

**GENERAL WAIVER COVER SHEET**  
**CALIFORNIA STATE BOARD OF EDUCATION**  
**JULY 2003 AGENDA**  
**Item No. W-6**

<p><b>TITLE:</b> Request by <b>Los Angeles Unified School District</b> to waive <i>Education Code</i> (EC) Section 52084 (a) 9<sup>th</sup> Grade Class Size Reduction to receive funding for two English courses in Grade 9 (adding Developing Readers and Writers-Strategic Literacy for students who score below the 20<sup>th</sup> percentile on the SAT-9 Reading test) and one Math course.</p> <p><b>CDSIS:</b> 1-5-2003</p>	<p><u>  <b>X</b>  </u> <b>ACTION</b></p> <p><u>      </u> <b>INFORMATION</b></p> <p><u>      </u> <b>PUBLIC HEARING</b></p> <p><u>      </u> <b>CONSENT</b></p>
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**RECOMMENDATION:**

The Department recommends:

Approval, on the condition that total funding to the district will not exceed two times the Grade 9 enrollment of the district, and all classes will be held to the 1:20 ratio average (with no more than 22 in any one class). “If approved, *Education Code* (EC) Section 33051(c) will apply, and the district will not have to reapply annually if the information contained on the request remains the same.

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**Summary of Previous State Board of Education Discussion and Action:**

This waiver request is a renewal of one granted on May 30, 2002. The SBE has discussed issues of Morgan-Hart 9<sup>th</sup> Grade Class Size Reduction previously. Waivers to increase the number of classes for the lowest performing students have been approved by the SBE as long as the total funding to the district does not exceed two times the Grade 9 enrollment of the district, and the district maintains the 1:20 ratio, with no more than 22 pupils in each participating class.

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**Summary of Key Issue(s):**

The Morgan-Hart Class Size Reduction Act states in *Education Code* sections 52084(a) that the Grade 9 course or the two Grade 9 courses included in the program count towards completion of the graduation requirements established in subparagraph (A), (B), (C), or (D) of paragraph (1) of subdivision (a) of *Education Code* (EC) Section 51225.3; provided, however, that one of the courses included in the program shall be English.

Los Angeles Unified School District implements Grade 9 Class Size Reduction in all Grade 9 English classes required for graduation, and in only 18% of the Grade 9 Math classes due to a lack of qualified Math teachers. There is a need for students who score at or below the 20<sup>th</sup> percentile on the SAT-9 test to be placed in a double period, in order for them to take a specially developed course, “Developing Readers and Writers.” The first period of the double block meets the 9<sup>th</sup> grade graduation requirement in English. The second period of the double block is the “Developing Readers and Writers” course, an elective that does not

qualify for funding. The district is requesting a waiver to provide funding for the second period support class for students who are struggling in reading.

The Grade 9 Math classes will participate in class size reduction as in the past.

The total number of students to be funded in the three courses (Grade 9 English, Developing Readers and Writers, and Grade 9 Math) is less than two times the district CBEDS enrollment for Grade 9.

CDE recommends that this waiver be approved for the 2003-2004 school year. The waiver will be conditional that total funding to the district does not exceed two times the Grade 9 enrollment (the maximum funding level) and that the district agrees to provide the student to teacher ratio of 20:1 average (with no more than 22 in any one class).

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Bargaining unit(s) consulted on: 4-1-03

Position of bargaining unit (choose only one):

Neutral                                       Support                                       Oppose

Name of bargaining unit representative: Linda Guthrie (UTLA)

Public hearing identified by (choose one or more):

posting in a newspaper       posting at each school       posting at district office

Public hearing held on: 5-6-03

Local board approval date: 5-6-03

Advisory committee(s) consulted:

Objections raised (choose one):  None       Objections are attached on separate sheet

Date consulted: 4-29-03

Effective dates of request: 7-1-03 to 6-30-04

**Fiscal Analysis (as appropriate):**

The Budget Act of 2002 provided adequate funding for districts that applied for Grade 9 Class Size Reduction. Funding for this program is dependent on inclusion in the State Budget Act of 2003. The Governor's most recent May Revise includes adequate funding for this program.

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**Background Information:**

Waiver request forms and supporting documents are attached.