

GENERAL WAIVER COVER SHEET
CALIFORNIA STATE BOARD OF EDUCATION
JANUARY 2004 AGENDA
Item No. WC-1

TITLE: Request by Whittier Union High School District to waive <i>Education Code (EC)</i> Section 52522(b) to increase their adult education state block entitlement of 5 percent to 7 percent for implementation of approved programs (Adult Education Innovation and Alternative Instructional Delivery Program)	<input type="checkbox"/> ACTION <input type="checkbox"/> INFORMATION <input type="checkbox"/> PUBLIC HEARING <input checked="" type="checkbox"/> CONSENT
CDSIS: 3-8-2003	

RECOMMENDATION:

The Department recommends: Approval for one year only. Denial

Summary of Previous State Board of Education Discussion and Action:

The first request for waiver of *Education Code (EC)* Section 52522(b) to increase a district's adult education state block entitlement of 5 percent to 7 percent for implementation of an approved Adult Innovation and Alternative Instruction Delivery Program was received and approved in June 2001.

In March 2002 the State Board of Education took formal action and approved a waiver guideline policy for this program that includes four requirements and a special consideration for waiver renewal requests.

To date, non-consecutive (1 day less than full year) waivers have been granted to Los Angeles Unified School District for 2000-2002, 2002-2003, and 2003-2004; Torrance Unified School District has been approved for non-consecutive year waivers for 2001-2002 and 2002-2003; Simi Valley Unified School District has been approved for a first time waiver for 2002-2004; and Inyo County Office of Education has been approved for a first time waiver for 2002-2003.

Summary of Key Issue(s):

In 1993 the California Legislature passed *EC 52522* permitting the Superintendent of Public Instruction to approve adult school plans to spend up to 5 percent of their block entitlement on innovation and alternative instructional delivery. Application requirements include reimbursement and accountability worksheets for all courses. Courses must be approved by the California Department of Education per *Education Code (EC)* Section 52515, and certification of an approved attendance accountability system is required. All ten mandated adult education program areas are eligible, however the majority of approved applications

offer coursework in Elementary Basic Skills, English as a Second Language, Citizenship, and Parent Education.

Lower level adult learners are the primary beneficiaries of the Adult Education Innovation and Alternative Instructional Delivery Program. Checking out video and print materials, a decidedly low-cost, low-tech approach, has been the most prevalent intervention, however approved alternative instructional delivery modes also include live cable broadcast; audio check-out, text, workbook and study packet assignments; and computer-based delivery.

The State Board of Education adopted waiver guidelines in March 2002 for local educational agencies (LEAs) that apply for a waiver to increase the percentage of their state block entitlement expendable for innovation and alternative instructional delivery from 5 percent to an amount not greater than 7 percent.

Whittier Union High School District (Whittier Union HSD) has submitted all items requested in the State Board of Education waiver guidelines and the review of documentation supports waiver approval.

The Department recommends approval for the 2003-2004 fiscal year on the basis of this information.

WAIVER GUIDELINES SUMMARY OF KEY ISSUES:

The waiver request includes the following:

1. Verification that all other requirements of the Adult Education Program in the LEA are in current statutory compliance.

Approval Denial

Whittier Union HSD verification has been submitted and is on file.

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2. Verification that the ratio of average daily attendance for adult education innovation and alternative instructional delivery pupils to certificated employees responsible for adult education innovation and alternative instructional delivery shall not exceed the equivalent ratio of pupils to certificated employees for all other adult education programs operated by the district.

Approval Denial

Whittier Union HSD verification has been submitted and is on file.

The average daily ratio of pupils to certificated employees is 21.49 students per teacher. The Innovation Program ratio is 19.66 students per teacher.

3. Verification that the district's prior three-year history for annual apportionment indicates growth, stability, or not more than a 4.5 percent decline per year. Changes in the number of students with limited access that may support overall ADA loss in the regular adult education state apportionment program must be documented.

Approval Denial

Whittier Union HSD verification has been submitted and is on file.

Verification indicates stability within the prior three-year history for annual apportionment as well as yearly growth.

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4. A request for an increase of the adult block entitlement from **5 percent to an amount not greater than 7 percent**. Information and documentation in all of the following three areas will be required for consideration of the waiver:

- Increased Number of Students with Limited Access to Traditional Education Options

Whittier Union HSD verification of increase of ESL population has been submitted and is on file. Prior program year shows potential enrollment in excess of 5 percent that would leave the growing population under-served.

Approval Denial

- Increased Program Capacity

Whittier Union HSD verification has been submitted and is on file.

Documentation includes the addition of internet access increasing curriculum delivery and access to curriculum.

Approval Denial

- Improved Student Assessment Documentation

Whittier Union HSD verification has been submitted and is on file.

The program has implemented the Comprehensive Adult Student Assessment System (CASAS).

Approval Denial

CONDITION OF RENEWAL

In order to be granted a renewal of this waiver, a district must also provide documentation demonstrating achievement of students in the Adult Education Innovation and Alternative

Instructional Delivery Program that is equal to or better than that of students in the regular adult education state apportionment program.

Bargaining unit(s) consulted on: June 13, 2003

Position of bargaining unit (choose only one):

Neutral Support Oppose

Name of bargaining unit representative: Nancy O'Connor, Suzzane Sloggett

Public hearing identified by (choose one or more):

posting in a newspaper posting at each school other

(specify) _____

Public hearing held on: June 24, 2003

Local board approval date: July 8, 2003

Advisory committee(s) consulted:

Objections raised (choose one): None Objections are attached on separate sheet

Date consulted: June 10, 2003

Effective dates of request: FY 2003-2004

Fiscal Analysis (as appropriate):

Approval adjusts the percentage within the district's fixed 2003-2004 adult education block entitlement. No additional funding has been requested.

Background Information:

Waiver request forms and supporting documents are available for inspection in the Waiver Office