

California Department of Education

Executive Office

SBE-005 (REV. 1/2021)

General Waiver

# California State Board of Education September 2022 Agenda Item #W-08

## Subject

Request by **9 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

* Cascade Union Elementary School District 2-5-2022
* Gateway Unified School District 12-4-2022
* Mariposa County Office of Education 13-4-2022
* North Monterey County Unified School District 4-5-2022
* Paradise Unified School District 5-5-2022
* Shasta Union High School District 1-6-2022
* South Whittier Elementary School District 11-4-2022
* Summerville Union High School District 10-5-2022
* Tuolumne County Superintendent of Schools 15-5-2022

## Type of Action

Action, Consent

## Summary of the Issue(s)

Nine 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 on 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 11 LEAs to provide ESY services for fewer than 20 days with the condition school day 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

### Cascade Union Elementary School District (CUESD)

The CUESD is submitting a waiver for a reduced ESY schedule. The schedule will consist of 15 days with 5.5 instructional hours per day, for a total of 82.5 instructional hours. The CUESD indicates this modified schedule will allow it to increase student and family participation and maximize staffing opportunities.

Demographic Information: Per Dataquest, the CUESD has a student population of 1,294 and is located in a rural area in Shasta County.

### Gateway Unified School District (GUSD)

The GUSD is submitting a waiver for a reduced ESY schedule. The proposed schedule consists of 15 days with 5.75 instructional hours per day for a total of 86.25 instructional hours.

The GUSD participates in a collaboration with two other school districts to provide ESY services to preschool through grade 8, and high school special day class students. Per the GUSD, it serves a large geographic region that requires long bus rides for students, many of who are categorized as medically fragile. In addition,the GUSD states that: 1) fewer ESY days will allow for transportation costs to be kept to a minimum, and; 2) most of the students require designated instructional services which are difficult in a four hour day. Additionally, fewer ESY days will assist GUSD in the hiring of highly qualified special education teachers currently employed by the district.

Demographic Information: Per Dataquest, the GUSD has a student population of 2439 and is located in a rural area in Shasta County.

### Mariposa County Office of Education (MCOE)

The MCOE is submitting a waiver for a reduced ESY schedule.The proposed schedule is 12 days with 6.5 instructional hours per day and one day with 5 instructional hours for a total of 83 instructional hours. Due to staffing shortages, a shorter ESY schedule allows the Mariposa COE to find adequate staff, teachers, and aides.

Demographic Information: Per Dataquest, the MCOE has a student population of 47 and is located in a rural area in Mariposa County.

### North Monterey County Unified School District (NMCUSD)

The NMCUSD is submitting a waiver for a reduced ESY schedule. The proposed schedule is 16 days with 5 instructional hours per day for a total of 80 instructional hours. Per MNCUSD, the reduced schedule will ease the fiscal and personnel issues the NMCUSD is experiencing, and allow it to properly provide staff and facilities for the summer program. The same level of service will continue to be provided.

Demographic Information: Per Dataquest, the NMCUSD has a student population of 4,595 and is located in a rural area in Monterey County.

### Paradise Unified School District (PUSD)

The PUSD is submitting a waiver for a reduced ESY schedule. The proposed schedule consists of 15 days, with 5.5 instructional hours per day for a total of 82.5 instructional hours. Per the PUSD, the modified schedule will help mitigate current fiscal issues. Students are provided services such as, but not limited to, occupational therapy, speech, and physical therapy. The model coincides with the Butte County Office of Education ESY schedule.

Demographic Information: Per Dataquest, the PUSD has a student population of 4,154 and is located in a rural area in Butte County.

### Shasta Union High School District (SUHSD)

The SUHSD is submitting a waiver for a reduced ESY schedule. The proposed schedule will consist of 15 days with 5.5 instructional hours per day for a total of 82.5 instructional hours. The SUHSD states that it has many geographical challenges that require students to spend significant amounts of time on school buses and that the county is also well known for its extreme heat during the summer season with temperatures reaching triple digits. The SUHSD indicates that reducing the number of days students spend traveling and increasing the number of hours spent in instructional settings is beneficial twofold: 1) medically fragile students will spend less overall time being transported; and 2) students will receive increased instructional minutes.

