First Things First

Why we must stop punishing students and fix California’s schools

A report on school inequality and the impact of the California High School Exit Exam

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Californians for Justice
Education Fund
First Things First:
Why we must stop punishing students and fix California’s schools

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Executive Summary

It is not ethical… They keep pushing us more without giving us what we need. Mostly all students are hurt by this exam. They put us in a corner and we have a very hard time getting out.¹

First Things First: Why we must stop punishing students and fix California’s schools is a report that addresses conditions in California public schools and the impact of the California High School Exit Exam (CAHSEE). The report highlights the inadequacies and inequalities in schools that serve students of color, low-income students, and English Learners. It reveals how the Exit Exam punishes students for the state’s own failure to provide an equitable, high quality education. The report further reveals how the CAHSEE fails to meet its own policy and administrative goals. Finally, it summarizes the ways in which the Exit Exam violates federal civil rights guidelines and professional educational standards.

Californians for Justice, supported by other organizations statewide, wrote this report to show the reality of our state’s inadequate, unequal schools and the discriminatory impact of the CAHSEE. At the same time, we point towards our vision of high quality schools and racial justice in education. Students need opportunities to learn; teachers need opportunities to teach. A high quality education means schools in good physical shape, with teachers who are knowledgeable and well prepared. It means textbooks for everyone, and curriculum that lays a foundation for college and living wage work. A high quality education is visible in schools where teachers have the resources they need to teach well, and where all students—of all colors and cultures—are respected, valued, and challenged. In good schools, no matter what neighborhood, students learn both quantifiable academic skills and qualitative lessons of personal potential and civic participation.

Rather than serving this vision and improving our schools, the California High School Exit Exam punishes students for the failures of the state. The State of California guarantees a free and adequate public education—but does not provide it. The Exit Exam not only fails to improve educational opportunity, but presents a direct obstacle to students’ success.

Part 1: Punished for the Failures of the State comprises the bulk of the report and summarizes important research from many studies. This section shows that California’s schools fail to provide adequate and equal opportunities to teach and learn. Furthermore, it shows that the burden of these inadequacies fall on students of color, low-income students, and English Learners. California schools are inadequate and unequal: the resources in a student’s school are determined largely by his or her race, income, and language status.

Part 1 highlights the longstanding outcomes of inadequate, unequal schools: high dropout rates, low graduation rates, and low rates of college preparation. It concludes by revealing the CAHSEE’s disparate impact on students of color, low-income students, and English Learners—the same students attending the schools with the worst conditions.

First Things First

Californians for Justice
**Key findings from Part 1:**

**Basic Conditions:** Poor physical conditions are widespread in schools and hurt both students and teachers. We highlight poor bathroom conditions as a critical indicator of school facilities. Students statewide report that a lack of clean, working bathrooms seriously disrupts their learning.

**Qualified Teachers:** Students in schools at the top decile of student poverty are **three times** more likely to have an underqualified teacher than those in schools at the bottom decile of student poverty. During the same time that the CAHSEE has been developed and put into place, the share of schools in which more than **20%** of teachers are underqualified has increased sharply, from **20%** in 1997-98 to **24%** in 2000-01.

**Instructional Materials:** Statewide, one **third** (32%) of all teachers report that there are not enough textbooks to allow each student to take one home to study. In schools with the highest numbers of low-income and English Learner students, 47% of teachers report that there are not enough textbooks to allow each student a book inside the classroom.

**Rigorous Curriculum and College Preparation:** Strong disparities are clear in students’ access to rigorous curriculum between schools serving more affluent, white students versus those serving low-income students of color. The number of courses meeting A-G (college eligibility) requirements serves as a key indicator. **Only a quarter—or fewer—of** African American, Latino, Pacific Islander, and Native American high school graduates are also eligible for college at Cal State or UC schools.

**Dropout Rates and High School Completion:** Though the state reports a yearly dropout rate of less than **3%** and a four-year dropout rate of just under **11%**, state sources also show that up to one **third** of students fail to finish high school. Only 69.7% of those students who enter our schools as 9th graders graduate four years later.

**Exit Exam Impact:** The CAHSEE has a severe impact on students of color, low-income students, English Learners, and students with disabilities. This impact reflects inequalities in school resources. Students in schools with the lowest CAHSEE pass rates are more than **twice** as likely to be taught by uncredentialed teachers.

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**Part 2: The CAHSEE is Failing its Own Goals and Guidelines** shows that the Exit Exam fails its own policy goals and administrative guidelines. We turn to a variety of sources—the state’s commissioned research completed by HumRRO in spring 2002; evaluation by the California State University Institute for Education Reform; and our own interviews with students and parents—to understand the implementation of the Exit Exam.

Though Department of Education guidelines urge schools to prepare all students for the test, CAHSEE policy fails to help schools provide greater opportunity to learn the specific content standards tested on the Exit Exam. Rather than motivating students to learn, as state officials claim it will, the CAHSEE actively de-motivates many students and may lead to increased dropout rates. Rather than promoting meaningful remediation for struggling students, the CAHSEE provides no assistance to allow schools to provide this intervention—and this problem will only grow worse with state and local budget cuts. Finally, the state has failed even to ensure that all students and their parents receive proper notification either of content standards or of students’ individual CAHSEE scores.
PART 3: VIOLATIONS OF CIVIL RIGHTS LAW AND ASSESSMENT PRINCIPLES summarizes the ways in which the CAHSEE violates the principles and practices for fair testing established by the federal Office for Civil Rights and by professional educational organizations. The CAHSEE diploma denial discriminates according to race, national origin, and disability, and it violates due process. It is not a valid assessment for English Learners or for students with disabilities. Finally, it contradicts professional educational standards because it bases the high-stakes decision of high school graduation on a single exam.

PART 4: THE CONCLUSION AND ACTION PLAN portion of the report states our recommendations to the State Board of Education and other state officials. We recommend that the State Board of Education delay the CAHSEE diploma penalty until all students receive true opportunity to learn at high levels, and until the state creates alternative assessments for all students. A one to two year delay without a commitment and resources to fix inadequate, unequal conditions is inadequate.

We recommend that the State guarantee oversight and accountability of the opportunities for teaching and learning that our schools must provide.

We recommend that the State monitor and improve dropout, graduation, and college eligibility rates.

We recommend that the State develop meaningful triggers for, and provide resources to support, high quality intervention to help students struggling in our schools.

First Things First shows the dismal state of education in California, but it also emerges from a powerful sense of hope. This report has been written in the context of a campaign for educational justice that is supported by organizations from all over California, representing a wide range of communities and people. Students of color, low-income students, immigrant students, their parents, their teachers, and their communities are standing up to claim what all Californians deserve: high quality schools that provide resources, respect, and opportunity for all.

1 Anonymous student interview, Californians for Justice San Diego, April 2003.
2 Ken Futernick (2003), Teacher Quality Index, Charts and Correlation Tables: Table 3, “Distribution of Underqualified Teachers in California (by poverty).” Available online at www.edfordemocracy.org/TQI/TQI_Charts.htm.
6 Sarah Tully, “State: O.C. dropout rate halved to 7%. Some say data insignificant because of confusion over number of graduates.” Orange County Register, April 24, 2003.
Part 1:

Punished for the Failures of the State

Across California, students go to school and are not provided a quality education. Campuses are physically inadequate: bathrooms do not work, and are locked because they cannot be maintained; classrooms lack proper ventilation and are too hot or too cold; vermin leave their evidence. While some schools provide laptops to every student, at other schools, students cannot even take textbooks home to study. Large numbers of teachers are underqualified, lacking credentials; their schools also lack the collective experience and mentorship that would strengthen new teachers’ work. In many schools, untrained substitute teachers are assigned to piece together courses over weeks and even months.

Students and teachers experience this under-investment on a daily basis. Simply put, large numbers of students in California do not receive an adequate, let alone high quality, opportunity to learn. Large numbers of teachers work under conditions that severely limit their opportunities to teach.

The state of California fails its educational mandate in four key areas:

- Inadequate, unhealthy physical conditions in schools;
- Not enough qualified teachers and inequitable distribution of qualified teachers;
- Insufficient and inadequate instructional materials;
- Serious disparities in access to rigorous curriculum.

These conditions are worst in schools that serve students of color, low-income students, and immigrant students. Walk up to any young person and it is easy to predict the resources available at his or her school by asking, “What neighborhood do you live in?” The quality of resources in a young person’s school is largely decided by his or her race, income, and language. We are a long way from the vision of equitable schools that create stronger communities. Instead, schools maintain, and may even deepen, the racial and economic divides in our state.

Two end results of the state’s failures have been visible for years:

- High dropout and low graduation rates;
- Even lower rates of college preparation.

One result of unequal and inadequate education has been visible only recently. The high failure rates on the CAHSEE reflect the inequalities and inadequacies in our schools. But denying diplomas based on the Exit Exam merely punishes students for the failures of the state.
Teachers enter the profession only to work amidst deplorable conditions. Though many committed educators actively seek out work in the most under-resourced schools, and serve those schools for years, many other teachers leave such campuses in search of more stable, better-resourced schools where they actually receive the basic materials necessary to pursue their profession. Schools with poor working conditions face tremendous problems retaining qualified teachers. The outcome is that students in schools at the top decile of student poverty are three times more likely to be taught by an underqualified teacher than those in schools at the bottom decile of student poverty.¹

Californians live in the 5th largest economy in the world. The output of our state alone is greater than that of both France and China, and larger than that of Canada and Brazil combined.² Yet in 2002 we ranked 48th in the nation in per-pupil spending; we spent just 82% of the national average (adjusted for cost of living, $6,161 as compared to a national average of $7,524); 97% of our students were in districts that spent below the national average.³ Despite years of class size reduction, in 2001 we ranked 49th nationally in our ratio of students per teacher.⁴ In 1998 the California Postsecondary Education Commission found that “the gap in expenditures for education between the high-spending and low-spending school districts in our state... has risen to $4,480... consistently and pervasively related to the socioeconomic and racial-ethnic composition of the student bodies in school as well as the geographical location of schools.”⁵

The crisis in our schools is a problem both of funding and of discrimination. We underfund schools generally, and we neglect some communities in particular. In every major indicator of the “inputs” of school quality—basic physical conditions, the preparation and distribution of teachers, instructional materials, and availability of rigorous curriculum—the state fails to provide the basics to students of color, low-income students, and immigrant students.

The Realities of Our Schools

Unacceptable Physical Conditions

Everyday students attempt to learn, and teachers attempt to teach, under unacceptable conditions. These include serious overcrowding, poor heating and cooling of classrooms, poor air quality, vermin and mold in classrooms and hallways, lack of student access to clean and working bathrooms, and more. Though the recent state bond for school facilities has been a significant development, it cannot alleviate crowding or inadequate conditions in the near term.

According to a random survey of 1,000 California teachers, conducted in January 2002 by the Harris Research Group, up to a third of all schools experience serious inadequacies in their physical environments. The Harris survey verified its survey group as a statistically random cross-section of teachers from all types of schools. It found that up to a third of teachers, representing 2 million of California’s 6 million public school students, experienced serious problems in classroom conditions.
Moreover, the Harris survey found glaring disparities—a 25% gap between have and have-nots—in school conditions. The survey examined differences between the schools with the fewest low-income and Limited English Proficient students and those 20% of all schools with the highest percentages of students designated Limited English Proficient, eligible for free or reduced-price lunch, or in families receiving CalWorks. Forty seven percent of teachers in the “highest at-risk” schools reported inadequate physical conditions, compared to 22% among the lowest-risk schools.6

The crisis in school facilities will get worse if it is not addressed quickly. According to a 1996 General Accounting Office study, 42% of California schools had at least one building in “inadequate” condition; a 2001 Legislative Analyst Office’s report found that 1 in 3 California students attends an “overcrowded” school or “one in need of significant modernization.”7

Problems in classroom facilities are not minor distractions; they pose serious health risks and interfere significantly with both learning and teaching. Poor school conditions make students and teachers sick, so that they miss days of learning or teaching; reduce concentration and effort in the classroom; demoralize both students and adults; and, in controlled studies, are strongly correlated to lower performance on standardized tests, particularly in math. These effects are documented by many studies, and effectively summarized by the National Clearinghouse for Educational Facilities. In this section, we particularly highlight evidence related to bathroom conditions and air quality.

**Clean and Safe Bathrooms**

In large numbers, students lack clean and working bathrooms during their school day. In a Californians for Justice survey of high school students across Long Beach Unified School

### Major problems identified by teachers in Harris survey, and number of students affected

<table>
<thead>
<tr>
<th>Problem</th>
<th>% Teachers</th>
<th>Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schools with 20% or more Undercredentialed Teachers</td>
<td>19</td>
<td>1.1 million</td>
</tr>
<tr>
<td>Not enough textbooks to use in class (in classes using books)</td>
<td>11.8</td>
<td>725,000</td>
</tr>
<tr>
<td><strong>Classroom uncomfortably hot or cold</strong></td>
<td>32.3</td>
<td>2 million</td>
</tr>
<tr>
<td><strong>Evidence of cockroaches, rats, or mice in past year</strong></td>
<td>27.3</td>
<td>1.7 million</td>
</tr>
<tr>
<td><strong>Student bathrooms not working or closed</strong></td>
<td>16.5</td>
<td>1 million</td>
</tr>
</tbody>
</table>


Up to a third of teachers, representing 2 million of California’s 6 million public school students, experienced serious problems in classroom conditions.
District, conducted in spring 2002, 67% of students reported that they avoid using school bathrooms because they were too filthy for use; 57% avoided bathrooms because there were no toilet paper or towels; 41% stated that there was no soap. Nearly a quarter (22%) avoided bathrooms because they were locked. (Students were allowed to select more than one response.)

Students interviewed across the state—not only in Long Beach but in San Diego, Fresno, San Jose, and the Bay Area (Oakland and Berkeley)—share these concerns. In San Diego City Unified, 10th grader Afdel Nur reports that there are only two bathrooms open at Crawford High School, which has 1,720 students enrolled. His peer at San Diego’s Hoover High, 10th grader Carmen Muñoz, reports that for 2,211 students “[We] don’t have paper towel, toilet paper, or hand soap in the bathrooms. There are only two bathrooms open.” In Berkeley, 10th grader Barry Victor Jr. states that Berkeley High restrooms “lack toilet paper, paper towel, soap, sometimes the bathrooms don’t work. Many times at school you go to the bathrooms and the toilets are overflooded.”

Similar problems were identified in a January, 2003 exposé aired by CBS-2 television in Southern California. The station undertook a three-month undercover investigation at 51 schools in the Los Angeles, Inglewood, Compton, and Alhambra school districts, and then followed it up with an investigation into 15 schools in the Santa Ana, Capistrano, Garden Grove, Placentia-Yorba Linda, and Huntington Beach school districts.

In their initial investigation, covering 31 high schools, 6 middle schools, and 14 elementary schools in the Los Angeles area, CBS found that:

- Over 75% of schools kept bathrooms locked or unavailable. “Some are used for storing lab rats, snakes and newspapers, while students cram into the school’s one open bathroom. Other students have to walk more than a half-mile to get to the only available restroom.”
- 75% of schools had bathrooms missing soap, toilet paper, or paper towels.
- 50% of school bathrooms had broken fixtures.
Poor bathroom conditions present serious health risks. The CBS-2 investigation of Los Angeles schools found that 6 schools tested positive for fecal coliform contamination, based on sterile swabs of the “places that students put their hands.” As cited in the *Long Beach Press-Telegram* (June 4, 2002), the president of the Long Beach Medical Association, Dr. Marcy Zwelling, raised the issue of bathroom hygiene to Long Beach Unified Superintendent Carl Cohn as early as 1998. The Long Beach Department of Health and Human Services inspected the district’s school bathrooms in fall 2001 and found problems in all the bathrooms visited. In June 2002, Dr. Zwelling testified to the local school board that she “frequently treats children with urinary tract infections caused by full bladders,” and noted that a lack of soap in school restrooms contributes to the spread of communicable diseases, which are “all…spread hand to hand or hand to mouth.” Maria Garcia, mother of two Long Beach Unified students, testified that her daughter Margarita received a urinary tract infection due to keeping her bladder full all day at school.

<table>
<thead>
<tr>
<th>Schools Testing Positive for Fecal Coliform Contamination, CBS-2 Investigation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>School and District</strong></td>
</tr>
<tr>
<td>--------------------------</td>
</tr>
<tr>
<td>Lynwood High School</td>
</tr>
<tr>
<td>(Lynwood USD)</td>
</tr>
<tr>
<td>Morningside High School</td>
</tr>
<tr>
<td>(Inglewood USD)</td>
</tr>
<tr>
<td>Palisades High School</td>
</tr>
<tr>
<td>(LAUSD District D)</td>
</tr>
<tr>
<td>South Gate High School</td>
</tr>
<tr>
<td>(LAUSD District J)</td>
</tr>
<tr>
<td>Muir Middle School</td>
</tr>
<tr>
<td>(LAUSD District G)</td>
</tr>
<tr>
<td>Pio Pico Middle/ Elementary</td>
</tr>
<tr>
<td>(LAUSD District E)</td>
</tr>
</tbody>
</table>

In addition to posing serious health risks, these problems present serious academic consequences. Nearly half—47%—of Long Beach students surveyed stated that they "miss classroom time looking for bathrooms," and 31% report "not being able to concentrate" in class due to bathroom conditions. As Afdel Nur, of San Diego’s Crawford High, says, “I can’t concentrate in class when I have to go to the bathroom… Sometimes I get to class late because I am waiting to use the bathroom.”

**Consequences of Bathroom Conditions**

<table>
<thead>
<tr>
<th>Condition</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Miss classroom time looking for bathroom</td>
<td>47%</td>
</tr>
<tr>
<td>Not able to concentrate in class</td>
<td>31%</td>
</tr>
<tr>
<td>Stomach aches from holding it all day</td>
<td>40%</td>
</tr>
</tbody>
</table>

*Source: Californians for Justice Long Beach bathroom survey.*

Due to pressure from students and the medical community, Long Beach Unified has made improvements to its bathroom conditions by hiring more custodial staff and implementing more frequent checks to clean and stock student bathrooms. However, the state provides no accountability for bathroom conditions in schools statewide.

Yet the evidence is clear. Filthy, poorly maintained, and locked bathrooms present a basic educational challenge to students in California schools, making them ill and disrupting their learning.

**Air Quality**

The statewide Harris survey found that nearly a third—32%—of all teachers reported the use of “spaces as classrooms which were not designed for classroom use.” Further, 39% of teachers in the “highest at-risk” schools “report that the temperature in these classrooms at times are ‘uncomfortably hot or cold,’ and that the mean length of this problem is 20 days.” Inadequate ventilation, overly hot or cold temperatures, and airborne bacteria are all air quality problems that harm students’ performance and inhibit teachers’ ability to teach effectively.

Nationally, the General Accounting Office has found that nearly a quarter (23%) of high-poverty and high-student of color schools have poor indoor air quality (IAQ). Poor
indoor air quality also affects between 16% of low-poverty schools and between 18% and
20% of those with lower enrollments of students of color.

Poor IAQ results in increased airborne bacteria and mold; these contribute to frequent
illnesses among both teachers and students. Classrooms with high humidity, high tem-
perature, and poor ventilation experience higher rates of illness and absenteeism among
both students and teachers, as confirmed by research by the American Lung Association
and by studies in Florida, Chicago, Washington D.C., Canada, and Sweden.\footnote{17}

Poor IAQ has also been linked directly to low test scores, a disturbing fact given the
high-stakes consequences of the Exit Exam. Studies have identified high levels of carbon
monoxide, high temperature and humidity, low levels of natural daylight, high back-
ground noise, and overall building age and decay as factors that all result in lower student
scores on performance and achievement tests; research has consistently found a difference
of between 5 to 17 percentile points of the achievement of students in “substandard” build-
ings versus those in “above-standard” buildings, when controlled for the socio-economic
status of students.\footnote{18} In 2000, the American Public Health Association criticized the U.S.
Department of Education for lack of research into school air quality and its impact on
learning, and the No Child Left Behind Act of 2001 calls for more research into IAQ and
student performance.\footnote{19}

California fails to provide adequate or equal school facilities to all students; lack of
access to clean and working bathrooms and poor indoor air quality are two key indicators
among many problems. Low quality facilities seriously undermine opportunities to teach
and learn in our schools.

\textbf{Lack of Qualified Teachers; Unequal Distribution of Qualified Teachers}

\textit{In ninth grade I had Algebra I, [and in that class] we had a Spanish
teacher teaching math. He only showed us a basic example then gave us
paper and told us to do it. I passed with a C. I was put back in that same
class in 10th grade. The teacher’s style of teaching students was to give out
worksheets and it only confused us. Now I have problems not passing the
math section on the Exit Exam because I did not have a good teacher…. In
English we had permanent substitutes, which were not helpful. They just
give us papers.}

—Anonymous student, class of 2004, Sweetwater Unified High School
District (San Diego area).\footnote{20}

\textit{There are some really dedicated teachers. I think that there need to be more
teachers that are dedicated and working together.}

—Angelica Andrate, parent of students at Lynwood High, Lynwood
Unified School District (Los Angeles area).\footnote{21}

California’s schools face a teacher crisis: not only does the state lack enough qualified
teachers, but qualified teachers are not distributed fairly throughout all districts or schools.
The most under-resourced schools face serious problems retaining qualified teachers on their staff. Access to qualified teachers is strongly related to students’ race, income, and language status.

Students in schools at the top decile of student poverty are **three times** more likely to have an underqualified teacher than those in schools at the bottom decile of student poverty.22 And when the factors become more strict, the picture only becomes more dire. At schools identified by the 2002 Harris survey as the “highest at-risk”—specifically, schools where the highest rates of Limited English Proficient students, those on free or reduced price lunch, and those whose families receive CalWorks overlap—students are **twelve times** more likely to have a teacher without a full credential.23

Statewide, more than 1 in 10—12.1%—of all teachers in California are underqualified.24 In 1,500 schools (17%), 25% or more of teachers are in their first or second year of teaching; in 700 schools, at least 33% of teachers are in their first or second year.25

Teacher preparation matters. In this report, we use the definition of “qualified” and “underqualified” teachers that are used by both the Teacher Quality Index, approved by the state legislature, and by federal No Child Left Behind (NCLB) law. NCLB has defined a “highly qualified” teacher as a teacher with a full credential or a teacher who is a student in a credential program. An underqualified teacher, according both to NCLB and to the Teacher Quality Index, is one who is “not an intern or who is not fully certified to teach by the State of California. Such persons may be working as pre-interns or they may be working with an emergency permit or waiver.”26

There are many teachers defined as “underqualified” who are highly dedicated and skilled in their work. The challenge that schools face is an institutional rather than individual problem. Schools with high numbers of qualified teachers can offer more consistent instruction and more stable academic curricula. New teachers who enter these schools can turn to experienced teachers for assistance and mentorship; these schools become attractive and well-respected places to work and learn.

By contrast, high numbers of underqualified teachers lead to lower quality instruction overall and a weak infrastructure to support schoolwide improvement. Researchers have commonly used the marker of 20% underqualified teachers to distinguish schools with “high concentrations” of underqualified teachers.

*During the same time that the CAHSEE has been put into place, the problem of underqualified teachers has gotten worse and not better.*

From 1997 to 2001, the share of schools in which more than 20% of teachers were underqualified increased sharply, from 20% in 1997–98 to 24% in 2000–01.27

The Center for the Future of Teaching and Learning has found that these high levels of underqualified teachers “can create problems throughout the entire school community,” notably a lack of mentors for newer teachers; high turnover of the untrained teachers, which creates continual hiring needs and instability; and an erosion of professional devel-
development for the school’s teaching corps as a whole. In addition, credentialed teachers in schools with high numbers of underqualified teachers state that they are embarrassed by the “lack of professionalism” that results from larger numbers of untrained and inexperienced teachers, noting that when uncredentialed teachers lack skills, this creates heavy instructional burdens for their colleagues down the line.28

Dr. Ken Futernick, professor of education at California State University Sacramento, has created a Teacher Qualification Index (TQI) that reveals a good deal about the teacher crisis in California. The TQI was proposed by Assemblymember Darrell Steinberg (D-Sacramento) in Assembly Bill 833 (2001-2002); the bill passed overwhelmingly by both the Assembly and Senate, but was vetoed by Governor Davis. Dr. Futernick developed the site on his own at a cost of approximately $50,000, well below the Governor’s estimate of $300,000,29 and has made it available to the public at www.edfordinocracy.org/TQI.

The TQI documents the credential status, experience level, and distribution of teachers in all of California’s K-12 public schools. It charts whether districts and schools are making improvements, or if teacher quality is becoming worse in their area. Futernick also identifies schools’ and districts’ percentage of “qualified” teachers who are beginning teachers, meaning they are in their first or second year of teaching.

The Teacher Quality Index rates schools on a scale of 1 to 10 (where 10 is best), based on their percentage of qualified teachers. A school with a TQI rating of 1 has 33% or more underqualified teachers, while a school with a TQI rating of 10 has 0% underqualified teachers. A school’s rating is reduced using a weighted formula if 20% or more of qualified teachers are in their first or second year of teaching.

A total of 1,640 schools in California have a TQI rating of 4 or lower, which means that 20% or more of their teachers are underqualified (in a few cases, schools earn a rating of

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A TQI rating of “1” means the school has 33% or more underqualified teachers. A TQI rating of 10 means the school has 0% underqualified teachers. Schools with a rating of 4 or lower have 20% or more underqualified teachers.

Source: www.edfordinocracy.org/TQI
4 based in part on their percentage of beginning teachers). One hundred and eleven (111) districts—more than 1 in 10 of all districts in the state—have TQI ratings of 4 or lower.

These ratings translate to extraordinarily high numbers of individual teachers. In 2000, as new state standards were taking effect and the CAHSEE was being developed, more than 42,000 underqualified teachers were working in California. These included 37,000 teachers working on emergency permits who had not met the state’s standards for content knowledge or teaching skills, as well as over 3,000 teachers who were working on waivers without having passed even the prerequisite for an emergency permit.

The presence of underqualified teachers in a school correlates strongly with student poverty. Schools with TQI ratings of 4 or lower (i.e., percentages of underqualified teachers of 20% or higher) had 58% or more students qualifying for the free or reduced-price lunch program.

Teacher quality also correlates strongly with the percentage of English Learners in a school. Those schools with 20% or more underqualified teachers also had populations of 31% or more English Learner students.

At some high schools, the problems are even more shocking. In Los Angeles Unified, Crenshaw High has 41.7% underqualified teachers; Fremont 45.6%; Jordan 40.8%. At Inglewood High in Inglewood Unified, 47.6% of teachers are underqualified. And in state-controlled Compton Unified, 41.4% of teachers at Compton High, 48.4% of teachers at Centennial High, and a shocking 58% of teachers at Dominguez High are underqualified. Students at these schools are overwhelmingly low-income and students of color.
The Teacher Quality Index also reveals what districts have uneven or very uneven distribution of qualified teachers between schools. Within many districts, schools serving higher numbers of students of color, low-income students, and English Learner students bear the brunt of qualified teacher shortages. Students note that qualified teachers also appear to be badly distributed within schools, with students in “lower” tracks being taught by the least experienced teachers. An 11th grader in San Diego’s Sweetwater Union High School District observes:

*English Learners have it more difficult because they have more unqualified teachers. Some teachers in the second semester give the class over to student teachers… students end up suffering. They need to show the basics before we can move on up to another level.*

Finally, another major issue affecting the quality of instruction is schools’ long-term use of substitute teachers. The Teacher Quality Index cannot tell us how many students are taught by long-term substitutes, because in fact the state does not track districts’ or schools’ use of substitute teachers. However, we know from interviews with students that the use of substitutes, including long-term substitutes, is prevalent and a serious disruption to learning. Many students we interviewed named “too many substitutes” as a serious

### Sample Rates of Underqualified Teachers, Los Angeles Area

<table>
<thead>
<tr>
<th>District</th>
<th>School</th>
<th>Underqualified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Los Angeles USD</td>
<td>Dorsey Senior High</td>
<td>33.3%</td>
</tr>
<tr>
<td></td>
<td>Jefferson High</td>
<td>37.5%</td>
</tr>
<tr>
<td></td>
<td>Locke High</td>
<td>38.7%</td>
</tr>
<tr>
<td></td>
<td>Washington Prep High</td>
<td>39.4%</td>
</tr>
<tr>
<td></td>
<td>Jordan Senior High</td>
<td>40.8%</td>
</tr>
<tr>
<td></td>
<td>Crenshaw High</td>
<td>41.7%</td>
</tr>
<tr>
<td></td>
<td>Fremont High</td>
<td>45.6%</td>
</tr>
<tr>
<td>Inglewood USD</td>
<td>Inglewood High</td>
<td>47.6%</td>
</tr>
<tr>
<td>Compton USD</td>
<td>Compton High</td>
<td>41.1%</td>
</tr>
<tr>
<td></td>
<td>Centennial High</td>
<td>48.4%</td>
</tr>
<tr>
<td></td>
<td>Dominguez High</td>
<td>58.0%</td>
</tr>
</tbody>
</table>

Source: www.edfordemocracy.org/TQI
problem affecting their opportunity to learn. Avery Hale, an 11th grader at Oakland’s McClymonds High School, paints a picture of the impact of long-term substitutes on students’ learning (see sidebar story).

