

SHANDON JOINT UNIFIED SCHOOL DISTRICT
Regular Board Meeting Agenda
September 15, 2020

Time: 6:30PM. – Closed Session 7:00PM Open Session;
Location: Shandon High School- Gym

Per Government Code 54953.5, this Open Session Meeting of the Board may be recorded with an audio or video recorder, which recording shall be subject to inspection pursuant to the California Public Records Act, at the SJUSD District Office. This recording may be erased or destroyed after 30 days of the recording.

This Meeting is being held pursuant to Executive Order N-25-20 issued by California Governor Gavin Newsom on March 12, 2020. Any or all board members may attend the meeting by phone without advance notice. If you are unable to attend this meeting due to COVID-19 sheltering in place and wish to have your public comment read to the audience, you may send your comment to mail to: ggavilanes@shandonschools.org. Please limit your comment to no longer than three minutes in length. A link to participate in a zoom meeting will also be made available on the District's website ahead of the meeting on Tuesday, September 15, 2020.

1.0 OPEN SESSION

1.1 Call to Order and Roll Call

Marlene Thomason, President
Jennifer Moe
Robert Van Parlet
Nataly Ramirez
Flint Speer

1.2 Public Comment Limited to Closed Session Items

The opportunity is provided to allow the public to comment for a period of up to three (3) minutes prior to the Board's consideration of any closed session agenda item. An additional opportunity is provided later in the agenda for comment on open session agenda items or items not on the agenda. [G.C. § 54954.3]

2.0 CLOSED SESSION

2.1 Conference with Labor Negotiators (G.C. 54957.6)-

Agency Designated Representative: Dr. Kristina Benson

2.2 Review and Possible Action on Appointment, Employment, Discipline, Resignation and Dismissal of District Employee(s) Pursuant to Government Code § 54957, Public Employment

3.0 RECONVENE SESSION / PLEDGE OF ALLEGIANCE TO THE FLAG

4.0 REPORT ON ACTION FROM CLOSED SESSION

5.0 ADOPTION OF AGENDA

6.0 PUBLIC COMMENT

6.1 PUBLIC COMMENT

Comments from the public are limited to items both within the Board's jurisdiction, as well as not on the agenda. The Board may limit public comments to not more than three (3) minutes per person or a total of 20 minutes per topic at the discretion of the Board President. Public comment will also be allowed on each specific agenda item prior to Board action thereon. [G.C. § 54954.2, .EC. § 35145.5, BB 9323]

7.0 REPORTS FROM SCHOOL RELATED GROUPS (oral)

7.1 Student Body Reports

7.2 Staff Reports

7.3 Bargaining Representative Report

7.4 Board Report

8.0 INFORMATION/PRESENTATION ITEMS

8.1 Superintendent's Report

9.0 APPROVAL OF CONSENT AGENDA

(Unless the Board pulls an item for separate action, the items listed below are approved without discussion.)

9.1 Approval of the Minutes of September 1, 2020 Board Meeting

9.2 Approval of the Facilities Lease Agreement for SLO Co Sheriff Office

10.0 DISCUSSION/ACTION ITEM

10.1 Discussion and Approval of the Learning Continuity Plan (LCP)

11.0 BOARD POLICIES FIRST READING

11.1 BP 3555 Nutrition Program Compliance

-Policy updated to reflect new state regulation which provide that complaints regarding meal counting and claiming, reimbursement meals, eligibility of children or adults, etc. be submitted directly to the CDE

11.2 E 3555 Nutrition Program Compliance

-New exhibit presents the USDS statement, formerly in BP 3555.

11.3 BP 6142.7 Physical Education and Activity

-Policy updated to add statement on equal access and equal opportunities for participation in physical education regardless of gender, gender expression, sexual orientation, and mental or physical disability.

11.4 BP 6159 Individualized Education Program

-Policy updated to include the requirement, to provide a free appropriate public education (FAPE) to students who have been suspended or expelled from school.

11.5 BP 6159.1 Procedural Safeguard for Special Education

-Policy updated to encourage early, informal resolution of any dispute regarding special education services.

11.6 BP 6159.2 Nonpublic, Nonsectarian School and Agency Services for Special Education

-Policy updated to include the provision of nonpublic, nonsectarian school and agency (NPS/A) services in the comprehensive local plan of the Special Education Local Plan Area.

12.0 FUTURE AGENDA ITEM REQUESTS

13.0 ANNOUNCEMENTS

The next regular meeting of the Board of Trustees is scheduled for October 6, 2020 at

Shandon High School, Closed Session at 6:30 PM, Open/Regular Session at 7:00 PM

14.0 ADJOURNMENT

"Due to public health directives relating to the COVID-19 pandemic, any materials required by law to be made available to the public prior to or during a meeting of the Board of Trustees of the District can be accessed on the District's website: www.shandonschools.org
In compliance with the Americans with Disabilities Act, if you need special assistance to access or participate in a meeting of the Board of Trustees, including auxiliary aids or services, please contact the District Office at 805-238-0286. Notification of at least 48 hours prior to the meeting will assist the staff in assuring that reasonable accommodations may be made.

OFFICIAL AGENDA POSTED AT THE DISTRICT OFFICE/SHANDON HIGH SCHOOL

SHANDON JOINT UNIFIED SCHOOL DISTRICT

Regular Board Meeting Minutes

September 1, 2020

9.1

1.0 OPEN SESSION

1.1 Board President called the meeting to order at 6:33PM

Members Present: Marlene Thomason, President; Jennifer Moe; Flint Speer; Nataly Ramirez; Van Parlet
Staff Present: Dr. Benson, Superintendent

1.2 Public Comment Limited to Closed Session Items

There was no request to address the Governing Board on closed session items

The Board adjourned to closed session at 6:34PM

2.0 CLOSED SESSION

2.1 Conference with Labor Negotiators (G.C. 54957.6)-

Agency Designated Representative: Dr. Kristina Benson

2.2 Review and Possible Action on Appointment, Employment, Discipline, Resignation and

Dismissal of District Employee(s) Pursuant to Government Code § 54957, Public Employment

Board President Thomason adjourned closed session at 6:47PM

3.0 RECONVENE SESSION / PLEDGE OF ALLEGIANCE TO THE FLAG

Board President Thomason reconvened the meeting to open session at 7:09PM and Board Member Parlet led the Pledge of Allegiance.

4.0 REPORT ON ACTION FROM CLOSED SESSION

Board President Thomason reported there was no action taken on any items discussed.

5.0 ADOPTION OF AGENDA

A motion passed to adopt the agenda (Moe/Parlet) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.

6.0 PUBLIC COMMENT

6.1 PUBLIC COMMENT-There were no request for public comment.

6.2 PUBLIC HEARING - PRELIMINARY LEARNING CONTINUITY PLAN (LCP)

6.3 PUBLIC HEARING – SUFFICIENCY OF INSTRUCTIONAL MATERIALS FOR 2020-21

7.0 REPORTS FROM SCHOOL RELATED GROUPS (oral)

7.1 Student Body Reports

7.2 Staff Reports-

7.3 Bargaining Representative Report

7.4 Board Report- Board President Thomason reported that Kate Twisselman's father passed away.

8.0 INFORMATION/PRESENTATION ITEMS

8.1 SJUSD Enrollment Report-was provided in the Board packet

8.2 Special Education Report-was provided in the Board packet

8.3 Cafeteria Report- was provided in the Board packet

8.4 Shandon Elementary School Report -was provided in the Board packet

8.5 Superintendent's Report

- Superintendent's- Goals-provided in the board packet.
- Opening of schools-things are working out, students and teachers are working together.
- Ranch WIFI- paying with loss mitigation money, it does not impact the general fund.
- Loss Mitigation Funds- \$364,694, must be spent by December 2020. I-Ready (ELA and Math Support and Assessment \$25,600. Online Middle School Hx Curriculum. Zoom upgrades \$2,000. Ranch WIFI \$50,000. Bilingual Para for SES/SMS \$15,000. Para Educator \$15,000. Online ELL Program \$20,000. Routers for families in need \$1,069 so far. SeeSaw for SES \$360. iPads and cases for SDC \$985. Boys and girls club first half of the year \$22,500.
- ESSER Funds (Emergency Relief Funds) \$48,313, must be spent by Sep 2022. Extending summer school to 6 weeks. Water bottle filling stations \$5,000. Plexiglass barriers and materials \$10-15,000.

- Bond Update- a letter to staff and parents will be sent. FAQ web site and handouts, mailer to every voter household (425).

9.0 APPROVAL OF CONSENT AGENDA

A motion passed to approve the consent agenda with the removal of 9.1 Approval of the Minutes of August 4, 2020 Board Meeting, 9.3 Approval of Ratification of the Personnel Action Report, and 9.6 Approval of BP 0470 COVID-19 Mitigation Plan-second reading (Moe/Parlet) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.

- 9.1 A motion passed to approve the Minutes of August 4, 2020 Board Meeting with corrections (Moe/Speer) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.*
- 9.3 Dr. Benson commented that the District was very lucky to have found the SES Sp Ed Teacher so fast, a motion passed to approve the Ratification of the Personnel Action Report (Moe/Ramirez) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.*
- 9.6 A motion passed to approve BP 0470 COVID-19 Mitigation Plan-second reading (Moe/Speer) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.*

10.0 DISCUSSION/ACTION ITEM

- 10.1 A motion passed to approve the Re-opening of small cohorts/groups of children based on New CDPH guidelines (Speer/Ramirez) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.*
Board member Ramirez excused herself to use the restroom at 8:05PM and returned at 8:07PM.
- 10.2 A motion passed to approve the Resolution 2020-21-04 Committing to Meet Financial Obligations and Maintaining Fiscal Solvency (Moe/Parlet) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.*
- 10.3 A motion passed to approve Resolution 2020-21-05 Sufficiency of Instructional Materials (Moe/Ramirez) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.*
- 10.4 A motion passed to approve Resolution 2020-21-06 District Appropriations Limits (commonly called "GANN Limits") Discussion and Approval of 2019-2020 Unaudited Actuals Financial Report for Prior Year (Moe/Parlet) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.*
- 10.6 A motion passed to approve the 2020-21 Consolidated Programs Application for Categorical Programs (Moe/Ramirez) roll call vote Moe, Speer, Thomason*
- 10.7 A motion passed to approve the Fall/Spring athletic abbreviated schedule (Thomason/Moe) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.*
- 10.8 A motion passed to approve the 10-unit reduction to the Shandon High School graduation Requirements (Speer/Moe) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.*
- 10.9 A motion passed to approve the Student/Parent Handbook 2020-21 Shandon Elementary and Parkfield Elementary with the additions (Moe/Ramirez) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.*

11.0 BOARD POLICIES FIRST & SECOND READINGS (Title IX regulations)

- 11.1 A motion passed to approve AR 4030 Nondiscrimination in Employment with revisions (Moe/Ramirez) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.*
- 11.2 A motion passed to approve BP 4119.11/4219.11/4319.11 Sexual Harassment (Moe/Ramirez) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.*
- 11.3 A motion passed to approve AR 4119.11/4219.11/4319.11 Sexual Harassment (Moe/Ramirez) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.*
- 11.4 A motion passed to approve AR 4119.12/4219.12/4319.12 Title IX Sexual Harassment Complaint Procedures (Moe/Ramirez) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.*
- 11.5 A motion passed to approve BP 5141.22 Infectious Diseases (Moe/Ramirez) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.*
- 11.6 A motion passed to approve AR 5141.22 Infectious Diseases (Moe/Ramirez) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.*
- 11.7 A motion passed to approve BP 5145.3 Nondiscrimination/Harassment (Moe/Ramirez) roll call vote Moe,*

Speer, Thomason, Ramirez, and Parlet voted aye.

11.8 A motion passed to approve AR 5145.3 Nondiscrimination/Harassment (Moe/Speer) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.

11.9 A motion passed to approve BP 5145.6 Parental Notifications (Moe/Ramirez) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.

11.10 A motion passed to approve E 5145.6 Parental Notifications (Moe/Speer) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.

11.11 A motion passed to approve BP 5145.7 Sexual Harassment (Moe/Parlet) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.

11.12 A motion passed to approve AR 5145.7 Sexual Harassment (Moe/Parlet) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.

11.13 A motion passed to approve AR 5145.71 Title IX Sexual Harassment Complaint Procedures (Moe/Ramirez) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.

11.14 A motion passed to approve BP 6146.4 Differential Graduation and Competency Standards for Students with Disabilities (Moe/Speer) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.

11.15 A motion passed to approve BB 9270 Conflict of Interest (Moe/Ramirez) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.

12.0 FUTURE AGENDA ITEM REQUESTS

13.0 ANNOUNCEMENTS

The next regular meeting of the Board of Trustees is scheduled for September 15, 2020 at
Shandon High School, Closed Session at 6:30 PM, Open/Regular Session at 7:00 PM

14.0 ADJOURNMENT

A motion passed to adjourn the meeting at 9:37PM (Parlet/Ramirez) roll call vote Moe, Speer, Thomason, Ramirez, and Parlet voted aye.

Marlene Thomason, President of the Board

Or

Kristina Benson, Superintendent and Secretary
to the Board of Trustees

Facilities Lease Agreement

Shandon Joint Unified School District

2020-2021 LEASE AGREEMENT

San Luis Obispo County Sheriff's Office

This Lease Agreement is made and executed by and between the Shandon Joint Unified School District (SJUSD), hereinafter referred to as "Lessor"; and San Luis Obispo Sheriff's Office 1585 Kansas Ave San Luis Obispo, CA 93405 hereinafter referred to as "Lessee". Lessee hereby offers to utilize from Lessor the premises situated in the town of Shandon, County of San Luis Obispo, State of California, described below in accordance with the stated terms and conditions:

Site	Sq. Feet	Monthly Rent	Annual
TTT Sq. Ft. office space Maintenance & Operations Building	403 X \$.0	0	0
Utilities & Cleaning		0	0
TOTAL ANNUAL			\$0

1. TERM

Term of this Lease Agreement shall commence on July 1, 2020 and expire on June 30, 2021. This term may be extended by the mutual agreement of Lessor and Lessee.

2. RENT

The annual rent for the term July 1, 2020 through June 30, 2021 for Storage Space shall be \$.0 per square foot, per month for 12 months, totaling \$ 0. Payments are due upon invoice, which shall be sent in January and June. All rents shall be paid to Lessor at 101 South First St PO Box 79, Shandon, CA 93461.

3. UTILITIES

N/A

4. ESCALATION OF ANNUAL RENT

N/A

5. USE

The above described premises are to be used for the purpose of office space for a Deputy Sheriff assigned to Shandon.

6. USES PROHIBITED

Lessee shall not use any portion of the premises for purposes other than those specified hereinabove, and no use shall be made or permitted to be made upon the premises, nor acts done, which will increase the existing rate of insurance upon the property, or cause cancellation of insurance policies covering said property. Lessee shall not conduct or permit any sale by auction on the premise(s) of Shandon Joint Unified School District.

7. ASSIGNMENT AND SUBLETTING

Lessee shall not assign this Agreement or sublet any portion of the premises without prior written consent of the Lessor, which shall not be unreasonably withheld. Any such assignment or subletting without consent shall be void and at the option of the Lessor, may terminate this Agreement.

8. ORDINANCES AND STATUTES

Lessee shall comply with all statutes, ordinances and requirements of all municipal, state and federal authorities now in force, or which may hereafter be in force, pertaining to the premises, occasioned by or affecting the use thereof by Lessee. The commencement or pendency of any State or Federal court abatement proceeding affecting the use of the premises shall, at the option of the Lessor, be deemed a breach hereof.

9. MAINTENANCE, CUSTODIAL, REPAIRS, ALTERATIONS

Lessee acknowledges that the premises are suitable for material storage otherwise indicated herein. Lessee shall, at his own expense and at all times, maintain the premises in clean, good and safe condition. Lessor will respond to problems reported by Lessee to the Lessor's Director of Operational Services at phone number, 805-238-0286, for maintenance problems in the areas of roofing, remote heating plants, piping and plumbing which bring water or hot water to

Lessee. Any proposed structural or exterior modifications must first be submitted in writing to Lessor for review and written approval, and such approval will not be unreasonably withheld. Except for modifications determined at the time of termination of this Agreement to be retained for the benefit of Lessor, Lessee shall surrender the premises at the termination hereof in good clean condition as received, normal wear and tear accepted.

10. ENTRY AND INSPECTION

Lessee shall permit Lessor or Lessor's agents to enter upon the premises at reasonable times and upon reasonable notice by contacting the Lessor at 805-238-0286 or by emailing kbenson@shandonschools.org.

11. INDEMNIFICATION OF LESSOR

Lessee agrees to defend, indemnify and save harmless, Lessor and its officers, agents, and employees from and against any and all claims, demands, liability, costs, expenses, damages, causes of action and judgments made and obtained by third parties or Lessee against Lessor which arise out of this Agreement, out of the performance or attempted performance of the provisions thereof, or Lessees' or third parties use of the premises, including but not limited to any act or omission to act by. Lessee or its agents, employees, invitees, students or independent contractors directly responsible to Lessee.

12. POSSESSION

If Lessor is unable to deliver possession of the premises at the commencement hereof, Lessor shall not be liable for any damage caused thereby, nor shall this Agreement be void or voidable, but Lessee shall not be liable for any rent until possession is delivered. Lessee may terminate this Agreement if possession is not delivered within 30 days of the commencement of the term hereof.

13. INSURANCE

N/A

14. SIGNS

Lessee shall not construct any projecting sign or awning without the prior written consent of Lessor and appropriate planning department, which consent by Lessor shall not be unreasonably withheld.

15. ABANDONMENT OF PREMISES

Lessee shall not vacate or abandon the premises at any time during the term hereof, and if

Lessee shall abandon or vacate the premises, or be dispossessed by process of law, or otherwise, any personal property belonging to Lessee left upon the premises shall be deemed to be abandoned, at the option of Lessor.

16. CONDEMNATION

If any part of the premises shall be taken or condemned for public use, and a part thereof remains which is susceptible of occupation hereunder, this Agreement shall, as to the part taken, terminate as of the date the condemnor acquires possession, and thereafter Lessee shall be required to pay such proportion of the rent for the remaining term as the value of the premises remaining bears to the total value of the premises at the date of condemnation; provided, however, that Lessor may at his option, terminate this Agreement as of the date the condemnor acquires possession. In the event that the demised premises are condemned in whole, or that such portion is condemned that the remainder is not susceptible for use hereunder, this Agreement shall terminate upon the date upon which the condemnor acquires possession. All sums which may be payable on account of any condemnation shall belong to the Lessor, and Lessee shall be entitled to retain any amount awarded to him for his trade fixtures or moving expenses.

17. TRADE FIXTURES

Any and all improvements made to the premises during the term hereof shall belong to the Lessor, except trade fixtures of the Lessee. Lessee may, upon termination hereof, remove all trade fixtures, but shall repair or pay for all repairs necessary for damages to the premises occasioned by removal.

18. DESTRUCTION OF PREMISES

In the event of a partial destruction of the premises during the term hereof, from any cause, Lessor shall forthwith repair the same, provided that such repairs can be made within sixty (60) days under existing governmental laws and regulations, but such partial destruction shall not terminate this Agreement, except that Lessee shall be entitled to a proportionate reduction of rent while such repairs are being made, based upon the extent to which the making of such repairs shall interfere with the business of Lessee on the premises. If such repairs cannot be made within said sixty (60) days, Lessor, at his option, may make the same within a reasonable time, this Agreement continuing in effect with the rent proportionately abated as aforesaid, and in the event that Lessor shall not elect to make such repairs which cannot be made within sixty (60) days, this Agreement may be terminated at the option of either party. In the event that the building in which the demised premises may be situated is destroyed to an extent of not less than one-third of the replacement costs thereof, Lessor may elect to terminate this Agreement whether the demised premises be injured or not. A total destruction of the building

in which the premises may be situated shall terminate this Agreement. In the event of any dispute between Lessor and Lessee with respect to the provisions hereof, the matter shall be settled by arbitration in such a manner as the parties may agree upon, or if they cannot agree, in accordance with the rules of the American Arbitration Association.

19. REMEDIES OF LESSOR ON DEFAULT

N/A

20. ATTORNEYS' FEES

In case suit should be brought for recovery of the premises, or for any sum due hereunder, or because of any act which may arise out of the possession of the premises, by either party, the prevailing party shall be entitled to all costs incurred in connection with such action, including a reasonable attorney fee.

21. WAIVER

No failure of Lessor to enforce any term hereof shall be deemed to be a waiver.

22. NOTICES

Any notice which either party may be required to give, shall be given by mailing the same, postage prepaid, to Lessee's Address at 1585 Kansas Ave, San Luis Obispo CA 93405, or Lessor's Address at 101 South First St PO Box 79, Shandon, CA 93461, or at such other places as may be designated by the parties from time to time.

23. POSSESSORY INTEREST TAX

N/A

24. HEIRS, ASSIGNS, SUCCESSORS

This Agreement is binding upon and insures to the benefit of the heirs, assigns and successors in interest to the parties.

25. AMENDMENTS AND MODIFICATIONS

Any changes to this Agreement requested either by the Lessor or Lessee may only be effected if mutually agreed upon in writing by duly authorized representatives of the parties hereto. This Agreement shall not be modified or amended or any rights of a party to it waived except by such writing.

26. SEVERABILITY

In the event any provision of this Agreement shall be held invalid or unenforceable by a court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

27. GOVERNING LAW

The rights and obligations of the parties and all interpretations and performance of this Agreement shall be governed in all respects by the laws of the State of California.

28. TERMINATION

This Agreement shall terminate on the expiration date of the rental term without the necessity of notice from either party. Except in the event that the Lessor requires any of the leased school space for educational purposes, the Lessor may terminate this Agreement by giving written notice of 120 calendar days prior to the school fiscal year ending.

ENTIRE AGREEMENT

The foregoing constitutes the entire Agreement between the parties and may be modified only by a writing signed by both parties.

LESSEE: SLO Sheriff's Office

LESSOR: Shandon Joint Unified School District

BY:

BY:

NAME: TBA

NAME: Kristina Benson

TITLE: TBA

TITLE: Superintendent

DATE:

DATE:

SHANDON JOINT UNIFIED SCHOOL DISTRICT

Regular Meeting of the Board of Trustees

MEETING DATE: September 15, 2020

10.1

AGENDA ITEM TITLE:

Discussion and Approval of the Learning Continuity Plan (LCP)

PREPARED BY:

S. Kepins

AGENDA SECTION:

☐ Reports ☐ Consent ☒ Discussion/Action ☐ First Reading ☐ Information ☐ Resolution

SUMMARY:

The Learning Continuity and Attendance Plan (Learning Continuity Plan) is a key part of the overall budget package for K-12 that seeks to address funding stability for schools while providing information at the local educational agency (LEA) level for how student learning continuity will be addressed during the COVID-19 crisis in the 2020–21 school year. The provisions for the plan were approved by the Governor and Legislature in June in SB 98 and can be found in EC Section 43509.

The Learning Continuity Plan is intended to balance the needs of all stakeholders, including educators, parents, students and community members, while both streamlining engagement and condensing several preexisting plans. In particular, it was important to combine (1) the intent behind Executive Order N-56-20, published in April 2020, which envisioned an off cycle Local Control and Accountability Plan (LCAP) due December 15th, and (2) the ongoing need for LEAs to formally plan to return to school in the midst of the uncertainty and of COVID-19, without requiring two plans. The Learning Continuity Plan replaces the LCAP for the 2020–21 school year.

The Learning Continuity Plan adoption timeline of September 30, 2020 is intended to ensure the Learning Continuity Plan is completed in the beginning of the 2020–21 school year. Additionally, the timeline is intended to allow for communication of decisions that will guide how instruction will occur during the 2020–21 school year. This includes in-person instruction, according to health guidance, and distance learning, while providing critical opportunities for stakeholder engagement.

The Learning Continuity Plan template memorializes the planning process already underway for the 2020–21 school year and includes descriptions of the following: addressing gaps in learning; conducting meaningful stakeholder engagement; maintaining transparency; addressing the needs of unduplicated pupils, students with unique needs, and students experiencing homelessness; providing access to necessary devices and connectivity for distance learning; providing resources and supports to address student and staff mental health and social emotional well-being; and continuing to provide school meals for students.

The red highlighted text are additions from feedback received from SLOCOE

RECOMMENDED ACTION:

Learning Continuity and Attendance Plan Template (2020–21)

The instructions for completing the Learning Continuity and Attendance Plan is available at <https://www.cde.ca.gov/re/lc/documents/lmgcmtntyatndncpln-instructions.docx>.

Local Educational Agency (LEA) Name	Contact Name and Title	Email and Phone
Shandon Joint Unified School District	Shannon Kepins , Principal	skepins@shandonschools.org 805-238-1782

General Information

[A description of the impact the COVID-19 pandemic has had on the LEA and its community.]

Shandon Joint Unified School District, after and emergency board meeting, closed school campuses on March 13, 2020 in response to COVID-19. Starting March 19, 2020 students began distance learning a combination of paper packets and online assignments. All staff and parent meetings immediately switched to an online platform utilizing Zoom and Google Meet. Training on Zoom, Google Meet, Google Classroom and Seesaw was provided in order to make the transition to online learning. The district worked to find internet solutions for our socioeconomically disadvantaged community and staff has worked closely with parents to set up this service and assure that their students can access online assignments. The district utilized all calls, text messages, emails, and Remind to make sure that important information was communicated in multiple formats and accessible to all families.

These changes have been met with support from families and stakeholders but implementation challenges continue. Many of our parents are still working in the farm labor industry, leaving students to work on school work alone or with assistance of older siblings. Some parents have expressed feeling frustrated in being able to access the assignments and feeling unsuccessful in being able to assist their children in meeting the academic demands. Daily contact with families and frequent staff meetings are essential in monitoring the physical and mental well-being of our community and adjusting instructional delivery to meet the academic needs of the students.

Staff struggle with their concerns about health and safety and their desire to meet with their students face to face. Many have expressed feeling overwhelmed by the sudden shift to distance learning and being able to provide a quality educational program delivered through technology. In addition, finding creative ways to motivate students to logon and participate in instruction continues to be a challenge.

Students are also frustrated with distance learning. Many have had to go to work to help support the financial needs of their family and the synchronous instruction is difficult to manage with work responsibilities. Health and safety continue to be concerns for students as well.

The district has been responsive in increasing, providing, and implementing safety protocols including face coverings, temperature checks, plexiglass barriers, and social distancing procedures. Hand sanitizing and water filling stations are also being installed. Instructional minutes have been established along with expectations for Synchronous and Asynchronous instruction. Attendance and participation tracking are being monitored.

Stakeholder Engagement

[A description of the efforts made to solicit stakeholder feedback.]

Throughout the district's transition to distance learning, stakeholders were informed of legal and state requirements. Stakeholder input was solicited and considered as a valuable contribution in strengthening and improving on the safety, academic delivery and effectiveness of our reopening and Learning Continuity Plans. Feedback from parents, community members, students and staff was gathered through surveys, discussion groups, parent advisory meetings, emails, written notices, and drive through information nights. All information was provided in the primary language of the participants and was available in written, verbal and electronic formats.

March 19, 2020 – Parent Survey regarding School Climate

March 23, 2020 – Certificated Staff survey regarding School Climate

March 30, 2020 - Classified Staff survey regarding School Climate

April 25, 2020 - Student survey regarding School Climate

June 4, 2020 - Parent input survey regarding distance learning and to set preferences on the fall learning model

June 7, 2020 – Certificated and Classified Staff survey regarding returning to work and distance learning

July 21, 2020 – School Board Meeting public discussion regarding reopening plans A, B, and C

August 4, 2020 – School Board Meeting public discussion regarding the elementary reopening waiver application, Hybrid Model Plan B, student safety

August 5, 2020- Consultation with Certificated and Classified Staff regarding Hybrid Model Plan B and Distance Learning Plan C, student and staff safety

August 6, 2020 – Parent Drive through Town Hall Meeting regarding elementary reopening waiver application, Reopening Plan C, student safety, childcare, academic and technology support/access

August 28, 2020 – DELAC/SSC parent meeting to discuss and approve the Learning Continuity Plan

September 1, 2020 - Public Hearing for the Learning Continuity Plan

[A description of the options provided for remote participation in public meetings and public hearings.]

All stakeholder meetings and surveys were available in English and Spanish and paper and electronic formats. All Meetings are conducted via Zoom and the meeting notices and Zoom links are posted on the district website. Parent notifications are sent out through our all-call system.

Stakeholders are encouraged to write letters to the Shandon Board of Trustees and administrators regarding COVID -19 issues, questions and concerns.

[A summary of the feedback provided by specific stakeholder groups.]

Feedback from parents include: concerns about child care, health and safety while at school, lack of internet access at home, lack of supervision for working families, availability of families to assist students during distance learning

Certificated and Classified staff expressed concerns regarding child care, health and safety while at school, lack of internet access for families, lack of digital devices necessary to conduct distance learning from the employees' home, lack of supervision for working families, availability of families to assist students during distance learning

Student input included: concerns about health and safety while at school, lack of internet access, balancing school and job-related responsibilities

[A description of the aspects of the Learning Continuity and Attendance Plan that were influenced by specific stakeholder input.]

- *District provided childcare for essential staff members.
- *PPE availability/accessible: thermometer, gloves, masks, plexi-glass dividers
- *Additional academic support and childcare through community partnership with Boys and Girls Club of America
- *Increase training of staff through safety modules that are specifically related to COVID-19 issues and concerns
- *Collaboration with local internet vender to subsidize or provide free of charge internet devices and plans for low income families
- *Purchased Educator Zoom accounts for teaching and administrative staff

Continuity of Learning

In-Person Instructional Offerings

[A description of the actions the LEA will take to offer classroom-based instruction whenever possible, particularly for students who have experienced significant learning loss due to school closures in the 2019–2020 school year or are at a greater risk of experiencing learning loss due to future school closures.]

The district is dedicated to maintaining prior programs meant to provide a broad instructional program with significant support for unduplicated youth who lack the enrichment opportunities and educational support compared to peers from other demographic groups. These programs are designed to be implemented during in-person instruction but will be adapted to continue during required distance learning.

July 21, 2020 and August 4, 2020- SJUSD Board of Trustees provided direction to move to Hybrid Plan B as soon as guidelines are met and move to Plan A – In Person Instruction as quickly as possible. In addition, the district is working with the Local Health Department to begin offering non-instructional support to special education students and intervention students on a daily basis.

Plan B emphasizes small group instruction for the most at -risk students including Foster Youth, English Language Learners and Low socio-economic

Plan A – In-Person Instruction

At its core, Plan A includes in person learning with extensive safety and wellness protocols and considerations. Some distance learning is available to students who need it.

Instruction

In-person instruction will begin with extensive safety precautions

Although we do not promote this desk/table placement for the strongest instruction strategies, we will arrange student desks/tables so that all students are facing the same direction. This protocol will be released as soon as deemed possible.

Teaching through distance learning plan available for staff over 65 and medically vulnerable

Utilize distance learning plan outlined in plan C

Attention to specific student groups in regards to static student grouping and instructional consideration, ex: identify our low performing and at-risk student groups and a plan so that distance/blended learning does not further the achievement gap, possibly allow highest need groups to work on distance learning in the school building with para supervision, use the framework for best practice with distance learning for English learners

Address learning gaps from the 2019-2020 emergency distance learning

At the beginning of the school year, give instruction on how to access computers, virtual tools and websites in order to prepare students in case we need to go back to distance learning

Set protocols with specificity on safety routines in class, in hallway, in bathrooms, at recesses/passing periods, etc. that will be the same at each school

Minimize passing of papers and utilize one turn-in box for papers combined with online instructions

Additional staff training

Face shields for teachers that need it considering that some students need the visual cues, ex: English learners and hard of hearing/deaf students

Garner more specific input from instructional leadership regarding progress at each site

Special Education

Traditional special education instruction

Cleaning scheduled enhanced for TK-3, and elementary SDC classrooms

PPE enhanced for Tk-3, and elementary SDC classroom staffs

Plexiglass installed for required small group work that requires less than 6 feet between student and teacher or therapist

Agreements in place for distance learning as needed

Assessment to determine regression since closure

Assessment to determine regression since ESY as needed

Co-taught classrooms for in-person as well as distance learning components

Support provided by paraeducators for in-person as well as distance learning components

Input from special education leadership teams on a more detailed plan

Assessment carryover completed in the first 30 or 60 days

For families who choose distance learning due to “health of child” concerns:

- Identify service providers

- Train for continued DL

- Train for tele-assessment

Plan B- Hybrid Model In-person instruction with required social distancing and small group gatherings combined with distance learning

At its core, Plan B is focused on equitable learning through a program provided via a combination of distance learning and socially-distant, in-person instruction.

Instruction

District-wide Plan B requires:

Utilizing the same distance platform as Plan C, this is important should SJUSD have to fully transition to distance learning

Attention to specific student groups in regards to static student grouping and instructional considerations, ex:

- Identify our low performing and at risk student groups and a plan so that distance/blended learning does not further the achievement gap.

- Possibly allow highest need groups to work on distance learning in the school building with para supervision on additional days

- Address learning gaps from the 2019-2020 emergency distance learning

Plan for situations in which packets or materials are needed instead of/in addition to online instruction.

Authentic assessment in both the in-person and distancing learning components

If masks are required, they should have a clear area for the mouth for students who need the visual clues; or clear shields could be used. The use of masks will be determined by the County or State guidelines.

Training for classroom aides on providing support during distance learning

Consistent grading policies across in-person and distance learning

Customization of instruction to fit the online vs in-person environment

Review curricular areas and non a-g options that are not required, especially if those are difficult to offer through distance learning and socially distance learning

Planning time for teachers

Gather continuous input and feedback from instructional groups, leadership, and families

To reduce the shared use of space by a large number of people, teacher movement between classes will be prioritized over student movement when possible, ex: teacher moves from class to class instead of students moving from class to class

Consideration will be made for classes with extensive materials (science lab)

Options for online instruction adapted by program level ex: elementary, middle and high may use different platforms or curriculum delivery models

Special Education

District-wide Plan B requires:

Agreements in place for distance learning if needed

Assessment to determine regression since closure

Co-taught classrooms for in-person as well as distance learning components

Support provided by paraeducators for in-person as well as distance learning components

Grouping of students in two sessions that maximizes the ability to target goal areas with each student

Plexiglass installed for required small group work that requires less than 6 feet between student and therapist

Enhanced PPE for TK, lower elementary Special Day Class (SDC)

Co and Extracurricular

District-wide Plan B requires:

Following state guidelines and orders

Scheduling

District-wide Plan B requires:

Only half of the students will be present at any one time.

For each in-person day, classes will be divided by two or three and students will be assigned the same teacher each day of attendance.

Actions Related to In-Person Instructional Offerings [additional rows and actions may be added as necessary]

Description	Total Funds	Contributing
Utilize College and Career Guidance initiative to provide pathways to college through financial aid and the application process for English Learners and socioeconomically disadvantaged students.	\$61,029	Y
Continue CTE course offerings at Shandon High School and Middle School to ensure the availability of career and college readiness options.	\$113,882	Y
Shandon High School will maintain credit recovery options and course availability.	\$10,731	Y
Continue to upgrade and add technology accessibility for access to online credit recovery options and CTE online courses to prepare students for college and career readiness.	\$30,000	Y
Shandon High School will offer music education that support student and parent interests as indicated through stakeholder feedback.	\$10,809	Y
Good daily attendance will be monitored with AERIES, communicated through Bright Arrow, and encouraged through rewards and incentives.	\$500	Y
Provide staff development in Math, English Language Arts, English Language Development, Next Generation Science, and instructional strategies designed to provide English Learners with access to core curriculum.	\$500	Y
Provide access to para educators to assist English Learners with accessing core curriculum.	\$100,349	Y
Maintain appropriate site level administrative support to address behavior, parent communication, SST meetings, after school detention and social emotional needs of students.	\$70,951	Y
Maintain additional day of counseling to support low income students in developing socialization skills and the impacts of trauma.	\$56,978	Y
SJUSD will utilize Survey Monkey as a district-wide evaluation tool that involves all stakeholders in planning goals and supports for student success.	\$384	Y
Maintain bilingual support to meet Spanish translation needs and to communicate with families, students, and parents regarding student wellness and academic performance.	\$98,737	Y

Description	Total Funds	Contributing
Install plexiglass partitions in all reception areas and for barriers between students and teachers.	\$ 8,355	N
Provide face coverings for staff, students and visitors.	\$ 0	N
Increase sanitation supplies	\$ 0	N
Install water filling stations at all school sites.	\$ 10,000	N

Distance Learning Program

Continuity of Instruction

[A description of how the LEA will provide continuity of instruction during the school year to ensure pupils have access to a full curriculum of substantially similar quality regardless of the method of delivery, including the LEA's plan for curriculum and instructional resources that will ensure instructional continuity for pupils if a transition between in-person instruction and distance learning is necessary.]

The district has established required instructional minutes to be conducted through synchronous and asynchronous daily instruction. Lessons and Zoom instruction will be recorded and posted to the online platform for parent and student accessibility.

*District adopted curriculum is web-based and is utilized during in-person and/or distance learning instruction. Curriculum includes:

Mystery science

Study Sync

ALEKS Math

My Math

Wonders

Studies weekly

*Teachers will also use simulated labs for science.

* Teachers will track daily attendance by maintaining detailed logs of student contact and participation rates.

* Administrators have access to all google classrooms and will monitor class and assignment content as well as teacher/student interaction.

* Common Assessments for digital and paper packet learners

* Break out rooms for small group instruction including ELD and SEL

* Individualized meetings to address IEP goals and instruction

- *Attention to specific student groups in regards to static student grouping and instructional considerations, ex:
- *Identify our low performing and at-risk student groups and a plan so that distance/blended learning does not further the achievement gap.
- *Possibly allow highest need groups to work on distance learning in the school building with para supervision on additional days
- *Address learning gaps from the 2019-2020 emergency distance learning
- *Plan for situations in which packets or materials are needed instead of/in addition to online instruction.
- *Authentic assessment in both the in-person and distancing learning components
- *Training for classroom aides on providing support during distance learning
- *Consistent grading policies across in-person and distance learning
- *Customization of instruction to fit the online vs in-person environment
- *Review curricular areas and non a-g options that are not required, especially if those are difficult to offer through distance learning and socially distance learning
- *Planning time for teachers
- *Gather continuous input and feedback from instructional groups, leadership, and families
- *Consideration will be made for classes with extensive materials (science lab)
- *Options for online instruction adapted by program level ex: elementary, middle and high may use different platforms or curriculum delivery models

Access to Devices and Connectivity

[A description of how the LEA will ensure access to devices and connectivity for all pupils to support distance learning.]

All parents were surveyed in English and Spanish to identify their internet and technology needs.

All students are issued Chromebooks and K-2 students are also issued Fire Kindles for lesson accessibility, completion, and communication. The district supports technology needs of students by replacing all damaged, lost or broken devices, providing subsidized or free internet access through a collaboration with local vendors, and technology education and instructions for Zoom, Google Classroom, and AERIES.

Pupil Participation and Progress

[A description of how the LEA will assess pupil progress through live contacts and synchronous instructional minutes, and a description of how the LEA will measure participation and time value of pupil work.]

Zoom participation will be tracked through features that time stamp student participation. Teacher and Para educator accounting logs for individual student contact via email, phone or text. Both zoom logs and teacher and para educator logs will be routinely reviewed by administration. Lessons are provided based on state required instructional minutes and time values are determined with collaboration between teachers and administration. Digital lesson will be equivalent to paper packets for those preferring a more traditional approach. All lessons will be provided as synchronous instruction. Video of synchronous instruction will be posted in each google classroom to provide an asynchronous option for working students and families.

Hours are awarded based on the length of time it takes an average student to complete the assignment.

Distance Learning Professional Development

[A description of the professional development and resources that will be provided to staff to support the distance learning program, including technological support.]

Classified and Certificated staff expressed an interest/need to expand their knowledge in distance learning platforms and tools. In-house training and sharing of best practices during the 20/21 school year will include:

- *Google Classroom
- * Seesaw
- * Zoom
- * Google Hangouts
- * Remote conferencing and assessment
- * Digital curriculum subscriptions
- * Screencastify
- * Flipgrid
- * Live video stream
- * i-Ready
- * Training for classroom aides on providing support during distance learning

Staff Roles and Responsibilities

[A description of the new roles and responsibilities of affected staff as a result of COVID-19.]

One bus driver has been moved to assist in the cafeteria.

All staff members have been tasked with keeping the school clean and sanitized.

Teacher staff has increased their use of digital platforms, parent contacts.

Para educators are providing on site childcare for essential district personnel.

All staff participated in Pesticide Regulation Training and Required Health Schools Act Training to assist with increased sanitation

Supports for Pupils with Unique Needs

[A description of the additional supports the LEA will provide during distance learning to assist pupils with unique needs, including English learners, pupils with exceptional needs served across the full continuum of placements, pupils in foster care, and pupils who are experiencing homelessness.]

During the 2020 and 2021 schoolyear for Special Education (academics) the plan is to contact each student at their homes through Zoom or over the phone. We will be using a research-based and standards-based curriculum to work on each student's goals, just as if we were face to face. Each student will be given the amount of time listed in their IEPs as they will get all their minutes in per week.