Demographic Information: Per Dataquest, the SUHSD has a student population of 5000 and is located in a small area in Shasta County.

### South Whittier Elementary School District (SWESD)

The SWESD is submitting a waiver for a reduced ESY schedule. The proposed schedule consists of 16 days with 5.25 instructional hours per day for a total of 84 instructional hours. The SWESD state that the reduction in days of attendance over a four week period will increase the liklihood that highly qualified and trained classroom teachers and staff who have experiece working with students with disabilities will apply to work during the ESY. The SWESD further indicates that fewer ESY days will also facilitate cost-effective services within the classroom and reduce related costs for transportation, administration, food services, and custodial services.

Demographic Information: Per Dataquest, the SWESD has a student population of 2383and is located in a rural area in Butte County.

### Summerville Union High School District (SUHSD)

The SUHSD is submitting a waiver for a reduced ESY schedule. The proposed schedule would consist of 15 days with 5 hours of instructional time per day for a total of 75 instructional hours. Although the total instructional hours is less than 80, this waiver still meets regulatory minimums due to the Fourth of July holiday. The SUHSD states that due to the rural setting and distance between school and students’ homes, SUHSD faces significant challenges. Thus, per the SUHSD, through this change, it can provide improved student learning, opportunities for group and/or project-based learning, improved attendance, increased parental involvement, and additional staffing.

Demographic Information: Per Dataquest, the SUHSD has a student population of 1,089and is located in a rural area in Tuolumne County.

### Tuolumne County Superintendent of Schools (TCSS)

The TCSS is submitting a waiver for a reduced ESY schedule. The proposed schedule would consist of 15 days with 5 hours of instuctional time per day day for a total of 75 instructional hours. Due to the inclusion of the July Fourth holiday during the ESY schedule, this scheudle meets regulatory requirements. Per the TCSS, due to the rural setting and distance between school and students’ homes, the TCSS is faced with significant challenges. Through this change, the TCSS anticipates provides improved student learning, opportunities for group/ project-based learning, better attendance, parental involvement, and increased staffing.

Demographic Information: Per Dataquest, the TCSS has a student population of 99and is located in a rural area in Tuolumne County.

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

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 IEP requires it. LEAs may request a waiver to provide an ESY program for fewer days than the traditional mode.

## 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 (10 pages)
* **Attachment 2:** Cascade Union Elementary School District General Waiver Request 2-5-2022. (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 3:** Gateway Unified School District General Waiver Request 12-4-2022 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 4:** Mariposa County Office of Education General Waiver Request 6-2-2022 (3 pages) (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 5:** North Monterey County Unified School District General Waiver Request 4-5-2022 (3 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 6:** Paradise Unified School District General Waiver Request

5-5-2022 (3 pages). (Original waiver request is signed and on file in the Waiver Office.)

* **Attachment 7**: Shasta Union High School District General Waiver Request 1-6-2022 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 8**: South Whittier Elementary School District General Waiver Request 11-4-2022 (3 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 9**: Summerville Union High School District General Waiver Request 10-5-2022 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 10**: Tuolumne County Superintendent of Schools General Waiver Request 15-5-2022 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

# Attachment 1: Summary Table

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

| Waiver Number | Local Educational Agency (LEA) | Period of Request | LEAs Request | CDE Recommended Position | Bargaining Unit Representatives Consulted, Date and Position | Local Board and Public Hearing Approval | Penalty Without Waiver |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 2-5-2022 | Cascade Union Elementary School District | **Requested:**  June 13, 2022, to July 1, 2022  **Recommended:**  June 13, 2022, to July 1, 2022 | 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 | Association of California Teachers,  Bill Johnson, President;  02/07/2022 Support | 3/9/2022 | The LEA may not provide a 15-day  ESY program |
| 12-4-2022 | Gateway Unified School District | **Requested:**  June 13, 2022, to June 30, 2022  **Recommended:**  June 13, 2022, to June 30, 2022 | To provide a 15-day ESY program instead of a 20-day ESY program | Approval with conditions to allow the LEA to provide an  15-day ESY program instead of a 20-day ESY program | Gateway Teacher Association,  Julie Nagy, President (Classified);  04/21/2022 Support | 4/6/2022 | The LEA may not provide a 15-day ESY program |

| Waiver Number | District | Period of Request | District’s Request | CDE Recommended Position | Bargaining Unit Representatives Consulted, Date and Position | Local Board and Public Hearing Approval | Penalty Without Waiver |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 13-4-2022 | Mariposa County Office of Education | **Requested:**  June 13, 2022, to June 30, 2022  **Recommended:**  June 13, 2022, to June 30, 2022 | To provide a 13-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 13-day ESY program instead of a 20-day ESY program | California School Employees Association, Chris Bernstein, President; 04/16/2022 Support  Mariposa County Teacher Association, Ben Jewell, President;  04/16/2022 Support | 4/14/2022 | The LEA may not provide a 13-day ESY program |
| 4-5-2022 | North Monterey County Unified School District | **Requested:**  June 8, 2022, to June 30, 2022  **Recommended:**  June 8, 2022, to June 30, 2022 | To provide a 1-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 16-day ESY program instead of a 20-day ESY program | California School Employees Association, Ramon Torres, President; 04/6/2022 Support | 4/21/2022 | The LEA may not provide a 16-day ESY program |

| Waiver Number | District | Period of Request | District’s Request | CDE Recommended Position | Bargaining Unit Representatives Consulted, Date and Position | Local Board and Public Hearing Approval | Penalty Without Waiver |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 5-5-2022 | Paradise Unified School District | **Requested:**  June 1, 2022, to June 30, 2022  **Recommended:**  June 1, 2022, to June 30, 2022 | 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 Employees Association, Lori Larson, President; 03/15/2022 Support  Teachers Association of Paradise, Rachel Kagan, Representative;  03/08/2022 Support | 11/16/2021 | The LEA may not provide a 15-day ESY program |

| Waiver Number | District | Period of Request | District’s Request | CDE Recommended Position | Bargaining Unit Representatives Consulted, Date and Position | Local Board and Public Hearing Approval | Penalty Without Waiver |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 1-6-2022 | Shasta Union High School District | **Requested:**  June 10, 2022, to June 30, 2022  **Recommended:**  June 10, 2022, to June 30, 2022 | 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 | Shasta Secondary Educators Association, Layne Mclean, President; 2/15/2022 Support | 3/8/2022 | The LEA may not provide a 15-day ESY program |
| 11-4-2022 | South Whittier Elementary School District | **Requested:**  June 13, 2022, to July 7, 2022  **Recommended:**  June 13, 2022, to July 7, 2022 | To provide a 16-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 16-day ESY program instead of a 20-day ESY program | California School Employees Association, Stephanie Gonzales, President; 03/12/2022 Support  South Whittier Teacher's Association, Carlos Rivera, President; 03/11/2022 Support | 4/19/2022 | The LEA may not provide a 16-day ESY program |
| 10-5-2022 | Summerville Union High School District | **Requested:**  June 14, 2022, to July 5, 2022  **Recommended:**  June 14, 2022, to July 5, 2022 | 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 | Summerville Federation of Teachers, CFT Local 6007, Deena Soto, President; 05/02/2022 Support  California School Employees Association, Nick Baker, President; 5/4/2022  Support | 5/11/2022 | The LEA may not provide a 15-day ESY program |
| 15-5-2022 | Tuolumne County Superintendent of Schools | **Requested:**  June 14, 2022, to July 6, 2022  **Recommended:**  June 14, 2022, to July 6, 2022 | 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 | Tuolumne County Special Educators Federation,  Brian Ward, President 02/07/2022 Support  Tuolumne County Special Educators Federation, Stephany Afshar, President; 02/02/2022 Support | 5/26/2022 | The LEA may not provide a 15-day ESY program |

Created by the California Department of Education

June 2022

# Attachment 2: Waiver 2-5-2022 Cascade Union Elementary School District

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 4569914

Waiver Number: 2-5-2022

Active Year: 2022

Date In: 5/4/2022 9:55:54 AM

Local Education Agency: Cascade Union Elementary

Address: 1645 West Mill St.

