

California Department of Education

Executive Office

SBE-005 (REV. 11/2017)

General Waiver

# California State Board of EducationJuly 2020 AgendaItem #W-02

## Subject

Request by the **Bass Lake Joint Union Elementary School District** for a renewal waiver of portions of California *Education Code* Section 48663(a) relating to community day school minimum instructional minutes for Fresno Flats Community Day School.

## Waiver Number

* Bass Lake Joint Union Elementary School District 6-4-2020

## Type of Action

Action, Consent

## Summary of the Issue(s)

Request by the Bass Lake Joint Union Elementary School District (BLJUESD) for a renewal waiver of portions of California *Education Code (EC)* Section 48663(a) relating to community day school (CDS) minimum instructional minutes for Fresno Flats Community Day School.

## Authority for Waiver

*EC* Section 33050

## Recommendation

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

The California Department of Education recommends approval of this waiver with the following conditions:

* Fresno Flats CDS operated by the BLJUESD will reduce the instructional minutes provided to students on Mondays to 300 instructional minutes for purposes of implementing collaborative professional learning communities.
* Fresno Flats CDS operated by the BLJUESD will provide 15 additional instructional minutes above the statutory requirement for a total of 375 instructional minutes per day during all other days.

*EC* Section 33051(b) will apply and the waiver will become permanent, meaning the district will not need to reapply if the information contained on the request remains current.

## Summary of Key Issues

*EC* Section 48663(a) states that CDSs have a minimum instructional day of 360 minutes. The BLJUESD is requesting this waiver renewal to be able to continue to include community day school teachers in the regularly scheduled professional learning community discussions and districtwide professional development. Fresno Flats CDS will reduce the instructional minutes provided to students on Mondays by one hour to 300 instructional minutes for purposes of implementing collaborative professional learning communities and will provide 15 additional instructional minutes above the statutory requirement for a total of 375 instructional minutes per day during all other days. The result is there will be a gain in the level of support service knowledge for the teacher with no net loss of instructional minutes.

The local board voted unanimously to request the waiver. The California School Employees Association supports the waiver through its president, Shannon Ecklund. The School Site Council had no objections.

**Demographic Information:** The BLJUESD has a student population of 888 students and is located in a rural area in Madera County.

**Because this is a general waiver, if the State Board of Education (SBE) decides to deny the waiver, it must cite one of the seven reasons in *EC* Section 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 SBE has approved several similar requests for a waiver of portions of *EC* Section 48663(a) relating to CDS minimum instructional minutes for purposes of implementing collaborative professional learning communities, including the current active waiver for the BLJUESD.

## Fiscal Analysis (as appropriate)

There is no statewide fiscal impact of this waiver renewal and approval.

## Attachment(s)

* **Attachment 1:** Summary Table of Community Day School State Board of Education Waiver (1 page)
* **Attachment 2:** Bass Lake Joint Union Elementary School District General Waiver Request 6-4-2020 (2 pages). (Original Waiver request is signed and on file in the Waiver Office.)

# Attachment 1: Summary Table of Community Day School State Board of Education Waiver

California *Education Code* Section 48916.1(d) and portions of sections 48660 and 48661

| WaiverNumber | District Name,Size of District, andLocal BoardApproval Date | Period of Request | If granted, this waiver will be "permanent"per *EC* Section 33051(b) | Bargaining Unit Name and Representative,Date of Action,and Position | Advisory Committee/School Site Council Name,Date of Reviewand Any Objections |
| --- | --- | --- | --- | --- | --- |
| 6-4-2020 | Bass Lake Joint Union Elementary School District 888 Students6 Students in Community Day SchoolApril 8, 20205-0 Vote | **Requested:**July 1, 2019throughJune 30, 2020**Recommended:**July 1, 2020throughJune 30, 2021 | Yes if adopt recommended corrected period of request.This is a renewal. Local request was made in error.Previous approved request was March 15, 2019throughJune 30, 2020. | Bass Lake Teachers AssociationShannon Ecklund,PresidentMarch 15, 2020**Support** | School Site Council including representatives of the school board, unions, and student site council.April 8, 2020**No Objections** |

Created by California Department of Education

May 2020

# Attachment 2: Bass Lake Joint Union Elementary School District General Waiver Request 6-4-2020

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 2065185

Waiver Number: 6-4-2020

Active Year: 2020

Date In: 4/14/2020 10:31:19 AM

Local Education Agency: Bass Lake Joint Union Elementary

Address: 40096 Indian Springs Rd.

Oakhurst, CA 93644

Start: 7/1/2019

End: 6/30/2020

Waiver Renewal: Yes

Previous Waiver Number: 4-6-2019

Previous SBE Approval Date: 9/11/2019

Waiver Topic: Community Day Schools (CDS)

Ed Code Title: Minimum School Day

Ed Code Section: 48663

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: California *EC* Article 3, Community Day Schools, 48660-48666, CDS is to operate for a minimum of 360 minutes of instruction per school day to ensure the students greater needs for instruction are met with enough time. We are renewing our waiver to modify the bell schedule on Mondays for professional learning opportunities for staff, with time to be made up on other days, so the requirements are met per week.

Outcome Rationale: According to *EC* a CDS is to operate for a minimum of 360 minutes per school day in order to ensure students greater needs for instruction are met with enough time. Our district is a small rural district and our CDS has 6 students with varying grades. The teacher would benefit by being part of a weekly collaboration with her professional development staff of other teachers at her site. The CDS is located on the campus of a K-8 school which has a minimum bell schedule on every Monday. On Mondays they dismiss students one hour earlier to facilitate teacher trainings, collaboration, and professional development opportunities. Because a CDS is required to have 360 minutes of instruction each day, the teacher would not be able to participate in these professional development learning community. We are asking to renew the waiver to adjust the bell scheduled to one hour less of instruction on Mondays and build back in that hour in 4 fifteen minute increments on Tuesday-Friday. This way there would be 375 minutes of instruction Tues-Fri and 300 minutes of instruction on Mondays. So overall the students would still receive the required 360 minutes of instruction time - just in an adjusted schedule. The school board voted on April 10, 2019 to approve this. We are voting 4/8/20 to approve the renewal. The school site council and the bargaining units and the district support this decision, to support the professional development of all teachers with collaboration, which in turn benefits the students. Scheduling the bell this way makes sense for all our students.

Student Population: 6

City Type: Rural

Public Hearing Date: 4/8/2020

Public Hearing Advertised: Online and also signs posted at all our sites

Local Board Approval Date: 4/8/2020

Community Council Reviewed By: School Board, unions, student site council

Community Council Reviewed Date: 4/8/2020

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Tara Campanella

Position: CBO

E-mail: tcampanella@basslakesd.org

Telephone: 559-642-1565 x1002

Bargaining Unit Date: 03/15/2020
Name: BLTA (CTA Certificated)
Representative: Shannon Ecklund
Title: President
Phone: 559-642-1565
Position: Support
Comments: