

California Department of Education

Executive Office

SBE-005 (REV. 1/2021)

General Waiver

# California State Board of Education July 2024 Agenda Item #W-10

## Subject

Request by **ten 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

* Sweetwater Union High School District 14-3-2023
* Greenfield Union School District 2-1-2024
* Red Bluff Union Elementary School District 7-1-2023
* San Pasqual Valley Unified School District 7-11-2022
* Mt. Diablo Unified School District 2-4-2023
* Mariposa County Office of Education 6-4-2023
* Soulsbyville Elementary School District 2-3-2024
* Brawley Union High School District 7-3-2024
* Delano Union Elementary School District 18-3-2024
* South Whittier Elementary School District 11-3-2023

## Type of Action

Action, Consent

## Summary of the Issue(s)

Ten local educational agencies (LEA) requested to provide instruction in fewer than the 20 school days required by law for extended school year (ESY). Each LEA had an alternate schedule that allowed them to provide a number of hours consistent with and comparable to the amount of hours that would have been provided to students if the length of the ESY was 20 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: Yes
* Approval with conditions: No
* Denial: No

The California Department of Education (CDE) recommends the State Board of Education (SBE) approve the requests from the LEAs to provide ESY services for fewer than 20 days. The CDE recommends no conditions at this time as these waiver requests are retroactive and the LEAs met all the conditions that the CDE would have recommended as a condition of approval of the waiver, as described below. Specifically, the CDE has verified that school day hours were consistent with those provided to the general education enrollment at the same grade level unless an IEP specifies otherwise, and that special education and related services offered during the ESY period were 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

### Sweetwater Union High School District

The Sweetwater Union High School District (SUHSD) requested a reduced ESY program schedule that allowed the district to operate their program for a total of 14 days in June 2023, from June 5, 2023, to June 23, 2023. The SUHSD stated that the District operates on a year-round schedule with a six week summer break and it can be difficult for both families and staff to commit to a four-week summer program, due to the relatively short summer break. The SUHSD stated that similar to their general education summer program, the ESY program was a three-week model that provided the equivalent number of instructional minutes as a traditional ESY model and maximized student attendance. The SUHSD stated that the reduction of ESY days provided an appropriate intersession for students and staff and allowed the District to appropriately staff the program.

The CDE verified that SUHSD’s program operated for 6 hours per day, five days per week (Monday through Friday, exclusive of the Juneteenth Holiday), totaling 84 hours. This is consistent with and comparable to the amount of hours if SUHSD provided the ESY program for 20 days. The CDE verified that the 6 hours per day of the ESY program aligned with SUHSD’s general education summer school program hours.

**Demographic Information:** The SUHSD has a student population of 37,060 and is located in an urban area in San Diego County.

### Greenfield Union School District

The Greenfield Union School District (GUSD) requested a reduced ESY program schedule that allowed the district to operate their program for a total of 18 days in June 2024, from June 4, 2024, to June 27, 2024. Students participated in ESY received the same educational minutes as students who participated in the district general education summer school program. GUSD offered an ESY program that mirrored the dates and times of the district general education summer school program, that provided greater instructional continuity and allowing students with disabilities to participate in educational experiences with their nondisabled peers.This model provided the unintended benefit of cost effective services within the classrooms and reduced related costs for transportation, utilities, custodial services, food services, etc.

The CDE verified that GUSD’s program operated for 4.5 hours per day, five days per week (Monday through Friday), totaling 81 hours. This is consistent with and comparable to the amount of hours if GUSD provided the ESY program for 20 days. The CDE verified that the 4.5 hours per day of the ESY program aligned with GUSD’s general education summer school program hours.

**Demographic Information:** The GUSD has a student population of 9,177 and is located in an urban area in Kern County.

### Red Bluff Union Elementary School District

The Red Bluff Union Elementary School District (RBUESD) requested a reduced ESY program schedule that allowed the district to operate their program for a total of 15 days in June 2023, from June 6, 2023 to June 27, 2023. The kindergarten through grade eight ESY operated for 5.5 hours per day for 15 days, totaling 82.5 hours, rather than 4 hours per day for 20 days. Per RBUESD, the 5.5 hours per day would have increased the number of minutes for the ESY program and will align more closely to a regular school day for all grades. Per the RBUESD, this schedule would have attracted highly qualified and trained classroom teachers and staff necessary to run this program.

The CDE verified that RBUESD’s program operated for 5.5 hours per day, five days per week (Monday through Friday, exclusive of the Juneteenth Holiday), totaling 82.5 hours. This is consistent with and comparable to the amount of hours if RBUESD provided the ESY program for 20 days. The CDE verified that the 5.5 hours per day of the ESY program aligned with RBUESD’s general education summer school program hours.

**Demographic Information:** The RBUESD has a student population of 1,872 and is located in a rural area in Tehama County.

### San Pasqual Valley Unified School District

The San Pasqual Valley Unified School District (SPVUSD) requested a reduced waiver program for a total of 14 days in June 2022, from June 12, 20222 to June 30, 2022.

The SPVUSD proposed to provide ESY services for 14-day at 6 hours per day for a total of 84 hours. The proposed model, which extends daily attendance time, results in more than the required time totals, but provides for a reduction in total days of attendance to 14 days, Monday through Friday, over a three-week period.

