



CALIFORNIA STATE BOARD OF EDUCATION

ITEM #W-2

MARCH 2004 AGENDA

General Waiver

SUBJECT Request by Sacramento County Office of Education (COE) to waive <i>Education Code</i> (EC) Section 1206 and 1208, the requirement that a county superintendent must possess an administrative credential as a condition of holding the superintendent position. Waiver Number: 14-2-2004	<input checked="" type="checkbox"/> Action <input type="checkbox"/> Consent
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RECOMMENDATION

Approval Approval with conditions Denial

That this waiver be granted from February 1, 2004, for the purposes of recruitment and selection, through hiring, and (if applicable) the term of office of this Sacramento COE Superintendent, only.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

A waiver of this type has not been heard by the State Board of Education (SBE), at least since 1997, the length of the existing Waiver Office records.

SUMMARY OF KEY ISSUES

Sacramento COE is one of five counties among of the 52 in California that has an appointed county superintendent. With an appointed superintendent the relationship between the board and the superintendent is very close to that of a local school district in that many more of the actions of the superintendent must be ratified by the governing board prior to implementation.

EC Sections 1206 and 1208 require that a COE Superintendent, "shall possess a valid certification document authorizing administrative services" (a general administrative credential).

For regular school districts, the statute is much more flexible. EC 35026 through EC 35034 contain various provisions for local board waiver and waivers by the California Commission on Teacher Credentialing (CTC). These waivers would then allow the hiring of a superintendent in a school district who may not have an administrative credential. This is the process that was used to hire Ray Romer, in the Los Angeles Unified School District and Alan Bersin, in the San Diego Unified School District

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The department checked with Dale Jansen, at the CTC, and confirmed that their office had no objections to the SBE granting a one time waiver of this provision for Sacramento County Office of Education recruitment and hiring of a superintendent (if necessary).

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Authority for Waiver: Education Code (EC) Section 33050

Bargaining unit(s) consulted on date(s): 12/07/04

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

Neutral

Support

Oppose

Name of bargaining unit representative(s): Michelle Mickela, President, CSEA
Gary Barker, President, SCOETA

Public hearing identified by (choose one or more):

posting in a newspaper

posting at each school

other (specify)

Public hearing held on date(s): January 28, 2004

Local board approval date(s): January 28, 2004

Advisory committee(s) consulted: NA (instead the COE consulted community input from over 100 stakeholders)

Objections raised (choose one): None Objections are attached on separate sheet

Date(s) consulted: various dates

Period of request: February 1, 2004, for the purposes of recruitment and selection (if applicable) of this Sacramento COE Superintendent only.

FISCAL ANALYSIS (AS APPROPRIATE)

The waiver will have no fiscal impact on state finances.

BACKGROUND INFORMATION

Documentation is attached to this summary