

California Department of Education

Executive Office

SBE-005 (REV. 1/2018)

General Waiver

# California State Board of Education July 2021 Agenda Item #W-10

## Subject

Requests by **13 local educational agencies** to waive *California Code of Regulations,* Title 5, Section 3043(d), which requires a minimum of 20 school days for an extended school year (summer school) for students with disabilities.

## Waiver Number

* Alpine Union Elementary School District 5-3-2021
* Amador County Office of Education 9-4-2021
* Covina-Valley Unified School District 3-4-2021
* Fallbrook Union Elementary School District 6-3-2021
* Gateway Unified School District 13-3-2021
* Gridley Unified School District 1-4-2021
* Imperial Unified School District 11-3-2021
* Lake County Office of Education 1-3-2021
* Monterey Peninsula Unified School District 12-3-2021
* Pioneer Union Elementary School District 10-4-2021
* San Ysidro Elementary School District 7-3-2021
* South Bay Union School District 4-4-2021
* Tuolumne County Superintendent of Schools 5-4-2021

## Type of Action

Action, Consent

## Summary of the Issue(s)

Thirteen local educational agencies (LEAs) request to provide instruction in fewer than the 20 school days required by law for extended school year (ESY). Please note that all but one of these waivers are retroactive as those ESY programs have already taken place. Each LEA’s alternate ESY schedule includes the minimum number of hours required for ESY, but in fewer days.

ESY is the term for the education of students with disabilities “between the close of one academic year and the beginning of the next,” similar to a summer school. The ESY must be provided for each student with a disability whose individualized education program (IEP) requires it. LEAs may request a waiver to provide an ESY program for fewer days than the traditional mode.

## Authority for Waiver

*Education Code (EC)* Section 33050

## Recommendation

* Approval: No
* Approval with conditions: Yes
* Denial: No

The California Department of Education recommends the State Board of Education (SBE) approve the requests from 13 LEAs to provide ESY services for fewer than 20 days with the condition school day hours are consistent with those provided to the general education enrollment at the same grade level unless an IEP specifies otherwise. Also, special education and related services offered during the ESY period must be comparable in standards, scope, and quality to the special education program offered during the regular academic year as required by *California Code of Regulations (CCR),* Title 5, Section 3043.

## Summary of Key Issues

### Alpine Union Elementary School District (AUESD) 5-3-2021

The AUESD requested to provide ESY services utilizing a 15-day schedule of 5 hours and 30 minutes per day, totaling 82 hours and 30 minutes of program time. The ESY schedule provided more program time than a 20-day ESY schedule.

The AUESD stated the proposed program helps to improve student attendance to provide them with improved learning experiences. It also accommodates students’ transportation needs, improves staff recruitment, and meets the needs of families who have requested a shortened schedule.

Demographic Information: The AUESD has a student population of 1,532 and is located in a rural area in San Diego County.

### Amador County Office of Education (ACOE) 9-4-2021

The ACOE requested to provide ESY services utilizing a 15-day schedule of 5 hours and 20 minutes per day, totaling 80 hours of program time. The ESY schedule provided the same amount of program time as a 20-day ESY schedule.

The ACOE states they serve a large geographical region that requires long bus rides for students, many that are medically fragile. The proposed schedule with longer school days better accommodates these students. It also maximizes student learning, and lessons the typical drops in attendance during the final week of the program. In addition, this schedule helps the ACOE to hire highly-qualified special education teachers currently employed while allowing staff additional time to pursue professional development, higher education goals, and time to re-energize and prepare for the next school year.

Demographic Information: The ACOE has a student population of 3,972 and is located in a rural area in Amador County.

### Covina-Valley Unified School District (CVUSD) 3-4-2021

The CVUSD requested to provide ESY services utilizing a 15-day schedule of 5 hours and 30 minutes per day totaling 82 hours and 30 minutes of program time. The ESY schedule provided more program time than a 20-day ESY schedule.

The CVUSD states the shortened ESY schedule allows students with disabilities to participate in other summer enrichment classes with their peers, and supports program cost savings.

Demographic Information: The CVUSD has a student population of 11,545 and is located in a suburban area in Los Angeles County.

### Fallbrook Union Elementary School District (FUESD) 6-3-2021

The FUESD requested to provide ESY services utilizing a 16-day schedule of 5 hours per day totaling 80 hours of program time. The ESY schedule provided the same amount of program time as a 20-day ESY schedule.

The FUESD stated they provided a four-day per week ESY program on approved waivers for the last two years. Prior to changing the ESY program to a four-day per week schedule they had difficulties with recruiting teachers and student attendance was lower. The four-day per week schedule increased teacher participation and improved overall student attendance. A survey was conducted at the conclusion of ESY for the last two years, and the four-day per week schedule was preferred by administration, staff, and parents.

Demographic Information: The FUESD has a student population of 4,656 and is located in a rural area in San Diego County.

### Gateway Unified School District (GUSD) 13-3-2021

The GUSD requested to provide ESY services utilizing a 15-day schedule of 5 hours and 30 minutes per day totaling 82 hours and 30 minutes of program time. This schedule provides more program time than a 20-day ESY schedule.

The GUSD states they participate collaboratively with two other school districts to provide ESY services to eligible students in preschool through high school. They serve a large geographical region that requires long bus rides for students, many who are medically fragile. Most students require designated instructional services which are difficult to provide in a traditional four-hour day. The proposed shortened schedule with longer school days better supports their ESY students.

Demographic Information: The GUSD has a student population of 2,439 and is located in a rural area in Shasta County.

### Gridley Unified School District (GUSD) 1-4-2021

The GUSD requested to provide ESY services utilizing a 15-day schedule of 5 hours and 30 minutes per day, totaling 82 hours and 30 minutes of program time. This schedule provided more program time than a 20-day ESY schedule.

The GUSD states the shortened ESY schedule helps to increase student attendance and staffing options.

Demographic Information: The GUSD has a student population of 2,100 and is located in a rural area in Butte County.

### Imperial Unified School District (IUSD) 11-3-2021

The IUSD requested to provide ESY services utilizing a 19-day program of 4 hours and 21 minutes per day, totaling 82 hours and 39 minutes of program time. This schedule provided more program time than a 20-day ESY schedule.

The IUSD states this schedule will align the ESY program with the general education summer school program and will help to accommodate student transportation needs. It facilitates related service delivery to improve learning experiences for students with exceptional needs.

Demographic Information: The IUSD has a student population of 4,317 and is located in a rural area in Imperial County.

### Lake County Office of Education (LCOE) 1-3-2021

The LCOE requested to provide ESY services utilizing a 15-day schedule of 5 hours and 30 minutes per day, totaling 82 hours and 30 minutes of program time. This schedule provided more program time than a 20-day ESY schedule.

The LCOE had an approved ESY waiver last school year. They stated that feedback and attendance rates were extremely positive for the three-week ESY program which indicates that qualified teachers and staff would more likely sign up for the program. The shortened schedule allows them to meet students’ needs while providing students and their families with more time to spend together over the summer break.

Demographic Information: The LCOE has a student population of 22 and is located in a rural area in Lake County.

### Monterey Peninsula Unified School District (MPUSD) 12-3-2021

The MPUSD provided ESY services utilizing a 15-day schedule of 5 hours and 20 minutes per day, totaling 80 hours of program time. This schedule provided the same amount of program time as a 20-day ESY schedule.

The MPUSD stated they have traditionally held a four-week ESY program where enrollment patterns show student attendance drops the fourth week of the program. Many ESY students discontinue participation in the program on the fourth week. This reduction in days ensured the program is complete before the Fourth of July holiday which causes recruitment of staff to become more difficult. The three-week program ensures the greatest amount of student attendance, and helps the MPUSD to recruit qualified ESY teachers and staff. It also provides more time to prepare school campuses for the upcoming school year.

Demographic Information: The MPUSD has a student population of 10,658 and is located in a rural area in Monterey County.

### Pioneer Union Elementary School District (PUESD) 10-4-2021

The PUESD requests to provide ESY services utilizing a 15-day schedule of 5 hours and 20 minutes per day, totaling 80 hours of program time. The program is scheduled for July 12, 2021−July 30, 2021, and will provide the same amount of program time as a 20-day ESY schedule.

The PUESD stated this schedule aligns the ESY program with the general education summer school program allowing for the integration of students with disabilities with their general education peers. It will also maximize the food services and administrative services surrounding the ESY and general education summer school programs.

Demographic Information: The PUESD has a student population of 1,558 and is located in a rural area in Kings County.

### San Ysidro Elementary School District (SYESD) 7-3-2021

The SYESD requested to provide ESY services utilizing a 15-day schedule of 5 hours and 45 minutes per day, totaling 86 hours and 15 minutes of program time. This schedule provided more program time than a 20-day ESY schedule.

The SYESD stated the longer days can provide greater opportunities for instructional impact, and would allow the LEA to address the regression and recoupment needs of identified students particpating in ESY.

Demographic Information: The SYESD has a student population of 4,700 and is located in an urban area in San Diego County.

### South Bay Union School District (SBUSD) 4-4-2021

The SBUSD requested to provide ESY services utilizing a 15-day schedule of 5 hours and 45 minutes per day, totaling 86 hours and 15 minutes of program time. This schedule provided more program time than a 20-day ESY schedule.

The SBUSD stated an ESY program with less days would still allow them to address the regression and recoupment needs of identified students and provide families and staff with more days without school during the summer break. In addition, the longer ESY school days can provide greater opportunities for instructional impact.

Demographic Information: The SBUSD has a student population of 6,950 and is located in an urban area in San Diego County.

### Tuolumne County Superintendent of Schools (TCSOS) 5-4-2021

The TCSOS requested to provide ESY services utilizing a 15-day schedule of 5 hours and 30 minutes per day, totaling 82 hours and 30 minutes of program time. This schedule provided more program time than a 20-day ESY schedule.

The TCSOS stated they are faced with significant challenges for ESY due to their rural setting and the distances between schools. The proposed schedule provides improved student learning, opportunities for group/ project-based learning, better attendance, parental involvement, and improved staffing.

Demographic Information: The TCOE has a student population of 90 and is located in a rural area in Tuolumne County.

**Because these are general waivers, if the SBE decides to deny the waivers, it must cite one of the seven reasons in** ***EC* Section 33051(a), available on the California Legislation Information web page at** [https://leginfo.legislature.ca.gov/faces/codes\_displaySection.xhtml?sectionNum=33051.&lawCode=EDC](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=33051.&lawCode=EDC).

## Summary of Previous State Board of Education Discussion and Action

In the past, the SBE approved waivers to allow school districts to provide the required minimum amount of instruction in fewer days during the ESY for students with disabilities.

ESY is the term for the education of students with disabilities “between the close of one academic year and the beginning of the next,” similar to a summer school. The ESY must be provided for each student with a disability whose IEP requires it. LEAs may request a waiver to provide an ESY program for fewer days than the traditional mode.

## Fiscal Analysis (as appropriate)

There is no statewide fiscal impact of waiver approval. However, in order for an LEA to qualify for average daily attendance (ADA) revenues for extended year pupils, LEAs must comply with the ADA requirements in *CCR*, Title 5, Section 3043(f).

## Attachment(s)

* **Attachment 1:** Summary Table (8 pages)
* **Attachment 2:** Alpine Union Elementary School District General Waiver Request 5-3-2021 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 3:** Amador County Office of Education General Waiver Request 9-4-2021 (3 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 4:**  Covina-Valley Unified School District General Waiver Request 3-4-2021 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 5:** Fallbrook Union Elementary School District General Waiver Request 6-3-2021 (3 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 6:** Gateway Unified School District General Waiver Request

13-3-2021 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

* **Attachment 7:** Gridley Unified School District General Waiver Request

1-4-2021 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

* **Attachment 8:** Imperial Unified School District General Waiver Request

11-3-2021 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

* **Attachment 9:** Lake County Office of Education General Waiver Request

1-3-2021 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

* **Attachment 10:** Monterey Peninsula Unified School District General Waiver Request 12-3-2021 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 11:** Pioneer Union Elementary School District General Waiver Request 10-4-2021 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 12:** San Ysidro Elementary School District General Waiver Request 7-3-2021 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 13:** South Bay Union School District General Waiver Request

4-4-2021 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

* **Attachment 14:** Tuolumne County Superintendent of Schools General Waiver Request 5-4-2021 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

# Attachment 1: Summary Table

California *Education Code (EC)* Section 41402

| Waiver Number | District | Period of Request | District’s Request | CDE Recommended | Bargaining Unit Representatives Consulted, Date and Position | Local Board and Public Hearing Approval | Penalty Without Waiver |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 5-3-2021 | Alpine Union Elementary School District | **Requested:**  June 14, 2021, to July 2, 2021  **Recommended:**  June 14, 2021, to July 2, 2021 | To provide a 15-day extended school year (ESY) program instead of a 20-day ESY program | Approval with conditions to allow the local educational agency (LEA) to provide a  15-day ESY program instead of a 20-day ESY program | Alpine Teachers Association,  Linda Ramos, President 2/9/2021  Support  California School Employees Association,  Matt Busacco, President 2/5/2021  Support | 3/10/2021 | The LEA may not provide a 15-day ESY program |
| 9-4-2021 | Amador County Office of Education | **Requested:**  June 7, 2021, to June 25, 2021  **Recommended:**  June 7, 2021, to June 25, 2021 | To provide a 15-day ESY program instead of a 20-day ESY program | Approval with conditions to allow the LEA to provide a  15-day ESY program instead of a 20-day ESY program | Special Educators of Amador County, Michaelynn Angie-Lucas, President 3/22/2021 Support | 4/14/2021 | The LEA may not provide a 15-day ESY program |
| 3-4-2021 | Covina-Valley Unified School District | **Requested:**  June 7, 2021, to June 25, 2021  **Recommended:**  June 7, 2021, to June 25, 2021 | To provide a 15-day ESY program instead of a 20-day ESY program | Approval with conditions to allow the LEA to provide a  15-day ESY program instead of a 20-day ESY program | Covina Unified Education Association,  Adam Hampton, President 3/29/2021 Support | 3/15/2021 | The LEA may not provide a 15-day  ESY program |
| 6-3-2021 | Fallbrook Union Elementary School District | **Requested:**  June 14, 2021, to July 8, 2021  **Recommended:**  June 14, 2021, to July 8, 2021 | To provide a 16-day ESY program instead of a 20-day ESY program | Approval with conditions to allow the LEA to provide a  16-day ESY program instead of a 20-day ESY program | Fallbrook Elementary Teachers Association,  Jennifer Mariucci, President 1/28/2021 Support | 3/8/2021 | The LEA may not provide a 16-day ESY program |
| 13-3-2021 | Gateway Unified School District | **Requested:**  June 9, 2021, to June 29, 2021  **Recommended:**  June 9, 2021, to June 29, 2021 | To provide a 15-day ESY program instead of a 20-day ESY program | Approval with conditions to allow the LEA to provide a  15-day ESY program instead of a 20-day ESY program | Gateway Teacher Association,  Julie Nagy, President 1/13/2021 Support | **Local Board:**  1/20/2021  **Public Hearing:**  4/20/2021 | The LEA may not provide a 15-day ESY program |
| 1-4-2021 | Gridley Unified School District | **Requested:**  June 14, 2021, to July 2, 2021  **Recommended:**  June 14, 2021, to July 2, 2021 | To provide a 15-day ESY program instead of a 20-day ESY program | Approval with conditions to allow the LEA to provide a  15-day ESY program instead of a 20-day ESY program | California School Employee Association,  Antionette Paul, Chapter President 3/25/2021 Support  Gridley Teacher Association,  Mike Tuft, President 3/26/2021 Support | 3/31/2021 | The LEA may not provide a 15-day ESY program |
| 11-3-2021 | Imperial Unified School District | **Requested:**  June 8, 2021, to July 2, 2021  **Recommended:**  June 8, 2021, to July 2, 2021 | To provide a 19-day ESY program instead of a 20-day ESY program | Approval with conditions to allow the LEA to provide a  19-day ESY program instead of a 20-day ESY program | Imperial Teachers Association, William Estes, President  2/22/2021 Support | 3/11/2021 | The LEA may not provide a 19-day ESY program |
| 1-3-2021 | Lake County Office of Education (LCOE) | **Requested:**  June 7, 2021, to June 25, 2021  **Recommended:**  June 7, 2021, to June 25, 2021 | To provide a 15-day ESY program instead of a 20-day ESY program | Approval with conditions to allow the LEA to provide a  15-day ESY program instead of a 20-day ESY program | The LCOE does not have representation through a collective bargaining unit organization. | **Local Board:**  2/10/2021  **Public Hearing:**  2/2/2021 | The LEA may not provide a 15-day ESY program |
| 12-3-2021 | Monterey Peninsula Unified School District | **Requested:**  June 14, 2021, to July 2, 2021  **Recommended:**  June 14, 2021, to July 2, 2021 | To provide a 15-day ESY program instead of a 20-day ESY program | Approval with conditions to allow the LEA to provide a  15-day ESY program instead of a 20-day ESY program | Classified School Employees Association Monterey,  Erin Stabler, President 1/6/2021  Support  Monterey Bay Teachers Association,  Lauren Mauck, President 1/6/2021  Support | **Local Board:**  3/8/2021  **Public Hearing:**  3/5/2021 | The LEA may not provide a 15-day ESY program |
| 10-4-2021 | Pioneer Union Elementary School District | **Requested:**  July 12, 2021, to July 30, 2021  **Recommended:**  July 12, 2021, to July 30, 2021 | To provide a 15-day ESY program instead of a 20-day ESY program | Approval with conditions to allow the LEA to provide a  15-day ESY program instead of a 20-day ESY program | Classified School Employee Association, David Pires, President 3/12/2021 Support  Pioneer Teachers' Association, Alicyn Cawley, Parent Teacher Association Representative 3/4/2021  Support | 4/14/2021 | The LEA may not provide a 15-day ESY program |
| 7-3-2021 | San Ysidro Elementary School District | **Requested:**  June 15, 2021, to July 6, 2021  **Recommended:**  June 15, 2021, to July 6, 2021 | To provide a 15-day ESY program instead of a 20-day ESY program | Approval with conditions to allow the LEA to provide a  15-day ESY program instead of a 20-day ESY program | California School Employees Association, Maria Rios President 2/25/2021 Support  San Ysidro Educator’s Association, Jennifer Cuestas, Grievance Chair 2/25/2021 Support | 3/11/2021 | The LEA may not provide a 15-day ESY program |
| 4-4-2021 | South Bay Union School District | **Requested:**  June 18, 2021, to July 9, 2021  **Recommended:**  June 18, 2021, to July 9, 2021 | To provide a 15-day ESY program instead of a 20-day ESY program | Approval with conditions to allow the LEA to provide a  15-day ESY program instead of a 20-day ESY program | Southwest Teachers Association, Brenda Robles, Bargaining Unit Chair  3/26/2021 Support | 2/11/2021 | The LEA may not provide a 15-day ESY program |
| 5-4-2021 | Tuolumne County Superintendent of Schools | **Requested:**  June 11, 2021, to July 1, 2021  **Recommended:**  June 11, 2021, to July 1, 2021 | To provide a 15-day ESY program instead of a 20-day ESY program | Approval with conditions to allow the LEA to provide a  15-day ESY program instead of a 20-day ESY program | Tuolumne County (TC) California School Employees Association,  Cybil Layton, Lead Union Representative  3/10/2021  Support  TC American Federation (AF) of Teachers #6097, TC AF of Labor and Congress of Industrial Organizations,  Molly McGrew, Lead Union Representative  3/03/2021 Support | 2/1/2021 | The LEA may not provide a 15-day ESY program |

Created by the California Department of Education, May 2021

# Attachment 2: Alpine Union Elementary School District General Waiver Request 5-3-2021

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 3767967

Waiver Number: 5-3-2021

Active Year: 2021

Date In: 3/11/2021 10:59:03 AM

Local Education Agency: Alpine Union Elementary

Address: 2001 Tavern Rd

Alpine, CA 91901

Start: 6/14/2021

End: 7/2/2021

Waiver Renewal: N

Previous Waiver Number: 21-3-2020-W-15

Previous SBE Approval Date: 3/17/2021

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: 3043.d

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: 3034.d

Outcome Rationale: AUSD would like to have a more intensive program with improved attendance and a stronger ability to recruit effective teachers. Our experience has been that many of our students do not attend the full four weeks due to a variety of reasons and we have a very difficult time recruiting staff. As a rural district, we believe having a shortened extended school year will lead to increased attendance and a deeper opportunity to provide learning experiences for students with special needs. Additionally, we believe a shortened extended school year will provide a greater opportunity for recruitment for teachers and classified staff including transportation. Through the years, parents have requested a shorter extended school year program. Lastly this will allow us to use our limited fleet of buses to accommodate our students.

Student Population: 1532

City Type: Rural

Public Hearing Date: 3/10/2021

Public Hearing Advertised: on the district's website, <https://www.alpineschools.net/>

Local Board Approval Date: 3/10/2021

Community Council Reviewed By: Principals Council Meeting

Community Council Reviewed Date: 2/17/2021

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Dr. Bobbi Burkett

Position: Asst, Supt. of Human Resources & Student Services

E-mail: [bburkett@alpineschools.net](file:///\\CDE.Cal\DATA\SEDATA\CENTRAL\Director's%20Office\State%20Board%20of%20Education\Waivers\Current%20Waiver%20Templates\bburkett@alpineschools.net)

Telephone: 619-445-3236 x803

Fax:

Bargaining Unit Date: 02/09/2021

Name: Alpine Teachers Association

Representative: Linda Ramos

Title: ATA President

Phone: 619-445-8674

Position: Support

Comments:

Bargaining Unit Date: 02/05/2021

Name: California School Employees Association

Representative: Matt Busacco

Title: CSEA President

Phone: 619-445-5593

Position: Support

Comments:

# Attachment 3: Amador County Office of Education General Waiver Request 9-4-2021

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 0310033

Waiver Number: 9-4-2021

Active Year: 2021

Date In: 4/19/2021 11:36:08 AM

Local Education Agency: Amador County Office of Education

Address: 217 Rex Ave.

Jackson, CA 95642

Start: 6/7/2021

End: 6/25/2021

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: *CCR*, Title 5, Section 3043(d)

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: *Education Code* or *CCR* to Waive: *CCR* Title 5, section 3040(d), requires a minimum of 20 school days of attendance for an extended school year (Summer school) for special education students.

Outcome Rationale: The Amador County Office of Education (ACOE) is requesting a waiver to modify the required Special Education extended school year from 20 days to 15 days. ACOE ESY will utilize a 15-day schedule of 5 hours per day, totaling 75 hours of in-person instruction with 5 hours of additional asynchronous instruction for Kinder thru Transition and 4 hours per day for Preschool. Operating under this model provides for the equivalent number of instructional minutes for students, while maximizing attendance and staffing options

ACOE operates a modified year-round schedule. It is difficult to have families attend a 20-day ESY program and also difficult to staff a 20-day ESY program, because it impedes families’ and staff’s ability to take summer vacations with their families.

In addition, ACOE serves a large geographical region that requires long bus rides for students, many of whom are medically fragile. The proposed ESY schedule with longer school days will better accommodate the many students who require Designated Instructional Services. ACOE also asserts that modifying the ESY schedule to 3 weeks with extended daily time will maximize student learning, and lessen the typical drops in attendance during the final week of the program. In addition, we have learned that longer school days provide greater opportunity for instructional impact.

An unintentional positive consequence is that fewer ESY days will also result in substantial savings in transportation, utilities, food services, janitorial, administration, and clerical costs.

This schedule will also help the ACOE to hire highly qualified special education teachers currently employed while allowing teaching and paraeducator staff additional time to pursue professional development, higher education goals, and time to re-energize and prepare for the next school year.

Student Population: 3972

City Type: Rural

Public Hearing Date: 4/14/2021

Public Hearing Advertised: ACOE Website, Public Bulletin Boards

Local Board Approval Date: 4/14/2021

Community Council Reviewed By: Amador County Community Advisory Committee

Community Council Reviewed Date: 4/6/2021

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Ms. Lisa Valdez-Shaw

Position: Program Director

E-mail: [lisa.valdez-shaw@acusd.org](file:///\\CDE.Cal\DATA\SEDATA\CENTRAL\Director's%20Office\State%20Board%20of%20Education\Waivers\Current%20Waiver%20Templates\lisa.valdez-shaw@acusd.org)

Telephone: 209-257-7727

Fax:

Bargaining Unit Date: 03/22/2021

Name: Special Educators of Amador COunty

Representative: Michaelynn Angie-Lucas

Title: President

Phone: 209-257-7776

Position: Support

Comments:

# Attachment 4: Covina-Valley Unified School District General Waiver Request 3-4-2021

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 1964436

Waiver Number: 3-4-2021

Active Year: 2021

Date In: 4/5/2021 9:42:36 AM

Local Education Agency: Covina-Valley Unified

Address: 519 East Badillo St

Covina, CA 91723

Start: 6/7/2021

End: 6/25/2021

Waiver Renewal: N

Previous Waiver Number: 17-12-2019

Previous SBE Approval Date: 3/16/2020

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: *CCR*,Title 5,Section 3043(d)

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: Change from 20 days to 15 days

Outcome Rationale: This is a renewal waiver request to shorten ESY instructional days for K-8th grades from 20 to a 15-day model. The 15-day model increases the daily ESY hours from 4.25 to 5,5 hours which will increase the total ESY instructional hours from 80.75 to 82.50. This shortened ESY period will also allow special education students to be able to participate in general education summer enrichment classes with peers. In addition, the 15-day ESY will cut expenditures for the district on transportation, custodial, electricity, and overall staff cost. ESY for 9th-12th grades will be congruent with the general education summer schedule, which is 25 days.

Student Population: 11545

City Type: Suburban

Public Hearing Date: 3/15/2021

Public Hearing Advertised: District Website and school websites

Local Board Approval Date: 3/15/2021

Community Council Reviewed By: District Cabinet

Community Council Reviewed Date: 2/9/2021

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Dr. Rene Valdes

Position: Director-Special Education/Student Services

E-mail: [rvaldes@c-vusd.org](file:///\\CDE.Cal\DATA\SEDATA\CENTRAL\Director's%20Office\State%20Board%20of%20Education\Waivers\Current%20Waiver%20Templates\rvaldes@c-vusd.org)

Telephone: 626-974-7000 x800084

Fax: 626-974-7060

Bargaining Unit Date: 03/29/2021

Name: CUEA

Representative: Adam Hampton

Title: President

Phone: 626-974-7200

Position: Support

Comments:

# Attachment 5: Fallbrook Union Elementary School District General Waiver Request 6-3-2021

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 3768114

Waiver Number: 6-3-2021

Active Year: 2021

Date In: 3/12/2021 1:41:41 PM

Local Education Agency: Fallbrook Union Elementary

Address: 321 North Iowa St.

Fallbrook, CA 92028

Start: 6/14/2021

End: 7/8/2021

Waiver Renewal: Y

Previous Waiver Number: 4-2-2019-W-11

Previous SBE Approval Date: 5/8/2019

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: Section 3043 (d)

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: Extended year school services shall be provided for each individual with exceptional needs who has unique needs and requires special education and related services in excess of the regular academic year. Such individuals shall have handicaps which are likely to continue indefinitely or for a prolonged period, and interruption fo the pupil"s self-sufficiency and independence that would otherwise be expected in view of his or her handicapping condition. The lack of clear evidence of such factors may not be used to deny an individual and extended school year program if the individualized education program team determines the need for such a program and includes extended school year in the individualized education program pursuant to subsection (f). (a) Extended year special education and related services shall be provided by a school district, special education local plan area, or county office offering programs during the regular academic year. (b) Individuals with exceptional needs who may require an extended school year are those who: (1) Are placed in special classes or centers; or (2) Are individuals with exceptional needs whose individualized education programs specify an extended year program as determined by the individualized education program team. (c) The term "extended year" as used in this section means the period of time between the close of one academic year and the beginning of the succeeding academic year. The term "academic year" as used in this section means that portion of the school year during which the regular day school is maintained, which period must include not less than the number of days required to entitle the district, special education services region, or county office to apportionments of state funds. [(d) An extended year program shall be provided for a minimum of 20 instructional days, including holidays.]

Outcome Rationale: Our district had difficulties recruiting teachers to teach ESY and student attendance was lower with the 5-day per week schedule. Making the ESY schedule a 4-day per week schedule increased teacher participation and improved overall student attendance for the last two years. The number of hours students received did not change as they received 5 hours of instruction per day for 16 days as opposed to 4 hours of instruction for 20 days. Additionally, there were fiscal savings of 20% of the cost of transportation. A survey was conducted at the conclusion of ESY for the last two years and the 4-day per week schedule was preferred by administration, staff, and parents.

Student Population: 4656

City Type: Rural

Public Hearing Date: 3/8/2021

Public Hearing Advertised: Posting of board meeting agenda

Local Board Approval Date: 3/8/2021

Community Council Reviewed By: Community Advisory Committee

Community Council Reviewed Date: 1/21/2021

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Mr. Leonard Rodriguez

Position: Executive Director, Pupil Personnel Services

E-mail: [lmrodriguez@fuesd.org](file:///\\CDE.Cal\DATA\SEDATA\CENTRAL\Director's%20Office\State%20Board%20of%20Education\Waivers\Current%20Waiver%20Templates\lmrodriguez@fuesd.org)

Telephone: 760-731-5419

Fax: 760-723-2186

Bargaining Unit Date: 01/28/2021

Name: Fallbrook Elementary Teachers Association

Representative: Jennifer Mariucci

Title: President

Phone: 760-731-4220

Position: Support

Comments:

# Attachment 6: Gateway Unified School District General Waiver Request 13-3-2021

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 4575267

Waiver Number: 13-3-2021

Active Year: 2021

Date In: 3/30/2021 3:44:36 PM

Local Education Agency: Gateway Unified

Address: 4411 Mountain Lakes Blvd.

Redding, CA 96003

Start: 6/9/2021

End: 6/29/2021

Waiver Renewal: N

Previous Waiver Number: 12-4-2019-w-15

Previous SBE Approval Date: 4/7/2021

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: *CCR* Title 5, Section 3043 (d)

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: Requested by Gateway School District to waive *CCR* Title 5 section 3043 (d) which requires the minimum of 20 days of school attendance (with varied minutes depending on the grade level of student) for an extended year for special education.

Outcome Rationale: The Gateway School District participates in a collaboration with two other school districts to provide ESY services to SPED students preschool through Eighth grade as well as high school level SDC students. We serve a larger geographical region that requires long bus rides for students, many of whom are medically fragile. In addition, most of the students require DIS services which is difficult in a four-hour day. The district is proposing that we decrease the number of days to 15 and increasing the length of the school day to ensure the number of minutes of service to students remains the same as a 20 day program.

Student Population: 2439

City Type: Rural

Public Hearing Date: 4/20/2021

Public Hearing Advertised: On district website

Local Board Approval Date: 1/20/2021

Community Council Reviewed By: SELPA Program Advisory Council

Community Council Reviewed Date: 1/7/2021

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Mr. James Harrell

Position: GUSD Superintendent

E-mail: [jharrell@gwusd.org](file:///\\CDE.Cal\DATA\SEDATA\CENTRAL\Director's%20Office\State%20Board%20of%20Education\Waivers\Current%20Waiver%20Templates\jharrell@gwusd.org)

Telephone: 530-245-7908

Fax: 530-245-7920

Bargaining Unit Date: 01/13/2021

Name: Gateway Teacher Association

Representative: Julie Nagy

Title: GTA President

Phone: 530-245-7900

Position: Support

Comments:

# Attachment 7: Gridley Unified School District General Waiver Request 1-4-2021

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 0475507

Waiver Number: 1-4-2021

Active Year: 2021

Date In: 4/1/2021 4:59:34 PM

Local Education Agency: Gridley Unified

Address: 429 Magnolia St.

Gridley, CA 95948

Start: 6/14/2021

End: 7/2/2021

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date: 4/27/2021

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: *CCR*, Title 5, Section 3040

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: Minimum of 20 instructional days at 4 hours per day, including holidays, are required for an extended school year for special education students.

Outcome Rationale: The district is proposing to provide the ESY program over 15 days at 5.5 hours per day, which will provide more instructional time than a traditional 20-day ESY schedule while maximizing student attendance and staffing options.

The waiver information was discussed and reviewed with GTA and CSEA.

Student Population: 2100

City Type: Rural

Public Hearing Date: 3/31/2021

Public Hearing Advertised: online via GUSD's website and notices posted at Mc

Local Board Approval Date: 3/31/2021

Community Council Reviewed By: School Site Council

Community Council Reviewed Date: 4/26/2021

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Dr. Maggie Daugherty

Position: Director of Special Education

E-mail: [maggiedaugherty@gusd.org](file:///\\CDE.Cal\DATA\SEDATA\CENTRAL\Director's%20Office\State%20Board%20of%20Education\Waivers\Current%20Waiver%20Templates\maggiedaugherty@gusd.org)

Telephone: 530-846-6721

Fax:

Bargaining Unit Date: 03/25/2021

Name: California School Employee Association

Representative: Antionette Paul

Title: Chapter President

Phone: (530)415-1766

Position: Support

Comments:

Bargaining Unit Date: 03/26/2021

Name: Gridley Teacher Association

Representative: Mike Tuft

Title: President

Phone: 5308464721

Position: Support

Comments:

# Attachment 8: Imperial Unified School District General Waiver Request 11-3-2021

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 1363164

Waiver Number: 11-3-2021

Active Year: 2021

Date In: 3/30/2021 11:15:55 AM

Local Education Agency: Imperial Unified

Address: 219 North E St.

Imperial, CA 92251

Start: 6/8/2021

End: 7/2/2021

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: 3043 (d)

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: "An extended year program shall de provided for a minimum of 20 instructional days, including holidays"

Outcome Rationale: Imperial Unified is proposing to operate a summer school program TK-12th grade for a total of 19 days (4 hours 21 minutes of daily instruction).

There will be a reduction in days of attendance to facilitate cost-effective services within the classroom, and reduce cost of transportation, electricity, custodial services, administration, etc. Extended school year will be the same number of days as the general education.

Student Population: 4317

City Type: Rural

Public Hearing Date: 3/11/2021

Public Hearing Advertised: Notice posted at each school school site as well as District office, electronic notification via parent portal

Local Board Approval Date: 3/11/2021

Community Council Reviewed By: School Site Council

Community Council Reviewed Date: 3/17/2021

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Mr. Hector Coronel

Position: Director Special Sducation

E-mail: [hcoronel@imperialusd.org](file:///\\CDE.Cal\DATA\SEDATA\CENTRAL\Director's%20Office\State%20Board%20of%20Education\Waivers\Current%20Waiver%20Templates\hcoronel@imperialusd.org)

Telephone: 760-355-3262

Fax: 760-355-3019

Bargaining Unit Date: 02/22/2021

Name: Imperial Teachers Association

Representative: William Estes

Title: Imperial Teachers Association President

Phone: 760-355-3220

Position: Support

Comments:

# Attachment 9: Lake County Office of Education General Waiver Request 1-3-2021

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 1710173

Waiver Number: 1-3-2021

Active Year: 2021

Date In: 3/1/2021 12:06:13 PM

Local Education Agency: Lake County Office of Education

Address: 1152 South Main St.

