

SPECIFIC WAIVER COVER SHEET
CALIFORNIA STATE BOARD OF EDUCATION
JULY 2003 AGENDA
Item No. W-11

<p>TITLE: Request by Compton Unified School District to waive <i>Education Code</i> (EC) Section 46201(c), the longer day instructional time penalty for the 2000-2001 school year for Centennial High and Dominguez High Schools.</p> <p>CDSIS: 10-5-2003</p>	<p><u> X </u> ACTION <u> </u> INFORMATION <u> </u> PUBLIC HEARING <u> </u> CONSENT</p>
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RECOMMENDATION:

The Department recommends approval on the condition that the district maintain increased instructional time at **Centennial High** from the required 64,800 minutes per year to at least 66,075 minutes per year (64,800 plus the 1,275 minutes short) and also at **Dominguez High** from the required 64,800 minutes per year to at least 65,438 minutes (64,800 minutes plus the 638 minutes short) for a period of two years beginning in 2003-2004 and continuing through 2004-2005, and report the increase in its yearly audits.

Summary of Previous State Board of Education Discussion and Action:

On January 1, 2002, with SB 178, the existing *EC* authority, Section 46206 was repealed, and a new Section 46206 added to the *EC*. In the fall of 2002, AB 1227 was passed by the Legislature and signed into law by the Governor. It authorizes waivers to be granted for fiscal penalties created by shortfalls of instructional time **in the 2000-01 fiscal year** or thereafter only if the makeup minutes or days, or both, are commenced not later than the school year following the year in which the waiver is granted and removes the 900 minute restriction for waivers of this type. All waivers must go to action on the SBE's agenda.

Summary of Key Issue(s):

Compton Unified School District requests a waiver of *Education Code* (EC) Section 46201(c), the longer day instructional time penalty, which states that sixty-four thousand, eight hundred minutes of instructional time must be offered in grades 9-12. In fiscal year 2000-01, Centennial High School and Dominguez High School failed to meet the requirement of 64,800 instructional minutes by 1,913 minutes because the instructional time was miscalculated. In order to prevent a reoccurrence in the future, the district has since reassigned the task verifying instructional time. **The penalty in this case is \$335,820.33**

Therefore, the department recommends approval on the condition that the district maintain increased instructional time at **Centennial High** from the required 64,800 minutes per year to at least 66,075 minutes per year (64,800 plus the 1,275 minutes short) and also at **Dominguez High** from the required 64,800 minutes per year to at least 65,438 minutes (64,800 minutes plus the 638 minutes short) for a period of two years beginning in 2003-2004 and continuing through 2004-2005, and report the increase in its yearly audits.

Authority for the waiver: 46206

Bargaining unit(s) consulted on: March 26, 2003

Position of bargaining unit (choose only one):

Neutral

Support

Oppose

Name of bargaining unit representative: Compton Education Association

Local board approval date: 04/29/03

Effective dates of request: 07/01/00 to 06/30/01

Fiscal Analysis (as appropriate):

- The repayment amount for offering less than the 1986-87 minutes per *Education Code* Section 46201(c)(1)(2)(3), as required by law is: 4,779 (Affected ADA) times \$70.27 (Penalty Amount) equals **\$335,820.33**.

Background Information:

Waiver request forms and supporting documents are attached to this summary.