

**SPECIFIC WAIVER COVER SHEET**  
**CALIFORNIA STATE BOARD OF EDUCATION**  
**JUNE 2003 AGENDA**  
**Item No. WC-7**

<p><b>TITLE:</b> Original request by four school districts to waive <i>Education Code</i> Section 49550, the State Meal Mandate during the summer school session.</p> <p><b>CDSIS:</b> <i>Various</i></p>	<p>_____ <b>ACTION</b>          _____ <b>INFORMATION</b>          _____ <b>PUBLIC HEARING</b>          _____ <b>X</b> <b>CONSENT</b></p>
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**RECOMMENDATION:**

The Department recommends:  Approval  Denial

**Summary of Previous State Board of Education Discussion and Action:**

Waivers of this type normally go to the State Board of Education Consent Calendar, as there is statutory basis for the approval recommendation.

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

The EC Section 49550 states that each needy child that attends a public school be provided a nutritionally adequate free or reduced-price meal every school day. The following districts have requested a waiver of EC Section 49550 for Summer 2003 and have certified their compliance with all required conditions necessary to obtain a waiver.

EC Section 49548 allows a waiver of EC Section 49550 during summer school if the district seeking the waiver has met *at least two* of the following four criteria:

- a) The summer school session is less than four hours duration and is completed by noon;
- b) Less than ten percent of needy pupils attending the summer session are at the school site for more than three hours per day;
- c) A Summer Food Service Program site is available within the school attendance area;
- d) Serving meals during the summer school session would result in a financial loss to the school district in an amount equal to one-third of the food service net cash resources or, if those cash resources are nonexistent, an amount equivalent to one month's operating cost.

<b>Agreement Number:</b>	<b>District(s):</b>	<b>Effective Period:</b>	<b>Local Board Approval:</b>	<b>Waiver Number:</b>
44-69757-0000000-01	Happy Valley Elem. SD	06/16/03-07/03/03	03/10/03	76-3-2003
04-61499-0000000-01	Manzanita Elem. SD	06/16/03-07/18/03	01/15/03	74-3-2003
43-69575-0000000-01	Moreland SD	06/23/03-07/18/03	03/11/03	58-3-2003
37-68353-0000000-01	San Pasqual Union SD	06/23/03-07/18/03	03/04/03	51-3-2003

Authority for the waiver: *Education Code* (EC) Section 49548

Bargaining unit(s) consulted on: **various**

Position of bargaining unit (choose only one):

Neutral

Support

Oppose

Name of bargaining unit representative: **not required**

Local board approval date: **see table above**

Effective dates of request: **see table above**

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**Fiscal Analysis (as appropriate):** Approval of the waiver may reduce the draw on Proposition 98 funds at the State level. Local district finances may be affected.

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**Background Information:**

Waiver request forms and supporting documents are available for inspection in the Waiver Office. In cases where a request is recommended for denial, documentation is attached to this Executive Summary.