Per the SPVUSD, this waiver allowed special education students to participate in their educational experience along with their non-disabled peers and allow students and families the flexibility to plan extended weekend breaks without interrupting the students’ educational program. The SPVUSD also indicated that it would also facilitate cost effective services within classrooms and reduce related costs for transportation, electricity, custodial services, food services, administration, etc.

The CDE verified that SPVUSD’s program operated for 6 hours per day, five days per week (Monday through Friday), totaling 84 hours. This is consistent with and comparable to the amount of hours if SPVUSD provided the ESY program for 20 days. The CDE verified that the 6 hours per day of the ESY program aligned with SPVUSD’s general education summer school program hours.

**Demographic Information:** The SPVUSD has a student population of 600 and is located in a rural area in Imperial County.

### Mt. Diablo Unified School District

The Mt. Diablo Unified School District (MDUSD) requested a reduced ESY program schedule that allowed the district to operate their program for a total of 17 days in June 2023, from June 7, 2023, to June 30, 2023. The MDUSD stated that ending the program prior to the July 4th holiday ensured increased student attendance and allowed for sufficeint staff to operate the program. The MDUSD stated that the number of hours per day was been increased such that students will still receive the same number of hours in total as if we were to operate a 20 day program.

The CDE verified That MDUSD’s program operated for 4.75 hours per day, five days per week (Monday through Friday ), totaling 71 hours. This is consistent with and comparable to the amount of hours if MDUSD provided the ESY program for 20 days. The CDE verified that the 4.75 hours per day of the ESY program aligned with MDUSD’s general education summer program hours.

**Demographic Information:** The MDUSD has a student population of 1200 and is located in a Suburban area in Contra Costa County.

### Mariposa County Office of Education

The Mariposa County Office of Education (MCOE) requested a reduced ESY program schedule that allowed the district to operate their program for a total of 14 days in June 2023, from June 9, 2023 to June 30, 2023. The ESY will operated for 6.0 hours per day for 14 days, totaling 84 hours, rather than 4 hours per day for 20 days. Per the MCOE, the requested program schedule ensured healthy staffing levels and a positive school climate, which benefited student performance and streamlined local agency operations.

The CDE verified that MCOE’s program operated for 6 hours per day, five days per week (Monday through Friday, exclusive of the Juneteenth Holiday), totaling 84 hours. This is consistent with and comparable to the amount of hours if MCOE provided the ESY program for 20 days. The CDE verified that the 6 hours per day of the ESY program aligned with MCOE’s general education summer program hours.

**Demographic Information:** The MCOE has a student population of 49 and is located in a rural area in Mariposa County.

### Soulsbyville Elementary School District

The Soulsbyville Elementary School District (SESD) requested a reduced ESY program schedule that allowed the district to operate their program for a total of 15 days in June 2024 from June 11, 2024 through July 2, 2024. The ESY program will operate for 5.0 hours per day for 15 days, totaling 75 hours, rather than 4 hours per day for 20 days. Per the request of this program, the model mirrors the program offered by the Tuolumne County Superintendent of Schools (TCSS) program. Aligning the ESY schedule with the County program promotes efficiency and reduces costs for the program. In addition, a reduced-day program model will support staffing this program and increase attendance, both of which are challenges in a rural area.

The CDE verified that SESD’s program operated for 5.0 hours per day, five days per week (Monday through Friday), totaling 75 hours. This is consistent with and comparable to the amount of hours if SESD provided the ESY program for 20 days. The CDE verified that the 5.0 hours per day of the ESY program aligned with general education TCSS summer school program hours.

**Demographic Information:** The SESD has a student population of 465 and is located in a rural area in Tuolumne County.

### Brawley Union High School District

The Brawley Union High School District (BUHSD) requested a reduced ESY program schedule that allowed the district to operate their program for a total of 15 days in June 2024 from June 10, 2024 through June 28, 2024. The grade 9 through grade 12 ESY operated for 6 hours per day for 15 days, totaling 84 hours, rather than 4 hours per day for 20 days, to align with the general education program. Per the BUHSD, the reduced-day program model would have facilitated cost effective services within the classroom and reduce cost of transportation, electricity, custodial services, administration, etc.

The CDE verified that BUHSD’s program operated for 6.0 hours per day, five days per week (Monday through Friday), totaling 84 hours. This is consistent with and comparable to the amount of hours if BUHSD provided the ESY program for 20 days. The CDE verified that the 6.0 hours per day of the ESY program aligned with general education TCSS summer school program hours.

**Demographic Information:** The BUHSD has a student population of 2022 and is located in a rural area in Imperial County.

### Delano Union Elementary School District

The Delano Union Elementary School District (DUESD) requested a reduced ESY program schedule that allowed the district to operate their program for a total of 15 days in June 2024 from June 10, 2024 to June 28, 2024. Per the DUESD, the ESY will operate for 6.0 hours per day for 15 days, totaling 84 hours, rather than 4 hours per day for 20 days. Per the DUESD, the requested program students would have received the same or greater number of instructional minutes, and the longer ESY school days would have also aligned better with the regular school day during the school year and provided more consistency for the students served. Per the DUESD, the district’s operation of ESY for 15 days instead of 20 would better match the district’s calendars of the host site where DUESD classes are located. Per the DUESD, the shortened number of ESY days would have resulted in substantial savings in transportation, utilities, janitorial, food service, administration, clerical, and certificated costs to the district.

The CDE verified that DUESD’s program operated for 6 hours per day, five days per week (Monday through Friday), totaling 84 hours. This is consistent with and comparable to the amount of hours if DUESD provided the ESY program for 20 days.

**Demographic Information:** The DUESD has a student population of 4,142 and is located in a rural area in Kern County.

### South Whittier Elementary School District

The South Whittier Elementary School District (SWESD) requested a reduced ESY schedule that allowed the district to operate their program for a total of 16 days in 2023 from June 19, 2023. The district provided 16 instructional day calendar, which included holidays (16 days x 5.25 =84 hours). The shortened number of ESY days facilitated cost-effective services within the classroom and reduced related costs for transportation, electricity, custodial services, food services, administration, etc.

The CDE verified that SWESD’s program operated 5.25 hours per day, four days per week (Monday through Thursday), totaling 84 hours. This is consistent and comparable to the amount of hours if SWESD provided ESY program for 20 days.

**Demographic Information:** The SWESD has a student population of 2325 and is located in a small area in Los Angeles 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.

## Fiscal Analysis

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:** Sweetwater Union High School District General Waiver Request 14-3-2023 (2 page.)
* **Attachment 3:** Greenfield Union School District General Waiver Request 2-1-2024 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 4:** Red Bluff Union Elementary School District General Waiver Request 7-1-2023 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 5:** San Pasqual Valley Unified School District General Waiver Request 7-11-2022 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 6:** Mt. Diablo Unified School District General Waiver Request 2-4-2023 (2 pages). (Original waiver request is signed and on file in Waiver Office.)
* **Attachment 7:** Mariposa County Office of Education General Waiver Request 6-4-2023 (2 pages). (Original waiver request is signed and on file in Waiver Office.)
* **Attachment 8:** Soulsbyville Elementary School District General Waiver Request 2-3-2024 (2 pages). (Original waiver request is signed and on file in Waiver Office.)
* **Attachment 9:** Brawley Union High School District General Waiver Request 7-3-2024 (2 pages). (Original waiver request is signed and on file in Waiver Office.)
* **Attachment 10:** Delano Union Elementary School District General Waiver Request 18-3-2024 (2 pages). (Original waiver request is signed and on file in Waiver Office.)
* **Attachment 11:** South Whittier Elementary School District Waiver requested 11-3-2023 (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 | District | Period of Request | District’s Request | CDE Recommendation | Bargaining Unit Representatives Consulted, Date and Position | Local Board and Public Hearing Approval | Penalty Without Waiver |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 14-3-2023 | Sweetwater Union High School District | **Requested:**  June 5, 2023, to June 23, 2023  **Recommended:**  June 5, 2023, to June 23, 2023 | To provide a 14 day extended school year (ESY) program instead of a 20-day ESY program | Retroactive approval with no conditions, as the CDE has verified that the local educational agency (LEA) has provided a 14-day ESY program instead of a 20-day ESY program. | Kim Edmonds,  Special Education Teacher;  Special Education Joint Committee;  January 12, 2023;  Support. | February 13, 2023 | The LEA may not provide a 14-day ESY program |
| 2-1-2024 | Greenfield Union School District | **Requested:**  June 4, 2024, to June 27, 2024  **Recommended:** June 4, 2024, to June 27, 2024 | To provide a 18-day extended school year (ESY) program instead of a 20-day ESY program | Retroactive approval with no conditions, as the CDE has verified that the local educational agency (LEA) has provided a 18-day ESY program instead of a 20-day ESY program. | Theresa Flaherty, California School Employees Association; November 1, 2023; Support  Ashley Dawson Greenfield Union Teachers Association; October 26, 2023, Neutral | November 15, 2023 | The LEA may not provide a 18-day ESY program |

| Waiver Number | District | Period of Request | District’s Request | CDE Recommendation | Bargaining Unit Representatives Consulted, Date and Position | Local Board and Public Hearing Approval | Penalty Without Waiver |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 7-1-2023 | Red Bluff Union Elementary School District | **Requested:**  June 6, 2023, to June 27, 2023  **Recommended:**  June 6, 2023, to June 27, 2023 | To provide a 15-day extended school year (ESY) program instead of a 20-day ESY program | Retroactive approval with no conditions, as the CDE has verified that the local educational agency (LEA) has provided a 15-day ESY program instead of a 20-day ESY program. | Jeff Johnson  President 11/09/2022 Support  Connie Scharaga President  11/09/2022  Support | 11/15/2022 | The LEA may not provide a 15-day ESY program |

| Waiver Number | District | Period of Request | District’s Request | CDE Recommendation | Bargaining Unit Representatives Consulted, Date and Position | Local Board and Public Hearing Approval | Penalty Without Waiver |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 7-11-2022 | San Pasqual Valley Unified School District | **Requested:**  June 12, 2023, to June 30, 2023  **Recommended:**  June 12, 2023, to June 30, 2023 | To provide a 14-day ESY program instead of a 20-day ESY program | Retroactive approval with no conditions, as the CDE has verified that the local educational agency (LEA) has provided a 14-day ESY program instead of a 20-day ESY program. | Luz Grossenburg President 11/08/2022 Support  Jackie Rodriguez President  11/08/2022 Support | 11/08/2022 | The LEA may not provide a 14-day ESY program |

| Waiver Number | District | Period of Request | District’s Request | CDE Recommendation | Bargaining Unit Representatives Consulted, Date and Position | Local Board and Public Hearing Approval | Penalty Without Waiver |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 2-4-2023 | Mt. Diablo Unified School District | **Requested:**  June 7, 2023, to June 30, 2023  **Recommended:**  June 7, 2023, to June 30, 2023 | The LEA may not provide a 17-day ESY program | Retroactive approval with no conditions, as the CDE has verified that the local educational agency (LEA) has provided a 17-day ESY program instead of a 20-day ESY program | Linda Ortega Mt. Diablo Education Association Vice President 2-23 2023 Support | 3-8-2023 | The LEA may not provide a 17-day ESY program |

| Waiver Number | District | Period of Request | District’s Request | CDE Recommendation | Bargaining Unit Representatives Consulted, Date and Position | Local Board and Public Hearing Approval | Penalty Without Waiver |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 6-4-2023 | Mariposa County Office of education | **Requested:**  June 12, 2023, to June 30, 2023  **Recommended:**  June 12, 2023, to June 30, 2023 | To provide a 14-day ESY program instead of a 20-day ESY program | Retroactive approval with no conditions, as the CDE has verified that the local educational agency (LEA) has provided a 14-day ESY program instead of a 20-day ESY program | Ben Jewell Mariposa County Teachers Association President 3-27-2024 Support | 4/6/2023 | The LEA may not provide a 14-day ESY program |

| Waiver Number | District | Period of Request | District’s Request | CDE Recommendation | Bargaining Unit Representatives Consulted, Date and Position | Local Board and Public Hearing Approval | Penalty Without Waiver |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 2-3-2024 | Soulsbyville Elementary School District | **Requested:** June 11, 2024 to July 2, 2024  **Recommended:** June 11. 2024 to July 2, 2024 | To provide a 15-day ESY program instead of a 20-day ESY program | Retroactive approval with no conditions, as the CDE has verified that the local educational agency (LEA) has provided a 15-day ESY program instead of a 20-day ESY program. | Russ Fulkerson Teacher 1/19/2024 Support | 2/8/2024 | The LEA may not provide a 15-day ESY program |

| Waiver Number | District | Period of Request | District’s Request | CDE Recommendation | Bargaining Unit Representatives Consulted, Date and Position | Local Board and Public Hearing Approval | Penalty Without Waiver |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 7-3-2024 | Brawley Union High School District | **Requested:** June 10, 2024 to June 28, 2024  **Recommended:** June 10. 2024 to June 28, 2024 | To provide a 15-day ESY program instead of a 20-day ESY program | Retroactive approval with no conditions, as the CDE has verified that the local educational agency (LEA) has provided a 15-day ESY program instead of a 20-day ESY program. | Adrian Sanchez Brawley High School Teachers Association President 11/3/2023 Support | 3-13-2024 | The LEA may not provide a 15-day ESY program |

| Waiver Number | District | Period of Request | District’s Request | CDE Recommendation | Bargaining Unit Representatives Consulted, Date and Position | Local Board and Public Hearing Approval | Penalty Without Waiver |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 18-3-2024 | Delano Union Elementary School District | **Requested:** June 10, 2024 to June 28, 2024  **Recommended:** June 10, 2024 to June 28, 2024 | To provide a 15-day ESY program instead of a 20-day ESY program | Retroactive approval with no conditions, as the CDE has verified that the local educational agency (LEA) has provided a 15-day ESY program instead of a 20-day ESY program. | Carmen Rico CSEA President 2/23/2024 Support  Darrell Winger DUESTA President 2/23/2024 Support | 2-27-2024 | The LEA may not provide a 15-day ESY program |

| Waiver Number | District | Period of Request | District’s Request | CDE Recommendation | Bargaining Unit Representatives Consulted, Date and Position | Local Board and Public Hearing Approval | Penalty Without Waiver |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 11-3-2023 | South Whittier Elementary School District | **Requested:** June 19, 2023 to July 14, 2023  **Recommended:** June 19, 2023 to July 14, 2023 | To provide a 16-day ESY program instead of a 20-day ESY program | Retroactive approval with no conditions, as the CDE has verified that the local educational agency (LEA) has provided a 16-day ESY program instead of a 20-day ESY program. | Stephanie Gonzales  Ca. school Employee’s Association President 2-27-2023 Neutral  Carlos Rivera South Whittier Teacher’s Association President 2-27-2023  Support | 3-7-2023 | The LEA may not provide a 16-day ESY program |

Created by the California Department of Education

July 2024

# Attachment 2: Sweetwater Union High School District General Waiver Request 14-3-2023

**California Department of Education**

**WAIVER SUBMISSION – General**

CD Code: 3768411

Waiver Number: 14-3-2023

Active Year: 2023

Date In: 3/20/2023 8:30:16 A

Local Education Agency: Sweetwater Union High

Address: 1130 Fifth Ave.

Chula Vista, CA 9191

Start: 6/5/2023

End: 6/23/202

Waiver Renewal: Yes

Previous Waiver Number: 8-5-2021-W-11

Previous SBE Approval Date: 9/9/2021

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: Extended School Year: change the 20 days of ESY to 14 days (with added hours to provide same amount of services).

Outcome Rationale: Sweetwater Union High School District requests a waiver to modify the required special education Extended School Year (ESY) from 20 days to 14 days. ESY will run during the same time period--with the equivalent hours--as the district’s general education summer school. Formally, ESY was 20 days at 4 hours per day for a total of 80 hours. A 14-day, 6 hour per day ESY will total 84 hours.

The Sweetwater Union School District operates on a year-round schedule with a six week summer break. Due to this relatively short summer break, it can be difficult for both families and staff to commit to a four-week summer program. The general education program has already committed to a three-week, 5,5-hour summer session for 2023. Operating ESY under this similar three-week model provides for the equivalent number of instructional minutes for students, while maximizing attendance and staffing options.

In order to provide ESY services to all students, we are requesting a reduced number of days, while still providing the same number of hours as would have been provided in a 20-day program (80 hours). The ESY program for 2023 will run from June 5 through June 23. This will provide an appropriate intersession for students and staff while allowing us to appropriately staff the program and provide services to all students across the district. Students will receive more than the 80 hours of instruction formally provided over four weeks. In addition, we have learned from neighboring districts that a longer school day provides greater opportunity for instructional impact.

Student Population: 250

City Type: Urban

Public Hearing Date: 1/24/2023

Public Hearing Advertised: Parent Presentation & Flyer

Local Board Approval Date: 2/14/2023

Community Council Reviewed By: Psychologist Advisory Committee

Community Council Reviewed Date: 3/1/2023

Community Council Objection: No

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Dr. Paula Madrigal-Patel

Position: Program Manager Special Services

E-mail: [paula.madrigal-patel@sweetwaterschools.org](mailto:paula.madrigal-patel@sweetwaterschools.org)

Telephone: 619-796-7554

Fax: 619-796-7549

Bargaining Unit Date: 01/12/2023

Name: Special Education Joint Committee

Representative: Kim Edmonds

Title: Special Education Teacher

Phone: [kimberly.edmonds@sweetwaterschool.org](mailto:kimberly.edmonds@sweetwaterschool.org)

Position: Support

# Attachment 3: Greenfield Union School District General Waiver Request 2-1-2024

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 1563503

Waiver Number: 2-1-2024

Active Year: 2024

Date In: 1/11/2024 5:49:44 PM

Local Education Agency: Greenfield Union

Address: 1624 Fairview Rd.

Bakersfield, CA 93307

Start: 6/4/2024

End: 6/27/2024

Waiver Renewal: Yes

Previous Waiver Number: 6-2-2023-WC-11

Previous SBE Approval Date: 7/12/2023

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: [An extended year program shall be provided for a minimum of 20 instructional days, including holidays]

Outcome Rationale: The Greenfield Union School District (District) requests an alternate Extended School Year (ESY) schedule that will allow the District to provide an 18-day, 3.5 hour per day instructional program. The District will offer ESY Monday through Friday, June 4, 2024 through June 27, 2024 which includes the June 19th holiday. Students who participate in ESY will receive the same educational minutes as students who participate in the District general education Summer School program. The proposed changes will help the District secure the employment of highly qualified and trained classroom teachers and staff that work with students during the typical school year. By offering an ESY program that mirrors the dates and times of the District general education Summer School program there will be more instructional continuity between general education and special education services allowing students with disabilities the opportunity to participate in educational experiences along with their nondisabled peers. This model provides the unintended benefit of cost effective services within the classrooms and reduces related costs for transportation, utilities, custodial services, food services, etc.

Student Population: 370

City Type: Urban

Public Hearing Date: 11/15/2023

Public Hearing Advertised: A notice was posted at the District Office, at each school site, and on the District website.

Local Board Approval Date: 11/15/2023

Community Council Reviewed By: District Advisory Committee and District English Language Advisory Committee

Community Council Reviewed Date: 10/26/2023

Community Council Objection: No

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Laura Amason

Position: Assistant Director, Support Services

E-mail: [amasonl@gfusd.net](mailto:amasonl@gfusd.net)

Telephone: 661-837-6130 x4107

Fax: 661-832-4754

Bargaining Unit Date: 11/01/2023

Name: California School Employees Association

Representative: Theresa Flaherty

Title: Chapter President

Phone: 661-837-6040

Position: Support

Bargaining Unit Date: 10/26/2023

Name: Greenfield Union Teachers Association

Representative: Ashley Dawson

Title: Union President

Phone: 661-637-6190

Position: Neutral

# Attachment 4: Red Bluff Union Elementary School District General Waiver Request 7-1-2023

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 5271621

Waiver Number: 7-1-2023

Active Year: 2023

Date In: 1/19/2023 3:54:38 PM

Local Education Agency: Red Bluff Union Elementary

Address: 1755 Airport Blvd., Administration Bldg.

