

RESEARCH

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

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

(cf. 0000 - Vision)
(cf. 0100 - Philosophy)
(cf. 0200 - Goals for the School District)

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

(cf. 5022 - Student and Family Privacy Rights)
(cf. 5125 - Student Records)
(cf. 5145.6 - Parental Notifications)

Legal Reference:

EDUCATION CODE
51513 Personal beliefs
UNITED STATES CODE, TITLE 20
1232h Protection of pupil rights

Management Resources:

WEB SITES
CSBA: <http://www.csba.org>
CDE: <http://www.cde.ca.gov>
USDOE, Family Policy Compliance Office: <http://www.ed.gov/offices/OM/fpco/>

RESEARCH

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

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

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

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

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

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

LIBRARY MEDIA CENTERS

The Board of Trustees recognizes that school libraries support the educational program by providing access to a variety of informational and supplemental resources that can help raise the academic achievement of all students. The Board desires that school libraries be stocked with up-to-date books, reference materials, and electronic resources that promote literacy, support academic standards, and prepare students to become lifelong learners.

(cf. 0440 - District Technology Plan)
(cf. 1330.1 - Joint Use Agreements)
(cf. 6011 - Academic Standards)
(cf. 6163.4 - Student Use of Technology)
(cf. 7110 - Facilities Master Plan)

The Superintendent or designee may, in consultation with teacher librarians, classroom teachers, administrators, parents/guardians, and students as appropriate, develop and regularly update a plan for school libraries that describes the district's goals for school libraries and how funds will be distributed to school sites to support libraries. As appropriate, the plan may also address staffing, facilities, selection and evaluation of materials, the development and maintenance of classroom libraries, prevention of loss or damage of library materials, prioritization of needs, and other related matters. The Superintendent or designee shall ensure that the library plan is aligned with the district's local control and accountability plan and other district and school plans.

(cf. 0200 - Goals for the School District)
(cf. 0400 - Comprehensive Plans)
(cf. 0420 - School Plans/Site Councils)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)
(cf. 6161.2 - Damaged or Lost Instructional Materials)

Staffing

The Superintendent or designee may assign teacher librarians to perform the following duties in accordance with the authorizations of their credential: (5 CCR 80053, 80053.1)

1. Instruct students in accessing, evaluating, using, and integrating information and resources in the library program and/or provide departmentalized instruction in information literacy, digital literacy, and digital citizenship
2. Plan and coordinate school library programs with the district's instructional programs through collaboration with teachers
3. Select materials for school and district libraries
4. Develop and deliver staff development programs for school library services

LIBRARY MEDIA CENTERS

5. Coordinate or supervise library programs at the school or district level
6. Plan and conduct a course of instruction for students who assist in the operation of school libraries
7. Supervise classified personnel assigned school library duties
8. Develop procedures for and management of the school and district libraries

The Board also may appoint classified paraprofessionals to serve as library aides or library technicians. Volunteers may assist with school library services in accordance with law, Board policy, and administrative regulation.

(cf. 1240 - Volunteer Assistance)

(cf. 4222 - Teachers Aides/Paraprofessionals)

Hours of Operation

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

With the approval of the Board, a school library may be open at other hours outside the school day, including evenings and Saturdays. Any library open to serve students during evening and Saturday hours shall be under the supervision of a certificated employee who consents to the assignment. (Education Code 18103)

Selection and Evaluation of School Library Materials

Library materials shall include print and electronic resources that align with the curriculum and are accessible to students with varying cognitive or language needs.

Library materials shall be evaluated and selected through a process that invites recommendations from administrators, teachers, other staff, parents/guardians, and students as appropriate.

(cf. 6144 - Controversial Issues)

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

(cf. 6161.11 - Supplementary Instructional Materials)

Library materials shall be continually evaluated in relation to evolving curricula, new formats of materials, new instructional methods, and the needs of students and teachers. Materials that contain outdated subject matter or are no longer appropriate shall be removed.

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

LIBRARY MEDIA CENTERS

All gifts and donations of school library materials shall be subject to the same criteria as materials selected for purchase by the district.

(cf. 1260 - Educational Foundation)

(cf. 3290 - Gifts, Grants and Bequests)

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

(cf. 1312.2 - Complaints Concerning Instructional Materials)

Fees

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

(cf. 3260 - Fees and Charges)

To encourage students to return materials in a timely manner, a nominal fee shall be charged for the late return of materials.

Library Instruction

Teacher librarians and/or classroom teachers shall provide library instruction to develop students' information literacy skills. Such instruction shall be aligned with state academic standards for library instruction and shall prepare students to:

1. Access information by applying knowledge of the organization of libraries, print materials, digital media, and other sources
2. Evaluate and analyze information to determine appropriateness in addressing the scope of inquiry
3. Organize, synthesize, create, and communicate information
4. Integrate information literacy skills into all areas of learning and pursue information independently to become life-long learners

Teacher librarians also may provide support to teachers, administrators, and other staff by identifying instructional materials that will aid in the development of curriculum and instructional activities and by providing information about effective and ethical uses of school library services and equipment.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

LIBRARY MEDIA CENTERS

(cf. 4331 - Staff Development)

(cf. 6141 - Curriculum Development and Evaluation)

Program Evaluation

The Superintendent or designee shall annually assess and report to the Board regarding the condition and use of school libraries. The assessment shall evaluate, at a minimum:

1. Access of students and staff to school libraries during school hours and, as appropriate, access outside the school day
2. The process and frequency by which students are allowed to check out library materials
3. Staffing levels, qualifications, and number of hours worked
4. The quality of the collection at each library, including, but not limited to, the total number of books in the collection, number of books per student, amount expended during the year for the purchase of new resources, and the number of resources discarded and added during the year
5. Any special programs offered at the school to encourage reading and/or library use
6. The adequacy of the facility space and equipment designated for the school library
7. The source(s) and adequacy of funding for school libraries

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

Legal Reference:

EDUCATION CODE

1703 Coordination of district library services by county superintendent

1770-1775 Provision of library services by county superintendent

18100-18203 School libraries

18300-18571 Union high school district/unified school district library district

19335-19336 Reading Initiative Program; recommended books

35021 Volunteer aides

44868-44869 Qualifications and employment of library media teachers

45340-45349 Instructional aides

LIBRARY MEDIA CENTERS

Legal Reference: (continued)

CODE OF REGULATIONS, TITLE 5

16040-16043 School libraries

80023-80023.2 Emergency permits, general requirements

80024.6 Emergency teacher librarian services permit

80026-80026.6 Emergency permits

80053-80053.1 Teacher librarian services credential

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Examples of Model School Library Standards for California Public Schools Supporting Common Core State Standards (CCSS) for English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects, rev. February 2012

Model School Library Standards for California Public Schools: Kindergarten Through Grade Twelve, 2010 (includes standards for student instruction as well as program standards)

Looking at the School Library: An Evaluation Tool, 2003

Recommended Literature: Kindergarten Through Grade Twelve

CALIFORNIA SCHOOL LIBRARY ASSOCIATION PUBLICATIONS

Standards and Guidelines for Strong School Libraries, 2004

WEB SITES

American Association of School Libraries: <http://www.ala.org/aasl>

California Department of Education, School Libraries: <http://www.cde.ca.gov/ci/cr/lb>

California School Library Association: <http://www.csla.net>

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ANIMALS AT SCHOOL

The Board of Trustees recognizes that animals can contribute to the district's instructional program by being effective teaching aids to students and by assisting individuals with disabilities to access district programs and activities. In addition, instruction related to the care and treatment of animals teaches students a sense of responsibility and promotes the humane treatment of living creatures.

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

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

(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)

The Superintendent or designee shall develop rules and procedures to ensure that when animals are brought to school, the health, safety, and welfare of students, staff, and the animals are protected. However, the district assumes no liability for the safety of animals allowed on district property.

(cf. 3320 - Claims and Actions Against the District)

(cf. 3530 - Risk Management/Insurance)

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

(cf. 5141.23 - Asthma Management)

Legal Reference: (see next page)

ANIMALS AT SCHOOL (continued)

Legal Reference:

EDUCATION CODE

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

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

51202 *Instruction in personal and public health and safety*

51540 *Safe and humane treatment of animals at school*

CIVIL CODE

54.1 *Access to public places*

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

GOVERNMENT CODE

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

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

835 *Conditions of liability*

VEHICLE CODE

21113 *Public grounds*

CODE OF REGULATIONS, TITLE 13

1216 *Transportation of property*

UNITED STATES CODE, TITLE 20

1400-1482 *Individuals with Disabilities Education Act*

UNITED STATES CODE, TITLE 29

794 *Rehabilitation Act of 1973, Section 504*

CODE OF FEDERAL REGULATIONS, TITLE 28

35.104 *Definitions*

35.136 *Service animals*

COURT DECISIONS

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

Management Resources:

FEDERAL REGISTER

Rules and Regulations, September 15, 2010, Vol. 75, Number 178, pages 56164-56236

CSBA PUBLICATIONS

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

Asthma Management in the Schools, Policy Brief, March 2008

WEB SITES:

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

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

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

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

ANIMALS AT SCHOOL

Use of Animals for Instructional Purposes

Before any student or employee brings an animal to school for an instructional purpose, he/she shall receive written permission from the principal or designee. The principal or designee shall give such permission only after he/she has provided written notification to all parents/guardians of students in the affected class, asking them to verify whether their child has any known allergies, asthma, or other health condition that may be aggravated by the animal's presence. When a parent/guardian has provided notification that his/her child has an allergy, asthma, or other health condition that may be aggravated by the animal, the principal shall take appropriate measures to protect the student from exposure to the animal.

(cf. 3514 - Environmental Safety)

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

(cf. 5141.23 - Asthma Management)

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

All animals brought to school shall be adequately fed, effectively controlled, humanely treated, and properly housed in cages or containers suitable for the species. The teacher shall ensure that cages and containers are cleaned regularly and that waste materials are removed and disposed of in an appropriate manner.

(cf. 5141 - Health Care and Emergencies)

(cf. 5142 - Safety)

The teacher shall ensure that students receive instructions regarding the proper handling of and personal hygiene around animals.

(cf. 5141.22 - Infectious Diseases)

Except for service animals, as defined below, all animals are prohibited on school transportation services. (Education Code 39839; 13 CCR 1216)

(cf. 3541.2 - Transportation for Students with Disabilities)

(cf. 5131.1 - Bus Conduct)

Use of Service Animals by Individuals with Disabilities

For an individual with a disability, *service animal* means any dog that is individually trained to do work or perform tasks related to the individual's disability and for his/her benefit. For example, for an individual who is blind or has low vision, a service animal would mean a dog that helps him/her with vision, navigation, and other tasks; for an individual who is deaf or

ANIMALS AT SCHOOL (continued)

hard of hearing, a service animal would mean a dog that alerts him/her to the presence of people or sounds; and for an individual with psychiatric or neurological disabilities, a service animal would mean a dog that assists him/her by preventing or interrupting impulsive or destructive behaviors. (28 CFR 35.104)

Individuals with disabilities may be accompanied on school premises and on school transportation by service animals, including specially trained guide dogs, signal dogs, or service dogs. (Education Code 39839; Civil Code 54.2; 28 CFR 35.136)

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

(cf. 3541.2 - Transportation for Students with Disabilities)

(cf. 6159 - Individualized Education Program)

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

The Superintendent or designee may permit the use of a miniature horse as a service animal when the horse has been individually trained to do work or perform tasks for the benefit of an individual with a disability, provided that: (28 CFR 35.136)

1. The district's facility can accommodate the type, size, and weight of the horse.
2. The individual has sufficient control of the horse.
3. The horse is housebroken.
4. The horse's presence in the specific facility does not compromise legitimate safety requirements of the facility.

The Superintendent or designee may ask any individual with a disability to remove his/her service animal from school premises or transportation if the animal is out of control and the individual does not take effective action to control it or the animal is not housebroken. When an individual's service animal is excluded, he/she shall be given an opportunity to participate in the service, program, or activity without having the service animal present. (Education Code 39839; Civil Code 54.2; 28 CFR 35.136)

STUDENT USE OF TECHNOLOGY

The Board of Trustees intends that technological resources provided by the district be used in a safe and responsible manner in support of the instructional program and for the advancement of student learning. All students using these resources shall receive instruction in their proper and appropriate use.

(cf. [0440](#) - *District Technology Plan*)
(cf. [1113](#) - *District and School Web Sites*)
(cf. [1114](#) - *District-Sponsored Social Media*)
(cf. [4040](#) - *Employee Use of Technology*)
(cf. [6163.1](#) - *Library Media Centers*)

Teachers, administrators, and/or library media specialists are expected to review the technological resources and online sites that will be used in the classroom or assigned to students in order to ensure that they are appropriate for the intended purpose and the age of the students.

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

District technology includes, but is not limited to, computers, the district's computer network including servers and wireless computer networking technology (wi-fi), the Internet, email, USB drives, wireless access points (routers), tablet computers, smartphones and smart devices, telephones, cellular telephones, personal digital assistants, pagers, MP3 players, wearable technology, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through district-owned or personally owned equipment or devices.

Before a student is authorized to use district technology, the student and his/her parent/guardian shall sign and return the Acceptable Use Agreement. In that agreement, the parent/guardian shall agree not to hold the district or any district staff responsible for the failure of any technology protection measures or user mistakes or negligence and shall agree to indemnify and hold harmless the district and district staff for any damages or costs incurred.

(cf. [6162.6](#) - *Use of Copyrighted Materials*)

The district reserves the right to monitor student use of technology within the jurisdiction of the district without advance notice or consent. Students shall be informed that their use of district technology, including, but not limited to, computer files, email, text messages, instant messaging, and other electronic communications, is not private and may be accessed by the district for the purpose of ensuring proper use. Students have no reasonable expectation of privacy in use of the district technology. Students' personally owned devices shall not be

STUDENT USE OF TECHNOLOGY (continued)

searched except in cases where there is a reasonable suspicion, based on specific and objective facts, that the search will uncover evidence of a violation of law, district policy, or school rules.

(cf. [5145.12](#) - *Search and Seizure*)

The Superintendent or designee may gather and maintain information pertaining directly to school safety or student safety from the social media activity of any district student in accordance with Education Code [49073.6](#) and BP/AR 5125 - Student Records.

(cf. [5125](#) - *Student Records*)

Whenever a student is found to have violated Board policy or the district's Acceptable Use Agreement, the principal or designee may cancel or limit a student's user privileges or increase supervision of the student's use of the district's equipment and other technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Board policy.

(cf. [5125.2](#) - *Withholding Grades, Diploma or Transcripts*)

(cf. [5144](#) - *Discipline*)

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

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

The Superintendent or designee, with input from students and appropriate staff, shall regularly review and update procedures to enhance the safety and security of students using district technology and to help ensure that the district adapts to changing technologies and circumstances.

Internet Safety

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. (20 USC [6777](#); 47 USC 254; 47 CFR [54.520](#))

To reinforce these measures, the Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities.

Note: "Inappropriate matter" is not defined in the law and the determination of what matter is considered inappropriate for minors is a local decision to be made by the district. Penal Code [313](#) provides a definition of "harmful matter" as specified below. Districts that have adopted their own definition should revise the following paragraph as appropriate.

STUDENT USE OF TECHNOLOGY (continued)

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

The district's Acceptable Use Agreement shall establish expectations for appropriate student conduct when using the Internet or other forms of electronic communication, including, but not limited to, prohibitions against:

1. Accessing, posting, submitting, publishing, or displaying harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs

(cf. [5131](#) - Conduct)

(cf. [5131.2](#) - Bullying)

(cf. [5145.3](#) - Nondiscrimination/Harassment)

(cf. [5145.7](#) - Sexual Harassment)

(cf. [5145.9](#) - Hate-Motivated Behavior)

2. Intentionally uploading, downloading, or creating computer viruses and/or maliciously attempting to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking"

Note: Penal Code [653.2](#) makes it a crime for a person to distribute another person's personal identification information electronically with the intent to cause harassment by a third party or to threaten a person's safety or that of his/her family (e.g., placing a person's picture or address online so that he/she receives harassing messages).

3. Distributing personal identification information, including the name, address, telephone number, Social Security number, or other personally identifiable information, of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person

The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting one's own personal identification information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

Legal Reference: See next page

STUDENT USE OF TECHNOLOGY (continued)

Legal Reference:

EDUCATION CODE

[49073.6](#) Student records; social media

[51006](#) Computer education and resources

[51007](#) Programs to strengthen technological skills

[60044](#) Prohibited instructional materials

PENAL CODE

[313](#) Harmful matter

[502](#) Computer crimes, remedies

[632](#) Eavesdropping on or recording confidential communications

[653.2](#) Electronic communication devices, threats to safety

UNITED STATES CODE, TITLE 15

6501-6506 Children's Online Privacy Protection Act

UNITED STATES CODE, TITLE 20

[6751-6777](#) Enhancing Education Through Technology Act, Title II, Part D, especially:

[6777](#) Internet safety

UNITED STATES CODE, TITLE 47

254 Universal service discounts (E-rate)

CODE OF FEDERAL REGULATIONS, TITLE 16

[312.1-312.12](#) Children's Online Privacy Protection Act

CODE OF FEDERAL REGULATIONS, TITLE 47

[54.520](#) Internet safety policy and technology protection measures, E-rate discounts

COURT DECISIONS

New Jersey v. T.L.O., (1985) 469 U.S. 325

Management Resources:

CSBA PUBLICATIONS

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

FEDERAL TRADE COMMISSION PUBLICATIONS

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

WEB SITES

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

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

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

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

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

Federal Trade Commission, Children's Online Privacy

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

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

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STUDENT USE OF TECHNOLOGY**ACCEPTABLE USE AGREEMENT AND RELEASE OF DISTRICT FROM LIABILITY
(STUDENTS)**

The BIGGS UNIFIED SCHOOL DISTRICT authorizes students to use technology owned or otherwise provided by the district as necessary for instructional purposes. The use of district technology is a privilege permitted at the district's discretion and is subject to the conditions and restrictions set forth in applicable Board policies, administrative regulations, and this Acceptable Use Agreement. The district reserves the right to suspend access at any time, without notice, for any reason.

The district expects all students to use technology responsibly in order to avoid potential problems and liability. The district may place reasonable restrictions on the sites, material, and/or information that students may access through the system.

Each student who is authorized to use district technology and his/her parent/guardian shall sign this Acceptable Use Agreement as an indication that they have read and understand the agreement.

Definitions

District technology includes, but is not limited to, computers, the district's computer network including servers and wireless computer networking technology (wi-fi), the Internet, email, USB drives, wireless access points (routers), tablet computers, smartphones and smart devices, telephones, cellular telephones, personal digital assistants, pagers, MP3 players, wearable technology, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through district-owned or personally owned equipment or devices.

Student Obligations and Responsibilities

Students are expected to use district technology safely, responsibly, and for educational purposes only. The student in whose name district technology is issued is responsible for its proper use at all times. Students shall not share their assigned online services account information, passwords, or other information used for identification and authorization purposes, and shall use the system only under the account to which they have been assigned.

Students are prohibited from using district technology for improper purposes, including, but not limited to, use of district technology to:

1. Access, post, display, or otherwise use material that is discriminatory, libelous, defamatory, obscene, sexually explicit, or disruptive

STUDENT USE OF TECHNOLOGY (continued)

2. Bully, harass, intimidate, or threaten other students, staff, or other individuals ("cyberbullying")
3. Disclose, use, or disseminate personal identification information (such as name, address, telephone number, Social Security number, or other personal information) of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person
4. Infringe on copyright, license, trademark, patent, or other intellectual property rights
5. Intentionally disrupt or harm district technology or other district operations (such as destroying district equipment, placing a virus on district computers, adding or removing a computer program without permission from a teacher or other district personnel, changing settings on shared computers)
6. Install unauthorized software
7. "Hack" into the system to manipulate data of the district or other users
8. Engage in or promote any practice that is unethical or violates any law or Board policy, administrative regulation, or district practice

Privacy

Since the use of district technology is intended for educational purposes, students shall not have any expectation of privacy in any use of district technology.

The district reserves the right to monitor and record all use of district technology, including, but not limited to, access to the Internet or social media, communications sent or received from district technology, or other uses. Such monitoring/recording may occur at any time without prior notice for any legal purposes including, but not limited to, record retention and distribution and/or investigation of improper, illegal, or prohibited activity. Students should be aware that, in most instances, their use of district technology (such as web searches and emails) cannot be erased or deleted.

All passwords created for or used on any district technology are the sole property of the district. The creation or use of a password by a student on district technology does not create a reasonable expectation of privacy.

Personally Owned Devices

If a student uses a personally owned device to access district technology, he/she shall abide by all applicable Board policies, administrative regulations, and this Acceptable Use Agreement. Any such use of a personally owned device may subject the contents of the

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device and any communications sent or received on the device to disclosure pursuant to a lawful subpoena or public records request.

Reporting

If a student becomes aware of any security problem (such as any compromise of the confidentiality of any login or account information) or misuse of district technology, he/she shall immediately report such information to the teacher or other district personnel.

Consequences for Violation

Violations of the law, Board policy, or this agreement may result in revocation of a student's access to district technology and/or discipline, up to and including suspension or expulsion. In addition, violations of the law, Board policy, or this agreement may be reported to law enforcement agencies as appropriate.

Student Acknowledgment

I have received, read, understand, and agree to abide by this Acceptable Use Agreement and other applicable laws and district policies and regulations governing the use of district technology. I understand that there is no expectation of privacy when using district technology. I further understand that any violation may result in loss of user privileges, disciplinary action, and/or appropriate legal action.

Name: _____ Grade: _____
(Please print)

School: _____

Signature: _____ Date: _____

Parent or Legal Guardian Acknowledgment

If the student is under 18 years of age, a parent/guardian must also read and sign the agreement.

As the parent/guardian of the above-named student, I have read, understand, and agree that my child shall comply with the terms of the Acceptable Use Agreement. By signing this Agreement, I give permission for my child to use district technology and/or to access the school's computer network and the Internet. I understand that, despite the district's best efforts, it is impossible for the school to restrict access to all offensive and controversial materials. I agree to release from liability, indemnify, and hold harmless the school, district,

STUDENT USE OF TECHNOLOGY

and district personnel against all claims, damages, and costs that may result from my child's use of district technology or the failure of any technology protection measures used by the district. Further, I accept full responsibility for supervision of my child's use of his/her access account if and when such access is not in the school setting.

Name: _____ Date: _____
(Please print)

Signature: _____

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STUDENT USE OF TECHNOLOGY

The principal or designee shall oversee the maintenance of each school's technological resources and may establish guidelines and limits on their use. All instructional staff shall receive a copy of this administrative regulation, the accompanying Board policy, and the district's Acceptable Use Agreement describing expectations for appropriate use of the system and shall also be provided with information about the role of staff in supervising student use of technological resources. All students using these resources shall receive instruction in their proper and appropriate use.

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

Teachers, administrators, and/or library media specialists shall prescreen technological resources and online sites that will be used for instructional purposes to ensure that they are appropriate for the intended purpose and the age of the students.

(cf. 6163.1 - Library Media Centers)

Online/Internet Services: User Obligations and Responsibilities

Students are authorized to use district equipment to access the Internet or other online services in accordance with Board policy, the user obligations and responsibilities specified below, and the district's Acceptable Use Agreement.

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

(cf. 5131 - Conduct)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

STUDENT USE OF TECHNOLOGY (continued)

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

4. Unless otherwise instructed by school personnel, students shall not disclose, use, or disseminate personal identification information about themselves or others when using email, chat rooms, or other forms of direct electronic communication. Students also shall be cautioned not to disclose such information by other means to individuals contacted through the Internet without the permission of their parents/guardians.

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

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

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 5131.6 - Alcohol and Other Drugs)

6. Students shall not use the system to engage in commercial or other for-profit activities.
7. Students shall not use the system to threaten, intimidate, harass, or ridicule other students or staff.
8. Copyrighted material shall be posted online only in accordance with applicable copyright laws. Any materials utilized for research projects should be given proper credit as with any other printed source of information.

(cf. 5131.9 - Academic Honesty)

(cf. 6162.6 - Use of Copyrighted Materials)

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

(cf. 5131.5 - Vandalism and Graffiti)

10. Students shall not attempt to interfere with other users' ability to send or receive email, nor shall they attempt to read, delete, copy, modify, or use another individual's identity.

STUDENT USE OF TECHNOLOGY (continued)

11. Students shall report any security problem or misuse of the services to the teacher or principal.

The district reserves the right to monitor use of the district's systems for improper use without advance notice or consent. Students shall be informed that computer files and electronic communications, including email, are not private and may be accessed by the district for the purpose of ensuring proper use.

(cf. 5145.12 - Search and Seizure)

Whenever a student is found to have violated Board policy, administrative regulation, or the district's Acceptable Use Agreement, the principal or designee may cancel or limit a student's user privileges or increase supervision of the student's use of the district's technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Board policy.

(cf. 5144 - Discipline)

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

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

GUIDANCE/COUNSELING SERVICES

The Board of Trustees recognizes that a structured, coherent and comprehensive counseling program promotes academic achievement and serves the diverse needs of all district students. Counseling staff shall be available to provide students with individualized reviews of their educational progress toward academic and/or career and vocational goals and, as appropriate, may discuss social, personal, or other issues that may impact student learning.

The Superintendent or designee shall ensure that all persons employed to provide school counseling, school psychology, and/or school social work services shall possess the appropriate credential from the Commission on Teacher Credentialing authorizing their employment in such positions. Responsibilities of each position shall be clearly defined in a job description.

