

USE OF TECHNOLOGY IN INSTRUCTION

The Board of Education encourages the instructional use of computers, videotapes, interactive videodisks, distance learning, cable television and other technologies. The Board perceives that these technologies:

- Give students new ways to access information and practice skills
- Help teachers meet a wide range of learning styles
- Enable teachers to move from whole-class instruction to a mixture of small-group and individualized instruction
- Help students develop reasoning and problem-solving abilities
- Will be a part of students' everyday lives

The Board recognizes that trained teachers are needed to make the best use of the district's technology. Teachers and instructional aides shall receive training in using the technologies available to them. All district schools shall have the opportunity to obtain computers, software and other equipment.

The district's educational software shall be carefully selected and evaluated so as to meet the teachers' and students' needs and conform with district policy and regulations.

(cf. 3512 - Equipment)
(cf. 4132/4232/4332 - Publication or Creation of Materials)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6162.6 - Use of Copyrighted Materials)

*Legal Reference:*EDUCATION CODE*51865 California distance learning policy**51870-51874 Educational Technology**Management Resources:*CDE PUBLICATIONS*The California Master Plan For Educational Technology, April 1992*

USE OF TECHNOLOGY IN INSTRUCTION

Copyrights

Staff shall strictly observe copyright laws related to computers and educational technology. A designated employee shall ensure that software is used and duplicated in accordance with software licensing agreements. Public domain software may be duplicated and exchanged with other schools or staff. No illegal copies of copyrighted software shall be accepted or used in the district.

(cf. 6162.6 - Use of Copyrighted Materials)

Selection of Educational Software

The following guidelines shall be considered when evaluating educational software:

1. Skill levels required to operate the program are commensurate with the skill levels being taught or practiced
2. Instructions are clear and complete, and the program operates as specified in the instructions
3. Program objectives relate to course objectives and are explicitly stated or readily apparent to the learner
4. Responses to learners are helpful and encouraging
5. Users can easily and independently operate the program
6. The pace of the program can be controlled by the teacher or learner, unless pacing is an essential element of the instructional strategy
7. Unanticipated learner input does not disrupt program operation
8. Screens are well-formatted, with appropriate use of sound and graphics
9. Support materials include:
 - a. A description of the hardware required to use the program
 - b. Procedures for installing the software
 - c. Provisions for the replacement of defective software and

USE OF TECHNOLOGY IN INSTRUCTION (continued)

- d. Descriptions of the program's content and objectives, usage in various instructional settings, suggested related classroom activities

RESEARCH

The Board of Education recognizes the value of academic research to improve educational programs and practices. Researchers shall respect the privacy rights of students, including their right to refrain from participation in research projects in accordance with law, Board policy and administrative regulation.

The Superintendent or designee may authorize research projects within the district by outside groups or persons when such research is aligned with district goals and objectives and is likely to benefit the district without disrupting the school program.

(cf. 0000 - Vision)

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

The Superintendent or designee shall ensure that parents/guardians receive prior notification of any surveys or evaluations that collect personal student information and that consent is obtained in accordance with law.

(cf. 5022 - Student and Family Privacy Rights)

(cf. 5125 - Student Records)

(cf. 5145.6 - Parental Notifications)

Legal Reference:

EDUCATION CODE

51513 Personal beliefs

UNITED STATES CODE, TITLE 20

1232h Protection of pupil rights

Management Resources:

WEB SITES

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

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

USDOE, Family Policy Compliance Office: <http://www.ed.gov/offices/OM/fpco/>

RESEARCH

Persons or groups wishing to use district staff, students or property in connection with an academic research project shall submit to the Superintendent or designee a written proposal which includes:

1. Name of researcher(s) and academic credentials
2. Purpose and scope of the project
3. Method of study or investigation to be used
4. Extent of participation expected of students and staff
5. Use to which project results will be put
6. Benefits to the school(s) or the district

The Superintendent or designee shall evaluate the extent to which the proposal:

1. Shows potential for improving instructional programs and strategies
2. Addresses a relevant educational problem, concern or issue
3. Is designed to minimize interruptions and demands upon the time of students and staff

The Superintendent or designee may approve the proposed project for a period of one school year or less. To extend any project into a second school year, the researcher(s) must obtain approval from the Superintendent or designee.

Researchers shall certify that they will use no school names in the publication of findings without the approval of the Superintendent or designee.

LIBRARY MEDIA CENTERS

The Board of Education recognizes that school library media centers support the educational program by providing access to a variety of informational resources. The Board desires to provide library media centers with up-to-date books, reference materials, and electronic information resources necessary to promote literacy, support students in achieving academic standards, and encourage students to become lifelong learners.

(cf. 0440 - District Technology Plan)

(cf. 6000 - Concepts and Roles)

(cf. 6011 - Academic Standards)

(cf. 6161 - Equipment, Books and Materials)

(cf. 6163.4 - Student Use of Technology)

School libraries shall be open for use by students and teachers during the school day. (Education Code 18103)

The district's school libraries may provide: (5 CCR 16040)

1. Library instruction to students that enables them to become proficient users of library resources
2. Information to teachers and administrators concerning sources and availability of instructional materials that will aid in the development of school curriculum, and, in cooperation with classroom teachers, the development of instructional units and activities using library resources

(cf. 6141 - Curriculum Development and Evaluation)

3. Assistance to teachers and students in the evaluation, selection, production, and uses of instructional materials
4. A collection of materials and resources that support the curriculum and are appropriate for user needs
5. Assistance to teachers, administrators, and other school staff members in becoming knowledgeable about appropriate uses of library media services, materials, and equipment

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

The Superintendent or designee shall develop procedures for the selection and evaluation of library materials.

LIBRARY MEDIA CENTERS (continued)

Library Plans

Whenever a school receives state funding for school and library improvement pursuant to Education Code 41570-41573, the school site council shall develop a single plan for student achievement which incorporates a districtwide plan for school libraries. (Education Code 41572)

(cf. 0420 - School Plans/Site Councils)

In developing the districtwide plan, the Superintendent or designee is encouraged to consult with school library media teachers, classroom teachers, administrators, parents/guardians, and students as appropriate in the development of the plan.

The districtwide library plan shall describe the district's vision and goals for the district's libraries and action steps including how funds will be distributed to school sites. As appropriate, the plan may also address staffing, facilities, selection and evaluation of materials, prioritization of needs, and other related matters.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 6010 - Goals and Objectives)

Classroom Libraries for Grades K-4

When state funding is available for library materials in grades K-4 classrooms, the Superintendent or designee shall develop, for certification by the Board, a districtwide classroom library plan grades K-4. The plan shall include a means of preventing loss, damage, or destruction of the materials. (Education Code 60242, 60422)

(cf. 6161.2 - Damaged or Lost Instructional Materials)

The districtwide plan for school libraries developed pursuant to Education Code 41572 may fulfill this requirement provided the plan meets the criteria of Education Code 60242.

The Superintendent or designee is encouraged to consult with primary grade teachers and school and/or county office of education library media teachers in the development of the plan and to consider selections from the list of books recommended by the State Librarian pursuant to Education Code 19336.

Selection and Evaluation of School Library Materials

Responsibility for the selection of library materials is delegated to the professional library staff through the principal. School librarians shall evaluate materials, using professional selection aids and standards, in accordance with law, Board policy, and administrative regulation. The selection process shall invite recommendations from administrators, teachers, other staff, parents/guardians, and students as appropriate.

LIBRARY MEDIA CENTERS (continued)

(cf. 6144 - Controversial Issues)

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

(cf. 6161.11 - Supplementary Instructional Materials)

Library materials should be continually evaluated in relation to evolving curricula, new formats of materials, new instructional methods, and the needs of students and teachers. Materials that contain obsolete subject matter or are no longer appropriate shall be removed, and lost or worn materials may be replaced if possible.

(cf. 3270 - Sale and Disposal of Books, Equipment and Supplies)

Complaints regarding the appropriateness of K-6 library materials shall be addressed using the district's procedures for complaints regarding instructional materials.

(cf. 1312.2 - Complaints Concerning Instructional Materials)

Fees

Students shall be allowed to borrow school library materials at no charge for use in the library and classrooms as well as out of school. (5 CCR 16042)

(cf. 3260 - Fees and Charges)

No charge shall be assessed for the late return of materials at K-6 libraries.

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

Reports

The district shall, on or before August 31 each year, report to the California Department of Education on the condition of school libraries for the preceding year ending June 30. (Education Code 18122)

Legal References: (see next page)

LIBRARY MEDIA CENTERS (continued)

Legal Reference:

EDUCATION CODE

1703 Coordination of district library services by county superintendent
1770-1775 Provision of library services by county superintendent
18100-18203 School libraries
18300-18571 Union high school district/unified school district library district
19335-19336 Reading Initiative Program; recommended books
41570-41573 School and Library Improvement Block Grant
44868-44869 Qualifications and employment of library media teachers
45340-45349 Instructional aides
60119 Sufficiency of textbooks and instructional materials; public hearing
60240-60251.5 State Instructional Materials Fund, purchase of classroom library materials
60420-60424 Instructional Materials Funding Realignment Program
REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS
18181 Districtwide library plan
52012 Establishment of school site council
52014-52015 School plans
CODE OF REGULATIONS, TITLE 5
16040-16043 School libraries
80053 Library media service teaching credential
UNITED STATES CODE, TITLE 20
6383 Improving Literacy Through School Libraries grant program

Management Resources:

CDE PUBLICATIONS

Check It Out! Assessing School Library Media Programs, 1998
Recommended Literature: Kindergarten Through Grade Twelve
CALIFORNIA SCHOOL LIBRARY ASSOCIATION PUBLICATIONS
Standards and Guidelines for Strong School Libraries, 2004

WEB SITES

American Library Association: <http://www.ala.org>
American Association of School Librarians: <http://www.ala.org/aasi>
California Department of Education, School Libraries: <http://www.cde.ca.gov/ci/cr/lb>
California Library Association: <http://www.cla-net.org>
California School Library Association: <http://www.csla.net>

ANIMALS AT SCHOOL

The Board of Education recognizes that animals can be an effective teaching aid and can help support the district's instructional program. In addition, instruction related to the care and treatment of animals teaches students a sense of responsibility and promotes the humane treatment of living creatures.

(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6142.5 - Environmental Education)

A teacher may bring an animal to school or arrange for students in his/her class to bring an animal to school for instructional purposes upon written permission from the principal or designee and subject to administrative regulation and other reasonable health, safety, and sanitation precautions. Teachers shall be responsible for ensuring that animals are strictly controlled and for ensuring that all such precautions are observed so as to protect both the students and the animal.

(cf. 5141 - Health Care and Emergencies)
(cf. 5141.22 - Infectious Diseases)
(cf. 5142 - Safety)
(cf. 5145.8 - Refusal to Harm or Destroy Animals)
(cf. 6142.93 - Science Instruction)
(cf. 6145.8 - Assemblies and Special Events)

Individuals with disabilities may be accompanied by specially trained guide dogs, signal dogs, or service dogs on school premises or on school transportation. (Education Code 39839; Civil Code 54.2)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 3541.2 - Transportation for Students with Disabilities)
(cf. 5131.1 - Bus Conduct)
(cf. 6159 - Individualized Education Program)
(cf. 6164.6 - Identification and Education Under Section 504)

When any animal is brought into the classroom, the principal or designee shall provide written notification to all parents/guardians of students in the affected class asking them to verify whether their child has any known allergies, asthma, or other health condition that may be affected by the animal's presence.

(cf. 3514 - Environmental Safety)
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
(cf. 5141.23 - Asthma Management)

The district assumes no liability for the safety of animals voluntarily brought to school.

(cf. 3320 - Claims and Actions Against the District)
(cf. 3530 - Risk Management/Insurance)

Legal Reference: (see next page)

ANIMALS AT SCHOOL (continued)

Legal Reference:

EDUCATION CODE

233.5 *Instruction in kindness to pets and humane treatment of living creatures*

39839 *Transportation of guide dogs, signal dogs, service dogs*

51202 *Instruction in personal and public health and safety*

51540 *Safe and humane treatment of animals at school*

CIVIL CODE

54.1 *Access to public places*

54.2 *Guide, signal, or service dogs, right to accompany*

GOVERNMENT CODE

810-996.6 *California Tort Claims Act, especially:*

815 *Liability for injuries generally; immunity of public entity*

835 *Conditions of liability*

VEHICLE CODE

21113 *Public grounds*

CODE OF REGULATIONS, TITLE 13

1216 *Transportation of property*

UNITED STATES CODE, TITLE 20

1400-1482 *Individuals with Disabilities Education Act*

UNITED STATES CODE, TITLE 29

794 *Rehabilitation Act of 1973, Section 504*

COURT DECISIONS

Sullivan v. Vallejo City USD, 731 F.Supp. 947 (1990)

Management Resources:

CSBA PUBLICATIONS

Indoor Air Quality: Governing Board Actions for Creating Healthy School Environments, Policy Brief, July 2008

Asthma Management in the Schools, Policy Brief, March 2008

WEB SITES:

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

American Society for the Prevention of Cruelty to Animals: <http://www.asPCA.org>

Humane Society of the United States: <http://www.hsus.org>

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

ANIMALS AT SCHOOL

In accordance with Board policy, a teacher or student may bring an animal into the classroom for instructional purposes with prior approval of the principal or designee. When a parent/guardian has provided notification that his/her child has an allergy, asthma, or health condition that may be affected by the animal, the teacher shall remove the animal from the classroom or provide an alternative instructional activity for the student as appropriate.

(cf. 3514 - Environmental Safety)

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

(cf. 5141.23 - Asthma Management)

All animals brought to school must be in good physical condition and appropriately immunized. The teacher shall ensure that the species of animal is appropriate for the instructional purpose and age and maturity of the students.

All animals, with the exception of service animals, are prohibited on school transportation services. (Education Code 39839; 13 CCR 1216)

(cf. 3541.2 - Transportation for Students with Disabilities)

(cf. 5131.1 - Bus Conduct)

All animals shall be humanely and properly housed in cages or containers specific for the species or otherwise appropriately controlled. The teacher shall also ensure that cages and containers are cleaned regularly and that waste materials are removed and disposed of in an appropriate manner. If the animal is to remain in the classroom longer than one day, the teacher shall be responsible for care and maintenance of the animal and ensure proper care when school is not in session, such as weekends, vacations, and holidays.

(cf. 5141 - Health Care and Emergencies)

(cf. 5142 - Safety)

The teacher shall ensure that students receive instruction regarding personal hygiene around animals.

(cf. 5141.22 - Infectious Diseases)

STUDENT USE OF TECHNOLOGY

The Board of Education intends that technological resources provided by the district be used in a responsible and proper manner in support of the instructional program and for the advancement of student learning.

(cf. 0440 - District Technology Plan)
(cf. 1113 - District and School Web Sites)
(cf. 4040 - Employee Use of Technology)
(cf. 6010 - Goals and Objectives)
(cf. 6162.7 - Use of Technology in Instruction)
(cf. 6163.1 - Library Media Centers)

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district computers, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with district regulations and the district's Acceptable Use Agreement.

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process: Students with Disabilities)
(cf. 5145.12 - Search and Seizure)

The Superintendent or designee shall provide age-appropriate instruction regarding the district's Acceptable Use Agreement, including instruction on the safe use of social networking sites and other Internet services, including but not limited to, the dangers of posting personal information online, misrepresentation by online predators, and how to report inappropriate or offensive content or threats.

(cf. 6143 - Courses of Study)

The Superintendent or designee, with input from students and appropriate staff, shall regularly review this policy, the accompanying administrative regulation, and other relevant procedures to help ensure that the district adapts to changing technologies and circumstances.

On-Line Services/Internet Access

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that blocks or filters Internet access to visual depictions that are obscene, child pornography, or harmful to minors, and that the operation of such measures is enforced. (20 USC 6777, 47 USC 254)

The Board desires to protect students from access to harmful matter on the Internet or other online services. The Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet. He/she

STUDENT USE OF TECHNOLOGY (continued)

also shall establish regulations and age-appropriate instruction to address the safety and security of students when using electronic mail, chat rooms and other forms of direct electronic communication.

Disclosure, use and dissemination of personal identification information regarding students is prohibited.

Staff shall supervise students while they are using on-line services and may ask teacher aides and student aides to assist in this supervision.

Before using the district's on-line resources, each student and his/her parent/guardian shall sign and return an Acceptable Use Agreement specifying user obligations and responsibilities. In that agreement, the student and his/her parent/guardian shall agree to not hold the district responsible and shall agree to indemnify and hold harmless the district and all district personnel for the failure of any technology protection measures, violations of copyright restrictions, users' mistakes or negligence, or any costs incurred by users.

(cf. 6162.6 - Use of Copyrighted Materials)

In order to help ensure that the district adapts to changing technologies and circumstances, the Superintendent or designee shall regularly review this policy, the accompanying administrative regulation and other procedures. He/she shall also monitor the district's filtering software to help ensure its effectiveness.

Staff shall supervise students while they are using online services and may ask teacher aides, student aides, and volunteers to assist in this supervision.

Legal Reference: (see next page)

STUDENT USE OF TECHNOLOGY (continued)

Legal Reference:

EDUCATION CODE

51006 Computer education and resources
51007 Programs to strengthen technological skills
51870-51874 Education technology
60044 Prohibited instructional materials

PENAL CODE

313 Harmful matter
502 Computer crimes, remedies
632 Eavesdropping on or recording confidential communications
653.2 Electronic communication devices, threats to safety

UNITED STATES CODE, TITLE 15

6501-6506 Children's Online Privacy Protection Act

UNITED STATES CODE, TITLE 20

6751-6777 Enhancing Education Through Technology Act, Title II, Part D, especially:

6777 Internet safety

UNITED STATES CODE, TITLE 47

254 Universal service discounts (E-rate)

CODE OF FEDERAL REGULATIONS, TITLE 16

312.1-312.12 Children's Online Privacy Protection Act

CODE OF FEDERAL REGULATIONS, TITLE 47

54.520 Internet safety policy and technology protection measures, E-rate discounts

Management Resources:

CSBA PUBLICATIONS

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

FEDERAL TRADE COMMISSION PUBLICATIONS

How to Protect Kids' Privacy Online: A Guide for Teachers, December 2000

MY SPACE.COM PUBLICATIONS

The Official School Administrator's Guide to Understanding MySpace and Resolving Social

Networking Issues

WEB SITES

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

American Library Association: <http://www.ala.org>

California Coalition for Children's Internet Safety: <http://www.cybersafety.ca.gov>

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

Center for Safe and Responsible Internet Use: <http://csriu.org>

Federal Communications Commission: <http://www.fcc.gov>

Federal Trade Commission, Children's Online Privacy Protection:

<http://www.ftc.gov/privacy/privacyinitiatives/childrens.html>

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

Web Wise Kids: <http://www.webwisekids.org>

STUDENT USE OF TECHNOLOGY

The principal or designee shall oversee the maintenance of each school's technological resources and may establish guidelines and limits on their use. He/she shall ensure that all students using these resources receive training in their proper and appropriate use.

(cf. 0440 - District Technology Plan)
(cf. 4040 - Employee Use of Technology)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
(cf. 6162.7 - Use of Technology in Instruction)

At the beginning of each school year, parents/guardians shall receive a copy of the district's policy and administrative regulation regarding access by students to the Internet and on-line sites. (Education Code 48980)

(cf. 5145.6 - Parental Notifications)

On-Line/Internet Services: User Obligations and Responsibilities

Students are authorized to use district equipment to access the Internet or on-line services in accordance with user obligations and responsibilities specified below and in accordance with Board of Education policy and the district's Acceptable Use Agreement.

1. The student, in whose name an on-line services account is issued, is responsible for its proper use at all times. Students shall keep personal account numbers, home addresses and telephone numbers private. They shall use the system only under their own account number.
2. Students shall use the district's system responsibly and primarily for educational purposes.
3. Students shall not access, post, submit, publish or display harmful or inappropriate matter that is threatening, obscene, disruptive or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, gender, sexual orientation, age, disability, religion or political beliefs.

(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes in a patently offensive way sexual conduct and which lacks serious literary, artistic, political or scientific value for minors. (Penal Code 313)

STUDENT USE OF TECHNOLOGY (continued)

4. Students shall not disclose, use or disseminate personal identification information about themselves or others when using electronic mail, chat rooms, or other forms of direct electronic communication. Students are also cautioned not to disclose such information by other means to individuals located through the Internet without the permission of their parents/guardians.

Personal information includes the student's name, address, telephone number, Social Security number, or other individually identifiable information.

5. Students shall not use the system to encourage the use of drugs, alcohol or tobacco, nor shall they promote unethical practices or any activity prohibited by law or Board policy.

(cf. 3513.3 - Tobacco-Free Schools)

6. Copyrighted material shall not be placed on the system without the author's permission. Students may download copyrighted material for their own use only.

(cf. 6162.6 - Use of Copyrighted Materials)

7. Students shall not intentionally upload, download or create computer viruses and/or maliciously attempt to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking."

(cf. 5131.5 - Vandalism, Theft and Graffiti)

8. Students shall not read other users' electronic mail or files. They shall not attempt to interfere with other users' ability to send or receive electronic mail, nor shall they attempt to delete, copy, modify or forge other users' mail.
9. Students shall report any security problem or misuse of the services to the teacher or principal.

