



The purpose of this document is to describe the variance waiver approval process for districts and schools who have implemented a learning model that does not conform to the parameters detailed in the updated (as of 2021) Blended Learning and/or Supplemental Online course guidance.

**Formal variance waiver requests will not be denied for districts and schools who agree to and complete both steps of this [waiver request process](#) as described starting on page 2.**

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## Overview

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The Student October Count Audit Resource Guide describes the requirements for funding eligibility for all students. Further, it contains all required audit documentation necessary to evidence those requirements have been met.

Starting with the 21-22 school year, CDE has provided updated guidance regarding the inclusion of instruction occurring **off-site** through [Blended Learning](#) and [Supplemental Online](#) courses (for brick-and-mortar students) in the determination of funding level. Courses that are offered 100% on-site are not considered Blended Learning or Supplemental Online courses.

*This guidance only applies to courses offered to students who are “primarily” enrolled in a traditional, brick-and-mortar school (i.e., those whose reported Student October Count funding codes are 80, 82, 85, or 86).*

*This guidance does not apply to students who are enrolled in a CDE-approved Online School or Program (i.e., those whose reported Student October Count funding codes are 91, 92, 94, 95, or 96), or those who are participating in a district’s [100% Remote Learning Option \(K-12\) for the 2021-2022 School Year as a Result of COVID-19 Health Concerns](#).*

The changes to the requirements including Blended Learning and/or Supplemental Online courses can be found below. **If a district or school has developed a learning model that does not fall within the parameters of the updated requirements listed below, a variance waiver will be granted for the 21-22 and 22-23 school years, upon request, for those districts and schools that agree to provide the requested information.**

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## Updated Requirements for Blended Learning and Supplemental Online Courses

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The updated requirements for including Blended Learning and/or Supplemental Courses are summarized as follows:

### Course Requirements

- 1) **Limits on the number of courses:** The number of Blended Learning and/or Supplemental Online courses that may be considered as instructional time for funding purposes is limited to no more than 2 courses or 40% of a student’s total schedule.
- 2) **Student Schedules:** Blended Learning and/or Supplemental Online courses must occupy unique positions on a student’s schedule.
- 3) **Instruction:** At least 20% of a student’s weekly scheduled instructional time in Blended Learning and/or Supplemental Online courses must take place in person or synchronously, with attendance taken.
- 4) **Access to Equipment and Sufficient Internet Access:** Districts must ensure students participating in Blended Learning and/or Supplemental Online courses have the appropriate electronic equipment and resources to participate in the course. Specific district and school responsibilities include ensuring blended learning courses meet the needs of students with IEPs and English Learners.

**Only course requirements 1 and 3 may be included in a variance waiver request; course requirements 2 and 4 may not be waived and must be met.**



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### Audit Documentation Requirements

In order to include the digitally-delivered off-site portion of a Blended Learning and/or Supplemental Online course in the determination for funding, the following documentation must be provided at the time of audit:

- A district board of education definition of the educational process (e.g., in board policy, board resolution, governance document, etc.), which includes Blended Learning and/or Supplemental Online courses
- Documentation (e.g., regulations, course syllabus, handbook, etc.) outlining district policy (if not included in board policy) that describes the following:
  - Acceptable synchronous and asynchronous ways in which teacher-pupil instruction and contact time can occur outside the classroom (i.e., during the off-site, digitally-delivered portion of the class).
  - Acceptable ways in which attendance/participation should be documented during the off-site online portion of the class
- Schedule documentation which clearly indicates the days and times in which a student is participating in person versus digitally (off-site)
  - Schedule documentation must show that Course Requirement 3 (above) has been met.
- Schools must provide a list of all Blended Learning and/or Supplemental Online courses offered at the time of audit that matches the course titles listed on the students' individual schedules.

**Audit documentation requirements may not be waived and must be met.**

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### Variance Waiver Process

In the event that a district or school has developed a learning model that does not fall within the parameters of the updated course requirements 1 and 3 listed above, a variance waiver will be granted, upon request, for those districts and schools that complete both of the steps detailed below.

#### **1. Initial Variance Waiver Request**

Inform the department of the district or school's intention to submit a formal request for a variance waiver by completing [this Smartsheet form](#) by August 31, 2021. As part of the initial variance waiver request process, you will be invited to join the [Blended Learning Initiative](#) during the 21-22 school year.

Within 5 business days following receipt of the district or school's submission, CDE will respond to confirm temporary approval of the district or school's variance waiver. Final approval will be contingent upon receipt of the district or school's formal request for variance waiver.

Formal variance waiver requests will **not** be denied for districts and schools who agree to and complete this waiver request process.

#### **2. Formal Variance Waiver Request**

The district or school will be required to provide the following information by December 17, 2021 (CDE will be in contact with instructions for submitting this documentation, please do not email CDE with this information):

- A. Contact information
  - i. School District/Authorizer Name:
  - ii. School District/Authorizer contact name, phone #, and email:
  - iii. School name (if applicable)



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- iv. School contact name, phone #, and email (if applicable):
  - B. Please describe in detail the learning model/activities that you are providing or plan to provide that involves Blended Learning and/or Supplemental Online activities falling outside of the current guidance. Please be as specific as possible and be sure to address all applicable circumstances.
  - C. What is the target student population for your proposed learning model/activities that fall outside of the guidance?
  - D. How many students would be impacted by the proposed learning model/activities that fall outside of the guidance?
    - i. The district will be expected to provide SASIDs for students participating in the proposed learning model(s).
  - E. For which school(s) would you like to offer this learning model?
  - F. What are the course(s) that you are offering that fall outside of this guidance (if applicable to specific courses)?
    - i. How many anticipated hours per week will each course meet for:
      1. Synchronous learning
      2. Asynchronous learning
    - ii. How will the course(s) in the proposed learning model be staffed?
  - G. Please explain the student needs that your proposed learning model will meet.
  - H. What is the problem that this learning model might solve for students?
  - I. Do you have any data/evidence indicating that this proposal is effective?
  - J. What are the barriers you see in the guidance that might prevent you from implementing your proposed model? (Please quote directly from the guidance wherever possible.)
  - K. What other options have you explored? Are there other ways to meet the identified student needs that might fall within the parameters of CDE's guidance?
  - L. Please outline how the proposed plan provides students equitable access to the online courses, including but not limited to how the plan provides improved access to learning opportunities for students.
  - M. Provide a copy of a local board policy that defines the school or district's blended learning/supplemental online approach.