



**CALIFORNIA STATE BOARD OF EDUCATION**      **ITEM #WC-12**

**MARCH 2004 AGENDA**

**Specific Waiver**

<b>SUBJECT</b>  Request by <b>various school districts</b> to waive <i>Education Code</i> (EC) Section 49550, the State Meal Mandate during the Summer School Session.  Waiver Number: (see attached list of districts)	<input checked="" type="checkbox"/> <b>Action</b>  <input checked="" type="checkbox"/> <b>Consent</b>
---	---

**RECOMMENDATION**

Approval     Approval with conditions     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 a statutory basis for the approval recommendation.

**SUMMARY OF KEY ISSUES**

*Education Code* (EC) Section 49550 states that each needy child who 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 the summer of 2004, 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 of less than four hours duration and is completed by noon, allowing pupils to go home during the lunch period.
- b) Less than 10 percent of needy pupils attending the summer school session are at the schoolsite for more than three hours per day.
- c) A Summer Food Service Program for Children 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, documented by the 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 costs.

**State Meal Mandate (Summer School), Page 2**

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

Bargaining unit(s) consulted on date(s): **Not required for summer school waivers.**

Position of bargaining unit(s) (choose only one): **Not required for summer school waivers.**

Neutral                       Support                       Oppose

Name of bargaining unit representative(s): **Not required for summer school waivers.**

Local board approval date(s): **see table below.**

Period of request: **see table below.**

<b>Agreement number:</b>	<b>District name(s):</b>	<b>Effective Period of request(s)</b>	<b>Local Board Approval:</b>	<b>Criteria being met:</b>	<b>Waiver number:</b>
19-64766-0-01	Lowell Joint SD	06/14/04 to 07/09/04	1/12/04	<input checked="" type="checkbox"/> a) <input checked="" type="checkbox"/> b) <input type="checkbox"/> c) <input type="checkbox"/> d)	21-12-2003
19-75333-0-01	Manhattan Beach USD	06/21/04 to 07/16/04	1/21/04	<input checked="" type="checkbox"/> a) <input checked="" type="checkbox"/> b) <input type="checkbox"/> c) <input type="checkbox"/> d)	5-1-2004
04-61499-0-01	Manzanita ESD	06/14/04 to 07/15/04	1/21/04	<input checked="" type="checkbox"/> a) <input type="checkbox"/> b) <input checked="" type="checkbox"/> c) <input type="checkbox"/> d)	6-1-2004
12-62984-0-01	Peninsula Union SD	06/14/04 to 07/16/04	2/3/04	<input checked="" type="checkbox"/> a) <input checked="" type="checkbox"/> b) <input type="checkbox"/> c) <input type="checkbox"/> d)	4-1-2004
12-62794-0-01	Fieldbrook ESD	06/21/04 to 07/16/04	2/24/04	<input checked="" type="checkbox"/> a) <input checked="" type="checkbox"/> b) <input type="checkbox"/> c) <input type="checkbox"/> d)	7-1-2004
15-63669-0-01	Midway SD	06/07/04 to 07/02/04	1/12/04	<input checked="" type="checkbox"/> a) <input checked="" type="checkbox"/> b) <input type="checkbox"/> c) <input type="checkbox"/> d)	18-1-2004
10-62356-0-01	Pacific Un SD	06/14/04 to 07/09/04	1/13/04	<input checked="" type="checkbox"/> a) <input checked="" type="checkbox"/> b) <input type="checkbox"/> c) <input type="checkbox"/> d)	17-1-2004
49-70979-0-01	Two Rock Un SD	06/21/04 to 08/20/04	1/13/04	<input checked="" type="checkbox"/> a) <input checked="" type="checkbox"/> b) <input type="checkbox"/> c) <input type="checkbox"/> d)	12-1-2004
29-66407-0-01	Union Hill ESD	06/14/04 to 08/18/04	1/14/04	<input checked="" type="checkbox"/> a) <input type="checkbox"/> b) <input type="checkbox"/> c) <input checked="" type="checkbox"/> d)	11-1-2004
12-62927-0-01	Loleta Un ESD	06/14/04 to 07/15/04	1/13/04	<input checked="" type="checkbox"/> a) <input checked="" type="checkbox"/> b) <input type="checkbox"/> c) <input type="checkbox"/> d)	22-1-2004
12-63057-0-01	Trinidad Union SD	06/21/04 to 07/16/04	1/8/04	<input checked="" type="checkbox"/> a) <input type="checkbox"/> b) <input type="checkbox"/> c) <input checked="" type="checkbox"/> d)	9-1-2004

**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.

**BACKGROUND INFORMATION**

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