

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

<p>TITLE: Request by Reef-Sunset 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. Resource Specialist: David Witherow assigned at Reef-Sunset Middle School.</p> <p>CDSIS: 6-12-2002</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:

The State Board of Education may approve waivers of Resource Specialists to exceed the maximum caseload of 28 students by not more than four students, if specific requirements are met; if these requirements are not met, the waiver must be denied. The Board has approved such waivers in the past when the requirements have been met.

Summary of Key Issue(s):

The **Reef-Sunset Unified School District (RSUSD)** requests a waiver of EC 56362 (c). This law states that caseloads for resource Specialist shall be stated in local policies developed pursuant to EC Section 56195.8 and in accordance with regulations established by the board. No Resource Specialist shall have a caseload which exceeds 28 students.

The district states that there has been an increase of enrollment to the special education program since the beginning of the school year. They will be looking at adding an additional RSP teacher for the 2003/04 school year.

The RSP teacher states that some students will be exiting this program which will reduce the number of students being served to around 30 students. The RSP teacher has agreed to take on the increase caseload. The waiver indicates that 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, and *Title 5CCR 3100*

Bargaining unit(s) consulted on: October 22, 2002

Position of bargaining unit (choose only one):

Neutral

Support

Oppose

Name of bargaining unit representative: Terrance Cunningham

Local board approval date: November 21, 2002

Effective dates of request: August 2002-June 30, 2003

Fiscal Analysis (as appropriate): No known fiscal impacts

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