

LODI UNIFIED SCHOOL DISTRICT

Policy 1431

Community Relations

Waivers

District administrators, staff, advisory committees or councils may recommend areas in which the Board of Education may ask the State Board of Education to waive certain provisions of the Education Code, Title 5, or the federal law, when these provisions prevent the district from offering its students the best possible educational program.

The exclusive employee representative shall participate in the development of all general waiver requests that might affect the bargaining unit. A waiver request must 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. Waiver requests shall include a written summary of any objections to the request by the councils or advisory committees.

Any waiver request to be submitted to the State Board of Education shall first be approved by the Board. The superintendent or designee shall ensure that each proposed waiver request includes all information necessary for the Board to analyze the need for the waiver and make an informed decision.

Prior to presenting the proposed request for Board approval, the superintendent or designee shall consult with any advisory committees or councils that might be affected by a waiver request. If the waiver affects a program that requires the existence of a school site council, the school site council must approve the request.

The Board shall hold a properly noticed public hearing on all general waiver requests.

When the district has requested and received the same general waiver from the State Board of Education for two consecutive years, the Board is not required to reapply annually if the information contained on the request remains current. However, the district shall apply annually for the renewal of any waiver regarding teacher credentialing.

Legal References: Education Code
305-311 Structured English immersion program; parental exception waivers
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 Careers Program
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
52160-52178.4 Bilingual-Bicultural Education Act of 1976
52180-52186 Bilingual teacher waiver
52200-52213.2 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>

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