



CALIFORNIA STATE BOARD OF EDUCATION

MAY 2004 AGENDA

General Waiver

SUBJECT Request by Monterey Peninsula Unified High School District to waive <i>Education Code (EC) Section 52522(b)</i> to increase from 5 percent to 7 percent the proportion of their adult education state block entitlement that may be used to implement approved adult education innovation and alternative instructional delivery programs. Waiver Number: 3-1-2004	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Consent

RECOMMENDATION

Approval Approval with conditions Denial

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The first request for waiver of *EC* Section 52522(b) to increase from 5 percent to 7 percent the proportion of a district's adult education state block entitlement that may be used to implement approved adult innovation and alternative instruction delivery programs was received and approved in June 2001.

In March 2002 the State Board of Education (SBE) took formal action and approved a waiver guideline policy for this type of waiver request that includes four provisions and a special consideration for waiver renewal requests.

To date, non-consecutive (1 day less than full year) waivers have been granted to Los Angeles Unified School District for 2000–2002, 2002–2003, and 2003–2004; Torrance Unified School District has been approved for non-consecutive year waivers for 2001–2002 and 2002–2003 and is currently seeking a similar non-consecutive waiver for 2003–2004; Simi Valley Unified School District has been approved for a first-time waiver for 2002–2004; Inyo County Office of Education has been approved for a first-time waiver for 2002–2003; and Whittier Union High School District was approved in January 2004 for a first-time waiver for 2003–2004. The SBE is currently reviewing a request for a first-time waiver for Alhambra School District.

SUMMARY OF KEY ISSUES

In 1993 the California Legislature passed *EC* 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 (CDE)

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per *EC* 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, Citizenship, and Parent Education.

Increased access to instruction for hard-to-serve adults is a basic tenet of adult education innovation and alternative instructional delivery programs. 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 SBE adopted waiver guidelines in March 2002 for local education 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.

Monterey Peninsula UHSD has submitted all items requested in the SBE waiver guidelines and the review of documentation supports waiver approval.

The Department recommends approval for the 2003–2004 fiscal year on the basis of this information.

WAIVER GUIDELINES SUMMARY OF KEY ISSUES:

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

Monterey UHSD verification has been submitted and is on file.

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

Monterey UHSD verification has been submitted and is on file.

The average daily ratio of pupils to certificated employees in the Innovation Program was slightly higher than other adult education programs, which prompted hiring a part-time coordinator and additional certificated positions.

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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

Monterey UHSD verification has been submitted and is on file.

4. Verification indicates stability within the prior three-year history for annual apportionment as well as yearly growth.

A request for an increase from **5 percent to an amount not greater than 7 percent** of the amount of the adult block entitlement that may be used for innovation and alternative instructional delivery programs. Information and documentation in support of the waiver has been provided regarding the following characteristics of the program:

- Increase In Number of Students with Limited Access to Traditional Education Options

Monterey UHSD verification of increase of population with limited access has been submitted and is on file. The district has changed physical location and seen a 20 percent increase in demand for services.

Approval Denial

- Increase In Program Capacity

Monterey UHSD verification has been submitted and is on file.

Documentation includes the expansion to two new sites increasing curriculum delivery and access to curriculum. The number of instructors has increased and all classes are at capacity.

Approval Denial

- Improved Student Assessment Documentation

Monterey UHSD verification has been submitted and is on file.

The Innovation Program has added additional optional Comprehensive Adult Student Assessment System (CASAS) tests. A revised, comprehensive entry-level interview and placement procedure has also been added.

Approval Denial

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

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Innovation and Alternative Instructional Delivery Program that is equal to or better than that of students in the regular adult education state apportionment program.

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

Bargaining unit(s) consulted on date(s): December 5, 2003

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

Neutral

Support

Oppose

Name of bargaining unit/representative(s): Francine Stewart, Margaret Rand, Geoff Von Saltza

Public hearing identified by (choose one or more):

posting in a newspaper

posting at each school

other (School District Office and Departments)

Public hearing held on date(s): December 15, 2003

Local board approval date(s): December 15, 2003

Advisory committee(s) consulted: Distance Learning Advisory Committee

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

Date(s) consulted: December 2, 2003

Period of request: July 1, 2003 to June 30, 2004

FISCAL ANALYSIS (AS APPROPRIATE)

Approval adjusts the percentage within the district's fixed adult education block entitlement. No additional funding would result from approval of this waiver request.

BACKGROUND INFORMATION

Consent Item: Backup materials, waiver request forms and supporting documents are not available for web viewing but are available for inspection in the Waiver Office.