Red Bluff, CA 96080

Start: 6/6/2023

End: 6/27/2023

Waiver Renewal: Yes

Previous Waiver Number: 11-12-2020-W-07

Previous SBE Approval Date: 6/3/2021

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: T5CCR 3043(d)

Ed Code Authority: CCR

Education Code or CCR to Waive: This request is made by Red Bluff Union Elementary School District to waive the California Code of Regulations. Title 5, section 3043 9d0, which requires a minimum of 20 school days for an extended school year (summer School) for students with disabilities.

Outcome Rationale: RBUESD is requesting a waiver to allow the district to operate an Extended School Year Program for 15 days in June 2023. The k-8th ESY will operate for 5.5 hours per day for 15 days rather than 4 hours per day for 20 days. Per the request of this program, the 5.5 hours per day will increase the number of minutes for our ESY program and will align more closely to a regular school day for all grade. Additionally, this schedule will attract highly qualified and trained classroom teachers and staff necessary to run this program.

Student Population: 282

City Type: Rural

Public Hearing Date: 11/15/2022

Public Hearing Advertised: Posted in a public location

Local Board Approval Date: 11/15/2022

Community Council Reviewed By: Student Site Council

Community Council Reviewed Date: 12/15/2022

Community Council Objection: No

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Suzanne Adkins

Position: Director for Student Support Services

E-mail: [Sadkins@rbuesd.org](mailto:Sadkins@rbuesd.org)

Telephone: 530-527-7200 x5122

Fax: 530-527-9308

Bargaining Unit Date: 11/09/2022

Name: CSEA

Representative: Jeff Johnson

Title: CSEA President

Phone: 530-690-3371

Position: Support

Bargaining Unit Date: 11/09/2022

Name: RBEAA

Representative: Connie Scharaga

Title: RBEAA President

Phone: 530-840-6648

Position: Support

# Attachment 5: San Pasqual Valley Unified School District General Waiver Request 7-11-2022

**California Department of Education**

**WAIVER SUBMISSION – General**

CD Code: 1363214

Waiver Number: 7-11-2022

Active Year: 2022

Date In: 11/28/2022 12:34:46 PM

Local Education Agency: San Pasqual Valley Unified

Address: 676 Base Line Rd.

Winterhaven, CA 92283

Start: 6/12/2022

End: 6/30/2022

Waiver Renewal: No

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: EC 3043(d)

Ed Code Authority: 33050

Education Code or CCR to Waive: Requires a minimum of 20 school days for extending school year (summer school) for students with disabilities

Outcome Rationale: SPVUSD proposes to provide ESY services utilizing a 14-day model over a three-week period at 6 hours per day (14 days X 6 hours per day = 84 hours), which provides more than the number of hours as in a traditional 20-day model, including holidays (20 days X 4 hours = 80 hours). The proposed model, which extends daily attendance time, results in more than the required time totals, but provides for a reduction in total days of attendance to 14 days, Monday through Friday, over a three-week period.

The San Pasqual Valley Unified School District believes the proposed model will:

Provide more continuity for delivery of instruction between general education and special education so that the extended year program for special education students may be modified to match that of the general education summer school program. This waiver would allow special education students to participate in their educational experience along with their non-disabled peers, allow students and families the flexibility to plan extended weekend 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.

Student Population: 111

City Type: Rural

Public Hearing Date: 11/8/2022

Public Hearing Advertised: posted at four public sites, on webpage and school sites

Local Board Approval Date: 11/8/2022

Community Council Reviewed By: All SSC were invited to the public hearing

Community Council Reviewed Date: 11/8/2022

Community Council Objection: No

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. MARY KAY MONSON

Position: DIRECTOR OF SPECIAL EDUCATION

E-mail: [MKMONSON@SPVUSD.ORG](mailto:MKMONSON@SPVUSD.ORG)

Telephone: 760-572-0222

Bargaining Unit Date: 11/08/2022

Name: CSEA

Representative: LUZ GROSSENBURG

Title: PRESIDENT

Phone: 570-572-0222

Position: Support

Bargaining Unit Date: 11/08/2022

Name: SPTA

Representative: JACKIE RODRIGUEZ

Title: PRESIDENT

Phone: 760-572-0222

Position: Support

# Attachment 6: Mt. Diablo Unified School District General Waiver Request 2-4-2023

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 0761754

Waiver Number: 2-4-2023

Active Year: 2023

Date In: 4/3/2023 2:06:21 PM

Local Education Agency: Mt. Diablo Unified

Address: 1936 Carlotta Dr.

Concord, CA 94519

Start: 6/7/2023

End: 7/3/2023

Waiver Renewal: No

Waiver Topic: Other Waivers

Ed Code Title: Other Waivers

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

Ed Code Authority: *California Code of Regulations*

*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: We request to reduce the number of days of ESY to 18 which is 17 instructional days and one holiday. This is in response to need to end prior to the July 3rd holiday in order to ensure students will attend and we are able to hire sufficient staff to operate the program safely. Additionally, students will spend fewer hours on buses to and from school. The number of hours per day has been increased such that students will still receive the same number of hours in total as if we were to operate a 20 day program.

Student Population: 1200

City Type: Suburban

Public Hearing Date: 3/8/2023

Public Hearing Advertised: It was advertised on our central website, agendized on the board meeting and through our public relations office.

Local Board Approval Date: 3/8/2023

Community Council Reviewed By: The community advisory committee meeting approved the waiver at their regular meeting February 2023

Community Council Reviewed Date: 2/7/2023

Community Council Objection: No

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Dr. Wendi AGHILY

Position: Chief, Pupil Services & Special Education

E-mail: [Aghilyw@mdusd.org](mailto:Aghilyw@mdusd.org)

Telephone: 925-682-8000 x4047

Bargaining Unit Date: 02/23/2023

Name: Mt. Diablo Education Association

Representative: Linda Ortega

Title: Vice President

Phone: 925-676-4664

Position: Support

# Attachment 7: Mariposa County Office of Education General Waiver Request 6-4-2023

**California Department of Education**

**WAIVER SUBMISSION – General**

CD Code: 2210223

Waiver Number: 6-4-2023

Active Year: 2023

Date In: 4/11/2023 12:16:29 PM

Local Education Agency: Mariposa County Office of Education

Address: 5082 Old Highway North

Mariposa, CA 95338

Start: 6/9/2023

End: 6/30/2023

Waiver Renewal: No

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

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

Ed Code Authority: State Board of Education

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

Outcome Rationale: We are a very small, rural single district county. Staff and families prefer participating in Extended School Year services for 14 longer days than participating in ESY for 20 shorter days. This schedule is preferred because it allows students and staff to have a full month off (parents appreciate being able to travel in July). Furthermore, This program has been difficult to staff, and MCOE does not feel that it could recruit enough staff to work the program if it attempts to offer it for 20 days.By scheduling according to parent and staff preference, we ensure healthy staffing levels and a positive school climate, which will benefit student performance and streamline local agency operations.

Student Population: 49

City Type: Rural

Public Hearing Date: 4/6/2023

Public Hearing Advertised: Public posting and notifications sent to all student families 3 days in advance. Also, publicized as part of board meeting.

Local Board Approval Date: 4/6/2023

Community Council Reviewed By: Monarch Academy School Site Council (only school impacted).

Community Council Reviewed Date: 3/28/2023

Community Council Objection: No

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Marcia Miller

Position: Program Specialist/Principal of Monarch Academy

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

Telephone: 209-742-0232

Bargaining Unit Date: 03/27/202Name: Mariposa County Teachers Association

Representative: Ben Jewell

Title: Teacher/Union President

Phone: 209-742-0260 X2224

Position: Support

# Attachment 8: Soulsbyville Elementary School District General Waiver Request 2-3-2024

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 5572397

Waiver Number: 2-3-2024

Active Year: 2024

Date In: 3/1/2024 10:42:38 AM

Local Education Agency: Soulsbyville Elementary

Address: 20300 Soulsbyville Rd.

Soulsbyville, CA 95372

Start: 6/1/2024

End: 8/16/2024

Waiver Renewal: No

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

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

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: California *Education Code* of Regulations, Title 5, Section 3043(d): An extended school year program shall be provided for a minimum of 20 days.

Outcome Rationale: Soulsbyville Elementary School District proposes to provide extended school year (ESY) services utilizing a 15-day model. This model mirrors the program offered by the Tuolumne County Superintendent of Schools program that operates on our site during the summer. Aligning our ESY schedule with the County program promotes efficiency and reduces costs for the program. In addition, it is anticipated that only 6 students will receive ESY services through Soulsbyville Elementary School District in 2024. A reduced-day program model will support staffing this program and increase attendance, both of which are challenges in our rural area.

Student Population: 465

City Type: Rural

Public Hearing Date: 2/8/2024

Public Hearing Advertised: Website, posted in staff area, public posting at school site

Local Board Approval Date: 2/8/2024

Community Council Reviewed By: SELPA Community Advisory Committee

Community Council Reviewed Date: 2/6/2024

Community Council Objection: No

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Mary Lindsley

Position: Principal

E-mail: [mlindsley@soulsbyvilleschool.com](mailto:mlindsley@soulsbyvilleschool.com)

Telephone: 209-532-1419 x3368

Bargaining Unit Date: 01/19/2024

Name: Soulsbyville Teachers Association

Representative: Russ Fulkerso

Title: Teacher

Phone: 209-532-1419

Position: Support

# Attachment 10: Delano Union Elementary School District General Waiver Request 18-3-2024

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 1563404

Waiver Number: 18-3-2024

Active Year: 2024

Date In: 3/25/2024 12:50:12 PM

Local Education Agency: Delano Union Elementary

Address: 1405 12th Ave.

