

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

<p>TITLE: Request by Las Virgenes 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. For Nathan Harding assigned at Round Meadow Elementary School.</p> <p>CDSIS: 130-3-2003</p>	<p>_____ ACTION _____ INFORMATION _____ PUBLIC HEARING <u> X </u> CONSENT</p>
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RECOMMENDATION:

The Department recommends:

Approval

Denial

Summary of Previous State Board of Education Discussion and Action: Both EC 56362 (c) and Title 5CCR 3100 allow 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.

Summary of Key Issue(s):

The **Las Virgenes Unified School District (LVUSD)** requests a waiver of EC 56362 (c), which states that caseloads for Resource Specialists shall be stated in local policies developed pursuant to Section 56195.8 and in accordance with regulations established by the board. No Resource Specialist shall have a caseload that exceeds 28 students.

Over the past four years, the District has experienced faster growth in its Special Education population than in its regular education population, and at the same time state entitlements have decreased as a result of the change in the AB 602 Special Education funding model. The District will be reviewing how to best address these issues. In the meantime, the District is requesting this waiver. The District will provide the Resource Specialist with 2, six-hour aides, and states that the waiver will not hinder the implementation of Individualized Education Programs (IEPs). The Resource Specialist agrees to and the union supports the approval of the waiver. The waiver request indicated 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, 56362 (c) and Title 5 CCR 3100.*

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

SW-3
08/01

Position of bargaining unit (choose only one):

Neutral

Support

Oppose

Name of bargaining unit representative: Sandra Pope

Local board approval date: 3/26/03

Effective dates of request: 2/01/03-6/13/03

Fiscal Analysis (as appropriate): No known fiscal impacts. Revenue report is attached.

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