

**SPECIFIC WAIVER COVER SHEET**  
**CALIFORNIA STATE BOARD OF EDUCATION**  
**APRIL 2003 AGENDA**  
**Item No. WC-6**

<b>TITLE:</b> Request by <b>Oak Grove School District</b> to waive <i>Education Code</i> (EC) 56362 (c); allowing the caseload of the resource specialist to exceed the maximum caseload of 28 students by no more than four students. Resource Specialist <b>Karen Priest</b> assigned at <b>Sakamoto Elementary</b> .	<input type="checkbox"/> ACTION <input type="checkbox"/> INFORMATION <input type="checkbox"/> PUBLIC HEARING <input checked="" type="checkbox"/> CONSENT
<b>CDSIS:</b> CDSIS-1-2-2003	

**RECOMMENDATION:**

The Department recommends:  Approval       Denial

**Summary of Previous State Board of Education Discussion and Action:**

Both EC 56362 (c) and Title 5CCR 3100 allow the State Board of Education to approve waivers of Resource Specialists to exceed the maximum caseload of 28 students by not more than four students. However, there are very specific requirements in these regulations that must be met for approval, and if these requirements are not met, the waiver must be denied.

**Summary of Key Issue(s):**

The **Oak Grove School District (OGSD)** requests a waiver of EC 56362 (c), which requires caseloads for Resource Specialists to be stated in local policies developed pursuant to Section 56195.8 and in accordance with regulations established by the Board. No Resource Specialist (RSP) teacher shall have a caseload which exceeds 28 pupils.

The District states that there has been a recent influx of students moving into the Sakamoto community. These students have active IEP's and require a RSP teacher. The District will monitor the caseload, evaluate the effectiveness of the school's Student Study Team process, and investigate the need to increase Resource Specialist staff. If needed, additional staff will be hired next year.

The RSP teacher states that the waiver will not hinder the implementation of the Individualized Education Program (IEP) for any of her students, and she has agreed to support this waiver. The waiver request indicates that the caseload for the **Resource Specialist will not exceed the maximum statutory limit of 28 students by more than four students.**

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Authority for the waiver: *Education Code Section 56101, and Title 5 CCR 3100)*

Bargaining unit(s) consulted on: 12/13/02 and 12/19/02

Position of bargaining unit (choose only one):

Neutral

Support

Oppose

Name of bargaining unit representative: K.C. Walsh

Local board approval date: 1/6/03

Effective dates of request: 1/6/03-12/30/04

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**Fiscal Analysis (as appropriate):** No known fiscal impacts.

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**Background Information:** *Waiver request forms and supporting documents are available in the Waiver Office upon request.*