work. If a student's package is refused, written feedback is provided to the student so revised work can be resubmitted at a later date.

Students with disabilities may meet graduation requirements by taking the Modified HSAs (Mod-HSAs), alternative assessments based on the same course content as HSA. They are also eligible to participate in the Bridge Plan, should they fail to meet the standards set for the Mod-HSA.

In December 2008, the Maryland State Board of Education set forth a limited waiver process for seniors who failed to meet the state's new graduation requirements. The waiver is designed for students "who were prevented from fulfilling the HSA requirement because of school system decisions regarding class scheduling, course sequencing, testing, process of interventions, or some other special circumstances."

The school principal may recommend the waiver or the family may request it. Local school systems' superintendents have the authority to either grant or deny the waiver, and the denials may be appealed to the state superintendent.

Maryland refers to a "Parallel Path," meaning that a student may be pursuing more than one pathway at any given time. For example, he or she may be attempting to pass the HSA exam (or Mod-HSA) and completing a Bridge Plan at the same time.

Recent Public Debate

Maryland is the most recent state to impose exit exams as graduation requirements; most of the debate has centered on whether or not there should be such a requirement. Many critics of the exam allege that having a high school exit exam encourages dropouts, a phenomenon that is ultimately detrimental to all involved.

The Bridge Plan is offered to reduce the possibility of misjudgment based solely on HSA requirements. The critics of the plan reflect public concerns over holding all students to the same standards; other critics voiced concern that the requirements of the Bridge Plan seemed unclear.

The Volatility of Policy

Maryland started administering HSAs in 2001. Many parents and students were not convinced that Maryland would enforce the HSA graduation requirement. As the school year progressed and people began to realize that the state was not going to back off the policy, they became concerned. In October 2008, the Maryland Board of Education reviewed the policy to require HSA for graduation and upheld its decision.

At the start of the 2008-09 school year, 50% of students with disabilities and 15% of English language learners had passed all four sections of the HSA exam. At the end of May 2009, fewer than 1,500 seniors had not met the HSA requirement.

New Jersey

New Jersey's High School Proficiency Assessment (HSPA) is a comprehensive standards-based test in language arts, mathematics, and science. The class of 2003 was the first required to pass the HSPA to earn a diploma. In 2009, the board of education voted to phase out the HSPA over time in favor of end-of-course assessments.

The Design of Alternate Pathways

Before Maryland passed the Bridge Plan in the 2008 legislature, New Jersey was the only state that allowed an alternate pathway to be administered and scored at the local level. SRA consists of two components, remedial course work and performance assessment tasks (PATs). Currently, teachers score these tests and districts audit the scoring. The test is untimed and is composed of open-ended questions (tasks). If students fail one task, they are given a chance to review and attempt another question. The SRA will be replaced with the Alternate High School Assessment.

Based on their individualized education program, some students with disabilities are exempt from passing—but not from taking—the HSPA. Students designated with “IEP-exempt from passing” will not be affected by their scores for graduation purposes.

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Recent Public Debate

In 2007, 14.7% of graduates obtained a diploma through the SRA path. In some districts, more than three-quarters of students took advantage of SRA. The scoring at the local level caused some concern because there was little or no standardization of scoring and it could be highly subjective. The SRA was branded by critics as a loophole to graduation and as a false inflator of the state's high graduation rates. Businesses and higher education groups argued that SRA had devalued the high school diploma as an indicator of readiness for employment or college.

In 2008, the state department of education started requiring that districts in which 10% or more of the graduates need the SRA to attain their diploma submit a report analyzing their SRA student population and describing their plans to reduce their dependence on the SRA. A contracted vendor will distribute performance tasks directly to high schools and organize the process of scoring. These changes will become effective in 2009-10.

The Volatility of Policy

In order to address the massive criticisms of SRA, the board of education voted in 2006 to completely abolish the alternate pathway. In 2009, the board renamed the alternate pathway the Alternative High School Assessment (available in the 2009-10 school year), and amended the assessment in several ways. The timing of the test administration was shortened from over several months to only a few weeks. Also, districts in which 10% or more of high school students are using an alternate assessment to fulfill graduation requirements will be required to submit a plan that will increase the number of students using the HSPA to demonstrate academic achievement. Since New Jersey will be moving toward an end-of-course assessment program, this will also change the alternate pathway that is available to students. The state has yet to release details about this new plan.