(cf. [4112.2](#) - *Certification*)

Responsibilities of school counselors include, but are not limited to:

1. Engaging with, advocating for, and providing support for all students with respect to learning and achievement
2. Planning, implementing, and evaluating programs to promote the academic, career, personal, and social development of all students, including students from low-income families, foster youth, homeless youth, undocumented youth, and students at all levels of academic, social, and emotional abilities
3. Using multiple sources of information to monitor and improve student behavior and achievement
4. Collaborating and coordinating with school and community resources
5. Promoting and maintaining a safe learning environment for all students by providing restorative justice practices, positive behavior interventions, and support services

(cf. [5131](#) - *Conduct*)

(cf. [5131.2](#) - *Bullying*)

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

(cf. [5144](#) - *Discipline*)

6. Intervening to ameliorate school-related problems, including issues related to chronic absences

(cf. [5113.1](#) - *Chronic Absence and Truancy*)

7. Using research-based strategies to reduce stigma, conflict, and student-to-student mistreatment and bullying

GUIDANCE/COUNSELING SERVICES (continued)

8. Improving school climate and student well-being

(cf. [5137](#) - *Positive School Climate*)

9. Enhancing students' social and emotional competence, character, health, civic engagement, cultural legacy, and commitment to lifelong learning and the pursuit of high-quality educational programs

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

10. Providing counseling interventions and support services for students classified as English learners, eligible for free or reduced-priced meals, or foster youth, including enhancing equity and access to the education system and community services

(cf. [0460](#) - *Local Control and Accountability Plan*)

(cf. [6173](#) - *Education for Homeless Children*)

(cf. [6173.1](#) - *Education for Foster Youth*)

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

11. Engaging in continued development as a professional school counselor

(cf. [4131](#) - *Staff Development*)

Educational Counseling

Beginning in grade 7, parents/guardians shall receive a general notice at least once before career counseling and course selection so that they may participate in the counseling sessions and decisions. (Education Code [221.5](#))

(cf. [5145.6](#) - *Parental Notifications*)

The educational counseling program shall include academic counseling in the following areas: (Education Code [49600](#))

1. Development and implementation, with parent/guardian involvement, of the student's immediate and long-range educational plans
2. Optimizing progress towards achievement of proficiency standards
3. Completion of the required curriculum in accordance with the student's needs, abilities, interests, and aptitudes

GUIDANCE/COUNSELING SERVICES (continued)

4. Academic planning for access and success in higher education programs, including advisement on courses needed for admission to public colleges and universities, standardized admissions tests, and financial aid
5. Career and vocational counseling, in which students are assisted in doing all of the following:
 - a. Planning for the future, including, but not limited to, identifying personal interests, skills, and abilities, career planning, course selection, and career transition
 - b. Becoming aware of personal preferences and interests that influence educational and occupational exploration, career choice, and career success
 - c. Developing realistic perceptions of work, the changing work environment, and the effect of work on lifestyle
 - d. Understanding the relationship between academic achievement and career success, and the importance of maximizing career options
 - e. Understanding the value of participating in career technical education and work-based learning activities and programs, including, but not limited to, service learning, regional occupational centers and programs, partnership programs, job shadowing, and mentoring experiences

(cf. [6178](#) - *Career Technical Education*)

(cf. [6178.1](#) - *Work-Based Learning*)

(cf. [6178.2](#) - *Regional Occupational Center/Program*)

- f. Understanding the need to develop essential employable skills and work habits
- g. Understanding the variety of four-year colleges and universities and community college vocational and technical preparation programs, as well as admission criteria and enrollment procedures

The district's educational counseling program also may include, but not be limited to, identification of students who are at risk of not graduating with the rest of their class, development of a list of coursework and experience necessary to assist students to satisfy the curricular requirements for college admission and successfully transition to postsecondary education or employment, and counseling regarding available options for a student to continue his/her education if he/she fails to meet graduation requirements.

GUIDANCE/COUNSELING SERVICES (continued)

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

(cf. [6184](#) - Continuation Education)

No counselor shall unlawfully discriminate against any student. Guidance counseling regarding school programs and career, vocational, or higher education opportunities shall not be differentiated on the basis of any protected category specified in BP 0410 - Nondiscrimination in District Programs and Activities.

(cf. [0410](#) - Nondiscrimination in District Programs and Activities)
(cf. [5145.3](#) - Nondiscrimination/Harassment)

In addition, counselors shall affirmatively explore with students the possibility of careers, or courses leading to careers, that are nontraditional for that student's sex. (Education Code [221.5](#))

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

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

(cf. [5125.1](#) - Release of Directory Information)

Personal or Mental Health Counseling

A school counselor, school psychologist, or school social worker may provide individualized personal, mental health, or family counseling to students in accordance with the specialization(s) authorized by his/her credential. Such services may include, but are not limited to, support related to the student's social and emotional development, behavior, substance abuse, mental health assessment, depression, or mental illness. As appropriate, students and their parents/guardians shall be informed about community agencies, organizations, or health care providers that offer qualified professional assistance.

(cf. [1020](#) - Youth Services)
(cf. [5113](#) - Absences and Excuses)
(cf. [5131.6](#) - Alcohol and Other Drugs)
(cf. [5141.4](#) - Child Abuse Prevention and Reporting)
(cf. [5141.6](#) - School Health Services)
(cf. [5145.9](#) - Hate-Motivated Behavior)
(cf. [5147](#) - Dropout Prevention)
(cf. [6164.5](#) - Student Success Teams)

GUIDANCE/COUNSELING SERVICES (continued)

Written parent/guardian consent shall be obtained before mental health counseling or treatment services are provided to a student, except when the student is authorized to consent to the service pursuant to Family Code [6920-6929](#), Health and Safety Code 124260, or other applicable law.

Any information of a personal nature disclosed to a school counselor by a student age 12 years or older or by his/her parent/guardian is confidential and shall not become part of the student record without the written consent of the person who disclosed the confidential information. The information shall not be revealed, released, discussed, or referred to except under the limited circumstances specified in Education Code [49602](#). (Education Code [49602](#))

(cf. [5022](#) - *Student and Family Privacy Rights*)

(cf. [5125](#) - *Student Records*)

A counselor shall consult with the Superintendent or designee and, as appropriate, with the district's legal counsel whenever unsure of how to respond to a student's personal problem or when questions arise regarding the possible release of confidential information regarding a student.

Crisis Counseling

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

(cf. [0450](#) - *Comprehensive Safety Plan*)

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

In addition, the Superintendent or designee shall identify crisis counseling resources to train district staff in effective threat assessment, appropriate response techniques, and/or methods to directly help students cope with a crisis if it occurs.

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

(cf. [5136](#) - *Gangs*)

(cf. [5141.52](#) - *Suicide Prevention*)

Teacher-Based Advisory Program

The Board recognizes that a supportive, ongoing relationship with a caring adult can provide a student with valuable advice, enhance student-teacher relationships, and build the student's

GUIDANCE/COUNSELING SERVICES (continued)

feelings of connectedness with the school. The Board authorizes the development of a teacher-based advisory program in which teachers advise students in such areas as academic planning, character development, conflict resolution, and self-esteem. Any teacher participating in this program shall be under the supervision of a credentialed school counselor as appropriate, receive related information and training, and be subject to this Board policy and law, including requirements pertaining to student confidentiality and nondiscrimination.

(cf. [4131](#) - Staff Development)

*Legal Reference:*EDUCATION CODE

[221.5](#) Prohibited sex discrimination

[44266](#) Pupil personnel services credential

[48431](#) Establishing and maintaining high school guidance and placement program

[49600-49604](#) Educational counseling

[51250-51251](#) School age military dependents

[51513](#) Personal beliefs

FAMILY CODE

[6920-6929](#) Consent by minor for treatment or counseling

HEALTH AND SAFETY CODE

[124260](#) Mental health services; consent by minors age 12 and older

PENAL CODE

[11166-11170](#) Reporting known or suspected cases of child abuse

WELFARE AND INSTITUTIONS CODE

[5850-5883](#) Mental Health Services Act

CODE OF REGULATIONS, TITLE 5

[4930-4931](#) Counseling

[80049-80049.1](#) Pupil personnel services credential

[80632-80632.5](#) Preparation programs for pupil personnel services

UNITED STATES CODE, TITLE 10

[503](#) Military recruiter access to directory information

UNITED STATES CODE, TITLE 20

[1232g](#) Family Educational Rights and Privacy Act

[7908](#) Armed forces recruiter access to students and student recruiting information

CODE OF FEDERAL REGULATIONS, TITLE 34

[99.1-99.67](#) Family educational rights and privacy

*Management Resources:*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California Results-Based School Counseling and Student Support Guidelines, 2007

WEB SITES

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

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

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

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

U.S. Department of Education, access to military

recruiters: <http://www.ed.gov/policy/gen/guid/fpco/hottopics/ht10-09-02.html>

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GUIDANCE/COUNSELING SERVICES (continued)

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Policy
adopted: January 4, 2012
revised: April 2, 2014
revised: June 29, 2016

BIGGS UNIFIED SCHOOL DISTRICT
Biggs, California

STUDENT SUCCESS TEAMS

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

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

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

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

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

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

Legal Reference: (see next page)

STUDENT SUCCESS TEAMS (continued)

Legal Reference:

EDUCATION CODE

8800-8807 *Healthy Start support services for children*

41505-41508 *Pupil Retention Block Grant*

48260-48273 *Truancy*

48400-48454 *Continuation education*

49600-49604 *Educational counseling*

51745-51749.3 *Independent study programs*

52200-52212 *Gifted and talented student programs*

54400-54425 *Programs for disadvantaged children*

54440-54445 *Migrant children*

WELFARE AND INSTITUTIONS CODE

4343-4352.5 *Primary interventions program, mental health*

18986.40-18986.46 *Interagency children's services*

Management Resources:

CDE PUBLICATIONS

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

Student Success Teams: Supporting Teachers in General Education, 1997

CALIFORNIA DROPOUT PREVENTION NETWORK PUBLICATIONS

SST: Student Success Teams, 2000

WEB SITES

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

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

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

STUDENT SUCCESS TEAMS

Team Membership

Members of individual student success teams may include:

1. The principal or designee
2. One or more of the student's classroom teachers or former teachers
3. The student's parents/guardians
4. The student if appropriate
5. Resource personnel or specialists, such as a school counselor, psychologist, nurse, outreach consultant, special education resource person, categorically funded staff person, department chairperson, speech and language specialist, reading specialist, social worker, probation officer, community resource representative, mental health worker or other person relevant to the student's situation

Team Responsibilities

The principal or designee shall:

1. Schedule meetings and establish meeting procedures
2. Contact parents/guardians and other team members regarding team meetings
3. Consult with appropriate school or district resource personnel
4. Arrange for observation of the student in the problem situation as needed
5. Collect any additional background information necessary to inform team members about the student's strengths and needs
6. Help the student and parents/guardians prepare for the meeting
7. Facilitate the team meetings
8. Ensure that the student's progress is monitored and that follow-up meetings are regularly scheduled

Board Policy

Instruction

BP 6164.6(a)

IDENTIFICATION AND EDUCATION UNDER SECTION 504

The Superintendent or designee shall provide identified students with disabilities with a free appropriate public education, as defined under Section 504 of the federal Rehabilitation Act of 1973. Such students shall receive regular or special education and related aids and services designed to meet their individual educational needs as adequately as the needs of nondisabled students are met. (34 CFR 104.33)

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

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

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

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.23 - Asthma Management)

(cf. 5141.24 - Specialized Health Care Services)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

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

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

In addition, qualified students with disabilities shall be provided an equal opportunity to participate in programs and activities that are integral components of the district's basic education program, including, but not limited to, extracurricular athletics, interscholastic sports, and/or other nonacademic activities. (34 CFR 104.37)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6145.5 - Student Organizations and Equal Access)

In providing services to students with disabilities under Section 504, the Superintendent or designee shall ensure district compliance with law, including providing the students and their parents/guardians with applicable procedural safeguards and required notifications. Any dispute as to the identification, evaluation, or placement of any student with a disability shall be resolved in accordance with the processes specified in the "Procedural Safeguards" section of the accompanying administrative regulation.

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

Legal Reference:

EDUCATION CODE

49423.5 *Specialized physical health care services*

CODE OF REGULATIONS, TITLE 5

3051.12 *Health and Nursing Services*

UNITED STATES CODE, TITLE 20

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

1400-1482 *Individuals with Disabilities Education Act*

UNITED STATES CODE, TITLE 29

705 *Definitions; Vocational Rehabilitation Act*

794 *Rehabilitation Act of 1973, Section 504*

UNITED STATES CODE, TITLE 42

12101-12213 *Americans with Disabilities Act*

CODE OF FEDERAL REGULATIONS, TITLE 34

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

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

104.3 *Definitions*

104.32 *Location and notification*

104.33 *Free appropriate public education*

104.34 *Educational setting*

104.35 *Evaluation and placement*

104.36 *Procedural safeguards*

COURT DECISIONS

Christopher S. v. Stanislaus County Office of Education, (2004) 384 F.3d 1205

Management Resources:

CSBA PUBLICATIONS

Rights of Students with Diabetes Under IDEA and Section 504, Policy Brief, November 2007

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007

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

Dear Colleague Letter; January 2013

Dear Colleague Letter and Questions and Answers on ADA Amendments Act of 2008 for Students with Disabilities Attending Public Elementary and Secondary Schools; January 2012

Free Appropriate Public Education for Students with Disabilities: Requirements under Section 504 of the Rehabilitation Act of 1973, September 2007

WEB SITES

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

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

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

Policy
adopted: January 4, 2012
revised: June 5, 2013

BIGGS UNIFIED SCHOOL DISTRICT
Biggs, California

Administrative Regulation

Instruction

AR 6164.6(a)

IDENTIFICATION AND EDUCATION UNDER SECTION 504

The Superintendent designates the following position as the district's 504 Coordinator to implement the requirements of Section 504 of the federal Rehabilitation Act of 1973: (34 CFR 104.7)

Site Principal

(position title)

300 B Street, Biggs, CA 95917

(address)

(530) 868-1281

(telephone number)

Definitions

For the purpose of implementing Section 504 of the Rehabilitation Act of 1973, the following terms and phrases shall have only the meanings specified below:

Free appropriate public education (FAPE) means the provision of regular or special education and related aids and services designed to meet the individual educational needs of a student with disabilities as adequately as the needs of nondisabled students are met, without cost to the student or his/her parent/guardian, except when a fee is imposed on nondisabled students. (34 CFR 104.33)

(cf. 3260 - Fees and Charges)

Student with a disability means a student who has a physical or mental impairment which substantially limits one or more major life activities. (34 CFR 104.3)

Physical impairment means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal, special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genito-urinary; hemic and lymphatic; skin; and endocrine. (34 CFR 104.3)

Mental impairment means any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. (34 CFR 104.3)

Substantially limits major life activities means limiting a person's ability to perform functions such as caring for himself/herself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. *Major life activities* also includes major bodily functions such as functions of the immune system, normal cell growth, and digestive, bowel,

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. *Substantially limits* shall be determined without regard to the ameliorative effects of mitigating measures other than ordinary eyeglasses or contact lenses. Mitigating measures include, but are not limited to, medications, prosthetic devices, assistive devices, learned behavioral, or adaptive neurological modifications which an individual may use to eliminate or reduce the effects of an impairment. (42 USC 12102; 34 CFR 104.3)

Referral, Identification, and Evaluation

Any action or decision to be taken by the district involving the referral, identification, or evaluation of a student with disabilities shall be in accordance with the following procedures:

1. A parent/guardian, teacher, other school employee, student success team, or community agency may refer a student to the principal or 504 Coordinator for identification as a student with a disability under Section 504.

(cf. 6164.5 - Student Success Teams)

2. Upon receipt of any such referral, the principal, 504 Coordinator, or other qualified individual with expertise in the area of the student's suspected disability shall consider the referral and determine whether an evaluation is appropriate. This determination shall be based on a review of the student's school records, including those in academic and nonacademic areas of the school program; consultation with the student's teacher(s), other professionals, and the parent/guardian, as appropriate; and analysis of the student's needs.

If it is determined that an evaluation is unnecessary, the principal or 504 Coordinator shall inform the parents/guardians in writing of this decision and of the procedural safeguards available, as described in the "Procedural Safeguards" section below.

3. If it is determined that the student needs or is believed to need special education or related services under Section 504, the district shall conduct an evaluation of the student prior to his/her initial placement. (34 CFR 104.35)

Prior to conducting an initial evaluation of a student for eligibility under Section 504, the district shall obtain written parent/guardian consent.

The district's evaluation procedures shall ensure that the tests and other evaluation materials: (34 CFR 104.35)

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

- a. Have been validated and are administered by trained personnel in conformance with the instruction provided by the test publishers
- b. Are tailored to assess specific areas of educational need and are not merely designed to provide a single general intelligence quotient
- c. Reflect the student's aptitude or achievement or whatever else the tests purport to measure rather than his/her impaired sensory, manual, or speaking skills, except where those skills are the factors that the tests purport to measure

Section 504 Services Plan and Placement

Services and placement decisions for students with disabilities shall be determined as follows:

1. A multi-disciplinary 504 team shall be convened to review the evaluation data in order to make placement decisions.

The 504 team shall consist of a group of persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. (34 CFR 104.35)

In interpreting evaluation data and making placement decisions, the team shall draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior. The team shall also ensure that information obtained from all such sources is documented and carefully considered and that the placement decision is made in conformity with 34 CFR 104.34. (34 CFR 104.35)

2. If, upon evaluation, a student is determined to be eligible for services under Section 504, the team shall meet to develop a written 504 services plan which shall specify the types of regular or special education services, accommodations, and supplementary aids and services necessary to ensure that the student receives FAPE.

The parents/guardians shall be invited to participate in the meeting and shall be given an opportunity to examine all relevant records.

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

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.23 - Asthma Management)

(cf. 5141.24 - Specialized Health Care Services)

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

3. If the 504 team determines that no services are necessary for the student, the record of the team's meeting shall reflect whether or not the student has been identified as a disabled person under Section 504 and shall state the basis for the determination that no special services are presently needed. The student's parent/guardian shall be informed in writing of his/her rights and procedural safeguards, as described in the "Procedural Safeguards" section below.
4. The student shall be placed in the regular educational environment, unless the district can demonstrate that the education of the student in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. The student shall be educated with those who are not disabled to the maximum extent appropriate to his/her individual needs. (34 CFR 104.34)
5. The district shall complete the identification, evaluation, and placement process within a reasonable time frame.
6. A copy of the student's Section 504 services plan shall be kept in his/her student record. The student's teacher(s) and any other staff who provide services to the student shall be informed of the plan's requirements.

If a student transfers to another school within the district, the principal or designee at the school from which the student is transferring shall ensure that the principal or designee at the new school receives a copy of the plan prior to the student's enrollment in the new school.

(cf. 5125 - Student Records)

Review and Reevaluation

The 504 team shall monitor the progress of the student and, at least annually, shall review the effectiveness of the student's Section 504 services plan to determine whether the services are appropriate and necessary and whether the student's needs are being met as adequately as the needs of nondisabled students. In addition, each student with a disability under Section 504 shall be reevaluated at least once every three years.

A reevaluation of the student's needs shall be conducted before any subsequent significant change in placement. (34 CFR 104.35)

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

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

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

Procedural Safeguards

The Superintendent or designee shall notify the parents/guardians of students with disabilities of all actions and decisions by the district regarding the identification, evaluation, or educational placement of their children. He/she also shall notify the parents/guardians of all the procedural safeguards available to them if they disagree with the district's action or decision, including an opportunity to examine all relevant records and an impartial hearing in which they shall have the right to participate. (34 CFR 104.36)

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

If a parent/guardian disagrees with any district action or decision regarding the identification, evaluation, or educational placement of his/her child under Section 504, he/she may request a Section 504 due process hearing within 30 days of that action or decision.

Prior to requesting a Section 504 due process hearing, the parent/guardian may, at his/her discretion, but within 30 days of the district's action or decision, request an administrative review of the action or decision. The Coordinator shall designate an appropriate administrator to meet with the parent/guardian to attempt to resolve the issue and the administrative review shall be held within 14 days of receiving the parent/guardian's request. If the parent/guardian is not satisfied with the resolution of the issue, he/she may request a Section 504 due process hearing.

Section 504 due process hearing shall be conducted in accordance with the following procedures:

1. The parent/guardian shall submit a written request to the Coordinator within 30 days of receiving the district's decision or, if an administrative review is held, within 14 days of the completion of the review. The request for the due process hearing shall include:
 - a. The specific nature of the decision with which he/she disagrees
 - b. The specific relief he/she seeks
 - c. Any other information he/she believes is pertinent to resolving the disagreement
2. Within 30 days of receiving the parent/guardian's request, the Superintendent or designee and 504 Coordinator shall select an impartial hearing officer. This 30-day deadline may be extended for good cause or by mutual agreement of the parties.

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

3. Within 45 days of the selection of the hearing officer, the Section 504 due process hearing shall be conducted and a written decision mailed to all parties. This 45-day deadline may be extended for good cause or by mutual agreement of the parties.
4. The parties to the hearing shall be afforded the right to:
 - a. Be accompanied and advised by counsel and by individuals with special knowledge or training related to the problems of students with disabilities under Section 504
 - b. Present written and oral evidence
 - c. Question and cross-examine witnesses
 - d. Receive written findings by the hearing officer stating the decision and explaining the reasons for the decision

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

Notifications

The Superintendent or designee shall ensure that the district has taken appropriate steps to notify students and parents/guardians of the district's duty under Section 504. (34 CFR 104.32)

(cf. 5145.6 - Parental Notifications)

TRANSITIONAL KINDERGARTEN

The Board of Trustees desires to offer a high-quality transitional kindergarten (TK) program for eligible children who do not yet meet the minimum age criterion for kindergarten. The program shall assist TK children in developing the academic, social, and emotional skills they need to succeed in kindergarten and beyond.

The district's TK program shall be the first year of a two-year kindergarten program. (Education Code 48000)

The Board encourages ongoing collaboration among district preschool staff, other preschool providers, elementary teachers, administrators, and parents/guardians in program development, implementation, and evaluation.

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

Eligibility

The district's TK program shall admit children whose fifth birthday is from September 2 through December 2. (Education Code 48000)

Parents/guardians of eligible children shall be notified of the availability of the TK program and the age, residency, immunization, and any other enrollment requirements. Enrollment in the TK program shall be voluntary.

(cf. 5111 - Admission)
(cf. 5111.1 - District Residency)
(cf. 5111.12 - Residency Based on Parent/Guardian Employment)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.3 - Health Examinations)
(cf. 5141.31 - Immunizations)
(cf. 5141.32 - Health Screening for School Entry)

Upon request of a child's parents/guardians, the district may, on a case-by-case basis after the Superintendent or designee determines that it is in the child's best interest, admit into the district's TK program a child whose fifth birthday is on or before September 1 and who is therefore eligible for kindergarten.

The district may, at any time during the school year, admit into the TK program a child whose fifth birthday is after December 2 of that same school year, provided that the Superintendent or designee recommends that enrollment in a TK program is in the child's best interest. Prior to such enrollment, the child's parents/guardians shall be provided information regarding the advantages and disadvantages and any other explanatory information about the effect of early admittance. (Education Code 48000)

TRANSITIONAL KINDERGARTEN (continued)

Curriculum and Instruction

The district's TK program shall be based on a modified kindergarten curriculum that is age and developmentally appropriate. (Education Code 48000)

(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

The program shall be aligned with the preschool learning foundations and preschool curriculum frameworks developed by the California Department of Education. It shall be designed to facilitate students' development in essential skills related to language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.

(cf. 5148.3 - Preschool/Early Childhood Education)
(cf. 6011 - Academic Standards)
(cf. 6174 - Education for English Language Learners)

TK students may be placed in the same classrooms as kindergarten students when necessary, provided that the instructional program is differentiated to meet student needs.

Staffing

The Superintendent or designee shall ensure that teachers assigned to teach in TK classes possess a teaching credential or permit from the Commission on Teacher Credentialing (CTC) that authorizes such instruction.

(cf. 4112.2 - Certification)

A credentialed teacher who is first assigned to a TK class after July 1, 2015, shall, by August 1, 2020, have at least 24 units in early childhood education and/or child development, comparable experience in a preschool setting, and/or a child development teacher permit issued by the CTC. (Education Code 48000)

The Superintendent or designee may provide professional development as needed to ensure that TK teachers are knowledgeable about the standards and effective instructional methods for teaching young children.

(cf. 4131 - Staff Development)

Continuation to Kindergarten

Students who complete the TK program shall be eligible to continue in kindergarten the following school year. Parents/guardians of such students shall not be required to submit a signed Kindergarten Continuance Form for kindergarten attendance.

TRANSITIONAL KINDERGARTEN (continued)

However, whenever children who would otherwise be age-eligible for kindergarten are enrolled in TK, the Superintendent or designee shall obtain a Kindergarten Continuance Form signed by the parent/guardian near the end of the TK year consenting to the child's enrollment in kindergarten the following year.

A student shall not attend more than two years in a combination of TK and kindergarten. (Education Code 46300)

(cf. 5123 - Promotion/Acceleration/Retention)

Assessment

The Superintendent or designee may develop or identify appropriate formal and/or informal assessments of TK students' development and progress. He/she shall monitor and regularly report to the Board regarding program implementation and the progress of students in meeting related academic standards.

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

Legal Reference:

EDUCATION CODE

8973 Extended-day kindergarten

37202 School calendar; equivalency of instructional minutes

44258.9 Assignment monitoring by county superintendent of schools

46111 Kindergarten, hours of attendance

46114-46119 Minimum school day, kindergarten

46300 Computation of ADA, inclusion of kindergarten and transitional kindergarten

48000 Age of admission, kindergarten and transitional kindergarten

48002 Evidence of minimum age required to enter kindergarten or first grade

48200 Compulsory education, starting at age six

Management Resources: (see next page)

TRANSITIONAL KINDERGARTEN (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Transitional Kindergarten FAQs

Desired Results Developmental Profile, 2015

Transitional Kindergarten Implementation Guide: A Resource for California Public School District Administrators and Teachers, 2013

California Preschool Curriculum Framework, Vol. 1, 2010

California Preschool Learning Foundations, Vol. 1, 2008

WEB SITES

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

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

California Kindergarten Association: <http://www.ckanet.org>

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

Transitional Kindergarten California: <http://www.tkcalifornia.org>

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Policy

Adopted: June 5, 2012

Revised: August 12, 2015

Revised: December 14, 2015

BIGGS UNIFIED SCHOOL DISTRICT

Biggs, California

TITLE I PROGRAMS

In order to improve the academic achievement of students from economically disadvantaged families, the district shall use federal Title I funds to provide supplementary services that reinforce the core curriculum and assist students in attaining proficiency on state academic standards and assessments.

- (cf. 5149 - At-Risk Students)*
- (cf. 6011 - Academic Standards)*
- (cf. 6162.5 - Student Assessment)*
- (cf. 6162.51 - Standardized Testing and Reporting Program)*
- (cf. 6162.52 - High School Exit Examination)*

The Superintendent or designee shall provide technical assistance and support to any school participating in the Title I program, including consultation in the development and implementation of school plans and activities. (20 USC 6312)

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

The district and each school receiving Title I funds shall develop a written parent involvement policy in accordance with 20 USC 6318.

- (cf. 6020 - Parent Involvement)*

Local Educational Agency Plan

The Superintendent or designee shall consult with teachers, principals, administrators, other appropriate school personnel, and parents/guardians of participating students in the development, periodic review, and, as necessary, the revision of a local educational agency (LEA) plan. The plan and any revisions shall be submitted to the Board of Trustees for approval. (20 USC 6312)

The plan shall address the components specified in 20 USC 6312, which describe the assessments, strategies, and services the district will use to help low-achieving students meet challenging academic standards.

The initial plan shall be submitted to the California Department of Education (CDE) and approved by the State Board of Education. Subsequent revisions of the plan shall be kept on file in the district.

Comparability of Services

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

TITLE I PROGRAMS (continued)

To demonstrate comparability of services among district schools:

1. The Board shall adopt and implement a districtwide salary schedule.
2. The ratio of students to teachers, administrators, and other staff at each Title I school shall not exceed 110 percent of the average ratio across non-Title I schools.
3. Salary expenditures at each Title I school shall be no less than 90 percent of the average salary expenditure across non-Title I schools.
4. All district schools shall be provided with the same level of base funding per student for curriculum and instructional materials.
5. The Superintendent or designee shall maintain records of the quantity and quality of instructional materials and equipment at each school.

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

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

At the beginning of each school year, the Superintendent or designee shall measure comparability in accordance with the above criteria and maintain records documenting the district's compliance. If any instances of noncomparability are identified, the Superintendent or designee shall promptly implement adjustments as needed to ensure comparability.

Program Evaluation

The Board shall use state assessment results and other available measures or indicators to annually determine whether each participating school is making adequate yearly progress toward ensuring that all students meet the state's proficient level of achievement on state assessments. (20 USC 6316)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.3 - Title I Program Improvement Districts)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference: (see next page)

TITLE I PROGRAMS (continued)

Legal Reference:

EDUCATION CODE

11503 *Parent involvement programs in Title I schools*
52055.57 *Districts identified or at risk of identification for program improvement*
54020-54028 *Economic Impact Aid*
54420-54425 *State Compensatory Education*
64001 *Single plan for student achievement, consolidated application programs*

UNITED STATES CODE, TITLE 20

6301 *Program purpose*
6311-6322 *Improving basic programs for disadvantaged students, including:*
6312 *Local educational agency plan*
6313 *Eligibility of schools and school attendance areas; funding allocation*
6314 *Title I schoolwide programs*
6315 *Targeted assistance schools*
6316 *School improvement*
6318 *Parent involvement*
6320 *Participation of private school students*
6321 *Comparability of services*
7881 *Participation of private school students*

CODE OF FEDERAL REGULATIONS, TITLE 34

200.1-200.79 *Improving basic programs for disadvantaged students*

Management Resources:

CSBA PUBLICATIONS

Parent Involvement: Development of Effective and Legally Compliant Policies, Governance and Policy Services Policy Briefs, August 2006

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

LEA Plan, rev. May 17, 2006

Provisions for Private School Students, Teachers, and Other Education Personnel in the No Child Left Behind Act of 2001, rev. November 1, 2005

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Title I Fiscal Issues, May 26, 2006

Designing Schoolwide Programs, March 22, 2006

Supplemental Educational Services, June 13, 2005

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

Parental Involvement: Title I, Part A, April 23, 2004

Serving Preschool Children Under Title I, March 4, 2004

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

Local Educational Agency Identification and Selection of School Attendance Areas and Schools and Allocation of Title I Funds to Those Areas and Schools, August 2003

WEB SITES

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

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

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

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

TITLE I PROGRAMS

Schoolwide Programs

A school may operate a Title I schoolwide program in order to upgrade the entire educational program of the school when at least 40 percent of the students in the school attendance area, or at least 40 percent of the students enrolled in the school, are from low-income families. The Superintendent or designee shall inform any such eligible school and the school's parents/guardians of the school's eligibility and its ability to consolidate funds from federal, state, and local sources for program purposes. (20 USC [6312](#), [6314](#))

Any participating school shall develop, annually review, and update a single plan for student achievement which incorporates the plan required by 20 USC [6314](#) for reforming the school's total instructional program and plans required by other categorical programs included in the state's consolidated application. (Education Code [64001](#); 20 USC [6314](#))

(cf. [0420](#) - School Plans/Site Councils)

A schoolwide program shall include: (20 USC [6314](#))

1. A comprehensive needs assessment of the entire school, including the needs of migrant students, which includes the achievement of students in relation to state academic content and achievement standards

(cf. [6011](#) - Academic Standards)
(cf. [6162.5](#) - Student Assessment)
(cf. [6162.51](#) - State Academic Achievement Tests)
(cf. [6162.52](#) - High School Exit Examination)
(cf. [6175](#) - Migrant Education Program)

2. Schoolwide reform strategies that:
 - a. Provide opportunities for all students to meet the state's proficient and advanced levels of achievement
 - b. Use effective methods and instructional strategies, based on scientifically based research, that strengthen the school's core academic program, increase the amount and quality of learning time, help provide an enriched and accelerated curriculum, and include strategies for meeting the educational needs of historically underserved populations

(cf. [5148.2](#) - Before/After School Programs)
(cf. [6111](#) - School Calendar)
(cf. [6112](#) - School Day)
(cf. [6177](#) - Summer School)

TITLE I PROGRAMS (continued)

- c. Include strategies to address the needs of all students in the school, but particularly the needs of low-achieving students and those at risk of not meeting state achievement standards who are members of the target population of any program that is part of the schoolwide program

Such strategies may include counseling, student services, mentoring services, college and career awareness and preparation, and the integration of vocational and technical education programs.

(cf. [6164.2](#) - *Guidance/Counseling Services*)

(cf. [6164.5](#) - *Student Success Teams*)

- d. Address how the school will determine if student needs have been met
- e. Are consistent with and designed to implement state and local improvement plans, if any

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

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

- 3. High-quality and ongoing professional development for teachers, principals, paraprofessionals, and, if appropriate, student services personnel, other staff, and parents/guardians to enable all students in the school to meet state academic achievement standards

(cf. [4131](#) - *Staff Development*)

(cf. [4222](#) - *Teacher Aides/Paraprofessionals*)

(cf. [4231](#) - *Staff Development*)

(cf. [4331](#) - *Staff Development*)

- 4. Strategies to attract high-quality, highly qualified teachers to high-need schools

(cf. [4111](#) - *Recruitment and Selection*)

- 5. Strategies to increase parent involvement

(cf. [5020](#) - *Parent Rights and Responsibilities*)

(cf. [6020](#) - *Parent Involvement*)

- 6. Plans for assisting preschool children in the transition from early childhood programs to elementary school programs

(cf. [5148.3](#) - *Preschool/Early Childhood Education*)

TITLE I PROGRAMS (continued)

7. Measures to include teachers in decisions regarding the use of academic assessments to provide information on and to improve the achievement of individual students and the overall instructional program
8. Activities to ensure that students who experience difficulty mastering the proficient and advanced levels of academic standards shall be provided with effective, timely additional assistance, which shall include measures for timely identification of students' difficulties and provision of sufficient information on which to base effective assistance

(cf. [6179](#) - *Supplemental Instruction*)

9. Coordination and integration of federal, state, and local services and programs

Targeted Assistance Programs

Any school that receives Title I funds but does not operate a schoolwide program shall use Title I funds to provide services to: (20 USC [6315](#))

1. Students in grades 3-12 identified by the school as failing, or most at risk of failing, to meet the state's academic achievement standards on the basis of criteria established by the district and supplemented by the school
2. Students in preschool through grade 2 selected solely on the basis of such criteria as teacher judgment, interviews with parents/guardians, and developmentally appropriate measures

A targeted assistance program shall: (20 USC [6315](#))

1. Use program resources to help participating students meet state academic achievement standards expected for all students
2. Ensure that program planning is incorporated into existing school planning
3. Use effective methods and instructional strategies, based on scientifically based research, that strengthen the core academic program, give primary consideration to providing extended learning time, help provide an accelerated, high-quality curriculum, and minimize removing students from the regular classroom during regular school hours for instruction provided by Title I
4. Coordinate with and support the regular education program, which may include services to assist preschool students in the transition to elementary school programs
5. Provide instruction by highly qualified teachers

TITLE I PROGRAMS (continued)

6. Provide opportunities for professional development for teachers, principals, paraprofessionals, and, if appropriate, student services personnel, other staff, and parents/guardians who work with participating students
7. Provide strategies to increase parent involvement
8. Coordinate and integrate federal, state, and local services and programs

Participation of Private School Students

The Superintendent or designee shall provide or contract to provide special educational services or other Title I benefits to eligible private school students residing in a participating school attendance area. Such services and benefits shall be provided on an equitable basis with participating public school students. (20 USC [6320](#), [7881](#))

Teachers, other educational personnel, and families of participating private school students shall have an opportunity to participate, on an equitable basis, in parent involvement activities and professional development pursuant to 20 USC [6318](#) and [6319](#). (20 USC [6320](#), [7881](#))

Each year the Superintendent or designee shall contact officials of private schools with students who reside within district boundaries, regardless of whether the private school they attend is located within the district or whether or not those officials have previously indicated any interest in program participation.

The Superintendent or designee shall consult, in a meaningful and timely manner, with appropriate private school officials during the design and development of the district's Title I programs. Such consultation shall occur before the district makes any decision that affects the opportunities of eligible private school students to participate in Title I programs and shall include a discussion of: (20 USC [6320](#), [7881](#); 34 CFR [200.63](#))

1. How the needs of private school students will be identified
2. What services will be offered
3. How, where, and by whom the services will be provided
4. How the services will be academically assessed and how assessment results will be used to improve those services
5. The size and scope of the equitable services to be provided to private school students and the proportion of funds that is allocated for such services

TITLE I PROGRAMS (continued)

6. The method or sources of data that are used to determine the number of students from low-income families in participating school attendance areas who attend private schools
7. How and when the district will make decisions about the delivery of service to such students, including a thorough consideration and analysis of the views of private school officials on the provision of services through a third-party provider
8. How, if the district disagrees with the views of private school officials on the provision of services through a third-party provider, the district will provide to private school officials a written analysis of the reasons that the district has chosen not to use a contractor

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

The Superintendent or designee shall maintain, and shall provide to the California Department of Education upon request, a written affirmation signed by officials of each participating private school that consultation has occurred. (20 USC [6320](#))

If the private school officials do not provide such affirmation within a reasonable period of time, the Superintendent or designee shall maintain records of the consultation or the offer of consultation.

(*cf.* [3580](#) - *District Records*)

The Superintendent or designee also shall maintain records documenting that:

1. The needs of private school teachers and/or private school students were identified.
2. The funds made available were equitable to those allocated for public school students and teachers.
3. The district's program met the needs of the private school teachers and/or private school students.
4. The district made efforts to resolve any complaints made by private school representatives.

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CONCURRENT ENROLLMENT IN COLLEGE CLASSES

The Board of Trustees desires to provide opportunities for eligible district students to enroll concurrently in courses offered at postsecondary institutions in order to foster individual student achievement, increase opportunities for students to complete college preparatory course requirements or career technical education preparation, and prepare students for a smooth transition into college by providing exposure to the collegiate environment.

(cf. 6143 - Courses of Study)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6178 - Career Technical Education)

(cf. 6178.1 - Regional Occupational Center/Program)

When it is determined that the postsecondary course in which the student intends to enroll is substantially equivalent to a course provided by the district, the student may receive credit toward high school graduation requirements in addition to credit received from the college.

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

Approval of Concurrent Enrollment

The Board may approve a limited number of students of any age or grade level to apply for part-time or full-time concurrent enrollment in a community college or four-year college when it is determined to be in the student's best interest and the student is adequately prepared for such coursework.

Upon recommendation of the principal and with parent/guardian consent, the Board may authorize a student to apply for attendance at a community college during any session or term as a special part-time or full-time student and to undertake one or more courses of instruction offered at the community college level. (Education Code 48800)

Within the enrollment limits and exceptions allowed by law, the principal may recommend a student for community college summer session if that student demonstrates adequate preparation in the discipline to be studied and exhausts all opportunities to enroll in an equivalent course, if any, at his/her school of attendance. (Education Code 48800)

(cf. 6162.52 - High School Exit Examination)

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

If the Board denies a request for special part-time or full-time enrollment at a community college for a student who is identified as highly gifted and talented as defined in Education Code 52201, the Board shall issue its written recommendation and the reasons for the denial

CONCURRENT ENROLLMENT IN COLLEGE CLASSES (continued)

within 60 days. The written recommendation and denial shall be issued at its next regularly scheduled Board meeting that falls at least 30 days, but within 60 days, after the request has been submitted. (Education Code 48800, 48800.5)

Program Evaluation

The Superintendent or designee shall regularly report to the Board regarding the number of district students participating in the concurrent enrollment option, their success in completing in postsecondary courses, and any impact on their achievement in district courses.

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference:

EDUCATION CODE

46145-46147 Minimum day, high school

48800-48802 Enrollment of gifted students in community college

51225.3 Alternative means of satisfying graduation requirements

52200-52212 Gifted and talented education program

76000-76002 Enrollment in community college

Management Resources:

WEB SITES

California Community Colleges System: <http://www.cccco.edu>

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

California Postsecondary Education Commission: <http://www.cpec.ca.gov>

California State University: <http://www.calstate.edu>

Foundation for California Community Colleges, Early College High School Initiative:

<http://www.foundationccc.org/ECHS>

University of California: <http://www.universityofcalifornia.edu>

CONCURRENT ENROLLMENT IN COLLEGE CLASSES**Credit**

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

(cf. 6146.11 - Alternative Credits Toward Graduation)

A written agreement regarding the student's enrollment in postsecondary courses and the credits to be awarded for successful completion shall be signed by the student, parent/guardian, principal, and college representative. The student shall be informed whether the credits to be earned are considered academic credits or elective credits and whether the course would need to be completed again during the college years to satisfy college requirements.

To receive district credit for coursework completed at a community college or four-year college, the student or parent/guardian shall submit a transcript showing completion of the course with a passing grade.

(cf. 5125 - Student Records)

Minimum School Day

Except under the conditions specified in Education Code 46146, the minimum day of attendance in district schools shall be 180 minutes for any student who is enrolled part-time in a community college and any student in grades 11-12 who is enrolled part-time in the California State University or University of California, when the student is enrolled in classes for which academic credit will be provided upon satisfactory completion of enrolled courses. (Education Code 46146, 48801)

(cf. 6112 - School Day)

A student enrolled full-time at a community college shall be exempted from full-time attendance in the district's regular education program. (Education Code 48800.5)

(cf. 5112.1 - Exemptions from Attendance)

However, both part-time and full-time community college students shall be required to undertake courses of instruction of a scope and duration sufficient to satisfy the requirements of law. (Education Code 48800.5, 48801)

CONCURRENT ENROLLMENT IN COLLEGE CLASSES (continued)

Community College Classes on High School Campus

If a community college class is to be offered at a district high school campus, the class shall not be held during the time the campus is closed to the general public. (Education Code 76002)

EDUCATION FOR HOMELESS CHILDREN

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

(cf. [6011](#) - *Academic Standards*)

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

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

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

When there are at least 15 homeless students in the district or a district school, the district's local control and accountability plan (LCAP) shall include goals and specific actions to improve student achievement and other outcomes of homeless students. (Education Code [52052](#), [52060](#))

(cf. [0460](#) - *Local Control and Accountability Plan*)

At least annually, the Superintendent or designee shall report to the Board on outcomes for homeless students, which may include, but are not limited to, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, suspension/expulsion rates, and other outcomes related to any goals and specific actions identified in the LCAP. Based on the evaluation data, the district shall revise its strategies as needed to better support the education of homeless students.

(cf. [0500](#) - *Accountability*)

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

Legal Reference:

EDUCATION CODE

[2558.2](#) *Use of revenue limits to determine average daily attendance of homeless children*

[39807.5](#) *Payment of transportation costs by parents*

[48850](#) *Educational rights; participation in extracurricular activities*

[48852.5](#) *Notice of educational rights of homeless students*

[48852.7](#) *Enrollment of homeless students*

[48915.5](#) *Recommended expulsion, homeless student with disabilities*

[48918.1](#) *Notice of recommended expulsion*

[51225.1-51225.3](#) *Graduation requirements*

[52060-52077](#) *Local control and accountability plan*

CODE OF REGULATIONS, TITLE 5

[4600-4687](#) *Uniform complaint procedures*

UNITED STATES CODE, TITLE 42

[11431-11435](#) *McKinney-Vento Homeless Assistance Act*

EDUCATION FOR HOMELESS CHILDREN (continued)

Management Resources:

CALIFORNIA CHILD WELFARE COUNCIL

Partial Credit Model Policy and Practice Recommendations

CALIFORNIA DEPARTMENT OF EDUCATION

Homeless Education Dispute Resolution Process, January 30, 2007

NATIONAL CENTER FOR HOMELESS EDUCATION PUBLICATIONS

Homeless Liaison Toolkit, 2013

U.S. DEPARTMENT OF EDUCATION GUIDANCE

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

WEB SITES

California Child Welfare Council: <http://www.chhs.ca.gov/Pages/CACChildWelfareCouncil.aspx>

California Department of Education, Homeless Children and Youth

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

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

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

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

(7/02 7/05) 12/15

EDUCATION FOR HOMELESS CHILDREN

Definitions

Homeless students means students who lack a fixed, regular, and adequate nighttime residence and includes: (Education Code [48852.7](#); 42 USC [11434a](#))

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

(cf. [6173.1](#) - *Education for Foster Youth*)

2. Students who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings
3. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
4. Migratory children who qualify as homeless because they are living in conditions described in items #1-3 above
5. Unaccompanied youth who are not in the physical custody of a parent or guardian

School of origin means the school that the homeless student attended when permanently housed or the school in which he/she was last enrolled. If the school the homeless student attended when permanently housed is different from the school in which he/she was last enrolled, or if there is some other school that he/she attended within the preceding 15 months and with which he/she is connected, the district liaison shall determine, in consultation with and with the agreement of the homeless student and the person holding the right to make educational decisions for the student, and in the best interests of the homeless student, which school shall be deemed the school of origin. (Education Code [48852.7](#))

Best interest means that, in making educational and school placement decisions for a homeless student, consideration is given to, among other factors, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the student's access to academic resources, services, and extracurricular and enrichment activities that are available to all district students. (Education Code [48850](#), [48853](#); 42 USC [11432](#))

District Liaison

EDUCATION FOR HOMELESS CHILDREN (continued)

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

Superintendent
300 B Street
Biggs, CA 95917
(530) 868-1281

The district's liaison for homeless students shall: (Education Code [48852.5](#); 42 USC [11432](#))

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

(cf. [1400](#) - *Relations Between Other Governmental Agencies and the Schools*)
(cf. [3553](#) - *Free and Reduced-Price Meals*)
(cf. [5141.6](#) - *School Health Services*)

2. Ensure that homeless students enroll in, and have a full and equal opportunity to succeed in, district schools
3. Ensure that homeless families and students receive educational services for which they are eligible
4. Inform parents/guardians of the educational and related opportunities available to their children and ensure that they are provided with meaningful opportunities to participate in the education of their children

(cf. [5145.6](#) - *Parental Notifications*)

5. Disseminate notice of the educational rights of homeless students in district schools that provide services to homeless children and at places where they receive services, such as schools, family shelters, and hunger relief agencies (soup kitchens)
6. Mediate enrollment disputes in accordance with law, Board policy, and administrative regulation
7. Fully inform parents/guardians of all transportation services

(cf. [3250](#) - *Transportation Fees*)
(cf. [3541](#) - *Transportation Routes and Services*)

8. When notified pursuant to Education Code [48918.1](#), assist, facilitate, or represent a homeless student who is undergoing a disciplinary proceeding that could result in his/her expulsion

EDUCATION FOR HOMELESS CHILDREN (continued)

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

9. When notified pursuant to Education Code [48915.5](#), participate in an individualized education program team meeting to make a manifestation determination regarding the behavior of a student with a disability

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

(cf. [6159](#) - *Individualized Education Program*)

10. Assist a homeless student to obtain records necessary for his/her enrollment into or transfer out of district schools, including immunization, medical, and academic records

Enrollment

The district shall make placement decisions for homeless students based on the student's best interest. (42 USC [11432](#))

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

However, placement decisions shall not be based on whether a homeless student lives with his/her homeless parent/guardian or has been temporarily placed elsewhere. (42 USC [11432](#))

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

In determining a student's best interest, a homeless student shall, to the extent feasible, be placed in his/her school of origin, unless his/her parent/guardian requests otherwise. (Education Code [48852.7](#); 42 USC [11432](#))

Once a placement decision has been made, the principal or designee shall immediately enroll the student in the school of choice. The student shall be enrolled even if he/she: (Education Code [48852.7](#); 42 USC [11432](#))

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended

(cf. [5125.2](#) - *Withholding Grades, Diploma or Transcripts*)

EDUCATION FOR HOMELESS CHILDREN (continued)

2. Does not have clothing normally required by the school, such as school uniforms

(cf. [5132](#) - *Dress and Grooming*)

3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and medical records, including, but not limited to, records or other proof of immunization history

(cf. [5111](#) - *Admission*)

(cf. [5111.1](#) - *District Residency*)

(cf. [5125](#) - *Student Records*)

(cf. [5141.26](#) - *Tuberculosis Testing*)

(cf. [5141.31](#) - *Immunizations*)

(cf. [5141.32](#) - *Health Screening for School Entry*)

The principal or designee shall immediately contact the school last attended by the student to obtain the relevant records. If the student needs to obtain immunizations or does not possess immunization or other medical records, the principal or designee shall refer the parent/guardian to the district liaison for homeless students. The district liaison shall assist the parent/guardian, or the student if he/she is an unaccompanied youth, in obtaining the necessary immunizations or records for the student. (42 USC [11432](#))

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

The student may continue attending his/her school of origin for the duration of the homelessness. (Education Code [48852.7](#); 42 USC [11432](#))

To ensure that the homeless student has the benefit of matriculating with his/her peers in accordance with the established feeder patterns, the following shall apply: (Education Code [48852.7](#))

1. If the student is transitioning between grade levels, he/she shall be allowed to continue in the same attendance area.
2. If the student is transitioning to a middle school or high school, and the school designated for matriculation is in another school district, he/she shall be allowed to continue to the school designated for matriculation in that district.

If the student's status changes before the end of the school year so that he/she is no longer homeless, he/she shall be allowed to stay in the school of origin: (Education Code [48852.7](#))

1. Through the duration of the school year if he/she is in grades K-8

EDUCATION FOR HOMELESS CHILDREN (continued)

2. Through graduation if he/she is in high school

Resolving Enrollment Disputes

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

The parent/guardian shall be provided with a written explanation of the placement decision, which shall be complete, as brief as possible, simply stated, and provided in language that the parent/guardian or student can understand. The written explanation shall include:

1. The district liaison's contact information
2. A description of the district's placement decision
3. Notice of the student's right to enroll in the school of choice pending resolution of the dispute, including the right to fully participate in all school activities
4. Notice of the parent/guardian's right to appeal the decision to the county office of education and, if the dispute remains unresolved, to the California Department of Education

The district liaison shall work to resolve an enrollment dispute as expeditiously as possible after receiving notice of the dispute. (42 USC [11432](#))

In working with a student's parents/guardians to resolve an enrollment dispute, the district liaison shall:

1. Inform them that they may provide written and/or oral documentation to support their position
2. Inform them that they may seek the assistance of social services, advocates, and/or service providers in having the dispute resolved
3. Provide them a simple form that they may use and turn in to the school to initiate the dispute resolution process
4. Provide them a copy of the dispute form they submit for their records
5. Provide them the outcome of the dispute for their records

EDUCATION FOR HOMELESS CHILDREN (continued)

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

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

Transportation

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

(cf. [3250](#) - *Transportation Fees*)

(cf. [3541](#) - *Transportation Routes and Services*)

The district shall not be obligated to provide transportation to students who continue attending their school of origin after they cease to be homeless, unless the formerly homeless student has an individualized education program that includes transportation as a necessary related service for the student. (Education Code [48852.7](#))

Transfer of Coursework and Credits

When a homeless student transfers into a district school, the district shall accept and issue full credit for any coursework that the student has satisfactorily completed while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency and shall not require the student to retake the course. (Education Code [51225.2](#))

If the homeless student did not complete the entire course, he/she shall be issued partial credit for the coursework completed and shall be required to take the portion of the course that he/she did not complete at his/her previous school. However, the district may require the student to retake the portion of the course completed if, in consultation with the holder of educational rights for the student, the district finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a homeless student in any particular course, he/she shall be enrolled in the same or equivalent course, if applicable, so that he/she may continue and complete the entire course. (Education Code [51225.2](#))

EDUCATION FOR HOMELESS CHILDREN (continued)

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject. Partial credits and grades earned by a student shall be included on the student's official transcript within two business days of the district's notification of the student's transfer, as required under Education Code [49069.5](#).

In no event shall the district prevent a homeless student from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code [51225.2](#))

(cf. [6143](#) - *Courses of Study*)

Applicability of Graduation Requirements

To obtain a high school diploma, a homeless student shall complete all courses required by Education Code [51225.3](#) and fulfill any additional graduation requirements prescribed by the Governing Board.

(cf. [6146.1](#) - *High School Graduation Requirements*)

(cf. [6162.52](#) - *High School Exit Examination*)

However, when a homeless student who has completed his/her second year of high school transfers into the district from another school district or transfers between high schools within the district, he/she shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of his/her fourth year of high school. Within 30 calendar days of the homeless student's transfer, the Superintendent or designee shall notify the student, the person holding the right to make educational decisions for him/her, and the district liaison for homeless students of the availability of the exemption and whether the student qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student is no longer homeless. (Education Code [51225.1](#))

To determine whether a homeless student is in his/her third or fourth year of high school, the district shall use either the number of credits he/she has earned as of the date of the transfer or the length of his/her school enrollment, whichever qualifies him/her for the exemption. (Education Code [51225.1](#))

The Superintendent or designee shall notify any homeless student who is granted an exemption and the person holding the right to make educational decisions for him/her how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer

EDUCATION FOR HOMELESS CHILDREN (continued)

opportunities available through the California Community Colleges. (Education Code [51225.1](#))

The district shall not require or request a homeless student to transfer schools in order to qualify for an exemption and no request for a transfer solely to qualify for an exemption shall be made by a homeless student, the person holding the right to make educational decisions for the student, or the district liaison on behalf of the student. (Education Code [51225.1](#))

If a homeless student is exempted from local graduation requirements, the exemption shall continue to apply after the student is no longer homeless or if he/she transfers to another school or school district. (Education Code [51225.1](#))

If the Superintendent or designee determines that a homeless student is reasonably able to complete district graduation requirements within his/her fifth year of high school, he/she shall: (Education Code [51225.1](#))

1. Inform the student and, if under 18 years of age, the person holding the right to make educational decisions for him/her, of the option available to the student to remain in school for a fifth year to complete the district's graduation requirements and how that will affect his/her ability to gain admission to a postsecondary educational institution
2. Provide information to the homeless student about transfer opportunities available through the California Community Colleges
3. Upon agreement with the homeless student or with the person holding the right to make educational decisions for him/her if he/she is under 18 years of age, permit the student to stay in school for a fifth year to complete the district's graduation requirements

Eligibility for Extracurricular Activities

A homeless student who enrolls in any district school shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. (Education Code [48850](#))

(cf. [6145](#) - *Extracurricular and Cocurricular Activities*)

(cf. [6145.2](#) - *Athletic Competition*)

Notification and Complaints

Information regarding the educational rights of homeless students, as specified in Education Code [51225.1](#) and [51225.2](#), shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR [4622](#). (Education Code [51225.1](#), [51225.2](#))

EDUCATION FOR HOMELESS CHILDREN (continued)

Any complaint that the district has not complied with requirements regarding the education of homeless students, as specified in Education Code [51225.1](#) or [51225.2](#), may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures.

(cf. [1312.3](#) - *Uniform Complaint Procedures*)

(7/05 12/14) 12/15

Regulation
approved: January 4, 2012
revised: April 8, 2015
revised: March 2, 2016

BIGGS UNIFIED SCHOOL DISTRICT
Biggs, California

Instruction

E(1) 6173(a)

EDUCATION FOR HOMELESS CHILDREN

DISTRICT EXPLANATION OF ENROLLMENT DECISION

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

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

In accordance with federal law (42 USC 11432), this notification is being provided to:
Name of parent/guardian: _____
Name of student(s): _____

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

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

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

Name of district's homeless liaison: _____
Address: _____
Phone number: _____

Name of County Office of Education homeless liaison: _____
Address: _____
Phone number: _____

You also have the following rights:

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

EDUCATION FOR HOMELESS CHILDREN (continued)

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

EDUCATION FOR HOMELESS CHILDREN

ENROLLMENT DISPUTE FORM

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

Date submitted: _____
Name of person completing form: _____
Student's name: _____
Relation to student: _____

I may be contacted at the following:
Address: _____
Phone number: _____

Name of school requested: _____

I wish to appeal the enrollment decision made by:
 District liaison Superintendent County liaison

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

I have been provided with:
 A written explanation of the district's decision
 Contact information for the district's homeless liaison
 Contact information for the county office of education's homeless liaison

EDUCATION FOR FOSTER YOUTH

Education Code 48850-48859 (the AB 490 Educational Rights and Stability Act of 2003) create additional obligations for districts regarding the education of foster youth, including the right of foster youth to continue attending their school of origin and the requirement to ensure that foster youth have access to the same academic resources, services, and extracurricular activities that are available to all students. See the accompanying administrative regulation.

While the requirements of the federal McKinney-Vento Homeless Assistance Act (42 USC 11431-11435) may apply to foster youth in certain situations, such as when they are living in emergency or transitional shelters or when they are awaiting foster care placement (see BP/AR 6173 - Education for Homeless Children), Education Code 48850-48859 extend services to youth at any time when in foster care. The following policy may be revised to reflect district practice.

The Board of Trustees recognizes that foster youth may face significant barriers to achieving academic success due to their family circumstances, disruption to their educational program, and their emotional, social, and other health needs. To enable such students to achieve state and district academic standards, the Superintendent or designee shall provide them with full access to the district's educational program and implement strategies identified as necessary for the improvement of the academic achievement of foster youth in the district's local control and accountability plan (LCAP).

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3100 - Budget)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5147 - Dropout Prevention)
(cf. 5149 - At-Risk Students)
(cf. 6011- Academic Standards)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6173 - Education for Homeless Children)
(cf. 6179 - Supplemental Instruction)

The Superintendent or designee shall ensure that placement decisions for foster youth are based on the students' best interests as defined in law and administrative regulation. To that end, he/she shall designate a staff person as the district liaison for foster youth to help facilitate the enrollment, placement, and transfer of foster youth.

The Superintendent or designee and district liaison shall ensure that all appropriate staff, including, but not limited to, each principal, school registrar, and attendance clerk, receive training on the enrollment, placement, and transfer of foster youth and other related rights.

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

EDUCATION FOR FOSTER YOUTH (continued)

The Board desires to provide foster youth with a safe, positive learning environment that is free from discrimination and harassment and that promotes students' self-esteem and academic achievement. The Superintendent or designee shall develop strategies to build a foster youth's feeling of connectedness with his/her school, including, but not limited to, strategies that promote positive discipline and conflict resolution, the development of resiliency and interpersonal skills, and the involvement of foster parents, group home administrators, and/or other caretakers in school programs and activities.

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 - Parent Involvement)

To address the needs of foster youth and help ensure the maximum utilization of available funds, the Superintendent or designee shall collaborate with local agencies and officials including, but not limited to, the county placing agency, social services, probation officers, and juvenile court officers. The Superintendent or designee shall explore the feasibility of entering into agreements with these groups to coordinate services and protect the rights of foster youth.

(cf. 1020 - Youth Services)

At least annually and in accordance with the established timelines, the Superintendent or designee shall report to the Board on the outcomes for foster youth regarding the goals and specific actions identified in the LCAP, including, but not limited to, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, and suspension/expulsion rates. As necessary, evaluation data shall be used to determine and recommend revisions to the LCAP for improving or increasing services for foster youth.

(cf. 0500 - Accountability)

(cf. 5123 - Promotion/Acceleration/Retention)

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

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

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6162.52 - High School Exit Examination)

EDUCATION FOR FOSTER YOUTH (continued)

Legal Reference:

EDUCATION CODE

32228-32228.5 *Student safety and violence prevention*

42238.01-42238.07 *Local control funding formula*

42920-42925 *Foster children educational services*

48645-48646 *Juvenile court schools*

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

48915.5 *Suspension and expulsion; students with disabilities, including foster youth*

48918.1 *Notice of expulsion hearing for foster youth*

49061 *Student records*

49069.5 *Foster care students, transfer of records*

49076 *Access to student records*

51225.1 *Exemption from district graduation requirements*

51225.2 *Pupil in foster care defined; acceptance of coursework, credits, retaking of course*

51225.3 *High school graduation*

52060-52077 *Local control and accountability plan*

56055 *Rights of foster parents in special education*

60851 *High school exit examination*

HEALTH AND SAFETY CODE

1522.41 *Training and certification of group home administrators*

1529.2 *Training of licensed foster parents*

120341 *Foster youth: school placement: immunization records*

WELFARE AND INSTITUTIONS CODE

300 *Children subject to jurisdiction*

309 *Investigation and release of child*

317 *Appointment of legal counsel*

361 *Limitations on parental or guardian control*

366.27 *Educational decision by relative providing living arrangements*

602 *Minors violating law; ward of court*

726 *Limitations on parental or guardian control*

727 *Order of care, ward of court*

16000-16014 *Foster care placement*

UNITED STATES CODE, TITLE 20

1415 *Procedural safeguards; placement in alternative educational setting*

UNITED STATES CODE, TITLE 29

794 *Rehabilitation Act of 1973, Section 504*

UNITED STATES CODE, TITLE 42

670-679b *Federal assistance for foster care programs*

11431-11435 *McKinney-Vento Homeless Assistance Act*

Management Resources (See next page)

EDUCATION FOR FOSTER YOUTH (continued)

Management Resources:

CSBA PUBLICATIONS

Educating Foster Youth: Best Practices and Board Considerations, Policy Brief, March 2008

AMERICAN BAR ASSOCIATION PUBLICATIONS

Mythbusting: Breaking Down Confidentiality and Decision-Making Barriers to Meet the Education Needs of Children in Foster Care, 2005

CALIFORNIA CHILD WELFARE COUNCIL

Partial Credit Model Policy and Practice Recommendations

CITIES, COUNTIES AND SCHOOLS PARTNERSHIP PUBLICATIONS

Our Children: Emancipating Foster Youth, A Community Action Guide

WEB SITES

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

American Bar Association: <http://www.americanbar.org>

California Child Welfare Council: <http://www.chhs.ca.gov/Pages/CACChildWelfareCouncil.aspx>

California Department of Education, Foster Youth Services: <http://www.cde.ca.gov/ls/pf/fy>

California Department of Social Services, Foster Youth Ombudsman Office:
<http://www.fosteryouthhelp.ca.gov>

California Youth Connection: <http://www.calyouthconn.org/site/cyc>

Cities, Counties and Schools Partnership: <http://www.ccspartnership.org>

(3/08 11/09) 12/13

Administrative Regulation

Instruction

AR 6173.1(a)

EDUCATION FOR FOSTER YOUTH

Definitions

Foster youth means a child who has been removed from his/her home pursuant to Welfare and Institutions Code [309](#), is the subject of a petition filed under Welfare and Institutions Code [300](#) or [602](#), or has been removed from his/her home and is the subject of a petition filed under Welfare and Institutions Code [300](#) or [602](#) or is a nonminor who is under the transition jurisdiction of a juvenile court, as described in Welfare and Institutions Code 450, and satisfies the criteria specified in Education Code [42238.01](#). (Education Code [42238.01](#), [48853.5](#))

Person holding the right to make educational decisions means a responsible adult appointed by a court pursuant to Welfare and Institutions Code [361](#) or [726](#).

School of origin means the school that the foster youth attended when permanently housed or the school in which he/she was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which he/she was last enrolled, or if there is some other school that the foster youth attended within the preceding 15 months and with which the youth is connected, the district liaison for foster youth shall determine, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, and in the best interests of the foster youth, which school is the school of origin. (Education Code [48853.5](#))

Best interests means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the foster youth's access to academic resources, services, and extracurricular and enrichment activities that are available to all district students. (Education Code [48850](#), [48853](#))

District Liaison

The Superintendent designates the following position as the district's liaison for foster youth: (Education Code [48853.5](#))

Superintendent
300 B Street
Biggs, CA 95917
(530) 868-1281

(cf. [6173](#) - *Education for Homeless Children*)

The liaison for foster youth shall:

EDUCATION FOR FOSTER YOUTH (continued)

1. Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of students in foster care (Education Code [48853.5](#))
2. Ensure proper transfer of credits, records, and grades when students in foster care transfer from one school to another or from one district to another (Education Code [48645.5](#), [48853.5](#))

When a student in foster care is enrolling in a district school, the liaison shall contact the school last attended by the student to obtain, within two business days, all academic and other records. When a foster youth is transferring to a new school, the liaison shall provide the student's records to the new school within two business days of receiving the new school's request. (Education Code [48853.5](#))

(cf. [5125](#) - *Student Records*)
(cf. [6146.3](#) - *Reciprocity of Academic Credit*)

3. When required by law, notify the foster youth's attorney and the representative of the appropriate county child welfare agency when the foster youth is undergoing any expulsion or other disciplinary proceeding, including a manifestation determination prior to a change in the foster youth's placement, when he/she is a student with a disability. (Education Code [48853.5](#), [48911](#), [48915.5](#), [48918.1](#))

(cf. [5144.1](#) - *Suspension and Expulsion/Due Process*)
(cf. [5144.2](#) - *Suspension and Expulsion/Due Process (Students with Disabilities)*)
(cf. [6159.4](#) - *Behavioral Interventions for Special Education Students*)

4. As needed, make appropriate referrals to ensure that students in foster care receive necessary special education services and services under Section 504 of the federal Rehabilitation Act of 1973

(cf. [6164.4](#) - *Identification and Evaluation of Individuals for Special Education*)
(cf. [6164.6](#) - *Identification and Education Under Section 504*)

5. As needed, ensure that students in foster care receive appropriate school-based services, such as counseling and health services, supplemental instruction, and after-school services

(cf. [5141.6](#) - *School Health Services*)
(cf. [5148.2](#) - *Before/After School Programs*)
(cf. [6164.2](#) - *Guidance/Counseling Services*)
(cf. [6172](#) - *Gifted and Talented Student Program*)
(cf. [6174](#) - *Education for English Language Learners*)
(cf. [6177](#) - *Summer Learning Programs*)
(cf. [6179](#) - *Supplemental Instruction*)

EDUCATION FOR FOSTER YOUTH (continued)

6. Develop protocols and procedures for creating awareness for district staff, including principals, school registrars, and attendance clerks, of the requirements for the proper enrollment, placement, and transfer of foster youth

(cf. [4131](#) - *Staff Development*)

(cf. [4231](#) - *Staff Development*)

(cf. [4331](#) - *Staff Development*)

7. Collaborate with the county office of education, county placing agency, county child welfare agency, county probation department, juvenile court, and other appropriate agencies to help coordinate services for the district's foster youth

(cf. [1020](#) - *Youth Services*)

(cf. [5113.1](#) - *Chronic Absence and Truancy*)

8. Monitor the educational progress of foster youth and provide reports to the Superintendent or designee and the Governing Board based on indicators identified in the district's local control and accountability plan

(cf. [0460](#) - *Local Control and Accountability Plan*)

Enrollment

A student placed in a licensed children's institution or foster family home within the district shall attend programs operated by the district unless one of the following circumstances applies: (Education Code [48853,48853.5](#))

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

(cf. [6159](#) - *Individualized Education Program*)

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

2. The parent/guardian or other person holding the right to make educational decisions for the student determines that it is in the best interest of the student to be placed in another educational program and submits a written statement to the district indicating that determination and that he/she is aware of the following:
 - a. The student has a right to attend a regular public school in the least restrictive environment.
 - b. The alternate educational program is a special education program, if applicable.

EDUCATION FOR FOSTER YOUTH (continued)

- c. The decision to unilaterally remove the student from the district school and to place him/her in an alternate education program may not be financed by the district.
- d. Any attempt to seek reimbursement for the alternate education program may be at the expense of the parent/guardian or other person holding the right to make educational decisions for the student.

(cf. [5116.1](#) - *Intradistrict Open Enrollment*)

(cf. [5117](#) - *Interdistrict Attendance*)

(cf. [6159.3](#) - *Appointment of Surrogate Parent for Special Education Students*)

- 3. At the initial placement or any subsequent change in placement, the student exercises his/her right to continue in his/her school of origin, as defined above.
 - a. The student may continue in the school of origin for the duration of the court's jurisdiction.
 - b. If the court's jurisdiction over a grade K-8 student is terminated prior to the end of a school year, the student may continue in his/her school of origin for the remainder of the school year.
 - c. If the court's jurisdiction is terminated while the student is in high school, the student may continue in his/her school of origin until he/she graduates.
 - d. If the student is transitioning between school grade levels, he/she shall be allowed to continue in the district of origin in the same attendance area to provide him/her the benefit of matriculating with his/her peers in accordance with the established feeder patterns of school districts. A student who is transitioning to a middle school or high school shall be allowed to enroll in the school designated for matriculation in another school district.

The district liaison may, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, recommend that the youth's right to attend the school of origin be waived and he/she be enrolled in any school that students living in the attendance area in which the foster youth resides are eligible to attend. All decisions shall be made in accordance with the foster youth's best interests.

(Education Code [48853.5](#))

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

EDUCATION FOR FOSTER YOUTH (continued)

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

If the liaison, in consultation with the foster youth and the person holding the right to make educational decisions for the foster youth, agrees that the best interests of the youth would be served by his/her transfer to a school other than the school of origin, the principal or designee of the new school shall immediately enroll the foster youth. The foster youth shall be immediately enrolled even if he/she: (Education Code [48853.5](#))

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended

(cf. [5125.2](#) - *Withholding Grades, Diploma or Transcripts*)

2. Does not have clothing normally required by the school, such as school uniforms

(cf. [5132](#) - *Dress and Grooming*)

3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and medical records, including, but not limited to, immunization records or other documentation

(cf. [5111.1](#) - *District Residency*)

(cf. [5141.26](#) - *Tuberculosis Testing*)

(cf. [5141.31](#) - *Immunizations*)

(cf. [5141.32](#) - *Health Screening for School Entry*)

If the foster youth or a person with the right to make educational decisions for the foster youth disagrees with the liaison's enrollment recommendation, he/she may appeal to the Superintendent. The Superintendent shall make a determination within 30 calendar days of receipt of the appeal. Within 30 calendar days of receipt of the Superintendent's decision, the parent/guardian or foster youth may appeal that decision to the Board. The Board shall consider the issue at its next regularly scheduled meeting. The Board's decision shall be final.

(cf. [9320](#) - *Meetings and Notices*)

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

Transportation

The district shall not be responsible for providing transportation to and from the school of origin.

EDUCATION FOR FOSTER YOUTH (continued)

(cf. [3540](#) - Transportation)

(cf. [3541](#) - Transportation Routes and Services)

Effect of Absences on Grades

The grades of a student in foster care shall not be lowered for any absence from school that is due to either of the following circumstances: (Education Code [49069.5](#))

1. A decision by a court or placement agency to change the student's placement, in which case the student's grades shall be calculated as of the date he/she left school
2. A verified court appearance or related court-ordered activity

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

Transfer of Coursework and Credits

When a foster youth transfers into a district school, the district shall accept and issue full credit for any coursework that the foster youth has satisfactorily completed while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency and shall not require the foster youth to retake the course. (Education Code [51225.2](#))

If the foster youth did not complete the entire course, he/she shall be issued partial credit for the coursework completed and shall be required to take the portion of the course that he/she did not complete at his/her previous school. However, the district may require the foster youth to retake the portion of the course completed if, in consultation with the holder of educational rights for the foster youth, the district finds that the foster youth is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a foster youth in any particular course, he/she shall be enrolled in the same or equivalent course, if applicable, so that he/she may continue and complete the entire course. (Education Code [51225.2](#))

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject. Partial credits and grades earned by a student shall be included on the student's official transcript within two business days of the district's notification of the student's transfer, as required under Education Code [49069.5](#).

In no event shall the district prevent a foster youth from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code [51225.2](#))

EDUCATION FOR FOSTER YOUTH (continued)**Applicability of Graduation Requirements**

To obtain a high school diploma, a foster youth shall complete all courses required by Education Code [51225.3](#) and fulfill any additional graduation requirements prescribed by the Board.

(cf. [6146.1](#) - *High School Graduation Requirements*)

(cf. [6162.52](#) - *High School Exit Examination*)

However, when a foster youth who has completed his/her second year of high school transfers into the district from another school district or transfers between high schools within the district, he/she shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of his/her fourth year of high school. Within 30 calendar days of the foster youth's transfer, the Superintendent or designee shall notify the foster youth, the person holding the right to make educational decisions for him/her, and the foster youth's social worker of the availability of the exemption and whether the foster youth qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student is no longer a foster youth. (Education Code [51225.1](#), [60851](#))

To determine whether a foster youth is in his/her third or fourth year of high school, the district shall use either the number of credits the foster youth has earned as of the date of the transfer or the length of his/her school enrollment, whichever qualifies him/her for the exemption. (Education Code [51225.1](#))

The Superintendent or designee shall notify any foster youth who is granted an exemption and the person holding the right to make educational decisions for him/her how any requirements that are waived will affect the foster youth's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code [51225.1](#))

The district shall not require or request a foster youth to transfer schools in order to qualify for an exemption and no request for a transfer solely to qualify for an exemption shall be made by a foster youth or any person acting on behalf of a foster youth. (Education Code [51225.1](#))

If a foster youth is exempted from local graduation requirements, the exemption shall continue to apply after the termination of the court's jurisdiction over the student while he/she is still enrolled in school or if he/she transfers to another school or school district. (Education Code [51225.1](#))

EDUCATION FOR FOSTER YOUTH (continued)

Upon making a finding that a foster youth is reasonably able to complete district graduation requirements within his/her fifth year of high school, the Superintendent or designee shall: (Education Code [51225.1](#))

1. Inform the foster youth and the person holding the right to make educational decisions for him/her of the foster youth's option to remain in school for a fifth year to complete the district's graduation requirements and how that will affect his/her ability to gain admission to a postsecondary educational institution
2. Provide information to the foster youth about transfer opportunities available through the California Community Colleges
3. Upon agreement with the foster youth or, if he/she is under 18 years of age, the person holding the right to make educational decisions for him/her, permit the foster youth to stay in school for a fifth year to complete the district's graduation requirements

Eligibility for Extracurricular Activities

A foster youth whose residence changes pursuant to a court order or decision of a child welfare worker shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. (Education Code [48850](#))

(cf. [6145](#) - Extracurricular and Cocurricular Activities)

(cf. [6145.2](#) - Athletic Competition)

Notification and Complaints

Information regarding the educational rights of foster youth shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR [4622](#). (Education Code [48853](#), [48853.5](#), [49069.5](#), [51225.1](#), [51225.2](#))

(cf. [5145.6](#) - Parental Notifications)

Any complaint that the district has not complied with requirements regarding the education of foster youth may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures. If the district finds merit in a complaint, the district shall provide a remedy to the affected student. A complainant not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE) and shall receive a written decision regarding the appeal within 60 days of CDE's receipt of the appeal. If the CDE finds merit in an appeal, the district shall provide a remedy to the affected student. (Education Code [48853](#), [48853.5](#), [49069.5](#), [51225.1](#), [51225.2](#))

EDUCATION FOR FOSTER YOUTH (continued)

(cf. [1312.3](#) - *Uniform Complaint Procedures*)

(11/12 12/13) 12/15

Regulation
approved: January 4, 2012
revised: March 4, 2013
revised: April 2, 2014
revised: March 2, 2016

BIGGS UNIFIED SCHOOL DISTRICT
Biggs, California

EDUCATION OF CHILDREN OF MILITARY FAMILIES

The Board of Trustees recognizes the challenges to the academic success of children of military families caused by the frequent moves or deployments of their parents/guardians in fulfillment of military service. In accordance with law, the district shall provide such students with academic resources, services, and opportunities for extracurricular and enrichment activities that are available to all district students.

(cf. 5125 - Student Records)
(cf. 6011 - Academic Standards)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6179 - Supplemental Instruction)

In making decisions about children of military families, including decisions regarding their enrollment, placement, eligibility for extracurricular activities, or waiver of any graduation requirement, the Superintendent or designee shall be flexible to the extent permitted by law and district policy.

(cf. 5117 - Interdistrict Attendance)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.3 - Reciprocity of Academic Credit)

The Superintendent or designee shall work with parents/guardians and shall collaborate with local, state, and other agencies within and outside the state to facilitate the transition of children of military families into and out of the district.

(cf. 1020 - Youth Services)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6020 - Parent Involvement)

The Superintendent or designee shall regularly report to the Board on the educational outcomes of children of military families enrolled in district schools, including, but not limited to, school attendance, student achievement test results, promotion and retention rates by grade levels, participation in extracurricular activities, and graduation rates.

(cf. 0500 - Accountability)
(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 6162.51 - Standardized Testing and Reporting Program)
(cf. 6162.52 - High School Exit Examination)

Legal Reference: (see next page)

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

Legal Reference:

EDUCATION CODE

35160.5 District policy rules and regulations; requirements; matters subject to regulation

35179 Interscholastic athletics; associations or consortia

35181 Students' responsibilities

35351 Assignment of students to particular schools

46600-46611 Interdistrict attendance agreements

48050-48054 Nonresidents

48200-48208 Persons included (compulsory education law)

49700-49704 Education of children of military families

51225.3 Requirements for graduation

51240-51246 Exemptions from requirements

51250-51251 School-age military dependents

60850-60859 High school exit examination

66204 Certification of high school courses as meeting university admissions criteria

UNITED STATES CODE, TITLE 10

1209 Transfer to inactive status list instead of separation

1211 Members on temporary disability retired list: return to active duty; promotion

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Section 504

Management Resources:

CALIFORNIA TASK FORCE REPORT TO THE LEGISLATURE

Compact on Educational Opportunity for Military Children: Preliminary Final Report, March 2009

WEB SITES

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

California Department of Education, Educational Options Office: <http://www.cde.ca.gov/ls/pf/mc>

EDUCATION OF CHILDREN OF MILITARY FAMILIES

Children of military families are school-aged children in the household of: (Education Code 49701)

1. Members who are in full-time duty status in the active uniformed service of the United States, including any member of the National Guard and Reserve on active duty order pursuant to 10 USC 1209 or 1211
2. Members or veterans of the uniformed services who are severely injured and medically discharged or retired, for one year after their medical discharge or retirement
3. Members of the uniformed services who have died while on active duty or as a result of injuries sustained on active duty, for one year after their death

Enrollment

The Superintendent or designee shall facilitate the enrollment of children of military families and ensure that they are not placed at a disadvantage due to difficulty in the transfer of their records from previous school districts and/or variations in entrance or age requirements. (Education Code 49701)

When a child of a military family is transferring into the district, the Superintendent or designee may enroll the child based on the child's placement in the previous district, pending receipt of the child's records. Upon enrollment, the Superintendent or designee shall immediately request the student's records from the student's previous district. The Superintendent or designee shall allow the student 30 days from the date of enrollment to obtain all required immunizations. (Education Code 49701)

(cf. 5111 - Admission)

(cf. 5125 - Student Records)

(cf. 5141- Health Care and Emergencies)

(cf. 5141.31- Immunizations)

When a child of a military family is transferring out of the district, the Superintendent or designee shall provide the student's parents/guardians with a complete set of the student's records or, if the official student record cannot be released, an unofficial or "hand-carried" record. Upon request from the new district, the Superintendent or designee shall provide a copy of the student's record to the new district within 10 days. (Education Code 49701)

(cf. 5117 - Interdistrict Attendance)

A child of an active military duty parent/guardian shall not be prohibited from transferring out of the district to any district that has declared itself to be a "school district of choice" pursuant to Education Code 48300-48316, if the other school district approves the application for transfer. (Education Code 48301)

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)**Placement and Attendance**

The Superintendent or designee shall initially honor the placement of any child of a military family in educational courses and programs based on the child's enrollment and/or assessment in his/her previous school. The Superintendent or designee may, to the extent permitted by Board policy, waive course or program prerequisites, preconditions, and/or application deadlines when making decisions regarding placement of children of military families and their eligibility for extracurricular academic, athletic, and social activities. (Education Code 49701)

(cf. 6141.5 - Advanced Placement)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6146.3 - Reciprocity of Academic Credit)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6174 - Education for English Language Learners)

When a child of a military family transferring into the district has been identified as an individual with a disability pursuant to 20 USC 1400-1482, the Superintendent or designee shall provide comparable services to the student based on his/her current individualized education program. In addition, when the child of a military family transferring into the district is eligible for services under Section 504 of the federal Rehabilitation Act, the Superintendent or designee shall make reasonable accommodations and modifications to address the needs of the student subject to the student's existing Section 504 plan. The district may authorize subsequent evaluations of the student to ensure appropriate placement. (Education Code 49701)

(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)

When a student's parent/guardian is an active duty member and is called to duty, is on leave from, or is immediately returned from deployment to a combat zone or to combat support posting, the Superintendent or designee may grant additional excused absences to the student to visit with his/her parent/guardian. (Education Code 49701)

(cf. 5113 - Absences and Excuses)

Graduation

The Superintendent or designee shall facilitate the on-time graduation of children of military families by providing supplemental instruction to incoming students as necessary to enable them to meet the district's graduation requirements. (Education Code 49701)

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

The Superintendent or designee may also waive specific district course requirements for graduation if similar coursework has been satisfactorily completed by the student in his/her previous school. (Education Code 49701)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6162.52 - High School Exit Examination)

(cf. 6179 - Supplemental Instruction)

If after considering all alternatives, the Superintendent or designee believes that a student who has transferred into the district in grade 12 will not be able to satisfy the district's graduation requirements in time to graduate with his/her class, the Superintendent or designee shall work with the sending district to have the sending district issue the student its diploma, provided the student satisfies that sending district's graduation requirements. (Education Code 49701)

Upon request of a school district to which a former district student has transferred, the Superintendent or designee shall issue the district's diploma of graduation to the former student, provided the student has satisfactorily completed the district's graduation requirements, including the passage of the high school exit examination.

Board Policy

Instruction

BP 6174(a)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

The Board of Trustees intends to provide English learners with challenging curriculum and instruction that develop proficiency in English as rapidly and effectively as possible while facilitating student achievement in the district's regular course of study.

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

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

English learners shall be provided English language development instruction targeted to their English proficiency level and aligned with the state content standards and curriculum framework. The district's program shall be based on sound instructional theory, use standards-aligned instructional materials, and assist students in accessing the full educational program.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

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

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6171 - Title I Programs)

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

(cf. 4112.22 - Staff Teaching English Language Learners)

The Superintendent or designee shall provide to teachers, administrators, and other school staff research-based professional development that is designed to improve the instruction and assessment of English learners and enhance staff's ability to understand and use curricula, assessment, and instructional strategies for English learners. (20 USC 6825)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall encourage parent/guardian and community involvement in the development, implementation, and evaluation of English language development programs. In addition, to support students' English language development, the Superintendent or designee may provide an adult literacy training program that leads to English fluency for parents/guardians and community members.

(cf. 0420 - School Plans/Site Councils)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

Identification and Assessment

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

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

English learners' academic achievement in English language arts, mathematics, science, and any additional subject required by law shall be assessed using the California Assessment of Student Performance and Progress. As necessary, the test shall be administered with allowable testing variations in accordance with 5 CCR 853.5 and 853.7. English learners who are in their first 12 months of attending a school in the United States shall be exempted from taking the English language arts assessment to the extent allowed by federal law. (Education Code 60603, 60640; 5 CCR 853.5, 853.7)

(cf. 6162.51 - State Academic Achievement Tests)

Placement of English Learners

Students who are English learners shall be educated through "structured English immersion" (also known as "sheltered English immersion"), as defined in law and the accompanying administrative regulation, for a temporary transition period not normally intended to exceed one year. Nearly all of the classroom instruction in the district's structured English immersion program shall be in English, but with the curriculum and presentation designed for students who are learning the language. (Education Code 305-306)

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

When an English learner has acquired a reasonable level of English proficiency as measured by any of the state-designated assessments approved by the California Department of Education, any district assessments, and/or other criteria adopted by the Board, he/she shall be transferred from a structured English immersion classroom to an English language mainstream classroom in which the instruction is overwhelmingly in English. (Education Code 305-306; 5 CCR 11301)

(cf. 6162.5 - Student Assessment)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

An English learner has acquired a "reasonable level of English proficiency" when he/she has achieved the following:

At any time during the school year, the parent/guardian of an English learner may have his/her child moved into an English language mainstream program. (5 CCR 11301)

Parental Exception Waivers

When allowed by law, the parent/guardian of an English learner may submit a request that his/her child be exempted from placement in a structured English immersion program and instead be placed in a class where he/she is taught English and other subjects through bilingual education techniques or other generally recognized educational methodologies permitted by law. (Education Code 310-311)

Each waiver request shall be considered on its individual merits with deference given to the parent/guardian's preference for student placement.

A waiver request shall be granted in accordance with law unless the principal and educational staff have determined that an alternative program would not be better suited to the student's overall educational development. (5 CCR 11309)

If the Superintendent or designee denies the waiver request, he/she shall provide a written justification to the parent/guardian describing the reasons for the denial. A parent/guardian may appeal the decision in writing to the Board. The Board may consider the matter at its next regular Board meeting. The Board may decide not to hear the appeal, in which case the Superintendent's decision shall be final. If the Board hears the appeal, the Superintendent shall send the Board's decision to the parent/guardian within seven working days.

Program Evaluation

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

1. Progress of English learners towards proficiency in English
2. The number and percentage of English learners reclassified as fluent English proficient
3. The number and percentage of English learners who are or are at risk of being classified as long-term English learners in accordance with Education Code 313.1
4. The achievement of English learners on standards-based tests in core curricular areas
5. Progress toward any other goals for English learners identified in the district's LCAP

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

6. A comparison of current data with data from at least the previous year.

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

Legal Reference:

EDUCATION CODE

300-340 English language education

430-446 English Learner and Immigrant Pupil Federal Conformity Act

33050 State Board of Education waiver authority

42238.02-42238.03 Local control funding formula

44253.1-44253.11 Qualifications for teaching English learners

48985 Notices to parents in language other than English

52052 Academic Performance Index; numerically significant student subgroups

52060-52077 Local control and accountability plan

52130-52135 Impacted Languages Act of 1984

52160-52178 Bilingual Bicultural Act

60200.7 Suspension of state instructional materials adoptions

60605.87 Supplemental instructional materials, English language development

60640 California Assessment of Student Performance and Progress

60810-60812 Assessment of language development

62005.5 Continuation of advisory committee after program sunsets

CODE OF REGULATIONS, TITLE 5

853.5-853.7 Test administration; universal tools, designated supports, and accommodations

11300-11316 English learner education

11510-11517 California English Language Development Test

UNITED STATES CODE, TITLE 20

1701-1705 Equal Educational Opportunities Act

6312 Local education agency plans

6801-6871 Title III, Language instruction for limited English proficient and immigrant students

7012 Parental notification

COURT DECISIONS

Valeria G. v. Wilson, (2002) 307 F.3d 1036

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

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

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

ATTORNEY GENERAL OPINIONS

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

Management Resources: (see next page)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Academic Criterion for Reclassification, CDE Correspondence, August 11, 2014

California English Language Development Test (CELDT): 2013-14 CELDT Information Guide, 2013

English Language Arts/English Language Development Framework for California Public Schools:

Transitional Kindergarten Through Grade Twelve, 2014

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

Matrix of Test Variations, Accommodations, and Modifications for Administration of California Statewide Assessments

U.S. DEPARTMENT OF EDUCATION NONREGULATORY GUIDANCE

Assessment and Accountability for Recently Arrived and Former Limited English Proficient (LEP) Students, May 2007

WEB SITES

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

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

(11/02 11/12) 4/15

Policy
adopted: January 4, 2012
revised: March 4, 2013
revised: August 12, 2015

BIGGS UNIFIED SCHOOL DISTRICT
Biggs, California

Administrative Regulation

Instruction

AR 6174(a)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

Definitions

English learner, also known as a limited English proficient student, means a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English. (Education Code 306)

English language classroom means a classroom in which the language of instruction used by the teaching personnel is overwhelmingly the English language, and in which such teaching personnel possess a good knowledge of the English language. (Education Code 306)

English language mainstream classroom means a classroom in which the students either are native English language speakers or already have acquired reasonable fluency in English. (Education Code 306)

Structured English immersion (also known as "sheltered English immersion") means an English language acquisition process in which nearly all classroom instruction is in English but with the curriculum and presentation designed for students who are learning the language. (Education Code 306)

Bilingual education/native language instruction means a language acquisition process for students in which much or all instruction, textbooks, and teaching materials are in the student's native language. (Education Code 306)

Identification and Assessments

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

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

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

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

The state assessment shall be administered in accordance with test publisher instructions and 5 CCR 11511-11516.7. Variations and accommodations in test administration may be provided pursuant to 5 CCR 11516-11516.7. Any student with a disability shall be allowed to take the assessment with those accommodations for testing that the student has regularly used during instruction and classroom assessment as delineated in the student's individualized education program (IEP) or Section 504 plan that are appropriate and necessary to address the student's individual needs. If he/she is unable to participate in the assessment or a portion of the assessment with such accommodations, he/she shall be administered an alternate assessment for English language proficiency as set forth in his/her IEP. (5 CCR 11516-11516.7)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6159 - Individualized Education Program)

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

Parental Notifications

The Superintendent or designee shall provide the following written notifications to parents/guardians of English learners:

1. **Assessment Notification:** The district shall notify parents/guardians of their child's results on the state's English language proficiency assessment within 30 calendar days following receipt of the results from the test contractor. (Education Code 52164.1; 5 CCR 11511.5)

(cf. 5145.6 - Parental Notifications)

2. **Placement Notification:** At the beginning of each school year, parents/guardians shall be informed of the placement of their child in a structured English immersion program and shall be notified of an opportunity to apply for a parental exception waiver. (Education Code 310; 5 CCR 11309)
3. **Title III Notifications:** Each parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title III funds shall receive notification of the assessment of his/her child's English proficiency. Such notice shall be provided not later than 30 calendar days after the beginning of the school year or, if the student is identified for program participation during the school year, within two weeks of the student's placement in the program. The notice shall include all of the following: (Education Code 440; 20 USC 7012)
 - a. The reason for the student's classification as an English learner
 - b. The level of English proficiency, how the level was assessed, and the status of the student's academic achievement

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

- c. A description of the program for English language development instruction, including a description of all of the following:
 - (1) The manner in which the program will meet the educational strengths and needs of the student
 - (2) The manner in which the program will help the student develop his/her English proficiency and meet age-appropriate academic standards
 - (3) The specific exit requirements for the program, the expected rate of transition from the program into classes not tailored for English learners, and the expected rate of graduation from secondary school if applicable
 - (4) Where the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP
 - d. Information regarding a parent/guardian's option to decline to allow the student to be enrolled in the program or to choose to allow the student to be enrolled in an alternative program
 - e. Information designed to assist a parent/guardian in selecting among available programs, if more than one program is offered
4. Annual Measurable Objectives Notification: If the district fails to make progress on the annual measurable achievement objectives for English learners established pursuant to 20 USC 6842, the Superintendent or designee shall, within 30 days after such failure occurs, send a notification regarding such failure to the parents/guardians of each student identified for participation in a language instruction educational program supported by Title III funds. (20 USC 7012)

Parental Exception Waivers

A parent/guardian may, by personally visiting the school, request that the district waive the requirements pertaining to the placement of his/her child in a structured English immersion program if one of the following circumstances exists: (Education Code 310-311)

- 1. The student already possesses sufficient English language skills, as measured by standardized tests of English vocabulary comprehension, reading, and writing, in which the student scores at or above the state average for his/her grade level or at or above the fifth-grade average, whichever is lower.

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

2. The student is age 10 years or older, and it is the informed belief of the principal and educational staff that an alternate course of study would be better suited to the student's rapid acquisition of basic English skills.
3. The student already has been placed, for a period of not less than 30 calendar days during that school year, in an English language classroom and it is subsequently the informed belief of the principal and educational staff that the student has special physical, emotional, psychological, or educational needs and that an alternate course of educational study would be better suited to the student's overall educational development.

Upon request for a waiver, the Superintendent or designee shall provide parents/guardians with a full written description and, upon request, a spoken description of the intent and content of the structured English immersion program, any alternative courses of study, all educational opportunities offered by the district and available to the student, and the educational materials to be used in the different educational program choices. For a request for waiver pursuant to item #3 above, the Superintendent or designee shall notify the parent/guardian that the student must be placed for a period of not less than 30 calendar days in an English language classroom and that the waiver must be approved by the Superintendent pursuant to any guidelines established by the Governing Board. (Education Code 310, 311; 5 CCR 11309)

The principal and educational staff may recommend a waiver to a parent/guardian pursuant to item #2 or #3 above. Parents/guardians shall be informed in writing of any recommendation for an alternative program made by the principal and staff and shall be given notice of their right to refuse to accept the recommendation. The notice shall include a full description of the recommended alternative program and the educational materials to be used for the alternative program as well as a description of all other programs available to the student. If the parent/guardian elects to request the alternative program recommended by the principal and educational staff, the parent/guardian shall comply with district procedures and requirements otherwise applicable to a parental exception waiver, including Education Code 310. (Education Code 311; 5 CCR 11309)

When evaluating waiver requests pursuant to item #1 above and other waiver requests for those students for whom standardized assessment data are not available, other equivalent assessment measures may be used. These equivalent measures may include district standards and assessment and teacher evaluations of such students.

Parental exception waivers pursuant to item #2 above shall be granted if it is the informed belief of the principal and educational staff that an alternate course of educational study would be better suited to the student's rapid acquisition of basic English language skills. (Education Code 311)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

Parental exception waivers pursuant to item #3 above shall be granted by the Superintendent if it is the informed belief of the principal and educational staff that, due to the student's special physical, emotional, psychological, or educational needs, an alternate course of educational study would be better suited to the student's overall educational development. (Education Code 311)

All parental exception waivers shall be acted upon within 20 instructional days of submission to the principal. However, parental waiver requests pursuant to item #3 above shall not be acted upon during the 30-day placement in an English language classroom. Such waivers shall be acted upon no later than 10 calendar days after the expiration of that 30-day English language classroom placement or within 20 instructional days of submission of the waiver to the principal, whichever is later. (5 CCR 11309)

Any individual school in which 20 or more students of a given grade level receive a waiver shall offer an alternative class where the students are taught English and other subjects through bilingual education techniques or other generally recognized educational methodologies permitted by law. Otherwise, the students shall be allowed to transfer to a public school in which such a class is offered. (Education Code 310)

In cases where a parental exception waiver pursuant to item #2 or #3 above is denied, the parent/guardian shall be informed in writing of the reason(s) for the denial and advised that he/she may appeal the decision to the Board if the Board authorizes such an appeal, or to the court. (5 CCR 11309)

Waiver requests shall be renewed annually by the parent/guardian. (Education Code 310)

Reclassification/Redesignation

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

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

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

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

The following measures shall be used to determine whether an English learner shall be reclassified as fluent English proficient: (Education Code 313; 5 CCR 11303)

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

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

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

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

The Superintendent or designee shall monitor students for at least two years following their reclassification to determine whether the student needs any additional academic support to ensure his/her language and academic success.

Advisory Committee

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

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

1. The development of a district master plan of education programs and services for English learners, taking into consideration the school site plans for English learners
2. The districtwide needs assessment on a school-by-school basis
3. Establishment of a district program, goals, and objectives for programs and services for English learners

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

4. Development of a plan to ensure compliance with applicable teacher or aide requirements
5. Administration of the annual language census
6. Review of and comment on the district's reclassification procedures
7. Review of and comment on the written notification required to be sent to parents/guardians pursuant to 5 CCR 11300-11316

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)
(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6020 - Parent Involvement)

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

LCAP Advisory Committee

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

(cf. 0460 - Local Control and Accountability Plan)

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

(3/03 11/12) 4/15

Regulation
approved: January 4, 2012
revised: March 4, 2013
revised: August 12, 2015

BIGGS UNIFIED SCHOOL DISTRICT
Biggs, California

Exhibit

Instruction

E 6174(a)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

PARENTAL EXCEPTION WAIVER EDUCATION CODE 311

Student's Name: _____ Grade: _____

School: _____ Date of Birth: _____

Student's Primary Language: _____

I request a waiver of the placement of my child in the school's structured/sheltered English immersion program for the following reason:

- My child possesses good English language skills. (Education Code 311(a))
- My child is 10 years of age or older and I believe that an alternate course of study is better suited to my child's rapid acquisition of English. (Education Code 311(b))
- I believe that my child has special needs and that an alternate course of study is better suited to his/her educational development. (Education Code 311(c))

I understand that the objective for my child is to be taught English as rapidly and effectively as possible. I have been provided a full written description of the intent and content of the structured English immersion program; any alternative courses of study offered by the district and made available to my child; all educational opportunities offered by the district and made available to my child; and the educational materials to be used in the different educational program choices.

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

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

Parent/Guardian Signature: _____ Date: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

For School Use Only:

For waivers pursuant to Education Code 311(a), student's English standardized test scores:
(Scores must be at or above the state average for the child's grade level or above the 5th
grade average) _____

Waiver Granted/Denied: _____ Date: _____

Signature: _____ Title: _____

MIGRANT EDUCATION PROGRAM

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

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

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

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

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

(cf. 1020 - Youth Services)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 5141.6 - School Health Services)
(cf. 5147 - Dropout Prevention)
(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 5148.3 - Preschool/Early Childhood Education)
(cf. 5149 - At-Risk Students)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Language Learners)

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

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

MIGRANT EDUCATION PROGRAM (continued)

(cf. 0500 - Accountability)
(cf. 6162.51 - Standardized Testing and Reporting Program)
(cf. 6162.52 - High School Exit Examination)

Legal Reference:

EDUCATION CODE
54440-54445 Migrant education program
CODE OF REGULATIONS, TITLE 5
3080 Application of uniform complaint procedures
4600-4687 Uniform complaint procedures
UNITED STATES CODE, TITLE 20
6311 Title I state plan
6381-6381k Even Start family literacy program
6391-6399 Migrant education program
7881 Services for private school students
CODE OF FEDERAL REGULATIONS, TITLE 34
200.81-200.89 Migrant education program

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Identification and Recruitment Manual: Policies and Procedures for Migrant Education Recruiters in the State of California, 2008
California Migrant Education Program: Comprehensive Needs Assessment, Initial Report of Findings, 2007
U.S. DEPARTMENT OF EDUCATION NON-REGULATORY GUIDANCE
Title I, Part C Education of Migratory Children, October 2003
WEB SITES
California Department of Education, Migrant Education Office: <http://www.cde.ca.gov/sp/me>
U.S. Department of Education, Office of Migrant Education:
<http://www.ed.gov/about/offices/list/oese/ome>
West Ed, Migrant Student Information Network: <http://www.wested.org/cs/we/view/pj/61>

MIGRANT EDUCATION PROGRAM

Eligibility

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

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

(cf. 6011 - Academic Standards)

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

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

Student Records

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

(cf. 5125 - Student Records)

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

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

Program Components

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

1. A general needs assessment summarizing the needs of the population to be served
2. Individual assessment of the educational and relevant health needs of each participating student, within 30 days of enrollment

MIGRANT EDUCATION PROGRAM (continued)

3. A comprehensive program to meet the educational, health, and related needs of participating students which supplements the district program and which provides:

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

(cf. 6174 - Education for English Language Learners)

(cf. 6177 - Summer School)

(cf. 6178 - Career Technical Education)

b. Counseling and career education services

(cf. 6164.2 - Guidance/Counseling Services)

c. Preschool services in accordance with Education Code 54443

(cf. 5148 - Child Care and Development)

(cf. 5148.3 - Preschool/Early Childhood Education)

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

e. Instructional materials and equipment necessary for appropriate services

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

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

(cf. 5141.6 - School Health Services)

(cf. 5147 - Dropout Prevention)

(cf. 6171 - Title I Programs)

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

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

(cf. 4131 - Staff Development)

MIGRANT EDUCATION PROGRAM (continued)

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

(cf. 6020 - Parent Involvement)

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

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

Parent Advisory Council

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

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

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

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

1. Establish program goals, objectives, and priorities
2. Review annual needs assessments, program activities for each school, and individual learning plans
3. Advise on the selection, development, and reassignment of migrant education program staff

MIGRANT EDUCATION PROGRAM (continued)

4. Participate actively in planning and negotiating program applications and service agreements
5. Perform all other responsibilities required under state and federal laws or regulations

The Superintendent or designee shall establish and implement a training program for advisory council members to enable them to carry out their responsibilities. The training program shall be developed in consultation with the council and shall include appropriate training materials in a language understandable to each member. (Education Code 54444.2)

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

WEEKEND/SATURDAY CLASSES

Pursuant to Education Code 44824, a teacher cannot be assigned to work on a Saturday or Sunday if he/she objects in writing that the assignment would conflict with his/her religious beliefs or practices. In addition, Education Code 44824 provides that full-time teachers employed by the district prior to the implementation of weekend classes cannot be required to teach for more than 180 full days during a school year or for more than the number of full days that district schools were maintained during the year preceding implementation of weekend classes, whichever is greater. See AR 4113 - Assignment.

The Governing Board desires to increase educational opportunities outside the regular school week in order to meet student needs and promote academic achievement. When staffing, facilities, and other resources are available, the Board may approve the provision of classes on Saturday and/or Sunday that support and are integrated with other learning opportunities.

(cf. 4113 - Assignment)

(cf. 5148.2 - Before/After School Programs)

(cf. 6111 - School Calendar)

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

Weekend classes may include, but are not limited to:

1. Continuation classes (Education Code 37223)

(cf. 6184 - Continuation Education)

2. Special day classes for mentally gifted minors (Education Code 37223)

(cf. 6172 - Gifted and Talented Student Program)

3. Makeup classes for unexcused absences occurring during the week (Education Code 37223)

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 6154 - Homework/Makeup Work)

4. Supplemental instruction for students who need additional assistance to meet academic standards or requirements

(cf. 5123 - Promotion/Acceleration/Retention)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6179 - Supplemental Instruction)

WEEKEND/SATURDAY CLASSES (continued)

5. Enrichment classes in core academic subjects

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

Except in ROC/Ps, weekend attendance shall not result in crediting any student with more than five days of attendance per week. (Education Code 37223)

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

A student shall be excused from a weekend class if such attendance would be in conflict with his/her religious beliefs. Such students shall be given priority for enrollment in any other available supplemental instruction offered at a time other than during the weekend.

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

According to the California Department of Education's (CDE) Management Bulletin NSD-SNP-03-2013, this requirement extends to Saturday classes unless the district or school receives a waiver. The CDE will consider a waiver when any two of the following criteria exist: (1) serving meals during the Saturday session would result in a financial loss to the district equal to one-third of the food service's net cash resources; (2) the Saturday session at the school is less than four hours and is completed by noon allowing students to go home during the lunch period; (3) less than 10 percent of the needy students attending the Saturday session are at the school for more than three hours per day; and (4) the school does not have proper refrigeration facilities to enable meals to be prepared on Friday and served on Saturday.

Unless the requirement is waived by the California Department of Education, the district shall provide at least one nutritionally adequate meal during the weekend session in accordance with Education Code 49550.

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

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

(cf. 5030 - Student Wellness)

Legal Reference: (see next page)

WEEKEND/SATURDAY CLASSES (continued)

Legal Reference:

EDUCATION CODE

37223 Weekend classes

37252-37253 Supplemental instruction

41505-41508 Pupil Retention Block Grant

41601 Reports of average daily attendance

42239 Summer school attendance computation

44824 Weekend classes, assignment of certificated employees

48070-48070.5 Promotion and retention, supplemental instruction

48205 Excused absence for personal reasons

48260 Truants, definition

49550 Meals for needy students

52060-52077 Local control and accountability plan

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Requesting a Summer School Meal Waiver and/or a Saturday School Meal Waiver, Nutrition Services

Division Management Bulletin NSD-SNP-03-2013, February 2013

WEB SITES

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

(6/92 11/00) 12/13

SUMMER LEARNING PROGRAMS

The Board of Trustees recognizes that an extended break from the instructional program may result in significant learning loss, especially among disadvantaged and low-achieving students, and desires to provide opportunities during the summer for students to practice essential skills and make academic progress.

Summer programs offered by the district shall be aligned with the district's local control and accountability plan (LCAP), other applicable district and school plans, and the educational program provided during the school year. When feasible, summer programs shall blend high-quality academic instruction in core curricular and/or elective subjects with recreation, nutrition programs, social and emotional development, and support services that encourage attendance, student engagement in learning, and student wellness.

- (cf. 0200 - Goals for the School District)*
- (cf. 0460 - Local Control and Accountability Plan)*
- (cf. 3552 - Summer Meal Program)*
- (cf. 5030 - Student Wellness)*
- (cf. 5141.6 - School Health Services)*
- (cf. 5148 - Child Care and Development Program)*
- (cf. 6011 - Academic Standards)*
- (cf. 6142.7 - Physical Education and Activity)*
- (cf. 6143 - Courses of Study)*

Summer School

In addition, Education Code 54444.3 requires agencies receiving Title I Migrant Education funding to conduct summer school for eligible migrant students in grades K-12; see BP/AR 6175 - Migrant Education Program.

The Superintendent or designee, with Board approval, may establish summer school day and/or evening classes.

- (cf. 5148.2 - Before/After School Program)*
- (cf. 6171 - Title I Programs)*
- (cf. 6175 - Migrant Education Program)*

The district's summer school program may be used to provide supplemental instruction to students needing remediation and/or enrichment in core academic subjects.

- (cf. 6176 - Weekend/Saturday Classes)*
- (cf. 6179 - Supplemental Instruction)*

As appropriate, priority for enrollment in summer school programs shall be given to district students who:

SUMMER LEARNING PROGRAMS (continued)

1. Need course credits in order to graduate from high school before the beginning of the next school year

(cf. 5147 - Dropout Prevention)

(cf. 6146.1 - High School Graduation Requirements)

2. Have been retained or are at risk of being retained at their grade level

(cf. 5123 - Promotion/Acceleration/Retention)

3. Demonstrate academic deficiencies in core curriculum areas

(cf. 0460 - Local Control and Accountability Plan)

4. Are in targeted student groups identified in the district's LCAP as needing increased or improved services to succeed in the educational program

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

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

(cf. 5113 - Absences and Excuses)

(cf. 6154 - Homework/Makeup Work)

Sites for summer school programs may be rotated in an effort to make summer school programs more accessible to all students, regardless of residence or regular attendance area, and to accommodate the maintenance needs of district schools.

The Superintendent or designee shall annually report to the Board on summer school enrollment in the current year and previous year for the program as a whole and disaggregated by grade level, school that the students attend during the regular school year, and student population. In addition, he/she may report on the extent to which students successfully achieved the outcomes established for the program.

Additional Summer Learning Opportunities

The Superintendent or designee may collaborate with parents/guardians, city and county agencies, community organizations, child care providers, and/or other interested persons to

SUMMER LEARNING PROGRAMS (continued)

develop, implement, and build awareness of organized activities that support summer learning.

(cf. 1020 - Youth Services)

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

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

Strategies to support summer learning may include, but are not limited to:

1. Providing information to students and parents/guardians about summer reading programs scheduled to be conducted by public libraries or community organizations
2. Collaborating with the local parks and recreation agency and/or community organizations to provide day camps, sports programs, or other opportunities for physical education and activity

(cf. 1330.1 - Joint Use Agreements)

3. Collaborating with workforce development agencies, businesses, and community organizations to provide summer job training opportunities that include an academic component

(cf. 3260 - Fees and Charges)

(cf. 5113.2 - Work Permits)

(cf. 6178.1 - Work-Based Learning)

4. Encouraging reading in the home, such as providing lists of recommended reading to students and parents/guardians, establishing a target number of books or pages, and providing prizes for achievement of reading goals

(cf. 6020 - Parent Involvement)

5. Assigning summer vacation homework in core curricular subject(s) for extra credit
6. Conducting occasional, interactive "fun days" during the summer to provide activities related to art, music, science, technology, mathematics, environmental science, multicultural education, debate, or other subjects
7. Arranging opportunities for community service

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

Legal References: (See next page)

SUMMER LEARNING PROGRAMS (continued)

Legal Reference:

EDUCATION CODE

8482-8484.6 *After School Education and Safety Program*
8484.7-8484.9 *21st Century Community Learning Centers*
37252-37254.1 *Supplemental instruction*
39837 *Transportation to summer employment programs*
41505-41508 *Pupil Retention Block Grant*
41976.5 *Summer school programs, substantially disabled persons or graduating high school seniors*
42238.01-42238.07 *Local control funding formula*
42238.8 *Revenue limit per unit of average daily attendance*
48070-48070.5 *Promotion and retention*
51210 *Areas of study for elementary schools*
51220 *Areas of study for grades 1-6*
51730-51732 *Powers of governing boards (authorization for elementary summer school classes)*
52060-52077 *Local control and accountability plan*
54444.3 *Summer program for migrant students*
56345 *Extended-year program for special education students*
58700-58702 *Credit towards summer school apportionments for tutoring and homework assistance*
58806 *Summer school apportionments*
60851 *Supplemental instruction toward exit examination*

CODE OF REGULATIONS, TITLE 5

3043 *Extended school year, special education students*
11470-11472 *Summer school*

UNITED STATES CODE, TITLE 20

6311-6322 *Improving basic programs for disadvantaged students*
7171-7176 *21st Century Community Learning Centers*

Management Resources:

CSBA PUBLICATIONS

Summer Learning and Wellness Resource Guide
School's Out, Now What? How Summer Programs Are Improving Student Learning and Wellness, Policy Brief, April 2013

NATIONAL SUMMER LEARNING ASSOCIATION PUBLICATIONS

Healthy Summers for Kids: Turning Risk into Opportunity, May 2012
New Vision for Summer School, 2010

RAND CORPORATION PUBLICATIONS

Making Summer Count: How Summer Programs Can Boost Children's Learning, 2011

WEB SITES

CSBA: <http://www.csba.org>
California Department of Education: <http://www.cde.ca.gov>
National Summer Learning Association: <http://www.summerlearning.org>
Partnership for Children and Youth: <http://partnerforchildren.org>
RAND Corporation: <http://www.rand.org>
Summer Matters: <http://summermatters2you.net>

(7/05 4/13) 12/13

Policy
adopted: January 4, 2012
revised: April 2, 2014
revised: March 2, 2016

BIGGS UNIFIED SCHOOL DISTRICT
Biggs, California

Board Policy

Instruction

BP 6178(a)

CAREER TECHNICAL EDUCATION

Cautionary Notice: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009), ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), and SB 70 (Ch. 7, Statutes of 2011), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs and provides that districts are deemed in compliance with the program and funding requirements for these programs for the 2008-09 through 2014-15 fiscal years. As a result of this flexibility, the district may choose to temporarily suspend certain provisions of the following policy or administrative regulation that reflect those requirements. However, this flexibility does not affect or alter any existing contract or bargaining agreement that the district may have in place. Thus, districts should examine the terms of those contracts and agreements and consult with district legal counsel for additional guidance. Also see BP 2210 - Administrative Discretion Regarding Board Policy.

The Governing Board desires to provide a comprehensive career technical education (CTE) program in the secondary grades which integrates core academic instruction with technical and occupational instruction in order to increase student achievement, graduation rates, and readiness for postsecondary education and employment. The district's CTE program shall be designed to help students develop the academic, career, and technical skills needed to succeed in a knowledge- and skills-based economy. The program shall include a rigorous academic component and provide students with a strong experience and understanding of all aspects of an industry.

(cf. 6143 - Courses of Study)

(cf. 6200 - Adult Education)

The district's CTE program shall focus on preparing students to enter current or emerging high-skill, high-wage, and/or high-demand occupations. CTE opportunities may be offered through linked learning programs, partnership academies, apprenticeship programs or orientation to apprenticeships, regional occupational centers or programs, tech prep programs, charter schools, small learning communities, or other programs that expose students to career options while preparing them for future careers in a given industry or interest area.

(cf. 0420.4 - Charter School Authorization)

(cf. 6178.2 - Regional Occupational Center/Program)

The Board shall review and approve all district plans and applications for the use of state and/or federal funds supporting CTE.

The Board shall adopt district standards for CTE which meet or exceed the state's model content standards and describe the essential knowledge and skills that students enrolled in these courses are expected to master. The course curriculum shall be aligned with district-adopted standards and the state's curriculum framework.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

CAREER TECHNICAL EDUCATION (continued)

At least every three years, the Board shall compare the district's curriculum, course content, and course sequence of CTE with the model state curriculum standards. (Education Code 52376)

The Superintendent or designee shall systematically review the district's CTE classes to determine the degree to which each class may offer an alternative means for completing and receiving credit for specific portions of the course of study prescribed by the district for high school graduation. The Board shall ensure that these classes are equivalent in content and rigor to the courses prescribed for graduation. (Education Code 52376)

(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.11 - Alternative Credits Toward Graduation)
(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

The Superintendent or designee shall develop partnerships with local businesses and industries to ensure that course sequences, career technical and integrated curriculum, classroom instruction and projects, and assessments have real-world relevance and reflect labor market needs and priorities. He/she also shall work to develop connections with businesses, postsecondary institutions, community organizations, and/or other employers to provide students with actual or simulated work-based learning opportunities.

(cf. 1700 - Relations Between Private Industry and the Schools)
(cf. 5113.2 - Work Permits)
(cf. 6178.1 - Work-Based Learning)

The Superintendent or designee shall collaborate with postsecondary institutions to ensure that the district's program is articulated with postsecondary programs in order to provide a sequential course of study. Articulation opportunities may include dual or concurrent enrollment in community college courses.

(cf. 6172.1 - Concurrent Enrollment in College Classes)

The Superintendent or designee shall inform all secondary students and their parents/guardians about the CTE experiences available in the district, CTE courses that satisfy college admission criteria, and, if applicable, CTE courses that satisfy high school graduation requirements. In addition, secondary students shall receive individualized career guidance and academic counseling which provides information about academic and CTE opportunities related to the student's career goals.

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall ensure that teachers of CTE courses possess the qualifications and credentials necessary to teach their assigned courses. He/she also shall provide teachers and administrators with professional development designed to enhance their knowledge of standards-aligned CTE and shall provide opportunities for CTE teachers to

CAREER TECHNICAL EDUCATION (continued)

collaborate with teachers of academic courses in the development and implementation of integrated curriculum models.

(cf. 4112.2 - Certification)

(cf. 4131 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall provide counselors and other guidance personnel with professional development that includes, but is not limited to, information about current workforce needs and trends, requirements of the district's CTE program, work-based learning opportunities, and postsecondary education and employment options following high school.

Upon written request from a nonprofit private school within the geographical area served by the district, the Superintendent or designee shall consult with private school representatives in a timely and meaningful manner and may provide for the participation of private school secondary students in the district's programs and activities funded under the federal Carl D. Perkins Career and Technical Education Act. To the extent practicable, the Superintendent or designee also shall, upon request, permit participation of CTE teachers, administrators, and other personnel from private schools in the district's inservice and preservice professional development programs funded through the Perkins Act. (20 USC 2397)

The Superintendent or designee shall regularly assess district needs for facilities, technologies, and equipment to increase students' access to the district's CTE program.

(cf. 0440 - District Technology Plan)

(cf. 3440 - Inventories)

(cf. 3512 - Equipment)

(cf. 7110 - Facilities Master Plan)

Nondiscrimination

The district's program shall provide equal access to and shall not unlawfully discriminate against students who are members of special populations. *Special populations* include, but are not limited to, students with disabilities; students from economically disadvantaged families, including foster youth; single parents and single pregnant females; displaced homemakers; students with limited English proficiency; and students preparing for nontraditional fields. *Nontraditional fields* include occupations or fields of work, including careers in computer science, technology, and other emerging high-skill occupations, for which individuals from one gender constitute less than 25 percent of the individuals employed in each such occupation or field of work. (20 USC 2302, 2354, 2373)

Prior to the beginning of each school year, the Superintendent or designee shall advise students, parents/guardians, employees, and the general public that all CTE opportunities are offered without regard to any actual or perceived characteristic protected from discrimination by law. (34 CFR 100.B, 104.8, 106.9)

CAREER TECHNICAL EDUCATION (continued)

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

(cf. 1312.3 - Uniform Complaint Procedures)

The above notification shall be disseminated in languages other than English as needed and shall state that the district will take steps to ensure that the lack of English language skills will not be a barrier to admission and participation in the district's CTE program. (20 USC 2354; 34 CFR 100.B)

School and Community Involvement

The Board shall appoint a CTE advisory committee to develop recommendations on the district's CTE program and to serve as a liaison between the district and potential employers. The committee shall consist of at least one student, teacher, business representative, industry representative, school administrator, member of the general public knowledgeable about the disadvantaged, and representative of the field office of the California Employment Development Department. (Education Code 8070)

(cf. 1220 - Citizen Advisory Committees)

The district also shall involve parents/guardians; students; academic and CTE teachers; administrators; career guidance and academic counselors; representatives of tech prep consortia if applicable, business and industry, labor organizations, and special populations; and other interested individuals in the development, implementation, and evaluation of CTE programs. (20 USC 2354)

Program Evaluation

The Board shall monitor the achievement of students participating in the district's CTE program in order to determine the need for program improvements. The Superintendent or designee shall annually report to the Board and the California Department of Education on program enrollment and completion rates, including enrollment and completion of programs in nontraditional fields as defined in 20 USC 2302; student academic assessment results; attainment of career and technical skill proficiencies; attainment of a high school diploma or equivalent; graduation rates; and subsequent placement in postsecondary education or advanced training, military service, or employment. Data shall be disaggregated, in accordance with 20 USC 2323, by race, ethnicity, gender, disability status, migrant status, English proficiency, and economic disadvantage status and for each special population as defined in 20 USC 2302 and listed in the section "Nondiscrimination" above.

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6162.52 - High School Exit Examination)

(cf. 6190 - Evaluation of the Instructional Program)

CAREER TECHNICAL EDUCATION (continued)

Legal Reference:

EDUCATION CODE

1205 *Classification of counties*

8006-8156 *Career technical education*

17078.70-17078.72 *Career technical education facilities*

33430-33432 *Health science and medical technology grants*

35168 *Inventory of equipment*

41505-41508 *Pupil Retention Block Grant*

41540-41544 *Targeted instructional improvement block grant*

44257.3 *CTC recognition of study in linked learning teaching methods*

44260-44260.1 *Designated subjects career technical education credential*

44260.9 *Designated subjects career technical education credential*

48430 *Legislative intent; continuation education schools and classes*

48980 *Parental notifications*

51220-51229 *Courses of study, grades 7-12*

51760-51769.5 *Work experience education*

52300-52499.66 *Career technical education*

52519-52520 *Adult education, occupational training*

53080-53084 *School-to-career initiatives*

53086 *California Career Resource Network*

54690-54699.1 *California Partnership Academies*

54750-54760 *California Partnership Academies, green technology and goods movement occupations*

56363 *Related services for students with disabilities; specially designed career technical education*

66205.5-66205.9 *Approval of career technical education courses for admission to California colleges*

88500-88551 *Community college economic and workforce development program*

GOVERNMENT CODE

54950-54963 *Brown Act*

LABOR CODE

3070-3099.5 *Apprenticeships*

CODE OF REGULATIONS, TITLE 5

1635 *Credit for work experience education*

3051.14 *Specially designed career technical education for students with disabilities*

10070-10075 *Work experience education*

10080-10092 *Community classrooms*

10100-10111 *Cooperative vocational education*

11500-11508 *Regional occupational centers and programs*

11535-11538 *Career technical education contracts with private postsecondary schools*

11610-11611 *Regional adult and vocational education councils*

CODE OF REGULATIONS, TITLE 8

200-240 *Apprenticeships*

UNITED STATES CODE, TITLE 20

2301-2414 *Carl D. Perkins Career and Technical Education Act of 2006*

6301-6578 *Improving the Academic Achievement of the Disadvantaged*

Legal Reference continued: (see next page)

CAREER TECHNICAL EDUCATION (continued)

Legal Reference: (continued)

CODE OF FEDERAL REGULATIONS, TITLE 34

76.730-76.731 *Records related to federal grant programs*

80.32 *Equipment acquired with federal funds*

80.42 *Record retention*

100.B *Appendix B Guidelines for eliminating discrimination in career technical education programs*

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

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

Management Resources:

CSBA PUBLICATIONS

Orientation to Apprenticeship Overview, Construction Management Task Force Fact Sheet, November 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

2008-2012 State Plan for Career Technical Education

Multiple Pathways to Student Success: Envisioning the New California High School, 2010

Regional Occupational Centers and Programs Operations Handbook March 2008

Model Programs and Practices: Setting Standards for Regional Occupational Centers and Programs (ROCPs), rev. October 2007

Career Technical Education Framework for California Public Schools, Grades Seven Through Twelve, January 2007

California Career Technical Education Model Curriculum Standards, Grades Seven Through Twelve, May 2005

Management of Vocational Education Equipment, April 2000

CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS, DIVISION OF APPRENTICESHIP STANDARDS PUBLICATIONS

Orientation to Apprenticeships: A Guide for Educators, January 2001

WEB SITES

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

Association for Career and Technical Education: <http://www.acteonline.org>

California Association of Regional Occupational Centers and Programs: <http://www.carocp.org>

California Career Resource Network: <http://www.californiacareers.info>

California Department of Education, Career Technical Education: <http://www.cde.ca.gov/ci/ct>

California Department of Employment Development: <http://www.edd.ca.gov>

California Department of Industrial Relations: <http://www.dir.ca.gov>

California Workforce Investment Board: <http://www.calwia.org>

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

University of California, a-g Course Submissions: http://www.ucop.edu/a-gGuide/ag/course_submissions

U.S. Department of Education, Office of Vocational and Adult Education:

<http://www.ed.gov/about/offices/list/ovae/pi/cte/index.html>

U.S. Department of Labor, Bureau of Labor Statistics: <http://www.bls.gov>

Administrative Regulation

Instruction

AR 6178(a)

CAREER TECHNICAL EDUCATION

Perkins Basic Grants for Career Technical Education

For any district program of career technical education (CTE) funded through a basic grant of the federal Carl D. Perkins Career and Technical Education Act, the district shall submit to the California Department of Education a districtwide plan addressing the components specified in 20 USC 2354 and any additional requirements specified in the state plan developed pursuant to 20 USC 2342. The multi-year district plan shall cover the same time period covered by the state plan. (20 USC 2354)

The district shall offer at least one CTE program of study which shall: (20 USC 2342, 2354, 2355)

1. Improve the academic and career technical skills of participating students by integrating coherent and rigorous academic content and relevant CTE programs

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

2. Link CTE at the secondary and postsecondary levels through at least one of the strategies specified in 20 USC 2342

(cf. 6172.1 - Concurrent Enrollment in College Classes)

3. Provide students with strong experience in and understanding of all aspects of an industry, which may include work-based learning experiences

(cf. 5113.2 - Work Permits)

(cf. 6178.1 - Work-Based Learning)

4. Develop, improve, or expand the use of technology in CTE

(cf. 0440 - District Technology Plan)

5. Provide professional development to teachers, administrators, and career guidance and academic counselors who are involved with integrated CTE programs

(cf. 4131 - Staff Development)

(cf. 4331 - Staff Development)

(cf. 6164.2 - Guidance/Counseling Services)

6. Develop and implement program evaluations, including an assessment of how the needs of special populations, as defined in 20 USC 2302 and Board policy, are being met

CAREER TECHNICAL EDUCATION (continued)

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

7. Initiate, improve, expand, and modernize quality CTE programs, including relevant technology
8. Provide services and activities that are of sufficient size, scope, and quality to be effective
9. Provide activities to prepare special populations for high-skill, high-wage, or high-demand occupations that will lead to self-sufficiency

The district's program shall consist of at least two full-year CTE courses with a combined duration of at least 300 hours, or a single multiple-hour course which provides sequential units of instruction and has a duration of at least 300 hours. At least 50 percent of course curriculum and content shall be directly related to the development of career knowledge and skills.

Tech Prep Programs

The district shall, under an articulation agreement with an institution of postsecondary education and other consortium partners as appropriate, offer a technical preparation (tech prep) program in accordance with 20 USC 2371-2376. The program shall: (20 USC 2373)

1. Consist of a program of study that:
 - a. Combines at least two years of tech prep at the secondary level which is linked to at least two years of either postsecondary education in a sequential, nonduplicative course of study or an apprenticeship program
 - b. Integrates academic and career technical instruction and utilizes work-based and work site learning experiences as appropriate and available
 - c. Provides technical preparation in a career field, including high-skill, high-wage, or high-demand occupations
 - d. Builds student competence in technical skills and in core academic subjects, as appropriate, through applied, contextual, and integrated instruction in a coherent sequence of courses
 - e. Leads to technical skill proficiency, an industry-recognized credential, a certificate, or a degree in a specific career field

CAREER TECHNICAL EDUCATION (continued)

- f. Leads to placement in high-skill or high-wage employment or to further education
 - g. Utilizes CTE programs of study, to the extent practicable
 - h. Meets state academic standards
 - i. Investigates opportunities for tech prep students to enroll concurrently in secondary education and postsecondary education courses
2. Uses educational technology and distance learning, as appropriate, to involve consortium partners more fully in the development and operation of programs
 3. Includes inservice professional development for teachers, administrators, and counselors that addresses the goals identified in 20 USC 2373
 4. Provides equal access to the full range of tech prep programs to individuals who are members of special populations, as defined in 20 USC 2302 and Board policy, including the development of tech prep program services appropriate to the needs of special populations
 5. Provides for preparatory services that assist participating students
 6. Coordinates with activities conducted under Title I of the No Child Left Behind Act

(cf. 6171 - Title I Programs)

Regional Occupational Center/Program

The district shall operate and/or partner with a regional occupational center or program (ROC/P), established pursuant to Education Code 52300-52335.6, which offers CTE courses independently or in support of tech prep programs, linked learning programs, partnership academies, and/or pre-apprenticeship and apprenticeship programs as appropriate.

Occupational course sequences offered by the ROC/P shall provide prerequisite courses needed to enter apprenticeship or postsecondary vocational certificate or degree programs, focus on occupations requiring comprehensive skills leading to high entry-level wages and/or the possibility of significant wage increases after a few years on the job, offer as many courses as possible that meet college admission requirements, and lead to attainment of an occupational skill certificate. (Education Code 52302)

CAREER TECHNICAL EDUCATION (continued)

Student Organizations

The district may provide support, including supplies, materials, activities, and advisor expenses, to student organizations which engage in activities that are integral to the CTE program and provide for the development of student leadership skills. However, no state or federal funds shall be used to pay students' membership dues, food or lodging expenses, out-of-state travel, or the cost of a social activity or assemblage.

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.5 - Student Organizations and Equal Access)

Regulation
approved: January 4, 2012
Revised: November 7, 2012

BIGGS UNIFIED SCHOOL DISTRICT
Biggs, California

WORK-BASED LEARNING

The Governing Board desires to facilitate the preparation of secondary school students for college and career by providing work-based learning opportunities which link classroom learning with real-world experiences. Work-based learning opportunities offered by the district shall be designed to teach the skills, attitudes, and knowledge necessary for successful employment and to reinforce mastery of both academic and career technical education (CTE) standards.

(cf. 6000 - Concepts and Roles)

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

(cf. 6178 - Career Technical Education)

(cf. 6178.2 - Regional Occupational Center/Program)

Work-based learning opportunities offered by the district may include paid and/or unpaid work experiences, including, but not limited to, work experience education as defined in Education Code 51764, cooperative CTE or community classrooms as defined in Education Code 52372.1, job shadowing as defined in Education Code 51769, student internships, apprenticeships, service learning, employment in social/civic or school-based enterprises, and technology-based or other simulated work experiences.

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

The Superintendent or designee shall involve local businesses or business organizations in planning and implementing work-based learning opportunities that support the district's vision and goals for student learning and local workforce development efforts. He/she also may work with postsecondary institutions, community organizations, and others to identify opportunities for work-based learning.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 6020 - Parent Involvement)

When required by law, the Superintendent or designee shall develop a written training agreement with the employer that describes the conditions and requirements to be met by all parties and shall develop an individual training plan for each student which outlines the objectives or competencies that the student is expected to accomplish at the work site. (5 CCR 10070-10071, 10087, 10108)

District staff shall coordinate with the workplace supervisor or mentor to ensure appropriate guidance and supervision of participating students and maximum educational benefit from placement in the program.

A minor student shall be issued a work permit before beginning employment through a paid work-based learning program in accordance with law, Board policy, and administrative regulation. (Education Code 49113, 49160) *(cf. 5113.2 - Work Permits)*

WORK-BASED LEARNING (continued)

All laws or rules applicable to minors in employment relationships shall be applicable to students enrolled in work-based learning programs. (Education Code 51763)

The Superintendent or designee shall ensure that any student participating in a work-based learning program off school grounds is covered under the employer's or district's insurance, as applicable, in the event the student is injured.

(cf. 3530 - Risk Management/Insurance)
(cf. 5143 - Insurance)

The Superintendent or designee shall ensure that any teacher/coordinator of a work-based learning program possesses the appropriate credential issued by the Commission on Teacher Credentialing. (5 CCR 10075, 10080, 10100)

(cf. 4112.2 - Certification)

The Superintendent or designee shall maintain records for each student's participation in the program, including, but not limited to, the student's individualized training plan, his/her employment hours and job site, work permit if applicable, employer's report of student's attendance and job performance, the teacher/coordinator's consultations and observations, and the student's grade and credits earned.

(cf. 5125 - Student Records)

The Superintendent or designee shall periodically report to the Board regarding program implementation and effectiveness, including, but not limited to, rates of student participation in work-based learning programs and assessment results of participating students.

(cf. 0500 - Accountability)

Legal Reference:

EDUCATION CODE

35208 Liability insurance

46144 Minimum school day for work experience program

46147 Exception for minimum day; students in last semester or quarter of grade 12

46300 Method of computing ADA

48402 Enrollment in continuation education, minors not regularly employed

49110-49119 Permits to work

49160 Permits to work, duties of employer

51760-51769.5 Work-based learning

52300-52499.66 Career technical education

54690-54697 Partnership academies

56026 Students with exceptional needs

52372.1 Community classrooms and cooperative career technical education programs

LABOR CODE

1285-1312 Employment of minors

1391-1394 Working hours for minors

WORK-BASED LEARNING (continued)

3070-3099.5 *Apprenticeship*
3200-6002 *Workers' compensation and insurance*
CODE OF REGULATIONS, TITLE 5
1635 *Credit for work experience education*
10070-10075 *Work experience education*
10080-10090 *Community classrooms*
10100-10111 *Cooperative career technical education programs*
UNITED STATES CODE, TITLE 20
2301-2414 *Carl D. Perkins Career and Technical Education Act of 2006*
CODE OF FEDERAL REGULATIONS, TITLE 29
570.35a *Work experience programs*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Multiple Pathways to Student Success: Envisioning the New California High School, 2010
2008-2012 California State Plan for Career Technical Education, 2008
Career Technical Education Framework for California Public Schools: Grades Seven Through Twelve, 2007
Work Experience Education Guide
CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS
Child Labor Laws, 2000
WEST ED PUBLICATIONS
Work-Based Learning in California: Opportunities and Models for Expansion, 2009
WEB SITES
CSBA: <http://www.csba.org>
California Association of Work Experience Educators: <http://www.cawee.org>
California Department of Education, Work Experience Education: <http://www.cde.ca.gov/ci/ct/we>
California Department of Industrial Relations: <http://www.dir.ca.gov>
Linked Learning Alliance: <http://www.linkedlearning.org>
WestEd: <http://www.wested.org>

WORK-BASED LEARNING

Work Experience Education

The district's work experience education (WEE) program shall consist of one or more of the following types of unpaid and paid on-the-job experiences: (Education Code 51764; 5 CCR 10071)

1. *Exploratory WEE* which provides students with a combination of classroom instruction in WEE and unpaid opportunities to observe and sample systematically a variety of conditions of work for the purpose of ascertaining their interest and suitability for the occupation they are exploring

The length of exploratory work experience assignments may vary depending on the aptitude of the student, the occupation being explored, the facilities of the work station, and the job classification. A student may not participate in an exploratory work experience assignment if he/she receives pay for like work at the same work station or similar job outside of the WEE program.

2. *General WEE* which has as its purpose the application of basic skills of reading, writing, and computation and which enables students to acquire general and specific occupational skills through a combination of supervised paid employment in any occupational field and related classroom instruction in WEE
3. *Career technical WEE* which reinforces and extends career learning opportunities for students through a combination of related classroom instruction in WEE and supervised paid or unpaid employment in the occupation for which their career technical course in school prepares them

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

(cf. 6178 - Career Technical Education)

The Superintendent or designee shall develop and present to the Governing Board for approval a district plan for WEE in accordance with 5 CCR 10070.

Employment opportunities may be provided by any public or private employer in areas within or outside the district, either within California or in a contiguous state. (Education Code 51768)

The student-teacher ratio in the WEE program shall not exceed 125 students per full-time equivalent certificated teacher-coordinator. (Education Code 46300)

The minimum day for students enrolled in a WEE program shall be four periods totaling at least 180 minutes in duration, unless the school or student meets one of the conditions specified in Education Code 46144 or 46147. (Education Code 46144, 46147)

(cf. 6112 - School Day); (cf. 6184 - Continuation Education)

WORK-BASED LEARNING (continued)

The teacher-coordinator shall make at least two on-site contacts per semester with each work supervisor or at least one on-site contact during summer school to evaluate student performance. (5 CCR 10074)

Participating students shall receive at least the equivalent of one instructional period per week of related classroom instruction or counseling by a certificated employee, in sessions scheduled intermittently throughout the semester. (Education Code 51760.3)

A student shall be granted up to 40 semester periods of credit for WEE within the following limits: (Education Code 51760.3; 5 CCR 1635)

1. For exploratory WEE, the student may earn 10 semester periods for each semester, with a maximum of 20 semester periods earned in two semesters.
2. For either general or career technical WEE, the student may earn 10 semester periods for each semester, with a maximum of 40 semester periods.

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

In order to receive credit for satisfactory completion of a general or career technical WEE program, a student shall be age 16 years or older. However, a student who is under age 16 may be granted credit under any of the following conditions: (Education Code 51760.3)

1. The student is enrolled in grade 11 or higher.
2. The principal certifies that the student needs the program in order to pursue employment opportunities or to encourage the student's continuing enrollment as a full-time student.

(cf. 5147 - Dropout Prevention)

3. The student is a student with disabilities who has an individualized education program prescribing the type of training for which participation in a WEE program is deemed appropriate.

(cf. 6159 - Individualized Education Program)

Cooperative Career Technical Education Program/Community Classrooms

WORK-BASED LEARNING (continued)

To be eligible for program participation, a student shall be concurrently enrolled in a career technical education (CTE) course or program approved by the California Department of Education and shall meet other criteria specified in 5 CCR 10103 as applicable. (5 CCR 10082, 10103)

Teachers assigned to the program shall locate and select training stations to provide participating students with unpaid on-the-job learning experiences in the specific occupation related to the approved course or program. (5 CCR 10086, 10107)

Related classroom instruction shall be provided in at least one instructional period per week, with a minimum equivalency of three instructional periods, of at least 50 minutes each, per week. (5 CCR 10085, 10106)

Cooperative CTE Program

The cooperative CTE program teacher shall make at least one visitation every four weeks to each employer to ensure that the provisions of the training agreement are being met and that students are acquiring the competencies identified in their individual training plans. One out of every two visits to the training station shall include an observation of the student engaged in on-the-job training experiences. (5 CCR 10109)

Students shall be granted academic credit for satisfactory completion of the program. The teacher shall be responsible for evaluating the student's performance in the CTE course and, with the assistance of the employer, the student's participation at the training station. (5 CCR 10081, 10102)

Job Shadowing

The program coordinator shall identify job shadowing placements with the goal of providing students with exposure to a broad range of career options and employment settings.

The program coordinator shall supervise job shadowing activities, including the coordination of the student's and employer's schedules and consultation with the student's other teachers when necessary.

Participating students may attend job shadowing opportunities for no less than three hours and no more than 25 hours in one semester, intersession, or summer school session. (Education Code 51769)

REGIONAL OCCUPATIONAL CENTER/PROGRAM

Cautionary Notice: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009), ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), and SB 70 (Ch. 7, Statutes of 2011), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs. The Biggs Unified School District has accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-09 through 2014-15 fiscal years. As a result, the district may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.

The Board of Trustees desires to provide opportunities for district students to receive specialized training and career technical skills through a regional occupational center or program (ROC/P) that prepares them for employment, advanced training, or postsecondary education.

(cf. 6112 - School Day)

(cf. 6178 - Career Technical Education)

(cf. 6178.1 - Work Experience Education)

The district shall refer eligible students to an ROC/P that has been established by the County Superintendent of Schools and is under the governance of the County Board of Education. (Education Code 52301, 52310.5)

The Board and Superintendent or designee shall maintain effective communications with the County Board and County Superintendent in order to ensure that district students receive a high-quality career technical program. The Superintendent or designee shall work with the County Superintendent to identify appropriate means for the district to provide input into ROC/P program development, budget adoption, program evaluation, and other matters.

The Board may enter into a contract with the county-operated ROC/P to provide district teachers, student support services, facilities, or other services to students enrolled in the ROC/P.

Student Eligibility and Participation

To enroll in the ROC/P on a part-time or full-time basis, a district high school or adult student must have his/her admittance approved by the ROC/P based on a determination that he/she will benefit from the program. To be eligible, a student must be at least 16 years of age, unless he/she meets one of the conditions specified in Education Code 52314. (Education Code 52314, 52314.5, 52315)

(cf. 5147 - Dropout Prevention)

(cf. 6200 - Adult Education)

Adult students may have access to ROC/P classes offered on high school campuses during the school day.

REGIONAL OCCUPATIONAL CENTER/PROGRAM (continued)

A student who is attending an ROC/P may be exempted from the district's full-time compulsory continuation education program and/or physical education in accordance with law, Board policy, and administrative regulation. (Education Code 48410, 52316)

(cf. 5112.1 - Exemptions from Attendance)
(cf. 6142.7 - Physical Education and Activity)
(cf. 6184 - Continuation Education)

Credits earned from courses completed in an ROC/P may be applied toward fulfillment of high school graduation course requirements. (Education Code 51225.3, 52310)

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

Student Services

The district may provide or arrange for transportation to the ROC/P in accordance with law, Board policy, and administrative regulation.

(cf. 3250 - Transportation Fees)
(cf. 3260 - Fees and Charges)
(cf. 3541 - Transportation Routes and Services)

The district's academic counseling program shall be designed to increase students' awareness of available educational options aligned with their career goals, including, as appropriate, career technical programs offered through the ROC/P.

(cf. 6164.2 - Guidance/Counseling Services)

Program Evaluation

The Board also shall review student achievement data for participating district students.

(cf. 0500 - Accountability)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - Standardized Testing and Reporting Program)
(cf. 6162.52 - High School Exit Examination)

Legal Reference: (see next page)

REGIONAL OCCUPATIONAL CENTER/PROGRAM (continued)

Legal Reference:

EDUCATION CODE

1205 *Classification of counties*
37223 *Weekend classes*
39807.5 *Transportation to ROC/P, parent/guardian payment*
41850 *Transportation to ROC/P, apportionments*
44910 *Permanent employment status; preclusion of ROC/P service*
46140 *Attendance credit*
46300 *Computation of average daily attendance*
48410 *Exemption from compulsory continuation education*
48430-48433 *Continuation education, ROC/P classes*
51225.3 *Requirements for graduation*
52300-52335.6 *Regional occupational centers/programs*
52378 *Supplemental school counseling program, grades 7-12*
60850-60859 *High school exit examination*
60900 *California longitudinal student achievement data system*

GOVERNMENT CODE

6500-6536 *Joint powers agreements*

LABOR CODE

3368 *Workers' compensation, responsibility in jointly operated ROC/P*

UNEMPLOYMENT INSURANCE CODE

15037.1 *Education and job training, performance accountability*

CODE OF REGULATIONS, TITLE 5

10080-10092 *Community classrooms*

10100-10111 *Cooperative vocational education*

11500-11508 *Regional occupational centers and programs*

UNITED STATES CODE, TITLE 20

2301-2414 *Carl D. Perkins Career and Technical Education Act of 2006*

6319 *Highly qualified teachers*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

2008-2012 State Plan for Career Technical Education

Regional Occupational Centers and Programs Operations Handbook March 2008

Model Programs and Practices: Setting Standards for Regional Occupational Centers and Programs (ROCPs), rev. October 2007

Career Technical Education Framework for California Public Schools, Grades Seven Through Twelve, January 2007

California Career Technical Education Model Curriculum Standards, Grades Seven Through Twelve, May 2005

WEB SITES

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

Association for Career and Technical Education: <http://www.acteonline.org>

California Association of Regional Occupational Centers and Programs: <http://www.carocp.org>

California Department of Education, ROC/P: <http://www.cde.ca.gov/ci/ct/rp>

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

SUPPLEMENTAL INSTRUCTION

The Board of Trustees recognizes that high-quality supplemental instruction can motivate and support students to attain grade-level academic standards, overcome academic deficiencies, and/or acquire critical skills. The district shall offer programs of direct, systematic, and intensive supplemental instruction to meet student needs. Supplemental instruction shall be offered in accordance with law and may be used to assist the district in meeting its goals for student achievement.

(cf. [0460](#) - Local Control and Accountability Plan)
(cf. [5113.1](#) - Chronic Absence and Truancy)
(cf. [5147](#) - Dropout Prevention)
(cf. [6011](#) - Academic Standards)
(cf. [6146.1](#) - High School Graduation Requirements)
(cf. [6146.5](#) - Elementary/Middle School Graduation Requirements)
(cf. [6164.5](#) - Student Success Teams)

Supplemental instruction may be offered during and outside the regular school day, including during the summer, before school, after school, on Saturday, and/or during intersessions. When supplemental instruction is offered during the regular school day, it shall not supplant the student's instruction in the core curriculum areas or physical education.

(cf. [5148.2](#) - Before/After School Programs)
(cf. [6111](#) - School Calendar)
(cf. [6112](#) - School Day)
(cf. [6142.7](#) - Physical Education and Activity)
(cf. [6176](#) - Weekend/Saturday Classes)
(cf. [6177](#) - Summer Learning Programs)

As appropriate, supplemental instruction may be provided through a classroom setting, individual or small group instruction, technology-based instruction, and/or an arrangement with a community or other external service provider.

(cf. [1020](#) - Youth Services)

When determined to be necessary by the principal or designee, a student may be required to participate in supplemental instruction outside the regular school day. In such cases, written parent/guardian consent shall be obtained for the student's participation.

Supplemental instruction shall be offered to:

1. Students in grades 2-9 who have been retained or recommended for retention at their current grade level (Education Code [37252.2](#), [48070.5](#))

(cf. [5123](#) - Promotion/Acceleration/Retention)

2. Eligible students from low-income families whenever the district or a district school receiving federal Title I funds has been identified by the California Department of

SUPPLEMENTAL INSTRUCTION (continued)

Education for program improvement for two or more consecutive years (20 USC [6316](#))

(cf. [0520.2](#) - Title I Program Improvement Schools)

(cf. [0520.3](#) - Title I Program Improvement Districts)

In addition, supplemental instruction may be offered to:

1. Students who are identified as being at risk for retention based on state assessment results, grades, or other indicators

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

(cf. [6162.51](#) - State Academic Achievement Tests)

2. Students who demonstrate academic deficiencies that may jeopardize their attainment of academic standards

(cf. [6142.6](#) - Visual and Performing Arts Education)

(cf. [6142.7](#) - Physical Education and Activity)

(cf. [6142.91](#) - Reading/Language Arts Instruction)

(cf. [6142.92](#) - Mathematics Instruction)

(cf. [6142.93](#) - Science Instruction)

(cf. [6142.94](#) - History-Social Science Instruction)

3. High school students who need support to successfully complete courses required for graduation

Legal Reference:

EDUCATION CODE

[37200-37202](#) School calendar

[37223](#) Weekend classes

[37252-37254.1](#) Supplemental instruction, summer school

[42238.01-42238.07](#) Local control funding formula

[46100](#) Length of school day

[48070-48070.5](#) Promotion and retention

[48200](#) Compulsory education

[48985](#) Translation of notices

[51210-51212](#) Courses of study, elementary schools

[51220-51228](#) Courses of study, secondary schools

[52060-52077](#) Local control and accountability plan

[60603](#) Definitions, core curriculum areas

[60640-60649](#) California Assessment of Student Performance and Progress

[60850-60859](#) High school exit examination, especially:

[60851.5](#) Suspension of high school exit examination

CODE OF REGULATIONS, TITLE 5

[11470-11472](#) Summer school

UNITED STATES CODE, TITLE 20

[6316](#) Program improvement schools and districts

Management Resources: see next page

SUPPLEMENTAL INSTRUCTION (continued)

Management Resources:

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Supplemental Educational Services, January 14, 2009

Innovations in Education: Creating Strong Supplemental Educational Services Programs, May 2004

WEB SITES

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

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

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

(11/07 12/13) 12/15

Policy
adopted: January 4, 2012
revised: April 2, 2014
revised: March 2, 2016

BIGGS UNIFIED SCHOOL DISTRICT
Biggs, California

SUPPLEMENTAL INSTRUCTION

Cautionary Notice: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009), ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), and SB 70 (Ch. 7, Statutes of 2011), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs. The Biggs Unified School District has accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-09 through 2014-15 fiscal years. As a result, the district may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.

Cautionary Notice 2010-13: AB 1610 (Ch. 724, Statutes of 2010) amended Education Code 37252.2 and Government Code 17581.5 to relieve districts from the obligation, until July 1, 2013, to perform any activities that are deemed to be reimbursable state mandates under those sections. As a result, certain provisions of the following policy or administrative regulation that reflect those requirements may be suspended.

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

(cf. 5148.2 - Before/After School Programs)
(cf. 6111 - School Calendar)
(cf. 6112 - School Day)
(cf. 6176 - Weekend/Saturday Classes)
(cf. 6177 - Summer School)

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

Supplemental Instruction Based on Retention or Academic Deficiencies

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

1. For the purposes of this program, a student shall be considered to be enrolled in a grade immediately upon completion of the preceding grade.
2. Students who were enrolled in grade 6 or 9 during the prior school year shall be eligible for summer school instruction.

(cf. 5123 - Promotion/Acceleration/Retention)

To the extent that the district provides supplemental instruction to students in grades 2-6 who are identified as being at risk of retention or as having deficiencies in mathematics, reading, or written expression, those students also shall be subject to the provisions set forth in items #1 and #2 above. (Education Code 37252.8)

SUPPLEMENTAL INSTRUCTION (continued)

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

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

(cf. 6142.91 - Reading/Language Arts Instruction)

Supplemental Instruction Based on Progress Toward Passing Exit Examination

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

1. For purposes of this program, a student shall be considered to be enrolled in a grade immediately upon completion of the preceding grade.
2. Students who were enrolled in grade 12 during the prior school year may be eligible for supplemental instructional programs.

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6162.52 - High School Exit Examination)

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

(cf. 6011 - Academic Standards)

Supplemental Instruction Based on Failure to Pass Exit Exam by End of Grade 12

Intensive instruction and services designed to help students pass the high school exit exam after they have failed to pass one or both parts of the exam by the end of grade 12 shall be provided as follows: (Education Code 37254)

1. Each eligible student shall receive an appropriate diagnostic assessment to identify his/her areas of need.
2. Each student shall receive intensive instruction and services based on the results of the diagnostic assessment and his/her prior results on the exit exam.

SUPPLEMENTAL INSTRUCTION (continued)

3. The intensive instruction and services shall be based on strategies that are most likely to result in the student passing the part(s) of the exit exam that he/she has not yet passed and may include, but not be limited to:
 - a. Individual or small group instruction
 - b. The hiring of additional teachers
 - c. Purchasing, scoring, and reviewing diagnostic assessments
 - d. Counseling
 - e. Designing instruction to meet specific needs of eligible students
 - f. Appropriate teacher training to meet the needs of eligible students

(cf. 4131 - Staff Development)

- g. Instruction in English language arts and/or mathematics that eligible students need in order to pass those parts of the exit exam not yet passed, including employing different intensive instruction and services aligned to the needs and circumstances of students who have not passed one or both parts of the exit exam by the end of grade 12 compared to other district students in grade 12 with similar needs
 - h. Instruction and services by a public or nonpublic entity as determined by the Superintendent or designee
4. English language learners shall have the opportunity to receive intensive instruction and services as described in item #2 above that also shall include services to improve English proficiency as needed to pass one or both parts of the exit exam not passed by the end of grade 12.

(cf. 6174 - Education for English Language Learners)

The intensive instruction and services may be provided during the regular school day provided that they do not supplant the student's instruction in the core curriculum areas defined in Education Code 60603 or physical education. Eligible students may receive intensive instruction and services on Saturdays, evenings, or at a time and location deemed appropriate by the Superintendent or designee in order to meet the needs of these students. (Education Code 37254)

SUPPLEMENTAL INSTRUCTION (continued)

The Superintendent or designee shall notify, in writing, all students who have not passed one or both parts of the exit exam by the end of grade 12, or the parents/guardians of such students if under age 18, of the availability of intensive instruction and services each term for the next two consecutive school years. Eligible students also shall be notified of their right to file a complaint regarding the intensive instruction and services in accordance with Education Code 35186 (Williams Uniform Complaint Procedures).

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 5145.6 - Parental Notifications)

(cf. 6164.2 - Guidance/Counseling Services)

The notice shall include the name and phone number of a contact person designated by the Superintendent or designee who can assist students who have questions, concerns, or complaints regarding the availability of the additional instruction.

The notification shall be sent to the last known address before the end of each school term in sufficient time for eligible students to register for or avail themselves of those services. The notice shall also be posted in the school office, district office, and on the district's Internet web site, if any. (Education Code 37254)

(cf. 1113 - District and School Web Sites)

ALTERNATIVE SCHOOLS/PROGRAMS OF CHOICE

The Board of Trustees desires to provide a variety of innovative educational programs to accommodate students' diverse learning needs and interests, foster student engagement in the schools, and enhance student achievement. Toward this end, the Board may establish and maintain alternative schools or programs of choice.

A district alternative school or program of choice may differ from the traditional educational program in its academic emphasis, sequence of curriculum, educational philosophy, instructional strategy, structure, setting, size, scheduling, targeted student population, decision-making process, and/or other components. All alternative schools or programs of choice shall offer enrolled students the opportunity to acquire the knowledge and skills necessary to achieve district content standards in core academic subjects and shall provide access to the course of study required for high school graduation.

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6158 - Independent Study)

(cf. 6172.1 - Concurrent Enrollment in College Classes)

(cf. 6178 - Career Technical Education)

Any staff member, parent/guardian of any student, or other interested person may request the Board to establish an alternative school or program of choice. The Superintendent or designee shall establish procedures and criteria for reviewing proposals. Based on such criteria, he/she shall evaluate all proposals received and present his/her recommendation to the Board for action.

As necessary to provide flexibility to alternative schools or programs of choice to improve student performance and/or streamline operations, the Superintendent or designee may request that the Superintendent of Public Instruction waive any provision of the Education Code except provisions specified in Education Code 58509.

(cf. 0420 - School Plans/Site Councils)

The Superintendent or designee shall establish processes to ensure communication among staff in the alternative schools or programs of choice and staff in the regular educational program in order to share information and ideas.

Program Evaluation

The Superintendent or designee shall conduct an annual evaluation of each alternative school or program of choice which includes testing of basic skills for student participants and which identifies the variables that may have affected student academic achievement. The evaluation process shall include input from teachers, parents/guardians, and students from the alternative school or program of choice. (Education Code 58510)

ALTERNATIVE SCHOOLS/PROGRAMS OF CHOICE (continued)

Evaluation reports shall be sent to the Superintendent of Public Instruction on or before August 1 following the close of the school year. (Education Code 58510)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - Standardized Testing and Reporting Program)

Prior to submitting the evaluation report to the Superintendent of Public Instruction, the Superintendent or designee shall report the evaluation results to the Board. The Board shall review the effectiveness of the school or program in meeting program objectives, compare student achievement data with that of students in other district schools, evaluate changes in the school or program over time, and make program modifications as needed.

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference:

EDUCATION CODE

35160.5 Intradistrict open enrollment

41505-41508 Pupil Retention Block Grant

48980 Parental notifications

52052 Academic Performance Index

58500-58512 Alternative schools and programs of choice

CODE OF REGULATIONS, TITLE 5

1068-1074 Alternative schools accountability model

11705 Charter schools as alternative schools

COURT DECISIONS

American Civil Rights Foundation v. Los Angeles Unified School District, (2008) 169 Cal.App.4th 436

Management Resources:

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Creating and Sustaining Successful K-8 Magnet Schools, September 2008

Innovations in Education: Successful Magnet High Schools, September 2008

WEB SITES

California Department of Education, Alternative Schools of Choice: <http://www.cde.ca.gov/sp/eo/as>

Foundation for California Community Colleges, Early College High School Initiative:

<http://www.foundationccc.org/ECHS>

U.S. Department of Education, Office of Innovation and Improvement:

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

HOME AND HOSPITAL INSTRUCTION

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

(cf. 6158 - Independent Study)

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

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

(cf. 4112.2 - Certification)

(cf. 4113 - Assignment)

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

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

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

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

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

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5141.22 - Infectious Diseases)

Nondistrict Students

A student of another district who is temporarily disabled and confined to a hospital or health facility within this district shall be eligible to receive individual instruction in this district. (Education Code 48207)

HOME AND HOSPITAL INSTRUCTION (continued)

In such circumstances, it is the responsibility of the parent/guardian to notify the district of the student's presence in a qualifying hospital. (Education Code 48208)

Upon receiving such notification, the Superintendent or designee shall: (Education Code 48208)

1. Within five working days of the notification, determine whether the student is able to receive individualized instruction and, if so, when it shall begin. Instruction shall begin no later than five working days after the Superintendent or designee has determined that the student is able to receive individualized instruction.
2. Within five working days of the beginning of the individualized instruction, the Superintendent or designee shall provide written notification to the district in which the student was previously enrolled stating that the student shall not be counted by that district for purposes of computing average daily attendance, effective the date on which individualized instruction began.

Alternatively, the Superintendent or designee may enter into an agreement with the district in which the student was previously enrolled to have that district provide the individualized instruction. (Education Code 48208)

Parental Notifications

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

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

(cf. 5145.6 - Parental Notifications)

Legal Reference: (see next page)

HOME AND HOSPITAL INSTRUCTION (continued)

Legal Reference:

EDUCATION CODE

44865 *Qualifications for home teachers*

45031 *Home teachers*

48200 *Minimum school day*

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

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

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

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

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

51800-51802 *Employment of home teachers*

CODE OF REGULATIONS, TITLE 5

421 *Method of verification*

423 *Prolonged illness*

CONTINUATION EDUCATION

The Board of Trustees shall provide a continuation education program as an option for at-risk students who may need a flexible educational environment. The continuation education program shall be designed to meet the educational needs of each student, provide an opportunity for participating students to complete the required course of instruction necessary to graduate from high school, emphasize occupational orientation or a work study schedule, and offer intensive guidance services.

(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.11 - Alternative Credits Toward Graduation)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)

The continuation education program shall be aligned with the goals identified in the district's local control and accountability plan, designed and implemented in collaboration with other high schools within the district, and coordinated with other educational options available to district students.

(cf. 0420.4 - Charter School Authorization)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 6158 - Independent Study)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6181 - Alternative Schools/Programs of Choice)
(cf. 6183 - Home and Hospital Instruction)
(cf. 6185 - Community Day School)
(cf. 6200 - Adult Education)

The Superintendent or designee shall appoint a director of continuation education who shall be responsible for the organization and administration of the district's continuation education program and guidance, placement, and follow-up services for participating students. (5 CCR 11000, 11003)

The continuation high school shall be conducted for not less than 180 days during a school year. The Board may maintain continuation classes during the district's regular school hours, during special school hours for these classes established by the Board, or during such hours and for such length of time during the day or evening that adult education classes are maintained. (Education Code 48434; 5 CCR 11004)

(cf. 6111 - School Calendar)
(cf. 6112 - School Day)

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

CONTINUATION EDUCATION (continued)

A student may be involuntarily transferred into a continuation education program in accordance with law and administrative regulation. (Education Code 48432.5)

With the consent of the Superintendent or designee, a student may voluntarily enroll in continuation classes in order to receive special attention such as individualized instruction. (Education Code 48432, 48432.3, 48432.5)

Priority for voluntary enrollment in continuation classes shall be given to students who need credit recovery in order to graduate with their peers and to students who, due to employment, pregnancy, parenting responsibilities, or other circumstances, are unable to attend a comprehensive high school. A student with a disability shall be admitted only if his/her individualized education program specifically states that a continuation high school setting meets his/her needs.

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

(cf. 5147 - Dropout Prevention)

(cf. 5149 - At-Risk Students)

(cf. 6159 - Individualized Education Program)

Enrollment criteria shall be applied consistently throughout the district. (Education Code 48432.3)

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

Students may be enrolled in a regional occupational center or program within the county in lieu of, or in combination with, continuation education. (Education Code 48432)

(cf. 6178.2 - Regional Occupational Center/Program)

Students otherwise subject to compulsory attendance in continuation education classes may be exempted if they meet any of the conditions specified in Education Code 48410 and AR 5112.1 - Exemptions from Attendance.

(cf. 5112.1 - Exemptions from Attendance)

The Superintendent or designee shall regularly evaluate the effectiveness of district continuation education programs and report these evaluation results to the Board. Indicators may include, but not be limited to, disaggregated data on student enrollment, student assessment results, and graduation rates.

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6162.52 - High School Exit Examination)

(cf. 6190 - Evaluation of the Instructional Program)

CONTINUATION EDUCATION (continued)

Legal Reference:

EDUCATION CODE

46170 *Minimum school day for continuation schools and classes*

48400-48454 *Compulsory continuation education, especially:*

48400 *Weekly minimum attendance requirement*

48402 *Minors not regularly employed*

48410-48416 *Compulsory continuation education*

48430-48438 *Continuation classes*

48450-48454 *Violation*

48900 *Grounds for suspension and expulsion*

48900.5 *Student discipline*

48903 *Limitations on days of suspension*

51224-51225.3 *Courses of study*

60850-60856 *High school exit examination*

FAMILY CODE

7000-7002 *Emancipation of minors law*

7050 *Purposes for which emancipated minor considered an adult*

CODE OF REGULATIONS, TITLE 5

11000-11010 *Continuation education*

COURT DECISIONS

Nathan G. v. Clovis Unified School District (2014) Cal.App.5th (No. F065485)

Management Resources:

JOHN W. GARDNER CENTER FOR YOUTH AND THEIR COMMUNITIES PUBLICATIONS

Raising the Bar, Building Capacity: Driving Improvement in California's Continuation High Schools, May 2012

Intake Processes at Continuation High Schools: Shaping School Climate Through Selection and Enrollment Strategies, February 2011

WEB SITES

California Continuation Education Association: <http://www.cceanet.org>

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

John W. Gardner Center for Youth and Their Communities, Stanford School of Education: <http://jgc.stanford.edu>

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CONTINUATION EDUCATION

Program Components

The district's continuation education program shall include the following components:

1. Curriculum that prepares students to meet the course requirements for graduation prescribed in Education Code 51224-51225.3 (5 CCR 11004)

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6162.52 - High School Exit Examination)

(cf. 6178 - Career Technical Education)

2. A plan to coordinate instruction and training in the continuation education program with students' parents/guardians, employment, and other agencies (5 CCR 11003)

3. Instruction based on individual student needs as determined by counseling and coordination services (5 CCR 11002)

4. Personal guidance in matters affecting students' personal, social, and educational adjustment (5 CCR 11001)

(cf. 6164.2 - Guidance/Counseling Services)

5. Occupational guidance to prepare students for future employment opportunities (5 CCR 11001)

6. Placement in suitable employment whenever students can benefit from such employment, and follow-up visitations at places of employment to determine the effectiveness of the guidance and placement services (5 CCR 11001)

(cf. 5113.2 - Work Permits)

(cf. 6178.1 - Work-Based Learning)

7. Regular home contacts and parent conferences when students are not succeeding in the continuation program (5 CCR 11001)

(cf. 6020 - Parent Involvement)

8. Regular contacts with students enrolled for only four hours per week and all students suspended from continuation education, with the intent of eventually returning them to the full-time continuation education program (5 CCR 11001)

CONTINUATION EDUCATION (continued)

9. Regular communication with all parents/guardians regarding their child's progress in the educational program

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

10. Opportunities for parent/guardian and community involvement in school activities and program planning

(cf. 1240 - Volunteer Assistance)

11. Student support services that may include, but are not limited to, academic support services, health services or referrals, child care and development services for the children of enrolled students, and/or prevention and intervention services for alcohol or substance abuse

(cf. 1020 - Youth Services)

(cf. 5030 - Student Wellness)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5141.6 - School Health Services)

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

(cf. 5147 - Dropout Prevention)

(cf. 5148 - Child Care and Development)

(cf. 5149 - At-Risk Students)

(cf. 6164.5 - Student Success Teams)

(cf. 6179 - Supplemental Instruction)

12. Professional development that includes opportunities for teachers to continually improve their instructional and classroom management skills

(cf. 4131 - Staff Development)

13. Efforts to ensure school safety and promote a positive school climate

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515 - Campus Security)

(cf. 3515.3 - District Police/Security Department)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(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)

Involuntary Transfer

CONTINUATION EDUCATION (continued)

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

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

(cf. 5144 - Discipline)

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

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

(cf. 6185 - Community Day School)

2. The student has been habitually truant or irregular in attendance from instruction he/she is lawfully required to attend.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

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

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

(cf. 5145.6 - Parental Notifications)

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

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

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

CONTINUATION EDUCATION (continued)

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

Voluntary Enrollment

As space permits, students who meet the eligibility criteria specified in Board policy may voluntarily enroll in a continuation school. A student may be considered for placement in the continuation school whenever his/her parent/guardian submits a written request to the Superintendent or designee or the student is referred by a counselor or school administrator.