Anderson, CA 96007

Start: 6/13/2022

End: 7/1/2022

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: 3043 (d); 37220 (d)

Ed Code Authority: Title 5, *California Code of Regulations*,

*Education Code* or *CCR* to Waive: *Education Code* or *California Code of Regulations* (*CCR*) section to be Waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use [ ] to strike out). [(d) An extended year program shall be provided for a minimum of 20 instructional days, including holidays]; [(b) When any of the holidays on which the schools would be closed falls on Sunday, the public schools shall close on the Monday following.]

Outcome Rationale: In order to increase student/family participation and attract staffing, the district is offering 15 days of extended school year for 5 hours and 30 minutes per day, for a total of 76 hours (observing Juneteenth as a holiday). To further increase student/family participation and attract staff, the district is offering to observe Juneteenth on Friday, July 1, 2022.

Student Population: 50

City Type: Rural

Public Hearing Date: 4/26/2022

Public Hearing Advertised: Website, board agenda, email, posted at school sites

Local Board Approval Date: 3/9/2022

Community Council Reviewed By: School Site Council, Shasta SELPA Proram Advisory Council, SELPA Governance Council and CUESD BOARD

Community Council Reviewed Date: 3/9/2022

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Ms. Tamara Kendall

Position: Principal/Director of Special Education

E-mail: [tamara.kendall@cuesd.com](mailto:tamara.kendall@cuesd.com)

Telephone: 530-378-7030 x3005

Fax: 530-378-7031

Bargaining Unit Date: 02/07/2022

Name: Association of California Teachers

Representative: Bill Johnson

Title: President

Phone: 530-378-7030

Position: Support

Comments:

# Attachment 3: Waiver 12-4-2022 Gateway Unified School District

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 4575267

Waiver Number: 12-4-2022

Active Year: 2022

Date In: 4/24/2022 12:51:15 PM

Local Education Agency: Gateway Unified

Address: 4411 Mountain Lakes Blvd.

Redding, CA 96003

Start: 6/13/2022

End: 6/30/2022

Waiver Renewal: Y

Previous Waiver Number: 13-3-2021-w-10

Previous SBE Approval Date: 7/14/2021

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: Requested by Gateway Unified School District to waive *CCR* title 5 section 3043 (d) which requires the minimum of 20 days of school attendance (with varied minutes depending on grade level of student) for an extended school year for special education.

Outcome Rationale: The Gateway School district participates in a collaboration with two other school districts to provide ESY services to SPED students preschool through 8th grade as well as, high school level SDC students. We serve a larger geographic region that requires long bus rides for students, many of who are categorized as medically fragile. In addition most of the students require DIS services which are difficult in a four hour day. The district is proposing that we decrease the number of days to 15 and increase the length of the school day to ensure the number of minutes of service to students remain the same as a 20 day program.

Student Population: 2439

City Type: Rural

Public Hearing Date: 3/16/2022

Public Hearing Advertised: Gateway Web site

Local Board Approval Date: 4/6/2022

Community Council Reviewed By: Gateway Unified School Board

Community Council Reviewed Date: 3/16/2022

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Mr. Steve Henson

Position: acting Superintendent

E-mail: [shenson@gwusd.org](mailto:shenson@gwusd.org)

Telephone: 530-245-7908

Fax: 530-245-7920

Bargaining Unit Date: 04/21/2022

Name: Gateway Teacher Association

Representative: Julie Nagy

Title: GTA President

Phone: 530-245-7900

Position: Support

Comments:

# Attachment 4: Waiver 6-2-2022 Mariposa County Office of Education

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 2210223

Waiver Number: 13-4-2022

Active Year: 2022

Date In: 4/26/2022 8:43:07 AM

Local Education Agency: Mariposa County Office of Education

Address: 5082 Old Highway North

Mariposa, CA 95338

Start: 6/13/2022

End: 6/30/2022

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: *CCR*, Title 5, Section

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: 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.

Outcome Rationale: The Mariposa County Office of Education, Special Services Department is requesting a waiver to allow the county run Extended School Year (ESY) program to run for 13 days including any holidays, instead of 20 days. The program will run 6 hours a day with for the period of June 13th to June 30th, 2022.

Student Population: 47

City Type: Rural

Public Hearing Date: 4/14/2022

Public Hearing Advertised: Notice is posted at each school site, district office and website.

Local Board Approval Date: 4/14/2022

Community Council Reviewed By: School Site Council

Community Council Reviewed Date: 4/1/2022

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Mr. Joshua Kim

Position: Director of Special Services

E-mail: [mmecchi@mcusd.org](mailto:mmecchi@mcusd.org)

Telephone: 209-742-0231

Fax: 209-742-0237

Bargaining Unit Date: 04/16/2022

Name: CSEA

Representative: Chris Bernstein

Title: President

Phone: 2097420231

Position: Support

Comments:

Bargaining Unit Date: 04/16/2022

Name: Mariposa County Teacher Association

Representative: Ben Jewell

Title: President

Phone: 2097420231

Position: Support

Comments:

# Attachment 5: Waiver 4-5-2022 North Monterey County Unified School District

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 2773825

Waiver Number: 4-5-2022

Active Year: 2022

Date In: 5/4/2022 2:22:36 PM

Local Education Agency: North Monterey County Unified

Address: 8142 Moss Landing Rd.

Moss Landing, CA 95039

Start: 6/8/2022

End: 6/30/2022

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: 3043(d)

Ed Code Authority: 33050-33053

*Education Code* or *CCR* to Waive: The [strike-out] on the following 5 *CCR*, 3043(d) indicates the exact language being waived but is still valid.

5 *CCR*, Section 3043(d). (a) Extended year special education and related services shall be provided by a school district, SELPA, 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

(2) Are individuals with exceptional needs whose IEPs specify an extended year program as determined by the IEP 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: Due to fiscal and personnel issues, the district has agreed to align ESY to regular summer program hours to properly provide staff and facilities. The same level of service will continue to be provided. We will serve preschool-age 22. Eleven classrooms will be used to support student needs across the district.

District Parent Advisory Committee- 04/19/2022- reviewed and no objections.

Collective Bargaining-

Board Approval- 04/21/2022

Student Population: 605

City Type: Rural

Public Hearing Date: 4/21/2022

Public Hearing Advertised: Via the Board Agenda on the District Website

Local Board Approval Date: 4/21/2022

Community Council Reviewed By: NMCUSD Parent Advisory Committee

Community Council Reviewed Date: 4/19/2022

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Ms. Allison Gribben

Position: Director of Special Services

E-mail: [allison\_gribben@nmcusd.org](mailto:allison_gribben@nmcusd.org)

Telephone: 831-633-6168

Fax:

Bargaining Unit Date: 04/06/2022

Name: California School Employees Association, Chapter 6

Representative: Ramon Torres

Title: President

Phone: 831-595-5901

Position: Support

Comments:

# Attachment 6: Waiver 5-5-2022 Paradise Unified School District

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 0461531

Waiver Number: 5-5-2022

Active Year: 2022

Date In: 5/10/2022 9:50:45 AM

Local Education Agency: Paradise Unified

Address: 6696 Clark Rd.

Paradise, CA 95969

Start: 6/1/2022

End: 6/30/2022

Waiver Renewal: Y

Previous Waiver Number: 11-2-2021-W-07

Previous SBE Approval Date: 5/12/2021

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: The Paradise Unified School District requests 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.

Outcome Rationale: Due tot he current fiscal crisis in California, the Paradise Unified School District 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 instruction rather than the traditional model of twenty (20) days with four (4) hocus of instruction. Students would receive the same or greater number of instructional minutes. Students are also provided services such as occupational therapy, speech, physical therapy, etc. through providers contracted with the Butte County Office of Education. The model coincides with Butte County Office of Education for ESY and will allow for our students to receive services through the course of the 15 days per their individual IEPS.

Student Population: 1656

City Type: Rural

Public Hearing Date: 11/16/2021

Public Hearing Advertised: online (social media sites), printed and hung on windows at school sites

Local Board Approval Date: 11/16/2021

Community Council Reviewed By: LCAP

Community Council Reviewed Date: 3/1/2022

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Ms. Tristaka Parker

Position: Student Services Administrative Assistant

E-mail: [tparker@pusdk12.org](mailto:tparker@pusdk12.org)

Telephone: 530-872-6400 x1229

Fax: 530-872-9708

Bargaining Unit Date: 03/15/2022

Name: CSEA

Representative: Lori Larson

Title: President

Phone: 530-872-6400

Position: Support

Comments:

Bargaining Unit Date: 03/08/2022

Name: TAP

Representative: Rachel Kagan

Title: 03/08/2022

Phone: 530-872-6400

Position: Support

Comments:

# Attachment 7: Waiver 1-6-2022 Shasta Union High School District

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 4570136

Waiver Number: 1-6-2022

Active Year: 2022

Date In: 6/1/2022 9:29:10 AM

Local Education Agency: Shasta Union High

Address: 2200 Eureka Way, Ste. B

Redding, CA 96001

Start: 6/10/2022

End: 6/30/2022

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: *CCR* Title 5, Sec. 3043 (d)

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: Requested by the Shasta Union High School District to waive *CCR* Title 5 Section 3043 (d) which requires the minimum of 20 days of school attendance (with varied minutes depending on school grade level) for an extended school year for special education.

Outcome Rationale: Shasta County has many geographical challenges that require students to spend significant amounts of time on school buses. The county is also well known for its extreme heat during the summer season with temperatures reaching triple digits. Reducing the number of days students spend traveling and increasing the number of hours spent in instructional settings is beneficial twofold: 1. medically fragile students will spend less overall time being transported. 2. students will receive increased instructional minutes.

Student Population: 5000

City Type: Small

Public Hearing Date: 2/15/2022

Public Hearing Advertised: Brown Act approved

Local Board Approval Date: 3/8/2022

Community Council Reviewed By: School Board and Enterprise Site Council

Community Council Reviewed Date: 3/1/2022

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Ms. Rebecca Berg

Position: Assistant Principal, Education Services

E-mail: [rberg@suhsd.net](file:///C:\Users\ctorres\Downloads\rberg@suhsd.net)

Telephone: 530-241-3261

Fax:

Bargaining Unit Date: 2/15/2022

Name: Shasta Secondary Educators Association

Representative: Layne Mclean

Title: President

Phone: 530-547-1700

Position: Support

Comments:

# Attachment 8: Waiver 11-4-2022 South Whittier Elementary School District

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 1965037

Waiver Number: 11-4-2022

Active Year: 2022

Date In: 4/21/2022 7:21:18 PM

Local Education Agency: South Whittier Elementary

Address: 11200 Telechron Ave.

Whittier, CA 90605

Start: 6/13/2022

End: 7/7/2022

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

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 instructional days, including holidays]

Outcome Rationale: The district seeks to provide a higher number of instructional hours than provided within the 20 instructional day calendar, which includes holidays (20 days x 4 hours=80 hours). Instead, the district will provide 16 instructional day calendar, which includes holidays (16 days x 5.25 =84 hours). The overall instructional time will increase or stay the same; However, there is a reduction in days of attendance 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.

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

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

administration, etc.

Student Population: 2383

City Type: Small

Public Hearing Date: 4/19/2022

Public Hearing Advertised: A notice was posted on the district website, in the district’s front office, in each of the 6 schools' websites, and in each of the 6 schools' front offices.

