

SAMPLE SCHOOL BOARD POLICY – For High School Districts and Unified School Districts

9th Grade Mathematics Course 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 a fair, objective, and transparent mathematics placement protocol that strictly limits the use of subjective criteria in placement decisions 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 mathematics placement protocol.

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

Reliance On Objective Determinations

Mathematics placement of 9th graders shall be based on objective measures. These measures may include:

- Diagnostic placement tests such as Mathematics Diagnostic Testing Project (MDTP) tests;
- Standardized tests, including from prior years;
- 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 Placement Measures

Subjective measures, such as placement recommendations, may not be considered in determining 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 advance a student to a higher mathematics class than objective data indicates.

Timing Of Mathematics Placement Decisions And Parent/Student Notification

Placement decisions shall be made according to a timeline that allows for maximum use of current objective measures. Placement decisions shall be communicated in writing to parents/students prior to the start of the school year; shall include the District's mathematics placement protocol; and shall indicate the objective factors that resulted in the student's 9th grade placement. Notices of placement decisions shall also include a recourse plan developed by the District, for any parents/students who may be dissatisfied with a student's mathematics placement.

Implementation, Monitoring, And Accountability

District staff involved in placement decisions 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, including provisions for checking that each student is properly placed according to the protocol prior to the start of the school year. Any student found to be misplaced shall be promptly placed in the correct mathematics course.

The District's mathematics placement protocol shall be developed and implemented in coordination with K-8 feeder/partner districts. Once finalized, the District shall work with its K-8 feeder/partner districts to ensure that mathematics teachers and counselors at those schools are aware of the placement 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 placement 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.