

**VISION**

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

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

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

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

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

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

*Management Resources:*

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

**VISION**

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

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

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 2230 - Representative and Deliberative Groups)*

*(cf. 6020 - Parent Involvement)*

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

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

*(cf. 0100 - Philosophy)*

*(cf. 0200 - Goals for the School District)*

*(cf. 0400 - Comprehensive Plans)*

*(cf. 6010 - Goals and Objectives)*

**MISSION STATEMENT**

The district, in partnership with the home and community is committed to excellence in elementary education for all students.

**BASIC POLICY**

The Board of Trustees believes that the effectiveness of the district depends upon an acceptable philosophic base, a set of agreed-upon goals, and detailed objectives consistent with those goals. Wide participation is mandated in the development of statements of philosophy, goals, and objectives. To guide the efforts of those participating under the leadership of the Superintendent or designee, the Board adopts the following three definitions:

1. Educational Philosophy

"Philosophy" means a composite statement of the relationship between the individual, the school, and society based upon beliefs, concepts, and attitudes from which the goals and objectives of the district are derived.

2. Educational Goals

"Goal" means a statement of broad direction or intent, which is general and timeless and is not concerned with a particular achievement within a specified time period.

3. Objectives

"Objective" means a specific accomplishment to be reached that can be verified within a given time and under specifiabile conditions which, if attained, advances the system toward a corresponding goal.

**BOARD RESPONSIBILITY**

The Board of Trustees urges the Superintendent or designee to utilize the following process in establishing and evaluating the educational program:

1. Identify student and community needs.
2. Establish district educational philosophy, goals, and objectives responsive to the needs of the pluralistic society.
3. Determine those instructional programs most appropriate to meet student and community needs.
4. Allocate necessary resources, commensurate with financial resources, toward achieving the goals and objectives.
5. Maintain a process of constant evaluation of the effectiveness of the educational system and instructional programs. This process should enable the district to identify strengths and weaknesses and provide direction for correcting identified deficiencies in instructional methods, materials, and programs.

*Legal Reference:*

*Education Code*

*35160 Authority of Governing Commencing January 1, 1976*

*51002 Development of Local Program Guidelines*

*51004 Education Goals*

*51019 Definition: Philosophy*

*51020 Definition: Goal*

*51021 Definition: Objective*

*51041 Educational Program*

**PHILOSOPHY**

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

*(cf. 0000 - Vision)*

*(cf. 0200 - Goals for the School District)*

*(cf. 6010 - Goals and Objectives)*

*(cf. 9000 - Role of the Board)*

It is the philosophy of the district that:

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

**PHILOSOPHY** (continued)

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

*Legal Reference:*

EDUCATION CODE

*51002 Local development of programs based on stated philosophy and goals*

*51019 Definition of philosophy*

*Management Resources:*

CSBA PUBLICATIONS

*Maximizing School Board Leadership: Vision, 1996*

**MISSION STATEMENT**

SAUGUS UNION SCHOOL DISTRICT CELEBRATES LEARNING THROUGH THE DEVELOPMENT OF THE WHOLE CHILD. OUR COMMITMENT TO EXCELLENCE PROVIDES QUALITY EDUCATION, IN-DEPTH, FOR ALL STUDENTS.



# Board Policy

## Philosophy-Goals-Objectives and Comprehensive Plans

BP 0200(a)

### GOALS FOR THE SCHOOL DISTRICT

As part of the Governing Board's responsibility to set direction for the school district, the Board shall adopt long-term goals focused on the achievement and needs of all district students. The district's goals shall be aligned with the district's vision, mission, philosophy, and priorities and shall be limited in number so as to be reasonably achievable within established timelines.

*(cf. 0000 - Vision)*

*(cf. 0100 - Philosophy)*

*(cf. 9000 - Role of the Board)*

When developing the district's goals, the Board shall consider the following areas:

1. Developing curriculum, assessments, and instructional materials that are aligned with the state's content standards, frameworks, and assessments

*(cf. 6141 - Curriculum Development and Evaluation)*

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

*(cf. 6162.51 - Standardized Testing and Reporting Program)*

*(cf. 6162.52 - High School Exit Examination)*

2. Maintaining safe and orderly campuses which promote learning

*(cf. 0450 - Comprehensive Safety Plan)*

3. Ensuring that all students achieve proficiency in essential areas of skill and knowledge and attain the academic, career, and technical skills needed to succeed in a knowledge- and skills-based economy

*(cf. 6142.91 - Reading/Language Arts Instruction)*

*(cf. 6142.92 - Mathematics Instruction)*

*(cf. 6146.1 - High School Graduation Requirements)*

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

*(cf. 6178 - Career Technical Education)*

4. Providing for the specialized needs of identified groups of students, including providing necessary support and intervention programs and closing the gap between low-achieving and high-achieving students

*(cf. 5149 - At-Risk Students)*

**GOALS FOR THE SCHOOL DISTRICT (continued)**

*(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)*  
*(cf. 6164.6 - Identification and Education Under Section 504)*  
*(cf. 6172 - Gifted and Talented Student Program)*  
*(cf. 6174 - Education for English Language Learners)*  
*(cf. 6179 - Supplemental Instruction)*

5. Providing a system of shared accountability for student achievement with clear performance standards and consequences

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

6. Promoting student health, nutrition, and physical activity in order to enhance learning

*(cf. 3550 - Food Service/Child Nutrition Program)*  
*(cf. 5030 - Student Wellness)*  
*(cf. 6142.7 - Physical Education)*  
*(cf. 6142.8 - Comprehensive Health Education)*

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

*(cf. 5137 - Positive School Climate)*  
*(cf. 6141.6 - Multicultural Education)*  
*(cf. 6142.3 - Civic Education)*

8. Allocating time and resources for staff collaboration, planning, and professional development activities aligned with the district's goals

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

9. Maintaining fiscal integrity for the district and aligning resources to instructional needs and priorities for student achievement

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

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

## **GOALS FOR THE SCHOOL DISTRICT (continued)**

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

11. Employing technology in ways that enhance learning, teaching, and noninstructional operations

*(cf. 0440 - District Technology Plan)*  
*(cf. 4040 - Employee Use of Technology)*  
*(cf. 6163.4 - Student Use of Technology)*

12. Providing and maintaining facilities to meet the needs of present and future students

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

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

*(cf. 1100 - Communication with the Public)*  
*(cf. 1113 - District and School Web Sites)*  
*(cf. 1220 - Citizen Advisory Committees)*  
*(cf. 1240 - Volunteer Assistance)*  
*(cf. 1700 - Relations Between Private Industry and the Schools)*  
*(cf. 6020 - Parent Involvement)*

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

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

Each goal shall include measurable standards, performance indicators, and benchmarks that can be used to determine the district's progress toward meeting that goal.

The Superintendent or designee shall, with the involvement of district and school site staff, develop a strategic plan containing short-term objectives, actions, and timelines designed to enable the district to achieve its long-term goals. The Superintendent or designee shall also ensure that district improvement plans and reform efforts are aligned with the district's goals.

*(cf. 0400 - Comprehensive Plans)*  
*(cf. 0420 - School Plans/Site Councils)*  
*(cf. 0520.1 - High Priority Schools Grant Program)*  
*(cf. 0520.2 - Title I Program Improvement Schools)*  
*(cf. 0520.3 - Title I Program Improvement Districts)*  
*(cf. 0520.4 - Quality Education Investment Schools)*  
*(cf. 6171 - Title I Programs)*

## **GOALS FOR THE SCHOOL DISTRICT (continued)**

The Superintendent or designee shall ensure that these goals are communicated to staff, parents/guardians, students, and the community and that those groups are given an opportunity to provide feedback to the district about the goals.

### **Monitoring and Evaluation**

The Board shall regularly monitor the progress of the district's efforts in achieving the goals. To that end, the Superintendent or designee shall provide the Board with the necessary data and analysis to help the Board evaluate the effectiveness of the district's efforts. These data shall include an analysis of the progress based on the performance indicators and benchmarks for each goal, as well as other measures of student achievement, such as the Academic Performance Index, Adequate Yearly Progress, student attendance, and graduation rates.

*(cf. 0500 - Accountability)*

*(cf. 6190 - Evaluation of the Instructional Program)*

*(cf. 9322 - Agenda/Meeting Materials)*

If the Board determines that sufficient progress is not being made toward a particular goal, the Board and Superintendent shall determine what types of additional district resources and support should be provided so that progress in increasing student achievement can be made. District goals shall be revised as necessary.

*Legal Reference: (see next page)*

**GOALS FOR THE SCHOOL DISTRICT (continued)**

*Legal Reference:*

EDUCATION CODE

33127-33129 *Standards and criteria for fiscal accountability*

33400-33407 *CDE evaluation of district programs*

44660-44665 *Evaluation of certificated employees*

51002 *Local development of programs based on stated philosophy and goals*

51020 *Definition of goal*

51021 *Definition of objective*

51041 *Evaluation of the educational program*

52050-52059 *Public Schools Accountability Act*

64000-64001 *Consolidated application process*

CODE OF REGULATIONS, TITLE 5

15440-15463 *Standards and criteria for fiscal accountability*

UNITED STATES CODE, TITLE 20

6311 *Accountability, adequate yearly progress*

6312 *Local educational agency plan*

*Management Resources:*

CSBA PUBLICATIONS

*Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007*

*Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. 2006*

*Maximizing School Board Governance: Vision, 1996*

WEB SITES

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

CSBA, Agenda Online:

<http://www.csba.org/Services/Services/GovernanceTechnology/AgendaOnline.aspx>

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

**GOALS FOR STUDENT LEARNING**

The goal of instruction is to provide an integrated curriculum for maximum growth of the whole child. This includes enrichment and remediation, writing across the curriculum, whole language, self-esteem, social skills and critical thinking skills.

1. To achieve full realization for his/her individual capacities in the development and learning of basic skills and knowledge, each child should have the opportunity to achieve:
  - a. Reading, writing, speaking, listening, spelling, and grammatical form and usage.
  - b. Computation and problem solving.
  - c. Critical thinking skills.
  - d. Concepts and generalizations social sciences fundamental to the social sciences.
  - e. Understanding and appreciation for one's relationship to his/her environment and methods of scientific investigation.
  - f. Understanding and appreciation of literature, art, and music.
  
2. To foster the individual fulfillment of all children and to nurture free, rational, and responsible citizenship upon which our democratic society depends, a learning environment will be established with the development of self-disciplined citizens stressing:
  - a. A respect for the law.
  - b. Skill in democratic processes.
  - c. Respect and understanding for honest differences of opinion.
  - d. An appreciation for American ideals and institutions, based on rights and responsibilities of individuals.
  - e. An attitude of consideration for the other person.
  - f. Understanding of moral values.
  - g. A knowledge of and desire to practice correct health habits.

**GOALS FOR STUDENT LEARNING (continued)**

- h. Interest and skill in wholesome recreation.
3. To encourage the development of respect for oneself and others and skill in the establishment of effective relationships with individuals and groups with whom one works and lives, the school atmosphere and methods of working with students shall emphasize:
- a. Development of pride in work and the feeling of self-worth.
  - b. High standards of personal character.
  - c. A desire for and skill necessary to pursue self-education now and in the future.
  - d. Skills and attitudes needed to examine and use information objectively.
4. To function effectively as a producer and consumer, the student should be helped to attain economic skills including:
- a. A sense of satisfaction from performing good workmanship.
  - b. A desire to make a conscientious effort and a contribution to others.
  - c. An ability to make appropriate evaluations in order to have competencies as a consumer.

**COMPREHENSIVE PLANS**

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

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

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

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

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

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

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



**COMPREHENSIVE PLANS** (continued)

*(cf. 0420 - School Plans/Site Councils)*

*(cf. 0420.1 - School-Based Program Coordination)*

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

*Legal Reference:*

EDUCATION CODE

*35035 Powers and duties of Superintendent*

*35291 Rules (power of governing board)*

*Management Resources:*

CSBA PUBLICATIONS

*Maximizing School Board Leadership: Vision, 1996*

WEB SITES

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

# Board Policy

## Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0410(a)

### NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

The Governing Board is committed to equal opportunity for all individuals in education. District programs, activities, and practices shall be free from discrimination based on race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

*(cf. 4030 - Nondiscrimination in Employment)*  
*(cf. 4032 - Reasonable Accommodation)*  
*(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)*  
*(cf. 5131.2 - Bullying)*  
*(cf. 5145.3 - Nondiscrimination/Harassment)*  
*(cf. 5145.7 - Sexual Harassment)*  
*(cf. 5146 - Married/Pregnant/Parenting Students)*  
*(cf. 6145.2 - Athletic Competition)*  
*(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)*  
*(cf. 6164.6 - Identification and Education Under Section 504)*  
*(cf. 6178 - Career Technical Education)*  
*(cf. 6200 - Adult Education)*

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

*(cf. 1312.3 - Uniform Complaint Procedures)*  
*(cf. 4031 - Complaints Concerning Discrimination in Employment)*  
*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*  
*(cf. 5145.6 - Parental Notifications)*

The district's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand and, when required by law, in a language other than English.

## **NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES** (continued)

### **Access for Individuals with Disabilities**

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act and any implementing standards and/or regulations.

*(cf. 6163.2 - Animals At School)*

*(cf. 7110 - Facilities Master Plan)*

*(cf. 7111 - Evaluating Existing Buildings)*

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

*(cf. 6020 - Parent Involvement)*

Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to the school-sponsored function, program, or meeting.

*(cf. 9320 - Meetings and Notices)*

*(cf. 9322 - Agenda/Meeting Materials)*

#### *Legal Reference:*

##### EDUCATION CODE

200-262.4 Prohibition of discrimination

48985 Notices to parents in language other than English

51007 Legislative intent: state policy

##### GOVERNMENT CODE

11000 Definitions

11135 Nondiscrimination in programs or activities funded by state

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

54953.2 Brown Act compliance with Americans with Disabilities Act

*Legal Reference continued: (see next page)*

**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)**

*Legal Reference: (continued)*

PENAL CODE

422.55 *Definition of hate crime*

422.6 *Interference with constitutional right or privilege*

CODE OF REGULATIONS, TITLE 5

4600-4687 *Uniform complaint procedures*

4900-4965 *Nondiscrimination in elementary and secondary education programs*

UNITED STATES CODE, TITLE 20

1400-1482 *Individuals with Disabilities in Education Act*

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

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

6311 *State plans*

6312 *Local education agency plans*

UNITED STATES CODE, TITLE 29

794 *Section 504 of the Rehabilitation Act of 1973*

UNITED STATES CODE, TITLE 42

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

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

2000h-2000h-6 *Title IX*

12101-12213 *Americans with Disabilities Act*

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 *Americans with Disabilities Act*

36.303 *Auxiliary aids and services*

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 *Nondiscrimination in federal programs, effectuating Title VI*

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

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

106.9 *Dissemination of policy*

*Management Resources:*

CSBA PUBLICATIONS

*Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011*

*Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010*

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

*Notice of Non-Discrimination, January 1999*

*Protecting Students from Harassment and Hate Crime, January 1999*

*Nondiscrimination in Employment Practices in Education, August 1991*

WEB SITES

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

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

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

Pacific ADA Center: <http://www.adapacific.org>

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

# Board Policy

## Philosophy-Goals-Objectives and Comprehensive Plans

BP 0420(a)

### SCHOOL PLANS/SITE COUNCILS

When required by law or determined to be a useful tool to accomplish district and school goals, school site councils or other school advisory groups shall develop comprehensive school plans designed to enhance student achievement at individual school sites.

- (cf. 0000 - Vision)*
- (cf. 0200 - Goals for the School District)*
- (cf. 0400 - Comprehensive Plans)*
- (cf. 0420.5 - School-Based Decision Making)*
- (cf. 1220 - Citizen Advisory Committees)*
- (cf. 1431 - Waivers)*
- (cf. 6020 - Parent Involvement)*

### Single Plan for Student Achievement

The Superintendent or designee shall ensure that a single plan for student achievement is prepared by the school site council as required by law for each school participating in specified state and/or federal categorical programs. (Education Code 41507, 41572, 52055.755, 64001)

- (cf. 0420.1 - School-Based Program Coordination)*
- (cf. 0450 - Comprehensive Safety Plan)*
- (cf. 0520 - Intervention for Underperforming Schools)*
- (cf. 0520.1 - High Priority Schools Grant Program)*
- (cf. 0520.2 - Title I Program Improvement Schools)*
- (cf. 0520.4 - Quality Education Investment Schools)*
- (cf. 3513.3 - Tobacco-Free Schools)*
- (cf. 4131 - Staff Development)*
- (cf. 4139 - Peer Assistance and Review)*
- (cf. 5147 - Dropout Prevention)*
- (cf. 5148.1 - Child Care Services for Parenting Students)*
- (cf. 6142.91 - Reading/Language Arts Instruction)*
- (cf. 6163.1 - Library Media Centers)*
- (cf. 6164.2 - Counseling/Guidance Services)*
- (cf. 6171 - Title I Programs)*
- (cf. 6174 - Education for English Language Learners)*
- (cf. 6190 - Evaluation of the Instructional Program)*

Whenever feasible, any other school plan may be incorporated into the single plan for student achievement.

**SCHOOL PLANS/SITE COUNCILS** (continued)

The Superintendent or designee shall review each school's single plan and ensure that it has been developed and approved by a properly constituted school site council, meets the content requirements for all programs included, is based on an analysis of current practices and student academic performance, and reasonably links improvement strategies to identified needs of the school and students. He/she shall submit to the Governing Board his/her recommendations for plan approval or recommendations regarding any subsequent material revisions of the plan.

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

The Superintendent or designee shall ensure that principals and members of each site council receive training on the roles and responsibilities of the site council. To the extent necessary, he/she shall ensure that site councils receive the resources necessary in order to perform their role effectively.

**School Site Block Grants**

Upon receipt of state funding for school site block grants, the Board shall allocate the funds to district schools on an equal per-pupil basis. (AB 1802, Sec. 43, Statutes of 2006)

The school's use of the funds allocated through this block grant shall be proposed by the school site council or, if the school does not have a school site council, by a schoolwide advisory group or school support group. (AB 1802, Sec. 43, Statutes of 2006)

The Board encourages school site councils to fund the highest priority needs identified in school improvement plans. The school site council shall provide the Superintendent or designee and the Board with a written proposal that includes a statement of the identified need(s) and how the funds will be used to enhance the educational program.

*Legal Reference: (see next page)*

**SCHOOL PLANS/SITE COUNCILS (continued)**

*Legal Reference:*

EDUCATION CODE

- 52-53 *Designation of schools*
- 8240-8244 *General child care and development programs*
- 8750-8754 *Conservation education*
- 18100-18203 *School libraries*
- 32228-32228.5 *School safety and violence prevention*
- 33133 *Information guide for school site councils*
- 35147 *Open meeting laws exceptions*
- 41500-41573 *Categorical education block grants*
- 44500-44508 *Peer Assistance and Review Program*
- 44520-44534 *New Careers Program*
- 48400-48403 *Compulsory continuation education*
- 48430-48438 *Continuation education*
- 48660-48667 *Community day schools*
- 51745-51749.3 *Independent study*
- 51760-51769.5 *Work experience education*
- 51870-51874 *Educational technology*
- 52053-52055.55 *Immediate Intervention/Underperforming Schools Program*
- 52055.600-52055.662 *High Priority Schools Grant Program*
- 52055.700-52055.770 *Quality Education Investment Act*
- 52176 *Advisory committees*
- 52200-52212 *Gifted and Talented Education Program*
- 52300-52346 *Regional occupational centers*
- 52500-52617 *Adult education, including:*
- 52610-52616.24 *Adult education finances*
- 52800-52887 *School-Based Program Coordination Act*
- 52890 *Qualifications and duties of outreach consultants*
- 54000-54028 *Educationally Disadvantaged Youth Programs*
- 54100-54145 *Miller-Unruh Basic Reading Act*
- 54425 *Advisory committees (compensatory education)*
- 54650-54659 *Education Improvement Incentive Program*
- 54740-54749.5 *California School Age Families Education Program*
- 56000-56885 *Special education*
- 64000 *Categorical programs included in consolidated application*
- 64001 *Single school plan for student achievement, consolidated application programs*

REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS

- 52012 *Establishment of school site council*
- 52014-52015 *School plans*

HEALTH AND SAFETY CODE

- 104420 *Tobacco use prevention*

MILITARY AND VETERANS CODE

- 500-520.1 *California Cadet Corps*

AB 1802 UNCODIFIED 2006 STATUTE

- 43 *School site block grants*

CODE OF REGULATIONS, TITLE 5

- 3930-3937 *Compliance plans*

UNITED STATES CODE, TITLE 20

- 6312-6319 *Title I programs; plans*
- 6421-6472 *Programs for neglected, delinquent, and at-risk children and youth*
- 6601-6651 *Teacher and Principal Training and Recruitment program*

*Legal Reference continued: (see next page)*

**SCHOOL PLANS/SITE COUNCILS** (continued)

*Legal Reference: (continued)*

EDUCATION CODE (continued)

6801-7014 *Limited English proficient and immigrant students*

7101-7165 *Safe and Drug-Free Schools and Communities*

7341-7355c *Rural Education Initiative*

*Management Resources:*

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*A Guide and Template for the Single Plan for Student Achievement: A Handbook for School Site Councils*, April 2006

WEB SITES

*California Department of Education, Single Plan for Student Achievement:*

*<http://www.cde.ca.gov/nclb/sr/le/singleplan.asp>*

*Center for Comprehensive School Reform and Improvement: <http://www.centerforcsri.org>*

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



# **Administrative Regulation**

## **Philosophy-Goals-Objectives and Comprehensive Plans**

AR 0420(a)

### **SCHOOL PLANS/SITE COUNCILS**

#### **School Site Councils**

When required for participation in any categorical program, each district school shall establish a school site council or advisory committee. (Education Code 41507, 41572, 52852, 64001)

The school site council shall be composed of the following: (Education Code 41507, 41572, 52852)

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

Half of the school site council membership shall consist of school staff, the majority of whom shall be classroom teachers. For elementary school site councils, the remaining half shall be parents/guardians or parent/guardian representatives. For secondary school site councils, the remaining half shall be equal numbers of parents/guardians (or parent/guardian representatives) and students. (Education Code 41507, 41572, 52852)

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

School site councils may function on behalf of other committees in accordance with law. (Education Code 52055.620, 52176, 52870, 54425; 5 CCR 3932)

*(cf. 0520.1 - High Priority Schools Grant Program)*

School site councils shall operate in accordance with procedural meeting requirements established in Education Code 35147.

*(cf. 1220 - Citizen Advisory Committees)*

**SCHOOL PLANS/SITE COUNCILS** (continued)**Single Plan for Student Achievement**

In order for a school to participate in any state or federal categorical program specified in Education Code 41506, 41571, 52055.700, or 64000, the school site council shall approve, annually review, and update a single plan for student achievement. If the school does not have a school site council, a schoolwide advisory group or school support group conforming to the composition requirements of the school site council listed above shall fulfill these responsibilities. (Education Code 41507, 41572, 52055.755, 64001)

*(cf. 0420.1 - School-Based Program Coordination)*  
*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 0520 - Intervention for Underperforming Schools)*  
*(cf. 0520.1 - High Priority Schools Grant Program)*  
*(cf. 0520.2 - Title I Program Improvement Schools)*  
*(cf. 0520.4 - Quality Education Investment Schools)*  
*(cf. 3513.3 - Tobacco-Free Schools)*  
*(cf. 4131 - Staff Development)*  
*(cf. 4139 - Peer Assistance and Review)*  
*(cf. 5147 - Dropout Prevention)*  
*(cf. 5148.1 - Child Care Services for Parenting Students)*  
*(cf. 6142.91 - Reading/Language Arts Instruction)*  
*(cf. 6163.1 - Library Media Centers)*  
*(cf. 6164.2 - Counseling/Guidance Services)*  
*(cf. 6171 - Title I Programs)*  
*(cf. 6174 - Education for English Language Learners)*

The single plan for student achievement shall be aligned with school goals for improving student achievement and shall be based on an analysis of verifiable state data, including the Academic Performance Index (API) and the California English Language Development Test (CELDT), and any other data voluntarily developed by the district to measure student achievement. (Education Code 64001)

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

1. Address how funds provided to the school through categorical programs will be used to improve the academic performance of all students to the level of the performance goals established by the API
2. Identify the school's means of evaluating progress toward accomplishing those goals
3. Identify how state and federal law governing these programs will be implemented

## **SCHOOL PLANS/SITE COUNCILS** (continued)

In addition to meeting the requirements common to all applicable school plans, the single plan shall address the content required by law for each individual categorical program in which the school participates.

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

*(cf. 0520 - Intervention for Underperforming Schools)*

*(cf. 6171 - Title I Programs)*

In developing or revising the single plan, the school site council shall:

1. Measure the effectiveness of current improvement strategies at the school

The school site council shall analyze student performance based on state and local data, identify significant low performance among all student groups, and analyze instructional programs to determine program areas that need to be addressed in order to raise performance of student groups not meeting academic standards.

*(cf. 6011 - Academic Standards)*

2. Seek input from other school advisory committees as appropriate
3. Reaffirm or revise school goals to serve as a basis for school improvement activities and expenditures
4. Revise improvement strategies and expenditures

The school site council shall specify actions to be taken, dates by which actions are to be started and completed, expenditures needed to implement the action, the funding source, anticipated annual performance growth for each student group, and the means that will be used to evaluate progress toward each goal.

5. Approve and recommend the plan to the Governing Board

The Superintendent or designee and the principal shall implement the strategies in the single plan and report to the school site council and the Board regarding progress toward school goals. The school site council shall monitor the implementation and effectiveness of the single plan and modify any activities that prove ineffective.

**SCHOOL PLANS/SITE COUNCILS** (continued)

**School Plans for Categorical Block Grants**

Whenever a school participates in the state's categorical block grant programs for student retention and/or school and library improvement, the school site council shall develop a plan which shall include, but need not be limited to: (Education Code 41507, 41572)

1. Curricula, instructional strategies, and materials responsive to the individual educational needs and learning styles of each student that enables all students to do all of the following:
  - a. Make continuous progress and learn at a rate appropriate to their abilities
  - b. Master basic skills in language development and reading, writing, and mathematics
  - c. Develop knowledge and skills in other aspects of the curricula, such as arts and humanities; physical, natural, and social sciences; multicultural education; physical, emotional, and mental health; consumer economics; and career education
  - d. Pursue educational interests and develop esteem for self and others; personal and social responsibility, critical thinking, and independent judgment

*(cf. 5148 - Child Care and Development)*

*(cf. 6158 - Independent Study)*

*(cf. 6184 - Continuation Education)*

*(cf. 6185 - Community Day School)*

2. Consideration of the use of community resources to achieve instructional improvement objectives

3. Consideration of the use of education technology

*(cf. 0440 - District Technology Plan)*

4. A staff development program for teachers, other school personnel, paraprofessionals, and volunteers

*(cf. 1240 - Volunteer Assistance)*

*(cf. 4131.1 - Beginning Teacher Support/Induction)*

*(cf. 4138 - Mentor Teachers)*

*(cf. 4222 - Teacher Aides/Paraprofessionals)*

*(cf. 4231 - Staff Development)*

**SCHOOL PLANS/SITE COUNCILS** (continued)

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

*(cf. 5147 - Dropout Prevention)*

*(cf. 5149 - At-Risk Students)*

*(cf. 6164.5 - Student Success Teams)*

6. Procedures for coordinating services from funding sources at the school level to help students participate successfully in the core academic curricula and specialized curricula related to jobs and career opportunities

*(cf. 6030 - Integrated Academic and Vocational Instruction)*

*(cf. 6178 - Vocational Education)*

*(cf. 6178.1 - Work Experience Education)*

7. Instructional and auxiliary services to meet the special needs of students who are limited-English-speaking, including instruction in a language they understand; educationally disadvantaged students; gifted and talented students; and students with disabilities

*(cf. 6172 - Gifted and Talented Student Program)*

8. Improvement of the classroom and school environments, including improvement of relationships between and among students, school personnel, parents/guardians, and the community, and reduction of the incidence of violence and vandalism among students

*(cf. 5137 - Positive School Environment)*

*(cf. 5138 - Conflict Resolution/Peer Mediation)*

9. Improvement of student attendance, including parent/guardian awareness of the importance of regular school attendance

*(cf. 5113 - Absence and Excuses)*

*(cf. 5113.1 - Truancy)*

10. The proposed expenditure of block grant funds and the degree to which expenditures meet the plan's criteria

11. Other activities and objectives established by the school site council

**SCHOOL PLANS/SITE COUNCILS** (continued)

12. A process for ongoing evaluation and modification of the plan

The evaluation shall be based on the degree to which the school is meeting the plan's objectives, student achievement, and improved school environment. An improved school environment shall be measured by indicators such as the incidence of absenteeism, suspension and expulsion, dropouts, school violence, vandalism and theft; student attitudes towards the school, self, and others; absenteeism among staff, staff resignations, and requests for transfers; and satisfaction of students, parents/guardians, teachers, administrators, and staff.

In addition, any school receiving state funding for school and library improvement shall incorporate plans pertaining to school libraries. (Education Code 41572)

The student retention and/or school and library improvement plans shall be incorporated into the school's single plan for student achievement as described in the above section. (Education Code 41507, 41572)

**School Site Block Grants**

The school site council may propose any one-time educational purpose for the use of funds allocated to school sites under school site block grants, including, but not limited to, the following purposes: (AB 1802, Sec. 43, Statutes of 2006)

1. Instructional materials
2. Classroom and laboratory supplies and materials
3. School and classroom library materials
4. Educational technology
5. Deferred maintenance
6. Expenditures designed to close the achievement gap
7. Professional development

# Board Policy

## Philosophy-Goals-Objectives and Comprehensive Plans

BP 0420.1(a)

### SCHOOL-BASED PROGRAM COORDINATION

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

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

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

The school site council of any participating school shall develop, for approval by the Board, a school plan that addresses the components specified in Education Code 52853. This plan shall be incorporated into the school's single plan for student achievement required for the state's consolidated application process. (Education Code 52853, 64001)

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

*(cf. 0500 - Accountability)*  
*(cf. 3553 - Free and Reduced Price Meals)*  
*(cf. 5149 - At-Risk Students)*  
*(cf. 6164.4 - Identification of Individuals for Special Education)*  
*(cf. 6172 - Gifted and Talented Student Program)*  
*(cf. 6174 - Education for English Language Learners)*  
*(cf. 6190 - Evaluation of the Instructional Program)*

#### *Legal Reference:*

##### EDUCATION CODE

8750-8754 *Conservation education*  
41500-41573 *Categorical education block grants*  
44520-44534 *New Careers Program*  
51870-51874 *Education technology*  
52200-52212 *Gifted and Talented Education Program*  
52340-52346 *California Regional Career Guidance Centers*  
52800-52887 *School-Based Program Coordination Act*  
54000-54041 *Educationally Disadvantaged Youth Programs*  
54100-54145 *Miller-Unruh Basic Reading Act*  
54650-54659 *Education Improvement Incentive Program*  
56000-56885 *Special education*  
64000 *Categorical programs included in consolidated application*  
64001 *Single school plan for student achievement, consolidated application programs*

**SCHOOL-BASED PROGRAM COORDINATION** (continued)

*Legal Reference: (continued)*

MILITARY AND VETERANS CODE  
500-520.1 California Cadet Corps

*Management Resources:*

CDE PUBLICATIONS  
*Voluntary Template for the Single Plan for Student Achievement*  
WEB SITES  
California Department of Education: <http://www.cde.ca.gov>



# Administrative Regulation

## Philosophy-Goals-Objectives and Comprehensive Plans

AR 0420.1(a)

### SCHOOL-BASED PROGRAM COORDINATION

The Superintendent or designee shall provide information about the School-Based Program Coordination Act to each principal. Each principal shall provide this information to teachers, other school personnel, parents/guardians, and secondary students. (Education Code 52852.5)

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

1. Conservation Education (Education Code 8750-8754)  
*(cf. 6142.5 - Environmental Education)*
2. New Careers Program (Education Code 44520-44534)  
*(cf. 4112.21 - District Interns)*
3. Education Technology (Education Code 51870-51874)  
*(cf. 0440 - District Technology Plan)*
4. Gifted and Talented Education Program (Education Code 52200-52212)  
*(cf. 6172 - Gifted and Talented Student Program)*
5. California Regional Career Guidance Centers (Education Code 52340-52346)  
*(cf. 6030 - Integrated Academic and Vocational Instruction)*  
*(cf. 6178 - Vocational Education)*
6. Educationally Disadvantaged Youth Programs (Education Code 54000-54041)  
*(cf. 5149 - At-Risk Students)*
7. Miller-Unruh Basic Reading Act (Education Code 54100-54145)  
*(cf. 6142.91 - Reading/Language Arts Instruction)*
8. Special Education (Education Code 56000-56885)  
*(cf. 0430 - Comprehensive Local Plan for Special Education)*

**SCHOOL-BASED PROGRAM COORDINATION** (continued)

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

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

Any school participating in school-based program coordination shall not be required to meet any state laws or regulations for any coordinated program listed above, except as specifically provided under the School-Based Program Coordination Act. (Education Code 52851)

# Board Policy

## Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0420.4(a)

### CHARTER SCHOOL AUTHORIZATION

Note: The following **optional** policy may be revised to reflect district practice. Education Code 47600-47616.7 authorize the establishment of a capped number of public charter schools, which are generally exempt from Education Code provisions governing school districts unless otherwise specified in law. To establish a charter school, petitioners must submit to the Governing Board for approval a petition which includes all components required by law as described in the accompanying administrative regulation.

Charter petitions also may be submitted to other entities under certain circumstances. Education Code 47605.5-47605.6 authorize petitioners to submit a petition directly to the County Board of Education when (1) the charter school will serve students for whom the county office of education would otherwise be responsible for providing direct education and related services or (2) the countywide program will provide educational services to a student population that cannot be served as well by a charter school operating in only one district in the county.

In addition, Education Code 47605.8 authorizes petitioners to submit a petition directly to the State Board of Education (SBE) to approve a "statewide benefit charter school" that may operate at multiple sites throughout the state. 5 CCR 11967.6.1 requires the petitioner to provide prior written notice to the board of each district where the petitioner proposes to locate a school site and to notify the board of the date that the SBE will meet to consider the petition.

The Governing Board recognizes that charter schools may assist the district in offering diverse learning opportunities for district students. In considering any petition to establish a charter school within the district, the Board shall give careful consideration to the potential of the charter school to provide students with a high-quality education that enables them to achieve to their fullest potential.

Note: Education Code 47605 allows for the conversion of an existing public school into a charter school, provided that the school adopts and maintains a policy giving admission preference to students who reside within the former attendance area of that public school. In addition, whenever a school receiving Title I funds has failed to make "adequate yearly progress" for five consecutive years, the federal No Child Left Behind Act (20 USC 6316) requires that the district create a plan for restructuring the school, one option of which is to reopen it as a public charter school. Furthermore, when a school is identified by the California Department of Education (CDE) as meeting certain criteria specified in Education Code 53300 (the Parent Empowerment Act), parents/guardians may petition the district, in accordance with 5 CCR 4800-4808, as added by Register 2011, No. 43, to convert the school or close and reopen it as a charter school.

The Board also may create a start-up charter school. A start-up or conversion charter school that is created by the Board and operates in a close relationship with the district is often described as a "dependent" charter school, although that term does not appear in law. A dependent charter school is subject to the same petition requirements and approval process as an "independent" charter school, which is typically formed by parents/guardians, teachers, community members, or a charter management organization.

Pursuant to Education Code 47606, a district may petition the Superintendent of Public Instruction and the SBE to convert all its schools to charter schools, provided that 50 percent of the district's teachers sign the petition, the petition contains all specified components, and arrangements are made for alternative attendance of students residing within the district who choose not to attend charter schools.

## **CHARTER SCHOOL AUTHORIZATION** (continued)

One or more persons may submit a petition for a start-up charter school to be established within the district. In addition, an existing district school may be converted to a charter school when deemed beneficial by the district and community or when state or federal law requires restructuring of the school because of low performance.

*(cf. 0520.2 - Title I Program Improvement Schools)*

Any petition for a start-up charter school or conversion charter school shall include all components and signatures required by law and shall be submitted to the Board.

The Superintendent or designee may work with charter school petitioners prior to the formal submission of the petition in order to ensure compliance of the petition with legal requirements. As needed, he/she also may meet with the petitioners to establish workable plans for technical assistance or contracted services which the district may provide to the proposed charter school.

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

*(cf. 9320 - Meetings and Notices)*

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

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

### **Approval of Petition**

The Board shall approve the charter petition if doing so is consistent with sound educational practice. In granting charters, the Board shall give preference to schools best able to provide comprehensive learning experiences for academically low-achieving students according to standards established by the California Department of Education (CDE) under Education Code 54032. (Education Code 47605)

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

*(cf. 0420.42 - Charter School Renewal)*

*(cf. 0420.43 - Charter School Revocation)*

## **CHARTER SCHOOL AUTHORIZATION** (continued)

The Board shall ensure that any approved charter contains adequate processes and measures for holding the school accountable for fulfilling the terms of its charter. These shall include, but not be limited to, fiscal accountability systems, multiple measures for evaluating the educational program, and regular reports to the Board.

*(cf. 0420.41 - Charter School Oversight)*

The district shall not require any district student to attend the charter school nor shall it require any district employee to work at the charter school. (Education Code 47605)

Note: The following **optional** paragraph may be revised to reflect district practice. Although not required by law, CSBA's publication Charter Schools: A Manual for Governance Teams recommends one or more memoranda of understanding (MOUs) to address matters that are related to the charter petition but are not included in the petition, and to establish expectations for which the charter school can be held accountable. CSBA's manual provides examples of issues pertaining to business operations, administrative and support services, special education, and student assessment that might be addressed in an MOU.

A sample MOU between the SBE and a state-approved charter school, available on CDE's web site, may be adapted for use by districts.

The Board may approve one or more memoranda of understanding to clarify the financial and operational agreements between the district and the charter school. Any such memorandum of understanding shall be annually reviewed by the Board and charter school governing body and amended as necessary.

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

### **Denial of Petition**

The Board shall deny any petition to authorize the conversion of a private school to a charter school or that proposes to serve students in a grade level that is not served by the district, unless the petition proposes to serve students in all the grade levels served by the district. (Education Code 47602, 47605; 5 CCR 11965)

Note: Pursuant to Education Code 47605, a charter petition can be denied only if certain factual findings are made, as specified in items #1-5 below.

5 CCR 11967.5.1, which contains criteria that the SBE must consider in reviewing charter petitions, may be useful to the district in determining how it might evaluate whether a petition meets the conditions specified in items #1-5 below.

**CHARTER SCHOOL AUTHORIZATION** (continued)

Any other charter petition shall be denied only if the Board presents written factual findings specific to the petition that one or more of the following conditions exist: (Education Code 47605)

1. The charter school presents an unsound educational program for the students to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain the number of signatures required.
4. The petition does not contain an affirmation of each of the conditions described in Education Code 47605(d).
5. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(b).

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

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

If the Board denies a petition, the petitioners may choose to submit the petition to the County Board of Education and, if then denied by the County Board, to the SBE. (Education Code 47605)

*Legal Reference: (see next page)*

**CHARTER SCHOOL AUTHORIZATION** (continued)

*Legal Reference:*

EDUCATION CODE

220 Nondiscrimination

17078.52-17078.66 Charter schools facility funding; state bond proceeds

17280-17317 Field Act

17365-17374 Field Act, fitness for occupancy

41365 Charter school revolving loan fund

42238.51-42238.53 Funding for charter districts

44237 Criminal record summary

44830.1 Certificated employees, conviction of a violent or serious felony

45122.1 Classified employees, conviction of a violent or serious felony

46201 Instructional minutes

47600-47616.7 Charter Schools Act of 1992

47640-47647 Special education funding for charter schools

47650-47652 Funding of charter schools

51745-51749.3 Independent study

53300-53303 Parent Empowerment Act

56026 Special education

56145-56146 Special education services in charter schools

CORPORATIONS CODE

5110-6910 Nonprofit public benefit corporations

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act

CODE OF REGULATIONS, TITLE 5

4800-4808 Parent Empowerment Act

11700.1-11705 Independent study

11960-11969 Charter schools

CODE OF REGULATIONS, TITLE 24

101 et seq. California Building Standards Code

UNITED STATES CODE, TITLE 20

6316 Program improvement

7223-7225 Charter schools

COURT DECISIONS

*Ridgecrest Charter School v. Sierra Sands Unified School District*, (2005) 130 Cal.App.4th 986

ATTORNEY GENERAL OPINIONS

89 *Ops. Cal. Atty. Gen.* 166 (2006)

80 *Ops. Cal. Atty. Gen.* 52 (1997)

78 *Ops. Cal. Atty. Gen.* 297 (1995)

*Management Resources: (see next page)*

**CHARTER SCHOOL AUTHORIZATION** (continued)

*Management Resources:*

CSBA PUBLICATIONS

*The Role of the Charter School Authorizer, Online Course*

*Charter Schools: A Manual for Governance Teams, rev. 2009*

*Charter School Facilities and Proposition 39: Legal Implications for School Districts, 2005*

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*Sample Copy of a Memorandum of Understanding*

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

U.S. DEPARTMENT OF EDUCATION GUIDANCE

*Charter Schools Program, July 2004*

*The Impact of the New Title I Requirements on Charter Schools, July 2004*

WEB SITES

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

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://www.charterauthorizers.org>

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



# **Administrative Regulation**

## **Philosophy, Goals, Objectives, and Comprehensive Plans**

AR 0420.4(a)

### **CHARTER SCHOOL AUTHORIZATION**

#### **Petition Signatures**

A petition for the establishment of a start-up charter school within the district must be signed by one of the following: (Education Code 47605)

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

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

*(cf. 4116 - Permanent/Probationary Status)*

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

#### **Components of Charter Petition**

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

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

**CHARTER SCHOOL AUTHORIZATION** (continued)

- If the proposed school will serve high school students, the petition shall describe the manner in which the charter school will inform parents/guardians about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable, and courses approved by the University of California or the California State University as creditable under the "a-g" admissions criteria may be considered to meet college entrance requirements.
2. The measurable student outcomes identified for use by the charter school. *Student outcomes* means the extent to which all students of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program.
  3. The method by which student progress in meeting those student outcomes is to be measured.
  4. The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parent/guardian involvement.
  5. The qualifications to be met by individuals to be employed by the school.
  6. The procedures that the school will follow to ensure the health and safety of students and staff. These procedures shall include the requirement that each school employee furnish the school with a criminal record summary as described in Education Code 44237.
  7. The means by which the school will achieve a racial and ethnic balance among its students that is reflective of the general population residing within the district's territorial jurisdiction.
  8. Admission requirements, if applicable.
  9. The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the Governing Board.
  10. The procedures by which students can be suspended or expelled.
  11. The manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.

**CHARTER SCHOOL AUTHORIZATION** (continued)

12. The public school attendance alternatives for students residing within the district who choose to not attend charter schools.
13. A description of the rights of any district employee upon leaving district employment to work in a charter school and of any rights of return to the district after employment at a charter school.
14. The procedures to be followed by the charter school and the Board to resolve disputes relating to charter provisions.

Note: Education Code 47605 requires charter petitions to contain the declaration specified in item #15 below regarding responsibilities for collective bargaining. If the charter school is not deemed a public school employer for purposes of collective bargaining under Government Code 3540-3549.3, the district where the charter school is located shall be deemed the public school employer for these purposes, pursuant to Education Code 47611.5.

Education Code 47611.5 further provides that, if the charter does not specify that the charter school shall comply with laws and regulations governing tenure or a merit or civil service system, the scope of representation for that charter school shall also include discipline and dismissal of charter school employees.

15. A declaration as to whether or not the charter school shall be deemed the exclusive public school employer of the school's employees for purposes of collective bargaining under Government Code 3540-3549.3.

Note: Education Code 47605 and 5 CCR 11962 require the charter petition to include procedures to be used in the event that the charter school closes for any reason, as provided in item #16 below. Duties of the district pertaining to charter school closures include notification requirements pursuant to Education Code 47604.32 and 5 CCR 11962.1; see BP 0420.41 - Charter School Oversight.

16. The procedures to be used if the charter school closes.

These procedures shall include, but not be limited to: (5 CCR 11962)

- a. Designation of a responsible entity to conduct closure-related activities
- b. Notification of the closure to parents/guardians, the Board, the county office of education, the special education local plan area in which the school participates, the retirement systems in which the school's employees participate, and the CDE, providing at least the following information:
  - (1) The effective date of the closure
  - (2) The name(s) of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure

**CHARTER SCHOOL AUTHORIZATION** (continued)

- (3) The students' districts of residence
- (4) The manner in which parents/guardians may obtain copies of student records, including specific information on completed courses and credits that meet graduation requirements
- c. Provision of a list of students at each grade level, the classes they have completed, and the students' district of residence to the responsible entity designated in accordance with item #16a above
- d. Transfer and maintenance of all student records, all state assessment results, and any special education records to the custody of the responsible entity designated in accordance with item #16a above, except for records and/or assessment results that the charter may require to be transferred to a different entity
- e. Transfer and maintenance of personnel records in accordance with applicable law
- f. Completion of an independent final audit within six months after the closure of the school that includes an accounting of all financial assets and liabilities pursuant to 5 CCR 11962 and an assessment of the disposition of any restricted funds received by or due to the school
- g. Disposal of any net assets remaining after all liabilities of the school have been paid or otherwise addressed pursuant to 5 CCR 11962
- h. Completion and filing of any annual reports required pursuant to Education Code 47604.33
- i. Identification of funding for the activities identified in item #16a-h above

Note: Education Code 47605 requires that petitioners provide to the Governing Board additional information listed in items #1-4 below. The Board may add its own additional requirements for information. For example, U.S. Department of Education nonregulatory guidance, The Impact of New Title I Requirements on Charter Schools, suggests that districts, at their discretion, choose to incorporate in the charter the state's definition of "adequate yearly progress" to assist charter schools in understanding their accountability requirements; see the accompanying Board policy and BP/AR 0520.2 - Title I Program Improvement Schools.

According to CSBA's publication Charter Schools: A Manual for Governance Teams, some districts request a school calendar, information regarding transportation arrangements, staff development plans, assurances that the school will provide appropriate services for English language learners and students with disabilities, or any other information that will assist the Board in understanding the proposal. Districts that wish to require additional information in the charter may list those items below.

## **CHARTER SCHOOL AUTHORIZATION** (continued)

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

Note: Education Code 47605 requires that information on school facilities, listed in item #1 below, must specify where the school intends to locate. Unless otherwise exempted, the school must be located within the geographic boundaries of the chartering district; see section "Location of Charter School" below.

1. The facilities to be used by the school, including where the school intends to locate  
*(cf. 7160 - Charter School Facilities)*
2. The manner in which administrative services of the school are to be provided
3. Potential civil liability effects, if any, upon the school and district
4. Financial statements that include a proposed first-year operational budget, including start-up costs and cash-flow and financial projections for the first three years of operation
5. School calendar
6. Staff development plans
7. Assurance that the school will provide appropriate services for English language learners and students with disabilities

### **Location of Charter School**

Note: Education Code 47605 and 47605.1 establish geographic and site requirements for charter schools. Pursuant to Education Code 47605, a charter school granted by either the County Board of Education or the State Board of Education following initial denial by the district also must locate within the geographic boundaries of the district that denied the petition.

The Attorney General has opined, in 89 Ops.Cal.Atty.Gen. 166 (2006), that online charter schools are subject to the restrictions and conditions placed upon independent study programs, including the condition that students must reside in the charter school's home county or an adjacent county, and therefore may not receive state funding for the instruction of students who do not reside in the county where the school is chartered or in an adjacent county.

Unless otherwise exempted by law, the charter petition shall identify a single charter school that will operate within the geographic boundaries of the district. A charter school may propose to operate at multiple sites within the district as long as each location is identified in the petition. (Education Code 47605, 47605.1)

**CHARTER SCHOOL AUTHORIZATION** (continued)

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

1. The district is notified prior to approval of the petition.
2. The County Superintendent of Schools and Superintendent of Public Instruction are notified before the charter school begins operations.
3. The school has attempted to locate a single site or facility to house the entire program but such a facility or site is unavailable in the area in which the school chooses to locate, or the site is needed for temporary use during a construction or expansion project.

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

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

**Petition Review Committee**

At his/her discretion, the Superintendent or designee may establish a staff advisory committee to review submitted petitions and supporting documentation. Such a committee may be used to evaluate the completeness of proposals, the merits of the proposed educational programs, and any concerns that should be addressed by the petitioners. The Superintendent or designee shall also consult with legal counsel as appropriate regarding compliance of the proposals with legal requirements.

*(cf. 1220 - Citizen Advisory Committees)*

Regulation  
approved: September 18, 2012

**SAUGUS UNION SCHOOL DISTRICT**  
Santa Clarita, California

# Board Policy

## Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0420.41(a)

### CHARTER SCHOOL OVERSIGHT

The Governing Board recognizes its ongoing responsibility to ensure that any charter school authorized by the Board is successfully fulfilling the terms of its charter and is providing a high-quality educational program for students enrolled in the charter school.

*(cf. 0420.4 - Charter School Authorization)*

*(cf. 0500 - Accountability)*

The Superintendent or designee shall identify at least one staff member to serve as a contact for each charter school. (Education Code 47604.32)

The Board and Superintendent or designee may inspect or observe any part of the charter school at any time. The Superintendent or designee shall visit each charter school at least annually. (Education Code 47604.32, 47607)

Whenever a charter school operates as or is operated by a nonprofit public benefit corporation as authorized by Education Code 47604, the Superintendent shall recommend and the Board shall appoint a district representative, who may be the district's charter school contact, to serve as a voting or nonvoting member of the corporation's board of directors.

### Provision of District Services

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

*(cf. 7160 - Charter School Facilities)*

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

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

## **CHARTER SCHOOL OVERSIGHT (continued)**

### **Waivers**

Note: Charter schools are not authorized to submit general waiver requests to the SBE on their own behalf. Rather, the district must submit the waiver request for the charter school. The general waiver request form is available on the California Department of Education's (CDE) web site. Exceptions for which the charter school may directly apply for a waiver include a federal waiver of the Carl Perkins Career and Technical Education Act and a specific waiver of instructional time penalties.

If the charter school wishes to request a general waiver of any state law or regulation, it shall request that the Superintendent or designee submit a general waiver request to the State Board of Education (SBE) on its behalf.

### **Material Revisions to Charter**

Material revisions to a charter may be made only with Board approval. Material revisions shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

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

The Board shall have the authority to determine whether a proposed change in charter school operations constitutes a material revision.

### **Monitoring Charter School Performance**

The Superintendent or designee shall regularly report to the Board on the charter school's performance, based on the academic and fiscal accountability measures specified in the approved charter.

Note: Pursuant to Education Code 47604.32, it is the responsibility of the district to ensure the charter school's compliance with making all required reports. In addition, the Board should be aware of any other violation of law in order to determine whether a revocation is warranted pursuant to Education Code 47607. See the accompanying Exhibit for a list of legal requirements pertaining to the operation of charter schools.

In providing general oversight of a charter school, the Board and the Superintendent or designee shall determine whether the school complies with all legal requirements applicable to charter schools, including making all reports required of charter schools in accordance with Education Code 47604.32.



