

California Department of Education

Executive Office

SBE-005 (REV. 1/2018)

General Waiver

# California State Board of Education September 2019 Agenda Item #W-04

## Subject

Request by **La Mesa-Spring Valley Elementary School District** to waive California *Education Code* Section 37202, the equity length of time requirement, to increase the sixth grade instructional minutes at Spring Valley Academy to match the instructional minutes of seventh and eighth grades beginning in the 2020–21 school year.

## Waiver Number

3-6-2019

## Type of Action

Action, Consent

## Summary of the Issue(s)

The La Mesa-Spring Valley Elementary School District is requesting a waiver of California *Education Code (EC)* Section 37202 that requires the governing board of a school district to maintain all of the elementary day schools established by it for an equal length of time during the school year, and all of the day high schools established by it for an equal length of time during the school year. Extending the instructional day for their sixth grade students will align Spring Valley Academy with the instructional requirements of the District’s International Baccalaureate Middle Years Programme (MYP).

## Authority for Waiver

*EC* Section 33050

## Recommendation

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

## Summary of Key Issues

The La Mesa-Spring Valley Elementary School District is requesting a waiver to extend the instructional day for sixth graders at Spring Valley Academy. La Mesa-Spring Valley Elementary School District is a kindergarten through grade eight district. Currently, Spring Valley Academy students in grade six have 320 minutes of daily instruction with grades seven and eight receiving 365 minutes of daily instruction.

Spring Valley Academy is currently an International Baccalaureate MYP candidate school. The District was asked by the International Baccalaureate oversite organization to align instructional minutes. Extending the day for sixth grade students would allow Spring Valley Academy to meet MYP instructional requirements. One requirement of the program is that students receive at least 50 hours of teaching time for each subject group each year. This requirement cannot currently be met with 320 minutes of daily instruction in grade six.

Teachers in MYP schools are required to participate in collaborative planning both within and across subject groups. In addition, MYP schools are responsible for engaging students in at least one collaboratively planned interdisciplinary unit that include more than one subject group each year. Extending the instructional day for sixth grade will allow teachers time for vertical and horizontal articulation.

The California Department of Education (CDE) reviewed the waiver request and determined that there was no opposition to the waiver at the public hearing held by the governing board. The CDE also determined that none of the findings specified in *EC* Section 33051, which authorize denial of a waiver, exist. Thus, the CDE recommends the SBE approve the request by the La Mesa-Spring Valley Elementary School District to waive *EC* Section 37202, which requires school districts to maintain equal lengths of time during the school year for elementary day schools.

**Demographic Information:** Spring Valley Academy has a student population of 830 and is located in an urban setting in La Mesa, California.

**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 November 2013, the State Board of Education approved a similar waiver for equity length of time by Tracy Joint Unified School District to waive *EC* Section 37202, the equity length of time requirement for Gladys Poet-Christian Magnet School.

## Fiscal Analysis (as appropriate)

There is no statewide fiscal impact of waiver approval.

## Attachment(s)

* **Attachment 1:** Summary Table of Equity Length of Time (1 page)
* **Attachment 2:** La Mesa-Spring Valley Elementary School District General Waiver Request (2 pages) (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 3:** Rationale for Equity Length of Time (5 pages)

# Attachment 1: Summary Table

California *Education Code (EC)* Section 37202

| 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/School Site Council Name,Date of Reviewand Any Objections |
| --- | --- | --- | --- | --- | --- |
| 3-6-2019 | La Mesa-Spring Valley Elementary School District  12,300 Students  830 Students in Spring Valley Academy  May 7, 2019 | **Requested:**  August 1, 2020  through  July 1, 2023  **Recommended:**  August 1, 2019  through  July 28, 2021 | No | La Mesa-Spring Valley Teachers Association  Dennis Blevins,  President  April 11, 2019  **Support** | School Site Council  February 12, 2019  **No Objections** |

Created by California Department of Education

August 1, 2019

# Attachment 2: La Mesa-Spring Valley Elementary School District General Waiver Request

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 3768197

Waiver Number: 3-6-2019

Active Year: 2019

Date In: 6/7/2019 10:37:39 AM

Local Education Agency: La Mesa-Spring Valley

Address: 4750 Date Ave

La Mesa, CA 91942

Start: 8/1/2020

End: 7/1/2023

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Equity Length of Time

Ed Code Title: Equity Length of Time

Ed Code Section: 37202

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: the governing board of a school district shall maintain all of the elementary day schools established by it for an equal length of time during the school year and all of the day high schools established by it for an equal length of time during the school year.

Outcome Rationale: The District would like to increase the sixth grade instructional minutes at Spring Valley Academy to match the instructional minutes of seventh and eighth grades.

