

VISION

In order to provide a clear focus for district programs, activities and operations, the Board of Trustees shall adopt a long-range vision that sets direction for the district which is focused on student learning and describes what the Board wants its schools to achieve. This vision may be incorporated in various documents, including the district's mission or purpose statement, philosophy, long-term goals, short-term objectives and/or comprehensive plans.

(cf. 0100 - Philosophy)
(cf. 0200 - Goals for the School District)
(cf. 0400 - Comprehensive Plans)
(cf. 6010 - Goals and Objectives)
(cf. 9000 - Role of the Board)

The Superintendent or designee shall recommend an appropriate process for establishing and/or reviewing the district's vision statement which is inclusive of parents/guardians, students, staff and community members.

The Board shall review the district vision statements at least every three years or whenever a new Board member or Superintendent joins the district. Following these reviews the Board may revise or reaffirm the direction it has established for the district.

The Superintendent or designee shall communicate the district's vision to staff, parents/guardians and the community and shall regularly report to the Board regarding district progress toward the vision.

(cf. 0500 - Accountability)
(cf. 1100 - Communication with the Public)

Management Resources:

CSBA PUBLICATIONS
Maximizing School Board Leadership: Vision, 1996
WEB SITES
CSBA: <http://www.csba.org>

VISION

The Superintendent or designee shall establish a process for developing and regularly reviewing the district's vision and direction which includes:

1. Clearly defined procedures, timelines and responsibilities
2. Identification of the strengths and needs of the district
3. Input from parents/guardians, students, staff and community members through procedures which may include surveys, focus groups, advisory committees and/or public meetings and forums

(cf. 1220 - Citizen Advisory Committees)

(cf. 2230 - Representative and Deliberative Groups)

(cf. 6020 - Parent Involvement)

4. Board adoption of district vision statements at a public meeting

As part of this process, the Superintendent or designee shall provide the Board of Trustees with relevant district documents and data, including current district mission and vision statements, if any, and information about student demographics, student achievement, student enrollment patterns, current programs and recent program cuts, staffing and professional development needs, budget trends, facilities, technology and emerging educational issues.

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

(cf. 0400 - Comprehensive Plans)

(cf. 6010 - Goals and Objectives)

PHILOSOPHY

As part of its responsibility to establish a guiding vision for the district, the Board of Trustees shall develop and regularly review a set of fundamental principles which describes the district's beliefs, values or tenets. The Board and district staff shall incorporate this philosophy in all district programs and activities.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 6010 - Goals and Objectives)

(cf. 9000 - Role of the Board)

It is the philosophy of the district that:

1. All students can learn and succeed.
2. Every student in the district, regardless of gender, special needs, or social, ethnic, language or economic background has a right to a high-quality education that challenges the student to achieve to his/her fullest potential.
3. The future of our nation and community depends on students possessing the skills to be lifelong learners and effective, contributing members of society.
4. A safe, nurturing environment is necessary for learning.
5. Parents/guardians have a right and an obligation to participate in their child's schooling.
6. The ability of children to learn is affected by social, health and economic conditions and other factors outside the classroom.
7. Early identification of student learning and behavioral difficulties contribute to student success.
8. Students and staff respond positively to high expectations and recognition for their accomplishments.
9. Continuous school improvement is necessary to meet the needs of students in a changing economy and society.
10. The diversity of the student population and staff enriches the learning experience for all students.
11. A highly skilled and dedicated staff has a direct and powerful influence on students' lives and learning.

PHILOSOPHY (continued)

12. A high level of communication, trust, respect and teamwork among Board members and the Superintendent contributes to effective decision making.
13. The community provides an essential resource to the educational program.
14. Effective communication with all stakeholders helps build support for the schools.
15. Accountability for the district's programs and operations is shared by the entire educational community, with the ultimate accountability resting with the Board as the basic embodiment of representative government.

Legal Reference:

EDUCATION CODE

51002 Local development of programs based on stated philosophy and goals

51019 Definition of philosophy

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Leadership: Vision, 1996

GOALS FOR THE SCHOOL DISTRICT

The Board of Trustees shall adopt long-term goals for achieving the district's overall vision for its schools as well as clear performance standards and benchmarks which can be used to determine if the district is meeting these goals. Goals shall be limited in number so as to be reasonably achievable within established timelines.

(cf. 0000 - Vision)

(cf. 0100 - Philosophy)

(cf. 0500 - Accountability)

(cf. 6010 - Goals and Objectives)

(cf. 9000 - Role of the Board)

The Superintendent or designee may establish short-term, interim objectives and comprehensive plans to ensure adequate, regular progress toward the district's long-term goals.

(cf. 0400 - Comprehensive Plans)

The district's goals are to:

1. Maintain safe and orderly campuses which promote learning

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5144 - Discipline)

2. Provide appropriate instruction to meet the varied academic and career goals of students by identifying and responding to individual student needs

(cf. 6000 - Concepts and Roles)

(cf. 6030 - Integrated Academic and Vocational Instruction)

3. Ensure that all students achieve academic proficiency in essential areas of skill and knowledge

(cf. 6011 - Academic Standards)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

4. Provide for the specialized needs of identified groups of students

(cf. 6164.4 - Identification of Individuals for Special Education)

(cf. 6164.6 - Identification and Education under Section 504)

(cf. 6171 - Title I Programs)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6174 - Education for English Language Learners)

(cf. 6175 - Migrant Education Program)

GOALS FOR THE SCHOOL DISTRICT (continued)

5. Promote student health and nutrition in order to enhance readiness for learning

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 3554 - Other Food Sales)
(cf. 6142.7 - Physical Education)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6145.2 - Athletic Competition)

6. Develop each student's self-respect, respect for others, appreciation for diversity and sense of personal responsibility

(cf. 5137 - Positive School Climate)
(cf. 6141.6 - Multicultural Education)

7. Provide time and resources for collaboration, planning and professional development for all staff

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

8. Maintain fiscal integrity for the district

(cf. 3100 - Budget)
(cf. 3400 - Management of District Assets/Accounts)
(cf. 3460 - Financial Reports and Accountability)

9. Improve the organization, management and decision-making structure and capabilities of the district to better support the education of students

(cf. 0420.5 - School-Based Decision Making)
(cf. 2000 - Concepts and Roles)

10. Employ technology in ways that enhance learning, teaching and noninstructional operations

(cf. 0440 - District Technology Plan)
(cf. 4040 - Employee Use of Technology)
(cf. 6162.7 - Use of Technology in Instruction)
(cf. 6163.4 - Student Use of Technology)

11. Provide and maintain facilities to meet the needs of present and future students

(cf. 7000 - Concepts and Roles)
(cf. 7110 - Facilities Master Plan)

12. Maintain positive relations with parents/guardians and the community, emphasizing communication and inviting participation in the schools

GOALS FOR THE SCHOOL DISTRICT (continued)

(cf. 1220 - Citizen Advisory Committees)
(cf. 1240 - Volunteer Assistance)
(cf. 1700 - Relations between Private Industry and the Schools)
(cf. 6020 - Parent Involvement)

13. Collaborate with other public agencies and private organizations to ensure that children's physical, social and emotional needs are met

(cf. 1020 - Youth Services)
(cf. 1400 - Relations between Other Governmental Agencies and the Schools)

14. Provide a system of shared accountability for student achievement with clear performance standards and consequences

(cf. 0500 - Accountability)
(cf. 0510 - School Accountability Report Card)
(cf. 2140 - Evaluation of the Superintendent)
(cf. 4115 - Evaluation/Supervision)
(cf. 4215 - Evaluation/Supervision)
(cf. 4315 - Evaluation/Supervision)
(cf. 6162.5 - Student Assessment)
(cf. 9400 - Board Self-Evaluation)

Legal Reference:

EDUCATION CODE

51002 Local development of programs based on stated philosophy and goals

51020 Definition of goal

51021 Definition of objective

Management Resources:

CSBA PUBLICATIONS

Healthy Food Policy Resource Guide, 2003

Maximizing School Board Leadership: Vision, 1996

WEB SITES

CSBA: <http://www.csba.org>

COMPREHENSIVE PLANS

The Board of Trustees believes that careful planning is essential to effective implementation of district programs and policies. Comprehensive plans shall identify cohesive strategies for school improvement and provide stability in district operations.

The Superintendent or designee shall develop comprehensive plans for the implementation of the district's vision and goals, on specific policy topics and on other areas as required by law. As appropriate, comprehensive plans may describe, but not be limited to, anticipated short- and long-term needs, measurable outcomes, priorities, activities, available resources, timelines, staff responsibilities, and strategies for internal and external communications regarding the plan.

- (cf. 0000 - Vision)*
- (cf. 0200 - Goals for the School District)*
- (cf. 0430 - Comprehensive Local Plan for Special Education)*
- (cf. 0440 - District Technology Plan)*
- (cf. 0450 - Comprehensive Safety Plan)*
- (cf. 0500 - Accountability)*
- (cf. 1112 - Media Relations)*
- (cf. 2140 - Evaluation of the Superintendent)*
- (cf. 3516 - Emergencies and Disaster Preparedness Plan)*
- (cf. 3543 - Transportation Safety and Emergencies)*
- (cf. 4141.6/4241.6 - Concerted Action/Work Stoppage)*
- (cf. 6010 - Goals and Objectives)*
- (cf. 6171 - Title I Programs)*
- (cf. 6190 - Evaluation of the Instructional Program)*
- (cf. 7110 - Facilities Master Plan)*

Comprehensive plans may be subject to review and approval by the Board.

The process for developing comprehensive plans shall invite broad participation of school and community representatives. Committees may be appointed to assist in the development of plans. Comprehensive plans shall be available to the public and shall be reviewed at regular intervals as specified within the plan.

- (cf. 0420.5 - School-Based Decision Making)*
- (cf. 1220 - Citizen Advisory Committees)*
- (cf. 2230 - Representative and Deliberative Groups)*
- (cf. 6020 - Parent Involvement)*
- (cf. 9130 - Board Committees)*

In addition, school-level plans may be developed to meet the unique circumstances of individual school sites provided that they are consistent with law, district vision, Board policies, administrative regulations and districtwide plans. School plans may be subject to review and approval of the Superintendent or designee and/or the Board.

COMPREHENSIVE PLANS (continued)

(cf. 0420 - School Plans/Site Councils)
(cf. 0420.1 - School-Based Program Coordination)
(cf. 0420.3 - School-Based Student Motivation and Maintenance Program)

Legal Reference:

EDUCATION CODE
35035 Powers and duties of Superintendent
35291 Rules (power of governing board)

Management Resources:

CSBA PUBLICATIONS
Maximizing School Board Leadership: Vision, 1996
WEB SITES
CSBA: <http://www.csba.org>

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

The Board of Trustees is committed to equal opportunity for all individuals in education. District programs and activities shall be free from discrimination based on gender, sex, race, color, religion, ancestry, national origin, ethnic group identification, marital or parental status, physical or mental disability, sexual orientation or the perception of one or more of such characteristics. The Board shall promote programs which ensure that discriminatory practices are eliminated in all district activities.

- (cf. 4030 - Nondiscrimination in Employment)*
- (cf. 4032 - Reasonable Accommodation)*
- (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)*
- (cf. 5145.3 - Nondiscrimination/Harassment)*
- (cf. 5145.7 - Sexual Harassment)*
- (cf. 5146 - Married/Pregnant/Parenting Students)*
- (cf. 6145.2 - Athletic Competition)*
- (cf. 6164.4 - Identification of Individuals for Special Education)*
- (cf. 6164.6 - Identification and Education under Section 504)*
- (cf. 6178 - Vocational Education)*
- (cf. 6200 - Adult Education)*

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act.

The Superintendent or designee shall ensure that the district provides assistance as necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program or activity. This may include, but is not limited to, qualified interpreters or readers, assistive listening devices, notetakers, written materials, taped text, and Braille or large print materials.

- (cf. 5124 - Communication with Parents/Guardians)*

Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to the school-sponsored function, program or meeting. Interpretive services for the deaf or hard of hearing are available and, can be arranged given 48 hours advanced notice.

- (cf. 9320 - Meetings and Notices)*
- (cf. 9322 - Agenda/Meeting Materials)*

The Superintendent or designee shall notify students, parents/guardians, employees, employee organizations and applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination. Such notification shall be included in each announcement, bulletin, catalog, application form or other recruitment materials distributed to these groups. (34 CFR 104.8, 106.9)

The Superintendent or designee shall also provide information about related complaint procedures.

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

In compliance with law, the district's nondiscrimination policy shall be published in the individual's primary language to the extent practicable.

(cf. 5145.6 - Parental Notifications)

Legal Reference: (see next page)

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48985 Notices to parents in language other than English

GOVERNMENT CODE

11000 Definitions

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

54953.2 Brown Act compliance with Americans with Disabilities Act

PENAL CODE

422.55 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act

1681-1688 Discrimination based on sex or blindness, Title IX

2301-2415 Carl D. Perkins Vocational and Applied Technology Act

6311 State plans

6312 Local education agency plans

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

2000h-2000h-6 Title IX

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

36.303 Auxiliary aids and services

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:

106.9 Dissemination of policy

Management Resources:

U.S. DEPARTMENT OF EDUCATION, OFFICE OF CIVIL RIGHTS PUBLICATIONS

Protecting Students from Harassment and Hate Crime, January, 1999

Notice of Non-Discrimination, January, 1999

Nondiscrimination in Employment Practices in Education, August, 1991

WEB SITES

U.S. Department of Education, Office of Civil Rights: <http://www.ed.gov/offices/OCR>

CDE: <http://www.cde.ca.gov>

Safe Schools Coalition: <http://www.casafeschoolscoalition.org>

Pacific Disability and Business Technical Assistance Center: <http://www.pacdbtac.org>

SCHOOL PLANS/SITE COUNCILS

The Board of Trustees encourages employees, students, parents/guardians and other members of the school community to develop school plans designed to meet the specific needs at individual school sites. The Board may approve or disapprove school plans as necessary in order to fulfill the district's mission, accomplish the Board's adopted goals and/or comply with legal requirements.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0400 - Comprehensive Plans)

(cf. 0420.5 - School-Based Decision Making)

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

When submitting a consolidated application for state and federal categorical programs to the California Department of Education, the Superintendent or designee shall assure that a single plan for student achievement has been prepared for each participating school in accordance with law. (Education Code 64001)

The Superintendent or designee shall ensure that schools desiring to participate in categorical programs establish and maintain a school site council. Such councils shall be responsible for the development, review and modification of school plans and for other duties as prescribed by law.

(cf. 0420.1 - School-Based Program Coordination)

(cf. 0420.3 - School-Based Student Motivation and Maintenance Program)

(cf. 0450 - Comprehensive Safety Plan)

Legal Reference: (see next page)

SCHOOL PLANS/SITE COUNCILS (continued)

Legal Reference:

EDUCATION CODE

- 52 *Designation of schools*
 - 53 *Designation of high schools*
 - 8750-8754 *Conservation Education*
 - 18100-18203 *School libraries*
 - 44500-44508 *Peer Assistance and Review Program*
 - 44520-44534 *New Careers Program*
 - 51870-51874 *Educational Technology*
 - 52000-52049.1 *School Improvement Program*
 - 52053-52055.51 *Immediate Intervention/Underperforming Schools Program*
 - 52176 *Advisory committees*
 - 52200-52212 *Gifted and Talented Education Program*
 - 52340-52346 *California Regional Career Guidance Centers*
 - 52800-52904 *School-Based Program Coordination Act*
 - 54000-54041 *Educationally Disadvantaged Youth Programs*
 - 54100-54145 *Miller-Unruh Basic Reading Act*
 - 54425 *Advisory committees (compensatory education)*
 - 54650-54659 *Education Improvement Incentive Program*
 - 54720-54734 *School-Based Pupil Motivation and Maintenance Program*
 - 56000-56885 *Special education*
 - 64000 *Categorical programs included in consolidated application*
 - 64001 *Single school plan for student achievement, consolidated application programs*
- CODE OF REGULATIONS, TITLE 5
- 3930-3937 *Compliance plans*
- UNITED STATES CODE, TITLE 20
- 6301-6578 *Title I programs*

Management Resources:

CDE CORRESPONDENCE

Update on the Status of Program Quality Review and Implementation of SB 374, November 14, 2001

CDE PUBLICATIONS

Single School Planning Template, 2002

School Site Councils: Their Composition, Role and Responsibilities, 1991

WEB SITES

CDE: <http://www.cde.ca.gov>

SCHOOL PLANS/SITE COUNCILS

School Site Councils

When required for participation in state programs, school site councils shall be composed of the following: (Education Code 52012, 52852, 54724)

1. The principal
2. Teachers selected by the school's teachers
3. Other school personnel chosen by the school's other personnel
4. Parents/guardians of students attending the school chosen by other such parents/guardians, or community members chosen as representatives by such parents/guardians
5. In secondary schools, students attending the school chosen by other such students

(cf. 0420.1 - School-Based Program Coordination)

(cf. 0420.3 - School-Based Student Motivation and Maintenance Program)

Half of the school site council membership shall consist of school staff, the majority of whom shall be classroom teachers. For elementary school site councils, the remaining half shall be parents/guardians or parent/guardian representatives. For secondary school site councils, the remaining half shall be equal numbers of parents/guardians (or parent/guardian representatives) and students. (Education Code 52012, 52852, 54724)

A district employee may serve as a parent/guardian representative on the site council of the school his/her child attends, provided the employee does not work at that school. (Education Code 52852)

School site councils may function on behalf of other committees in accordance with law. (Education Code 52176, 52870, 54425; 5 CCR 3932)

(cf. 0520 - Intervention for Underperforming Schools)

(cf. 1220 - Citizen Advisory Committees)

Single Plan for Student Achievement

In order for a school to participate in state and federal categorical programs funded through the state's consolidated application process, the school site council shall consolidate and approve a single plan for student achievement. This plan shall be aligned with school goals for improving student achievement and shall be based on an analysis of verifiable state data, including the Academic Performance Index and the English Language Development Test, and any other data voluntarily developed by the district to measure student achievement. (Education Code 64001)

SCHOOL PLANS/SITE COUNCILS (continued)

The plan shall, at a minimum: (Education Code 64001)

1. Address how funds provided to the school through any of the programs identified in Education Code 64000 will be used to improve the academic performance of all students to the level of the performance goals established by the Academic Performance Index
2. Identify the school's means of evaluating progress toward accomplishing those goals
3. Identify how state and federal law governing these programs will be implemented

Whenever feasible, the school site council may include within the above plan any plans required by other categorical programs.

Plans developed for the state's Immediate Intervention/Underperforming Schools Program pursuant to Education Code 52054 or the federal schoolwide programs pursuant to 20 USC 6314 et seq. shall satisfy the requirement for a single plan for student achievement. (Education Code 64001)

(cf. 0520 - Intervention for Underperforming Schools)

The school site council shall annually review and update this plan, including the proposed expenditure of funds allocated to the school for these programs. If the school does not have a school site council, a schoolwide advisory group or school support group conforming to the requirements of Education Code 52012 shall fulfill these responsibilities. (Education Code 64001)

The Board of Trustees shall review and approve the plan at a regularly scheduled meeting. The Board also shall review and approve any subsequent revisions that include material changes affecting the academic programs for students participating in these programs. The Board shall certify that, to the extent allowable under federal law, the plan is consistent with district local improvement plans required as a condition of receiving federal funding. (Education Code 64001)

SCHOOL-BASED PROGRAM COORDINATION

In order to best serve students with special needs, as well as students participating in designated educational programs, the Board of Trustees encourages school-based program coordination as a means for achieving flexibility in the use of the categorical funds received by each school. The Board believes that resources acquired to assist students in one program often can benefit other students without in any way depriving the originally targeted group.

A school-site council shall be established at each school to consider whether or not it wishes the school to participate in school-based program coordination. All interested persons shall have an opportunity to meet in public to establish the site council. (Education Code 52852.5)

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)

Evaluation of each participating school's educational program shall include an assessment of the school's effectiveness in meeting the needs of each student population targeted by categorical funds.

(cf. 0500 - Accountability)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference: (see next page)

SCHOOL-BASED PROGRAM COORDINATION (continued)

Legal Reference:

EDUCATION CODE

8750-8754 *Conservation Education*

44520-44534 *New Careers Program*

51870-51874 *Educational Technology*

52000-52049.1 *School Improvement Program*

52200-52212 *Gifted and Talented Education Program*

52340-52346 *California Regional Career Guidance Centers*

52800-52904 *School-Based Program Coordination Act*

54000-54041 *Educationally Disadvantaged Youth Programs*

54100-54145 *Miller-Unruh Basic Reading Act*

54650-54659 *Education Improvement Incentive Program*

54720-54734 *School-Based Pupil Motivation and Maintenance Program*

56000-56885 *Special education*

64000 *Categorical programs included in consolidated application*

64001 *Single school plan for student achievement, consolidated application programs*

MILITARY AND VETERANS CODE

500-520.1 *California Cadet Corps*

Management Resources:

CDE PROGRAM ADVISORIES

06271.09 *School-Based Program Coordination Act*

0620.09 *Use of Categorical Funds for Motivation Incentives*

0430.09 *Using School Improvement Program Resources and SB 1882 Funding to Promote School Change*

1107.89 *Implementation of new procedures for noncompliance*

WEB SITES

CDE: <http://www.cde.ca.gov>

SCHOOL-BASED PROGRAM COORDINATION

The Superintendent or designee shall give all principals information about the School-Based Program Coordination Act. This information shall be provided to staff, parents/guardians and secondary students. (Education Code 52852.5)

Categorical funds coordinated under this program may include funding for: (Education Code 52851)

1. Conservation Education (Education Code 8750-8754)

(cf. 6142.5 - Environmental Education)

2. New Careers Program (Education Code 44520-44534)

(cf. 4112.21 - Interns)

3. Educational Technology (Education Code 51870-51874)

(cf. 0440 - District Technology Plan)

(cf. 4060 - Employee Use of Technology)

(cf. 6162.7 - Use of Technology in Instruction)

(cf. 6163.4 - Student Use of Technology)

4. School Improvement Program (Education Code 52000-52049.1)

5. Gifted and Talented Education Program (Education Code 52200-52212)

(cf. 6172 - Gifted and Talented Student Program)

6. California Regional Career Guidance Centers (Education Code 52340-52346)

(cf. 6030 - Integrated Academic and Vocational Instruction)

(cf. 6178 - Vocational Education)

7. Educationally Disadvantaged Youth Programs (Education Code 54000-54041)

(cf. 5149 - At-Risk Students)

8. Miller-Unruh Basic Reading Act (Education Code 54100-54145)

(cf. 6142.91 - Reading/Language Arts Instruction)

9. Special Education (Education Code 56000-56885)

(cf. 0430 - Comprehensive Local Plan for Special Education)

SCHOOL-BASED PROGRAM COORDINATION (continued)

10. California Cadet Corps (Military and Veterans Code 500-520.1)

Funds coordinated by this program shall be used to supplement, not supplant, existing state and local appropriations. (Education Code 52852.5)

The school shall not be required to meet the statutory provisions or related California Code of Regulations for any coordinated program except as specifically provided under the School-Based Program Coordination Act. (Education Code 52851)

Plan

Program goals, expenditures and evaluation processes shall be addressed in a single school plan for student achievement required for the state's consolidated application process. (Education Code 64001)

(cf. 0420 - School Plans/Site Councils)

(cf. 6190 - Evaluation of the Instructional Program)

The plan shall address: (Education Code 52853)

1. Curricula, instructional strategies and materials responsive to the individual needs and learning styles of each student
2. Instructional and auxiliary services which meet the special needs of non-English-speaking or limited-English-speaking students; educationally disadvantaged students; gifted and talented students; and students with exceptional needs
3. A staff development program for teachers, other school personnel, paraprofessionals and volunteers, including those participating in special programs, which may include:
 - a. The use of program guidelines developed by the State Superintendent of Public Instruction for specific learning disabilities, including dyslexia, and other related disorders
 - b. Strategies included in the guidelines and instructional materials that focus on successful approaches for working with students who have been prenatally exposed to substances as well as other at-risk students

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

4. Ongoing evaluation of the school's educational program

SCHOOL-BASED PROGRAM COORDINATION (continued)

(cf. 0500 - Accountability)

5. The proposed expenditures of funds available to the school through this program, including but not limited to expenditures for salaries and staff benefits for persons providing services for those programs
6. The proposed expenditure of funds available through the Improving America's Schools Act
7. Other activities and objectives established by the site council

The Board of Trustees shall review and approve or disapprove the school plan. If a plan is not approved, the Board shall give the site council its specific reasons. (Education Code 52855)

The site council shall annually review the school plan, establish a new budget and, if necessary, make other modification to reflect changing needs and priorities. (Education Code 52853, 52857)

Subsequent changes in the plan developed by the site council shall be approved or disapproved by the Board, and specific reasons stated for any disapproval. (Education Code 52855)

SCHOOL-BASED STUDENT MOTIVATION AND MAINTENANCE PROGRAM

The Board of Trustees supports the development of a comprehensive school plan and establishment of an outreach program at school sites in order to reduce student absenteeism and dropout rates and to improve student achievement, thereby leading to successful completion of a high school diploma.

(cf. 0420.1 - School-Based Program Coordination)

(cf. 5113.1 - Truancy)

(cf. 5147 - Dropout Prevention)

(cf. 5149 - At-Risk Students)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6162.52 - High School Exit Examination)

(cf. 6178 - Vocational Education)

(cf. 6178.1 - Work Experience Education)

(cf. 6179 - Supplemental Instruction)

The Superintendent or designee shall ensure that each principal receives information about the School-Based Pupil Motivation and Maintenance Program and that he/she provides information to teachers, other school personnel, parents/guardians and, in secondary schools, students. (Education Code 54725)

Before a school begins to develop a school plan for the program, a school site council shall be established to consider whether or not it wishes the school to participate in the program. All interested parties, including but not limited to the principal, teachers, other school personnel, parents/guardians, and, in secondary schools, students, shall have the opportunity to meet in public to establish this site council. (Education Code 54725)

(cf. 0420 - School Plans/Site Councils)

The school plan and any revisions shall be approved by the Board prior to implementation and shall be retained at the school site. (Education Code 54722)

Legal Reference: (see next page)

SCHOOL-BASED STUDENT MOTIVATION AND MAINTENANCE PROGRAM
(continued)

Legal Reference:

EDUCATION CODE

- 8240-8244 *General child care and development programs*
 - 8750-8754 *Conservation education*
 - 44520-44534 *New careers program*
 - 48400-48403 *Compulsory continuation education*
 - 48430-48438 *Continuation education*
 - 48630-48641 *Opportunity schools*
 - 48660-48667 *Community day schools*
 - 51745-51749.3 *Independent study*
 - 51760-51769.5 *Work experience education*
 - 51870-51874 *Education technology*
 - 52000-52049.1 *School improvement program*
 - 52200-52212 *Gifted and talented pupil program*
 - 52300-52346 *Regional occupational centers*
 - 52500-52525 *Adult education*
 - 52610-52616.24 *Adult education*
 - 52850-52863 *School-based program coordination, school plans*
 - 52885-52887 *State administration*
 - 52890 *Qualifications and duties of outreach consultants*
 - 54000-54041 *Educationally disadvantaged youth programs*
 - 54100-54145 *Miller-Unruh basic reading program*
 - 54720-54734 *School-Based Pupil Motivation and Maintenance Program and Dropout Recovery Act*
 - 56000-56885 *Special education*
 - 64000-64001 *Single plan for student achievement*
- MILITARY AND VETERANS CODE
- 500-520.1 *California Cadet Corps*

Management Resources:

CDE PUBLICATIONS

Guide to the Single Plan for Student Achievement: A Handbook for Schoolsite Councils, September 2002

SB 65 School-Based Pupil Motivation and Maintenance Program Guidelines (2000-01 Edition), 2000

WEB SITES

California Department of Education: <http://www.cde.ca.gov/spbranch/ssp/sb65index.html>

California Dropout Prevention Network: <http://www.edualliance.org/cdpn>

National Dropout Prevention Center: <http://www.dropoutprevention.org>

SCHOOL-BASED STUDENT MOTIVATION AND MAINTENANCE PROGRAM

Qualifications of Outreach Consultants

Any person hired as an outreach consultant for the School-Based Pupil Motivation and Maintenance Program, if hired after January 1, 2004, shall possess a Dropout Prevention Specialist Certificate from a California State University or enroll in a Dropout Prevention Specialist Certificate program within 90 days of the date of hire. (Education Code 52890)

(cf. 4112.2 - Certification)

School Plan

When the school site council of any school decides to have the school participate in the School-Based Pupil Motivation and Maintenance Program, it shall develop a plan for increasing the school's retention rate for all students, with special emphasis on the needs of high-risk students. (Education Code 54726)

(cf. 0420 - School Plans/Site Councils)

High-risk students are defined as those students who are susceptible to frequent absenteeism, truancy or tardiness, or who have the potential to drop out from school due to pregnancy or marriage; financial needs; dislike of school, classes or teachers; lack of basic skills; disciplinary problems; low self-esteem; emotional or physical problems; feelings of alienation; or other factors. (Education Code 54721)

(cf. 5149 - At-Risk Students)

The school plan shall include, but need not be limited to: (Education Code 54726)

1. A staff development program for teachers, other school personnel, paraprofessionals and volunteers, including those participating in special programs

(cf. 1240 - Volunteer Assistance)

(cf. 4131 - Staff Development)

(cf. 4222 - Teacher Aides/Paraprofessionals)

(cf. 4231 - Staff Development)

2. Provisions for participation in peer group technical support, new school training, program development and staff development activities organized and provided by the network organization of schools implementing the program

3. Provisions for utilization of the student success team process to identify and assess the needs of students who are dropouts or potential dropouts, and to develop programs to meet those needs. Each student success team shall include:

- a. As appropriate, the student identified as a dropout or potential dropout

SCHOOL-BASED STUDENT MOTIVATION AND MAINTENANCE PROGRAM
(continued)

- b. The student's parents/guardians
- c. One of the student's teachers or, for a dropout, a teacher who would have been one of the student's teachers if the student were still attending school
- d. The principal or designee
- e. Other appropriate resource teachers or specialists
- f. As appropriate, representatives of public or private community organizations, park and recreation agencies, law enforcement agencies, or business and industry

(cf. 6164.5 - Student Success Team)

- 4. A statement describing the specific duties of the outreach consultant and limiting those duties to activities that benefit high-risk students as defined above

(cf. 4119.3/4219.3/4319.3 - Duties of Personnel)

- 5. Procedures for coordinating services from funding sources at the school level to help students participate successfully in the core academic curricula and specialized curricula related to jobs and career opportunities
- 6. Instructional and auxiliary services to meet the special needs of students who are at high risk of not succeeding in the regular program or of dropping out of school; non- or limited-English-speaking students, including instruction in a language they understand; educationally disadvantaged students; gifted and talented students; and students with disabilities

(cf. 6159 - Individualized Education Program)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6174 - Education for English Language Learners)

- 7. At the elementary school level, provisions for early identification and intervention to address learning problems, including but not limited to the assessment of primary grade students to identify and begin remediation of developmental and other learning difficulties
- 8. An emphasis on literacy and basic skills development
- 9. An emphasis on curriculum content and teaching strategies that relate to job or career opportunities

SCHOOL-BASED STUDENT MOTIVATION AND MAINTENANCE PROGRAM
(continued)

10. A plan for integration and coordination of the skills and talents of outreach consultants
11. Other activities and objectives established by the school site council
12. Proposed expenditures of funds available to the school through the categorical programs described in Education Code 54723 and other available funds

(cf. 0420.1 - School-Based Program Coordination)
(cf. 5148 - Child Care and Development)
(cf. 6158 - Independent Study)
(cf. 6178.1 - Work Experience Education)
(cf. 6182 - Opportunity School/Class/Program)
(cf. 6184 - Continuation Education)
(cf. 6185 - Community Day School)
(cf. 6200 - Adult Education)

The school plan developed for this program shall be consolidated into the single plan for student achievement used in the state's consolidated application process.

Before submitting the school plan to the Board of Trustees, the school site council shall consult with local officials, including officials from law enforcement and public health, and with representatives from nonprofit organizations that work with at-risk youth. (Education Code 54726)

The school site council shall annually review the plan, establish a new budget and, if necessary, make other modifications in the plan to reflect changing needs and priorities. (Education Code 54726)

The Superintendent or designee shall ensure that funds coordinated in this program are used to supplement, not supplant, existing state and local funding. (Education Code 54725)

CHARTER SCHOOLS

The Board of Trustees believes that charter schools provide one opportunity to implement school-level reform and to support innovations which improve student learning. These schools shall operate under the provisions of their charters, federal laws, specified state laws and general oversight of the Board.

As needed, the Superintendent or designee may work with charter school petitioners to establish workable plans for technical assistance or contracted services which the district may provide to the proposed charter school.

In determining whether to grant or deny a charter, the Board shall carefully review the proposed charter and any supplementary information, consider public and staff input, and determine whether the charter petition adequately addresses all the provisions required by law. The Board shall not deny a charter school petition unless specific written factual findings are made pursuant to law and administrative regulation.

The Board shall ensure that any charter granted by the Board contains adequate processes and measures for holding the school accountable for fulfilling the terms of its charter. These shall include, but not be limited to, fiscal accountability systems as well as multiple measures for evaluating the educational program. In accordance with law and the charter provisions, charters shall provide regular reports to the Board to assist the Board in its fulfilling oversight responsibility.

(cf. 0500 - Accountability)

The district shall not require any student to attend a charter school and shall not require any district employee to work at a charter school. (Education Code 47605)

Legal Reference: (see next page)

CHARTER SCHOOLS (continued)

Legal Reference:

EDUCATION CODE

33054 Waivers
41365 Charter school revolving loan fund
42100 Annual statement of receipts and expenditures
42238.51-42238.53 Funding for charter districts
44237 Criminal record summary
44830.1 Certificated employees, conviction of a violent or serious felony
45122.1 Classified employees, conviction of a violent or serious felony
46201 Instructional minutes
47600-47616.7 Charter Schools Act of 1992, as amended
47640-47647 Special education funding for charter schools
47652 Funding of first-year charter schools
48000 Minimum age of admission (kindergarten)
48010 Minimum age of admission (first grade)
48011 Minimum age of admission from kindergarten or other school
51745-51749.3 Independent study
52052 Alternative accountability system
54032 Limited English or low-achieving pupils
56026 Special education
56145-56146 Special education services in charter schools
60600-60649 Assessment of academic achievement, including:
60605 Academic content and performance standards; assessments
60640-60649 Standardized Testing and Reporting Program

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act
54950-54963 The Ralph M. Brown Act

PENAL CODE

667.5 Definition of violent felony
1192.7 Definition of serious felony

CODE OF REGULATIONS, TITLE 5

11700.1-11705 Independent study
11960-11969 Charter schools

UNITED STATES CODE, TITLE 20

6311 Adequate yearly progress
6319 Qualifications of teachers and paraprofessionals
7223-7225 Charter schools

CODE OF FEDERAL REGULATIONS, TITLE 34

200.1-200.78 Accountability

ATTORNEY GENERAL OPINIONS

80 Ops.Cal.Atty.Gen. 52 (1997)
78 Ops.Cal.Atty.Gen. 297 (1995)

Management Resources: (see next page)

CHARTER SCHOOLS (continued)

Management Resources:

CSBA PUBLICATIONS

Charter Schools: A Manual for Governance Teams, 2002

CDE PUBLICATIONS

Special Education and Charter Schools: Questions and Answers, September 10, 2002

USDOE DRAFT NONREGULATORY GUIDANCE

Charter School Program, August 31, 2003

The Impact of the New Title I Requirements on Charter Schools, March 24, 2003

WEB SITES

CSBA: <http://www.csba.org>

CDE: <http://www.cde.ca.gov/charter>

Education Commission of the States: <http://www.ecs.org>

NSBA: <http://www.nsba.org>

U.S. Department of Education: <http://www.ed.gov>

CHARTER SCHOOLS

Petition Signatures

To be considered by the Board of Trustees, a charter school petition for the establishment of a charter school within the district must be signed by one of the following: (Education Code 47605)

1. A number of parents/guardians equivalent to at least one-half of the number of students that the charter school estimates will enroll in the charter school for its first year of operation
2. A number of teachers equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation

If the charter petition calls for an existing public school to be converted to a charter school, the petition must be signed by at least 50 percent of the permanent status teachers currently employed at the school. (Education Code 47605)

(cf. 4116 - Permanent/Probationary Status)

In circulating a petition, the petitioners shall include a prominent statement explaining that a signature means that the parent/guardian is meaningfully interested in having his/her child attend the charter school or, in the case of a teacher's signature, that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition. (Education Code 47605)

Components of Charter Petition

A charter petition shall include affirmations of the conditions described in Education Code 47605(d) as well as descriptions of all of the following: (Education Code 47605, 47611.5)

1. The educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an "educated person" in the 21st century and how learning best occurs. The goals identified in that program shall include the objective of enabling students to become self-motivated, competent and lifelong learners.

If the proposed school will serve high school students, the petition shall describe how the charter school will inform parents/guardians about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable, and courses approved by the University of California or the California State University as creditable under the "A-G" admissions criteria may be considered to meet college entrance requirements.

CHARTER SCHOOLS (continued)

2. The measurable student outcomes identified for use by the charter school. *Student outcomes* means the extent to which all students of the school demonstrate that they have attained the skills, knowledge and attitudes specified as goals in the school's educational program.
3. The method by which student progress in meeting those student outcomes is to be measured.
4. The governance structure of the school, including but not limited to the process to be followed by the school to ensure parent/guardian involvement.
5. The qualifications to be met by individuals to be employed by the school.
6. The procedures that the school will follow to ensure the health and safety of students and staff. These procedures shall include the requirement that each school employee furnish the school with a criminal record summary as described in Education Code 44237.
7. The means by which the school will achieve a racial and ethnic balance among its students that is reflective of the general population residing within the district's territorial jurisdiction.
8. Admission requirements, if applicable.
9. The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the Board.
10. The procedures by which students can be suspended or expelled.
11. The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System or federal social security.
12. The public school attendance alternatives for students residing within the district who choose not to attend charter schools.
13. A description of the rights of any district employee upon leaving district employment to work in a charter school, and of any rights of return to the district after employment at a charter school.
14. The procedures to be followed by the charter school and the Board to resolve disputes relating to charter provisions.

CHARTER SCHOOLS (continued)

15. A declaration as to whether or not the charter school shall be deemed the exclusive public school employer of the school's employees for purposes of collective bargaining under Government Code 3540-3549.3.
16. The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the school, including plans for disposing of any net assets and for the maintenance and transfer of student records.

Charter school petitioners shall provide information to the Board regarding the proposed operation and potential effects of the school, including but not limited to: (Education Code 47605)

1. The facilities to be used by the school, including where the school intends to locate

(cf. 7160 - Charter School Facilities)

2. The manner in which administrative services of the school are to be provided
3. Potential civil liability effects, if any, upon the school and district
4. Financial statements that include a proposed first-year operational budget, including start-up costs, and cash-flow and financial projections for the first three years of operation

Location of Charter School

Any charter petition submitted to the Board on or after July 1, 2002, unless otherwise exempted by law, shall identify a single charter school that will operate within the geographic boundaries of the district. A charter school may propose to operate at multiple sites within the district as long as each location is identified in the petition. (Education Code 47605, 47605.1)

A charter school that is unable to locate within the district's jurisdictional boundaries may establish one site outside district boundaries but within the county, if: (Education Code 47605, 47605.1)

1. The Board is notified prior to approval of the petition.
2. The County Superintendent of Schools and Superintendent of Public Instruction are notified before the charter school begins operations.

CHARTER SCHOOLS (continued)

3. The school has attempted to locate a single site or facility to house the entire program but such a facility or site is unavailable in the area in which the school chooses to locate, or the site is needed for temporary use during a construction or expansion project.

A charter school may establish a resource center, meeting space or other satellite facility located in an adjacent county if both of the following conditions are met: (Education Code 47605.1)

1. The facility is used exclusively for the educational support of students who are enrolled in nonclassroom-based independent study of the charter school.
2. The charter school provides its primary educational services in, and a majority of the students it serves are residents of, the county in which the school is authorized.

All charter schools shall be subject to these requirements by June 30, 2005, or upon the expiration of a charter that is in existence on January 1, 2003, whichever is later. Until this date, any charter school that provided educational services before July 1, 2002, shall be subject to these requirements only for new educational services or school sites it establishes or acquires. (Education Code 47605.1)

Charter Approval/Denial

Within 30 days of receiving a petition to establish a charter school, the Board shall hold a public hearing to determine the level of support for the petition by teachers, other employees of the district and parents/guardians. (Education Code 47605)

(cf. 9320 - Meetings and Notices)

Within 60 days of receiving a petition, or within 90 days with the consent of the petitioners and the Board, the Board shall either grant or deny the request to establish a charter school. (Education Code 47605)

The Board shall grant the charter if doing so is consistent with sound educational practice. A charter shall be denied only if the Board presents written factual findings specific to the petition that one or more of the following conditions exist: (Education Code 47605)

1. The charter school presents an unsound educational program for the students to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

CHARTER SCHOOLS (continued)

3. The petition does not contain the number of signatures required.
4. The petition does not contain an affirmation of each of the conditions described in Education Code 47605(d).
5. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(b) listed in “Components of Charter Petition” above.

The Board shall not grant any charter that authorizes the conversion of a private school to a charter school. (Education Code 47602)

The Board shall not approve any charter petition that proposes to serve students in a grade level that is not served by the district, unless the petition proposes to serve students in all the grade levels served by the district. (Education Code 47605)

The Board shall not deny a petition based on the actual or potential costs of serving students with disabilities, nor shall it deny a petition solely because the charter school might enroll disabled students who reside outside the special education local plan area (SELPA) in which the district participates. (Education Code 47605.7, 47647)

The approval or denial of a charter petition shall not be controlled by collective bargaining agreements nor subject to review or regulation by the Public Employment Relations Board. (Education Code 47611.5)

In granting charter petitions, the Board shall give preference to schools best able to provide comprehensive learning experiences for academically low-achieving students according to standards established by the California Department of Education under Education Code 54032. (Education Code 47605)

The Board may initially grant a charter for a specified term not to exceed five years. (Education Code 47607)

It shall be the responsibility of the petitioners to provide written notice of the Board’s approval and a copy of the charter to the County Superintendent of Schools, the California Department of Education and the State Board of Education. (Education Code 47605)

Revisions

Material revisions to a charter may be made only with Board approval and shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605. (Education Code 47607)

CHARTER SCHOOLS (continued)

If, after receiving approval of its petition, a charter school proposes to establish operations at one or more additional sites within the district's boundaries, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations. The Board shall consider approval of the additional locations at an open meeting. (Education Code 47605)

Renewals

A charter school seeking renewal of its charter shall submit a written request to the Board at least 120 days before the term of the charter is due to expire.

At least 90 days before the term of the charter is due to expire, the Board shall conduct a public hearing to receive input on whether or not to extend the charter. At least 60 days before the expiration date, the Board shall either grant or deny the request for renewal.

Renewals shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605. (Education Code 47607)

In addition, beginning on January 1, 2005, or after a charter school has been in operation for four years, whichever is later, a charter school shall meet at least one of the following criteria prior to receiving a charter renewal: (Education Code 47607)

1. The charter school attains its Academic Performance Index (API) growth target in the prior year or in two of the last three years, or in the aggregate for the prior three years.
2. The charter school ranks in deciles 4-10 on the API in the prior year or in two of the last three years.
3. The charter school ranks in deciles 4-10 on the API for a demographically comparable school in the prior year or in two of the last three years.
4. The Board determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school students would otherwise have been required to attend, as well as the academic performance of district schools, taking into account the composition of the student population that is served at the charter school.

CHARTER SCHOOLS (continued)

- a. The Board's determination shall be based on documented, clear and convincing data; student achievement data from the Standardized Testing and Reporting Program, and any other available assessments, for demographically similar student populations in comparison schools; and information submitted by the charter school. The Board shall submit to the Superintendent of Public Instruction copies of supporting documentation and a written summary of the basis for its determination.
 - b. A charter renewal may not be granted to a charter school prior to 30 days after the school submits related materials.
5. The charter school qualifies for an alternative accountability system pursuant to Education Code 52052(h).

Each renewal shall be for a period of five years. (Education Code 47607)

Revocations

The Board may revoke a charter whenever it finds that the charter school has done any of the following: (Education Code 47607)

1. Committed a material violation of any of the conditions, standards or procedures set forth in the charter
2. Failed to meet or pursue any of the student outcomes identified in the charter
3. Failed to meet generally accepted accounting principles or engaged in fiscal mismanagement
4. Violated any provision of law

Prior to revocation, the Board shall notify the charter school of any violation and give the school a reasonable opportunity to correct the violation unless the Board determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the students. (Education Code 47607)

Requirements for Charter Schools

In providing general oversight of a charter school, the Board shall determine whether the school meets the legal requirements applicable to charter schools. Each charter school shall:

1. Be nonsectarian in its programs, admission policies, employment practices and all other operations (Education Code 47605)

CHARTER SCHOOLS (continued)

2. Not charge tuition (Education Code 47605)
3. Not discriminate against any student on the basis of ethnicity, national origin, gender or disability (Education Code 47605)
4. Adhere to all laws establishing minimum age for public school attendance (Education Code 47610)

(cf. 5111 - Admission)

5. Serve students who are California residents and who, if over 19 years of age, are continuously enrolled in a public school and making “satisfactory progress” toward a high school diploma as defined in 5 CCR 11965 (Education Code 47612)
6. Serve students with disabilities in the same manner as such students are served in other public schools (Education Code 47646, 56145)

(cf. 0430 - Comprehensive Local Plan for Special Education)

(cf. 6159 - Individualized Education Program)

(cf. 6164.4 - Identification of Individuals for Special Education)

7. Admit all students who wish to attend the school, according to the following criteria and procedures:
 - a. Admission to the charter school shall not be determined according to the student’s place of residence, or that of his/her parents/guardians, within this state, except that any existing public school converting partially or entirely to a charter school shall adopt and maintain a policy giving admission preference to students who reside within the school’s former attendance area. (Education Code 47605)

However, if a charter school will be physically located in a public elementary school attendance area in which 50 percent or more of the student enrollment is eligible for free or reduced price meals, it may also establish an admissions preference for students who are currently enrolled in the public elementary school and for students who reside in the public school attendance area. (Education Code 47605.3)

CHARTER SCHOOLS (continued)

- b. If the number of students who wish to attend the charter school exceeds the school's capacity, attendance shall be determined by a public random drawing, except that preferences shall be extended to students currently attending the charter school and students who reside in the district, except as provided for in Education Code 47614.5. In the event of a drawing, the Board shall make reasonable efforts to accommodate the growth of the charter school and shall not take any action to impede the charter school from expanding enrollment to meet student demand. (Education Code 47605)
 - c. Other admissions preferences permitted by the Board on an individual school basis as consistent with law.
8. Require its teachers to hold a Commission on Teacher Credentialing certificate, permit or other document equivalent to that which a teacher in other public schools would be required to hold (Education Code 47605)
9. Require its teachers of core academic subjects to satisfy requirements for "highly qualified teachers" as defined by the State Board of Education (20 USC 6319)
(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)
10. Not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law (Education Code 44830.1, 45122.1)
(cf. 4112.5 /4312.5 - Criminal Record Check)
(cf. 4212.5 - Criminal Record Check)
11. Meet the requirements of Education Code 47611 regarding the State Teachers' Retirement System (Education Code 47610)
12. Meet the requirements of Government Code 3540-3549.3 related to collective bargaining in public education employment (Education Code 47611.5)
13. If applicable, meet federal requirements for qualifications of paraprofessionals working in programs supported by Title I funds (20 USC 6319)
(cf. 4222 - Teacher Aides/Paraprofessionals)
14. Meet all statewide standards and conduct the student assessments required by Education Code 60605 and any other statewide standards or student assessments applicable to noncharter public schools (Education Code 47605, 47612.5)

CHARTER SCHOOLS (continued)

(cf. 6011 - Academic Standards)

(cf. 6162.51- Standardized Testing and Reporting Program)

(cf. 6162.52 - High School Exit Examination)

15. Offer, at a minimum, the same number of instructional minutes set forth in Education Code 46201 for the appropriate grade levels (Education Code 47612.5)

(cf. 6111 - School Calendar)

16. Meet the requirements of Education Code 51745-51749.3 if it provides independent study, except that it may be allowed to offer courses required for graduation solely through independent study as an exception to Education Code 51745(e) (Education Code 47612.5, 51747.3; 5 CCR 11705)

(cf. 6158 - Independent Study)

17. Identify and report to the Superintendent of Public Instruction any portion of its average daily attendance that is generated through nonclassroom-based instruction, including but not limited to independent study, home study, work study, and distance and computer-based education (Education Code 47612.5, 47634.2)
18. On a regular basis, consult with parents/guardians and teachers regarding the school's educational programs (Education Code 47605)
19. Maintain written contemporaneous records that document all student attendance and make these records available for audit and inspection (Education Code 47612.5)
20. Promptly respond to all reasonable inquiries from the district, the county office of education or the Superintendent of Public Instruction, including but not limited to inquiries regarding its financial records (Education Code 47604.3)

The charter school shall annually prepare and submit financial reports to the Board and the County Superintendent of Schools in accordance with the following reporting cycle:

For the current fiscal year:

1. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement. (Education Code 47604.33)
2. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. (Education Code 47604.33)

CHARTER SCHOOLS (continued)

3. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31. (Education Code 47604.33)

For the prior fiscal year:

4. By September 15, a final unaudited report for the full prior year. The report submitted to the Board shall include an annual statement of all the charter school's receipts and expenditures for the preceding fiscal year. (Education Code 42100, 47604.33)
5. By December 15, a copy of the charter school's annual, independent financial audit report for the preceding fiscal year, unless the charter school's audit is encompassed in the district's audit. The audit report shall also be submitted to the state Controller and the California Department of Education. (Education Code 47605)

Administrative and Other District Services

The district may charge for the actual costs of supervisory oversight of a charter school not to exceed one percent of the charter school's revenue. If the district is able to provide substantially rent-free facilities to the charter school, the district may charge actual costs up to three percent of the charter school's revenue for supervisory oversight. (Education Code 47613)

The charter school may separately purchase administrative or other services from the district or any other source. (Education Code 47613)

At the request of a charter school, the Superintendent or designee shall create and submit any reports required by the State Teachers' Retirement System and the Public Employees' Retirement System on behalf of the charter school. The charter school may be charged for the actual costs of the reporting services, but shall not be required to purchase payroll processing services from the district as a condition for creating and submitting these reports. (Education Code 47611.3)

Waivers

If a charter school submits to the district an application for a waiver of any state Education Code provisions, the Board shall hold a public hearing on the waiver request no later than 90 days following receipt of the request. (Education Code 33054)

The Superintendent or designee shall subsequently prepare a summary of the public hearing to be forwarded with the waiver request to the State Board of Education. If the Board recommends against approval of the waiver request, it shall report the reasons for its disapproval in written documentation that shall be forwarded to the State Board of Education. (Education Code 33054)

CHARTER SCHOOLS (continued)

Accountability

For each charter school under its authority, the Superintendent shall: (Education Code 47604.32, 47604.33)

1. Identify at least one staff member as a contact person for the charter school
2. Visit the charter school at least annually
3. Ensure that the charter school complies with all reports required of charter schools by law
4. Monitor the fiscal condition of the charter school based on any financial information obtained from the charter school, including but not limited to the reports listed above in “Requirements for Charter Schools”
5. Provide timely notification to the California Department of Education if a renewal of the charter is granted or denied, the charter is revoked, or the charter school will cease operation for any reason

The Board and the Superintendent or designee may inspect or observe any part of the charter school at any time. (Education Code 47607)

The Board shall monitor each charter school to determine whether it makes “adequate yearly progress” as defined by the State Board of Education and federal Title I accountability requirements. If a charter school fails to make adequate yearly progress for two or more consecutive years, the Board shall take action for program improvement in accordance with law, Board policy and administrative regulations.

(cf. 0520.2 - Title I Program Improvement Schools)

SCHOOL-BASED DECISION MAKING

The Board of Trustees desires to improve student learning by giving decision making opportunities to the people who are closest to the students. The Board shall adopt policies which support decision making appropriate to the site level and shall oversee district accountability for such policies.

Under the direction of the Board, school employees, parents/guardians, secondary students and community members may collaborate on matters such as program priorities and delivery, student behavior and discipline, student services and counseling, personnel selection and assignment, and the allocation of funds.

Under the leadership of the district and school administration, schools making significant changes in instructional practices or learning environment must have a broad-based consensus regarding their specific objectives, priorities, and methods for assessing student learning.

The Board desires to support staff decision making responsibilities with appropriate inservice training, to encourage creativity at school sites, and to evaluate staff performance in relation to school objectives. The Superintendent or designee shall help school decision teams establish planning processes, make efficient use of resources and staff, and develop new programs based on the needs, interests and resources at their individual schools.

Legal Reference:

EDUCATION CODE

35160 Authority of Board

35161 Delegation of Board authority

58900-58928 Demonstration of restructuring in public education

SCHOOL-BASED DECISION MAKING

School Decision Teams

Each school site council shall be composed of key stakeholders. This may include the principal, certificated employees, classified employees, parents/guardians, students or community members.

The team shall establish operational procedures, including a process that ensures effective two-way communication with the entire staff, students, parents/guardians and other members of the community.

The team shall establish objectives designed to foster professional growth, instructional improvement and higher student achievement. These objectives may be related to:

1. Teaching strategies and techniques, including student grouping and the use of instructional technology
2. Program priorities
3. Use of available space and equipment to support instruction
4. Staff development programs
5. Staff selection and assignment, including the use of professional and paraprofessional staff to deliver instruction
6. Coordination of student services such as counselors and health staff
7. Parental and community involvement to support student learning
8. Scheduling of instruction and instructional time, including supplementary learning experiences such as field trips and community projects
9. Allocation of discretionary moneys to support instruction
10. Student behavior and discipline

The decision team shall annually evaluate the results of its efforts.

(cf. 0510 - School Accountability Report Card)

SCHOOL-BASED DECISION MAKING (continued)

District Requirements

Until changes are approved or waivers granted, schools will need to adhere to the following requirements:

1. Work to support district goals and objectives
2. Adhere to Board policy and state rules and regulations
3. Adhere to collective bargaining agreements
4. Operate within resource allocations
5. Avoid activities that negatively impact other schools

Guidelines for Planning

Each school decision team shall:

1. Commit to the Board's school-based decision-making policy
2. Engage in broad-based decision making involving the school administration, staff, parents/guardians, community members and students as appropriate
3. Engage in a planning process to create a vision statement, define school needs, establish goals and priorities, design implementation plans and develop appropriate assessment strategies to measure improvements in student learning
4. Apply for a change or waiver as necessary
5. As opportunities are identified, seek additional outside funding to support restructuring planning

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION

The Board of Trustees desires to provide a free and appropriate public education to all individuals with disabilities, aged 3 to 21 years, who reside in the district, including children who have been suspended or expelled or placed by the district in a nonpublic school or agency services.

Students shall be referred for special education instruction and services only after the resources of the regular education program have been considered, and where appropriate, utilized. (Education Code 56303)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)
(cf. 6159 - Individualized Education Program (IEP))
(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)
(cf. 6159.2 - Nonpublic Nonsectarian School and Agency Services for Special Education)
(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)
(cf. 6159.4 - Behavioral Interventions for Special Education Students)
(cf. 6164.4 - Identification of Individuals for Special Education)
(cf. 6164.6 - Identification and Education Under Section 504)

In order to meet the needs of individuals with disabilities and employ staff with adequate expertise for this purpose, the district participates as a member of the Special Education Local Plan Area (SELPA).

The Superintendent or designee shall extend the district's full cooperation to the SELPA. The policies and procedures of the SELPA shall be applied as policies and regulations of this district, with the exception of those that apply to complaints, unless the local plan specifically authorizes the district to operate under its own policies and regulations.

(cf. 1312.3 - Uniform Complaint Procedures)

The special education local plan area shall administer a local plan and administer the allocation of funds. (Education Code 56195)

Legal Reference: (see next page)

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

Legal Reference:

EDUCATION CODE

- 56000-56001 *Education for individuals with exceptional needs*
- 56020-56035 *Definitions*
- 56040-56046 *General provisions*
- 56048-56050 *Surrogate parents*
- 56055 *Foster parents*
- 56060-56063 *Substitute teachers*
- 56170-56177 *Children enrolled in private schools*
- 56190-56194 *Community advisory committees*
- 56195-56195.10 *Local plans*
- 56205-56208 *Local plan requirements*
- 56213 *Special education local plan areas with small or sparse populations*
- 56240-56245 *Staff development*
- 56300-56385 *Identification and referral, assessment, instructional planning, implementation, and review*
- 56440-56449 *Programs for individuals between the ages of three and five years*
- 56500-56508 *Procedural safeguards, including due process rights*
- 56520-56524 *Behavioral interventions*
- 56600-56606 *Evaluation, audits and information*
- 56836-56836.05 *Administration of local plan*

GOVERNMENT CODE

95000-95029 *California Early Intervention Services Act*

CODE OF REGULATIONS, TITLE 5

3000-3089 *Regulations governing special education*

UNITED STATES CODE, TITLE 20

1400-1482 *Individuals with Disabilities Education Act*

UNITED STATES CODE, TITLE 29

794 *Rehabilitation Act of 1973, Section 504*

UNITED STATES CODE, TITLE 42

12101-12213 *Americans with Disabilities Act*

CODE OF FEDERAL REGULATIONS, TITLE 34

99.10-99.22 *Inspection, review and procedures for amending education records*

104.1-104.39 *Section 504 of the Rehabilitation Act of 1973*

300.500-300.514 *Due process procedures for parents and children*

303.1-303.654 *Early intervention program for infants and toddlers with disabilities*

Management Resources:

WEB SITES

CDE, Special Education Division: <http://www.cde.ca.gov/spbranch/sed>

U.S. Department of Education, Office of Special Education Programs:

<http://www.ed.gov/offices/OSERS/OSEP>

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION

Definitions

Free and appropriate education (FAPE) means special education and related services that are provided at public expense, under public supervision and direction, and without charge; meet the standards of the California Department of Education; include appropriate services for children aged 3 through 21 years; and are provided in conformity with the student's individualized education program pursuant to 34 CFR 300.340-300.350. The right to FAPE extends to students who are suspended or expelled or placed by the district in nonpublic school or agency services. (34 CFR 300.13, 300.121)

(cf. 6159 - Individualized Education Program)

Full educational opportunities means that students with disabilities have the right to full educational opportunities to meet their unique needs, including access to a variety of educational programs and services available to nondisabled students. A program specialist may be responsible for assuring that students have full educational opportunities regardless of their district of residence. (34 CFR 300.504, 300.505; Education Code 56368)

Least restrictive environment means that to an appropriate extent, students with disabilities, including children in public or private institutions, shall be educated with children who are not disabled, including in nonacademic and extracurricular services and activities. (34 CFR 300.306, 300.550, 300.554).

Special education means specially designed instruction, at no cost to the parent/guardians, to meet the unique needs of individuals with exceptional needs, whose educational needs cannot be met with modification of the regular instruction program, and related services, at no cost to the parent/guardian, that may be needed to assist these individuals to benefit from specially designed instruction. Special education provides a full continuum of program options, including instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings; and instruction in physical education, to meet the educational and service needs of individuals with exceptional needs in the least restrictive environment. (Education Code 56031)

Specially designed instruction means adapting, as appropriate to the needs of an eligible child, the content, methodology or delivery of instruction. (34 CFR 300.26)

Surrogate parent means an individual assigned to act as a surrogate for the parents/guardians. The surrogate may represent an individual with exceptional needs in matters relating to identification, assessment, instructional planning and development, educational placement, reviewing and revising the IEP, and in other matters relating to the provision of FAPE to the individual with disability. (34 CFR 300.515; Education Code 56050)

(cf. 6159.4 - Appointment of Surrogate Parent for Special Education)

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

Elements of the Local Plan

The special education local plan shall include, but not be limited to the following:

1. Assurances that policies, procedures and programs, consistent with state law, regulation, and policy, are in effect as specified in Education Code 56205(a)(1-21) and in conformity with 20 USC 1412(a) and 20 USC 1413(a)(1). (Education Code 56205)
2. An annual budget plan and annual service plan adopted at a public hearing held by the special education local plan area. (Education Code 56205)
3. A description of the process being utilized to oversee and evaluate placements in nonpublic, nonsectarian schools and the method for ensuring that all requirements of each student's IEP are being met. (Education Code 56205)

(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)

4. A description of how specialized equipment and services will be distributed within the local plan area in a manner that minimizes the necessity to serve students in isolated sites and maximizes the opportunities to serve students in the least restrictive environment. (Education Code 56206)

The local plan, annual budget plan and annual service plan shall be written in language that is understandable to the general public. (Education Code 56205)

Each special education local plan area shall develop written agreements to be entered into by districts participating in the plan. (Education Code 56195.7)

Each entity providing special education shall adopt policies for the programs and services it operates, consistent with agreements adopted pursuant to Education Code 56195.1 and 56195.7. (Education Code 56195.8)

(cf. 6164.4 - Identification of Individuals for Special Education)

(cf. 6164.6 - Identification and Education Under Section 504)

DISTRICT TECHNOLOGY PLAN

The Board of Trustees recognizes that technology can greatly enhance the instructional program as well as the efficiency of district and school site administration. The Board also realizes that careful planning is essential to ensure the successful, equitable and cost-effective implementation of technology-based materials, equipment, systems and networks.

The Superintendent or designee shall develop a plan to address the short- and long-term technology needs of the district and provide for compatibility of resources among school sites, district offices, and other district operations. As a basis for this plan, he/she shall examine and compare the costs and benefits of various resources and shall identify the blend of technologies and level of service necessary to support the instructional program.

The Superintendent or designee may appoint a technology committee to assist with the above investigations and determinations.

(cf. 6162.7 - Use of Technology in Instruction)

(cf. 6163.4 - Student Use of Technology)

Legal Reference:

EDUCATION CODE

10550-10555 Telecommunications standards

51006 Computer education and resources

51007 Programs to strengthen technological skills

51865 California distance learning policy

51870-51874 Educational Technology

60010 Instructional materials definitions

66940-66941 Distance learning

UNITED STATES CODE, TITLE 20

6751-6777 Enhancing Education Through Technology Act, No Child Left Behind Act, Title II, Part D

Management Resources:

CDE PUBLICATIONS

The California Master Plan for Educational Technology, 1992

K-12 Network Technology Planning Guide: Building the Future, 1994

DISTRICT TECHNOLOGY PLAN

When developing the district's technology plan, the Superintendent or designee shall consider:

1. The district's existing equipment and its capability for working with new technologies.
2. Existing facilities and the extent of retrofitting required for various electronic formats.
3. When appropriate, the hiring of a communications network expert to determine facility requirements and design a communications system that meets the specific needs of the school environment, addressing network security. The system should be able to interface with various types of communications networks and handle anticipated advances in technology to the extent possible.
4. When appropriate, the district's options for connecting to information networks; staff training to evaluate the various network service providers; and a process that allows all carriers to compete for service.
5. Ways in which electronic formats can be used to enhance the curriculum, motivate and improve student research, generate advanced thinking skills, and promote learning, including English language acquisition.
6. The equipping of school library media centers to improve the instructional program and promote cost-effective sharing of informational resources.

(cf. 6163.1 - Library Media Centers)

7. The integration of technological resources into school and district administration to facilitate routine operations, staff meetings/collaboration, and communication with parents/guardians and community agencies.
8. The use of technology to serve professional development needs, helping staff to improve their practices and enabling them to exchange ideas with peers.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

9. The feasibility of providing system access to students and staff who have their own computers at home.
10. Staff development for teachers and/or library media specialists in how to use the new technology and make it an integral part of the instructional process in all parts of the curriculum.

DISTRICT TECHNOLOGY PLAN (continued)

11. Staff development needs of staff who will provide ongoing technical support.
12. Potential sources of ongoing funding and assistance, including support from parents/guardians and the business community.

(cf. 1700 - Relations Between Private Industry and the Schools)

13. A process for evaluating and updating the district's technology plan and its implementation.

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

COMPREHENSIVE SAFETY PLAN

The Board of Trustees recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The Board is fully committed to maximizing school safety and to creating a positive learning environment that teaches strategies for violence prevention and emphasizes high expectations for student conduct, responsible behavior, and respect for others.

(cf. 5131 - Conduct)

The Superintendent or designee shall oversee the development of a districtwide comprehensive school safety plan that is applicable to each school site. (Education Code 32281)

The Board shall review the comprehensive districtwide and/or school safety plan(s) in order to ensure compliance with state law, Board policy and administrative regulation.

The Board shall approve the plan at a regularly scheduled meeting. At a minimum, the presentation shall include both of the following: (Education Code 35294.22)

1. How the safety plan addresses the needs of each school and students within that school
2. How the school site council or safety planning committee, when writing the plan, considered the “three essential components” described in Education Code 35294.21, including assuring each student a safe physical environment; assuring each student a safe, respectful, accepting, and emotionally nurturing environment; and developing each student’s resiliency skills

(cf. 9322 - Agenda/Meeting Materials)

The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (Education Code 32282)

(cf. 1340 - Access to District Records)

By October 15 of each year, the Superintendent or designee shall notify the California Department of Education of any schools that have not complied with the requirements of Education Code 32281. (Education Code 32288)

(cf. 1312.3 - Uniform Complaint Procedures)

Legal Reference: (see next page)

COMPREHENSIVE SAFETY PLAN (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of sex discrimination
32260-32262 Interagency School Safety Demonstration Act of 1985
32270 School safety cadre
32280-32289 School safety plans
32290 Safety devices
35147 School site councils and advisory committees
35183 School dress code; uniforms
35291 Rules
35291.5 School-adopted discipline rules
35294.10-35294.15 School Safety and Violence Prevention Act
35294.20-35294.25 Double Your Cash program
41510-41514 School safety and consolidated grant
48900-48927 Suspension and expulsion
48950 Speech and other communication
67381 Violent crime

PENAL CODE

628-628.6 Reporting of school crime
11164-11174.3 Child Abuse and Neglect Reporting Act

CALIFORNIA CONSTITUTION

Article I, Section 28(c) Right to Safe Schools

UNITED STATES CODE, TITLE 20

7101-7165 Safe and Drug Free Schools and Communities, especially:
7114 Application for local educational agencies

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

Management Resources:

CSBA PUBLICATIONS

911! A Manual for Schools and the Media During a Campus Crisis, 2001
Protecting Our Schools: Board of Trustees Strategies to Combat School Violence, 1999

CDE PUBLICATIONS

Safe Schools: A Planning Guide for Action, 2002

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Practical Information on Crisis Planning: A Guide for Schools and Communities, May 2003
Early Warning, Timely Response: A Guide to Safe Schools, August 1998

WEB SITES

CSBA: <http://www.csba.org>
American Red Cross: <http://www.redcross.org>
California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/ls/ss>
California Office of Emergency Services: <http://www.oes.ca.gov>
California Seismic Safety Commission: <http://www.seismic.ca.gov>
Federal Bureau of Investigation: <http://www.fbi.gov>
National Alliance for Safe Schools: <http://www.safeschools.org>
National School Safety Center: <http://www.nssc1.org>
U.S. Department of Education, Safe Schools: <http://www.ed.gov/about/offices/list/osep/gtss.html>

COMPREHENSIVE SAFETY PLAN

Development and Review of School Site Safety Plan

In writing and developing the comprehensive school safety plan, the school site council shall consult with local law enforcement as well as other school site councils and safety committees, when practical. (Education Code 32281, 32282)

(cf. 0420 - School Plans/Site Councils)

In addition, the school site council may consult with other local agencies as appropriate, including health care and emergency service providers.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

The school site council may delegate the responsibility for writing and developing a school safety plan to a school safety planning committee. This committee shall be composed of the following members: (Education Code 32281)

1. The principal or designee
2. One teacher who is a representative of the recognized certificated employee organization
3. One parent/guardian whose child attends the school
4. One classified employee who is a representative of the recognized classified employee organization
5. Other members, if desired

Before adopting its comprehensive school safety plan, the school site council or school safety planning committee shall hold a public meeting at the school in order to allow members of the public the opportunity to express an opinion about the school safety plan. (Education Code 32288)

The school site council or safety planning committee shall notify, in writing, the following persons and entities of the public meeting: (Education Code 32288)

1. The local mayor
2. A representative of the local school employee organization
3. A representative of each parent organization at the school site, including the parent teacher association and parent teacher clubs

(cf. 1230 - School-Connected Organizations)

COMPREHENSIVE SAFETY PLAN (continued)

4. A representative of each teacher organization at the school site

(cf. 4140/4240 - Bargaining Units)

5. A representative of the student body government
6. All persons who have indicated that they want to be notified

In addition, the school site council or safety planning committee may notify, in writing, the following entities of the public meeting: (Education Code 32288)

1. A representative of the local churches
2. Local civic leaders
3. Local business organizations

(cf. 1220 - Citizen Advisory Committees)

(cf. 1700 - Relations between Private Industry and the Schools)

The school site council or safety planning committee may consider incorporating into the plan the following “three essential components” and/or the strategies recommended in Education Code 35294.21:

1. Assuring each student a safe physical environment
2. Assuring each student a safe, respectful, accepting, and emotionally nurturing environment
3. Developing each student’s resiliency skills

Content of the Safety Plan

The districtwide and/or school site safety plan shall include an assessment of the current status of school crime committed on campus(es) and at school-related functions. (Education Code 32282)

The plan also shall identify appropriate strategies and programs that will provide or maintain a high level of school safety and address the school’s procedures for complying with existing laws related to school safety and shall include the development of all of the following: (Education Code 32282)

1. Child abuse reporting procedures consistent with Penal Code 11164

COMPREHENSIVE SAFETY PLAN (continued)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

2. Routine and emergency disaster procedures including, but not limited to:
 - a. Adaptations for students with disabilities in accordance with the Americans with Disabilities Act

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 6159 - Individualized Education Program)

- b. An earthquake emergency procedure system in accordance with Education Code 32282

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 3516.3 - Earthquake Emergency Procedure System)

- c. A procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare

(cf. 1330 - Use of School Facilities)

(cf. 3516.1 - Fire Drills and Fires)

(cf. 3516.2 - Bomb Threats)

(cf. 3516.5 - Emergency Schedules)

(cf. 3543 - Transportation Safety and Emergencies)

3. Policies pursuant to Education Code 48915(c) and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

4. Procedures to notify teachers of dangerous students pursuant to Education Code 49079

(cf. 4158/4258/4358 - Employee Security)

5. A discrimination and harassment policy consistent with the prohibition against discrimination pursuant to Education Code 200-262.4

COMPREHENSIVE SAFETY PLAN (continued)

(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

6. If the school has adopted a dress code prohibiting students from wearing “gang-related apparel,” the provisions of that dress code and the definition of “gang-related apparel”

(cf. 5132 - Dress and Grooming)

7. Procedures for safe ingress and egress of students, parents/guardians, and employees to and from school

(cf. 5142 - Safety)

8. A safe and orderly school environment conducive to learning

(cf. 5131 - Conduct)
(cf. 5137 - Positive School Climate)

9. The rules and procedures on school discipline adopted pursuant to Education Code 35291 and 35291.5

(cf. 5144 - Discipline)

10. Hate crime reporting procedures pursuant to Penal Code 628-628.6

(cf. 5145.9 - Hate-Motivated Behavior)

Among the strategies for providing a safe environment, the school safety plan may also include:

1. Development of a positive school climate that promotes respect for diversity, personal and social responsibility, effective interpersonal and communication skills, self-esteem, anger management, and conflict resolution

(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

2. Disciplinary policies and procedures that contain prevention strategies, such as strategies to prevent bullying and hazing, as well as behavioral expectations and consequences for violations

COMPREHENSIVE SAFETY PLAN (continued)

(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Truancy)
(cf. 5136 - Gangs)

3. Curriculum that emphasizes prevention and alternatives to violence, such as multicultural education, character/values education, media analysis skills, conflict resolution, and community service learning

(cf. 6141.6 - Multicultural Education)
(cf. 6142.4 - Learning through Community Service)

4. Parent involvement strategies, including strategies to help ensure parent/guardian support and reinforcement of the school's rules and increase the number of adults on campus

(cf. 1240 - Volunteer Assistance)
(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6020 - Parent Involvement)

5. Prevention and intervention strategies related to the sale or use of drugs and alcohol which shall reflect expectations for drug-free schools and support for recovering students

(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.61 - Drug Testing)
(cf. 5131.62 - Tobacco)
(cf. 5131.63 - Anabolic Steroids)

6. Collaborative relationships among the city, county, community agencies, local law enforcement, the judicial system and the schools that lead to the development of a set of common goals and community strategies for violence prevention instruction

(cf. 1020 - Youth Services)

7. Procedures for responding to the release of a pesticide or other toxic substance from properties located within one-quarter mile of the school

(cf. 3514.1 - Hazardous Substances)
(cf. 3514.2 - Integrated Pest Management)

8. Procedures for receiving verification from law enforcement that a violent crime has occurred on school grounds and for promptly notifying parents/guardians and employees of that crime

COMPREHENSIVE SAFETY PLAN (continued)

9. Assessment of the school's physical environment, including a risk management analysis and development of ground security measures such as procedures for the closing of campuses to outsiders, securing the campus perimeter, protecting buildings against vandalism, and providing for a law enforcement presence on campus

(cf. 1250 - Visitors/Outsiders)
(cf. 3515 - Campus Security)
(cf. 3515.3 - District Police/Security Department)
(cf. 3530 - Risk Management/Insurance)
(cf. 5112.5 - Open/Closed Campus)
(cf. 5131.5 - Vandalism, Theft and Graffiti)

10. Crisis prevention and intervention strategies, which may include the following:

- a. Identification of possible crises that may occur, determination of necessary tasks that need to be addressed, and development of procedures relative to each crisis, including the involvement of law enforcement and other public safety agencies as appropriate

(cf. 3515.2 - Disruptions)
(cf. 3515.5 - Sex Offender Notification)
(cf. 5131.4 - Campus Disturbances)

- b. Assignment of staff members responsible for each identified task and procedure
- c. Development of an evacuation plan based on an assessment of buildings and grounds and opportunities for students and staff to practice the evacuation plan
- d. Coordination of communication to schools, Board of Trustees members, parents/guardians, and the media

(cf. 1112 - Media Relations)
(cf. 9010 - Public Statements)

- e. Development of a method for the reporting of violent incidents
- f. Development of follow-up procedures that may be required after a crisis has occurred, such as counseling

11. Staff training in violence prevention and intervention techniques, including preparation to implement the elements of the safety plan

COMPREHENSIVE SAFETY PLAN (continued)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

ACCOUNTABILITY

The Board of Trustees has a responsibility to continually reexamine district programs and practices to determine their effectiveness in serving all students. Review and evaluation procedures shall provide a mechanism for ensuring accountability to parents/guardians and the community.

(cf. 0520 - Intervention for Underperforming Schools)
(cf. 9000 - Role of the Board)

To enable the Board to fulfill these responsibilities, the Superintendent or designee shall identify and/or develop appropriate measures to ensure accountability. These measures shall be integrated and consistent with the state's accountability system and may include, but not be limited to, measures to evaluate student achievement, parent/guardian involvement and other district goals.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 0400 - Comprehensive Plans)
(cf. 4143/4243 - Negotiations/Consultation)
(cf. 6011 - Academic Standards)
(cf. 6020 - Parent Involvement)
(cf. 6162.5 - Student Assessment)
(cf. 7111 - Evaluating Existing Buildings)
(cf. 9005 - Governance Standards)
(cf. 9400 - Board Self-Evaluation)

The Superintendent or designee shall regularly report to the Board regarding progress toward the district's vision/direction and goals and the implementation of comprehensive plans.

Ongoing district processes, such as the Board's evaluation of the Superintendent, policy reviews, curriculum adoption, budget adoption and staff development program, shall also be used to support district progress towards achieving the vision/direction.

(cf. 2140 - Evaluation of the Superintendent)
(cf. 3100 - Budget)
(cf. 3460 - Financial Accountability and Reports)
(cf. 4115 - Evaluation/Supervision)
(cf. 4131 - Staff Development)
(cf. 4215 - Evaluation/Supervision)
(cf. 4231 - Staff Development)
(cf. 4315 - Evaluation/Supervision)
(cf. 4331 - Staff Development)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6190 - Evaluation of the Instructional Program)
(cf. 9311 - Board Policies)

Opportunities for feedback from students, parents/guardians, staff and community members shall be made available as part of the district's review and evaluation process.

ACCOUNTABILITY (continued)

Evaluation results may be used as a basis for implementing programmatic changes, determining the need for additional support or assistance, awarding incentives or rewards, and establishing other performance-based consequences.

Evaluation results shall be reported to parents/guardians and the community.

(cf. 0510 - School Accountability Report Card)

(cf. 1100 - Communication with the Public)

(cf. 1112 - Media Relations)

The Board shall discuss the results of each school's annual ranking on the statewide Academic Performance Index annually upon receipt of score results. This presentation shall occur at a regularly scheduled meeting. (Education Code 52056)

Legal Reference:

EDUCATION CODE

33127-33129 *Standards and criteria for fiscal accountability*

33400-33407 *CDE evaluation of district programs*

44660-44665 *Evaluation of certificated employees*

51041 *Evaluation of the educational program*

52050-52058 *Public Schools Accountability Act*

CODE OF REGULATIONS, TITLE 5

15440-15463 *Standards and criteria for fiscal accountability*

Management Resources:

CSBA PUBLICATIONS

Making Changes That Improve Student Achievement: A School Board's Guide to Reform and Restructuring, 1997

Maximizing School Board Leadership, Vol. 1-8, 1996-97

WEB SITES

CSBA: <http://www.csba.org>

CDE: <http://www.cde.ca.gov>

SCHOOL ACCOUNTABILITY REPORT CARD

School accountability report cards shall be issued annually for each school site. (Education Code 35256)

Such report cards shall be designed to inform parents/guardians and the community about conditions, needs and progress at each school and to help provide data by which parents/guardians can make meaningful comparisons between schools. The Board believes that the process of developing the report cards gives school staff opportunities to review achievements, identify areas for improvement, enlist local support and establish a vision for the future.

The Superintendent or designee shall maintain a process for developing annual report cards for each school site with input from all segments of the school community. The Superintendent or designee shall develop strategies for communicating the information contained in the cards to all stakeholders, including opportunities for staff and the community to discuss their content.

(cf. 0420 - School Plans/Site Councils)

(cf. 0500 - Accountability)

(cf. 1112 - Media Relations)

(cf. 6190 - Evaluation of the Instructional Program)

Notification

The Board shall publicize the issuance of school accountability report cards and notify parents/guardians that a copy will be provided upon request. (Education Code 35256)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall ensure that the information contained in the school accountability report card is accessible on the Internet and that the information is updated annually. (Education Code 35258)

Legal Reference: (see next page)

SCHOOL ACCOUNTABILITY REPORT CARD (continued)

Legal Reference:

EDUCATION CODE

17002 *Building lease/purchase definitions*
17014 *Plan for building maintenance*
17032.5 *Portable classroom maintenance*
17070.5 *School Facilities Act; definitions*
17089 *Portable classroom maintenance*
33126 *School Accountability Report Card*
33126.1 *School Accountability Report Card model template*
33126.2 *Secretary of Education school accountability report card study*
35256 *School Accountability Report Card*
35256.1 *Information required in the School Accountability Report Card*
35258 *Internet access to the School Accountability Report Card*
41409 *Calculation of statewide averages*
41409.3 *Salary information required in the School Accountability Report Card*
46112 *Minimum school day for grades 1, 2 and 3*
46113 *Minimum school day for grades 4 through 8*
46117 *Minimum kindergarten school day*
46141 *Minimum school day (high school)*
51225.3 *Requirements for graduation*
52052 *Academic performance index*
52053 *Immediate intervention/underperforming schools program*
52056 *Meeting growth targets*
60119 *Textbook sufficiency*
60600-60618 *General provisions*
60640-60648 *Standardized testing and reporting program*
60800 *Physical fitness testing*
60850 *High school exit examination*
60851 *High school exit examination*
CALIFORNIA CONSTITUTION
Article 16, Section 8.5(e) Allocations to State School Fund
UNITED STATES CODE, TITLE 20
6311 State plans

Management Resources:

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Report Cards, September 12, 2003

WEB SITES

CSBA, SARC Select: <http://www.csba.org/ds/SARC.htm>

CDE: <http://www.cde.ca.gov>

U.S. Department of Education: <http://www.ed.gov>

No Child Left Behind: <http://www.nclb.gov>

INTERVENTION FOR UNDERPERFORMING SCHOOLS

Whenever any district school performs below the statewide average on indicators of student achievement, the Board of Trustees shall provide additional support and assistance to the school in order to improve student learning. The school shall develop, for Board approval, plans for immediate action based on an evaluation of achievement data for various groups of students, a comprehensive review of the school environment and the learning experiences provided to students, and the identification of specific barriers to student learning.

(cf. 0400 - Comprehensive Plans)

(cf. 0500 - Accountability)

(cf. 0510 - School Accountability Report Card)

(cf. 0520.1 - High Priority Schools Grant Program)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6190 - Evaluation of the Instructional Program)

The Board recognizes that any school participating in the state's Immediate Intervention/Underperforming Schools Program (II/USP) will be subject to state sanctions if student performance fails to improve in a timely manner, and shall therefore closely monitor the school's progress. The Superintendent or designee shall provide the Board with regular reports on the status and results of improvement efforts.

(cf. 9000 - Role of the Board)

Selection of External Evaluator or Entity

By November 15 of the year that the school is selected to participate in the intervention program, the Board shall either: (Education Code 52054)

1. Contract with an external evaluator from the list of qualified external evaluators approved by the State Board of Education

If the school's student population is at least 40 percent limited English proficient and the Board contracts with an external evaluator, the Board shall select an evaluator with demonstrated experience in working with English language learners.

2. Contract with an entity, including but not limited to an institution of higher education, county office of education or school district personnel, that has proven, successful expertise specific to the challenges inherent in low-performing schools

The Superintendent or designee shall ensure that any external evaluator or entity selected by the district meets other applicable requirements for district contractors.

(cf. 3515.6 - Criminal Background Checks for Contractors)

INTERVENTION FOR UNDERPERFORMING SCHOOLS (continued)

The external evaluator or entity shall guide the development of an action plan for school improvement and may have a coaching role in the implementation of the plan. In addition to the duties prescribed by law, the duties of the external evaluator or entity shall be determined on a case-by-case basis.

External Evaluator: Conflict of Interest Statement

The Board requires that any external evaluator not engage in any activity that conflicts, or has the appearance of conflicting, with the evaluator's responsibilities to the district. To achieve this end, the Board shall ensure that:

1. A person serving as an external evaluator shall not be an employee of the district.
2. The external evaluator shall work with utmost integrity and impartiality in carrying out his/her evaluation responsibilities.
3. The external evaluator shall encourage and assist schools in the consideration of a variety of alternatives with respect to programs, materials or services and shall not advocate for specific programs, materials or services.
4. The external evaluator shall work actively to avoid the appearance of any conflict of interest.

The external evaluator shall immediately disclose all situations or personal interests, especially pecuniary interest, that might be perceived as a real or apparent conflict of interest.

5. The external evaluator shall resign if any real or apparent conflict of interest develops during the period of evaluation.

In order to help prevent conflicts of interest, the Board shall carefully analyze any school action plans that are prepared by external evaluators who have a coaching role in the implementation of the plan.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation and resolution of real or apparent conflicts of interest. He/she shall disseminate the district's II/USP conflict of interest policy and procedure to potential district external evaluators, and shall ensure that the external evaluator sign the district's conflict of interest statement.

INTERVENTION FOR UNDERPERFORMING SCHOOLS (continued)

Legal Reference:

EDUCATION CODE

33126 School accountability report card

33400-33407 CDE evaluation of district programs

45125.1 Criminal background checks for contractors

51041 Evaluation of the educational program

52050-52058 Public Schools Accountability Act, especially:

52053-52055.5 Immediate Intervention for Underperforming Schools Program

52055.600-52055.656 High Priority Schools Grant Program for Low-Performing Schools

60640-60647 Standardized Testing and Reporting (STAR) program

CODE OF REGULATIONS, TITLE 5

3932 School site and community team; augmentation of school site council

UNITED STATES CODE, TITLE 20

6311 State plan

6316 Academic assessment

6511-6518 Comprehensive School Reform program

Management Resources:

CSBA POLICY ADVISORIES

0811.99 Public School Accountability Act: Considerations for Volunteering

STATE BOARD OF EDUCATION POLICIES

0915.99 External Evaluator Conflict of Interest: Immediate Intervention/Underperforming Schools Program

CDE PUBLICATIONS

Immediate Intervention/Underperforming Schools Program: Guidance for Developing Action Plans and Securing Implementation Funding, March 2002

WEB SITES

CDE: <http://www.cde.ca.gov>

CSBA: <http://www.csba.org>

INTERVENTION FOR UNDERPERFORMING SCHOOLS

Selection of School-Site and Community Team

Upon application to or selection by the Superintendent of Public Instruction to participate in the program, the Board of Trustees shall, by November 15 of the year that the school participates, appoint a broad-based school-site and community team consisting of a majority of non-school-site personnel, with at least 20 percent of team members consisting of parents/guardians of students enrolled at the school. (Education Code 52054)

(cf. 1220 - Citizen Advisory Committees)

An existing school site council may serve as the school-site and community team if augmented with at least one additional person not employed at the school. (5 CCR 3932)

(cf. 0420 - School Plans/Site Councils)

Development of Action Plan

By February 15 following the school's selection to participate in the state's intervention program, the external evaluator or entity, in collaboration with the broad-based school-site and community team, shall complete a review of the school that identifies weaknesses that contribute to the school's below-average performance, make recommendations for improvement, and begin development of an action plan to improve the academic performance of the students enrolled at the school. (Education Code 52054)

In the development of the action plan, the school-site and community team shall consult with the exclusive representatives of employees. (Education Code 52054)

(cf. 4140/4240 - Bargaining Units)

The external evaluator or entity shall inform parents/guardians, in writing, that the school has been selected to participate in the program due to its below-average performance. The external evaluator or entity shall also notify parents/guardians of their opportunity to provide recommendations, either in writing or at a public hearing, of actions that should be taken to improve the school's performance. These opinions and recommendations shall be considered in the development or modification of the action plan. (Education Code 52054)

A school selected for program participation may elect to use an existing school plan, provided that the plan meets the requirements of Education Code 52054(c)-(i) regarding the content of the plan, consultation with employee organizations, and submission of the plan for Board approval. (Education Code 52054.3)

Upon completion, the action plan shall be submitted to the Board for approval at a regularly scheduled meeting. After the plan is approved, but no later than May 15 following the school's selection to participate in the program, the plan shall be submitted to the Superintendent of Public Instruction. (Education Code 52054)

INTERVENTION FOR UNDERPERFORMING SCHOOLS (continued)

(cf. 9322 - Agenda/Meeting Materials)

Content of Action Plan

The action plan shall focus on improving student academic performance, improving the involvement of parents/guardians, improving the effective and efficient allocation of resources and management of the school, and identifying and developing solutions that take into account the underlying causes for low performance by students. (Education Code 52054)

(cf. 6020 - Parent Involvement)

The action plan shall include percentage growth targets on the state's Academic Performance Index (API) at least as high as the annual growth targets adopted by the State Board of Education. (Education Code 52054)

At a minimum, the action plan shall: (Education Code 52054)

1. Review and include the school and district conditions identified in the school accountability report card.

(cf. 0510 - School Accountability Report Card)

2. Identify the current barriers at the school and district toward improvements in student achievement.
3. Identify schoolwide and districtwide strategies to remove these barriers.
4. Review and include school and district crime statistics.
5. Examine and consider disaggregated data regarding student achievement and other indicators to consider whether all groups and types of students made adequate progress toward short-term growth targets and long-term performance goals. The disaggregated data shall, at a minimum, provide information regarding the achievement of English learners, students with exceptional needs, students who qualify for free and reduced price meals, and all students in numerically significant subgroups.

(cf. 3553 - Free and Reduced Price Meals)

(cf. 6162.5 - Student Assessment)

A "numerically significant ethnic or socioeconomically disadvantaged subgroup" is a subgroup that constitutes either of the following: (Education Code 52052)

- a. At least 15 percent of a school's total student population and at least 30 students

INTERVENTION FOR UNDERPERFORMING SCHOOLS (continued)

- b. At least 100 students, even if the subgroup does not constitute 15 percent of the total enrollment at a school

A "socioeconomically disadvantaged student" is a student neither of whose parents/guardians has received a high school diploma or a student who participates in the free or reduced price lunch program.

6. Set two-year academic objectives that will allow the school to make adequate progress toward its growth targets for student achievement as measured, to the extent that data are available for the school, by results of the statewide Standardized Testing and Reporting (STAR) achievement tests; graduation rates for grades 7 through 12; attendance rates for students and school personnel for elementary, middle and secondary schools; and any other indicators approved by the State Board of Education.

The action plan may propose to increase the number of instructional days offered at the school and also may propose to increase up to a full 12 months the amount of time for which certificated employees are contracted, if both of the following conditions are met: (Education Code 52054)

1. Plan provisions do not violate current applicable collective bargaining agreements.
2. An agreement is reached with the exclusive representative concerning staffing specifically to accommodate the extended school year or 12-month contract.

(cf. 4141/4241 - Collective Bargaining Agreement)

Additional information in the action plan shall indicate the extent to which the school has:

1. Fully qualified and certificated teachers in each subject at each grade level

(cf. 4112.2 - Certification)

2. For each student, a complete set of instructional materials aligned to state core content standards

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

3. Available professional development aligned to core content standards and to standards-based instructional materials for all teachers within their teaching assignment

(cf. 4131 - Staff Development)

4. Teachers and administrators using the results of state and local assessments to alter instruction and improve academic achievement

INTERVENTION FOR UNDERPERFORMING SCHOOLS (continued)

The action plan shall include an expenditure plan that does not require expenditure of funds in excess of those provided through the intervention program or otherwise available to the school. (Education Code 52054)

Consequences Based on Progress

If a school fails to meet its annual short-term growth target within 12 months after receiving funding for the intervention program, the Board shall hold a public hearing at a regularly scheduled meeting to ensure that the members of the school community are aware of the lack of progress. (Education Code 52055)

Upon consultation with the external evaluator/entity and the school-site and community team, the Board shall choose from a range of interventions for the school, including reassignment of school personnel to the extent authorized by law, negotiation of site-specific amendments to collective bargaining agreements, or other changes deemed appropriate in order to continue implementation of the action plan. (Education Code 52055)

(cf. 4314 - Transfers)

A school that continues to fail to meet its performance goals 24 months or 36 months after receiving implementation funding shall be subject to consequences specified in Education Code 52055.5 and 52055.51.

Conflict of Interest Investigation for External Evaluator

In order to ensure a prompt and equitable resolution to complaints concerning an external evaluator's real or apparent conflict of interest, the following procedures shall be utilized:

1. All complaints concerning a conflict of interest involving an external evaluator shall be directed to the Superintendent or designee for appropriate action.
2. Within five working days of receiving a complaint, the Superintendent or designee shall decide whether to initiate an investigation. The investigation, if any, may include, but not be limited to, interviews and requests for and review of pertinent documents.
3. Within 30 working days of the receipt of the complaint resulting in an investigation, the Superintendent or designee shall prepare a written report on his/her findings and prepare a recommendation for corrective action, if necessary.
4. Within five working days of completion of the report, the Superintendent or designee shall provide the Board and the external evaluator with a written copy of the report.

INTERVENTION FOR UNDERPERFORMING SCHOOLS (continued)

5. Within 30 working days of the receipt of the written report, the Board shall resolve any remaining issues at its discretion.
6. The Board's action shall be final.

INTERVENTION FOR UNDERPERFORMING SCHOOLS

**CONFLICT OF INTEREST STATEMENT
FOR EXTERNAL EVALUATORS**

I _____ (Name) _____ have read the district's conflict of interest statement for external evaluators as contained in Board Policy and Administrative Regulation 0520. I have carefully reviewed my own situation in light of this statement.

To the best of my knowledge and belief, I am not involved in any situation that might be perceived as a real or apparent conflict of interest with my anticipated duties as an external evaluator for the Acton-Agua Dulce Unified School District. _____

Initialed by evaluator

OR

It appears that I am involved in a situation or situations that might be perceived as a real or apparent conflict of interest with my anticipated duties as an external evaluator for the Acton-Agua Dulce Unified School District. _____

Initialed by evaluator

These situations are described below. (If necessary, continue on another sheet.)

- 1.
- 2.
- 3.

Should any situation arise during the term of my contract with the Acton-Agua Dulce Unified School District, I agree to promptly notify the Superintendent or designee of the new situation that might be perceived as a real or apparent conflict of interest with my duties as an external evaluator for the Acton-Agua Dulce Unified School District.

Signature

Date

HIGH PRIORITY SCHOOLS GRANT PROGRAM

The Board of Trustees recognizes that schools demonstrating the lowest performance on state indicators of student achievement need to develop and implement a comprehensive approach to school improvement in order to improve student learning. The Board shall provide all necessary support and assistance to any low-performing district school(s) to help ensure a quality education for all students.

(cf. 0400 - Comprehensive Plans)

(cf. 0500 - Accountability)

(cf. 9000 - Role of the Board)

The Board's decision to have a district school participate in the state's High Priority Schools Grant Program for Low-Performing Schools shall be voluntary. (Education Code 52055.600)

Whenever any district school is invited to participate in the program, the Board shall hold a public hearing at a regularly scheduled meeting to discuss whether or not to apply for participation and how to address the needs of the school and its students. If it is determined that the school will not accept the invitation to participate, the Board shall hold a public hearing at a regularly scheduled meeting to discuss the reasons and rationale for the decision and to explain how the district intends to address the needs of the school and students. Neither of these discussions shall be placed on the consent calendar. (Education Code 52055.615)

When the Board holds any such public hearing(s), written notice shall be sent to representative parent organizations, including the parent teacher association, parent teacher clubs and school site councils, and may also be sent directly to parents/guardians in accordance with Education Code 48985. Notice also shall be sent to all local major media outlets, the local mayor, all members of the city council, all members of the county board of supervisors, the County Superintendent of Schools, and the County Board of Education. (Education Code 52055.615)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall coordinate all school improvement efforts to provide a coherent plan of action for addressing student needs.

(cf. 0420 - School Plans/Site Councils)

(cf. 0420.1 - School-Based Program Coordination)

(cf. 0420.3 - School-Based Student Motivation and Maintenance Program)

(cf. 0520 - Intervention for Underperforming Schools)

The Board shall closely monitor the progress of low-performing schools. The Superintendent or designee shall provide the Board with regular reports on the status and results of school improvement efforts.

Legal Reference: (see next page)

HIGH PRIORITY SCHOOLS GRANT PROGRAM (continued)

Legal Reference:

EDUCATION CODE

- 33126 School accountability report card*
 - 33400-33407 CDE evaluation of district programs*
 - 44510-44517 Principal Training Program*
 - 44579.5 Mathematics and Reading Professional Development Program*
 - 45125.1 Criminal background checks for contractors*
 - 48985 Parental notifications, languages other than English*
 - 51041 Evaluation of the educational program*
 - 51101 Rights of parents/guardians*
 - 52012 School site council*
 - 52053-52055.51 Immediate Intervention/Underperforming Schools Program*
 - 52055.600-52055.656 High Priority Schools Grant Program for Low-Performing Schools*
 - 60640 Standardized Testing and Reporting Program*
 - 60810 English language development test*
 - 99220-99227 California Professional Development Institutes*
 - 99230-99242 Mathematics and Reading Professional Development Program*
- UNITED STATES CODE, TITLE 20
- 6311 State plan*
 - 6316 Academic assessment*
 - 6318 Parent involvement*
 - 6511-6518 Comprehensive School Reform program*

Management Resources:

CSBA ADVISORIES

01-05 High Priority Schools Grant Program: New Resources Available for Schools in Decile 1

CDE PUBLICATIONS

High Priority Schools Grant Program: Guidance for Developing Action Plans and Securing Implementation Funding, March 2002

WEB SITES

CDE: <http://www.cde.ca.gov>

CSBA: <http://www.csba.org>

HIGH PRIORITY SCHOOLS GRANT PROGRAM

Required Participation in Other Programs

Each district school participating in the High Priority Schools Grant (HPSG) Program for Low-Performing Schools shall also participate in the state's Immediate Intervention/Underperforming Schools Program pursuant to Education Code 52053-52055.51. (Education Code 52055.605)

(cf. 0520 - Intervention for Underperforming Schools)

In each participating school, eligible teachers and administrators shall participate in the Mathematics and Reading Professional Development Program established pursuant to Education Code 44579.5 and 99230-99242 and the Principal Training Program established pursuant to Education Code 44510-44517 once the programs become operational. (Education Code 52055.647)

(cf. 4131 - Staff Development)

(cf. 4331 - Staff Development)

Development of Action Plan

An action plan shall be developed, in partnership with the district, by the school site council or, if the school does not have one, by a schoolwide advisory group or school support group whose members are self-selected. If the school has already established a school action team for the Immediate Intervention/Underperforming Schools Program, that action team may be used to develop an action plan for this program. (Education Code 52055.620)

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

In developing a school action plan, the school and district shall use the technical assistance of district personnel, county offices of education, universities, a state-approved external evaluator, or any other person or entity that has proven successful expertise specific to the challenges inherent in low-performing schools. (Education Code 52055.620)

The action plan may include any existing plan that the school may have developed for another program, provided it addresses the components listed in Education Code 52055.625. (Education Code 52055.620)

The school may elect to submit only one plan for both this program and the Immediate Intervention/Underperforming Schools Program. (Education Code 52055.605)

HIGH PRIORITY SCHOOLS GRANT PROGRAM (continued)

If a decile 1 school completes an action plan as part of the federal Comprehensive School Reform application but there are insufficient funds to allow the school to participate in that program, the school shall be automatically approved for the HPSG program provided the action plan meets the requirements of Education Code 52054 (d) and (e). (Education Code 52055.605)

The plan shall be approved by the Board of Trustees at a regularly scheduled meeting. (Education Code 52055.630)

(cf. 9322 - Agenda/Meeting Materials)

Content of Action Plan

The action plan shall meet the requirements specified in Education Code 52054 (d) and (e) for the Immediate Intervention/Underperforming Schools Program. (Education Code 52055.625)

The action plan shall: (Education Code 52055.620)

1. Be based on scientific research and effective practices and be data driven
2. Include ongoing data gathering in order to measure and verify progress and modify the plan as needed
3. Be based on findings from an initial needs assessment
4. Describe how the school community will show a commitment to implement the plan
5. Make clear that all school personnel have heightened expectations that all students can learn and every school can succeed
6. Ensure that the school's environment is conducive to teaching and learning
7. Identify additional human, financial and other resources available to the school for implementation of the action plan

In addition, the action plan shall include strategies to address each of the following essential components: (Education Code 52055.625)

1. Student literacy and achievement

The action plan shall include a strategy to increase student literacy and achievement, including necessary attention to the needs of English language learners. At a minimum, this strategy shall include a plan to achieve the following goals:

HIGH PRIORITY SCHOOLS GRANT PROGRAM (continued)

- a. Provide each student at the school with appropriate instructional materials aligned with state academic content and performance standards

(cf. 6011 - Academic Standards)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

- b. By the end of the implementation period, increase achievement of each significant subgroup at the school on the Academic Performance Index
- c. Increase performance of English language learners at the school on the English language development test required by Education Code 60810 and the achievement tests required by Education Code 60640

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6174 - Education for English Language Learners)

2. Quality of staff

The action plan shall include a strategy to attract, retain and fairly distribute the highest quality staff at the school, including teachers, administrators and support staff. At a minimum, this strategy shall include a plan to:

- a. Increase the number of credentialed teachers working at the school site

(cf. 4111/4122/4311 - Recruitment and Selection)

(cf. 4112.2 - Certification)

(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

- b. Increase or target professional development opportunities for teachers related to the goals of the action plan and state English language development standards, including but not limited to participation in professional development institutes established pursuant to Education Code 99220-99226
- c. By the end of the implementation period, ensure successful completion by the school administrators of a program designed to maximize leadership skills

The action plan shall include a strategy, jointly developed by the district and the exclusive bargaining representative of the district's certificated employees, for addressing the distribution of experienced credentialed teachers throughout the district, including an agreement on how they are going to achieve a balance in that distribution. This collaboration shall take place outside of collective bargaining and shall include discussions on ways to maximize current options to recruit credentialed teachers, use regional recruitment centers, ensure that newly hired credentialed

HIGH PRIORITY SCHOOLS GRANT PROGRAM (continued)

teachers are assigned in alignment with the goal of even distribution, and ensure that low-performing schools provide a teaching and learning environment conducive to retaining fully credentialed teachers. (Education Code 52055.620)

(cf. 4140/4240 - Bargaining Units)

3. Parental involvement

The action plan shall include a strategy to change the culture of the school community to recognize parents/guardians as partners in the education of their children and to prepare and educate parents/guardians in the learning and academic progress of their children. At a minimum, this strategy shall include:

- a. For any school that offers any of grades kindergarten through 5, a commitment to jointly develop with parents/guardians a school-parent compact pursuant to 20 USC 6318 as required by Education Code 51101

(cf. 6171 - Title I Programs)

- b. A plan to achieve the goal of maintaining or increasing the number and frequency of personal parent/guardian contacts each year at the school site and school-home communications designed to promote parent/guardian support for meeting state standards and core curriculum requirements

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

4. Facilities, curriculum, instructional materials and support services

The action plan shall include a strategy to provide an environment that is conducive to teaching and learning and that includes the development of high-quality curriculum and instruction aligned with state content and performance standards and English language development standards to measure progress toward achieving English language proficiency. At a minimum, this strategy shall include the goal of providing adequate logistical support including, but not limited to, curriculum, quality instruction, instructional materials, support services, and supplies for every student.

(cf. 6141 - Curriculum Development and Evaluation)

HIGH PRIORITY SCHOOLS GRANT PROGRAM (continued)

Progress Reports

Each year the Superintendent or designee shall submit reports to the Superintendent of Public Instruction for each participating school that meet all the requirements of Education Code 52055.640 and 52055.656. Before submitting the report required by Education Code 52055.640, the Board shall review, at a regularly scheduled meeting, the school's progress toward achieving its goals. (Education Code 52055.640, 52055.656)

(cf. 0500 - Accountability)

Participating schools are encouraged to use assessments of students' academic growth in core curriculum areas to annually review whether changes are needed in the school action plan. Any participating school that conducts an annual assessment of students' academic progress in order to evaluate the efficacy of the school's action plan shall use the English language development test administered pursuant to Education Code 60810 to measure progress toward achieving English language proficiency, where appropriate, and the tests that are part of the Standardized Testing and Reporting program pursuant to Education Code 60640. A school may use any additional curriculum-based achievement test to assess student growth if the test is proven to be valid and reliable. The results of these assessments shall be reported annually to the Board. (Education Code 52055.645)

Consequences Based on Progress

If a school has not met its growth targets on the state's Academic Performance Index each year for 24 months after receiving implementation funding, the Board may, following review by the State Board of Education, take appropriate action and adopt appropriate strategies to provide corrective assistance to the school in order to achieve the components and benchmarks established in the school's action plan. (Education Code 52055.650)

A school that continues to fail to meet its growth targets 36 months after receiving implementation funding shall be subject to the consequences specified in Education Code 52055.650.

TITLE I PROGRAM IMPROVEMENT SCHOOLS

The Board of Trustees desires to assist all schools receiving federal Title I funds to achieve adequate yearly progress as defined by the State Board of Education.

(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)
(cf. 6011 - Academic Standards)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - Standardized Testing and Reporting Program)
(cf. 6171 - Title I Programs)

Whenever a district school is identified as in need of program improvement, the Superintendent or designee shall coordinate improvement efforts with federal, state and local school improvement programs as appropriate and shall develop an improvement plan in accordance with law and as specified in administrative regulation.

(cf. 0420.1 - School-Based Program Coordination)
(cf. 0420.3 - School-Based Student Motivation and Maintenance Program)
(cf. 0520 - Intervention for Underperforming Schools)
(cf. 0520.1 - High Priority Schools Grant Program)

Depending on the length of time a district school has been identified for program improvement, the Board and Superintendent or designee shall implement opportunities for student transfers, supplemental educational services, other corrective actions and/or restructuring in accordance with law.

(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 6179 - Supplemental Instruction)

The Superintendent or designee shall provide the Board with regular reports on the implementation of the school improvement plan and the effectiveness of program improvement efforts in raising student achievement.

(cf. 6190 - Evaluation of the Instructional Program)
(cf. 9000 - Role of the Board)

Legal Reference: (see next page)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

Legal Reference:

EDUCATION CODE

60642.5 California Standards Tests

60850-60856 High School Exit Examination

CODE OF REGULATIONS, TITLE 5

13075 Supplemental services providers, record of effectiveness

UNITED STATES CODE, TITLE 20

6301 Title I program purpose

6311 Adequate yearly progress

6312 Local educational agency plan

6313 Eligibility of schools and school attendance areas; funding allocation

6316 School improvement

7912 Persistently dangerous schools

CODE OF FEDERAL REGULATIONS, TITLE 34

200.13-200.20 Adequate yearly progress

200.30-200.35 Identification of program improvement schools

200.36-200.38 Notification requirements

200.39-200.43 Requirements for program improvement, corrective action and restructuring

200.44 School choice option

200.45-200.47 Supplemental services

200.48 Funding for transportation and supplemental services

200.49-200.51 State responsibilities

200.52-200.53 District improvement

Management Resources:

CSBA ADVISORIES

California's Implementation of the No Child Left Behind Act, July 2003

No Child Left Behind: Update on Federal Regulations and State Board of Education Actions, January 2003

CDE PUBLICATIONS

California's Accountability Workbook

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Public School Choice, February 6, 2004

Supplemental Educational Services, August 22, 2003

WEB SITES

California Department of Education, Program Improvement:

<http://www.cde.ca.gov/ta/ac/ti/programimprov.asp>

CSBA: <http://www.csba.org>

U.S. Department of Education, No Child Left Behind: <http://www.nclb.gov>

TITLE I PROGRAM IMPROVEMENT SCHOOLS

Definitions

Adequate yearly progress (AYP) encompasses the following four requirements:

1. Annual measurable objectives: Achievement of the statewide annual measurable objectives (AMOs) on English-language arts (ELA) and mathematics assessments (schoolwide/districtwide and subgroups). AMOs are the minimum required percentages of students at proficient or above in each content area.
2. Participation rate: Achievement of 95 percent student participation rate on ELA and mathematics assessments (schoolwide/districtwide and subgroups) or average of 95 percent over a three-year period.
3. Academic Performance Index (API): Growth in the API score of at least one point or a minimum growth API as defined annually by the State Board of Education (SBE) (schoolwide/districtwide).
4. Graduation Rate: Improvement in the graduation rate of at least .1 percent or a graduation rate of 100 percent (schoolwide/districtwide). This applies only to high schools and districts with high school students.

At or above the proficient level, for students in grades 2-8, means the percentage of students scoring at the proficient or advanced level on the California Standards Tests. At the high school level, proficiency is determined by equivalent levels on the California High School

Exit Examination as determined by the SBE. For special education students, *proficient* is limited to the performance on the California Alternate Performance Assessment (CAPA).

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6162.52 - High School Exit Examination)

Eligibility for supplemental education services is based on family income. (34 CFR 200.45)

Numerically significant subgroups include economically disadvantaged students, students from major racial and ethnic groups, students with disabilities and students with limited English proficiency. For purposes of determining AYP, a significant subgroup is at least 100 students, or 50 students who represent at least 15 percent of the students to be tested.

Program improvement school is a school receiving federal Title I funds that has failed to make AYP for two or more consecutive school years on the same indicator (i.e., AMOs for ELA and mathematics, participation rate, API, graduation rate).

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

Year One Program Improvement

When any Title I school is identified for Year One Program Improvement: (20 USC 6316)

1. The Superintendent or designee shall provide students enrolled in the school the option of transferring to another district school or charter school that has not been identified for program improvement, as described below under “Student Transfers.”

(cf. 0420.4 - Charter Schools)

2. The principal and school community shall develop or revise a two-year improvement plan in accordance with 20 USC 6316, for approval by the Board of Trustees.

(cf. 0420 - School Plans/Site Councils)

(cf. 6171 - Title I Programs)

Within 45 days of receiving the plan, the Board shall establish a peer review process to assist with the review of the plan, work with the school as necessary, and approve the plan if it meets the requirements of law. (20 USC 6316)

The school shall implement the improvement plan no later than the beginning of the next full school year following the school’s identification for program improvement, or, if the plan has not been approved prior to beginning the school year, immediately upon approval of the plan. (20 USC 6316)

As the school develops and implements the school plan, the Superintendent or designee shall ensure that the school receives technical assistance either from the district, the California Department of Education, an institution of higher education, a private organization, an educational service agency or another entity with experience in helping schools improve academic achievement, including assistance in: (20 USC 6316)

1. Analyzing state assessment data and other examples of student work to identify and address problems in instruction and/or problems in implementing Title I requirements pertaining to parent involvement, professional development, or school and district responsibilities identified in the school’s Title I plan
2. Identifying and implementing professional development, instructional strategies and methods of instruction that are based on scientifically based research and that have proven effective in addressing the specific instructional issues that caused the school to be identified for school improvement
3. Analyzing and revising the school’s budget so that the school’s resources are more effectively allocated to the activities most likely to increase student achievement and to remove the school from program improvement status

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)**Year Two Program Improvement**

For any Title I school that fails to make AYP by the end of the first full school year after being identified for Program Improvement, the Superintendent or designee shall: (20 USC 6316)

1. Continue to provide all elements of Year One Program Improvement
2. Arrange for the provision of supplemental educational services to eligible students from low-income families by a provider with a demonstrated record of effectiveness, as described below under “Supplemental Educational Services”
3. Continue to provide for technical assistance

Year Three Program Improvement

When a school continues to fail to make AYP by the end of the second full school year after identification for program improvement (four consecutive years of failure to make AYP), the Superintendent or designee shall continue to provide all elements of Year One and Year Two Program Improvement. In addition, the Board shall take at least one of the following corrective actions: (20 USC 6316)

1. Replace school staff relevant to the failure
2. Implement a new curriculum and related professional development
3. Significantly decrease management authority at the school level
4. Appoint an outside expert to advise the school
5. Extend the school year or school day for the school
6. Restructure the internal organization of the school

Year Four and Beyond Program Improvement

For any school that continues to fail to make AYP after one full year of corrective action, the Superintendent or designee shall continue to provide all elements of Year One and Year Two Program Improvement. In addition, the Board shall implement one of the following options for alternative governance and restructuring, consistent with California law: (20 USC 6316)

1. Reopen the school as a charter school

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

2. Replace all or most of the school staff relevant to the failure
3. Enter into a contract with an entity with a demonstrated record of effectiveness to operate the school
4. Turn the operation of the school over to the California Department of Education
5. Institute any other major restructuring of the school's governance arrangements that makes fundamental reforms

Notifications

Whenever a school is identified for program improvement, corrective action or restructuring, the Superintendent or designee shall promptly notify parents/guardians of students enrolled in that school. The notification shall include: (20 USC 6316)

1. An explanation of what the identification means, and how the school compares in terms of academic achievement to other elementary or secondary schools in the district and state
2. The reasons for the identification
3. An explanation of what the school is doing to address the problem of low achievement
4. An explanation of what the district or state is doing to help the school address the achievement problem
5. An explanation of how parents/guardians can become involved in addressing the academic issues that caused the school to be identified for program improvement
6. An explanation of the option to transfer to another district school or charter school or to obtain supplemental educational services

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall disseminate information about corrective actions taken at any district school to the parents/guardians of each student in that school and to the public through such means as the Internet, the media and public agencies. (20 USC 6316)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

The Superintendent or designee shall promptly notify teachers and parents/guardians whenever a school is identified for restructuring and shall provide them adequate opportunities to comment before taking action and to participate in developing any plan for restructuring school governance. (20 USC 6316)

All notifications pertaining to program improvement shall be written in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand. (20 USC 6316)

Student Transfers

All students enrolled in a Title I school that is identified for program improvement in Year One and beyond shall be provided an option to transfer to another district school or charter school that: (20 USC 6316; 34 CFR 200.44)

1. Has not been identified for program improvement, corrective action or restructuring
2. Has not been identified by the California Department of Education as a “persistently dangerous” school pursuant to 20 USC 7912

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5116.1 - Intradistrict Open Enrollment)

Among these students, priority shall be given to the lowest achieving students from low-income families, as defined by the district for purposes of allocating Title I funds. (20 USC 6316)

If two or more district schools are eligible to accept transfers based on criteria listed in items #1-2 above, the district shall provide a choice of more than one such school and shall take into account parent/guardian preferences among the choices offered. (34 CFR 200.44)

School capacity shall not be used to deny transfer opportunities to students. However, the Superintendent or designee may consider capacity in selecting schools that will be offered as alternatives for school choice. The Board may increase capacity in eligible district schools to accommodate all students who wish to transfer.

The transfer option shall be offered not later than the first day of the school year following administration of the assessments that resulted in the identification of the school for program improvement, corrective action or restructuring. (34 CFR 200.44)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

An explanation of the option to transfer to another public school shall be promptly provided to parents/guardians of each student enrolled in an identified school. Such notice shall be provided in an understandable and uniform format and, to the extent practicable, in a language that the parents/guardians can understand. (20 USC 6316)

Notice of the transfer option shall:

1. Inform parents/guardians that their child is eligible to attend another public school due to the identification of the current school as in need of improvement
2. Identify each public school or public charter school that the parent/guardian can select
3. Explain why the choices made available to them may have been limited
4. Provide information on the academic achievement of the school(s) to which the student may transfer (34 CFR 200.37)
5. Explain the provision of transportation to the new school (34 CFR 200.37)

The notice may include other information about the school(s) to which the student may transfer, such as a description of any special academic programs or facilities, the availability of before- and after-school programs, the professional qualifications of teachers in the core academic subjects, and a description of parent involvement opportunities. (34 CFR 200.37)

In addition to mailing notices directly to parents/guardians, the Superintendent or designee shall provide information about transfer options through broader means, such as the Internet, the media, and public agencies serving students and their families. (34 CFR 200.36)

The Superintendent or designee may establish reasonable timelines for parents/guardians to indicate their intent to transfer their child and for the district to notify parents/guardians of the school assignment.

The Superintendent or designee may require parents/guardians to rank-order their preferences from among schools that are eligible to receive transfer students. Parents/guardians may decline their assigned school and remain in their school of origin.

The district shall provide, or shall pay for the provision of, transportation for the student to the public school that student chooses to attend. (20 USC 6316)

(cf. 3540 - Transportation)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

To ensure that transportation may be reasonably provided, the Superintendent or designee may establish transportation zones based on geographic location. Transportation to schools within a zone shall be fully provided, while transportation outside the zone may be partially provided.

Any student who transfers to another school may remain in that school until he/she has completed the highest grade in that school. However, the district shall not be obligated to provide, or pay for the provision of, transportation for the student after the end of the school year that the school of origin is no longer identified for program improvement, corrective action or restructuring. (20 USC 6316; 34 CFR 200.44)

If all district schools are identified for program improvement, corrective action or restructuring, the Board shall, to the extent practicable, establish a cooperative agreement with other local educational agencies in the area for an interdistrict transfer. (20 USC 6316)

(cf. 5117 - Interdistrict Attendance)

Supplemental Educational Services

When required by law, supplemental educational services shall be provided outside the regular school day and shall be specifically designed to increase achievement of eligible students from low-income families on state academic assessments and to assist them in attaining state academic standards. (20 USC 6316)

(cf. 6011 - Academic Standards)

(cf. 6179 - Supplemental Instruction)

When a school is required to provide supplemental educational services, the Superintendent or designee shall annually notify parents/guardians of:

1. The availability of supplemental educational services (20 USC 6316)
2. The identity of approved providers that are within the district or are reasonably available in neighboring local educational agencies (20 USC 6316)
3. The identity of approved providers that are accessible through technology, such as distance learning
4. The services, qualifications and demonstrated effectiveness of each provider (20 USC 6316)
5. The procedures and timelines that parents/guardians must follow to select a provider

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

When the district is an approved service provider, the Superintendent or designee shall be careful to provide parents/guardians with a balanced presentation of the options available to parents/guardians, and shall ensure that they understand their right to select the district or any other service provider.

Within a reasonable period of time established by the Superintendent or designee, parents/guardians shall select a service provider from among those approved by the SBE. Upon request, the Superintendent or designee shall assist parents/guardians in choosing a provider. (20 USC 6316)

The Superintendent or designee shall ensure that eligible students with disabilities, students covered under Section 504 and students with limited English proficiency receive appropriate supplemental educational services with any necessary accommodations or language assistance. (34 CFR 200.46)

If no provider is able to make the services available to such students, the district shall provide these services with necessary accommodations or language assistance, either directly or through a contract. Supplemental educational services shall be consistent with a student's individualized education program or Section 504 plan.

(cf. 6159 - Individualized Education Program)
(cf. 6164.4 - Identification of Individuals for Special Education)
(cf. 6164.6 - Identification and Education under Section 504)
(cf. 6174 - Education for English Language Learners)

If available funds are insufficient to provide supplemental educational services to each eligible student whose parents/guardians request those services, priority shall be given to the lowest achieving eligible students. (20 USC 6316)

If the number of parents/guardians selecting a particular provider exceeds the capacity of that provider, priority shall be given to the lowest achieving eligible students.

Once a provider has been selected by a parent/guardian, the Superintendent or designee shall enter into an agreement with the provider. The agreement shall: (20 USC 6316)

1. Require the district to develop, in consultation with the parents/guardians and the provider, a statement of specific achievement goals for the student, how the student's progress will be measured, and a timetable for improving achievement. In the case of a student with disabilities, the statement shall be consistent with the student's individualized education program.
2. Describe how the student's parents/guardians and teacher(s) will be regularly informed of the student's progress.

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

3. Provide for the termination of the agreement if the provider is unable to meet such goals and timetables.
4. Contain provisions with respect to the district making payments to the provider.
5. Prohibit the provider, without written parent/guardian permission, from disclosing to the public the identity of any student eligible for or receiving supplemental educational services.

TITLE I PROGRAM IMPROVEMENT SCHOOLS

**PARENTAL NOTIFICATION:
OPTION TO TRANSFER OUT OF PROGRAM IMPROVEMENT SCHOOL**

Dear Parent/Guardian:

The _____ School is a Title I school receiving funds through the federal No Child Left Behind (NCLB) Act of 2001. The NCLB requires schools to be assessed each year to determine if they are making adequate yearly progress toward meeting the state’s student academic achievement standards. For the past [number] years, the _____ School has not met the criteria adopted by the State Board of Education and so has been identified as needing [program improvement/corrective action/restructuring].

Federal law requires that all parents/guardians of students in this school be offered an opportunity to transfer their children to another district school or charter school. Such transfers would take effect on [date].

The following schools are available to accept transfers:

Information about the performance and quality of each available school is enclosed, including information on academic achievement.

Other district schools may not appear on this list because either (1) the school is ineligible to accept transfers in accordance with 20 USC 6316 and 34 CFR 200.44, or (2) the Superintendent has determined that all transfer requests can be accomplished among the above schools.

If you decide you want to transfer your child, please submit your top [number] choices of schools on the enclosed form by [date] to the [district office or the principal at your child’s school]. It cannot be guaranteed that your first choice will be available, but your preferences will be considered.

If you choose to transfer your child, the district will [provide transportation for your child to the new school] [reimburse your costs of transporting your child by private or public transportation] during the time your child’s current school is designated as needing [program improvement/corrective action/restructuring].

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

If you decide to leave your child in his/her current school, please be assured that the school will be developing an improvement plan and undergoing a number of steps to improve the school's performance.

TITLE I PROGRAM IMPROVEMENT SCHOOLS

**PARENT/GUARDIAN TRANSFER REQUEST BASED ON
SCHOOL'S PROGRAM IMPROVEMENT STATUS**

Instructions: To request a transfer for your child out of a school that has been identified for [program improvement, corrective action or restructuring], please complete the following form and return it by [return date] to [the district office or to the principal at your child's school]. You will be notified by [date] regarding your child's school assignment for the next school year and your options if you decide to decline the school assignment at that time.

Child's Name: _____

Parent/Guardian's Name: _____ Signature: _____

School Child Currently Attends: _____

Please write numbers in the boxes below to rank your top [number] choices of available schools:

_____ [school name] _____

_____ [school name] _____

_____ [school name] _____

If you have any questions, please contact the [district office or principal] at [phone number].

TITLE I PROGRAM IMPROVEMENT SCHOOLS

**PARENT/GUARDIAN SELECTION OF
SUPPLEMENTAL EDUCATIONAL SERVICES**

Instructions: To select supplemental educational services for your child, please complete the following form and mail, fax or deliver it to the principal of your child's school or to the district office by [date].

Student's Name: _____ School: _____
Parent/Guardian's Name: _____ Signature: _____

Please write numbers in the boxes below to indicate your top [number] choices of service providers:

- _____ [name of service provider] _____
- _____ [name of service provider] _____
- _____ [name of service provider] _____
- _____ [name of service provider] _____
- _____ [name of service provider] _____

Once a service provider has been determined for your child, the district will enter into a formal contract with the provider in accordance with law.

If you have any questions, please contact [name] at [phone number].

TITLE I PROGRAM IMPROVEMENT DISTRICTS

The Board of Trustees shall review and analyze districtwide performance in making adequate yearly progress toward student academic achievement standards, in accordance with criteria established by the State Board of Education. The Board's review shall include an evaluation of whether district improvement efforts are aligned and adequately focused on increasing achievement levels for all students. As necessary, the Board and the Superintendent shall take steps to improve district operations and programs to enable students to achieve proficiency.

(cf. 0500 - Accountability)

(cf. 6011 - Academic Standards)

(cf. 6162.51 - Standardized Testing and Reporting Program)

Early Warning Program

Whenever the district is provided early warning by the California Department of Education (CDE) that it is in danger of being identified for program improvement under the federal No Child Left Behind Act within three to four years, the Board shall determine whether to conduct a voluntary self-assessment using state-established criteria and to revise the Title I Local Educational Agency (LEA) plan based on the results of that assessment. (Education Code 52055.57)

(cf. 6171 - Title I Programs)

Prevention of Local Educational Agency Intervention Program

Whenever notified by the CDE that the district is at risk of being identified for program improvement within two years, the Board shall determine whether the district will participate in the state's voluntary prevention program. The Board shall hold a public hearing at a regularly scheduled meeting if it elects not to participate in the prevention program, in order to discuss the reasons and rationale for not participating and to explain the manner in which it intends to address the needs of the district. (Education Code 52055.57)

Program Improvement

If the district is identified for program improvement, the Superintendent shall administer a district self-assessment process, and develop and implement a new or revised LEA plan in accordance with law and administrative regulation. (20 USC 6316; Education Code 52055.57)

The LEA plan shall be approved by the Board and submitted to the CDE.

The Superintendent shall utilize local and state resources available to provide technical assistance and support. He/she also shall work closely with individual school sites identified for program improvement to raise student achievement in accordance with school plans.

TITLE I PROGRAM IMPROVEMENT DISTRICTS (continued)

(cf. 0520 - Intervention for Underperforming Schools)

(cf. 0520.1 - High Priority Schools Grant Program)

(cf. 0520.2 - Title I Program Improvement Schools)

The Superintendent shall regularly report to the Board regarding the implementation of the LEA plan.

High Number/High Percentage of Program Improvement Schools

If the district is not identified for program improvement or the prevention program described above, but has 10 or more schools or 55 percent of its schools identified for program improvement, it shall use any funding provided by the state to support such schools and to determine barriers to improved student academic achievement in those schools. (Education Code 52055.57)

Legal Reference:

EDUCATION CODE

52055.57 Districts identified or at risk of identification for program improvement

52059 Statewide system of school support

UNITED STATES CODE, TITLE 20

6301 Title I program purpose

6311 Adequate yearly progress

6312 Local educational agency plan

6316 School and district improvement

6321 Fiscal responsibilities

CODE OF FEDERAL REGULATIONS, TITLE 34

200.13-200.20 Adequate yearly progress

200.30-200.35 Identification of program improvement schools

200.36-200.38 Notification requirements

200.52-200.53 District improvement

Management Resources:

U.S. DEPARTMENT OF EDUCATION GUIDANCE

LEA and School Improvement Non-Regulatory Guidance, January 7, 2004

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Program Improvement:

<http://www.cde.ca.gov/ta/ac/ti/programimprov.asp>

U.S. Department of Education, No Child Left Behind: <http://www.nclb.gov>

TITLE I PROGRAM IMPROVEMENT DISTRICTS

Prevention of Local Educational Agency Intervention Program

Whenever the district is notified that it is at risk of being identified within two years for program improvement under the federal No Child Left Behind Act, and the Board of Trustees elects to participate in the state's Prevention of Local Educational Agency Intervention Program, the district shall complete all of the following actions: (Education Code 52055.57)

1. Conduct a self-assessment using materials and criteria based on current research and provided by the California Department of Education (CDE)
2. No later than 30 days after the Board elects to participate in the program, contract with a county office of education, or another external entity, after working with the County Superintendent of Schools, for the following purposes:
 - a. Verifying the fundamental teaching and learning needs in district schools as determined by the self-assessment and identifying the specific academic problems of low-achieving students, including a determination as to why the prior district plan failed to result in increased student academic achievement
 - b. Ensuring that the district receives intensive support and expertise to implement district reform initiatives in the Title I Local Educational Agency (LEA) plan revised in accordance with item #3 below
3. Revise and expeditiously implement the LEA plan to reflect the findings of the verified self-assessment.

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 6171 - Title I Programs)

Requirements for Program Improvement District

If the district is identified for program improvement:

1. The Superintendent or designee shall promptly notify parents/guardians of each district student regarding the district's program improvement status, the reasons for the identification, and how parents/guardians can participate in upgrading the quality of the district's programs. The notification shall be in a format and, to the extent practicable, in a language the parents/guardians can understand. (20 USC 6316)

(cf. 5145.6 - Parental Notifications)

2. The district shall conduct a self-assessment using research-based materials and criteria provided by the CDE. (Education Code 52055.57)

TITLE I PROGRAM IMPROVEMENT DISTRICTS (continued)

3. No later than 90 days after the district's identification for program improvement, the Board shall contract with a county office of education, or another external entity after working with the County Superintendent of Schools, in order to verify the district's self-assessment. (Education Code 52055.57)
4. Within three months after the district's identification for program improvement, the Superintendent or designee shall develop or revise the LEA plan in consultation with parents/guardians, school staff, and others. This plan shall reflect the findings of the self-assessment and shall: (20 USC 6316; 34 CFR 200.52; Education Code 52055.57)
 - a. Incorporate scientifically based research strategies that will strengthen the core academic program in district schools
 - b. Identify actions that have the greatest likelihood of improving student achievement in meeting the state's academic achievement standards
 - c. Address the professional development needs of the instructional staff by committing to spending at least 10 percent of the district's allocation of Title I, Part A, funds for professional development
 - d. Include specific measurable achievement goals and targets for each of the student subgroups identified pursuant to 20 USC 6311, especially those that did not make adequate yearly progress
 - e. Address the fundamental teaching and learning needs in the district's schools and the specific academic problems of low-achieving students, including a determination of why the district's prior plan failed to bring about increased student academic achievement
 - f. Incorporate, as appropriate, student learning activities before school, after school, during the summer, and during any extension of the school year

(cf. 6177 - Summer School)
(cf. 6179 - Supplemental Instruction)

 - g. Specify the responsibilities of the district and the state under the plan, including the district's fiscal responsibilities under 20 USC 6321 and the technical assistance to be provided by the state
 - h. Include strategies to promote effective parent/guardian involvement in district schools

TITLE I PROGRAM IMPROVEMENT DISTRICTS (continued)

5. The Board shall contract with an external provider to provide support and implement recommendations to resolve shortcomings identified in the verified self-assessment. (Education Code 52055.57)
6. The district shall implement the LEA plan expeditiously, but not later than the beginning of the next school year after the school year in which the district administered the assessments that resulted in its identification for program improvement. (20 USC 6316; 34 CFR 200.52)

The district shall exit the program improvement status when it either makes adequate yearly progress or meets the current districtwide Academic Performance Index threshold for the socioeconomically disadvantaged subgroup. If it fails to meet either of these criteria after one year in program improvement, it shall continue to implement its revised LEA plan in the second year. If the district fails to achieve these goals by the end of the second year, it shall be subject to corrective actions determined by the State Board of Education. (20 USC 6316; 34 CFR 200.53; Education Code 52055.57)

AWARDS FOR SCHOOL PERFORMANCE

The Board of Trustees recognizes that monetary and nonmonetary incentives have a meaningful place in an accountability system designed to encourage student achievement. The Board believes that state rewards should recognize both outstanding performance and significant progress or growth toward performance goals.

- (cf. 0000 - Vision)*
- (cf. 0200 - Goals for the School District)*
- (cf. 0500 - Accountability)*
- (cf. 0510 - School Accountability Report Card)*
- (cf. 0520 - Intervention for Underperforming Schools)*
- (cf. 1150 - Commendations and Awards)*
- (cf. 4156.2 - Awards and Recognition)*
- (cf. 5126 - Awards for Achievement)*
- (cf. 6011 - Academic Standards)*

District schools are encouraged to develop and implement plans to meet or exceed growth targets established for state school performance awards. To ensure eligibility for the state's awards programs, the Superintendent or designee shall encourage student participation in state assessment programs and promote ethical administration of such assessments by staff. The Superintendent or designee also shall develop methods to accurately report school enrollment data, student ethnicity and socioeconomic level, participation levels in state assessments, and numbers of students who are granted waivers based on parent request or the provisions of their Individualized Education Program.

- (cf. 0400 - Comprehensive Plans)*
- (cf. 3553 - Free and Reduced Price Meals)*
- (cf. 6159 - Individualized Education Program)*
- (cf. 6162.5 - Student Assessment)*
- (cf. 6162.54 - Test Integrity/Test Preparation)*
- (cf. 6174 - Education for English Language Learners)*

The Superintendent or designee shall ensure that all award funds are distributed to eligible schools in accordance with law.

Legal Reference: (see next page)

AWARDS FOR SCHOOL PERFORMANCE (continued)

Legal Reference:

EDUCATION CODE

33126 School accountability report card

44015 Awards to employees and students

44650-44654 Certificated staff performance awards

52050-52058 Public Schools Accountability Act, especially:

52057 Governor's Performance Award Program

54761 Categorical programs

60640-60647 Standardized Testing and Reporting Program

64000 Categorical programs

CODE OF REGULATIONS, TITLE 5

1031-1039 State performance awards programs

Management Resources:

WEB SITES

CDE: <http://www.cde.ca.gov>

SBE: <http://www.cde.ca.gov/board>

CSBA: <http://www.csba.org>

AWARDS FOR SCHOOL PERFORMANCE

Governor's Performance Awards

Any district school may be eligible to receive a Governor's Performance Award if the following conditions are met:

1. The school's Academic Performance Index (API) increased at least five percent of the difference between the prior year score and 800, or increased by five points, whichever is greater. (Education Code 52057; 5 CCR 1032)
2. Each numerically significant ethnic and socioeconomically disadvantaged subgroup demonstrated comparable improvement, defined as either 80 percent of the school's API growth target or, when the sum of the subgroup's growth target and subgroup's API is 800 or higher, the distance from the subgroup's API to 800. In all cases, the increase must be at least four points. (Education Code 52057; 5 CCR 1032)

A "numerically significant subgroup" is a subgroup that constitutes one of the following: (Education Code 52052, 52057)

- a. At least 15 percent of a school's total student population and at least 30 students
- b. At least 100 students, even if the subgroup does not constitute 15 percent of the total enrollment at a school

A "socioeconomically disadvantaged student" is a student neither of whose parents/guardians has received a high school diploma, or a student who participates in the free or reduced price lunch program.

(cf. 3553 - Free and Reduced Price Meals)

3. At least 95 percent of students in an elementary or middle school, or 90 percent of students in a high school, participated in the state's Standardized Testing and Reporting program, excluding students who were exempted from taking the test by their Individualized Education Program or parent waiver. (5 CCR 1032)

(cf. 6159 - Individualized Education Program)

(cf. 6162.5 - Student Assessment)

(cf. 6174 - Education for English Language Learners)

The Superintendent or designee may elect to have a community day school, continuation high school, independent study school or other alternative school be part of the API accountability system for purposes of state awards programs. If this election is made, the school shall remain in the API system for at least the three subsequent years. (5 CCR 1032)

AWARDS FOR SCHOOL PERFORMANCE (continued)

(cf. 6158 - Independent Study)
(cf. 6181 - Alternative Schools)
(cf. 6182 - Opportunity School/Class/Program)
(cf. 6184 - Continuation Education)
(cf. 6185 - Community Day School)

Any Governor's Performance Awards received on behalf of a district school shall be used at the school site for discretionary purposes. (Education Code 52057)

At each school receiving a Governor's Performance Award, the use of funds at the school site shall be determined by the existing school site governance team or school site council representing major stakeholders and then ratified by the Board of Trustees. (5 CCR 1039)

(cf. 0420 - School Plans/Site Councils)

The Board may accept or reject the proposal but shall not make modifications. If the Board rejects the proposal, the council may submit another proposal to the Board.

Certificated Staff Performance Incentives

A school may be eligible for state Certificated Staff Performance Incentives under the following conditions: (Education Code 44651; 5 CCR 1034)

1. The school was ranked in the lower half of the statewide API rankings (deciles 1-5) in the prior year.
2. The school improved a minimum of two times its annual growth target on its API between the base year and the current growth year.
3. The school was eligible for API awards in the year preceding the current API growth year.
4. All numerically significant ethnic or socioeconomically disadvantaged subgroups, as defined above, improved by a minimum of two times their annual growth targets. However, when the sum of a subgroup's growth target and the subgroup's API is 800 or higher, the subgroup's API must have increased two times the distance from the subgroup's API to 800. In all cases, the increase must be at least eight points.
5. At least 95 percent of students in an elementary or middle school, or 90 percent of students in a high school, participated in the state's Standardized Testing and Reporting program, excluding students who were exempted from taking the test by their Individualized Education Program or parent waiver. (5 CCR 1034)

AWARDS FOR SCHOOL PERFORMANCE (continued)

Any award received under this program shall be distributed to all certificated staff at the school in an amount equal to a percentage of their base salary that is determined by dividing the total amount awarded to the school by the sum of the annual base salaries for certificated staff at the school. (Education Code 44653)

For purposes of this program, all full-time and part-time staff holding a valid certificate, including but not limited to fully credentialed teachers, emergency permit teachers, intern teachers, principals, counselors, librarians and nurses, shall be eligible to receive bonuses.

These awards shall not be considered compensation for purposes of calculating retirement or other benefits. (Education Code 44654)

Ineligibility for Awards Programs

A school shall be ineligible for state awards programs if it has fewer than 11 valid scores on the state Standardized Testing and Reporting assessments.

A school shall be ineligible for state awards programs if its API is invalidated for any of the following reasons: (5 CCR 1032)

1. The Superintendent or designee certifies that there were testing irregularities at the school committed by adults.

(cf. 6162.54 - Test Integrity/Test Preparation)

2. The Superintendent or designee certifies that the API is not representative of the student population at the school.
3. The Superintendent or designee certifies that the school has experienced a significant demographic change in the student population between the base year and the growth year and the API across the years is not comparable.
4. The proportion of parental waivers for the Standardized Testing and Reporting program is equal to or greater than 10 percent of the school's enrollment in the grades tested. However, if a school's proportion of parental waivers is between 10 and 20 percent, the school shall be deemed ineligible only if statistical tests conducted by the California Department of Education determine that the students tested at the school are not representative of the school's students by grade level.
5. The school's proportion of test-takers in any content area tested by the Standardized Testing and Reporting program and included in the API is less than 85 percent of the total number of test-takers in the school.

AWARDS FOR SCHOOL PERFORMANCE (continued)

6. Information is made available to or obtained by the California Department of Education that would lead a reasonable person to conclude that one or more of the preceding circumstances occurred.