

SAMPLE SCHOOL BOARD POLICY – For Middle School Districts and K-8 Feeder Districts

Advising Graduating 8th Grader Students on 9th Grade Mathematics Course Selection and Placement

Findings And Declaration Of Purpose

The Governing Board recognizes that student achievement in mathematics is critical for preparing students for college and career, especially in science, technology, engineering and mathematics (STEM). A student's 9th grade mathematics placement in particular is crucial to ensuring future educational success.

The Governing Board affirms that 8th grade teachers and counselors play an important role in providing mathematics course placements recommendations to high school districts and in counseling graduating 8th grade students on their mathematics course selection when they enroll in high school. A fair, objective, and transparent protocol for advising and recommending mathematics placement that strictly limits the use of subjective criteria will result in an appropriate 9th grade mathematics student placement and will prevent mathematics misplacement, particularly of students of color.

Pursuant to California Education Code Section 260, the Governing Board has the primary responsibility for ensuring that school district programs and activities are free from discrimination based upon enumerated characteristics, including race and ethnicity. Because the Governing Board is responsible for ensuring that all students, regardless of race or ethnic background, receive an equal chance to advance in mathematics, the Governing Board desires to ensure that the District implements a fair, objective and transparent protocol for advising outgoing students on their high school mathematics course selection.

The Governing Board therefore directs District staff to create, implement, and monitor a protocol for 9th grade mathematics placement recommendations that includes the following elements:

Reliance On Objective Determinations

Recommendations made to the high school district and any advising of 8th grade students regarding their mathematics placement in 9th grade shall be based on objective measures. These measures may include:

- Diagnostic placement tests such as Mathematics Diagnostic Testing Project (MDTP) tests aligned to state-adopted content standards;
- Standardized tests that reflect statewide mathematics assessments;
- Student grades that reflect comprehension and mastery of the subject matter, from both semesters of the 7th and 8th grade year; and
- Other objective indicators of student performance and proficiency in mathematics.

Limitation On The Use of Subjective Measures for Recommendations

Subjective measures may not be considered when making recommendations to 8th grade students and to the high school district on their 9th grade mathematics placement. However, recognizing that teachers and counselors are often aware of students' talents and abilities that are not reflected in objective data, an exception to this prohibition may be made to recommend advancing a student to a higher mathematics class than objective data indicates.

Implementation, Monitoring, And Accountability

District staff involved in advising students on mathematics course placement, or involved in sending recommendations to the high school district for placement, shall be properly trained on the protocol and its use. The protocol shall also include steps for ensuring that it is being followed in practice.

The District's recommendation and advising protocol shall be developed and implemented in coordination with the corresponding high school district. Once finalized, the District shall work with its partner high school district to ensure that mathematics teachers and counselors at those schools are aware of the recommendation and advising protocol and are appropriately trained on its proper use, implementation, and monitoring.

Governing Board Approval And Review

District staff shall report to the Governing Board on a regular basis while the recommendation and advising protocol is being developed. When the protocol is finalized, District staff shall return to the Governing Board to seek approval of the protocol. Once approved, the protocol shall be prominently posted on the District's website and shall be made readily accessible to parents/students and administrators. District staff shall subsequently report to the Governing Board on implementation on an annual basis.

Legal References

Education Code

California Education Code Section 200
California Education Code Section 201
California Education Code Section 260

Government Code

California Government Code Sections 11135 *et seq.*

Court Cases

Serrano v. Priest, 18 Cal. 3d 728 (1976), *cert. denied*, *Clowes v. Serrano*, 432 U.S. 907 (1977)
Butt v. State of California, 4 Cal. 4th 668 (1992)

California Constitution

Cal Const., Art. IX, Sec. 5

Federal Law

42 U.S.C. § 2000d (Title VI of the Civil Rights Act of 1964); 34 C.F.R. § 100.3(b)(2)

Background:

If students are placed below their level of proficiency in 9th grade mathematics courses, their ability to complete the recommended sequence of mathematics courses for admission to the University of California and California State University systems and other higher education institutions will be compromised. If admitted to college, students who were forced to repeat lower level mathematics courses in high school will be behind other students, and less likely to be competitive for careers in the STEM fields upon graduation. Mathematics misplacement has also been shown to affect students' confidence and their overall educational experience. Finkelstein, N., Fong A., Tiffany-Morales, J., Shields, P. & Huang, M. (WestEd 2012) *College Bound in Middle School & High School? How Math Course Sequences Matter*; Waterman, S. (2010) *Pathways Report: Dead Ends and Wrong Turns on the Path Through Algebra*
http://www.noycefdn.org/documents/Pathways_Report.pdf.

Mathematics misplacement can occur with successful students, and disproportionately affects successful students of color. Studies have shown that successful students, particularly from minority populations, may receive passing grades in mathematics coursework and/or demonstrate proficiency on standardized tests in 8th grade mathematics course work, and yet nonetheless be held back and forced to repeat the same course in the 9th grade rather than advancing.