**CHARTER SCHOOL OVERSIGHT** (continued)

The Board shall monitor the fiscal condition of the charter school based on any financial information obtained from the charter school, including, but not limited to, the charter school's preliminary budget, first and second interim financial reports, and final unaudited report for the full prior year. (Education Code 47604.32, 47604.33)

Note: Pursuant to 20 USC 6311, charter schools are subject to the same federal Title I accountability requirements as all other public schools in the state, including requirements to make "adequate yearly progress" as defined by the SBE; see BP/AR 0520.2 - Title I Program Improvement Schools. U.S. Department of Education nonregulatory guidance, [The Impact of the New Title I Requirements on Charter Schools](#), clarifies that the entity which authorizes the charter is responsible for ensuring that the charter school complies with accountability provisions.

The Board shall monitor each charter school to determine whether it is achieving the outcomes for student learning set forth in the charter agreement. In addition, the Board shall determine whether the charter school makes "adequate yearly progress" as defined by the SBE and federal Title I accountability requirements. If a charter school fails to make adequate yearly progress for two or more consecutive years, the Board shall take action for program improvement in accordance with law, Board policy, and administrative regulations.

*(cf. 0520.2 - Title I Program Improvement Schools)*

Evaluation data for the charter school shall be considered in the Board's determination of the renewal or revocation of a charter.

*(cf. 0420.42 - Charter School Renewal)*

*(cf. 0420.43 - Charter School Revocation)*

**School Closure**

Note: The following **optional** section may be revised to reflect district practice. Pursuant to Education Code 47605, procedures to be followed in the event a charter school ceases operation for any reason must be specified in the charter; see AR 0420.4 - Charter School Authorization. 5 CCR 11962 lists components that must be included in these procedures, including (1) designation of a responsible entity to conduct closure-related activities; (2) notifications to specified persons and entities; (3) provision of information about students' grade level, course completion, and district of residence; (4) transfer and maintenance of student and personnel records; (5) completion of an independent final audit; and (6) disposal of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed.

Depending on the terms of the charter, these duties may be performed by the charter school, the district, or another specified entity. However, Education Code 47604.32 specifies that it is the responsibility of the district to notify the CDE when a charter school ceases operation for any reason. The CDE's web site also recommends that, in addition to the notifications required by 5 CCR 11962, either the district or the charter school announce the closure to any school districts that may be responsible for providing education services to the former students of the charter school.

The CDE's web site recommends that charter school closures occur at the end of a school year if it is feasible to maintain a legally compliant program until then.

**CHARTER SCHOOL OVERSIGHT** (continued)

In the event that the Board revokes or denies renewal of a charter or the school closes for any other reason, the Superintendent or designee shall provide assistance, when applicable in accordance with the charter and/or a memorandum of understanding, to facilitate the transfer of the charter school's former students and to finalize financial reporting and close-out.

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days, if the charter school will cease operation for any reason. Such notification shall include, but not be limited to, a description of the circumstances of the closure, the effective date of the closure, and the location of student and personnel records. (Education Code 47604.32; 5 CCR 11962.1)

*Legal Reference:*EDUCATION CODE*220 Nondiscrimination**17280-17317 Field Act**17365-17374 Field Act, fitness for occupancy**35330 Field trips and excursions; student fees**38080-38086 School meals**42100 Annual statement of receipts and expenditures**44237 Criminal record summary**44830.1 Certificated employees, conviction of a violent or serious felony**45122.1 Classified employees, conviction of a violent or serious felony**46201 Instructional minutes**47600-47616.7 Charter Schools Act of 1992**47634.2 Nonclassroom-based instruction**47640-47647 Special education funding for charter schools**48000 Minimum age of admission for kindergarten; transitional kindergarten**48010-48011 Minimum age of admission (first grade)**48907 Students' exercise of free expression; rules and regulations**48950 Student speech and other communication**49061 Student records**49110 Authority of issue work permits**51745-51749.3 Independent study**52052 Alternative accountability system**56026 Special education**56145-56146 Special education services in charter schools**60600-60649 Assessment of academic achievement**60850-60859 High school exit examination*CORPORATIONS CODE*5110-6910 Nonprofit public benefit corporations*GOVERNMENT CODE*3540-3549.3 Educational Employment Relations Act**54950-54963 The Ralph M. Brown Act*LABOR CODE*1198.5 Personnel records related to performance and grievance*PENAL CODE*667.5 Definition of violent felony**1192.7 Definition of serious felony*

*Legal Reference continued: (see next page)*

**CHARTER SCHOOL OVERSIGHT (continued)**

*Legal Reference: (continued)*

CALIFORNIA CONSTITUTION

*Article 9, Section 5 Common school system*

CODE OF REGULATIONS, TITLE 5

*11700.1-11705 Independent study*

*11960-11969 Charter schools*

CODE OF REGULATIONS, TITLE 24

*101 et seq. California Building Standards Code*

UNITED STATES CODE, TITLE 20

*6311 Adequate yearly progress*

*6319 Qualifications of teachers and paraprofessionals*

*7223-7225 Charter schools*

CODE OF FEDERAL REGULATIONS, TITLE 34

*200.1-200.78 Accountability*

*300.18 Highly qualified special education teachers*

COURT DECISIONS

*Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986*

ATTORNEY GENERAL OPINIONS

*89 Ops.Cal.Atty.Gen. 166 (2006)*

*80 Ops.Cal.Atty.Gen. 52 (1997)*

*78 Ops.Cal.Atty.Gen. 297 (1995)*

CALIFORNIA OFFICE OF ADMINISTRATIVE HEARINGS DECISIONS

*Student v. Horizon Instructional Systems Charter School, (2012) OAH Case No. 2011060763*

*Management Resources:*

CSBA PUBLICATIONS

*The Role of the Charter School Authorizer, Online Course*

*Charter Schools: A Manual for Governance Teams, rev. 2009*

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*Sample Copy of a Memorandum of Understanding*

*Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 11-01, November 9, 2011*

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

U.S. DEPARTMENT OF EDUCATION GUIDANCE

*Charter Schools Program, July 2004*

*The Impact of the New Title I Requirements on Charter Schools, July 2004*

WEB SITES

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

*California Charter Schools Association: <http://www.calcharters.org>*

*California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>*

*National Association of Charter School Authorizers: <http://www.charterauthorizers.org>*

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

Policy  
adopted: September 18, 2012

**SAUGUS UNION SCHOOL DISTRICT**  
Santa Clarita, California

# Exhibit

## Philosophy, Goals, Objectives, and Comprehensive Plans

E 0420.41(a)

### CHARTER SCHOOL OVERSIGHT

#### REQUIREMENTS FOR CHARTER SCHOOLS

Note: The following Exhibit lists some, but not necessarily all, legal requirements that apply to charter schools. Pursuant to Education Code 47610, charter schools are generally exempt from Education Code provisions governing school districts unless otherwise specified in law. Districts should consult with legal counsel regarding the applicability of state law other than the Education Code to charter schools.

Charter schools are generally exempt from provisions of the Education Code unless they are expressly included in the law. However, charter schools are subject to the terms of their charters, any memorandum of understanding with their chartering authority, and other legal requirements including, but not limited to, requirements that each charter school:

1. Comply with the state and federal constitution and applicable federal laws
2. Comply with state laws that apply to governmental agencies in general, such as the Brown Act requirements in Government Code 54950-54963
3. Be nonsectarian in its programs, admission policies, employment practices, and all other operations (Education Code 47605)
4. Not discriminate against any student on the basis of the characteristics listed in Education Code 220 (Education Code 47605)
5. Not charge tuition (Education Code 47605)

Note: Education Code 47605 specifically prohibits a charter school from charging tuition, but does not mention fees or other charges. As clarified in the California Department of Education's (CDE) advisory Pupil Fees, Deposits, and Other Charges, charter schools are subject to the California Constitution and therefore the free school guarantee of the California Constitution, Article IX, Section 5, applies to charter schools. Charter schools may only charge fees authorized by those Education Code sections that have been made explicitly applicable to charter schools. For example, charter schools may charge fees for meals and field trips pursuant to Education Code 35330, 38082, and 38084 because those provisions apply to charter schools. However, charter schools may not charge other fees authorized by law for school districts, except to the extent that any such fees do not relate to an activity that is an integral component of public education.

6. Not charge student fees for any activity that is an integral component of the educational program, except as authorized by those Education Code provisions that explicitly apply to charter schools
7. Adhere to all laws establishing minimum age for public school attendance (Education Code 47610)

**CHARTER SCHOOL OVERSIGHT** (continued)

8. Serve students who are California residents and who, if over 19 years of age, are continuously enrolled in a public school and making "satisfactory progress" toward a high school diploma as defined in 5 CCR 11965 (Education Code 47612)

Note: Education Code 56145 requires charter schools to serve students with disabilities in the same manner as other public schools. Pursuant to Education Code 47646, districts must ensure that each charter school receives an equitable share of state and federal special education funding and/or any necessary special education services provided by the district on behalf of disabled students in the charter school.

If a charter school is operating as a public school of the district for purposes of providing special education, the district retains responsibility and must determine how best to ensure that all special education students receive a free appropriate public education (FAPE). However, the California Office of Administrative Hearings has ruled (Student v. Horizon Instructional Systems Charter School) that a charter school operating as its own local educational agency for purposes of special education, including a charter school offering an independent study program, is solely responsible for providing special education students with FAPE.

9. Serve students with disabilities in the same manner as such students are served in other public schools (Education Code 47646, 56145)
10. Admit all students who wish to attend the school, according to the following criteria and procedures:
- a. Admission to the charter school shall not be determined according to the student's place of residence, or that of his/her parents/guardians, within this state, except that any existing public school converting partially or entirely to a charter school shall adopt and maintain a policy giving admission preference to students who reside within the school's former attendance area. (Education Code 47605)
 

However, if a charter school will be physically located in a public elementary school attendance area in which 50 percent or more of the student enrollment is eligible for free or reduced-price meals, it may also establish an admissions preference for students who are currently enrolled in the public elementary school and for students who reside in the public school attendance area. (Education Code 47605.3)
  - b. If the number of students who wish to attend the charter school exceeds the school's capacity, attendance shall be determined by a public random drawing, except that preferences shall be extended to students currently attending the charter school and students who reside in the district, except as provided for in Education Code 47614.5. (Education Code 47605)
  - c. Other admissions preferences may be established on an individual school basis as consistent with law.

**CHARTER SCHOOL OVERSIGHT** (continued)

11. If the school offers a kindergarten program, offer a transitional kindergarten program to eligible students who do not yet meet the age criterion for entry into kindergarten (Education Code 48000)
12. Require its teachers to hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold (Education Code 47605)

Note: According to U.S. Department of Education (USDOE) nonregulatory guidance, The Impact of the New Title I Requirements on Charter Schools, teachers who teach core academic subjects in charter schools, in addition to meeting state charter school laws regarding teacher qualifications, must meet the requirements for "highly qualified" teachers pursuant to 20 USC 6319; see BP/AR/E 4112.24 - Teacher Qualifications Under the No Child Left Behind Act. 34 CFR 300.18 clarifies that, with regard to special education teachers in a charter school, "highly qualified" means that the teacher meets the certification requirements set forth in the state's charter school law.

13. Require its teachers of core academic subjects to satisfy requirements for "highly qualified teachers" as defined by the State Board of Education (SBE) (20 USC 6319; 34 CFR 300.18)

Note: Education Code 44830.1 and 45122.1 prohibit charter schools from hiring any person who has been convicted of a violent or serious felony as defined in Penal Code 667.5 and 1192.7, unless that person has received a certificate of rehabilitation and a pardon. Schools also may not retain in employment any temporary, substitute, or probationary employee who has been convicted of a violent or serious felony. See AR 4112.5/4312.5 - Criminal Record Check and AR 4212.5 - Criminal Record Check.

14. Not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law (Education Code 44830.1, 45122.1)
15. Meet the requirements of Education Code 47611 regarding the State Teachers' Retirement System (Education Code 47610)
16. Meet the requirements of Government Code 3540-3549.3 related to collective bargaining in public education employment (Education Code 47611.5)

Note: According to USDOE nonregulatory guidance, The Impact of the New Title I Requirements on Charter Schools, charter schools that receive Title I funds and have paraprofessionals working in programs supported by Title I funds must comply with requirements of 20 USC 6319 regarding paraprofessional qualifications; see BP/AR/E 4222 - Teacher Aides/Paraprofessionals.

17. If applicable, meet federal requirements for qualifications of paraprofessionals working in programs supported by Title I funds (20 USC 6319)

**CHARTER SCHOOL OVERSIGHT** (continued)

18. Meet all statewide standards and conduct the student assessments required by Education Code 60605 and 60851 and any other statewide standards or assessments applicable to noncharter public schools (Education Code 47605, 47612.5)

Note: Pursuant to Education Code 47612.5, which specifies the minimum number of instructional minutes that must be offered each fiscal year by grade level, any charter school that fails to meet that requirement will have its state apportionment reduced in proportion to the percentage of instructional minutes that the school fails to offer. Education Code 47612.5 and 47612.6 provide that neither the State Board of Education (SBE) nor the Superintendent of Public Instruction (SPI) may waive the required number of instructional minutes but may waive the fiscal penalties under specified conditions.

19. Offer at least the number of instructional minutes set forth in Education Code 47612.5 for the grade levels provided by the charter school (Education Code 47612.5)

Note: Education Code 47612.5 provides that charter schools offering independent study are subject to Education Code 51745-51749.3. Education Code 51745 requires that no course included among the courses required for graduation may be offered solely through independent study. However, pursuant to 5 CCR 11705, a charter school offering grades 9-12 shall be deemed to be an "alternative school" for purposes of independent study and thus, according to the CDE, would comply with this provision because students in such alternative schools are enrolled voluntarily and, if they wished, could attend any other district high school in which the courses were offered via classroom instruction.

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

Note: Pursuant to Education Code 47634.2 and 5 CCR 11963.2, charter schools offering nonclassroom-based instruction will receive 70 percent of the level of funding to which the charter school would otherwise be entitled, unless the SBE determines that a different percentage is appropriate.

21. Identify and report to the Superintendent of Public Instruction (SPI) any portion of its average daily attendance that is generated through nonclassroom-based instruction, including, but not limited to, independent study, home study, work study, and distance and computer-based education (Education Code 47612.5, 47634.2; 5 CCR 11963.2)
22. On a regular basis, consult with parents/guardians and teachers regarding the school's educational programs (Education Code 47605)

Note: Education Code [48907](#) requires charter schools to establish a written "publications code" related to students' rights to freedom of speech and of the press. These written rules and regulations must include reasonable provisions for the time, place, and manner in which free expression may take place within the charter school's jurisdiction.

**CHARTER SCHOOL OVERSIGHT** (continued)

23. Provide students the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official publications (Education Code [48907](#), 48950)
24. Maintain written contemporaneous records that document all student attendance and make these records available for audit and inspection (Education Code 47612.5)
25. If a student subject to compulsory full-time education is expelled or leaves the charter school without graduating or completing the school year for any reason, notify the Superintendent of the school district of the student's last known address within 30 days and, upon request, provide that district with a copy of the student's cumulative record, including a transcript of grades or report card, and health information (Education Code 47605)
26. Comply with the California Building Standards Code as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the charter school is located, unless the charter school facility meets either of the following conditions: (Education Code 47610, 47610.5)
  - a. The facility complies with the Field Act pursuant to Education Code 17280-17317 and 17365-17374.
  - b. The facility is exclusively owned or controlled by an entity that is not subject to the California Building Standards Code, including, but not limited to, the federal government.
27. Promptly respond to all reasonable inquiries from the district, the county office of education, or the SPI, including, but not limited to, inquiries regarding its financial records (Education Code 47604.3)
28. Annually prepare and submit financial reports to the Governing Board and the County Superintendent of Schools in accordance with the following reporting cycle:
  - a. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement. (Education Code 47604.33)
  - b. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. (Education Code 47604.33)



**CHARTER SCHOOL OVERSIGHT** (continued)

- c. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31. (Education Code 47604.33)
- d. By September 15, a final unaudited report for the full prior year. The report submitted to the Board shall include an annual statement of all the charter school's receipts and expenditures for the preceding fiscal year. (Education Code 42100, 47604.33)
- e. By December 15, a copy of the charter school's annual, independent financial audit report for the preceding fiscal year, unless the charter school's audit is encompassed in the district's audit. The audit report shall also be submitted to the state Controller and the California Department of Education. (Education Code 47605)

# Board Policy

## Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0420.42(a)

### CHARTER SCHOOL RENEWAL

Note: The following policy is **optional**. 5 CCR 11966.4, as added by Register 2011, No. 43, establishes procedures for submission and review of a renewal petition.

Pursuant to Education Code 47605, when a charter school was originally granted its charter by the State Board of Education (SBE) on appeal, it must first submit its petition for renewal to the district that initially denied the charter. If the Governing Board denies the renewal, the school may then petition the SBE for renewal.

The Governing Board believes that the ongoing operation of a charter school established within the district should be dependent on the school's effectiveness in achieving its mission and goals for student learning and other student outcomes. Whenever a charter school submits a petition for renewal of its charter, the Board shall review the petition in a thorough and timely manner.

*(cf. 0420.4 - Charter School Authorization)*

*(cf. 0420.41 - Charter School Oversight)*

*(cf. 0420.43 - Charter School Revocation)*

*(cf. 0500 - Accountability)*

Note: The following **optional** paragraph may be revised to reflect district practice. 5 CCR 11966.4, as added by Register 2011, No. 43, requires that the Board grant or deny the renewal petition within 60 days of receiving the petition. However, it is recommended that the charter school submit its renewal petition sufficiently early (e.g., nine months before the term of the charter is due to expire) so that, in the event that the Board denies the renewal, the charter school may be able to appeal to the County Board of Education and then to the SBE pursuant to Education Code 47607.5 and, if the school closes, for students of the charter school to transfer to another school.

A charter school seeking renewal of its charter is encouraged to submit a petition for renewal to the Board sufficiently early before the term of the charter is due to expire.

The signature requirement applicable to new charter petitions shall not be applicable to petitions for renewal. (5 CCR 11966.4)

The petition for renewal shall include a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed. The petition also shall include documentation that the charter school meets at least one of the criteria for academic performance specified in Education Code 47607(b). (Education Code 47607; 5 CCR 11966.4)

The Board shall not grant a renewal until at least 30 days after the charter school submits such documentation of its academic performance. (Education Code 47607)

**CHARTER SCHOOL RENEWAL** (continued)

Within 30 days of receiving the renewal petition, the Board shall hold a public hearing to review documentation submitted by the charter school and obtain public input.

Within 60 days of receiving the renewal petition, or within 90 days if extended by mutual written agreement of the Board and the charter school, the Board shall either grant or deny the request to renew the charter. (Education Code 47607; 5 CCR 11966.4)

Renewals shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605. When considering a petition for renewal, the Board shall consider the past performance of the charter school's academics, finances, and operations in evaluating the likelihood of future success, along with plans for improvement, if any. (Education Code 47607; 5 CCR 11966.4)

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

Note: Education Code 47607 and 5 CCR 11966.4, as added by Register 2011, No. 43, establish grounds for denial of charter renewals. See CSBA's publication <u><a href="#">Charter Schools: A Manual for Governance Teams</a></u> for additional information about making the determinations specified in items #1-4 below.
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The Board shall deny a renewal petition only if it makes a written factual finding setting forth specific facts to support one or more of the following grounds: (Education Code 47605, 47607; 5 CCR 11966.4)

1. The charter school presents an unsound educational program for the students to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain an affirmation of each of the conditions described in Education Code 47605(d).
4. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(b).
5. The charter school has failed to meet at least one of the following criteria of academic performance:
  - a. Attainment of its Academic Performance Index (API) growth target in the prior year or in two of the last three years, or in the aggregate for the prior three years

**CHARTER SCHOOL RENEWAL** (continued)

- b. An API ranking in deciles 4-10 in the prior year or in two of the last three years
- c. An API ranking in deciles 4-10 for a demographically comparable school in the prior year or in two of the last three years
- d. Academic performance at least equal to the academic performance of the public schools that the charter school students would otherwise have been required to attend, as well as the academic performance of district schools, taking into account the composition of the student population that is served at the charter school

In determining whether the charter school satisfies this criterion, the Board shall base its decision on documented, clear, and convincing data; student achievement data including, but not limited to, results from the Standardized Testing and Reporting Program for demographically similar student populations in comparison schools; and information submitted by the charter school at least 30 days prior to the Board's decision.

Note: Education Code 47607 requires the district to submit copies of supporting documentation and a written summary of the basis for its determination to the Superintendent of Public Instruction (SPI), as provided below. The SPI will review the materials and make recommendations to the district; those recommendations may be the basis for a revocation of the charter by the SBE.
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The district shall submit copies of supporting documentation and a written summary of the basis for its determination to the Superintendent of Public Instruction.

*(cf. 6162.51 - Standardized Testing and Reporting Program)*

- e. Qualification for an alternative accountability system pursuant to Education Code 52052(h)

If the Board fails to make a written factual finding pursuant to items #1-5 above within the required time period, the absence of a written factual finding shall be deemed an approval of the renewal petition. (5 CCR 11966.4)

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days of the Board's action, whenever a renewal of the charter is granted or denied. (Education Code 47604.32; 5 CCR 11962.1)

## **CHARTER SCHOOL RENEWAL** (continued)

If the Board denies a renewal petition, the charter school may submit its application for renewal to the County Board of Education within 30 days of the Board's written factual findings supporting the denial. If the County Board then fails to deny or grant the petition within 60 days of receiving the petition, or within 90 days if extended by written mutual agreement of the charter school and the County Board, the charter school may submit the petition to the State Board of Education.

Note: Pursuant to Education Code 47604.32, if a charter school ceases operation for any reason, including denial of its renewal, the district must notify the California Department of Education; see BP 0420.41 - Charter School Oversight. In addition, the district and/or charter school must implement the school closure procedures specified in the charter in accordance with Education Code 47605 and 5 CCR 11962; see AR 0420.4 - Charter School Authorization.

### *Legal Reference:*

#### EDUCATION CODE

47600-47616.7 *Charter Schools Act of 1992*

52052 *Alternative accountability system*

56145-56146 *Special education services in charter schools*

60600-60649 *Assessment of academic achievement*

#### CODE OF REGULATIONS, TITLE 5

11960-11969 *Charter schools*

#### UNITED STATES CODE, TITLE 20

7223-7225 *Charter schools*

### *Management Resources:*

#### CSBA PUBLICATIONS

*The Role of the Charter School Authorizer, Online Course*

*Charter Schools: A Manual for Governance Teams, rev. 2009*

#### WEB SITES

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

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://www.charterauthorizers.org>

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

# Board Policy

## Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0420.43(a)

### CHARTER SCHOOL REVOCATION

Note: The following policy is **optional**. Education Code 47607 and 5 CCR 11968.5.2-11968.5.3, as added by Register 2011, No. 46, authorize the Governing Board to revoke a charter of a charter school in its jurisdiction when certain substantiated findings are made. In Today's Fresh Start, Inc. v. Los Angeles County Office of Education, the court of appeal confirmed that compliance with the revocation process prescribed in the Education Code provides a charter school with sufficient due process and that a charter school is not entitled to any additional evidentiary hearing by a neutral third party.

In addition, Education Code 47604.5 authorizes the State Board of Education (SBE) to revoke the charter of any charter school, whether or not the SBE is the chartering authority, if it makes certain findings relating to gross financial mismanagement, illegal or improper use of funds, or substantial and sustained departure from measurably successful practices that jeopardize the educational development of students. SBE revocation procedures are specified in 5 CCR 11968.5-11968.5.1, as added by Register 2011, No. 2 and No. 46.

The Governing Board expects any charter school authorized by the Board to provide a sound educational program that promotes student learning and to comply with law and the terms of its charter. However, when necessary, the Board may revoke a charter before the date it is due to expire.

*(cf. 0420.4 - Charter School Authorization)*  
*(cf. 0420.41 - Charter School Oversight)*  
*(cf. 0420.42 - Charter School Renewal)*  
*(cf. 0500 - Accountability)*

The Board may revoke a charter whenever it makes a written factual finding, supported by substantial evidence, that the charter school has done any of the following: (Education Code 47607)

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

At least 72 hours prior to any Board meeting at which the Board will consider issuing a Notice of Violation, the Board shall provide the charter school with notice and all relevant documents related to the proposed action. (5 CCR 11968.5.2)

*(cf. 9320 - Meetings and Notices)*

**CHARTER SCHOOL REVOCATION** (continued)

If the Board takes action to issue a Notice of Violation, it shall deliver the Notice of Violation to the charter school's governing body. The Notice of Violation shall identify: (Education Code 47607; 5 CCR 11965, 11968.5.2)

1. The charter school's alleged violation(s).
2. All evidence relied upon by the Board in determining that the charter school committed the alleged violation(s), including the date and duration of the alleged violation(s). The Notice shall show that the violation(s) are both material and uncured and that the alleged violation(s) occurred within a reasonable period of time before the Notice of Violation is issued.
3. The period of time that the Board has concluded is a reasonable period of time for the charter school to remedy or refute the identified violation(s). In identifying this time period, the Board shall consider the amount of time reasonably necessary to remedy each identified violation, which may include the charter school's estimation as to the anticipated remediation time.

By the end of the remedy period identified in the Notice of Violation, the charter school's governing body may submit to the Board a detailed written response and supporting evidence addressing each identified violation, including the refutation, remedial action taken, or proposed remedial action. (5 CCR 11968.5.2)

Within 60 calendar days of the conclusion of the remedy period, the Board shall evaluate any response and supporting evidence provided by the charter school's governing body and shall take one of the following actions: (5 CCR 11968.5.2)

1. Discontinue revocation of the charter and provide timely written notice of such action to the charter school's governing body

Note: Pursuant to Education Code 47607 and 5 CCR 11968.5.2, as added by Register 2011, No. 46, a decision to issue a Notice of Intent to Revoke as provided in item #2 below must be supported by substantial evidence that the charter school has failed to remedy or refute a violation. "Substantial evidence" is not defined in law or state regulations. The district should consult legal counsel as necessary.
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2. If there is substantial evidence that the charter school has failed to remedy or refute to the Board's satisfaction a violation identified in the Notice of Violation, continue revocation of the charter by issuing a Notice of Intent to Revoke to the charter school's governing body

**CHARTER SCHOOL REVOCATION** (continued)

If the Board issues a Notice of Intent to Revoke, it shall hold a public hearing concerning the revocation on the date specified in the notice, which shall be no later than 30 days after providing the notice. Within 30 calendar days after the public hearing, or within 60 calendar days if extended by written mutual agreement of the Board and the charter school, the Board shall issue a final decision to revoke or decline to revoke the charter. (Education Code 47607; 5 CCR 11968.5.2)

If the Board fails to meet the timelines specified above for issuing a Notice of Intent to Revoke or a final decision, the revocation process shall be deemed terminated. (5 CCR 11968.5.2)

Within 10 calendar days of the Board's final decision, the Superintendent or designee shall provide a copy of the final decision to the California Department of Education (CDE) and the County Board of Education. (Education Code 47604.32; 5 CCR 11968.5.2)

Note: Pursuant to Education Code 47604.32, if a charter school ceases operation for any reason, including revocation, the district must notify the California Department of Education; see BP 0420.41 - Charter School Oversight. In addition, the district and/or charter school must implement the school closure procedures specified in the charter in accordance with Education Code 47605 and 5 CCR 11962; see AR 0420.4 - Charter School Authorization.

**Severe and Imminent Threat**

Note: Education Code 47607 and 5 CCR 11968.5.3, as added by Register 2011, No. 46, authorize the Board to forego the above revocation procedures and immediately revoke a charter when there is a severe and imminent threat to the health or safety of students, as provided below.

The procedures specified above shall not be applicable when the Board determines that any violation under Education Code 47607 constitutes a severe and imminent threat to the health or safety of students. In such circumstances, the Board may immediately revoke the school's charter by approving and delivering a Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety to the charter school's governing body, the County Board, and the CDE. (Education Code 47607; 5 CCR 11968.5.3)

**Appeals**

Note: Pursuant to Education Code 47607 and 5 CCR 11968.5.3-11968.5.5, as added by Register 2011, No. 46, a charter school may appeal the revocation of its charter, including a revocation based on a severe and imminent threat, to the County Board of Education within 30 days of the Board's final decision. The County Board may reverse the revocation if it determines that the district's findings are not supported by substantial evidence, in which case the district may appeal the reversal to the SBE. If the County Board upholds the district's revocation or does not issue a decision within 90 days of its receipt of the appeal, the charter school may appeal to the SBE. Pursuant to Education Code 47607, if either the County Board or the SBE reverses the revocation, the district remains the chartering authority.



## **CHARTER SCHOOL REVOCATION (continued)**

Education Code 47607 further provides that, while an appeal is pending, a charter school whose revocation proceedings are based on a material violation of any of the conditions, standards, or procedures set forth in the charter or based on a failure to meet or pursue any of the student outcomes identified in the charter will continue to qualify as a charter school for funding and all other purposes of the Charter Schools Act and may continue to hold all existing grants, resources, and facilities in order to ensure that the education of students enrolled in the school is not disrupted.

In the event that the Board revokes the charter, the charter school may, within 30 days of the Board's final decision, appeal the revocation to the County Board. Either the charter school or the district may subsequently appeal the County Board's decision to the SBE. (Education Code 47607; 5 CCR 11968.5.3-11968.5.5)

### *Legal Reference:*

#### EDUCATION CODE

47600-47616.7 *Charter Schools Act of 1992, especially:*

47607 *Charter renewals and revocations*

#### CODE OF REGULATIONS, TITLE 5

11960-11969 *Charter schools, especially:*

11968.5-11968.5.5 *Charter revocations*

#### COURT DECISIONS

*Today's Fresh Start, Inc. v. Los Angeles County Office of Education*, (2011) 197 Cal.App.4th 436

### *Management Resources:*

#### CSBA PUBLICATIONS

*The Role of the Charter School Authorizer*, Online Course

*Charter Schools: A Manual for Governance Teams*, rev. 2009

#### WEB SITES

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

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://www.charterauthorizers.org>

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

# Board Policy

## Philosophy-Goals-Objectives and Comprehensive Plans

BP 0430(a)

### COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION

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

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

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

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

*(cf. 1220 - Citizen Advisory Committees)*  
*(cf. 1312.3 - Uniform Complaint Procedures)*  
*(cf. 3541.2 - Transportation for Students with Disabilities)*  
*(cf. 4112.23 - Special Education Staff)*

In order to meet the needs of individuals with disabilities and employ staff with adequate expertise for this purpose, the district participates as a member of the SELPA.

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

*Legal Reference: (see next page)*

**COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION** (continued)

*Legal Reference:*

EDUCATION CODE

56000-56001 *Education for individuals with exceptional needs*  
56020-56035 *Definitions*  
56040-56046 *General provisions*  
56048-56050 *Surrogate parents*  
56055 *Foster parents*  
56060-56063 *Substitute teachers*  
56170-56177 *Children enrolled in private schools*  
56190-56194 *Community advisory committees*  
56195-56195.10 *Local plans*  
56205-56208 *Local plan requirements*  
56213 *Special education local plan areas with small or sparse populations*  
56240-56245 *Staff development*  
56300-56385 *Identification and referral, assessment, instructional planning*  
56440-56447.1 *Programs for individuals between the ages of three and five years*  
56500-56508 *Procedural safeguards, including due process rights*  
56520-56524 *Behavioral interventions*  
56600-56606 *Evaluation, audits and information*  
56836-56836.05 *Administration of local plan*

GOVERNMENT CODE

7579.5 *Surrogate parent, appointment, qualifications, liability*  
95000-95029 *California Early Intervention Services Act*

WELFARE AND INSTITUTIONS CODE

361 *Limitations on parental control*

726 *Limitations on parental control*

CODE OF REGULATIONS, TITLE 5

3000-3089 *Regulations governing special education*

UNITED STATES CODE, TITLE 20

1400-1482 *Individuals with Disabilities Education Act*

UNITED STATES CODE, TITLE 29

794 *Rehabilitation Act of 1973, Section 504*

UNITED STATES CODE, TITLE 42

12101-12213 *Americans with Disabilities Act*

CODE OF FEDERAL REGULATIONS, TITLE 34

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

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

300.1-300.818 *Assistance to states for the education of children with disabilities, including:*

300.500-300.520 *Due process procedures for parents and children*

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

*Management Resources:*

WEB SITES

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

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

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

# Administrative Regulation

## Philosophy-Goals-Objectives and Comprehensive Plans

AR 0430(a)

### COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION

#### Definitions

*Free appropriate public education* (FAPE) means special education and related services that are provided at public expense, under public supervision and direction, and without charge; meet the standards of the California Department of Education, including the requirements of 34 CFR 300.1-300.818; include appropriate preschool, elementary school, or secondary school education for children between the ages of 3 and 21; and are provided in conformity with the student's individualized education program (IEP) that meets the requirement of 34 CFR 300.320-300.324. (34 CFR 300.17, 300.101, 300.104)

The right to FAPE extends to students who are suspended or expelled or placed by the district in a nonpublic, nonsectarian school. (34 CFR 300.17, 300.101, 300.104)

(cf. 6159 - Individualized Education Program)

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

*Least restrictive environment* means that, to the maximum extent appropriate, students with disabilities, including children in public or private institutions or other care facilities, be educated with children who are nondisabled, including the provision of nonacademic and extracurricular services and activities. (34 CFR 300.107, 300.114, 300.117)

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

*Specially designed instruction* means adapting, as appropriate to the needs of an eligible student, the content, methodology, or delivery of instruction to address the unique needs of the student that result from the student's disability and to ensure access of the student to the general curriculum, so that the student can meet the educational standards within the district that apply to all students. (34 CFR 300.39)

## **COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)**

*Surrogate parent* means an individual assigned to act as a surrogate for the parent/guardian. The surrogate may represent an individual with disabilities in matters relating to identification, assessment, instructional planning and development, educational placement, reviewing and revising the IEP, and in other matters relating to the provision of FAPE to the individual with disability. (34 CFR 300.519; Education Code 56050)

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

### **Elements of the Local Plan**

The local plan developed by the special education local plan area (SELPA) shall include, but not be limited to, the following:

1. Assurances that policies, procedures, and programs, consistent with state law, regulation, and policy, are in effect as specified in Education Code 56205(a)(1-22) and in conformity with 20 USC 1412(a) and 20 USC 1413(a)(1) (Education Code 56205)
2. An annual budget plan and annual service plan adopted at a public hearing held by the SELPA (Education Code 56205)
3. A description of programs for early childhood special education from birth through five years of age (Education Code 56205)
4. A description of the method by which members of the public, including parents/guardians of individuals with disabilities who are receiving services under the plan, may address questions or concerns pursuant to Education Code 56205 (Education Code 56205)
5. A description of a dispute resolution process (Education Code 56205)
6. Verification that the plan has been reviewed by the community advisory committee in accordance with Education Code 56205 (Education Code 56205)
7. A description of the process being utilized to refer students for special education instruction pursuant to Education Code 56303 (Education Code 56205)
8. A description of the process being utilized to oversee and evaluate placements in nonpublic, nonsectarian schools and the method for ensuring that all requirements of each student's IEP are being met (Education Code 56205)

**COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION** (continued)

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

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

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

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

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

# Board Policy

## Philosophy-Goals-Objectives and Comprehensive Plans

BP 0440(a)

### DISTRICT TECHNOLOGY PLAN

The Governing Board recognizes that technological resources can enhance student achievement by increasing student access to information, developing their technological literacy skills, and providing instruction tailored to student needs. Effective use of technology can also increase the efficiency of the district's noninstructional operations and governance. The Board is committed to the development and maintenance of a districtwide infrastructure and to providing staff professional development that will allow the implementation of existing and new technologies.

*(cf. 4040 - Employee Use of Technology)*  
*(cf. 4131 - Staff Development)*  
*(cf. 4222 - Teacher Aides/Paraprofessionals)*  
*(cf. 4231 - Staff Development)*  
*(cf. 4331 - Staff Development)*  
*(cf. 6163.4 - Student Use of Technology)*

The Superintendent or designee shall develop a three- to five-year technology plan which:

1. Focuses on the use of technology to improve student achievement and is aligned with the district's vision and goals for student learning

*(cf. 0000 - Vision)*  
*(cf. 0200 - Goals for the School District)*  
*(cf. 6000 - Concepts and Roles)*

2. Contains clear goals for the use of technology based on an assessment of district needs
3. Addresses all components required for state or federal technology grant programs, administered by the California Department of Education, in which the district participates (Education Code 51871.5, 52295.35; 5 CCR 11974; 20 USC 6764; 47 CFR 54.508)
4. Addresses the use of technology to improve district governance, district and school site administration, support services, and communications

*(cf. 0400 - Comprehensive Plans)*  
*(cf. 1113 - District and School Web Sites)*  
*(cf. 3580 - District Records)*

## **DISTRICT TECHNOLOGY PLAN (continued)**

### **Planning Team**

The Superintendent or designee shall appoint a planning team to assist with the development of the technology plan. The recommendations of the committee shall be advisory only and shall not be binding on the Board. The plan shall be submitted to the Board for approval.

(cf. 1220 - Citizen Advisory Committees)

(cf. 9140 - Board Representatives)

#### *Legal Reference:*

##### EDUCATION CODE

10550-10555 Telecommunications standards

11800 K-12 High Speed Network grant program

51006 Computer education and resources

51007 Programs to strengthen technological skills

51865 California distance learning policy

51870-51874 Educational technology

52270-52272 Education technology and professional development grants

52295.10-52295.55 Implementation of federal Enhancing Education Through Technology (EETT) grant program

60010 Instructional materials, definition

66940-66941 Distance learning

##### PENAL CODE

502 Computer crimes, remedies

##### CODE OF REGULATIONS, TITLE 5

11971-11979.5 Enhancing Education Through Technology grants

##### UNITED STATES CODE, TITLE 20

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

##### UNITED STATES CODE, TITLE 47

254 Universal service discounts (E-rate)

##### CODE OF FEDERAL REGULATIONS, TITLE 47

54.500-54.523 Universal service support for schools, especially:

54.508 Technology plan

#### *Management Resources:*

##### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*Education Technology Planning: A Guide for School Districts, 2001*

##### WEB SITES

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

California Department of Education, Education Technology Office: <http://www.cde.ca.gov/ls/et>

California Learning Resource Network: <http://www.clrn.org>

California Technology Assistance Project: <http://www.ctap.k12.ca.us>

International Society for Technology in Education: <http://www.iste.org>

Technical Support for Education Technology in Schools: <http://www.techsets.org>



# Administrative Regulation

## Philosophy-Goals-Objectives and Comprehensive Plans

AR 0440(a)

### DISTRICT TECHNOLOGY PLAN

#### Development of Plan

The district's technology plan shall be developed by a planning team which may include, but is not limited to, the Superintendent, district curriculum and technology administrators, site administrators, teachers, library media teachers, classified staff, parents/guardians, students, community members, including members of the business community.

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 9140 - Board Representatives)*

The Superintendent or designee shall present the planning team with its specific duties and responsibilities and a timeline for completing its recommendations and for reporting to the Governing Board.

#### Plan Components

The district's technology plan shall address, at a minimum, all of the following components:

1. Curriculum
  - a. Teachers' and students' current access to technology tools both during the school day and outside of school hours
  - b. The current use of hardware and software to support teaching and learning
  - c. The district's curricular goals and academic content standards as presented in various district and school site comprehensive planning documents

*(cf. 0000 - Vision)*

*(cf. 0200 - Goals for the School District)*

*(cf. 0400 - Comprehensive Plans)*

*(cf. 0420 - School Plans/Site Councils)*

*(cf. 6011 - Academic Standards)*

- d. A list of clear goals and a specific implementation plan to:
  - (1) Use technology to improve teaching and learning by supporting the district's curricular goals and academic content standards
  - (2) Delineate how and when students will acquire technological and information literacy skills needed to succeed in the classroom and the workplace

**DISTRICT TECHNOLOGY PLAN** (continued)

- (3) Ensure appropriate access for all students
- (4) Use technology to make student record keeping and assessment more efficient and supportive of teachers' efforts to meet individual student academic needs
- (5) Use technology to make teachers and administrators more accessible to parents/guardians

*(cf. 6020 - Parent Involvement)*

*(cf. 6143 - Courses of Study)*

- e. Benchmarks and a timeline for implementing planned strategies and activities
- f. The process that will be used to monitor whether the strategies and methodologies using technology are being implemented according to the benchmarks and timeline

2. Professional development

- a. Teachers' and administrators' current technology skills and needs for professional development
- b. Clear goals and a specific implementation plan for providing professional development opportunities based on the needs assessment and on the curriculum goals, benchmarks, and timeline described in item #1 above
- c. Benchmarks and a timeline for implementing planned strategies and activities
- d. The process that will be used to monitor whether the professional development goals are being met and the planned professional development activities are being implemented according to the benchmarks and timeline

*(cf. 4040 - Employee Use of Technology)*

*(cf. 4131 - Staff Development)*

*(cf. 4222 - Teacher Aides/Paraprofessionals)*

*(cf. 4331 - Staff Development)*

3. Infrastructure, hardware, technical support, and software

- a. The technology hardware, electronic learning resources, networking, and telecommunications infrastructure, physical plant modifications, and technical support needed by teachers, students, and administrators to support the activities in items #1 and 2 above

**DISTRICT TECHNOLOGY PLAN** (continued)

- b. The existing hardware, Internet access, electronic learning resources, infrastructure, and technical support currently in place in the district which could be used to support the components described in items #1 and 2 above
  - c. Benchmarks and a timeline for obtaining the hardware, infrastructure, electronic learning resources, and technical support required to support the other components of the plan
  - d. The process that will be used to monitor whether the goals and benchmarks are being reached within the specified time frame
4. Funding and budget
- a. All costs and the current budget associated with implementing each component of the plan
  - b. Existing and potential funding sources
  - c. Options for reducing costs
  - d. Annual budgets for the term of the plan
  - e. Provision of ongoing technical support
  - f. The district's policy for replacing obsolete equipment
  - g. A process for monitoring progress and updating funding and budget decisions
- (cf. 3100 - Budget)*
5. Appropriate and ethical use of technology (Education Code 51871.5)
- a. Appropriate and ethical use of information technology in the classroom
  - b. Internet safety
  - c. The manner in which to avoid committing plagiarism
  - d. The concept, purpose, and significance of a copyright so that students are equipped with the skills necessary to distinguish lawful from unlawful online downloading

**DISTRICT TECHNOLOGY PLAN** (continued)

- e. The implications of illegal peer-to-peer network file sharing

*(cf. 5131 - Conduct)*

*(cf. 6162.54 - Test Integrity/Test Preparation)*

*(cf. 6162.6 - Use of Copyrighted Materials)*

*(cf. 6163.4 - Student Use of Technology)*

6. Monitoring and evaluation

- a. A process for evaluating the impact of technology on student learning using the goals and benchmarks for each component of the plan
- b. A schedule for evaluating the effect of plan implementation on student achievement
- c. How and when the results of the monitoring process and evaluation will be used

*(cf. 0500 - Accountability)*

# Board Policy

## Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0450(a)

### COMPREHENSIVE SAFETY PLAN

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

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*  
*(cf. 1312.3 - Uniform Complaint Procedures)*  
*(cf. 3515 - Campus Security)*  
*(cf. 3515.2 - Disruptions)*  
*(cf. 3515.3 - District Police/Security Department)*  
*(cf. 5131 - Conduct)*  
*(cf. 5131.4 - Student Disturbances)*  
*(cf. 5131.7 - Weapons and Dangerous Instruments)*  
*(cf. 5136 - Gangs)*  
*(cf. 5137 - Positive School Climate)*  
*(cf. 5138 - Conflict Resolution/Peer Mediation)*  
*(cf. 5144 - Discipline)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*  
*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*  
*(cf. 5145.3 - Nondiscrimination/Harassment)*  
*(cf. 5145.7 - Sexual Harassment)*  
*(cf. 5145.9 - Hate-Motivated Behavior)*

The school site council at each district school shall develop a comprehensive school safety plan relevant to the needs and resources of that particular school. New school campuses shall develop a safety plan within one year of initiating operations. (Education Code 32281, 32286)

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

The school safety plan shall take into account the school's staffing, available resources, and building design, as well as other factors unique to the site.

Each school shall forward its comprehensive safety plan to the Board for approval. (Education Code 32288)

The comprehensive safety plan(s) shall be reviewed and updated by March 1 of each year. (Education Code 32286)

The Board shall review the comprehensive safety plan(s) in order to ensure compliance with state law, Board policy, and administrative regulation and shall approve the plan(s) at a regularly scheduled meeting.

## **COMPREHENSIVE SAFETY PLAN (continued)**

*(cf. 0500 - Accountability)*  
*(cf. 9320 - Meetings and Notices)*

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

### **Public Access to Safety Plan(s)**

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

*(cf. 1340 - Access to District Records)*

#### *Legal Reference:*

##### EDUCATION CODE

200-262.4 *Prohibition of discrimination*

32260-32262 *Interagency School Safety Demonstration Act of 1985*

32270 *School safety cadre*

32280-32289 *School safety plans*

32290 *Safety devices*

35147 *School site councils and advisory committees*

35183 *School dress code; uniforms*

35291 *Rules*

35291.5 *School-adopted discipline rules*

35294.10-35294.15 *School Safety and Violence Prevention Act*

41510-41514 *School Safety Consolidated Competitive Grant Program*

48900-48927 *Suspension and expulsion*

48950 *Speech and other communication*

49079 *Notification to teacher; student act constituting grounds for suspension or expulsion*

67381 *Violent crime*

##### PENAL CODE

422.55 *Definition of hate crime*

626.8 *Disruptions*

11164-11174.3 *Child Abuse and Neglect Reporting Act*

*Legal Reference continued: (see next page)*

## COMPREHENSIVE SAFETY PLAN (continued)

### *Legal Reference: (continued)*

#### CALIFORNIA CONSTITUTION

*Article 1, Section 28(c) Right to Safe Schools*

#### CODE OF REGULATIONS, TITLE 5

*11987-11987.7 School Community Violence Prevention Program requirements*

*11992-11993 Definition, persistently dangerous schools*

#### UNITED STATES CODE, TITLE 20

*7101-7165 Safe and Drug Free Schools and Communities*

*7912 Transfers from persistently dangerous schools*

#### UNITED STATES CODE, TITLE 42

*12101-12213 Americans with Disabilities Act*

### *Management Resources:*

#### CSBA PUBLICATIONS

*Safe Schools: Strategies for Governing Boards to Ensure Student Success, Third Edition, October 2011*

*Community Schools: Partnerships Supporting Students, Families and Communities, Policy Brief, October 2010*

*Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2010*

*Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010*

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*Safe Schools: A Planning Guide for Action, 2002*

#### U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

*Practical Information on Crisis Planning: A Guide for Schools and Communities, January 2007*

*Early Warning, Timely Response: A Guide to Safe Schools, August 1998*

#### U.S. SECRET SERVICE AND U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

*Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates, 2002*

#### WEB SITES

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

*California Department of Education, Safe Schools: <http://www.cde.ca.gov/lss>*

*California Emergency Management Agency: <http://www.calema.ca.gov>*

*California Healthy Kids Survey: <http://chks.wested.org>*

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

*Federal Bureau of Investigation: <http://www.fbi.gov>*

*National Alliance for Safe Schools: <http://www.safeschools.org>*

*National Center for Crisis Management: <http://www.schoolcrisisresponse.com>*

*National School Safety Center: <http://www.schoolsafety.us>*

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

*U.S. Secret Service, National Threat Assessment Center: [http://www.secretservice.gov/ntac\\_ssi.shtml](http://www.secretservice.gov/ntac_ssi.shtml)*

# Board Policy

## Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0500(a)

### ACCOUNTABILITY

The Governing Board recognizes its responsibility to ensure accountability to the public for the performance of district schools. The Board shall regularly review the effectiveness of the district's programs, personnel, and fiscal operations, with a focus on the district's effectiveness in improving student achievement. The Board shall establish systems and processes to monitor results and to evaluate the district's progress toward accomplishing the district's vision and goals.

*(cf. 0000 - Vision)*

*(cf. 0200 - Goals for the School District)*

*(cf. 0400 - Comprehensive Plans)*

*(cf. 2140 - Evaluation of the Superintendent)*

*(cf. 3460 - Financial Accountability and Reports)*

*(cf. 4115 - Evaluation/Supervision)*

*(cf. 4215 - Evaluation/Supervision)*

*(cf. 4315 - Evaluation/Supervision)*

*(cf. 6011 - Academic Standards)*

*(cf. 6141 - Curriculum Development and Evaluation)*

*(cf. 6190 - Evaluation of the Instructional Program)*

*(cf. 9000 - Role of the Board)*

*(cf. 9005 - Governance Standards)*

*(cf. 9400 - Board Self-Evaluation)*

The Board and the Superintendent shall agree upon appropriate measures of district, school, and student performance and shall establish a schedule for providing regular reports to the Board and the public regarding district progress.

*(cf. 0510 - School Accountability Report Card)*

*(cf. 1100 - Communication with the Public)*

*(cf. 1112 - Media Relations)*

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

*(cf. 6020 - Parent Involvement)*

Indicators of district progress in improving student achievement shall include, but not be limited to, the Academic Performance Index (API) established by the state's accountability system and measures of "adequate yearly progress" (AYP) required under the federal accountability system.

*(cf. 0520 - Intervention for Underperforming Schools)*

*(cf. 0520.1 - High Priority Schools Grant Program)*

*(cf. 0520.2 - Title I Program Improvement Schools)*

*(cf. 0520.3 - Title I Program Improvement Districts)*

*(cf. 6162.5 - Student Assessment)*

*(cf. 6162.51 - Standardized Testing and Reporting Program)*

*(cf. 6162.52 - High School Exit Examination)*



**ACCOUNTABILITY** (continued)

Following the annual publication of the API and school rankings by the Superintendent of Public Instruction, the Board shall, at a regularly scheduled meeting, discuss the results of each school's annual ranking. (Education Code 52056)

This discussion shall include an examination of scores from the Standardized Testing and Reporting (STAR) program, by school, grade, and student subgroup, including disaggregated data based on socioeconomic status, race/ethnicity, enrollment in special education, English proficiency, and gender.

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

Evaluation results may be used as a basis for identifying and developing strategies to address disparities in achievement among student subgroups, implementing programmatic changes, determining the need for additional support or assistance, awarding incentives or rewards, and establishing other performance-based consequences.

*Legal Reference:*

EDUCATION CODE

33127-33129 *Standards and criteria for fiscal accountability*

33400-33407 *CDE evaluation of district programs*

44660-44665 *Evaluation of certificated employees*

51041 *Evaluation of the educational program*

52050-52059 *Public Schools Accountability Act*

60640-60649 *Standardized Testing and Reporting Program*

CODE OF REGULATIONS, TITLE 5

15440-15463 *Standards and criteria for fiscal accountability*

UNITED STATES CODE, TITLE 20

6311 *Accountability, adequate yearly progress*

6312 *Local educational agency plan*

6316 *School and district improvement*

CODE OF FEDERAL REGULATIONS, TITLE 34

200.13-200.20 *Adequate yearly progress*

200.30-200.35 *Identification of program improvement schools*

200.36-200.38 *Notification requirements*

200.52-200.53 *District improvement*

*Management Resources:*

CSBA PUBLICATIONS

*Maximizing School Board Governance*

WEB SITES

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

California Department of Education, Accountability: <http://www.cde.ca.gov/ta/ac>

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

# Board Policy

## Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0510(a)

### SCHOOL ACCOUNTABILITY REPORT CARD

The Governing Board recognizes its responsibility to inform parents/guardians and the community about the conditions, needs, and progress at each district school and to provide data by which parents/guardians can make meaningful comparisons between schools. The process of gathering and analyzing data also provides opportunities for school and district staff to review achievements and identify areas for improvement.

The Board shall annually issue a school accountability report card (SARC) for each school site. (Education Code 35256)

In preparing the district's report cards, the Superintendent or designee may choose to use or adapt the model template provided by the California Department of Education. If the model template is not used, the Superintendent or designee shall ensure that data are reported in a manner that is consistent with the definitions for school conditions as provided in the template. At least every three years, the Board shall compare the content of the district's report cards to the state's model template, recognizing that variances are allowed by law as necessary to meet local needs. (Education Code 33126.1, 35256)

The Board shall annually approve the SARCs for all district schools and shall evaluate the data contained in the SARCs as part of the Board's regular review of the effectiveness of the district's programs, personnel, and fiscal operations.

*(cf. 0500 - Accountability)*

*(cf. 6190 - Evaluation of the Instructional Program)*

*(cf. 9000 - Role of the Board)*

The Superintendent or designee shall develop strategies for communicating the information contained in the SARCs to all stakeholders, including opportunities for staff and the community to discuss their content.

*(cf. 0420 - School Plans/Site Councils)*

*(cf. 1100 - Communication with the Public)*

*(cf. 1112 - Media Relations)*

### Notification and Dissemination of SARCs

The Superintendent or designee shall annually publicize the issuance of the SARCs and notify parents/guardians that a paper copy will be provided upon request. On or before February 1 of each year, the Superintendent or designee shall make the SARCs available in paper copy and on the Internet. (Education Code 35256)

## **SCHOOL ACCOUNTABILITY REPORT CARD (continued)**

*(cf. 5145.6 - Parental Notifications)*

### *Legal Reference:*

#### EDUCATION CODE

1240 County superintendent, general duties  
17002 Definition, including good repair  
17014 Plan for building maintenance  
17032.5 Portable classroom maintenance  
17070.15 School Facilities Act; definitions  
17089 Portable classroom maintenance  
33126 School Accountability Report Card  
33126.1 School Accountability Report Card model template  
33126.15 School Accountability Report Card template  
33126.2 Secretary of Education school accountability report card study  
35256 School Accountability Report Card  
35256.1 Information required in the School Accountability Report Card  
35258 Internet access to the School Accountability Report Card  
41409 Calculation of statewide averages  
41409.3 Salary information required in the School Accountability Report Card  
46112 Minimum school day for grades 1 through 3  
46113 Minimum school day for grades 4 through 8  
46117 Minimum kindergarten school day  
46141 Minimum school day (high school)  
51225.3 Requirements for graduation  
52052 Academic performance index  
52053 Immediate intervention/underperforming schools program  
52056 Meeting growth targets  
60119 Textbook sufficiency  
60600-60618 General provisions  
60640-60648 Standardized testing and reporting program  
60800 Physical fitness testing  
60850 High school exit examination  
60851 High school exit examination

#### CALIFORNIA CONSTITUTION

Article 16, Section 8.5(e) Allocations to State School Fund

#### UNITED STATES CODE, TITLE 20

6311 State plans, including local educational agency report cards

### *Management Resources:*

#### U.S. DEPARTMENT OF EDUCATION GUIDANCE

*Report Cards, September 12, 2003*

#### WEB SITES

CSBA, SARC Select: <http://www.csba.org/Services/Services/DistrictServices/SARC.aspx>

California Department of Education, School Accountability Report Card:

<http://www.cde.ca.gov/ta/ac/sa>

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

**TITLE I PROGRAM IMPROVEMENT SCHOOLS**

The Governing Board is committed to enabling all district students to meet state academic achievement standards and to narrowing the achievement gap among student groups. To that end, the Board shall assist all district schools, including those receiving federal Title I funds, to achieve adequate yearly progress, as defined by the State Board of Education.

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

Whenever a district school is identified by the California Department of Education as in need of program improvement (PI), the Superintendent or designee shall ensure that school improvement efforts are coordinated and aligned. He/she shall also revise the school's Single Plan for Student Achievement in accordance with law and as specified in administrative regulation.

*(cf. 0420 - School Plans/Site Councils)*  
*(cf. 0420.1 - School-Based Program Coordination)*  
*(cf. 0520.1 - High Priority Schools Grant Program)*  
*(cf. 0520.4 - Quality Education Investment Schools)*

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

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

**Program Evaluation**

The Board shall annually review the adequate yearly progress of each district school based on state academic assessments and other indicators specified in the state plan for the No Child Left Behind Act. The Superintendent or designee shall publicize and disseminate the results of this review to parents/guardians, principals, schools, and the community so that the instructional program can be continually refined to help all students meet state academic standards. (20 USC 6316)

*(cf. 0510 - School Accountability Report Card)*  
*(cf. 6190 - Evaluation of the Instructional Program)*

The Board and Superintendent or designee also shall review the effectiveness of the actions and activities carried out by PI schools with respect to parental involvement, professional development, and other PI activities. (20 USC 6316)

**TITLE I PROGRAM IMPROVEMENT SCHOOLS** (continued)

*(cf. 4131 - Staff Development)*  
*(cf. 6020 - Parent Involvement)*

As necessary based on the results of these evaluations, the Board may require the Superintendent or designee to review and revise any of the school's reform plans, including the school's Single Plan for Student Achievement, allocate additional resources toward the implementation of the plan, and/or require more frequent monitoring of the school's progress in order to raise student achievement.

*Legal Reference: (see next page)*

**TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)**

*Legal Reference:*

EDUCATION CODE

35256 School accountability report card

60642.5 California Standards Tests

60850-60856 High School Exit Examination

64000 Categorical programs included in consolidated application

64001 Single school plan for student achievement, consolidated application programs

CODE OF REGULATIONS, TITLE 5

11992-11994 Persistently dangerous schools, definition

13075-13075.4 Supplemental educational services

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

6301 Title I program purpose

6311 Adequate yearly progress

6312 Local educational agency plan

6313 Eligibility of schools and school attendance areas; funding allocation

6316 School improvement

7912 Persistently dangerous schools

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

200.13-200.20 Adequate yearly progress

200.30-200.35 Identification of program improvement schools

200.36-200.38 Notification requirements

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

200.44 School choice option

200.45-200.47 Supplemental educational services

200.48 Funding for transportation and supplemental services

200.49-200.51 State responsibilities

200.52-200.53 District improvement

*Management Resources:*

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

2008 Adequate Yearly Progress Report Information Guide, August 2008

California's Accountability Workbook

FEDERAL REGISTER

Final Rule and Supplementary Information, October 29, 2008. Vol. 73, No. 210, pages 64436-64513

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Public School Choice, January 14, 2009

Supplemental Educational Services, January 14, 2009

WEB SITES

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

California Department of Education, Program Improvement:

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

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

# Administrative Regulation

## Philosophy-Goals-Objectives and Comprehensive Plans

AR 0520.2(a)

### TITLE I PROGRAM IMPROVEMENT SCHOOLS

#### Definitions

*Adequate yearly progress (AYP)* is a series of annual academic performance goals, as defined by the State Board of Education, that incorporate student participation levels on state assessments, minimum required percentages of students scoring at the proficient level or above on English language arts and mathematics state assessments, high school graduation rates, and growth on the state's Academic Performance Index (API).

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6162.52 - High School Exit Examination)

*Numerically significant subgroups* include economically disadvantaged students, students from major racial and ethnic groups, students with disabilities, and students with limited English proficiency, when the number of students in the subgroup is sufficient to yield statistically reliable results. (20 USC 6311)

*Program improvement (PI) school* is a school receiving federal Title I funds that has failed to make AYP for each of two consecutive school years in the same content area (i.e., English-language arts or mathematics) schoolwide or for any numerically significant subgroup, or has failed to make AYP on the same additional indicator (i.e., API for all schools or, for high schools, graduation rate) schoolwide.

#### Year 1 Program Improvement

When any Title I school is identified for Year 1 PI: (20 USC 6316)

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

(cf. 0420.4 - Charter Schools)

2. The principal and school community shall revise the school's Single Plan for Student Achievement in accordance with 20 USC 6316, and present it for approval by the Governing Board.

(cf. 0420 - School Plans/Site Councils)

(cf. 6171 - Title I Programs)

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

**TITLE I PROGRAM IMPROVEMENT SCHOOLS** (continued)

4. The school shall implement the plan no later than the beginning of the next full school year following the school's identification for PI, or, if the plan has not been approved prior to beginning the school year, immediately upon approval of the plan. (20 USC 6316)
5. As the school develops and implements the school plan, the Superintendent or designee shall ensure that the school receives technical assistance either from the district, the California Department of Education (CDE), an institution of higher education, a private organization, an educational service agency, or another entity with experience in helping schools improve academic achievement, including assistance in: (20 USC 6316)
  - a. Analyzing data from state assessments and other examples of student work to identify and address problems in instruction and/or problems in implementing Title I requirements pertaining to parent involvement, professional development, or school and district responsibilities identified in the school plan
  - b. Identifying and implementing professional development, instructional strategies, and methods of instruction that are based on scientifically based research and that have proven effective in addressing the specific instructional issues that caused the school to be identified for PI
  - c. Analyzing and revising the school's budget so that the school's resources are more effectively allocated to the activities most likely to increase student achievement and remove the school from PI status

*(cf. 3100 - Budget)*

**Year 2 Program Improvement**

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

1. Continue to provide all students enrolled in the school the option of transferring to another district school or charter school that has not been identified for PI, as described below under "Student Transfers"
2. Arrange for the provision of supplemental educational services to eligible students from low-income families by a provider with a demonstrated record of effectiveness, as described below under "Supplemental Educational Services"
3. Continue to provide for technical assistance



**TITLE I PROGRAM IMPROVEMENT SCHOOLS** (continued)**Year 3 Program Improvement: Corrective Action**

When a school continues to fail to make AYP by the end of the second full school year after identification for PI (four consecutive years of failure to make AYP), the Superintendent or designee shall continue to provide all elements of Year 1 and Year 2 PI. In addition, the Board shall take at least one of the following corrective actions: (20 USC 6316)

1. Replace school staff relevant to the failure

*(cf. 4113 - Assignment)*

2. Implement a new curriculum and related professional development

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

3. Significantly decrease management authority at the school level

4. Appoint an outside expert to advise the school

5. Extend the school year or school day for the school

*(cf. 6111 - School Calendar)*

6. Restructure the internal organization of the school

**Year 4 Program Improvement and Beyond: Restructuring**

For any school that continues to fail to make AYP after one full year of corrective action, the Superintendent or designee shall continue to provide all students enrolled in the school with the option to transfer to another district school or charter school and continue to make supplemental educational services available to eligible students who remain in the school. In addition, the Board shall develop a plan and make necessary arrangements to implement one of the following options for alternative governance and restructuring, consistent with state law: (20 USC 6316)

1. Reopen the school as a charter school

2. Replace all or most of the school staff relevant to the failure

3. Enter into a contract with an entity with a demonstrated record of effectiveness to operate the school

4. Turn the operation of the school over to the CDE

**TITLE I PROGRAM IMPROVEMENT SCHOOLS** (continued)

5. Institute any other major restructuring of the school's governance arrangements that makes fundamental reforms

**Notifications**

Whenever a school is identified for PI, corrective action, or restructuring, the Superintendent or designee shall promptly notify parents/guardians of students enrolled in that school. The notification shall include: (20 USC 6316; 34 CFR 200.37)

1. An explanation of what the identification means, and how the school compares in terms of academic achievement to other elementary or secondary schools in the district and state
2. The reasons for the identification
3. An explanation of what the school is doing to address the problem of low achievement
4. An explanation of what the district or state is doing to help the school address the achievement problem
5. An explanation of how parents/guardians can become involved in addressing the academic issues that caused the school to be identified for PI
6. An explanation of the option to transfer to another district school or charter school as described below under "Student Transfers"
7. If the school is in Year 2 of PI or beyond, an explanation of how parents/guardians can obtain supplemental educational services for their child as described below under "Supplemental Educational Services"

*(cf. 5145.6 - Parental Notifications)*

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

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

**TITLE I PROGRAM IMPROVEMENT SCHOOLS** (continued)

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

**Student Transfers**

All students enrolled in a school in Year 1 of PI or beyond shall be provided an option to transfer to another district school or charter school that: (20 USC 6316; 34 CFR 200.44)

1. Has not been identified for PI, corrective action, or restructuring
2. Has not been identified by the CDE as a "persistently dangerous" school pursuant to 20 USC 7912 and 5 CCR 11992-11994

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 5116.1 - Intradistrict Open Enrollment)*

Among these students, priority shall be given to the lowest achieving students from low-income families, as defined by the district for purposes of allocating Title I funds. (20 USC 6316; 34 CFR 200.44)

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

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

The transfer option shall be offered so that students may transfer in the school year following the school year in which the district administered the assessments that resulted in the identification of the school for PI, corrective action, or restructuring. In order to provide adequate time for parents/guardians to exercise their transfer option before the school year begins, the Superintendent or designee shall notify parents/guardians of the available school choices sufficiently in advance of, but no later than 14 calendar days before, the start of the school year. (34 CFR 200.37, 200.44)

Notice of the transfer option shall:

1. Inform parents/guardians that their child is eligible to attend another public school due to the identification of the current school as in need of improvement
2. Identify each public school or public charter school that the parent/guardian can select

**TITLE I PROGRAM IMPROVEMENT SCHOOLS** (continued)

3. Explain why the choices made available to the parents/guardians may have been limited
4. Provide information on the academic achievement of the school(s) to which the student may transfer (34 CFR 200.37)
5. Explain the provision of transportation to the new school (34 CFR 200.37)

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

*(cf. 5148.2 - Before/After School Programs)*

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

To ensure that parents/guardians have current information, the district shall prominently display on its web site, in a timely manner each school year, the number of students who were eligible for and who participated in the student transfer option, beginning with data from the 2007-08 school year and each subsequent year thereafter, and a list of available schools to which eligible students may transfer in the current school year. (34 CFR 200.39)

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

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

The district shall provide, or shall pay for the provision of, transportation for the student to the public school that student chooses to attend. (20 USC 6316; 34 CFR 200.44)

*(cf. 3540 - Transportation)*

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

**TITLE I PROGRAM IMPROVEMENT SCHOOLS** (continued)

In the event that all district schools are identified for PI, corrective action, or restructuring, the district shall, to the extent practicable, establish a cooperative agreement with other local educational agencies in the area for an interdistrict transfer. (20 USC 6316; 34 CFR 200.44)

*(cf. 5117 - Interdistrict Attendance)*

**Supplemental Educational Services**

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

*(cf. 6011 - Academic Standards)*

*(cf. 6179 - Supplemental Instruction)*

When a school is required to provide supplemental educational services, the Superintendent or designee shall annually notify parents/guardians of: (20 USC 6316; 34 CFR 200.37)

1. The availability of supplemental educational services
2. The identity of approved providers that are within the district or are reasonably available in neighboring local educational agencies
3. The identity of approved providers of technology-based or distance learning supplemental educational services
4. The services, qualifications, and demonstrated effectiveness of each provider, including an indication of those providers who are able to serve students with disabilities or limited English proficiency
5. The benefits of receiving supplemental educational services

In addition, the notification shall describe procedures and timelines that parents/guardians must follow to select a provider.

This notification shall be clearly distinguishable from other information sent to parents/guardians regarding identification of the school for PI, corrective action, or restructuring. (34 CFR 200.37)

To ensure that parents/guardians have current information, the district shall prominently display on its web site, in a timely manner each school year, the number of students who

**TITLE I PROGRAM IMPROVEMENT SCHOOLS** (continued)

were eligible for and who participated in supplemental educational services, beginning with data from the 2007-08 school year and each subsequent year thereafter, a list of state-approved providers serving the district in the current year, and the location where services are provided. (34 CFR 200.39)

The Superintendent or designee shall distribute sign-up forms for supplemental educational services directly to all eligible students and their parents/guardians and make them available and accessible through broad means of dissemination such as the Internet, other media, and communications through public agencies serving eligible students and their families. (34 CFR 200.48)

The district shall provide a minimum of two enrollment windows, at separate points in the school year, that are of sufficient length to enable parents/guardians of eligible students to make informed decisions about requesting supplemental educational services and selecting a provider. (34 CFR 200.48)

Eligible supplemental services providers shall be given access to school facilities, using a fair, open, and objective process, on the same basis as other groups that seek access to school facilities. (34 CFR 200.48)

*(cf. 1330 - Use of School Facilities)*

Within a reasonable period of time established by the Superintendent or designee, parents/guardians shall select a service provider from among those approved by the SBE. Upon request, the Superintendent or designee shall assist parents/guardians in choosing a provider. (20 USC 6316; 34 CFR 200.46)

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

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

*(cf. 6159 - Individualized Education Program)*

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

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

*(cf. 6174 - Education for English Language Learners)*

**TITLE I PROGRAM IMPROVEMENT SCHOOLS** (continued)

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

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

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

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

1. Require the district to develop, in consultation with the parents/guardians and the provider, a statement of specific achievement goals for the student, how the student's progress will be measured, and a timetable for improving achievement. In the case of a student with disabilities, the statement shall be consistent with the student's IEP.
2. Describe how the student's parents/guardians and teacher(s) will be regularly informed of the student's progress.
3. Provide for the termination of the agreement if the provider is unable to meet such goals and timetables.
4. Contain provisions with respect to the district making payments to the provider.
5. Prohibit the provider, without written parent/guardian permission, from disclosing to the public the identity of any student eligible for or receiving supplemental educational services.

*(cf. 5125.1 - Release of Directory Information)*

**TITLE I PROGRAM IMPROVEMENT DISTRICTS**

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

*(cf. 0500 - Accountability)*

*(cf. 6011 - Academic Standards)*

*(cf. 6162.51 - Standardized Testing and Reporting Program)*

**Early Warning Program**

In the event that the district is provided notice by the California Department of Education (CDE) that it is in danger of being identified for program improvement (PI) within two years under the federal No Child Left Behind Act, the Board shall determine whether to participate in the voluntary Early Warning Program. If the Board elects to have the district participate in the program, the district shall conduct a voluntary self-assessment using research-based criteria provided by the CDE and may revise its Title I local educational agency (LEA) plan based on the results of that assessment. (Education Code 52055.57)

*(cf. 6171 - Title I Programs)*

**Year 1-2 PI: Revision and Implementation of LEA Plan**

In the event that the district is identified for PI by the CDE, the Superintendent or designee shall, in accordance with law and administrative regulation, notify parents/guardians, administer a district self-assessment process, and revise the LEA plan. (20 USC 6316; Education Code 52055.57)

The revised LEA plan or plan addendum shall be approved by the Board and submitted to the CDE. The Superintendent or designee shall regularly report to the Board regarding the implementation of the plan during Years 1 and 2 of the program.

The Superintendent or designee shall utilize available state and local resources to identify specific problems contributing to low student achievement and provide technical assistance and support to resolve those problems. He/she also shall work closely with individual school sites to raise student achievement in accordance with school plans.



**TITLE I PROGRAM IMPROVEMENT DISTRICTS (continued)**

*(cf. 0520.1 - High Priority Schools Grant Program)*

*(cf. 0520.2 - Title I Program Improvement Schools)*

**Year 3 PI: Corrective Action**

If the district does not make AYP after two years of receiving program funding, the Board shall cooperate with the Superintendent of Public Instruction (SPI) and the SBE in the identification and implementation of appropriate corrective actions.

The Board shall enter into a contract with a district assistance and intervention team (DAIT) whenever the SPI and SBE determine this to be the most appropriate corrective action. Upon receiving a report of recommendations from the DAIT: (Education Code 52055.57, 52059)

1. The Board may, not later than 30 days after completion of the report, appeal to the SPI to be exempted from implementing one or more of the report's recommendations.
2. Not later than 60 days after completion of the report, the Board shall, at a regularly scheduled meeting, adopt the report recommendations, as modified by any exemptions granted by the SPI.

The Superintendent or designee shall establish a district leadership team to collaborate with the DAIT in the development and implementation of an action plan to address high-priority needs. This team may include site and district administrators, teacher leaders, special education teachers, English learner experts, fiscal officers, and other key personnel, as appropriate.

The Board and the Superintendent or designee shall monitor the district's progress in implementing the DAIT's recommendations and shall continually use student performance data to determine whether additional district or school site changes are necessary to improve student achievement.

*Legal Reference: (see next page)*

**TITLE I PROGRAM IMPROVEMENT DISTRICTS (continued)**

*Legal Reference:*

EDUCATION CODE

52055.57-52055.59 *Districts identified or at risk of identification for program improvement*

52059 *Statewide system of school support*

UNITED STATES CODE, TITLE 20

6301 *Title I program purpose*

6311 *Adequate yearly progress*

6312 *Local educational agency plan*

6316 *School and district improvement*

6321 *Fiscal responsibilities*

CODE OF FEDERAL REGULATIONS, TITLE 34

200.13-200.20 *Adequate yearly progress*

200.30-200.35 *Identification of program improvement schools*

200.36-200.38 *Notification requirements*

200.52-200.53 *District improvement*

*Management Resources:*

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*Blueprint for District Assistance and Intervention, 2008*

*2007 Adequate Yearly Progress Report Information Guide, August 2007*

*A Training Guide for Local Educational Agencies and Schools: Program Improvement, September 2006*

U.S. DEPARTMENT OF EDUCATION GUIDANCE

*LEA and School Improvement Non-Regulatory Guidance, rev. July 21, 2006*

WEB SITES

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

California Department of Education, Program Improvement:

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

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

**TITLE I PROGRAM IMPROVEMENT DISTRICTS**

**Year 1-2 Program Improvement (PI): Revision and Implementation of LEA Plan**

Whenever the district is notified that it has been identified for PI under the federal No Child Left Behind Act, the district shall complete all of the following actions:

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

*(cf. 5145.6 - Parental Notifications)*

2. Conduct a self-assessment using materials and criteria based on current research and provided by the California Department of Education. (Education Code 52055.57)
3. Contingent upon state funding, contract with a county office of education or another external entity, no later than 90 days after the district is identified for PI and after working with the County Superintendent of Schools, for both of the following purposes: (Education Code 52055.57)
  - a. Verifying the fundamental teaching and learning needs in district schools as determined by the self-assessment and identifying the specific academic problems of low-achieving students, including a determination as to why the prior Title I local educational agency (LEA) plan failed to increase student academic achievement
  - b. Ensuring that the district receives intensive support and expertise to implement reform initiatives in the LEA plan

*(cf. 0520.2 - Title I Program Improvement Schools)*

*(cf. 6171 - Title I Programs)*

4. Within three months after the district's identification for PI, develop or revise the LEA plan in consultation with parents/guardians, school staff, and others. This plan shall reflect the findings of the self-assessment and shall: (20 USC 6316; 34 CFR 200.52; Education Code 52055.57)
  - a. Incorporate scientifically based research strategies that will strengthen the core academic program in district schools

**TITLE I PROGRAM IMPROVEMENT DISTRICTS** (continued)

- b. Identify actions that have the greatest likelihood of improving student achievement in meeting the state's academic achievement standards
- c. Address the professional development needs of the instructional staff by committing to spending at least 10 percent of the district's allocation of Title I, Part A, funds for professional development

*(cf. 4131 - Staff Development)*

*(cf. 4331 - Staff Development)*

- d. Include specific measurable achievement goals and targets for each of the student subgroups identified pursuant to 20 USC 6311, especially those that did not make adequate yearly progress (AYP)
- e. Address the fundamental teaching and learning needs in the district's schools and the specific academic problems of low-achieving students, including a determination of why the district's prior plan failed to bring about increased student academic achievement
- f. Incorporate, as appropriate, student learning activities before school, after school, during the summer, and during any extension of the school year

*(cf. 5148.2 - Before/After School Programs)*

*(cf. 6176 - Weekend/Saturday Classes)*

*(cf. 6177 - Summer School)*

*(cf. 6179 - Supplemental Instruction)*

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

*(cf. 6020 - Parent Involvement)*

- 5. Contingent upon state funding, after working with the County Superintendent or an external verifier, contract with an external provider to provide support and implement recommendations to assist the district in resolving shortcomings identified in the verified self-assessment (Education Code 52055.57)

**TITLE I PROGRAM IMPROVEMENT DISTRICTS** (continued)

6. Implement the LEA plan expeditiously, but not later than the beginning of the next school year after the school year in which the district administered the assessments that resulted in its PI identification (20 USC 6316; 34 CFR 200.52; Education Code 52055.57)

The district shall exit PI status when it makes AYP for two consecutive years. (20 USC 6316; 34 CFR 200.53; Education Code 52055.57)

**Year 3 PI: Corrective Action**

If the district fails to make AYP by the end of the second year in PI, it shall be subject to corrective actions determined by the State Board of Education (SBE). (20 USC 6316; 34 CFR 200.53; Education Code 52055.57)

If the SBE takes any corrective action other than, or in addition to, the appointment of a district assistance and intervention team (DAIT), the Superintendent or designee shall appear before the SBE within Year 3 of PI to review the district's progress. The Superintendent or designee, the DAIT, and/or the County Superintendent shall provide testimony and written data sufficient for the SBE to determine whether an alternative corrective action is needed. (Education Code 52055.57)

# Board Policy

## Philosophy-Goals-Objectives and Comprehensive Plans

BP 0520.4(a)

### QUALITY EDUCATION INVESTMENT SCHOOLS

The Governing Board believes that schools demonstrating the lowest performance on state indicators of student achievement should be assisted with additional resources and support focused on instructional improvement and student services. Such schools also need working conditions and learning environments that will attract and retain well-qualified teachers, administrators, and other staff. The Board desires to help such schools address their complex educational needs and achieve their annual growth targets.

Whenever the Superintendent of Public Instruction identifies a district school as ranking in decile 1 or 2 on the Academic Performance Index (API) and notifies the district that the school is eligible to participate in the state's Quality Education Investment program, the Board shall determine whether applying for this funding will help improve academic achievement at that school. The Superintendent or designee shall review the program requirements and recommend to the Board if it would be in the district's best interest to apply to use alternative program requirements that would provide for a higher level of academic achievement. Based on this determination, the Board may submit an application, including an application for an alternative program, on behalf of the school in order to obtain additional state funding for school improvement.

The Superintendent or designee shall ensure that each participating school uses program funds for the purposes expressed in law and administrative regulation. Activities carried out under this program shall be aligned with other school improvement efforts.

*(cf. 0420 - School Plans/Site Councils)*  
*(cf. 0520 - Intervention for Underperforming Schools)*  
*(cf. 0520.1 - High Priority Schools Grant Program)*  
*(cf. 0520.2 - Title I Program Improvement Schools)*  
*(cf. 0520.3 - Title I Program Improvement Districts)*

The Board shall monitor the progress of participating schools to evaluate the effectiveness of school efforts in increasing student achievement, as measured by the API and other indicators, increasing student attendance, and, for secondary schools, increasing graduation rates. If the Board determines that sufficient progress is not being made at a particular school, the Board and Superintendent or designee shall determine what types of additional district resources and support should be provided to the school so that progress in increasing student achievement can be made.

*(cf. 0500 - Accountability)*  
*(cf. 9000 - Role of the Board)*

*Legal Reference: (see next page)*

## QUALITY EDUCATION INVESTMENT SCHOOLS (continued)

*Legal Reference:*

EDUCATION CODE

35186 *Williams uniform complaint procedures*  
44510-44517 *Administrator training program*  
44757.5 *Reading instruction definitions*  
52050-52059 *Public Schools Accountability Act, including:*  
52053-52055.55 *Immediate Intervention/Underperforming Schools Program*  
52055.600-52055.662 *High Priority Schools Grant Program*  
52055.700-52055.770 *Quality Education Investment Act*  
52120-52128.5 *Class Size Reduction Program*  
60640 *Standardized Testing and Reporting Program*  
60642.5 *California standards tests*  
64001 *Single plan for student achievement*  
99230-99242 *Mathematics and Reading Professional Development Program*

UNITED STATES CODE, TITLE 20

6301-6578 *Academic achievement of the disadvantaged, including:*  
6316 *Program improvement*  
6319 *Qualifications of highly qualified teachers*  
6511-6518 *Comprehensive School Reform Program*

*Management Resources:*

WEB SITES

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

# Administrative Regulation

## Philosophy-Goals-Objectives and Comprehensive Plans

AR 0520.4(a)

### QUALITY EDUCATION INVESTMENT SCHOOLS

#### School Requirements

Any district school may expend funds received under the Quality Education Investment Act for any purpose identified in the school's single plan for student achievement established pursuant to Education Code 64001. (Education Code 52055.720)

*(cf. 0420 - School Plans/Site Councils)*

Each participating school shall revise its single plan for student achievement to include funds from this program, describe the manner in which program requirements will be met, and focus on instructional improvement and on improving instructional conditions. (Education Code 52055.755)

Any school receiving funding under this program shall be expected to achieve the following program requirements by the end of the third full year of funding: (Education Code 52055.740)

1. Maintain class sizes as follows:
  - a. For grades K-3, no more than 20 students per class as set forth in the Class Size Reduction Program pursuant to Education Code 52120-52128.5
  - b. For self-contained classrooms in grades 4-8 and classes in English language arts, reading, mathematics, science, or history/social science in grades 4-12:
    - (1) An average class size, calculated pursuant to Education Code 52055.740, that is either at least five students fewer per classroom than was the average in 2006-07 or an average of 25 students per classroom, whichever is lower
    - (2) No more than 27 students in any such classroom, regardless of the average class size
  - c. For any other class, a class size that is no higher than the class size in the 2005-06 school year
  - d. For a low-enrollment innovative class, a class size that does not exceed the schoolwide average, even if the number of students in the class is increased

*(cf. 6151 - Class Size)*



**QUALITY EDUCATION INVESTMENT SCHOOLS** (continued)

2. Ensure that each teacher in the school, including interns, meets the qualifications of a "highly qualified" teacher in accordance with the federal No Child Left Behind Act pursuant to 20 USC 6319

*(cf. 4112.2 - Certification)*

*(cf. 4112.21 - Interns)*

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

3. Have an average experience level of classroom teachers in the school equal to or exceeding the average for the district for this type of school, based on a uniform index established by the Superintendent of Public Instruction (SPI)
4. Exceed the API growth target for the school averaged over the first three full years of funding and meet its annual API growth targets beginning in the fifth year of participation

In addition, each participating school shall be expected to meet the following interim program requirements: (Education Code 52055.740)

1. Be at least one-third of the way toward meeting the program requirements in items #1-5 above by the end of the first full year of funding
2. Be at least two-thirds of the way toward meeting the program requirements in items #1-5 above by the end of the second full year of funding
3. Annually provide professional development to at least one-third of teachers and instructional paraprofessionals in the school
  - a. For teachers in a subject-specific classroom or teaching covered subjects, each teacher shall participate in professional development that is made available by the district, is developed in a collaborative process with interested parties, and is articulated in an improvement plan. The professional development may include collaboration time for teachers to develop new instructional lessons or analyze student data, mentoring projects for new teachers, or extra support for teachers to improve practice. At a minimum, professional development shall be part of a coherent plan that combines school activities within the school, including, but not limited to, lesson study or co-teaching and external learning opportunities that meet all of the following criteria: (Education Code 52055.750)

**QUALITY EDUCATION INVESTMENT SCHOOLS (continued)**

- (1) Are related to the academic subjects taught
  - (2) Provide time to meet and work with other teachers
  - (3) Support instruction and student learning to improve instruction in a manner that is consistent with academic content standards
  - (4) Include an average of 40 hours per teacher per year
- b. For teachers teaching in a self-contained classroom, professional development shall include, at a minimum, content regarding mathematics, science, English language arts, reading, and English language development. Professional development for teachers teaching subject-specific courses shall include the specific subject and English language development. To the extent appropriate, the professional development shall be similar in quality and rigor to the training provided under the Mathematics and Reading Professional Development Program pursuant to Education Code 99230-99242. (Education Code 52055.750)

*(cf. 4131 - Staff Development)*

*(cf. 4222 - Teacher Aides/Paraprofessionals)*

*(cf. 4231 - Staff Development)*

4. Meet all the requirements of the settlement agreement in *Williams v. State*, including, but not limited to, requirements regarding teachers, instructional materials, and school facilities, by the end of the first full year of funding and in each subsequent year

*(cf. 1312.4 - Williams Uniform Complaint Procedures)*

*(cf. 3517 - Facilities Inspection)*

*(cf. 4113 - Assignment)*

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

**District Requirements**

To provide support to participating schools, including participating charter schools, the Superintendent or designee shall: (Education Code 52055.750)

1. Comply with all program requirements and require that each participating school complete and meet the criteria of an academic review process that includes the elements of the school assistance and intervention team review process described in Education Code 52055.51.

*(cf. 0520 - Intervention for Underperforming Schools)*

**QUALITY EDUCATION INVESTMENT SCHOOLS** (continued)

2. Ensure that each participating school meets the program requirements.
3. Ensure that each school administrator in a participating school, by the end of the first full year of funding and in each subsequent year, has exemplary qualifications and experience as specified in Education Code 52055.750. The Superintendent or designee shall provide for high-quality professional development for each administrator through leadership training, coaching, and mentoring and shall take all reasonable steps to maintain stable school leadership in schools. To the extent appropriate, the professional development shall be similar in quality and rigor to that provided through the Administrator Training Program pursuant to Education Code 44510-44517.

*(cf. 4331 - Staff Development)*

4. Provide all fiscal and evaluation data requested by the SPI for initial approval, annual reviews, and reports.
5. Comply with Education Code 52055.630 regarding the process of approving a school action plan, including involvement of teachers and the exclusive representative of certificated employees and, in the same manner, consult with the exclusive representative of classified employees.

*(cf. 4140/4240 - Bargaining Units)*

6. Assist eligible schools in developing and carrying out a plan to implement the program requirements to ensure that the district's plan supports the work of the school.
7. Agree to focus on conditions that improve instruction and achievement in participating schools.
8. Fully understand that not meeting annual and final program and academic achievement requirements will result in the termination of program funding.
9. Ensure that the funds received on behalf of participating schools are expended on those schools, except that during the first partial year of funding the district may use program funding for facilities necessary to meet the class size reduction requirements.

**QUALITY EDUCATION INVESTMENT SCHOOLS** (continued)

10. Use the uniform process recommended by the SPI to ensure that the average teaching experience of classroom teachers in participating schools is equal to or greater than the average teaching experience of classroom teachers in the school district as a whole.