

CHRONOLOGY OF CLASSROOM WAIVERS FOR NONCLASSROOM CHARTER SCHOOLS 1999-2010

LEA	EC section	Title	CDE or ACCS Waiver Reviewed	CDE or ACCS Recommendation	SBE Meeting	SBE Disposition	Period of Request
Orange County Office of Education	5 CCR 11704	Request by the Orange County Office of Education to waive Title 5 CCR (5 CCR) Section 11704, related to charter school independent study pupil-to-teacher ratios, for the Orange County Charter School (requested increase from 26:1 to 33:1). This regulation required pupil to teacher ratio for independent study not exceed equivalent ratios for full-time certificated employees for all other educational programs operated by the largest unified school district in the county in which the charter school operates. Santa Ana USD, the largest school district ratio was 26:1.	CDE	CDE - Approved, with conditions: As a condition of this waiver, the LEA agrees that the pupil-to-teacher ratio for independent study in the Orange County Charter School (OCCS) shall not exceed 33 to 1. The basis for the waiver was to allow teachers to be recruited and hired.	7-Jun-00	SBE - Approved, with the following conditions: As a condition of this waiver, the LEA agrees that the pupil-to-teacher ratio for independent study in the OCCS shall not exceed 33 to 1.	1-1-2000 to 6-30-2001 (1.5 years)

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Victor Valley Union High School District	5 CCR 11704	Request by the Victor Valley Union High School District (VVUHSD) to waive EC 51745.6, 5 CCR, Section 11704, related to charter school independent study pupil-teacher ratios, for the Excelsior Education Center Charter School (requested ratio of 25:1). This regulation required pupil to teacher ratio for independent study not exceed equivalent ratios for full-time certificated employees for all other educational programs operated by the largest unified school district in the county in which the charter school operates. The charter school requested to use the ratio of the authorizing district VVUHSD 26.4:1, rather than the ratio of the largest school district in the county, San Bernardino City Unified (SBCU) of 22:1.	CDE	CDE - Approved, with conditions: As a condition of this waiver, the VVUHSD agrees that the Excelsior Education Center Charter School (EECCS) will maintain an ADA-teacher ratio for their independent study program that shall not exceed the pupil-teacher ratio of independent study programs offered by the VVUHSD (26.4:1). This waiver shall only be in effect 1/1/00 through 6/20/00. The basis for the waiver was to allow teachers to be recruited and hired.	7-Jun-00	SBE - Approved, with the following conditions: As a condition of this waiver, the VVUHSD agrees that the EECCS will maintain an ADA-teacher ratio for their independent study program that shall not exceed the pupil-teacher ratio of independent study programs offered by the VVUHSD (26.4:1). This waiver shall only be in effect 1/1/00 through 6/20/00. The basis for the waiver was to allow teachers to be recruited and hired.	1-1-2000 to 6-30-2000 (6 months)
Hickman Community Charter District	5 CCR 11704	Request by the Hickman Community Charter District to waive 51745.6, 5 CCR Section 11704, related to charter school independent study pupil-to-teacher ratios, for Hickman Charter School (ratio 32:1). This regulation required pupil to teacher ratio for independent study not exceed equivalent ratios for full-time certificated employees for all other educational programs operated by the largest unified school district in the county in which the charter school operates. Currently 24:1.	CDE	CDE - Approved with conditions: As a condition of this waiver, the HCCD agrees that the average daily attendance ADA-to-teacher ratio for independent study shall not exceed 32:1. This waiver will only be effective for the period from January 1, 2000 to June 30, 2000, per change in period of request. The basis for the waiver was to allow teachers to be recruited and hired.	6-Sep-00	Approved with conditions: As a condition of this waiver, the HCCD agrees that the average daily attendance ADA-to-teacher ratio for independent study shall not exceed 32:1. This waiver will only be effective for the period from January 1, 2000 to June 30, 2000, per change in period of request. The basis for the waiver was to allow teachers to be recruited and hired.	1-1-2000 to 6-30-2000

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Mount Shasta Union School District	51745.6, 5 CCR 11704	Request by Mount Shasta Union School District (MSUSD) for a waiver of 51745.6, and 5 CCR 11704 the requirements for charter school independent study ADA- teacher ratio, affecting apportionment, for Challenge Home Charter School .	CDE	Waiver withdrawn by LEA (Audit penalty retroactive)	N/A	Waiver withdrawn by LEA (Audit penalty retroactive)	9-99 to 6-2001
Victor Valley Union High School District	51745.6, 5 CCR 11704	Request by the Excelsior Education Center Charter to waive 5 CCR Section 11704, related to charter school independent study average daily ADA ratios (Requesting the same ratio as charter authorizing district of 25:1)	CDE	CDE - Denied , per Education Code Section 33051(a)(1) the educational needs of pupils are not adequately addressed. CDE staff believes the largest school district in the county in which the charter school operates, San Bernardino Unified School District (SBUSD), which has a ratio of 22:1 is not an unreasonable district for the charter school to compare its ADA-to-teacher ratio and that educational needs of pupils are better served with a lower ratio enabling more contact between students and teachers.	6-Jun-01	SBE - Denied , per Section 33051(a)(1) the educational needs of pupils are not adequately addressed. SBE concurs with the CDE belief that the largest school district in the county in which the charter school operates, SBUSD, which has a ratio of 22:1 is not an unreasonable district for the charter school to compare its ADA-to-teacher ratio and that educational needs of pupils are better served with a lower ratio enabling more contact between students and teachers.	7-3-2000 to 6-30-2003
Shasta Union High School District	51745.6, 5 CCR 11704	Request by the MSUSD for the Shasta Secondary Home School to waive 5 CCR Section 11704, related to charter school independent study ADA-to-teacher ratios.	CDE	CDE - Denied , per Education Code Section 33051(a)(1) the educational needs of pupils are not adequately addressed. CDE staff believes MSUSD, the largest school district in Shasta County has a ratio of 21:1. The law permits a district to calculate separately K-6 ratio and a 7-12 ratio excluding small schools funding.	6-Jun-01	SBE - Denied , per Section 33051(a)(1) the educational needs of pupils are not adequately addressed. CDE staff believes MSUSD, the largest school district in Shasta County has a ratio of 21:1. The law permits a district to calculate separately K-6 ratio and a 7-12 ratio excluding small schools funding.	7-1-2000 to 6-30-2001

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Mount Shasta Union School District	51745.6, 5 CCR 11704	Request by the MSUSD for the Challenge Home School Charter to waive 5 CCR section 11704, related to charter school independent study average daily attendance-to-teacher ratios.	CDE	CDE - Approved with conditions , the LEA and the Challenge Home School Charter (CHSC) agree: (1) that the charter school apply the ratio of the authorizing district in lieu of the largest unified district in the country; (2) that the average daily attendance ADA-to-teacher ratio for independent study shall in no case exceed 25:1 for the charter school; and (3) to comply with all other independent study provisions of statute. Section 33051(c) will apply, and the district will not have to reapply annually if the information contained on the request remains the same. The basis of the waiver is to retain employee workload at reasonable levels and assure a quality educational program for families of the community.	6-Jun-01	SBE - Approved with the following conditions , the LEA and the CHSC agree: (1) that the charter school apply the ratio of the authorizing district in lieu of the largest unified district in the country; (2) that the average daily attendance ADA-to-teacher ratio for independent study shall in no case exceed 25:1 for the charter school; and (3) to comply with all other independent study provisions of statute. Section 33051(c) will apply, and the district will not have to reapply annually if the information contained on the request remains the same. The basis of the waiver is to retain employee workload at reasonable levels and assure a quality educational program for families of the community.	7-2000 to 6-2001
Plumas Unified School District	51745.6, 5 CCR 11704	Request by the Plumas Unified School District for the Plumas School Charter to waive 5 CCR Section 11704, related to charter school independent study ADA-to-teacher ratios.	CDE	CDE - Denied , per Section 33051(a)(1) the educational needs of pupils are not adequately addressed. The charter school requested a ratio of 30:1. The basis of the waiver is class-size reduction funding and necessary small schools funding within the district not available to charter schools to retain employee workload at reasonable levels and assure a quality educational program for families of the community.	6-Jun-01	SBE - Denied , per Section 33051(a)(1) the educational needs of pupils are not adequately addressed. The charter school requested a ratio of 30:1. The basis of the waiver is class-size reduction funding and necessary small schools funding within the district not available to charter schools to retain employee workload at reasonable levels and assure a quality educational program for families of the community.	7-1-2000 to 6-30-2001

