

**GENERAL WAIVER COVER SHEET**  
**CALIFORNIA STATE BOARD OF EDUCATION**  
**MAY 2003 AGENDA**  
**Item No. W-1**

<p><b>TITLE:</b> <b>McFarland Unified School District</b> requests a waiver of Title 5 CCR Section 1032(d)(5) which would in effect allow <b>McFarland High School</b> to receive a valid API for the 2002 base and growth targets with “less than 85%” of students taking the mathematics portion of the California Standards Test.</p> <p><b>CDSIS:</b> 82-3-2003</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

Denial

Per *Education Code* Section 33051(a)(1), the educational needs of the pupils are not adequately addressed.

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

Senate Bill 1X, the Public Schools Accountability Act (PSAA), established a system of accountability for public schools in California. During their January 2001 meeting, the State Board of Education approved Section 1032(d), which states:

A school’s API shall be considered invalid under the following circumstances:

- (5) In any content area tested pursuant to Education Code sections 60642 and 60642.5 and included in the API, the school’s proportion of the number of test-takers in that content area compared with the total number of test-takers is less than 85%. There shall be no rounding in determining the proportion of test-takers in each content area (i.e., 84.99 percent is not 85 percent).

In Attachment B of the August 29, 2002 letter from William L. Padia to Superintendents and Charter School Principals he stated, “if the participation rate in a content area for either the Stanford 9 or the California Standards Test is less than 85 percent, the school will not receive an API.”

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

The State Board of Education established that a school must test at least 85% of students in each content area to ensure that the scores included in the API were representative of all the students at the school. McFarland High School only tested 38 percent of the students who should have taken the mathematics portion of the California Standards Test in grade 9. (This

