



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 9.3

Meeting Date: March 21, 2024

Subject: Presentation on Information to Approve State Board of Education Waiver Request for 2021-22 Instructional Time Penalty for Sacramento City Unified School District, Bowling Green Charter School, New Joseph Bonnheim Community Charter School, George Washington Carver School of Arts and Science, and New Technology High School

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: _____)
- Conference/Action
- Action
- Public Hearing

Division: Human Resource Services

Recommendation: Approve State Board of Education Waiver Request for 2021-22 Instructional Time Penalty for Sacramento City Unified School District, Bowling Green Charter School, New Joseph Bonnheim Community Charter School, George Washington Carver School of Arts and Science, and New Technology High School

Background/Rationale: For the 2021-22 school year, the Sacramento City Unified School District (SCUSD) received an instructional time penalty for a shortage of instructional days and instructional minutes due to the workforce strike.

Education Code section 46206 allows the State Board of Education (SBE) to waive the fiscal penalties associated with instructional day and/or minute shortages provided that a school district complies with specific conditions. The schools with instructional time shortages must offer the number of days and/or minutes they were short, in addition to the number of days and minutes required by statute, for two consecutive school years.

The SCUSD and Sacramento City Teachers Association (SCTA) have reached agreement on a proposal to add the additional days and instructional minutes to the 2024-25 and 2025-26 school years, as required by statute.

A successful SBE waiver of the instructional time penalty will ensure that the funds that would otherwise be used to pay for the penalty will instead be used to improve student achievement by providing additional meaningful instruction to supplement students' learning, engagement, and socialization.

The SCUSD governing board must approve the waiver request in order to be submitted to the SBE.

Financial Considerations: The inclusion of these eight (8) added instructional days will be to meet the application requirements for the State Board of Education, in order to avoid an instructional day and time penalty.

LCAP Goal(s): Safe, Emotionally Healthy and Engaged Students

Documents Attached:

1. Executive Summary for **Sacramento City Unified School District** State Board of Education Waiver Request for 2021-22 Instructional Time Penalty
2. Executive Summary for **Bowling Green Charter School** State Board of Education Waiver Request for 2021-22 Instructional Time Penalty
3. Executive Summary for **New Joseph Bonnheim Community Charter School** State Board of Education Waiver Request for 2021-22 Instructional Time Penalty
4. Executive Summary for **George Washington Carver School of Arts** State Board of Education Waiver Request for 2021-22 Instructional Time Penalty
5. Executive Summary for **New Technology High School** State Board of Education Waiver Request for 2021-22 Instructional Time Penalty

Presentation Time: 5 minutes

Submitted by: Cancy McArn, Chief Human Resources Officer

Approved by: Lisa Allen, Superintendent

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I. OVERVIEW/HISTORY:

Per Education Code section 46208, school districts are required to offer at least 180 days of instruction per school year. Per Education Code section 46207, school districts also are required to offer a minimum number of instructional minutes per fiscal year, and the amount of annual instructional minutes varies by grade level. For the 2021-22 school year, the Sacramento City Unified School District (SCUSD) received an instructional time penalty for a shortage of instructional days and instructional minutes due to the workforce strike.

Education Code section 46206 allows the State Board of Education (SBE) to waive the fiscal penalties associated with instructional day and/or minute shortages provided that a school district complies with specific conditions. The schools with instructional time shortages must offer the number of days and/or minutes they were short, in addition to the number of days and minutes required by statute, for two consecutive school years.

Grade Level	2021-22 Day Shortage	2021-22 Minute Shortage	Annual Day Requirement	Annual Minute Requirement	Annual Day Requirement if SBE Approves IT Waiver	Annual Minute Requirement if SBE Approves IT Waiver
TK/K	8	1,600	180	36,000	188	37,600
Grades 1-3	8	2,256	180	50,400	188	52,656
Grades 4-6	8	2,416	180	54,000	188	56,416
Grades 7-8	8	2,592	180	54,000	188	56,592
Grades 9-12	8	2,928	180	64,800	188	67,728

The SCUSD and Sacramento City Teachers Association (SCTA) have reached agreement on a proposal to add the additional days and instructional minutes to the 2024-25 and 2025-26 school years, as required by statute.

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The SCUSD governing board must approve the waiver request in order to be submitted to the SBE.

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II. DRIVING GOVERNANCE:

- Education Code section 46207 details the minimum annual instructional minutes that districts must offer each fiscal year, by grade level. The statute also includes the fiscal penalty for instructional minute shortages.
- Education Code section 46208 requires districts to offer 180 days or more of instruction per school year. The statute also includes the fiscal penalty for shortages of up to five instructional days.
- Education Code section 41420 details the fiscal penalty for instructional day shortages of more than five days.
- Education Code section 46206 allows the SBE to waive the fiscal penalties for a school district that fails to maintain the prescribed minimum annual minutes for the instructional school year, minimum number of instructional days for the school year, or both. To receive a waiver of the financial penalty from the SBE, the school(s) with instructional time shortage(s) must offer the number of days and/or minutes they were short, in addition to the number of days and minutes required by statute, for two consecutive school years. The annual audit will confirm that the additional days and minutes are offered during the two years in which time is scheduled to be made up. If the district does not meet the conditions of the waiver, the penalty will be reinstated in full and the district will not have any option to mitigate the penalty through a repayment plan. Any shortage of time can lead to reinstatement of the penalty.

III. BUDGET:

The instructional day and minute shortage resulted in a total district penalty amount of more than \$39 million.

IV. GOALS, OBJECTIVES AND MEASURES:

Submit a successful waiver request to the California Department of Education (CDE) for approval by the SBE.

V. MAJOR INITIATIVES:

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A successful SBE waiver of the instructional time penalty will ensure that the funds that would otherwise be used to pay for the penalty will instead be used to provide additional meaningful instruction to supplement students' learning, engagement, and socialization.

VI. RESULTS:

A successful SBE waiver of the instructional time penalty will ensure that the funds that would otherwise be used to pay for the penalty will instead be used to provide additional meaningful instruction to supplement students' learning, engagement, and socialization.

VII. LESSONS LEARNED/NEXT STEPS:

Continue working with the CDE to ensure the waiver request is approved by the SBE.

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I. OVERVIEW/HISTORY:

Per Education Code section 47612.5, charter schools are required to offer a minimum number of instructional minutes per fiscal year, and the amount of annual instructional minutes varies by grade level. For the 2021-22 school year, Bowling Green Charter School received an instructional time penalty for a shortage of instructional minutes due to the workforce strike.

Education Code section 47612.6 allows the State Board of Education (SBE) to waive the fiscal penalties associated with instructional minute shortages provided that a charter school complies with specific conditions. A school with an instructional minute shortage must offer the number of minutes it was short, in addition to the number of minutes required by statute, for two consecutive school years.

Grade Level	Statutory Annual Minute Requirement	Actual Minutes Provided	Minute Shortage
TK/K	36,000	34,400	1,600
1-3	50,400	48,144	2,256
4-6	54,000	51,584	2,416

The Sacramento City Unified School District (SCUSD) and Sacramento City Teachers Association (SCTA) have reached agreement on a proposal to add the additional time to the 2024-25 and 2025-26 school years, as required by statute.

A successful SBE waiver of the instructional time penalty will ensure that the funds that would otherwise be used to pay for the penalty will instead be used to improve student achievement by providing additional meaningful instruction to supplement students' learning, engagement, and socialization.

As the governing board for Bowling Green Charter School, the SCUSD governing board must approve the waiver request in order to be submitted to the SBE.

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II. DRIVING GOVERNANCE:

- Education Code section 47612.5 details the minimum annual instructional minutes that charter schools must offer each fiscal year, by grade level. The statute also includes the fiscal penalty for instructional minute shortages.
- Education Code section 47612.6 allows the SBE to waive the fiscal penalty for a charter school that fails to maintain the prescribed minimum instructional minutes for the school year. To receive a waiver of the financial penalty from the SBE, the charter school must offer the number of instructional minutes they were short, in addition to the number of annual instructional minutes required by statute, for two consecutive school years. The annual audit will confirm that the additional minutes are offered during the two years in which time is scheduled to be made up. If the charter school does not meet the conditions of the waiver, the penalty will be reinstated in full and the charter school will not have any option to mitigate the penalty through a repayment plan. Any shortage of time can lead to reinstatement of the penalty.

III. BUDGET:

The instructional minute shortages for Bowling Green Charter School, George Washington Carver School of Arts and Science, New Joseph Bonnheim Community Charter School, and New Technology High School resulted in a total penalty amount of approximately \$600,000 for all four charter schools.

IV. GOALS, OBJECTIVES AND MEASURES:

Submit a successful waiver request to the California Department of Education (CDE) for approval by the SBE.

V. MAJOR INITIATIVES:

A successful SBE waiver of the instructional time penalty will ensure that the funds that would otherwise be used to pay for the penalty will instead be used to improve student achievement by providing additional meaningful instruction to supplement students' learning, engagement, and socialization.

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VI. RESULTS:

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VII. LESSONS LEARNED/NEXT STEPS:

Continue working with the CDE to ensure the waiver request is approved by the SBE.

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I. OVERVIEW/HISTORY:

Per Education Code section 47612.5, charter schools are required to offer a minimum number of instructional minutes per fiscal year, and the amount of annual instructional minutes varies by grade level. For the 2021-22 school year, New Joseph Bonnheim Community Charter School received an instructional time penalty for a shortage of instructional minutes due to the workforce strike.

Education Code section 47612.6 allows the State Board of Education (SBE) to waive the fiscal penalties associated with instructional minute shortages provided that a charter school complies with specific conditions. A school with an instructional minute shortage must offer the number of minutes it was short, in addition to the number of minutes required by statute, for two consecutive school years.

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As the governing board for New Joseph Bonnheim Community Charter School, the SCUSD governing board must approve the waiver request in order to be submitted to the SBE.

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- Education Code section 47612.6 allows the SBE to waive the fiscal penalty for a charter school that fails to maintain the prescribed minimum instructional minutes for the school year. To receive a waiver of the financial penalty from the SBE, the charter school must offer the number of instructional minutes they were short, in addition to the number of annual instructional minutes required by statute, for two consecutive school years. The annual audit will confirm that the additional minutes are offered during the two years in which time is scheduled to be made up. If the charter school does not meet the conditions of the waiver, the penalty will be reinstated in full and the charter school will not have any option to mitigate the penalty through a repayment plan. Any shortage of time can lead to reinstatement of the penalty.

III. BUDGET:

The instructional minute shortages for Bowling Green Charter School, George Washington Carver School of Arts and Science, New Joseph Bonnheim Community Charter School, and New Technology High School resulted in a total penalty amount of approximately \$600,000 for all four charter schools.

IV. GOALS, OBJECTIVES AND MEASURES:

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V. MAJOR INITIATIVES:

A successful SBE waiver of the instructional time penalty will ensure that the funds that would otherwise be used to pay for the penalty will instead be used to improve student achievement by providing additional meaningful instruction to supplement students' learning, engagement, and socialization.

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VII. LESSONS LEARNED/NEXT STEPS:

Continue working with the CDE to ensure the waiver request is approved by the SBE.

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Education Code section 47612.6 allows the State Board of Education (SBE) to waive the fiscal penalties associated with instructional minute shortages provided that a charter school complies with specific conditions. A school with an instructional minute shortage must offer the number of minutes it was short, in addition to the number of minutes required by statute, for two consecutive school years.

Grade Level	Statutory Annual Minute Requirement	Actual Minutes Provided	Minute Shortage
9-12	64,800	61,872	2,928

The Sacramento City Unified School District (SCUSD) and Sacramento City Teachers Association (SCTA) have reached agreement on a proposal to add the additional time to the 2024-25 and 2025-26 school years, as required by statute.

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As the governing board for George Washington Carver School of Arts and Science, the SCUSD governing board must approve the waiver request in order to be submitted to the SBE.

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