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## Breaking News XML

Posted on Mon, Apr. 10, 2006

### East Bay school exit exam

By Shirley Dang  
Knight Ridder

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After warnings from state education officials and lawyers, the West Contra Costa school board Monday voted against giving diplomas to students who fail to pass the California high school exit examination.

State law demands students pass the English and math test to graduate from high school starting this year.

Board member Dave Brown proposed last week that the 32,000-student West Contra Costa school district grant diplomas to seniors who meet credit requirements and either pass the test or complete a senior project.

The proposal, the first of its kind in the state, failed 4-1.

"We are not a diploma mill. We don't just give them away," school board member Karen Pfeifer said. "You earn them."

Representatives from the state Department of Education have called the plan illegal and said the district could lose funding or face a state lawsuit. In the past week, State Superintendent of Schools Jack O'Connell and County Superintendent Joseph Ovick sent admonishing letters to the district and board.

Monday, district lawyer Lou Lozano told the school board that giving the diplomas could also result in a state takeover or student-led lawsuits if the state declared all West Contra Costa diplomas invalid.

"I do not believe it is up to us to take this risky stand," school board member Karen Leong Fenton said.

Brown said that he believes the district would be upholding the state constitution and protecting students from being unfairly kept from high-paying jobs that come with a high school diploma. He brought a legal opinion from attorney Steven Phillips of San Francisco in support of his arguments.

"We're not breaking the law," Brown said. "We're upholding the law."

The Legislature approved the exit exam in 1999 to give meaning to the high school diploma, at the time given out based on requirements set by individual districts. The untimed exam measures 10th-grade English and middle school math.

As of November, 89 percent of high school seniors had passed statewide. However, 48,000 students failed to pass both parts of the exam and could be denied diplomas on that basis.

In West Contra Costa, about 500 of 1,984 seniors have failed the test. Of those, 160 earned enough credits to graduate, according to district data.

More than 60 come from Richmond High School, from where students marched to the school board meeting holding signs that read, "Don't trash our futures!" and "Don't hold our diplomas hostage."

After the vote, many students, including Richmond High senior Iris Padilla, gathered outside and cried.

"I feel extremely sad," Padilla said. "Today, they dismissed and didn't recognize all the work I put in my school work."

After striking down Brown's proposal, the board voted to allow students who did not pass the test to walk the stage in June and receive a certificate showing they earned enough credits for graduation.

Afterward, Brown said he was disappointed.

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"It really was the sound thing to do, educationally and legally," Brown said. "But it's not over."

Board member Glen Price suggested joining a lawsuit already under way in which multiple Richmond High School students are suing the state, claiming the test is unfair.

The board is expected to take up the issue in a few weeks.

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