

CDE Education Code Waiver Application

Independent Study - Fewer than 5 days

- **Period of request from:** Date of application approval (February 1, 2018)
- **Period of request to:** 06/30/2021
- **Renewal:** No
- **Renewal Previous Waiver Number (if applicable)** N/A
- **Renewal Previous Date of SBE Approval (if applicable)** N/A
- **Waiver Topic:** General Waiver
- **Education Code Title:** TITLE 2. ELEMENTARY AND SECONDARY EDUCATION [33000 - 64100]
- **Education Code Section:** 46300
- **Education Code Authority:** EC 33050
- **Education Code or California Code of Regulations section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived. [Put brackets around the phrases to strike out]**

EC 46300 (e) (1) In computing the average daily attendance of a school district, there shall also be included the attendance of pupils participating in independent study conducted pursuant to Article 5.5 (commencing with Section 51745) of Chapter 5 of Part 28 [for five or more consecutive school days].

- **Demographic Information:** Davis Joint Unified School District is a Unified School District located in Davis, California 10 miles outside of Sacramento, Ca. The district serves approximately 8600 students, 20.4% of which are socio-economically disadvantaged, 11% are EL, and 20% latino. The district has 16 schools, including one seventh through twelfth grade dependent charter school.
- **Has a student population of** 8,582 in 2016-17
- **Located in a (urban, rural, or small city):** Small City
- **Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional documents using the 'Attachments' section:**

Students within the Davis Joint School District (DJUSD) currently experience educational inequity as a result of Education Code 46300 (e)(1), which prohibits the Davis Joint Unified School District from allowing Independent Study for absences shorter than five (5) consecutive days. DJUSD students attending a local charter school

are able to receive Independent Study services, from which they benefit academically and the school receives the corresponding revenue to provide this service. The non-charter district schools are unable to provide these valuable educational services without incurring an additional cost to the district and a result creating educational inequity within the district. The district wishes to cure this inequity by waiving the five (5) day provision in Education Code 46300 (e)(1).

In 2016-2017 school year 830 students in DJUSD were absent 2 consecutive days, 412 students in DJUSD were absent 3 consecutive days and 158 students were absent 4 consecutive days none of these students were eligible for Independent Study. As a result these students were negatively impacted academically, because they did not have access to the same instructional program as charter school students enrolled in neighboring schools or students in the Davis School for Independent Study. Of the students missing 3 or more consecutive days 15% are EL, 15% have special needs and 16% are low SES. The negative academic effect on these students is disproportionate and our educational system should have the capacity to provide them equal opportunity.

Having the same independent study options to serve students between Davis Charter schools and district schools will streamline local agency operations by creating a consistent policy for short term absences (fewer than five consecutive days). In addition, students in the district will be able to take advantage of the increased educational opportunities and access that come with a short term independent study program through enhanced educational opportunities, which include clear communication of expectations during the absence, utilization of independent study digital assignment management system and more clear parent-student-teacher-school communication during the absence. This increased access will improve student performance, decrease truancy and chronic absences, and create equitable access to education for all students in Davis.

- **What is the school name, if applicable?** N/A
- **Date of public hearing (cannot be a future date)** February 1, 2018
 - How was the required public hearing advertised?
 - Newspaper - Davis Enterprise
 - District website
- **Local board approval date (cannot be a future date)** February 1, 2018
- **Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:**
 - Superintendent's Parent Advisory - January 12, 2018
 - Objections: No
 - Superintendent's Certificated Employee Advisory - January 22, 2018

- Objections: No
- Superintendent's Classified Employee Advisory - January 10, 2018
 - Objections: No

Bargaining Units

- **Does the district have any employee bargaining units?:** Yes
- If yes, please complete required information
 - Bargaining unit(s) consulted on date(s) DTA/CSEA: September 8, 2017 and January 10, 2018 (cannot be a future date)
 - **Name of bargaining unit:** Davis Teachers Association
 - Representative First Name: Dianna
 - Representative Last Name: Huculak
 - Representative Title: DTA President
 - **The position of the bargaining unit**
 - Support
 - **Name of bargaining unit:** California School Employees Association #572
 - Representative First Name: Jim
 - Representative Last Name: Herrington
 - Representative Title: CSEA President
 - **The position of the bargaining unit**
 - Support
- **Is this waiver associated with an apportionment related audit penalty? (per EC 41344):** No
- **Has there been a Categorical Program Monitoring (CPM) finding on this issue?:** No
- **Contact First Name:** Matthew
- **Contact Last Name:** Best
- **Contact person's Position:** Deputy Superintendent
- **Contact person's E-mail:** mbest@djustd.net
- **Contact person's Phone:** 530-757-5300 x 105
- District or County Certification – I hereby certify that the information provided on this application is correct and complete.