

**Community Relations**

**Waivers**

When certain provisions of Education Code or Code of Regulations, Title 5 prevent the district from offering its students the best possible educational program, the Governing Board may request the State Board of Education to waive these provisions. District administrators, staff, advisory committees, and councils may help identify the need for waiver requests and provide the Board information needed to make the waiver request.

**General Waiver Requests**

The Board shall hold a properly noticed public hearing on all general waiver requests. (Education Code [33050](#))

The Board shall include the exclusive employee representatives in the development of the waivers and shall seek the participation of appropriate councils or advisory committees.

A waiver request 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. Waiver requests shall include a written summary of any objections to the request by the councils or advisory committees. (Education Code [33051](#))

If the waiver affects a program that requires the existence of a school site council, the school site council must approve the request. (Education Code [33051](#))

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

[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

[41920-42842](#) Instructional television; guaranteed yield program; financial statements of school districts; budget requirements; local taxation by school districts

[44520-44534](#) New program for careers

[44666-44669](#) School-Based Management and Advanced Career Opportunities for Classroom Teachers Programs

[44681-44689](#) Administrator Training and Evaluation

[45108.7](#) Maximum number of senior management positions

[48660-48666](#) Community Day Schools

[49550-49560](#) Meals for needy students

[51224.5](#) Algebra instruction

[51745.6](#) Charter school independent study ratio

[51870-51874](#) Educational Technology [52000-52049](#) School Improvement Plans

[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  
[52850-52863](#) School-Based Coordinated Program  
[54000-54041](#) Disadvantaged Youth Program  
[54100-54145](#) Miller-Unruh Basic Reading Program  
[54407](#) Waiver for compensatory education programs  
[56000-56885](#) Special education programs  
[58407](#) Waiver related to individualized instruction program  
[58900-58928](#) Restructuring demonstration programs  
[60119](#) Public hearing on sufficiency of instructional materials  
[60422](#) Instructional materials funding realignment program  
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  
UNITED STATES CODE, TITLE 20  
[1400-1482](#) Individuals with Disabilities in Education Act  
7115 Safe and Drug Free Schools, authorized activities