

California Department of Education

Executive Office

SBE-005 (REV. 1/2018)

General Waiver

# California State Board of Education March 2019 Agenda Item #W-05

## Subject

Request by **Vista Unified School District** to waive portions of the California *Education Code* Section 60800(a), relating to Physical Fitness Testing, specifically the testing window of February 1 through May 31 to be moved to Physical Education classes in the fall semester.

## Waiver Number

5-7-2018

## Type of Action

Action, Consent

## Summary of the Issue(s)

Mission Vista High School in the Vista Unified School District (USD) cannot test grade nine students who take physical education (PE) in the fall semester of the school year during the required Physical Fitness Test (PFT) administration window of February 1 through May 31. This school is on a 4x4 block schedule which prevents grade nine students who take PE in the fall semester from participating in the mandated PFT administration window.

## Authority for Waiver

*EC* Section 33050

## Recommendation

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

The California Department of Education (CDE) recommends approval for the PFT administration window to open during Mission Vista High School’s fall semester for the 2018–19 academic year.

## Summary of Key Issues

The Vista Unified School District, on behalf of Mission Vista High School, requests that the annual assessment window for the PFT begin during the fall semester of 2018–19. The statutory window for administering the PFT is February 1 through May 31.

Mission Vista High School is on a 4x4 block schedule; therefore, students who take PE during the fall semester are not enrolled in PE during the PFT administration window of February 1 through May 31.

Although Mission Vista High School would like to administer the PFT to their students in the fall semester, the school will still submit PFT data to the district for submission to the state during the normal PFT data submission window and deadlines.

**Demographic Information:** Mission Vista High School has a student population of 1677 and is located in a suburban area in San Diego 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

In March 2015, the SBE approved a previous waiver for increasing the PFT window for the Folsom-Cordova Unified School District to accommodate Vista Del Lago High School’s block schedule.

## Fiscal Analysis (as appropriate)

There is no statewide fiscal impact of waiver approval.

## Attachment(s)

* **Attachment 1:** Summary Table (1 page)
* **Attachment 2:** Vista USD General Waiver Request 5-7-2018 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

# Attachment 1: Summary Table

California *Education Code (EC)* Section 60800(a)

| **Waiver**  **Number** | **District Name** | **Period of Request** | **Local Board and Public Hearing Date** | **Certificated Bargaining Unit Name and Representative,**  **Date of Action,**  **and Position** | **Advisory Committee/School Site Council Name, Date of Review, and any Objections** |
| --- | --- | --- | --- | --- | --- |
| 5-7-2018 | Vista Unified School District | 7/1/2018  through  6/30/2019 | 7/26/2018 | Tod Critchlow, President, Vista Teacher Association  6/15/2018  **Neutral** | School Site Council  5/24/2018  **No objections** |

Created by California Department of Education September 2018

# Attachment 2: Vista Unified School District General Waiver Request

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 3768452

Waiver Number: 5-7-2018

Active Year: 2018

Date In: 7/27/2018 2:01:54 PM

Local Education Agency: Vista Unified School District

Address: 1234 Arcadia Ave.

Vista, CA 92084

Start: 7/1/2018

End: 6/30/2019

Waiver Renewal: No

Waiver Topic: Physical Fitness Testing

Ed Code Title: Physical Fitness Testing

Ed Code Section: 60800(a)

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: [60800(a)]: "During the month of February, March, April, or May, the governing Board of each school district maintaining any of grades 5, 7, and 9 shall administer to each pupil in those grades the physical performance test designated by the state board. Each pupil with a physical disability and each pupil who is physically unable to take all of the physical performance test shall be given as much of the test as his or her condition will permit.

Outcome Rationale: Due to the site's 4 x 4 schedule, there are no ninth grade students enrolled in PE during the spring term (January-June) at Mission Vista High School. The District is requesting that the Physical Fitness Test (PFT) is administered during PE classes in the fall semester. (Please see attached)

Student Population: 1677

City Type: Suburban

Public Hearing Date: 7/26/2018

Public Hearing Advertised: In the local paper and in 4 different public places

Local Board Approval Date: 7/26/2018

Community Council Reviewed By: MVHS School Site Council (SSC)

Community Council Reviewed Date: 5/24/2018

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Mr. Craig Wiblemo

Position: Executive Director, Student Support Services

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Bargaining Unit Date: 06/15/2018

Name: Vista Teacher Association

Representative: Tod Critchlow

Title: President

Position: Neutral