

California Department of Education

Executive Office

SBE-005 (REV. 11/2017)

General Waiver

# California State Board of Education May 2018 AgendaItem #W-03

## Subject

Request by **Manteca Unified School District** to waive portions of California *Education Code* Section 48663(a), relating to community day school minimum instructional minutes.

## Waiver Number

27-1-2018

## Type of Action

Action, Consent

## Summary of the Issue(s)

Request by Manteca Unified School District (MUSD) to waive portions of California *Education Code (EC)* Section 48663(a), relating to community day school (CDS) minimum instructional minutes.

## Authority for Waiver

*EC* Section 33050

**Recommendation**

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

MUSD willreduce the instructional minutes on one day each month to 228 minutes from 361 instructional minutes for purposes of implementing monthly professional learning communities (PLC) and collaboration for staff of the Manteca Day School, a CDS, with the commitment to provide 10 additional instructional minutes during all other school days, for a total of 371 instructional minutes per day, as a condition.

**Summary of Key Issues**

*EC* Section 48663(a) states that CDSs have a minimum instructional day of 360 minutes. Currently, Manteca Day School students are receiving 361 instructional minutes per day. MUSD is requesting this waiver for purposes of implementing monthly PLCs and collaboration for Manteca Day School staff. The Manteca Day School teachers and the Manteca Educators Association have asked that the district look into the waiver process to allow Manteca Day School to have one minimum day throughout the school year for teacher collaboration. Manteca Day School teachers had PLC training two years ago and have started to review data and look for ways to improve instruction. They also have had “Why Try” and Positive Behavioral Interventions and Supports (PBIS) training. However, the only time teachers are able to meet is after school. Each month the Manteca Day School principal holds a meeting to discuss PBIS, student achievement, remediation, and instructional strategies. All other MUSD school sites are able to have minimum days for these activities.

Manteca Day School’s supporting calculations demonstrate that students at Manteca Day School currently receive 361 instructional minutes per day, for a total of 1,805 instructional minutes per week. Under the conditions of this waiver, Manteca Day School students will receive additional minutes of instructional time per week. The school will reduce instructional minutes on one day per month to 228 instructional minutes for purposes of implementing PLCs and collaboration. The school commits to providing 50 additional instructional minutes per week for a total of 371 instructional minutes per day for all other school days. This will result in a total of 1,855 instructional minutes weekly. This plan will exceed the required weekly instructional time of 1,800 minutes by 55 minutes each week, which does not include a minimum day. This change compensates for the reduced instructional time resulting from the 10 monthly minimum days.

In addition, taking the monthly minimum instructional day into consideration, Manteca Day School will exceed the required minimum instructional minutes each month. The district has confirmed that the school will continue to meet all requirements for physical education instructional minutes while operating under the terms of the waiver to provide for one shortened day for professional learning communities each month and an extended day on all other days.

The MUSD board approved this waiver request for Manteca Day School. The Manteca Education Association also supports this waiver through its president Ericka Meadows. In addition, the Manteca Day Advisory Committee has no objection to this waiver.

**Demographic Information:** MUSD has a student population of 25,220 students and is located in a rural area in San Joaquin County.

**Because this is a general waiver, if the State Board of Education decides to deny the waiver, it must cite one of the seven reasons in EC 33051(a), available at** <http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051>.

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

The State Board of Education has approved previous waiver requests of the minimum instructional day in a CDS where the district agreed that, if instructional minutes were reduced, other days would be extended so that the total instructional minutes provided to students would equal or exceed the total as normally provided under statute.

## Fiscal Analysis (as appropriate)

There is no statewide fiscal impact of waiver renewal.

## Attachment(s)

* **Attachment 1:** Summary Table of Community Day School State Board of Education Waiver (1 page)
* **Attachment 2:** Manteca Unified School District General Waiver Request

27-1-2018 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

# Attachment 1: Summary Table

California *Education Code* Section 48663(a)

| WaiverNumber | District Name,Size of District, andLocal BoardApproval Date | Period of Request | If granted, this waiver will be "permanent"per *EC* Section 33501(b) | Bargaining Unit Name and Representative,Date of Action,and Position | Advisory Committee/Schoolsite Council Name,Date of Reviewand Any Objections |
| --- | --- | --- | --- | --- | --- |
| 27-1-2018 | Manteca Unified School District 25,220 Students56 Students in Manteca Day SchoolJanuary 15, 2018 | **Requested:**April 2, 2018throughApril 2, 2020**Recommended:**July 1, 2018throughJune 30, 2019 | No | Manteca Educators AssociationEricka Meadows,PresidentJanuary 23, 2018**Support** | Manteca Day Advisory CommitteeDecember 21, 2017**No Objection** |

Created by California Department of Education

March 7, 2018

# Attachment 2: Manteca Unified School DistrictGeneral Waiver Request 27-1-2018

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 3968593

Waiver Number: 27-1-2018

Active Year: 2018

Date In: 1/31/2018 3:38:08 PM

Local Education Agency: Manteca Unified School District

Address: 2271 W. Louise Ave.

Manteca, CA 95337

Start: 4/2/2018

End: 4/2/2020

Waiver Renewal: No

Waiver Topic: Community Day Schools (CDS)

Ed Code Title: Minimum School Day

Ed Code Section: California *Education Code* Section 48663

Ed Code Authority: California *Education Code* Section 33050

*Education Code* or *CCR* to Waive: California *Education Code* Section 48663.

(a) The minimum schoolday in a community day school is [360 minutes of classroom instruction] provided by a certificated employee of the district reporting the attendance of the pupils for apportionment funding.

(b) A pupil enrolled in a community day school may not generate more than one day of community day school attendance credit in a schoolday for any purpose.

(c) For the purposes of calculating the additional funding provided to a school district pursuant to Section 48664, only community day school attendance shall be reported in clock hours. Attendance of less than five clock hours in a schoolday shall be disregarded for purposes of Section 48664. Five clock hours of attendance in one schoolday shall be deemed to be one-half day of attendance, for purposes of additional funding pursuant to Section 48664. Six clock hours or more of attendance in one schoolday shall be deemed to be one day of attendance, for purposes of additional funding pursuant to Section 48664.

Outcome Rationale: All MUSD Schools have minimum days to allow for teacher collaboration, except Manteca Day School. Manteca Day School teachers and the Manteca Educations Association have asked that the district look into the wavier process. We would like Manteca Day School to have 10 minimum days thought out the school year for teacher collaboration. Manteca Day School teachers had PLC training two years ago and have started to review data and look for ways to improve instruction. They have also had “Why Try” and PBIS training. However, the only time teachers are able to meet is afterschool. Each month the principal holds a meeting to discuss PBIS, student achievement, remediation, and instructional strategies. All other school sites are able to have minimum days for these activities.

Student Population: 56

City Type: Rural

Public Hearing Date: 1/16/2018

Public Hearing Advertised: Posted on the MUSD website and posted at school sites and at the district office.

Local Board Approval Date: 1/15/2018

Community Council Reviewed By: Manteca Day Advisory Committee

Community Council Reviewed Date: 12/21/2017

Community Council Objection: No

Community Council Objection Explanation: N/a

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Clara Schmiedt

Position: Senior Director Secondary Education

E-mail: cschmiedt@musd.net

Telephone: 209-858-0731

Bargaining Unit Date: 01/23/2018

Name: Manteca Educators Association

Representative: Ericka Meadows

Title: President

Position: Support