

California Department of Education

Executive Office

SBE-005 (REV. 1/2018)

General Waiver

# California State Board of Education May 2019 Agenda Item #W-11

## Subject

Request by 12 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

* Chico Unified School District 1-1-2019
* Covina-Valley Unified School District 13-1-2019
* Fallbrook Union Elementary School District 4-2-2019
* Fremont Union High School District 15-1-2019
* Hesperia Unified School District 6-2-2019
* Millbrae Elementary School District 18-1-2019
* Monterey County Office of Education 24-2-2019
* Paradise Unified School District 26-2-2019
* San Diego County Office of Education 3-1-2019
* San Ysidro Elementary School District 31-2-2019
* South Whittier Elementary School District 19-2-2019
* Travis Unified School District 15-2-2019

## Type of Action

Action, Consent

## Summary of the Issue(s)

Twelve local educational agencies (LEAs) request to provide instruction in fewer than the 20 school days required by law for extended school year (ESY). Each LEA proposes an alternate schedule that will allow them to provide the minimum number of hours required, 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 request from twelve LEAs to provide ESY services for fewer than 20 days with the condition instructional 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

### Chico Unified School District 1-1-2019

The Chico Unified School District (CUSD) proposes to provide ESY services utilizing a 15-day schedule of 5 hours and 30 minutes per day totaling 82 hours and 30 minutes of instruction. The proposed schedule will provide more instructional time than a 20-day ESY schedule. The CUSD states the proposed schedule will assist them to secure highly qualified special education teachers currently employed by the district, and that parents, students, and staff support a schedule with fewer ESY days.

Demographic Information: The CUSD has a student population of 12,300 and is located in a rural area in Butte County.

### Covina-Valley Unified School District 13-1-2019

The Covina-Valley Unified School District (CVUSD) proposes to provide ESY services to kindergarten through eighth grade students utilizing a 15-day schedule of 5 hours and 30 minutes per day totaling 82 hours and 30 minutes of instruction. The proposed schedule will provide more instructional time than a 20-day ESY. The CVUSD states the shortened ESY schedule will allow 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 11,977 and is located in a suburban area in Los Angeles County.

### Fallbrook Union Elementary School District 4-2-2019

The Fallbrook Union Elementary School District (FUESD) proposes to provide ESY services utilizing a 16-day schedule of 5 hours per day totaling 80 minutes of instruction. The proposed schedule will provide the same amount of instructional time as a 20-day ESY schedule. The FUESD states they will use a 4-day per week schedule like they did with an approved waiver last school year which helped to increase teacher participation and student attendance. In addition, a survey was conducted at the conclusion of last year’s program that determined a 4-day per week ESY schedule is preferred by administration, staff, and parents.

Demographic Information: The FUESD has a student population of 5,308 and is located in a rural area in San Diego County.

### Fremont Union High School District 15-1-2019

The Fremont Union High School District (FUHSD) proposes to provide ESY services utilizing a 15-day schedule of 5 hours and 30 minutes per day totaling 80 hours and 30 minutes of instruction. The proposed schedule will provide more instructional time than a 20-day ESY schedule. The FUHSD states that the proposed schedule will provide continuity for delivery of instruction and promotion of community based instruction. It will also provide more time for teacher professional development and custodial staff to improve school facilities before the next school year.

Demographic Information: The FUHSD has a student population of 11,140 and is located in an urban area in Santa Clara County.

### Hesperia Unified School District 6-2-2019

The Hesperia Unified School District (HUSD) proposes to provide ESY services utilizing a 16-day schedule of 5 hours per day, totaling 80 hours of instruction. The proposed schedule will provide the same amount of instructional time as a 20-day ESY schedule. The HUSD offices are closed on Fridays during the months of June and July therefore all summer school and ESY programs are held Monday through Thursday. If the HUSD were to hold a 20-day ESY program it would extend after the Fourth of July holiday which has caused drops in student attendance and increased staff absences in the past. In the 2017-18 school year, the HUSD received an approved waiver to hold their ESY program for 16 days, and staff and families seemed to like the 16-day schedule. There were fewer staff absences which provided students with a rich and consistent ESY program.

Demographic Information: The HUSD has a student population of 21,688 and is located in a rural area in San Bernardino County.

### Millbrae Elementary School District 18-1-2019

The Millbrae Elementary School District (MESD) proposes to provide ESY services utilizing a 19-day schedule of 4 hours and 15 minutes per day, totaling 80 hours and 45 minutes of instruction. The proposed ESY schedule will provide more hours of instruction than a 20-day ESY schedule. The MESD states a schedule change will improve program attendance by eliminating the last day of instruction which will occur on a Monday in the last week of the program. In addition, the MESD states the shorter schedule will help them to recruit teachers and para-educators and provide a fiscal savings of 16 percent.

Demographic Information: The MESD has a student population of 2,381 and is located in a suburban area in San Mateo County.

