

California Department of Education

Executive Office

SBE-006 (REV. 1/2018)

Specific Waiver

# California State Board of Education January 2020 Agenda Item #W-05

## Subject

Request by **El Dorado Union High 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

8-9-2019

## Type of Action

Action, Consent

## Summary of the Issue(s)

The El Dorado Union High School District (EDUHSD) 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 EDUHSD provided the following documentation for the student:

* A valid, current copy of the student’s individualized education program (IEP) highlighting the areas of mathematic deficiencies, and how the student’s needs in mathematics were addressed.
* The specific assistance the district provided to the student which included supplementary aids, services, accommodations, test modifications, and supports to attain the diploma-track goal for the algebra requirement.
* A copy of the student’s Education Summary Report highlighting attempts to pass algebra and pre-algebra classes.

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

**Demographic Information:**

The EDUHSD has a student population of 7,229 and is located in a suburban area in   
El Dorado 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:** El Dorado Union High School District Waiver 8-9-2019

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

# Attachment 1: Summary Table

California *Education Code* Section 51224.5(b)

| Waiver Number | School District, School | Period of Request | District’s Request | CDE Recommended | Local Board Approval Date | Penalty Without Waiver |
| --- | --- | --- | --- | --- | --- | --- |
| 8-9-2019 | El Dorado Union High School District | **Requested:**  January 7, 2019 through May 24, 2019  **Recommended:**  **Requested:**  January 7, 2019 through May 24, 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 | August 27, 2019 | Failure to approve the waiver request would result in the student not meeting graduation requirements |

Created by California Department of Education   
October 2019

# Attachment 2: Waiver 8-9-2019 El Dorado Union High School District

**California Department of Education**

**WAIVER SUBMISSION – Specific**

CD Code: 0961853

Waiver Number: 8-9-2019

Active Year: 2019

Date In: 9/17/2019 11:57:30 AM

Local Education Agency: El Dorado Union High

Address: 4675 Missouri Flat Rd.

Placerville, CA 95667

Start: 1/7/2019

End: 5/24/2019

Waiver Renewal: No

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: Algebra I Requirement for Graduation

Outcome Rationale: Our student has worked with his IEP Team and school site staff to fulfill the Algebra I requirements, to no avail. Unfortunately, as this area is specifically related to his disability, he has not been able to meet the standards of Algebra I. However, due to his hard work, perserverance, and support from his IEP Team, he did meet all other graduation requirements.

Student Population: 7229

City Type: Rural

Local Board Approval Date: 8/27/2019

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Pamela Bartlett

Position: Senior Director of Student Success

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