

California Department of Education

Executive Office

SBE-006 (REV. 1/2018)

Specific Waiver

# California State Board of Education July 2019 Agenda Item #W-19

## Subject

Request by **Manhattan Beach Unified School District** to waive California *Education Code* Section 51224.5(b), the requirement that all students graduating in the 2018-19 school year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation for one student with disabilities based on *Education Code* Section 56101, the special education waiver authority.

## Waiver Number

4-5-2019

## Type of Action

Action, Consent

## Summary of the Issue(s)

The Manhattan Beach Unified School District (MBUSD) requests to waive the requirement that all students graduating in the 2018–19 school year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation, for one student 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

The California Department of Education recommends the State Board of Education (SBE) approve the request for the student to waive the requirement to successfully complete a course in Algebra I (or its equivalent) for the 2018–19 graduation year; with the condition the student meets all other course requirements stipulated by the governing board of the school district and California *EC* Section 51225.3 in order to receive a high school diploma.

## Summary of Key Issues

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

* The Settlement and Release Agreement stating the student was privately placed at the Frostig Nonpublic School (FNPS) and funded by the MBUSD for the years of 2016–17 through 2018–19.
* The last consented individualized educational program stating the student struggles with mathematical concepts.
* The student’s official transcript.
* A letter from the FNPS educational team providing the following information:
  + The student’s attempts at math and Algebra and the specific assistance provided to the student including supplementary aids, services, accommodations, and supports.
  + The student will be able to meet all the MBUSD graduation requirements except for Algebra I if they pass their current classes.
  + The FNPS team is in support of the student receiving a waiver of the Algebra I requirement to receive their high school diploma.

The above documentation was confidentially reviewed by one special education consultant. The documentation provided indicates that failure to approve the waiver request will result in the student not meeting graduation requirements.

**Demographic Information:**

The MBUSD has a student population of 6,956 and is located in a suburban area in Los Angeles 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:** Manhattan Beach Unified School District Waiver 4-5-2019

(2 pages). (Original waiver request is signed and on file in the Waiver Office.)

# Attachment 1: Summary Table

California *Education Code (EC)* Section 56101

| Waiver Number | School District, School | Period of Request | District’s Request | CDE Recommended | Local Board Approval Date | Penalty Without Waiver |
| --- | --- | --- | --- | --- | --- | --- |
| 4-5-2019 | Manhattan Beach Unified School District | **Requested:**  September 1, 2015, to  June 30, 2019  **Recommended:**  September 1, 2015, to  June 30, 2019 | To waive the Algebra I (or equivalent) graduation requirement for one student to receive a diploma of graduation | Approval with conditions to waive the Algebra I (or equivalent) graduation requirement for one student to receive a diploma of graduation | April 17, 2019 | Failure to approve the waiver request would result in the student not meeting graduation requirements |

Created by California Department of Education   
May 2019

# Attachment 2: Waiver 4-5-2019 Manhattan Beach Unified School District

**California Department of Education**

**WAIVER SUBMISSION – Specific**

CD Code: 1975333

Waiver Number: 4-5-2019

Active Year: 2019

Date In: 5/8/2019 12:52:09 PM

Local Education Agency: Manhattan Beach Unified

Address: 325 South Peck Ave.

Manhattan Beach, CA 90266

Start: 9/1/2015

End: 6/30/2019

Waiver Renewal: No

Previous Waiver Number:

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: Waive the Algebra 1 requirement for graduation, CA Ed Code 51224.5b

Outcome Rationale: Student has been able to meet all other graduation requirements. There is only one IEP to submit as there has been a 3 year confidential agreement that waived IEPs.

Student Population: 6956

City Type: Suburban

Local Board Approval Date: 4/17/2019

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Megan Locklear

Position: Assistant Superintendent, Student Services

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