

SPECIFIC WAIVER COVER SHEET

CALIFORNIA STATE BOARD OF EDUCATION

FEBRUARY 2003 AGENDA

Item No. W-4

<p>TITLE: Los Angeles Unified School District requests a waiver renewal of <i>Education Code</i> Section 52122 (b)(2)(A) and 52123 (c) for allowing 95 school sites with 200 or more students per acre to receive Option 1 Class Size Reduction funding. This is the fifth and final renewal for 73 schools and the fourth renewal for 22 schools.</p> <p>CDSIS: CDSIS-10-12-2002</p>	<p><input checked="" type="checkbox"/> ACTION <input type="checkbox"/> INFORMATION <input type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> CONSENT</p>
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RECOMMENDATION:

The Department recommends: Approval Denial

Summary of Previous State Board of Education Discussion and Action:

The Board previously granted the District's waiver request for the following school years:

1997-98 = 84 schools
1998-99 = 101 schools (23 new, 80 – 1st)
1999-00 = 101 schools (23 – 1st, 78 – 2nd)
2000-01 = 101 schools (23 – 2nd, 78 – 3rd)
2001-02 = 100 schools (23 - 3rd, 77 – 4th)

For the 2002-03 school year the district is requesting the fifth and final renewal for 73 schools and fourth renewal for 22 schools. The Board has requested and received quarterly updates on the District's progress in implementing the facilities mitigation plan.

Summary of Key Issue(s):

Education Code Section 52122.6 allows school districts participating in the kindergarten to grade three Class Size Reduction Program (CSR), and meeting specified criteria (as outlined below), to request from the State Board of Education a waiver of *Education Code* Section 52122(b)(2)(A) and 52123(c) to allow school sites with 200 or more students per acre to have an average student teacher ratio of 20-to-1 and still receive Option 1 (full day) funding. For example, a site may operate a CSR class of 18 students and a class of 22 students (an average of 20 students) and still receive Option 1 funding for both classes. The waiver may be renewed annually five times.

The waiver criteria in specified *Education Code* Section 52122.7 require a district to develop a school facilities mitigation plan that documents how the district will provide the necessary facilities to achieve a 20:1 student to teacher ratio in each classroom rather than average a 20:1 student to teacher ratio. The waiver also requires the district to fund 50% of the cost of implementing the facility mitigation plan. The other 50% is provided by the State Allocation Board from Proposition 1A funds. *Education Code* Section 52122.8 requires school districts operating under this waiver to report annually on how "pupils at the impacted site will be served

in enriched teacher-to-pupil ratios during the time of the waiver." The Los Angeles Unified School District has hired additional teachers for these impacted schools in order to have a pupil teacher ratio of 20-to-1 for participating grade levels.

The district's facility mitigation plan consists of building 12 new elementary schools and 19 new primary centers, building additional classrooms at 28 schools and expanding the playgrounds at 19 schools. At the request of the SBE, the district has provided quarterly updates on the progress the district is making in implementing the facilities mitigation plan.

For the 2002 year, the district has:

- elementary schools: completed 130 of the 145 benchmarks identified to be completed by December 31, 2002;
- primary centers: completed 188 of the 198 benchmarks identified to be completed by December 31, 2002;
- additions to schools: completed 158 of the 167 benchmarks identified to be completed by December 31, 2002, (the 167 benchmarks was erroneously reported as 176 in the third quarter update), and
- playground expansions: completed 86 of the 180 benchmarks identified to be completed by December 31, 2002.

Significant accomplishments during 2002 include:

- the completion of land acquisition for 11 new elementary schools, 17 primary centers, one addition project and three playground expansion projects;
- the completion of addition projects at Heliotrope and Woodlawn Elementary Schools, and
- the opening of eight construction bids.

A copy of the district's updated facilities mitigation plan is available in the State Board office.

Authority for the waiver: *Education Code* Section 52122.6

Bargaining unit(s) consulted on: N/A (Renewal)

Position of bargaining unit (choose only one): N/A (Renewal)

Neutral

Support

Oppose

Name of bargaining unit representative: N/A (Renewal)

Local board approval date: 11/26/02

Effective dates of request: 07/01/02

Fiscal Analysis (as appropriate): Provides Option 1 CSR operational funding

Background Information: Waiver request form and supporting documentation are attached to this summary. Attachment 1 lists the schools for which a waiver is being requested.

LAUSD CSR Waiver
(EC 52122.6)
5th (Final) renewal

10th St.	Lockwood
20th St.	Logan
24th St.	Loma Vista
28th St.	Lomita Magnet
49th St.	Loreto
68th St.	Los Angeles
95th St.	Magnolia
Alexandria	Main St.
Alta Loma	Manchester
Arlington	Menlo
Ascot	Middleton
Bryson	Miles
Cahuenga	Miramonte
Canoga Park	Montara
Cienega	Monte Vista
Commonwealth	Morningside
Corona	Norwood
Dayton Hgts	Oxnard
Esperanza	Pacoima
Fair	Pio Pico
Figueroa	Ramona
Fishburn	Rosemont
Fletcher	San Gabriel
Florence	San Miguel
Fries	Stanford
Garvanza	State
Grant	Trinity
Gratts	Tweedy
Hawaiian	Union
Hazeltine	Victoria
Hobart	Victory
Hooper Ave.	Vine
Hoover	Wadsworth
Hughes	Weemes
Hyde Park	West Vernon
Langdon	Wilton Place
	Woodlawn

73 schools

LAUSD CSR Waiver
(EC 52122.6)
4th renewal

15th St.
4th St.
52nd St.
6th Ave.
75th St.
Aragon
Arco Iris
Barton Hill
Cabrillo
Coldwater Canyon
Dena (Dacotah)
Gulf
Hillside
Liberty
Maclay PC
Noble
Parmalee
Plasencia
Rowan
Sierra Park
Vermont
Woodcrest

22 schools