

California Department of Education

Executive Office

SBE-006 (REV. 1/2018)

Specific Waiver

# California State Board of Education September 2024 Agenda Item #W-12

## Subject

Request by the **Contra Costa County Office of Education** to waive California *Education Code* Section 51224.5(b), the requirement that all students graduating in the 2023–24 school year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation. The waiver applies to one student with disabilities based on *Education Code Section* 56101, the special education waiver authority.

## Waiver Number

19-2-2024

## Type of Action

Action, Consent

## Summary of the Issue(s)

The Contra Costa County Office of Education (CCCOE) requests to waive the requirement that all students graduating in the 2023–24 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 *EC* Section 56101, the special education waiver authority.

## Authority for Waiver

*Education Code (EC)* Section 56101

## Recommendation

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

The California Department of Education (CDE) recommends the State Board of Education (SBE) approve the request from the CCCOE to waive the requirement to successfully complete a course in Algebra I (or its equivalent) for the 2023–24 graduation year for one student, with the condition the students 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 CCCOE 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 mathematical 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 and approved by CDE staff, which includes an Education Programs Consultant and a CDE Education Administrator I.

The CCCOE submitted a waiver request for a student with disabilities and provided documentation that shows the student has made efforts to meet the academic requirements for completing the Algebra I requirement in grades 9 though 12. Per the CCCOE, contributing factors associated with the student’s disabilities, such as emotional disturbance, speech and language impairment, and learning disability has prevented the student from successfully fulfilling this requirement. The CCCOE states that the student is 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 students not meeting graduation requirements.

**Demographic Information:**

The CCCOE has a student population of 6,145 and is located in a suburban area in   
Contra Costa 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:** Contra Costa County Office of Education Specific Waiver Request 19-2-2024 (3 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 Recommendation | Local Board Approval Date | Penalty Without Waiver |
| --- | --- | --- | --- | --- | --- | --- |
| 19-2-2024 | Contra Costa County Office of Education | **Requested:**  October 27, 2023, through June 30, 2028  **Recommended:**  **Requested:**  August 1, 2023, through June 30, 2024 | 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 | 2/21/2024 | Failure to approve the waiver request would result in the student not meeting graduation requirements |

Created by California Department of Education

September 2024

# Attachment 2: Contra Costa County Office of Education Specific Waiver Request 19-2-2024

**California Department of Education**

**WAIVER SUBMISSION – Specific**

CD Code: 0710074

Waiver Number: 19-2-2024

Active Year: 2024

Date In: 2/22/2024 4:38:10 PM

Local Education Agency: Contra Costa County Office of Education

Address: 77 Santa Barbara Rd.

Pleasant Hill, CA 94523

Start: 10/27/2023

End: 6/30/2028

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: The Authority for a Specific Waiver of Algebra 1 is *EC* Section 56101.

The [strike-out] on the following portions of *EC* 51224.5 indicates the exact language being waived but is still valid.

*EC* 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) Before receiving a diploma of graduation from high school, a pupil shall complete at least one course, or a combination of the two courses required for graduation pursuant to subparagraph (B) of paragraph (1) of subdivision (a) of Section 51225.3, that meets or exceeds the rigor of Algebra I or Mathematics I, that is aligned to the content standards adopted by the state board pursuant to Sections 60605.8 and 60605.11.]

(c) A pupil who, before enrollment in grade 9, completes a course in Algebra I or Mathematics I, or mathematics courses of equal rigor, that is aligned to the content standards adopted by the state board, is exempt from subdivision (b), but is not exempt from the requirement that the pupil complete two courses in mathematics while enrolled in grades 9 to 12, inclusive, as specified in subparagraph (B) of paragraph (1) of subdivision (a) of Section 51225.3.

(d) A pupil who has completed a course or courses that meet or exceed the content standards for Algebra I adopted by the state board pursuant to Section 60605, as that section read on June 30, 2011, shall be deemed to have satisfied the graduation requirement specified in subdivision (b).

Outcome Rationale: An Algebra 1 waiver for Student #5653658215 (fourth year high school student) will increase the likelihood Student #5653658215 will complete the necessary requirements to receive a high school diploma. Student #5653658215 is a foster care and juvenile-justice involved youth who has had to overcome significant barriers in her educational career. Waiving the requirement for Algebra 1 will remove an additional barrier. Student #5653658215 has an emotional disturbance, speech and language impairment, and learning disability that requires an IEP for her to access the general education curriculum, such as Algebra 1. Student #5653658215’s IEP provides her with math accommodations, math goals aligned to Algebra 1 standards, and direct math instruction from a special education teacher. This IEP allows her to learn and master the Algebra 1 concepts in a way that is accessible for her disability-related needs (see attached IEP). Student #5653658215 has taken several pre-Algebra and math courses to complete the required high school graduation math credits (see attached transcript). She has attempted Algebra 1, but she is having difficulty completing the course (see attached transcript). The last time Student #5653658215 took the CAASPP was in the 2018-2019 school year. She did not meet the math standards at that time (see attached CAASPP scores). Due to the COVID-19 pandemic and multiple school transitions, she has not completed another CAASPP. However, recent local assessments using the Renaissance STAR Math indicates Student #5653658215 has an overall 1.9 grade level equivalency score at the 1st percentile in her fourth year of high school (see attached local assessment). An Algebra 1 waiver is necessary for Student #5653658215 to achieve her personal goal of earning a high school diploma and improve her post-secondary employment and education outcomes. The waiver is requested through the June 30, 2028, the end of the semester Student #5653658215 turns 22 years old, and consequently her special education services will end, if not sooner with her completion of a high school diploma.

Student Population: 300

City Type: Suburban

Local Board Approval Date: 2/21/2024

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Rachel Lecy

Position: Administrator, Special Education

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