

SPECIFIC WAIVER COVER SHEET
CALIFORNIA STATE BOARD OF EDUCATION
MAY 2003 AGENDA
Item No. WC-9

TITLE: Request by Orange Center Elementary School District to waive <i>Education Code</i> (EC) 56362 (c), which allows the district to exceed the maximum caseload of 28 students (but not more than 32) for Resource Specialist Susan Carlock assigned at Orange Center.	ACTION _____ INFORMATION _____ PUBLIC HEARING _____ X CONSENT
CDSIS: 54-3-2003	

RECOMMENDATION:

The Department recommends:

Approval

Denial

Summary of Previous State Board of Education Discussion and Action:

Both EC 56362 (c) and Title 5CCR 3100 allows the State Board of Education to approve waivers of Resource Specialists to exceed the maximum caseload of 28 students by not more than four students. However, there are very specific requirements in these regulations that must be met for approval, and if these requirements are not met, the waiver must be denied.

Summary of Key Issue(s):

The **Orange Center Elementary School District (OCESD)** requests a waiver of EC Section 56362 (c). This law states that caseloads for Resource Specialists shall be stated in local policies developed pursuant to Section 56195.8 and in accordance with regulations established by the board.

The **OCESD** states that they are a small one school, school district which has had three families recently moved into their district with five special education students. The district usually transfers overflow students to a neighboring district, however the neighboring district's special education classes are currently full. The district will provide the RSP teacher with a six hour aide, and the district and the Resource Specialist state that all services required of all IEPs will be provided.

The RSP teacher and the union both support the approval of the waiver.

Authority for the waiver: *Education Code* Section 56101 and Title 5CCR 3100.

Bargaining unit(s) consulted on: March 11, 2003

Position of bargaining unit (choose only one):

SW-3
08/01

Neutral

Support

Oppose

Name of bargaining unit representative: Charla Kelley-Chapter President

Local board approval date: March 12, 2003

Effective dates of request: March 11, 2003-June 10, 2003

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

Background Information: Waiver request forms and supporting documents attached.