

Community Relations**BP 1431 (a)****WAIVERS**

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The Governing Board may request the State Board of Education waive certain provisions of the Education Code, Title F 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)

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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 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

Community Relations**BP 1431 (b)**

WAIVERS – (Continued)

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
 54000-54064-41 Disadvantaged Youth Program
 54100-54145 Miller-Unruh Basic Reading Program
 54407 Waiver for compensatory education programs
 56000-56885 Special education programs
 58407 Waiver related to individualized instruction program
 58900-58928 Restructuring demonstration programs
 60119 Public hearing on sufficiency of instructional materials;
 Instructional materials funding realignment program

CODE OF REGULATIONS

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 in 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>

Policy
 adopted: April 1, 1997

CULVER CITY UNIFIED SCHOOL DISTRICT
 Culver City, California

Policy Reviewed: April 25, 2006 ____