Delano, CA 93215

Start: 6/10/2024

End: 6/28/2024

Waiver Renewal: Yes

Previous Waiver Number: 16-3-2023-W-10

Previous SBE Approval Date: 11/27/2023

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year (Summer School)

Ed Code Section: *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

Ed Code Authority: California *Education Code* (*EC*) Section 33050

*Education Code* or *CCR* to Waive: *California Code of Regulations* (*CCR*), Title 5, Section 3043 [(d) An extended year program shall be provided for a minimum of 20 instructional days, including holidays

Outcome Rationale: Delano Union School District (DUSD) is applying for a waiver to *CCR*, Title 5, Section 3043(b), which discusses Extended School Year (ESY) services. DUSD is seeking approval for the request for a General Waiver from CDE. The proposal and purpose of the waiver is to provide ESY services to identified students with special needs utilizing a fifteen (15) days, six (6.0) hours/day instructional model, rather than the traditional model of twenty (20) days, four (4) hours/day of instructional time. Students will receive the same or greater number of instructional minutes. The longer ESY school days will also align better with the regular school day during the school year and provide more consistency for the students served. Additionally, the district’s operation of ESY for 15 days instead of 20 will better match the district’s calendars of the host site where DUSD classes are located, allowing students more opportunities to be with their typically developing general education peers. On the fiscal side, fewer ESY days will result in substantial savings in transportation, utilities, janitorial, food service, administration, clerical, and certificated costs to the district. The proposed 15 day service model will allow for all the expenses to be accounted for in one fiscal year, rather than two.

Student Population: 245

City Type: Rural

Public Hearing Date: 2/27/2024

Public Hearing Advertised: District website public notice 02/06/2024

Local Board Approval Date: 2/27/2024

Community Council Reviewed By: Special Education Parent Meeting 2/22/24; Delano Union School District Board of Trustees 2/27/24

Community Council Reviewed Date: 2/22/2024

Community Council Objection: No

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Rosa Montes

Position: Assistant Superintendent of Education Services

E-mail: [rmontes@duesd.org](mailto:rmontes@duesd.org)

Telephone: 661-721-5000 x00104

Fax: 661-721-5099

Bargaining Unit Date: 02/23/2024

Name: CSEA

Representative: Carmen Rico

Title: CSEA President

Phone: 661-721-5060

Position: Support

Bargaining Unit Date: 02/23/2024

Name: DUESTA

Representative: Darrell Winger

Title: DUESTA President

Phone: 661-721-3601

Position: Support

# Attachment 9: Brawley Union High School District General Waiver Request 7-3-2024

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 1363081

Waiver Number: 7-3-2024

Active Year: 2024

Date In: 3/15/2024 12:42:48 PM

Local Education Agency: Brawley Union High

Address: 480 N. Imperial Avenue

Brawley, CA 92227

Start: 6/10/2024

End: 6/28/2024

Waiver Renewal: Yes

Previous Waiver Number: 9-4-2023-WC-08

Previous SBE Approval Date: 4/11/2024

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: "An extended year program shall be provided for a minimum of 20 instructional days, including holidays."

Outcome Rationale: Brawley Union High School is proposing to operate a summer school program (9-12th grade) for a total of 15 school days with one holiday (6 hours and 30 minutes of daily instruction). There will be a reduction in days of attendance to facilitate cost effective services within the classroom and reduce cost of transportation, electricity, custodial services, administration, etc. Extended school year will be the same number of days as the general education program.

Student Population: 2022

City Type: Rural

Public Hearing Date: 3/13/2024

Public Hearing Advertised: Posted on the BUHSD website; physical copies in Student Services, Business office and Superintendent’s office.

Local Board Approval Date: 3/13/2024

Community Council Reviewed By: School Site Council

Community Council Reviewed Date: 2/29/2024

Community Council Objection: No

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Dr. Dr. Julie Fernandez

Position: Director of Special Education

E-mail: [jfernandez@brawleyhigh.org](mailto:jfernandez@brawleyhigh.org)

Telephone: 760-312-6077

Bargaining Unit Date: 11/03/2023

Name: Brawley Union High School Teachers Association

Representative: Adrian Sanchez

Title: BUHSTA President

Phone: 760-312-6073

Position: Support

# Attachment 11: South Whittier Elementary School District Waiver requested 11-3-2023

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 1965037

Waiver Number: 11-3-2023

Active Year: 2023

Date In: 3/15/2023 11:45:10 AM

Local Education Agency: South Whittier Elementary

Address: 11200 Telechron Ave.

Whittier, CA 90605

Start: 6/19/2023

End: 7/14/2023

Waiver Renewal: Yes

Previous Waiver Number: 11-4-2022-W-08

Previous SBE Approval Date: 12/9/2022

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: Request waiver for two years from the California State Board of Education to cover ESY 2023 and ESY 2024. 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). ESY 2024 will operate similarly and is tentatively scheduled the weeks of June 17, 2024 to July 11, 2024. 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) Facilitate cost-effective services within the classroom and reduce related costs for transportation, electricity, custodial services, food services, administration, etc.

Student Population: 2325

City Type: Small

Public Hearing Date: 3/7/2023

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: 3/7/2023

Community Council Reviewed By: The South Whittier School District Board of Trustees

Community Council Reviewed Date: 3/7/2023

Community Council Objection: No

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Diana Huizar

Position: Director of Special Education

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

Telephone: 562-944-6231 x2019

Bargaining Unit Date: 02/27/2023

Name: California School Employee's Association(CSEA)

Representative: Stephanie Gonzales

Title: President

Phone: 562-941-2123

Position: Neutral

Bargaining Unit Date: 02/27/2023

Name: South Whittier Teacher's Association (SWTA)

Representative: Carlos Rivera

Title: President

Phone: 562-941-2132

Position: Support