



## CALIFORNIA STATE BOARD OF EDUCATION

ITEM #WC-1

### MARCH 2004 AGENDA

#### General Waiver

<b>SUBJECT</b> Request by <b>Alhambra School District</b> to waive <i>Education Code (EC)</i> Section 52522(b) to increase their adult education state block entitlement of 5 percent to 7 percent for implementation of approved programs (Adult Education Innovation and Alternative Instructional Delivery Program).  Waiver Number: 22-12-2003	<input checked="" type="checkbox"/> <b>Action</b>  <input checked="" type="checkbox"/> <b>Consent</b>
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#### RECOMMENDATION

Approval  Approval with conditions  Denial

Recommended one day less than two consecutive years so that *Education Code (EC)* Section 33051(c) will NOT apply.

#### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The first request for waiver of *Education Code* Section 52522(b) to increase a district's adult education state block entitlement of 5 percent to 7 percent for implementation of an approved Adult Innovation and Alternative Instruction Delivery Program was received and approved in June 2001.

In March 2002 the State Board of Education (SBE) took formal action and approved a waiver guideline policy for this program that includes four requirements and a special consideration for waiver renewal requests.

To date, non-consecutive (1 day less than full year) waivers have been granted to Los Angeles Unified School District for 2000-2002, 2002-2003, and 2003-2004; Torrance Unified School District has been approved for non-consecutive year waivers for 2001-2002 and 2002-2003; Simi Valley Unified School District has been approved for a first time waiver for 2002-2004; and Inyo County Office of Education has been approved for a first time waiver for 2002-2003. The SBE is currently considering the first time waiver request by Whittier Union High School District.

#### SUMMARY OF KEY ISSUES

In 1993 the California Legislature passed *EC* Section 52522 permitting the Superintendent of Public Instruction to approve adult school plans to spend up to 5 percent of their block entitlement on innovation and alternative instructional delivery. Application requirements include reimbursement and accountability worksheets for all

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courses. Courses must be approved by the California Department of Education per *EC* Section 52515, and certification of an approved attendance accountability system is required. All ten mandated adult education program areas are eligible, however the majority of approved applications offer coursework in Elementary Basic Skills, English as a Second Language, Citizenship, and Parent Education.

Lower level adult learners are the primary beneficiaries of the Adult Education Innovation and Alternative Instructional Delivery Program. Checking out video and print materials, a decidedly low-cost, low-tech approach, has been the most prevalent intervention, however approved alternative instructional delivery modes also include live cable broadcast; audio check-out, text, workbook and study packet assignments; and computer-based delivery.

The SBE adopted waiver guidelines in March 2002 for local educational agencies (LEAs) that apply for a waiver to increase the percentage of their state block entitlement expendable for innovation and alternative instructional delivery from 5 percent to an amount not greater than 7 percent.

Alhambra school District has submitted all items requested in the SBE waiver guidelines and the review of documentation supports waiver approval.

The Department recommends approval for the 2003-2005 fiscal years on the basis of this information.

### **WAIVER GUIDELINES SUMMARY OF KEY ISSUES:**

The waiver request includes the following:

Verification that all other requirements of the Adult Education Program in the LEA are in current statutory compliance.

Approval                       Denial

Alhambra School District verification has been submitted and is on file

Verification that the ratio of average daily attendance for adult education innovation and alternative instructional delivery pupils to certificated employees responsible for adult education innovation and alternative instructional delivery shall not exceed the equivalent ratio of pupils to certificated employees for all other adult education programs operated by the district.

Approval                       Denial

Alhambra School District verification has been submitted and is on file.

The average daily ratio of pupils to certificated employees is 25 students per teacher. The Innovation Program ratio is 14 students per teacher.

Verification that the district's prior three-year history for annual apportionment indicates growth, stability, or not more than a 4.5 percent decline per year. Changes in the number of students with limited access that may support overall ADA loss in the regular

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adult education state apportionment program must be documented.

Approval                       Denial

Alhambra School District verification has been submitted and is on file.

Verification indicates stability within the prior three-year history for annual apportionment as well as yearly growth. Since 1996–97 the Innovation Program has continuously generated (unclaimed) ADA in excess of the allowable 5 Percent.

A request for an increase of the adult block entitlement from **5 percent to an amount not greater than 7 percent**. Information and documentation in all of the following three areas will be required for consideration of the waiver:

- Increase Number of Students with Limited Access to Traditional Education Options

Alhambra School District verification of increase of population with limited access has been submitted and is on file. Seventy-two different zip codes compose the student base for the district. There continues to be an increase in the number of residents 65 and older and a majority of residents are renters.

Approval                       Denial

- Increase Program Capacity

Alhambra School District verification has been submitted and is on file.

Documentation includes the expansion from two sites to fifteen sites increasing curriculum delivery and access to curriculum. The number of instructors has increased accordingly.

Approval                       Denial

- Improved Student Assessment Documentation

Alhambra School District verification has been submitted and is on file.

The Innovation Program has increased (doubled) the test administrations of the Comprehensive Adult Student Assessment System (CASAS). A student questionnaire, translated into three languages, is also utilized to evaluate the program.

Approval                       Denial

### CONDITION OF RENEWAL

In order to be granted a renewal of this waiver, a district must also provide documentation demonstrating achievement of students in the Adult Education Innovation and Alternative Instructional Delivery Program that is equal to or better than that of students in the regular adult education state apportionment program.

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Authority for Waiver: Education Code (EC) Section 33050

Bargaining unit(s) consulted on date(s): November 3, 2003

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

Neutral  Support  Oppose

Name of bargaining unit representative(s): Gloria Tauson, President, Alhambra Teachers Association, and Alice Clement, CTA and Alhambra Teachers Association

Public hearing identified by (choose one or more):

posting in a newspaper  posting at each school  other (Bulk E-mail Message)

Public hearing held on date(s): December 9, 2003

Local board approval date(s): December 9, 2003

Advisory committee(s) consulted: Leadership Committee

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

Date(s) consulted: December 9, 2003

Period of request: July 1, 2003 – June 30, 2005

**FISCAL ANALYSIS (AS APPROPRIATE)**

Approval adjusts the percentage within the district's fixed adult education block entitlement that can be used for innovation programs. This waiver does not increase the district's adult education block entitlement.

**BACKGROUND INFORMATION**

Waiver request forms and supporting documents are available for inspection in the Waiver Office