**Teacher Retention, Preparation, & Diversity**

California’s maldistribution of qualified teachers is not only, perhaps not even primarily, a problem of attracting teachers to the profession. It is also a problem of high teacher turnover and low retention, particularly in the schools with the worst working conditions. The 2002 Harris survey shows disparities in teacher turnover for those schools with the highest numbers of low-income and English Learner students:

> In the “high risk” schools, 43% of the teachers say teacher turnover is serious, compared with no more than 11% of teachers in lower risk schools… While inadequate physical facilities are widespread (reported by 22% of teachers in lower-risk schools), nearly half (47%) of the teachers in “high risk” schools rate their physical facilities inadequate. Of those teachers planning to leave the teaching profession in the next three years, fully 38% indicate that poor facilities are a major reason for their decision.\(^3\)

Just like students, teachers are affected by school conditions. In schools with poor physical conditions, teachers as well as students get sick more often, miss more days of work, have more trouble concentrating, and are demoralized.\(^4\) Naturally, teacher absence and low performance amplifies the problem of retaining teachers in low quality schools, as well as contributes directly to poor student performance.

Since the state does not track districts’ or schools’ turnover of teachers and administrators, it is hard to see the full extent of the problem. However, the Harris survey reveals some of the ways that poor working conditions contribute to teacher turnover, making teacher turnover worse in under-resourced schools.

**Long-Term Substitutes**

Avery Hale, a student in the class of 2004 at McClymonds High School in Oakland, paints a picture of the effects of teacher shortages and use of substitutes at his school:

Our school doesn’t have many teachers so we don’t have many options to choose from and we don’t have many subjects to learn. Last year in the 10th grade we went without an English teacher because our class was overcrowded… From the middle of the school year to the end, I was in [an English] class that was taught by a substitute… [In Biology] we had four to five substitutes from the beginning to about February or March, until we got a permanent substitute for three months.

Students responded by not really paying attention because they felt the substitute wasn’t really responsible for their grades and they didn’t have to really listen to them. We didn’t get a chance to learn the material we are supposed to learn. The substitute didn’t have the experience to teach or didn’t know how to teach. Students didn’t pay attention; trying to deal with them distracted him. Half the time the subs didn’t know where the last sub ended so they didn’t know where to start. Sometimes they didn’t know how to teach the subject because they were not specific to the subject.\(^3\)
How teachers are trained also makes a difference in whether they enter the profession and how long they remain there. According to research conducted for the National Commission on Teaching and America's Future, those with the most training—a B.A. in the subject they teach and an M.A. in education—are most likely to enter and remain in the teaching profession, with 84% remaining after three years. By comparison, only 34% of the least trained teachers remain after three years. These individuals whose B.A. may be in a field unrelated to what they teach and who have been certified only through a short-term summer program. These relatively unprepared teachers also wind up costing schools more, due to rehiring needs.

David Wright, associate director of teacher education at Cal State Fullerton, states that “the greatest barrier to CSU effectiveness in preparing teachers is the premature hiring of university students to be teachers during and before their preparation.” A Cal State University study of teacher training found that 25% of all of those students who graduate from the CSU system as teachers are hired on emergency permits, before they completed the student-teaching portion of their preparation program. Though these teachers have finished some training, they miss the crucial step of student-teaching preparation, which means that they have less experience down the line. The evidence highlighted here shows...
that this lack of experience can contribute both to lower quality instruction and to teachers leaving the profession.\textsuperscript{37}

Finally, California also suffers both from a serious lack of teacher diversity and a lack of commitment to training teachers on issues of diversity and racism. Two critical components in preparing a successful teaching corps in California are attracting a diverse population into teaching and training these teachers on providing high quality curriculum to students of all backgrounds. Both of these aspects of teacher preparation also have strong effects on teacher quality and teacher retention.

Though California’s student population is now 65\% students of color and 34\% white, its population of teachers is 74\% white and only 25\% of color (figures come from state data and exclude 1\% “no response”). The disparity is greater in some urban districts; 74\% of San Diego City Unified students are people of color (26\% white), while the district like the state has 72\% white teachers and only 28\% teachers of color. In a Californians for Justice survey of students in East San Jose, 54\% of students surveyed believed that teachers did not receive enough support and training to work with students from many different cultural and racial backgrounds.\textsuperscript{38} Such lack of training can seriously undermine the goals of ensuring fair distribution of qualified teachers within districts, providing high quality curriculum to all students, and motivating all students to excel.

In order to provide true opportunities for learning—as well as teaching—California must commit serious resources to supporting qualified teachers in all our schools.

\textbf{Inadequate Instructional Materials}

Statewide, a third (32\%) of all teachers report that there are “not enough textbooks for all students to take home,” and 12\% report that there are “not enough copies of textbooks for every student to use in their classrooms.” Of teachers in schools with the highest percentages of low income and Limited English Proficient students, a full quarter (25\%) report that there are not enough textbooks for all students to use in class.\textsuperscript{39} Over a third (38\%) of teachers in schools with the highest percentages of English Learners report a shortage of textbooks for students to take home.\textsuperscript{40}

These problems are also extremely serious for instructional materials in math, a subject area that is a particular challenge on the High School Exit Exam. As highlighted in the chart above, teachers report a serious lack of math textbooks for students to take home. Of those teachers who report a general lack of enough materials and equipment, 54\% specifically state that there are not enough textbooks for students to take home. But even among those teachers who state they generally do have enough materials and equipment, over a quarter—26\%—also say there are not enough textbooks to send home.

If the state seeks to determine graduation based upon students’ CAHSEE scores, it must provide students with textbooks that cover the material tested. But along with noting an overall lack of enough books, many teachers report that the textbooks they do have available do not completely cover the state standards tested on the CAHSEE. Nearly a third (30.4\%) of the English teachers surveyed for the California Academic Partnership Program Evaluation Survey stated that their textbooks were not aligned to state standards.\textsuperscript{41} Based on information compiled as recently as spring 2002 by the Human Resources Research
Organization (HumRRO), the agency commissioned by the State to report on the CAH-SEE, only 47% of principals surveyed report that their schools actually “cover all content standards with a mix of textbooks and supplemental materials.”

And alignment means little if schools simply do not have enough books for all students to use. Disparities in instructional materials are also evident between low-poverty and high-poverty schools.

<table>
<thead>
<tr>
<th>Mathematics Materials Shortages</th>
<th>Math teachers without enough materials &amp; equipment</th>
<th>Math teachers with enough materials &amp; equipment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Math teachers (all grades) n=798</td>
<td>18%</td>
<td>82%</td>
</tr>
<tr>
<td>Percentage that also reports:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shortage of texts to use in class</td>
<td>30%</td>
<td>9%</td>
</tr>
<tr>
<td>Shortage of texts for students to take home</td>
<td>54%</td>
<td>26%</td>
</tr>
<tr>
<td>Textbooks and materials of only fair or poor quality</td>
<td>40%</td>
<td>12%</td>
</tr>
<tr>
<td>Textbooks and materials in only fair or poor physical condition</td>
<td>15%</td>
<td>4%</td>
</tr>
<tr>
<td>Textbooks not up to date</td>
<td>21%</td>
<td>7%</td>
</tr>
<tr>
<td>Textbooks with only fair or poor coverage of standards</td>
<td>27%</td>
<td>14%</td>
</tr>
<tr>
<td>Only fair or poor technology availability</td>
<td>55%</td>
<td>28%</td>
</tr>
<tr>
<td>Lack computers on which students can do research</td>
<td>33%</td>
<td>17%</td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
<th>Educational Resource Inequalities</th>
<th>Percent Minority Students</th>
<th>Percent Students in Poverty</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resource Always Available</td>
<td>&lt;30%</td>
<td>&gt;90%</td>
</tr>
<tr>
<td>Textbooks</td>
<td>88%</td>
<td>68%</td>
</tr>
<tr>
<td>Workbooks</td>
<td>68%</td>
<td>42%</td>
</tr>
<tr>
<td>Manipulatives</td>
<td>89%</td>
<td>75%</td>
</tr>
<tr>
<td>AV Equipment</td>
<td>67%</td>
<td>46%</td>
</tr>
<tr>
<td>Computer Equipment &amp; Software</td>
<td>51%</td>
<td>49%</td>
</tr>
<tr>
<td>Art Materials</td>
<td>78%</td>
<td>54%</td>
</tr>
<tr>
<td>Disabled Materials</td>
<td>27%</td>
<td>14%</td>
</tr>
</tbody>
</table>

Source: Reproduced from Jeannie Oakes and Marisa Saunders (2002), Access to Textbooks, Instructional Materials, Equipment, & Technology. Data tabulations are from RAND and CSR data.
high-poverty schools, and between schools with low numbers of students of color and those with high numbers of students of color. For example, 83% of schools in the lowest-poverty schools always have textbooks, while only 57% of the highest-poverty schools always have textbooks.

These observations are loudly echoed by students. Reggie Taylor, a 10th grader at Crawford High in San Diego City Schools, says, “In math there are not enough books; we have to share 3 people per book. Many students don’t do homework because of the lack of books. We have to take turns taking the books home. We sometimes call each other up to get the questions because there was not enough time to copy the questions.”

Mario Valencia, of James Lick High in East San Jose, reports on the lack of books for English Learners, even in small classes:

*In ELD [English Language Development] we don’t have enough books and have to share. We had 14 or 15 books for 18 people. The effect of that is that when you don’t have books, you don’t learn well. You can’t take a book home if you don’t have it, so you can’t study at home. If we had enough books, then we could have a book at home and it would help in doing your work at home and looking up words. More students are coming into that class, but we still don’t have any more books.*

Marisol Melendrez, a 9th grader at Village Academy in Oakland Unified, says, “If we had more textbooks we could work independently and get done quicker… without calculators it takes us longer because we have to share… It slows down the learning process for all students.”

Justina Paque, the parent of a student with disabilities in Southgate High School in Los Angeles Unified, has experienced the same lack of supplies, and had to advocate individually for her son’s right to a textbook.

*In some classes there were not enough books and students had to share. When students have to share they are not able to work at [their] own pace or have it in front of them. This is even worse when students don’t have books to take home. I had to put it in [my son’s] IEP that he needs to take the book home. I had to step in to demand that he get to bring a book home.*

Not every child’s parent knows how to advocate for the right to a textbook. Moreover, even if all parents could advocate for these materials, schools would not be able to meet the demand.

Without enough books, teachers must resort to inferior materials. Dora Rubio, an 11th grader at maac Charter School in the Sweetwater School District, says that “In geometry we don’t have books and we are working off packets. The packets do not give us enough

“We don’t have enough books and have to share. We had 14 or 15 books for 18 people...You don’t learn well. You can’t take a book home if you don’t have it, so you can’t study at home.”
Students are also concerned about having to pay for supplies, particularly in math courses. Afdel Nur, of San Diego’s Crawford High, explains that “In math we are missing materials such as calculators. We have to buy our own calculators and they cost around $120 (Texas Instrument TI-83). That is hard to afford.” Barry Victor Jr. also notes that “In my Integrated Mathematics Program my teacher sells the graph paper because the school doesn’t supply it… People would have more tools to do their work if they didn’t have to pay for their materials. Poor people go to public schools because they can’t afford to do otherwise.”

Finally, students also report a serious lack of computer access in their classrooms and schoolwide. Though the California Department of Education recommends a 4:1 ratio of students per computer (i.e. 1 computer for every 4 students) in every classroom or library, many schools offer no consistent computer access in classrooms, and do not keep libraries or computer labs open after school for student use. At many schools, the computers that do exist do not work consistently. Students report that many teachers require coursework to be typed, and as a result, a lack of computer access seriously inhibits their success at school.

Afdel Nur, at San Diego’s Crawford High, says “In English… there are only 4 computers in the class with 30 students [a 7.5:1 ratio]. We only get 20 minutes to use the computer. I have to type fast… If an assignment is not typed I get points taken off. I have failed classes because of this.”

Even the basics such as printer cartridges are missing. Sandra Yañez, an 11th grader at Oakland Technical High, says, “I had a report done; I saved it on a disk and I couldn’t find a printer that had ink in the school. I looked in my ELD class, in the library, and [finally] my teacher took my disk home and printed it at her house.”

It is clear that significant numbers of students lack access to basic materials needed for learning. Without these materials, students cannot be seen to have a real opportunity to learn the material tested on the CAHSEE, and thus they are being punished for attending schools without these basic resources.