We will set up groups that have similar needs and have them online at the same time. Each student will be provided a bag with all materials and supplies needed during our Zoom meetings.

We will be using the following curriculums with each student according to their needs:

*Phonics for Reading

*Making Words

*Guided reading

*Visualizing and verbalizing

*Seeing Stars

*Multiplication.com

*Math Skills

*Khan Academy

*i-Ready

*ZOOM upgrade to provide breakout room opportunities for small group instruction

*Mystery Science

Additional Supports to provide distance learning to assist English Language Learners will include bilingual para educator support, individualized ELD lessons based on ELPAC scores and language needs, designated and integrated ELD provided by classroom teacher their live instruction.

The district is working to provide free or subsidized internet access to all students but principally directed to support the needs of foster youth and students who are experiencing homelessness. In addition, the district will offer free breakfast and lunch daily.

District provided counselors will be available to provide support to students who are experiencing trauma or in need of social emotional care. Counselors will make phone calls and home visits to our foster and homeless youth on a weekly basis to support these groups with the challenges of isolation, COVID-19 related concerns, and family unrest.

The district has established a community partnership with the Boys and Girls Club of America to offer an onsite program to provide academic support and a safe place for students to work during distance learning. This service will be primarily directed to support our unduplicated population.

Actions Related to the Distance Learning Program [additional rows and actions may be added as necessary]

Description	Total Funds	Contributing
Purchase Educator Zoom accounts for all certificated and administration staff to conduct online meetings and synchronous, daily, live instruction.	\$1,980	N
Collaborate with local internet vendors to provide free or subsidized internet services to families.	\$50,000	Y
Purchase i-Ready to assess student performance in math, ELA and SEL and plan interventions to mitigate learning loss.	\$25,000	Y
Purchase Mystery Science for online science instruction and modules.	\$499	N

Pupil Learning Loss

[A description of how the LEA will address pupil learning loss that results from COVID-19 during the 2019–2020 and 2020–21 school years, including how the LEA will assess pupils to measure learning status, particularly in the areas of English language arts, English language development, and mathematics.]

Assessment data will be collected in August and September of 2020 through online assessment platforms, Zoom, and in person if/when allowed. Data will be compared to data acquired before our school closure in March of 2020 to identify pupil learning loss.

Assessment tools for ELA include i-Ready, Fountas and Pinnell Running Records, STAR Reading.

Assessment tools for Math include i-Ready and ALEKS

Assessment tool for ELD and SEL will be i-Ready

Pupil Learning Loss Strategies

[A description of the actions and strategies the LEA will use to address learning loss and accelerate learning progress for pupils, as needed, including how these strategies differ for pupils who are English learners; low-income; foster youth; pupils with exceptional needs; and pupils experiencing homelessness.]

Para educators, teachers and special education staff will be utilized to meet the learning needs and challenges of these subgroups.

English Learners will participate in bilingual zoom breakout rooms for small group instruction based on their ELPAC level and language needs.

Low Income, Foster Youth and Homeless Students will be provided intervention and small group instruction in addition to daily synchronous classroom instruction via Zoom.

Pupils with Exceptional Needs will participate in individualized zoom instruction to provide academic acceleration and to meet IEP goals and timelines.

i-Ready is used to assess grade levels and compare to previous data points. i-Ready is also available in a Spanish version for math.

Effectiveness of Implemented Pupil Learning Loss Strategies

[A description of how the effectiveness of the services or supports provided to address learning loss will be measured.]

Utilization of i-Ready assessment program will provide useful progress monitoring data to drive instruction. i-Ready is used to assess grade levels and compare to previous data points.

I-Ready assessments combine curriculum based measured and computer adaptive tests for reading, math and social emotional behavior and delivers accurate, actionable reports for screens, skill analysis, instructional planning, to ensure educators have the right tools and the right data to provide timely and target supports.

Actions to Address Pupil Learning Loss [additional rows and actions may be added as necessary]

Description	Total Funds	Contributing
Maintain reading intervention support through a part time reading specialist and Fountas and Pinnell reading intervention and Leveled Literacy Intervention materials.	\$62,277	Y
Through a partnership with Boy and Girls Club of America, SJUSD will provide an after-school program for K-8 students to support working families with child care, homework assistance and enrichment opportunities.	\$45,000	Y
Provide math and reading intervention to middle and high school students through tutorial and a learning lab. Maintain math intervention programs ALEKS for grades 3-12. The district will explore alternative funding sources (\$15,000) to continue with ST Math for TK-8.	\$27,785	Y

Mental Health and Social and Emotional Well-Being

[A description of how the LEA will monitor and support mental health and social and emotional well-being of pupils and staff during the school year, including the professional development and resources that will be provided to pupils and staff to address trauma and other impacts of COVID-19 on the school community.]

Prior to the COVID-19 closure, K-12 instructional staff participated in trauma-informed professional development trainings, led by a trained counselor and our superintendent, who is also trained in trauma informed care. Staff are trained in how to monitor for signs of depression, anxiety, and self-harm, and they regularly communicate concerns regarding students to the district mental health Team. This team consists of a counselor, school psychologist, and administrative staff. This team maintains a confidential database of at-risk students, and specific staff members are assigned to check in with those students on a regular basis. The team communicates on a weekly basis at minimum, and has ready access to personal and professional phone numbers, and emails.

For the upcoming school year, the district has scheduled instructional time designed to check in with students regarding how they are handling the COVID-19 closure and related changes in their lives. Elementary School staff are using the Second Step Social emotional learning curriculum, and will continue to provide lessons designed to enable students to remain resilient during the COVID-19 closure. Elementary staff will be provided with elements of the Bounce Back program, a program that addresses adaptive thoughts and feelings related to unpredictable changes, and provides students with skills and understanding to effectively negotiate unpredictable situations. Teaching staff will continue to monitor student social emotional health during instructional times and through parent report, and will refer students who are struggling to the mental health team for follow up.

Pupil and Family Engagement and Outreach

[A description of pupil engagement and outreach, including the procedures for tiered reengagement strategies for pupils who are absent from distance learning and how the LEA will provide outreach to pupils and their parents or guardians, including in languages other than English,

when pupils are not meeting compulsory education requirements, or if the LEA determines the pupil is not engaging in instruction and is at risk of learning loss.]

The district will take a tiered approach to reengage students who are absent from distance learning and or not engaging in instruction. Para educators and teachers will be making parent contact when a student has missed two or more logon opportunities. Home visits by teachers and administration will be conducted to conference with the family to discuss the absences and the importance of daily instruction.

Counselors will make home visits to address emotional needs that may be prohibiting active engagement and to design an educational plan that meets individual learning needs of the student and family.

Student work permits may be pulled if an educational plan and expectations are not met due to student employment.

The district will proceed with the SARB process with use of the school resource officer if a resolution is not reached.

Academic counseling on the importance or completion of current school year and the impact on future growth if completion is not attained.

School Nutrition

[A description of how the LEA will provide nutritionally adequate meals for all pupils, including those students who are eligible for free or reduced-price meals, when pupils are participating in both in-person instruction and distance learning, as applicable.]

Shandon Joint Unified School District (SJUSD) is under Community Eligibility Provisions and all students eat for free under this provision for all meals until 2021-2022 school year. SJUSD will provide nutritionally adequate meals for all students everyday regardless whether students are doing distance learning or are in session. Meals provided will be breakfast and lunch and will follow NSLP and SBP guidelines. Students will be able to “grab and go” with their meals and either take them home or take them to their classroom or another spot on campus to socially distance amongst themselves.

Additional Actions to Implement the Learning Continuity Plan [additional rows and actions may be added as necessary]

Section	Description	Total Funds	Contributing
Mental Health and Social and Emotional Well-Being	Contract with the County Office of Education to expand Thrive Counseling services.	\$142,749	Y

School Nutrition	Partnership with the Berryman to provide fresh fruits and vegetables to our community free of charge and extending our school meal program to accommodate students during school breaks.	\$30,843	Y
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Increased or Improved Services for Foster Youth, English Learners, and Low-Income Students

Percentage to Increase or Improve Services	Increased Apportionment Based on the Enrollment of Foster Youth, English Learners, and Low-Income students
24.72%	\$688,944

Required Descriptions

[For the actions being provided to an entire school, or across the entire school district or county office of education (COE), an explanation of (1) how the needs of foster youth, English learners, and low-income students were considered first, and (2) how these actions are effective in meeting the needs of these students.]

After assessing the needs, conditions, and circumstances of our English learners and socioeconomically disadvantaged students, we discovered that efforts to support social emotional wellness of students has had a positive effect on these subgroups and must be continued through the COVID pandemic and distance learning as many students are in fear for their health and safety.

Data reported through the CA School Dashboard reveals a decrease in suspension rates over a three-year period.

2017: Socioeconomically Disadvantaged were assigned a yellow indicator with a suspension rate of 5.9%

2018: English Learners and Homeless were assigned an orange indicator. English Learner suspension rate was 2.6% and Homeless suspension rate was 6.1%. Socioeconomically Disadvantaged was assigned a yellow indicator and a suspension rate of 4.7%.

2019: Homeless and Students with Disabilities were assigned an orange indicator. English Learners were assigned a yellow indicator and Socioeconomically Disadvantaged were assigned a green indicator. Homeless suspension rate was 5.9%; Students with Disabilities suspension rate was 4% and Socioeconomically Disadvantaged suspension rate was 3.3%

2020: 20% of LEA students received counseling and guidance support on a regular basis during in-person instruction and continued through distance learning support. These services were available to 100% of students.

The following actions will be continued to support the social emotional needs of unduplicated students on a LEA wide basis regardless of our in-person or distance learning status. Through maintenance of this goal and actions we expect that 89% of our parents will feel that their children are safe while at school, 95% of students will report feeling safe and supported and the district suspension rate will be no more than 2% by 2023 as reported by the Ca School Dashboard.

Action - Maintain appropriate site level administrative support to address behavior, parent communication, SST meetings, after school detention and social emotional needs of students.

Action - Maintain additional day of counseling to support low income students in developing socialization skills and the impacts of trauma including depression and anxiety as a result of COVID-19.

Action - District Counselor will serve as the Homeless and Foster Youth Liaison to document and address needs of Foster youth.

Action - SJUSD will utilize Survey Monkey as a district-wide evaluation tool that involves all stakeholders in planning goals and supports for student success.

Action - Maintain bilingual support to meet Spanish translation needs and to communicate with families, students, and parents regarding student wellness and academic performance.

After assessing the needs, conditions, and circumstances of our English learners and socioeconomically disadvantaged students, we discovered that efforts to support academic and career readiness needs of students has had an overall positive effect on these subgroups and will be continued regardless of our in-person or distance learning status to ensure career and college readiness of our students.

The small class size of Shandon High School will result in a wide fluctuation of student subgroups and reporting information from year to year and one or two students can drastically affect multiple subgroups.

Data reported through the California School Dashboard reveals a fluctuation in the percent of students in each subgroup who are recognized as being College and Career Ready.

2017: 15.4% of Hispanic, 8.3% of Socioeconomically Disadvantaged

2018: 42.1% of Hispanic, 40% of Socioeconomically Disadvantaged

2019: 9.1% of English Learners, 20% of Hispanic, and 23.5% of Socioeconomically Disadvantaged are prepared for College and Career.

Data is not available for 2020; however, local data indicates that of our High School Seniors identified as English Learner and/or Socioeconomically Disadvantaged two were accepted to attend multiple four-year universities, 75% are attending a community college, 20% went on to a career and 1 student went to the military.

Data reported through the California School Dashboard provided the following Graduation Rates:

2017: All unduplicated students graduated

2018: (2 unduplicated students did not graduate) 90% of Socioeconomically Disadvantaged students graduated

2019: (1 unduplicated student moved from our district and was not picked up by another Ca school) 90.9% of English Learners, 86.7 of Hispanic, 88.2% of Socioeconomically Disadvantaged

California Dashboard data is not available for 2020 but local data reveals that 100% of unduplicated students graduated.

The following actions will be continued to support the academic and career development of unduplicated students on a school wide basis regardless of in-person or distance learning instruction. Through maintenance of this goal and actions we expect that the graduation rate will be at 100% and that the number of failing classes within our unduplicated subgroup will decrease over the academic year. In addition, we expect a 5% increase in the percentage of English Learners, Hispanic and Socioeconomically Disadvantaged students who are College and Career Ready as reported through the California School Dashboard.

Action - Utilize College and Career Guidance initiative to provide pathways to college through financial aid and the application process for English Learners and socioeconomically disadvantaged students.

Action – Continue CTE course offerings at Shandon High School and Middle School to ensure the availability of career and college readiness options. Our CTE courses are designed to build college and career readiness in the field of agriculture. Shandon unduplicated student groups are already working in Ag related fields and CTE courses help them get beyond entry level positions in the Ag community. We currently have 16 work permits issued for students to work in these industries.

Action - Shandon High School will maintain credit recovery options and course availability. In 2020, 30 students were enrolled in summer school and by accessing credit recovery options they avoided having to retake classes in the fall. Approximately 80% of those attending summer school were unduplicated students who failed a course in the Spring or needed credit recovery.

Action - Continue to upgrade and add technology accessibility for access to online credit recovery options and CTE online courses to prepare students for college and career readiness. The district is providing 1-1 devices for all students and subsidizing internet services for all students but is primarily designed to support socioeconomically disadvantaged students.

Action - Shandon High School will offer music education that support student and parent interests as indicated through stakeholder feedback.

As a result of surveying unduplicated student interests and the cost of musical instruments the district is providing access to instruments and course instruction at no cost to the students.

After assessing the needs, conditions, and circumstances of our English learners and socioeconomically disadvantaged students, we learned that English learners are performing 12 points behind "All Students" in ELA and 9 points behind "All Students" in math. Homeless students are performing 1.2 points behind "All Students" in ELA and 14.9 points behind "All Students" in math. Socioeconomically disadvantaged students are performing 4.4 points above "All Students" in ELA and 3.6 points behind "All Students" in math.

Three-year comparison:

ELA 2017: All subgroups were assigned an orange indicator. English Learners performed 37.6 points below standard, Homeless performed 60.8 points below standard and Socioeconomically Disadvantaged performed 35.1 points below standard

2018: All subgroups were assigned an orange indicator. English Learners performed 55.7 points below standard, Homeless performed 57.7 points below standard and Socioeconomically Disadvantaged performed 43.7 points below standard

2019: English Learners were assigned an orange indicator and performed 54.8 points below standard. Homeless were assigned a yellow indicator and performed 43.5 points below standard. Socioeconomically Disadvantaged were assigned a yellow indicator and performed 37.9 points below standard.

Math 2017: Homeless were assigned a red indicator and performed 95.8 points below standard. All other subgroups were assigned an orange indicator. English learners performed 66.8 points below standard, Socioeconomically Disadvantaged performed 79.8 points below standard.

2018: All subgroups were assigned a yellow indicator. English Learners performed 67.7 points below standard, Homeless performed 81.5 points below standard and Socioeconomically Disadvantaged performed 71.8 points below standard

2019: All subgroups were assigned an orange indicator. English Learners performed 77 points below standard, Homeless performed 83 points below standard and Socioeconomically Disadvantaged performed 71.7 points below standard

The following actions were designed to address these academic deficiencies. Due to the small size of our district and further reflection on three years of data it was determined that slight changes in subgroup enrollment from one year to the next, significantly contributes to the change in status from year to year and inconsistent growth projections as tracked by standardized methods; however, analysis of individual actions indicated positive effects on subgroup performance. Therefore, we are continuing to implement actions previously executed on a LEA and school wide basis and we expect the academic performance of English learners, Socioeconomically Disadvantaged and Homeless students will increase by a minimum of 20 points in both ELA and math as reported by the 2023 CA Dashboard. These actions will be maintained regardless on in-person or distance learning instruction methods.

Action - Maintain reading intervention support through a part time reading specialist and Fountas and Pinnell reading intervention and Leveled Literacy Intervention (LLI) materials. Students participating in an academic year of reading intervention are averaging 1.16 years of growth in reading fluency and comprehension as measured by running records.

Action - Through a partnership with Boy and Girls Club of America, SJUSD will provide an after-school program for K-8 students to support working families with child care, homework assistance and enrichment opportunities. The Boys and Girls Club was only operational for the 2019-2020 school therefore statistical significance of the program is inconclusive at this time. However, parent survey results revealed 60% of parents responded that they utilize the Boy and Girls Club and found it effective in meeting academic and homework needs for their students. The Boys and Girls Club is offering academic and homework support primarily for English Learners, Foster Youth, Special Education, and Socioeconomically Disadvantaged students from 8:00 to 3:00pm while on distance learning and will continue with after school support when we return to in-person instruction.

Action - Provide math and reading intervention to middle and high school students through tutorial and a learning lab. Maintain math intervention program, ALEKS, for grades 3-12. The district will explore alternative funding sources (\$15,000) to continue with ST Math for TK-8. The effectiveness of this action is inconclusive at this time. Interim data was not available for the 2019-2020 school year but for 2018-2019 school year, interim data revealed: that 26% of the students were meeting or exceeding math standard expectations in March of 2019 compared to only 11% in March of 2018. 2019-2020 Data also revealed that only 6% of students were making desired progress through ALEKS but instructional delivery needs to be modified internally.

Action - Good daily attendance will be monitored with AERIES, communicated through Bright Arrow, and encouraged through rewards and incentives. From 2018 to 2019 the district indicator from Chronically absent students has moved from orange to green for all students. This action was originally designed to address the significant absenteeism rates among our homeless and socioeconomically disadvantaged

students. This action has proved to be successful and maintenance into the next LCAP cycle is required. The CA School Dashboard reported the following for Chronic Absenteeism in 2018: Homeless was assigned an orange indicator with 14.9% being chronically absent. Socioeconomically Disadvantaged was assigned a yellow indicator with 11.5% identified as being chronically absent.

CA School Dashboard for 2019 reported that all subgroups were assigned a green indicator; however, Socioeconomically Disadvantaged were identified as having the highest chronically absent percentage with 8.2%.

After assessing the needs, conditions, and circumstances of our English learner students, we learned that our English Learners are performing 55.1 points below "All Students" on CAASPP ELA summative assessments. In order to address the achievement gap we have established two actions. These actions are being provided on a LEA Wide basis and we expect English Learner students to perform no less than 25 points below "All Students" on CAASPP ELA standard as reported through the CA Dashboard and a 6% increase in the number of students being reclassified as English language proficient by 2023. These actions are being continued from the 2019-2020 school year because since implementation we have redesignated 15% of our English learners. Push-in classroom supports currently serve approximately 60 students per day. Data suggests that out of the English learner students receiving para-educator support, 36 students have been redesignated over the past three years, as opposed to 7 students being redesignated in the three years prior to this.

Action - Provide staff development in Math, English Language Arts, English Language Development, Next Generation Science, and instructional strategies designed to provide English Learners with access to core curriculum. Staff development will be expanded to include effective methods for motivating, engaging and instructing through an online platform to increase rigor during distance learning.

Action - Provide access to bilingual para educators to assist English Learners with accessing core curriculum regardless of in-person or distance learning status.

The following are new actions being implemented to assist the unique distance learning needs of our Socioeconomically Disadvantaged subgroup which makes up 82.8% of Shandon Joint Unified School District's student body.

Action - Collaborate with local internet vendors to provide free or subsidized internet services to families.

Action - Purchase Mystery Science for online science instruction and modules.

Mental Health and Social and Emotional Well-Being – Contract with the County Office of Education to expand Thrive Counseling services to address trauma, depression, and fear as a result of COVID-19 and shuttering at home.

School Nutrition- Partnership with the Berryman to provide fresh fruits and vegetables to our community free of charge and extending our school meal program to accommodate students during school breaks.

The following new action is being implemented to meet the unique assessment needs of English Learners during distance learning.

Action - Purchase i-Ready to assess student performance in math, ELA and SEL and plan interventions to mitigate learning loss. Assessment are designed to support English Learners with Spanish translations.

[A description of how services for foster youth, English learners, and low-income students are being increased or improved by the percentage required.]

SJUSD has an unduplicated count of over 84% which allows for the use of Supplemental and Concentration Local Control Formula Funds (LCFF) in either school wide or district wide manner, depending on targeted needs. Due to the small size of the district, services and actions implemented through the LCFF will support all students as this will be the most effective use of funds.

Based on staff and stakeholder feedback, experience, educational theory, and research on effective practices we are implementing 20 Actions/Services specifically identified as directly meeting the increased or improved services requirement for low income, foster youth, and English learner students. The required percentage of improved services equates to \$688,944 and SJUSD district has budgeted \$689,912 through LCFF funds and \$249,652.92 from additional funding sources to implement actions and services principally directed to and effective in meeting the increased or improved services for unduplicated students.

Actions to Related to In-Person Instructional Offerings

Action - Utilize College and Career Guidance initiative to provide pathways to college through financial aid and the application process for English Learners and socioeconomically disadvantaged students. \$61,029

Action - Continue CTE course offerings at Shandon High School and Middle School to ensure the availability of career and college readiness options. \$113,882

Action - Shandon High School will maintain credit recovery options and course availability to ensure graduation. \$10,731

Action - Continue to upgrade and add technology accessibility for access to online credit recovery options and CTE online courses to prepare students for college and career readiness. \$30,000

Action - Shandon High School will offer music education that support student and parent interests as indicated through stakeholder feedback. \$10,809

Action - Good daily attendance will be monitored with AERIES, communicated through Bright Arrow, and encouraged through rewards and incentives. \$500

Action - Provide staff development in Math, English Language Arts, English Language Development, Next Generation Science, and instructional strategies designed to provide English Learners with access to core curriculum. \$500

Action - Provide access to para educators to assist English Learners with accessing core curriculum. \$100,349

Action - Maintain appropriate site level administrative support to address behavior, parent communication, SST meetings, after school detention and social emotional needs of students. \$70,951

Action - Maintain additional day of counseling to support low income students in developing socialization skills and the impacts of trauma. \$56,978

Action - SJUSD will utilize Survey Monkey as a district-wide evaluation tool that involves all stakeholders in planning goals and supports for student success. \$384

Action - Maintain bilingual support to meet Spanish translation needs and to communicate with families, students, and parents regarding student wellness and academic performance. \$98,737

Actions Related to the Distance Learning Program

Action - Collaborate with local internet vendors to provide free or subsidized internet services to families. \$50,000

Action - Purchase i-Ready to assess student performance in math, ELA and SEL and plan interventions to mitigate learning loss. Assessment are designed to support English Learners with Spanish translations. \$25,561.92

Action - Purchase Mystery Science for online science instruction and modules. \$499

Actions to Address Learning Loss

Action - Maintain reading intervention support through a part time reading specialist and Fountas and Pinnell reading intervention and Leveled Literacy Intervention (LLI) materials. \$62,277

Action - Through a partnership with Boy and Girls Club of America, SJUSD will provide an after-school program for K-8 students to support working families with child care, homework assistance and enrichment opportunities. \$45,000

Action - Provide math and reading intervention to middle and high school students through tutorial and a learning lab. Maintain math intervention programs ALEKS for grades 3-12. The district will explore alternative funding sources (\$15,000) to continue with ST Math for TK-8. \$27,785

Additional Actions to Implement the Learning Continuity Plan

Mental Health and Social and Emotional Well-Being – Contract with the County Office of Education to expand Thrive Counseling services to address trauma, depression, and fear as a result of COVID-19. \$142,749

School Nutrition- Partnership with the Berryman to provide fresh fruits and vegetables to our community free of charge and extending our school meal program to accommodate students during school breaks. \$30,843

SHANDON JOINT UNIFIED SCHOOL DISTRICT

Board Policy

Nutrition Program Compliance

BP 3555

Business and Noninstructional Operations

****Note: The following policy is required for any district whose child nutrition programs (i.e., National School Lunch Program, School Breakfast Program, Special Milk Program, and/or other child nutrition program) receive state or federal funding. During the California Department of Education's (CDE) Administrative Review of the district's child nutrition programs, CDE will review whether the district has a written procedure that complies with requirements pertaining to civil rights and nondiscrimination.****

****Note: Various state and federal laws prohibit discrimination in district programs and activities on the basis of actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. See BP 0410 - Nondiscrimination in District Programs and Activities.****

****Note: CDE's Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs and the U.S. Department of Agriculture's (USDA) FNS Instruction 113-1, Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, provide guidance to districts on how best to comply with federal law.****

The Governing Board recognizes the district's responsibility to comply with state and federal nondiscrimination laws as they apply to the district's nutrition programs. The district shall not deny any individual the benefits or service of any nutrition program or discriminate against him/her on any basis prohibited by law.

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

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3552 - Summer Meal Program)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5030 - Student Wellness)

Compliance Coordinator

****Note: According to CDE's Civil Rights and Complaint Procedures for the Child Nutrition Programs, districts are required to appoint a coordinator to be responsible for ensuring district compliance with law governing child nutrition programs. The following paragraph may be revised to reflect district practice.****

The Board **shall** designate **a** the compliance officer(s) **coordinator for nutrition programs, who may also be the compliance officer(s)** specified in AR 1312.3 - Uniform Complaint Procedures, ~~as the district's civil rights coordinator to ensure compliance with the laws governing the district's nutrition programs. its nutrition programs and to investigate any related complaints.~~

****Note: Items #1-10 below reflect the duties of the coordinator as provided in CDE's Civil Rights and Complaint Procedures for the Child Nutrition Programs.****

The responsibilities of the compliance officer/coordinator include, but are not limited to:

1. Providing the name of the ~~civil rights~~ **compliance** coordinator, Section 504 coordinator, and Title IX coordinator, if different from the ~~civil rights~~ **compliance** coordinator, to the California Department of Education and other interested parties
(cf. 6164.6 - Identification and Education Under Section 504)

2. Annually providing mandatory civil rights training to all frontline staff who interact with program applicants or participants and to those who supervise frontline staff

****Note: FNS Instruction 113-1 lists required components of training that must be provided to nutrition program staff, as provided below.****

The subject matter of such training shall include, but not be limited to, collection and use of data, effective public notification systems, complaint procedures, compliance review techniques, resolution of noncompliance, requirements for reasonable accommodation of persons with disabilities, requirements for language assistance, conflict resolution, and customer service.

3. Establishing admission and enrollment procedures that do not restrict enrollment of students on the basis of race, ethnicity, national origin, or disability, including preventing staff from incorrectly denying applications and ensuring that such persons have equal access to all programs
(cf. 6159 - Individualized Education Program)

4. Sending a public release announcing the availability of the child nutrition programs and/or changes in the programs to public media and to community and grassroots organizations that interact directly with eligible or potentially eligible participants

5. Communicating the program's nondiscrimination policy and applicable complaint procedures, as provided in the section "Notifications" below

6. Providing appropriate translation services when a significant number of persons in the surrounding population have limited English proficiency

7. Ensuring that every part of a facility is accessible to and usable by persons with disabilities and that participants with disabilities are not excluded from the benefits or services due to inaccessibility of facilities

8. Ensuring that special meals are made available to participants with disabilities who have a medical statement on file documenting that their disability restricts their diet
(cf. 5141.27 - Food Allergies/Special Dietary Needs)

9. Implementing procedures to process and resolve civil rights (discrimination) complaints and program-related complaints, including maintaining a complaint log and working with the appropriate person to resolve any complaint, *and referring the complainant to the appropriate state or federal agency when necessary*

****Note: Districts receiving federal financial assistance are required to request racial/ethnic data of all program applicants and participants for purposes of determining whether the program reaches potential eligible persons, identifying areas where additional outreach is needed, selecting locations for compliance reviews, and completing required reports. According to FNS Instruction 113-1, using the applicant's self-*

*identification or self-reporting is the preferred method of obtaining racial and ethnic data.****

****Note: When requesting such information, districts should be careful to not request any information in regard to the immigration status of students or their family members and, if such information is inadvertently received, to not disclose it to immigration enforcement authorities without parental consent, a court order, or judicial subpoena. See AR 5145.13 - Response to Immigration Enforcement.****

10. Developing a method, which preferably uses self-identification or self-reporting, to collect racial and ethnic data for potentially eligible populations, applicants, and participants
(cf. 5022 - Students and Family Privacy Rights)
(cf. 5125 - Student Records)
(cf. 5145.13 - Response to Immigration Enforcement)

Notifications

The compliance coordinator shall ensure that The U.S. Department of Agriculture's (USDA) "And Justice for All" civil rights poster or a substitute poster approved by the USDA's Food and Nutrition Service ~~shall be~~ ***is*** displayed in areas visible to the district's nutrition program participants, such as food service areas and school offices.

******Note: FNS Instruction 113-1 requires districts to notify nutrition program applicants, participants, and potentially eligible persons of program availability, rights, and responsibilities and to advise them at each service delivery site (e.g., the school) regarding the procedure for filing a complaint. Such notice may be distributed through student and parent/guardian handbooks or other method of parental notifications.******

The ***compliance*** coordinator shall notify the public, all program applicants, participants, and potentially eligible persons of their ~~program~~ rights and responsibilities and steps necessary for ~~participation~~ ***to participate in the nutrition programs***. Applicants, participants, and the public also shall be advised of their right to file a complaint, how to file a complaint, the complaint procedures, and that a complaint may be file anonymously or by a third party.
(cf. 5145.6 - Parental Notifications)

******Note: As part of its instructions to all recipients of federal funds, USDA requires that all forms of communication available to the public regarding program availability also contain information about that recipient's status as an equal opportunity provider and the address of the agency with responsibility to handle complaints made against the recipient. USDA provides specific language for the notification and prohibits its modification in any way. The required language is available on USDA's web site and in the accompanying exhibit.******

In addition, ***the compliance coordinator shall ensure that*** all forms of communication available to the public regarding program availability shall contain, in a prominent location, ~~the following statement:~~
~~"In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA. a statement provided by USDA about the district's status as an equal opportunity provider and the address of the agency with responsibility to handle complaints made against the district.~~

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
 - (2) fax: (202) 690-7442; or
 - (3) email: program.intake@usda.gov.
- This institution is an equal opportunity provider."

Forms of communication requiring this nondiscrimination statement include, but are not limited to, web sites, public information releases, publications, and posters, but exclude ~~menus~~ *items such as cups, buttons, magnets, and pens that identify the program when the size or configuration makes it impractical.* The nondiscrimination statement need not be included on every page of program information on the district's or school's web site, but the statement or a link to the statement shall be included on the home page of the program information.

A short version of the nondiscrimination statement, *as provided by USDA*, stating "~~This institution is an equal opportunity provider,~~" may be used on pamphlets, brochures, and flyers in the same print size as the rest of the text.

Complaints of Discrimination

****Note: 5 CCR 4610, as amended by Register 2020, No. 21, reduces the applicability of the district's uniform complaint procedures (UCP) for complaints regarding child nutrition programs. 5 CCR 15582, as added by Register 2020, No. 21, requires allegations of discrimination based on race, color, national origin, sex, age, or disability to be referred to USDA. Complaints of discrimination on any other basis are addressed through the district's UCP; see BP/AR 1312.3 - Uniform Complaint Procedures.****

****Note: For information about compliance complaints, see the section below on "Complaints Regarding Noncompliance with Program Requirements."****

Any complaint ~~concerning~~ *alleging discrimination in* the district's nutrition programs *on the basis of race, color, national origin, sex, age, or disability shall, within 180 days of the alleged discriminatory act, be filed or referred to USDA at: (5 CCR 15582)*

~~shall be investigated using the process identified in AR 1312.3 - Uniform Complaint Procedures.~~

U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410, (866) 632-9992, (800) 877-8339 (Federal Relay Service - English, deaf, hard of hearing, or speech disabilities), (800) 845-6136 (Federal Relay Service - Spanish), fax (202) 690-7442, or email program.intake.usda.gov

Complaints of discrimination on any other basis shall be investigated by the district using the process identified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

~~When a complaint alleging discrimination on the basis of race, color, national origin, sex, age, or disability is unresolved at the district level, the coordinator shall notify the complainant of the option to contact and/or forward his/her complaint to one of the following agencies:~~

~~1. Child Nutrition Program Civil Rights and Program Complaint Coordinator, California Department of Education, Nutrition Services Division, 1430 N Street, Room 4503, Sacramento, CA 95814-2342 or call (916) 323-8531 or (800) 952-5609~~

~~2. U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410, (866) 632-9992, (800) 877-8339 (Federal Relay Service—English), (800) 845-6136 (Federal Relay Service—Spanish), fax (202) 690-7442, or email program.intake.usda.gov.~~

Complaints Regarding Noncompliance with Program Requirements

****Note: 5 CCR 15580-15584, as added by Register 2020, No. 21, require complaints regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses to be referred to CDE. During the investigation, the complainant will have the opportunity to present information or evidence to support the allegations, and the district will have the opportunity to respond to the complaint. The district may also be subject to an on-site investigation, which may be unannounced. CDE's written decision will be issued within 90 days of receipt of the complaint.****

****Note: Complaints regarding noncompliance with other nutrition program requirements are addressed locally as described below.****

Any complaint alleging that the district has not complied with program requirements pertaining to meal counting and claiming, reimbursable meals, eligibility of a child or adult, use of cafeteria funds and allowable expenses shall be filed with or referred to CDE. (Education Code 49556; 5 CCR 15584)

Complaints of noncompliance with any other nutrition program requirements shall be submitted to and investigated by the district using the following procedures.

Complaints may be filed by a student or the student's parent/guardian by phone, email, or letter. The complaint shall be submitted within one year from the date of the alleged violation and shall include the following: (5 CCR 15581)

- 1. A statement that the district has violated a law or regulation relating to its child nutrition program*
- 2. The facts on which the statement is based*
- 3. The name of the district or the school against which the allegations are made*
- 4. The complainant's contact information*
- 5. The name of the student if alleging violations regarding a specific student*

****Note: Pursuant to 5 CCR 15583, as added by Register 2020, No. 21, districts are required to investigate and issue a written report within the 60-day timeline provided within 5 CCR 4631, and the complainant may appeal the district's report to CDE within the 30-day timeframe provided within 5 CCR 4632.****

The district shall investigate and prepare a written report pursuant to 5 CCR 4631. (5 CCR 15583)

****Note: Option 1 below is for districts that do not allow complainants to appeal the compliance coordinator's decision to the Governing Board. Option 2 is for districts that allow appeals to the Board, and requires the coordinator's decision within 30 calendar days so that the Board's decision can still be given within the 60-day time limit.****

OPTION 1:

Unless extended by written agreement with the complainant, the district's compliance coordinator shall investigate the complaint and prepare a written report to be sent to the complainant within 60 days of the district's receipt of the complaint. (5 CCR 15583; 5 CCR 4631)

OPTION 2:

Unless extended by written agreement with the complainant, the district's compliance coordinator shall investigate the complaint and prepare a written report to be sent to the complainant within 30 calendar days of the district's receipt of the complaint. If the complainant is dissatisfied with the compliance coordinator's decision, the complainant may, within five business days, file the complaint in writing with the Board.

The Board shall consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered pursuant to 5 CCR 4631. When required by law, the matter shall be considered in closed session. The Board may decide not to consider the complaint, in which case the coordinator's decision shall be final.

(cf. 9321 - Closed Session)

If the Board considers the complaint, the Board's decision shall be sent to the complainant within 60 calendar days of the district's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

****Note: The following paragraph is for use by all districts.****

If the complainant is not satisfied with the findings in the district's report, the complainant may appeal the decision to CDE by filing a written appeal within 30 days of receiving the decision. (5 CCR 4632)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

42238.01 Definitions for purposes of funding

48985 Notices to parents in language other than English

49060-49079 Student records

49490-49590 Child nutrition programs

PENAL CODE

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

3080 Application of section

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

15580-15584 Child nutrition programs complaint procedures

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

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

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

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 7

210.19 National School Lunch Program, additional responsibilities

210.23 National School Lunch Program, district responsibilities

215.7 Special Milk Program, requirements for participation

215.14 Special Milk Program, nondiscrimination

220.7 School Breakfast Program, requirements for participation

220.13 School Breakfast Program, special responsibilities of state agencies

225.3 Summer Food Service Program, administration

225.7 Summer Food Service Program, program monitoring and assistance

225.11 Summer Food Service Program, corrective action procedures

226.6 Child and Adult Care Food Program, state agency administrative responsibilities

250.15 Out-of-condition donated foods, food recalls, and complaints

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

36.303 Nondiscrimination on the basis of disability, public accommodations, 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:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs, June 2018

U.S. DEPARTMENT OF AGRICULTURE, FOOD AND NUTRITION SERVICE PUBLICATIONS

Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005

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

Notice of Non-Discrimination, August 2010

WEB SITES

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>U.S. Department of Agriculture, Food and Nutrition Services: <http://www.fns.usda.gov>

U.S. Department of Agriculture, Office for Civil Rights: <http://www.ascr.usda.gov>

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/ocr>

(7/10 7/16) 7/20

Policy Adopted by Shandon Board of Education: March 14, 2017

Shandon Joint Unified School District

Exhibit

Nutrition Program Compliance

E 3555

Business and Noninstructional Operations

NONDISCRIMINATION STATEMENT FOR NUTRITION PROGRAMS

****Note: As part of its instructions to all recipients of federal funds for child nutrition programs, the U.S. Department of Agriculture (USDA) requires that all forms of communication available to the public regarding program availability also contain information about that recipient's status as an equal opportunity provider and the address of the agency with responsibility to handle complaints made against the recipient. The following exhibit presents specific language provided by USDA for the notification, which must not be modified in any way.****

The following statement shall be included, in a prominent location, on all forms available to the public regarding the availability of the district's child nutrition programs:

"In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: <http://www.ascr.usda.gov/filing-program-discrimination-complaint-usda-customer>, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov

This institution is an equal opportunity provider."

On pamphlets, brochures, and flyers, in the same print size as the rest of the text, the district may print a short version of the nondiscrimination statement, as follows:

"This institution is an equal opportunity provider."

11.3

SHANDON JOINT UNIFIED SCHOOL DISTRICT

Board Policy

BP 6142.7

Instruction

Physical Education

****Note: The following policy may be revised to reflect district practice and the grade levels offered by the district. See the accompanying administrative regulation for definitions of "physical education" and "physical activity" based on the California Department of Education's (CDE) 2009 Physical Education Framework for California Public Schools.****

****Note: 42 USC 1758b mandates each district participating in federal meals programs to adopt a districtwide student wellness policy, including goals for physical activity. See BP 5030 - Student Wellness for language fulfilling this mandate. The following policy also incorporates goals for physical activity.****

****Note: Education Code 33352 requires CDE, as part of the Federal Program Monitoring (FPM) process, to monitor districts' compliance with specified state physical education requirements which are reflected in the following policy and the accompanying administrative regulation. During the FPM process, CDE will request a link to this policy as evidence of specified components of compliance.****

The Governing Board desires to provide a physical education program which builds interest and proficiency in movement skills and encourages students' lifelong fitness through physical activity. Besides promoting high levels of personal achievement and a positive self-image, physical education activities should teach students how to cooperate in the achievement of common goals. *recognizes the positive benefits of physical activity on student health, well-being, and academic achievement. The district shall provide all students the opportunity to be physically active on a regular basis through high-quality physical education instruction and may provide additional opportunities for physical activity throughout the school day. The district's physical education and activity programs shall support the district's coordinated student wellness program and encourage students' lifelong fitness.*

(cf. 5030 - Student Wellness)

(cf. 6142.8 - Comprehensive Health Education)

The Board shall approve the components of the physical education program.

Physical education staff shall take special care to ensure that excessive physical exertion is not required of students who have informed staff of a heart or respiratory condition or other physical disability that may restrict such activity. Any dispute concerning such a condition shall be submitted to the principal or designee, who may make appropriate inquiries consistent with state and federal law. An appropriate alternative activity shall be provided for these students.

Physical education staff shall appropriately limit the amount or type of physical exercise required of students during air pollution episodes, hot weather, or other inclement conditions.

****Note: Education Code 51242 authorizes the Board to exempt a high school student from attending physical education courses if he/she is engaged in a regular school-sponsored interscholastic athletic program carried on*

~~wholly or partially after regular school hours.~~

~~The Superintendent or designee may exempt students from physical education when they are participating in interscholastic athletic programs which entail comparable amounts of time and physical activity.~~

****Note: During the FPM monitoring process, CDE will check the district's compliance with laws requiring that physical education classes be conducted in a coeducational, inclusive manner.****

Physical education classes shall be conducted in the coeducational, inclusive manner prescribed by law. The district shall provide instruction in physical education that provides equal access and equal opportunities for participation for all students in grades 1-12 regardless of gender, gender expression, sexual orientation, and mental or physical disability. (Education Code 220, 221.5, 33352; 5 CCR 4900, 4930, 4931, 4940, 4960; 34 CFR 106.33, 106.34, 300.108)

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

****Note: Education Code 51210 and 51220 require the district's course of study for grades 1-12 to include physical education, with an emphasis on physical activities conducive to health and vigor of body and mind; see AR 6143 - Courses of Study. The state curriculum framework describes components of a comprehensive physical education program based on the voluntary Physical Education Model Content Standards adopted by the State Board of Education (SBE).****

The district's physical education program shall provide a developmentally appropriate sequence of instruction aligned with the state's model content standards and curriculum framework.

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

****Note: The following optional paragraph may be revised to reflect district practice. The U.S. Department of Health and Human Services' (HHS) Physical Activity Guidelines for Americans recommends that children and adolescents participate in at least 60 minutes of age-appropriate moderate to vigorous physical activity per day, which can be accrued in smaller increments throughout the day. It is recommended that the majority of the 60 minutes or more of daily physical activity be aerobic exercise, which includes vigorous physical activity at least three days a week, and that muscle and bone strengthening exercise be included at least three days a week. To help students reach these goals, the state curriculum framework recommends that students be engaged in moderate to vigorous physical activity for at least 50 percent of physical education class time. See the accompanying administrative regulation for definitions of "moderate physical activity" and "vigorous physical activity." Also see CSBA's Fact Sheet on Moderate to Vigorous Physical Activity in Physical Education to Improve Health and Academic Outcomes.****

The district's physical education program shall engage students in age-appropriate moderate to vigorous physical activity, as defined in the accompanying administrative regulation, including aerobic, muscle-strengthening, and bone-strengthening activities. The Superintendent or designee shall develop strategies to monitor the amount of moderate to vigorous physical activity that takes place in the physical education instructional program.

****Note: The following two optional paragraphs are for use by districts that maintain high schools.****

****Note: According to the state curriculum framework, it is the obligation of the Governing Board to determine whether to grant physical education credit for a particular course, including, but not limited to,*

*junior ROTC, marching band, cheerleading, or drill team. In making this determination, the Board must determine how the particular course supports an overall course of study for grades 9-12 that includes the eight content areas specified in Education Code 33352 and 5 CCR 10060 for physical education programs. While it is not necessary that each individual course include all eight content areas, the course offerings must be structured so that all students receive opportunities for instruction in each of the eight areas across grades 9-12. CDE's Physical Education FAQs add that any course for which physical education credit is granted must also meet requirements in Education Code 33352 pertaining to minimum instructional minutes, various reporting requirements, and the assignment of an appropriately credentialed teacher.****

For grades 9-12, the overall course of study shall include the effects of physical activity upon dynamic health, the mechanics of body movement, aquatics, gymnastics and tumbling, individual and dual sports, rhythms and dance, team sports, and combatives. (Education Code 33352; 5 CCR 10060)

The Board shall approve the courses in grades 9-12 for which physical education credit may be granted.

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

****Note: The following paragraph is optional. See the accompanying administrative regulation for sample strategies for physical activity opportunities outside the physical education program. Also see CSBA's Fact Sheet on Maximizing Opportunities for Physical Activity During the School Day.****

The Superintendent or designee shall develop strategies to supplement physical education instruction with additional opportunities for students to be physically active before, during, and after the school day.

(cf. 1330.1 - Joint Use Agreements)

(cf. 5142.2 - Safe Routes to School Program)

(cf. 5148 - Child Care and Development Program)

(cf. 5148.2 - Before/After School Programs)

(cf. 6145 - Extracurricular and Cocurricular Activities)

Students with disabilities shall be provided instruction in physical education in accordance with their individualized education program or Section 504 accommodation plan.

(cf. 6159 - Individualized Education Program)

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

During air pollution episodes, extreme weather, or other inclement conditions, physical education staff shall make appropriate adjustments to the program or shall seek alternative indoor space to enable students to participate in active physical education.

(cf. 3514 - Environmental Safety)

(cf. 5141.7 - Sun Safety)

(cf. 5141.23 - Asthma Management)

(cf. 6145.2 - Athletic Competition)

Staffing

****Note: A departmentalized class in physical education may be taught by a teacher with a single subject*

credential that authorizes instruction in physical education. Pursuant to Education Code 44256, the holder of a multiple subject credential may teach a departmentalized class in grades K-9 if the credential holder has completed 20 semester hours of coursework or 10 semester hours of upper division or graduate coursework in the subject to be taught. In addition, Education Code 44256 allows the Board by resolution to authorize a multiple subject credentialed teacher to teach a departmentalized class below grade 9 if the credential holder has completed at least 12 semester units or six upper division or graduate units of coursework in the subject to be taught. Education Code 44258.3 authorizes the Board to assign any credentialed teacher to a departmentalized class in grades K-12 if the teacher has adequate knowledge of the subject to be taught based on criteria specified in Education Code 44258.3 and district-adopted policies and procedures. Pursuant to 5 CCR 80046.1, a credentialed teacher may seek an added authorization to teach adapted physical education to students who are precluded from participating in a general education physical education program or a specially designed physical education program. ***

Note: CDE's Physical Education FAQs clarify that a teacher credentialed in a subject other than physical education may teach physical education if approved by the committee on assignments.

Note: CDE's Physical Education FAQs also clarify that an instructional aide or noncredentialed volunteer may assist the credentialed teacher, but may not provide the physical education instruction.

Note: For further information about staffing of physical education classes, see the CTC's web site and its Administrator's Assignment Manual.

Physical education instruction shall be delivered by appropriately credentialed teachers who may be assisted by instructional aides, paraprofessionals, and/or volunteers.

(cf. 1240 - Volunteer Assistance)

(cf. 4112.2 - Certification)

(cf. 4112.21 - Interns)

(cf. 4113 - Assignment)

(cf. 4222 - Teacher Aides/Paraprofessionals)

The district shall provide physical education teachers with continuing professional development, including classroom management and instructional strategies designed to keep students engaged and active and to enhance the quality of physical education instruction and assessment.

(cf. 4131 - Staff Development)

(cf. 5121 - Grades/Evaluation of Student Achievement)

Physical Fitness Testing

Note: The following section may be revised to reflect grade levels offered by the district. Education Code 60800 requires districts to administer a physical fitness test to students in grades 5, 7, and 9. The SBE has designated the FITNESSGRAM as the required physical fitness test. See the accompanying administrative regulation for testing requirements.

The Superintendent or designee shall annually administer the physical fitness test designated by the State Board of Education (FITNESSGRAM) to students in grades 5, 7, and 9. (Education Code 60800; 5 CCR 1041)

Temporary Exemptions

******Note: Education Code 51241 authorizes, but does not require, the district to grant temporary exemptions from physical education under the conditions described in items #1-2 below. During the FPM process, the district may provide a link to the district's policy as evidence of any physical education exemptions offered by the district. The following section is optional and should be revised to reflect district practice.******

The Superintendent or designee may grant a student a temporary exemption from physical education under either of the following conditions: (Education Code 51241)

- 1. The student is ill or injured and a modified program to meet the student's needs cannot be provided.***
- 2. The student is enrolled for one-half time or less.***

Two-Year Exemptions

******Note: The following optional section is for use by districts that maintain grades 10-12. Education Code 51241 authorizes, but does not require, the district to grant a two-year exemption from physical education to eligible students in grades 10-12.******

******Note: Pursuant to Education Code 51241, in order to be eligible for the two-year exemption, students are required to satisfactorily meet at least five of the six standards of the FITNESSGRAM administered in grade 9. Students are considered to have satisfactorily met a standard on the FITNESSGRAM if they score in the "healthy fitness zone" on that standard. The six fitness areas measured by FITNESSGRAM are aerobic capacity, body composition, abdominal strength and endurance, trunk extensor strength and flexibility, upper body strength and endurance, and flexibility.******

With the student's consent, the Superintendent or designee may exempt a student from physical education courses for any two years during grades 10-12 provided that the student has satisfactorily met at least five of the six standards of the FITNESSGRAM in grade 9. (Education Code 51241)

******Note: In addition to administering the physical fitness test to students in grade 9, Education Code 51241 authorizes districts to administer the test to students in grades 10-12 so that such students may qualify for the two-year exemption. The following paragraph is optional.******

Upon request by students and/or their parents/guardians, the Superintendent or designee may administer the FITNESSGRAM to students in grades 10-12 who need to pass the test in order to qualify for a two-year exemption from physical education courses.

Students in grades 10-12 who have been granted a two-year exemption shall be offered a variety of elective physical education courses of not less than 400 minutes each 10 school days. (Education Code 33352, 51222)

Such students shall not be permitted to attend fewer total hours of courses and classes than they would have attended if enrolled in a physical education course. (Education Code 51241)

(cf. 6112 - School Day)

Permanent Exemptions

****Note: The following section is optional and should be revised to reflect district practice. Education Code 51241 authorizes, but does not require, the district to grant permanent exemptions from physical education to an individual student under the conditions described in items #1-3 below.****

The Superintendent or designee may grant a student a permanent exemption from physical education under any of the following conditions: (Education Code 51241)

- 1. The student is age 16 years or older and has been enrolled in grade 10 for one or more academic years. However, such a student shall not be permitted to attend fewer total hours of courses and classes than the student would have attended if enrolled in a physical education course.*
- 2. The student is enrolled as a postgraduate student.*
- 3. The student is enrolled in a juvenile home, ranch, camp, or forestry camp school with scheduled recreation and exercise.*

Students who have been granted a permanent exemption shall be offered a variety of elective physical education courses of not less than 400 minutes each 10 school days. (Education Code 33352)

Other Exemptions

****Note: The following optional section is for use by districts that maintain high schools and should be revised to reflect district practice. Education Code 51222, 51242, and 52316 authorize, but do not require, the following exemptions from physical education courses.****

The Superintendent or designee may grant a student an exemption from physical education under the following special circumstances:

- 1. When the student is in any of grades 10-12 and is excused for up to 24 clock hours in order to participate in automobile driver training. However, any such student shall attend a minimum of 7,000 minutes of physical education instruction during the school year. (Education Code 51222)*
- 2. When the student is in any of grades 10-12, attends a regional occupational center or program, and, because of the travel time involved, would experience hardship to attend physical education courses. Any such student shall have a minimum school day of 180 minutes. (Education Code 52316)*

(cf. 6178.2 - Regional Occupational Center/Program)

- 3. When the student is in high school and is engaged in a regular school-sponsored interscholastic athletic program carried on wholly or partially after regular school hours. (Education Code 51242)*

(cf. 6145.2 - Athletic Competition)

Program Evaluation

****Note: The following optional section should be revised to reflect district practice. Districts that do not maintain high schools or do not offer any of the exemptions described in the sections above on "Two-Year Exemptions" or "Permanent Exemptions" should modify the following paragraph to delete reports of two-year*

*and permanent exemptions. ****

The Superintendent or designee shall annually report to the Board each school's FITNESSGRAM results for each applicable grade level. The Superintendent or designee shall also report to the Board regarding the number of instructional minutes offered in physical education for each grade level, the number of two-year and permanent exemptions granted pursuant to Education Code 51241, and any other data agreed upon by the Board and the Superintendent or designee to evaluate program quality and the effectiveness of the district's program in meeting goals for physical activity and student well-being.

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination

221.5 Sex equity in education

33126 School accountability report card

33350-33354 CDE responsibilities re: physical education

35256 School accountability report card

44250-44277 Credential types

49066 Grades; physical education class

51210 Course of study, grades 1-6

51220 Course of study, grades 7-12

51222 Physical education

51223 Physical education, elementary schools

51241 Temporary, two-year or permanent exemption from physical education

51242 Exemption from physical education for athletic program participants

52316 Excuse from attending physical education classes; regional occupational center/program

60800 Physical performance test

CODE OF REGULATIONS, TITLE 5

1040-1044 Physical performance test

1047-1048 Testing variations and accommodations

3051.5 Adapted physical education for individuals with exceptional needs

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance

10060 Criteria for high school physical education programs

80020 Additional assignment authorizations for specific credentials

80037 Designated subjects teaching credential; special teaching authorization in physical education

80046.1 Added authorization to teach adapted physical education

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE, TITLE 42

1758b Local wellness policy

CODE OF FEDERAL REGULATIONS, TITLE 34

106.33 Nondiscrimination on the basis of sex; comparable facilities

106.34 Nondiscrimination on the basis of sex; access to classes and schools

300.108 Assistance to states for the education of children with disabilities; physical education

ATTORNEY GENERAL OPINIONS

53 Ops.Cal.Atty.Gen. 230 (1970)

COURT DECISIONS

Doe v. Albany Unified School District (2010) 190 Cal.App.4th 668

Cal200 et al. v. San Francisco Unified School District et al. (2013), San Francisco Superior Court, Case No. CGC-13-534975

Cal200 et al. v. Oakland Unified School District et al. (San Francisco Superior Court, Case No. CPF-14-513959

Management Resources:

CSBA PUBLICATIONS

Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, 2012

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, 2012

Active Bodies, Active Minds: Physical Activity and Academic Achievement, Fact Sheet, February 2010

Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, February 2010

Maximizing Opportunities for Physical Activity During the School Day, Fact Sheet, November 2009

Moderate to Vigorous Physical Activity in Physical Education to Improve Health and Academic Outcomes, Fact Sheet, November 2009

Physical Education and California Schools, Policy Brief, October 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Physical Education Framework for California Public Schools: Kindergarten Through Grade 12, 2009

Physical Education Model Content Standards for California Public Schools: Kindergarten Through Grade 12, January 2005

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Health Index (SHI): A Self-Assessment and Planning Guide, Elementary School, 2017

School Health Index (SHI): A Self-Assessment and Planning Guide, Middle/High School, 2017

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

The Administrator's Assignment Manual, 2019

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

Physical Activity Guidelines for Americans, 2nd Edition, 2018

WEB SITES

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

California Department of Education: <http://www.cde.ca.gov>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition): <http://www.californiaprojectlean.org>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

Healthy People 2010: <http://www.healthypeople.gov>

National Association for Sport and Physical Education: <http://www.pgpedia.com/n/national-association-sport-and-physical-education>

President's Council on Sports, Fitness and Nutrition: <http://www.fitness.gov>

U.S. Department of Health and Human Services: <http://www.health.gov>

(2/10 3/16) 7/20

Policy adopted by Shandon Board of Education: June 22, 2000 Revised:

SHANDON JOINT UNIFIED SCHOOL DISTRICT

Board Policy

BP 6159

11.4

BP 6159

Instruction

Individualized Education Program

****Note: The following Board policy and the accompanying administrative regulation should be revised for consistency with the policies and regulations of the Special Education Local Plan Area in which the district participates.****

The Governing Board desires to provide **full** educational alternatives that afford students with disabilities full educational opportunities **opportunities to all students with disabilities**. Students with disabilities shall receive a free appropriate public education (**FAPE**) and, **to the maximum extent possible, shall be educated** be placed in the least restrictive environment which meets their needs to the extent provided by law. **with nondisabled students**.

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

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 3541.2 - Transportation for Students with Disabilities)

(cf. 4112.23 - Special Education Staff)

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

(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)

(cf. 6159.1 - 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. 6164.4 - Identification and Evaluation of Individuals for Special Education)

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

For each student with disabilities, an individualized education program (IEP) shall be developed which identifies the special education instruction and related services to be provided to the student. The Superintendent or designee shall develop administrative regulations regarding the appointment of the individualized education program (IEP) team, the contents of the IEP, and the development, review, and revision of the IEP. ***membership of the IEP team, the team's responsibility to develop and regularly review the IEP, the contents of the IEP, and the development, review, and revision processes.***

~~To the extent permitted by federal law, a foster parent shall have the same rights relative to his/her foster child's IEP as a parent/guardian. (Education Code 56055)~~

The district shall make FAPE available to individuals with disabilities ages 3-21 who reside in the district, including: (Education Code 56040; 20 USC 1412; 34 CFR 300.17, 300.101, 300.104)

- 1. Students who have been suspended or expelled from school***
- 2. Students who are placed by the district in a nonpublic, nonsectarian school***
- 3. Individuals age 18-21 years who are incarcerated in an adult correctional facility and were identified as being an individual with disabilities or had an IEP in their prior educational placement***

Legal Reference:

EDUCATION CODE

46392 Emergencies

51225.3 Requirements for high school graduation and diploma

56040.3 Assistive technology

56055 Rights of foster parents pertaining to foster child's education

56136 Guidelines for low incidence disabilities areas

56195.8 Adoption of policies

56321 Development or revision of IEP

56321.5 Notice to include right to electronically record

56340.1-56347 Instructional planning and individualized education program

56350-56354 IEP for visually impaired students

56380 IEP reviews; notice of right to request

56390-56392 Certificate of completion, special education

56500-56509 Procedural safeguards

60640-60649 California Assessment of Student Performance and Progress

FAMILY CODE

6500-6502 Age of majority

GOVERNMENT CODE

7572.5 Seriously emotionally disturbed child, expanded IEP team

WELFARE AND INSTITUTIONS CODE

300 Children subject to jurisdiction

601 Minors habitually disobedient

602 Minors violating law defined as crime

CODE OF REGULATIONS, TITLE 5

853-853.5 State assessments, accommodations

3021-3029 Identification, referral and assessment

3040-3043 Instructional planning and the individualized education program

3051-3053 Implementation of the individualized education program

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1482 Individuals with Disabilities Education Act

CODE OF FEDERAL REGULATIONS, TITLE 34

300.1-300.818 Individuals with Disabilities Education Act

COURT DECISIONS

Marshall v. Monrovia Unified School District, (9th Circuit, 2010) 627 F.3d 773

Schaffer v. Weast (2005) 125 S. Ct. 528

Shapiro v. Paradise Valley Unified School District, No. 69 (9th Circuit, 2003) 317 F.3d 1072

Sacramento City School District v. Rachel H. (9th Cir. 1994) 14 F.3d 1398

Andrew F. v. Douglas County School District Re-1, 137 S. Ct. 988

ATTORNEY GENERAL OPINIONS

85 Ops.Cal.Atty.Gen. 157 (2002)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Frequently Asked Questions: Promotion, Retention, and Grading (Students with Disabilities)

California Practitioners' Guide for Educating English Learners with Disabilities, July 2019

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office of Special Education and Rehabilitative Services:

<http://www.ed.gov/about/offices/list/osers/osep>

(3/03 11/03) 3/06 7/20

Adopted by Shandon Joint Unified Board of Trustees: July 18, 2000

Revised: April 14, 2009

11.5

SHANDON JOINT UNIFIED SCHOOL DISTRICT

Board Policy

Procedural Safeguards And Complaints For Special Education

BP 6159.1

Instruction

****Note: The following mandated policy reflects the federal Individuals with Disabilities Education Act (20 USC 1400-1482), implementing federal regulations (34 CFR 300.1-300.818), and conforming state legislation. Note that in cases where state law provides greater protections to students, state law supersedes federal law.****

****Note: Education Code 56195.8 and 20 USC 1415 mandate all entities providing special education to adopt policy on procedural safeguards, and Education Code 56500.1 requires entities providing special education to establish and maintain all procedural safeguards granted by federal law. For California law related to due process rights and due process hearing rights and procedures, see Education Code 56501-56509 and 5 CCR 3082. For federal due process procedure requirements, see 34 CFR 300.500-300.520.****

****Note: This policy and accompanying administrative regulation should be revised for consistency with the policy and regulations of the Special Education Local Plan Area in which the district participates.****

~~Procedural Safeguards/Due Process Hearings~~

~~In order to protect the rights of students with disabilities and their parents/guardians, the district shall follow all procedural safeguards as set forth in law.~~

~~Parents/guardians shall receive written notice of their rights, including the right to a due process hearing for any dispute related to the identification, assessment or educational placement of a child or the provision of a free, appropriate public education to the child.~~

The Governing Board recognizes its obligation to provide a free appropriate public education (FAPE) to students with disabilities and to uphold the rights of parents/guardians to be involved in educational decisions regarding their child. Parents/guardians of students with disabilities shall receive written notice of their rights under the federal Individuals with Disabilities Education Act.

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

(cf. 5145.6 - Parental Notifications)

(cf. 6159 - Individualized Education Program)

(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 and Evaluation of Individuals for Special Education)

Whenever there is a dispute between the district and the parent/guardian of a student with disabilities regarding the identification, assessment, or educational placement of the student or the provision of FAPE to the student, the Superintendent or designee shall encourage the early, informal resolution of the dispute at the school level to the extent possible. The district or parent/guardian may also request mediation and/or a due process hearing in accordance with law, Board policy, and administrative regulation.

****Note: Education Code 56195.8 authorizes the Governing Board to adopt policy for the involvement of Board members in any due process hearing procedure activities. However, a best practice is to designate the Superintendent or designee to serve as the district representative at the hearing. The following optional paragraph. may be revised to reflect district practice.****

The Superintendent or designee shall represent the district in any due process hearings conducted with regard to district students and shall ~~provide~~ **inform** the Governing Board with ~~with~~ **about** the results of these hearings.

Complaints for Special Education

~~Complaints concerning compliance with state or federal law regarding special education shall be addressed in accordance with the district's uniform complaint procedures.~~

****Note: 5 CCR 3200-3205, as added by Register 2020, No. 21, require complaints alleging a violation of federal or state law or regulation related to the provision of a free appropriate public education to students with disabilities to be submitted to the California Department of Education rather than being addressed through the district's uniform complaint procedures as described in BP/AR 1312.3 - Uniform Complaint Procedures. For further information regarding state compliance complaints, see the accompanying administrative regulation.****

Any complaint alleging the district's noncompliance with federal or state laws or regulations related to the provision of a free appropriate public education to students with disabilities shall be filed in accordance with 5 CCR 3200-3205.

Legal Reference:

EDUCATION CODE

56000 Education for individuals with disabilities

56001 Provision of the special education programs

56020-56035 Definitions

56195.7 Written agreements

56195.8 Adoption of policies for programs and services

56300-56385 Identification and referral, assessment

56440-56447.1 Programs for individuals between the ages of three and five years

56500-56509 Procedural safeguards, including due process rights

56600-56606 Evaluation, audits and information

CODE OF REGULATIONS, TITLE 5

3000-3100 Regulations governing special education, especially:

3080-3089 Procedural safeguards

3200-3205 Special education compliance complaints

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act

UNITED STATES CODE, TITLE 42

11434 Homeless assistance

CODE OF FEDERAL REGULATIONS, TITLE 34

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

104.36 Procedural safeguards

300.1-300.818 Assistance to states for the education of students with disabilities, especially:

300.150-300.153 State compliance complaints

300.500-300.520 Procedural safeguards and due process for parents and students

COURT DECISIONS

Winkelman v. Parma City School District, (2007) 550 U.S. 516

Management Resources:

WEB SITES

California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>

Office of Administrative Hearings, Special Education Division:

<http://www.dgs.ca.gov/OAH/Case-Types/Special-Education>

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

<http://www.ed.gov/about/offices/list/osep>

(11/06 3/09) 7/20

Policy adopted by Shandon Board of Education: July 18, 2000 Revised:

SHANDON JOINT UNIFIED SCHOOL DISTRICT

Board Policy

BP 6159.2

Instruction

Nonpublic, Nonsectarian School And Agency Services For Special Education

****Note: Education Code 56195.8 mandates districts to adopt policies for the special education programs and services they operate, including nonpublic, nonsectarian services provided to students with disabilities when no appropriate public education program is available to meet their special education needs. The nonpublic, nonsectarian school or agency (NPS/A) must be certified as meeting state standards pursuant to Education Code 56366 and 56366.1.****

****Note: The following policy and accompanying regulation should be revised to comply with the policies and regulations of the Special Education Local Plan Area in which the district operates.****

The Governing Board recognizes its responsibility to provide a free appropriate public education to students with disabilities in accordance with law. When the district is unable to provide direct special education and/or related services to students with disabilities, the Board may enter into a contract with a nonpublic, nonsectarian school or agency (NPS/A) to meet student needs consistent with the comprehensive local plan of the Special Education Local Plan Area.

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

****Note: Pursuant to Education Code 56366 and 56366.1, a district contracting with an NPS/A must verify that the NPS/A meets certification requirements. 5 CCR 3067 allows the district to request, in writing, that the California Department of Education review the certification status of an NPS/A.****

****Note: Beginning in the 2020-21 school year, Education Code 56366.1, as amended by AB 1172 (Ch. 454, Statutes of 2019), also requires districts to verify that the NPS/A provides staff training in the use of evidence-based practices and interventions specific to the unique behavioral needs of the NPS/A's student population.****

~~The Governing Board may contract with state-certified nonpublic, nonsectarian schools or agencies to provide special education services or facilities when an appropriate public education program is not available.~~

~~When entering into agreements with nonpublic, nonsectarian schools or agencies, the Board shall consider the needs of the individual student and the recommendations of the individualized education program (IEP) team. The IEP team shall remain accountable for monitoring the progress of students placed in nonpublic, nonsectarian programs towards the goals identified in each student's IEP.~~

Prior to entering into a contract to place any student in an NPS/A, the Superintendent or designee shall verify that the school or agency is certified to provide special education and related services to individuals with disabilities and complies with staff training requirements in accordance with Education Code 56366 and 56366.1. In addition, the Superintendent or designee shall monitor, on an ongoing basis, the certification of any NPS/A with which the district has a contract to ensure that the certification has not expired.

No district student shall be placed in an NPS/A unless the student's individualized education program (IEP)

team has determined that an appropriate public education alternative does not exist and that the placement is appropriate for the student. (Education Code 56342.1)

(cf. 6159 - Individualized Education Program)

****Note: Pursuant to Education Code 56365, students enrolled in an NPS/A are deemed to be enrolled in public schools for state apportionment purposes. Districts then pay to the NPS/A the full amount of the school tuition or, as amended by AB 1172, the agency fees for participating students.****

The district shall pay to the NPS/A the full amount of the tuition or fees, as applicable, for students with disabilities who are enrolled in programs or receiving services provided by the NPS/A. (Education Code 56365)

In accordance with law, any student with disabilities placed in an NPS/A shall have all the rights and protections to which students with disabilities are generally entitled, including, but not limited to, procedural safeguards, due process rights, and periodic review of the student's IEP.

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

During the period when any student with disabilities is placed in an NPS/A, the student's IEP team shall retain responsibility for monitoring the student's progress towards meeting the goals identified in the IEP.

****Note: The following optional paragraph may be modified to reflect district practice.****

The Superintendent or designee shall notify the Board prior to approving an out-of-state placement for any district student.

The Superintendent or designee may apply to the Superintendent of Public Instruction to waive any of the requirements of Education Code 56365, 56366, and 56366.6. (Education Code 56366.2)

(cf. 1431 - Waivers)

Legal Reference:

EDUCATION CODE

56034-56035 Definitions of nonpublic, nonsectarian school and agency

56042 Placement not to be recommended by attorney with conflict of interest

56101 Waivers

56163 Certification

56168 Responsibility for education of student in hospital or health facility school

56195.8 Adoption of policies

56342.1 Individualized education program; placement

56360-56369 Implementation of special education

56711 Computation of state aid

56740-56743 Apportionments and reports

56760 Annual budget plan; service proportions

56775.5 Reimbursement of assessment and identification costs

56836.20-56836.21 Special education funding; SELPA contracts with nonpublic nonsectarian schools

FAMILY CODE

7911-7912 Interstate compact on placement of children

GOVERNMENT CODE

7570-7587 Interagency responsibilities for providing services to disabled children; especially:

7572.55 Seriously emotionally disturbed child; out-of-state placement

WELFARE AND INSTITUTIONS CODE

362.2 Out-of-home placement for IEP

727.1 Out-of-state placement of wards of court

CODE OF REGULATIONS, TITLE 5

3001 Definitions

3051-3051.24 Special education; standards for related services and staff qualifications

3060-3070 Nonpublic, nonsectarian school and agency services

UNITED STATES CODE, TITLE 20

1400-1487 Individuals with Disabilities Education Act

CODE OF FEDERAL REGULATIONS, TITLE 34

300.129-300.148 Children with disabilities in private schools

COURT DECISIONS

Agostini v. Felton, (1997) 521 U.S. 203, 117 S.Ct. 1997

Management Resources:

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office of Special Education and Rehabilitative Services:

<http://www.ed.gov/about/offices/list/osers>

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Revised: