



# CALIFORNIA STATE BOARD OF EDUCATION

## MAY 2004 AGENDA

**General Waiver**

<b>SUBJECT</b>  Request by <b>Sacramento City Unified School District</b> to waive <i>Education Code</i> (EC) Section 37202, the equity length of time requirement, to allow a full day kindergarten program at Bear Flag Elementary School.  Waiver Number: 26-3-2004	<input checked="" type="checkbox"/> <b>Action</b>
	<input type="checkbox"/> <b>Consent</b>

### RECOMMENDATION

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

The Department recommends approval of this waiver for one year with the condition that the district provide an evaluation of the full day kindergarten pilot program before a renewal is considered.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education has approved similar waivers in the past.

### SUMMARY OF KEY ISSUES

Sacramento City Unified is requesting a waiver of the equity length of time requirement, EC Section 37202, that states a “school district shall maintain all of the elementary day schools established by it for an equal length of time during the school year.” The district wants to start a pilot program of extended day kindergarten at Bear Flag Elementary School, one out of sixty elementary schools. The school has received a grant from the United States Department of Education (USDE) Foreign Language Assistance Program (FLAP) and one of the requirements is for a full day kindergarten classroom. Any additional costs incurred by the increase of instructional minutes for kindergarten will be paid for by the FLAP grant.

The district has adopted EC section 8970-8974, the Early Primary Program, at their February 19, 2004 board meeting. This project will increase the number of instructional minutes daily for the kindergarten pupils at this school and will include instruction in both English and Spanish languages. The kindergarten day will be expanded to the same level as the elementary day. There is an open enrollment policy in place at the district and all of the school site councils were informed of this pilot program, and no objections were noted.

Therefore, the Department recommends approval of this waiver for one year with the condition that the district provide an evaluation of the full day kindergarten pilot program before a renewal is considered.

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

**Bargaining unit(s) consulted on date(s):** January 22, 2004

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

Neutral  Support  Oppose

**Name of bargaining unit/representative(s):** Manuel Villarreal

**Public hearing identified by (choose one or more):**

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

**Public hearing held on date(s):** February 5, 2004

**Local board approval date(s):** February 5, 2004

**Advisory committee(s) consulted:** Letter sent to all district school site councils informing them of the proposed pilot program for extending kindergarten at Bear Flag Elementary. No objections were raised.

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

**Date(s) consulted:** December 16, 2004 and various other dates.

**Period of request:** February 23, 2004 to February 22, 2005

**FISCAL ANALYSIS (AS APPROPRIATE)**

Program is being funded by a Foreign Language Assistance Program (FLAP) grant.

**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.