**Incomplete Access to Rigorous Curriculum**

Students’ access to high-level curriculum varies widely across schools. The availability of A-G, AP, and Honors courses are all important indicators of the availability of rigorous curriculum overall, and of schools’ ability to prepare college-eligible students. A-G courses meet the Cal State and UC requirements for college eligibility in seven curricular areas; AP courses provide college credit and are important for admission to the most competitive colleges; and both AP and Honors courses provide students a 1.0 GPA boost to their course grade, contributing significantly to college admission.

Depending on where a student attends school, she may have access to a rich and diverse curriculum with many AP course offerings, and a course list where most classes meet the A-G requirements that would make her eligible for UC or Cal State colleges; or her school may offer no AP courses at all, and its A-G courses may be few and far between.
Consider two high schools in the Bay Area: McClymonds High School in West Oakland, and Piedmont High School in Piedmont, a small city surrounded by Oakland that maintains a separate, wealthy tax base. McClymonds High and Piedmont High enroll about the same number of students (roughly 800), and yet the opportunities these schools offer their students are vastly different.

In the 2001-2002 school year, McClymonds enrolled 776 students. The overwhelming majority, 79.8%, were African-American; 10.8% were Latino; and most were low-income, with 46.8% eligible for free or reduced-price lunch.

According to the information available on the state’s DataQuest website, compiling the Department of Education’s information on schools, McClymonds offered these students zero AP courses in the 2001-2002 school year. Barely a third of all of McClymonds’ courses—33.9%, 57 out of 168 classes—met the state’s A-G requirements. And though McClymonds’ average class size was only 24.8, the average class size was much higher in many academic courses. For example, an average of 34.7 students were assigned to Comprehensive English courses and an average of 37.5 students were assigned to Beginning Algebra courses.

Piedmont High School stands in sharp contrast. In the 2001-2002 school year, Piedmont enrolled 877 students and had a significantly different population than McClymonds: 72.1% of its students were white and 22% were Asian, Filipino, or Pacific Islander. Literally zero of the school’s students were eligible for free or reduced-price lunch; only 4 individuals in the schools were considered English Learners.

Piedmont High offered its students 16 AP classes in 7 course areas. The overwhelming majority of all its courses—81.1% - met A-G requirements. The only academic subjects with class sizes higher than 30 students were the two Computer Programming courses, which averaged 30.5 students, and a “law-related education” course with 33 students. (By contrast, McClymonds had no computer or law courses.) Many of Piedmont’s academic courses had average class sizes of less than 25 and even less than 20 students.

### McClymonds High compared to Piedmont High, Oakland Area

<table>
<thead>
<tr>
<th></th>
<th>McClymonds</th>
<th>Piedmont</th>
</tr>
</thead>
<tbody>
<tr>
<td>9th graders, 1998-99</td>
<td>288</td>
<td>231</td>
</tr>
<tr>
<td>12th graders, 2001-02</td>
<td>84</td>
<td>214</td>
</tr>
<tr>
<td>A-G courses, 2001-02</td>
<td>33.9%</td>
<td>81.1%</td>
</tr>
<tr>
<td>Graduates meeting A-G requirements, 2002</td>
<td>18.1%</td>
<td>88.2%</td>
</tr>
</tbody>
</table>

Source: [http://data1.cde.ca.gov/dataquest](http://data1.cde.ca.gov/dataquest)
A-G Courses as a Percentage of All Courses, 2001-02

<table>
<thead>
<tr>
<th>School Name</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overfelt High (East Side UHSD, San Jose)</td>
<td>50%</td>
</tr>
<tr>
<td>Saratoga High (Los Gatos/Saratoga Joint USD)</td>
<td>81%</td>
</tr>
<tr>
<td>Roosevelt High (Fresno USD)</td>
<td>59%</td>
</tr>
<tr>
<td>Bullard High (Fresno USD)</td>
<td>70%</td>
</tr>
<tr>
<td>Locke High (Los Angeles USD)</td>
<td>54%</td>
</tr>
<tr>
<td>San Marino High (San Marino USD)</td>
<td>72%</td>
</tr>
<tr>
<td>Crawford High (San Diego City Schools)</td>
<td>38%</td>
</tr>
<tr>
<td>University City High (San Diego City Schools)</td>
<td>75%</td>
</tr>
</tbody>
</table>

Source: http://data1.cde.ca.gov/dataquest.
Course Enrollments, Number of Courses by Subject.

It is unusual for a student to graduate Piedmont High without meeting A-G requirements. Meanwhile, it is a serious challenge to graduate McClymonds High at all, let alone having fulfilled the A-G requirements. The actual results from McClymonds’ class of 2002 reflect this disparity; out of 288 students who entered in the 9th grade, only 84 students remained four years later; only 18% of this small number of graduates also met A-G requirements. Meanwhile, nearly all Piedmont students made it to 12th grade, and 88% of Piedmont graduates met the A-G requirements.

Inequity among schools located in the same urban area, and even district, is a pattern that holds across the state of California (see chart above).

In addition to experiencing disparities in course availability, many students are simply never told what the A-G requirements are. In a 2002 Californians for Justice survey of 1,028 students in East San Jose, nearly half (46.8%) had never heard about the A-G requirements needed for college eligibility, and 63.5% stated that they did not know what the A-G requirements included. Though 70% of those students we surveyed stated that they planned to attend college after they graduated high school, only 44.4% had ever been able to speak to a counselor about the classes they needed to get there. Many schools have very few counselors to serve thousands of students; some counselors and administrators do not prioritize college access as a goal for students of color, low-income students, or immigrant students.

Students in many schools are also frequently misassigned to courses—placed in courses they have already taken and passed. Student members of South Central Youth Empowered Through Action, who conducted a survey of 1,062 students at Fremont High
School in south central Los Angeles, found that four weeks into the semester, 40% of Fremont High students had been assigned to classes they had already taken and passed.53

Other students are placed in less rigorous courses than they want to take, and are frustrated academically. Samantha Knox, a 10th grader at Polytechnic High School in Long Beach, describes how academic tracking resulted in her both having to repeat courses she had already passed and to miss the opportunity to take more challenging courses. She explains that when she transferred from Rialto High to Polytechnic High, both in Long Beach Unified, she was moved out of higher level courses:

_I was placed in an academy that didn’t allow me to take Biology and [that] removed me from my Geometry class and made me repeat Algebra 1-2, even though I had already completed that class with a passing grade. If I had been in PACE or CIC [college bound tracks] I could have stayed in Biology. I was also removed from my foreign language class and was placed in a speech class… I think that tracking could be a barrier to student success. All students should be encouraged to go to college, not just get out of high school._

“I think that tracking could be a barrier to student success. All students should be encouraged to go to college, not just get out of high school.”

Rather than serving students’ needs, tracking often reproduces and deepens the achievement gap, and fails to address or close disparities. Research has shown that “most students learn more in high-level classes (ability groups or tracks) than do students with comparable prior achievement who take lower level classes.”56

Carmen Muñoz, a 10th grader at Hoover High in San Diego, notes that the college preparation program AVID prepares many students well, “but most students in AVID are “A” students and it should be recruiting students who really need the help… Not all students know about the programs. I don’t even know about all the programs that they offer.”55

As shown, California fails to provide real opportunities for teaching and learning in all of its schools. Many schools are severely lacking in the areas of basic physical conditions, teacher quality, instructional materials, and access to rigorous curriculum. These problems fall most heavily on the schools serving large numbers of students of color, low-income students, and English Learner students. The end results of these problems are clear, longstanding, and have plagued the state for many years before the CAHSEE; we describe them next.
The Outcomes For Students

Low Rates of High School Completion

There has been considerable controversy surrounding the best way to measure high school graduation and dropout rates in California... Much of the research about graduation and dropout rates suggests that the actual dropout rates are higher than those suggested in the CDE’s official data.

—Public Policy Institute of California

What we understand as schools’ “dropout rates” varies widely depending on data, and it may not be accurately recorded at all. Data reported to the California Department of Education (CDE) states a one-year dropout rate based on students who are recorded as having left school during the course of a year, and estimates a four-year dropout rate based on that yearly figure. The CDE reports the most recent yearly dropout rate to be 2.7% statewide, and the four-year dropout rate as 10.9%. But investigations into the size of a school’s 9th grade class compared to the graduates in that class four years later show much lower rates of high school completion than “dropout rates” imply. The Public Policy Institute of California (PPIC) has found that “a ratio of high school graduates to ninth grade enrollment yields a much higher ‘left school rate’ of around 25 to 30 percent.”

The PPIC’s 2002 study on Central Valley schools shows that barely two-thirds of students who were 10th graders in 1997 graduated in 2000. 71.3% of Central Valley students, and 71.8% of students in the remainder of the state, graduated. Thus, nearly 30% of students failed to make it from 10th grade successfully to graduation. The figures may even be slightly worse: the state itself “will only release a statewide graduation rate –69.7% - saying numbers are too unreliable for each school.”

This reported graduation rate reflects a “left school,” or dropout, rate of 30.3% between 9th and 12th grade in high schools statewide. And though this figure is surely lower in some schools, it is certainly higher in many others. As implied by the comparison between McClymonds and Piedmont High Schools earlier in this report, far more students in under-resourced schools compared to well-resourced schools leave before graduation.

It is unacceptable to lose this many students from our schools. The state must not only do significantly more to track information on who drops out of school and who completes it, but must do more to prevent high school attrition. Policies—including the Exit Exam—that may increase high school dropout are unacceptable and pose a serious threat to the future of California’s communities.

Low Rates of College Preparation

Just a quarter or fewer of the African American, Latino, Pacific Islander, and Native American students who graduate high school in California are also eligible for college in the California State University (CSU) or University of California (UC) system. And over-
all, among graduates of all backgrounds, barely a third meet the “A-G” requirements that make them UC/CSU eligible.63

These low rates of college preparation are the cumulative result of poor quality education, including but not limited to problems of simple access to A-G courses. The ACCORD (All Campus Consortium on Research for Diversity) project of the University of California has identified seven conditions as “the basis for a comprehensive, research-based framework for understanding the barriers to equity in achievement and college-going and for monitoring the state’s progress toward removing those barriers”:

- Safe and Adequate School Facilities
- A College-Going School Culture
- Rigorous Academic Curriculum
- Qualified Teachers
- Intensive Academic and Social Supports
- Opportunities to Develop a Multi-Cultural College-Going Identity
- Family-Neighborhood-School Connections.64

Instead of creating these conditions, schools across California fail their students. Low rates of college preparation reflect the low expectations our school system has of students of color, immigrant students, and low-income students. Instead of opening the path to

Percentage of 2001 Graduates Who Met A-G Requirements

Source: Dataquest, http://data1.cde.ca.gov/dataquest
college, low quality schools prepare thousands of youth for low wage jobs, poverty, political disenfranchisement—and even the prison system.

UC ACCORD’s College Opportunity Ratio (COR)—available online at http://ucaccord.gseis.ucla.edu/research/indicators—has gathered information from the California Basic Educational Data System (CBEDS) comparing schools’ 9th grade enrollment in 1996, the number of graduates from those schools four years later in the class of 2000, and the number of those class of 2000 graduates who met the A-G requirements and were eligible for college. The COR expresses these numbers as a 100:x:y ratio, where 100 represents 100 of a school’s 9th graders, x is the number of graduates, and y is the number of college-ready graduates. It also compares student populations that are under-represented students in the UC system—African-American, Latino, and Native American—with white and Asian-American students.65

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Information already available to the State

- **Teacher Quality Index (TQI):** http://www.edfordemocracy.org/TQI
  Teacher qualification, distribution of qualified teachers, and information on how schools are improving or falling behind in these areas. Created by Dr. Ken Futernick, Cal State Sacramento.

- **College Opportunity Ratio (COR):**
  http://ucaccord.gseis.ucla.edu/research/indicators
  The COR compares schools’ 1996 9th grade student population with the numbers of year 2000 high school graduates, and with the numbers of UC/CSU eligible 2000 graduates. Data is compared between students under-represented in the UC/CSU system (African-American, Latino, and Native American students) and other students (white and Asian-American students). Created by the UC ACCORD project.

- **Course availability:** DataQuest: http://data1.cde.ca.gov/dataquest
  California Department of Education information on a host of subjects, including the availability of A-G courses and of AP courses, which are key indicators of rigorous high school curriculum.

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Information missing at the State level

- **School facilities,** including bathrooms, age of buildings, and maintenance.
- **Instructional materials,** particularly availability of textbooks.
- Accurate dropout and high school completion rates broken down by district, school, and by student groups (race, income, etc.).
As one example, in Fresno Unified, the COR ratio for African-American, Latino, and Native American students was only 100:30:3—out of 788 9th graders in 1996, only 240 graduated in 2000, and of those only 20 had met the A-G requirements.

The COR provides another direct comparison between McClymonds High School in Oakland with Piedmont High School in Piedmont, two schools highlighted earlier. At McClymonds, under-represented students (who were the majority at the school) had a COR of only 100:27:2, while at Piedmont, white and Asian-American students (the majority at that school) had a much higher COR of 100:86:76.

The COR is a more complete reflection of school attrition and graduation rates than existing dropout or graduation numbers, and also provides a more clear picture of college preparation. It allows the numbers of college-ready graduates to be compared directly to a school’s pool of 9th graders, and not simply as a percentage of graduates.

The picture that the COR reveals is one of the state’s failure to provide a high quality education in which students of all backgrounds can learn, stay in school, and graduate with college in their future.

**The Exit Exam: Punishment for State Failure**

The CAHSEE was created in a context where hundreds of schools provide few real opportunities to teach and learn; where high school completion, graduation rates, and college preparation rates are abominably low; and where the state fails to even track complete information on all these problems.

