General Waiver Request
California Department of Education

Topic of Waiver: Extended School Year (ESY)

Section to be Waived: CCR, Title 5, Section 3043(d)

Period of Waiver Request: June 6, 2022 – July 1, 2022

Renewal of Waiver #: 6-12-2020-W-09

Collective Bargaining Unit Information:

CTA: Madera County Superintendent of Schools Teachers Association
CTA/NTA consulted on October 28, 2021; Bargaining Unit Members consulted:
Lisa Moreno, President
Objections: None

CSEA: California School Employees Association, Chapter 713 consulted on October 14, 2021; Bargaining Unit Member consulted: Kellie Stiles, President
Objections: None

Public Hearing Requirement: Notices of public hearing posted at school sites and Madera County Superintendent of Schools administration building.

Advisory Committee: Waiver reviewed with Gould Educational Center School Site Council on September 28, 2021 with no objections.

California Code of Regulations to be waived:
3043 Extended school year services shall be provided for each individual with exceptional needs who has unique needs and requires special education and related services in excess of the regular academic year. Such individuals shall have handicaps which are likely to continue indefinitely or for a prolonged period, and interruption of the pupil's educational programming may cause regression, when coupled with limited recoupment capacity, rendering it impossible or unlikely that the pupil will attain the level of self-sufficiency and independence that would otherwise be expected in view of his or her handicapping condition. The lack of clear evidence of such factors may not be used to deny an individual an extended school year program if the individualized education program team determines the need for such a program and includes extended school year in the individualized education program pursuant to subsection (f).

(a) Extended year special education and related services shall be provided by a school district, special education local plan area, or county office offering programs during the regular academic year.

(b) Individuals with exceptional needs who may require an extended school year are those who: (1) Are placed in special classes or centers; or (2) Are individuals with exceptional needs whose individualized education programs specify an extended year program as determined by the individualized education program team.

(c) The term “extended year” as used in this section means the period of time between the close of one academic year and the beginning of the succeeding academic year. The term “academic year” as used in this section means that portion of the school year during which the regular day school is maintained, which period must include not less than the number of days required to entitle the district, special education services region, or county office to apportionments of state funds.

~~(d) An extended year program shall be provided for a minimum of 20 instructional days, including holidays~~

Desired Outcome/Rationale:
The Madera County Superintendent of Schools proposes to provide ESY services to identified students with special needs utilizing a fifteen (15) day, five and one half (5.5) hours of instruction per day for a total of 82.5 hours of instruction. Because a change in routine is often difficult for students with moderate/severe disabilities, the longer school day for ESY will better align with the regular school year providing more consistency in instruction for the students served.

Fewer ESY days will also result in substantial saving in transportation, utilities, janitorial, food services and other operational costs. A shorter ESY schedule will also increase instructional staff’s interest in participating in the ESY program.

In the Madera area, the ESY program for MCSOS would run from June 6, 2022 through June 24, 2022. In Eastern Madera County, ESY would be conducted June 13, 2022 through July 1, 2022. In the Chowchilla area, ESY would be conducted June 6, 2022 through June 24, 2022.

Demographic Information:
The Madera County Superintendent of Schools has a student population of approximately 387 in its special education programs in various Special Day Classes/Centers that are located in a small city and mountainous rural areas throughout Madera County.