

**SERIES 0000**

**PHILOSOPHY-GOALS-OBJECTIVES  
& COMPREHENSIVE PLANS**

NOTE: This manual contains only those Board policies (BP), administrative regulations (AR) and exhibits (E) specified in the right-hand column. The Boards' adoption date is also indicated in the right column.

		<b>CODE</b>		
0.	Vision .....	0000	BP AR	5/08
1.	Philosophy.....	0100	BP	5/07
2.	Goals for the School District.....	0200	BP	5/07
3.	Objectives/Goal Indicators for School District .....	0300		
4.	Comprehensive Plans .....	0400	BP	5/07
A.	Nondiscrimination in District Programs and Activities .....	0410	BP	5/07
B.	School Plans/Site Councils .....	0420	BP AR	5/07
1.	School-Based Program Coordination .....	0420.1	BP AR	5/07
C.	Charter School Authorization .....	0424.4	BP AR	12/14
1.	Charter School Oversight.....	0424.41	BP E	12/14
2.	Charter School Renewal .....	0424.42	BP	12/14
3.	Charter School Revocation .....	0424.43	BP	12/14
D.	Comprehensive Local Plan for Special Education.....	0430	BP	5/07
	.....	.. AR		11/9
E.	District Technology Plan .....	0440	BP AR	2/15
F.	Comprehensive Safety Plan .....	0450	BP AR	2/15
5.	Accountability .....	0500	BP	5/07
A.	School Accountability Report Card .....	0510	BP	5/07
B.	Title I Program Improvement Schools .....	0520.2	BP AR	3/10
C.	Title I Program Improvement Districts.....	0520.3	BP AR	3/10
D.	Quality Education Investment Schools.....	0520.4	BP AR	5/07

**VISION**

In its vision, the district has developed the following mission statement:

The vision of the Pajaro Valley Unified School District is to educate and to support learners in reaching their highest potential. We prepare students to pursue successful futures and to make positive contributions to the community and the global society.

In order to provide a clear focus for district programs, activities and operations, the Board of Education 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 mission statement which is inclusive of parents/guardians, students, staff and community members.

The Board shall review the district mission statement 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 mission to staff, parents/guardians and the community and shall regularly report to the Board regarding district progress toward the mission.

*(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 Education with relevant district documents and data, including current district mission and vision statements, if any, and information about student demographics, student achievement, student enrollment patterns, current programs and recent program cuts, staffing and professional development needs, budget trends, facilities, technology and emerging educational issues.

*(cf. 0100 - Philosophy)*

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

*(cf. 0400 - Comprehensive Plans)*

*(cf. 6010 - Goals and Objectives)*

**PHILOSOPHY**

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

*(cf. 0000 - Vision)*

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

*(cf. 6010 - Goals and Objectives)*

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

It is the philosophy of the district that:

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

**PHILOSOPHY** (continued)

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

*Legal Reference:*

EDUCATION CODE

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

*51019 Definition of philosophy*

*Management Resources:*

CSBA PUBLICATIONS

*Maximizing School Board Leadership: Vision, 1996*

**GOALS FOR THE SCHOOL DISTRICT**

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

*(cf. 0000 - Vision)*

*(cf. 0100 - Philosophy)*

*(cf. 0500 - Accountability)*

*(cf. 6010 - Goals and Objectives)*

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

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

*(cf. 0400 - Comprehensive Plans)*

The Board and Superintendent or designee shall develop yearly district goals which will be posted on the website, Superintendent's webpage. For the year 2007-2008, the Board has developed the following Goals:

**Goal #1:**

**Engage and sustain the trust, involvement and responsibility of all parents and community to promote collaborative programs which result in high levels of success for all students.**

- a) Utilize the zone structure and work with the zones in unity to ensure effective communication.
- b) Ensure parents are notified throughout the year about all parent committees, and relevant meetings and events.
- c) Respond to parents requests and concerns in a consistent and timely manner.
- d) Reach out to local businesses, community organizations and local government agencies to promote advocacy and provide resources.

**Goal #2:**

**Attract, hire, develop and retain an excellent professional staff throughout the district.**

- a) Establish a program that recognizes and honors staff commitment to students and the school community.
- b) Work with community partners to explore affordable housing options for teachers and staff.