Currently, Spring Valley Academy students in sixth grade have 320 minutes of daily instruction, while seventh and eighth grade students receive 365 minutes of daily instruction. Extending the day for our sixth grade students would align Spring Valley Academy with the instructional requirements of the International Baccalaureate Middle Years Programme.

Student Population: 830

City Type: Urban

Public Hearing Date: 5/7/2019

Public Hearing Advertised: Newspaper 14 days prior to Board Meeting and Board Agenda posting 72 hours prior to meeting

Local Board Approval Date: 5/7/2019

Community Council Reviewed By: School Site Council, La Mesa-Spring Valley Teachers Association, Board of Education

Community Council Reviewed Date: 2/12/2019

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Mr. Guido Magliato

Position: Assistant Superintendent, Learning Support

E-mail: guido.magliato@lmsvschools.org

Telephone: 619-668-5700

Bargaining Unit Date: 04/11/2019  
Name: La Mesa-Spring Valley Teachers Association  
Representative: Dennis Blevins  
Title: LMSVTA President  
Position: Support  
Comments:

# Attachment 3

Rationale for Equity Length of Time

*Increasing 6th grade instructional minutes*

**Summary**

Spring Valley Academy is requesting a waiver to allow all Spring Valley Academy grade levels to be on the same bell schedule.  La Mesa Spring Valley Schools is a K-8 district with many of the 6th grade students on an elementary campus with the same hours as the rest of the school program.  Currently, Spring Valley Academy students in grade 6 have 320 minutes of daily instruction with grades 7 and 8 receiving 365 minutes of daily instruction. Extending the day for our 5th and 6th grade students would help Spring Valley Academy meet the instructional requirements of the International Baccalaureate Middle Years Programme of which we are currently a candidate school. International Baccalaureate Middle Years Programme is comprised of 6th, 7th, and 8th grade.  The success of the Middle Years Programme is ensured through specific requirements of student schedules and teacher collaboration.

Currently, Spring Valley Academy is unable to meet several of the Middle Years Programme requirements due to Education Code that requires each grade level within a district to have uniform instructional minutes. Having 6th grade operate with less instructional minutes as the 7th and 8th has made Spring Valley Academy unable to meet the following International Baccalaureate programme standards:

* + Subject concurrency
  + Collaborative planning
  + Leadership for service in action

In addition to not meeting specific IB programme standards due to Education Code constraints, 6th grade teachers have less planning and collaboration time to deliver the same rigor as 7th and 8th grade teachers. 6th grade teachers are also unable to regularly participate in the vertical planning with their same subject departments.

**Subject Concurrency**

The MYP requires at least 50 hours of teaching time for each subject group in each year of the programme. In practice, more time is often necessary to meet subject group aims and objectives and to provide for the sustained, concurrent teaching that enables interdisciplinary study.

Currently, 6th grade is not meeting the following

At least 50 hours of teaching time for each subject group

* Individuals and Societies
* Science
* Spanish
* Visual and Performing Arts

Concurrent teaching that enables interdisciplinary study

* Spanish
* Visual and Performing Arts

**Source IB Principles into Practice**:

The MYP’s holistic philosophy of education provides the basis for a broad and balanced curriculum that includes eight subject groups. The MYP is designed to help students develop disciplinary and interdisciplinary understanding through concurrently taught courses in each subject group in each year of the programme. The MYP requires at least 50 hours of teaching time for each subject group in each year of the programme. In practice, more time is often necessary to meet subject group aims and objectives and to provide for the sustained, concurrent teaching that enables interdisciplinary study. (Principles into Practice pg 40)

**MYP requirements**

1. The schedule or timetable provides a broad and balanced choice of subjects from the required MYP subject groups.
2. The schedule or timetable provides the minimum required teaching hours per year for the required MYP subject groups.
3. The schedule or timetable promotes concurrency of learning

(Programme Standards and Practices pg 17)

**Collaborative Planning**

The requirement for collaborative planning both within and across subject groups ensures common understandings and common approaches to teaching and learning in the school, leading to a coherent learning experience for students. Collaborative planning also allows for the development of interdisciplinary learning initiatives, demonstrating to students the need to use concepts, knowledge and skills from different disciplines in order to solve problems.

