

**SPECIFIC WAIVER COVER SHEET**  
**CALIFORNIA STATE BOARD OF EDUCATION**  
**MAY 2003 AGENDA**  
**Item No. W-11**

<p><b>TITLE:</b> Request by <b>Konocti Unified School District (KUSD)</b> to waive <i>Education Code</i> (EC) Section 56366.1(a), certification requirements for an uncertified nonpublic agency to provide Occupational Therapy Services to 16 special needs students.</p> <p style="text-align: right;"><b>Jeanette T. Gallegos, The Mountain O.T.R.</b></p> <p><b>CDSIS:</b> 2-7-2002</p>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; border-bottom: 1px solid black;"><b>X</b></td> <td><b>ACTION</b></td> </tr> <tr> <td style="text-align: center; border-bottom: 1px solid black;">_____</td> <td><b>INFORMATION</b></td> </tr> <tr> <td style="text-align: center; border-bottom: 1px solid black;">_____</td> <td><b>PUBLIC HEARING</b></td> </tr> <tr> <td style="text-align: center; border-bottom: 1px solid black;">_____</td> <td><b>CONSENT</b></td> </tr> </table>	<b>X</b>	<b>ACTION</b>	_____	<b>INFORMATION</b>	_____	<b>PUBLIC HEARING</b>	_____	<b>CONSENT</b>
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_____	<b>CONSENT</b>								

**RECOMMENDATION:**  Approval for the attached list of students.

**Summary of Previous State Board of Education (SBE) Discussion and Action:**

The State board of Education has taken action on many waivers regarding Nonpublic School Certification. The Special Education Division has adopted guidelines to assist staff in the review of these requests.

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

- **The Occupational Therapist employed by KUSD took a maternity leave of absence and was unable to continue serving 16 special needs students whose IEPs called for OT services.**
- **KUSD contacted 9 agencies/occupational therapists to take over the caseload without success.**
- **Jeanette T. Gallegos/The Mountain O.T.R. a nonpublic agency certified to provide OT Services until 12/31/2001 had decided not to renew for 2002 in order to stay home with her young child.**
- **Ms. Gallegos agreed to provide OT services two days a week for the KUSD, one time only, while the district OT was on leave; so that OT services would continue for the 16 special needs students.**

Authority for the waiver: *Education Code* Section 56101

Bargaining unit(s) consulted on: N/A

Position of bargaining unit (choose only one): N/A

Neutral                       Support                       Oppose

Name of bargaining unit representative:

Local board approval date: June 19, 2002

Effective dates of request: February 2, 2002 – August 17, 2002

**Fiscal Analysis (as appropriate):** No known fiscal impacts.

**Background Information:** Waiver Request forms and supporting documentation are attached to this summary.