

**GENERAL WAIVER COVER SHEET**  
**CALIFORNIA STATE BOARD OF EDUCATION**  
**MAY 2003 AGENDA**  
**Item No. WC-8**

<b>TITLE:</b> Request by <b>Inyo County Office of Education</b> to waive <i>Education Code</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).  <b>CDSIS:</b> 4-2-2003	<hr/> <b>ACTION</b> <hr/> <b>INFORMATION</b> <hr/> <b>PUBLIC HEARING</b> <hr/> <b>X</b> <b>CONSENT</b>
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**RECOMMENDATION:**

The Department recommends:

Approval

Denial

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

In June 2001 the Board approved a request by Los Angeles Unified School District to waive *Education Code* Section 52522(b) to increase their adult education state block entitlement of 5 percent to 7 percent for implementation of an approved Adult Innovation and Alternative Instructional Delivery Program.

In anticipation of more requests to increase the entitlement, Department staff developed, and in March 2002 the Board approved, a waiver guideline policy for this program that includes four requirements and a special consideration for waiver renewal requests.

In March 2002, the Board approved a request by Torrance Unified School District to waive *Education Code* Section 52522(b) to increase their adult education state block entitlement of 5 percent to 7 percent for implementation of innovative programs. The District submitted all items requested in the (then) proposed State Board of Education waiver guidelines.

In June 2002 the Board approved a one more non-consecutive year waiver for Los Angeles Unified School District since some areas of a newly-adopted Board waiver guideline policy were not fully acceptable.

In March 2003, the Board approved: (1) a one additional year less one day waiver for Torrance Unified School District, and (2) a request by Simi Valley Unified School District to increase their entitlement percentage.

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

In 1993 the California Legislature passed *Education Code* 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 courses. Courses must be approved by the California Department of Education per *Education Code* 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 (ESL), 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 State Board of Education 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.

Inyo County Office of Education has submitted all items requested in the State Board of Education waiver guideline and the review of documentation supports waiver approval.

Therefore, the Department recommends approval on the basis of this information, for the 2002-2003 fiscal year.

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**WAIVER GUIDELINES SUMMARY OF KEY ISSUE(S):**

The waiver request includes the following:

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

Approval       Denial

*Inyo County Office of Education verification submitted and on file.*

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2. 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

*Inyo County Office of Education verification submitted and on file.*

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3. 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 adult education state apportionment program must be documented.

Approval       Denial

*Inyo County Office of Education verification submitted and on file.*

*Verification indicates stability within the prior three year history for annual apportionment as well as yearly growth within ESL student enrollment.*

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4. 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:

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

*Inyo County Office of Education verification of increase of ESL population submitted and on file. A successful partnership with the largest private employer in Inyo County has already doubled ESL enrollment as well as generating interest with other employers.*

Approval       Denial

- Increased Program Capacity

*Inyo County Office of Education verification submitted and on file.*

*Documentation includes the addition of no cost work site facilities.*

Approval       Denial

- Improved Student Assessment Documentation

*Inyo County Office of Education verification submitted and on file.*

*The program has initiated semi-annual student surveys and requires course content completion at 80 percent competency.*

Approval       Denial

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## 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 new technologies delivery program that is equal to or better than that of students in the regular adult education state apportionment program.

Bargaining unit(s) consulted on: December 9, 2002

Position of bargaining unit (choose only one):

Neutral                                       Support                                       Oppose

Name of bargaining unit representative: Susan Snyder Perez

Public hearing identified by (choose one or more):

posting in a newspaper       posting at each school       other  
(specify) \_\_\_\_\_

Public hearing held on: January 21, 2003

Local board approval date: January 21, 2003

Advisory committee(s) consulted:

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

Date consulted:

Effective dates of request: FY 2002-2003.

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**Fiscal Analysis (as appropriate):**

Approval adjusts the percentage within the District's fixed 2002-2003 adult education block entitlement. No additional funding requested.

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**Background Information:**

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