

## **Community Relations**

### **WAIVERS**

#### **General Waiver Requests**

The Governing Board, may request that the State Board of Education certain provisions of the Education Code, Title 5 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 33051)

*(cf. 9320 – Meetings and Notices)*

The Board shall include the exclusive employee representative in the development of the waiver.

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

*(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)

#### **Specific Waiver Requests**

The Board shall hold a properly noticed public hearing on all specific waiver requests when required by law or when the Board desires community participation in the development of the waiver.

The Board shall include the exclusive employee representative, School Site Council, advisory committees and councils in the development of specific waivers when required by law or when affected by the waiver request.

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

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Legal Reference:

#### **EDUCATION CODE**

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-Budget requirements; local taxation by school districts  
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  
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  
58603 Waiver for compensatory education programs  
58900-58928 Restructuring demonstration programs  
60119 Public hearing on sufficiency of instructional material  
60422 Instructional materials funding realignment program

#### **UNITED STATES CODE, TITLE 20**

1400-1482 Individuals with Disabilities in Education Act  
7115 Safe and Drug Free Schools, authorized activities

**Community Relations**

**WAIVERS**

**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

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**WESTMINSTER SCHOOL DISTRICT**  
Westminster, California