



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

General Waiver

SUBJECT Request by Gridley Unified School District to waive portions of <i>Education Code</i> (EC) sections 48660 and 48916.1(d) to permit the establishment of a community day school (CDS) for grades K-8 to be operated by a unified school district. (Grades 9-12 are allowed under current statute). Waiver Number: 39-2-2004	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval **Approval with conditions** **Denial**

That this waiver falls under the provision of EC 33051(c) and the district will not be required to reapply annually if information contained on the request remains current.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The Board has approved several similar requests in the past for a school district to be permitted to establish a K-8 community day school.

SUMMARY OF KEY ISSUES

By statute, a community day school may serve pupils in any of kindergarten and grades 1 to 6, inclusive, or any of grades 7 to 12, inclusive, or the same or lesser included range of grades as may be found in any individual middle or junior high school operated by the district. If a school district is organized as a district that serves kindergarten and grades 1 to 8, inclusive, but no higher grades, the governing board of the school district may establish a community day school for any of kindergarten and grades 1 to 8, inclusive, upon a two-thirds vote of the board. The provision that a K-8 school district could establish a K-8 CDS upon a two-thirds vote of the local board was added by amendment in 1999. Prior to that time, any school district had to apply to the State Board of Education for a waiver to establish a K-8 CDS. Since Gridley is a unified school district, it still must apply to the State Board for a waiver to establish a CDS for that grade span.

The Gridley Unified School District is a small rural district of approximately 2000 students. Consistent with statute, it has been operating a K-6 CDS and a 7-12 CDS. However, enrollment in the K-6 CDS has been very low, while enrollment in the 7-12 CDS has been pushing capacity. Therefore, the district is requesting this waiver to enable it to redefine the grade spans of the schools so that they may operate a K-8 CDS and a 9-12 CDS. Consistent with the requirement for a K-8 school district, the local board of the Gridley Unified School District voted unanimously to support this request for a waiver.

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Authority for Waiver: *Education Code (EC) Section 33050*

Bargaining unit(s) consulted on date(s): 1/23/04, 2/4/04

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

Neutral Support Oppose

Name of bargaining unit/representative(s): [Click here and type name(s) of the union(s) consulted, and the name(s) of the representative(s).]

Public hearing identified by (choose one or more):

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

Public hearing held on date(s): 2/4/04

Local board approval date(s): 2/4/04

Advisory committee(s) consulted: School Site Council

Objections raised (choose one): None Objections are as follows:

Date(s) consulted: 1/15/04 (typed vote tally signed at subsequent meeting on 1/30/04)

Period of request: 1/26/04 – 6/10/06

FISCAL ANALYSIS (AS APPROPRIATE)

There is no fiscal impact.

BACKGROUND INFORMATION

Action Item: Some documentation is available for web viewing. Waiver forms and other hard copy documents are available for viewing at the Waiver Office or State Board Office.