### Monterey County Office of Education 24-2-2019

The Monterey County Office of Education (MCOE) proposes to provide ESY services utilizing a 15-day schedule of 5 hours and 20 minutes per day, totaling 80 hours of instruction. The proposed schedule will provide the same amount of instructional time as a 20-day ESY schedule. The MCOE states it was a challenge to secure qualified ESY instructors and support staff for a typical 20-day program. They had an approved ESY waiver for the 2018 program which led to a higher retention rate of qualified staff. Permanent staff appreciated the opportunity to work during ESY and still have time off for a summer break. In addition, MCOE stakeholders have responded favorably to this ESY proposal.

Demographic Information: The MCOE has a student population of 1,826 and is located in an urban area in Monterey County.

### Paradise Unified School District 26-2-2019

The Paradise Unified School District (PUSD) proposes to provide ESY services utilizing a 15-day schedule of 5 hours and 30 minutes per day, totaling 82 hours and 30 minutes of instruction. The proposed ESY schedule will provide more hours of instruction than a 20-day ESY schedule. The PUSD states that this schedule will allow for all expenses to be accounted for in one fiscal year rather than two. It is also supported by the Butte County Office of Education, giving students access to county services.

Demographic Information: The PUSD has a student population of 4,211 and is located in a rural area in Butte County.

### San Diego County Office of Education 3-1-2019

The San Diego County Office of Education (SDCOE) proposes to provide ESY services for the Davila Day School (DDS) utilizing a 13-day schedule of 6 hours and 45 minutes per day, totaling 87 hours and 45 minutes of instruction. The proposed ESY schedule will provide more hours of instruction than a 20-day ESY schedule. The DDS operates a year-round schedule with a six-week summer break. The SDCOE states it is difficult for students and staff to attend a traditional 20-day ESY program because of the shortened summer break. Without the waiver, they will experience problems with staffing and attendance of students. The DDS states they will be able to address the regression and recoupment needs of identified students with a 13-day program.

Demographic Information: The SDCOE has a student population of 3,372 and the DDS has a student population of 42. Both are located in a suburban area in San Diego County.

### San Ysidro Elementary School District 31-2-2019

The San Ysidro Elementary School District (SYESD) proposes to provide ESY services utilizing a 15-day schedule of 5 hours and 45 minutes per day, totaling 86 hours and 15 minutes of instruction. The proposed ESY schedule will provide more hours of instruction than a 20-day ESY schedule. The SYESD states the proposed schedule will provide greater opportunity for instructional impact while allowing them to address the regression and recoupment needs of identified students.

Demographic Information: The SYESD has a student population of 4,487and is located in an urban area in San Diego County.

### South Whittier Elementary School District 19-2-2019

The South Whittier Elementary School District (SWESD) requests an ESY waiver for two school years. The SWESD proposes to provide ESY services for the 2018–19 school year utilizing a 15-day schedule of 5 hours and 5 minutes per day, totaling 82 hours and 30 minutes of instruction, providing more hours of instruction than a 20-day ESY schedule. They propose a 16 day schedule of 4 hours and 45 minutes per day for the 2019–20 school year, totaling 76 hours of instruction. The proposed 2019–20 schedule includes the Fourth of July holiday, and will provide the same amount of instructional hours as a 20-day ESY schedule which includes the holiday. The SWESD states the reduction of ESY days in the proposed schedule will help them to secure highly qualified teachers and staff that work with identified students during the regular school year.

Demographic Information: The SWESD has a student population of 2,700 and is located in a small city in Los Angeles County.

### Travis Unified School District 15-2-2019

The Travis Unified School District (TUSD) proposes to provide ESY services utilizing a 14-day schedule of 6 hours per day, totaling 84 hours of instruction. The proposed ESY schedule will provide more hours of instruction than a 20-day ESY schedule. The TUSD states that historically student attendance has been very low in July because families often take students out of the ESY program for family vacations. The proposed schedule will eliminate the week of the Fourth of July holiday which will help improve student attendance. This schedule also supports teacher planning, and the longer school day will allow students to participate in their services without pulling them from core instruction.

Demographic Information: The TUSD has a student population of 5,495 and is located in an urban area in Solano County.

**Because these are general waivers, if the SBE decides to deny the waivers, it must cite one of the seven reasons in *EC* 33051(a), available on the California Legislation Information web page at** <https://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.

## 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 (11 pages)
* **Attachment 2:** Chico Unified School District General Waiver Request

1-1-2019 (3 pages). (Original waiver request is signed and on file in the Waiver Office.)

* **Attachment 3:** Covina-Valley Unified School District General Waiver Request

13-1-2019 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

* **Attachment 4:**  Fallbrook Union Elementary School District General Waiver Request 4-2-2019 (3 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 5:** Fremont Union High School District General Waiver Request

15-1-2019 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

* **Attachment 6:** Hesperia Unified School District General Waiver Request

6-2-2019 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

* **Attachment 7:** Millbrae Elementary School District General Waiver Request

18-1-2019 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

* **Attachment 8:** Monterey County Office of Education General Waiver Request 24-2-2019 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 9:** Paradise Unified School District General Waiver Request

26-2-2019 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

* **Attachment 10:** San Diego County Office of Education General Waiver Request 3-1-2019 (3 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 11:** San Ysidro Elementary School District General Waiver Request 31-2-2019 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 12:** South Whittier Elementary School District General Waiver Request 19-2-2019 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 13:** Travis Unified School District General Waiver Request

12-2-2019 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

# Attachment 1: Summary Table

*California Code of Regulations* (*CCR*), Title 5*,* Section 3043(d)

| 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 |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 1-1-2019 | Chico Unified School District | **Requested:**  June 10, 2019, to June 28, 2019  **Recommended:**  June 10, 2019, to June 28, 2019 | 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 | California School Employee Association, Aaron Smith, President 12/5/2018 Support  Chico Unified Teachers Association, Kevin Moretti, President 12/5/2018 Support | 12/5/2018 | The LEA may not provide a 15-day ESY program |
| 13-1-2019 | Covina-Valley Unified School District | **Requested:**  June 10, 2019, to June 28, 2019  **Recommended:**  June 10, 2019, to June 28, 2019 | 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 1/12/2019 Support | 11/5/2018 | The LEA may not provide a 15-day ESY program |
| 4-2-2019 | Fallbrook Union Elementary School District | **Requested:**  June 10, 2019, to July 4, 2019  **Recommended:**  June 10, 2019, to July 4, 2019 | 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  1/30/2019  Support | 2/4/2019 | The LEA may not provide a 16-day ESY program |
| 15-1-2019 | Fremont Union High School District | **Requested:**  June 13, 2019, to July 3, 2019  **Recommended:**  June 13, 2019, to July 3, 2019 | 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 | Fremont Education Association,  Jason Heskett,  President  1/14/2019  Support | 1/15/2019  Note: The public hearing information was not provided on the waiver submission and was obtained during the waiver review. | The LEA may not provide a 15-day ESY program |
| 6-2-2019 | Hesperia Unified School District | **Requested:**  June 3, 2019, to June 27, 2019  **Recommended:**  June 3, 2019, to June 27, 2019 | 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 | California School Employees Association, Arlene Yanes,  Chapter President  2/5/2019  Support  Hesperia Teachers Association, Thomas Kerman,  President  2/5/2019  Support | 2/5/2019 | The LEA may not provide a 16-day ESY program |
| 18-1-2019 | Milbrae Elementary School District | **Requested:**  July 1, 2019, to July 26, 2019  **Recommended:**  July 1, 2019, to July 26, 2019 | 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 | California School Employees Association (CSEA), Linda Kroll,  President  12/20/2018  Support  Millbrae Teacher’s Association, Matt Garrett,  President  12/20/2018  Support  Note: Additional bargaining unit information received for the CSEA was not included on the original request. | 1/10/2019  Note: The public hearing information was not provided on the waiver submission and was obtained during the waiver review. | The LEA may not provide a 19-day ESY program |
| 24-2-2019 | Monterey County Office of Education | **Requested:**  June 3, 2019, to July 4, 2019  **Recommended:**  June 3, 2019, to July 4, 2019 | 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,  Juanita Martinez,  President  2/1/2019  Support  Monterey County Office of Education Teachers Association,  Melanie Crall,  President  2/1/2019  Support | 2/13/2019 | The LEA may not provide a 15-day ESY program |
| 26-2-2019 | Paradise Unified School District | **Requested:**  February 6, 2019, to June 28, 2019  **Recommended:**  June 10, 2019, to June 28, 2019  Note: The recommended Period of Request dates are the dates of the proposed ESY program. | 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 | Paradise Classified Employee Association, Kristin Mundy,  President  10/29/2018  Support  Paradise Teachers Association, David Smith,  President  10/29/2018  Support | 2/19/2019 | The LEA may not provide a 15-day ESY program |
| 3-1-2019 | San Diego County Office of Education | **Requested:**  June 10, 2019, to June 26, 2019  **Recommended:**  June 10, 2019, to June 26, 2019 | To provide a 13-day ESY program instead of a 20-day ESY program | Approval with conditions to allow the LEA to provide a  13-day ESY program instead of a 20-day ESY program | California School Employees Association,  Keith Hildreth,  President  12/12/2018  Support  San Diego County Association of Educators, Tammy Reina,  President  12/12/2018  Support | 12/12/2018  Note: The public hearing information was not provided on the waiver submission and was obtained during the waiver review. | The LEA may not provide a 13-day ESY program |
| 31-2-2019 | San Ysidro Elementary School District | **Requested:**  June 24, 2019, to July 12, 2019  **Recommended:**  June 24, 2019, to July 12, 2019 | 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,  Secretary  12/14/2018  Support  San Ysidro County Education Association, Jennifer Cuestas,  President  12/14/2018  Support | 2/21/2019 | The LEA may not provide a 15-day ESY program |
| 19-2-2019 | South Whittier Elementary School District (SWESD) | **Requested:**  2018–19  June 10, 2019, to July 3, 2019  2019–20  June 15, 2020, to July 9, 2020  **Recommended:**  2018–19  June 10, 2019, to July 3, 2019  2019–20  June 15, 2020, to July 9, 2020  Note: The SWESD amended the original period of request dates upon further consultation. | 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 | South Whittier Teachers Association, Audrey Radley,  President  2/19/2019  Support | 2/19/2019  Note: The public hearing information was not provided on the waiver submission and was obtained during the waiver review. | The LEA may not provide a 16-day ESY program |
| 15-2-2019 | Travis Unified School District | **Requested:**  June 11, 2019, to June 28, 2019  **Recommended:**  June 11, 2019, to June 28, 2019 | To provide a 14-day ESY program instead of a 20-day ESY program | Approval with conditions to allow the LEA to provide a  14-day ESY program instead of a 20-day ESY program | Travis Unified Teachers Association,  Mark Nowag,  President  2/4/2019  Support | 2/12/2019 | The LEA may not provide a 14-day ESY program |

Created by the California Department of Education

March 2019

# Attachment 2: Waiver 1-1-2019 Chico Unified School District

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 0461424

Waiver Number: 1-1-2019

Active Year: 2019

Date In: 1/3/2019 9:55:29 AM

Local Education Agency: Chico Unified

Address: 1163 East Seventh St.

Chico, CA 95928

Start: 6/10/2019

End: 6/28/2019

Waiver Renewal: Yes

Previous Waiver Number: 15-3-2018-W-18

Previous SBE Approval Date: 7/11/2018

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: 5 *CCR* 3043

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: 3043 Extended school year 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 of the pupil’s educational programming may cause regression, when coupled with limited recoupment capacity, rendering it impossible or unlikely that the pupil will attain the level of 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 an 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: Chico Unified School District proposed to provide ESY services to identified students with disabilities utilizing a 15-day schedule of 5.5 hours of instruction per day, equaling 82.5 hours of ESY instruction. Parents, students, and staff supported the longer more intense instructional minutes. Fewer ESY days will result in substantial savings in transportation, utilities, janitorial, food services, administration, and clerical costs to the district. It will also assist Chico Unified School District to hire highly qualified special education teachers currently employed by the district.

Student Population: 12300

City Type: Rural

Public Hearing Date: 12/5/2018

Public Hearing Advertised: Posted online and at the Office of Education

Local Board Approval Date: 12/5/2018

Community Council Reviewed By: CAC (Community Action Committee) of Butte County Office of Education

Community Council Reviewed Date: 12/19/2018

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Diane Olsen

Position: Director

E-mail: [lfilleru@chicousd.org](file:///\\CDE.Cal\DATA\SEDATA\CENTRAL\Division-wide\WAIVERS\Waiver%20Items\2019\May%20SBE%20Meeting\lfilleru@chicousd.org)

Telephone: 530-891-3000 x20138

Fax: 530-891-3011

Bargaining Unit Date: 12/05/2018

Name: CSEA - California School Employee Association

Representative: Aaron Smith

Title: President

Position: Support

Bargaining Unit Date: 12/05/2018

Name: CUTA - Chico Unified Teachers Association

Representative: Kevin Moretti

Title: President

Position: Support

# Attachment 3: Waiver 13-1-2019 Covina-Valley Unified School District

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 1964436

Waiver Number: 13-1-2019

Active Year: 2019

Date In: 1/22/2019 10:30:03 AM

Local Education Agency: Covina-Valley Unified School District

Address: 519 East Badillo St.

Covina, CA 91723

Start: 6/10/2019

End: 6/28/2019

Waiver Renewal: Yes

Previous Waiver Number: 39-3-2018-W-18

Previous SBE Approval Date: 7/11/2018

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: (d) an extended year program shall be provided for a minimum of [20] 15 instructional days, including holidays. (CHANGE 20 TO 15)

Outcome Rationale: This is a renewal waiver request to shorten ESY instructional days for K-8th grades from a 20 day 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 82.5. This shortened ESY period will also allow special education students to be able to participate in other Summer Enrichment classes with their peers. In addition, the 15 ESY will cut expenditures for the district on transportation, custodial, electricity, and overall staff costs. 9th-12th grade ESY will continue to be held on the same schedule as the high school summer school sessions.

Student Population: 11977

City Type: Suburban

Public Hearing Date: 11/5/2018

Public Hearing Advertised: School sites, district office, district website.

Local Board Approval Date: 11/5/2018

Community Council Reviewed By: District Advisory Board

Community Council Reviewed Date: 11/5/2018

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Lisabeth Pina

Position: Director, Special Education

E-mail: [lpina@c-vusd.org](file:///\\CDE.Cal\DATA\SEDATA\CENTRAL\Division-wide\WAIVERS\Waiver%20Items\2019\May%20SBE%20Meeting\lpina@c-vusd.org)

Telephone: 626-974-7000 x800084

Fax: 626-974-7060

Bargaining Unit Date: 01/12/2019

Name: Covina Unified Education Association

Representative: Adam Hampton

Title: CUEA President

Position: Support

# Attachment 4: Waiver 4-2-2019 Fallbrook Union Elementary School District

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 3768114

Waiver Number: 4-2-2019

Active Year: 2019

Date In: 2/6/2019 12:13:23 PM

Local Education Agency: Fallbrook Union Elementary School District

Address: 321 North Iowa St.

Fallbrook, CA 92028

Start: 6/10/2019

End: 7/4/2019

Waiver Renewal: Yes

Previous Waiver Number: 11-7-2017-W-12

Previous SBE Approval Date: 11/8/2017

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: Extended school year 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 of the pupil's educational programming may cause regression, when coupled with limited recoupment capacity, rendering it impossible or unlikely that the pupil will attain the level of 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 need 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 challenging 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 last year. 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 was a fiscal savings of 20% of the cost of transportation. A survey was conducted at the conclusion of ESY last year and the 4-day per week schedule was preferred by administration, staff, and parents.

Student Population: 5308

City Type: Rural

Public Hearing Date: 2/4/2019

Public Hearing Advertised: Board Meeting agenda posted on district website

Local Board Approval Date: 2/4/2019

Community Council Reviewed By: FUESD Executive Cabinet members and Educational Services Department

Community Council Reviewed Date: 2/4/2019

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Mr. Leonardo Rodriguez

Position: Executive Director Pupil Personnel Services

E-mail: [lmrodriguez@fuesd.org](file:///\\CDE.Cal\DATA\SEDATA\CENTRAL\Division-wide\WAIVERS\Waiver%20Items\2019\May%20SBE%20Meeting\lmrodriguez@fuesd.org)

Telephone: 760-731-5419

Fax: 760-723-2186

Bargaining Unit Date: 01/30/2019

Name: Fallbrook Elementary Teachers Association

Representative: Jennifer Mariucci

Title: FETA President

Position: Support

# Attachment 5: Waiver 15-1-2019 Fremont Union High School District

**California Department of Education**

**WAIVER SUBMISSION – Specific**

CD Code: 4369468

Waiver Number: 15-1-2019

Active Year: 2019

Date In: 1/23/2019 12:35:30 PM

Local Education Agency: Fremont Union High School District

Address: 589 West Fremont Ave.

Sunnyvale, CA 94087

Start: 6/13/2019

End: 7/3/2019

Waiver Renewal: Yes

Previous Waiver Number: 13-12-2017-W-13

Previous SBE Approval Date: 3/15/2018

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: 3043

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

Outcome Rationale:

\* provide more continuity for delivery of instruction and promotion of community based instruction and increase the opportunities for travel training. Additionally this would allow students and families the flexibility to plan extended vacation breaks without interrupting the students’ educational program.

\* facilitate cost effective services within classrooms and reduce related costs for transportation, electricity, custodial services, food services, administration, etc.

\* expand uninterrupted opportunities for school custodial staff to improve facilities before school re-opens in the Fall.

Student Population: 150

City Type: Urban

Local Board Approval Date: 1/15/2019

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Nancy Sullivan

Position: Director of Educational and Special Services

E-mail: [nancysullivan@fuhsd.org](file:///\\CDE.Cal\DATA\SEDATA\CENTRAL\Division-wide\WAIVERS\Waiver%20Items\2019\May%20SBE%20Meeting\nancysullivan@fuhsd.org)

Telephone: 408-522-2232

Fax: 408-522-2232

Bargaining Unit Date: 01/14/2019

Name: Fremont Education Association

Representative: Jason Heskett

Title: President

Position: Support

# Attachment 6: Waiver 6-2-2019 Hesperia Unified School District

**California Department of Education**

**WAIVER SUBMISSION – General**

CD Code: 3675044

Waiver Number: 6-2-2019

Active Year: 2019

Date In: 2/7/2019 11:09:28 AM

Local Education Agency: Hesperia Unified School District

Address: 15576 Main St.

Hesperia, CA 92345

Start: 6/3/2019

End: 6/27/2019

Waiver Renewal: Yes

Previous Waiver Number: 7-2-2018-W-10

Previous SBE Approval Date: 5/9/2018

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: *CCR* 3043 (d)

Ed Code Authority: 33050

Ed Code or *CCR* to Waive: *CCR* 3043 (d), An extended year program shall be provided for a minimum of 20 instructional days, including holidays

Outcome Rationale: During the months of June and July, the Hesperia Unified School District offices are closed on Fridays. Therefore, all summer school and extended school year (ESY) programs are held Monday through Thursday. This year, if the district were to hold a 20-day ESY program, the first 16-days of the program would be held in June and the last 4-days would be split up between the first two-weeks of July due to the Independence Day holiday. When the district has held a 20-day ESY program in the past that extended across the 4th of July holiday, attendance declined around the 4th of July due to family vacations and more staff absences were reported.

Last year, Hesperia USD applied for and received approval from the HUSD and State School Boards to hold ESY for 16-days. Instruction took place 5-hours per day for 16-days rather than the traditional 4-hour per day program for 20-days so that 80 hours of ESY could still be provided in 16-days. Both staff and families seemed to like the 16-day program. The district also had less substitute staff in the program, providing for a richer and more consistent extended year for students.

Student Population: 21688

City Type: Rural

Public Hearing Date: 2/5/2019

Public Hearing Advertised: School District Office 2/1/2019

Local Board Approval Date: 2/5/2019

Community Council Reviewed By: Community Advisory Council

Community Council Reviewed Date: 12/13/2018

Community Council Objection: None

Community Council Objection Explanation: N/A

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Mr. Matthew Fedders

Position: Director of Special Services

E-mail: [Matthew.Fedders@hesperiausd.org](file:///\\CDE.Cal\DATA\SEDATA\CENTRAL\Division-wide\WAIVERS\Waiver%20Items\2019\May%20SBE%20Meeting\Matthew.Fedders@hesperiausd.org)

Telephone: 760-244-4411 x7209

Fax: 760-947-4578

Bargaining Unit Date: 02/05/2019

Name: California School Employees Association

Representative: Arlene Yanes

Title: CSEA Chapter President

Position: Support

Bargaining Unit Date: 02/05/2019

Name: Hesperia Teachers Association

Representative: Thomas Kerman

Title: HTA President

# Attachment 7: Waiver 18-1-2019 Millbrae Elementary School District

**California Department of Education**

**WAIVER SUBMISSION – Specific**

CD Code: 4168973

Waiver Number: 18-1-2019

Active Year: 2019

Date In: 1/30/2019 2:31:39 PM

Local Education Agency: Millbrae Elementary School District

Address: 555 Richmond Dr.

Millbrae, CA 94030

Start: 7/1/2019

End: 7/26/2019

Waiver Renewal: Yes

Previous Waiver Number: 10-3-2018-W-18

Previous SBE Approval Date: 7/11/2018

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: 3043 (d)

Ed Code Authority: 33050

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

Outcome Rationale: Our district has difficulties with student and staff attendance on day 20 of the ESY program due to it falling on a Monday in order to observe the Fourth of July holiday.

The benefit of the proposed schedule change is to improve attendance by eliminating the single day on the fifth week. Increasing the instructional day to 4 hours and fifteen minutes provides more concentrated instructional time and fewer transitions. The instructional hours students receive would actually increase as they would receive 4.25 hours of instruction per day for 19 days (80.75 hours) vs. 4 hours of instruction per day for 20 days (80 hours). In additional the MESD has had difficulties recruiting ESY teachers and para-educators and a shorter ESY schedule will increase interest in participating in the program. Additionally there will be a fiscal savings of 16% on the combined cost of transportation and staff salaries.

Student Population: 2381

City Type: Suburban

Local Board Approval Date: 1/10/2019

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Anita Allardice

Position: Director of Special Education

E-mail: [aallardice@millbraesd.org](file:///\\CDE.Cal\DATA\SEDATA\CENTRAL\Division-wide\WAIVERS\Waiver%20Items\2019\May%20SBE%20Meeting\aallardice@millbraesd.org)

Telephone: 650-697-5693 x025

Fax: 650-697-6865

Bargaining Unit Date: 12/20/2018

Name: Millbrae Teacher's Association

Representative: Matt Garrett

Title: MEA President

Position: Support

# Attachment 8: Waiver 24-2-2019 Monterey County Office of Education

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 2710272

Waiver Number: 24-2-2019

Active Year: 2019

Date In: 2/21/2019 5:51:11 PM

Local Education Agency: Monterey County Office of Education

Address: 901 Blanco Cir.

Salinas, CA 93912

Start: 6/3/2019

End: 7/4/2019

Waiver Renewal: Yes

Previous Waiver Number: 24-1-2018-W-10

Previous SBE Approval Date: 5/9/2018

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: 3043

Ed Code Authority: 33050

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

Outcome Rationale: During previous ESY sessions, it was a challenge to secure qualified personnel as ESY instructors and support staff. During the 2018 ESY session, we were awarded a waiver to conduct the required number of instructional hours (80) during a shortened calendar, which led to a higher retention rate of qualified personnel. Permanent staff appreciated the opportunity to work the ESY schedule, but still have time off for a summer recess with their families. Noting this success in providing our students with qualified personnel, we are requesting the opportunity to again pilot a shortened calendar: 80 hours of instruction to be conducted in 15 days. Our stakeholders have responded favorably to this proposal.

Student Population: 360

City Type: Urban

Public Hearing Date: 2/13/2019

Public Hearing Advertised: MCOE website

Local Board Approval Date: 2/13/2019

Community Council Reviewed By: MCOE Cabinet.

Community Council Reviewed Date: 1/14/2019

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Terri Dye

Position: Assistant Superintendent Special Education

E-mail: [tdye@montereycoe.org](file:///\\CDE.Cal\DATA\SEDATA\CENTRAL\Division-wide\WAIVERS\Waiver%20Items\2019\May%20SBE%20Meeting\tdye@montereycoe.org)

Telephone: 831-755-6431

Bargaining Unit Date: 02/01/2019

Name: California School Employees Association

Representative: Juanita Martinez

Title: President

Position: Support

Bargaining Unit Date: 02/01/2019

Name: Monterey County Office of Education Teachers Assoc

Representative: Melanie Crall

Title: President

Position: Support

# Attachment 9: Waiver 26-2-2019 Paradise Unified School District

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 0461531

Waiver Number: 26-2-2019

Active Year: 2019

Date In: 2/25/2019 11:10:19 AM

Local Education Agency: Paradise Unified School District

Address: 6696 Clark Rd

Paradise, CA 95969

Start: 2/6/2019

End: 6/28/2019

Waiver Renewal: Yes

Previous Waiver Number: 3-1-18

Previous SBE Approval Date: 3/1/2018

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: *CCR*, Title 5 Section 3051.16(b)(3)

Ed Code Authority: 33050-33053

*Education Code* or *CCR* to Waive: Ed Code or *CCR* to Waive: --May not be used to deny any individual an extended school year program if the individualized education program team determines the need for such a program and includes an extended year program as part of the individualized education program pursuant to subsection (f). An extended school year program shall be provided for a minimum of 20 instructional days, including holidays (d).

Outcome Rationale: Paradise Unified School District (PUSD) proposes to provide Extended School Year (ESY) services to identified special education students utilizing a fifteen (15) day, five and one half (5.5) hours of instructional model rather than the traditional model of twenty (20) day with four (4) hours of instruction. Students would receive the same or greater number of instructional minutes.

Fewer Extended School Year instructional days will result in savings in transportation, utilities, janitorial, food services, administration and clerical costs. The proposed model of providing 15 days of service will allow for all the expenses to be accounted for in one

fiscal year, rather than two. The application for this waiver has been supported by Butte County. Students will receive access to the County services during this time.

Student Population: 456

City Type: Rural

Public Hearing Date: 2/19/2019

Public Hearing Advertised: On February 6, 2019 a notice of the public hearing was posted and advertised at all PUSD Schools, Paradise Town Hall, and www.pusdk12.org.

Local Board Approval Date: 2/19/2019

Community Council Reviewed By: Paradise Unified School District Board Members

Community Council Reviewed Date: 2/19/2019

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Carrie Dawes

Position: Administrator - Student Services

E-mail: [cdawes@pusdk12.org](file:///\\CDE.Cal\DATA\SEDATA\CENTRAL\Division-wide\WAIVERS\Waiver%20Items\2019\May%20SBE%20Meeting\cdawes@pusdk12.org)

Telephone: 530-815-8795

Bargaining Unit Date: 10/29/2018

Name: Paradise Classified Employee Association

Representative: Kristin Mundy

Title: PCEA President

Position: Support

Bargaining Unit Date: 10/29/2018

Name: Paradise Teachers Association

Representative: David Smith

Title: TAP President

Position: Support

# Attachment 10: Waiver 3-1-2019 San Diego County Office of Education

**California Department of Education**

**WAIVER SUBMISSION – Specific**

CD Code: 3710371

Waiver Number: 3-1-2019

Active Year: 2019

Date In: 1/7/2019 8:52:37 AM

Local Education Agency: San Diego County Office of Education

Address: 6401 Linda Vista Rd.

San Diego, CA 92111

Start: 6/10/2019

End: 6/26/2019

Waiver Renewal: No

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: *EC* 56101

Ed Code or *CCR* to Waive: 3043 Extended school year 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 of the pupil’s educational programming may cause regression, when coupled with limited recoupment capacity, rendering it impossible or unlikely that the pupil will attain the level of 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 an 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: Davila Day School is requesting a waiver to modify the required Special Education extended school year from 20 days to 13 days. There is no summer school program for general education students.

Davila Day School operates a year-round schedule with only a six-week summer break. It is difficult to have families attend with a four week ESY program and also difficult to staff a four-week ESY.

Operating under the shortened model provides for the a greater number of instructional  
minutes because we will have full day instruction over a 13 day period vs. 4 hours a day  
over a 20 day period. This increase in instructional minutes for the students will also maximize attendance and staffing options.

In order to provide Extended School Year services to ALL Davila students, we are requesting to waive the number of days, 20, to 13, while still providing the same number of hours as would have been provided in a 20-day program (80 hours). Without it, we experience difficulties with both staffing and attendance of students.

The program for K-6 will be: June 10th – June 26, 2019; 6 hours 45 minutes/day. This will allow us to appropriately staff the program and provide services to all students that attend Davila. A 13 day ESY program would still allow Davila to address the regression and recoupment needs of identified students.

K-6 students would receive over 80 hours (K-6) of instruction. Pre School will continue their 4-hour/day schedule. In addition, we have learned that longer school days provide greater opportunity for instructional impact, and an unintentional positive consequence is that operating for fewer days saves operational, facilities, and transportation costs.

Student Population: 42

City Type: Suburban

Local Board Approval Date: 12/12/2018

Audit Penalty Yes or No: N o

Categorical Program Monitoring: No

Submitted by: Mr. Russell Coronado

Position: Executive Director

E-mail: [rcoronado@sdcoe.net](file:///\\CDE.Cal\DATA\SEDATA\CENTRAL\Division-wide\WAIVERS\Waiver%20Items\2019\May%20SBE%20Meeting\rcoronado@sdcoe.net)

Telephone: 619-470-5224

Bargaining Unit Date: 12/12/2018

Name: California School Employees Association

Representative: Keith Hildreth

Title: President

Position: Support

Bargaining Unit Date: 12/12/2018

Name: San Diego County Association of Educators

Representative: Tammy Reina

Title: President

Position: Support

# Attachment 11: Waiver 31-2-2019 San Ysidro Elementary School District

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 3768379

Waiver Number: 31-2-2019

Active Year: 2019

Date In: 2/28/2019 3:05:33 PM

Local Education Agency: San Ysidro Elementary School District

Address: 4350 Otay Mesa Rd.

San Ysidro, CA 92173

Start: 6/24/2019

End: 7/12/2019

Waiver Renewal: No

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: 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 months of June and July 2019.

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 2018-2019 school year.SYSD has approximately 239 student who qualify for extended school year. IMPACT ON STUDENT ACHIEVEMENT: A 15 day ESY program from 6/24/2019 to 7/12/2019) for 5.75 hours/day 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 loger days can provide greater opportunity for instructional impact. FINANCIAL IMPLICATIONS: There is no increase to the General Fund.

Student Population: 4487

City Type: Urban

Public Hearing Date: 2/21/2019

Public Hearing Advertised: SYSD Website and Board Meeting

Local Board Approval Date: 2/21/2019

Community Council Reviewed By: SYSD Cabinet

Community Council Reviewed Date: 2/21/2019

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Mr. Oscar Madera

Position: Director of Special Education

E-mail: [oscar.madera@sysdschools.org](file:///\\CDE.Cal\DATA\SEDATA\CENTRAL\Division-wide\WAIVERS\Waiver%20Items\2019\May%20SBE%20Meeting\oscar.madera@sysdschools.org)

Telephone: 619-428-4476 x3057

Fax: 619-428-6473

Bargaining Unit Date: 12/14/2018

Name: CSEA

Representative: Maria Rios

Title: Secretary

Position: Support

Bargaining Unit Date: 12/14/2018

Name: San Ysidro Edcuation Association

Representative: Jennifer Cuestas

Title: Union President / Special Day Class Teacher

Position: Support

# Attachment 12: Waiver 19-2-2019 South Whittier Elementary School District

**California Department of Education**

**WAIVER SUBMISSION – General**

CD Code: 1965037

Waiver Number: 19-2-2019

Active Year: 2019

Date In: 2/20/2019 1:54:38 PM

Local Education Agency: South Whittier Elementary School District

Address: 11200 Telechron Ave.

Whittier, CA 90605

Start: 6/10/2019

End: 7/5/2019

Waiver Renewal: No

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

Ed 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 will provide the same number of instructional hours 20 instructional day calendar, including holidays. The overall instructional time has remained the same; however, there will be a reduction in days of attendance to 16 days over a four week period in order to:

1) Increase the likelihood that highly qualified and trained classroom teachers and

staff working with special education students during the school year will apply to

work during Extended School Year as well.

2) Will facilitate cost-effective services within the classroom and reduce related

costs for transportation, electricity, custodial services, food services,

administration, etc.

Recommendation:

Request waiver for two years from the California State Board of Education to cover ESY

2019 and ESY 2020

Student Population: 2700

City Type: Small

Local Board Approval Date: 2/19/2019

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Sandra Jashinsky

Position: Director of Special Education and Student Services

E-mail: [sjashinsky@swhittier.net](file:///\\CDE.Cal\DATA\SEDATA\CENTRAL\Division-wide\WAIVERS\Waiver%20Items\2019\May%20SBE%20Meeting\sjashinsky@swhittier.net)

Telephone: 562-944-6231 x2004

Fax: 562-903-5868

Bargaining Unit Date: 02/19/2019

Name: South Whittier Teachers Association

Representative: Audrey Radley

Title: Union President

Position: Support

# Attachment 13: Waiver 15-2-2019 Travis Unified School District

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 4870565

Waiver Number: 15-2-2019

Active Year: 2019

Date In: 2/13/2019 4:28:16 PM

Local Education Agency: Travis Unified School District

Address: 2751 De Ronde Dr.

Fairfield, CA 94533

Start: 6/11/2019

End: 6/28/2019

Waiver Renewal: No

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: Section 3043 (d): [An extended school year program shall be provided for a minimum of 20 instructional days, including holidays]

Outcome Rationale: We are proposing a 14-day ESY program, from Tuesday, June 11 to Friday, June 28, with six hours of instruction per day, similar to the length of a regular school day. The total amount of instructional time in the proposed program is four hours greater than the time provided in the current program (84 hours).

Historically, student attendance has been very low in July because families often take their children out of ESY for family vacations. ESY students depend on summer instruction to maintain growth and make progress, so missing instruction is not in their best interest.

We have added a professional development day to our school calendar and we are starting school one week earlier next year, during the second week in August. With this schedule, the week of July 4 becomes available for family vacations.

Our elementary summer programs for typically developing peers end on June 28, and no typical peers are available for interaction in July.

Starting ESY on Tuesday allows teachers time on Monday to review student IEPs, goals, and behavior plans; train their paraeducator team; and plan lessons and set up classrooms so effective instruction can begin the moment students arrive on Tuesday.

The longer school day allows students to participate in speech, OT, and other services without pulling them from core instruction.

Student Population: 5495

City Type: Urban

Public Hearing Date: 2/12/2019

Public Hearing Advertised: Board agenda/district website and school posting

Local Board Approval Date: 2/12/2019

Community Council Reviewed By: District Curriculum Council

Community Council Reviewed Date: 1/22/2019

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Susan Brothers

Position: Assistant Superintendent, Educational Services

E-mail: [sbrothers@travisusd.org](file:///\\CDE.Cal\DATA\SEDATA\CENTRAL\Division-wide\WAIVERS\Waiver%20Items\2019\May%20SBE%20Meeting\sbrothers@travisusd.org)

Telephone: 707-437-4604 x1205

Bargaining Unit Date: 02/04/2019

Name: TUTA (Travis Unified Teachers Association)

Representative: Mark Nowag

Title: TUTA President

Position: Support