Washington

The Washington Assessment of Student Learning (WASL) was first administered in 2003 and diplomas were first withheld in 2008. Students need to pass reading and writing tests and take the mathematics exam to meet graduation requirements.

The Design of Alternate Pathways

By 2008, the state legislature had approved four alternate methods to graduate from high school with a diploma noted as a Certificate of Academic Achievement (CAA):

1. **Collection of Evidence:** Assembling a collection of classroom-based evidence that includes specified work samples demonstrating that they meet grade-level academic standards;
2. **WASL/Grades Comparison:** Comparing a student's grades in certain classes with the grades of other students who took the same classes and met the standard (available only for 12th-grade students);
3. **College admission tests:** Meeting a specific cut score on SAT or ACT tests; or
4. **Advanced Placement (AP):** Scoring a 3 or higher on select AP exams.

For students with disabilities, the state developed several alternate options for graduation:

1. **WASL-Basic:** Students take the high school WASL (with or without accommodations) and IEP teams adjust passing criteria to Level 2 (basic proficiency);
2. **Washington Alternate Assessment System (WAAS) portfolio:** Students unable to take paper-and-pencil tests show their skills and knowledge through a collection of their work;
3. **Developmentally Appropriate WASL (DAW):** Students in grades 11 and 12 only take the WASL (with or without accommodations) at the grade level that best matches their abilities.
4. **Locally Determined Assessments:** 12th grade students who need modified achievement standards can pursue this option.

Recent Public Debate

The WASL has been a high-priority item after the election of a new state superintendent, Randy Dorn. The superintendent announced in January 2009 that WASL would be replaced in the spring of 2010 with tests that are shorter, have more rapidly reported scores, and contain data that will be more useful to teachers and parents. Little has been said about the future of the state's alternate pathway policy.

The Volatility of Policy

The previous superintendent of education, Terry Bergeson, implemented the WASL after much public debate. Bergeson's support of the WASL was the key issue in the 2008 election. The WASL went through many transformations and revisions before it arrived in its final state.

In 2009, Dorn began plans to change the WASL. Within a month of taking office he held a press conference to announce the changes discussed above. The superintendent has proposed several changes to the state assessment system. In spring 2010, the WASL may be replaced with the High School Proficiency Exams (HSPE). These new computerized exams may become mandatory in 2011. In addition to the sweeping changes that Dorn proposed, he also requested that the math and science graduation requirements for 2013 be removed until adequate standards and assessments are designed.

Appendix C: Interview Protocols

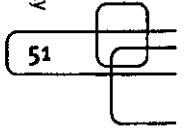
Alternate Paths

1. What is your role with the state department of education? (Previous positions, how long at the state department of education, etc.)
2. Please tell me briefly about the history of the state's alternate paths to graduation. How were alternate paths created? For example, through committees, seeking advice from other states, etc.
3. What is the rationale/premise for the design of these alternate paths? For example, to serve a target population (general students, students with disabilities, ELLs, etc.), to collect information to accommodate exit exam results, etc.
4. What strategies has the state adopted to ensure the proper use of these alternate paths? (Equivalence to regular exit exams, implementation oversight, technical training, and consideration of special student groups, etc.)
5. What are some of the challenges the state faces in implementing alternate paths? What has worked well, and what could be improved? In other words, what are the lessons/policy changes that other states could benefit from knowing? What do you think the state should be doing differently?

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Impact of Policy Change

1. What are the rationales for policy changes in the past?
2. How have these changes impacted:
 - Organizational structure
 - Partnerships
 - Capacity (staff, finance, technical support)
3. What are some of the challenges the state is facing to implement exit exams?
4. Does the new graduation rate formula have any impact on high school exit exam policy? For example, data collection and reporting, etc. What changes does the state have to make to use the new graduation formula?
5. How do you envision the future development of exit exams in your state?





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