Local Board Approval Date: 4/19/2022

Community Council Reviewed By: South Whittier's Board of Trustees

Community Council Reviewed Date: 4/19/2021

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Ms. Diana Huizar

Position: Director of Special Education

E-mail: [dhuizar@swhittier.net](mailto:dhuizar@swhittier.net)

Telephone: 562-967-0042

Fax:

Bargaining Unit Date: 03/12/2022

Name: California School Employee's Association (CSEA)

Representative: Stephanie Gonzales

Title: President of CSEA

Phone: (562) 941-2132

Position: Support

Comments:

Bargaining Unit Date: 03/11/2022

Name: South Whittier Teacher's Association (SWTA)

Representative: Carlos Rivera

Title: President of SWTA

Phone: (562) 941-2132

Position: Support

Comments:

# Attachment 9: Waiver 10-5-2022 Summerville Union High School District

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 5572413

Waiver Number: 10-5-2022

Active Year: 2022

Date In: 5/17/2022 9:29:51 AM

Local Education Agency: Summerville Union High

Address: 17555 Tuolumne Rd.

Tuolumne, CA 95379

Start: 6/14/2022

End: 7/5/2022

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

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: *Education Code* or *CCR* to Waive: California *Education Code* of Regulations, Title 5, Section 3043(d), which requires a minimum of 20 school days.

Outcome Rationale: Summerville Union High School District proposes to provide extended school year (ESY) services utilizing a 15-day model over a four-week period at 5 hours per day (15 days X 5 = 75 hours). This provides the equivalent to the total instructional hours provided to our traditional 20-day model (20 days X 3.75 hours = 75 hours). Due to our rural setting and distance between school and students’ homes, we are faced with significant challenges. Through this change, we anticipate providing improved student learning, opportunities for group/ project-based learning, better attendance, parental involvement, and increased staffing.

Student Population: 4

City Type: Rural

Public Hearing Date: 5/11/2022

Public Hearing Advertised: Posted at Summerville High School, Tuolumne Market, & Twain Harte Elementary School District Office

Local Board Approval Date: 5/11/2022

Community Council Reviewed By: Summerville Union High School Board, TCCAC

Community Council Reviewed Date: 4/25/2022

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Mr. Michael Merrill

Position: Superintendent

E-mail: [mmerrill@summbears.net](mailto:mmerrill@summbears.net)

Telephone: 209-928-3498 x6226

Fax: 209-928-1321

Bargaining Unit Date: 05/02/2022

Name: Summerville Federation of Teachers, CFT Local 6007

Representative: Deena Soto

Title: President

Phone: 209-928-4228

Position: Support

Comments:

# Attachment 10: Waiver 15-5-2022 Tuolumne County Superintendent of Schools

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 5510553

Waiver Number: 15-5-2022

Active Year: 2022

Date In: 5/31/2022 11:44:51 AM

Local Education Agency: Tuolumne County Superintendent of Schools

Address: 175 Fairview Ln.

Sonora, CA 95370

Start: 6/14/2022

End: 7/6/2022

Waiver Renewal: Y

Previous Waiver Number: 5-4-2021 W-10

Previous SBE Approval Date: 7/14/2021

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: *Education Code* or *CCR* to Waive: California *Education Code* of Regulations, Title 5, Section 3043(d), which requires a minimum of 20 school days.

Outcome Rationale: Tuolumne county Superintendent of Schools proposes to provide extended school year (ESY) services utilizing a 15-day model over a four week period at 5 hours per day (15 days X 5 = 75 hours). This provides the equivalent to the total instructional hours provided to our traditional 20-day model (20 days X 3.75 hours = 75 hours). Due to our rural setting and distance between school and students’ homes, we are faced with significant challenges. Through this change we anticipate provides improved student learning, opportunities for group/ project-based learning, better attendance, parental involvement, and increased staffing.

Student Population: 75

City Type: Rural

Public Hearing Date: 5/26/2022

Public Hearing Advertised: Website, positing on building, CAC

Local Board Approval Date: 5/26/2022

Community Council Reviewed By: SELPA Governing Board

Community Council Reviewed Date: 5/26/2022

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Dr. Stacy Wheat

Position: Executive Director, SELPA

E-mail: [swheat@tcsos.us](mailto:swheat@tcsos.us)

Telephone: 209-536-2065

Fax: 209-536-2003

Bargaining Unit Date: 02/07/2022

Name: Tuolumne county Special Educators Federation, AFT

Representative: Brian Ward

Title: President

Phone: 209-536-2000

Position: Support

Comments: