

SPECIFIC WAIVER COVER SHEET
CALIFORNIA STATE BOARD OF EDUCATION
JANUARY 2004 AGENDA
Item No. W-16

TITLE: Request by East Side Union High School District to waive <i>Education Code</i> (EC) Section 56366.1(a) certification for an uncertified nonpublic school, Sunhawk Academy located in Saint George, Utah to provide services to one special education student, Natalie G.	<u> X </u> ACTION <u> </u> INFORMATION <u> </u> PUBLIC HEARING <u> </u> CONSENT
CDSIS: 12-11-2003	

RECOMMENDATION: The Department recommends: Approval Denial

Summary of Previous State Board of Education Discussion and Action: The State Board of Education has taken action on several previous nonpublic school certification waivers.

Summary of Key Issue(s): The **East Side Union High School District (ESUHSD)** requests a waiver of EC 56366.1(a). This law establishes standards for non-profit, nonsectarian schools and agencies to follow to be certified to provide special education and designated instruction services (DIS) to students with disabilities. The district requests this waiver in order to place student, **Natalie G.** at **Sunhawk Academy** located in **Saint George, Utah.**

The student's handicapping condition is Emotional Disturbance. The placement is pursuant to mental health needs. The student has issues with substance abuse and safety needs. No other program was appropriate to meet all of the student's needs.

The **Sunhawk Academy** staff are highly trained and devoted to students with substance abuse needs. This student needs a secure facility with a drug and alcohol treatment program

The Department recommends this waiver request be approved.

Authority for the waiver: *Education Code* (EC) Section 56101

Bargaining unit(s) consulted on: 10/30/03

Position of bargaining unit (choose only one):

Neutral Support Oppose

Name of bargaining unit representative: Don McKell, Filiberto Zamora

Local board approval date: SELPA approval 11/17/03

Effective dates of request: 9/1/02-8/31/04

Fiscal Analysis (as appropriate): No known fiscal impacts

Background Information: Waiver request forms and supporting documents are attached to this summary.