Lakeport, CA 95426

Start: 6/7/2021

End: 6/25/2021

Waiver Renewal: N

Previous Waiver Number: 02/02/2020

Previous SBE Approval Date: 2/5/2020

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: *CCR*, Title 5, Section 3034 (d)

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: "...which require a minimum of 20 school days for an extended school year (summer school)."

Outcome Rationale: The last few years the Clearlake Creativity School has operated under the shortened summer school program by submitting a waiver to keep the minimum of 80 hours but include a longer instructional day. This has been very positive, having a 3 week versus a 4 week summer school program. This schedule allows more time for students to travel over the summer and spend time with their families. Feedback indicates that the staff are much more likely to sign up to teach summer school when they can complete the program in 3 weeks and still meet the required 80 hour minimum. In a rural setting such as ours, it is difficult to find qualified teachers and staff to teach our special needs students. The local governing board voted and approved this on Feb. 10, 2021. They have approved the waiver the past two years as well.

Student Population: 22

City Type: Rural

Public Hearing Date: 2/2/2021

Public Hearing Advertised: LCOE website

Local Board Approval Date: 2/10/2021

Community Council Reviewed By: LCOE Board, School Site Council

Community Council Reviewed Date: 2/10/2021

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Ms. Shelley Tan

Position: Principal

E-mail: [stan@lakecoe.org](file:///\\CDE.Cal\DATA\SEDATA\CENTRAL\Director's%20Office\State%20Board%20of%20Education\Waivers\Current%20Waiver%20Templates\stan@lakecoe.org)

Telephone: 707-995-9523 x404

Fax: 707-995-9059

# Attachment 10: Monterey Peninsula Unified School District General Waiver Request 12-3-2021

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 2766092

Waiver Number: 12-3-2021

Active Year: 2021

Date In: 3/30/2021 1:10:15 PM

Local Education Agency: Monterey Peninsula Unified

Address: 700 Pacific St.

Monterey, CA 93940

Start: 6/14/2021

End: 7/2/2021

Waiver Renewal: Y

Previous Waiver Number: 13-1-2020

Previous SBE Approval Date: 5/7/2020

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: *CCR* Title 5 Section 3043(d)

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: 3034(d) [An extended year program shall be provided for a minimum of 20 instructional days (including holidays.]

Outcome Rationale: MPUSD has traditionally held a 4-week summer extended school year program. Historical enrollment patterns show peak student attendance is week two and three of extended school year, with many student discontinuing participation after that time. The District proposes reducing extended school year from four weeks to three weeks while simultaneously increasing the length of each daily session to maximize instructional minutes during the weeks of greatest student participation. Daily instruction will total to 80 hours. This reduction in length will also help ensure the summer program is complete before the 4th of July holiday, when recruitment of staff to adequately support and supervise students becomes more difficult. Last, shortening the number of weeks of extended school year will give MPUSD more time to prepare the campus (or campuses) used for this program for the 2020-2021 school year, addressing a concern that has been voiced in prior years

Student Population: 300

City Type: Rural

Public Hearing Date: 3/5/2021

Public Hearing Advertised: Sent via email to all parents of eligible students, by teachers to individual families of eligible children, and through calendar invitation to all families of previously eligible students.

Local Board Approval Date: 3/8/2021

Community Council Reviewed By: MPUSD Board of Education

Community Council Reviewed Date: 3/8/2021

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Ms. Heather Cheatham

Position: Director 1, Special Education

E-mail: [hcheatham@mpusd.k12.ca.us](file:///C:\Users\namaro\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\3EP6DXQD\hcheatham@mpusd.k12.ca.us)

Telephone: 831-901-7437

Fax:

Bargaining Unit Date: 01/06/2021

Name: CSEA

Representative: Erin Stabler

Title: President, CSEA

Phone: 831-645-1200

Position: Support

Comments:

Bargaining Unit Date: 01/06/2021

Name: MBTA

Representative: Lauren Mauck

Title: MBTA President

Phone: 831-375-8942

Position: Support

Comments:

# Attachment 11: Pioneer Union Elementary School District General Waiver Request 10-4-2021

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 1663990

Waiver Number: 10-4-2021

Active Year: 2021

Date In: 4/21/2021 12:21:06 PM

Local Education Agency: Pioneer Union Elementary

Address: 1888 Mustang Drive

Hanford, CA 93230

Start: 7/1/2021

End: 7/30/2022

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: 5 *CCR* 3043

Ed Code Authority: Ed Code Section 56101

*Education Code* or *CCR* to Waive: [(d) An extended year program shall be provided for a minimum of 20 instructional days, including holidays]

Outcome Rationale: The District requests a waiver to reduce the number of ESY school days from 20 to 14. This will align the program with the general education summer school program, allowing for integration of special education students with their general education peers. It also maximizes the food services and administrative services surrounding the summer programs.

Student Population: 1558

City Type: Rural

Public Hearing Date: 4/14/2021

Public Hearing Advertised: Posted in front of the district office and on the district website

Local Board Approval Date: 4/14/2021

Community Council Reviewed By: District Parent Advisory Council

Community Council Reviewed Date: 3/23/2021

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Ms. Nicole Hester

Position: Director of Student Support Services

E-mail: [hestern@puesd.net](file:///C:\Users\namaro\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\3EP6DXQD\hestern@puesd.net)

Telephone: 559-585-2400 x4112

Fax:

Bargaining Unit Date: 03/12/2021

Name: Classified School Employee Association

Representative: David Pires

Title: CSEA Representative

Phone: 559-584-8831

Position: Support

Comments:

Bargaining Unit Date: 03/04/2021

Name: Pioneer Teachers' Association

Representative: Alicyn Cawley

Title: PTA Representative

Phone: 559-584-8831

Position: Support

Comments:

# Attachment 12: San Ysidro Elementary School District General Waiver Request 7-3-2021

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 3768379

Waiver Number: 7-3-2021

Active Year: 2021

Date In: 3/16/2021 10:24:18 AM

Local Education Agency: San Ysidro Elementary

Address: 4350 Otay Mesa Rd.