The end result is that the Exit Exam punishes students for the failures of the state. It is well known by now that the passing rates on the CAHSEE are extremely low. They are par-

### CAHSEE Pass Rates, 2002 (March and May administrations combined)

<table>
<thead>
<tr>
<th></th>
<th>Math</th>
<th>English</th>
</tr>
</thead>
<tbody>
<tr>
<td>All students</td>
<td>32%</td>
<td>54%</td>
</tr>
<tr>
<td>white</td>
<td>49%</td>
<td>74%</td>
</tr>
<tr>
<td>Asian and Filipino</td>
<td>52%</td>
<td>62%</td>
</tr>
<tr>
<td>Pacific Islander</td>
<td>30%</td>
<td>55%</td>
</tr>
<tr>
<td>Latino</td>
<td>22%</td>
<td>42%</td>
</tr>
<tr>
<td>Native American</td>
<td>29%</td>
<td>53%</td>
</tr>
<tr>
<td>African American</td>
<td>20%</td>
<td>46%</td>
</tr>
<tr>
<td>Low Income</td>
<td>22%</td>
<td>40%</td>
</tr>
<tr>
<td>English Learner</td>
<td>18%</td>
<td>28%</td>
</tr>
<tr>
<td>Special Education</td>
<td>11%</td>
<td>25%</td>
</tr>
</tbody>
</table>

Source: California High School Exit Exam site, [http://cahsee.cde.ca.gov](http://cahsee.cde.ca.gov)
Cumulative CAHSEE Math Pass Rates, class of 2004

- All Students: 53%
- White: 69%
- Asian/API: 78%
- Latino: 34%
- African American: 31%
- English Learner: 27%
- Special Education: 16%

Cumulative CAHSEE English Language Arts Pass Rates, class of 2004

- All Students: 73%
- White: 85%
- Asian/API: 82%
- Latino: 59%
- African American: 60%
- English Learner: 43%
- Special Education: 31%

High School Exit Exam English Passing Rates


High School Exit Exam Math Passing Rates

Goode (2003), UCLA IDEA, from 2001-2002 CBEDS.

It is easy to confuse a map of CAHSEE English-Language Arts pass rates, a map of Math pass rates, and a map of statewide teacher qualification—the schools with low passing rates on the Exit Exam are the same as those with the highest numbers of underqualified teachers and, indeed, the fewest resources in general.

Distribution of Uncredentialed Teachers

Goode (2003), UCLA IDEA, from 2001-2002 CBEDS.
particularly low for most students of color—African American, Latina/o, Pacific Islander, and Native American students—as well as low-income students and English Learner students. CAHSEE scores are also extremely low for students with disabilities, many of whom also attend the same under-resourced schools. The high failure rates on the Exit Exam are a statewide problem, indicative of the overall lack of opportunity to learn, and strongly correlated with low rates of qualified teachers.

The correlation is quite strong between qualified teachers and failure rates on the Exit Exam. The Center for the Future of Teaching and Learning (CFTL) reports that “students in schools with the lowest passing rates on the exam are more than twice as likely to face underprepared [uncredentialed] teachers as are students in schools with the highest passing rates. The sad truth is that those students who need the most help have the least-trained and least-experienced teachers to help them succeed in a system with very high stakes.”

Specifically, CFTL finds that in schools where only 25% or fewer of 10th graders passed the math portion of the CAHSEE in 2001-02, an average of 21% of teachers lacked credentials. But in schools where 50% or more students passed the math portion, an average of only 9% of teachers lacked credentials.

A close-up of Los Angeles Unified puts a spotlight on schools with high rates of underqualified teachers and extremely low passing rates on the Exit Exam. Notably, many Los Angeles schools highlighted here were noted earlier in this chapter as having extremely high rates of underqualified teachers. Fremont High, for example, has 45.6% underqualified teachers; only 16% of students there passed the Math portion of the CAHSEE.

Los Angeles Unified Districts D-J
High School Exit Exam Math/English Pass Rates vs. Rates of Uncredentialed Teachers

The same low scores also correlate strongly to neighborhood poverty, which in turn can be associated with poor resources in schools. Maps of key urban areas—San Diego, the Los Angeles area, and the San Francisco/East Bay Area—show the concentration of Exit Exam failure rates at schools in high-poverty communities.

**Bay Area High School Exit Exam Math Passing Rates by Census Tract Poverty Rates**


**Los Angeles Area Exit Exam Math Passing Rates by Census Tract Poverty Rates**

By no means should the primary purpose of having highly qualified teachers, or high quality school resources of any kind, be simply for students to pass the Exit Exam. Rather, it should be to educate students with a high quality, engaging, and rigorous curriculum; to enable students to succeed in the present and aim high for the future; and to prepare all students for successful futures, including college and living wage jobs.

Low Exit Exam scores are one indication of poor resources and low achievement in schools. But low Exit Exam scores are not simply troubling to politicians or embarrassing to schools. Unless the CAHSEE policy is changed, failure on the Exit Exam carries devastating consequences for individual students. Rather than improving schools, the CAHSEE targets individual students, holding them and only them accountable for the quality of their education. Moreover, it targets students in the most under-resourced schools—the schools that also serve the highest rates of low-income students, English Learners, and students of color.

The evidence is clear: many California schools provide seriously inadequate opportunity to learn, and statewide, these inadequacies fall disproportionately on students of color, low-income students, and English Learners. The Exit Exam diploma penalty falls most harshly on students who have received insufficient opportunity to learn.

As the next section will show, the CAHSEE policy also fails to address these inadequacies or inequalities. The Exit Exam does not fix our schools; instead, it punishes students for the failures of the state.
1 Ken Futernick (2003), *Teacher Quality Index*, Charts and Correlation Tables: Table 3, “Distribution of Underqualified Teachers in California (by poverty).” Available online at www.edfordemocracy.org/TQI/TQI_Charts.htm. Statewide, in schools with 10% or fewer students receiving free or reduced price lunch, 7.9% of all teachers were underqualified. In schools with 90% or more students receiving free or reduced price lunch, 23.4% of all teachers were underqualified.


8 Californians for Justice Long Beach (2002), Long Beach bathroom survey, findings released to district June 2002. Surveys collected from 270 high school students in the Long Beach Unified School District from February to April 2002. Majority of surveys were from Cabrillo, Jordan, Polytechnic, and Wilson high schools.


10 Carmen Muñoz, interview, Californians for Justice San Diego, April 2003.


15 Nur interview (March 2003).

16 Harris (2002), page 5.


19 NCEF (2002), page 5.

20 Anonymous student, interview, Californians for Justice San Diego, April 2003.
Angelica Andrate, interview conducted by Californians for Justice Long Beach, April 2003. Ms. Andrate is a member of Parent U-Turn. Her oldest son and daughter attend Lynwood High School in Lynwood Unified.

Futernick (2003).

Harris (2002), page i.

Futernick (2003). Any comparison on the Teacher Quality Index will reference this statewide figure.


Ken Futernick, personal communication (email), April 24, 2003.

Specifically, Futernick adjusts TQI accordingly: subtract 1 from Base TQI if beginning teachers are 20-25% of all teachers; subtract 2 if beginning teachers are 25-30%; subtract 3 if beginning teachers are greater than 30%. In practice, only 7 of the districts with TQI of 4 or lower have fewer than 20% underqualified teachers overall, and the lowest of these has 12.5% underqualified teachers, with fully 50% of these in their first or second year of teaching (San Ardo Union Elementary in Monterey County).


Anonymous student interview (April 2003).

Avery Hale, interview, Californians for Justice Oakland, April 2003.

Harris (2002), page ii.

NCEF (2002), page 5.


Harris (2002), page 6.


43 Reggie Taylor, interview, Californians for Justice San Diego, April 2003.

44 Mario Valencia, interview, Californians for Justice San Jose, March 2003.


46 Justina Paque, interview conducted by Californians for Justice Long Beach, March 2003. Ms. Paque is a member of Parent U-Turn. Her son attends Southgate High School in Los Angeles.

47 Dora Rubio, interview, Californians for Justice San Diego, April 2003.

48 Nur interview (March 2003).

49 Victor interview (April 2003).

50 Nur interview (March 2003).


52 Californians for Justice San Jose (2002), *Eyes on Education*, page 11-12.


55 Muñoz interview (March 2003).


57 Anne Danenberg, Christopher Jepsen, and Pedro Cerdán, for Public Policy Institute of California (PPIC) (2002), *Student and School Indicators for Youth in California’s Central Valley*, page 30.

58 California Department of Education, Educational Demographics Unit. Data compiled from online source, [http://data1.cde.ca.gov/dataquest](http://data1.cde.ca.gov/dataquest).


60 PPIC (2002), page 33.

61 Sarah Tully, “State: O.C. dropout rate halved to 7%. Some say data insignificant because of confusion over number of graduates.” *Orange County Register*, April 24, 2003.

62 For state guidelines on reporting dropouts, see [www.cde.ca.gov/demographics/dropouts03.htm](http://www.cde.ca.gov/demographics/dropouts03.htm) and [www.cde.ca.gov/demographics/dropchanges03.htm](http://www.cde.ca.gov/demographics/dropchanges03.htm).


64 California Department of Education, Educational Demographics Unit, [http://data1.cde.ca.gov/dataquest](http://data1.cde.ca.gov/dataquest)

65 The College Opportunity Ratio is available online at [http://ucacCORD.gseis.ucla.edu/research/indicators](http://ucacCORD.gseis.ucla.edu/research/indicators).

66 All information on schools is taken from CBEDS; all information on poverty rates is taken from the 1990 U.S. Census. CAHSEE scores used are cumulative for the class of 2004. Due to misreporting of teacher cre-
dential data in San Diego City Unified, “uncredentialed” data here is taken from the numbers of teachers reported to have emergency credentials, intern credentials, and waivers. Explanation from Joanna Goode, personal communication (email), April 18, 2003.


The California High School Exit Exam is a policy and administrative failure that fails to meet its stated goals. As the Department of Education puts it (emphasis added),

_The primary purpose of the California High School Exit Examination (CAHSEE) is to signific;ly improve pupil achievement in public high schools and to ensure that pupils who graduate from public high schools can demonstrate grade level competency in reading, writing, and mathematics. The CAHSEE helps identify students who are not developing skills that are essential for life after high school (e.g., college, employment) and encourages districts to give these students the attention and resources needed to help them achieve these skills during their high school years._

The state’s hope may be that the Exit Exam drives achievement: that if California “raises the bar” for students, schools can teach all students to jump high. Those who promote the Exit Exam also state that the test will motivate students to take their learning seriously, and that it will allow communities to critically examine their schools’ quality—even that it will help communities hold the educational system accountable for disparities in student achievement. But the CAHSEE meets neither the implicit goals of accountability, improvement, and motivation, nor its stated goals of higher achievement and remediation.

CAHSEE policy is failing to help schools provide greater opportunity to learn, to improve student achievement, or even to completely identify students in need of help. Furthermore, rather than increasing motivation for all students, the CAHSEE actually demotivates many students, driving them away from school and distancing them from their own educational goals.

The State fails to live up to its own guidelines. As stated both in the language of the Exit Exam bill and in the Department of Education’s programs, these goals include:

- A school district should _prepare pupils to succeed_ on the exit examination.²
- Schools must _provide each and every student the opportunity to learn_ the content in the test.³

Perhaps at minimum, the state might be expected to ensure that students and their parents are aware of the Exit Exam policy and that students and their parents receive test scores promptly. Even here, the state has failed. The state has not followed its own guidelines on notification. State Education Code and the Department of Education’s standards for CAHSEE “Opportunity to Learn” require schools to notify students and parents of test
content, state content standards, and test results, and to provide remediation to struggling students. Specifically, CAHSEE policy and guidelines state the following:

- Students and their parents/guardians must receive written notification of the CAHSEE requirement at the commencement of ninth grade, and each year thereafter.\(^4\)

- This bill would additionally require that [parent] notice to include notice that, commencing in the 2003-04 school year, and each school year thereafter, each pupil completing the 12th grade will be required to successfully pass the high school exit examination, and would be required to include, at a minimum, the date of the examination, the requirements for passing the examination, and the consequences of not passing the examination…\(^5\)

- Are all members of the school community knowledgeable about test format and content? [This means that] The teachers, students and parents know the standards covered on the exam. You can prove it…\(^6\)

- The bill would impose a state-mandated local program by… requiring that the results of the examination be returned to each pupil taking the test within 8 weeks of the administration of the exit examination, and requiring provision of supplemental instruction to any pupil who does not demonstrate sufficient progress toward passing of the examination.\(^7\)

California is failing to meet CAHSEE goals and guidelines, as described in three key areas described below: Policy Failures, including Opportunity to Learn, School Improvement and Student Motivation, and Remediation; and Administrative Failures, including Notification of Standards, Notification of Remediation, and Notification of Scores.

**Policy Failures**

**Opportunity to Learn**

Part 1 of this report described the deeply inadequate learning conditions that many students face in their schools, and the ways in which California fails to provide equal and high quality opportunities for teaching and learning in all its schools. The state has also declared for itself some much narrower conditions for opportunity to learn CAHSEE content. But California has not met even its own modest requirements.

The California Department of Education (CDE) has developed a “preparation checklist for testing directors, school administrators, and other individuals who are familiar with basic issues related to the High School Exit Examination… as an assessment of a high school site’s readiness to administer the High School Exit Exam and for insuring that all students have an equal opportunity to learn.”\(^8\)
The checklist contains 20 detailed questions and can be found online at www.cde.ca.gov/shsd/asr/opptolearn/index.htm. A few of the checklist’s questions deserve special mention here:

- Have teachers and administrators completed a written analysis of the standards and the existing instruction? [This should include] textbooks and instructional materials...
- Has an evaluation been completed of certificated staff to determine that they have appropriate degrees and credentials to teach core academic classes? [This means that] English 9 and 10 should be seen as target courses [and] Algebra I teachers have appropriate credentials.
- Have you developed an articulation plan for grades 6 through 10? [This should mean that] consistent academic rigor is found in grades 6 through 10...

Given the stark disparities highlighted in Part 1 of this report, it is clear that many high schools around the state have not yet met the state’s own standards for opportunity to learn, particularly around teacher quality and instructional materials.

The parent of a student in Los Angeles Unified’s Locke High School spoke to us about how important it is to know what her daughter’s school has been able to provide, specifically whether it can prepare students to pass the CAHSEE.

_I want to know if they have had permanent teachers? Are the teachers conscious that the content in the exam that students will be taken has been taught over the course of the year? If they have learned it and if not, what are they going to do? … Basically that is what I want to be informed about, if there have been permanent teachers and enough materials so that I can be more calm..._

Unfortunately, the state cannot honestly reassure this parent.

**Demotivating Students**

As recently as spring 2002, the state’s commissioned research, in the report of the Human Resources Research Organization (“HumRRO 3”), has concluded, “the CAHSEE has not yet had any impact on retention, dropout rates, or expectations for graduation and post-high-school plans.” However, this is simply wishful thinking. Any conversation with high school students from around the state reveals that students are extremely demoralized by the Exit Exam. It is clear that large numbers of students of color, low-income students, and immigrant students, feel that their futures are being destroyed by a test for which they have not been prepared. Many students have stated to us that either they or their peers have considered dropping out due to the CAHSEE.
Araceli Cuatlatl, an Oakland Technical High School student in the class of 2004, says simply,

*I feel like dropping out. I feel like I am dumb … I’m worried because after we were done with the test you don’t know if you have passed or not. I feel like if I don’t pass it my dreams will end. I want to go to college and study to be a nurse and find a good job. I won’t receive a diploma and won’t graduate. It’s not fair, because a lot of people are dropping out because if they aren’t going to graduate then why stay.*

Some students are in fact curtailing their plans for the future, and in some cases this may be because schools are directly recommending that they do so. Brian Llevano is a student in the class of 2004 who attends Educational Partnership High School in Long Beach Unified. He says, “They are saying that if you don’t pass the exit exam, you should just go get a GED. I think not getting a diploma is going to [mess] their lives up… Without a diploma I think those students are just going to be on the street.”

Avery Hale is in the class of 2004 at Oakland Unified’s McClymonds High School, where a significant majority of students have failed the Exit Exam. Though he himself has passed the CAHSEE, he reports on what he heard from his peers when the test was given:

*I heard some students say that they might as well drop out now because they thought they would never pass it no matter how many times they took it. After the first break we started talking and students thought the test was hard and they didn’t understand some parts of it and said, ‘This test is going to stop me from graduating and I might as well start doing what I have to now to get through life.’ After the test, when they saw that even some of the best students were failing the test they thought they would never pass it.*

**Lack of School Improvement & Inadequate Remediation**

As Ludy Chethcheuth, a 12th grader at Polytechnic High School in Long Beach Unified, told us pointedly, “There should always be classes and support in place for students who need it for their learning. We don’t need an Exit Exam for this.”

CAHSEE policy states goals of school improvement and increased remediation, but fails to follow through on these objectives.

The state states the importance of remediation, and identifies ways for schools to provide it, in its CAHSEE Opportunity to Learn standards.

- Have you developed a plan to identify students at risk of not passing the exam?… Have you developed a supplemental instruction plan for students identified as being at risk?… [This means that] All plans include certificated staff with appropriate credentials.
The state has defined alignment to state content standards as an important form of school improvement. But HumRRO 3 showed that the Exit Exam was not encouraging substantive or equitable improvement in this area, or in the areas of teacher qualification. Fewer than half—only 45%—of school principals surveyed by HumRRO 3 reported that they “have plans to ensure that all high school students receive instruction in each of the content standards.” In addition, only 47% of principals surveyed reported that their schools will “cover all content standards with a mix of textbooks and supplemental materials.” Only 43% reported hiring only teachers who are certified in their field, and only 49% assigned teachers only in their certified field.17

The California State University Institute for Education Reform has studied Exit Exam implementation among schools involved in the California Academic Partnership Program (CAPP) Grant program, which seeks to raise student achievement and college preparedness in “low-performing” schools. The CSU-IER study heard from teachers and administrators who are highly motivated to see schools improve; it registered similar reactions as did HumRRO 3. Discussion regarding remediation programs, summarized in the CSU report, concluded that:

*No one really knows, but our guess would be that at many schools there are probably no plans in place. That does not mean high schools are not concerned; they are really worried about the impact of this exam. But many simply have not had resources or time… plans are taking shape, but most lack any creativity or depth that would have a better chance of making them effective.*18

Though engaging, meaningful remediation programs could be a positive outcome of the CAHSEE, here, too, the state is failing. When asked by HumRRO 3 what remedial options they planned to use for students who did not pass the CAHSEE, more than half (53%) of principals did not even respond to the survey. Of those who did respond, only 24% planned to implement more remedial courses. Even fewer—1 in 5, or only 20%—planned to implement a program to make sure “students are taking demanding courses from the beginning” or that “we are offering demanding courses from the beginning.” Finally, only 10% planned to implement more summer school courses for students failing the CAHSEE.19

Remediation challenges will only get worse in the light of budget cuts at both state and local levels. These cuts have a tremendous impact on many districts: in San Diego City Unified, the second biggest district in the state, the district estimates a $147.7 million shortfall for the 2003-2004 school year. The district has already planned $73.4 million in cuts for that academic year.20

The state directs schools to “use regularly available resources” for CAHSEE remediation,21 specifically stating, “nothing… shall be construed to require the provision of supplemental services using resources that are not regularly available to a school or school dis-
As a result, many schools find it difficult to provide students meaningful help. The lack of new resources also inhibits the quality of intervention programs that schools can provide. Existing interventions can actually be detrimental, holding students back; California has a responsibility to determine what forms of remediation actually raise achievement, and to promote these programs.

Students describe many existing remediation programs as ineffective. As a student in the class of 2004 in San Diego’s Sweetwater Union High School District reports, “I took a math fundamentals practice test they offered in a class after a failed math section. What good was that? I still have not passed math.”

Traditional remediation may not always be effective. Katrine Czajkowski, a Chula Vista High School teacher quoted in the CSU study, notes that student achievement at Chula Vista went up dramatically when the school offered challenging, rigorous summer school courses, rather than traditionally “remedial” instruction. Students with a range of GPAs (low as well as average) enrolled in summer school Algebra I, biology, and chemistry and excelled—leaping forward in their academic achievement and meeting the A-G requirements they had been missing. Ms. Czajkowski notes:

*'Labels can be a very powerful detriment in high school. Some of our students who were having difficulty were enrolled in a very expensive intervention program for reading. But when we looked at the test results and matched them to those participating in the reading intervention, they did less well in terms of score gain than students not enrolled in the program. The program was a good one, designed by literacy experts, but the labeling function was at work and undermined what students were able to achieve.*’

If the state provides no new resources for remediation, it is unclear how the CAHSEE can improve the functioning of our school system. Should resources be redirected from other remediation programs? Are the existing remediation programs effective? Are other remediation programs being recommended that are any more effective? Does the recommendation to eliminate electives in favor of remediation actually serve the academic interests of students or help to keep at-risk students in school? Are students who are not meeting the content standards now being any better served?

We cannot fix the achievement gap by widening it. If the CAHSEE is to be used as an intervention tool, the state must fully invest in improvement programs, students and parents must be fully informed and be able to take advantage of all they offer, and these remediation programs must be engaging and effective.
Administrative Failures

Lack of Notification on Standards & Remediation

The CDE’s Opportunity to Learn standards detail what schools must do to notify students, parents, teachers, and others about the Exit Exam. Once again, the state has not ensured that all schools meet these expectations. Schools must inform students, parents, and teachers so that all those affected by the test understand its content and implications. The state conveys these requirements in its Opportunity to Learn checklist:

- Have you provided adequate notice in writing to all 9th grade students and parents?
- Are all members of the school community knowledgeable about test format and content? [This means that] The teachers, students and parents know the standards covered on the exam [and] you can prove it...
- What is your strategy regarding special education students?... Accommodation options have been discussed and implemented...
- IEP/504 plans reflect the reality of high stakes testing... 25

The checklist notwithstanding, many students are uninformed as to the content of the CAHSEE and the test’s procedures. The CSU-IER study concludes that “at this point, [students] don’t seem to know much about the content of the test or the process the law provides.” 26 From our interviews with parents and students, it is clear that many schools do not provide written notice to all students and parents and, in particular, that the vast majority of students, and many parents, do not understand what standards are tested on the Exit Exam.

Californians for Justice conducted in-depth interviews for this report with 30 students from around the state: San Diego, Long Beach, Fresno, San Jose, and the East Bay (specifically Oakland and Berkeley). These students are not only from a range of cities, but are involved in a wide variety of academic programs and activities, including college preparatory programs within their schools. These students attend schools that predominately serve low-income students, students of color, and immigrant students. While the 30 interviews we conducted do not represent a large-scale survey, our findings are troubling.

Our interview questions addressed issues of 1) opportunity to learn; 2) students’ awareness of content standards and of remediation; 3) students’ views on the Exit Exam; and 4) students’ goals for their own futures and for their communities. We specifically asked, “The CAHSEE is supposed to test whether students have learned certain state content standards in English and Mathematics. Has anyone told you what the standards are? If so, how did they explain it to you?” Out of the 30 students that we interviewed, only 4 students (13%) stated that they knew what standards were tested on the Exit Exam. All other students stated they had not been informed of the standards.
Of the 4 students who did know the standards, none knew them in both English and Math. Two students from Independence High School in the East Side Union High School District knew English and not the Math standards. Two others, one from Fresno High School in Fresno Unified and the other from Hoover High School in San Diego City Unified, knew the Math standards and not the English. Many of the high school students we spoke with were even surprised to learn that there are any specific standards tested on the exam. Even more dramatically, many students we work with indicate that they were unaware before they took the exam what content areas are tested (some assumed that Social Studies and Science would be tested, or did not know that a written essay would be required).

Some would argue that students do not need to know what standards are tested in order to know that content and pass the CAHSEE. But the state itself does not agree: it states clearly that students and their parents must know what specific standards are tested on the Exit Exam.

But Avery Hale, in the class of 2004 at McClymonds High, puts it simply: “I haven’t learned the state content standards from anybody. We don’t know what those standards are. Most students don’t know.”

Another student, Amy Ouk, is in the 10th grade at Independence High School in San Jose’s East Side Union High School District. She says that her “counselors talked about standards a bit—[it was] not very clear, just quickly listed them—I am still not sure what the standards are or why they’re there.”

Discussions with parents, too, show that many schools are not sending proper notices home. Hermelinda Juárez’s daughter is a 10th grader at Bonita High School in San Diego’s Sweetwater Union High School District. Though her daughter took the Exit Exam for the first time this year, Ms. Juárez says simply, “I don’t know anything about this test, only the SAT. I have not received anything.” Other parents report that they have had to go in person to the school in order to learn about their child’s test score.

Importantly, parents say that because they are concerned about the overall quality of their children’s schools, they are also concerned about lack of information provided about the CAHSEE. The parents we spoke with state that more information home would help them ensure that their children can pass high-stakes tests. They also feel that notices home show whether schools care about student achievement. Maria Martínez, whose daughter is a 9th grader at Point Loma High School in San Diego City Unified, suggests, “I think the

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**Overwhelmed By Standards**

Esther Lara, a San Diego parent, points out that many parents as well as students are confused by the sheer number of standards as well as the number of standardized tests administered in schools.

Not everyone understands them and also there are so many. If a parent does not know or does not understand what the standards are, how is she going to help her kids? … There are so many exams that we lose track of things. Also, we don’t know which are more important than others, which we should focus on the most.

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parents of 8th graders should be informed and should be invited to a meeting so they are familiar with the exam and its consequences. [This] should also be mandatory for all students."

With 8 tests administered simply at the statewide level, no wonder students and parents are confused about the content, and even importance, of the Exit Exam. The large number of standardized tests in our schools, and the overwhelming time and resources devoted to them, only compound the confusion and administrative failures of the CAHSEE.

Finally, many students are unaware of any remediation offered to students who have not passed the Exit Exam. Barely half of students we interviewed—16 out of 30—had heard of support that they believed was meant specifically for the Exit Exam. Many students added that support programs are poorly publicized. Brian Llevano of Long Beach notes,

_They provide the support, but it seems like they don’t really talk about it. I only found out about it because my biology teacher said that there is tutoring after school. I think they don’t publicize it by notices, flyers or posters—because they don’t want students on campus after school. They put up notices for [pep] rallies but not for tutoring._

### Lack of Notification of Scores

The Exit Exam law states that students must be provided their scores within 8 weeks of taking a test, stating “the results of the examination [must] be returned to each pupil taking the test within 8 weeks of the administration of the exit examination.” In practice, however, as the CDE states, “Individual student reports are sent to school districts approximately 10 weeks after the administration of the test.”

Whether the reporting of results follows the letter of the law or not, teachers and administrators state that a two or more month time frame is unreasonably long and unworkable for a test that carries stakes as high as does the Exit Exam. Victor Jarels and Geno Flores, administrators for Jordan Freshman Academy at David Starr Jordan High in Long Beach, state that

_The test is taken in March and the results don’t come out until May, which is late to be letting a parent know that their child has failed and needs to go to summer school. This is a multiple choice test; they ought to be able to turn the results around in three weeks and send them to the schools electronically, with an item analysis so that teachers can identify a student’s weaknesses and begin to do something about them._

Parents we interviewed agree and feel that the slow turnaround inhibits their ability to help their students to study the content areas in which they are weakest. Esther Lara states, “It takes a long time to receive the results. If they take the exam in April we will not receive the scores until July. They should come sooner and help parents know in what areas we should help our kids.”
As David Gordon, superintendent of the Elk Grove Unified School District in Sacramento County, puts it, “The slow turnaround on providing scores is not just embarrassing, it is unworkable. We need the scores back faster or the state should find someone else to do the scoring.”

One result of slow scoring is that, particularly in Los Angeles Unified, many students take the exam again before they even know their scores on the earlier administration. As a participant in the California State University CAHSEE study (November 2002) noted, “in some cases, the retake date is set before students even know their results from the first round of testing. The anger level is very high among both teachers and students… The whole issue of equity comes into play when these students are tested this way.”

Though state officials have claimed that this situation is due to “districts misunderstanding testing procedures,” the end result is that thousands of students retake the test without knowing their scores—a waste of time and a demoralizing disruption to substantive classroom learning.

Some students are not notified of their scores at all, even months after taking the test. Erik Avalos, a student in the class of 2004 who attends the MAAC Charter School in San Diego’s Sweetwater Union High School district, has taken the exam three times: once in 9th grade, once in 10th, and again this year as an 11th grader—all at different schools. He has never received notice of his scores from the first two times he took the test—though he must assume that he failed. Erik says, “I have taken the exam a couple times at different schools, but never received any information regarding [my score]. I am not sure if I have passed it… I don’t know who to ask about my scores.”

Parents also have trouble receiving their students’ test scores. Though notification is required, several parents we interviewed stated that they had to go directly to their children’s schools in order to learn their students’ scores; nothing was sent to them in the mail. Angelica Andrate, the parent of Lynwood High School students, says that though the high school mailed her information about the Exit Exam, set up a meeting for parents, and provided information in both English and Spanish, “I had to go to the school to find out” her child’s test scores. She adds, “Parents like me would like to see a change in the way that they notify parents. It’s very confusing—we would like the information to be more specific about what they are not passing,” meaning more details about what specific English or math content their students need to study.

Guadalupe Aguilar, the parent of two students at South Gate High School in Los Angeles, echoes Ms. Andrate’s comments. “Both my son and daughter have passed the exit exam, but I never received notices about the test.” Christine Jones, the parent of a Crenshaw High student with a learning disability, states, “I only received results from the very first test [my daughter] took and she has taken the test three more times since then… waiting a year and a half for test results is not acceptable.”
Teachers and administrators also complain that limited item analysis in CAHSEE reports make meaningful remediation difficult. Victor Jarels and Geno Flores, administrators for Jordan Freshman Academy at Jordan High in Long Beach, explain:

“When it comes to CAHSEE data, the results that are now given to teachers are not very useful in their current format. The data do not tell a teacher very much about what is going on with the students. It is far different with other tests; for instance, with the PSAT, hundreds of thousands of students will find out how they are likely to do on the SAT and receive item-analysis data. But teachers and schools cannot explain or address what students do not know if they cannot see what the students got right and wrong on the test.”

Without useful item analysis, how can the CAHSEE actually improve the quality of education schools provide? Students may be achieving well in one area of math (geometry, for example) and held back by broad-brush remediation in all the state standards covered in the CAHSEE mathematics portion. Other students may understand math content, yet not understand the English vocabulary for certain mathematical terms either because they are English Learners or simply because the test itself uses vocabulary that is different from what they have used in their own classes.

Carlos Cabana, a math department co-chair at San Lorenzo High, notes that one CAHSEE question uses the term “positive correlation” for a graph, yet none of the standards state that students must understand this term. A student who had never had this term explained or used in her classroom might not know the correct answer to the question, even if he or she understood how to interpret and manipulate graphs and could explain graphs in layman’s terms.

Many teachers have not been informed about how to analyze the limited information provided to them in CAHSEE student reports. CSU-IER reports that fewer than half of high school teachers surveyed had received professional development in how to understand CAHSEE student reports (39.7%) or how to use CAHSEE results to modify curricula (46.2%).

The CAHSEE thus fails to meet many of its own goals and guidelines. These failures further harm students already suffering from inadequate and unequal schools.


5 Legislative counsel’s digest of Senate Bill 2 (O’Connell 1999) (legislation creating California High School Exit Exam requirement), section 4.

6 CDE, “High School Exit Exam: Opportunity to Learn.”

7 Legislative counsel’s digest of Senate Bill 2, section 3.

8 CDE, “High School Exit Exam: Opportunity to Learn.”


10 Anonymous parent, interview, CADRE (Community Asset Development Redefining Education), April 2003. The parent’s daughter is a 10th grader at Locke High School in Los Angeles Unified.


14 Avery Hale, interview, Californians for Justice Oakland, April 2003.


17 HumRRO 3, page 81.


19 HumRRO 3, page 87.


21 Legislative counsel’s digest of Senate Bill 2, section 3.


23 Anonymous interview, Californians for Justice San Diego, April 2003.


The following are the comments of students who stated that they had been informed of either the Math or English standards tested on the CAHSEE:

"No one said standards for English but the math teacher told us algebra and geometry would be tested."—Richard Lam, 11th grade, Independence High, East Side Union High School District. Interview, Californians for Justice San Jose, April 2003.

[English]: "The teacher went through each exact standard we needed to know, and applied each standard to assignments, especially reading assignments." [Math]: "No."—Victoria Nguyen, 10th grade, Independence High, East Side Union High School District. Interview, Californians for Justice San Jose, April 2003.

"They are posted in my English class. The teacher told us only the standards that she is going to cover."—Eduardo Hernandez, 9th grade, Hoover High, San Diego City Unified. Interview, Californians for Justice San Diego, April 2003.

"My math teacher has explained about what's going to be on the test. My math class is mostly about getting us ready to pass the exam. My English teacher hasn't talked about what the standards are."—Aaron Miller, 9th grade, Fresno High, Fresno Unified School District. Interview, Californians for Justice Fresno, April 2003.

Hale interview (April 2003).

Amy Ouk, interview, Californians for Justice San Jose, April 2003.

Esther Lara, interview, Californians for Justice San Diego, April 2003. The quote is translated from original Spanish: "No todos entienden y también hay tantos. Si un padre no sabe que son los estándares, ¿cómo va a enseñarselos a sus hijos? … Hay tantos exámenes y perdemos el hilo de los acontecimientos. También no sabemos cuáles son más importantes que otros para poner nuestra interés en el examen."

Hermelinda Juárez, interview, Californians for Justice San Diego, April 2003. Ms. Juárez's daughter is in the 10th grade at Bonita High in San Diego's Sweetwater Unified School District. The quote is translated from original Spanish: "No sé nada de este examen, nada más del SAT… No he recibido nada."

Maria Martinez, interview, Californians for Justice San Diego, April 2003. Ms. Martinez' daughter is a 9th grader at Point Loma High School in San Diego City Unified. The quote is translated from the original Spanish: "Pienso que los padres que tienen hijos o hijas en el octavo grado deben de estar informados para invitarlos a conocer el examen y las consecuencias. Y que sea obligatorio a todos los estudiantes."

Llevano interview (March 2003).


Lara interview (April 2003). The quote is translated from original Spanish: “Para recibir los resultados dura mucho tiempo. En abril van a tomar el examen pero nos vamos a recibir el resultado en julio. Deben de llegar mas pronto y ayuda a los padres que sepan que áreas deben de ayudar a nuestros hijos.”


CSU-IER (2002), page 5.

41 Erik Avalos, interview, Californians for Justice San Diego, April 2003.

42 Angelica Andrate, interview, Californians for Justice Long Beach, April 2003. Ms. Andrate is a member of Parent U-Turn. Two of her children (11th and 10th grade) attend Lynwood High School in the Lynwood Unified School district.

43 Guadalupe Aguilar, interview, Californians for Justice Long Beach, April 2003. Ms. Aguilar is a member of Parent U-Turn. Two of her children (12th and 11th grade) attend South Gate High School in Los Angeles Unified.

44 Christine Jones, interview, Community Asset Development Redefining Education (CADRE), April 2003. Ms. Jones is a member of CADRE. Her daughter attends Crenshaw High School in Los Angeles Unified.


47 CSU-IER (2002), page 16.
Part 3: 

**Violations of Civil Rights Law and Assessment Principles**

CAHSEE policy violates the principles and practices for testing that are recognized by the federal Department of Education Office for Civil Rights and by major educational experts, including the American Educational Research Association (AERA), the National Council on Measurement in Education (NCME), and the American Psychological Association (APA).

Standardized tests can be useful and important ways to assess our schools. In a school system as large and varied as California’s, large-scale tests are invaluable in providing statewide data as well as localized information and comparisons.

But the CAHSEE violates the established policies and practices governing the fair and legitimate uses of testing. It violates these policies and practices in multiple ways:

- The CAHSEE tests students on content they have not had the opportunity to learn, with discriminatory impact on, and violation of due process for, students of color, English Learners, and low-income students in unequal and inadequate schools.
- The exam is not a valid assessment for English Learners or students with disabilities.
- The CAHSEE bases the high-stakes decision of high school graduation on a single measure.

**Civil Rights Policy**

The federal Office for Civil Rights has detailed its legal principles for assessment, including a number of questions that test-makers and administrators must address for tests with high-stakes consequences for students. These questions address two major areas: first, discrimination, and second, violation of due process.

Where test results show disparate impact—as the CAHSEE does for students of color, English Learners, or students with disabilities—policy makers must prove that an exam does not discriminate against these students. Tests, and high-stakes decisions based upon them, must not violate Title VI, Title IX, Section 504, or Title II—laws from the 1964 Civil Rights Act, the 1979 Educational Amendments, the 1973 Rehabilitation Act, and the 1990 American with Disabilities Act. These laws prohibit school practices that discriminate based on race, color, national origin (Title VI); sex (Title IX), and disability (Section 504 and Title II).
As the OCR notes, courts have looked at three main questions to decide whether a specific high-stakes test discriminates:

1. Does the practice or procedure in question result in significant differences in the award of benefits or services based on race, national origin, or sex?
2. Is the practice or procedure educationally justified? and
3. Is there an equally effective alternative that can accomplish the institution’s educational goal with less disparity?

Under Section 504 and Title II, as well as equal protection clauses, these same questions must also be extended to students with disabilities.

Courts may also decide whether the use of high-stakes tests violates students’ due process rights under the Fourteenth Amendment, “particularly associated with cases challenging the adequacy of the notice provided to students prior to this type of test and the students’ opportunity to learn the required content.” Due process claims raise these key questions:

1. Is the testing program reasonably related to a legitimate educational purpose?…
2. Have students received adequate notice of the test and its consequences?…
3. Are students actually taught the knowledge and skills measured by the test?

Because CAHSEE policy violates these sets of legal provisions, the CAHSEE diploma denial discriminates according to race, color, national origin, and disability and violates due process. The CAHSEE produces significantly different outcomes for students of color, low-income students, and English Learners, as well as for students with disabilities. The conditions in these students’ schools do not provide adequate opportunities for teachers to teach CAHSEE “knowledge and skills,” or for students to learn this content. CAHSEE policy is not “educationally justified” or “reasonably related to a legitimate educational purpose”: it forces many students to take a test on material they have not been taught, and does not lead to substantial school improvement. Finally, students do not receive “adequate notice” of test content. For all of these reasons, the CAHSEE is discriminatory and violates due process.

**Professional Educational Standards**

Several expert, non-partisan professional educational organizations have issued major critiques of exit exams and other “high-stakes” tests. These groups include the American Educational Research Association (AERA), the National Council on Measurement in Education (NCME), and the American Psychological Association (APA).

Addressing “the use of tests to make high-stakes decisions, such as whether a student will move on to the next grade level or receive a diploma,” the APA states:
School officials using such tests must ensure that students are tested on a curriculum they have had a fair opportunity to learn, so that certain subgroups of students, such as racial and ethnic minority students or students with a disability or limited English proficiency, are not systematically excluded or disadvantaged by the test or the test-taking conditions. Furthermore, high-stakes decisions should not be made on the basis of a single test score, because a single test can only provide a “snapshot” of student achievement and may not accurately reflect an entire year’s worth of student progress and achievement.\(^5\)

In addition, the APA, AERA, and NCME have together issued the *Standards for Educational and Psychological Testing* (1999), commonly referred to as the Joint Standards. The Joint Standards include:

- Any decision about a student’s continued education, such as retention, tracking, or graduation, should not be based on the results of a single test, but should include other relevant and valid information.
- When test results substantially contribute to decisions made about student promotion or graduation, there should be evidence that the test addresses only the specific or generalized content and skills that students have had an opportunity to learn….
- Special accommodations for students with limited English proficiency may be necessary to obtain valid test scores… Likewise, special accommodations may be needed to ensure that test scores are valid for students with disabilities. Not enough is currently known about how particular test modifications may affect the test scores of students with disabilities; more research is needed… \(^6\)

These principles establish that a single exam should not be the basis for deciding graduation; that students must be provided the opportunity to learn test content, with special consideration of whether ethnic, economic, or other subgroups of students have had the same opportunities to learn; and that tests created for the general student population may not be valid measures of the knowledge and skills of English Learners or students with disabilities.

California’s use of the CAHSEE as a graduation requirement directly contradicts both federal civil rights principles and professional educational standards for assessment, including provisions for accommodations and alternative assessment.
Opportunity to Learn and Curricular and Instructional Validity

As revealed earlier in this report, thousands of students in California do not have an opportunity to learn the content tested on the Exit Exam, and this lack of opportunity to learn disproportionately affects students of color, low-income students, and English Learner students.

In technical terms, this means that the CAHSEE does not have “curricular validity” or “instructional validity.” The common understanding of these terms, used by testing experts and in courts, is that tests have curricular and instructional validity if and only if they measure what is actually included in curriculum (course content, textbooks, etc.) and what is actually taught by teachers. State Education Code prohibits the use of the CAHSEE as a diploma requirement unless it has “instructional and curricular validity” — which, given the lack of opportunity to learn in our schools, the CAHSEE does not have.

The state of California, however, contradicts itself on its own definitions of curricular and instructional validity. On the one hand, it implies that a statement of expectations for instruction is the same as actually providing that instruction. As plaintiffs for Chapman vs. California Department of Education have noted, the state Education Code that includes CAHSEE regulations contains “unique definitions of curricular and instructional validity” that are based only in what is “expected” to be taught, rather than what is actually taught. California Education Code explains CAHSEE curricular and instructional validity as “the examination tests for content found in the instructional textbooks” and “the examination is consistent with what is expected to be taught” (emphasis added).

But the State’s actual use of the notions of curricular and instructional validity reflects the understanding used by courts and educational experts: the meaning of actual opportunity to learn. The state’s “Opportunity to Learn” standards, as detailed by the California Department of Education website, indicate agreement with the common definition. As noted in Part 2, the state’s site asks high school administrators to ensure that textbooks in use at a school are aligned to standards and that teachers are actually instructing students according to the standards. And, as noted by the plaintiffs in Chapman vs. California Department of Education, the state itself has admitted it has not proved curricular and instructional validity for the Exit Exam.