**Goal #3:**

**Provide academic challenges for all students. Support and maintain programs that are successful and help build new opportunities so we keep all students engaged in their learning.**

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

- a) All students will meet or exceed Academic Performance index (API) “growth targets” and expectations for “Adequate Yearly Progress” (AYP) including expectations for subgroup progress.
- b) All curriculum will be standards-based, designed in collaboration with teachers, consistent across the district, designed to produce results that will challenge each student at his or her academic level.
- c) Implement procedures to ensure that all PVUSD students of the class of 2008 will have passed the California High School Exit Exam, including appropriate early alerts to students and their parents, intervention steps, and documentation of services offered and those accepted.
- d) Seek out programs and community resources to expand learning opportunities for students in the areas of the arts, science, career technical education, and technology. Assure assignment of district management staff to effectively coordinate these programs.

**Goal #4:**

**Maintain a balanced budget while effectively maximizing all resources to fulfill educational priorities.**

- a) Increase employee compensation to the top 10% of surrounding districts while maintaining fiscal responsibility.
- b) Form a Facilities Committee to anticipate and accommodate enrollment growth including strategic planning for new schools and configurations.

**Goal #5:**

**Ensure that all schools provide a safe, healthy and positive school environment for students and staff.**

- a) Maintain an outstanding level of cleanliness and repair at all facilities.
- b) Promote a strict adherence and consistency in regards to safety, discipline and behavioral policies.
- c) Ensure adherence to and implementation of anti harassment policy and AB 537.

**Goal #6:**

**Provide a consistent and strategic program to achieve the goal of English acquisition, as measured by a transition from Limited English Proficient (LEP) to Fluent English Proficient (FEP) in 1-6 years from entry into the English Learner program with a sense of urgency, to assure that students have the opportunity to be academically successful.**

- a) Review and give full consideration to the recommendations of the district ELL Task Force.
- b) Provide extra support programs for students who don't reclassify from LEP to FEP in 3-6 years, with special attention given to helping students make the transition from elementary to middle school, and middle to high school.

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

*Legal Reference:*

EDUCATION CODE

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

51020 *Definition of goal*

51021 *Definition of objective*

*Management Resources:*

CSBA PUBLICATIONS

*Healthy Food Policy Resource Guide, 2003*

*Maximizing School Board Leadership: Vision, 1996*

WEB SITES

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



**COMPREHENSIVE PLANS**

The Board of Education 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.

*(cf. 0420 - School Plans/Site Councils)*  
*(cf. 0420.1 - School-Based Program Coordination)*

*Legal Reference: (see next page)*

**COMPREHENSIVE PLANS** (continued)

*Legal Reference:*

EDUCATION CODE

35035 Powers and duties of Superintendent

35291 Rules (power of governing board)

*Management Resources:*

CSBA PUBLICATIONS

Maximizing School Board Leadership: Vision, 1996

WEB SITES

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

**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES**

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

*(cf. 4030 - Nondiscrimination in Employment)*

*(cf. 4032 - Reasonable Accommodation)*

*(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

*(cf. 5146 - Married/Pregnant/Parenting Students)*

*(cf. 6145.2 - Athletic Competition)*

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

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

*(cf. 6178 - Vocational Education)*

*(cf. 6200 - Adult Education)*

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

The Superintendent or designee shall ensure that the district provides 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. 5124 - Communication with Parents/Guardians)*

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

*(cf. 9320 - Meetings and Notices)*

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

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

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

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

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 4031 - Complaints Concerning Discrimination in Employment)*

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

*(cf. 5145.6 - Parental Notifications)*

*Legal Reference:*

EDUCATION CODE

200-262.4 Prohibition of discrimination

48985 Notices to parents in language other than English

GOVERNMENT CODE

11000 Definitions

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

54953.2 Brown Act compliance with Americans with Disabilities Act

PENAL CODE

422.55 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

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

UNITED STATES CODE, TITLE 20

1400-1487 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: (see next page)*

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

*Management Resources:*

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

Protecting Students from Harassment and Hate Crime, January, 1999

Notice of Non-Discrimination, January, 1999

Nondiscrimination in Employment Practices in Education, August, 1991

WEB SITES

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

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

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

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

**SCHOOL PLANS/SITE COUNCILS**

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.

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.

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

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.

Before the funds are encumbered or expended, the Board shall approve the site council's proposed use of the funds. If the Board does not approve the proposed use, the Board shall inform the school site council of the reasons for disapproval and request that the council review and revise its proposal. (AB 1802, Sec. 43, Statutes of 2006)

*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*

*Legal Reference continued: (see next page)*



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

*Legal Reference: (continued)*

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

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>

**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)*

**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,

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

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

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)

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

*(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 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:

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

- 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)*

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)*

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

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

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.

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

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

**SCHOOL-BASED PROGRAM COORDINATION**

In order to best serve students with special needs and students participating in designated educational programs, the Board of Education 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: (see next page)*



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

*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*

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>*

**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)*
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)

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

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)

**CHARTER SCHOOL AUTHORIZATION**

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.

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. In determining whether to grant or deny a charter, the Board shall carefully review the proposed charter and any supplemental information, consider public and staff input, and determine whether the charter petition adequately addresses all provisions of law.

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.

Charter school petitions must be submitted in final form. Therefore, any material changes or additions to the petition made following submission will require petitioners to resubmit the petition.

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)

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

### **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 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)

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)

*(cf. 0420.42 - Charter School Renewal)*  
*(cf. 0420.43 - Charter School Revocation)*  
*(cf. 0420.41 - Charter School Oversight)*

### **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)

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.

**CHARTER SCHOOL AUTHORIZATION (continued)**

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:*

*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*

*52052 Numerically significant student subgroup, definition*

*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*

**CHARTER SCHOOL AUTHORIZATION (continued)**

*Legal Reference (continued):*

*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:*

*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>*

## **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)

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, on the corporation's board of directors.

### **Waivers**

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

*(cf. 1431 - Waivers)*

### **Provision of District Services**

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

Whenever the district agrees to provide administrative or support services, the district and charter school shall develop a memorandum of understanding which clarifies the financial and operational agreements between the district and charter school.

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)**

### **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 for 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 monitor the charter school to determine whether it complies with all legal requirements applicable to charter schools, including making all reports required of charter schools in accordance with Education Code 47604.32. Any violations of law shall be reported to the Board.

The Board shall monitor each charter school to determine whether it is achieving, both schoolwide and for all groups of students served by the school, the measurable student outcomes set forth in the charter and state testing standards.

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; an annual update, aligned to the template adopted by the SBE, of school goals, actions, and related expenditures; first and second interim financial reports; and final unaudited report for the full prior year. (Education Code 47604.32, 47604.33, 47606.5)

The district may charge up to one percent of a charter school's revenue for the actual costs of supervisory oversight of the school. However, if the district is able to provide substantially rent-free facilities to the charter school, the district may charge actual costs of supervisory oversight up to three percent of the charter school's revenue. (Education Code 47613)

*(cf. 7160 - Charter School Facilities)*

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

### **Technical Assistance/Intervention**

If a charter school receiving federal Title I funding fails to make AYP, as defined pursuant to 20 USC 6311, for two or more consecutive years, the school shall be identified for program improvement and shall implement improvement strategies in accordance with 20 USC 6316.

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

If, in three out of four consecutive school years, a charter school fails to improve outcomes for three or more student subgroups identified in Education Code 52052, or for all of the student subgroups if the school has fewer than three, in regard to one or more state or school priorities identified in the charter, the district: (Education Code 47607.3)

1. Shall provide technical assistance to the charter school using an evaluation rubric adopted by the SBE pursuant to Education Code 52064.5
2. May request that the Superintendent of Public Instruction (SPI), with SBE approval, assign the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Education Code 52074

In accordance with law, the Board may deny a charter's renewal petition or may revoke a charter based on the charter school's poor performance, especially with regards to the academic achievement of all numerically significant subgroups of students served by the charter school.

*(cf. 0420.42 - Charter School Renewal)*

*(cf. 0420.43 - Charter School Revocation)*

### **Complaints**

Each charter school shall maintain processes to enable any person to file a complaint, in accordance with the uniform complaint procedures as specified in 5 CCR 4600-4687, alleging the school's noncompliance with Education Code 47606.5 or 47607.3. (Education Code 52075)

*(cf. 1312.3 - Uniform Complaint Procedures)*

A complainant who is not satisfied with the decision may appeal the decision to the SPI. (Education Code 52075)

If the charter school finds merit in the complaint or the SPI finds merit in an appeal, a remedy shall be provided to all affected students and parents/guardians. (Education Code 52075)

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

### **School Closure**

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, when applicable in accordance with the charter and/or a memorandum of understanding, provide assistance 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*

*49475 Health and safety, concussions and head injuries*

*51745-51749.3 Independent study*

*52051.5-52052 Academic performance index, applicability to charter schools*

*52060-52077 Local control and accountability plans*

*52075 Uniform complaint procedures*

*56026 Special education*

*56145-56146 Special education services in charter schools*

*60600-60649 Assessment of academic achievement*

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

### *Legal Reference (continued):*

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*  
**CALIFORNIA CONSTITUTION**  
*Article 9, Section 5 Common school system*  
**CODE OF REGULATIONS, TITLE 5**  
4600-4687 *Uniform complaint procedures*  
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**  
*California School Accounting Manual*  
*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: Title V, Part B of the ESEA, April 2011*

**CHARTER SCHOOL OVERSIGHT** (continued)

*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.qualitycharters.org>*

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

## **CHARTER SCHOOL OVERSIGHT**

### **Requirements For Charter Schools**

The following exhibit has been developed to demonstrate many of the applicable laws 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, including but not limited to the Individuals with Disabilities Education Rights Act (“IDEA”) (20 U.S.C. §§ 1400 et seq.), the Americans with Disabilities Acts (42 U.S.C. §§ 12101 et seq.), U.S. Civil Rights Acts, including Title VII of the 1964 Civil Rights Act, the Age Discrimination in Employment Act (“ADEA”) (29 U.S.C. §§ 621 et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §§ 794 et seq.), Family Educational Rights and Privacy Act (“FERPA”) (20 U.S.C. §§ 1232g et seq.), and the No Child Left Behind Act (“NCLB”) (20 U.S.C. §§ 6301 et seq.).
2. Comply with state laws that apply to governmental agencies in general, including but not limited to the Brown Act (Cal. Gov. Code §§ 54950 et seq.), the Public Records Act (Cal. Gov. Code §§ 6250 et seq.), State conflict of interest laws (the Political Reform Act (Cal. Gov. Code §§ 87100 et seq. and Cal. Gov. Code §§ 1090 et seq.), the California Fair Employment and Housing Act (“FEHA”) (Cal. Gov. Code §§ 12900 et seq.), and the Uniform Complaint Procedure (5 Cal. Code Regs. §§ 4600 et seq.).
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)
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 the minimum age for public school attendance. (Education Code 47610)

**Requirements For Charter Schools (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)
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 the 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. However, preference 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.
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 certificate, permit, or other document issued by the Commission on Teacher Credentialing equivalent to that which a teacher in other public schools would be required to hold. (Education Code 47605)
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)

**Requirements For Charter Schools (continued)**

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)
17. If applicable, meet federal requirements for qualifications of paraprofessionals working in programs supported by Title I funds. (20 USC 6319)
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)
19. Offer at least the number of instructional minutes required by law for the grade levels provided by the charter school. (Education Code 46201.2, 47612.5)
20. If the school provides independent study, meet the requirements of Education Code 51745-51749.3, except that the school 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)
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. If the school offers an athletic program, annually provide an information sheet about concussion and head injury to athletes and their parents/guardians before the athlete initiates practice or competition. In the event that an athlete is suspected of sustaining a concussion or head injury in an athletic activity, he/she shall be immediately removed from the activity for the remainder of the day and shall not be permitted to return to the activity until he/she is evaluated by a licensed health care provider and receives written clearance to return to the activity. (Education Code 49475)
23. On a regular basis, consult with parents/guardians and teachers regarding the school's educational programs. (Education Code 47605)



**REQUIREMENTS FOR CHARTER SCHOOLS** (continued)

24. 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)
25. Maintain written contemporaneous records that document all student attendance and make these records available for audit and inspection. (Education Code 47612.5)
26. 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)
27. 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.
28. Promptly respond to all reasonable inquiries from the District, the County Office of Education, or the SPI, including, but not limited to, inquiries regarding the school's financial records. (Education Code 47604.3)
29. Annually prepare and submit financial reports to the 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 July 1 each year, an update of the school's goals and the actions to achieve those goals as identified in the charter, developed using the SBE template in accordance with Education Code 47606.5. This report shall include a review of the progress toward the goals, an assessment of the effectiveness of the

**REQUIREMENTS FOR CHARTER SCHOOLS** (continued)

specific actions toward achieving the goals, a description of changes the school will make to the specific actions as a result of the review and assessment, and a listing and description of expenditures for the fiscal year implementing the specific actions. (Education Code 47604.33, 47606.5)

When conducting this review, the governing body of the school may consider qualitative information including, but not limited to, findings that result from any school quality reviews conducted pursuant to Education Code 52052 or any other reviews. To the extent practicable, data shall be reported in a manner consistent with how information is reported on a school accountability report card. The update shall be developed in consultation with teachers, principals, administrators, other school personnel, parents/guardians and students. (Education Code 47606.5)

- c. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. (Education Code 47604.33)
- d. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31. (Education Code 47604.33)
- e. 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)
- f. 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)

## **CHARTER SCHOOL RENEWAL**

The 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 thoroughly and in a timely manner.

*(cf. 0420.4 - Charter School Authorization)*

*(cf. 0420.41 - Charter School Oversight)*

*(cf. 0420.43 - Charter School Revocation)*

*(cf. 0500 - Accountability)*

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

### **Submission of Renewal Petition**

A charter school seeking renewal of its charter is encouraged to submit its petition for renewal to the Board at least 120 days, but no more than nine months, before the term of the charter is due to expire.

The signature requirement applicable to new charter petitions is not 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), as listed in item #5 in the section "Criteria for Granting or Denying Renewal" below. (Education Code 47607; 5 CCR 11966.4) The Board may require that the school amend its charter to address any new issues before granting renewal.

### **Criteria for Granting or Denying Renewal**

Renewals shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605 and District Board policies and administrative regulations governing charter schools. 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)

In determining whether to grant a charter renewal, the Board shall consider increases in academic achievement for all "numerically significant" groups of students served by the charter school, as defined in Education Code 52052, as the most important factor. (Education Code 47607)

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)

**CHARTER SCHOOL RENEWAL** (continued)

1. The charter school presents an unsound educational program for the students enrolled in the 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, both schoolwide and for all numerically significant groups of students served by the charter school as defined in Education Code 52052.
  - 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:
    - (1) Documented clear and convincing data.
    - (2) Student achievement data from assessments, including, but not limited to, the Standardized Testing and Reporting Program, for demographically similar student populations in comparison schools.
    - (3) Information submitted by the charter school

**CHARTER SCHOOL RENEWAL** (continued)

Whenever the Board makes a determination based on this criterion, the Superintendent or designee shall submit copies of supporting documentation and a written summary of the basis for the Board's determination to the Superintendent of Public Instruction.

*(cf. 6162.51 – State Academic Achievement Test)*

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

**Timelines for Board Action**

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.

If the charter school submits documentation pursuant to item #5d in the section "Criteria for Granting or Denying Renewal" above, the Board shall not grant a renewal until at least 30 days after the submission of such documentation. (Education Code 47607)

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)

If the Board fails to make a written factual finding pursuant to items #1-5 in the section "Criteria for Granting or Denying Renewal" 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)

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. (Education Code 47605, 47607.5)

*Legal Reference (see next page)*

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**CHARTER SCHOOL RENEWAL (continued)**

*Legal Reference:*

EDUCATION CODE

47600-47616.7 *Charter Schools Act of 1992*

52052 *Alternative accountability system; definition of numerically significant student subgroup*

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. 2012*

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.qualitycharters.org>

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

**CHARTER SCHOOL REVOCATION**

The Board expects any charter school it authorizes to provide a sound educational program that promotes student learning and to carry out its operations in a manner that complies with law and the terms of its charter.

*(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 before the date it is due to expire whenever the Board 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.

The Board shall also consider revocation of a charter whenever the California Collaborative for Educational Excellence (CCEE), after providing advice and assistance to the charter school pursuant to Education Code 47607.3, submits to the Board either of the following findings: (Education Code 47607.3)

1. That the charter school has failed or is unable to implement the recommendations of the CCEE, or
2. That the inadequate performance of the charter school, as based on an evaluation rubric adopted by the State Board of Education (SBE), is so persistent or acute as to require revocation of the charter.

In determining whether to revoke a charter, the Board shall consider increases in student academic achievement overall and for all "numerically significant" groups of students served by the charter school, as defined in Education Code 52052, as the most important factor. (Education Code 47607, 47607.3)

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)

**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 each alleged violation is both material and uncured and that it 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.
2. If there is substantial evidence that the charter school has failed to remedy a violation identified in the Notice of Violation or to refute a violation to the Board's satisfaction, continue revocation of the charter by issuing a Notice of Intent to Revoke to the charter school's governing body.

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)



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

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)

### **Severe and Imminent Threat**

The procedures specified above shall not be applicable when the Board determines, in writing, 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**

If the Board revokes a 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. However, a revocation based upon the findings of the CCEE pursuant to Education Code 47607.3 may not be appealed. (Education Code 47607, 47607.3; 5 CCR 11968.5.3-11968.5.5)

*Legal Reference (see next page)*

**CHARTER SCHOOL REVOCATION (continued)**

*Legal Reference:*

EDUCATION CODE

47600-47616.7 Charter Schools Act of 1992, especially

47607 Charter renewals and revocations

52052 Numerically significant student subgroups; definition

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* (2013) 57 Cal.4th 197

*Management Resources:*

CSBA PUBLICATIONS

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

*Charter Schools: A Manual for Governance Teams, rev. 2012*

WEB SITES

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

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

**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 shall serve as a SELPA.

The Superintendent or designee shall develop a local plan for the education of individuals with disabilities residing in the district. The plan shall be approved by the Board.

*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>

**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 individuals between the ages of 3 and 21; and are provided in conformity with an individualized education program (IEP) that meets the requirements of 34 CFR 300.320-300.324. (34 CFR 300.17, 300.101, 300.104; Education Code 56040)

FAPE applies 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)

*Least restrictive environment* means that, to the maximum extent appropriate, students with disabilities, including individuals in public or private institutions or other care facilities, be educated with individuals who are nondisabled, including the provision of nonacademic and extracurricular services and activities. Special classes, separate schooling, or other removal of students with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in the regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. (34 CFR 300.107, 300.114, 300.117; Education Code 56040.1)

*Special education* means specially designed instruction, provided at no cost to the parent/guardian, to meet the unique needs of individuals with disabilities including a full continuum of program options including instruction conducted in the classroom, in the home, in hospitals and institutions, and other settings, and instruction in physical education to meet the educational and service needs in the least restrictive environment. (Education Code 56300, 56031)

*Special education* may include each of the following if the services otherwise meet the definition in the above paragraph: (Education Code 56031)

1. Speech language pathology services, or any other designated instruction and service or related service, pursuant to Education Code 56363, if the service is considered special education rather than designated instruction and service or related service under state standards
2. Travel training
3. Career technical education
4. Transition services for students with disabilities in accordance with 34 CFR 300.43 if provided as specially designed instruction, or a related service, if required to assist a student with disabilities to benefit from special education

*Specially designed instruction* means adapting 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 that apply to all students in the district. (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. 6159.3 - 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: (Education Code 56205, 56206)

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), 20 USC 1413(a)(1), and 34 CFR 300.201
2. An annual budget plan and annual service plan adopted at a public hearing held by the SELPA
3. A description of programs for early childhood special education from birth through five years of age
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
5. A description of a dispute resolution process
6. Verification that the plan has been reviewed by the community advisory committee in accordance with Education Code 56205
7. A description of the process being utilized to refer students for special education instruction pursuant to Education Code 56303
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
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

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)

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

*(cf. 3541.2 - Transportation for Students with Disabilities)*

*(cf. 3542 - School Bus Drivers)*

*(cf. 4112.23 - Special Education Staff)*

*(cf. 5144.2 - Suspension and Expulsion (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. 6164.4 - Identification and Evaluation of Individuals for Special Education)*

*(cf. 6164.41 - Children with Disabilities Enrolled by Their Parents in Private School)*

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

**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-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)*

**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: (see next page)*



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

### *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>

**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
  - (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

**DISTRICT TECHNOLOGY PLAN (continued)**

- (5) Use technology to make teachers and administrators more accessible to parents/guardians

*(cf. 6020 - Parent Involvement)*

*(cf. 6143 - Courses of Study)*

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

*(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
- 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

4. Funding and budget

- a. All costs and the current budget
- b. Existing and potential funding sources
- c. Annual budgets for the term of the plan
- d. Provision of ongoing technical support
- e. The district's policy for replacing obsolete equipment
- f. A process for monitoring progress and updating funding and budget decisions

*(cf. 3100 - Budget)*

**DISTRICT TECHNOLOGY PLAN** (continued)

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
  - 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)*

**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.

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

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

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)

### **Tactical Response Plan**

Notwithstanding the process described above, any portion of a comprehensive safety plan that includes tactical responses to criminal incidents that may result in death or serious bodily injury at the school site, including steps to be taken to safeguard students and staff, secure the affected school premises, and apprehend the criminal perpetrator(s), shall be developed by district administrators in accordance with Education Code 32281. In developing such strategies, district administrators shall consult with law enforcement officials and with a representative of an employee bargaining unit, if he/she chooses to participate.

When reviewing the tactical response plan, the Board may meet in closed session to confer with law enforcement officials, provided that any vote to approve the tactical response plan is announced in open session following the closed session. (Education Code 32281)

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*

*(cf. 9011 - Disclosure of Confidential/Privileged Information)*

*(cf. 9321 - Closed Session Purposes and Agendas)*

*(cf. 9321.1 - Closed Session Actions and Reports)*

### **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)*

However, those portions of the comprehensive safety plan that include tactical responses to criminal incidents shall not be publicly disclosed.

*Legal Reference: (see next page)*

**COMPREHENSIVE SAFETY PLAN (continued)**

*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*

CALIFORNIA CONSTITUTION

*Article I, 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: (see next page)*

## COMPREHENSIVE SAFETY PLAN (continued)

### *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)



**COMPREHENSIVE SAFETY PLAN**

**Development and Review of Comprehensive School Safety Plan**

The school site council shall consult with local law enforcement in writing and developing the comprehensive school safety plan. When practical, the school site council also shall consult with other school site councils and safety committees. (Education Code 32281, 32282)

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

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

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

*(cf. 1220 - Citizen Advisory Committees)*

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

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

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

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

*(cf. 1230 - School-Connected Organizations)*

**COMPREHENSIVE SAFETY PLAN** (continued)

4. A representative of each teacher organization at the school

*(cf. 4140/4240/4340 - Bargaining Units)*

5. A representative of the school's student body government

6. All persons who have indicated that they want to be notified

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

1. Representatives of local religious organizations

2. Local civic leaders

3. Local business organizations

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

**Content of the Safety Plan**

Each comprehensive safety plan shall include an assessment of the current status of school crime committed on campus and at school-related functions. (Education Code 32282)

The assessment may include, but not be limited to, data on reports of school crime, suspension and expulsion rates, and surveys of students, parents/guardians, and staff regarding their perceptions of school safety.

*(cf. 0500 - Accountability)*

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

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

1. Child abuse reporting procedures consistent with Penal Code 11164

*(cf. 5141.4 - Child Abuse Prevention and Reporting)*

2. Routine and emergency disaster procedures including, but not limited to:

- a. Adaptations for students with disabilities in accordance with the Americans with Disabilities Act

*(cf. 6159 - Individualized Education Program)*

**COMPREHENSIVE SAFETY PLAN** (continued)

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

*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*

*(cf. 3516.3 - Earthquake Emergency Procedure System)*

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

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

*(cf. 3516.1 - Fire Drills and Fires)*

*(cf. 3516.2 - Bomb Threats)*

*(cf. 3516.5 - Emergency Schedules)*

*(cf. 3543 - Transportation Safety and Emergencies)*

3. Policies pursuant to Education Code 48915(d) for students who commit an act listed in Education Code 48915(c) and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations

*(cf. 5131.7 - Weapons and Dangerous Instruments)*

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

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

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

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

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

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

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

6. If the school has adopted a dress code prohibiting students from wearing "gang-related apparel" pursuant to Education Code 35183, the provisions of that dress code and the definition of "gang-related apparel"

*(cf. 5132 - Dress and Grooming)*

**COMPREHENSIVE SAFETY PLAN** (continued)

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

*(cf. 5142 - Safety)*

8. A safe and orderly school environment conducive to learning

*(cf. 5137 - Positive School Climate)*

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

*(cf. 5144 - Discipline)*

10. Hate crime reporting procedures

*(cf. 5145.9 - Hate-Motivated Behavior)*

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

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

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

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

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

*(cf. 5113 - Absences and Excuses)*

*(cf. 5113.1 - Chronic Absence and Truancy)*

*(cf. 5131 - Conduct)*

*(cf. 5136 - Gangs)*

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

*(cf. 6142.3 - Civic Education)*

*(cf. 6142.4 - Service Learning/Community Service Classes)*

*(cf. 6142.8 - Comprehensive Health Education)*

**COMPREHENSIVE SAFETY PLAN** (continued)

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

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

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

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

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

*(cf. 1020 - Youth Services)*

7. Procedures, including those outlined in the Department of Pesticides Regulation's Healthy School Act, for responding to the release of a pesticide or other toxic substance from properties located within one-quarter mile of the school

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

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

*(cf. 5116.1 - Intradistrict Open Enrollment)*

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

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

**COMPREHENSIVE SAFETY PLAN** (continued)

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

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

*(cf. 3515.2 - Disruptions)*

*(cf. 3515.5 - Sex Offender Notification)*

*(cf. 5131.4 - Student Disturbances)*

- b. Threat assessment strategies to determine the credibility and seriousness of a threat and provide appropriate interventions for the potential offender(s)
- c. Assignment of staff members responsible for each identified task and procedure
- d. Development of an evacuation plan based on an assessment of buildings and grounds and opportunities for students and staff to practice the evacuation plan
- e. Coordination of communication to schools, Governing Board members, parents/guardians, and the media

*(cf. 1112 - Media Relations)*

*(cf. 9010 - Public Statements)*

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

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

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

**ACCOUNTABILITY**

The Board of Education 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 bi-annual 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>



**SCHOOL ACCOUNTABILITY REPORT CARD**

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

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

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

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

*(cf. 0500 - Accountability)*

*(cf. 1112 - Media Relations)*

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

**Notification**

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

*(cf. 5145.6 - Parental Notifications)*

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

*Legal Reference: (see next page)*

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

*Legal Reference:*

EDUCATION CODE

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, 2 and 3  
46113 Minimum school day for grades 4 through 8  
46117 Minimum kindergarten school day  
46141 Minimum school day (high school)  
51225.3 Requirements for graduation  
52052 Academic performance index  
52053 Immediate intervention/underperforming schools program  
52056 Meeting growth targets  
60119 Textbook sufficiency  
60600-60618 General provisions  
60640-60648 Standardized testing and reporting program  
60800 Physical fitness testing  
60850 High school exit examination  
60851 High school exit examination  
CALIFORNIA CONSTITUTION  
Article 16, Section 8.5(e) Allocations to State School Fund  
UNITED STATES CODE, TITLE 20  
6311 State plans

*Management Resources:*

U.S. DEPARTMENT OF EDUCATION GUIDANCE

*Report Cards, September 12, 2003*

WEB SITES

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

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)

*(cf. 4131 - Staff Development)*

*(cf. 6020 - Parent Involvement)*

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

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

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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>

(3/03 7/04) 3/09

**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)

To the extent practicable, the district shall partner with outside groups, such as faith-based organizations, other community-based organizations, and business groups, to help inform eligible students and their families of the opportunities to transfer or to receive supplemental educational services. (34 CFR 200.48)

**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)

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

Notice of the transfer option shall:

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

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

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

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

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

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

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 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

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

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)*

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.

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

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

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

**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*

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

WEB SITES

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

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

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**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
  - b. Identify actions that have the greatest likelihood of improving student achievement in meeting the state's academic achievement standards

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

- 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)
- 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)

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

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)

(11/04 11/05) 11/08

Regulation  
Date: March 3, 2010

**PAJARO VALLEY UNIFIED SCHOOL DISTRICT**  
Watsonville, California

**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*

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- 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>*

**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)*

2. In a high school, have a student-to-counselor ratio of no more than 300 to 1 and ensure that each counselor hold a services credential with a specialization in pupil personnel services

*(cf. 6164.2 - Guidance/Counseling Services)*

**QUALITY EDUCATION INVESTMENT SCHOOLS** (continued)

3. 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)*

4. 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)
5. 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)
    - (1) Are related to the academic subjects taught
    - (2) Provide time to meet and work with other teachers



**QUALITY EDUCATION INVESTMENT SCHOOLS (continued)**

- (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.
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.