Currently, 6th, 7th and 8th grade teachers do not have a schedule that ensures the following

* An approach to curriculum planning that involves all MYP teachers.
* Time to develop horizontal articulation of the curriculum between year levels across subject groups.
* Time to develop vertical articulation of the curriculum between year levels within subject groups.
* Time to develop vertical articulation of the curriculum between year levels across subject groups

Currently 6th grade teachers do not have a schedule that ensures the following

* Collaborative planning and reflection takes place regularly and systematically.
* Collaborative planning and reflection for teachers to have an overview of students’ learning experiences. \* technically this would be PLC, but is significantly less than 7/8

**Source Programme Standards and Practices pg 17-18**:

Section C: Curriculum Standard

C1: Collaborative planning

1. Collaborative planning and reflection supports the implementation of the IB programme(s).
2. Collaborative planning and reflection addresses the requirements of the programme(s). MYP requirements
3. The school has an approach to curriculum planning that involves all MYP teachers.
4. Collaborative planning and reflection facilitates interdisciplinary learning to strengthen cross-curricular skills and the deepening of disciplinary understanding.
5. Collaborative planning and reflection takes place regularly and systematically.
6. Collaborative planning and reflection addresses vertical and horizontal articulation.
7. Collaborative planning and reflection ensures that all teachers have an overview of students’ learning experiences.
8. Collaborative planning and reflection is based on agreed expectations for student learning.
9. Collaborative planning and reflection incorporates differentiation for students’ learning needs and styles. Requirements for the Middle Years Programme.
10. Collaborative planning and reflection is informed by assessment of student work and learning.
11. Collaborative planning and reflection recognizes that all teachers are responsible for language development of students.
12. Collaborative planning and reflection addresses the IB learner profile attributes.

**Note:** “Collaborative planning and reflection” is used as a single concept as the two processes are interdependent.

1. **Collaborative planning**: The requirement for collaborative planning both within and across subject groups ensures common understandings and common approaches to teaching and learning in the school, leading to a coherent learning experience for students. Collaborative planning also allows for the development of interdisciplinary learning initiatives, demonstrating to students the need to use concepts, knowledge and skills from different disciplines in order to solve problems. (Principles to Practice pg 29)

**Meeting time**

Schools must provide dedicated meeting time for collaborative planning. In MYP schools, meeting time is crucial, must be managed systematically and effectively, and must involve all teachers. Meeting time must be used to develop vertical and horizontal articulation of the curriculum across and between year levels, and across and within subject groups. ATL skills must be discussed and planned, and key concepts and global contexts considered across years. It is good practice to write unit plans in teams.

**Vertical planning**

The goal of vertical planning is to sequence learning to ensure continuity and progression from year 1 to year 5 of the programme and beyond. (pg 44)

**Horizontal planning**

To explore subject content fully using the key concepts and global contexts, a collaborative approach to planning and teaching is essential. This allows teachers to communicate regularly on matters concerning content and pedagogy. Planning horizontally will involve teachers of the same year level working together between and within subject groups to plan the scope of learning in a particular year. (pg 45)

**Planning for interdisciplinary learning**

As teachers plan collaboratively to integrate global contexts and key concepts with their subject content, two or more subjects can work together to inform the inquiry. As teachers identify complementary content, skills and concepts, they can plan MYP units that address common real-world issues. Interdisciplinary learning can take place between different subject groups, as well as between different disciplines within a subject group. This kind of learning encourages broader perspectives on complex issues, and encourages deeper levels of analysis and synthesis. Interdisciplinary connections must be meaningful. All MYP teachers are responsible for fostering interdisciplinary understanding. In the MYP, interdisciplinary learning is generally defined as the process by which students come to understand bodies of knowledge and modes of thinking from two or more disciplines or subject groups and integrate them to create a new understanding. MYP schools are responsible for engaging students in at least one collaboratively planned interdisciplinary unit that includes more than one subject group in each year of the programme. Interdisciplinary learning seeks to yield interdisciplinary understanding. Students demonstrate interdisciplinary understanding of a particular topic when they can bring together concepts, methods or forms of communication from two or more disciplines or established areas of expertise to explain a phenomenon, solve a problem, create a product or raise a new question in ways that would have been unlikely through single disciplinary means. (pg 46)

**Advisory for 6th grade**

7th and 8th grade students have an advisory period that is dedicated to building a close knit community within the larger school community. This time is also used to support students in engaging in the programme requirement of leadership for service as action (community service).

Currently 6th grade does not meet the following

* organizational structure must support students’ involvement in service as action and its qualitative monitoring
* systems in place to guide and counsel students through the programme

**Information from IB Principles into Practice**:

**Creating Learning Environments**

Schools need to ensure that the relationships students establish with each other and with teachers, which are of central importance to development and learning, will flourish. Student learning is best supported through strong, communicative relationships between teacher, student and parent. (IB Principles into Practice pg 74)

**Leadership for service as action (community service)**

"The school’s organizational structure must support students’ involvement in service as action and its qualitative monitoring." (32)

The school has systems in place to guide and counsel students through the programme(s). (Programme Standards and Practices pg 17)