

California Department of Education

Executive Office

SBE-006 (REV. 1/2018)

Specific Waiver

# California State Board of Education May 2020 Agenda Item #W-03

## Subject

Request by **Pajaro Valley Unified School District** 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 Number

2-3-2020

## Type of Action

Action, Consent

## Summary of the Issue(s)

The Pajaro Valley Unified School District (PVUSD) requests 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 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 2019–20 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 PVUSD provided the following documentation for the student:

* Valid copies of the student’s individualized education programs (IEPs) for grades 9 through 12 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 educational transcript showing the student has completed all other graduation requirements.

The above documentation was confidentially reviewed by one education programs consultant and approved by an education administrator I. The PVUSD provided documentation which suggests the student has worked extremely hard to fulfil the graduation requirements since transitioning from the certificate of completion promotion standards to the high school diploma. The PVUSD informs that while the student is currently achieving passing marks in the second semester of Math I (Algebra I), a waiver is being submitted in the event the student is unable to meet or exceed the rigor of the content standards for Algebra I, as adopted by the State Board of Education, which would result in the student not meeting graduation requirements.

**Demographic Information:**

The PVUSD has a student population of 20,106 and is located in a suburban area in   
Santa Cruz 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:** Pajaro Valley Unified School District Waiver 2-3-2020

(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, School | Period of Request | District’s Request | CDE Recommended | Special Education Local Plan Area Approval Date | Penalty Without Waiver |
| --- | --- | --- | --- | --- | --- | --- |
| 2-3-2020 | Pajaro Valley Unified School District | **Requested:**  January 14, 2020 through June 5, 2020  **Recommended:**  **Requested:**  January 14, 2020 through June 5, 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 | 2/4/2020 | Failure to approve the waiver request may result in the student not meeting graduation requirements |

Created by California Department of Education: March 2020

# Attachment 2: Waiver 2-3-2020 Pajaro Valley Unified School District

**California Department of Education**

**WAIVER SUBMISSION – Specific**

CD Code: 4469799

Waiver Number: 2-3-2020

Active Year: 2020

Date In: 3/3/2020 7:08:02 PM

Local Education Agency: Pajaro Valley Unified

Address: 294 Green Valley Rd.

Watsonville, CA 95076

Start: 1/14/2020

End: 6/5/2020

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: 51224.5 (a) The adopted course of study 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 a 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 grades 9 to 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: Rai has been focused since tenth grade on moving out of the Certificate of Completion route and into Diploma track. She has worked extremely hard to make sure all of her other graduation requirements are met, and this year - 12th grade - tackled her final frontier: Math 1 (Algebra 1). It is her hardest subject. She attended Specialized Academic Instruction support classes in addition to her Math class, and she attended after school tutoring in addition. She passed Semester 1 with a D, and is currently receiving a C in Semester 2. Her team is rooting for her to pass on her own reconnaissance, but would like to apply for this waiver in the event she comes close but doesn't quite reach the finish line she's been working so hard for.

Student Population: 19050

City Type: Suburban

Local Board Approval Date: 2/4/2020

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Kerry Le Roux

Position: Program Director, Special Services

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