



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

Specific Waiver

<p>SUBJECT</p> <p>Request by various school districts to waive <i>Education Code</i> (EC) Section 49550, the State Meal Mandate during the Summer School Session. (Duration of summer school sessions are more than three hours and less than four hours.)</p> <p>Waiver Number: "various"</p>	<input checked="" type="checkbox"/> Action
	<input type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

That the district only claim hours of apportionment for summer school¹ on the basis of the **hours** certified under Criteria One of their waiver request. This will also serve as notice to the school district that the approved waiver is being forwarded to the California Department of Education (CDE), School Fiscal Services Division that gathers supplemental hourly data and is responsible for K-12 audit procedures and oversight.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The duration of a summer school session (being less than four hours) is one criterion used to determine compliance with at least two of the four statutory waiver criteria. Since it is possible a school district may contest this condition, these waivers are going to the State Board of Education Action Calendar.

SUMMARY OF KEY ISSUES

Education Code (EC) Section 49550 states that each needy child who attends a public school be provided a nutritionally adequate free or reduced-price meal every school day. The following districts have requested a waiver of EC Section 49550 for the summer of 2004, certifying their compliance with required conditions necessary to obtain a summer school meal waiver. EC Section 49548 allows a waiver of EC Section 49550 during summer school if the district seeking the waiver has met *at least two* of the following four criteria:

1. The term "summer school" includes the supplemental hourly programs authorized in *Education Code* sections: 37252, 37252.5, 7252.6, and, 42239.

Various School District, Page 2

Criteria One:

- The summer school session is of less than four hours in duration and is completed by noon, allowing pupils to go home during the lunch period.

Criteria Two:

- Less than 10 percent of needy pupils attending the summer school session are at the schoolsite for more than three hours per day.

Criteria Three:

- A Summer Food Service Program for Children site is available within the school attendance area.

Criteria Four:

- Serving meals during the summer school session would result in a financial loss to the school district, documented by the district, in an amount equal to one-third of the food service net cash resources or, if those cash resources are nonexistent, an amount equivalent to one month's operating costs.

All the school districts included in this waiver package meet Criteria 1 and one other waiver criteria. All of the school districts plan to offer a summer school session that is in excess of three hours and less than four hours in duration. The Department added a condition that for apportionment purposes, the time certified under Criteria One cannot be exceeded. Further, the condition will serve as notice that such approvals are being forwarded to the CDE School Fiscal Services Division for potential monitoring of the mandate and waiver approval.

Authority for the Waiver: *Education Code (EC) Section 49548.*

Bargaining unit(s) consulted on date(s): Not required for summer school waivers.

Position of bargaining unit(s) (choose only one): Not required for summer school waivers.

Neutral Support Oppose

Name of bargaining unit(s)/representative(s): Not required for summer school waivers.

Local board approval date(s): see table below

Period of request: see table below

Various School District, Page 3

Agreement number:	District name(s):	Effective Period of request(s):	Local Board Approval:	Criteria being met:	Waiver number:
19-64212-0-01	ABC USD	06/22/04 to 07/16/04	03/3/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3 hrs, 30min <input checked="" type="checkbox"/> 3) <input type="checkbox"/> 4)	110-3-2004
24-65659-0-01	Ballico-Cressey SD	07/06/04 to 08/02/04	03/08/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 75min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	44-2-2004
42-69138-0-01	Buellton Union SD	06/28/04 to 07/30/04	pending	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 83min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	109-3-2004
55-72348-0-01	Columbia Union SD	07/12/04 to 08/16/04	02/10/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	32-2-2004
12-62745-0-01	Cutten ESD	06/28/04 to 07/23/04	02/09/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	30-2-2004
37-68049-0-01	Dehesa SD	06/23/04 to 07/21/04	02/19/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	64-2-2004
26-73668-0-01	Eastern Sierra USD	07/01/04 to 08/25/04	03/24/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	32-3-2004
01-61168-0-01	Emery USD	07/06/04 to 08/20/04	pending	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 75min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	68-3-2004
47-70276-0-01	Etna Union HSD	06/17/04 to 07/30/04	1/21/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 59 <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	25-1-2004
49-70680-0-01	Forestville Union SD	06/21/04 to 07/23/04	02/12/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	57-2-2004
47-70300-0-01	Fort Jones Union ESD	06/14/04 to 07/12/04	02/12/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	26-2-2004

