

FOLSOM-CORDOVA UNIFIED SCHOOL DISTRICT

Community Relations

BP 1431(a)

WAIVERS

The Governing Board may request that the State Board of Education waive certain provisions of the Education Code, Title 5 regulations, or the federal law when such provisions prevent the district from offering its students the best possible educational program. The Superintendent or designee, advisory committees, or site councils shall identify the need for the Board to submit waiver requests and shall provide the Board with the necessary information to analyze the need for the waiver.

The Board shall hold a properly noticed public hearing on all waiver requests. (Education Code 33050)

(cf. 9320 - Meetings and Notices)

The Board shall include the exclusive employee representative in the development of the waiver.

(cf. 4140/4240 - Bargaining Units)

If the waiver affects a program that requires the existence of a school site council, the school site council shall first approve the request.

(cf. 0420 - School Plans/Site Councils)

(cf. 0420.1 - School-Based Program Coordination)

(cf. 1220 - Citizen Advisory Committees)

For general waivers, the request to the State Board of Education shall include a statement as to whether the exclusive employee representative participated in the development of the waiver and the exclusive employee representative's position on the waiver. General waiver requests shall include a written summary of any objections to the request by the councils or advisory committees. (Education Code 33050)

Legal Reference:

EDUCATION CODE

5000-5033 Governing board elections

8750-8754 Grants for conservation education

10400-10407 Cooperative improvement programs

17047.5 Facilities used by special education students

17291 Portable school buildings

33050-33053 General waiver authority

37202 Equity length of time

41000-41360 School finance

41381 Minimum school day

41600-41854 Computation of allowances

41920-42842 Budget requirements; local taxation by school districts

44520-44534 New program for careers

44666-44669 School-Based Management and Advanced Career Opportunities

44681-44689 Administrator Training and Evaluation

WAIVERS (continued)

45108.7 *Maximum number of senior management positions*
48660-48666 *Community day schools*
48800 *Attendance at community college*
49550-49560 *Meals for needy students*
51224.5 *Algebra instruction*
51745.6 *Charter school independent study ratio*
51870-51874 *Educational technology*
52053-52055.55 *Immediate Intervention for Underperforming Schools Program*
52055.600-52055.662 *High Priority Schools Grant Program*
52080-52090 *Class size reduction grade 9*
52122.6-52122.8 *Class size reduction - impacted school sites*
52160-52178 *Bilingual-Bicultural Education Act of 1976*
52180-52186 *Bilingual teacher waiver*
52200-52212 *Gifted and Talented Pupils Program*
52340-52346 *Career Guidance Centers*
52522 *Plans for adult education*
52850-52863 *School-Based Coordinated Program*
54000-54028 *Disadvantaged Youth Program*
54100-54145 *Miller-Unruh Basic Reading Program*
54407 *Waiver for compensatory education programs*
56000-56867 *Special education programs*
58407 *Waiver related to individualized instruction program*
58900-58928 *Restructuring demonstration programs*
60119 *Public hearing on sufficiency of instructional materials*
60422 *Instructional materials funding realignment program*
CODE OF REGULATIONS, TITLE 5
1032 *Academic Performance Index*
3100 *Resource specialist caseload waivers*
3945 *Cooperative programs*
9531 *Instructional materials funding*
11960 *Charter school attendance*
11963.4 *Charter school percentage funding*
13017 *Waivers*
13044 *Waivers*
UNITED STATES CODE, TITLE 20
1400-1482 *Individuals with Disabilities Education Act*
7115 *Safe and Drug Free Schools, authorized activities*

Management Resources:

WEB SITES

*California Department of Education, Waiver Office: <http://www.cde.ca.gov/re/lr/wr>
Commission on Teacher Credentialing: <http://www.ctc.ca.gov>*

Approved: January 28, 2010