San Ysidro, Ca 92173

Start: 6/15/2021

End: 7/6/2021

Waiver Renewal: N

Previous Waiver Number: 9-10-2019-W-10

Previous SBE Approval Date: 3/11/2020

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: 3043

Ed Code Authority: 3043(d)

*Education Code* or *CCR* to Waive: Outcome Rationale: During previous ESY sessions, it has been a challenge to retain our permanent employees as ESY instructors and support staff. SYSD employees have indicated that they would be amenable to working ESY if it could be conducted during the month of June 2021

Outcome Rationale: CURRENT CONSIDERATIONS: San Ysidro School District is requesting a waiver from the California Department of Education to modify the 20 day extended school year (ESY) program to 15 days for the 2020-2021 school year. SYSD has approximately 206 students who qualify for extended school year. IMPACT ON STUDENT ACHIEVEMENT: A 15 day ESY program from 06/15/2021 to 07/06/2021 for 5.75 hours/day (86.25 hours total) combined with a shortened period in the summer with no school, would allow the District to address the repression and recoupment needs of identified students. In addition, the longer days can provide greater opportunity for instructional impact. FINANCIAL IMPLICATIONS: There is no increase to the General Fund.

Student Population: 4700

City Type: Urban

Public Hearing Date: 3/11/2021

Public Hearing Advertised: Board Meeting and District Website

Local Board Approval Date: 3/11/2021

Community Council Reviewed By: SYSD Board Members

Community Council Reviewed Date: 3/11/2021

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Mr. Oscar Madera

Position: Director of Special Education

E-mail: [oscar.madera@sysdschools.org](file:///C:\Users\namaro\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\3EP6DXQD\oscar.madera@sysdschools.org)

Telephone: 619-428-4476 x3059

Fax: 619-428-6473

Bargaining Unit Date: 02/25/2021

Name: CSEA

Representative: Maria Rios

Title: Union President

Phone: 619-428-4424

Position: Support

Comments:

Bargaining Unit Date: 02/25/2021

Name: SYEA

Representative: Jennifer Cuestas

Title: Grievence Chair

Phone: 619-661-6753

Position: Support

Comments:

# Attachment 13: South Bay Union School District General Waiver Request 4-4-2021

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 3768395

Waiver Number: 4-4-2021

Active Year: 2021

Date In: 4/7/2021 7:34:33 AM

Local Education Agency: South Bay Union

Address: 601 Elm Ave.

Imperial Beach, CA 91932

Start: 6/18/2021

End: 7/9/2021

Waiver Renewal: N

Previous Waiver Number: 1-12-2019

Previous SBE Approval Date: 3/12/2020

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: *CCR*, Title 5, Section 3043(d)

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: *California Code of Regulations*, Title 5, Section 3043(d) requires a minimum of 20 school days for an extended school year (summer School) for students with disabilities.

Outcome Rationale: The South Bay union School District proposes to provide Extended School Year services using a 15 day schedule of 5.75 hours per day totaling 86 hours of instruction. The proposed schedule will provide more instructional time than a typical 20 day schedule (80 hours). A 15 day ESY program (June 21, 2021 – July 9, 2021, for 5.75 hours/day) combined with a shortened period in the summer with no school, would still allow the District to address the regression and recoupment needs of identified students. In addition, the longer days can provide greater opportunity for instructional impact. This waiver request is a renewal of waiver number 1-12-2019.

Student Population: 1110

City Type: Urban

Public Hearing Date: 2/11/2021

Public Hearing Advertised: District website and district twitter account.

Local Board Approval Date: 2/11/2021

Community Council Reviewed By: IEP Chair Committee

Community Council Reviewed Date: 2/1/2021

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Mr. Bruce Cochrane

Position: Director

E-mail: [bcochrane@sbusd.org](file:///C:\Users\namaro\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\3EP6DXQD\bcochrane@sbusd.org)

Telephone: 619-882-3995

Fax:

Bargaining Unit Date: 03/26/2021

Name: Southwest Teachers Association

Representative: Brenda Robles

Title: Bargaining Unit Chair

Phone: brobles@sbusd.org

Position: Support

Comments:

# Attachment 14: Tuolumne County Superintendent of Schools General Waiver Request 5-4-2021

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 5510553

Waiver Number: 5-4-2021

Active Year: 2021

Date In: 4/7/2021 10:26:28 AM

Local Education Agency: Tuolumne County Superintendent of Schools

Address: 175 Fairview Ln.

Sonora, CA 95370

Start: 6/11/2021

End: 7/1/2021

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: *CCR*, Title 5, Section 3043(d)

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: California *Education Code* of Regulations, Title 5, Section 3043(d), which requires a minimum of 20 school days.

Outcome Rationale: Tuolumne County Superintendent of Schools proposes to provide extended school year (ESY) services utilizing a 15-day model over a three-week period at 5 hours and 30 minutes per day (15 days x 5 hours 30 minutes = 82 hours and 30 minutes). This provides a slight increase to the total instructional hours provided by our traditional 20-day model (20 days x 4 hours = 80 hours). Due to our rural setting and distance between schools we are faced with significant challenges. Through this change we anticipate improved student learning, opportunities for group/project-based learning, better attendance and parental involvement. We also hope this proposal leads to improved staffing.

Student Population: 90

City Type: Rural

Public Hearing Date: 2/1/2021

Public Hearing Advertised: Public Hearing was advertised by public posting on

Local Board Approval Date: 2/1/2021

Community Council Reviewed By: Community Advisory Committee (CAC).

Community Council Reviewed Date: 1/14/2021

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Dr. Blaine Cowick

Position: Executive Director, Special Education/SELPA

E-mail: [bcowick@tcsos.us](file:///C:\Users\namaro\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\3EP6DXQD\bcowick@tcsos.us)

Telephone: 209-536-2043

Fax:

Bargaining Unit Date: 03/10/2021

Name: TCCSEA

Representative: Cybil Layton

Title: Lead Union Representative

Phone: 209-536-2040

Position: Support

Bargaining Unit Date: 03/03/2021

Name: Tuolumne County, AFT Local 6097, AFL-CIO

Representative: Molly McGrew

Title: Lead Union Representative

Phone: 209-536-2040

Position: Support

Comments: