

CALIFORNIA DEPARTMENT OF EDUCATION  
**GENERAL WAIVER REQUEST** FORM has been modified to an electronic submission system

Local educational agency: Mt. Diablo Unified School District		Contact name and Title: Wendi Aghily, Chief, Pupil Services and Special Education/SELPA		Contact person's e-mail address: AghilyW@mdusd.org
Address: 1936 Carlotta Drive		(City) Concord	(State) CA	(ZIP) 94545
Phone (and extension, if necessary): 925-682-8000		Period of request: (month/day/year) 06-01-2022 to 07-03-2022		Local board approval date: (Required) 02/23/2022
Date of public hearing: (Required) 02/23/2022				
<b>LEGAL CRITERIA</b>				
1. Under the general waiver authority of <i>Education Code</i> 33050-33053, the particular <i>Education Code</i> or <i>California Code of Regulations</i> section(s) to be waived (number): Circle One: <i>EC</i> or <i>CCR</i> Topic of the waiver: CCR, Title 5, Section 3043 (g)(1); and 2)				
2. If this is a renewal of a previously approved waiver, please list Waiver Number: _____ and date of SBE Approval _____ Renewals of waivers must be submitted two months before the active waiver expires.				
3. Collective bargaining unit information. Does the district have any employee bargaining units? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If yes, please complete required information below:  Bargaining unit(s) consulted on date(s): 01-28-2022 Name of bargaining unit and representative(s) consulted: Anita Johnson The position(s) of the bargaining unit(s): <input type="checkbox"/> Neutral <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose ( <i>Please specify why</i> ) Comments (if appropriate):				
4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing.  How was the required public hearing advertised?  <input checked="" type="checkbox"/> Agendized on the board agenda on 2/9/2022 <input checked="" type="checkbox"/> Other: Shared in the internal Monday Memo which is distributed districtwide <input checked="" type="checkbox"/> Other: Notices posted at each school site				
5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver: Mt. Diablo Unified SELPA Community Advisory Committee Date the committee/council reviewed the waiver request: 01-11-2022 Were there any objection(s)? No <input checked="" type="checkbox"/> Yes _____ ( <i>If there were objections please specify</i> ) Parents were in support of the adjustment to the ESY calendar and felt it was favorable to students				
6. <i>Education Code</i> or <i>California Code of Regulations</i> 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 (use a <b>strike out key</b> ).  <b>Requested by Mt. Diablo Unified School District to waive California Code of Regulation (CCR), Title 5, Section 3043 (d) which requires a minimum of 20 school days of attendance for an extended school year for special education students.</b>				
7. Desired outcome/rationale. 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 pages.  Mt. Diablo Unified School District's academic calendar for 2021-2022 ESY does not permit 20 days for ESY prior to the July 4th holiday, with 18 days falling prior to the July 4th holiday. Data shows that students are far less likely to attend for one day after the holiday three day break. In addition, staffing for ESY is a challenge and staff have indicated they are less likely to sign up to teach if the session ends after July 5th which will exacerbate our existing ESY staffing shortages.  Mt. Diablo Unified School District will provide within 18 days of instruction with July 4th holiday falling on the 19th day, the instructional time equal to the normally provided 20 days as required by CCR, Title 5, Section 3043 (g) (1).  We also will offer Skills Camps to all students with disabilities who wish to attend during July for additional support and remediation. This provides an additional 6 hours of instruction per camp session.				
8. Demographic Information: ( <i>District/school/program</i> ) Mt. Diablo Unified School District has approximately 1200 students who are eligible for extended school year with an average of 800 typically electing to attend annually. Students reside across seven different municipalities and are from ages 3-22. They are identified with disabilities across the 13 eligibility categories.				

