



SCHOOL & COLLEGE LEGAL SERVICES OF CALIFORNIA

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5350 Skylane Boulevard
Santa Rosa, CA 95403

Tel: (707) 524-2690
Fax: (707) 578-0517
santarosa@sclscal.org
www.sclscal.org

General Counsel
Carl D. Corbin

Attorneys
Monica D. Batanero
Nancy L. Klein
Jennifer E. Nix
Steven P. Reiner
Mia N. Robertshaw
Loren W. Soukup
Patrick C. Wilson
Frank Zotter, Jr.

Of Counsel
Robert J. Henry
Janna L. Lambert
Virginia A. Riegel

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To: Superintendents, Member School Districts (K-12)
From: Carl D. Corbin, General Counsel *CDC*
Subject: California High School Exit Examination Suspended
Memo No. 25-2015

On October 7, 2015, the California Governor approved Senate Bill (“SB”) 172, which will become effective on January 1, 2016,¹ to amend Education Code section 60640 and add Education Code sections 60851.5 and 60851.6. There are three main requirements in SB 172. The California Department of Education (“CDE”) has issued guidance to include Frequently Asked Questions (“FAQ”) available at: <http://www.cde.ca.gov/ta/tg/hs/cahseesuspendfaq.asp>.

1. Suspension of Requirement to Pass CAHSEE Through 2017-2018 School Year

This bill suspends the requirement for the next three school years (2015-2016, 2016-2017, 2017-2018) for a student, who has met all other applicable graduation requirements, to pass the California High School Exit Examination (“CAHSEE”) in order to receive a high school diploma.²

Unless subsequent legislation is passed, the requirement for a student to pass the CAHSEE in order to receive a high school diploma will resume for the 2018-2019 school year.

2. LEA Shall Grant Diploma to Students Who Completed All Requirements but Did not Pass CAHSEE

This bill requires that a Local Educational Agency (“LEA”)³: “...shall grant a diploma of graduation from high school to any pupil who completed grade 12 in the 2003–04 school year or a subsequent school year and has met all applicable graduation requirements other than the passage of the high school exit examination.”⁴ (Emphasis added).

¹ http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520160SB172.

² Education Code section 60851.5.

³ LEA is defined as a school district, county office of education, or charter school.



CDE FAQ question and answer 3 provides:

Are school districts responsible for contacting students who may qualify for a diploma under this new law?

There is nothing in SB 172 which requires school districts to contact students who may be eligible to receive their diploma. Outreach to students directly or through local media markets is a local decision but is encouraged.

3. Requires The Superintendent of Public Instruction to Convene Advisory Panel

This bill requires the Superintendent of Public Instruction (“SPI”) to convene an advisory panel comprised of various individuals to provide recommendations to the SPI regarding the “...continuation of the high school exit examination... and on alternative pathways to satisfy the high school graduation requirements...”⁵

Please contact our office with questions regarding this Legal Update or any other legal matter.

The information in this Legal Update is provided as a summary of law and is not intended as legal advice. Application of the law may vary depending on the particular facts and circumstances at issue. We, therefore, recommend that you consult legal counsel to advise you on how the law applies to your specific situation.

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⁴ Education Code section 60851.6.

⁵ Education Code section 60640(c)(6).