Cecilia A. Massetti, Ed.D.
Superintendent of Schools

Agenda Item 8.7

Board of Education Action Item
October 12, 2021

Topic:
Consideration Renewal of Career and Alternative Education (CAES) Waiver to the State Board of Education to Waive Education Code 52852 in Order to Share School site Councils (SSCs) and Reduce the Number of Representatives Composing the SSCs.

[Annual board approval notice of renewal of waiver allowing CAES to share SSCs and to reduce the required number of representatives]

Background:
A School Site Council (SSC), as required by Title I and the California Department of Education (CDE), is prescribed by California Education Code (Ed Code 52852). In short, the code requires every school receiving Title I funds to establish a School Site Council. The same Education Code establishes the composition of a council to include a principal, teachers, other staff, parents, and students (at the high school level). The Education Code calls for parity between school and parent/community representatives and outlines requirements for numbers in each group.

California Department of Education provides a waiver process for schools that cannot meet the Education Code requirements. Specifically, a Local Education Agency (LEA) may request a waiver of Ed Code 52852—a SSC at each school receiving Title I and the composition of SSCs. A waiver request is prepared by the LEA, and approval of the request is sought from the School Site Council (or other advisory committee), the Local Board of Education, and the Superintendent. The bargaining unit is informed of the waiver request for an SSC.

The Waiver Request is sent to CDE, which reviews the request and submits the request to the State Board of Education. At a regularly scheduled State Board meeting, such waiver requests are reviewed and either approved, approved with conditions, or denied.

Pursuant to Assembly Bill (AB) 716 local educational agencies (LEAs) will no longer be required to seek the State Board of Education (SBE) approval for some of their school site councils to waive the composition requirements contained in Education Code (EC) 65000. The specific provisions for such permission are authorized in EC 65001 which includes: Up to three schools with a combined pupil population of less than 1,000 may operate a shared School Site Council and sites share geographic proximity to one another with similar pupil populations.

The Madera County Superintendent of Schools' (MCSOS) Career and Alternative Education Services Division (CAES) requests such a waiver. This waiver requests one SSC to serve Madera County Independent Academy (MCIA), Pioneer Technical Center (PTC), and Endeavor/Voyager School. The justification for this waiver meets the requirements listed above such that the combined student population of CAES programs does not exceed 1,000 pupils, CAES programs share the same geographic proximity, as well as, CAES programs address similar student needs, administration, funding, and the small staffs at each individual school site.

In addition, our combined School Site Council would have to consist of at least 12 people: 1 principal, 3 teachers and 2 other school employees (6 total) and 3 parents or other community members as well as 3 students (6 total).

Financial Impact:
There is no financial impact.

Resource:
Frederick Cogan
Executive Director,
Career & Alternative Education Services

Recommendation:
It is recommended the Madera County Board of Education approve the submission of the waivers to the State Board of Education to Waive Education Code 52852 in order to share school site councils for CAES charter schools and Endeavor/Voyager.