

# California State Board of EducationPolicy # 09-01

Date: Revised November 2008

## Waiver Guidelines:

Schoolsite Councils for Small Schools Sharing Common Services or Attendance Areas

## References:

Authority: *California Education Code* *(EC)* Section52863.

Purpose: To waive provisions of *EC* 52852.

## Historical Notes:

A pre-existing SBE Policy exists currently, but is un-dated. This will revise that policy.

## Statutory Provisions:

*EC* Section 52852 reads as follows:

*A schoolsite council shall be established at* ***each school*** *which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school.*

*At the elementary level the council shall be constituted to ensure parity between (a) the principal, classroom teachers and other school personnel; and (b) parents or other community members selected by parents.*

*At the secondary level the council shall be constituted to ensure parity between (a) the principal, classroom teachers and other school personnel; and (b) equal numbers of parents, or other community members selected by parents, and pupils.*

*At both the elementary and secondary levels, classroom teachers shall comprise the majority of persons represented under category (a).*

**Background**

Using the above statutory requirements an Elementary Schoolsite Council would have to consist of at least **10 people: 1 principal, 3 teachers and 1 other school employee (5 total) and 5 parents or other community members.** In addition a Secondary Schoolsite Council would have to consist of at least **12 people: 1 principal, 3 teachers and 2 other school employees (6 total) and 3 parents or other community members as well as 3 students (6 total).**

This is very difficult number to achieve if the total number of students and teachers in the school is small. There are many small districts with two or more small schools which share a common community, and often a common administration.

For example a small district might have an elementary school containing 7-100 students as well as a middle school with about the same numbers. In many cases the principal (who may also be the superintendent of the whole district) is the same person for both schools. In some situations two schools are located on the same piece of property, and in all cases the schools are closely located geographically. The parent and community members are of course the same in both cases, and the total number of teaching staff is small (less than 8-10 total staff.)

In other cases, there may be small schools within any size of district that provide alternative education programs like Community Day schools, and Court and Community Schools, which have very small numbers of staff and students (from 1 to 50), and yet they serve similar populations of students, with similar goals.

In these cases, it makes sense that a joint schoolsite council could easily function for multiple schools in this alternative education setting, and a joint schoolsite council would also provide a savings in time and resources in a small community.

Many of these waivers have been granted by the State Board of Education (SBE) in the past under a pre-existing Waiver Policy. All of these waivers must be renewed every two years to ensure that the situation remains the same (per EC 52863.)

## Evaluation Guidelines

California Department of Education staff places waiver requests consistent with the following evaluation guidelines on the SBE’s Consent Calendar.

* The schools affected are small: Less than – 120 pupils each.

And

* The schools have a common site administration, curriculum, or other shared services, or
* The schools have a geographic proximity or similar student populations.

Schools with greater than 120 student population may also submit a waiver; however, these will be evaluated on a case-by-case basis, and will not go to the Consent Calendar. Not meeting a Waiver Policy is not a reason to deny a waiver.

As a condition of any waiver approval the **joint** schoolsite council will be required to elect its parent-community, student and staff members from **all of the schools** and will maintain the parity requirements of EC 56852.