



CALIFORNIA STATE BOARD OF EDUCATION

ITEM #W-1

MARCH 2004 AGENDA

General Waiver

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| SUBJECT Request by eight districts to waive <i>Education Code</i> (EC) Section 51224.5(b), the requirement that all students graduating in the 2003-04 year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation. Waiver Number: (see attached list of districts) | <input checked="" type="checkbox"/> Action <input type="checkbox"/> Consent |
|--|--|

RECOMMENDATION

Approval Approval with conditions Denial

That the waiver be granted for the 2003-04 year, provided districts comply with conditions as approved in the State Board of Education Waiver Policy: Algebra I Graduation Requirement: Waiver for Seniors in the 2003-04 Graduating Class.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At the January 2004 State Board meeting, a waiver request was considered from the Santa Cruz City Schools pertaining to a provision of law (that became operative in 2003-04) requiring students to complete Algebra I (or its equivalent¹) as a condition of receiving a high school diploma. The SBE also requested that a waiver policy be drafted for their approval. California Department of Education (CDE) distributed a letter to school districts and county office of education summarizing the action taken on the Santa Cruz waiver and suggesting that waiver requests meeting similar parameters would be eligible for consideration as consent matters after SBE approval of a Waiver Policy for Algebra¹.

SUMMARY OF KEY ISSUES

Attached are eight districts who have requested the Algebra I Graduation requirement be waived to award diplomas for approximately 345 students who are otherwise qualified students in the Class of 2004 who lack only the completion of Algebra I. The listing of districts include an approximate number of students affected in each district, some general information about the status of the implementation of the Algebra I

¹ *Education Code* Section 51225.4(b) specifies in effect that students must complete the content of Algebra I, which may be in the form of a specific course by that name or a series of integrated mathematics courses (typically also including the content of Geometry and Algebra II). Where these guidelines use the term "Algebra I," the broader meaning just described is intended.

Algebra I waivers, Page 2

requirement in the district, and what types of students are primarily affected by this waiver.

Each district has promised that they will be completing the conditions of approval as outlined in the Waiver Policy, and promise to submit by April 2, 2004 a status report of their students and activities. For purposes of waivers acted upon at the March 2004 State Board meeting, if the Executive Director determines that the conditions have been (or will be) met, this waiver is operative. If the Executive Director determines that the conditions have not been (or will not be) met, this waiver is denied pursuant to the reasons justifying denial that are set forth in *Education Code* Section 33051(a)(1) – the educational needs of pupils are not adequately addressed – and (4) – pupil protections are jeopardized. If the waiver is denied in keeping with this procedure, the attached LEA will be offered the option of having the denial placed on the May 2004 State Board agenda for purposes of reconsideration, subject to the public notice limitations of the Bagley-Keene Open Meeting Act.

The department recommends “conditional approval” of these waivers.

Authority for Waiver: Education Code (EC) Section 33050 A

Bargaining unit(s) consulted on date(s): see attached waivers from districts

Position of bargaining unit(s) (choose only one): see attached waivers from districts
 Neutral Support Oppose

Name of bargaining unit representative(s): see attached waivers from districts

Public hearing identified by (choose one or more): see attached waivers from districts
 posting in a newspaper posting at each school other (specify)

Public hearing held on date(s): see attached waivers from districts

Local board approval date(s): see attached waivers from districts

Advisory committee(s) consulted: see attached waivers from districts

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

Date(s) consulted: see attached waivers from districts

Period of request: School Year 2003-04

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact of these waiver approvals.

BACKGROUND INFORMATION

[Documentation attached to this summary.](#)

| Algebra I Waiver - Summary District Information | | | | | | | | |
|--|----------------|---------------------|-------------------|----------------|-----------------|--------------------|------------------|----------------|
| District Name | Know of | Prev. Notice | Comply | Seniors | Needing | This Waiver | | No. of |
| Waiver No | Statute | to most 2004 | to all | Reg. | Alt. Ed. | Spec. Ed | Adult Ed. | seniors |
| | Change | seniors | Conditions | | | | | |
| Riverside USD | yes | yes | yes | | | X | | 80 |
| Waiver No: 8-2-2004 | except | | | | | | | |
| Special Education students had not received the notice, with all regular students statute was implemented by district policy and notice had been given. | | | | | | | | |
| Gilroy USD | yes | Yes | Yes | | X | X | | 5 to 10 |
| Waiver No: 7-2-2004 | | | | | | | | |
| District had implemented the statute for all regular students, but there were some counseling errors, and students transferring into district w/o Algebra. | | | | | | | | |
| West Sonoma USD | no | no notice | yes | | | | | 60 |
| Waiver No: 15-2-2004 | | | | | | | | |
| District unaware of statute change and had not noticed any students. Records found 60 students had not completed algebra one | | | | | | | | |
| Jurupa Unified SD | yes | yes | yes | | | x | | 20 |
| Waiver No:17-2-2004 | | | | | | | | |
| District had known about the statute changes and had notified most students. Waiver is needed for some. Special Education students not notified or failing to complete the course earlier. | | | | | | | | |
| Lodi Unified SD | yes | yes | yes | x | | x | | 60 |
| Waiver No: 16-2-2004 | | | | | | | | |
| District was aware of the statute change and had notified all students. Some are in danger of not passing and are enrolled in a class this spring. | | | | | | | | |

| Algebra I Waiver - District Summary Information | | | | | | | Page 2 | |
|--|----------------|---------------------|-------------------|----------------|-----------------|--------------------|------------------|----------------|
| District Name | Know of | Prev. Notice | Comply | Seniors | Needing | This Waiver | | No. of |
| Waiver No | Statute | to most 2004 | to all | Reg. | Alt. Ed. | Spec. Ed | Adult Ed. | seniors |
| | Change | seniors | Conditions | | | | | |
| EI Rancho Unified SD | yes | yes | yes | X | X | X | X | 33 |
| Waiver No: 4-2-2004 | | | | | | | | |
| All regular students were noticed, however a few are at risk of failing, and are special education students, alternative, are getting their Diploma through the adult school. | | | | | | | | |
| Alameda Unified SD | partial | partial | yes | X | | X | X | 80 |
| Waiver No: 15-2-2004 | | | | | | | | |
| Some of the High Schools were aware and were counseling students, others had not done so, therefore there are about 80 students needing to complete the requirement to graduate this year. | | | | | | | | |
| Tulelake Basin JUSD | yes | yes | yes | X | X | | | 2 |
| Waiver No; 21-2-2004 | | | | | | | | |
| District did full notice, two seniors are still attempting to pass, and are enrolled this spring. | | | | | | | | |