

California Department of Education

Executive Office

SBE-006 (REV. 1/2018)

Specific Waiver

# California State Board of EducationSeptember 2021 AgendaItem #W-13

## Subject

Request by **Cabrillo Unified School District** to waive California *Education Code* Section 51224.5(b), the requirement that all students graduating in the 2020–21 school year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation for two students with disabilities based on *Education Code* Section 56101, the special education waiver authority.

## Waiver Number

21-6-2021

## Type of Action

Action, Consent

## Summary of the Issue(s)

The Cabrillo Unified School District (CUSD) requests to waive the requirement that all students graduating in the 2020–21 school year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation, for two students with disabilities based on *Education Code* (*EC)* Section 56101, the special education waiver authority.

## Authority for Waiver

*Education Code* Section 56101

## Recommendation

* Approval: No
* Approval with conditions: Yes
* Denial: No

### Student One Grade 12

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the request to waive the requirement that the student successfully complete a course in Algebra I (or its equivalent) for the 2020–21 graduating year. The student has met other course requirements stipulated by the governing board of the school district and *EC* Section 51225.3 in order to receive a high school diploma. If the student does not graduate in 2020–21 this waiver does not relieve them of the responsibility to continue to attempt to successfully complete a course in Algebra I (or its equivalent) in 2020–21 as required by *EC* Section 51224.5.

### Student Two Grade 12

The CDE recommends that the SBE approve the request to waive the requirement that the student successfully complete a course in Algebra I (or its equivalent) for the 2020–21 graduating year. The student has met other course requirements stipulated by the governing board of the school district and *EC* Section 51225.3 in order to receive a high school diploma. If the student does not graduate in 2020–21 this waiver does not relieve them of the responsibility to continue to attempt to successfully complete a course in Algebra I (or its equivalent) in 2020–21 as required by *EC* Section 51224.5.

## Summary of Key Issues

For the review of this waiver request, the LEAs provided the following documentation for each student:

* Valid copies of the students’ individualized education programs for grades 9 through 12 highlighting the areas of mathematic deficiencies, and how the students’ needs in mathematics were addressed.
* The specific assistance the district provided to the students which included supplementary aids, services, accommodations, test modifications, and supports to attain the diploma-track goal for the algebra requirement.
* A copy of the students’ educational transcripts showing the students have completed all other graduation requirements.

Due to the sensitive student information, the above documentation was confidentially reviewed by one education programs consultant and approved by an education administrator I.

The CUSD submitted waiver requests for two students with disabilities, and provided documentation which suggest the students have attempted to meet the academic requirements to successfully work towards the completion of the Algebra I requirements in grades 9 and 12, but contributing factors associated with the students’ disabling conditions prevented them from successfully fulfilling this requirement. The CUSD informs the students are unable to meet or exceed the rigor of the content standards of the Algebra I requirement, as adopted by the SBE, which, would result in the student not meeting graduation requirements.

**Demographic Information:** The CUSD has a student population of 3,126 and is located in a rural area in San Mateo County.

## Summary of Previous State Board of Education Discussion and Action

In 2000, *EC* Section 51224.5 was enacted to require students to complete a course in Algebra I, as a condition of receiving a high school diploma. The Algebra I requirement applied to students who were scheduled for graduation beginning in 2003−04. All waiver requests of this type have been granted by the SBE for students with disabilities.

## Fiscal Analysis (as appropriate)

There is no statewide fiscal impact of waiver(s) approval.

## Attachment(s)

* **Attachment 1:** Summary Table (1 page)
* **Attachment 2:** Cabrillo Unified School District Specific Waiver Request 21-6-2021 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

# Attachment 1: Summary Table

California *Education Code (EC)* Section 51224.5(b)

| Waiver Number | School District, School | Period of Request | District’s Request | CDE Recommended | Local Board Approval Date | Penalty Without Waiver |
| --- | --- | --- | --- | --- | --- | --- |
| 21-6-2021 | Cabrillo Unified School District | **Requested:**August 13, 2020, through May 13, 2021**Recommended:****Requested:**August 13, 2020, through May 13, 2021 | To waive the Algebra I (or equivalent) graduation for two students to receive a diploma of graduation | Approval with conditions to waive the Algebra I (or equivalent) graduation requirement for two students to receive a diploma of graduation | May 13, 2021 | Failure to approve the waiver request would result in the student not meeting graduation requirements |

Created by California Department of Education, July 2021

# Attachment 2: Cabrillo Unified School District Specific Waiver Request 21-6-2021

**California Department of Education**

**WAIVER SUBMISSION – Specific**

CD Code: 4168890

Waiver Number: 21-6-2021

Active Year: 2021

Date In: 6/29/2021 12:42:41 PM

Local Education Agency: Cabrillo Unified

Address: 498 Kelly Ave.

Half Moon Bay, CA 94019

Start: 8/13/2020

End: 5/13/2021

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Special Education Program

Ed Code Title: Algebra I Requirement for Graduation

Ed Code Section: 51224.5

Ed Code Authority: 56101

Ed Code or *CCR* to Waive: 51224.5 (a) The adopted course of studey for grades 7 to 12, inclusive, shall include algebra as part of the mathematics area of study pursuant to subdivision (f) of Section 51220. (b)Commencing with the 2003-04 school year and each year thereafter, at least one course, or combination of the two courses, in mathematics required to be completed pursuant to subparagraph (B) of paragraph(1) of subdivision (a) of Section 51225.3 by pupils while in grade 9-12, inclusive, prior to receiving a diploma of graduation from high school, shall meet or exceed the rigor of the content standards for Algebra I, as adopted by the State Board of Education pursuant to Section 60605

Outcome Rationale: We are requesting a waiver for both students, as both students have met all the other requirements for graduation from high school.

Student Population: 3136

City Type: Rural

Local Board Approval Date: 5/13/2021

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Ms. Martha Ladd

Position: Director Educational Support Services

E-mail: laddm@cabrillo.k12.ca.us

Telephone: 650-667-1932

Fax: 650-712-0995