



## SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 13.1r

**Meeting Date:** March 21, 2024

**Subject:** Approve State Board of Education Waiver Request for 2021-22 Instructional Time Penalty – Sacramento City Unified School District

- 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 - Sacramento City Unified School District

**Background/Rationale:** 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.

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. State Board of Education Waiver Request for 2021-22 Instructional Time Penalty – Sacramento City Unified School District

**Presentation Time:** N/A  
**Submitted by:** Cancy McArn, Chief Human Resources Officer  
**Approved by:** Lisa Allen, Superintendent

Agenda Item: Approve Submission of State Board of Education Waiver Request for 2021-22 Instructional Time Penalty for Sacramento City Unified School District

Speaker: Cancy McArn, Chief Human Resources Officer

Quick Summary:

The Sacramento City Unified School District (SCUSD) requests that the State Board of Education (SBE) waive the annual instructional day and minute requirement audit penalties for the 2021-22 fiscal year. During the 2021-22 school year, the SCUSD experienced a shortage of eight (8) instructional days caused by a teacher strike. In addition, the shortage of days led to a reduction in the annual instructional minutes, leading to the following shortages district-wide:

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
7-8	54,000	51,408	2,592
9-12	64,800	61,872	2,928

Education Code section 46206 allows the 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 instructional day and minute shortage resulted in a total district penalty amount of more than \$39 million.

Waiver will be submitted to the California Department of Education for approval by the SBE.

Recommended Motion:

Authorize district staff to file the request for the SBE to waive the annual instructional day and minute requirement audit penalties for the 2021-22 fiscal year.