Various School District, Page 4

10-62257-0-01	Kingsburg Jt. Union HSD	06/14/04 to 07/23/04	04/19/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	121-3-2004
49-70797-0-01	Liberty ESD	06/21/04 to 07/09/04	02/11/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	53-2-2004
19-46717-0-01	Little Lake City SD	06/21/04 to 7/22/04	Pending	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 75min <input checked="" type="checkbox"/> 3) <input type="checkbox"/> 4)	40-3-2004
30-73924-0-01	Los Alamitos USD	06/28/04 to 08/02/04	03/08/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	122-3-2004
43-69526-0-01	Los Gatos Union SD	06/21/04 to 07/16/04	03/09/04	<input checked="" type="checkbox"/> 1) <input checked="" type="checkbox"/> 2) 3hrs, 75min <input type="checkbox"/> 3) <input type="checkbox"/> 4)	64-3-2004
25-73692-0-01	Mammoth USD	06/21/04 to 7/30-04	03/09/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	42-3-2004
12-62950-0-01	McKinleyville Union SD	06/21/04 to 07/16/04	03/09/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input checked="" type="checkbox"/> 3) <input type="checkbox"/> 4)	83-3-2004
23-65581-0-01	Mendocino USD	06/23/04 to 07/21/04	02/26/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	23-3-2004
41-68965-0-01	Menlo Park City SD	06/21/04 to 07/16/04	03/11/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 35min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	80-3-2004
43-69575-0-01	Moreland SD	06/21/04 to 07/23/04	03/16/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 48min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	106-3-2004
09-61929-0-01	Mother Lode Union SD	06/03/04 to 06/29/04	02/11/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	52-2-2004
29-66340-0-01	Nevada City SD	06/17/04 to 08/13/04	03/03/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	43-3-2004

Various School District, Page 5

27-66134-0-01	Pacific Grove USD	06/21/04 to 07/23/04	02/19/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	164-3-2004
09-61945-0-01	Pioneer Union SD	06/07/04 to 07/02/04	02/12/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 59min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	38-2-2004
31-66886-0-01	Placer Hills Union SD	06/17/04 to 07/15/04	02/11/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 59min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	34-2-2004
09-61952-0-01	Placerville Union SD	06/03/04 to 07/01/04	03/17/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	46-3-2004
29-66381-0-01	Pleasant Valley ESD	06/21/04 to 07/16/04	01/13/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 59min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	10-1-2004
09-61960-0-01	Pollock Pines SD	06/21/04 to 07/16/04	03/09/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 45min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	3-3-2004
29-66399-0-01	Ready Springs Union SD	06/14/04 to 07/09/04	02/12/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 59min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	44-2-2004
36-67868-0-01	Rim of the World SD	06/21/04 to 07/30/04	02/12/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	54-2-2004
21-75002-0-01	Ross Valley SD	06/14/04 to 07/09/04	01/27/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	10-2-2004
44-10447-0-01	Santa Cruz COE	06/21/04 to 07/30/04	03/18/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 45min <input checked="" type="checkbox"/> 3) <input type="checkbox"/> 4)	45-3-2004
09-61986-0-01	Silver Fork SD	06/21/04 to 07/16/04	03/23/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 45min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	11-3-2004
46-70177-0-01	Sierra-Plumas Jt. USD	06/14/04 to 07/26/04	03/09/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	56-2-2004

Various School District, Page 6

55-72371-0-01	Sonora SD	07/19/04 to 08/13/04	03/10/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 40min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	41-3-2004
50-71282-0-01	Stanislaus Union SD	06/21/04 to 07/30/04	02/02/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 10min <input checked="" type="checkbox"/> 3) <input type="checkbox"/> 4)	12-2-2004
55-72413-0-01	Summerville Union HSD	06/14/04 to 07/02/04	03/23/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs 59min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	105-3-2004
51-71449-0-01	Sutter Union HSD	06/14/04 to 07/16/04	03/10/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	11-2-2004
19-65052-0-01	Temple City USD	06/23/04 to 07/30/04	03/24/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	63-3-2004
49-70961-0-01	Twin Hills Union SD	07/12/04 to 08/12/04	02/26/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	20-3-2004
17-64071-0-01	Upper Lake Union HSD	06/14/04 to 07/23/04	02/25/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 50min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	4-3-2004
48-70573-0-01	Vacaville USD	06/28/04 to 08/03/04	03/18/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 59min <input type="checkbox"/> 3) <input checked="" type="checkbox"/> 4)	93-3-2004
19-65169-0-01	Wiseburn SD	07/05/04 to 07-30-04	02/26/04	<input checked="" type="checkbox"/> 1) <input type="checkbox"/> 2) 3hrs, 55min <input checked="" type="checkbox"/> 3) <input type="checkbox"/> 4)	33-3-2004

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of the waiver may reduce the draw on Proposition 98 funds at the State level. Local district finances may be affected.

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.