The district reserves the right to monitor any on-line communications for improper use. Electronic communications and downloaded material, including files deleted from a user's account, may be monitored or read by district officials to ensure proper use of the system.

(cf. 5145.12 - Search and Seizure)

The principal or designee shall make all decisions regarding whether or not a student has violated Board policy or the district's Acceptable Use Agreement. The decision of the principal or designee shall be final.

STUDENT USE OF TECHNOLOGY (continued)

Inappropriate use shall result in a cancellation of the student's user privileges, disciplinary action and/or legal action in accordance with law and Board policy.

(cf. 5144 - Discipline)

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

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

GUIDANCE/COUNSELING SERVICES

The Board of Education recognizes that a comprehensive counseling program can help promote academic achievement and serve the diverse needs of all district students. Counseling staff shall be available to meet with students to discuss academic, social, or personal difficulties, as well as other issues that may impact student learning.

Academic and Career Counseling

The district's academic counseling program shall help students establish immediate and long-range educational plans, achieve academic standards, prepare for the high school exit examination, and complete the required curriculum in accordance with their individual needs, abilities, and interests. Insofar as possible, parents/guardians shall be included when making educational plans.

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

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(cf. 6011 - Academic Standards)

(cf. 6020 - Parent Involvement)

Counseling staff shall help all students plan for the future and become aware of their career potential. Academic planning for higher education shall include information about courses needed for admission to colleges and universities, standardized admission tests, financial aid, and scholarships.

(cf. 6030 - Integrated Academic and Vocational Instruction)

(cf. 6141.5 - Advanced Placement)

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

The Superintendent or designee shall establish and maintain a program of guidance, placement, and follow-up for all district students subject to compulsory continuation education. (Education Code 48431)

(cf. 6184 - Continuation Education)

Colleges and prospective employers, including military recruiters, shall have the same access to students for recruiting purposes. (20 USC 7908; 10 USC 503; Education Code 49603)

(cf. 5125.1 - Release of Directory Information)

GUIDANCE/COUNSELING SERVICES (continued)

Supplemental School Counseling Program for Students in Grades 7-12

The Board has adopted the Supplemental School Counseling Program in order to provide supplemental counseling services to all students in grades 7-12 delivered by personnel who hold a valid pupil personnel services credential. In accordance with law and as specified in administrative regulation, the district's program shall provide for an individualized review of student records, an opportunity for a counselor to meet with students to discuss educational and vocational options, and specialized counseling services for students identified as at risk of not passing the high school exit examination.

(cf. 6162.52 - High School Exit Examination)

(cf. 6179 - Supplemental Instruction)

Personal Counseling

Counseling staff shall identify and work with students whose personal problems may prevent them from reaching their potential. As appropriate, students shall be informed about agencies that offer qualified professional assistance with substance abuse, physical or emotional problems, or other personal problems.

(cf. 1020 - Youth Services)

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5137 - Positive School Climate)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 5147 - Dropout Prevention)

(cf. 5149 - At-Risk Students)

(cf. 6164.5 - Student Success Teams)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

Counselors shall respect student confidentiality as appropriate and shall consult with the Superintendent or designee or with the district's legal counsel whenever unsure of how to respond to a student's personal problem. Parent/guardian consultation and consent shall be obtained as appropriate.

(cf. 5125 - Student Records)

(cf. 5022 - Student and Family Privacy Rights)

GUIDANCE/COUNSELING SERVICES (continued)

Crisis Counseling

The Board recognizes the need for a prompt and effective response when students are confronted with a traumatic incident. School counselors shall assist in the development of the comprehensive school safety plan, emergency and disaster preparedness plan, and other prevention and intervention practices designed to assist students before and after a crisis.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

In addition, the Superintendent or designee shall identify crisis-counseling resources to train district staff in appropriate response techniques and/or to directly help students cope with such crises if they occur.

Early identification and intervention plans shall be developed to help identify those students who may be at risk for violence so that support may be provided before they engage in violent or disruptive behavior.

(cf. 5136 - Gangs)

(cf. 5141.52 - Suicide Prevention)

Teacher-Based Advisory Program

The Board recognizes that a supportive, ongoing relationship with a caring adult can provide a student with valuable advice and security. The Board desires to establish a teacher-based advisory program in which teachers, with supervision and support from a credentialed school counselor, advise students in such areas as character development, conflict resolution and self-esteem. The Board expects this program to enhance student-teacher relationships and give students positive adult role models. The Superintendent or designee and a credentialed school counselor shall design this program and submit it to the Board for adoption.

Legal Reference: (see next page)

GUIDANCE/COUNSELING SERVICES (continued)

Legal Reference:

EDUCATION CODE

221.5 Prohibited sex discrimination

41505-41508 Pupil Retention Block Grant

48431 Establishing and maintaining high school guidance and placement program

49600-49604 Educational counseling

51250 School age military dependents

51513 Personal beliefs

52378-52380 Supplemental School Counseling Program

REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS

48431.6 Tenth grade counseling program

PENAL CODE

11166-11170 Reporting known or suspected cases of child abuse

CODE OF REGULATIONS, TITLE 5

4930-4931 Counseling

UNITED STATES CODE, TITLE 10

503 Military recruiter access to directory information

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

7908 Armed forces recruiter access to students and student recruiting information

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family educational rights and privacy

Management Resources:

WEB SITES

American School Counseling Association: <http://www.schoolcounselor.org>

California Association of School Counselors: <http://www.schoolcounselor-ca.org>

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

U.S. Department of Education, Access to military recruiters:
<http://www.ed.gov/policy/gen/guid/fpco/hottopics/ht10-09-02.html>

GUIDANCE/COUNSELING SERVICES**Supplemental School Counseling Program for Students in Grades 7-12**

A counselor shall review the academic and deportment record of each student in grades 7-12, and meet with each student and, if practicable, his/her parent/guardian to explain the records. At the meeting, the counselor shall also explain the student's educational options, the coursework and academic progress needed for satisfactory completion of middle school or high school and passage of the high school exit examination, and the availability of career technical education. If such services are available to district students, the educational options discussed shall include college preparatory and vocational programs, including regional occupational centers and programs and any other available alternatives. (Education Code 53278)

(cf. 5125 - Student Records)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

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

(cf. 6162.52 - High School Exit Examination)

(cf. 6178 - Vocational Education)

The Superintendent or designee shall identify students in grades 7-12: (Education Code 53278)

1. Who are at risk of not graduating with the rest of their class
2. Are not earning credits at a rate that will enable them to pass the high school exit examination
3. Do not have sufficient training to allow them to fully engage in their chosen career.

The district shall provide the following services:

1. List of Coursework and Experience: For students in grades 10 and 12 who have not passed one or both parts of the high school exit examination, the district shall provide a list of coursework and experience necessary to assist them in their respective grade and to successfully transition to postsecondary education or employment. For students in grade 12, the list shall also include options for continuing their education if they fail to meet graduation requirements, including, but not limited to, the option of enrolling in an adult education program, enrolling in a community college, or continuing enrollment in the district. (Education Code 53278)

For students in grade 7 who are deemed to be at the far below basic level in English Language Arts or Mathematics pursuant to the California Standards Test administered in grade 6, the district shall provide a list of coursework and experience necessary to assist them to successfully transition to high school and to meet all graduation requirements, including passing the high school exit examination. (Education Code 53278)

GUIDANCE/COUNSELING SERVICES (continued)

A copy of the list of coursework and experience shall be provided to the student and his/her parent/guardian. The list shall also be included in the student's cumulative record. (Education Code 53278)

2. Individual Conference: For students in grades 7, 10, and 12 who have been provided the list of coursework and experience detailed in item #1 above, the district shall offer and schedule an individual conference with each student, his/her parent/guardian, and a school counselor. During the conference, the counselor shall apprise the student and his/parent guardian of the following: (Education Code 53278)
 - a. Consequences of not passing the high school exit examination
 - b. Available programs, courses, and career technical education options needed for satisfactory completion of middle or high school
 - c. The student's cumulative records and transcripts
 - d. The student's performance on standardized and diagnostic assessments
 - e. Available remediation strategies, high school courses, and alternative education options
 - f. Information about postsecondary education and training
 - g. As applicable, the student's score on the English Language Arts or Mathematics portion of the California Standards Test administered in grade 6

The individual conference shall be scheduled, to the extent feasible, within the following timelines: (Education Code 53278)

- a. For students in grade 7, the conference shall occur before January of that year in which the student is in grade 7.
- b. For students in grade 10, the conference shall occur between the spring of the year the students are enrolled in grade 10 and the fall of the following year in which the student would be enrolled in grade 11.
- c. For students in grade 12, the conference shall occur after November of that school year in which the student is enrolled in grade 12, but before March of that same school year.

GUIDANCE/COUNSELING SERVICES (continued)

The Superintendent or designee shall annually submit reports to the California Department of Education describing the number and percentage of students receiving various program services. (Education Code 52380)

Notifications

Beginning with grade 7, parents/guardians shall be notified at least once before career counseling and course selection so that they may participate in the counseling sessions and decisions. (Education Code 221.5)

(cf. 5145.6 - Parental Notifications)

Nondiscrimination

No counselor shall unlawfully discriminate against any student. In addition, when exploring the possibility of careers and courses leading to such careers, counseling staff shall not differentiate career, vocational, or higher education opportunities on the basis of the sex of the student. (Education Code 221.5; 5 CCR 4930)

For appraising or counseling students, the district shall not use testing or other materials that permit or require impermissible or unlawful differential treatment of students. (5 CCR 4931)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

IDENTIFICATION OF INDIVIDUALS FOR SPECIAL EDUCATION

The Board of Education recognizes the need to actively seek out and evaluate district residents from birth through age 21 who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law.

(cf. 0430 - Comprehensive Local Plan for Special Education)
(cf. 6164.6 - Identification and Education under Section 504)

The Superintendent or designee shall develop processes to determine when an individual is eligible for special education services and shall establish systematic procedures for special education program identification, screening, referral, assessment, planning, implementation, review and triennial assessment. (Education Code 56301)

The Superintendent or designee shall develop a method to ensure that all eligible individuals residing within the district are currently receiving needed special education and related services. In addition, the Superintendent or designee shall consult with appropriate representatives of private school students with disabilities on how to identify, locate and evaluate these students. (20 USC 1412(a)(3); 34 CFR 300.451)

The Superintendent or designee shall establish a method whereby parents/guardians, teachers, appropriate professionals and others may refer an individual for assessment for special education services. Identification procedures shall be coordinated with school site procedures for referral of students with needs that cannot be met with modifications to the regular instructional program. (Education Code 56302)

For assessment purposes, staff shall use appropriate tests to identify specific information about the individual's abilities in accordance with Education Code 56320.

The Superintendent or designee shall notify parents/guardians in writing of their rights related to identification, referral, assessment, instructional planning, implementation and review, including the district's procedures for initiating a referral for assessment to identify individuals who need special education services. (Education Code 56301)

(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. 5145.6 - Parental Notifications)
(cf. 6159 - Individualized Education Program)
(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. 6162.51 - Standardized Testing and Reporting Program)
(cf. 6162.52 - High School Exit Examination)

Legal Reference: (see next page)

IDENTIFICATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

Legal Reference:

EDUCATION CODE

44265.5 Professional preparation for teachers of impaired students

56000-56885 Special education programs, especially:

56026 Individuals with disabilities

56170-56177 Children in private schools

56195.8 Adoption of policies

56300-56304 Identification of individuals with disabilities

56320-56330 Assessment

56340-56347 Instructional planning and individualized education program

56381 Reassessment of students

56425-56435 Early education for individuals with disabilities

56441.11 Eligibility criteria, children 3 to 5 years old

56445 Transition to grade school; reassessment

56500-56508 Procedural safeguards

GOVERNMENT CODE

95000-95029 California Early Intervention Services Act

CODE OF REGULATIONS, TITLE 5

3021-3029 Identification, referral and assessment

3030-3031 Eligibility criteria

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1412 State eligibility

1415 Procedural safeguards

CODE OF FEDERAL REGULATIONS, TITLE 34

104.35 Evaluation and placement

104.36 Procedural safeguards

300.1-300.756 Assistance to states for the education of students with disabilities

COURT DECISIONS

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

Management Resources:

FEDERAL REGISTER

34 CFR 300.a Appendix A to Part 300 - Questions and Answers

34 CFR 300.a1 Attachment 1: Analysis of Comments and Changes

WEB SITES

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

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

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

IDENTIFICATION OF INDIVIDUALS FOR SPECIAL EDUCATION

A student shall be referred for special educational instruction and services only after the resources of the regular education program have been considered and used where appropriate. (Education Code 56303)

All referrals for special education and related services from school staff shall include a brief reason for the referral and description of the regular program resources that were considered and/or modified for use with the student, and their effect. (5 CCR 3021)

Within 15 days of a referral for assessment, unless the parent/guardian agrees in writing to an extension, the student's parent/guardian shall receive a notice of parental rights and a written proposed assessment plan. The 15-day period does not include days between the student's regular school session or term or days of school vacation in excess of five school days from the date of receipt of the referral. Education Code 56043, 56321)

The proposed assessment plan shall meet all of the following requirements: (Education Code 56321)

1. Be in a language easily understood by the general public
2. Be provided in the primary language of the parent/guardian or other mode of communication used by the parent/guardian unless it is clearly not feasible
3. Explain the types of assessment to be conducted
4. State that no individualized education program (IEP) will result from the assessment without parent/guardian consent

(cf. 6159 - Individualized Education Program)

Upon receiving the proposed assessment plan, the parent/guardian shall have at least 15 days to decide whether or not to consent to the assessment. The assessment may begin as soon as informed parental consent is received by the district. The district shall not interpret parent/guardian consent for initial assessment as consent for initial placement or initial provision of special education services. (Education Code 56321; 34 CFR 300.505)

Informed parental consent means that the parent/guardian: (34 CFR 300.500)

1. Has been fully informed of all information relevant to the activity for which consent is sought, in his/her native language or other mode of communication
2. Understands and agrees in writing to the assessment

IDENTIFICATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

3. Understands that the granting of consent is voluntary on his/her part and may be revoked at any time

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

If the student is a ward of the state and is not residing with his/her parents/guardians, the district shall make reasonable efforts to obtain informed consent from the parent/guardian as defined in 20 USC 1401 for an initial evaluation to determine whether the student is a student with a disability. (20 USC 1414(a)(1))

The district shall not be required to obtain informed consent from the parent/guardian of a student for an initial evaluation to determine whether the student is a student with a disability if either of the following situations exists: (20 USC 1414(a)(1))

1. Despite reasonable efforts to do so, the district cannot discover the whereabouts of the parent/guardian of the student
2. The rights of the parent/guardian of the student have been terminated in accordance with California law
3. The rights of the parent/guardian to make educational decisions have been subrogated by a judge in accordance with California law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the student

(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)

As part of the assessment plan, the parent/guardian shall receive written notice that: (Education Code 56329; 34 CFR 300.502)

1. Upon completion of the administration of tests and other assessment materials, an IEP team meeting that includes the parent/guardian or his/her representative shall be scheduled pursuant to Education Code 56341. At this meeting, the team shall determine whether or not the student is a student with disabilities as defined in Education Code 56026 and shall discuss the assessment, the educational recommendations and the reasons for these recommendations. A copy of the assessment report and the documentation of determination of eligibility shall be given to the parent/guardian.
2. If the parent/guardian disagrees with an assessment obtained by the district, the parent/guardian has the right to obtain, at public expense, an independent educational assessment of the student from qualified specialists, in accordance with 34 CFR 300.502.

IDENTIFICATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

If the district observed the student in conducting its assessment, or if its assessment procedures make it permissible to have in-class observation of a student, an equivalent opportunity shall apply to the independent educational assessment. This equivalent opportunity shall apply to the student's current placement and setting as well as observation of the district's proposed placement and setting, regardless of whether the independent educational assessment is initiated before or after the filing of a due process hearing proceeding.

3. The district may initiate a due process hearing pursuant to Education Code 56500-56508 to show that its assessment is appropriate. If the final decision resulting from the due process hearing is that the assessment is appropriate, the parent/guardian still has the right for an independent educational assessment but not at public expense.

If the parent/guardian obtains an independent educational assessment at private expense, the results of the assessment shall be considered by the district with respect to the provision of free, appropriate public education to the student, and may be presented as evidence at a due process hearing regarding the student. If the district observed the student in conducting its assessment, or if its assessment procedures make it permissible to have in-class observation of a student, an equivalent opportunity shall apply to an independent educational assessment of the student in the student's current educational placement and setting, if any, proposed by the district, regardless of whether the independent educational assessment is initiated before or after the filing of a due process hearing.

4. If a parent/guardian proposes a publicly financed placement of the student in a nonpublic school, the district shall have an opportunity to observe the proposed placement and, if the student has already been unilaterally placed in the nonpublic school by the parent/guardian, the student in the proposed placement. Any such observation shall only be of the student who is the subject of the observation and may not include the observation or assessment of any other student in the proposed placement unless that student's parent/guardian consents to the observation or assessment. The results of any observation or assessment of another student in violation of Education Code 56329(d) shall be inadmissible in any due process or judicial proceeding regarding the free appropriate public education of that other student.

(cf. 5145.6 - Parental Notifications)

An IEP required as a result of an assessment shall be developed within a total time not to exceed 50 days, not counting days between the student's regular school sessions, terms, or days of school vacation in excess of five school days, from the date of the receipt of the parent/guardian's consent for assessment, unless the parent/guardian agrees in writing to an extension. (Education Code 56043)

IDENTIFICATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

Before entering kindergarten or first grade, children with disabilities who are in a preschool program shall be reassessed to determine if they still need special education and services. IEP teams shall identify a means of monitoring the continued success of children who are determined to be eligible for less intensive special education programs to ensure that gains made are not lost by a rapid removal of individualized programs and supports for these individuals. (Education Code 56445)

STUDENT SUCCESS TEAMS

The Board of Education encourages the collaboration of parents/guardians, teachers, resource personnel, administrators and students in evaluating the strengths and needs of students having academic, attendance or behavioral difficulties and in identifying strategies and programs that may assist the students. The Superintendent or designee shall establish student success teams as needed to address individual students' needs.

(cf. 5113.1 - Truancy)
(cf. 5147 - Dropout Prevention)
(cf. 5149 - At-Risk Students)

The Superintendent or designee shall establish a process for initiating referrals of students to the student success team.

Each student success team shall develop intervention strategies to assist the student. Such strategies may include changes in program placement or instructional methods, recommendation of supplemental educational services, parent involvement strategies, behavioral interventions, discipline, referrals to other agencies or resources, and/or other appropriate interventions.

(cf. 1020 - Youth Services)
(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 5141.3 - Health Examinations)
(cf. 5141.6 - Student Health and Social Services)
(cf. 5144 - Discipline)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6020 - Parent Involvement)
(cf. 6158 - Independent Study)
(cf. 6159 - Individualized Education Program)
(cf. 6159.4 - Behavioral Interventions for Special Education Students)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6171 - Title I Programs)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6174 - Education for English Language Learners)
(cf. 6175 - Migrant Education Program)
(cf. 6176 - Weekend/Saturday Classes)
(cf. 6177 - Summer School)
(cf. 6178 - Vocational Education)
(cf. 6178.1 - Work Experience Education)
(cf. 6179 - Supplemental Instruction)
(cf. 6181 - Alternative Schools)
(cf. 6182 - Opportunity School/Class/Program)
(cf. 6183 - Home and Hospital Instruction)
(cf. 6184 - Continuation Education)
(cf. 6185 - Community Day School)

The student success team shall monitor the student's progress, evaluate the extent to which the recommended strategies have been implemented, and develop additional interventions as needed.

Legal References: (see next page)

STUDENT SUCCESS TEAMS (continued)

Legal Reference:

EDUCATION CODE

8800-8807 *Healthy Start support services for children*

41505-41508 *Pupil Retention Block Grant*

48260-48273 *Truancy*

48400-48454 *Continuation education*

49600-49604 *Educational counseling*

51745-51749.3 *Independent study programs*

52200-52212 *Gifted and talented student programs*

54400-54425 *Programs for disadvantaged children*

54440-54445 *Migrant children*

WELFARE AND INSTITUTIONS CODE

4343-4352.5 *Primary interventions program, mental health*

18986.40-18986.46 *Interagency children's services*

Management Resources:

CDE PUBLICATIONS

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

Student Success Teams: Supporting Teachers in General Education, 1997

CALIFORNIA DROPOUT PREVENTION NETWORK PUBLICATIONS

SST: Student Success Teams, 2000

WEB SITES

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

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

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

IDENTIFICATION AND EDUCATION UNDER SECTION 504

The Board of Education recognizes the need to identify and evaluate children with disabilities in order to provide them with a free, appropriate public education. Under Section 504 of the federal Rehabilitation Act of 1973, individuals with a physical or mental impairment that substantially limits one or more major life activities, including learning, are eligible to receive services and aids designed to meet their needs as adequately as the needs of nondisabled students are met.

The Superintendent or designee shall establish screening and evaluation procedures to be used whenever there is reason to believe that a student has a disability that limits his/her ability to attend or function at school.

To evaluate the student's eligibility under Section 504, the Superintendent or designee shall convene a school site committee of professionals knowledgeable about the student's individual needs and school history, the meaning of evaluation data, and accommodation options. The student's parent/guardian shall be invited to participate on this committee.

If the student is found to have a disability that requires services under Section 504, the school site committee shall develop a written accommodation plan for the student. Upon reviewing the nature of the disability and how it affects the student's education, the committee shall determine what modifications and/or special services and aids are needed. The student shall be educated with nondisabled students to the maximum extent appropriate to the student's individual needs.

The school site committee shall provide the parent/guardian with a written copy of the accommodation plan and notice of procedural safeguards guaranteed by law.

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

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

(cf. 5141.24 - Specialized Health Care Services)

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

Legal Reference: (see next page)

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

Legal Reference:

EDUCATION CODE

49423.5 *Specialized physical health care services*

CODE OF REGULATIONS, TITLE 5

3051.12 *Health and Nursing Services*

UNITED STATES CODE, TITLE 20

1232g *Family Educational Rights and Privacy Act of 1974*

1400-1482 *Individuals with Disabilities Education Act*

UNITED STATES CODE, TITLE 29

701-795a *Rehabilitation Act*

794 *Rehabilitation Act of 1973, Section 504*

CODE OF FEDERAL REGULATIONS, TITLE 34

104.1-104.61 *Nondiscrimination on the basis of handicap, especially*

104.1 *Purpose to effectuate Section 504 of the Rehabilitation Act of 1973*

104.3 *Definitions*

104.33 *Free appropriate public education*

104.35 *Evaluation and placement*

104.36 *Procedural safeguards*

IDENTIFICATION AND EDUCATION UNDER SECTION 504**Eligibility**

A disabled student eligible for services under Section 504 is one who (a) has a physical or mental impairment that substantially limits one or more major life activities, including learning, (b) has a record of such an impairment, or (c) is regarded as having such an impairment. (34 CFR 104.3)

Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. Examples of students with such impairments include, but are not limited to:

1. Students with a normal ability to learn but who have a mobility impairment
2. Students with a normal ability to learn academically but who require occupational or physical therapy in order to function physically
3. Students with emotional disabilities manifested by behavior problems which result in exclusion from classes or school

Indications of a possible disability that significantly interferes with learning include, but are not limited to:

1. Medical conditions such as severe asthma or heart disease
2. Temporary medical condition due to illness or accident
3. Poor or failing grades over a lengthy period of time

Referral and Identification Procedures

1. Any student may be referred by a parent/guardian, teacher, other certificated school employee or community agency for consideration of eligibility as a disabled student under Section 504. This referral should be made to the school site principal.
2. The school site committee shall promptly consider the referral and determine whether an evaluation under this procedure is appropriate. This determination shall be based on a review of the student's school records (including academic, social and behavioral records) and the student's needs. Students requiring evaluation shall be referred to appropriate evaluation specialists.
3. If a request for evaluation is denied, the school site committee shall inform the parents/guardians of this decision and of their procedural rights as described below.

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

Accommodation Plan

1. When a student is identified as disabled within the meaning of Section 504, the school site committee shall determine what services are necessary to ensure that the student's individual education needs are met as adequately as the needs of nondisabled students.
2. In making this determination, the school site committee shall consider all significant factors relating to the learning process for the student, including his/her adaptive behavior and cultural and language background. The evaluation may include, but is not limited to, classroom and playground observation, performance-based testing, academic assessment information, and data offered by the parent/guardian.
3. The parents/guardians shall be invited to participate in the school site committee meeting where services for the student will be determined and shall be given an opportunity to examine all relevant records.
4. The school site committee shall develop a written plan describing the disability and specifying the services needed by the student. A copy of this plan shall be kept in the student's cumulative file. The student's teacher and any other staff who provide services to the student shall be informed of the services necessary for the student, to the extent that they need to be informed in order to provide for the student in the school setting.
5. If the school site committee determines that no services are necessary for the student, the record of the committee's meeting shall reflect the identification of the student as a disabled person under Section 504 and shall state the basis for the decision that no special services are presently needed.
6. The disabled student shall be placed in the regular educational environment unless the district demonstrates that a more restrictive placement is required in order to meet the student's needs. The disabled student shall be educated with those who are not disabled to the maximum extent appropriate to his/her individual needs.
7. The parents/guardians shall be notified in writing of the final decision concerning services to be provided, if any, and of the Section 504 procedural safeguards, including the right to an impartial hearing to challenge the decision.
8. The district shall complete the identification, evaluation and placement process within a reasonable time frame.

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

9. The student's plan shall include a schedule for periodic review of the student's needs and indicate that this review may occur sooner at the request of the parent/guardian or school staff.

Review of the Student's Progress

1. The school site committee shall monitor the progress of the disabled student and the effectiveness of the student's plan. The committee shall periodically determine whether the services are appropriate and necessary and whether the disabled student's needs are being met as adequately as the needs of nondisabled students.
2. A reevaluation of the student's needs will be conducted before any subsequent significant change in placement.

Procedural Safeguards

Parents/guardians shall be notified in writing of all district decisions regarding the identification, evaluation or educational placement of students with disabilities or suspected disabilities. Notifications shall include a statement of their rights to: (34 CFR 104.36)

1. Examine relevant records
2. Have an impartial hearing with an opportunity for participation by the parents/guardians and their counsel
3. Have a review procedure

(cf. 5145.6 - Parental Notifications)

Notifications shall also set forth the procedures for requesting a hearing, the name, address and telephone number of the person with whom the request should be made, and the fact that reimbursement for attorney's fees is available only as authorized by law.

If a parent/guardian disagrees with the identification, evaluation or educational placement of a student with disabilities under Section 504, he/she may initiate the following procedures:

1. Within 30 days of receiving the student's accommodation plan, set forth in writing his/her disagreement and request that the school principal and school site committee review the plan in an attempt to resolve the disagreement. This review shall be held within 14 days of receiving the parent/guardian's request, and the parent/guardian shall be invited to attend the meeting at which the review is conducted.

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

2. If disagreement continues, request in writing that the Superintendent or designee review the plan. This review shall be held within 14 days of receiving the parent/guardian's request, and the parent/guardian shall be invited to meet with the Superintendent or designee to discuss the review.
3. If disagreement continues, request in writing a Section 504 due process hearing. The request shall include:
 - a. The specific nature of the decision with which the parent/guardian disagrees
 - b. The specific relief the parent/guardian seeks
 - c. Any other information the parent/guardian believes pertinent

Within 20 days of receiving the parent/guardian's request, the Superintendent or designee shall select an impartial hearing officer. This 20 days may be extended for good cause or by mutual agreement of the parties.

Within 45 days of the selection of the hearing officer, the Section 504 due process hearing shall be conducted and a written decision mailed to all parties. This 45 days may be extended for good cause or by mutual agreement of the parties. The Superintendent or designee shall represent the district at this hearing.

Any party to the hearing shall be afforded the right to:

1. Be accompanied and advised by counsel and by individuals with special knowledge or training related to the problems of students who are qualified as disabled under Section 504
2. Present written and oral evidence
3. Question and cross-examine witnesses
4. Receive written findings by the hearing officer

If desired, either party may seek a review of the hearing officer's decision by a federal court of competent jurisdiction.

Instruction

TITLE I PROGRAMS

BP 6171 (a)

The Governing Board desires to provide a high-quality education that enables all students to meet challenging state academic standards. In schools with a large number or percentage of economically disadvantaged families, the district shall use Title I funds to provide services that strengthen the academic program and provide support to students at risk of failing to achieve academic standards.

(cf. 6011 - Academic Standards)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - State Academic Achievement Tests)

Title I funds shall be used to supplement, not supplant, funds available from state and local sources for the education of students participating in Title I programs. (20 USC 6314, 6321)

Descriptions of how the district will address the required components of the Title I local educational agency plan, as specified in 20 USC 6312, shall be included within the district's control and accountability plan (LCAP), the LCAP Federal Addendum, or another document. School-level strategies shall be aligned with the district's plan and be tailored to the specific needs of the students at the school.

(cf. 0420 - School Plans/Site Councils)
(cf. 0400 - Comprehensive Plans)
(cf. 0460 - Local Control and Accountability Plan)

In addition, the district and each school receiving Title I funds shall develop a written parent/guardian and family engagement policy in accordance with 20 USC 6318.

(cf. 6020 - Parent Involvement)

Comparability of Services

In schools receiving Title I funds, state and local funds shall be used to provide services that, taken as a whole, are at least comparable to services in schools that are not receiving Title I funds or, if all district schools are receiving Title I funds, that are substantially comparable in each school. Comparability may be determined on a school-by-school basis or by grade span. (20 USC 6321)

To demonstrate comparability of services among district schools, the district shall:

1. Adopt and implement a districtwide salary schedule
2. Ensure equivalence in teachers, administrators, and other staff, as measured by either or both of the following:

Instruction

TITLE I PROGRAMS

BP 6171 (b)

- a. The ratio of students to instructional staff at each Title I school within a grade span, which shall not exceed 110 percent of the average ratio for all non-Title I district schools within that grade span
- b. Salary expenditures for instructional staff at each Title I school, which shall be no less than 90 percent of the average salary expenditure across non-Title I district schools.
3. Ensure equivalence in the provision of curriculum materials and instructional supplies, by determining whether the per-student expenditure of state and local funds for curriculum materials and instructional supplies in Title I schools is between 90 and 110 percent of the districtwide average
4. Determine whether the amount of state and local funds allocated per student for each grade span is between 90 and 110 percent of the per student average for each grade span in non-Title I schools

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

In determining comparability, the district shall not include staff salary differentials for years of employment. The district also may exclude unpredictable changes in student enrollment or personnel assignments that occur after the beginning of the school year, state and local funds expended for language instruction educational programs, state and local funds expended for the excess costs of providing services to students with disabilities, and supplemental state or local funds expended in any school attendance area or school for programs that specifically meet the intent and purposes of Title I. (20 USC 6321)

The Superintendent or designee shall annually assess comparability in accordance with the above criteria and maintain records documenting the district's compliance. If any instances of noncomparability are identified, the Superintendent or designee shall promptly implement adjustments as needed to ensure comparability.

Participation of Private School Students

The district shall provide or contract to provide special educational services, instructional services (including evaluations to determine the progress being made in meeting students' academic needs), counseling, mentoring, one-on-one tutoring, or other Title I benefits to eligible private school students residing in a participating school attendance area. Such services and benefits shall be provided on an equitable basis in comparison to services and other benefits for public school students. (20 USC 6320, 7881)

Instruction

TITLE I PROGRAMS

BP 6171 (c)

Program Evaluation

The Board shall regularly monitor the progress of economically disadvantaged and low-achieving students in Title I schools. During the annual evaluation of the district's progress toward achieving each goal identified in the LCAP or other planning document addressing 20 USC 6312, the Board shall review disaggregated data on academic achievement, school attendance, and other outcomes for such students and shall ensure that strategies are revised as necessary to support continuous improvement.

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference:

EDUCATION CODE

11503 Parent involvement programs in Title I schools

52060-52077 Local control and accountability plan

54420-54425 State Compensatory Education

64001 Single plan for student achievement, consolidated application programs

UNITED STATES CODE, TITLE 20

6301 Program purpose

6311-6322 Improving basic programs for disadvantaged students, including:

6312 Local educational agency plan

6313 Eligibility of schools and school attendance areas; funding allocation

6314 Title I schoolwide programs

6315 Targeted assistance schools

6318 Parent and family engagement

6320 Participation of private school students

6321 Comparability of services

6333-6335 Grants to local educational agencies

6391-6399 Education for migrant students

7881 Participation of private school students

CODE OF FEDERAL REGULATIONS, TITLE 34

200.1-200.73 Improving basic programs for disadvantaged students

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Frequently Asked Questions About Title I Schoolwide Programs

Local Control and Accountability Plan Federal Addendum Template

Meeting Title I, Part A Comparability Requirements, October 2017

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Fiscal Changes and Equitable Services Requirements Under the Elementary and Secondary Education Act of 1965 (ESEA), as Amended by the Every Student Succeeds Act,

Adopted May 9, 2006

Revised: December 11, 2018

DELHI UNIFIED SCHOOL DISTRICT

Delhi, California

Instruction

TITLE I PROGRAMS

BP 6171 (d)

Non-Regulatory Guidance, November 21, 2016

Title I Fiscal Issues, Non-Regulatory Guidance, February 2008

Designing Schoolwide Programs, Non-Regulatory Guidance, March 22, 2006

Title I Services to Eligible Private School Students, October 17, 2003

WEB SITES

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

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

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

Instruction

TITLE I PROGRAMS

AR 6171 (a)

Schoolwide Programs

A school may operate a Title I schoolwide program in order to upgrade the entire educational program of the school when at least 40 percent of the students in the school attendance area, or at least 40 percent of the students enrolled in the school, are from low-income families. (20 USC 6314; 34 CFR 200.25)

Any school operating a schoolwide program shall develop a comprehensive plan with the involvement of parents/guardians, other members of the community to be served, and individuals who will carry out the plan, including teachers, principals, other school leaders, paraprofessionals present in the school, administrators (including administrators of other federal education programs), the district, tribes and tribal organizations present in the community, and, if appropriate, specialized instructional support personnel, technical assistance providers, school staff, secondary school students as applicable, and other individuals determined by the school. (20 USC 6314)

(cf. 0400 - Comprehensive Plans)

The schoolwide program plan shall be based on a comprehensive needs assessment of the entire school and shall be incorporated into a single plan for student achievement which also incorporates the plans required for other categorical programs included in the state's consolidated application. (Education Code 64001; 20 USC 6314)

(cf. 0420 - School Plans/Site Councils)

The plan shall describe the strategies that the school will implement to address school needs, including a description of how such strategies will: (20 USC 6314)

1. Provide opportunities for all students, including economically disadvantaged students, ethnic subgroups, students with disabilities, and English learners, to meet state academic standards

(cf. 6011 - Academic Standards)

2. Use methods and instructional strategies that strengthen the school's academic program, increase the amount and quality of learning time, and help provide an enriched and accelerated curriculum, which may include programs, activities, and courses necessary to provide a well-rounded education

(cf. 5148.2 - Before/After School Programs)

(cf. 6111 - School Calendar)

(cf. 6112 - School Day)

Adopted: December 11, 2018

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Revised: March 12, 2019

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TITLE I PROGRAMS

AR 6171 (b)

(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6177 - Summer Learning Programs)

3. Address the needs of all students in the school, but particularly the needs of those at risk of not meeting state academic standards, through activities which may include the following:

a. Counseling, school-based mental health programs, specialized instructional support services, mentoring services, and other strategies to improve students' skills outside the academic subject areas

(cf. 5141.6 - School Health Services)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6164.5 - Student Success Teams)

b. Preparation for and awareness of opportunities for postsecondary education and the workforce, which may include career and technical education programs and broadening secondary school students' access to coursework to earn postsecondary credit while still in high school

(cf. 6141.4 - International Baccalaureate Program)
(cf. 6141.5 - Advanced Placement)
(cf. 6172.1 - Concurrent Enrollment in College Classes)
(cf. 6178 - Career Technical Education)

c. Implementation of a schoolwide tiered model to prevent and address problem behavior, and early intervention services, coordinated with similar activities and services carried out under the Individuals with Disabilities Education Act

d. Professional development and other activities for teachers, paraprofessionals, and other school personnel to improve instruction and use of data from academic assessments and to recruit and retain effective teachers, particularly in high-need subjects

(cf. 4111/4211/4311 - Recruitment and Selection)
(cf. 4131 - Staff Development)
(cf. 4222 - Teacher Aides/Paraprofessionals)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

e. Strategies for assisting preschool children in the transition from early childhood education programs to local elementary school programs

(cf. 5148.3 - Preschool/Early Childhood Education)

TITLE I PROGRAMS

AR 6171 (c)

The plan shall also include a description of any applicable federal, state, and local programs that will be consolidated in the schoolwide program. (20 USC 6314; 34 CFR 200.27)

The plan and its implementation shall be regularly monitored and revised as necessary based on student needs to ensure that all students are provided opportunities to meet state academic standards. (20 USC 6314)

Targeted Assistance Programs

Any school that receives Title I funds but does not operate a schoolwide program shall use Title I funds to provide services to eligible students who are failing, or most at risk of failing, to meet state academic standards. Students shall be identified on the basis of multiple, educationally related, objective criteria, except that students in preschool through grade 2 shall be selected solely on the basis of criteria, including objective criteria, established by the district and supplemented by the school. (20 USC 6315)

Eligible students include those who are economically disadvantaged; students with disabilities; migrant students, including those who participated in a migrant education program pursuant to 20 USC 6391-6399 in the preceding two years; English learners; students who participated in a Head Start or state preschool program in the preceding two years; students in a local institution for neglected or delinquent children and youth or attending a community day program for such students; and homeless students. (20 USC 6315)

Any targeted assistance program shall: (20 USC 6315)

1. Use program resources to help participating students meet state academic standards, which may include programs, activities, and academic courses necessary to provide a well-rounded education
2. Use methods and instructional strategies that strengthen the academic program, through activities which may include:
 - a. Expanded learning time, before- and after-school programs, and summer programs and opportunities
 - b. A schoolwide tiered model to prevent and address behavior problems, and early intervention services, coordinated with similar activities and services carried out under the Individuals with Disabilities Education Act
3. Coordinate with and support the regular education program, which may include services to assist preschool students in the transition to elementary school programs
4. Provide professional development to teachers, principals, other school leaders,

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TITLE I PROGRAMS

AR 6171 (d)

paraprofessionals, and, if appropriate, specialized instructional support personnel and other school personnel who work with eligible students in Title I programs or in the regular education program. The professional development shall be provided using funds from Title I and, to the extent practicable, other sources.

5. Implement strategies to increase the involvement of parents/guardians of participating students
6. If appropriate and applicable, coordinate and integrate federal, state, and local services and programs, such as programs supported by the Elementary and Secondary Education Act, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career technical education programs, and comprehensive or targeted support and improvement activities under 20 USC 6311
7. Provide assurances to the Superintendent or designee that the program will:
 - a. Help provide an accelerated, high-quality curriculum
 - b. Minimize the removal of students from the regular classroom during regular school hours for instruction supported by Title I funds
 - c. On an ongoing basis, review the progress of participating students and revise the targeted assistance program, if necessary, to provide additional assistance to enable such students to meet state academic standards

Participation of Private School Students

Teachers and families of participating private school students shall have an opportunity to participate, on an equitable basis, in parent/guardian and family engagement activities and professional development pursuant to 20 USC 6318. (20 USC 6320, 7881)

Each year the Superintendent or designee shall contact officials of private schools with students who reside within district boundaries, regardless of whether the private school they attend is located within the district or whether or not those officials have previously indicated any interest in program participation, and invite them to a meeting to discuss the intent of Title I and the roles of public and private school officials.

The Superintendent or designee shall consult with appropriate private school officials, in a meaningful and timely manner, during the design and development of the district's Title I programs, with the goal of reaching agreement on how to provide equitable and effective programs for eligible private school students. Such consultation shall occur before the district makes any decision that affects the opportunities of eligible private school students to participate in Title I programs and shall include consultation on issues such as the following: (20 USC

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AR 6171 (e)

6320, 7881; 34 CFR 200.56)

1. How the needs of private school students will be identified
2. What services will be offered
3. How, where, and by whom the services will be provided
4. How the services will be academically assessed and how assessment results will be used to improve those services
5. The size and scope of the equitable services to be provided to eligible private school students, the proportion of funds to be allocated for such services, and how that proportion of funds is determined
6. The method or sources of data that are used to determine the number of students from low-income families in participating school attendance areas who attend private schools
7. How and when the district will make decisions about the delivery of services to such students, including a thorough consideration and analysis of the views of private school officials on the provision of services through a third-party provider
8. How, if the district disagrees with the views of private school officials on the provision of services through a third-party provider, the district will provide to private school officials a written analysis of the reasons that the district has chosen not to use a contractor
9. Whether the district will provide services directly or through a separate government agency, consortium, entity, or third-party contractor
10. Whether to provide services to eligible private school students by pooling funds or on a school-by-school basis
11. When services will be provided, including the approximate time of day
12. Whether to consolidate and use funds provided under Title I with other funds available for services to private school students

If the district disagrees with the views of private school officials with respect to any of the above issues, the district shall provide the officials, in writing, the reasons that the district disagrees. (20 USC 6320)

Meetings between district and private school officials shall continue throughout implementation and assessment of services. (20 USC 6320)

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AR 6171 (f)

The district shall maintain, and shall provide to the CDE, a written affirmation signed by officials of each participating private school that consultation has occurred. The affirmation shall provide the option for private school officials to indicate their belief that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to private school students. If private school officials do not provide the affirmation within a reasonable period of time, the district shall send documentation to the CDE demonstrating that the consultation has, or attempts at such consultation have, taken place. (20 USC 6320)

(cf. 3580 - District Records)

The Superintendent or designee shall also maintain copies of program descriptions, notices, funding allocations, and other communications and records pertaining to the provision of services to private school students.

GIFTED AND TALENTED STUDENT PROGRAM

The Board of Education believes that all students deserve an education that challenges them to meet their full potential. The Board shall provide gifted and talented students opportunities for learning commensurate with their particular abilities and talents.

Programs for gifted and talented students may include special day classes, part-time groupings and cluster groupings which shall be planned and organized as an integrated, differentiated learning experience within the regular school day. These programs may be augmented or supplemented with other differentiated activities related to the core curriculum using such strategies as independent study, acceleration, postsecondary education, and enrichment. (Education Code 52206)

(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 6141.5 - Advanced Placement)
(cf. 6146.11 - Alternative Credits Toward Graduation)
(cf. 6158 - Independent Study)
(cf. 6177 - Summer School)

The Board shall determine the most appropriate curricular components for participating students. Each participating student's program shall include an academic component and, as appropriate, instruction in basic skills. (Education Code 52206)

The Superintendent or designee shall ensure the full participation of eligible students regardless of their ethnic, cultural, linguistic or economic background.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 6174 - Education for English Language Learners)

Staff development shall be provided to support teachers of gifted and talented students in understanding the unique learning styles and abilities of these students and in developing appropriate instructional strategies.

(cf. 4131 - Staff Development)

The Board shall regularly evaluate the effectiveness of the district's program in meeting the needs of gifted and talented students.

(cf. 0500 - Accountability)
(cf. 6190 - Evaluation of the Instructional Program)

Program planning, implementation and evaluation shall involve parents/guardians, staff, community members and students as appropriate.

(cf. 1220 - Citizen Advisory Committees)
(cf. 6020 - Parent Involvement)

Legal Reference: (see next page)

GIFTED AND TALENTED STUDENT PROGRAM (continued)

Legal Reference:

EDUCATION CODE

48800-48802 Enrollment of gifted students in community college

51740 Instruction by correspondence

51745-51749.3 Independent study programs

52200-52212 Gifted and Talented Pupil Program

76001 Enrollment in community college

76002 Community college courses

CODE OF REGULATIONS, TITLE 5

1633 Instruction by correspondence

3820-3870 Gifted and Talented Pupil Program

Management Resources:

WEB SITES

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

California Association for the Gifted: <http://www.cagifted.org>

National Association for Gifted Children: <http://www.nagc.org>

GIFTED AND TALENTED STUDENT PROGRAM

Definitions

A *gifted and talented student* is one who is identified as possessing demonstrated or potential abilities that give evidence of high performance capability in categories selected by the Board of Education. (Education Code 52201)

A *highly gifted student* is one who has achieved a measured intelligence quotient of 150 or more points on an assessment of intelligence administered by qualified personnel or has demonstrated extraordinary aptitude and achievement in language arts, mathematics, science, or other academic subjects, as evaluated and confirmed by both the student's teacher and principal. Highly gifted students shall generally constitute not more than one percent of the student population. (Education Code 52201)

A *special day* class for gifted and talented students consists of one or more classes totaling a minimum school day where each class: (5 CCR 3840)

1. Is composed of gifted and talented students
2. Is designed to meet the specific academic needs of gifted and talented students for enriched or advanced instruction and is appropriately differentiated from other classes in the same subjects at the school
3. Is taught by a teacher who has specific preparation, experience, personal attributes and competencies in the teaching of gifted children

A *part-time grouping* is one in which students attend classes or seminars that are organized to provide advanced or enriched subject matter for a part of the school day and those classes are composed of identified gifted and talented students. (5 CCR 3840)

A *cluster grouping* is one in which students are grouped within a regular classroom setting and receive appropriately differentiated activities from the regular classroom teacher. (5 CCR 3840)

Independent study provides additional instructional opportunities supervised by a certificated district employee through special tutors or mentors or through enrollment in correspondence courses specified in Education Code 51740 and 5 CCR 1633. (5 CCR 3840)

(cf. 6158 - Independent Study)

GIFTED AND TALENTED STUDENT PROGRAM (continued)

Acceleration means that students are placed in grades or classes more advanced than those of their chronological age group and are provided special counseling and/or instruction outside the regular classroom in order to facilitate their advanced work. (5 CCR 3840)

(cf. 5123 - Promotion/Acceleration/Retention)

Postsecondary education opportunities offer students the opportunity to attend classes conducted by college or community college or to participate in Advanced Placement programs. (5 CCR 3840)

(cf. 6141.5 - Advanced Placement)

Enrichment activities are supplemental educational activities that augment students' regular educational programs in their regular classrooms. Students use advanced materials and/or receive special opportunities from persons other than the regular classroom teacher. (5 CCR 3840)

Program Plan

The Superintendent or designee shall develop a written plan for the district's program which includes the components specified in 5 CCR 3831.

Identification of Gifted and Talented Students

Students shall be selected for the program based on their demonstrated or potential ability for high performance in accordance with the categories specified in Education Code 52202 and 5 CCR 3822.

Evidence of a student's capability shall include any of the data specified in 5 CCR 3823 and shall consider the economic, linguistic and cultural characteristics of students' background. (5 CCR 3823)

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

(cf. 6162.5 - Student Assessment)

The Superintendent or designee shall design methods to seek out and identify gifted and talented students from varying linguistic, economic and cultural backgrounds. (5 CCR 3820)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 6174 - Education for English Language Learners)

GIFTED AND TALENTED STUDENT PROGRAM (continued)

Prior to making a final determination of a student's eligibility, the pertinent evidence shall be evaluated by the student's principal or designee, a classroom teacher familiar with the student's work, and, when appropriate, a credentialed school psychologist. A person recognized as an expert in the gifted and talented category under consideration, and/or a person who has in-depth understanding of the student's linguistic or cultural group, shall participate in the evaluation of the evidence unless there is no doubt as to the student's eligibility. These persons shall meet as necessary to resolve any differences in assessment and recommendations. (5 CCR 3824)

The Superintendent or designee shall make the final determination of a student's eligibility.

The Superintendent or designee may also identify as gifted and talented any student who has transferred from a district in which he/she was identified as a gifted and talented student. (Education Code 52202)

The Superintendent or designee may establish an identification and placement committee to review evidence of students' capacities and make recommendations regarding the eligibility of individual students.

Written parental consent shall be secured before students participate in the program. (5 CCR 3831)

Community College Enrollment

With parental consent, a principal may recommend students of any age or grade level for part-time enrollment in community college courses. For any particular grade level, a principal may not recommend for community college summer session attendance more than five percent of the total number of students who completed that grade immediately prior to the time of recommendation. (Education Code 48800)

The principal may only recommend a student for community college summer session if that student satisfies all of the following conditions: (Education Code 48800)

1. Demonstrates adequate preparation in the discipline to be studied
2. Exhausts all opportunities to enroll in an equivalent course, if any, at his/her school of attendance

If a community college course is to be held at a district high school campus, the Board shall define, at a regularly scheduled meeting, the times that the campus will be closed to the general public. (Education Code 76002)

GIFTED AND TALENTED STUDENT PROGRAM (continued)

Special part-time students may enroll in up to 11 units per semester, or the equivalent, in a community college. Such students shall receive credit for community college courses that they complete at a level jointly determined appropriate by the Board and community college governing board. (Education Code 48800, 76001)

Any student's parent/guardian may petition the Board to authorize the student to attend a community college as a special full-time student if he/she believes the student would benefit from advanced scholastic or vocational work that would thereby be available. (Education Code 48800.5)

If the Board denies a request for special part-time or full-time enrollment at a community college for a student who is identified as highly gifted and talented as defined above, the Board shall issue its written recommendation and the reasons for the denial within 60 days. The written recommendation and denial shall be issued at the next regularly scheduled Board meeting that falls at least 30 days after the request has been submitted. (Education Code 48800, 48800.5)

EDUCATION FOR HOMELESS CHILDREN

The Board of Education desires to ensure that homeless students have access to the same free and appropriate public education provided to other students within the district. The district shall provide homeless students with access to education and other services necessary for these students to meet the same challenging academic standards as other students.

Homeless students shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way.

(cf. 3553 - Free and Reduced Price Meals)

The Superintendent or designee shall ensure that placement decisions for homeless students are based on the student's best interest as defined in law and administrative regulation.

(cf. 5111.13 - Residency for Homeless Children)

Transportation

The district shall provide transportation for a homeless student to and from his/her school of origin when the student is residing within the district and the parent/guardian requests that such transportation be provided. If the student moves outside of district boundaries, but continues to attend his/her school of origin within this district, the Superintendent or designee shall consult with the superintendent of the district in which the student is now residing to agree upon a method to apportion the responsibility and costs of the transportation. (42 USC 11432)

(cf. 3250 - Transportation Fees)

(cf. 3541 - Transportation Routes and Services)

Legal References: (see next page)

EDUCATION FOR HOMELESS CHILDREN (continued)

Legal Reference:

EDUCATION CODE

1980-1986 County community schools

2558.2 Use of revenue limits to determine average daily attendance of homeless children

39807.5 Payment of transportation costs by parents

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

Management Resources:

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Education for Homeless Children and Youth Program, Non-Regulatory Guidance, July 2004

WEB SITES

California Department of Education, Homeless Children and Youth Education:

<http://www.cde.ca.gov/sp/hs/cy>

National Center for Homeless Education at SERVE: <http://www.serve.org/nche>

National Law Center on Homelessness and Poverty: <http://www.nlchp.org>

U.S. Department of Education: <http://www.ed.gov/programs/homeless/index.html>

EDUCATION FOR HOMELESS CHILDREN

Definitions

Homeless means students who lack a fixed, regular, and adequate nighttime residence and includes: (42 USC 11434a)

1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement

(cf. 6173.1 - Education for Foster Youth)

2. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings
3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
4. Migratory children who qualify as homeless because the children are living in conditions described in (1)-(3) above

School of origin means the school that the student attended when permanently housed or the school in which the student was last enrolled. (42 USC 11432)

Best interest means, to the extent feasible, continuing a student's enrollment in the school of origin for the duration of his/her homelessness, except when doing so is contrary to the wishes of his/her parent/guardian. (42 USC 11432)

Unaccompanied youth means a youth not in the physical custody of a parent or guardian. (42 USC 11434(a))

District Liaison

The Superintendent designates the following staff person as the district liaison for homeless students: (42 USC 11432)

Director of Educational Services
9716 Hinton Avenue
Delhi, CA 95315
(209) 656-2000

EDUCATION FOR HOMELESS CHILDREN (continued)

The district's liaison for homeless students shall ensure that: (42 USC 11432)

1. Homeless students are identified by school personnel and through coordinated activities with other entities and agencies

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

(cf. 3553 - Free and Reduced-Price Meals)

(cf. 5141.6 - Student Health and Social Services)

2. Homeless students enroll in, and have a full and equal opportunity to succeed in, district schools
3. Homeless families and students receive educational services for which they are eligible
4. Parents/guardians are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children
5. Notice of the educational rights of homeless children is disseminated at places where children receive services, such as schools, shelters, and soup kitchens
6. Enrollment disputes are mediated in accordance with law, Board policy, and administrative regulation
7. Parents/guardians are fully informed of all transportation services

(cf. 3250 - Transportation Fees)

(cf. 3541 - Transportation Routes and Services)

Enrollment

Placement decisions for homeless students shall be based on the student's best interest. In determining a student's best interest, a homeless student shall, to the extent feasible, be placed in his/her school of origin, unless his/her parent/guardian requests otherwise. (42 USC 11432)

When making a placement decision, the Superintendent or designee may consider the age of the student, the distance of the commute and the impact it may have on the student's education, personal safety issues, the student's need for special instruction, the length of anticipated stay in the temporary shelter or other temporary location, likely area of future housing, school placement of siblings, and the time remaining in the school year.

EDUCATION FOR HOMELESS CHILDREN (continued)

The student may continue attending his/her school of origin for the duration of the homelessness and until the end of any academic year in which he/she moves into permanent housing. (42 USC 11432)

In the case of an unaccompanied youth, the district's homeless liaison shall assist in placement or enrollment decisions, consider the views of the student, and provide notice to the student of his/her appeal rights. (42 USC 11432)

If the student is placed at a school other than his/her school of origin or the school requested by his/her parent/guardian, the Superintendent or designee shall provide the parent/guardian with a written explanation of the decision along with a statement regarding the parent/guardian's right to appeal the placement decision. (42 USC 11432)

Once a placement decision has been made, the principal or designee shall immediately enroll the student in the school of choice, even if the parent/guardian is unable to provide the school with the records normally required for enrollment. (42 USC 11432)

(cf. 5111.13 - Residency for Homeless Children)
(cf. 5125 - Student Records)
(cf. 5141.31 - Immunizations)

The principal or designee shall immediately contact the school last attended by the student to obtain the relevant records. If the student needs to obtain immunizations or does not possess immunization or other medical records, the principal or designee shall refer the parent/guardian to the district's liaison for homeless students. The liaison shall assist the parent/guardian in obtaining the necessary immunizations or records for the student. (42 USC 11432)

Enrollment Dispute Resolution Process

If a dispute arises over school selection or enrollment in a particular school, the student shall be immediately admitted to the school in which enrollment is sought pending resolution of the dispute. (42 USC 11432)

The parent/guardian shall be provided with a written explanation of the placement decision, including an explanation of the parent/guardian's right to appeal the decision. He/she shall also be referred to the district liaison. (42 USC 11432)

The written explanation shall be complete, as brief as possible, simply stated and provided in language that the parent/guardian or student can understand. The explanation may include

EDUCATION FOR HOMELESS CHILDREN (continued)

contact information for the district liaison, a description of the district's decision, notice of the right to enroll in the school of choice pending resolution of the dispute, notice that enrollment includes full participation in all school activities, and notice of the right to appeal the decision to the county office of education and, if the dispute remains unresolved, to the California Department of Education.

The district liaison shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute. (42 USC 11432)

The liaison shall provide the parent/guardian a copy of the district's decision, dispute form, and a copy of the outcome of the dispute.

If a parent/guardian disagrees with the liaison's enrollment decision, he/she may appeal the decision to the Superintendent. The Superintendent shall make a determination within five working days.

If the parent/guardian wishes to appeal the district's placement decision, the district liaison shall forward all written documentation and related paperwork to the homeless liaison at the county office of education.

Instruction

E(1) 6173(a)

EDUCATION FOR HOMELESS CHILDREN

DISTRICT EXPLANATION OF ENROLLMENT DECISION

Instructions: The following form is to be used when the district has denied a parent/guardian's enrollment request.

Date: _____ Name of person completing form: _____
Title: _____ Phone number: _____

In accordance with federal law (42 USC 11432), this notification is being provided to:

Name of parent/guardian: _____

Name of student(s): _____

Name of school requested: _____

District's placement decision (name of school): _____

After reviewing your request to enroll your child in the school listed above, your enrollment request has been denied. This determination was based upon:

You have the right to appeal this decision to the district Superintendent. If you are not satisfied with the Superintendent's decision, you may appeal to the _____ (county name) _____ County Office of Education. If you are not satisfied with the county office's decision, you may then appeal to the California Department of Education. The district's homeless liaison can assist you with this appeal.

Name of district's homeless liaison: _____

Address: _____

Phone number: _____

Name of County Office of Education homeless liaison: _____

Address: _____

Phone number: _____

You also have the following rights:

- Pending resolution of this dispute, your child has the right to immediately enroll in the school you requested and to participate in school activities at that school.
- You may provide written or verbal documentation to support your position. You may use the district's dispute resolution form. A copy of the dispute resolution form can be obtained from the district's liaison for homeless students.

EDUCATION FOR HOMELESS CHILDREN (continued)

- You may seek the assistance of advocates or attorneys to help you with this appeal.

EDUCATION FOR HOMELESS CHILDREN

ENROLLMENT DISPUTE FORM

Instructions: This form is to be completed by a parent/guardian or student when a dispute regarding enrollment has arisen. As an alternative to completing this form, the information on this form may be shared verbally with the district's liaison for homeless students.

Date submitted: _____

Name of person completing form: _____

Student's name: _____

Relation to student: _____

I may be contacted at the following:

Address: _____

Phone number: _____

Name of school requested: _____

I wish to appeal the enrollment decision made by:

☐ District liaison ☐ Superintendent ☐ County liaison

Reason for the appeal: You may include an explanation to support your appeal in this space or provide your explanation verbally.

I have been provided with:

- ☐ A written explanation of the district's decision
- ☐ Contact information for the district's homeless liaison
- ☐ Contact information for the county office of education's homeless liaison

EDUCATION FOR FOSTER YOUTH

The Board of Education recognizes its obligation to ensure that foster youth have access to the academic resources, services and extracurricular and enrichment activities that are available to district students. The district shall provide students in foster care within the district with access to educational opportunities and other services necessary to help such students achieve the district's performance standards.

(cf. 6011- Academic Standards)
(cf. 6173 - Education for Homeless Children)

The Superintendent or designee shall ensure that placement decisions for foster youth are based on the students' best interests as defined in law and administrative regulation.

The Superintendent or designee shall collaborate with the county placing agency and other appropriate agencies to ensure maximum utilization of available funds and to meet the educational needs of foster youth within the district.

(cf. 1400 - Relations between Other Governmental Agencies and the Schools)
(cf. 5141.6 - Student Health and Social Services)

Legal Reference: (see next page)

EDUCATION FOR FOSTER YOUTH (continued)

Legal Reference:

EDUCATION CODE

42920-42925 *Foster children educational services*

48645.1 *Juvenile court schools*

48850-48859 *Educational placement of students residing in licensed children's institutions*

49061 *Student records*

49069.5 *Foster care students transfer of records*

49076 *Access to student records*

56055 *Rights of foster parents in special education*

WELFARE AND INSTITUTIONS CODE

300 *Children subject to jurisdiction*

309 *Investigation and release of child*

361 *Limitations on parental or guardian control*

366.27 *Educational decision by relative providing living arrangements*

602 *Minors violating law; ward of court*

726 *Limitations on parental or guardian control*

727 *Order of care, ward of court*

UNITED STATES CODE, TITLE 42

11431-11435 *McKinney-Vento Homeless Assistance Act*

Management Resources:

WEB SITES

California Department of Education, Foster Youth Services Program:

<http://www.cde.ca.gov/spbranch/ssp/fysprfa/fysrfa.htm>

California Department of Social Services, Foster Youth Ombudsman Office:

<http://www.fosteryouthhelp.ca.gov>

EDUCATION FOR FOSTER YOUTH

Definitions

Foster youth means a child who has been subject to one of the following: (Education Code 48853.5)

1. Has been removed from his/her home pursuant to Welfare and Institutions Code 309 (investigation and release of child)
2. Is the subject of a petition filed under Welfare and Institutions Code 300 (jurisdiction of juvenile court) or 602 (minors ward of court, violating law)
3. Has been removed from his/her home and is the subject of a petition filed under Welfare and Institutions Code 300 or 602

Person holding the *right to make educational decisions* means a responsible adult appointed by a court pursuant to Welfare and Institutions Code 361 or 727.

School of origin means the school that the foster youth attended when permanently housed or the school in which the student was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which he/she was last enrolled, or if there is some other school that the foster youth attended with which the youth is connected, the district liaison shall, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, determine, in the best interest of the foster youth, the school of origin. (Education Code 48853.5)

Best interest means a placement that ensures that the youth is placed in the least restrictive educational programs and has access to academic resources, services, and extracurricular and enrichment activities that are available to district students. (Education Code 48853)

District Liaison

The Superintendent or designee designates the following position as the district liaison for foster youth: (Education Code 48853.5)

Director of Educational Services
9716 Hinton Avenue
Delhi, CA 95315
(209) 656-2000

(cf. 6173 - Education for Homeless Children)

EDUCATION FOR FOSTER YOUTH (continued)

The district's liaison for foster youth shall: (Education Code 48853.5)

1. Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of students in foster care

(cf. 1400 - Relations between Other Governmental Agencies and the Schools)
(cf. 5141.6 - Student Health and Social Services)

2. Assist foster youth when transferring from one school to another or from one district to another in ensuring proper transfer of credits, records and grades

(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 5125 - Student Records)

Enrollment

A foster youth placed in a licensed children's institution or foster family home shall attend programs operated by the district unless one of the following circumstances applies: (Education Code 48853)

1. The student has an individualized education program requiring placement in a nonpublic, nonsectarian school or agency or in another local educational agency.

(cf. 6159 - Individualized Education Program)
(cf. 6159.2 - Nonpublic Nonsectarian School and Agency Services for Special Education)

2. The parent/guardian or other person holding the right to make educational decisions for the student determines that it is in the best interest of the student to be placed in another educational program or that the student continue in his/her school of origin, as specified below.

At the initial detention or placement, or any subsequent change in placement of a foster youth, the district shall allow the student to continue his/her education in the school of origin for the duration of the academic school year. However, the district liaison may, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, recommend that the youth's right to attend the school of origin be waived and he/she be enrolled in any school that students living in the attendance area in which the foster youth resides are eligible to attend. All decisions shall be made in accordance with the foster youth's best interest. (Education Code 48853.5)

Prior to making any recommendation to move a foster youth from his/her school of origin, the liaison shall provide the youth and the person holding the right to make educational decisions for the youth with a written explanation of the basis for the recommendation and how this recommendation serves the youth's best interests. (Education Code 48853.5)

EDUCATION FOR FOSTER YOUTH (continued)

The role of the liaison shall be advisory with respect to placement decisions and determination of the school of origin. (Education Code 48853.5)

If the liaison, in consultation with the foster youth and the person holding the right to make educational decisions for the foster youth, agree that the best interests of the youth would be served by his/her transfer to a school other than the school of origin, the principal or designee of the new school shall immediately enroll the foster youth, even if the youth is unable to produce records, such as academic, medical or proof of residency, or clothing normally required for enrollment. (Education Code 48853.5)

(cf. 5132 - Dress and Grooming)

(cf. 5141.31 - Immunizations)

The liaison shall within two business days of enrollment contact the school last attended by the student to obtain all academic and other records. Upon receiving a request from a new school, the liaison for the school last attended shall provide all records within two business days of receiving the request. (Education Code 48853.5)

If any dispute arises regarding the request of a foster youth to remain in the school of origin, the youth has the right to remain in the school of origin pending resolution of the dispute. (Education Code 48853.5)

(cf. 1312.3 - Uniform Complaint Procedures)

Education For English Learners

BP 6174(a)

The Governing Board intends to provide English learners with challenging curriculum and instruction that maximize the attainment of high levels of proficiency in English, advance multilingual capabilities, and facilitate student achievement in the district's regular course of study.

The district shall identify in its local control and accountability plan (LCAP) goals and specific actions and services to enhance student engagement, academic achievement, and other outcomes for English learners.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

The Superintendent or designee shall encourage parent/guardian and community involvement in the development and evaluation of programs for English learners.

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

English learners shall be provided differentiated English language development instruction which is targeted to their English proficiency level, integrated across all subject areas, and aligned with the state content standards. The district's program shall be based on sound instructional theory, use standards-aligned instructional materials, emphasize inquiry-based learning and critical thinking skills, and provide students with access to the full educational program.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

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

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6171 - Title I Programs)

The Superintendent or designee shall ensure that all staff employed to teach English learners possess the appropriate authorization from the Commission on Teacher Credentialing.

(cf. 4112.22 - Staff Teaching English Learners)

The district shall provide effective professional development to teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), administrators, and other school or community-based organization personnel to improve the instruction and assessment of English learners and enhance staff's ability to understand and use curricula, assessment, and instructional

Education For English Learners

BP 6174(b)

strategies for English learners. Such professional development shall be of sufficient intensity and duration to produce a positive and lasting impact on teachers' performance in the classroom. (20 USC 6825)

(cf. 4131 -Staff Development)

(cf. 4231 -Staff Development)

(cf. 4331 -Staff Development)

Staff development shall also address the sociocultural needs of English learners and provide opportunities for teachers to engage in supportive, collaborative learning communities.

To support students' English language development, the Superintendent or designee may provide an adult literacy training program that leads to English fluency for parents/guardians and community members.

Identification and Assessment

The Superintendent or designee shall maintain procedures for the early identification of English learners and an assessment of their proficiency and needs in the areas of listening, speaking, reading, and writing in English.

Once identified as an English learner, a student shall be annually assessed for language proficiency until he/she is reclassified based on criteria specified in the accompanying administrative regulation.

English learners' academic achievement in English language arts, mathematics, science, and any additional subject required by law shall be assessed using the California Assessment of Student Performance and Progress. As necessary, the test shall be administered with testing variations in accordance with 5 CCR 854.1-854.3. English learners who are in their first 12 months of attending a school in the United States shall be exempted from taking the English language arts assessment to the extent allowed by federal law. (Education Code 60603, 60640; 5 CCR 854.1-854.3)

(cf. 6162.51 - State Academic Achievement Tests)

Formative assessments may be utilized to analyze student performance and appropriately adapt teaching methodologies and instructions.

(cf. 6162.5 - Student Assessment)

Language Acquisition Programs

The district shall offer research-based language acquisition programs that are designed to ensure English acquisition as rapidly and as effectively as possible and that provide instruction to students on the state - adopted academic content standards, including the English language development standards. (Education Code 306; 5 CCR 11300)

At a minimum, the district shall offer a structured English immersion program which includes designated and integrated English language development. In the structured English immersion program, nearly all of

Education For English Learners

BP 6174(c)

the classroom instruction shall be provided in English, but with the curriculum and presentation designed for students who are learning English. (Education Code 305-306; 5 CCR 11309)

For the purpose of determining the amount of instruction to be conducted in English in the structured English immersion program, "nearly all" means that all classroom instruction shall be conducted in English except for clarification, explanation, and support as needed.

In addition, language acquisition programs offered by the district may include, but are not limited to, the following: (Education Code 305-306)

1. The district may offer a dual-language immersion program that provides integrated language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding.

(cf. 6142.2 - World/Foreign Language Instruction)

2. The district may offer a transitional or developmental program for English learners that provides literacy and academic instruction in English and a student's native language and that enables an English learner to achieve English proficiency and academic mastery of subject matter content and higher order thinking skills, including critical thinking, in order to meet state academic content standards.

The district's language acquisition programs for grades K-3 shall comply with class size requirements specified in Education Code 42238.02. (Education Code 310)

(cf. 6151 - Class Size)

In establishing the district's language acquisition programs, the Superintendent or designee shall consult with parents/guardians and the community during the LCAP development process. He/she shall also consult with administrators, teachers, and other personnel with appropriate authorizations and experience in establishing a language acquisition program. (Education Code 305)

At the beginning of each school year or upon a student's enrollment, parents/guardians shall be provided information on the types of language acquisition programs available to students enrolled in the district, including, but not limited to, a description of each program, the process to be followed in making a program selection, identification of any language to be taught in addition to English when the program includes instruction in another language, and the process to request establishment of a language acquisition program. (Education Code 310; 5 CCR 11310)

(cf. 5145.6 - Parental Notifications)

Parents/guardians of English learners may choose a language acquisition program that best suits their child. To the extent possible, any language acquisition program requested by the parents/guardians of 30 or more students at the school or by the parents/guardians of 20 or more students at any grade level shall be offered by the school. (Education Code 310; 5 CCR 11311)

Instruction

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Reclassification

When an English learner is determined based on state and district reclassification criteria to have acquired a reasonable level of English proficiency pursuant to Education Code 313 and 52164.6, or upon request by the student's parent/guardian, the student BP 6174 (g) shall be transferred from a language acquisition program into an English language mainstream classroom.

Program Evaluation

To evaluate the effectiveness of the district's educational program for English learners, the Superintendent or designee shall report to the Board, at least annually, regarding:

1. Progress of English learners towards proficiency in English
2. The number and percentage of English learners reclassified as fluent English proficient
3. The number and percentage of English learners who are or are at risk of being classified as long-term English learners in accordance with Education Code 313.1
4. The achievement of English learners on standards-based tests in core curricular areas
5. For any language acquisition program that includes instruction in a language other than English, student achievement in the non-English language in accordance with 5 CCR 11309
6. Progress toward any other goals for English learners identified in the district's LCAP
7. A comparison of current data with data from at least the previous year in regard to items #1 -6 above
8. A comparison of data between the different language acquisition programs offered by the district

The Superintendent or designee shall also provide the Board with regular reports from any district or schoolwide English learner advisory committees

Legal Reference:

EDUCATION CODE

300-340 English language education, especially:

305-310 Language acquisition programs

313-313.5 Assessment of English proficiency

430-446 English Learner and Immigrant Pupil Federal Conformity Act

33050 State Board of Education waiver authority

Instruction

Education For English Learners

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42238.02-42238.03 Local control funding formula

44253.1-44253.11 Qualifications for teaching English learners

48980 Parental notifications

48985 Notices to parents in language other than English

52052 Accountability; numerically significant student subgroups

52060-52077 Local control and accountability plan

52160-52178 Bilingual Bicultural Act

56305 CDE manual on English learners with disabilities

60603 Definition, recently arrived English learner

60640 California Assessment of Student Performance and Progress

60810-60812 Assessment of language development

62002.5 Continuation of advisory committee after program sunsets

CODE OF REGULATIONS, TITLE 5

854.1-854.3 CAASPP and universal tools, designated supports, and accommodations

854.9 CASSPP and unlisted resources for students with disabilities

11300-11316 English learner education

11510-11517.5 California English Language Development Test

11517.6-11519.5 English Language Proficiency Assessments for California

UNITED STATES CODE, TITLE 20

1412 Individuals with Disabilities Education Act; state eligibility

1701-1705 Equal Educational Opportunities Act

6311 Title I state plan

6312 Title I local education agency plans

Instruction

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6801-7014 Title III, language instruction for English learners and immigrant students

7801 Definitions

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Discrimination prohibited

200.16 Assessment of English learners

COURT DECISIONS

Valeria O. v. Davis, (2002) 307 F.3d 1036

California Teachers Association v. State Board of Education et al., (9th Circuit, 2001) 271 F.3d 1141

McLaughlin v. State Board of Education, (1999) 75 Cal.App.4th 196

Teresa P. et al v. Berkeley Unified School District et al, (1989) 724 F.Supp. 698

ATTORNEY GENERAL OPINIONS

83 Ops.Cal.Atty.Gen. 40 (2000)

Management Resources:

CSBA PUBLICATIONS

English Learners in Focus: The English Learner Roadmap: Providing Direction for English Learner Success, Governance Brief, February 2018

English Learners in Focus, Issue 4: Expanding Bilingual Education in California after Proposition 58, Governance Brief, March 2017

English Learners in Focus, Issue 1: Updated Demographic and Achievement Profile of California's English Learners, Governance Brief, rev. September 2016

English Learners in Focus, Issue 3: Ensuring High-Quality Staff for English Learners, Governance Brief, July 2016

English Learners in Focus, Issue 2: The Promise of Two-Way Immersion Programs, Governance Brief, September 2014

Education For English Learners

BP 6174(g)

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California English Learner Roadmap: Strengthening Comprehensive Educational Policies, Programs and Practices for English Learners, 2018

Matrix One: Universal Tools, Designated Supports, and Accommodations for the California Assessment of Student Performance and Progress for 2017-18, rev. August 2017

Reclassification Guidance for 2017-18, CDE Correspondence, April 28, 2017

Integrating the CA ELD Standards into K-12 Mathematics and Science Teaching and Learning, December 2015

Next Generation Science Standards for California Public Schools, Kindergarten through Grade Twelve, rev. March 2015

English Language Arts/English Language Development Framework for California Public Schools: Transitional Kindergarten Through Grade Twelve, 2014

Common Core State Standards for Mathematics, rev. 2013

English Language Development Standards for California Public Schools: Kindergarten Through Grade Twelve, 2012

THE EDUCATION TRUST- WEST PUBLICATIONS

Unlocking Learning II: Math as a Lever for English Learner Equity, March 2018

Unlocking Learning: Science as a Lever for English Learner Equity, January 2017

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Accountability for English Learners Under the ESEA, Non-Regulatory Guidance, January 2017

Innovative Solutions for Including Recently Arrived English Learners in State Accountability Systems: A Guide for States, January 2017

English Learner Tool Kit for State and Local Educational Agencies (SEAs and LEAs), rev. November 2016

English Learners and Title III of the Elementary and Secondary Education Act (ESEA), as Amended by the Every Student Succeeds Act (ESSA), Non-Regulatory Guidance, September 23, 2016

Dear Colleague Letter: English Learner Students and Limited English Proficient Parents, January 7, 2015

Instruction

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WEB SITES

CSBA: <http://www.csba.org> California Association for Bilingual Education: <http://www.gocabe.org>

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

National Clearinghouse for English Language Acquisition: <http://www.ncele.us>

The Education Trust-West: <http://west.edtrust.org>

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

Education For English Learners

AR 6174(a)

Definitions

English learner means a student who is age 3-21 years, who is enrolled or is preparing to enroll in an elementary or secondary school, and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the student the ability to meet state academic standards, the ability to successfully achieve in classrooms where the language of instruction is English, or the opportunity to participate fully in society. An English learner may include a student who was not born in the United States or whose native language is a language other than English; a student who is Native American or Alaska Native, or a native resident of the outlying areas, who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or a student who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant. (Education Code 306; 20 USC 7801)

Designated English language development means instruction provided during a time set aside in the regular school day for focused instruction on the state-adopted English language development standards to assist English learners to develop critical English language skills necessary for academic content learning in English. (5 CCR 11300)

Integrated English language development means instruction in which the state-adopted English language development standards are used in tandem with the state-adopted academic content standards. Integrated

English language development includes specially designed academic instruction in English. (5 CCR 11300)

Native speaker of English means a student who has learned and used English in his/her home from early childhood and English has been his/her primary means of concept formation and communication. (Education Code 306)

Identification and Assessments

Upon enrollment in the district, each student's primary language shall be determined through the use of a home language survey. (Education Code 52164.1; 5 CCR 11307)

Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not previously been identified as an English learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be initially assessed for English proficiency using the English Language Proficiency Assessments for California (ELPAC). (Education Code 313, 52164.1; 5 CCR 11511)

Each year after a student is identified as an English learner and until he/she is redesignated as English proficient, the summative assessment of the ELPAC shall be administered to the student during a four-month period after January 1 as determined by the California Department of Education. (Education Code 313)

Adopted: May 9, 2006

DELHI UNIFIED SCHOOL DISTRICT

Revised: January 8, 2019

Delhi, California

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The ELPAC shall be administered in accordance with test publisher instructions and 5 CCR 11518.5-11518.20. Variations and accommodations in test administration may be provided to English learners pursuant to 5 CCR 11518.30-11518.35.

Any student with a disability who is identified as an English learner shall be allowed to take the assessment with those accommodations for testing that the student has regularly used during instruction and classroom assessment as delineated in the student's individualized education program (IEP) or Section 504 plan. If the student is unable to participate in the assessment or a portion of the assessment even with such accommodations, an alternate assessment for English language proficiency shall be administered to the student as set forth in his/her IEP. (5 CCR 11518.25-11518.35; 20 USC 1412)

(cf. 6159 - Individualized Education Program)

(cf. 6162.51 - State Academic Achievement Tests)

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

The Superintendent or designee shall notify parents/guardians of their child's results on the ELPAC within 30 calendar days following receipt of the results from the test contractor. (Education Code 52164.1; 5 CCR 11511.5)

(cf. 5145.6 - Parental Notifications)

The parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title I or Title III funds shall receive notification of the assessment of his/her child's English proficiency. Such notice shall be provided not later than 30 calendar days after the beginning of the school year or, if the student is identified for program participation during the school

year, within two weeks of the student's placement in the program. The notice shall include all of the following: (Education Code 313.2, 440; 20 USC 6312)

1. The reason for the identification of the student as an English learner and the need for placement in a language acquisition program
2. The level of English proficiency, how the level was assessed, and the status of the student's academic achievement
3. A description of the language acquisition program in which the student is, or will be, participating, including a description of all of the following:
 - a. The methods of instruction used in the program and in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction
 - b. The manner in which the program will meet the educational strengths and needs of the student

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AR 6174(c)

- c. The manner in which the program will help the student develop his/her English proficiency and meet age-appropriate academic standards for grade promotion and graduation
 - d. The specific exit requirements for the program, the expected rate of transition from the program into classes not tailored for English learners, and the expected rate of graduation from secondary school if applicable
 - e. Where the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP
4. As applicable, the identification of a student as a long-term English learner or at risk of becoming a long-term English learner, as defined in Education Code 313.1, and the manner in which the program for English language development instruction will meet the educational strengths and needs of such students and help such students develop English proficiency and meet age-appropriate academic standards
 5. Information about the parent/guardian's right to have the student immediately removed from a program upon the parent/guardian's request
 6. Information regarding a parent/guardian's option to decline to enroll the student in the program or to choose another program or method of instruction, if available
 7. Information designed to assist a parent/guardian in selecting among available programs, if more than one program or method is offered

Language Acquisition Programs

Whenever parents/guardians of enrolled students, and those enrolled for attendance in the next school year, request that the district establish a specific language acquisition program in accordance with Education Code 310, such requests shall be addressed through the following process: (5 CCR 11311)

1. The school shall make a written record of each request, including any request submitted verbally, that includes the date of the request, the names of the parent/guardian and student making the request, a general description of the request, and the student's grade level on the date of the request. As needed, the school shall assist the parent/guardian in clarifying the request. All requests shall be maintained for at least three years from the date of the request.
2. The school shall monitor requests on a regular basis and notify the Superintendent or designee when the parents/guardians of at least 30 students enrolled in the school, or at least 20 students in the same grade level, request the same or a substantially similar type of language acquisition program. If the requests are for a multilingual program model, the district shall consider requests from parents/guardians of students enrolled in the school who are native English speakers in determining whether this threshold is reached.
3. If the number of parents/guardians described in item #2 is attained, the Superintendent or designee shall:

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- a. Within 10 days of reaching the threshold, notify the parents/guardians of students attending the school, the school's teachers, administrators, and the district's English learner parent advisory committee and parent advisory committee, in writing, of the requests for a language acquisition program
- b. Identify costs and resources necessary to implement any new language acquisition program, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent/guardian and community engagement to support the proposed program goals
- c. Within 60 calendar days of reaching the threshold number of parents/guardians described in item #2 above, determine whether it is possible to implement the requested language acquisition program and provide written notice of the determination to parents/guardians of students attending the school, the school's teachers, and administrators
- d. If a determination is made to implement the language acquisition program, create and publish a reasonable timeline of actions necessary to implement the program. If a determination is made that it is not possible to implement the program, provide a written explanation of the reason(s) the program cannot be provided.

The district shall notify parents/guardians at the beginning of each school year or upon the student's enrollment regarding the process to request a language acquisition program, including a dual-language immersion program, for their child. The notice shall also include the following: (5 CCR 11309, 11310)

1. A description of the programs provided, including structured English immersion
2. Identification of any language to be taught in addition to English when the program includes instruction in a language other than English
3. The manner in which the program is designed using evidence-based research and includes both designated and integrated English language development
4. The manner in which the district has allocated sufficient resources to effectively implement the program, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development, and opportunities for parent/guardian and community engagement to support the program goals
5. The manner in which the program will, within a reasonable period of time, lead to language proficiency and achievement of the state-adopted content standards in English and, when the program includes instruction in another language, in that other language
6. The process to request establishment of a language acquisition program not offered at the school
7. For any dual-language immersion program offered, the specific languages to be taught. The notice also may include the program goals, methodology used, and evidence of the proposed program's effectiveness.

Education For English Learners

AR 6174(e)

Reclassification/Redesignation

The district shall continue to provide additional and appropriate educational services to English learners for the purposes of overcoming language barriers until they: (5 CCR 11302)

1. Demonstrate English language proficiency comparable to that of the district's average native English language speakers
2. Recoup any academic deficits which may have been incurred in other areas of the core curriculum as a result of language barriers

English learners shall be reclassified as fluent English proficient when they are able to comprehend, speak, read, and write English well enough to receive instruction in an English language mainstream classroom and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study. (Education Code 52164.6)

Note: Education Code 313 and 52164.6 and 5 CCR 11303 require that the district's reclassification process include, at a minimum, the criteria specified in items #1 -4 below. Additional guidance is available on the CDE's web site. The district may expand the following list to reflect any additional criteria it has established.

The measures used to determine whether an English learner shall be reclassified as fluent English proficient shall include, but not be limited to: (Education Code 313, 52164.6; 5 CCR 11303)

1. Assessment of English language proficiency using an objective assessment instrument, including, but not limited to, the ELPAC
2. Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions related to the student
3. Parent/guardian opinion and consultation

The Superintendent or designee shall provide the parent/guardian with notice and a description of the reclassification process and of his/her opportunity to participate in the process and shall encourage his/her involvement in the process.

4. Student performance on an objective assessment of basic skills in English that shows whether the student is performing at or near grade level

The Superintendent or designee shall monitor the progress of reclassified students to ensure their correct classification and placement. (5 CCR 11304)

The Superintendent or designee shall monitor students for at least four years following their reclassification to determine whether the student needs any additional academic support.

Adopted: May 9, 2006

DELHI UNIFIED SCHOOL DISTRICT

Revised: January 8, 2019

Delhi, California

Education For English Learners

AR 6174(f)

Advisory Committee

A parent/guardian advisory committee shall be established at the district level when there are more than 50 English learners in the district and at the school level when there are more than 20 English learners at the school. Parents/guardians of English learners shall constitute committee membership in at least the same percentage as English learners represent of the total number of students in the school. (Education Code 52176; 5 CCR 11308)

The district's English language advisory committee shall advise the Governing Board on at least the following tasks: (5 CCR 11308)

1. The development of a plan for education programs and services for English learners, taking into consideration the school site plans for English learners
2. The districtwide needs assessment on a school-by-school basis
3. Establishment of a district program, goals, and objectives for programs and services for English learners
4. Development of a plan to ensure compliance with applicable teacher or aide requirements
5. Administration of the annual language census
6. Review of and comment on the district's reclassification procedures

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

In order to assist the advisory committee in carrying out its responsibilities, the Superintendent or designee shall ensure that committee members receive appropriate training and materials. This training shall be planned in full consultation with the members. (5 CCR 11308)

LCAP Advisory Committee

When there are at least 15 percent English learners in the district, with at least 50 students who are English learners, a district-level English learner parent advisory committee shall be established to review and comment on the district's local control and accountability plan (LCAP) in accordance with BP 0460 - Local Control and Accountability Plan. The committee shall be composed of a majority of parents/guardians of English learners. (Education Code 52063; 5 CCR 11301, 15495)

Adopted: May 9, 2006

DELHI UNIFIED SCHOOL DISTRICT

Revised: January 8, 2019

Delhi, California

Instruction

Education For English Learners

· AR 6174(g)

(cf. 0460 - Local Control and Accountability Plan)

The advisory committee established pursuant to 5 CCR 11308, as described in the section "Advisory Committee" above, could serve as the LCAP English learner advisory committee if its composition includes a majority of parents/guardians of English learners.

Adopted: May 9, 2006

DELHI UNIFIED SCHOOL DISTRICT

Revised: January 8, 2019

Delhi, California

EDUCATION FOR ENGLISH LANGUAGE LEARNERS**PARENTAL EXCEPTION WAIVER
EDUCATION CODE 311(a): Children who know English**

Name: _____ Grade: _____

School: _____ Date of Birth: _____

Language Designation: _____

My child possesses good English language skills and for that reason I request a waiver of the school's Structured/Sheltered English language program. An alternate course of study is better suited to his/her educational development.

I have personally visited the school to apply for this waiver.

I have been provided a full written description of: the intent and content of the structured English immersion program; any alternative courses of study offered by the district and made available to my child; all educational opportunities offered by the district and made available to my child; and the educational materials to be used in the different educational program choices.

I understand that I must request that this waiver be reconsidered annually, each school year.

Parent/Guardian Signature: _____ Date: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____

For School Use Only:

Child's English standardized test scores: Scores must be at or above the state average for the child's grade level or above the 5th grade average:

Waiver Granted/Denied: _____ Date: _____

Signature: _____

EDUCATION FOR ENGLISH LANGUAGE LEARNERS**PARENTAL EXCEPTION WAIVER
EDUCATION CODE 311(b): Children age 10 or older**

Name: _____ Grade: _____

School: _____ Date of Birth: _____

Language Designation: _____

My child is 10 years of age or older and I believe that an alternate course of study is better suited to my child's rapid acquisition of English. For that reason, I request a waiver of the school's Structured/Sheltered English language program. An alternate course of study is better suited to his/her educational development.

I have personally visited the school to apply for this waiver.

I have been provided a full written description of: the intent and content of the structured English immersion program; any alternative courses of study offered by the district and made available to my child; all educational opportunities offered by the district and made available to my child; and the educational materials to be used in the different educational program choices.

I understand that I must request that this waiver be reconsidered annually, each school year.

Parent/Guardian Signature: _____ Date: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____

For School Use Only:_____
Waiver Granted/Denied: _____ Date: _____

Signature: _____

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

**PARENTAL EXCEPTION WAIVER
EDUCATION CODE 311(c): Children with Special Needs**

Name: _____ Grade: _____

School: _____ Date of Birth: _____

Language Designation: _____

I believe that my child has special needs and that an alternate course of study is better suited to his/her educational development. (Check all that apply and provide a brief statement)

_____ Educational Needs _____ Physical Needs _____ Emotional/Psychological Needs

Therefore, I request a waiver of the school's Structured/Sheltered English language program. I understand that the objective for my child is to be taught English as rapidly and effectively as possible. I have personally visited the school to apply for this waiver.

I understand that my child must be placed in an English language classroom for 30 calendar days and that this waiver will be considered by the Superintendent pursuant to Board-established guidelines.

I have been provided a full written description of: the intent and content of the structured English immersion program; any alternative courses of study offered by the district and made available to my child; all educational opportunities offered by the district and made available to my child; and the educational materials to be used in the different educational program choices.

I understand that I must request that this waiver be reconsidered annually, each school year.

Parent/Guardian Signature: _____ Date: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____

For School Use Only:

Waiver Granted/Denied: _____ Date: _____

Signature: _____

EDUCATION FOR ENGLISH LANGUAGE LEARNERS**Solicitud de Excepción Pedido por los Padres
Código de Educación 311(a): Niños que saben inglés**

Nombre: _____ Grado: _____

Escuela: _____ Fecha de nacimiento: _____

Idioma natal: _____

Mi hijo(a) posee buenas habilidades del idioma inglés y por esa razón yo solicito una excepción del Programa de Inmersión al Inglés Estructurado. Comprendo que el objetivo para mi hijo(a) debe ser el que se le enseñe inglés lo más rápido y efectivamente posible.

Yo visité personalmente la escuela de mi hijo(a) para solicitar esta excepción.

Se me ha entregado una completa descripción por escrito de: el propósito y el contenido del Programa de Inmersión al Inglés Estructurado; cualquier otro curso de estudio ofrecido por el distrito creado para estar al alcance de mi hijo(a); todas las oportunidades educativas ofrecidas por el distrito creadas para estar al alcance de mi hijo(a); y de los materiales educativos para ser usados en las diferentes opciones de programas educativos.

Entiendo que debo solicitar esta excepción anualmente, cada año escolar.

Firma de Padre/Madre o tutor dativo: _____ Fecha: _____

Dirección: _____

Ciudad: _____ Estado: _____ Código postal: _____

Teléfono: _____

Para uso exclusivo de la escuela:

Calificaciones del examen uniforme de inglés: Las calificaciones deben estar al nivel o arriba del promedio del estado para el grado al que corresponde el niño o arriba del promedio de quinto grado:

Excepción otorgada/negada: _____ Fecha: _____

Firma: _____

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

Solicitud de Excepción Pedido por los Padres
Código de Educación 311(b): Niños de 10 años de edad o mayor

Nombre: _____ Grado: _____

Escuela: _____ Fecha de nacimiento: _____

Idioma natal: _____

Mi hijo(a) tiene, o es mayor de, 10 años de edad y creo que un curso alternativo es el más adecuado para dar a mi hijo(a) una pronta enseñanza del inglés. Por esa razón solicito una excepción del Programa de Inmersión al Inglés Estructurado. Comprendo que el objetivo para mi hijo(a) es que se le enseñe inglés lo más rápido y efectivamente posible.

Yo personalmente visité la escuela de mi hijo(a) para solicitar esta excepción.

Se me ha entregado una completa descripción por escrito de: el propósito y el contenido del Programa de Inmersión al Inglés Estructurado; cualquier otro curso de estudio ofrecido por el distrito creado para estar al alcance de mi hijo(a); todas las oportunidades educativas ofrecidas por el distrito creadas para estar al alcance de mi hijo(a); y de los materiales educativos para ser usados en las diferentes opciones de programas educativos.

Entiendo que debo solicitar esta excepción anualmente, cada año escolar.

Firma de Padre/Madre o tutor dativo: _____ Fecha: _____

Dirección: _____

Ciudad: _____ Estado: _____ Código postal: _____

Teléfono: _____

Para uso exclusivo de la escuela:

Calificaciones del examen uniforme de inglés: Las calificaciones deben estar al nivel o arriba del promedio del estado para el grado al que corresponde el niño o arriba del promedio de quinto grado:

Excepción otorgada/negada: _____ Fecha: _____

Firma: _____

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

Solicitud de Pedido por los Padres
Código de Educación 311(c): Niños que requieren de educación especial

Nombre: _____ Grado: _____

Escuela: _____ Fecha de nacimiento: _____

Idioma natal: _____

Mi hijo(a) requiere educación especial y creo que un curso alternativo es el más adecuado para su desarrollo educativo.
(Marque todo lo que corresponda a su hijo(a) y dé una explicación breve)

____ Necesidades educativas ____ Necesidades físicas ____ Necesidades emocionales y psicológicas

Solicito una excepción del Programa de Inmersión al Inglés Estructurado. Comprendo que el objetivo para mi hijo(a) es que se le enseñe inglés lo más rápido y efectivamente posible. Yo personalmente visité la escuela de mi hijo(a) para solicitar esta excepción.

Comprendo que mi hijo(a) será colocado en un salón de instrucción de inglés por 30 días del calendario escolar y que esta excepción será considerada por el superintendente escolar de acuerdo a las guías establecidas por la mesa directiva escolar.

Se me ha entregado una completa descripción por escrito de: el propósito y el contenido del Programa de Inmersión al Inglés Estructurado; cualquier otro curso de estudio ofrecido por el distrito creado para estar al alcance de mi hijo(a); todas las oportunidades educativas ofrecidas por el distrito creadas para estar al alcance de mi hijo(a); y de los materiales educativos para ser usados en las diferentes opciones de programas educativos.

Entiendo que debo solicitar esta excepción anualmente, cada año escolar.

Firma de Padre/Madre o tutor dativo: _____ Fecha: _____

Dirección: _____

Ciudad: _____ Estado: _____ Código postal: _____

Teléfono: _____

Para uso exclusivo de la escuela:

Calificaciones del examen uniforme de inglés: Las calificaciones deben estar al nivel o arriba del promedio del estado para el grado al que corresponde el niño o arriba del promedio de quinto grado:

Excepción otorgada/negada: _____ Fecha: _____

Firma: _____

Migrant Education Program

BP 6175(a)

The Governing Board desires to provide a comprehensive program for migrant students that attempts to mitigate the impact of educational disruption, cultural and language barriers, social isolation, health-related problems, and other factors that may inhibit the ability of migrant students to succeed in school. The district shall make use of available funds to provide supplementary services for migrant students.

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

Note: Education Code 54444.2 requires the establishment of a parent advisory council as provided below. See the accompanying administrative regulation for further information about the membership and duties of this council.

The Superintendent or designee shall convene a parent advisory council to actively involve parents/guardians in planning, operating, and evaluating the district's migrant education program. (Education Code 54444.2)

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

The Superintendent or designee shall cooperate with the regional migrant service center in outreach and identification of eligible migrant students and in the provision of migrant education services. He/she shall also coordinate migrant education services with other programs within the district and with other public agencies that serve migrant workers and their families.

(cf. 1020 - Youth Services)

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

(cf. 5141.6 - School Health Services)

(cf. 5147 - Dropout Prevention)

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6171 - Title I Programs)

(cf. 6174 - Education for English Learners)

Instruction

Migrant Education Program

BP 6175(b)

The Superintendent or designee shall plan for late enrollments of migrant students. He/she shall ensure that each migrant student is placed at the appropriate grade level and is provided services in accordance with his/her individual needs assessment and learning plan.

The Board shall monitor the results of statewide assessments of core academic subjects and English language development, as appropriate, for students enrolled in the district's migrant education services. In addition, the Superintendent or designee shall periodically report to the Board regarding the alignment of district services with the needs of students as identified in student needs assessments conducted pursuant to Education Code 54443.1. As necessary, the Board shall seek technical assistance from the migrant education regional service center and/or make changes in the services provided by the district in order to improve student achievement.

(cf. 0500 - Accountability)

(cf. 6162.51 - State Academic Achievement Tests)

Legal Reference:

EDUCATION CODE

54440-54445 Migrant education program

CODE OF REGULATIONS, TITLE 5

3080 Application of uniform complaint procedures

4600-4687 Uniform complaint procedures

UNITED STATES CODE, TITLE 20

6311 Title I state plan

6381-6381k Even Start family literacy program

6391-6399 Migrant education program

7881 Services for private school students

CODE OF FEDERAL REGULATIONS, TITLE 34

200.81-200.89 Migrant education program

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Instruction

Migrant Education Program

BP 6175(c)

Identification and Recruitment Manual: Policies and Procedures for Migrant Education Recruiters in the State of California, 2008

California Migrant Education Program: Comprehensive Needs Assessment, Initial Report of Findings, 2007

U.S. DEPARTMENT OF EDUCATION NON-REGULATORY GUIDANCE

Title I, Part C Education of Migratory Children, October 2003

WEB SITES

California Department of Education, Migrant Education Office: <http://www.cde.ca.gov/sp/me>

U.S. Department of Education, Office of Migrant Education: <http://www.ed.gov/about/offices/list/oese/ome>

West Ed, Migrant Student Information Network: <http://www.wested.org/cs/we/view/pj/61>

Instruction

Migrant Education Program

AR 6175(a)

Eligibility

A student age 3 to 21 years shall be eligible for the district's migrant education program if he/she meets the criteria specified in 20 USC 6399 and 34 CFR 200.81 as verified by a migrant education recruiter.

The district shall give first priority for services to migrant students who are failing, or most at risk of failing, to meet state content standards and challenging state performance standards, and whose education has been interrupted during the regular school year. (20 USC 6394)

(cf. 6011 - Academic Standards)

A student who ceases to be a migrant student during a school term shall be eligible for services until the end of the term. If comparable services are not available through other programs, a student who is no longer migratory may continue to receive services for one additional school year. Students who were eligible for services in secondary school may continue to be served through credit accrual programs until graduation. (20 USC 6394)

The district shall provide services to eligible private school students residing within the district on an equitable basis with participating public school students. (20 USC 7881; 34 CFR 200.87)

Student Records

The Superintendent or designee shall maintain records documenting the eligibility of students enrolled in the district's migrant education program.

(cf. 5125 - Student Records)

The Superintendent or designee shall acquire education and health records from migrant students' previous school districts, as appropriate.

When a migrant student transfers to another district, his/her records shall be provided to the receiving district upon request at no cost in order to assist that district in meeting the needs of the student. (20 USC 6398)

Program Components

The migrant education program shall provide: (Education Code 54443.1)

1. A general needs assessment summarizing the needs of the population to be served
2. Individual assessment of the educational and relevant health needs of each participating student, within 30 days of enrollment
3. A comprehensive program to meet the educational, health, and related needs of participating students which supplements the district program and which provides:

Instruction

Migrant Education Program

AR 6175(b)

a. Instructional services, including academic, remedial and compensatory, bilingual and multicultural, and vocational instruction

(cf. 6174 - Education for English Learners)

(cf. 6177 - Summer Learning Programs)

(cf. 6178 - Career Technical Education)

b. Counseling and career education services

(cf. 6164.2 - Guidance/Counseling Services)

c. Preschool services in accordance with Education Code 54443

(cf. 5148 - Child Care and Development)

(cf. 5148.3 - Preschool/Early Childhood Education)

d. Other educational services that are not otherwise available in sufficient quantity or quality to eligible migrant students

e. Instructional materials and equipment necessary for appropriate services

f. Other related services needed to enable migrant students to participate effectively in instructional services

g. The coordination and teaming of existing resources serving migrant students, such as bilingual-crosscultural education, health screening, and compensatory education

(cf. 5141.6 - School Health Services)

(cf. 5147 - Dropout Prevention)

(cf. 6171 - Title I Programs)

4. A brief individual learning plan listing the services to be provided to each student, which shall be given to the parent/guardian in writing or at a parent/guardian conference, annually and each time the student moves to a new district

5. Staffing and staff development plans and practices to meet the needs of students and implement the program

(cf. 4131 - Staff Development)

Migrant Education Program

AR 6175(c)

6. Parent/guardian and community involvement as specified in Education Code 54444.2, including, but not necessarily limited to, the establishment of a parent/guardian advisory council (cf. 6020 - Parent Involvement)

7. Evaluations which include annual student progress and overall program effectiveness and quality control reports

The migrant education program shall provide for the same opportunities for parent involvement that are provided to parents/guardians for federal Title I programs. (20 USC 6394)

Contingent upon funding, the district shall provide home-based and/or school-based family literacy services to migratory families to enhance parents/guardians' literacy levels, parenting skills, and English language skills.

Parent Advisory Council

The parent advisory council shall be comprised of members who are knowledgeable of the needs of migrant students and shall be elected by the parents/guardians of students enrolled in the district's migrant education program. The composition of the council shall be determined by the parents/guardians at a general meeting to which all parents/guardians of participating students shall be invited. The parents/guardians shall be informed, in a language they understand, that they have the sole authority to decide on the composition of the council. (Education Code 54444.2)

At least two-thirds of the advisory council shall consist of parents/guardians of migrant students. (Education Code 54444.2)

All parent/guardian candidates for the council shall be nominated by parents/guardians. Nonparent candidates, such as teachers, administrators, other school personnel, or students, shall be nominated by the groups they represent. All other community candidates shall be nominated by the parents/guardians. (Education Code 54444.2)

The parent/guardian advisory council shall meet at least six times during the year and shall: (Education Code 54444.4)

1. Establish program goals, objectives, and priorities
2. Review annual needs assessments, program activities for each school, and individual learning plans
3. Advise on the selection, development, and reassignment of migrant education program staff
4. Participate actively in planning and negotiating program applications and service agreements
5. Perform all other responsibilities required under state and federal laws or regulations

The Superintendent or designee shall establish and implement a training program for advisory council members to enable them to carry out their responsibilities. The training program shall be developed in

Instruction

Migrant Education Program

AR 6175(d)

consultation with the council and shall include appropriate training materials in a language understandable to each member. (Education Code 54444.2)

The Superintendent or designee shall provide the council, without charge, a copy of all applicable state and federal migrant education statutes, rules, regulations, guidelines, audits, monitoring reports, and evaluations. Upon request, these materials also shall be provided without charge to each member of the council. (Education Code 54444.2)

Adopted: May 9, 2018

Revised: _____

DELHI UNIFIED SCHOOL DISTRICT
Delhi, California

WEEKEND/SATURDAY CLASSES

The Board of Education may provide classes on Saturday and/or Sunday in order to meet the academic needs of students.

(cf. 6111 - School Calendar)

Weekend classes may include but are not limited to: (Education Code 37223)

1. Continuation classes

(cf. 6184 - Continuation Education)

2. Special day classes for mentally gifted minors

(cf. 6172 - Gifted and Talented Student Program)

3. Makeup classes for unexcused absences occurring during the week

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

(cf. 6154 - Homework/Makeup Work)

4. The programs of a regional occupational center or regional occupational program

Saturday classes also may be used to provide supplemental instruction for students who are failing to meet academic requirements and/or students who desire enrichment in core academic subjects in accordance with law, Board policy and administrative regulation. (Education Code 37252, 37252.2, 37252.6, 41505-41508)

(cf. 5123 - Promotion/Acceleration/Retention)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6179 - Supplemental Instruction)

Legal References: (see next page)

WEEKEND/SATURDAY CLASSES (continued)

Legal Reference:

EDUCATION CODE

37223 *Weekend classes*

37252-37254.1 *Supplemental instruction*

41505-41508 *Pupil Retention Block Grant*

41601 *Reports of average daily attendance*

42239 *Summer school attendance computation*

44824 *Weekend classes, assignment of certificated employees*

48070-48070.5 *Promotion and retention, supplemental instruction*

48205 *Excused absence for personal reasons*

48260 *Truants, definition*

51000-52706 *General instructional programs, especially*

51002 *Development of local programs within guidelines*

REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS

53025-53032 *Intensive reading instruction*

53091-53095 *Intensive algebra instruction*

WEEKEND/SATURDAY CLASSES

Any class offered on a Saturday or Sunday pursuant to Education Code 37223, except in regional occupational centers or programs, shall be one offered Monday through Friday during the regular school week. (Education Code 37223)

(cf. 6111 - School Calendar)

Except in regional occupational centers or programs, weekend attendance shall not result in crediting any student with more than five days of attendance per week. (Education Code 37223)

Attendance at weekend classes offered pursuant to Education Code 37223 shall be voluntary, except that truants, as defined in Education Code 48260, may be required to attend makeup classes on one day of a weekend in order to make up lost instructional time. (Education Code 37223)

(cf. 5113.1 - Truancy)

A student shall be excused from a weekend class if it is held on a day when such attendance would be in conflict with his/her religious beliefs. (Education Code 37252-37253, 48205)

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

SUMMER SCHOOL

The Board of Education recognizes that summer school provides valuable opportunities for students to improve their skills and make academic progress. When the need is demonstrated and funds are available, the Superintendent or designee, with Board approval, shall establish summer school day and/or evening classes for purposes of remediation, enrichment, and/or acceleration.

The district shall offer summer instructional programs for graduating high school seniors who need courses for graduation before the beginning of the next school year. (Education Code 41976.5)

(cf. 6146.1 - High School Graduation Requirements)

The district's summer school program may be used to provide supplemental instruction for students failing to meet academic requirements and/or students who desire enrichment in core academic subjects in accordance with law, Board policy, and administrative regulation. (Education Code 37252, 37252.2, 41505-41508; 5 CCR 11472)

(cf. 5123 - Promotion/Acceleration/Retention)

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

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

(cf. 6162.52 - High School Exit Examination)

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6179 - Supplemental Instruction)

Enrollment Priorities

Priority to enroll in summer programs shall be given to district students who:

1. Are eligible for supplemental instruction on the basis of retention or recommendation for retention pursuant to Education Code 37252.2
2. Are eligible for supplemental instruction on the basis of insufficient progress toward passing the state high school exit examination pursuant to Education Code 37252
3. Need course credits in order to graduate from high school before the beginning of the next school year

The remaining openings shall be offered to district students on a first-come first-served basis.

SUMMER SCHOOL (continued)

Attendance

Because summer courses cover extensive instructional content in a relatively short time period, students who have more than three excused absences or one unexcused absence may not receive credit for their summer session class(es) unless they make-up missed work in accordance with law, Board policy, and administrative regulation.

(cf. 5113 - Absences and Excuses)

(cf. 6154 - Homework/Make-Up Work)

Rotation of School Sites

Sites for summer school programs may be rotated in an effort to make summer school programs more accessible to all students, regardless of residence or regular attendance area, and to equalize long-term facility and maintenance needs.

Legal Reference:

EDUCATION CODE

37252-37254.1 Supplemental instruction

41505-41508 Pupil Retention Block Grant

41976.5 Summer school programs, substantially disabled persons or graduating high school seniors

42238.8 Revenue limit for average daily attendance

42239 Summer school apportionments

48070-48070.5 Promotion and retention

51210 Areas of study for elementary schools

51220 Areas of study for grades 7-12

51730-51732 Powers of governing boards (authorization for elementary summer school classes)

56345 Extended-year program for special education students

58700-58702 Credit towards summer school apportionments for tutoring and homework assistance program

58806 Summer school apportionments

60851 Supplemental instruction toward exit examination

REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS

37252.8 Students in grades 2-6 intensive supplemental instruction

37253 Supplemental instruction in mathematics, science and other core areas

53025-53032 Intensive reading instruction

53091-53095 Intensive algebra instruction

CODE OF REGULATIONS, TITLE 5

3043 Extended school year, special education students

11470-11472 Summer school

ATTORNEY GENERAL OPINIONS

70 Ops. Cal. Atty. Gen. 282 (1987)

Management Resources:

WEB SITES

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

VOCATIONAL EDUCATION

The Board of Education desires to provide a quality, expanded and modernized vocational and technical education program which provides services and activities that are of sufficient size, scope and quality to be effective. The goal of the program is to provide for an integration of academic and vocational components through a coherent sequence of courses to ensure learning in all subjects. The program shall also provide curriculum and program strategies reflecting workplace needs.

The district's program shall provide linkages between secondary and postsecondary vocational and technical education, including the implementation of tech-prep programs. Students shall also be given a strong experience and understanding of all aspects of an industry.

The Superintendent or designee shall expand the use of technology in the district's vocational program. He/she shall also provide professional development programs to teachers, counselors and administrators designed to provide effective practices to improve parental and community involvement and to ensure that teachers stay current with an industry.

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

(cf. 4131 - Staff Development)

(cf. 6010 - Goals and Objectives)

(cf. 6030 - Integrated Academic and Vocational Instruction)

(cf. 6141 - Curriculum Development and Evaluation)

The district's program shall provide equal access to students who are members of special populations. Students who are members of special populations shall not be unlawfully discriminated against on the basis of their status as a member of a special population. (20 USC 2354)

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

(cf. 1312.3 - Uniform Complaint Procedures)

Expenditures of Supplemental Funding

Every three years, the Board shall compare the district's existing vocational curriculum, course content and course sequence with model state curriculum standards. (Education Code 51226, 52376)

(cf. 3440 - Inventories)

The Superintendent or designee shall establish procedures for the systematic review of district vocational education classes to determine the degree to which each class may offer an alternative means for completing and receiving credit for specific portions of the course of study prescribed by the district for high school graduation. The Superintendent or designee shall present the Board with evidence that enables the Board to ensure that these classes are equivalent in content and rigor to the courses prescribed for graduation. (Education Code 52376)

VOCATIONAL EDUCATION (continued)

(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.11 - Alternative Credits Toward Graduation)
(cf. 6181 - Alternative Schools)

Advisory Committee

The Board shall appoint a career technical advisory committee as required by law to develop recommendations on the career technical education program and provide liaison between the district and potential employers. (Education Code 8070)

(cf. 1220 - Citizen Advisory Committees)

Legal Reference:

EDUCATION CODE

8070 Appointment of vocational education advisory committee
48430 Legislative intent; continuation education schools and classes
51225.3 Requirements for graduation commencing with 1988-89 school year
51226 Model curriculum standards
51228 Graduation requirements; minimum standards; required curriculum; pupil demonstration of competence
52300-52499.6 Career technical education
UNITED STATES CODE, TITLE 20
2301-2415 Carl D. Perkins Vocational and Technical Act of 1998
CODE OF FEDERAL REGULATIONS, TITLE 34
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

Management Resources:

WEB SITES

CDE, Secondary Education, Academic and Career Integration: <http://www.cde.ca.gov/shsd/aci>
USDE, Office of Vocational and Adult Education: <http://www.ed.gov/offices/OVAE>

WORK EXPERIENCE EDUCATION

In order to provide students with valuable instruction in the skills, attitudes and understandings necessary for successful employment, the Board of Education shall offer a program of work experience education. Students enrolled in this program shall receive guidance and supervision designed to ensure maximum educational benefit from placement in suitable work experience education courses.

(cf. 5147 - Dropout Prevention)
(cf. 6030 - Integrated Academic and Vocational Education)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6178 - Vocational Education)

Work experience education shall include the part-time employment of students in jobs which are selected or approved as having educational value for the employed students and which are coordinated by school employees. (Education Code 51764)

The Board may provide for liability insurance for students participating in work experience programs of study off school grounds in accordance with law and Board policy. (Education Code 51760)

(cf. 5143 - Insurance)

*Legal Reference:*EDUCATION CODE

41505-41508 Pupil Retention Block Grant
46144 Minimum school day for vocational training and work experience program
46300 Method of computing ADA
48402 Enrollment in continuation education, minors not regularly employed
49110-49119 Permits to work
51760-51769.5 Work experience education

LABOR CODE

3070-3099 Apprenticeship
3200-6002 Workers' compensation and insurance

CODE OF REGULATIONS, TITLE 5

10070-10075 Work experience education

*Management Resources:*WEB SITES

CDE: www.cde.ca.gov

WORK EXPERIENCE EDUCATION**Criteria for Credit**

Upon the satisfactory completion of a work experience education program, a student shall be granted credit in an amount not to exceed 40 semester credits, no more than 10 of which shall be awarded in any one semester, provided that the student satisfies all of the following requirements: (Education Code 51760.3)

1. At the time of enrollment, the student is at least 16 years of age or, if under the age of 16 years, fulfills one of the following criteria:
 - a. The student is enrolled in grade 11 or higher.
 - b. The principal certifies that the student is in need of immediate work experience education in order to pursue employment opportunities.
 - c. The principal certifies that there is a probability that the student will no longer be enrolled as a full-time student without being provided the opportunity to enroll in a work experience education program.
 - d. The student's individualized education program prescribes the type of training for which participation in a work experience education program is deemed appropriate.

(cf. 6159 - Individualized Education Program)

2. During the course of the student's enrollment in the program, the student receives at least the equivalent of one instructional period per week of related classroom instruction or counseling by a certificated employee. The work experience instruction or counseling shall be offered in sessions scheduled intermittently throughout the semester.
3. The work experience education program meets all of the requirements of law.

Minimum Day

The minimum day for students enrolled in a work experience education program shall be four periods totaling at least 180 minutes in duration, with the following exceptions:

1. A different schedule may be established for students who are enrolled in a continuation school or class pursuant to Education Code 48402 or who are participating in the School-Based Pupil Motivation and Maintenance Program. (Education Code 46144)

(cf. 6184 - Continuation Education)

WORK EXPERIENCE EDUCATION (continued)

2. When a school's regularly scheduled period is greater than 60 minutes, the minimum day shall be one or more periods totaling at least 180 minutes in duration. (Education Code 46144)

Work Experiences and Related Instruction

The district shall enter into a formal training agreement with each employer to provide one or more of the following paid and unpaid types of on-the-job experiences: (5 CCR 10071)

1. Vocational work experience education which reinforces and extends vocational learning opportunities for students through a combination of related classroom instruction in work experience education and supervised paid employment in the occupation for which their vocational course in school prepares them
2. General work experience education which has as its purpose the application of basic skills of reading, writing and computation, and which enables students to acquire general and specific occupational skills through a combination of a supervised paid employment in any occupational field and related classroom instruction in work experience education
3. Nonpaid exploratory work experience education which provides students opportunities to observe and sample systematically a variety of conditions of work for the purpose of ascertaining their interest and suitability for the occupation they are exploring

(cf. 6030 - Integrated Academic and Vocational Education)
(cf. 6178 - Vocational Education)

The Superintendent or designee may establish and supervise work experience programs in areas outside the district, either within California or in a contiguous state. (Education Code 51767)

All laws or rules applicable to minors in employment relationships shall be applicable to students enrolled in work experience courses. (Education Code 51763)

A work permit may be issued to a minor between under the age of 18 and over the age of 14 who is regularly enrolled in a high school or community college or who has been assigned to a vocational course in a place of employment, and who will work part-time as a student enrolled in a work experience education course. (Education Code 49113)

(cf. 5113.2 - Work Permits)

WORK EXPERIENCE EDUCATION (continued)

Responsibilities of Teacher-Coordinator

The work experience teacher-coordinator shall conduct the related classroom instruction, prepare individual training plans, observe and consult with students, and make at least two on-site contacts per semester with each work station supervisor and at least one on-site contact during summer school to evaluate student performance. (5 CCR 10074)

SUPPLEMENTAL INSTRUCTION

The Board of Education recognizes that high-quality supplemental instructional programs can motivate and support students to attain grade-level academic standards, overcome academic deficiencies, and/or acquire critical skills.

(cf. 5113.1 - Truancy)
(cf. 5147 - Dropout Prevention)
(cf. 5149 - At-Risk Students)
(cf. 6011 - Academic Standards)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.5 - Elementary/Middle School Graduation Requirements)
(cf. 6164.5 - Student Success Teams)

Supplemental instructional programs shall be offered outside the regular school day. Such programs may be offered during the summer, before school, after school, on Saturday, and/or during intersessions. (Education Code 37252, 37252.2)

(cf. 6111 - School Calendar)
(cf. 6112 - School Day)
(cf. 6176 - Weekend/Saturday Classes)
(cf. 6177 - Summer School)

The district shall offer direct, systematic, and intensive supplemental instruction for students in grades 2-9 who have been retained or recommended for retention pursuant to Education Code 48070.5. (Education Code 37252.2)

(cf. 5123 - Promotion/Acceleration/Retention)

The district shall offer direct, systematic, and intensive supplemental instruction for students in grades 7-12 who do not demonstrate “sufficient progress” toward passing the state exit examination required for high school graduation. (Education Code 37252, 60851)

(cf. 6162.52 - High School Exit Examination)

“Sufficient progress” shall be determined based on a student’s grades and the following indicators of academic achievement:

Standardized Testing and Reporting (STAR)
California English Languages Development Test (CELDT), as applicable

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

Whenever the district or a district school receiving federal Title I funds has been identified by the California Department of Education for program improvement for two or more years, supplemental educational services shall be provided in accordance with law to eligible students from low-income families. (20 USC 6316)

SUPPLEMENTAL INSTRUCTION (continued)

(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 0520.3 - Title I Program Improvement Districts)

As funding, facilities, and staffing permit, supplemental instruction may be offered to:
(Education Code 41505-41508)

1. Students in grades 2-6 who have been identified as being at risk of retention pursuant to Education Code 48070.5
2. Students in grades 2-6 who have been identified as having a deficiency in mathematics, reading, or written expression based on the results of the Standardized Testing and Reporting Program
3. Students in grades K-12 who seek enrichment in mathematics, science, or other core academic areas designated by the Superintendent of Public Instruction

(cf. 6143 - Courses of Study)

4. Students in grades K-4 who need or desire intensive reading opportunities that meet standards for a research-based comprehensive reading program, including appropriate support to address the needs of English language learners

(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. 6174 - Education for English Language Learners)

5. Students in grades 7-8 who need or desire intensive opportunities to practice skills in algebra and/or pre-algebra

(cf. 6142.92 - Mathematics Instruction)

In order to receive state funding for any of the purposes listed in items #1-5 above, the school site council shall develop and submit to the Board for approval, a single plan for student achievement in accordance with law, Board policy, and administrative regulation. (Education Code 41507)

(cf. 0420 - School Plans/Site Councils)

Legal Reference: (see next page)

SUPPLEMENTAL INSTRUCTION (continued)

Legal Reference:

EDUCATION CODE

37200-37202 School calendar

37223 Weekend classes

37252-37254 Supplemental instruction

41505-41508 Pupil Retention Block Grant

42239 Supplemental instruction, apportionments

44259 Comprehensive reading program

46100 Length of school day

48070-48070.5 Promotion and retention

51210 Courses of study, elementary schools

51220 Courses of study, secondary schools

60603 Definitions, core curriculum areas

60640-60648 Standardized Testing and Reporting Program

60850-60859 High school exit examination

REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS

52012 Establishment of school site council

52014-52015 School plans

53025-53031 Intensive reading instruction

53091-53094 Intensive algebra instruction

CODE OF REGULATIONS, TITLE 5

11470-11472 Summer school

UNITED STATES CODE, TITLE 20

6316 Program improvement schools and districts

Management Resources:

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Supplemental Educational Services, June 13, 2005

WEB SITES

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

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

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

SUPPLEMENTAL INSTRUCTION

Supplemental instructional programs shall be offered outside the regular school day. Such programs may be offered during the summer, before school, after school, on Saturday, and/or during intersessions. (Education Code 37252, 37252.2, 37252.8, 37253)

(cf. 6111 - School Calendar)

(cf. 6112 - School Day)

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6177 - Summer School)

Priority for enrollment in supplemental instruction offered at a time other than Saturday shall be given to any student whose parent/guardian has informed the Superintendent or designee that the student is unable to attend a Saturday school program for religious reasons. (Education Code 37252, 37252.2, 37252.8, 37253)

Supplemental Instruction Based on Retention or Academic Deficiencies

Students in grades 2-9 who have been retained or recommended for retention shall be eligible for supplemental instruction under the following circumstances: (Education Code 37252.2)

1. With parental consent, the Superintendent or designee may require a student who has been retained to participate in the supplemental instructional program.
2. For the purposes of identifying students as eligible for supplemental instruction, a student shall be considered to be enrolled in a grade immediately upon completion of the preceding grade.
3. Students who were enrolled in grade 6 or 9 during the prior school year shall be eligible for summer school instruction.

(cf. 5123 - Promotion/Acceleration/Retention)

To the extent that the district provides supplemental instruction to students in grades 2-6 who are identified as being at risk of retention or as having deficiencies in mathematics, reading, or written expression, those students also shall be subject to the provisions set forth in items #2 and #3 above. (Education Code 37252.8)

The Superintendent or designee shall seek the active involvement of parents/guardians and classroom teachers in the development and implementation of supplemental instructional programs. (Education Code 37252.2, 37252.8)

An intensive remedial program in reading or written expression shall, as needed, include instruction in phoneme awareness, systematic explicit phonics and decoding, word attack skills, spelling and vocabulary, explicit instruction of reading comprehension, writing, and study skills. (Education Code 37252.2, 37252.8)

SUPPLEMENTAL INSTRUCTION (continued)

(cf. 6142.91 - Reading/Language Arts Instruction)

Supplemental Instruction Based on Progress Toward Passing Exit Examination

Students in grades 7-12 who do not demonstrate “sufficient progress” toward passing the state exit examination required for high school graduation, as defined in Board policy, shall be eligible for supplemental instruction under the following circumstances: (Education Code 37252)

1. For the purposes of this program a student shall be considered to be enrolled in a grade immediately upon completion of the preceding grade.
2. Students who were enrolled in grade 12 during the prior school year shall be eligible for supplemental instructional programs.
3. Students who do not possess sufficient English language skills to be assessed shall be considered students who do not demonstrate sufficient progress towards passing the exit examination and shall receive supplemental instruction designed to help them succeed on the exit examination.

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6162.52 - High School Exit Examination)

(cf. 6174 - Education for English Language Learners)

The curriculum of the supplemental instruction program shall reflect state academic content standards to the extent that the district curriculum is aligned with those state standards, and shall be designed to assist students to succeed on the exit examination. (Education Code 60851)

(cf. 6011 - Academic Standards)

Any intensive instruction and services designed to help students pass the exit examination after they have failed to pass one or both parts of the examination shall be provided as follows: (Education Code 37254)

1. Each eligible student shall receive an appropriate diagnostic assessment to identify his/her areas of need and shall receive intensive instruction and services based on the results of that assessment.
2. The intensive instruction and services may include but not be limited to:
 - a. Individual or small group instruction

SUPPLEMENTAL INSTRUCTION (continued)

- b. The hiring of additional teachers
- c. Purchasing, scoring, and reviewing diagnostic assessments
- d. Counseling

(cf. 6164.2 - Guidance/Counseling Services)

- e. Designing instruction to meet specific needs of eligible students
- f. Appropriate teacher training to meet the needs of eligible students

(cf. 4131 - Staff Development)

- 3. The intensive instruction and services may be provided during the regular school day provided that they do not supplant the student's instruction in the core curriculum areas defined in Education Code 60603 or physical education.

HOME AND HOSPITAL INSTRUCTION

A student with a temporary disability which makes school attendance impossible or inadvisable shall receive individual instruction in the student's home or in a hospital or other residential health facility, excluding state hospitals. This instruction applies to students incurring a physical, mental or emotional disability after which they can reasonably be expected to return to regular day classes or an alternative education program without special intervention. It does not apply to students identified as individuals with exceptional needs pursuant to Education Code 56026. (Education Code 48206.3)

(cf. 6158 - Independent Study)

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

Home or hospital instruction shall be provided only by teachers with valid California teaching credentials who consent to the assignment. (Education Code 44865)

(cf. 4112.2 - Certification)

(cf. 4113 - Assignment)

The district shall offer at least one hour of instruction for every day of instruction offered by the district in the regular education program. No student shall be credited with more than five days of attendance per calendar week or credited with more than the total number of calendar days that regular classes are offered by the district in any fiscal year. (Education Code 48200, 48206.3)

Insofar as possible, the teacher providing home or hospital instruction shall consult with the student's current classroom teacher(s) so as to provide a continuity of instruction that enables the student to stay abreast with the regular school program.

The Superintendent or designee may require verification through any reasonable means that the student requires home instruction. In addition, this verification shall also state that the disabling condition will not expose the teacher to a contagious disease that can be transmitted through casual contact. Home or hospital instruction shall not be denied to students with Hepatitis B, herpes or HIV/AIDS, as long as the home or hospital practices current preventive protocol as determined by the U.S. Centers for Disease Control.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5141.22 - Infectious Diseases)

Parental Notifications

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians that: (Education Code 48208, 48980)

HOME AND HOSPITAL INSTRUCTION (continued)

1. Individual instruction is available for temporarily disabled students as prescribed by Education Code 48206.3.
2. If a student becomes temporarily disabled, it is the parent/guardian's responsibility to notify the receiving district of the student's presence in a qualifying hospital.

(cf. 5145.6 - Parental Notifications)

Legal Reference:

EDUCATION CODE

44865 *Qualifications for home teachers*

45031 *Home teachers*

48200 *Minimum school day*

48206.3 *Pupils with temporary disabilities; individual instruction; definitions; computing average daily attendance*

48206.5 *Continuation of individual instruction programs for students with temp. disabilities*

48207 *Pupils with temporary disabilities in hospitals out- side of school district; compliance with residency requirements*

48208 *Presence of pupils with temporary disabilities in qualifying hospitals; notice by parents or guardians; commencement of individualized instruction*

48980 *Required notification of rights and availability of nutrition and individualized instruction programs*

51800-51802 *Employment of home teachers*

CODE OF REGULATIONS, TITLE 5

421 *Method of verification*

423 *Prolonged illness*

CONTINUATION EDUCATION

The Board of Education shall provide a continuation education program to meet the educational needs of district students who are not attending a high school or other appropriate educational institution and who are not legally exempted from compulsory continuation school attendance.

(cf. 0420.4 - Charter Schools)
(cf. 5112.1- Exemptions from Attendance)
(cf. 6030 - Integrated Academic and Vocational Instruction)
(cf. 6158 - Independent Study)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6178 - Vocational Education)
(cf. 6178.1 - Work Experience Education)
(cf. 6181 - Alternative Schools)
(cf. 6183 - Home and Hospital Instruction)
(cf. 6185 - Community Day School)

The Board shall establish a plan to coordinate instruction and training in the school with the home, employment and other agencies and shall designate one or more persons as coordinators. (5 CCR 11003)

The Superintendent or designee shall develop administrative regulations governing the involuntary transfer of students into the continuation education program. (Education Code 48432.5)

The Superintendent or designee may allow the voluntary enrollment of students in the continuation education program as space permits and when it is determined to be in the best interests of the student.

Minors otherwise subject to compulsory attendance in continuation education classes may be exempted if they meet any of the conditions specified in Education Code 48410.