Approval of a student's voluntary transfer shall be based on a finding that the placement will promote the educational interests of the student. (Education Code 48432.3)

Voluntary enrollment shall be subject to the following conditions: (Education Code 48432.3, 48432.5)

1. A student's voluntary placement in continuation education shall not be used as an alternative to expulsion unless alternative means of correction have been attempted pursuant to Education Code 48900.5.
2. The district shall strive to ensure that no specific group of students, including a group based on race, ethnicity, language status, or special needs, is disproportionately enrolled in continuation education within the district.

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

The Superintendent or designee shall annually review disaggregated student enrollment data and report such data to the Governing Board. If it is determined that one or more student groups are enrolled in continuation education at a significantly higher level than their proportional enrollment in the district, the Superintendent or designee shall conduct a review of enrollment criteria and procedures to determine the reason for the disproportionate enrollment.

3. A copy of this administrative regulation and accompanying Board policy shall be provided to a student whose voluntary transfer to a continuation school is under consideration and to his/her parent/guardian.
4. Before a student is transferred and upon request by his/her parent/guardian, the parent/guardian may meet with a counselor, principal, or administrator from both the school that the student is currently attending and the continuation school to determine if transferring is the best option for the student.

CONTINUATION EDUCATION (continued)

5. To the extent possible, voluntary transfer to a continuation school shall occur within the first four weeks of each semester.
6. A student who is voluntarily enrolled in continuation education may return to the regular high school at the beginning of the following school year, or at any other time with the consent of the Superintendent or designee.

Intake and Orientation

Upon voluntary or involuntary transfer to a continuation education program, an intake meeting shall be conducted with each student and his/her parent/guardian. At this meeting, the principal or counselor shall provide information about each course and number of credits that the student needs to complete in order to graduate and shall develop an individualized academic plan for the student. The student, and his/her parent/guardian as appropriate, shall sign a contract indicating their commitment to these objectives.

In addition, at the beginning of each school year, the district coordinator for continuation education, school counselor(s), or other designee(s) shall provide an orientation session for all incoming students and their parents/guardians in order to help them understand the credit recovery process and establish expectations for student conduct and participation. As appropriate, extended orientation sessions may be provided to assist students in developing academic, social, communication, anger management, or other skills necessary to success in school.

Minimum Attendance Requirement

In continuation high schools and classes, a day of attendance shall be at least 180 minutes. (Education Code 46170)

Each student shall attend classes for not less than 15 hours per week. However, if a student gives satisfactory proof of regular employment, he/she may attend classes for not less than four hours per week for the regular school term. These requirements may be met by any combination of attendance in a continuation education class and/or regional occupational center or program. (Education Code 46170, 48402, 48400)

Leaves of Absence

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

(cf. 5112.3 - Student Leave of Absence)

CONTINUATION EDUCATION (continued)

Reenrollment

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

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

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COMMUNITY DAY SCHOOL

Cautionary Notice: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009), ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), and SB 70 (Ch. 7, Statutes of 2011), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs. The Biggs Unified School District has accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-09 through 2014-15 fiscal years. As a result, the district may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.

The Board of Trustees recognizes the need to provide an appropriate alternative educational program for expelled students who are prohibited from attending regular schools in the district and for certain students referred by probation or district processes. The district shall operate one or more community day schools designed to meet the needs of these students. The Superintendent or designee shall ensure that any such school is operated in accordance with legal requirements related to enrollment, instructional time and facilities.

The Board perceives the community day school as a flexible component of a comprehensive effort to meet the needs of expelled and other at-risk students throughout the county. The Superintendent or designee shall solicit input from the County Superintendent of Schools and neighboring districts when designing the district community day school and shall collaborate with them in fulfilling countywide needs.

In order to foster positive attitudes and academic progress, the Board recognizes that community day schools must give students substantial individual help with their problems. Community day school staff shall collaborate with district counselors, psychologists, and other support staff and with the county office of education, law enforcement, probation, and human services agency staff who work with at-risk youth. To the extent possible, community day school programs shall provide a low student-teacher ratio as well as individualized instruction and assessment.

(cf. 1020 - Youth Services)
(cf. 5149 - At-Risk Students)
(cf. 6164.2 - Guidance/Counseling Services)

The Superintendent or designee shall establish procedures for the involuntary transfer of students to a community day school in accordance with law and administrative regulation.

(cf. 5113 - Absences and Excuses)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

Legal Reference: (see next page)

COMMUNITY DAY SCHOOL (continued)

Legal Reference:

EDUCATION CODE

1980-1986 *County community schools*

17085-17096 *Emergency portable facilities*

17280-17316 *Field Act, approvals*

17365-17374 *Field Act, fitness of occupancy*

48660-48666 *Community day schools*

48900-48926 *Suspension or expulsion*

WELFARE AND INSTITUTIONS CODE

300 *Minors subject to jurisdiction*

602 *Minors violating laws defining crime; ward of court*

UNITED STATES CODE, TITLE 20

1400-1482 *Individuals with Disabilities Education Act*

UNITED STATES CODE, TITLE 29

794 *Rehabilitation Act of 1973, Section 504*

Management Resources:

CDE PROGRAM ADVISORIES

0306.96 *Expulsion Policies and Expulsion Placements, SPB: 95/96-04*

WEB SITES

CDE, Educational Options Office: <http://www.cde.ca.gov/spbranch/essdiv/edoptshome.html>

COMMUNITY DAY SCHOOL

Cautionary Notice: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009), ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), and SB 70 (Ch. 7, Statutes of 2011), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs. The Biggs Unified School District has accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-09 through 2014-15 fiscal years. As a result, the district may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.

Involuntary Transfer

A student may be assigned to a community day school only upon meeting one or more of the following conditions: (Education Code 48662)

1. The student is expelled for any reason.

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

2. The student is probation-referred pursuant to Welfare and Institutions Code 300 and/or 602.
3. The student is referred by a school attendance review board (SARB) or other district-level referral process.

The first priority for assignment to a community day school shall be given to students expelled pursuant to Education Code 48915(d). Second priority shall be given to students expelled for other reasons, and third priority shall be given to students referred according to item #2 or #3 above. These priorities are applicable unless the district has an agreement that the County Superintendent of Schools shall serve any of the above students. (Education Code 48662)

In the case of any student who has been identified as eligible for services under the federal Individuals with Disabilities Education Act or Section 504 of the federal Rehabilitation Act of 1973, assignment to a community day school shall be first approved by the student's Individualized Education Program (IEP) team or school site committee (e.g., student study team) as required by law.

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

(cf. 6159 - Individualized Education Program)

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

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

COMMUNITY DAY SCHOOL (continued)

At least 10 calendar days prior to the involuntary transfer of a student as a result of a district-level referral process, the Superintendent or designee shall provide written notice of the transfer to the student's parent/guardian or to the adult student age 18 or older. The notice shall contain a statement of the facts and circumstances upon which the transfer is based, its duration, and the conditions for readmission. The notice shall advise the student's parent/guardian or adult student of the opportunity to inspect and obtain copies of all documents supporting the transfer. In addition, the notice shall also state that the parent/guardian or adult student has five school days to request a meeting with the Superintendent or designee to discuss the transfer.

If the Superintendent designates an individual to represent the district at the meeting, the individual so designated shall not be a member of the staff of the school at which the student is currently enrolled.

At the meeting, the reason for the transfer shall be reviewed with the parent/guardian or adult student and the parent/guardian or adult student may present evidence on the student's behalf.

The Superintendent or designee shall send the parent/guardian or adult student written notice of the decision to transfer or not transfer within three school days of the meeting.

If the parent/guardian or adult student desires to appeal the Superintendent's decision to the Board, he/she shall file written notice of the intent to appeal within five school days of receiving the decision. The Board shall determine whether or not to hear the appeal within 15 calendar days. If the Board desires to hear the appeal, the Board shall decide the appeal within 30 calendar days of receipt of the notice of the appeal. The Board's decision shall be final.

Instruction

Academic programs offered in the community day school shall be comparable to those available to students of a similar age in the school district. (Education Code 48663)

The minimum school day for community day school students shall be 360 minutes of classroom instruction provided by a certificated employee of the district reporting attendance for apportionment purposes. Independent study shall not be used as a means of providing any part of this minimum day. (Education Code 48663)

(cf. 6158 - Independent Study)

Facilities

To house community day school operations, the district shall do one or more of the following: (Education Code 17292.5)

COMMUNITY DAY SCHOOL (continued)

1. Use available school facilities conforming with Field Act requirements
2. Apply for emergency portable classrooms pursuant to Education Code 17085-17096.
3. Upon certifying to the State Allocation Board that all reasonable efforts have been made to use facilities that conform with the Field Act requirements of item #1 above, enter into lease agreements for facilities for which a structural engineer has submitted a report stating that substantial structural hazards do not exist.

Every three years, the Superintendent or designee shall report to the State Allocation Board on the facilities used for the district's community day programs and efforts to place these programs in facilities that conform with the requirements of item #1 above. (Education Code 17292.5)

Location of the School Site

A district desiring to operate a community day school to serve any of grades K-6, but no higher grades, may situate the community day school on the same site as an elementary, middle, junior high, comprehensive senior high, opportunity or continuation school when the Board certifies by a two-thirds vote that no satisfactory alternative facilities are available for a community day school in those grades. (Education Code 48661)

A district organized to serve grades K-8, but no higher grades, may situate a community day school on the same site as an elementary, middle, junior high, comprehensive senior high, opportunity or continuation school when the Board certifies by a two-thirds vote that no satisfactory alternative facilities are available for a community day school in those grades. (Education Code 48661)

(cf. 9323.2 - Actions by the Board)

A district with 2,500 ADA or less, may situate a community day school on the same site as an elementary, middle, junior high, comprehensive senior high, opportunity, or continuation school when the Board certifies by a two-thirds vote that no satisfactory alternative facilities are available for a community day school. (Education Code 48661)

Such Board certifications shall be valid for not more than one school year and may be renewed by a subsequent two-thirds vote of the Board. (Education Code 48661)

EVALUATION OF THE INSTRUCTIONAL PROGRAM

The Board of Trustees recognizes that it is accountable to students, parents/guardians, and the community for the effectiveness of the district's educational program in meeting district goals for student learning. The Superintendent or designee shall conduct a continual evaluation of the curriculum and the instructional program in order to improve student achievement.

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

(cf. [0500](#) - *Accountability*)

(cf. [6000](#) - *Concepts and Roles*)

(cf. [6141](#) - *Curriculum Development and Evaluation*)

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

The Superintendent or designee shall provide the Board and the community with regular reports on student progress toward Board-established standards of expected achievement at each grade level in each area of study. In addition, he/she shall evaluate and report data for each district school and for every numerically significant student subgroup, as defined in Education Code [52052](#), including, but not limited to, school and subgroup performance on statewide achievement indicators and progress toward goals specified in the district's local control and accountability plan (LCAP).

(cf. [0460](#) - *Local Control and Accountability Plan*)

(cf. [0510](#) - *School Accountability Report Card*)

(cf. [6011](#) - *Academic Standards*)

(cf. [6162.5](#) - *Student Assessment*)

(cf. [6162.51](#) - *State Academic Achievement Tests*)

(cf. [6162.52](#) - *High School Exit Examination*)

(cf. [6173.1](#) - *Education for Foster Youth*)

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

Based on these reports, the Board shall take appropriate actions to maintain the effectiveness of programs and to improve the quality of education that district students receive.

Annual Monitoring of Consolidated Application Programs

The Board and the Superintendent or designee shall annually determine whether the district's categorical programs funded through the state's consolidated application are effective in meeting the needs of the students they are intended to serve. As a basis for this evaluation, the Superintendent or designee shall recommend for Board approval the specific, measurable criteria that shall be used at each school and at the district level. These criteria may include, but are not necessarily limited to, the progress of all students and of each numerically significant subgroup toward goals contained in the district's LCAP, the school's single plan for student achievement, Title I local educational agency plan, and/or other applicable district or school plans.

EVALUATION OF THE INSTRUCTIONAL PROGRAM (continued)

Federal Program Monitoring

To ensure that the district's categorical programs comply with applicable legal requirements, the Superintendent or designee shall, on an ongoing basis, conduct a district self-evaluation which may utilize tools developed by the district or the California Department of Education (CDE).

When the district is selected by the CDE for a Federal Program Monitoring (FPM) compliance review, the Superintendent or designee shall gather and submit all documentation and data required for the review and shall cooperate with CDE staff to facilitate program monitoring.

- (cf. [0410](#) - *Nondiscrimination in District Programs and Activities*)
- (cf. [0420](#) - *School Plans/Site Councils*)
- (cf. [0520.2](#) - *Title I Program Improvement Schools*)
- (cf. [0520.3](#) - *Title I Program Improvement Districts*)
- (cf. [1312.3](#) - *Uniform Complaint Procedures*)
- (cf. [1312.4](#) - *Williams Uniform Complaint Procedures*)
- (cf. [4112.24](#) - *Teacher Qualifications Under the No Child Left Behind Act*)
- (cf. [4131](#) - *Staff Development*)
- (cf. [5020](#) - *Parent Rights and Responsibilities*)
- (cf. [5148](#) - *Child Care and Development Programs*)
- (cf. [5148.2](#) - *Before/After School Programs*)
- (cf. [5148.3](#) - *Preschool/Early Childhood Education*)
- (cf. [6020](#) - *Parent Involvement*)
- (cf. [6142.7](#) - *Physical Education and Activity*)
- (cf. [6171](#) - *Title I Programs*)
- (cf. [6173](#) - *Education for Homeless Children*)
- (cf. [6175](#) - *Migrant Education Program*)
- (cf. [6178](#) - *Career Technical Education*)
- (cf. [6178.1](#) - *Work-Based Learning*)
- (cf. [6200](#) - *Adult Education*)

In the event that the FPM review results in a finding of noncompliance in relation to any program, the Superintendent or designee shall submit a proposed resolution to the CDE within 45 days of the date the district was notified of the finding. The resolution shall be implemented in accordance with the terms and timeframe specified in the resolution agreement with the CDE.

The Superintendent or designee shall report to the Board regarding the results of the review process.

Western Association of Schools and Colleges (WASC) Accreditation

The Board believes that accreditation by the Western Association of Schools and Colleges (WASC) can foster excellence and ongoing academic improvement in the district's schools. The results of the accreditation process also may demonstrate to parents/guardians and the

EVALUATION OF THE INSTRUCTIONAL PROGRAM (continued)

community that the schools are meeting their goals and objectives and the WASC criteria for school effectiveness through a viable instructional program.

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

The results of any inspection of a school by WASC, or any other the accrediting agency, shall be published not later than 60 days after the results are made available to the school.

Publication shall be by notifying each parent/guardian in writing and/or by posting the information on the district's or school's web site, as determined by the Superintendent or designee. (Education Code [35178.4](#))

(cf. [1113](#) - District and School Web Sites)

(cf. [5145.6](#) - Parental Notifications)

If any district school loses its accreditation status, the Board shall give official notice at a regularly scheduled Board meeting. The Superintendent or designee shall provide written notification to each parent/guardian of a student in the school that the school has lost its accreditation status, including the potential consequences of the loss of accreditation status. This notice shall also be posted on the district's web site and the school's web site. (Education Code [35178.4](#))

*Legal Reference:*EDUCATION CODE

[33400-33407](#) Educational evaluations

[35178.4](#) Notice of accreditation status

[44662](#) Evaluation and assessment guidelines, certificated employee performance

[48985](#) Compliance with translation of parental notifications

[51041](#) Education program, evaluation and revisions

[51226](#) Model curriculum standards

[52052-52052.1](#) Academic Performance Index; numerically significant student subgroups

[52060-52077](#) Local control and accountability plan

[62005.5](#) Failure to comply with purposes of funds

[64000-64001](#) Consolidated application process

CODE OF REGULATIONS, TITLE 5

[3930-3937](#) Program requirements

[3942](#) Continuity of funding

UNITED STATES CODE, TITLE 20

[6311](#) Adequate yearly progress

Management Resources: (see next page)

EVALUATION OF THE INSTRUCTIONAL PROGRAM (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

FPM Frequently Asked Questions

Federal Program Monitoring Instruments

WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES PUBLICATIONS

Focus on Learning Joint WASC/CDE Process Guide, 2014

WEB SITES

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

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

Western Association of Schools and Colleges (WASC), Accrediting Commission for

Schools: <http://www.acswasc.org>

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ADULT EDUCATION

The Board of Trustees believes that education is a lifelong process and that it is important for individuals to continuously develop new skills. Eligible adults shall be offered opportunities to enroll in programs and courses that develop academic and workforce skills and, as appropriate, lead to completion of requirements for high school graduation.

The district shall participate in the adult education program administered by the county office of education. District students enrolled in this program shall be under the immediate supervision of a certificated district employee.

To ensure efficient and coordinated adult education services, the district shall collaborate with other local educational agencies and the community college district in the region's adult education consortium. The district shall participate in the consortium's identification of the educational needs of adults in the region, identification of available funding and services, development and approval of an adult education plan pursuant to Education Code [84906](#), and implementation of strategies to address the identified needs, improve the effectiveness of district services, and improve students' transitions into postsecondary education and the workforce.

The district's representative to the region's adult education consortium shall be designated by the Board. (Education Code [84905](#))

(cf. [9140](#) - Board Representatives)

A certificate of completion of the eighth grade shall be awarded through the adult school upon successful completion of both of the following:

1. At least one term in the adult elementary program
2. Overall eighth-grade placement on a recognized standardized achievement test

Adult education students who fulfill the district's graduation requirements shall receive a diploma of high school graduation.

(cf. [6142.7](#) - Physical Education and Activity)

(cf. [6146.1](#) - High School Graduation Requirements)

The Superintendent or designee shall regularly report to the Board on the effectiveness of the district's adult education program. This report shall include, but not be limited to, the number of adults and high school students participating in the program, student participation in each type of adult education course or class, and the extent to which students successfully completed these programs, including, as applicable, the completion of requirements for the high school diploma or certificate of equivalency.

(cf. [0500](#) - Accountability)

ADULT EDUCATION (continued)

Legal Reference:

EDUCATION CODE

[8500-8538](#) *Adult education*

[10200](#) *CalWORKs education and job training plan*

[41975-41976.2](#) *Adult education; authorized classes and courses*

[44260.2-44260.3](#) *Credential requirements, designated subjects adult education credential*

[44865](#) *Qualifications for home teachers and teachers in special classes*

[46190-46192](#) *Adult school; days of attendance*

[46300.1-46300.4](#) *Independent study*

[51040](#) *Prescribed courses*

[51056](#) *Adult education course of study*

[51225.3](#) *Requirements for graduation*

[51241](#) *Physical education exemptions*

[51246](#) *Physical education exemptions*

[51730-51732](#) *Elementary school special day and evening classes*

[51745-51749.6](#) *Independent study*

[51810-51815](#) *Community service classes*

[52500-52523](#) *Adult schools*

[52530-52531](#) *Use of hospitals*

[52540-52544](#) *Adult English classes*

[52550-52556](#) *Classes in citizenship*

[52570-52572](#) *Disabled adults*

[52610-52616.24](#) *Adult schools, finances*

[52651-52656](#) *Immigrant Workforce Preparation Act*

[60410](#) *Books for adult classes*

[84830](#) *Adult education consortium*

[84900-84920](#) *Adult Education Block Grant*

WELFARE AND INSTITUTIONS CODE

[11320-11329.5](#) *CalWORKs, including education and job training*

CODE OF REGULATIONS, TITLE 5

[10501](#) *Adult education*

[10508](#) *Records and reports*

[10530-10534](#) *Standards*

[80034](#) *Teaching credentials, adult education*

[80034.5](#) *Adult education, substitute teachers*

[80036-80036.4](#) *Requirements for designated subjects adult education credential*

[80040.2-80040.2.7](#) *Programs of personalized preparation for the designated subjects adult education teaching credentialing*

UNITED STATES CODE, TITLE 20

[2301-2415](#) *Carl D. Perkins Career and Technical Education Act*

UNITED STATES CODE, TITLE 29

[3101-3255](#) *Workforce Innovation and Opportunity Act*

[3271-3333](#) *Adult Education and Family Literacy Act*

Management Resources: See next page

ADULT EDUCATION (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Adult Education Handbook for California, 2005

Pupil Fees, Charges, and Other Deposits, Fiscal Management Advisory 12-02, April 24, 2013

WEB SITES

California Council for Adult Education: <http://www.ccaestate.org>

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

California Department of Industrial Relations, Division of Apprenticeship

Standards: <http://www.dir.ca.gov/das>

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

Comprehensive Adult Student Assessment Systems: <http://www.casas.org>

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ADULT EDUCATION

Enrollment

With the exception of programs specified in Education Code [52570](#), adult education classes shall be located in a facility which clearly identifies the class as being open to the general public. (Education Code [52517,52570](#))

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

For purposes of the Adult Education Block Grant pursuant to Education Code [84900-84920](#), adults include persons 18 years of age or older. For other adult education programs, adults include persons age 18 or older and other persons not concurrently enrolled in a regular high school program. However, high school students may be concurrently enrolled in adult education under the conditions specified in the section "Concurrent Enrollment of High School Students" below. (Education Code [52610, 84901](#))

Concurrent Enrollment of High School Students

High school students shall be permitted to enroll in an adult education program, course, or class for sound educational purposes, including, but not limited to, the following: (Education Code [52523](#))

1. The adult education program, course, or class is not offered in the regular high school curriculum.
2. The student needs the adult education program, course, or class in order to make up deficient credits for graduation from high school.

(cf. [6146.1](#) - High School Graduation Requirements)

3. The adult education program, course, or class allows the student to gain vocational and technical skills beyond that provided by the regular high school's career technical education program.

(cf. [6178](#) - Career Technical Education)

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

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

ADULT EDUCATION (continued)

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

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

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

(cf. [6164.2](#) - *Guidance/Counseling Services*)

Classes offered in the district's adult education program shall supplement and not supplant the regular high school curriculum. No course required by the district for high school graduation or necessary for students to maintain satisfactory academic progress shall be offered exclusively through the adult education program. (Education Code [52523](#))

Programs and Courses

Adult education classes or courses shall offer instruction in one or more of the following: (Education Code [41976](#), [84913](#))

1. Programs in elementary and secondary basic skills, including programs leading to a high school diploma or high school equivalency certificate

(cf. [6146.2](#) - *Certificate of Proficiency/High School Equivalency*)

2. Programs for immigrants eligible for educational services in citizenship, English as a second language, and workforce preparation
3. Programs for adults, including, but not limited to, older adults, that are primarily related to entry or reentry into the workforce
4. Programs for adults, including, but not limited to, older adults, that are primarily designed to develop knowledge and skills to assist elementary and secondary students to succeed academically in school
5. Programs for adults with disabilities
6. Short-term career technical education programs with high employment potential

ADULT EDUCATION (continued)

7. Programs offering pre-apprenticeship training activities in coordination with one or more approved apprenticeship programs
8. Programs in parenting, including parent cooperative preschools, and classes in child growth and development, parent-child relationships, and parenting
9. English as a second language
10. Programs for older adults
11. Home economics
12. Health and safety education

The Superintendent or designee shall annually submit to the California Department of Education for approval the titles of classes that have been approved by the Governing Board to be offered in any of the program areas listed above.

Adults also may be enrolled in community service classes offered by the district. (Education Code [51811](#))

(cf. [6146.4](#) - Service Learning/Community Service Classes)

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

Independent Study

The Superintendent or designee may make independent study available as an instructional strategy for students enrolled in adult education as appropriate to meet their individual needs.

(cf. [6158](#) - Independent Study)

Participation in independent study shall be voluntary. (Education Code [51747](#))
Any course taken through independent study shall be a course listed in Education Code [51225.3](#) or otherwise required by the Board for high school graduation. (Education Code [46300.4](#))

An adult who has been continuously enrolled in K-12 education since his/her 18th birthday may remain engaged in K-12 independent study until his/her 21st birthday. (Education Code [46300.1](#))

Fees

ADULT EDUCATION (continued)

No fee shall be charged for the following adult education programs or classes: (Education Code [52612](#), [52613](#))

1. A class for which high school credit is granted, if the class is taken by an individual who does not hold a high school diploma.
2. A class in an elementary subject or a class in English as a second language or citizenship, unless the student is a nonimmigrant alien with an F-1 visa status. Any nonimmigrant enrolled in these classes shall be charged a fee to cover the full cost of the instruction, not to exceed actual costs. The fee shall be adopted by the Board at a regular meeting at least 90 days before the beginning of the class for which the fee is charged.

Except for those fees required by law, the payment of fees may be waived in cases of hardship at the recommendation of the Superintendent or designee.

The Board may fix a charge, not to exceed cost, for books furnished to adult education students. In some cases books may be obtained from the district at cost or may be obtained on loan with the payment of a refundable deposit. In addition, materials purchased from the incidental expense account may be sold to adult school students for use in their classes. (Education Code [52615](#), [60410](#))

(cf. [3260](#) - *Fees and Charges*)

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