

California Department of Education

Executive Office

SBE-006 (REV. 1/2018)

Specific Waiver

# California State Board of Education March 2021 Agenda Item #W-06

## Subject

Request by **Dunsmuir Joint Union High School District** Under the Authority of California *Education Code* Section 65001(e) for Waivers of *Education Code* Sections 65000 and 65001, Relating to Schoolsite Councils Regarding Changes in Shared, Composition, or Shared and Composition Members.

## Waiver Number(s)

5-11-2020

## Type of Action

Action, Consent

## Summary of the Issue(s)

Specific authority is provided in California *Education Code* (*EC*) Section 65001(e) to allow the State Board of Education to waive the Schoolsite Council (SSC) requirements contained in *EC* sections 65000 and 65001 that would hinder the successful implementation of programs as authorized by *EC* Section 64001. Dunsmuir Joint Union High School District is requesting an SSC waiver for two of its school sites to operate a shared SSC with a reduced member composition. The district meets the statutory requirement for operating a shared SSC under *EC* Section 65001(a); however, due to the small pupil population and limited staff, the district cannot adhere to the composition requirements of *EC* Section 65001(c). However, the district does not meet the statutory requirement for operating a reduced member composition under *EC* Section 65001(d) because it is requesting to operate a shared SSC; *EC* Section 65001(d) only applies to a single school. Therefore, a waiver is necessary.

## Authority for Waiver

*EC* Section 65001(e)

## Recommendation

* Approval: No
* Approval with conditions: Yes, see Attachment 1.
* Denial: No

## Summary of Key Issues

The Dunsmuir Joint Union High School District is requesting a shared SSC composition change for Dunsmuir High School and Dunsmuir Joint Union High Community Day School, two small rural schools with a combined pupil population of 55 students. The two schools share a superintendent/principal and seven credentialed teachers. The schools are located in a community with repeated demonstration of non-participation in the SSC. A composition waiver allowing the shared Dunsmuir High School and Dunsmuir Joint Union High Community Day School SSC to be composed of eight members: the school principal, one other school personnel, two teachers, two parents, and two students, is the best option for these school sites to meet the statutory shared SSC composition requirements while maintaining balanced represenation from the school and community.

## Summary of Previous State Board of Education Discussion and Action

The California Department of Education has previously presented requests from local educational agencies (LEAs) to waive some of the SSC requirements in *EC* sections 65000 and 65001 to allow one shared SSC for multiple schools or to change the number of SSC members. All of these requests have been granted with conditions. The conditions take into consideration the rationale provided by the LEAs, a majority of which are due to the size, type, location, or other capacities of the schools.

## Fiscal Analysis (as appropriate)

There is no statewide fiscal impact of waiver approval.

## Attachment(s)

* **Attachment 1:** Local Educational Agency Requesting a Schoolsite Council Waiver (1 page)
* **Attachment 2:** Dunsmuir Joint Union High School District Specific Waiver Request 5-11-2020 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

**Attachment 1: Local Educational Agency Requesting a Schoolsite Council Waiver**

California *Education Code* Section 65001(e)

| Waiver Number | Local Educational Agency (LEA) for School(s) (County-District-School Code[s]) | LEA’s Request for a Schoolsite Council (SSC) Waiver | California Department of Education Recommendation | Waiver Renewal Yes or No  Period of Request/Period Recommended | Collective Bargaining Unit Position/ Current Agreement | SSC/Advisory Committee Position | Local Board Approval Date |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 5-11-2020 | Dunsmuir Joint Union High School District  for  Dunsmuir High School (4732707)  and  Dunsmuir Joint Union High Community Day School (4730164) | Shared SSC composition change | Approval with conditions: the shared SSC must consist of one principal, one other school personnel (selected by peers), two classroom teachers (selected by peers), two parent/community members (selected by parents), and two students (selected by peers). | **Yes**  **Requested**  07/1/2020 to 06/30/2022  **Recommended**  07/1/2020 to 06/30/2022 | Dunsmuir Classified Employees Association  Jeff Ogden  Maintenance/Operations/Transportation  10/30/2020  **Support**  Dunsmuir HS Unit/Southern Siskiyou County CTA  Kurt Champe  Lead Teacher  10/30/2020  **Support** | Dunsmuir High School  and  Dunsmuir Joint Union High Community Day School SSC  11/12/2020  **No Objection** | 11/18/2020 |

Created by California Department of Education, January 2021

# Attachment 2: Dunsmuir Joint Union High School District Specific Waiver Request 5-11-2020

**California Department of Education**

**WAIVER SUBMISSION – Specific**

CD Code: 4770250

Waiver Number: 5-11-2020

Active Year: 2020

Date In: 11/20/2020 10:01:30 AM

Local Education Agency: Dunsmuir Joint Union High

Address: 5805 High School Way

Dunsmuir, CA 96025

Start: 7/1/2020

End: 6/30/2022

Waiver Renewal: Y

Previous Waiver Number: 19-3-2018-W-13

Previous SBE Approval Date: 7/11/2018

Waiver Topic: Schoolsite Council Statute

Ed Code Title: Shared Schoolsite Council with Reduced Number and Composition

Ed Code Section: 65000-65001(a)-(d)

Ed Code Authority: 65001(e)

*Education Code* or *CCR* to Waive: A schoolsite council shall be established at each school that participates in school-based program coordination. The schoolsite council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by the parents; and in secondary schools, pupils selected by pupils attending the school.

Outcome Rationale: Dunsmuir Joint Union High School District is composed of two schools under one roof: Dunsmuir High School and the Community Day School, staffed with 7 credentialed teachers. They share a Superintendent/Principal. DJUHSD is located in a community with repeated demonstration of non-participation in Site Council. The proposed Site Council composition would continue as approved in the past years: one (1) principal, one (1) classified personnel, two (2) teachers, two (2) students and two (2) parents for a total of eight (8) as opposed to the twelve (12) normally required. Our small schools have a limited number of teachers available, which also run extra curricular programs. The remaining teaching staff take turns as members of the Site Council for a period of time, one (1) year. With two (2) teachers (29% of our teaching staff) seated on the Council we can assure proper representation. It is easier to guarantee parental participation at this number. Representation of two (2) teachers, two (2) parents, two (2) students, and two (2) staff (principal and classified) provides for a fair and well-balanced council, representing a greater percentage of the students body and the community than three (3) of each would at a larger school.

Student Population: 55

City Type: Rural

Local Board Approval Date: 11/18/2020

Council Reviewed By: School Site Council

Council Reviewed Date: 11/12/2020

Council Objection: N

Council Objection Explanation:

Audit Penalty Yes or No: N

Categorical Program Monitoring: N

Submitted by: Mr. Ray Kellar

Position: Superintendent/Principal

E-mail: [rkellar@dunsmuirhigh.k12.ca.us](mailto:rkellar@dunsmuirhigh.k12.ca.us)

Telephone: 530-235-4835 x210

Fax: 530-235-2224

Bargaining Unit Date: 10/30/2020

Name: Dunsmuir Classified Employees Association

Representative: Jeff Ogden

Title: Maint./Operations/Transportation (MOT)

Phone: 530-235-4835

Position: Support

Comments:

Bargaining Unit Date: 10/30/2020

Name: Dunsmuir HS Unit/Southern Siskiyou County CTA

Representative: Kurt Champe

Title: Lead Teacher

Phone: 530-235-4835

Position: Support

Comments: