

California Department of Education

Executive Office

SBE-006 (REV. 1/2018)

Child Specific Algebra 1 Requirement

# California State Board of Education July 2020 Agenda Item #W-10

## Subject

Request by two local education agencies to waive California *Education Code* Section 51224.5(b), the requirement that all students graduating in the 2019–20 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 Numbers

* 4-5-2020 Cabrillo Unified School District
* 1-2-2020 Pleasanton Unified School District

## Type of Action

Action, Consent

## Summary of the Issue(s)

Two local education agencies (LEAs) request to waive the requirement that all students graduating in the 2019–20 school year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation, for three 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

The California Department of Education recommends the State Board of Education (SBE) approve the requests by two LEAs for three students to waive the requirement to successfully complete a course in Algebra I (or its equivalent) for the 2019–20 graduation year; with the condition the students meet 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 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.

The above documentation was confidentially reviewed by one education programs consultant and approved by an education administrator I.

### Cabrillo Unified School District (CUSD) 4-5-2020

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 3,136 per DataQuest and is located in a rural area in San Mateo County.

### Pleasanton Unified School District (PUSD) 1-2-2020

The PUSD submitted a waiver request for one student with disabilities, and provided documentation that informed the student was able to complete half of the one-year Algebra I requirement (Fundamental Algebra 1A), and is unable to meet or exceed the rigor of the content standards for the second half of the Algebra I requirement (Fundamental Algebra 1B), as adopted by the SBE, which, would result in the student not meeting graduation requirements.

Demographic Information: The PUSD has a student population of 14,878 per DataQuest and is located in a suburban area in Alameda 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:** Pleasanton Unified School District Waiver 1-2-2020

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

* **Attachment 3:** Cabrillo Unified School District Waiver 4-5-2020

(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 | Period of Request | District’s Request | CDE Recommended | Local Board Approval Date | Penalty Without Waiver |
| --- | --- | --- | --- | --- | --- | --- |
| 4-5-2020 | Cabrillo Unified School District | **Requested:**  May 15, 2020 through June 7, 2020  **Recommended:**  **Requested:**  May 15, 2020 through June 7, 2020 | To waive the Algebra I (or equivalent) graduation requirement 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 | 5/14/2020 | Failure to approve the waiver request may result in the students not meeting graduation requirements |
| 1-2-2020 | Pleasanton Unified School District | **Requested:**  January 7, 2020 through May 29, 2020  **Recommended:**  **Requested:**  January 7, 2020 through May 29, 2020 | 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 | 1/28/2020 | Failure to approve the waiver request may result in the student not meeting graduation requirements |

Created by California Department of Education: May 2020

# Attachment 2: Waiver 4-5-2020 Cabrillo Unified School District

**California Department of Education**

**WAIVER SUBMISSION – Specific**

CD Code: 4168890

Waiver Number: 4-5-2020

Active Year: 2020

Date In: 5/15/2020 11:21:20 AM

Local Education Agency: Cabrillo Unified

Address: 498 Kelly Ave.

Half Moon Bay, CA 94019

Start: 5/15/2020

End: 6/7/2020

Waiver Renewal: No

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: (b) The board may grant, in whole or in part, any request pursuant to subdivision (a) when the facts indicate that failure to do so would hinder implementation of the pupil's individualized education program or compliance by a district, special education local plan area, or county office with federal mandates for a free, appropriate education for children or youth with disabilities.

Outcome Rationale: Waive the Algebra 1 requirement for two students with disabilities at Half moon High School so they can meet graduation requirements. Both students covered with this waiver application have been supported through an IEP. They both have documented disability and have made multiple attempts to pass Algebra 1 in a variety of classroom settings, and with individualized specialized academic instruction. Due to the nature of their disabilities, the IEP teams have determined that both students will not be able to pass Algebra 1 and we ask that this requirement be waived so they may earn their high school diploma. The BOE of Education approved the waiver in its public session, 5.14.20 as an action item, (agenda and memo attached).

Student Population: 3100

City Type: Rural

Local Board Approval Date: 5/14/2020

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Dr. Holly Wade

Position: Assistant Superintendent

E-mail: [wadeh@cabrillo.k12.ca.us](C:\\Users\\Dbabyak\\AppData\\Local\\Microsoft\\Windows\\INetCache\\Content.Outlook\\ZG7N9ETM\\wadeh@cabrillo.k12.ca.us" \o "Email address for Dr. Holly Wade)

Telephone: 650-712-7104

Fax:

# Attachment 3: Waiver 1-2-2020 Pleasanton Unified School District

**California Department of Education**

**WAIVER SUBMISSION – Specific**

CD Code: 0175101

Waiver Number: 1-2-2020

Active Year: 2020

Date In: 2/3/2020 11:24:26 AM

Local Education Agency: Pleasanton Unified

Address: 4665 Bernal Ave.

Pleasanton, CA 94556

Start: 1/7/2020

End: 5/29/2020

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 waiver

Outcome Rationale: Despite continuous effort and attempts by the Student, he has been unable to grasp the majority of the concepts in Algebra. Student completes/ attempts all tasks and comes in for extra help/ support and time. This is his second attempt through Fundamentals of Algebra 1A. He has met all other graduation requirements and this is the only piece keeping him from a diploma.

Student Population: 2343

City Type: Suburban

Local Board Approval Date: 1/28/2020

Audit Penalty Yes or No: N o

Categorical Program Monitoring: No

Submitted by: Mr. Sohail Ahmed

Position: Program Specialist

E-mail: [sahmed@pleasantonusd.net](mailto:sahmed@pleasantonusd.net)

Telephone: 925-426-4293

Fax: 925-426-4293