

California Department of Education

Executive Office

SBE-006 (REV. 1/2018)

Specific Waiver

# California State Board of Education November 2022 Agenda Item #W-04

## Subject

Request by the **Center Joint Unified School District** to waive California *Education Code* Section 51224.5(b), the requirement that all students graduating in the 2021–22 school year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation. The waiver applies to five students with disabilities based on *Education Code* Section 56101, the special education waiver authority.

## Waiver Number

12-5-2022

## Type of Action

Action, Consent

## Summary of the Issue(s)

The Center Joint Unified School District (CJUSD) requests to waive the requirement that all students graduating in the 2021–22 school year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation, for five students with disabilities based on *Education Code* (*EC*) Section 56101, the special education waiver authority.

## Authority for Waiver

*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 CJUSD to waive the requirement to successfully complete a course in Algebra I (or its equivalent) for the 2021–22 graduation year for five students, 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 CJUSD provided the following documentation for each student:

* Valid copies of the students’ individualized education programs for grades 9 through 12 highlighting the areas of mathematics deficiencies, and how the students’ needs in mathematics were addressed.
* The specific assistance the district provided to the students, including supplementary aids, services, accommodations, test modifications, and supports to attain the diploma-track goal for the algebra requirement.
* A copy of the students’ educational transcripts showing the students have 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 CJUSD submitted waiver requests for five students with disabilities, and provided documentation which suggest the students have attempted to meet the academic requirements to successfully work towards the completion of the Algebra I requirement in grades 9 through 12. However, contributing factors associated with the students’ disabling conditions prevented them from successfully fulfilling this requirement. The CJUSD informed the students they are 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 CJUSD has a student population of 4,102 and is located in a suburban area in   
Sacramento 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:** Center Joint Unified School District Waiver 12-5-2022

(2 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 |
| --- | --- | --- | --- | --- | --- | --- |
| 12-5-2022 | Center Joint Unified School District | **Requested:**  August 4, 2021 through May 26, 2022  **Recommended:**  August 4, 2021 through May 26, 2022 | To waive the Algebra I (or equivalent) graduation requirement for five students to receive a diploma of graduation | Approval with conditions to waive the Algebra I (or equivalent) graduation requirement for five students to receive a diploma of graduation | 5/18/2022 | Failure to approve the waiver request would result in the students not meeting graduation requirements |

Created by California Department of Education   
August 2022

# Attachment 2: Waiver 12-5-2022 Center Joint Unified School District

**California Department of Education**

**WAIVER SUBMISSION – Specific**

CD Code: 3473973

Waiver Number: 12-5-2022

Active Year: 2022

Date In: 5/20/2022 12:54:57 PM

Local Education Agency: Center Joint Unified

Address: 8408 Watt Ave.

Antelope, CA 95843

Start: 8/4/2021

End: 5/26/2022

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

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: 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.

Outcome Rationale: 56101(a) Any district, special education local plan area, county office, or public education agency, as defined in Section 56500, may request the board to grant a waiver of any provision of this code or regulations adopted pursuant to that provision if the waiver is necessary or beneficial to the content and implementation of the pupil's individualized education program and does not abrogate any right provided individuals with exceptional needs and their parents or guardians under (IDEA) or to the compliance of a district, special education local plan area, or county office with.(IDEA) and federal regulations relating thereto.

Student Population: 1315

City Type: Suburban

Local Board Approval Date: 5/18/2022

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Mr. Jerald Ferguson

Position: Principal

E-mail: [jferguson@centerusd.org](file://CDE.Cal/DATA/SEDATA/CENTRAL/Division-wide/WAIVERS/Current%20Templates/Current%20SBE%20Waiver%20Templates/jferguson@centerusd.org)

Telephone: 916-338-6422

Fax:

Bargaining Unit Date: 04/28/2022

Name: CUTA

Representative: Susan Radi

Title: Special Education Department Chair

Phone: (916) 338-6420

Position: Support

Comments: