

California Department of Education

Executive Office

SBE-006 (REV. 1/2018)

Specific Waiver

# California State Board of Education May 2019 Agenda Item #W-09

## Subject

Request by **Gold Oak Union Elementary School District** under the authority of California *Education Code* Section 65001(e) for waivers of *Education Code* sections 65000 and 65001, relating to schoolsite councils regarding changes in shared, composition, or shared and composition members.

## Waiver Number

2-2-2019

## Type of Action

Action, Consent

## Summary of the Issue(s)

Specific authority is provided in California *Education Code* (*EC*) Section 65001(e) to allow the State Board of Education to waive the Schoolsite Council (SSC) requirements contained in *EC* sections 65000 and 65001 that would hinder the successful implementation of a categorical program under *EC* Section 64001. These waivers must be renewed every two years.

## Authority for Waiver

*EC* Section 65001(e)

## Recommendation

* Approval: No
* Approval with conditions: Yes, see Attachment 1.
* Denial: No

## Summary of Key Issues

The Gold Oak Union Elementary School District is requesting a shared SSC for two schools: Gold Oak Elementary School and Pleasant Valley Middle School. Gold Oak Elementary School has 13 classroom teachers serving 316 students in kindergarten through grade five while Pleasant Valley Middle School has 7 classroom teachers serving 157 students in grades six through eight. Gold Oak Union Elementary School District is a small district and many staff take on multiple additional duties. Sharing an SSC will enable the local educational agency (LEA) to streamline the process and utilize resources effectively. The schools are located in rural El Dorado County.

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

The California Department of Education has previously presented requests from LEAs to waive some of the SSC requirements in *EC* sections 65000 and 65001 to allow one shared SSC for multiple schools or to change the number of SSC members. All of these requests have been granted with conditions. The conditions take into consideration the rationale provided by the LEAs, a majority of which are due to the size, type, location, or other capacities of the schools.

## Fiscal Analysis (as appropriate)

There is no statewide fiscal impact of waiver approval.

## Attachment(s)

* **Attachment 1:** Local Educational Agency Requesting a Schoolsite Council Waiver (1 Page)
* **Attachment 2:** Gold Oak Union Elementary School District Specific Waiver Request 2-2-2019 (2 Pages). (Original waiver request is signed and on file in the Waiver Office.)

**Attachment 1: Local Educational Agency Requesting a Schoolsite Council Waiver**

California *Education Code* Section 65001(e)

| Waiver Number | Local Educational Agency (LEA) for School(s) (County-District-School Code[s]) | LEAs Request for a Schoolsite Council (SSC) Waiver | California Department of Education Recommendation | Waiver Renewal Yes or No Period of Request/Period Recommended | Collective Bargaining Unit Position/ Current Agreement | SSC/Advisory Committee Position | Local Board Approval Date |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 2-2-2019 | Gold Oak Union Elementary School District for Gold Oak Elementary School (0961879 6005508) and Pleasant Valley Middle School (0961879 6109698) | Shared SSC | Approval with conditions: the SSC must consist of one principal/designee, three classroom teachers (selected by peers), one other school personnel (selected by peers), and five parent/community members (selected by parents). | **No**  **Requested**  03/01/2019 to 03/01/2021  **Recommended**  03/01/2019 to 02/28/2021 | California School Employees Association  Kris Knudson  President  12/07/2018  **Support**  Gold Oak Teachers Association  Sarah Buchman  President  12/04/2018  **Support** | Gold Oak Elementary School and Pleasant Valley Middle School shared SSC  01/19/2019  **No Objection** | 01/28/2019 |

Created by California Department of Education

March 2019

# Attachment 2: Gold Oak Union Elementary School District Specific Waiver Request 2-2-2019

**California Department of Education**

**WAIVER SUBMISSION – Specific**

CD Code: 0961879

Waiver Number: 2-2-2019

Active Year: 2019

Date In: 2/4/2019 10:36:07 AM

Local Education Agency: Gold Oak Union Elementary School District

Address: 3171 Pleasant Valley Rd.

Cameron Park, CA 95682

Start: 3/1/2019

End: 3/1/2021

Waiver Renewal: No

Waiver Topic: Schoolsite Council Statute

Ed Code Title: Shared Schoolsite Council

Ed Code Section: 52852

Ed Code Authority: 52863

*Education Code* or *CCR* to Waive: 52852. A schoolsite council shall be established at each school which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school. At the elementary level the council shall be constituted to ensure parity between (a) the principal, classroom teachers, and other school personnel; and (b) parents or other community members selected by parents. At the secondary level the council shall be constituted to ensure parity between (a) the principal, classroom teachers and other school personnel; and (b) equal numbers of parents, or other community members selected by parents, and pupils. At both, the elementary and secondary levels, classroom teacher shall comprise the majority of persons represented under category(a). Existing schoolwide advisory groups or school support groups may be utilized as the school site council if those groups conform to this section. The Superintendent of Public Instruction shall provide several examples of selection and replacement procedures that may be considered by school site councils. An employee of a school, who is also a parent or guardian of a pupil who attends a school other than the school of the parent's or guardian's employment, is not disqualified by virtue of this employment from serving as a parent representative on the school site council established for the school that his or her child or ward attends.

Outcome Rationale: We are requesting this waiver in the hopes of improving the efficiency and effectiveness of our SSC's efforts to improve student achievement. We believe that with the establishment of a shared council we will be able to streamline site operations, reducing duplicated efforts and allow consolidated planning. We are a small district where staff have to take on many additional tasks making it difficult to be effective and community representation can be difficult to find. Sharing a SSC enables us to streamline this process and utilize our resources more effectively. With one shared joint council we commit to electing parent-community and staff members from both of our schools and will maintain the parity requirements of *EC* 56852.

Student Population: 476

City Type: Rural

Local Board Approval Date: 1/28/2019

Council Reviewed By: School Site Council

Council Reviewed Date: 1/19/2019

Council Objection: No

Council Objection Explanation: *(None)*

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Shirleen Hernandez

Position: Principal

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Telephone: 530-626-3150

Bargaining Unit Date: 12/07/2018

Name: California Schools Employees Association

Representative: Kris Knudson

Title: CSEA president

Position: Support

Bargaining Unit Date: 12/04/2018

Name: Gold Oak Teachers Association

Representative: Sarah Bachman

Title: GOTA President

Position: Support