



CALIFORNIA STATE BOARD OF EDUCATION

JULY 2004 AGENDA

General Waiver

SUBJECT Request by Dixon Unified School District (Dixon USD) to waive <i>Education Code (EC)</i> Section 48661(a) relating to the placement of a community day school on the same site as the Maine Prairie Continuation High School . Waiver Number: 13-5-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

If approved, *EC* Section 33051(c) will apply, and the district will not have to reapply annually if the information contained on the request remains the same.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education has approved several similar requests in the past to allow the co-location of a Community Day School (CDS) with a continuation high school when the community day school could not be located separately and the district has been able to provide for the separation of students from the two schools. The initial waiver for the Dixon USD was approved for one year to allow the district to demonstrate the efficacy of the co-location plan.

SUMMARY OF KEY ISSUES

The Dixon USD requests renewal of a waiver of *EC* Section 48661(a) which states that a CDS shall not be situated on the same site as a continuation high school.

The district conducted an extensive search of facilities owned by the district and in the community. The district has certified that no appropriate separate facilities are available. The site was selected as providing the greatest possible separation from other school classrooms and students.

The CDS is located on the same site as the Maine Prairie Continuation School, the Dixon Cooperative Nursery School, and a special education classroom for young adults operated by the county office. The Dixon CDS replaced the Solano County Office of Education Community School that operated similarly in the same facility for the previous seven years without negative incidents involving community school students and students from the other schools. The community school students worked cooperatively with the nursery school children while learning about early childhood education.

The district reports that there were no negative incidents involving community day school students and students from the other schools during the past year. The students in the CDS have been completely separated from all other students at the site, through physical barriers, scheduling, and extensive supervision. A fence surrounds the CDS classroom, with one gate for ingress and egress. There is a full-time administrator on site. There is also a full-time instructional aide assigned to the CDS, as well as a part-time youth resource officer. The starting and ending times for the various schools are staggered, so students are coming and going at different times. Also, students are supervised to and from the bathroom, and at breaks and lunch.

The local school board voted unanimously to support the waiver request. The Maine Prairie Continuation School Site Council, the director of the Dixon Cooperative Nursery School and the presidents of the certificated and classified bargaining units all submitted letters speaking to the success of the CDS program and strongly support renewal of the waiver.

While the District believed that the measures described above would provide a very high level of safety, as evidenced by the long-term successful operation of the County Community School at the site, the district initially requested, and the California Department of Education (CDE) recommended, approval of the waiver for only one year, to allow for re-evaluation before renewal is considered. Reflecting the strong statements of local support, the safety procedures implemented by the district, and the demonstrated safety record during the initial year, CDE recommends approval of the waiver renewal request.

Authority for Waiver: Education Code (EC) Section 33050

Bargaining unit(s) consulted on date(s): 5/6/04

Position of bargaining unit(s) (choose only one):

Neutral Support Oppose

Name of bargaining unit/representative(s): Diane Hensley (Dixon Teachers Assn.), Cherie Fanning (SEIU)

Public hearing identified by (choose one or more): Not required for non-controversial renewal

posting in a newspaper posting at each school other (specify)

Public hearing held on date(s): Not required for non-controversial renewal

Local board approval date(s): 5/6/04

Advisory committee(s) consulted: Maine Prairie School Site Council, Dixon Community Nursery School (letters of support are attached)

Objections raised (choose one): None Objections are as follows:

Date(s) consulted: 5/3/04

Period of request: 8/13/04 – 8/12/05

FISCAL ANALYSIS (AS APPROPRIATE)

There is no fiscal impact.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.