Series 1000 – COMMUNITY RELATIONS   **Policy 1431**

Waivers

The Solano County Office of Education (SCOE) 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 SCOE from offering its students the best possible educational program. The County Superintendent or designee, SCOE staff, advisory committees or councils shall identify the need for a waiver request and provide the Superintendent or designee with the necessary information to analyze the need for the waiver.

When required by law or when affected by the waiver request, the exclusive employee representative will be included in the development of the waiver, and the County Board of Education will hold a properly noticed public hearing on the waiver request.

If the waiver affects a program that requires the existence of a site council, the site council shall first approve the request. (Education Code 33051)

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
      305 Sheltered English language immersion program
      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 and local taxation
      44520-44534 New program for careers
      44666-44669 School-Based Management and Advanced Career Opportunities
      44681-44689 Administrator Training and Evaluation
      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

Legal Reference:

EDUCATION CODE (Continued)

        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

Policy Cross-Reference:

        0420 School Plans/Site Councils
        0420.1 School-Based Program Coordination
        1220 Citizen Advisory Committees
        4140 Bargaining Units
        6181 Alternative Schools
        6174 Education for English Language Learners
        6162.51 High School Exit Examination