

SPECIFIC WAIVER COVER SHEET
CALIFORNIA STATE BOARD OF EDUCATION
APRIL 2003 AGENDA
Item No. WC-7

<p>TITLE: Request by Needles Unified School District to waive <i>Education Code</i> (EC) Section 56362 (c); allowing the caseload of the resource specialist to exceed the maximum caseload of 28 students by no more than four students. For Resource Specialist Edward Campbell assigned at Needles Middle School.</p> <p>CDSIS: 39-2-2003</p>	<p>_____ ACTION _____ INFORMATION _____ PUBLIC HEARING _____ X CONSENT</p>
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RECOMMENDATION:

The Department recommends:

Approval

Denial

Summary of Previous State Board of Education Discussion and Action:

Both EC 56362 (c) and Title 5CCR 3100 allows 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 **Needles Unified School District (NUSD)** requests a waiver of EC Section 56362 (c) which requires caseloads for Resource Specialists to be stated in local policies developed pursuant to EC Section 56195.8 and in accordance with regulations established by the State Board. No Resource Specialist shall have a caseload which exceeds 28 students.

NUSD states that they have no special education substitute teachers available. The district will add additional aide time and some students will be promoted to a smaller RSP class at the high school. NUSD states they will not have this problem for the 2003/04 school year. The RSP teacher at the middle school supports the waiver and states that it will not hinder the implementation of any student's Individualized Education Program (IEP). The waiver request indicates the caseload for the **Resource Specialist will not exceed the maximum statutory limit of 28 students by more than four students.**

Authority for the waiver: *Education Code Section 56101, 56362 (c) and Title 5 CCR 3100)*

Bargaining unit(s) consulted on: 2/11/03

Position of bargaining unit (choose only one):

Neutral

Support

Oppose

Name of bargaining unit representative: Rita Karr

Local board approval date: February 18, 2003

Effective dates of request: 1/06/03 to 6/07/03

Fiscal Analysis (as appropriate): No known fiscal impacts

Background Information: Waiver request forms and supporting documents are available for inspection in the Waiver Office.