(cf. 5112.1 - Exemptions from Attendance)

The Board may maintain continuation classes during the district's regular school hours, during special school hours for these classes established by the Board, or during such hours and for such length of time during the day or evening that adult education classes are maintained. (Education Code 48434)

(cf. 6112 - School Day)
(cf. 6200 - Adult Education)

Legal Reference: (see next page)

CONTINUATION EDUCATION (continued)

Legal Reference:

EDUCATION CODE

41505-41508 Pupil Retention Block Grant
42243.7 District Revenue Limit for Districts with a Continuation High School
48400-48454 Compulsory continuation education in general, especially
48401 Weekly minimum attendance requirement
48402 Minors not regularly employed
48410-48416 Compulsory continuation education
48430-48438 Continuation classes
48450-48454 Violation
48900 Grounds for suspension and expulsion
48903 Limitations on days of suspension
51224 Courses of study
51225.3 Requirements for graduation
60850-60856 High school exit examination

FAMILY CODE

7000-7002 Emancipation of minors law
7050 Purposes for which emancipated minor considered an adult

CODE OF REGULATIONS, TITLE 5

11000-11010 Continuation education

Management Resources:

WEB SITES

CDE: www.cde.ca.gov

CONTINUATION EDUCATION

Program Components

The curriculum offered by the continuation high school shall enable students to meet requirements for high school graduation prescribed in Education Code 51224-51225.3. (5 CCR 11004)

(cf. 6146.1 - High School Graduation Requirements)

In order to receive a high school diploma, students in continuation education must pass the high school exit examination. (Education Code 60850)

(cf. 6162.5 - Student Assessment)

Instruction in continuation education classes shall be based on individual needs as determined by the findings of the counseling and coordination services. (5 CCR 11002)

The Superintendent or designee shall provide to all minors in the district subject to compulsory continuation education a program that includes: (Education Code 48431; 5 CCR 11001)

1. Personal guidance

(cf. 6164.2 - Guidance/Counseling Services)

2. Occupational guidance

3. Placement in suitable employment whenever the student can benefit from such employment

(cf. 5113.2 - Work Permits)

(cf. 6178.1 - Work Experience Education)

4. Follow-up services including:

- a. Visitations at places of employment to determine the effectiveness of the guidance and placement services
- b. Regular home contacts and parent conferences when students are not succeeding in the continuation program

(cf. 6020 - Parent Involvement)

- c. Regular contacts with students enrolled for only four hours per week and all students suspended from continuation education with the intent of eventually returning them to the full-time continuation education program

CONTINUATION EDUCATION (continued)

The continuation high school shall be conducted for not less than 175 days during a school year. (5 CCR 11004)

Program Administration

The director of continuation education shall be responsible for the organization and administration of the district's continuation education program and guidance, placement and follow-up. (5 CCR 11000)

Involuntary Transfer

Students eligible for continuation education classes shall be age 16 or 17 at the time of their enrollment and shall not have graduated from high school. (Education Code 48400, 48413)

A decision to transfer a student involuntarily into continuation education classes shall be based on a finding that the student meets either of the following conditions: (Education Code 48432.5)

1. The student committed an act enumerated in Education Code 48900.

Involuntary transfer to a continuation school shall be made only when other means fail to bring about student improvement. However, a student may be involuntarily transferred the first time he/she commits an act enumerated in Education Code 48900 if the principal determines that the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48432.5)

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

2. The student has been habitually truant or irregular in legally required school attendance.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

Prior to an involuntary transfer, the student and parent/guardian shall be given written notice that they may request a meeting with the Superintendent or designee. (Education Code 48432.5)

(cf. 5145.6 - Parental Notifications)

At the meeting, the student or parent/guardian shall be informed of the specific facts and reasons for the proposed transfer. The student or parent/guardian shall have the opportunity to inspect all documents relied upon, question any evidence and witnesses presented, and present evidence on the student's behalf. The student may designate one or more representatives and witnesses to be present with him/her at the meeting. (Education Code 48432.5)

CONTINUATION EDUCATION (continued)

A written decision to transfer, stating the facts and reasons for the decision, shall be sent to the student and parent/guardian. It shall indicate whether the decision is subject to periodic review and the procedure for such review. (Education Code 48432.5)

The persons making the final decision for involuntary transfer shall not be members of the staff of the school in which the student is enrolled at the time. (Education Code 48432.5)

No involuntary transfer to a continuation school shall extend beyond the end of the semester following the semester when the acts leading to the involuntary transfer occurred. (Education Code 48432.5)

However, at the request of a student or parent/guardian, the Superintendent or designee shall conduct an annual review of the involuntary transfer.

Voluntary Enrollment

With the consent of the Superintendent or designee, a student may voluntarily enroll in continuation classes in order to receive special attention such as individualized instruction. Students so enrolled may return to the regular high school at the beginning of the following school year, or at any time the Superintendent or designee gives consent. (Education Code 48432.5)

Reenrollment

Any person age 16 or 17 who left school after obtaining a certificate of proficiency may reenroll in the district without prejudice. If the student leaves a second time, the Superintendent or designee may deny reenrollment until the beginning of the next semester. (Education Code 48414)

Leaves of Absence

A student enrolled in compulsory continuation education classes may take a leave of absence for up to two semesters for the purpose of supervised travel, study, training or work in accordance with law, Board policy and administrative regulation. (Education Code 48416)

(cf. 5112.3 - Student Leave of Absence)

Minimum Attendance Requirement

Each student in the continuation education program shall attend classes for not less than four 60-minute hours per week for the regular school term. The requirement may be met by attendance in a continuation education class and/or regional occupational center or program. (Education Code 48400)

CONTINUATION EDUCATION (continued)

If a student subject to compulsory attendance in continuation education classes cannot give satisfactory proof of regular employment, the student shall attend continuation education classes and/or a regional occupational center or program for not less than 15 hours per week during the period of unemployment. (Education Code 48402)

EVALUATION OF THE INSTRUCTIONAL PROGRAM

The Board of Education recognizes that it is accountable to the students, parents/guardians and community for conducting a continual evaluation of the curriculum and the instructional program.

(cf. 0500 - Accountability)
(cf. 6000 - Concepts and Roles)
(cf. 6010 - Goals and Objectives)
(cf. 9000 - Role of the Board)

The Superintendent or designee shall review the effectiveness of district programs in meeting desired outcomes. He/she shall provide the Board and the community with regular reports on student progress toward Board-established standards of expected achievement at each grade level in each area of study. Based on these evaluations, the Board shall take appropriate actions to maintain the effectiveness of programs and, as needed, to improve the quality of education that district students receive.

(cf. 0510 - School Accountability Report Card)
(cf. 6011 - Academic Standards)

Coordinated Compliance Reviews

The Superintendent or designee shall cooperate with the California Department of Education in the conduct of coordinated compliance reviews to ensure that all district categorical programs comply with federal and state laws and regulations. The Superintendent or designee shall notify the Board of the results of these reviews.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 0420 - School Plans/Site Councils)
(cf. 0420.1 - School-Based Program Coordination)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 6171 - Title I Programs)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6174 - Education for English Language Learners)
(cf. 6175 - Migrant Education Program)
(cf. 6178 - Vocational Education)
(cf. 6178.1 - Work Experience Education)
(cf. 6179 - Child Care and Development Programs)

Evaluation of Consolidated Programs

The Superintendent or designee shall conduct annual evaluations to determine whether the district's consolidated programs are supportive of the core curriculum and are effective in meeting the needs of the students they are intended to serve. As a basis for this evaluation, the Superintendent or designee shall recommend specific, measurable criteria that shall be used at each school and at the district level. These criteria shall include, but not necessarily be limited to, progress toward goals contained in the school plan and progress of the total student population and each numerically significant subgroup toward growth targets on the statewide Academic Performance Index.

EVALUATION OF THE INSTRUCTIONAL PROGRAM (continued)

The Superintendent or designee shall submit the recommended criteria for approval by the Board. Evaluations conducted for each school shall be presented annually to the Board.

Western Association of Schools and Colleges (WASC) Accreditation

The Board believes that accreditation by the Western Association of Schools and Colleges (WASC) can foster excellence and ongoing academic improvement in the district's schools. The accreditation process also may demonstrate to parents/guardians and the community that the schools are meeting their goals and objectives and the WASC criteria for school effectiveness through a viable instructional program.

The Superintendent or designee shall undertake procedures whereby the district's schools may achieve and maintain full WASC accreditation status. The schools shall conduct a self-study in accordance with WASC requirements, cooperate with the WASC committee during a site visit, and develop and review action plans to increase the effectiveness of the instructional program for students. The Superintendent or designee shall regularly report to the Board on the status of district schools and any WASC recommendations for school improvement.

If any district school loses its accreditation status, the Board shall give official notice at a regularly scheduled Board meeting. The Superintendent or designee shall provide written notification to each parent/guardian of a student in the school that the school has lost its accreditation status, including the potential consequences of the loss of accreditation status. (Education Code 35178.4)

(cf. 5145.6 - Parental Notifications)

Legal Reference: (see next page)

EVALUATION OF THE INSTRUCTIONAL PROGRAM (continued)

Legal Reference:

EDUCATION CODE

33400-33407 Educational evaluations (by CDE)

35178.4 Notice of loss of accreditation status

44662 Evaluation and assessment guidelines

51041 Education program, evaluation and revisions

51226 Model curriculum standards

54650-54659 Education Improvement Incentive Program

62005.5 Failure to comply with purposes of funds

64000-64001 Consolidated application process

CODE OF REGULATIONS, TITLE 5

3930-3937 Program requirements

3942 Continuity of funding

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Leadership: Curriculum, 1996

CDE PUBLICATIONS

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

WEB SITES

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

CDE, School and District Accountability Division: <http://www.cde.ca.gov/ccpdiv>

WASC, Accrediting Commission for Schools: <http://www.acswasc.org>

ADULT EDUCATION

The Board of Education recognizes that education is a lifelong process and that it is important for individuals to continuously develop new skills.

The Superintendent or designee shall develop and oversee the district's adult education program. The Board shall approve all courses to be offered in this program.

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

Legal Reference: (see next page)

ADULT EDUCATION (continued)

Legal Reference:

EDUCATION CODE

8500-8538 *Adult education*
41505-41508 *Pupil Retention Block Grant*
41975-41976.2 *Adult education; authorized classes and courses*
44865 *Qualifications for home teachers and teachers in special classes*
46190-46192 *Adult school; days of attendance*
46300.4 *Independent study in adult education*
46351-46352 *Adult classes*
51040 *Prescribed courses*
51225.3 *Requirements for graduation*
51241-51246 *Exemptions from attendance*
51730-51732 *Elementary school special day and evening classes*
51810-51815 *Community service classes*
51938 *Parental excuse from sexual education or HIV/AIDS prevention education*
52500-52523 *Adult schools*
52530-52531 *Use of hospitals*
52540-52544 *Adult English classes*
52550-52556 *Classes in citizenship*
52570-52572 *Disabled adults*
52610-52616.24 *Finances*
52651-52656 *Immigrant Workforce Preparation Act*
60410 *Books for adult classes*
CODE OF REGULATIONS, TITLE 5
10501 *Adult education*
10508 *Records and reports*
10530-10560 *Standards*
10600-10615 *Adult education innovation*
UNITED STATES CODE, TITLE 8
1184 *Foreign students*

Management Resources:

CDE PUBLICATIONS

Adult Education Handbook for California, 1997

CDE LEGAL ADVISORIES

0319.97 *Amendments to F-1 Student Visa Requirements, LO: 1-97*

CDE PROGRAM ADVISORIES

0600.92 *Using Independent Study in Adult Education Programs: An Option*

0609.88 *Education Fees for F-1 Visa Students*

0622.87 *Discrimination Against the Handicapped in Adult Education Programs*

ADULT EDUCATION

All adult education programs, courses and classes and their enrollment period shall be listed in the district's catalog of adult education classes provided to the public. (Education Code 52523)

Enrollment

Adults shall have first priority for enrollment in any adult education class, provided they enroll during the regular enrollment period. (Education Code 52523)

For purposes of these programs, "adults" include persons age 18 or older or other persons not concurrently enrolled in a regular high school program. (Education Code 52610)

Students possessing or seeking an F-1 visa designation shall not be enrolled in district adult school programs. Students currently enrolled with an F-1 visa designation shall continue to be eligible for enrollment in district adult schools until their visas expire or until they leave the United States. (8 USC 1184)

(cf. 5111.2 - Nonresident Foreign Students)

Concurrent Enrollment of High School Students

High school students shall be permitted to enroll in an adult education program, course or class for sound educational purposes. Such classes shall supplement and not supplant the regular high school curriculum. Sound educational purposes include, but are not limited to, the following: (Education Code 52523)

1. The adult education program, course or class is not offered in the regular high school curriculum.
2. The student needs the adult education program, course or class in order to make up deficient credits for graduation from high school.
3. The adult education program, course or class allows the student to gain vocational and technical skills beyond that provided by the regular high school's vocational and technical education program.

(cf. 6178 - Vocational Education)

4. The adult education program, course or class supplements and enriches the high school student's educational experience.

High school students are expected to enroll in regular high school classes before seeking admission to any similar classes offered in the adult education program. A failed course, however, may be repeated through adult education.

ADULT EDUCATION (continued)

Before enrolling in an adult education class, the high school student shall complete a counseling session that includes his/her parent/guardian and a certificated representative of the high school. The certificated high school representative shall ensure that the student's school record includes written documentation of the meeting and both of the following statements: (Education Code 52500.1, 52523)

1. That the student is enrolling voluntarily in the adult education class
2. That this enrollment will enhance the student's progress toward meeting educational requirements for high school graduation

The above statement shall be signed by the student, the parent/guardian and the certificated high school representative.

(cf. 6164.2 - Guidance/Counseling Services)

Courses

A proposed adult education class shall have an educational purpose and meet the following criteria required for approval by the California Department of Education:

1. The class shall be located in a facility which clearly identifies the class as being open to the general public, with the exception of apprenticeship training classes, classes designed to serve the needs of disabled adults, classes in state hospitals and classes in jails and prisons. (Education Code 52517, 52570)

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

2. Class time shall be devoted to instruction.
3. Course content shall be educational and intended to teach a skill or knowledge unrelated to repetitive practices.
4. The course title shall clearly indicate its educational nature.

Community Service Classes

As part of the adult education program, the Board may establish and maintain community service classes to provide instruction that contributes to the physical, mental, moral, economic or civil development of any persons who may wish to enroll. (Education Code 51810)

ADULT EDUCATION (continued)

Certificates of skill or accomplishment may be provided upon the satisfactory completion of community service classes. (Education Code 51813)

Fees

The district may charge adult education students a registration fee for each adult education class, with the following exceptions:

1. No fee shall be charged for a class for which high school credit is granted if the class is taken by an individual who does not hold a high school diploma. (Education Code 52612)
2. No charge shall be made for a class in an elementary subject or a class in English or citizenship for foreigners unless the student is a nonimmigrant alien with an F-1 visa status. Any nonimmigrants enrolled in these classes shall be charged a fee to cover the full cost of the instruction, not to exceed actual costs. The fee shall be adopted by the Board at a regular meeting at least 90 days before the beginning of the class for which the fee is charged. (Education Code 52612, 52613)

PRESCHOOL/EARLY CHILDHOOD EDUCATION

The Board of Education recognizes that high-quality preschool experiences for children ages 3-5 help them develop knowledge, skills, and attributes necessary to be successful in school and provide for a smooth transition into the elementary education program. Such programs should provide developmentally appropriate activities in a safe, well-supervised, cognitively rich environment.

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

Collaboration with Community Programs

The Superintendent or designee shall collaborate with other agencies, organizations and private preschool providers to assess the availability of preschool programs in the community and the extent to which the community's preschool needs are being met. The Board encourages the development of a community-wide plan to increase children's access to high-quality preschool programs.

(cf. 1020 - Youth Services)

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

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

Information about preschool options in the community shall be provided to parents/guardians upon request.

The Superintendent or designee shall establish partnerships with feeder preschools to facilitate articulation of the preschool curriculum with the district's elementary education program.

District Preschool Programs

When the Board determines that it is feasible, the district may provide preschool services at or near district schools.

The Board shall set priorities for establishing or expanding services as resources become available. In so doing, the Board shall give consideration to the benefits of providing early education programs for at-risk children and/or children residing in the attendance areas of the lowest performing district schools.

(cf. 0520 - Intervention for Underperforming Schools)

(cf. 0520.1 - High Priority Schools Grant Program)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 6171 - Title I Programs)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

On a case-by-case basis, the Board shall determine whether the district shall directly administer preschool programs or contract with public or private providers to offer such programs.

Facilities for preschool classrooms shall be addressed in the district's comprehensive facilities plan, including an assessment as to whether adequate and appropriate space exists on school sites. As necessary, the Superintendent or designee shall provide information to the Board regarding facilities financing options for preschool classrooms and/or facilities available through partnering organizations.

(cf. 7110 - Facilities Master Plan)

(cf. 7210 - Facilities Financing)

To enable children of working parents/guardians to participate in the district's preschool program, the Superintendent or designee shall recommend strategies to provide a full-day program and/or to link to other full-day child care programs in the district or community to the extent possible.

(cf. 5148 - Child Care and Development)

(cf. 5148.1 - Child Care Services for Parenting Students)

Inasmuch as parents/guardians are essential partners in supporting the development of their children, the Superintendent or designee shall involve them in program planning. Program staff shall encourage volunteerism in the program and shall communicate frequently with parents/guardians of enrolled students regarding their child's progress.

(cf. 1240 - Volunteer Assistance)

(cf. 5124 - Communication with Parents/Guardians)

The Board shall adopt standards which identify the knowledge, skills, and experience that students will be expected to attain in the district's preschool program in order to be prepared for the early primary grades, including but not be limited to, development of language, cognitive, social, emotional, and physical skills.

The district's preschool program shall provide culturally and linguistically appropriate services and support the needs of English learners. The program also shall provide appropriate services for students with disabilities, including but not limited to early screening to identify special needs among preschool students and intervention services to assist students identified with special needs in accordance with law.

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

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

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

To maximize the ability of children to succeed in the preschool program, program staff shall support students' health through proper nutrition and physical activity and shall provide or make referrals to health and social services.

(cf. 3550 - Food Services/Child Nutrition Program)
(cf. 5030 - Student Wellness)
(cf. 5141.32 - Health Screening for School Entry)
(cf. 5141.6 - Student Health and Social Services)

The Superintendent or designee shall ensure that administrators, teachers, and paraprofessionals in district preschool programs possess the appropriate credential(s) or permit(s) issued by the Commission on Teacher Credentialing and meet any additional qualifications established by the Board.

(cf. 4112.2 - Certification)
(cf. 4112.4/4212.4/4312.4 - Health Examinations)
(cf. 4112.5/4312.5 - Criminal Record Check)
(cf. 4212.5 - Criminal Record Check)
(cf. 4222 - Teacher Aides/Paraprofessionals)

The Superintendent or designee shall develop and implement an annual plan of evaluation which conforms to state requirements. (5 CCR 18279)

He/she shall regularly report to the Board regarding enrollments in district preschool programs and the effectiveness of the programs in preparing preschool students for transition into the elementary education program.

(cf. 0500 - Accountability)
(cf. 6190 - Evaluation of the Instructional Program)

Legal References: (see next page)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Legal Reference:

EDUCATION CODE

8200-8498 *Child Care and Development Services Act, especially:*
8200-8209 *General provisions for child care and development services*
8230-8226 *Migrant Child Care and Development Program*
8235-8237 *State Preschool Programs*
8240-8244 *General child care programs*
8250-8252 *Programs for children with special needs*
8263 *Eligibility and priorities for subsidized child development services*
8360-8370 *Personnel qualification*
8400-8409 *Contracts*
8493-8498 *Facilities*
54740-54749 *Cal-SAFE program for pregnant/parenting students and their children*

HEALTH AND SAFETY CODE

1596.70-1596.895 *California Child Day Care Act*
1596.90-1597.21 *Day care centers*
120325-120380 *Immunization requirements*

CODE OF REGULATIONS, TITLE 5

18000-18122 *General provisions, general child care programs*
18130-18136 *State Preschool Program*
18180-18192 *Federal and State Based Migrant Programs*
18210-18213 *Severely Handicapped Program*
18270-18281 *Program quality, accountability*
18290-18292 *Staffing ratios*
18295 *Waiver of qualifications for site supervisor*
18300-18308 *Appeals and dispute resolution*

UNITED STATES CODE, TITLE 20

6311-6322 *Title I, relative to preschool*
6319 *Qualifications for teachers and paraprofessionals*
6371-6376 *Early Reading First*
6381-6381k *Even Start family literacy programs*
6391-6399 *Education of migratory children*

UNITED STATES CODE, TITLE 42

9831-9852 *Head Start programs*
9858-9858q *Child Care and Development Block Grant*

CODE OF FEDERAL REGULATIONS, TITLE 22

101151-101239.2 *General requirements, licensed child care centers, including:*
101151-101163 *Licensing and application procedures*
101212-101231 *Continuing requirements*
101237-101239.2 *Facilities and equipment*

CODE OF FEDERAL REGULATIONS, TITLE 45

1301-1310 *Head Start*

Management Resources: (see next page)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Management Resources:

CSBA PUBLICATIONS

Expanding Access to High-Quality Preschool Programs: A Resource and Policy Guide for School Leaders, 2005

CDE PUBLICATIONS

Prekindergarten Learning Development Guidelines, 2000

First Class: A Guide for Early Primary Education, 1999

CDE MANAGEMENT BULLETINS

01-06 *The Desired Results for Children and Families System*, May 31, 2001

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Good Start, Grow Smart, April 2002

WEB SITES

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

California Association for the Education of Young Children: <http://www.caeyc.org>

California Children and Families Commission: <http://www.ccfcc.ca.gov>

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

California Head Start Association: <http://caheadstart.org>

Child Development Policy Institute: <http://www.cdpi.net>

First 5 Association of California: <http://www.f5ac.org>

National Institute for Early Education Research: <http://nieer.org>

National School Boards Association: <http://www.nsba.org>

Preschool California: <http://www.preschoolcalifornia.org>

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