

**SPECIFIC WAIVER COVER SHEET**  
**CALIFORNIA STATE BOARD OF EDUCATION**  
**JULY 2003 AGENDA**  
**Item No. WC-5**

<b>TITLE:</b> Request by <b>Cascade Union Elementary School District</b> 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 <b>Conde Kunzman assigned at Anderson Middle School.</b>	<input type="checkbox"/> ACTION <input type="checkbox"/> INFORMATION <input type="checkbox"/> PUBLIC HEARING <input checked="" type="checkbox"/> CONSENT
<b>CDSIS:</b> 144-3-2003	

**RECOMMENDATION:** The Department recommends approval.

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**Summary of Previous State Board of Education Discussion and Action:** Both EC Section 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.

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**Summary of Key Issue(s):**

The **Cascade Union Elementary School District (CUESD)** requests a waiver of EC Section 56362 (c), which states that caseloads for Resource Specialists shall be stated in local policies developed pursuant to EC Section 56195.8, and in accordance with regulations established by the board.

The **CUESD** is experiencing declining enrollment except in the area of RSP students. A number of students with IEP's requiring RSP services recently moved into the district. The district is providing the RSP class with an 8 hour aide. The Resource Specialist assures that the IEP goals for all students will be met, and 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. The district anticipates that the number of students in the middle school RSP classroom will be less next year because eight students will be moving to the high school.

Therefore, the department recommends approval.

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Authority for the waiver: EC Sections 56101, and Title 5CCR 3100.

Bargaining unit(s) consulted on: March 3, 2003

Position of bargaining unit (choose only one):

Neutral

Support

Oppose

Name of bargaining unit representative: Teri Ralston

SW-3  
08/01

Local board approval date: SELPA approved date: May 5, 2003

Effective dates of request: January 2003- June 2003

**Fiscal Analysis (as appropriate):** No known fiscal impacts.

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