The state cannot guarantee curricular and instructional validity—in other words, the opportunity to learn—simply by authorizing new textbooks or by telling teachers to post a list of standards on their walls. Students need textbooks in hand, books that they can open, read, and take home; they cannot do homework using directives sent to their districts. Schools require massive infusions of basic resources to
create high quality learning conditions. They demand serious investment in professional development to ensure that teachers are effective and well-prepared to teach their specific student populations; they need ongoing resources to make sure they have enough textbooks for all students.

Without these resources, the state can make no claim that all students have a real opportunity to learn, or in other words, that the CAHSEE has curricular or instructional validity. Denying diplomas under these circumstances directly discriminates against those students who are experiencing disproportionately high failure rates on the Exit Exam: students of color, low-income students, English Learners, and students with disabilities.

Invalid Assessment of English Learners and Students with Disabilities

The CAHSEE specifically violates guidelines for fair assessment of English Learners and students with disabilities because it provides no or very limited accommodations for these students.

**ENGLISH LEARNERS**

English Learners attend some of the most under-resourced schools in the state, and thus experience greatly reduced opportunity to learn. In addition, English Learners face the simple challenge of learning a second language at the same time as they are required to learn academic content in that new language. Over a quarter—28%—of principals surveyed by HumRRO 3 estimate that fewer than half of English Learners have had instruction in English content standards tested on the Exit Exam. Nearly as many—24%—estimate that fewer than half of English Learners have had instruction in the math content standards tested.

English Learners must pass both portions of the Exit Exam in English. Yet testing a student in his or her second language may only measure language proficiency, rather than providing an accurate measurement of the academic content it measures for a fluent speaker.

Especially on the Mathematics portion of the Exit Exam, English Learners may know the content tested on the Exit Exam, and simply not be able to show that knowledge based on the current format of the test. They may have learned that math content in their first language or in a sheltered English class. Does the state demand that they know this math content in English, or simply that they know how to perform the math itself? Particularly given the use of advanced vocabulary on the Exit Exam that is not specified in the content standards (such as “positive correlation”), the Math portion of the CAHSEE cannot be seen as a valid assessment of mathematics content for English Learner students.

Finally, the state’s deferment option for the newest English Learners is inadequate and confusing. It allows districts to defer the diploma requirement for the first 24 months of a student’s enrollment in California schools, but still requires that those students take the CAHSEE, and still demands that they eventually pass the test in order to graduate.
policy is confusing to the newest English Learners, many of whom are unlikely to have the deferment process explained to them clearly in their own language, and who are among the students most likely to be demoralized and drop out in the face of the CAHSEE requirement.

**Students with Disabilities**

The state makes very limited accommodations for students with disabilities, and these limitations make the Exit Exam an invalid measurement of the knowledge of many of these students.

Students with disabilities also face greatly reduced opportunity to learn. As noted by Disability Rights Advocates, which has brought a class action suit against the state to protect the rights of students with disabilities, state practice “virtually ensures that special education students are tested on material they have never had an opportunity to learn,” both because IEP plans have not been aligned to state content standards and because a third of all California special education teachers lack a full credential.16

HumRRO 3 also revealed disparities in opportunity to learn for students with disabilities. Nearly half—45%—of principals estimate that fewer than 50% of students with disabilities have had instruction in the math content standards tested on the CAHSEE, and over a third—36%—estimate that fewer than 50% of such students have had instruction in the English content standards on the test.17

To add insult to injury, the state is also invalidating the scores of thousands of students with disabilities who use test accommodations that are approved in their Individualized Education Programs (IEPs) or 504 plan. The state will approve these “modifications” for students to learn the state content standards, and yet not for them to show their knowledge.

Students with disabilities who use a certain set of accommodations and pass have their test scores approved. Students who use other accommodations must still take the Exit Exam, and yet if they pass, their score is seen as invalid—“equivalent to a passing score” yet not actually equal to it. These students must instead enter a cumbersome and lengthy waiver process. Since waivers cannot even be submitted until students are in the 11th grade, students are required to enter their junior year not knowing whether their work towards a diploma will count or not.

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**Weak Interventions**

Disability Rights Advocates describes the extent of some of the intervention offered to students with disabilities:

Antony Lau-Segarra was given “intensive intervention” that consisted of receiving a large textbook and being told to “catch up”… Andrés Lopez was excluded from a remedial course because he was required to take summer school in history (a subject not included on the Exit Exam)… He was told to participate in an Exit Exam preparatory course in the fall of 2002, but no such program existed… Philip Cacho attempted to enroll in a summer course for math instruction; however, because there was not adequate staffing available, he was given instruction in science instead.18
Basing High-Stakes Decisions on a Single Test

What decision in our K-12 system is more “high-stakes”—carries more weight for future employment, education, status and success—than high school graduation?

Though students have multiple opportunities to take the CAHSEE, it is one specific test and thus a single and limited assessment of a student’s learning. As such, its use contradicts professional educational standards against basing high-stakes decisions on a single exam.

As the Joint Standards state, “a decision or characterization that will have major impact on a student should not be made on the basis of a single test score.”

The Joint Standards further state, in explaining this, that complete data on a student’s achievement must be drawn from different sources, not simply repeat administrations of the same exam.

The screening or initial assessment may in turn call for more comprehensive evaluation. The comprehensive assessment should involve the use of multiple measures, and data should be collected from multiple sources. Any assessment data used in making decisions are evaluated in terms of validity, reliability, and relevance to the specific needs of the students. It is important that in addition to test scores, other relevant information (e.g., school record, classroom observation, parent report) is taken into account by the professionals making the decision.19

The National Association of School Psychologists concurs with this approach, applying it specifically to exit exams (emphasis added):

Use of a single test score in graduation decisions. Some states have adopted exit exams for high school graduation, resulting in the denial of a diploma to thousands of students based on a single, standardized test, without regard to their classroom performance, teachers’ recommendations, or access to adequate classroom resources, quality instruction, or pupil services support. Although states may allow students to take these tests several times, multiple administrations of the same type of measure do not improve the reliability of the scores or reduce the general limitations of such testing.20

These guidelines clearly point to the need for multiple measures, including alternative assessments, if the CAHSEE diploma penalty is to be implemented.
A Note on Alternative Assessment

The state recognizes its obligation to consider alternative assessments in the CAHSEE law. California Education Code states:

*After adoption and the initial administrations of the high school exit examination the State Board of Education, in consultation with the Superintendent of Public Instruction, shall study the appropriateness of other criteria by which high school pupils who are regarded as highly proficient but unable to pass the high school exit examination may demonstrate their competency and receive a high school diploma. This criteria shall include, but is not limited to, an exemplary academic record as evidenced by transcripts and alternative tests of equal rigor in the academic areas covered by the high school exit examination.*

Many students in under-resourced schools fit this “exemplary” definition. Students who meet every requirement of graduation in schools with the worst conditions—where bathrooms do not work, where students must trade the days they take textbooks home and advocate for their right to take rigorous courses—are exemplary.

“Exemplary” considerations aside, however, *all* students have the right to be assessed fairly, in a way that allows them to show their knowledge. All students have the right to alternative assessment, if this provides a better or more complete picture of what they know and can do. In January 2003, the LAUSD Task Force on Alternative Assessments produced a report of its research-based understandings of assessment issues that synthesizes basic elements of an alternative assessment system. This report would be an excellent starting point for the state to understand and implement an assessment system that includes qualitative, classroom-based, and criterion-referenced alternative assessment as well as standardized measures of student learning.

Finally, the state also has an obligation to create alternate assessments that are specifically valid specifically for English Learners and students with disabilities. As noted by the National Association of School Psychologists, “when students with disabilities cannot participate in testing, even with accommodations, states are required to include students using alternate assessments.”

The evidence against the CAHSEE only builds: inadequate and unequal opportunity to learn, policy and administrative failure, and finally, violations of both civil rights policy and standards for assessment. Political expediency does not make a test fair, legal, or sound. The state must not tolerate the Exit Exam’s violation of law, educational principle, or of students’ rights.


7 Cal. Ed. Code § 60850 (e) (3).

8 Brief in support of Plaintiff’s Motion for Preliminary Injunction at 13, Chapman, et al. v. CDE et al., 229 F.Supp.2d 981, rev’d in part by No. 02-15552, 2002 WL 31001869 (9th Cir. Sept. 4, 2002).


12 Brief in support of Plaintiff’s Motion for Preliminary Injunction at 2, Chapman v. CDE.


14 As described in Part 2 of this report and noted in California State University (CSU) Institute for Education Reform (2002), The California High School Exit Exam: Gearing Up for the High Stakes Test, page 10. Available online at www.csus.edu.


17 HumRRO 3, page 98.

18 Brief in support of Plaintiff’s Motion for Preliminary Injunction at 10, Chapman v. CDE.


23 NASP (2002). Emphasis in the original.
Part 4:

**Conclusions and Action Plan**

**Conclusions**

*EDUCATIONAL CONDITIONS AND OPPORTUNITIES ARE INADEQUATE AND UNEQUAL.*

California schools are seriously inadequate and unequal, providing low quality education to millions of students, particularly students of color, low-income students, and English Learner students.

Our schools fail to provide equal and high quality opportunities for teaching and learning in four key areas:

- Basic school conditions and facilities, for example, unsanitary bathrooms;
- The availability of highly qualified teachers;
- The availability of instructional materials, including textbooks;
- Access to high quality, rigorous curriculum, as indicated by A-G and AP courses.

Two measures of unequal outcomes are clear:

- High dropout rates and low graduation rates;
- Low rates of college eligibility.

These conditions are shocking, but even worse is the fact that all of these conditions are more dire according to income, ethnicity, and language. CAHSEE failure rates reflect the disparities as well as the inadequacies in schools. The Exit Exam punishes students for the failures of the state. It especially targets those students in the most under-resourced schools: students of color, low-income students, and English Learners.

**THE CAHSEE IS FAILING ITS OWN GOALS AND GUIDELINES**

The CAHSEE is a policy and administrative failure. School conditions seriously contradict the State’s own modest recommendations for an opportunity to learn the exit exam content; many students never learn the material tested. The CAHSEE is failing to improve schools overall or to help schools provide meaningful remediation for struggling students. The state fails to provide all students or parents sufficient information on content standards tested on the Exit Exam or on remediation opportunities. It even fails to give all students and parents the basic reports of students’ scores. The number of state tests administered adds to the confusion and compounds these problems.
The CAHSEE diploma penalty violates both civil rights law and assessment principles. The CAHSEE diploma penalty violates civil rights and assessment principles for standardized testing, including laws of due process and equal protection. It violates guidelines for accommodating and providing fair assessment of English Learners and students with disabilities. Finally, it violates the educational principles guiding high-stakes uses of tests because it bases a high-stakes decision on a single exam.

Action Plan

1) The State Board of Education must fully exercise its rights granted by the Legislature and significantly delay the CAHSEE diploma penalty until it provides high quality opportunity to learn to all students and creates alternative assessments.

- The state must prove that it provides all students an equal and high quality opportunity to learn—not simply by issuing a directive, but by applying it in practice.
- If the CAHSEE is ever to be used as a diploma requirement, the state must approve alternative assessments for the CAHSEE and make them available to all students, including meaningful alternative assessments for English Learners and meaningful alternative assessments, as well as full accommodations, for students with disabilities.

We oppose a delay for delay’s sake, a delay that is so short that it provides no time for the creation of real opportunities to teach and learn. By law (AB 1609, the law requiring the external report and allowing delay), the Board may only delay the diploma penalty once, and must decide on any delay by August 1st, 2003. The State Board must approve a meaningful delay that allows for real creation of opportunity to learn in California.

State Education Code 60859. (a) Notwithstanding any provision of law to the contrary, on or before August 1, 2003, the State Board of Education may delay the date upon which each pupil completing grade 12 is required to successfully pass the high school exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school to a date other than the 2003-04 school year if, in reviewing the report of the independent study, the State Board of Education determines that the test development process or the implementation of standards-based instruction does not meet the required standards for a test of this nature.

(b) After August 1, 2003, the State Board of Education may not delay the date upon which each pupil completing grade 12 is required to successfully pass the high school exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school.
2) **The State Board and other state authorities must guarantee oversight and accountability of opportunities for teaching and learning in our schools—first things first. It must ensure the following of schools:**

- Provide safe, uncrowded, and healthy physical conditions, including classrooms with proper ventilation and access to working, properly maintained bathrooms.

- Ensure that districts hire highly qualified teachers, distribute them evenly across the state and throughout districts, and have the training, supports, and working conditions in place to retain a highly qualified, ethnically diverse teaching corps in all schools.

- Provide high quality instructional materials, including textbooks, in sufficient numbers for all students. If the state requires standards-based instruction, textbooks must be aligned with these standards.

- Provide access to rigorous curriculum, including, as critical indicators, sufficient availability of A-G courses and AP curricula so that all students have a viable opportunity to participate in such curricula.

3) **The State Board and other state authorities must engage in rigorous monitoring and improvement of dropout rates, graduation rates, and college eligibility rates as principal indicators of educational equity.**

- The state must monitor dropout rates accurately and address the high numbers and disparities in dropout rates statewide. It must recognize that current dropout rates do not reflect the number of students who leave school and examine all programs, including the CAHSEE, in light of their impact on student dropout.

- The state must monitor high school graduation rates accurately and address the low numbers and disparities in graduation rates statewide. It must examine all programs, including the CAHSEE, in light of their impact on graduation rates.

- The State must commit to increasing the rates of college eligibility for all students in all schools, examining this data by poverty, race, and language status, ensuring that students have a real opportunity to prepare for college.
4) The State Board and other state authorities must develop meaningful triggers for high quality intervention to assist struggling students.

- Intervention programs should include tutoring and access to counselors who motivate students to pursue lifelong goals including higher education and living wage employment. Additionally, intervention must use engaging curriculum that does not stigmatize students, hold them back academically, or unfairly track students of color, low-income students, or English Learner students.

- These interventions must be created out of new resources, not draw on existing resources that further strain school budgets or cut into vital programs such as academic electives, visual and performing arts programs, physical education, or other programs.

- A student’s CAHSEE score must not be used as a single measure of the need for intervention. Evaluation by teachers credentialed in the relevant subject matter, student grades, and course enrollment must supplement the decision.
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