



# CALIFORNIA STATE BOARD OF EDUCATION

## MAY 2004 AGENDA

**Specific Waiver**

<p><b>SUBJECT</b></p> <p>Request by <b>Tehachapi Unified School District</b> 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 (equivalent) to be given a diploma of graduation for <b>3</b> special education students based on EC 56101, the special education authority.</p> <p>Waiver Number: 106-4-2006</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p>
	<p><input type="checkbox"/> <b>Consent</b></p>

### RECOMMENDATION

Approval  Approval with conditions  Denial

that the request is granted for the 2003-04 school year only. This waiver removes only the requirement that these students successfully complete a course in Algebra I (or its equivalent). These students must meet other course requirements stipulated by the governing board of the school district of enrollment and by EC 51225.3 in order to receive a high school diploma.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In 2000, legislation was enacted to require students as a condition of receiving a high school diploma to complete Algebra I. The Algebra I requirement applies beginning with students graduating in 2003-04.

### SUMMARY OF KEY ISSUES

This waiver removes only the requirement that these students must successfully complete a course in Algebra I (or its equivalent) in order to receive a diploma of graduation. The district has provide facts indicating that failure to approve the request would hinder implementation of the student's individualized education program (IEP) or compliance by the district for a free, appropriate education for students with disabilities.

The district has provided documentation or certification that these students are currently enrolled but would not be successful completing Algebra I. The district has provided documentation or certification that all services and supports pursuant to the IEP were provided to these students to assist the students to complete Algebra I. The district has also certified that these students were on a diploma track.

Had the district applied for a waiver pursuant to the State Board of Education Waiver Policy 04-01 these students would have met the requirements for the general waiver authority for EC 51224.5(b).

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**Authority for the Waiver:** EC 56101

**Bargaining unit(s) consulted on date(s):** Consultation is not required for this waiver.

**Position of bargaining unit(s) (choose only one):** N/A

Neutral

Support

Oppose

**Name of bargaining unit(s)/representative(s):** N/A

**Local board approval date(s):** April 14, 2004

**Period of request:** 2003-04 School Year

**FISCAL ANALYSIS (AS APPROPRIATE)**

There will be no adverse fiscal impact to the state if this waiver is approved.

**BACKGROUND INFORMATION**

Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.