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Butte County Office of Education	51745.6, 5 CCR Sec 11704	Request by Butte County Office of Education for the Learning Community Charter to waive Section 51745.6 and 5 CCR Section 11704, related to charter school independent study average daily attendance-to-teacher ratios. (Prospective)	CDE	Waiver withdrawn by LEA	N/A	Withdrawn 6/15/04 e-mail from Guy Marcy Butte County Office of Education.	7-11-2003 to 6-30-2005
California Virtual Academy Kern Charter School	51745.6, 5 CCR Sec 11704, 11963.3(2), etc	Request by California Virtual Academy @ Kern Charter School for a waiver of EC Section 51745.6 and 5 CCR sections 11704, 11963.3(2), and part of 11963.4(b)(3) related to charter school independent study ADA-to-teacher ratios to allow a ratio that is higher than the ratio required by these sections (request: ADA-to-teacher ratio of 35 to 1).	CDE	CDE - Approved with conditions: waiver request is approved for one year (2004-05) to evaluate the virtual program and that the increase in ADA-to-teacher ratio be limited to only 10% above the ratio that would be otherwise applicable, but no greater than 30:1. The basis for the waiver was to support other student services for independent study.	16-Sep-10	SBE - Approved with conditions: waiver request is approved for one year (2004-05) to evaluate the virtual program and that the increase in ADA-to-teacher ratio be limited to only 10% above the ratio that would be otherwise applicable, but no greater than 30:1. The basis for the waiver was to support other student services for independent study.	2004 - 2005 year only
California Virtual Academy San Diego Charter School	51745.6, 5 CCR Sec 11704, 11963.3(2), etc	Request by California Virtual Academy @ San Diego Charter School for a waiver of EC Section 51745.6 and 5 CCR sections 11704, 11963.3(2), and part of 11963.4(b)(3) related to charter school independent study ADA-to-teacher ratios to allow a ratio that is higher than the ratio required by these sections (request: ADA-to-teacher ratio of 35:1).	CDE	CDE - Approved with conditions: waiver request is approved for one year (2004-05) to evaluate the virtual program and that the increase in ADA-to-teacher ratio be limited to only 10% above the ratio that would be otherwise applicable, but no greater than 30:1. The basis for the waiver was to support other student services for independent study.	16-Sep-10	SBE - Approved with conditions: waiver request is approved for one year (2004-05) to evaluate the virtual program and that the increase in ADA-to-teacher ratio be limited to only 10% above the ratio that would be otherwise applicable, but no greater than 30:1. The basis for the waiver was to support other student services for independent study.	2004 - 2005 year only

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LEA	EC section	Title	CDE or ACCS Waiver Reviewed	CDE or ACCS Recommendation	SBE Meeting	SBE Disposition	Period of Request
California Virtual Academy	47612.5(b) 51745.6, and 5 CCR sections 11704, 11963.3(b)(2)	Request by California Virtual Academy, San Mateo Charter School under the authority of EC Section 33054 to waive EC sections 47612.5(b) and 51745.6, 5 CCR, sections 11704, and 11963.3(b)(2), related to charter school independent study ADA-to-teacher ratios to allow a ratio that is higher than the ratio required by these sections (request: ADA-to-teacher ratio).	CDE	Waiver withdrawn by LEA	N/A	Waiver withdrawn from SBE consideration	7-1-2005 to 6-30-2006
California Virtual Academy	47612.5(b) 51745.6, and 5 CCR sections 11704, 11963.3(b)(2)	Request by California Virtual Academy, Kern Charter School under the authority of EC Section 33054 to waive EC sections 47612.5(b) and 51745.6, 5 CCR, sections 11704, and 11963.3(b)(2) , related to charter school independent study ADA-to-teacher ratios to allow a ratio that is higher than the ratio required by these sections.	CDE	Waiver withdrawn by LEA	N/A	Waiver withdrawn from SBE consideration	7-1-2005 to 6-30-2006
California Virtual Academy	47612.5(b) 51745.6, and 5 CCR sections 11704, 11963.3(b)(2)	Request by California Virtual Academy, Jamestown Charter School under the authority of EC Section 33054 to waive EC sections 47612.5(b) and 51745.6, 5 CCR, sections 11704, and 11963.3(b)(2) , related to charter school independent study ADA-to-teacher ratios to allow a ratio that is higher than the ratio required by these sections.	CDE	Waiver withdrawn by LEA	N/A	Waiver withdrawn from SBE consideration	7-1-2005 to 6-30-2006

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California Virtual Academy	47612.5(b) 51745.6, and 5 CCR sections 11704, 11963.3(b)(2)	Request by California Virtual Academy, Sonoma Charter School under the authority of EC Section 33054 to waive EC sections 47612.5(b) and 51745.6, 5 CCR, sections 11704, and 11963.3(b)(2) , related to charter school independent study ADA-to-teacher ratios to allow a ratio that is higher than the ratio required by these sections.	CDE	Waiver withdrawn by LEA	N/A	Waiver Withdrawn from SBE consideration	7-1-2005 to 6-30-2006
California Virtual Academy	47612.5(b) 51745.6, and 5 CCR sections 11704, 11963.3(b)(2)	Request by California Virtual Academy, San Diego Charter School under the authority of EC Section 33054 to waive EC sections 47612.5(b) and 51745.6, 5 CCR, sections 11704, and 11963.3(b)(2) , related to charter school independent study ADA -to-teacher ratios to allow a ratio that is higher than the ratio required by these sections.	CDE	Waiver withdrawn by LEA	N/A	Waiver withdrawn from SBE consideration	7-1-2005 to 6-30-2006
Spencer Valley Elementary School District	portions of 51745.6, 5 CCR, 11704, and portions of 11963.4(a)(3)	Request for California Virtual Academy @ San Diego to waive portions of California EC Section 51745.6, 5 CCR, sections 11704, and portions of 11963.4(a)(3), related to charter school independent study ADA -to-teacher ratios to allow an increase from a 25:1 ratio to a 27.5:1 ADA-to-teacher ratio.	CDE	CDE - Approved with conditions: waiver request is approved and that revenues generated by students in independent study be expended on services for those students. If California Virtual Academy @ San Diego does not meet its API Index growth for 2009-10 and 2010-11 it will not request renewal of this waiver. Since the waiver is less than 2 years, EC Section 33051 does not apply.	7-May-09	SBE - Approved with conditions: waiver request is approved and that revenues generated by students in independent study be expended on services for those students. If California Virtual Academy @ San Diego does not meet its API Index growth for 2009-10 and 2010-11 it will not request renewal of this waiver. Since the waiver is less than 2 years, EC Section 33051 does not apply.	7/1/2009 to 6-29-2011

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LEA	EC section	Title	CDE or ACCS Waiver Reviewed	CDE or ACCS Recommendation	SBE Meeting	SBE Disposition	Period of Request
West Covina Unified School District	portions of 51745.6, 5 CCR, 11704, and portions of 11963.4(a)(3)	Request for California Virtual Academy @ Los Angeles to waive portions of California Education Code Section 51745.6, and 5 CCR, sections 11704, and portions of 11963.4(a)(3), related to charter school independent study pupil-to-teacher ratios to allow an increase from a 25:1 ratio to a 27.5:1 pupil-to-teacher ratio.	CDE	CDE - Approved with conditions: waiver request is approved and that revenues generated by students in independent study be expended on services for those students. If California Virtual Academy @ San Diego does not meet its API Index growth for 2009-10 and 2010-11 it will not request renewal of this waiver. Since the waiver is less than 2 years, EC Section 33051 does not apply.	7-May-09	SBE - Approved with conditions: waiver request is approved and that revenues generated by students in independent study be expended on services for those students. If California Virtual Academy @ San Diego does not meet its API Index growth for 2009-10 and 2010-11 it will not request renewal of this waiver. Since the waiver is less than 2 years, EC Section 33051 does not apply.	7/1/2009 to 6-29-2011
Fremont Unified School District	portions of 51745.6, 5 CCR, 11704, and portions of 11963.4(a)(3)	Request to waive portions of Section 51745.6, and 5 CCR, sections 11704, and portions of 11963.4(a)(3), related to charter school independent study pupil-to-teacher ratios to allow an increase from a 25:1 to a 27.5:1 pupil-to-teacher ratio at The Circle of Independent Learning Charter School .	CDE	CDE - Approved with conditions: the Circle of Independent Learning Charter School must meet its API for 2010-11 or the waiver will not be recommended for renewal. The waiver is granted for two years less one day; EC 33051(b) does not apply (requested ADA to teacher ratio increase from 25:1 to 27.5:1). The basis for the waiver is that the charter school meets the criteria of the California State Board of Education Waiver Policy #01-03.	16-Sep-10	Open - Pending	8-1-2010 to 6-30-2013

