

INSTRUCTION

Series 6000 contains policies, regulations and exhibits on the instructional program. This section covers educational philosophy, goals, and objectives; curriculum; extra-curricular and co-curricular activities; graduation requirements; field trips; homework; books, materials and equipment; testing; technology in instruction; special education; driver education; school accreditation; continuation education; and adult education.

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**ABC UNIFIED SCHOOL DISTRICT
Board Policy****INSTRUCTION****PHILOSOPHY-GOALS-OBJECTIVES**

The Board of Education believes that the effectiveness of the education program of the school district depends fundamentally upon an acceptable philosophic base, a set of agreed upon goals and detailed objectives consistent with those goals. The board mandates the involvement of teachers, management personnel, parents, and students (when appropriate) in the development of statements of philosophy, goals, and objectives. To guide the efforts of those participating under the leadership of the superintendent, the board adopts the following three definitions:

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

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

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

Board Responsibility

The Board of Education urges the superintendent to utilize the following process, with any desired adaptations, in establishing and evaluating the educational program:

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

INSTRUCTION (Continued)

Legal Reference: *Education Code*
35160 *Authority of governing boards commencing January 1, 1976*
51002 *Development of local programs within guidelines*
51004 *Education goals*
51019 *Definition: Philosophy*
51020 *Definition: Goal*
51021 *Definition: Objective*
51041 *Educational Program*

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

PARENT INVOLVEMENT

The Governing Board recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent/guardian and family engagement in the education of their children contributes greatly to student achievement and a positive school environment. The Superintendent or designee shall engage staff, parents/guardians and family members in developing meaningful opportunities for parents/guardians/family involvement in advisory, decision-making and advocacy activities to support learning at home, at school and the District level.

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)
(cf. 1230 - School-Connected Organizations)
(cf. 1240 - Volunteer Assistance)
(cf. 1250 - Visitors/Outsiders)

Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so.

(cf. 5020 - Parent Rights and Responsibilities)

The District's Local Control and Accountability Plan shall include goals and strategies for parent/guardian and family engagement, including district efforts to seek parent/guardian input in district and school site decision making and to promote parent/guardian participation in programs for English learners, foster youth, students eligible for free and reduced-price meals, and students with disabilities. (Education Code 42238.02, 52060)

(cf. 0460 - Local Control and Accountability Plan)

The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the District's parent/guardian and family engagement efforts, including, but not limited to, input from parents/guardians, family members, and school staff on the adequacy of involvement opportunities and on barriers that may inhibit parent/guardian participation.

(cf. 0500 - Accountability)

Title I Schools

The Superintendent or designee shall involve parents/guardians and family members in establishing district expectations and objectives for meaningful parent/guardian and family engagement in schools supported by Title I funding, developing strategies that describe how the District will carry out each activity listed in 20 USC 6318, as contained in the accompanying administrative regulation, and implementing and evaluating such programs, activities, and

procedures. As appropriate, the Superintendent or designee shall conduct outreach to all parents/guardians and family members. (Education Code 11503; 20 USC 6318)

(cf. 6171 - Title I Programs)

PARENT INVOLVEMENT (continued)

When the District's Title I, Part A allocation exceeds the amount specified in 20 USC 6318, the Board shall reserve at least one percent of the funding to implement parent/guardian and family engagement activities. The Superintendent or designee shall involve parents/guardians and family members participating students in decisions regarding how the District's Title I funds will be allotted for parent/guardian and family engagement activities and shall ensure that priority is given to schools in high poverty areas in accordance with law. (20 USC 6318, 6631)

(*cf.* 3100 - Budget)

Expenditures of such funds shall be consistent with the activities specified in this policy and shall include at least one of the following: (20 USC 6318)

1. Support for schools and nonprofit organizations in providing professional development for district and school staff regarding parent/guardian and family engagement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents/guardians and family members
2. Support for programs that reach parents/guardians and family members at home, in the community, and at school
3. Dissemination of information on best practices focused on parent/guardian and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents/guardians and family members
4. Collaboration with community-based or other organizations or employers with a record of success in improving and increasing parent and family engagement
5. Any other activities and strategies that the district determines are appropriate and consistent with this policy

The Superintendent or designee shall ensure that each school receiving Title I funds develops a school-level parent/guardian and family engagement policy in accordance with 20 USC 6318.

Non-Title I Schools

The Superintendent or designee shall develop and implement strategies applicable to each school that does not receive federal Title I funds to encourage the involvement and support of parents/guardians in the education of their children, including, but not limited to, strategies describing how the District and schools will address the purposes and goals described in Education Code 11502. (Education Code 11504)

Legal Reference:

EDUCATION CODE

11500-11506 Programs to encourage parent involvement

48985 Notices in languages other than English

51101 Parent rights and responsibilities

52060-52077 Local control and accountability plan

54444.1-54444.2 Parent advisory councils, services to migrant children

56190-56194 Community advisory committee, special education

64001 Single plan for student achievement

LABOR CODE

PARENT INVOLVEMENT (continued)

230.8 Time off to visit child's school

UNITED STATES CODE, TITLE 5

18275 Child care and development programs, parent involvement and education

UNITED STATES CODE, TITLE 20

6312 Local educational agency plan

6314 Schoolwide programs

6316 School improvement

6318 Parent involvement

CODE OF FEDERAL REGULATIONS, TITLE 28

6631 Teacher and school leader incentive program, purposes and definitions

CODE OF FEDERAL REGULATIONS, TITLE 28

35.104 Definitions, auxiliary aids and services

35.160 Communications

Management Resources:

CSBA PUBLICATIONS

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

STATE BOARD OF EDUCATION POLICIES

89-01 Parent Involvement in the Education of Their Children, rev. 1994

U.S. DEPARTMENT OF EDUCATION NON-REGULATORY GUIDANCE

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

WEB SITES

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

California Department of Education, Family, School, Community Partnerships:

<http://www.cde.ca.gov/ls/pf>

California Parent Center: <http://parent.sdsu.edu>

California State PTA: <http://www.capta.org>

National Coalition for Parent Involvement in Education: <http://www.ncpie.org>

National PTA: <http://www.pta.org>

Parent Information and Resource Centers: <http://www.pirc-info.net>

Parents as Teachers National Center: <http://www.parentsasteachers.org>

U.S. Department of Education:

<http://www.ed.gov>"><http://www.ed.gov>"><http://www.ed.gov>"><http://www.ed.gov>"><http://www.ed.gov>">[http://](http://www.ed.gov)

Policy adopted

by the board: 02.02.10

Revised: 04-16-19

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

PARENT INVOLVEMENT

District Strategies for Title I Schools

To ensure that parents/guardians and family members of students participating in Title I programs are provided with opportunities to be involved in their children's education, the Superintendent or designee shall:

1. Involve parents/guardians and family members in the joint development of a district plan that meets the requirements of the Title I local educational agency (LEA) plan pursuant to 20 USC 6312 in the development of school support and improvement plans pursuant to 20 USC 6311 (20 USC 6318)

(cf. 0460 – Local Control and Accountability Plan)
(cf. 6171 - Title I Programs)

The Superintendent or designee may:

- a. In accordance with Education Code 52063, establish a district-level parent advisory committee and, as applicable, and English learner parent advisory committee to review and comment on the plan in accordance with the review schedule established by the Governing Board
- b. Invite input on the plan from other district committees and School Site Councils

(cf. 0420 – School Plan/Site Councils)
(cr. 1220 –Citizen Advisory Committees)

- c. Communicate with parents/guardian through the District newsletter, website, or other methods regarding the plan and the opportunity to provide input
 - d. Provide copies of working drafts of the plan to parents/guardians in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand
 - e. Ensure that there is an opportunity at a public Board meeting for public comment on the plan prior to the Board's approval of the plan or revisions to the plan
 - f. Ensure that school-level policies on parent/guardian and family engagement address the role of school site councils and other parents/guardians as appropriate in the development and review of school plans
2. Provide coordination, technical assistance, and other support necessary to assist and build the capacity of Title I schools in planning and implementing effective parent/guardian and family engagement activities to improve student academic achievement and school performance, which may include the meaningful consultation with employers, business leaders, and philanthropic organizations or individuals with expertise in effectively engaging parents/guardians and family members in education (20 USC 6318)

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

PARENT INVOLVEMENT (continued)

The Superintendent or designee may: (20 USC 6318)

- a. Assign District personnel to serve as a liaison to the schools regarding Title I parent/guardian and family engagement issues
 - b. Provide training for the principal or designee of each participating school regarding Title I requirements for parent/guardian and family engagement, leadership strategies, and communication skills to assist him/her in facilitating the planning and implementation of parent/guardian and family engagement activities
 - c. Provide ongoing district-level workshops to assist school site staff, and parents/guardians, and family members in planning and implementing improvement strategies, and seek their input from parents/guardians in developing the workshops
 - d. Provide information to schools about the indicators and assessment tools that will be used to monitor progress
3. Build the capacity of the school and parents/guardians for strong parent/guardian and family engagement by implementing the required activities described in item #2 in the section "District Strategies for Title I Schools" above (20 USC 6318)

The Superintendent or designee shall: (20 USC 6318)

- a. Assist parents/guardians in understanding such topics as the challenging state academic content standards and academic achievement standards, state and local academic assessments, the requirements of Title I, and how to monitor a child's progress and work with educators to improve the achievement of their children

(cf. 6011 - Academic Standards)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - Standardized Testing and Reporting Program)

- b. Provide parents/guardians and family members with materials and training such as literacy training and using technology, (including education about the harms of copyright piracy) as appropriate, to help them work with their children to improve their children's achievement.
- c. With the assistance of parents/guardians, educate teachers, specialized instructional support personnel, principals, and other school leaders, and other staff, in the value and utility of parent/guardian contributions and in how to reach out to, communicate with, and work with parents/guardians as equal partners, implement and coordinate parent/guardian programs, and build ties between parents/guardians and the schools

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

- d. To the extent feasible and appropriate, coordinate and integrate parent/guardian and family engagement programs and activities with federal, state, and local programs including public preschool programs, and conduct other activities, such as parent resource centers, that encourage and support parents/guardians in fully participating in their children's education

PARENT INVOLVEMENT (continued)

- e. Ensure that information related to school and parent/guardian programs, meetings, and other activities is sent to the parents/guardians of participating students in a format and, to the extent practicable, in a language the parents/guardians can understand
- f. Provide other such reasonable support for parent/guardian and family engagement activities as parents/guardians may request
- g. Inform parents/guardians and parent organizations of the existence and purpose of parent information and resource centers in the state that provide training, information, and support to parents/guardians of participating students

In addition, the Superintendent or designee may:

- a. Involve parents/guardians in the development of training for teachers, principals, and other educators to improve the effectiveness of such training
- b. Provide necessary literacy training, using Title I funds if the District has exhausted all other reasonably available sources of funding for such training
- c. Pay reasonable and necessary expenses associated with parent/guardian and family engagement activities, including transportation and child care costs, to enable parents/guardians to participate in school-related meetings and training sessions
- d. Train parents/guardians to enhance the involvement of other parents/guardians
- e. Arrange school meetings at a variety of times or, when parents/guardians are unable to attend such conferences, conduct in-home conferences between parents/guardians and teachers or other educators who work directly with participating students, in order to maximize parent/guardian and family engagement participation
- f. Adopt and implement model approaches to improve parent/guardian and family engagement
- g. Establish a districtwide parent advisory council to provide advice on all matters related to parent/guardian and family engagement in Title I programs
- h. Develop appropriate roles for community-based organizations and businesses in parent/guardian and family engagement activities
- i. Make referrals to community agencies and organizations that offer literacy training, parent/guardian education programs, and/or other services that help to improve the conditions of parents/guardians and families

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

- j. Provide a master calendar of district activities and district meetings
- k. Provide information about opportunities for parent/guardian and family engagement through the District newsletter, web site, or other written or electronic means

PARENT INVOLVEMENT (continued)

- l. Engage parent-teacher organizations to actively seek out and involve parents/guardians through regular communication updates and information sessions

(cf. 1230 - School-Connected Organizations)

- m. To the extent practicable, provide translation services at school sites and at meetings involving parents/guardians and family members as needed
- n. Provide training and information to members of district and school site councils and advisory committees to help them fulfill their functions
- o. Regularly evaluate the effectiveness of staff development activities related to parent/guardian and family engagement
- p. Include expectations for parent/guardian outreach and engagement involvement in staff job descriptions and evaluations.

(cf. 4115 - Evaluation/Supervision)

(cf. 4215 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)

4. To the extent feasible and appropriate, coordinate and integrate Title I parent/guardian and family engagement strategies with parent/guardian and family engagement strategies of other relevant federal, state, and local programs and ensure consistency with federal, state, and local laws. (20 USC 6318)

(cf. 5148.3 - Preschool/Early Childhood Education)

The Superintendent or designee may:

- a. Identify overlapping or similar program requirements

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

(cf. 2230 – Representative and Deliberative Groups)

(cf. 3280 – Sale or Lease of District-Owned Real Property)

(cf. 5030 – Student Wellness)

(cf. 5148 – Child Care and Development)

(cf. 5148.3 – Preschool/Early Childhood Education)

(cf. 6174 – Education for English Learners)

(cf. 6175 – Migrant Education Program)

(cf. 6178 – Career Technical Education)

- b. Involve district and school site representatives from other programs to assist in identifying specific population needs
 - c. Schedule joint meetings with representatives from related programs and share data and information across programs
 - d. Develop a cohesive, coordinated plan focused on student needs and shared goals
5. Conduct, with involvement of parents/guardians and family members, an annual evaluation of the content and effectiveness of the parent/guardian and family engagement policy in improving the academic quality of the schools served by Title I including identification of: (20 USC 6318)

PARENT INVOLVEMENT (continued)

The Superintendent or designee shall:

- a. Ensure that the evaluation include the identification of barriers to participation in parent/guardian and family engagement activities, with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background
- b. The needs of parent/guardians and family members, so they can better assist with their children's learning and engage with school personnel and teachers
- c. Strategies to support successful school and family interactions
- d. Use the findings of the evaluation conducted pursuant to item #4 above to design evidence-based strategies for more effective parent/guardian and family engagement and, if necessary, to revise the parent/guardian and family engagement policy (20 USC 6318)
- e. The Superintendent or designee shall notify parents/guardians of the review and assessment through regular school communications mechanisms, and shall provide a copy of the assessment to parents/guardians upon their request (Education Code 11503)

The Superintendent or designee may:

- a. Use a variety of methods, such as focus groups, surveys, and workshops, to evaluate the satisfaction of parents/guardians and staff with the quality and frequency of district communications
 - b. Gather and monitor data regarding the number of parents/guardians and family members participating in district activities and the types of activities in which they are engaged
 - c. Recommend to the Board measures to evaluate the impact of the District's parent/guardian and family engagement efforts on student achievement
6. Involve parents/guardians in the activities of schools served by Title I, which may include establishing a parent advisory board comprised of sufficient number and representative group of parent/guardians or family members served by the District to adequately represent the needs of the population served by the District for the purposes of developing, revising, and reviewing the parent/guardian and family engagement policy (20 USC 6318)

The Superintendent or designee may:

- a. Include information about school activities in district communications to parents/guardians and family members
- b. To the extent practicable, assist schools with translation services or other accommodations needed to encourage participation of parents/guardians and family members
- c. Establish processes to encourage parent/guardian input regarding their expectations and concerns for their children

PARENT INVOLVEMENT (continued)

The District's Board policy and administrative regulation containing parent/guardian and family engagement strategies shall be incorporated into the District's local control and accountability plan accordance with 20 USC 6312 and shall be distributed to parents/guardians of students participating in Title I programs. (20 USC 6318)

(cf. 5145.6 - Parental Notifications)

School-Level Policies for Title I Schools

At each school receiving Title I funds, a written policy on parent/guardian and family engagement shall be developed jointly with the parents/guardians and family members of participating students. Such policy shall describe the means by which the school will: (20 USC 6318)

1. Convene an annual meeting, at a convenient time, to which all parents/guardians of participating students shall be invited and encouraged to attend, in order to inform parents/guardians of their school's participation in Title I and to explain Title I requirements and the right of parents/guardians to be involved
2. Offer a flexible number of meetings, such as meetings in the morning or evening, for which related transportation, child care, and/or home visits may be provided as such services relate to parent/guardian and family engagement
3. Involve parents/guardians in an organized, ongoing, and timely way in the planning, review, and improvement of Title I programs, including the planning, review, and improvement of the school's parent/guardian and family engagement policy and, if applicable, the joint development of the plan for schoolwide programs pursuant to 20 USC 6314

The school may use an existing process for involving parents/guardians in the joint planning and design of the school's programs provided that the process includes adequate representation of parents/guardians of participating students.

4. Provide the parents/guardians of participating students all of the following:
 - a. Timely information about Title I programs
 - b. A description and explanation of the school's curriculum, forms of academic assessment used to measure student progress, and the achievement levels of the challenging state academic standards

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

(cf. 5123 - Promotion/Acceleration/Retention)

- c. If requested by parents/guardians, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions related to their children's education, and, as soon as practicably possible, responses to the suggestions of parents/guardians
5. If the schoolwide program plan is not satisfactory to the parents/guardians of participating students, submit any parent/guardian comments when the school makes the plan available to the District

PARENT INVOLVEMENT (continued)

6. Jointly develop with the parents/guardians of participating students a school-parent compact that outlines how parents/guardians, the entire school staff, and students will share responsibility for improved student academic achievement and the means by which the school and parents/guardians will build a partnership to help students achieve state standards

This compact shall address:

- a. The school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables participating students to achieve the state's student academic achievement standards
- b. Ways in which parents/guardians will be responsible for supporting their children's learning, such as monitoring attendance, homework completion, and television viewing; volunteering in the classroom; and participating, as appropriate, in decisions related to their children's education and the positive use of extracurricular time

(cf. 1240 - Volunteer Assistance)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5113 - Absences and Excuses)

(cf. 6145 - Extracurricular/Cocurricular Activities)

(cf. 6154 - Homework/Makeup Work)

- c. The importance of communication between teachers and parents/guardians on an ongoing basis through, at a minimum:
 - (1) Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as it relates to the student's achievement
 - (2) Frequent reports to parents/guardians on their children's progress
 - (3) Reasonable access to staff, opportunities to volunteer and participate in their child's classroom, and observation of classroom activities
 - (4) Regular two-way, meaningful communication between family member and school staff, and, to the extent practicable, in a language that family members can understand
7. Build the capacity of the school and parents/guardians for strong parent/guardian and family engagement by implementing the activities described in items #3a-g in the section "District Strategies for Title I Schools" above
8. To the extent practicable, provide opportunities for the informed participation of parents/guardians and family members (including parents/guardians and family members with limited English proficiency, parents/guardians and family members with disabilities, and parents/guardians and family members of migrant children), including providing information and school reports required under 20 USC 6311(h) in a format and language such parents/guardians can understand. If the school has a parent/guardian and family engagement policy that applies to all parents/guardians can understand

If the school has a parent/guardian and family engagement policy that applies to all parents/guardians, it may amend that policy to meet the above requirements. (20 USC 6318)

PARENT INVOLVEMENT (Continued)

Each school's parent/guardian and family engagement policy shall be made available to the local community. Parents/guardians shall be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand. (20 USC 6318)

Each school receiving Title I funds shall annually evaluate the effectiveness of its parent/guardian and family engagement policy. Such evaluation may be conducted during the process of reviewing the school's School Plan for Student Achievement in accordance with Education Code 64001.

The school's policy shall be periodically updated to meet the changing needs of parents/guardians and the school. (20 USC 6318)

District Strategies for Non-Title I Schools

For each school that does not receive federal Title I funds, the Superintendent or designee shall, at a minimum:

1. Engage parents/guardians positively in their children's education by helping them develop skills to use at home that support their children's academic efforts at school and their children's development as responsible members of society (Education Code 11502, 11504)

The Superintendent or designee may:

- a. Provide or make referrals to literacy training and/or parent education programs designed to improve the skills of parents/guardians and enhance their ability to support their children's education
 - b. Provide information, in parent handbooks and through other appropriate means, regarding academic expectations and resources to assist with the subject matter
 - c. Provide parents/guardians with information about students' class assignments and homework assignments
2. Inform parents/guardians that they can directly affect the success of their children's learning, by providing them with techniques and strategies that they may use to improve their children's academic success and to assist their children in learning at home (Education Code 11502, 11504)

The Superintendent or designee may:

- a. Provide parents/guardians with information regarding ways to create an effective study environment at home and to encourage good study habits
- b. Encourage parents/guardians to monitor their children's school attendance, homework completion, and television viewing
- c. Encourage parents/guardians to volunteer in their child's classroom and to participate in school advisory committees

PARENT INVOLVEMENT (continued)

3. Build consistent and effective communication between the home and school so that parents/guardians may know when and how to assist their children in support of classroom learning activities (Education Code 11502, 11504)

The Superintendent or designee may:

- a. Ensure that teachers provide frequent reports to parents/guardians on their children's progress and hold parent-teacher conferences at least once per year with parents/guardians of elementary school students
 - b. Provide opportunities for parents/guardians to observe classroom activities and to volunteer in their child's classroom
 - c. Provide information about parent/guardian and family engagement opportunities through district, school, and/or class newsletters, the District's website, and other written or electronic communications
 - d. To the extent practicable, provide notices and information to parents/guardians in a format and language they can understand
 - e. Develop mechanisms to encourage parent/guardian input on district and school issues
 - f. Identify barriers to parent/guardian and family participation in school activities, including parents/guardians and family members who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background
 - g. Encourage greater parent/guardian participation by adjusting meeting schedules to accommodate parent/guardian needs and, to the extent practicable, by providing translation or interpreter services, transportation, and/or child care
4. Train teachers and administrators to communicate effectively with parents/guardians (Education Code 11502, 11504)

The Superintendent or designee may:

- a. Provide staff development to assist staff in strengthening two-way communications with parents/guardians, including parents/guardians who have limited English proficiency or limited literacy
 - b. Invite input from parents/guardians regarding the content of staff development activities pertaining to home-school communications
5. Integrate parent/guardian and family engagement programs into school plans for academic accountability

The Superintendent or designee may:

- a. Include parent/guardian and family engagement strategies in school reform or school improvement initiatives
- b. Involve parents/guardians and family members in school planning processes

Regulation adopted

by the board: 02.02.10

Revised: 04.16.19

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

SCHOOL DAY

The standard school day for pupils at each grade level shall be established each year by the Board of Education. The daily school sessions in elementary, junior high schools and high schools shall be determined by the superintendent. The daily school sessions shall include the beginning and ending times of regular sessions as well as the times for noon intermission and recesses.

<i>Legal Reference:</i>	<i>Education Code</i>	
	37231	<i>Maintenance of school on holidays due to climatic conditions</i>
	46010	<i>Total days of attendance</i>
	46100	<i>Length of school day</i>
	46110-46119	<i>Kindergarten and elementary schools (day of attendance)</i>
	46140-46147	<i>Junior high school and high school (day of attendance)</i>
	46170	<i>Minimum day - continuation schools</i>
	46180	<i>Opportunity schools (minimum day)</i>
	46190-46192	<i>Adult school (day of attendance)</i>
	52326	<i>Minimum school day for regional occupational center and programs</i>

**ABC UNIFIED SCHOOL DISTRICT
Board Policy****INSTRUCTION****STANDARD SCHOOL DAY FOR PUPILS**

Pursuant to Senate Bill 813 which prescribed lengthening the school day and year, the ABC Unified School District has complied by providing the following guidelines for the establishment of instructional minutes for students:

K	36,000 minutes per year
1-3	50,400 minutes per year
4-8	54,000 minutes per year
9-12	64,800 minutes per year

The standard school day for kindergarten pupils shall not be less than 240 minutes, inclusive of recesses and exclusive of lunch. The standard school day for kindergarten pupils at schools where facilities will not accommodate 240 minute kindergartens will not be less than 210 minutes.

The standard school day for pupils in grades 1-6 shall be 300 minutes, exclusive of recesses, noon intermission and established passing periods, except in grades 1-3 where no less than a minimum standard school day for pupils of 240 minutes may be established when the principal has arranged a staggered reading schedule.

The standard school day for pupils in grades 7-8, or pupils attending a middle school site, shall not be less than 300 minutes, exclusive of recesses, noon intermission and established passing periods.

The standard school day for pupils in grades 9-12 shall not be less than 300 minutes, exclusive of recesses, noon intermission and established passing periods for the students on a five period day. The standard school day for pupils in special day classes shall be the number of minutes required for other pupils at that grade level. The standard school day for pupils in continuation type programs shall not be less than 240 minutes, exclusive of recesses, noon intermission and established passing periods.

Within a standard school day, the principal may arrange for an individual pupil to have a variation in schedule and/or length of day. Within the provisions of the law and employee contracts, a standard school day may be exceeded with the approval of the or designee.

The standard school day for elementary pupils may be shortened by the principal to a minimum school day during parent conference times, as prescribed in the certificated contract and in accordance with applicable Education Code Section.

INSTRUCTION (Continued)

Upon the recommendation of the principal and with the approval of the superintendent or designee, the standard school day for pupils may be shortened for staff meetings and professional activities no more than one (1) day per week.

Special education classes should conform with the time established at a particular school for regular classes.

Legal Reference: *Certificated Contract, Article VII, Sections B and C*
 Certificated Contract, Appendix K, School Calendar

Education Code
46112-46114, 46118-19
46141-42, and 46147

Policy adopted
by the board: 06.19.78
revised: 01.07.92

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

STANDARD SCHOOL DAY FOR PUPILS

School site councils considering making recommendations to the board to change the standard school day for pupils shall:

1. Review the school program, school improvement plan and instructional objectives in relation to proposed changes in the standard school day for pupils.
2. Consider total results of district community survey for the school.
3. Conduct a local survey of all parents of the school, if the school site council proposes by majority vote, to make a recommendation to change the standard school day for pupils. The format and content of the survey should be mutually acceptable to the school site council and the District office of research, planning and evaluation. The survey should include a balanced presentation of the issues contained in the proposal. The results, including the percentage of responses, are to be made available to the school site council and during the public hearing session. (See item 4.)
4. Recommend a change in the standard school day for pupils to the board by a majority vote of the school site council membership, after the results of the survey are considered, at a meeting where at least a quorum of each prescribed component of the school site council is present. This meeting should be preceded by a public hearing session to discuss the community and school survey and site council proposal. A minimum of two weeks advance notice of the public hearing should be provided.
5. Include, in the presentation to the board, the results of the school survey and the vote of the council. The school site council president or designee and the school principal shall attend the board meeting to respond to any questions posed by board members.
6. Recommend to the Board of Education, by the second board meeting in May, proposed changes in the standard school day for pupils for the ensuing school year.
7. After receiving board approval, the school site councils need to reapply only if a further change is requested.

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

CEREMONIES AND OBSERVANCES

The Governing Board recognizes the importance of having students observe holidays, celebrate events of cultural or historical significance, and acknowledge the contributions of outstanding individuals in society. On days designated by the Board, staff shall provide students with appropriate commemorative exercises so that they may acquire the knowledge, skills, and principles essential for informed, responsible citizenship in a democratic society.

(cf. 6111 - School Calendar)
(cf. 6141.2 - Recognition of Religious Beliefs and Customs)
(cf. 6141.6 - Multicultural Education)
(cf. 6142.3 - Civic Education)
(cf. 6142.4 - Learning Through Community Service)

Legal Reference:

EDUCATION CODE

37220-37223 Saturdays and holidays

44015.1 Week of the School Administrator

45203 Paid holidays

45460 Classified Employee Week

52720 Daily performance of patriotic exercises in public schools

52730 Patriotic exercises, daily instruction

GOVERNMENT CODE

430-439 Display of flags

3540-3549.3 Meeting and negotiating

UNITED STATES CODE, TITLE 4

6 Time and occasion for display of flag

7 Position and manner of display of flag

UNITED STATES CODE, TITLE 36

106 Note Constitution Day and Citizenship Day

COURT DECISIONS

West Virginia State Board of Education et al v. Barnette et al, 319 U.S. 624 (1943)

Management Resources:

CSBA PUBLICATIONS

Constitution Day: New Mandate for Districts Receiving Federal Funds, CSBA Advisory, August 2005

FEDERAL REGISTER

70 Fed. Reg. 29727 Constitution Day and Citizenship Day (2005)

WEB SITES

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

California Department of Education, History/Social Science Instructional Materials: <http://www.cde.ca.gov/ci/hs/im>

Policy adopted

by the board: 06.07.76

Revised: 10.20.09

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

CEREMONIES AND OBSERVANCES

Holidays

District schools shall be closed in observance of the following holidays:

New Year's Day

Dr. Martin Luther King, Jr. Day

Lincoln Day

Presidents Day

Memorial Day

Independence Day

Labor Day

Veterans Day

Thanksgiving Day

Christmas Day

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

Holidays which fall on a Sunday shall be observed the following Monday. Holidays which fall on a Saturday shall be observed the preceding Friday. If any of the above holidays occurs under state or federal law on a date different from that indicated above, the Board may close the schools on the date recognized by state or federal law instead of on the day above. (Education Code 37220)

(cf. 6111 - School Calendar)

Commemorative Exercises

District schools may hold exercises to commemorate the following special days: (Education Code 37220, 37221, 45460)

U.S. Constitution and Citizenship Day, including exercises and instruction in the purpose, meaning, and importance of the Constitution and Bill of Rights

Dr. Martin Luther King, Jr. Day

Lincoln's Birthday

CEREMONIES AND OBSERVANCES (Continued)**Patriotic Exercises**

The flag of the United States of America is a symbol of our country and shall be appropriately displayed throughout the ABC Unified School District at all sites, classrooms, assembly rooms and other locations. The flag shall not be removed for any reason or circumstance.

Each school shall conduct patriotic exercises daily. These patriotic exercises shall consist of the reciting of the Pledge of Allegiance and may also include instruction that promotes understanding of the concepts of "pledge," "allegiance," "republic," and "indivisible" and understanding of the importance of the pledge as an expression of patriotism, love of country, and pride in the United States. (Education Code 52720, 52730)

During these patriotic exercises, no pupil or employee shall behave in a manner which interferes with or distracts others from the exercise of their right to take part in such legally mandated and/or appropriate patriotic observances.

At elementary schools, such exercises shall be conducted at the beginning of each school day. (Education Code 52720)

Display of Flag

The flag of the United States and the flag of California shall be displayed during school days at the entrance or on the grounds of every school. At all times, the national flag shall be placed in the position of first honor. (Government Code 431, 436; 4 USC 6)

Upon order of the President, the national flag shall be flown at half-staff upon the death of principal figures of the United States government and the Governor of a state, as a mark of respect to their memory. In the event of death of other officials or foreign dignitaries, the flag shall be displayed at half-staff according to presidential instructions or orders, or in accordance with recognized customs or practices not inconsistent with law. In the event of the death of a present or former official of the government of the state or the death of a member of the Armed Forces from the state who has died while serving on active duty, the Governor may proclaim that the flag be flown at half-staff. (4 USC 7)

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

CLASSROOM INTERRUPTIONS

The Board of Education recognizes the importance of providing students with sustained, uninterrupted instruction. Allowing interruptions during class time implies to students that what is occurring in the classroom lacks value. Therefore, interruptions and distractions must be controlled and minimized to ensure that teachers can dedicate classroom time to the instruction of students.

The Board, Superintendent, or Superintendent's designee may regulate the possession or use of any electronic signaling device that operates through the transmission or receipt of radio waves, including, but not limited to, paging and signaling equipment, by pupils of the school district while the pupils are on campus, while attending school-sponsored activities, or while under the supervision and control of school district employees.

No pupil shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed medical provider to be essential for the health of the pupil and use of which is limited to purposes related to the health of the pupil.

Legal Reference

EDUCATION CODE

32212 Legislative Intent

48901.5 Electronic Signaling Devices

Policy
approved 04.01.85
revised 02.18.03

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

NON-DISCRIMINATION IN INSTRUCTION

The ABC Unified School District does not discriminate on the basis of race, religion or creed, color, national origin, sex, mental or physical handicap (or disability), or age in any of its policies, programs, practices or procedures, in compliance with Title VI and VII of the Civil Rights Act of 1964 as amended (pertaining to race, creed, color, and national origin), Title IX of the Education Amendments of 1972 (pertaining to sex), Section 504 of the Rehabilitation Act of 1973 (pertaining to handicap), and the Age Discrimination Act of 1967 as amended (pertaining to age).

This non-discrimination policy covers admission policies and practices, and access to, and participation and employment in, the District's programs and activities, including vocational education.

In order to implement this policy, the District has designated the following individuals as having responsibility for ensuring compliance with the laws indicated:

Title VI and IX Coordinator
Director of School Services and/or
Director of Secondary Schools

Section 504 Coordinator
Director of Secondary Schools

Accessibility to Programs and Facilities

The District recognizes its obligation to provide overall accessibility to district programs and facilities for handicapped persons, and for non-English speaking persons. Accordingly, the District will take action to ensure that no one is denied admission to or participation in District programs and facilities as a result of a disability, or because they do not speak English.

Inquiries regarding services, programs and activities for persons with no or limited English language skills should be directed to the Title VI Coordinator.

General inquiries regarding the policy should be direct to either the Title VI Coordinator, the Title IX Coordinator, or the Section 504 Coordinator

Complaints

Complaints regarding non-discrimination can be filed in accordance with Board Regulation 1312.3 - Uniform Complaint Procedures

Non-discrimination in Instruction (continued)

Legal Reference:	<u>Educational Code</u>
	40 Prohibited sex discrimination
	41 School sponsored athletic programs; prohibited sex discrimination
	200-262 Prohibition of discrimination on the basis of sex
	49020-49023 Athletic Programs
	51006-51007 Equitable access to technological education programs
	51500 Prohibited instruction or activity
	51501 Prohibited means of instruction
	60044 Prohibited instructional materials

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

NON-DISCRIMINATION IN INSTRUCTION

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This non-discrimination policy covers admission policies and practices, and access to, and participation and employment in, the District's programs and activities, including vocational education.

In order to implement this policy, the District has designated the following individuals as having responsibility for ensuring compliance with the laws indicated:

Dr. Chris Chavez, Title VI and IX Coordinator
Assistant Superintendent of Human Resources
16700 Norwalk Blvd.
Cerritos, CA 90703
(310) 926-5566 Extension 2169

Dr. Andrea French, Section 504 Coordinator
Assistant Superintendent, Educational Services
16700 Norwalk Blvd.
Cerritos, CA 90703
(310) 926-5566 Extension 2126

Accessibility to Programs and Facilities

The District recognizes its obligation to provide overall accessibility to district programs and facilities for handicapped persons, and for non-English speaking persons. Accordingly, the District will take action to ensure that no one is denied admission to or participation in District programs and facilities as a result of a disability, or because they do not speak English.

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Non-discrimination in Instruction (Continued)Complaints

Complaints regarding non-discrimination can be filed in accordance with Board Regulation 1312.3
- Uniform Complaint Procedures

Legal Reference:	<u>Educational Code</u>
	40 Prohibited sex discrimination
	41 School sponsored athletic programs; prohibited sex discrimination
	200-262 Prohibition of discrimination on the basis of sex
	49020-49023 Athletic Programs
	51006-51007 Equitable access to technological education programs
	51500 Prohibited instruction or activity
	51501 Prohibited means of instruction
	60044 Prohibited instructional material

TITLE IX, EDUCATION AMENDMENTS ACT

STATEMENT OF GRIEVANCE*

To: _____

- _____ Date
- Principal
 - Supervisor
 - Compliance Officer
 - Secretary, Board of Education

From Grievant: _____
Last name First name

- Student
- Parent/Guardian
- Employee

_____ Address

_____ Telephone Number

_____ School or Work Location

Statement of Reason for Appeal: _____

_____ Name of Representative, if any

_____ Signature of Grievant

- Use Additional Sheets, if Necessary -

- Copies to:
- Principal
 - Immediate Supervisor
 - Compliance Officer
 - Superintendent

BP 6124

<p>*Must be rendered within ten (10) days after original informal conference with Principal or Immediate Supervisor (Step Two), or within ten (10) days after receipt of "Response to Grievance" (Steps Three and Five)</p>

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

AB65 DISTRICT MASTER PLAN

The District shall develop and update annually as needed a master plan to implement Education Code Section 52000, et seq. (AB65). Representatives of the community, administrators, and teachers shall participate in this process under the direction of district staff. Implementation of this master plan shall be governed by appropriate sections of board policy (2225) and regulation (2225.1), the AB65 District Master Plan Handbook and administrative guides and directives issued to carry out the intent of AB65.

Legal Reference: Education Code
 52001 *Parent participation*
 52034 *School district board*

Policy adopted
by the board: 05.19.80

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

GRADE LEVEL ORGANIZATION

The schools of the District shall be organized on a basis of grades kindergarten through six, seven and eight, nine through twelve, and adult. Adjustments to this pattern may be made with approval of the Board of Education when necessary.

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

GRADE LEVEL ORGANIZATION—MIDDLE SCHOOL

All schools of the District having grades 7 and 8 shall be designated as middle schools.

ABC UNIFIED SCHOOL DISTRICT
Board Policy

INSTRUCTION

CURRICULUM

The District curriculum in the basic subject areas shall be articulated from kindergarten through grade 12. The instructional objectives shall be based on district objectives. Therefore, the Board of Education affirms its belief in the necessity for continuous evaluation and development of district curriculum.

<i>Legal Reference:</i>	<i>Education Code</i>	
	35160	<i>Authority of governing boards commencing January 1, 1976</i>
	51050-51057	<i>Enforcement of course of study</i>
	51200-51269	<i>Required courses of study</i>
	51500-51551	<i>Prohibited instruction</i>
	51700-51876	<i>Authorized classes and courses of instruction</i>
	52000-52049.5	<i>Improvement of elementary and secondary education</i>
	52060-52065	<i>Native American Indian education program</i>
	52100-52114	<i>Bilingual Education Act of 1972 (repealed operative 6/30/79)</i>
	52150-52151	<i>Bilingual teacher corps program</i>
	52160-52179	<i>Bilingual-Bicultural Act of 1976 (operative until 6/30/79)</i>
	52200-52208	<i>Mentally gifted minor program</i>
	54000-54669	<i>Programs for disadvantaged pupils</i>
	56000-56865	<i>Special education program</i>
	<i>Government Code</i>	
	3543.2	<i>Scope of negotiaton</i>

Policy adopted
 by the board: 02.21.78
 revised: 05.03.82

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

CURRICULUM

Curriculum Development

Curriculum development may be initiated by a teacher, a group of teachers which includes various teams and departments, a school principal, district-level personnel, the Board of Education, other agencies, or by citizens working with the school district.

Whoever wishes to propose a change in existing curriculum, whether it is revision, addition or deletion, should follow these steps:

1. Identify and specify the need for the revision, innovation or deletion.
2. Prepare a proposal which includes #1, above, and a plan for both the operation and evaluation of the change. The proposal should be prepared in conformity with Curriculum Development - Proposal Guide form. (See following page.)
3. Present the proposal to the appropriate level director (elementary or secondary).

The appropriate director shall make a decision as to whether the proposal represents a major or minor change in the curriculum. In either case, he/she will direct the progress of the proposal from this point:

If a Minor Change:

1. The director will evaluate the proposal, then revise, approve or disapprove.
2. If approved, the director shall provide appropriate information throughout the District. The school may proceed with the change without further clearance.

If a Major Change:

1. The director shall present the proposal to a representative group of principals at that level.
2. If recommended by the principals, the director may route the proposal as necessary to the cabinet for study and suggestions.
3. When appropriate, district staff shall consult with the exclusive certificated bargaining unit.
4. If recommended by the cabinet, the level director shall present the proposal to the Board of Education for final action.

Curriculum Development - Proposal Guide

Date

1. Describe the curriculum change, revision, addition or deletion that is proposed.
2. State the need for this curriculum development.
3. What, if any, alternative methods for meeting this need have been considered or attempted? What were the results, if attempted?
4. Is this proposal articulated with the District goals and objectives so that it does not represent a duplication of existing instruction?
5. List the general goals.
6. List the specific objectives, state degree to which each objective will be attained, and develop a timeline for implementation and evaluation.
7. Outline the operational plan including scope, sequence, beginning, ending and other important data.
8. Describe the plan for evaluation (must be related to #5 and #6, above).
9. Estimate the cost of initiating this proposal and the annual operational cost.

Submitted by:

Affiliation:

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

ARTICULATED CURRICULUM PRE-K-ADULT SEQUENCE & RESPONSIBILITIES (DISTRICT)

1. District philosophy formation subject area:
 - a. Responsibility of curriculum and instruction steering committee
 - b. Management team process
 - c. Teachers consulted
 - d. Public consulted (school site committee, etc.)
 - e. Board adoption

2. Subject area goals and objectives formulation (elementary, middle school, high school and adult school):
 - a. Subject area committee composition:
 - (1) Management representative appointed by the deputy superintendent or designee
 - (2) Level committees
 - a. Elementary four or more subject area members involved (teacher from each grade level: pre-kindergarten, kindergarten, 1, 2, 3, 4, 5, 6)
 - b. Middle school two or more subject area members (one from each middle school)
 - c. High school and adult school five or more members from high schools (department head from each or designee.) One or more members from adult school.
 - b. Tasks of committee:
 - (1) Level committees develop objectives, pre-kindergarten-adult related to the philosophy and goals for subject area
 - (2) Subject area committee articulate objectives into a continuum.
 - (3) Identify and incorporate essential proficiencies and pre-skills
 - (4) Utilize other teacher and public input

**ARTICULATED CURRICULUM PRE-K-ADULT SEQUENCE & RESPONSIBILITIES (DISTRICT)
(Continued)**

3. Process for adoption
 - a. Management team committee on curriculum and instructional materials accepts or makes revisions
 - b. Public invited to have input
 - c. Committee process incorporates accepted public input
 - d. School board adoption

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

INSTRUCTIONAL MINUTES/BALANCED CURRICULUM

The District is committed to the provision of a balanced curriculum by all schools, based upon state model curriculum standards and guidelines, and utilizing an integrated, multidisciplinary approach to instruction, combining learning from a broad variety of subjects, wherever feasible.

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

INSTRUCTIONAL MINUTES/BALANCED CURRICULUM

1. Reading, writing, oral language, vocabulary development, and thinking skills shall be taught as an integral part of all academic subjects, in addition to their attention in the specific subjects of reading and language arts.
2. Sufficient time and emphasis shall be dedicated to literature, social studies, fine arts and science.
3. In the primary grades, special attention shall be paid to students' acquisition of basic reading skills.
4. A major focus of the curriculum is the application of basic skills in all subject areas.

NOTE: Teachers and principals are not being asked to engage in rigid "minute counting" but rather to develop a heightened awareness of the value of all subjects within the elementary curriculum and to work together to strengthen existing strategies for insuring a balanced, integrated curriculum.

General Guidelines

Time in Minutes to be Devoted to the Various Subjects Weekly

	Kindergarten	Grades 1-3*	Grade 1-3	Grades 4-6
Reading & Literature	175-250 (225)	225	375-425 (400)	325-375 (350)
Language Arts	200-250 (225)	285	2785-325 (305)	250-300 (280)
Mathematics	75-125 (100)	200-250 (225)	200-250 (225)	225-275 (250)
Physical Education	100	100	100	100
Visual Arts	60-115 (100)	60 - 90 (75)	60- 90 (75)	60- 90 (75)
Music	30- 60 (50)	40	30- 60 (50)	30- 60 (50)
Science/Health	125-175 (150)	175	175-225 (200)	175-225 (200)
Social Studies	74-125 (100)	125-175 (150)	125-175 (150)	175-225 (200)
TOTAL WEEKLY	1,050	1,275	1,500	1,500

*Staggered

() Average number of minutes

Regulation
approved: 01.21.86

**ABC UNIFIED SCHOOL DISTRICT
Board Policy****INSTRUCTION****RECOGNITION OF RELIGIOUS BELIEFS & CUSTOMS**

Whenever programs or publications are planned in conjunction with a holiday that has a religious or special interest group origin, administrators and staff should make every effort to develop such programs or publications in a manner that will reflect respect for the philosophical/religious sensibilities of all students and staff members.

Some holidays with a religious or sectarian origin have become a part of our American secular culture. In recognizing these holidays the District should be highly sensitive to its obligation not to interfere with the philosophical/ religious development of every student in its charge, in whatever philosophical/ religious tradition the student embraces.

1. Administrators shall participate in the preliminary planning for such programs or publications and shall be continually aware of their development.
2. All planning shall take into consideration the diverse philosophical/religious traditions represented in the community, student body and staff.
3. The quality of a program shall reflect the spirit or history of the occasion rather than being mere entertainment.
4. Time spent in the preparation and presentation of any programs must be educationally justifiable.
5. Since any school-sponsored program is a part of the curriculum, it is necessary that each be planned carefully to include: instructional objectives; instructional resources of the school, community, or district; content which is educationally defensible; specific relationships with the on-going instructional effort of the school; supervision by the administration; and provision for evaluation.
6. Much of our finest music has a religious basis and, as music, may be used in connection with school programs. Music in itself may carry a message of warmhearted goodwill that can bring all people in our country more closely together in a spirit of mutual understanding and respect. The texts of songs with a religious/sectarian origin shall be evaluated to determine whether on balance the texts are acceptable for use in a multicultural student community.
7. Extremes such as highly sectarian scenes, songs, symbols and tableaux in publications, classrooms, and assembly halls should be avoided unless they are a necessary and integral part of the study of subjects in the curriculum and are presented in a balanced manner.
8. No member of the student body or staff shall be required to take part or attend a program that offends that person's evaluation of his/her own philosophical/religious tradition.

Policy adopted
by the board: 04.19.76
revised: 06.20.83

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

RELEASE OF PUPILS FOR RELIGIOUS INSTRUCTION

It is the policy of the District to permit the release of pupils from school once annually in order to receive religious instruction at their respective places of worship or at other suitable place or places away from school property designated by the religious group, church or denomination.

The release of pupils for this purpose shall conform to the requirements of the District administrative regulation 6141.2.

*Legal Reference: Education Code
46014 Regulation regarding absences for religious purposes*

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

RELEASE OF PUPILS FOR RELIGIOUS INSTRUCTION

District pupils may be released from school once annually in accordance with Education Code 46014 for the purpose of receiving religious instruction as follows:

1. Each pupil to be released must first attend at least one full hour or one full period of the school day.
2. The pupil shall present a Request for Release for Religious Instruction form, signed by the parent, prior to the time of release.
3. Elementary and middle school pupils may be released only to the parent or an adult designated by the parent on the Request for Release form. High school students will be released to drive or to ride with the person named on the card by the parent.

**ABC UNIFIED SCHOOL DISTRICT
Board Policy****INSTRUCTION****BILINGUAL-BICULTURAL EDUCATION**

The Board of Education is committed to the philosophy that educational programs offered in the District will meet the individual needs of the students to be served. The board affirms its position that bilingual instructional alternatives to meet the diversified linguistic development needs of our students will be implemented in the schools at the earliest possible date. These alternatives provide students and parents with program options which will:

1. Facilitate mastery of English language skills.
2. Allow for the development of pride in both the student's cultural heritage and the majority culture.
3. Contribute to an improved self-image.
4. Facilitate conceptualization in the language best known to the student, thus enabling the student to become bilingual in his/her second language.

Therefore, the board defines bilingual education as a process which uses a student's primary language and culture as the principal source of instruction while at the same time systematically teaching a second language. The Board of Education is, therefore, in agreement with the basic goals of bilingual-bicultural education which are:

1. To develop in students the ability to maximize their potential as individuals, as learners, and as citizens in a multilingual/multi-cultural society.
2. To offer a curriculum that meets the diverse needs of pupils with different language and cultural orientations in order to permit them to:
 - a. Develop English language skills to ensure effective participation in the English-speaking social, academic, and career environments.
 - b. Build language skills on a firm foundation which include a positive self-concept in the environments of the languages and the cultures associated with those languages.
 - c. Preserve and strengthen their self-image and sense of dignity through appropriate and meaningful instructional programs.
 - d. Utilize their primary language as a medium of learning as necessary to avoid premature experiences with the second language which could be detrimental to their academic progress.
 - e. Develop communication skills in two languages, one of which is English.
 - f. Develop incentive to remain in school.
 - g. Acquire the academic tools to pursue post-secondary education.
 - h. Develop life skills necessary to function successfully in our society.

BILINGUAL-BICULTURAL EDUCATION (Continued)

3. To provide comprehensive assessment of language and academic progress and achievement of students for placement in appropriate instructional programs.

The District commits itself to bilingual education in concept and practice and to the allocation of available district, state and federal funds, as well as to the utilization, where possible, of existing staff in the development, implementation and maintenance of bilingual instructional alternatives as outlined in the master plan for bilingual education.

<i>Legal Reference:</i>	<i>Education Code</i>	
	<i>44253.5-44253.6</i>	<i>Certification for bilingual-bicultural competence</i>
	<i>52000 et seq</i>	<i>Improvement of elementary and secondary education (especially 52015(b))</i>
	<i>52060-52065</i>	<i>Native American Indian education program</i>
	<i>52100-52178</i>	<i>Bilingual education</i>
	<i>54000 et seq</i>	<i>Programs for disadvantaged children</i>
	<i>California Administrative Code, Title 5</i>	
	<i>3936</i>	<i>Bilingual-bicultural education</i>
	<i>U.S. Supreme Court Decision of January 21, 1974</i>	
	<i>(Lau vs. Nichols 414 U.S. 563)</i>	

Policy adopted
by the board: 02.21.78
revised: 04.02.79

ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation

INSTRUCTION

BILINGUAL-BICULTURAL EDUCATION

1. Bilingual instructional alternatives will be made available to non- and limited-English-speaking students and fluent English-speaking students who may wish to participate.
2. The bilingual instructional alternatives will be planned, developed and implemented consistent with state and federal regulations by the local school with representatives of staff, community and parents, who shall have a major role in the recommendation of the program design at each local school consistent with the master plan for bilingual education.
3. It will be the District's responsibility to provide adequate supplemental financial support. Local schools will allocate primary financial support using available categorical funds and general funds for the implementation and maintenance of bilingual instructional alternatives as outlined in the administrative component of the master plan for bilingual education.
4. The District will recruit and/or train competent bilingual/cross-cultural personnel to facilitate the implementation of the local school program. Such personnel will have demonstrated oral and written proficiencies in English and the language of the local school's bilingual instructional alternative.
5. The District and local school will provide thorough and comprehensive explanations of the program of instruction to parents of potential participants and interested community representatives; however, individual student participation in the bilingual instructional alternative shall be at the option of parents and/or guardians of affected students.
6. The District and the local school site as outlined in the community relations component of the master plan for bilingual education will encourage the active participation of parents and other community members in the recommendation process of planning, implementation, and evaluation of the bilingual instructional alternatives and continue to improve communication between home and school.
7. The District shall continue to provide counseling and guidance services as outlined in the master plan for bilingual education which promotes an environment of support for developing a positive self-concept and ensure optimal learning, achievement and motivation.

BILINGUAL-BICULTURAL EDUCATION (Continued)

8. The District will provide staff development opportunities for all instructional staff, administrators and support staff consistent with the master plan for bilingual education.

In accordance with these administrative regulations, the District defines bilingual instructional alternatives:

1. Every elementary school with 10 or more Limited English Speaking/ Non-English Speaking (LES/NES) students with the same primary language at the same grade level or in an age span in a multi-graded situation based on the language dominance survey results will be provided a bilingual-bicultural program which includes:
 - a. Daily instruction in English as a second language for LES/NES students.
 - b. Primary language literacy.
 - c. Concept development in the student's primary language and in English based on language proficiency.
 - d. Bicultural and multicultural experiences.
 - e. Second language instruction for Fluent English Speaking (FES) students.
2. Elementary schools participating in any district language magnet plan with 15 or more LES/NES students with the same primary language will implement a K-6 bilingual magnet program including:
 - a. Daily instruction in English as a second language.
 - b. Concept reinforcement in the student's primary language.
 - c. Bicultural and multicultural experiences.
 - d. Second language instruction for participating FES students.
3. Elementary schools will provide a bilingual individual learning program for all LES/NES students (including students with exceptional needs) not participating in a bilingual-bicultural program which includes:
 - a. Daily instruction in English as a second language.
 - b. Concept reinforcement in the student's primary language.
4. Secondary schools implementing a bilingual-bicultural program will provide the following course of study:
 - a. Daily instruction in English as a second language.
 - b. Primary language literacy.
 - c. Primary and second language instruction in math, social studies, science or elective.
 - d. Second language instruction for FES students in the primary language of the LES/NES participants.

BILINGUAL-BICULTURAL EDUCATION (Continued)

5. Secondary schools with 15 or more LES/NES students with the same primary language at the 78 or 9-12 grade levels based on the language dominance survey results will provide a bilingual core program which includes:
 - a. Daily instruction in English as a second language.
 - b. Primary language instruction in math, social studies, and primary language literacy.
6. Secondary school providing a magnet bilingual individual learning program for LES/NES students not participating in a bilingual core or bilingual-bicultural program will offer the following course of study:
 - a. Daily instruction in English as a second language.
 - b. Concept reinforcement in the student's primary language e.g., math, social studies.
7. Schools implementing a bilingual-bicultural preschool will provide instruction in the student's primary and second language in the areas of:
 - a. Pre-reading
 - b. Language development
 - c. Math
 - d. Science
 - e. Social, physical and emotional development
 - f. Multicultural education
 - g. Art and music
8. Bilingual-bicultural programs will be established as part of the District's Mentally Gifted Program (MGM) magnet program for any language group identifying 15 or more LES/NES MGM students in 2-12th grade. Instruction will include:
 - a. Daily instruction in English as a second language for LES/NES students.
 - b. Primary language literacy.
 - c. Concept development in the student's primary language and in English based on language proficiency.
 - d. Bicultural and multicultural experiences.
 - e. Second language instruction for FES students.
 - f. Variety of enrichment opportunities.
9. Bilingual magnet programs for LES/NES students with exceptional needs will be established for any language group identifying 12 or more LES/ NES 2-12th students with the same primary language in the District.

BILINGUAL-BICULTURAL EDUCATION (Continued)

Instruction will include:

- a. Individualized daily instruction in English as a second language.
- b. Concept development in the student's primary language and in English based on language proficiency.
- c. Bicultural and multicultural experiences.

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

ADVANCED PLACEMENT

The Governing Board is committed to providing all students with an education that will prepare them to be college-ready, productive citizens, and engaged in their community. To this end, the Board strives to ensure that all students have access to a rigorous, high quality curriculum and challenging courses.

To encourage District students to challenge themselves academically, develop college-level skills, and be more competitive when applying for admission to postsecondary institutions, the Governing Board shall offer opportunities to interested high school students to take Advanced Placement (AP) courses.

(cf. 0200 - Goals for the School District)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6172.1 - Concurrent Enrollment in College Classes)

The Board desires to increase access to AP courses at each comprehensive high school. The Superintendent or designee shall recommend subject areas for AP courses at each school based on student interest and the availability of qualified certificated staff, instructional materials, and other resources. The Superintendent or designee shall also explore alternative methods of delivering AP courses, such as online courses or distance learning.

The Superintendent or designee may consult and collaborate with feeder schools to ensure that students are offered the opportunity to take coursework that will prepare them for AP courses.

(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6143 - Courses of Study)
(cf. 6146.11 - Alternative Credits Toward Graduation)

The Superintendent or designee shall ensure that placement decisions for AP and honors courses will be in the students' best interest, and be based on multiple factors. Any assigned pre-requisites shall be aligned with recommendations from the College Board. Schools will establish processes for students or parents to appeal decisions related to enrollment in AP. All students who meet course prerequisites shall have equal access to AP course offerings available at their school.

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

Grades for AP courses shall be assigned in accordance with Board policy and administrative regulation.

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

The Superintendent or designee shall make efforts to encourage students to participate in AP courses and to take end-of-course AP exams by creating support systems for AP students. In addition, the Superintendent or designee may explore partnerships with colleges and universities to help encourage students to pursue postsecondary education.

ADVANCED PLACEMENT (continued)

(cf. 5126 - Awards for Achievement)
(cf. 6164.2 - Guidance/Counseling Services)

To increase the capacity of District schools to offer AP courses, the Superintendent or designee shall provide staff development and support to teachers of such courses. This professional development may include, but is not limited to, opportunities for teachers to obtain information on the curriculum of specific courses, instructional methods, and data-driven decision making; mentoring for prospective teachers of AP courses; and opportunities for staff within the District to share course syllabi and practices.

(cf. 4111/4211/4311 - Recruitment and Selection)
(cf. 4113 - Assignment)
(cf. 4131 - Staff Development)

The Board desires that every District AP course receive authorization to use the Advanced Placement designation by the College Board. To that end, the Superintendent or designee shall work with school sites to coordinate the process for submitting courses for approval as part of the College Board AP course audit.

Examination Fee

To the extent feasible, the District shall reduce the cost of AP examination fees for eligible low-income students. At the beginning of each school year, the Superintendent or designee shall notify parents/guardians of the availability of funds for this purpose and shall provide information on how income-eligible students may apply for funding.

(cf. 3100 - Budget)

Legal Reference:

EDUCATION CODE

52240-52242 Advanced Placement program

CODE OF REGULATIONS, TITLE 5

3840 Advanced Placement as program option for gifted and talented students

UNITED STATES CODE, TITLE 20

6534 Advanced Placement exam fee program

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

ADVANCED PLACEMENT

The District has established guidelines for consistency on access to Advanced Placement (AP) courses.

1. Master Schedule

- a. Schools shall provide AP course access based on student interest, qualified credential teachers, instructional materials and other resources.
- b. AP courses should be promoted and accessible to all students.

2. Staffing and Professional Development

- a. Teachers who wish to teach an Advanced Placement (AP) course must complete the initial audit as outlined by the College Board.
- b. AP teachers/coordinators should annually review the College Board curriculum and submit their course curriculum as needed.
- c. Professional learning opportunities shall be made available to Advanced Placement teachers.

3. Prerequisites and Grades

- a. In order to ensure increased access to AP courses, prerequisites into an AP course shall be based on multiple factors including, but not limited to, student GPA, standardized test scores, teacher recommendation, previous coursework, and student desire to enter into the Advanced Placement course.
- b. Prerequisites for coursework shall be aligned with recommended guidelines from the College Board on required coursework prior to an AP class.
- c. Students who do not meet the course pre-requisites should be provided with the following:
 - i. An appeals process in order to review student entrance into the AP course.
 - ii. An opportunity to access other AP courses as available.
- d. Students requiring additional support with AP course work should be offered remediation prior to changes in course enrollment.
- e. Assignments that are given outside of the instructional year are at the discretion of the principal or principal designee and must have appropriate support systems in order to ensure students have access to assistance and resources.
- f. Grades for AP courses shall be assigned in accordance with Board policy (5121).
- g. AP courses are considered honors courses and will be reflected on student transcripts as such.

ADVANCED PLACEMENT (continued)

4. Advanced Placement Examination

- a. All students who are enrolled in an AP class are encouraged to take the AP exam.
- b. The school will ensure that students are aware of fee waivers and other additional programs to reduce the cost of AP exams.
- c. Students do not need to be enrolled in an AP course to take available AP examinations.

5. Curriculum

- a. AP courses should adopt textbooks aligned with the recommendations of the College Board. Textbooks used for these courses should be college level text to address the appropriate level of rigor in the program.
- b. Academic Services will follow textbook procedures in the adoption of appropriate curriculum for the course. This includes online or distance learning opportunities.
- c. Selected curriculum will require Board approval.

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

SEXUAL HEALTH & HIV/AIDS PREVENTION INSTRUCTION

The ABC Unified Board of Education recognizes that the purpose of the District's sexual health and HIV/AIDS prevention instruction is to provide students with the knowledge and skills necessary to protect them from unintended pregnancy and sexually transmitted infections and to encourage students to develop healthy, positive and safe relationships and behaviors. The District's educational program shall also promote understanding of sexuality as a normal part of human development and the development of health attitudes and behaviors concerning adolescent growth and development, body image, gender, sexual orientation, relationships, marriage, and family. The Board therefore desires to provide a well-planned sequence of instruction on comprehensive sexual health and HIV/AIDS prevention.

(cf. 5030 – Student Wellness)

The District's curriculum shall be aligned with all of the California Health Content Standards that are linked to the California Education Code (51930 - 51939) for "Comprehensive Sexual Health and HIV/AIDS Prevention Education."

The District's curriculum shall be based on medically accurate and factual information, and designed to teach students to make healthy choices and reduce high-risk behaviors. It shall also respect the rights of parents/guardians to supervise their children's education on these subjects and to impart values regarding human sexuality to their children.

Comprehensive sexual health education and HIV prevention education shall be offered to all students in grades 7-12, including at least once in junior high or middle school and at least once in high school (Education code 51934).

Annually, parents/guardians shall be notified, in the manner specified in the accompanying administrative regulation, that they may request in writing that their child be excused from participating in comprehensive sexual health and HIV prevention education. Students so excused by their parents/guardians shall be given an alternative educational activity. (Education Code 51240, 51938, 51939)

(cf. 5022 - Student and Family Privacy Rights)

A student shall not be subject to disciplinary action, academic penalty, or other sanction if the student's parent/guardian declines to permit the student to receive the instruction. (Education Code 51939)

(cf. 5141.22 – Infectious Diseases)
(cf. 5146 – Married/Pregnant/Parenting Students)
(cf. 6143 – Courses of Study)
(cf. 5022 – Student and Family Privacy Rights)

SEXUAL HEALTH & HIV/AIDS PREVENTION INSTRUCTION (continued)

Legal Reference:

*EDUCATION CODE**220 Prohibition of discrimination**48980 Notice at beginning of term**51202 Instruction in personal and public health and safety**51210.8 Health education curriculum**51240 Excuse from instruction due to religious beliefs**51513 Materials containing questions about beliefs or practices**51930-51939 Comprehensive Sexual Health and HIV/AIDS Prevention Education Act**HEALTH AND SAFETY CODE**1255.7 Parents surrendering physical custody of a baby**PENAL CODE**243.4 Sexual battery**261.5 Unlawful sexual intercourse**271.5 Parents voluntarily surrendering custody of a baby**UNITED STATES CODE, TITLE 20**1232h Protection of student rights**7906 Sex education**Management Resources:**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**Health Education Content Standards for California Public Schools, Kindergarten Through Grade 12, 2008**Health Framework for California Public Schools: Kindergarten through Grade 12, 2003**WEB SITES**CSBA: <http://www.csba.org>**American Academy of Pediatrics: <http://www.aap.org>**American College of Obstetricians and Gynecologists: <http://www.acog.org>**American Public Health Association: <http://www.apha.org>**California Department of Education, Sex Education and HIV/STD Instruction: <http://www.cde.ca.gov/ls/he/se>**California Department of Public Health: <http://www.cdph.ca.gov>**California Healthy Kids Resource Center: <http://www.californiahealthykids.org>**California Safe Schools Coalition: <http://www.casafeschools.org>**Centers for Disease Control and Prevention: <http://www.cdc.gov>**National Academy of Sciences: <http://www.nationalacademies.org>**U.S. Department of Health and Human Services, Office of the Surgeon General: <http://www.surgeongeneral.gov>**U.S. Food and Drug Administration: <http://www.fda.gov>*

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

SEXUAL HEALTH & HIV/AIDS PREVENTION INSTRUCTION

Comprehensive Sexual Health Instruction

The following administrative regulation applies to “comprehensive sexual health education,” which is defined as education regarding human development and sexuality, including education on pregnancy, contraception, and sexually transmitted infections. (Education Code 51931)

The Superintendent or designee shall ensure that the District’s comprehensive sexual health education instruction and materials (Education Code 51933) for 6th – 12th grade are:

1. Age appropriate topics, messages, and teaching methods suitable to particular ages or age groups of children and adolescents, based on developing cognitive, emotional, and behavioral capacity typical for the age or age group;
2. Factually and medically accurate and objective. Medically accurate means verified or supported by research conducted in compliance with scientific methods and published in peer-reviewed journals, where appropriate, and recognized as accurate and objective by professional organizations and agencies with expertise in the relevant field, such as the federal Centers for Disease Control and Prevention, the American Public Health Association, the American Academy of Pediatrics, and the American College of Obstetricians and Gynecologists;
3. Available on an equal basis to a student who is an English learner, consistent with the existing curriculum and alternative options for an English learner as otherwise provided in the Education Code;
4. Appropriate for use with students of all races, genders, sexual orientations, and ethnic and cultural backgrounds, and students with disabilities;

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

(cf. 1312.3 – Uniform Complaint Procedures)

5. Accessible to students with disabilities, including, but not limited to, the provision of a modified curriculum, materials, and instruction in alternative formats and auxiliary aids;
6. Not teaching or promoting religious doctrine;
7. Not reflecting bias or promoting prejudice against students in protected categories of discrimination pursuant to Education Code 220. Sexual health and HIV/AIDS prevention classes may separate male and female students to protect student modesty;

(cf. 5145.3 – Nondiscrimination /Harassment)

SEXUAL HEALTH & HIV/AIDS PREVENTION INSTRUCTION (continued)

8. Provide students with knowledge and skills for making and implementing healthy decisions about sexuality, including negotiation and refusal skills to assist students in overcoming peer pressure and using effective decision-making skills to avoid high risk activities.
9. Instruction and materials that encourage a student to communicate with his/her parents/guardians about sexuality and provide the knowledge and skills necessary to do so;
10. Instruction and materials that teach the value of and prepare students to have and maintain respect for committed relationships, such as marriage.
11. Align and support the following as specified in Education Code 51930:
 - a. To provide students with the knowledge and skills necessary to protect their sexual and reproductive health from HIV and other sexually transmitted infections and from unintended pregnancy.
 - b. To provide students with the knowledge and skills they need to develop healthy attitudes concerning adolescent growth and development, body image, gender, sexual orientation, relationships, marriage, and family.
 - c. To promote understanding of sexuality as a normal part of human development.
 - d. To ensure students receive integrated, comprehensive, accurate and unbiased sexual health and HIV prevention instruction and provide educators with tools and guidance to accomplish that end.
 - e. To provide students with the knowledge and skills necessary to have healthy, positive, and safe relationships and behaviors.

Additional Criteria for 7th – 12th Grade Sexual Health Education Instruction: The District's comprehensive sexual health education instruction and materials for 7th-12th grade must also include the criteria listed in items #12-21.

12. Beginning in grade 7, instruction and materials that teach abstinence from sexual intercourse is the only certain way to prevent unintended pregnancy, teach that abstinence from sexual activity is the only certain way to prevent sexually transmitted infections, and provide information about the value of abstinence while also providing medically accurate information on other methods of preventing pregnancy and sexually transmitted infections.
13. Beginning in grade 7, instruction and materials that provide information about sexually transmitted infections. This instruction shall include how sexually transmitted infections are and are not transmitted, the effectiveness and safety of all federal Food and Drug Administration (FDA) approved methods of reducing the risk of contracting sexually transmitted infections, and information on local resources for testing and medical care for sexually transmitted infections.
14. Beginning in grade 7, instruction and materials that provide information about the effectiveness and safety of FDA-approved contraceptive methods in preventing pregnancy, including, but not limited to, emergency contraception.

SEXUAL HEALTH & HIV/AIDS PREVENTION INSTRUCTION (continued)

15. Beginning in grade 7, instruction and materials that provide students with skills for making and implementing responsible decisions about sexual conduct.

(cf. 5146 – Married/Pregnant/Parenting Students)

16. Beginning in grade 7, affirmatively recognize that people have different sexual orientations and, when discussing or providing examples of relationships and couples, shall be inclusive of same-sex relationships.
17. Beginning in grade 7, teach students about gender, gender expression, and gender identity, and explore the harm of negative gender stereotypes.
18. Beginning in grade 7, provide students with knowledge and skills they need to form healthy relationships that are based on mutual respect and affection and are free from violence, coercion, and intimidation.
19. Beginning in grade 7, instruction and materials that provide students with information on the law concerning surrendering physical custody of a minor child 72 hours or younger, pursuant to Health and Safety Code 1255.7 and Penal Code 271.5.
20. Beginning in grade 7, information about local resources, and students legal right to access local resources for sexual and reproductive health care as well as local resources for assistance with sexual assault and intimate partner violence.
21. Beginning in grade 7, information about sexual harassment, sexual assault, adolescent relationship abuse, intimate partner violence and sex trafficking.

(cf. 6143 – Courses of Study)

Comprehensive Sexual Health Instruction Professional Development: The District's instruction for comprehensive sexual health education shall be provided by instructors trained in the appropriate courses who are knowledgeable of the most recent medically accurate research on human sexuality, healthy relationships, pregnancy, and sexually transmitted infections. (Education Codes 51932, 51933, & 51934)

Related Coursework: When human reproductive organs are described in a separate instructional context, such as an illustration in a physiology textbook, this instruction shall not be considered comprehensive sexual health instruction or HIV/AIDS prevention instruction. Similarly, when gender, sexual orientation, and family life are addressed in a separate instructional context, such as social studies, which does not also discuss human reproductive organs and their function, this instruction shall not be considered comprehensive sexual health instruction or HIV/AIDS prevention instruction. Requirements pertaining to instructional content, teacher training, and parental notification and consent do not apply to instruction that is not sexual health instruction or HIV/AIDS prevention instruction. (Education Code 51930-51939)

Other district courses that may include subject matter related to that which is presented in either HIV/AIDS prevention or comprehensive sexual health instruction, shall not be subject to the requirements of Education Code 51930-51939 pertaining to instructional content, teacher training, and parental notification and consent, if such courses contain: (Education Code 51932)

SEXUAL HEALTH & HIV/AIDS PREVENTION INSTRUCTION (continued)

1. Solely a description or illustration of human reproductive organs that may appear in a textbook adopted pursuant to law on physiology, biology, zoology, general science, personal hygiene, or health.
2. Instruction or materials that discuss gender, sexual orientation, or family life and do not discuss human reproductive organs and their function.

(cf. 6143 – Courses of Study)

Parent/Guardian Notification

At the beginning of each school year, or at the time of a student's enrollment, parents/guardians shall be notified about the instruction in comprehensive sexual health education and HIV/AIDS prevention education, as well as research on student health behaviors and risks, planned for the coming year. The notice shall advise parents/guardians: (Education Code 48980, 51938)

1. That written and audiovisual education materials to be used in comprehensive sexual health and HIV/AIDS prevention education are available for inspection;
2. That parents/guardians have a right to request a copy of Education Code 51930-51939;
3. Whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by district personnel or outside consultants.

Parents/guardians of sixth grade students shall be asked to sign and return to the school an acknowledgement that they had received the notification and give permission for their child to participate. Parents/guardians of 7th through 12th grade student(s) who wish to excuse his/her child from instruction must provide a separate written request.

Outside Consultants or Guest Speakers

Guest Speakers: Pursuant to Education Codes 51933 and 51944, the District's HIV/AIDS prevention or sexual health instruction may be taught by outside consultants or delivered by guest speakers at an assembly. A certificated staff member must be present during any such instruction and the instruction must comply with the same requirements as instruction provided by the District and in accordance with Education Code 51930-51939.

The Superintendent or designee may contract with outside consultants with expertise in comprehensive sexual health or HIV/AIDS prevention education, including those who have developed multilingual curricula or curricula accessible to persons with disabilities, to deliver the instruction or to provide professional development for district personnel. The Superintendent or designee shall ensure that any instruction provided by an outside speaker or consultant complies with Board policy, administrative regulation, and Education Code 51930-51939. (Education Codes 51933, 51934, 51936)

If the school elects to use guest speakers, parents/guardians must be provided additional notice about the speaker and his/her organization.

If arrangements for instruction by outside consultants or guest speakers are made after the beginning of the school year, the school shall notify parents/guardians by mail or another commonly used method of notification no fewer than 14 days before the instruction is given. (Education Code 51938)

SEXUAL HEALTH & HIV/AIDS PREVENTION INSTRUCTION (continued)

The notification to use outside consultants or to hold an assembly with guest speakers shall include: (Education Code 51938)

- a. The date of instruction;
- b. The name of the organization or affiliation of each guest speaker
- c. Information stating the right of the parent/guardian to request a copy of Education Code 51933-51934.

HIV/AIDS Prevention Instruction

HIV/AIDS prevention instruction shall be offered at least once in middle school and once in high school. HIV/AIDS instruction shall accurately reflect the latest information and recommendations from the United States Surgeon General, the federal Centers for Disease Control and Prevention, and the National Academy of Sciences. The District's curriculum shall satisfy the criteria listed in items #1-7 previously listed for "comprehensive sexual health education" and shall also include: (Education Code 51931, 51934)

1. Information on the nature of HIV/AIDS and other sexually transmitted infections and their effects on the human body;
2. Information on the manner in which HIV is and other sexually transmitted infections are and are not transmitted, including information on the relative risk of infection according to specific behaviors, including sexual behaviors and injection drug use.
3. Discussion of methods to reduce the risk of HIV infection, including:
 - a. Emphasis that sexual abstinence, monogamy, the avoidance of multiple sexual partners, and abstinence from intravenous drug use are the most effective means for HIV/AIDS prevention and other sexually transmitted infections;
 - b. Information about the effectiveness and safety of reducing the risk of HIV transmission as a result of injection drug use by decreasing needle use and needle sharing
 - c. Information about the effectiveness and safety of all federal Food and Drug Administration (FDA) approved methods that prevent or reduce the risk of contracting HIV and other sexually transmitted infections, including use of antiretroviral medication, consistent with the Centers for Disease Control and Prevention
4. Information on local resources, how to access local resources, and students legal rights to access local resources for sexual and reproductive health care such as testing and medical care for HIV and other sexually transmitted infections, and pregnancy prevention and care, as well as local resources for assistance with sexual assault and intimate partner violence;

SEXUAL HEALTH & HIV/AIDS PREVENTION INSTRUCTION (continued)

5. Information about the treatment of HIV and other sexually transmitted infections, including how antiretroviral therapy can dramatically prolong the lives of many people living with HIV and reduce the likelihood of transmitting HIV to others;
6. Development of refusal skills to assist students in overcoming peer pressure and using effective decision-making skills to avoid high-risk activities;
7. Discussion about societal views on HIV/AIDS, including stereotypes and myths regarding persons with HIV/AIDS and emphasizing compassion for persons living with HIV/AIDS. This instruction shall emphasize that successfully treated HIV-positive individuals have a normal life expectancy, all people are at some risk of contracting HIV, and that testing is the only way to know if one is HIV-positive.

HIV/AIDS Professional Development: The Superintendent or designee shall cooperatively plan and conduct professional development for all District personnel who provide HIV/AIDS prevention education. (Education Code 51935)

In developing and providing professional development, the Superintendent or designee shall cooperate and collaborate with the teachers who provide HIV/AIDS prevention education and with the California Department of Education (CDE) or federal Centers for Disease Control and

Prevention. The District shall periodically conduct professional development to enable district personnel to learn new developments in the scientific understanding of HIV/AIDS.

The Superintendent or designee may expand HIV/AIDS professional development to cover the topic of comprehensive sexual health education for district personnel teaching sexual health education to learn new developments in the scientific understanding of sexual health. (Education Code 51935)

Regulation

Adopted: 06.01.10

Revised: 05.03.16

ABC UNIFIED SCHOOL DISTRICT
Board Policy

INSTRUCTION

VISUAL AND PERFORMING ARTS EDUCATION

The Board of Education recognizes that by studying visual and performing arts, including but not limited to dance, media, music, theater, and visual arts, students learn to develop initiative, discipline, perceptual abilities and critical and creative thinking skills that extend to all areas of life-long learning. The Board believes that a comprehensive sequential arts education program is an integral part of the basic education offered to students with equity and access for all.

The Board of Education supports and encourages the following elements in developing and implementing the District's arts education:

1. Standards-based arts curriculum, instruction, and assessment including:
 - a. Well-trained teachers in the arts;
 - b. Arts taught as an independent subject, as well as infused within core curricula, including history, geography, language arts, math and science, whenever possible with regular and consistent instructional time;
 - c. Opportunities to showcase student learning and student work.
2. Arts education program which enables students to achieve the goals outlined in the *Contents Standards for California Public Schools*, which include the *Visual and Performing Arts Content Standards*.
3. A ratio of students to arts teachers comparable to the ratio in other core areas.
4. Integration of community arts resources into the school program including opportunities to attend visual and performing arts programs, observe the work of accomplished artists and work directly with visiting artists whenever possible.

The Board of Education will support and ensure funding for high quality standards-based K-12 arts education in an equitable manner, consistent with the principle that arts education is an integral part of the core curriculum.

The Superintendent or designee shall:

1. Ensure a continuing program of standards-based professional development. This professional development may include the credentialed staff, paraprofessionals, community artists, parents and other persons who provide instruction in the arts to strengthen their ability to deliver quality arts instruction across all curricular areas.
2. Ensure that students have access to sufficient instructional materials, equipment and facilities to support a balanced arts program; the program can be adapted to meet the unique needs of each school site.
3. Develop a budgeted plan, establish procedures to implement Board policies, and provide for the on-going review, evaluation and development of the District's arts education program.

Legal Reference: *Education Code*
 8810-8819.5 *Arts Education*
 8820-8830 *Arts Work Visual and Performing Arts Education Program*

Policy adopted
 by the board: 11.22.06

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

PHYSICAL EDUCATION

The Governing Board recognizes the positive benefits of physical activity on student health and academic achievement. The District shall provide all students the opportunity to be physically active on a regular basis through high-quality physical education instruction and may provide additional opportunities for physical activity throughout the school day. The District's physical education and activity programs shall support the District's coordinated student wellness program and encourage students' lifelong fitness.

(cf. 5030 – Student Wellness)

(cf. 6142.8 – Comprehensive Health Education)

The District's physical education program shall provide a developmentally appropriate sequence of instruction aligned with the state's model content standards and curriculum framework. The Superintendent or designee shall ensure that the District's program provides students with equal opportunities for instruction and participation regardless of gender in accordance with law.

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

(cf. 6011 – Academic Standards)

(cf. 6143 – Courses of Study)

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

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

(cf. 6146.1 – High School Graduation Requirements)

(cf. 6146.11 – Alternative Credits Toward Graduation)

Students with disabilities shall be provided instruction in physical education in accordance with their individualized education program.

Students with a Section 504 shall be provided instruction in physical education in accordance with their accommodation plan.

(cf. 6159 – Individualized Education Program)

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

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

(cf. 3514 – Environmental Safety)

(cf. 5141.7 – Sun Safety)

PHYSICAL EDUCATION (continued)**Staffing**

Physical education instruction shall be delivered by appropriately credentialed teachers.

(cf. 4112.2 – Certification)

The District shall provide physical education teachers with appropriate continuing professional development to enhance the quality of physical education instruction and assessment.

(cf. 4131 – Staff Development)

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

Physical Fitness Testing

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

In ninth grade, a student has satisfactorily met the testing requirement if the student demonstrates competency on the physical fitness test designated by the State.

Temporary Exemptions

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

1. The student is ill or injured and a modified program to meet his/her needs cannot be provided.
2. The student is enrolled for one-half time (or less) of the instructional day normally required of full time students.

Two-Year Exemptions

With the student's consent, the Superintendent or designee may exempt a student from physical education courses for any two years during grades 10-12 provided that the student has satisfactorily demonstrated competency on the State's physical fitness test in grade 9 and completed the overall physical education course of study for grades 9-12. [Education Code 51241(b)(1), 33352(b)(7)]

If a student in grade nine does not satisfactorily demonstrate competency on the State's physical fitness test or complete the overall physical education course of study for grades 9-12, the student is not eligible for exemption from physical education courses. [Education Code 51241(b)(1), 33352(b)(7)] Unless otherwise exempted, the student will need to take the physical education course and fitness test in grade ten. [Education Code 51241(a)(1) (2)]

Permanent Exemptions

The Superintendent or designee may grant a permanent exemption from physical education to an individual student who has taken the State's physical fitness test and completed the overall physical education course of study for grades 9-12, under any of the following conditions: (Education Code 51241)

PHYSICAL EDUCATION (continued)

1. Is 16 years of age or older and has enrolled in grade 10 for one academic year or longer.
2. The student is enrolled in a juvenile home, ranch, camp, or forestry camp school with scheduled recreation and exercise.

Other Exemptions

The Superintendent or designee may grant an exemption from physical education to an individual student who has taken the State's physical fitness test and completed the overall physical education course of study for grades 9-12, under the following special circumstances:

1. The student in grades 10-12 attends a regional occupational center or program and attendance in physical education courses results in hardship because of the travel time involved. (Education Code 52316)
2. The student is in high school and is engaged in a regular school-sponsored interscholastic athletic program carried on wholly or partially after regular school hours. (Education Code 5142)

(cf. 6145.2 – *Athletic Competition*)

*Legal Reference:*EDUCATION CODE33126 *School accountability report card*33350-33354 *CDE responsibilities re: physical education*35256 *School accountability report card*49066 *Grades; physical education class*51210 *Course of study, grades 1-6*51220 *Course of study, grades 7-12*51222 *Physical education*51223 *Physical education, elementary schools*51241 *Temporary, two-year or permanent exemption from physical education*51242 *Exemption from physical education for athletic program participants*52316 *Excuse from attending physical education classes*60800 *Physical performance test*CODE OF REGULATIONS, TITLE 51040-1048 *Physical performance test*3051.5 *Adapted physical education for individuals with exceptional needs*10060 *Criteria for high school physical education programs*UNITED STATES CODE, TITLE 29794 *Rehabilitation Act of 1973, Section 504*UNITED STATES CODE, TITLE 421751 *Note Local wellness policy*ATTORNEY GENERAL OPINIONS53 *Ops.Cal.Atty.Gen. 230 (1970)*

Policy

adopted: 06.04.91

revised: 05.01.12

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation****INSTRUCTION****PHYSICAL EDUCATION**

Students in grades 9-12 must complete 20 credits of physical education that includes the overall course of study (dynamic health, the mechanics of body movement, aquatics, gymnastics and tumbling, individual and dual sports, rhythms and dance, team sports, and combatives. (Education Code 33352)

1. P.E. Enrollment
 - a. Physical Education is required of all students each semester they are enrolled in 9th grade.
 - b. Physical Education is required of all students each semester they are enrolled in 10th grade unless the student meets all of the District criteria for delayed P.E. enrollment.
 - c. If there is a failing grade, the student will be required to make up the deficient P.E. credits in the 11th or 12th grade.
2. Students who transfer to the District with less than the equivalent of 20 credits in P.E. must fulfill the balance of the P.E. graduation requirement. Students transferring with less than 20 credits into the District during their junior or senior year, from a state or country where P.E. is not required, must participate in P.E. for every semester enrolled in school to meet the requirement.
3. No grade of a pupil participating in a physical education class may be adversely affected due to the fact that the pupil does not wear standardized physical education apparel where the failure to wear such apparel arises from circumstances (e.g. socioeconomic) beyond the control of the pupil. (Education Code 49066, 1976)
4. High school students shall be given the option of taking required physical education for a grade or credit only (Ref. Administrative Regulation 5121 (b)). Request for credit only grades for P.E. must be made within two weeks after progress reports are sent home. Such a request is valid for one semester at a time.
5. Delayed 2nd year P.E. Enrollment
 - a. The second year of P.E. may be delayed until the junior or senior year when a student meets all of the following district criteria:
 - 1) Satisfactorily demonstrates competency on the State's physical fitness test in grade 9;
 - 2) Completed the overall physical education course of study for grades 9-12;
 - 3) Enrollment in at least 6 courses EACH SEMESTER in high school including the senior year;
 - 4) Reason for delayed enrollment is consistent with stated career and/or educational goals(s);
 - 5) Approval of the school administrator;
 - 6) Petition must be submitted prior to the second week of the semester.

PHYSICAL EDUCATION (continued)

6. Instructional Time

- a. Instruction in physical education shall be provided for a total period of time of not less than 200 minutes each 10 school days for students in grades 1-6 and not less than 400 minutes each 10 school days for students in grades 7-12. (Education Code 51210, 51222)
- b. Students in grades 10-12 who have been granted a two-year exemption pursuant to Education Code 51241 (b) shall be offered a variety of elective physical education courses of not less than 400 minutes each 10 school days. (Education Code 51222)
- c. Students in grades 10-12 who have been granted a two-year or permanent exemption from physical education pursuant to Education Code 51241 (b)(1) or (c) shall not be permitted to attend fewer total hours of courses and classes than they would have attended if enrolled in a physical education course. (Education Code 51241)
- d. Students in grades 10-12 attending a regional occupational program or center who are exempted from physical education pursuant to Education Code 52316 shall have a minimum school day of 180 minutes. (Education Code 52316)

7. Physical Fitness Testing

- a. During the month of February, March, April, or May, students in grades 5, 7, and 9 shall be administered the physical fitness test designated by the State Board of Education. (Education Code 60800)

(cf. 6162.5 - Student Assessment)

- b. The Superintendent or designee may provide a make-up date for students who are unable to take the test based on absence or temporary physical restriction or limitations, such as students recovering from illness or injury. (5 CCR 1043)
- c. Student's scores on the physical performance test shall be included in his/her cumulative record. (5 CCR 1044)

(cf. 5125 - Student Records)

8. Testing Variations

- a. Students with a physical disability and students who are physically unable to take all of the test shall undergo as much of the test as their physical condition will permit. (Education Code 60800; 5 CCR 1047)
- b. Students with disabilities shall be provided the accommodations specified in their individualized education program (IEP).
- c. Students with a Section 504 shall be provided instruction in physical education in accordance with their accommodation plan. (5 CCR 1047)

(cf. 6159 - Individualized Education Program)

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

- d. All students may be administered the state's physical fitness test with the following test variations: (5 CCR 1047)

PHYSICAL EDUCATION (continued)

1. Extra time within a testing day
 2. Test directions that are simplified or clarified
- e. Identified English learners may be allowed the following additional test variations if regularly used in the classroom: (5 CCR 1048)
1. Separate testing with other English learners, provided that they are directly supervised by the test examiner
 2. Test directions translated into their primary language, and the opportunity to ask clarifying questions about the test directions in their primary language
9. Medical Excuse to Waive or Delay P.E.
- a. Medical excuse (6 weeks or less): The P.E. teacher must require the student to stay in P.E. and observe, or go to an alternative supervised setting arranged by the P.E. teacher.
 - b. Medical excuse (more than 6 weeks): A program change will be made by the administrator, when possible, if the teacher cannot accommodate the student. If the program change is made, students must fulfill the balance of the P.E. graduation requirement.
 - c. Permanent Medical Exemption: If the excuse involves a permanent disability, a copy of a doctor's note will be sent to the appropriate administrator. The student shall be exempt from the P.E. requirement when a Section 504 or individualized education plan so stipulates. If the student is exempted, a physical education exemption code will be entered on the transcript. (Exemption of requirement)
10. Nationally Recognized Athlete:
- The Superintendent or designee may grant an exemption from physical education to an individual student in grades 10-12 who has:
- a. completed ninth grade physical education;
 - b. demonstrated competency on the State's physical fitness test (Ed Code 600);
 - c. completed the overall physical education course of study for grades 9-12. (Education 33352);
 - d. achieved national recognition in the area of athletics by a recognized organization or authority; and
 - e. scheduled training for national or international competition of not less than 400 minutes each 10 school days. (Education Code 51222)

The exemption is for one year (2 semesters) of P.E. subject requirement. Unit credit will not be granted and the total credits required for graduation will remain the same.

Regulation
 approved: 06.04.91
 revised: 05.01.12

**ABC UNIFIED SCHOOL DISTRICT
REQUEST TO RECEIVE CREDIT ONLY FOR PHYSICAL EDUCATION**

(Request for credit only grades for P.E. must be made within two weeks after progress reports are sent home. Such a request is valid for one semester at a time.)

I request that I be allowed to take Physical Education for

"Credit Only" during the _____ semester.

Student Name: _____

Student I.D. _____

Student Signature _____

Parent Signature _____

Administrator's Signature _____

Notification sent to P.E. Instructor _____

DATE _____

Ref. Board Policy 5121

**ABC Unified School District
MEDICAL EXCUSE TO WAIVE OR DELAY P.E.**

Student Name	Class of	Period Assigned/PE Teacher	Date
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All P.E. Medical Excuses must be initiated by the Health Office. District policy is as follows:

Check category:

- [] Medical excuse (6 weeks or less): The P.E. teacher must require the student stay in P.E. and observe, or go to an alternative supervised setting arranged by the P.E. teacher.

- [] Medical excuse (more than 6 weeks): A program change will be made by the administrator, when possible, if the teacher cannot accommodate the student. If the program change is made, students must fulfill the balance of he P.E. graduation requirement.

- [] Permanent Medical Exemption: If the excuse involves a permanent disability, a copy of a doctor's note will be sent to the appropriate administrator. The student shall be exempt from the P.E. requirement, when a Section 504 or individualized education plan is not appropriate. If the student is exempted, a physical education exemption code will be entered on the transcript. . (Exemption of requirement)

_____	_____
Nurse	Date

P.E. Teacher (under six weeks)	Administrator (over 6 weeks)	Administrator (permanent medication exemption)
<input type="checkbox"/> Stay in P.E. Observe <input type="checkbox"/> Report to Library (approval required) <input type="checkbox"/> Report to Alternative Location (Do not enter exemption code)	Name of class requested by student to replace P.E. class _____ (Do not enter waiver code) _____ Action Taken	<input type="checkbox"/> Enter P.E. Waiver on transcript reducing P.E. requirement one semester _____ Administrator Signature
_____	_____	_____
Teacher's Signature	Administrator Signature	Administrator Signature

RETURN TO HEALTH OFFICE

**ABC UNIFIED SCHOOL DISTRICT
Board Policy****INSTRUCTION****COURSES OF STUDY**

The Governing Board recognizes that a well-articulated sequence of courses fosters academic progress and provides for the best possible use of instructional time. The District's course of study shall provide students with opportunities to attain the skills, knowledge, and abilities they need to be successful in school, college, and/or the workplace.

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

The Superintendent or designee shall establish processes for ensuring the articulation of courses across grade levels and to ensure articulation of courses between elementary and secondary schools.

Elementary Grades

The Board shall adopt a course of study for elementary grades that sufficiently prepares students for the secondary school course of study.

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

Secondary Grades

The District shall offer all students in secondary grades a course of study that, upon graduation from high school, prepares them to meet the requirements and prerequisites for admission to California public colleges and universities and/or attain entry-level employment skills in business or industry. (Education Code 51228)

The Superintendent or designee shall ensure that all students have an opportunity, within the four years before graduation, to enroll in each course necessary to fulfill the requirements for admission to California public colleges and universities prior to graduation from high school. (Education Code 51228)

(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 6141.5 - Advanced Placement)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6162.51 - High School Exit Examination)
(cf. 6178 - Vocational Education)

High school students shall have the opportunity to enroll in courses that include instruction in career technical training. (Education Code 51224)

The Superintendent or designee shall develop a process by which courses are submitted to the University of California (UC) and California State University (CSU) for review and certification in order to meet university admission criteria. He/she shall maintain an accurate list of all current district high school courses that have been certified and shall ensure that the list is provided annually to each student in grades 9-12 and that updated lists are made readily available. (Education Code 66204)

COURSES OF STUDY

During each school year, the Superintendent or designee shall provide information to parents/guardians of students in grades 9-12 that includes all of the following: (Education Code 51229)

1. A brief explanation of the college admission requirements
2. A list of the current UC and CSU web sites that help students and their families learn about college admission requirements and that list high school courses that have been certified by UC as satisfying the requirements for admission to UC and CSU
3. A brief description of what career technical education is, as defined by the California Department of Education (CDE)
4. The Internet address for the portion of the web site of the CDE where students can learn more about career technical education
5. Information about how students may meet with school counselors to help them choose courses that will meet college admission requirements and/or enroll in career technical education courses

(cf. 5145.6 - Parental Notifications)

(cf. 6164.2 - Guidance/Counseling Services)

*Legal Reference:*EDUCATION CODE

48980 Parental notifications

51203 Instruction on alcohol, narcotics and restricted dangerous drugs

51204 Course of study designed for student's needs

51204.5 History of California; contributions of men, women and ethnic groups

51210-51212 Areas of study for grades 1-6

51220-51229 Course of study for grades 7-12

51241 Exemption from physical education

51911-51921 Comprehensive health educational plans

51930-51939 California Comprehensive Sexual Health and HIV/AIDS Prevention Act

53278-53280 Supplemental School Counseling Program

66204 Certification of high school courses as meeting university admission criteria

HEALTH AND SAFETY CODE

11032 Definition of dangerous drugs

CODE OF REGULATIONS, TITLE 5

10020-10049 Automobile driver education and training

10060 Physical education program

UNITED STATES CODE, TITLE 20

6101-6251 School-to-Work Opportunities Act of 1994

*Management Resources:*WEB SITES

CSBA: www.csba.org

California Career Resource Network: www.californiacareers.info

California Colleges.edu: www.californiacolleges.edu

COURSES OF STUDY

California Department of Education: www.cde.ca.gov

University of California, Certified Course Lists: doorways.ucop.edu/list

*University of California, College Prep Online Courses and Services:
www.uccp.org*

Policy adopted
by the board: 08.20.79
revised: 05.03.82
revised: 10.6.09

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

COURSES OF STUDY

Grades 1-6

Courses of study for grades 1 through 6 shall include the following:

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

1. English: knowledge and appreciation of language and literature, and the skills of speaking, reading, listening, spelling, handwriting, and composition (Education Code 51210)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Mathematics: concepts, operational skills and problem solving (Education Code 51210)

(cf. 6142.92 - Mathematics Instruction)

3. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, including instruction in: (Education Code 51210)
 - a. The history, resources, development, and government of California and the United States

Instruction shall include the early history of California and a study of the role and contributions of men and women, black Americans, American Indians, Mexicans, Asians, Pacific Island people, and other ethnic groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society. (Education Code 51204.5)

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

(cf. 6141.6 - Multicultural Education)

- b. The development of the American economic system, including the role of the entrepreneur and labor
- c. The relations of persons to their human and natural environments
- d. Eastern and western cultures and civilizations
- e. Contemporary issues
- f. The wise use of natural resources

(cf. 6142.5 - Environmental Education)

4. Science: biological and physical aspects, with emphasis on experimental inquiry and the place of humans in ecological systems (Education Code 51210)

COURSES OF STUDY (Continued)*(cf. 6142.93 - Science Instruction)*

5. Visual and performing arts: instruction in dance, music, theatre, and visual arts aimed at developing aesthetic appreciation and creative expression (Education Code 51210)

(cf. 6142.6 - Visual and Performing Arts Education)

6. Health: principles and practices of individual, family, and community health (Education Code 51210)

The adopted course of study shall provide instruction at the appropriate grade levels and subject areas in: (Education Code 51202)

- a. Personal and public safety and accident prevention
- b. The protection and conservation of resources, including the necessity for the protection of our environment
- c. Venereal disease

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

- d. The effects of alcohol, narcotics, drugs, and tobacco upon the human body

(cf. 5131.6 - Alcohol and Other Drugs)

7. Physical education, with emphasis on physical activities conducive to health and vigor of body and mind (Education Code 51210)

*(cf. 6142.7 - Physical Education)***Grades 7-12**

Courses of study for grades 7 through 12 shall include the following:

*(cf. 6146.1 - High School Graduation Requirements)**(cf. 6146.5 - Elementary/Middle School Graduation Requirements)**(cf. 6162.52 - High School Exit Examination)*

1. English: knowledge and appreciation of literature, language and composition, and the skills of reading, listening, and speaking (Education Code 51220)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology and sociology, with instruction in: (Education Code 51220)

- a. The history, resources, development, and government of California and the United States, including:

Early California history, and the role and contributions of both men and women, black Americans, American Indians, Mexicans, Asians, Pacific Island people and other ethnic groups to the economic, political and social development of California and the nation, with particular emphasis on the role of these groups in contemporary society (Education Code 51204.5)

COURSES OF STUDY (Continued)

- b. The American legal system, the operation of the juvenile and adult criminal justice systems, and the rights and duties of citizens under the criminal and civil law and the state and federal constitutions

This course may include participation in a teen court or peer court program.
(Education Code 51220/2)

(cf. 5138 - Conflict Resolution/Peer Mediation)

- c. The development of the American economic system, including the role of the entrepreneur and labor
- d. The relations of persons to their human and natural environments, including the wise use of natural resources (Education Code 51221)

(cf. 6142.5 - Environmental Education)

- e. Eastern and western cultures and civilizations
- f. Human rights issues, with particular attention to the study of the inhumanity of genocide, slavery, and the Holocaust
- g. Contemporary issues

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

(cf. 6141.6 - Multicultural Education)

- 3. Foreign language(s): understanding, speaking, reading, and writing (Education Code 51220)
- 4. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind, as required by Education Code 51222 (Education Code 51220)

(cf. 6142.7 - Physical Education)

- 5. Science: physical and biological aspects; emphasis on basic concepts, theories, and processes of scientific investigation and on the place of humans in ecological systems; appropriate applications of the interrelation and interdependence of the sciences (Education Code 51220)

(cf. 6142.93 - Science Instruction)

- 6. Mathematics: mathematical understandings, operational skills and problem-solving procedures; algebra (Education Code 51220, 51224.5)

(cf. 6142.92 - Mathematics Instruction)

- 7. Visual and performing arts: dance, music, theatre, and visual arts, with emphasis upon development of aesthetic appreciation and creative expression (Education Code 51220)

(cf. 6142.6 - Visual and Performing Arts Education)

- 8. Applied arts: consumer and homemaking education, industrial arts, general business education, or general agriculture (Education Code 51220)

COURSES OF STUDY (Continued)

9. Career technical/vocational-technical education: in the occupations and in the numbers appropriate to the personnel needs of the state and community served and relevant to the career desires and needs of students (Education Code 51220)

(cf. 6178 - Career Technical Education)

10. HIV/AIDS prevention (Education Code 51934)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

11. Personal and public safety, accident prevention and health, including instruction in: (Education Code 51202, 51203)

- a. The protection and conservation of resources, including the necessity for the protection of our environment
- b. Venereal disease
- c. The effects of alcohol, narcotics, drugs, and tobacco upon the human body and upon prenatal development

(cf. 5131.6 - Alcohol and Other Drugs)

Regulation
approved: 08.20.79
revised: 05.03.82
revised: 10.6.09

ABC UNIFIED SCHOOL

Board Policy

INSTRUCTION

CONTROVERSIAL ISSUES

Democracy is based on the concept of a citizenry that is informed and concerned about matters of civic importance.

In training young people to become effective citizens in our democracy, the public schools have the obligation to develop the ability to gain information about public issues, to evaluate facts and to express themselves through discussion and through the ballot. The discussion of vital current public issues is an important part of the education of youth for effective citizenship in our country. Although vital current public issues often entail an element of controversy, we affirm the obligation of teachers to present such issues and the obligation of students to deal with them.

Certain conditions should prevail for the discussion of vital current public issues:

1. The issue for student should be related to the subject matter of the course.
2. The issues and the manner of discussion should be appropriate to the maturity of the students.
3. The emphasis should be on the background of a problem and the implications of several possible solutions rather than teaching or advocating a particular solution.
4. Both teacher and student should deal with the issues in a factual, rational, objective manner and in a spirit that clearly indicates an attempt to present factual information and to promote greater understanding.
5. The classroom should be a place for seeking this greater understanding, not a place for propagandizing for a particular partisan or sectarian points of view.
6. The study of current problems always should be based on the foundation of positive instruction toward a belief in the ideals and processes of American Democracy.

The District recognizes the professional responsibility of teachers to distinguish between teaching and advocating, to refrain from using classroom prestige to promote partisan or sectarian viewpoints. Rather, the teacher should aid pupils in the search for facts and help them to learn to think clearly in arriving at tentative conclusions about these facts. Before presenting an issue the teacher should be thoroughly informed on the subject under discussion and should be sure the above conditions are met.

CONTROVERSIAL ISSUES (Continued)

It is the policy of the school district to provide opportunity for study and discussion of vital public issues under these stated conditions, with the objective of training its students to become informed and concerned about matters of civic importance so that they will become effective citizens in our democracy.

<i>Legal Reference:</i>	<i>Education Code</i>
	51510 <i>Prohibited study or supplemental materials</i>
	51511 <i>Religious matters properly included in courses of study</i>
	51530 <i>Prohibition and definition (re: advocating or teaching communism with the intent of indoctrinate, etc.)</i>
	51550 <i>Secondary education courses</i>
	60040 <i>Cultural and racial diversity of society</i>

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

OUTSIDE SPEAKERS

The value of use of outside speakers and community resource people is recognized by the District. Accordingly, use of such people is encouraged under the following priority:

1. Local school administration and faculty are responsible to determine the competence and discretion of outside speakers. They are also responsible for the decision regarding the educational value that appearance of an outside speaker would have for the pupils before whom the speaker will appear.
2. Whenever a controversial subject is presented by an outside speaker, the principal shall be responsible for providing a reasonable balance in the presentation of opposing points of view, and for general adherence to the District controversial issues policy #6144.
3. A certificated staff member shall be presented at any meeting involving an outside speaker.
4. Final authority regarding the use of outside speakers shall be vested in the principal. In cases where there may be significant local sensitivity to a person or issue, the superintendent should be consulted.

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

OUTSIDE SPEAKERS

The use of outside speakers or community resource people in district schools shall be guided by the following points:

1. The topic of all outside speakers shall relate to the class or subject being studied, or shall be appropriate to the occasion in the case of a presentation to a group such as the California Scholastic Federation, Junior Honor Society, or other duly assembled student groups.
2. No outside speaker shall be scheduled without the prior approval of the principal.
3. If the principal questions the advisability of permitting the appearance of an outside speaker, he shall consult with the superintendent.
4. No district personnel shall schedule an outside speaker without full prior knowledge of the proposed presentation.
5. Each outside speaker shall be given by the sponsoring teacher or administrator clear instructions, in advance, regarding what is appropriate for the pupils before whom he will appear.
6. Approval for the appearance of speakers who present controversial subjects for viewpoints shall be secured at least two weeks in advance by presenting plans in writing to the school principal before issuing invitations to any such speakers. In cases where there may be significant local sensitivity to a person or issue, the superintendent should be consulted. In addition, each speaker shall be requested to adhere to the District controversial issues policy #6144.

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

CONTROVERSIAL BOOKS & INSTRUCTIONAL MATERIALS

The school district shall give careful consideration to each protest on a book or instructional material, providing the protest is properly filed. The District shall provide a procedure for the proper filing of such protests.

Policy adopted
by the board: 02.06.78
revised: 03.07.83

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

CONTROVERSIAL BOOKS & INSTRUCTIONAL MATERIALS

Handling Protests on Books and Instructional Materials

1. Any person who protests against the use of a book or other instructional material at a school shall be referred to the principal or designated representative.
 - a. The principal shall review the matter with the complainant.
 - b. The principal, librarian (when secondary schools are involved) and district librarian shall meet to review the matter and determine the principal's recommendation.
2. If the matter cannot be resolved at the school level, the principal or designated representative shall:
 - a. Have the form, Request for Reconsideration of a Book or Instructional Material, completed and signed by the complainant.
 - b. Forward the completed form and the principal's recommendation to the District librarian for review.
3. The District librarian shall convene the instructional materials review committee composed of: the deputy superintendent; a librarian from the same level but different school for secondary committees, and a middle school librarian for elementary committees; a principal from the same level but different school; two (2) teachers with expertise in the area covered by the book or material (appointed by the bargaining unit); five (5) members of the community (appointed by the PTA council); and a high school student when high school materials are involved (appointed by the student representatives to the Board of Education). One of the community representatives shall serve as chairperson, upon election by the committee. The District librarian shall convey all prior information to the committee and provide staff services, but shall not vote upon the matter.
4. This committee shall meet within thirty (30) days to consider the complaint, review the book or material, and make a recommendation for action. During this interim, the protested book or material may remain in use at the discretion of the principal (or superintendent, in case the book or material is in district-wide use).
5. The complainant may present his/her case to the committee in person if he/she so desires. Following committee deliberations, the chairperson shall report the committee recommendations to the complainant and place all documentation in the custody of the District librarian. The chairperson shall provide for a minority report if requested.
6. The committee may make a recommendation only upon the affirmative vote of at least six (6) members in favor of the recommendation. In the absence of such a consensus, the decision of the school principal shall stand.

CONTROVERSIAL BOOKS & INSTRUCTIONAL MATERIALS (Continued)

7. If the complainant remains unsatisfied and wishes to pursue the matter further, then the chairperson shall forward all of the documentation relevant to the evaluation of the book or instructional material to the superintendent, who shall study the material, make a decision and report it to the complainant and the Board of Education.

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

ACADEMIC FREEDOM & RESPONSIBILITY

Academic freedom includes both freedom and responsibility in teaching, and freedom in learning. Both the student and the teacher have certain rights and privileges in the common search for truth and in the sharing of truth when found. Both are entitled to an educational climate in which a free movement of ideas can exist, within the limits of responsibility and law, the assigned subject area, the bounds of decency and the mental maturity of pupils.

*Legal Reference: Education Code
51530 Advocacy or teaching of communism prohibition and definition*

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

ACADEMIC FREEDOM & RESPONSIBILITY

1. The existence and progress of a democratic society demands that there be freedom of teaching and freedom of learning in the public schools. It is, therefore, a major responsibility of public educational authorities to protect these freedoms for students, teachers, and others directly concerned with the school program.

Within the District the Board of Education has the status of a legal authority organized to ensure that the school fulfills its obligation to its supporting society at the local, state, and national levels. The obligation in behalf of academic freedom requires that the board cooperate with educational personnel and with the community in a judicious and open-minded manner in policies and decisions for the preservation of that freedom.

The role of the Board of Education is to give support, within the law, to the teachers, administrators, and other staff members who are making use of their abilities and resources to maintain a climate of intellectual freedom, without license, in the schools.

2. Bases for Judgment in Matters Pertaining to Academic Freedom Shall Be:

- a. The welfare of students, individually and collectively, in the present and for the future.
- b. The intellectual maturity of the student.
- c. The standards and beliefs of responsible citizens of the community.
- d. The security and dignity of teachers, administrators, and other professional workers.
- e. The status of a problem or issue within the framework of law as set forth by the Education Code. (Example: Education Code 51530)
- f. In the case of instructional materials, the informative, literacy, and general cultural values which may assist students in intellectual growth and habits of critical thought.

3. Status and Conduct of Professional Staff

Members of the professional staff are free to exercise the rights and responsibilities which belong to all citizens.

Freedom of speech and action for teachers and administrators is limited by reasonable standards of professional conduct.

The school board is obligated to defend the natural intellectual rights of its professional staff on the one hand, and the

ACADEMIC FREEDOM & RESPONSIBILITY (Continued)**4. Instructional Materials**

Teachers and librarians should play a key role, in cooperation with school district administrative personnel, in the selection of the materials of instruction. Accordingly, the professional staff has the responsibility for scholarly appraisal of such materials (other than state-adopted texts) to be placed in classrooms and libraries. (Policy 6161)

Specific instructional materials do not require the board's acceptance prior to use in a school when such materials are appropriate to the overall purpose of instruction previously approved by that board.

When the choice of instructional materials is questioned, the school board will cooperate with the teaching and administrative staff, using resources of scholarship and professional judgment, to arrive at defensible decisions. The welfare of students is the final, cognet criterion. (Policy 6144 and Regulation 6144.2)

5. Controversial Issues

Because the right to discuss and debate controversial issues is the most essential part of the student's freedom of learning, the school board will, through its school staff, encourage and protect the exercise of that right within bounds of relevancy and intelligent inquiry. (Policy 6144)

The teacher who, with integrity and without attempt to indoctrinate,* helps his students to confront controversial issues of importance in the areas of the teacher's professional competence and assignment, will be supported by the board and administration.

6. Resource Speakers

Resource speakers may be invited to address students under the following conditions:

- a. If, according to the administrators and the teachers involved, the proposed speaker will bring material of educational relevance and value to his hearers.
- b. In case of a speaker on a controversial issue, the invitation does not require prior approval of the Board of Education if the speaker meets the requirement of clear guidelines previously established by the board. (Policy 6144.1)

7. Field Trips and Other Off-Campus Projects

All activities of the school should be curricular; that is that they must be of value in the educative process. Learning experiences which are available for students only at places away from the school property may serve as useful extensions of the instructional program and may, therefore, receive approval.

*No teacher giving instruction in any school, or on any property belonging to any agencies included in the public school system, shall advocate or teacher communism with the intent to indoctrinate or to inculcate in the mind of any pupil a preference for communism.

ACADEMIC FREEDOM & RESPONSIBILITY (Continued)

Such activities, when well planned, suitable to the maturity level of the students, economically feasible, and relevant to the school's objectives, are authorized.

In any case where the value or suitability of an activity of this nature is in dispute, the best interests of the students concerned and of the District in general will serve as basis for judgment.

8. Conclusion

Other features of the school program, in addition to those referred to above, where freedom of teaching and learning may be involved, are subject to the same rationale and are to be measured with reference to the same criteria.

Stated policies, together with their implementing regulations, form a working plan for dealing with all matters of academic freedom. Details of school management in this regarding are the responsibility of the professional staff.

In cases of alleged offense, the school board concerns itself with the maintenance of fair procedures, including attention to the rights of adequate hearing and of appeal.

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

NON-DISTRICT PRESENTATIONS & PUBLICATIONS

District Personnel, Facilities, Patrons and Programs in Non-district Publications, Films, Videotapes and Other Presentations

Prior district approval is required before school personnel, students, facilities, patrons and programs can be filmed, videotaped, or otherwise portrayed for use in non-district presentations or products, for other than representatives of the media in the process of recording news stories for immediate release.

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

NON-DISTRICT PRESENTATIONS AND PUBLICATIONS

To comply with policy 6144.4 (district personnel, facilities, patrons, and programs in non-district publications, films, videotapes and other presentations) the procedures listed below must be followed:

1. The applicant must:
 - a. Secure an Application for Publication, Filming, Videotaping and Other Presentations Involved With District Personnel, Facilities Patrons and Programs form (#6097-E) from the deputy superintendent's office.
 - b. Complete the application.
 - c. Submit to the deputy superintendent's office.
2. The deputy superintendent will:
 - a. Review the application and act upon it.
 - b. Return a response to the applicant within two weeks.
 - c. Inform the public information officer.
3. If the application is approved, the applicant will:
 - a. Complete the Agreement form (#6098-E).
 - b. Secure approved district representative's signature.
 - c. Secure signed release forms from participants (notice to participants attached).
 - d. Arrange with approved district representative to proceed.

Sample forms follow on pages 6144.4 (b)-(f)

ABC Unified School District
16700 Norwalk Boulevard
Cerritos, CA 90703

APPLICATION FOR PUBLICATION, FILMING, VIDEOTAPING
AND OTHER PRESENTATIONS INVOLVED WITH DISTRICT
PERSONNEL, FACILITIES, PATRONS AND PROGRAMS

Name of
Applicant

Company Represented
(if applicable)

Address _____ Phone _____
(Area
Code)

Permission is requested to: (state request briefly)

Purpose of request:

If request is granted, what use will be made of the final product?

I understand that before the product of this application is utilized, it will be presented to the Deputy Superintendent's Office for final approval. If there are any recommendations from the Deputy Superintendent's Office, I will comply with them and resubmit the product for final approval before the product is used.

Date Submitted

Date Submitted

PLEASE RETURN THIS APPLICATION TO THE DEPUTY SUPERINTENDENT'S OFFICE
6097-E

ABC UNIFIED SCHOOL DISTRICT

AGREEMENT between _____ and
(applicant)
ABC Unified School District.

_____ henceforth _____
(applicant) (applicant abbreviation)

desires to use the facilities and students of the ABC Unified School District,
henceforth "District," for the production of a commercial _____
(product)*
on _____. District agrees to allow the use of its facilities and
(subject)
subjects, provided the following conditions are met:

1. _____ shall give 24 hours' notice to the representative
(applicant)
for the District of the location and time of _____. (process)
2. _____ shall be accomplished
(processes to product)
with a minimum of interference in the academic program of the
students of the District.
3. All District students, identifiable visually by description or by
voice shall have signed a release on a District-approved form
prior to _____.
(processes -- filming, taping, etc.)
4. All District students shall be informed that this is a commercial,
for profit enterprise and that it is not endorsed or sponsored by
thed.
5. District personnel may be identified by name only with their prior
written permission.
6. No publicity or advertising for the _____ shall
(product)
identify the District or indicate that the District sponsored or
endorsed the _____.
(product)

*Publication, film, videotape or other presentation.

7. _____ agrees to hold the District free and
(applicant)
harmless from any liability that may be assessed against itself or
the District in relation to this _____,
(applicant)
including reasonable attorneys' fees for the District if the
District is required to defend itself in a lawsuit arising out of
this _____.
(product)
8. _____ agrees to reimburse the District for any physical
(applicant)
damage done to District property in the process of producing the
_____.
(product).

OPTIONAL ITEMS

1. Neither District nor any school site shall be identified by name during or
in the _____ except for an acknowledgment either at the
(applicant)
beginning or the end of the _____.
(product)
2. The completed _____ shall be presented for approval or
(product)
disapproval by designated District personnel prior to any release to the
trade or commercially.
3. The District shall receive, upon completion of the project, one of the
_____ at not cost to the District.
(product)
4. The District will not be obligated to utilize the _____
(product)
as a part of its educational program for students.
5. The District shall not charge _____ any fee for the use of
(applicant)
District facilities.

THIS AGREEMENT is entered into this _____ day of _____, 19____,
by the undersigned as the legal representatives for the parties.

ABC UNIFIED SCHOOL DISTRICT

NOTICE TO PARTICIPANTS

_____ is preparing a commercial on
(name of applicant)
_____. This _____ will
(title) (product)
utilize _____
(result of application -- photos, recordings, etc.)

of students in attendance at activities of the ABC Unified School District. The school district is not a sponsor of the _____, and has no
(product)

financial interest in the _____ (and [] will [] will not be
(product)

permitted to utilize the _____ as part of its own
(product)

educational program). No other public agency or school district is a sponsor for

or financial beneficiary of the _____.
(product)

The attached release form must be signed if you wish to be _____ (process--
_____ as a part of this film project. The release
photographed, recorded, etc.)

may not be revoked and such _____
_____ (products) (photographs, recordings, etc.)
may be used in whole or in part for the _____ and for
(final product)

advertising and publicity purposes in connection with that _____.
(final product)

Thank you very much for your consideration in this matter. Should you have any questions, please contact me at _____.
(applicant's phone number)

Applicant

RELEASE FORM

I hereby give permission to _____
 (applicant)

to _____ for use in a commercial
 (result of process -- photograph me, record my voice)

educational _____ on
 (product)

_____. I hereby consent
 (name or product)

to _____ such,
 (processes -- photography, voice recording, etc.)

and I irrevocably agree that said _____
 (applicant)

shall own all rights in all such _____
 (processes -- photography, recording, etc.)

and said _____ and his successors and assigns may use the same,
 (applicant)

if they so desire, in whole or in part for a commercial educational _____
 (product)

and for advertising and publicity purposes in connection with _____
 (product)

I recognize that said _____ is not being made under the
 (product)

sponsorship or for the benefit of the ABC Unified School District.

Signed

Date

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

EXTRA CURRICULAR AND CO-CURRICULAR ACTIVITIES

The Governing Board recognizes that extracurricular and cocurricular activities enrich the educational and social development experiences of students. The District shall encourage student participation in extracurricular and cocurricular activities without compromising the integrity and purpose of the educational program.

Student's participation in extracurricular and cocurricular activities shall not be refused based on the student's gender, sexual orientation, ethnic group identification, race, ancestry, national origin, religion, or disability. Requirements for participation in extracurricular and cocurricular activities shall be limited to those that are essential to the success of the activity. (5 CCR 4925)

Any complaint regarding the District's extracurricular and cocurricular programs or activities shall be filed in accordance with BP/AR 1312.3 - Uniform Complaint Procedures.

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

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

No student shall be prohibited from participating in extracurricular and cocurricular activities related to the educational program because of inability to pay fees associated with the activity.

(cf.3260 - Fees and Charges)

Eligibility Requirements

To be eligible to participate in extracurricular and cocurricular activities, students in grades 7 through 12 must demonstrate satisfactory educational progress in the previous grading period including but not limited to: (Education Code 35160.5)

1. Maintenance of a minimum of 2.0 grade point average on a 4.0 scale
2. Maintenance of minimum progress toward meeting high school graduation requirements
3. Receive at least four passing grades per grading period.

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6162.5 - High School Exit Examination)

There will be a one-quarter probationary period after the grading period in which the student has failed to achieve a "C" (2.0) grade point average. If the student fails to achieve a "C" (2.0) grade point average at the end of the probationary period, he/she will be ineligible to participate in extra or cocurricular activities until the "C" (2.0) is maintained during a future grading period.

The Superintendent or designee shall provide the necessary assistance to help ineligible students achieve the academic standards required by law.

(cf. 6145.5 - Student Success Teams)

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6177 - Summer School)

(cf. 6179 - Supplemental Instruction)

EXTRA CURRICULAR AND CO-CURRICULAR ACTIVITIES (Continued)

The Superintendent or designee may revoke a student's eligibility for participation in extracurricular and cocurricular activities when the student's poor citizenship is serious enough to warrant loss of this privilege.

(cf. 5144 - Discipline)

*Legal Reference:**EDUCATION CODE*

35145 Public meetings

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

35179 Interscholastic athletics; associations or consortia

48930-48938 Student organizations

CODE OF REGULATIONS, TITLE 5

350 Fees not permitted

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

5531 Supervision of extracurricular activities of pupils

UNITED STATES CODE, TITLE 42

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

COURT DECISIONS

Hartzell v. Connell, (1984) 35 Cal. 3d 899

*Management Resources:**CDE LEGAL ADVISORIES*

001.90 Access to School-Related Activities and Events by Disabled Students, LO: 3-0

409.87 Requirements for Pupil Participation in Extracurricular and Cocurricular activities,

AB 2613, CIL: 86/87-11

WEB SITES

California Association of Directors of Activities: <http://www.cada1.org>

Policy

adopted: 10.20.87

revised: 01.05.10

ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation

INSTRUCTION

EXTRA CURRICULAR AND CO-CURRICULAR ACTIVITIES

Extracurricular activities are those programs that have all of the following characteristics: (Education Code 35160.5)

1. The program is supervised or financed by the school district.
2. Students participating in the program represent the school district.
3. Students exercise some degree of freedom in the selection, planning or control of the program.
4. The program includes both preparation for performance and performance before an audience or spectators.

Extracurricular activities are not part of the regular school curriculum, are not graded, do not offer credit and do not take place during classroom time. (Education Code 35160.5)

Cocurricular activities are programs that may be associated with the curriculum in a regular classroom. (Education Code 35160.5)

An activity is not an extracurricular or cocurricular activity if either of the following conditions applies: (Education Code 35160.5)

1. It is a teacher-graded or required program or activity for a course which satisfies the entrance requirements for admission to the California State University or the University of California.
2. It is a program that has as its primary goal the improvement of academic or educational achievement of students.

Eligibility Requirements

The grade point average used to determine eligibility shall be based on grades of the last previous grading period during which the student attended class at least a majority of the time. (Education Code 35160.5)

Regulation
approved: 02.06.78
revised: 10.20.87
revised: 01.05.10

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

ATHLETIC COMPETITION

The Governing Board recognizes that the District's athletic program constitutes an integral component of the educational program and helps to build a positive school climate. The athletic program helps to promote the physical, social, and emotional well-being and character development of participating students. The athletic program shall be designed to meet students' interests and abilities and shall be varied in scope to attract wide participation.

(cf. 3541.1 - Transportation for School-Related Trips)
(cf. 5030 - Student Wellness)
(cf. 5137 - Positive School Climate)
(cf. 6142.7 - Physical Education and Activity)
(cf. 7110 - Facilities Master Plan)

All athletic teams shall be supervised by qualified coaches to ensure that student athletes receive appropriate instruction and guidance related to safety, health, sports skills, and sportsmanship. Athletic events shall be officiated by qualified personnel.
(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)

The Board encourages business and community support for district athletic programs, subject to applicable district policies and regulations governing advertisements and donations.

(cf. 1260 - Educational Foundation)
(cf. 1321 - Solicitation of Funds from and by Students)
(cf. 1325 - Advertising and Promotion)
(cf. 1700 - Relations Between Private Industry and the Schools)
(cf. 3290 - Gifts, Grants and Bequests)

Nondiscrimination and Equivalent Opportunities in the Athletic Program

The District's athletic program shall be free from discrimination and discriminatory practices prohibited by state and federal law. The Superintendent or designee shall ensure that equivalent athletic opportunities are provided for males and females.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

Any complaint regarding the District's athletic program shall be filed in accordance with the District's uniform complaint procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

California Interscholastic Federation

The District maintains membership in the California Interscholastic Federation (CIF) which requires that interscholastic athletic activities be conducted in accordance with Board policy, administrative regulation, and CIF bylaws and rules. The Superintendent or designee shall have

ATHLETIC COMPETITION (continued)

responsibility for the District's interscholastic athletic program, while the principal or designee at each participating school shall be responsible for the site-level decisions, as appropriate.

Upon recommendation of the Superintendent or designee, the Board shall annually designate an employee from each high school to serve as a representative to the local CIF league. Appointees shall represent the District in performing all duties required by the CIF league. In making this selection, the Board shall consider the employee's understanding of the District's goals for student learning and interscholastic and extracurricular activities, knowledge of the athletic programs, awareness of the implications of league decisions for the school and the district, and individual interpersonal communication and leadership skills.

The Superintendent or designee shall ensure that the District representatives to CIF report regularly to the Board on league, section, and statewide issues, as well as activities and prospective actions related to athletic programs.

(cf. 0500 - Accountability)

Student Eligibility

The first priority of student athletes shall be a commitment to their education and performing well in the classroom.

(cf. 6011 - Academic Standards)

Eligibility requirements for participation in the District's interscholastic athletic program, including requirements pertaining to academic achievement and residency, shall be the same as those set by the District for participation in extracurricular and cocurricular activities.

(cf. 3530 - Risk Management/Insurance)

(cf. 5111.1 - District Residency)

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

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6162.52 - High School Exit Examination)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.2 - Education of Children of Military Families)

In addition, the Superintendent or designee shall ensure that students participating in interscholastic athletics governed by the CIF satisfy the CIF eligibility requirements.

Students shall not be charged a fee to participate in an athletic program.

(cf. 3260 - Fees and Charges)

Sportsmanship

The District values the quality and integrity of the athletic program and the character development of student athletes.

ATHLETIC COMPETITION (continued)

Student athletes, coaches, parents/guardians, spectators, and others are expected to demonstrate good sportsmanship, ethical conduct, and fair play during all athletic competitions. They shall also abide by the core principles of trustworthiness, respect, responsibility, fairness, caring, and good citizenship and the Codes of Conduct, as adopted by the California Interscholastic Federation (CIF).

Students and staff may be subject to disciplinary action for improper conduct.

(cf. 3515.2 - Disruptions)

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.4 - Student Disturbances)

(cf. 5144 - Discipline)

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

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

Health and Safety

The District desires to give student health and safety the highest consideration in planning and conducting athletic activities.

Students shall have medical clearance and insurance before participating in the interscholastic athletic program. Care shall be taken to ensure that all athletic trainings and competitions are conducted in a manner that will not overtax the physical capabilities of the participants. When appropriate, protective equipment shall be used to prevent or minimize injuries.

(cf. 5131.61 - Drug Testing)

(cf. 5131.63 - Steroids)

(cf. 5141.3 - Health Examinations)

(cf. 5141.6 - School Health Services)

(cf. 5141.7 - Sun Safety)

(cf. 5143 - Insurance)

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

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

(cf. 5141 - Health Care and Emergencies)

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

(cf. 5141.22 - Infectious Diseases)

Coaches and appropriate district employees shall take every possible precaution to ensure that athletic equipment is kept in safe and serviceable condition. The Superintendent or designee shall ensure that all athletic equipment is cleaned and inspected for safety before the beginning of each school year.

(cf. 5142 - Safety)

In the event that an injury occurs, the coach or other appropriate district employee shall observe universal precautions and shall remove the student athlete from the activity and/or seek medical treatment for the student as appropriate.

ATHLETIC COMPETITION (continued)

Legal Reference:

200-262.4 *Prohibition of discrimination*
270-271 *Athletes' Bill of Rights*
17578 *Cleaning and sterilizing of football equipment*
17580-17581 *Football equipment*
32221.5 *Required insurance for athletic activities*
33353-33353.5 *California Interscholastic Federation; implementation of policies, insurance program*
33354 *California Department of Education authority over interscholastic athletics*
35160.5 *District policies; rules and regulations*
35179 *Interscholastic athletics*
48850 *Interscholastic athletics; students in foster care*
48900 *Grounds for suspension and expulsion*
48930-48938 *Student organizations*
49020-49023 *Athletic programs; legislative intent, equal opportunity*
49030-49034 *Performance-enhancing substances*
49458 *Health examinations, interscholastic athletic program*
49475 *Health and safety, concussions and head injuries*
49700-49701 *Education of children of military families*
51242 *Exemption from physical education for high school students in interscholastic athletic program*

PENAL CODE

245.6 *Hazing*

CODE OF REGULATIONS, TITLE 5

4900-4965 *Nondiscrimination in elementary and secondary education programs, especially:*

4920-4922 *Nondiscrimination in intramural, interscholastic, and club activities*

5531 *Supervision of extracurricular activities of students*

5590-5596 *Employment of noncertificated coaches*

UNITED STATES CODE, TITLE 20

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

CODE OF FEDERAL REGULATIONS, TITLE 34

106.31 *Nondiscrimination on the basis of sex in education programs or activities*

106.33 *Comparable facilities*

106.41 *Nondiscrimination in athletic programs*

COURT DECISIONS

Mansourian v. Regents of University of California, (2010) 594 F. 3d 1095

Kahn v. East Side Union High School District, (2004) 31 Cal. 4th 990t

McCormick v. School District of Mamaroneck, (2004) 370 F.3d 275

Hartzell v. Connell, (1984) 35 Cal. 3d 899

Management Resources:

CSBA PUBLICATIONS

Student Fees Litigation Update, Education Legal Alliance Advisory, May 20, 2011

A School Board Member's Guide to CIF and Interscholastic Sports, 1997

CALIFORNIA INTERSCHOLASTIC FEDERATION PUBLICATIONS

California Interscholastic Federation Constitution and Bylaws

A Guide to Equity in Athletics

Acute Concussion Evaluation (ACE) Care Plan, 2006

Pursuing Victory with Honor, 1999

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

Heads Up: Concussion in High School Sports, Tool Kit, June 2010

Heads Up: Concussion in Youth Sports, Tool Kit, July 2007

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

ATHLETIC COMPETITION (continued)

Intercollegiate Athletics Policy Clarification: The Three-Part Test - Part Three, Dear Colleague letter, April 20, 2010

WEB SITES

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

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

California Interscholastic Federation: <http://www.cifstate.org>

Centers for Disease Control and Prevention, Concussion Resources:

<http://www.cdc.gov/concussion>

National Federation of State High School Associations: <http://www.nfhs.org>

National Operating Committee on Standards for Athletic Equipment:

<http://www.nocsae.org>

U.S. Anti-Doping Agency: <http://www.usada.org>

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

Policy

adopted: 09.18.67

revised: 07.06.72

revised: 11.04.09

revised: 02.19.13

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

ATHLETIC COMPETITION

Nondiscrimination and Equivalent Opportunities in the Athletic Program

No person shall be excluded from participation in, be denied the benefits of, be denied equivalent opportunity in or otherwise be discriminated against in interscholastic, intramural, or club athletics on the basis of sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or any other basis specified in law. (Education Code 220, 230; 5 CCR 4920; 34 CFR 106.41)

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

The Superintendent or designee may provide single-sex teams where selection for the teams is based on competitive skills. (5 CCR 4921; 34 CFR 106.41)

When a school provides only one team in a particular sport for members of one sex, but provides no team in the same sport for members of the other sex, and athletic opportunities in the total program for that sex have been previously limited, members of the excluded sex shall be allowed to try out and compete with that team. The same standards for eligibility shall be applied to every student trying out for a team, regardless of sex, sexual orientation, or other protected group status. (5 CCR 4921; 34 CFR 106.41)

When determining whether equivalent opportunities are available to both sexes in athletic programs, the Superintendent or designee shall consider, among other factors: (5 CCR 4922; 34 CFR 106.41)

1. Whether the selection of sports and levels of competition offered effectively accommodates the interests and abilities of the sexes

The athletic program shall be considered to effectively accommodate the interests and abilities of the sexes if it meets any of the following criteria: (Education Code 230)

- a. The interscholastic-level participation opportunities for male and female students are provided in numbers substantially proportionate to their respective enrollments
- b. When the members of one sex have been and are underrepresented among interscholastic athletes, the District can show a history and a continuing practice of program expansion that is demonstrably responsive to the developing interests and abilities of the members of that sex
- c. When the members of one sex are underrepresented among interscholastic athletes and the District cannot show a history and a continuing practice of program expansion as required in item #b above, the District can demonstrate that the interests and abilities of the members of that sex have been fully and effectively accommodated by the present program

ATHLETIC COMPETITION (Continued)

2. The provision and maintenance of equipment and supplies
3. Scheduling of games and practice times, selection of the season for a sport, and location of the games and practices
4. Travel and per diem allowances
5. Opportunities to receive coaching and academic tutoring
6. Assignment and compensation of coaches
7. Provision of locker rooms, practice, and competitive facilities
8. Provision of training facilities and services
9. Provision of necessary funds

Health and Safety

The Superintendent or designee shall annually distribute to student athletes and their parents/guardians a concussion and head injury information sheet. The student and parent/guardian shall sign and return the information sheet before the student's initial practice or competition. (Education Code 49475)

(cf. 5145.6 – Parental Notifications)

If a student athlete is suspected of sustaining a concussion or head injury in an athletic activity, he/she shall be immediately removed from the activity for the remainder of the day. The student shall not be permitted to return to the activity until he/she is evaluated by a licensed health care provider trained in the management of concussions and receives the health care provider's written clearance to return to the activity. (Education Code 49475)

The Superintendent or designee shall notify the student's parent/guardian of the date, time, and extent of any injury suffered by the student and any actions taken to treat the student.

The Superintendent or designee shall provide training to coaches, athletic trainers, and/or school nurses regarding concussion symptoms, prevention, and appropriate response.

(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)

Parental Notifications

Before a student participates in interscholastic athletic activities, the Superintendent or designee shall send a notice to the student's parents/guardians which:

1. Contains information about the procedures for filing a discrimination complaint that arises out of an interscholastic athletic activity, including the name of the District's Title IX Coordinator
2. Includes a copy of the Athletes' Bill of Rights pursuant to Education Code 271

ATHLETIC COMPETITION (Continued)

3. Explains that there is an element of risk associated with all athletic competitions and that the District cannot guarantee that students will not be injured, despite a commitment to every participant's health and welfare

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5145.3 - Nondiscrimination/Harassment)

cf. 3530 - Risk Management/Insurance)

- 4 Provides information about insurance protection pursuant to Education Code 32221.5

(cf. 5143 - Insurance)

5. Requests parental permission for the student to participate in the program and, if appropriate, be transported by the District to and from competitions

(cf. 3541.1 - Transportation for School-Related Trips)

6. States the Governing Board's expectation that students adhere strictly to all safety rules, regulations, and instructions, as well as rules and guidelines related to conduct and sportsmanship

(cf. 5144 - Discipline)

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

7. Includes a copy of the local California Interscholastic Federation (CIF) league rules.

8. Includes information about the CIF bylaw and district policy requiring any student athlete and his/her parent/guardian to sign a statement that the student will not use steroids or dietary supplements banned by the U.S. Anti-Doping Agency.

(cf. 5131.63 – Steroids)

Regulation

approved: 09.18.67

revised: 07.06.72

revised: 11.04.09

revised: 02.19.13

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

ORGANIZATIONS/ASSOCIATIONS

Under the authority of the Education Code, the Board of Education authorizes the establishment of student body associations within the District wherever such organizational activities will accrue to the benefit of the students and the community, and such activities will conform to rules and regulations as established by the Board of Education and the State of California.

The purpose of such organizations shall be to conduct activities on behalf of students which are approved by the school authorities and not in conflict with the authority and responsibility of the District school officials.

Rules and regulations shall be adopted by schools concerning:

1. Procedure for establishing the student body organization.
2. Supervision of student body organizational activities.
3. Operation and management of the study body organization.

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

ORGANIZATIONS/ASSOCIATIONS

Secondary Schools

1. Each secondary school having a student activities program shall draw up and adopt a constitution and bylaws governing its student organization, and shall present the same with a request for approval to the Board of Education of the District.

Such written request shall contain the following information:

- a. The purpose for which the group is organized.
- b. The time and place of meetings.
- c. A recommendation by the principal.
- d. A copy of the constitution and bylaws of the organizations.

Future modification shall also be submitted to the Board of Education for approval.

2. The establishment of a student body organization shall be authorized by a resolution of the Board of Education duly entered in the official minutes.
3. Monies of student body organizations shall be kept in a manner approved by the assistant superintendent - business services and as specified in their constitutions and bylaws. Reports regarding the status and management of student funds shall be made periodically to the board through the District audit report. The funds of any student body organization shall be deposited in a bank or banks whose accounts are insured by the Federal Deposit Insurance Corporation.
4. Authorized student organization activities:
 - a. Sales, such as posters, candles, Christmas wreaths, flowers, etc.; sports activities other than league games, i.e., celebrity or alumni basketball; bike-a-thons, jog-a-thons, band-a-thons, etc.; and dances, carnivals, dinners, car washes.
 - b. Other activities as approved by the director - secondary education.
5. The student associations may, if permitted by provisions of their constitutions, maintain student stores through which students may purchase and resell items of school supplies, rooters' items and similar items. Stores are to be conducted in a business-like manner, and records and accounts kept which are subject to an annual audit.
6. Student organizations are authorized to sell food, provided that:
 - a. None of the following food items prepared on the premises shall be sold by the student organization during the school day: salads, sandwiches, bakery products, meat, fish, poultry products, cereal products, cheese or cheese products, cooked fruits and vegetables.
 - b. No more than two fundraising sales per organization may be held during each school year.
 - c. Sales may only be held in conformity with a schedule established by the principal.

ORGANIZATIONS/ASSOCIATIONS (continued)

- d. Sales are limited to one day each.
7. Expenditures of funds shall be subject to such procedures as established by the student body organization, and to the approval of the principal or designee, the faculty advisor, and a student body representative.
8. Each student organization shall be sponsored by a member of the school faculty, who shall be present at all meetings of the group.
9. Fundraising shall be limited to types of activities recommended in the following guidelines and shall be of such a nature as to contribute to the educational experience of pupils which is supplemental to the program provided by the board:
 - a. All sales should be "on campus" sales; door-to-door sales in the community are prohibited.
 - b. Sales of items which may involve ongoing contractual obligations, such as guarantee of future performance (e.g. magazine subscriptions or life-time light bulbs) are prohibited.
 - c. Pep (rooters) items, commercially prepared food items (fruit cakes, confections, pickles, etc.) are allowable at the discretion of the principal.
 - d. Student body dances, car washes, paper and rag drives are types of approvable activities to be allowed at the discretion of the principal.
10. Student organizations shall have as their purpose the conduct of activities on behalf of the students, approved by the school authorities, and these shall not be in conflict with the authority and responsibility of the school administration.
11. When necessary, where the student body is not organized, the board shall appoint an employee or official to act as trustee for student body funds and to receive said funds in accordance with the above procedures.
12. Each student organization shall prepare and submit to the principal or other designated official of the school an annual budget for the organization, and such other reports as specified in the student body accounting manual.

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

SUPERVISION OF STUDENT ACTIVITIES AND ATHLETICS

All student activities shall be conducted under supervision of a regular certificated employee except as specified in regulations 6145.7A.

Students shall be governed by the same standards of conduct at school activities that re enforced during the time school is in session.

*Legal Reference: California Administrative Code, Title 5
5531 Supervision of extracurricular activities of pupils*

Policy adopted
by the board: 09.06.78
revised: 02.17.81

ABC UNIFIED SCHOOL DISTRICT

Administrative Regulation

INSTRUCTION**SUPERVISION OF STUDENT ACTIVITIES AND ATHLETICS**Grades 7-12

At all evening dances held by or in the name of the student body or any organization of the high school, certificated employees of the school district shall be in charge and shall be present during the entire time of the dance and until all of the students have left for home. There shall be a suitable number of chaperons present who shall preferably be parents of the students. No persons other than registered students of the school presenting the dance, chaperons, parents of students, or members of the faculty shall be present except that guests may attend, provided each guest is accompanied by a student of the school. The guest must be of the opposite sex and no student may bring more than one guest.

The governing board of the school district may employ a noncertificated person to coach and supervise athletic teams in noncredit physical education programs and extracurricular activities provided that:

1. A thorough annual search of the District's certificated employees has failed to fulfill the District's coaching needs.
2. Such noncertificated persons are determined by the District to be knowledgeable and competent in first aid and emergency procedures, coaching techniques and adolescent psychology as it relates to sports participation.
3. Prior to employment of a noncertificated coach, the District superintendent shall certify to the Board of Education that all requirements in #1 and #2 above have been met. The board shall record and keep on file such certification.

Certification to the District superintendent from site principals shall follows this procedure:

1. A notice that the District's certificated employees have failed to fulfill the District's coaching needs.
2. That noncertificated candidate is knowledgeable and competent in:
 - a. First aid and emergency procedures.
 - b. Coaching techniques and adolescent psychology as it relates to sports participation.
3. The director of secondary education shall inform the District superintendent that #1 and #2 above have been met and that certification is in order.
4. The District superintendent shall certify to the Board of Education that all requirements have been met. The board shall record and certification shall be placed on file in the personnel office.

Regulation

approved: 09.06.78

revised: 02.17.81

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

CONTESTS

Contests sponsored by out-of-school organizations may be considered by the school principal if the participation is a direct outgrowth of classroom instruction with notification to the director of schools.

Policy adopted
by the board: 08.16.65
revised: 07.21.80

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

HIGH SCHOOL GRADUATION REQUIREMENTS

The Governing Board desires to prepare all students to obtain a high school diploma to enable them to take advantage of opportunities for postsecondary education and employment.

(cf. 5127 – Graduation Ceremonies and Activities)

(cf. 5147 – Dropout Prevention)

(cf. 6011 – Academic Standards)

(cf. 6143 – Courses of Study)

(cf. 6146.3 – Reciprocity of Academic Credit)

Course Requirements

To obtain a high school diploma, students shall complete at least the following courses in grades 9-12; with each course being two semesters unless otherwise specified:

1. Four courses in English (Education Code 51225.3)

(cf. 6142.91 – Reading/Language Arts Instruction)

2. Three courses in mathematics (Education Code 51225.3)

At least one mathematics course, or a combination of the three semesters of Mathematics I courses, shall meet or exceed state academic content standards for Mathematics I.

Completion of such coursework prior to grade 9 shall also satisfy the Mathematics I requirement, but shall not exempt a student from the requirement to complete three mathematics courses in grades 9-12. (Education Code 51224.5).

Students may be awarded up to one mathematics course credit for successful completion of an approved computer science course that is classified as a "category c" course based on the "a-g" course requirements for college admission. (Education Code 51225.3, 51225.35)

(cf. 6011 – Academic Standards)

(cf. 6142.92 – Mathematics Instruction)

(cf. 6152.1 - Placement in Mathematics Courses)

3. Two courses in science, including biological and physical sciences (Education Code 51225.3)

(cf. 6142.93 – Science Instruction)

4. Three courses in social studies, including United States history and geography; world history, culture and geography; a one-semester course in American government and civics; and a one-semester course in economics (Education Code 51225.3)

(cf. 6142.3 - Civic Education)

(cf. 6142.94 - History-Social Science Instruction)

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

5. One course in visual or performing arts, foreign language, including American Sign Language, or career technical education (CTE) (Education Code 51225.3)

To be counted towards meeting graduation requirements, a CTE course shall be aligned to the CTE model curriculum standards and framework adopted by the State Board of Education.

(cf. 6142.2 - World/Foreign Language Instruction)
(cf. 6142.6 – Visual and Performing Arts Education)
(cf. 6178 - Career Technical Education)
(cf. 6178.2 - Regional Occupational Center/Program)

6. Two courses in physical education, unless the student has been otherwise exempt pursuant to other sections of the Education Code (Education Code 51225.3)

(cf. 6142.7- Physical Education)

7. One semester of Health or equivalent

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6142.8 - Comprehensive Health Education)

8. Fifteen semesters (75 credits) of electives

A minimum of two-hundred thirty (230) semester hours must be earned in a high school program.

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

(cf. 6146.11 - Alternative Credits Toward Graduation)
(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)
(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)

Exemptions and Waivers

A foster youth, homeless student, or former juvenile court school student who transfers into the District any time after completing his/her second year of high school shall be required to

complete all graduation requirements specified in Education Code 51225.3 but shall be exempt from any additional district-adopted graduation requirements, unless the Superintendent or designee makes a finding that the student is reasonably able to complete the requirements in time to graduate by the end of his/her fourth year of high school. Within 30 days of the transfer, any such student shall be notified of the availability of the exemption and whether he/she qualifies for it. (Education Code 51225.1)

(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 5145.6 - Parental Notifications)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.3 - Education for Juvenile Court School Students)

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

In addition, the Superintendent or designee shall facilitate the on-time graduation of children of military families by waiving specific course requirements for graduation if the student has satisfactorily completed similar coursework in another district. (Education Code 49701)

(cf. 6173.2 - Education for Children of Military Families)

Retroactive Diplomas

Until July 31, 2018, any student who completed grade 12 in the 2003-04 school year or a subsequent school year and has met all applicable graduation requirements other than the passage of the high school exit examination shall be granted a high school diploma. (Education Code 60851.6)

The District may retroactively grant a high school diploma to a former student who was interned by order of the federal government during World War II or who is an honorably discharged veteran of World War II, the Korean War, or the Vietnam War, provided that he/she was enrolled in a district school immediately preceding the internment or military service and he/she did not receive a diploma because his/her education was interrupted due to the internment or military service. A deceased former student who satisfies these conditions may be granted a retroactive diploma to be received by his/her next of kin. (Education Code 51430)

In addition, the District may grant a diploma to a veteran who entered the military service of the United States while he/she was a district student in grade 12 and who had completed the first half of the work required for grade 12. (Education Code 51440)

9. Adult School

The standards for graduation from adult school are the same as those from regular district high schools, except as follows:

- a. Each student shall earn at least five (5) semester hours of credit in an adult school.
- b. A minimum of one-hundred eighty (180) semester hours is required for graduation. Physical Education is not required, and shall not be counted in this total.
- c. State requirements (safety, first aid, alcohol, drug abuse and driver education) are not required at the adult school level.

10. Continuation High School

The standards of graduation from continuation high school are the same as those from other district high schools.

(cf. 6146.11 – Alternative Credits Toward Graduation)

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

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)Technology Proficiency

All students shall demonstrate technology proficiency in grades 7-12 as a prerequisite to graduating from high school. The Technology Graduation Requirement will go into effect in the fall of 2009 and be required for graduation beginning with the high school class of 2013.

*Legal Reference:**Education Code*

37252 Supplemental instructional programs
48430 Continuation education schools and classes
48645.5 Acceptance of coursework
48980 Notification of parent/guardian
51224 Skills and knowledge required for adult life
51224.5 Algebra instruction
51225.3 Requirements for graduation
51225.5 Honorary diplomas; foreign exchange students
51228 Graduation requirements
51241-51246 Exemptions from requirements
51410-51412 Diplomas
51420-51427 High school equivalency certificates
51450-51455 Golden State Seal Merit Diploma
66204 Certification of high school courses as meeting university admissions criteria
Code of Regulations, Title 5
1600-1651 Graduation of pupil from grade 12 and credit toward graduation

Management Resources:

CSBA Policy Advisories

Algebra I Requirement: Eligibility for High School Diplomas, March 2004

Web Sites

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

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

Board Policy adopted

by the board: 05.15.78

revised: 06.02.80

revised: 03.21.06

revised: 05.20.08

revised: 11.08.17

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

HIGH SCHOOL GRADUATION REQUIREMENTS

Citizenship

A satisfactory citizenship record is required.

The principal may, with the Superintendent's concurrence, deny a high school student a certificate or a diploma as well as participation in the graduation ceremonies, based upon an extreme condition of flagrant or intolerable behavior as defined in Education Code Sections 48900 and 48915 and board regulation 5144 (e), and when the principal and superintendent determine that the time prior to graduation and the severity of the offense do not permit effective utilization of other forms of disciplinary and/or corrective action.

Information concerning appeal procedures shall be given to the person wishing to appeal a decision.

Requirements for graduation and specified alternative means for completing the prescribed course of study shall be made available to students, parents/guardians, and the public. (Education Code 51225.3)

(cf. 6146.11 – Alternative Credits Toward Graduation)

(cf. 6145.6 – International Exchange)

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

In the annual notification sent to parents/guardians pursuant to Education Code 48980, the Superintendent or designee shall include the following: (Education Code 48980)

1. Information about district high school graduation requirements and how each requirement satisfies or does not satisfy the subject matter requirements for admission to the California State University and the University of California
2. A complete list of career technical education courses offered by the District that satisfy the subject matter requirements for admission to the California State University and the University of California, and which of the specific college admission requirements these courses satisfy

(cf. 5145.6 - Parental Notifications)

(cf. 6143 - Courses of Study)

(cf. 6178 - Career Technical Education)

Students must have resided in the District for the entire second semester. Any exceptions to this regulation must be approved by the school principal

If a student successfully completes the District's graduation requirements while attending a juvenile court school or nonpublic, nonsectarian school or agency, the District shall issue the student a diploma from the school the student last attended. (Education Code 48645.5)

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)Technology Graduation Requirement

The ABC governing Board recognizes the importance of students being technology proficient upon graduation from high school and this proficiency's link to student citizenship, work-place readiness, and the ability to compete in the global economy. Consequently, all students shall demonstrate technology proficiency in grades 7-12 as a prerequisite to graduating from any ABCUSD high school. The Technology Graduation Requirement will be achieved through students' normal schedule of coursework by taking and passing courses and/or course projects that have been approved as technology integrated and meet criteria within the ABCUSD Technology Benchmarks and Standards. If the Requirement cannot be met through the normal course experience, students will be offered alternative ways to demonstrate technology proficiency. The Technology Graduation Requirement will go into effect in the fall of 2009 and be required for graduation beginning with the high school class of 2013.

Regulation
approved: 05.15.78
revised: 04.05.88
revised: 03.21.06
revised: 05.20.08
revised: 11.08.17

**ABC UNIFIED SCHOOL DISTRICT
Exhibit**

STUDENTS

CREDIT REQUIREMENT

Students must earn a minimum of **230 credits** in the subjects listed below. Students earn five credits for each semester class passed with a grade "D" or better.

Subject	Number of Semesters	Number of Credits
English Every student must take and pass at least one English class each semester enrolled	8 semesters	40 credits
Social Science World History/Geography U.S. History/Geography (grade 11) Civics (American Gov.) (grade 12) Economics (grade 12)	6 semesters	30 credits total 10 credits 10 credits - 5 credits - 5 credits
Mathematics *	6 semesters	30 credits
Science Life (biological) science Physical science	4 semesters	20 credits total 10 credits 10 credits
Physical Education	4 semesters	20 credits
Health	1 semester	5 credits
Visual/Performing Arts or Foreign Language	2 semesters	10 credits
Electives	15 semesters	75 credits
TOTAL		230 credits

- * At least one mathematics course, or a combination of the two mathematics courses required for completion in grades 9-12, shall meet or exceed state academic content standards for Algebra I. Students may satisfy the Algebra I course requirement prior to grade 9.

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

PRIVATE INSTRUCTION CREDIT - HIGH SCHOOL

Credit toward meeting course of study and graduation requirements in grades nine through twelve may be granted for instruction in private schools or by qualified private teachers for students enrolled full time provided that it can be demonstrated that the level of instruction and student achievement is at least equivalent to the course requirements and/or expected level of student performance established for similar courses in any of the District's high schools.

Legal Reference: Education Code
51243 Credit for Foreign Language Private School studies for 9th through 14th Grades
51244 Credit; Foreign Language Included
51245 Credit; Foreign Language Instructors Need Not be Credentialed Teachers

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

PRIVATE INSTRUCTION CREDIT - HIGH SCHOOL

1. Credit for private instruction received in private schools or private teachers, outside the public school environment, may be granted as described below:
 - a. Maximum credit shall not exceed ten (10) credits per year for work taken during the time the student is in attendance in grades nine through twelve in the school district.
 - b. Credit for private instruction granted on the basis of the procedures described herein may be used for earning credit only when the principal has approved a program of instruction that was carefully planned by the student and the private school or source of instruction prior to enrollment in the program.
 - c. The curriculum and final evaluation instrument used in the private instruction have been approved by the curriculum/staff development department.
2. The student will be required to use the following procedure to qualify for credit:
 - a. Student shall fill out an application completely. (See attachment)
 - (1) "Field or Subject Area" refers to mathematics, music, foreign language, physical education, etc.
 - (2) "Course Title" refers to the exact title of the course, such as Japanese, Hebrew, Swimming, Piano, etc.
 - (3) Name of private school or name of person providing private instruction must be included.
 - b. Principal of private school or agent of the course of instruction where student will be taking the instruction shall complete Part II of the form.
 - c. Student shall return the application to the principal for approval.
 - d. Copies of the application shall be kept on file by the District school of attendance, curriculum/staff development department, and one copy shall be retained by the student.
 - e. Upon completion of the instruction, including all evaluations, the principal of the private school or the agent of the source of instruction shall sign and date Part IV of the application.
 - (1) A copy of the final examination or evaluation shall be attached to the application.
 - (2) The application and the examination or evaluation shall be mailed to the student's principal by the private school or source of instruction.

PRIVATE INSTRUCTION CREDIT - HIGH SCHOOL (Continued)

- f. Upon receipt of the application and final examination or evaluation, the principal shall direct the student's counselor to record the credit on the student's transcript and file the completed application in the student's cumulative file.
- g. The District retains the right to independently test the achievement level of the student in the area in which credit is being requested prior to granting credit.

PRIVATE INSTRUCTION CREDIT - HIGH SCHOOL (Continued)Application and Authorization for Private Instruction Credit

For use in applying for credit for instruction received in private schools or sources of instruction other than regular day schools as authorized by district policy.

PART I. APPLICATION (To be completed by the pupil)
 NAME: (last) _____(first) _____(middle)
 (Date of Birth _____)
 I plan to receive instruction in _____(field/subject area) as taught by _____(private school/source of instruction) while concurrently enrolled in grade ____ at _____High School in the ABC Unified School District.
 I have read the instructions accompanying this form and hereby make application for credit equivalent to that given in the ABC Unified School District for the completion of _____.
 Signature: _____ Date: _____

PART II. VERIFICATION OF PRIVATE INSTRUCTION (To be completed by private school/agent)
 The above-named student has contracted to receive instruction as described in attachment while concurrently enrolled in a school in the ABC Unified School District.
 (Name and address of private school or source of instruction)
 Instructor's Name: _____Phone _____
 Qualifications: _____
 Signature _____

PART III. APPROVAL BY SCHOOL PRINCIPAL
 The above-named student has been authorized to receive private instruction for school credit. ____ (5) ____ (10) units of credit will be granted upon successful completion of the course as outlined in Part II.
 Signature of School Principal _____
 Date _____
 (Student retains this application until completion of instruction)

PRIVATE INSTRUCTION CREDIT - HIGH SCHOOL (Continued)Application and Authorization for Private Instruction Credit

PART IV. AUTHORIZATION OF INSTRUCTION (To be completed by Private School Principal/Agent)

I certify that the student named above has received the instruction which was described in Part II of this form, has satisfactorily passed an appropriate examination and is therefor entitled to receive credit for completion of the course as indicated. A copy of the examination or evaluation is attached.

Signature of Principal/Agent

Date

NOTE: This application, completed through part IV, and a copy of the examination or evaluation must be mailed directly to the principal of the public school which the student is attending as shown in Part I and Part III.

PART V. CERTIFICATION AND RECORDING OF CREDIT (To be completed by student's school counselor)

On the basis of information contained in Parts, I, II, III & IV of this application, the student has received ___(number of) credits in _____ and this information has been recorded on the student's transcript. A copy of the private school transcript will be attached to the District official transcript.

Signature of Counselor

Date

NOTE: This application is to be kept in the student's cumulative folder.

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

EXEMPTION FROM REQUIRED PHYSICAL EDUCATION IN GRADES 11 AND 12

In accordance with Education Code 51241, the governing board of the District grants permanent exemption from required physical education classes for any pupil who:

1. Has completed the tenth grade; or
2. Is 16 years of age or older and has been enrolled in the 10th grade for one academic year or longer; or
3. Is enrolled as a postgraduate pupil.

No pupil exempted under paragraph 1 or 2 shall be permitted to attend fewer total hours of courses and classes if he elects not to enroll in a physical education course than he would have attended if he had elected to enroll in a physical education course.

*Legal Reference: Education Code
51241 Temporary or permanent exemption from physical education*

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

DIFFERENTIAL GRADUATION AND COMPETENCY STANDARDS FOR STUDENTS WITH DISABILITIES

The Individualized Education Program (IEP) team shall determine the appropriate standards and assessments, as well as the accommodations that may be required for students with disabilities.

(cf. 6011 – Academic Standards)

(cf. 6159 – Individualized Education Program)

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

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

No student shall be classified as eligible for differential standards of proficiency for the purpose of circumventing the legal requirement to maintain academic eligibility for extracurricular or cocurricular activities. (Education Code 35160.5)

(cf. 6145 – Extracurricular and Cocurricular Activities)

High School Diploma and Certificate of Educational Achievement/Completion

Beginning with the 2005-2006 school year, all California public school students must pass the California High School Exit Examination (CAHSEE) in order to earn a high school diploma (Ed. Code 60850-60856). The California State Board of Education (SBE) recognizes that some students may need assistance when taking the CAHSEE. This assistance takes the form of test variations, accommodations, or modifications. Any student whose Individualized Education Program (IEP) or Section 504 Plan specifies the need for variations, accommodations, or modifications for use on the CAHSEE, for use on standardized testing, or for use during classroom instruction and assessment must be allowed to use them for the CAHSEE.

According to the SBE, students who use modifications on either the English language arts or mathematics section of the test and earn a score of 350 or higher have not passed that part of the CAHSEE. However, they are eligible to have that section of the CAHSEE waived by the local Board of Education if the parents request such an action (Ed. Code 60851(a)). Following the parent's request, the following shall be completed by the principal:

1. The IEP or Section 504 Plan reviewed and approved by the student's IEP or 504 team dated prior to the exam that indicates all the accommodations and/or modifications that the student needs to access and participate in statewide assessments.
2. A certified transcript showing sufficient high school level course work either satisfactorily completed or in progress in a high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the high school exit examination.
3. A copy of the CAHSEE Student and Parent Report showing "equivalent of a passing score."

The waiver may only be granted after the examination has been taken and the student has satisfied the above criteria.

DIFFERENTIAL GRADUATION AND COMPETENCY STANDARDS FOR STUDENTS WITH DISABILITIES (continued)

Instead of a high school diploma, a student with disabilities may be awarded a certificate or document of educational achievement or completion if the student has met one of the following requirements: (Education Code 56390)

1. Satisfactorily completed a prescribed alternative course of study approved by the Governing Board of the District in which the student attended school or the District with jurisdiction over the student as identified in his/her IEP
2. Satisfactorily met his/her goals and objectives during high school as identified in his/her IEP
3. Satisfactorily attended high school, participated in the instruction as prescribed in his/her IEP, and met the objectives of the state for transition services

(cf. 5127 – Graduation Ceremonies and Activities)

In accordance with Education Code 56391, a student with disabilities who meets any of the criteria specified above shall be eligible to participate in any graduation ceremony and any school activity related to graduation in which a graduating student of similar age without disabilities would be eligible to participate.

Legal Reference:

<i>Education Code</i>	
35160.5	<i>Extracurricular and co-curricular activities; differential standards</i>
48980	<i>Parental notifications</i>
56000	<i>Education of individuals with exceptional needs</i>
56341	<i>Individualized education program team</i>
56345	<i>Elements of the IEP</i>
56390-56393	<i>Certificate of completion, special education</i>
60850-60856	<i>High school exit exam</i>
<i>Code of Regulations, Title 5</i>	
3070	<i>Graduation</i>
<i>United States Code, Title 20</i>	
1412	<i>Individual with Disabilities Education Act</i>
<i>Code of Federal Regulations, Title 34</i>	
300.1-300.756	<i>Individual with Disabilities Education Act</i>

Management Resources:

Federal Register
 34 CFR 300.a *Appendix A to Part 300 – Questions and Answers*
 34 CFR 300.a1 *Attachment 1: Analysis of Comments and Changes*
CDE Communications
 2000.0314 *Proficiency Standards and High School Exit Exam*
Web Sites
 CDE: <http://www.cde.ca.gov>
 US Department of Education, Office of Special Education and Rehabilitative Services:
<http://www.ed.gov/offices/OSERS>

Policy adopted

By the board: 1/17/06

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

DIFFERENTIAL GRADUATION AND COMPETENCY STANDARDS FOR STUDENTS WITH DISABILITIES

The parent may complete the Parent Waiver Request and submit it to the Principal. The school principal making the waiver request to the Board shall complete the appropriate form (Exhibit 6146.4) and submit the supporting documentation:

1. CAHSEE Waiver Cover Sheet: Information on the Specific Student with a Disability.
2. The Individualized Education Program (IEP) or Section 504 Plan reviewed and approved by the student's IEP or 504 team dated prior to the exam that indicates all the accommodations and/or modifications that the student needs to access and participate in statewide assessments.
3. A certified transcript showing sufficient high school level course work either satisfactorily completed or in progress in a high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the high school exit examination.
4. A copy of the CAHSEE Student and Parent Report showing "equivalent of a passing score."
5. After all forms are completed, this petition is prepared by the District CAHSEE Coordinator or superintendent's designee and presented to the Board of Education for approval. All forms will have only the identified number.

The waiver may only be granted after the examination has been taken and the student has satisfied the above criteria.

Legal Reference: *Education Code*
 60850 (F) (5) *Definition of modification*
 60851 (a) *Waiver of the high school exit examination*

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

PRIORITIES FOR USE OF ELEMENTARY SCHOOL CLASSROOMS FOR INSTRUCTIONAL SERVICES

This regulation provides a guide for the use of all elementary school classrooms. It is the responsibility of each principal to schedule room use in conformity with the following priorities.

1. Priority 1

K-6 pupils, regular and special education.

Pre-kindergarten early intervention special education program.

Note: It is recommended that the neighborhood school concept be supported by maintaining the necessary special education classes at each elementary school if feasible.

2. Priority 2

Magnet programs

Libraries

3. Priority 3

Basic skills labs (maximum of two (2) per school).

4. Priority 4

Speech therapy, ESL instruction and psychologists conferences may take place in regular classrooms if no other space is available.

5. Priority 5

Adult school preschool

Adult education

Early kindergarten

ABC UNIFIED SCHOOL DISTRICT

Board Policy

INSTRUCTION**FIELD TRIPS AND COMMUNITY SERVICE**

The Board of Education believes that students gain in the cognitive and affective areas from positive experiences outside of the classroom. Educational field trips, effectively planned, carried out, and evaluated augment classroom instruction. Such trips will be annually approved by the Board of Education.

Authorization to take students on field trips shall be obtained as follows:

1. Field trips within the boundaries of the school district shall be approved by the principal.
2. Field trips outside the boundaries of the District in the Southern California area shall be approved by the superintendent or designee if they are not on the list of field trips approved by the Board of Education annually.
3. Field trips beyond the Southern California area shall be approved by the Board of Education.

All types of trips shall meet the criteria established in the administrative regulation.

Sponsorship of approved field trips is the responsibility of each individual school. The Board of Education is responsible for financial sponsorship of approved trips by student representatives to the Board of Education

Policy adopted
by the Board: 10.03.77
revised: 03.07.89

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

FIELD TRIPS AND COMMUNITY SERVICE

Educational field trips must meet the following criteria:

1. Field Trip Guidelines, form #6232.2, shall be completed and signed by the person authorized to approve field trips for the school or program.
2. When private vehicles are used, form #7102-13 shall be completed.
3. A copy of both forms shall be sent to the superintendent or designee two (2) weeks prior to the date of the trip.
4. Field trips which involve one or more days away from school are to be accompanied by a written justification from the principal to the appropriate director.
5. Where travel and accommodations exceed \$50 per student, three (3) official written quotes on public transportation and accommodations must be submitted by those organizations established to provide such services. Procedures for soliciting written quotations will be provided by the business services office.
6. At no time is an approved trip to result in financial or personal gain for employees of the school district, but they may be reimbursed by a sponsoring organization for actual and necessary expenses.
7. When requested, an evaluation of the trip (using Field Trip Evaluation form #6232.2) shall be sent to the superintendent or designee upon completion of the trip.
8. Field trips taking students beyond the limits of Southern California shall have prior board approval and shall be submitted for consideration one (1) month prior to the date of the trip. Southern California is defined as being the California state border on the east, south and west and the line forming the northern borders of San Luis Obispo and Kern Counties.
9. Whenever political partisanism is involved, students may be provided with opportunities to attend activities representing a variety of political views, if available.

A non-approved field trip is one that does not meet the above criteria for approved field trips and, therefore:

Non-school sponsored trips:

1. The school district disavows any responsibility for recruitment of pupils to attend non-approved trips.
2. Employees of the school district may not use school material or time to advertise such a trip.
3. Employees of the school district may not collect monies for non-approved trips at the school site on school time.
4. Employees of the school district may not use their positions to promote such a trip.

Regulation
approved: 10.03.77
revised: 03.07.89

ABC UNIFIED SCHOOL DISTRICT

Field Trip Guidelines

School: _____

Principal or Authorized Person: _____

Response to each topic listed in a complete narrative form. Send two copies to the director of schools for approval two weeks in advance of the date of the proposed trip.

Number of Students Participating:

Name of Group: (Club, Class, etc.)

Supervisors/Chaperons:

Event/Field Trip/Program:

Date(s) Time:

Time Span:

Transportation/Private*, District, Public, Charter:

Field Trip Guidelines (Continued)

District Protection: (Insurance coverage/parent permission slips, etc.)

Pertinent Particulars: (Including program destination/location/activities)

Cost/Cost Coverage/Funding: (Any cost to District or local school)

Goals & Objectives:

What Have Been the Preparatory Activities Related to the Trip:

*When private vehicles are used for transporting students, a "USE OF PERSONAL VEHICLE" form must be completed and filed with the principal or supervisor. Form No. 1-03-03 is available from the Business Office. The above guidelines should be completed in duplicate.

Director of Schools

ABC UNIFIED SCHOOL DISTRICT
Use of Personal Vehicle

Age of Driver _____

Name of Driver _____ Driver's License No. _____

Address _____

Name _____ of _____ Insurance _____ Company _____

Vehicle Make _____ Model _____ License No. _____

Number of Seat Belts Available _____ Number of Students Assigned _____

Destination _____ Date of Trip _____

I certify that the above-listed vehicle is mechanically safe*. Permission is granted to request a Department of Motor Vehicles check of my driving record.

*Vehicle has been inspected and all of the following are in **good working condition**:

- | | |
|----------------------------------|--------------------------|
| Safe Tires | Steering Equipment |
| Safe Brakes(including emergency) | Directional Signals |
| Lights-Front & Back | All Vehicle Glass Intact |
| Windshield Wipers | Speedometer |
| Horn | |

The information on this form is accurate to the best of my knowledge and I am willing to take full responsibility for the use of my personal vehicle for this trip and agree to waive all claims against the District for any injury, accident, or death which may occur.

Owner of Vehicle/Driver

Date

I have read the above and approve the use of this vehicle for the purpose stated.

Site Administrator

School/Department

NON-INSTRUCTIONAL OPERATIONS Use of Privately-owned Vehicles

Guidelines for Use of Personal Cars in Transporting Students

1. Driver* must possess:
 - a. Valid driver's license
 - b. Minimum liability insurance as required by the State of California
 *Includes all district employees, volunteers, etc.
2. Number of passengers (including driver) may not exceed the number of permanently attached seats. In no case can the number of passengers, including driver, exceed the number of available seat belts. At no time shall the driver's vision be obstructed.
3. Trip routes to points outside of the District in excess of ten (10) miles must be approved in advanced by the site administrator/program director or designee.
4. The limit on the distance of transporting students in private vehicles shall be a radius of 125 miles.
5. Drivers must be adults (21 years or older) for trips beyond a 20-mile radius. **Use of Personal Vehicle Form** must be completed and on file before a trip is taken. (See Regulation 3542.4A(c).)
6. Consent slips from parents must be file prior to a trip.*
7. Use of personal cars where hazardous road conditions exist is prohibited (to include hazardous conditions declared by California Highway Patrol, or other city, county, state or federal agencies authorized to monitor road conditions).
8. **Use of Personal Vehicle Form**, which will be provided by the District, must be completed before a trip is authorized.*

In cases where the same driver is authorized to transport students throughout the year for illness or disciplinary purposes, the consent slip will not be required and a **Use of Personal Vehicle Form need be submitted only once a year. The section referring to destination and date of trip should indicate "as needed for illness or disciplinary purposes."

District Insurance - Any employee or authorized volunteer, while engaged in authorized activities within the scope of his/her assigned duties, is covered by district insurance for damages caused to persons or property as a result of negligence of the employee or volunteer. However, when privately-owned vehicles are sued on authorized school business, the **driver's personal liability insurance** will go first to settle any claims. district insurance will cover the unpaid excess up the policy limits. Collision damage to privately-owned vehicles, owned by either employees or volunteers, is not covered by district insurance.

Student Use of Vehicles - Regulation 3541.4 presents the most **desirable** school district liability insurance posture for vehicles used by students. However, its strict application at the high school level makes a modern community-oriented curriculum and student activity program impossible. In those instances where student drivers and/or student vehicles are necessary, the following precautions should be taken by each teacher or activity supervisor:

1. Require the signing of an **Off Campus Activity Permission Form**, furnished by the District, by all presently foreseeable student drivers of a student vehicle and by student passengers in a student vehicle. The form must be completed and signed by a parent or guardian. (See 3541.4A) (b).)
2. Require the completion of the **Use of Personal Vehicle Form** before authorizing a student driver to use a private vehicle. Uninsured students shall not be authorized to driver or transport other students. (See 3541.4A (c).)
3. Upon request, the District transportation division, through the State Department of Motor Vehicles (DMV), will check on all student drivers who use a private vehicle to transport themselves or other students on school business at least once very two months. The director of maintenance, operations and transportation will make the DMV checks when sent a written request containing student's **name, address and driver's license number**.

The director of maintenance, operations and transportation will notify the teacher or sponsor that the DMV check was either satisfactory or unsatisfactory. Students with unsatisfactory DMV checks **shall not** be authorized to driver or transport other students.

As much as possible, all off-campus activities (bowling, golf, work experience, research, etc.) should be scheduled prior to the first on-campus class or after the last on-campus class.

ABC Unified School District

Field Trip Evaluation

School or Program:

Field Trip:

Destination: _____

Date(s): _____

Group or Organization: _____

Evaluate the above field trip relative to:

1. Which objectives were or were not met?
2. What follow-up activities related to the trip were undertaken by the students?
3. Were there any experiences or occurrences which would either especially attract or deter groups from taking a similar trip in the future? (Explain)

Signature of Person Responsible
for the Field Trip

ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation

INSTRUCTION

HOMEWORK

Homework has value in the education setting and should be designed to be a constructive tool in the teaching-learning process. It should be meaningful and relevant for students and based upon their needs, according to the best judgment of teachers and other appropriate professional staff.

Homework is most effective as a part of the learning process when teachers, pupils and parents share responsibility.

ABC UNIFIED SCHOOL DISTRICT

Administrative Regulation

INSTRUCTION**HOMEWORK**

1. Teachers should consider the following purposes before assigning homework. Homework is intended to:
 - a. Provide essential practice in needed skills
 - b. Train the students in good work habits
 - c. Afford opportunities for self-direction
 - d. Enrich and extend school lessons
 - e. Help students budget time
 - f. Bring students in contact with out-of-school learning resources
 - g. Promote growth in responsibility
 - h. Comply with state quality indicators.

2. Good homework assignments should reflect the following criteria:
 - a. The homework has a valid purpose.
 - b. The students are clearly aware of what they are to do.
 - c. The assignment minimizes the temptation to merely copy information.
 - d. The homework can be evaluated fairly and/or used in the daily program.
 - e. The class or students have been thoughtfully prepared for the work.
 - f. The assignment grows out of school lessons.
 - g. The assignment extends the students' fund of knowledge.
 - h. The work is adapted to individual needs, interests and capacities.
 - i. The assignment is reasonable in view of the students' home conditions.
 - j. Homework should not be assigned for disciplinary reasons.
 - k. Resources to complete the assignment should be readily available to the student.
 - l. Weekend or holiday assignments should generally be avoided.
 - m. Homework should be completed according to classroom standards for neatness and legibility.

3. **INDIVIDUAL PUPIL'S ABILITY AND RATE OF WORK SHOULD BE CONSIDERED IN DETERMINING THE AMOUNT OF HOMEWORK ASSIGNED.** Departmentalized schools and schools where a pupil has more than one teacher should develop a program to decrease the possibilities of a homework overload. Homework should be corrected and either returned to the student or utilized by the teacher to determine instructional direction. The following schedule may serve as a general guide in determining the amount of homework to be assigned on any one evening.
 - a. Grades K-3 - Limited to brief assignments, such as information gathering, makeup work, review of class work, math and word drills. Parents may be encouraged to ask children to read aloud, assist them in learning to tell time, bring home appropriate library books and help them learn spelling lists. Thirty (30) minutes total for all subjects.
 - b. Grades 4-6 - Sixty (60) minutes total for all subjects.
 - c. Grades 7 and 8 - Thirty (30) minutes per subject, but not to exceed 1-1/2 hours total for all subjects combined.
 - d. Grades 9-12 - Thirty (30) minutes per subject, but not to exceed 2 hours total for all subjects combined under most circumstances.

HOMEWORK (Continued)

4. Homework for GATE, advanced placement, honor, U.P.S., etc., should be qualitatively different to reflect the higher level of preparation characteristics of these programs. Simply increasing the amount of regular homework may not constitute appropriate assignments for students enrolled in such programs.
5. Parents should be made aware of school homework policy, and should be encouraged to help pupils with their homework without doing it for them. They are urged to show an interest in the work their children do, and to try to be aware of how well each child is keeping up with assigned work. The pupil, of course, is primarily responsible for the completion of assignments. The schools welcome calls and visits from parents relative to pupil progress.
6. Each school should adopt these guidelines or a homework policy in consonance with them taking into consideration the state quality indicators.

**ABC UNIFIED SCHOOL DISTRICT
Board Policy****INSTRUCTION****Distance Learning**

The Governing Board recognizes that distance learning can be a viable alternative instructional strategy that supports student achievement of academic goals. Distance learning opportunities may be offered to students participating in independent study, credit recovery courses, enrichment courses, or other courses identified by the Superintendent or designee, or in the event that a school site is physically closed due to widespread illness, natural disaster, or other emergency.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 3516.5 - Emergency Schedules)
(cf. 4113.5/4213.5/4313.5 - Working Remotely)
(cf. 6158 - Independent Study)

The District may offer distance learning through a variety of delivery methods as appropriate for the grade level and subject matter. Distance learning opportunities may include video, audio, and/or written instruction in which the primary mode of communication between the student and teacher is online interaction, instructional television, live or prerecorded video, telecourses, and other instruction that relies on computer or communications technology. They may also include the use of print materials with written or oral feedback.

The Superintendent or designee shall review and select distance learning courses, which may include those taught by district staff or others, that are of high academic quality and are aligned with district standards and curricula. As appropriate, courses may be self-directed to allow students to complete assignments at their own pace and/or may involve real-time interaction among the teacher and students.

(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6143 - Courses of Study)

The Superintendent or designee shall, in collaboration with teachers, plan for schoolwide or long-term distance learning in the event of a school closure. In developing the plan, the Superintendent or designee shall analyze the course sequence, prioritize content and standards to be completed, and recommend the grading criteria. In such circumstances, students' social-emotional wellness shall be taken into account, and schedules and learning experiences shall be designed to build continuity, routine, and regular connections with students.

(cf. 5141.5 - Mental Health)

Distance Learning (continued)

As needed, the Superintendent or designee shall provide teachers with training and ongoing support, including technological support and guidance, to effectively implement distance learning. The District shall also provide opportunities for teachers to communicate and collaborate with each other to exchange information on effective practices.

(cf. 4131 - Staff Development)

Staff shall comply with all copyright regulations in developing materials to be used in distance education courses.

(cf. 6162.6 - Use of Copyrighted Materials)

The District shall take steps to ensure that distance learning opportunities are available to all students, including economically disadvantaged students, students with disabilities, and English learners. Teachers may use multiple methods of providing instruction to meet student needs. All online programming and Internet content shall meet accessibility standards for students with disabilities, including compatibility with commonly used assistive technologies.

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

(cf. 0415 - Equity)

(cf. 6159 - Individualized Education Program)

(cf. 6174 - Education for English Learners)

The Superintendent or designee shall assess students' access to technological devices and the Internet and, consistent with the District's budget and technology plan, may loan devices to students to use at home and/or assist families in identifying free service providers. Students are expected to use district technology responsibly in accordance with the District's Acceptable Use Agreement. To the extent possible, the District shall make technical and academic support available to students.

(cf. 0440 - District Technology Plan)

(cf. 3311.4 - Procurement of Technological Equipment)

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 6163.4 - Student Use of Technology)

Teachers shall provide regular communications (e.g. email, phone calls, communication applications, Google Classroom page, website) to students and parents/guardians about expectations, assignments, and available resources to assist the student in successful completion of distance learning coursework.

(cf. 6020 - Parent Involvement)

Grading of distance learning assignments and assessments of end-of-course knowledge and understanding of the subject matter shall be consistent with district policy on grading for equivalent courses.

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

Distance Learning (continued)

(cf. 6146.3 - Reciprocity of Academic Credit)
(cf. 6146.11 - Alternative Credits Toward Graduation)

Legal Reference:

EDUCATION CODE

35182.5 Contracts for electronic products or services; prohibitions

51210-51212 Course of study for grades 1-6

51220-51229 Course of study for grades 7-12

51740-51741 Authority to provide instruction by correspondence

51745-51749.3 Independent study

51865 California distance learning policy

PUBLIC CONTRACT CODE

20118.2 Contracting by school districts; technological equipment

UNITED STATES CODE, TITLE 20

7131 Internet safety

UNITED STATES CODE, TITLE 47

254 Universal service discounts (E-rate); Internet safety

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

COVID-19 Guidance for K-12 Schools

WORLD WIDE WEB CONSORTIUM PUBLICATIONS

Web Content Accessibility Guidelines

WEB SITES

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

World Wide Web Consortium, Web Accessibility Initiative: <http://www.w3.org/wai>

**ABC UNIFIED SCHOOL DISTRICT
Board Policy INSTRUCTION**

INDEPENDENT STUDY

The Superintendent or designee may provide a variety of independent study opportunities, including, but not limited to, a program or class within a comprehensive school, an alternative school or program of choice, a charter school, and an online course.

A student's participation in independent study shall be voluntary. (Education Code 51747, 51749.5)

Independent study for each student shall be under the general supervision of a district employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300. Students' independent study shall be coordinated, evaluated, and documented, as prescribed by law and reflected in the accompanying administrative regulation. (Education Code 51747.5)

The minimum period of time for any independent study option shall be three consecutive school days.

General Independent Study Requirements

For the 2021-22 school year, the District shall offer independent study, as specified in Education Code 51745, to meet the educational needs of students. (Education Code 51745)

The District shall retain students' 2021-2022 enrollment status at their School of Residence (Home School), School of Choice, or Whitney High School for the 2022-2023 school year.

For the 2022-23 school year and thereafter, the Superintendent or designee may continue to offer and approve independent study for an individual student upon determining that the student is prepared to meet the District's requirements for independent study and is likely to succeed in independent study as well as or better than the student would in the regular classroom setting.

Because excessive leniency in the duration of independent study assignments may result in a student falling behind peers and increase the risk of dropping out of school, independent study assignments shall be completed no more than one week after assigned for all grade levels and types of program. However, when necessary based on the specific circumstances of the student's approved program, the Superintendent or designee may allow for a longer period of time between the date an assignment is made and when it is due, up to the termination date of the agreement.

An evaluation shall be conducted to determine whether it is in a student's best interest to remain in independent study whenever the student fails to make satisfactory educational

INDEPENDENT STUDY (Continued)

progress and/or misses three assignments. Satisfactory educational progress shall be determined based on all of the following indicators: (Education Code 51747)

1. The student's achievement and engagement in the independent study program, as indicated by the student's performance on applicable student-level measures of student achievement and engagement specified in Education Code 52060
2. The completion of assignments, assessments, or other indicators or evidence that the student is working on assignments
3. Learning required concepts, as determined by the supervising teacher
4. Progress towards successful completion of the course of study or individual course, as determined by the supervising teacher

The Superintendent or designee shall ensure that students participating in independent study are provided with content aligned to grade level standards at a level of quality and intellectual challenge substantially equivalent to in-person instruction. For high schools, this includes access to courses offered by the District to meet the graduation requirements, and courses approved by the University of California or the California State University as creditable under the A–G admissions criteria. (Education Code 51747)

The Superintendent or designee shall ensure that students participating in independent study for 15 school days or more receive the following throughout the school year: (Education Code 51747)

1. For students in grades transitional kindergarten, kindergarten, and grades 1 to 3, opportunities for daily synchronous instruction
2. For students in grades 4-8, opportunities for both daily live interaction and at least weekly synchronous instruction
3. For students in grades 9-12, opportunities for at least weekly synchronous instruction

The Superintendent or designee shall ensure that procedures for tiered reengagement strategies are used for all students who are not generating attendance for more than three school days or 60 percent of the instructional days in a school week, or who are in violation of their written agreement. This requirement only applies to students participating in an independent study program for 15 school days or more. The procedures shall include, but are not necessarily limited to, all of the following: (Education Code 51747)

1. Verification of current contact information for each enrolled student
2. Notification to parents/guardians of lack of participation within one school day of the absence or lack of participation

3. A plan for outreach from the school to determine student needs, including connection with health and social services as necessary

BP 6158(c)

INDEPENDENT STUDY (Continued)

4. A clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being

The Superintendent or designee shall develop a plan to transition students whose families wish to return to in-person instruction from independent study, in no case later, than five instructional days. This requirement only applies to students participating in an independent study program for 15 school days or more. (Education Code 51747)

The Superintendent or designee shall ensure that a written independent study agreement exists for each participating student as prescribed by law. (Education Code 51747, 51749.5)

The District shall provide written notice to the parents/guardians of all enrolled students of the option to enroll their child in in-person instruction or independent study during the 2021-22 school year. This notice shall be posted on the district's web site, and shall include, at a minimum, information about the right to request a student-parent-educator conference before enrollment, student rights regarding procedures for enrolling, disenrolling, and re enrolling in independent study, and the instructional time, including synchronous and asynchronous learning, that a student will have access to as part of independent study. (Education Code 51747)

Upon the request of the parent/guardian of a student, before making a decision about enrolling or disenrolling in independent study and entering into a written agreement to do so, the District shall conduct a telephone, videoconference, or in-person student-parent-educator conference or other meeting during which the student, parent/guardian, or their advocate may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the student in independent study. (Education Code 51747)

Independent Study Agreement

For the 2021–22 school year only, the District shall obtain a signed written agreement for independent study no later than 30 days after the first day of instruction.

A written agreement shall be developed and implemented for each student participating in independent study for three or more consecutive school days. (Education Code 46300, 51747; 5 CCR 11703)

The agreement shall include general student data, including the student's name, address, grade level, birth date, school of enrollment, and program placement.

The independent study agreement for each participating student shall include, but are not limited to, all of the following: (Education Code 51747; 5 CCR 11700, 11702)

1. The frequency, time, place and manner for submitting the student's assignments,

INDEPENDENT STUDY (Continued)

reporting the student's academic progress, and communicating with a student's parent/guardian regarding the student's academic progress

2. The objectives and methods of study for the student's work and the methods used to evaluate that work
3. The specific resources that will be made available to the student, including materials and personnel, and access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work
4. A statement of the Board's policy detailing the maximum length of time allowed between an assignment and its completion, the level of satisfactory educational progress, and the number of missed assignments which will trigger an evaluation of whether the student should be allowed to continue in independent study
5. The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement, with a maximum of one school year
6. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion
7. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities with an individualized education program or a Section 504 plan in order to be consistent with their program or plan, students in foster care or experiencing homelessness, and students requiring mental health supports
8. A statement that independent study is an optional educational alternative in which no student may be required to participate
9. In the case of a suspended or expelled student who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, a statement that instruction may be provided through independent study only if the student is offered the alternative of classroom instruction
10. Before the commencement of independent study, the agreement shall be signed and dated by the student, the student's parent/guardian or caregiver if the student is under age 18 years, the certificated employee responsible for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the student

However, for the 2021-22 school year, the District shall obtain a signed written agreement for independent study from the student, or the student's parent/guardian if the student is less than 18 years of age, the certificated employee who has been

INDEPENDENT STUDY (Continued)

designated as having responsibility for the general supervision of independent study, and person(s) who have direct responsibility for providing assistance to the pupil, no later than 30 days after the first day of instruction.

Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the California Department of Education (CDE). (Education Code 51747)

The parent/guardian's signature on the agreement shall constitute permission for the student to receive instruction through independent study.

Course-Based Independent Study

The District's course-based independent study program for students in grades 7-12 shall be subject to the following requirements: (Education Code 51749.5)

1. A signed learning agreement shall be completed and on file for each participating student pursuant to Education Code 51749.6
2. Courses shall be taught under the general supervision of certificated employees who hold the appropriate subject matter credential.
3. Courses shall be annually certified by Board resolution to be of the same rigor and educational quality and to provide intellectual challenge that is substantially equivalent to in-person, classroom-based instruction, and shall be aligned to all relevant local and state content standards. For high schools, this includes access to courses offered by the District to meet the graduation requirements, and courses approved by the University of California or the California State University as creditable under the A–G admissions criteria. (Education Code 51747) The certification shall, at a minimum, include the duration, number of equivalent daily instructional minutes, and number of course credits for each course, consistent with that of equivalent classroom-based courses. The certification shall also include plans to provide opportunities for students in grades transitional kindergarten, kindergarten, and grades 1-3 to receive daily synchronous instruction, for students in grades 4-8, to receive both daily live interaction and at least weekly synchronous instruction, and for students in grades 9-12 to receive at least weekly synchronous instruction
4. Students enrolled in independent study courses shall meet the applicable age requirements established pursuant to Education Code 46300.1, 46300.4, 47612, and 47612.1, and the applicable residency and enrollment requirements established pursuant to Education Code 46300.2, 47612, 48204, and 51747.3
5. For each student participating in an independent study course, satisfactory educational progress shall be determined based on the student's achievement and engagement in the independent study program, as indicated by their performance on applicable student-level measures of student achievement and student engagement

INDEPENDENT STUDY (Continued)

set forth in Education Code 52060, completion of assignments, assessments, or other indicators that evidence that the student is working on assignments, learning of required concepts, as determined by the supervising teacher, and progress toward successful completion of the course of study or individual course, as determined by the supervising teacher

If satisfactory educational progress in an independent study class is not being made, the teacher shall notify the student and, if the student is under age 18 years, the student's parent/guardian. The teacher shall conduct an evaluation to determine whether it is in the student's best interest to remain in the course or whether the student should be referred to an alternative program, which may include, but is not limited to, a regular school program. A written record of the evaluation findings shall be a mandatory interim student record maintained for three years from the date of the evaluation. If the student transfers to another California public school, the record shall be forwarded to that school.

The Superintendent or designee shall ensure that procedures for tiered reengagement strategies are used for all students who are not generating attendance for more than three school days or 60 percent of the instructional days in a school week, or who are in violation of their written agreement. The procedures shall include, but are not necessarily limited to, the verification of current contact information for each enrolled student, notification to parents/guardians of lack of participation within one school day of the absence or lack of participation, a plan for outreach from the school to determine student needs, including connection with health and social services as necessary, and a clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being.

6. Examinations shall be administered by a proctor; unless otherwise determined by the Superintendent or designee
7. Statewide testing results shall be reported and assigned to the school at which the student is enrolled and shall be included in the aggregate results of the district. Test results also shall be disaggregated for purposes of comparisons with the test results of students enrolled in classroom-based courses
8. The student-teacher ratio in the courses in this program shall meet the requirements of Education Code 51745.6
9. For each student, the combined equivalent daily instructional minutes for courses in this program and all other courses shall meet applicable minimum instructional day requirements, and the student shall be offered the minimum annual total equivalent instructional minutes pursuant to Education Code 46200-46208
10. Courses required for high school graduation or for admission to the University of California or California State University shall not be offered exclusively through independent study

INDEPENDENT STUDY (Continued)

11. A student participating in this program shall not be assessed a fee that is prohibited by Education Code 49011
12. A student shall not be prohibited from participating in independent study solely on the basis that the student does not have the materials, equipment, or access to Internet connectivity necessary to participate in the course
13. A student with disabilities, as defined in Education Code 56026, shall not participate in course-based independent study, unless the student's individualized education program specifically provides for that participation
14. A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 through course-based independent study
15. The District shall maintain a plan to transition any student whose family wishes to return to in-person instruction from course-based independent study, in no case, later than five instructional days

Learning Agreement for Course-Based Independent Study

Before enrolling a student in a course within this program, the Superintendent or designee shall provide the student and, if the student is under age 18 years, the student's parent/guardian with a written learning agreement that includes all of the following: (Education Code 51749.6)

1. A summary of the District's policies and procedures related to course-based independent study pursuant to Education Code 51749.5
2. The duration of the enrolled course(s) and the number of course credits for each enrolled course
3. The duration of the learning agreement, which shall not exceed a school year or span multiple school years
4. The learning objectives and expectations for each course, including, but not limited to, a description of how satisfactory educational progress is measured and when a student evaluation is required to determine whether the student should remain in the course or be referred to an alternative program, which may include, but is not limited to, a regular school program
5. The specific resources that will be made available to the student, including materials and personnel, and access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work
6. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities with an individualized

INDEPENDENT STUDY (Continued)

education program or a Section 504 plan in order to be consistent with their program or plan, students in foster care or experiencing homelessness, and students requiring mental health supports

7. A statement that enrollment is an optional educational alternative in which no student may be required to participate. In the case of a student who is suspended or expelled, or who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, the agreement also shall include the statement that instruction may be provided to the student through course-based independent study only if the student is offered the alternative of classroom instruction
8. The manner, time, frequency, and place for submitting a student's assignments, for reporting the student's academic progress, and for communicating with a student's parent/guardian regarding a student's academic progress
9. The objectives and methods of study for the student's work, and the methods used to evaluate that work
10. A statement of the adopted policies regarding the maximum length of time allowed between the assignment and the completion of a student's assigned work, the level of satisfactory educational progress, and the number of missed assignments allowed before an evaluation of whether the student should be allowed to continue in course-based independent study
11. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the learning agreement, to be earned by the student upon completion
12. Before the commencement of an independent study course, the learning agreement shall be signed and dated by the student, the student's parent/guardian or caregiver, if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of the independent study course, and all persons who have direct responsibility for providing assistance to the student. For purposes of this paragraph "caregiver" means a person who has met the requirements of Family Code 6550-6552

However, for the 2021–22 school year only, the District shall obtain a signed written agreement for independent study from the student, or the student's parent/guardian if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of the independent study course, and all persons who have direct responsibility for providing assistance to the pupil no later than 30 days after the first day of instruction.

Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the CDE. (Education Code 51749.6).

The student's or parent/guardian's signature shall constitute permission for the student to receive instruction through independent study. (Education Code 51749.6).

INDEPENDENT STUDY (Continued)

The Superintendent or designee shall retain a physical or electronic copy of the signed learning agreement for at least three years and as appropriate for auditing purposes. (Education Code 51749.6).

Student-Parent-Educator Conferences

A student-parent-educator conference shall be held as appropriate including, but not limited to, as a re-engagement strategy and/or if requested by a parent/guardian prior to enrollment or disenrollment from independent study. (Education Code 51745.5, 51747, 51749.5)

Records for Audit Purposes

The Superintendent or designee shall ensure that records are maintained for audit purposes. These records shall include, but not be limited to: (Education Code 51748; 5 CCR 11703)

1. A copy of the Board policy, administrative regulation, and other procedures related to independent study
2. A listing of the students, by grade level program, and school, who have participated in independent study along with the units of the curriculum attempted and completed by students in grades K-8 and the course credits attempted by and awarded to students in grades 9-12
3. A file of all agreements, with representative samples of each student's work products bearing the supervising teacher's notations indicating that the teacher has personally evaluated the work or personally reviewed the evaluations made by another certificated teacher
4. As appropriate to the program in which the students are participating, a daily or hourly attendance register that is separate from classroom attendance records, maintained on a current basis as time values of student work products judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons
5. Appropriate documentation of compliance with the teacher-student ratios required by Education Code 51745.6 and 51749.5 (Education Code 51745.6 and 51749.5)
6. Appropriate documentation of compliance with the requirements pursuant to Education Code 51747.5 to ensure the coordination, evaluation, and supervision of the independent study of each student by a district employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300 (Education Code 51747.5)

The District shall document each student's participation in live interaction and

INDEPENDENT STUDY (Continued)

synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which independent study is provided. A student who does not participate in independent study on a school day shall be documented as non-participatory for that school day. (Education Code 51747.5)

The Superintendent or designee also shall maintain a written or computer-based record such as a grade book or summary document of student engagement, for each class, of all grades, assignments, and assessments for each student for independent study assignments. (Education Code 51747.5)

The signed, dated agreement, any supplemental agreement, assignment records, work samples, and attendance records may be maintained on file electronically. (Education Code 51747)

Program Evaluation

The Superintendent or designee shall annually report to the Board the number of district students participating in independent study, the average daily attendance generated for apportionment purposes, student performance as measured by standard indicators and in comparison, to students in classroom-based instruction, and the number and proportion of independent study students who graduate or successfully complete independent study. Based on the program evaluation, the Board and Superintendent shall determine areas for program improvement as needed.

Policy	09.08.81
adopted:	
revised:	06.01.93
revised:	06.04.97
revised:	10.20.09
revised:	08.17.21

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

INDEPENDENT STUDY

Definitions

Live interactions means interaction between the student and classified or certificated staff, provided for the purpose of maintaining school connectedness, including but not limited to wellness checks, progress monitoring, provision of services, and instruction. This interaction may take place in-person, or in the form of Internet or telephonic communication. (Education Code 51745.5)

Student-parent-educator conference means a meeting involving, at a minimum, all parties who signed the student's written independent study agreement pursuant to Education Code 51747 or the written learning agreement pursuant to Education Code 51749.6. (Education Code 51745.5)

Synchronous instruction means classroom-style instruction or designated small group or one-on-one instruction delivered in person, or in the form of Internet or telephonic communications, and involving live two-way communication between the teacher and student. Synchronous instruction shall be provided by the teacher of record for that student pursuant to Education Code 51747.5. (Education Code 51745.5)

Educational Opportunities

For the 2021-22 school year only, the District shall offer independent study to meet the educational needs of students as specified in Education Code 51745.

Educational opportunities offered through independent study may be offered to provide a/an:

1. Alternative education designed to teach the knowledge and skills of the core curriculum, but not provided as an alternative curriculum
2. Study for a student whose health, as determined by the student's parent/guardian, would be put at risk by in-person instruction

In addition, when requested by a parent/guardian due to an emergency or illness, independent study may be used on a short-term basis to ensure that the student is able to maintain academic progress in the student's regular classes.

No course required for high school graduation shall be offered exclusively through independent study. (Education Code 51745)

INDEPENDENT STUDY (Continued)

Equivalency

The District's independent study option shall be substantially equivalent in quality and quantity to classroom instruction to enable participating students to complete the District's adopted course of study within the customary time frame. Students in independent study shall have access to the services and resources that are available to other students in the school. (5 CCR 11700, 11701.5)

Students participating in independent study shall have access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work. (Education Code 51747)

The District shall not provide independent study students and their parents/guardians with funds or items of value that are not provided for other students and their parents/guardians. Providing access to Internet connectivity and local educational agency-owned devices adequate to participate in an independent study program and complete assigned work consistent with Education Code 51747, or to participate in an independent study course, as authorized by Education Code 51749.5, shall not be considered funds or other things of value. (Education Code 46300.6, 51747.3)

Eligibility for Independent Study

Students are eligible for independent study as authorized in law, and as specified in Board Policy and administrative regulation.

For the 2022-23 school year and thereafter, the Superintendent or designee may approve the participation of a student who demonstrates the motivation, commitment, organizational skills, and academic skills necessary to work independently provided that experienced certificated staff are available to effectively supervise students in independent study. The Superintendent or designee may also approve the participation of a student whose health would be put at risk by in-person instruction. A student whose academic performance is not at grade level may participate in independent study only if the program is able to provide appropriate support, such as supplemental instruction, tutoring, counseling, ongoing diagnostic assessments, and/or differentiated materials, to enable the student to be successful. For an elementary student, the Superintendent or designee may consider the parent/guardian's level of commitment to assist the student.

A student participating in independent study must be a resident of the county or an adjacent county. Full-time independent study shall not be available to students whose district residency status is based on their parent/guardian's employment within district boundaries pursuant to Education Code 48204. (Education Code 46300.2, 51747.3)

A student with disabilities, as defined in Education Code 56026, shall not participate in independent study unless the student's individualized education program specifically provides for such participation. (Education Code 51745)

INDEPENDENT STUDY (Continued)

A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 by means of independent study. (Education Code 51745)

Students age 21 or older, and students age 19 or older who have not been continuously enrolled in school since their 18th birthday, may participate in independent study only through the adult education program for the purpose of enrolling in courses required for a high school diploma by Education Code 51225.3 or the Governing Board. (Education Code 46300.1, 46300.4)

No more than 10 percent of the students enrolled in a continuation high school or opportunity school or program, not including pregnant students and parenting students who are primary caregivers for one or more of their children shall be enrolled in independent study. (Education Code 51745)

Monitoring Student Progress

The independent study administrator and/or supervising teacher shall promptly and directly address any failure by the student to meet the terms of the student's written agreement. The following supportive strategies may be used:

1. Written notification to the student and/or parent/guardian
2. A meeting between the parent/guardian and/or student and the teacher, and/or the independent study administrator

When the student has failed to make satisfactory educational progress or missed the number of assignments specified in the written agreement as requiring an evaluation, the Superintendent or designee shall conduct an evaluation to determine whether or not independent study is appropriate for the student. This evaluation may result in termination

of the independent study agreement and the student's return to the regular classroom program or other alternative program.

A written record of the findings of any such evaluation shall be treated as a mandatory interim student record which shall be maintained for three years from the date of the evaluation. (Education Code 51747)

Responsibilities of Independent Study Administrator

The responsibilities of the independent study administrator include, but are not limited to:

1. Recommending certificated staff to be assigned as independent study teachers at the required teacher-student ratios pursuant to Education Code 51745.6 and supervising staff assigned to independent study
2. Approving or denying the participation of students requesting independent study

INDEPENDENT STUDY (Continued)

3. Facilitating the completion of written independent study agreements
4. Transitioning students into and out of the independent study mode of instruction
5. Approving all credits earned through independent study
6. Completing or coordinating the preparation of all records and reports required by law, Board policy, or administrative regulation

Assignment and Responsibilities of Independent Study Teachers

Each student's independent study shall be coordinated, evaluated, and carried out under the general supervision of a district employee who possesses a valid certification document pursuant to Education Code 44865 or emergency credential pursuant to Education Code 44300, registered as required by law, and who consents to the assignment. (Education Code 44865, 51747.5; 5 CCR 11700)

The ratio of student average daily attendance for independent study students age 18 years or younger to full-time equivalent certificated employees responsible for independent study shall not exceed the equivalent ratio for all other education programs in the District, unless a new higher or lower ratio for all other educational programs offered is negotiated in a collective bargaining agreement or the District enters into a memorandum of understanding that indicates an existing collective bargaining agreement contains an alternative ratio. (Education Code 51745.6)

The responsibilities of the supervising teacher shall include, but are not limited to:

1. Completing designated portions of the written independent study agreement and signing the agreement
2. Assigning, monitoring and approving coursework and assignments
3. Maintaining records of student assignments showing the date the assignment is given and the date the assignment is due
4. Maintaining a daily or hourly attendance register in accordance with the "Records for Audit Purpose" in the accompanying Board policy
5. Providing direct instruction and counsel as necessary for individual student success
6. Meeting with the student and parent/guardian to discuss the student's progress
7. Determining the time value of assigned work or work products completed and submitted by the student

INDEPENDENT STUDY (Continued)

8. Assessing student work and assigning grades or other approved measures of achievement
9. Documenting each student's participation in live interaction and/or synchronous instruction pursuant to Education Code 51747 on each school day for which independent study is provided

The Superintendent or designee shall ensure that independent study teachers have access to professional development and support comparable to classroom-based teachers.

Regulation
approved 05.07.91
:
Revised: 06.01.93
Revised: 05.20.97
Revised: 10.20.09
Revised: 08.17.21

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

INDIVIDUAL EDUCATION PROGRAM

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

(cf. 0430 - Comprehensive Local Plan for Special Education)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 3541.2 - Transportation for Students with Disabilities)
(cf. 4112.23 - Special Education Staff)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)
(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)
(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)
(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.6 - Identification and Education Under Section 504)

The Superintendent or designee shall develop administrative regulations regarding the appointment of the individualized education program (IEP) team, the contents of the IEP, and the development, review, and revision of the IEP.

Legal Reference:

EDUCATION CODE

51225.3 Requirements for high school graduation and diploma
56055 Rights of foster parents pertaining to foster child's education
56136 Guidelines for low incidence disabilities areas
56195.8 Adoption of policies
56321 Development or revision of IEP
56321.5 Notice to include right to electronically record
56340.1-56347 Instructional planning and individualized education program
56350-56352 IEP for visually impaired students
56380 IEP reviews; notice of right to request
56390-56392 Certificate of completion, special education
56500-56509 Procedural safeguards
60640-60649 Standardized Testing and Reporting Program
60850 High school exit examination, students with disabilities
60852.3 High school exit examination, exemption for the class of 2006

FAMILY CODE

6500-6502 Age of majority

GOVERNMENT CODE

7572.5 Seriously emotionally disturbed child, expanded IEP team

WELFARE AND INSTITUTIONS CODE

300 Children subject to jurisdiction
601 Minors habitually disobedient
602 Minors violating law defined as crime

CODE OF REGULATIONS, TITLE 5

853-853.5 Standardized Testing and Reporting Program, accommodations

INDIVIDUAL EDUCATION PROGRAM (continued)

1215.5-1218 High School Exit Examination, accommodations for students with disabilities

3021-3029 Identification, referral and assessment

3040-3043 Instructional planning and the individualized education program

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1482 Individuals with Disabilities Education Act

CODE OF FEDERAL REGULATIONS, TITLE 34

300.1-300.818 Individuals with Disabilities Education Act

ATTORNEY GENERAL OPINIONS

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

COURT DECISIONS

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

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

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

Management Resources:

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845

WEB SITES

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

*U.S. Department of Education, Office of Special Education and Rehabilitative Services:
<http://www.ed.gov/about/offices/list/osers/osep>*

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

INDIVIDUAL EDUCATION PROGRAM

The following mandated administrative regulation reflects the 2004 reauthorization of the federal Individuals with Disabilities Education Act (IDEA) (20 USC 1400-1482), implementing federal regulations effective October 13, 2006 (34 CFR 300.1-300.818, added by 71 Fed. Reg. 156), and conforming state legislation (AB 1662, Ch. 653, Statutes of 2005). Because federal regulatory provisions relative to individualized education programs (IEPs) were amended and renumbered pursuant to 71 Fed. Reg. 156, it is likely that further state legislation will be needed to conform state law to the new federal regulations. Note that in cases where state law provides greater protections, state law supersedes federal law.

Members of the Individualized Education Program (IEP) Team

The District shall ensure that the individualized education program team for any student with a disability includes the following members: (20 USC 1414(d)(1); 34 CFR 300.321; Education Code 56341, 56341.2, 56341.5)

1. One or both of the student's parents/guardians, and/or a representative selected by the parent/guardian
2. If the student is or may be participating in the regular education program, at least one regular education teacher

If more than one regular education teacher is providing instructional services to the student, the District may designate one such teacher to represent the others

3. At least one special education teacher or, where appropriate, at least one special education provider for the student
4. A representative of the District who is:
 - a. Qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities
 - b. Knowledgeable about the general education curriculum
 - c. Knowledgeable about the availability of district and/or special education local plan area (SELPA) resources

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

5. An individual who can interpret the instructional implications of assessment results

This individual may already be a member of the team as described in items #2-4 above or in item #6 below

INDIVIDUAL EDUCATION PROGRAM (continued)

The Analysis of Comments to the federal regulations, 71 Fed. Reg. 156, pg. 46670, explain that a person who does not have knowledge and special expertise regarding the student, and who is not requested to be present at the IEP team meeting by the parent/guardian or district, would not be permitted to be a member of the team or attend the meeting as observer. This comment is consistent with an Attorney General opinion (85 Ops.Cal.Atty.Gen. 157 (2002)), which stated that members of the media may not attend an IEP team meeting as observers even though the parents/guardians have consented to such attendance. The Attorney General based this decision on the fact that the media would be "observers," not a "person with knowledge or expertise," as detailed below.

6. At the discretion of the parent/guardian or district, other individuals who have knowledge or special expertise regarding the student, including related services personnel, as appropriate

The determination of whether the individual has knowledge or special expertise regarding the student shall be made by the party who invites the individual to be a member of the IEP team. (Education Code 56341)

7. Whenever appropriate, the student with a disability

8. For transition service participants:

- a. The student, of any age, with a disability if the purpose of the meeting is the consideration of the student's postsecondary goals and the transition services needed to assist the student in reaching those goals pursuant to 34 CFR 300.320(b)

If the student does not attend the IEP team meeting, the District shall take other steps to ensure that the student's preferences and interests are considered.

- b. To the extent appropriate, and with the consent of the parent/guardian, a representative of any other agency that is likely to be responsible for providing or paying for transition services

If a representative of such other local agency has been invited but does not attend the meeting, the District shall take other steps to obtain participation of the agency in the planning of any transition services. (Education Code 56341)

9. For students suspected of having a specific learning disability in accordance with 34 CFR 300.308 (formerly 300.540) and 34 CFR 300.310 (formerly 300.542), at least one individual who is qualified to conduct individual diagnostic examinations of the student, such as a school psychologist, speech language pathologist, or remedial reading teacher. (Education Code 56341)

In accordance with 34 CFR 300.310 (formerly 300.542), at least one team member other than the student's regular education teacher shall observe the student's academic performance in the regular classroom setting. If the child is younger than five years or not enrolled in school, a team member shall observe the child in an environment appropriate for a child of that age. (Education Code 56341)

INDIVIDUAL EDUCATION PROGRAM (continued)

10. For students who have been placed in a group home by the juvenile court, a representative of the group home

If a student with a disability is identified as potentially requiring mental health services, the District shall request the participation of the county mental health program in the IEP team meeting. (Education Code 56331)

Upon request of the parent/guardian of a child who was previously served under Early Education for Individuals with Exceptional Needs (Education Code 56425-56432) or the California Early Intervention Services Act (Government Code 95000-95004), the District shall invite the Infant and Toddlers with Disabilities Coordinator or other representative of the early education or early intervention system to the initial IEP team meeting to assist with the smooth transition of services. (20 USC 1414(d)(1)(D); 34 CFR 300.321; Education Code 56341)

A member of the IEP team shall not be required to attend an IEP team meeting, in whole or in part, if the parent/guardian consents and the District agrees, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed at the meeting. If the meeting involves a discussion of the member's area of the curriculum or related service, the IEP team member may be excused from the meeting if the parent/guardian consents in writing to the excusal and the member submits to the parent/guardian and team written input into the development of the IEP prior to the meeting. (20 USC 1414(d)(1)(C); 34 CFR 300.321; Education Code 56341)

Parent/Guardian Participation and Other Rights

The Superintendent or designee shall take steps to ensure that one or both of the parents/guardians of the student with a disability are present at each IEP team meeting or are afforded the opportunity to participate. These steps shall include notifying the parents/guardians of the meeting early enough to ensure that they will have the opportunity to attend and scheduling the meeting at a mutually agreed upon time and place. (34 CFR 300.322; Education Code 56341.5)

The Superintendent or designee shall send parents/guardians notices of IEP team meetings that: (34 CFR 300.322; Education Code 56341.5)

1. Indicate the purpose, time, and location of the meeting
2. Indicate who will be in attendance at the meeting
3. Inform the parents/guardians of the provisions of 34 CFR 300.321(a)(6) and (c) relating to the participation on the IEP team of other individuals who have knowledge or special expertise about the student, and 34 CFR 300.321(f) relating to the participation of the Infant and Toddlers with Disabilities Coordinator at the initial IEP team meeting
4. For students beginning at age 16 (or younger than 16 if deemed appropriate by the IEP team):
 - a. Indicate that the purpose of the meeting will be the consideration of postsecondary goals and transition services for the student pursuant to 20 USC 1414(d)(1)(A)(i)(VIII), 34 CFR 300.320(b), and Education Code 56345.1

INDIVIDUAL EDUCATION PROGRAM (continued)

- b. Indicate that the District will invite the student to the IEP team meeting
- c. Identify any other agency that will be invited to send a representative

(cf. 5145.6 - Parental Notifications)

At each IEP team meeting convened by the District, the District administrator or specialist on the team shall inform the parent/guardian and student of the federal and state procedural safeguards included in the notice of parental rights provided pursuant to Education Code 56321. (Education Code 56500.1)

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

The parent/guardian shall have the right and opportunity to examine all of his/her child's school records upon request and before any IEP meeting. Upon receipt of an oral or written request, the District shall provide complete copies of the records within five business days. (Education Code 56043)

(cf. 5125 - Student Records)

If neither parent/guardian can attend the meeting, the Superintendent or designee shall use other methods to ensure parent/guardian participation, including video conferences or individual or conference telephone calls. (20 USC 1414(f); 34 CFR 300.322; Education Code 56341.5)

An IEP team meeting may be conducted without a parent/guardian in attendance if the District is unable to convince the parent/guardian that he/she should attend. In such a case, the District shall maintain a record of its attempts to arrange a mutually agreed upon time and place for the meeting, including: (34 CFR 300.322; Education Code 56341.5)

1. Detailed records of telephone calls made or attempted and the results of those calls
2. Copies of correspondence sent to the parent/guardian and any responses received
3. Detailed records of visits made to the parent/guardian's home or place of employment and the results of those visits

Parents/guardians and the District shall have the right to electronically record the proceedings of IEP team meetings, provided members of the IEP team are notified in writing of this intent at least 24 hours before the meeting. If the District gives notice of intent to record a meeting and the parent/guardian objects or refuses to attend because the meeting would be recorded, the meeting shall not be recorded. Parents/guardians also have the right to: (Education Code 56341.1)

1. Inspect and review the recording
2. Request that the recording be amended if the parents/guardians believe it contains information that is inaccurate, misleading, or in violation of the student's privacy rights or other rights
3. Challenge, in a hearing, information that the parents/guardians believe is inaccurate, misleading, or in violation of the student's privacy rights or other rights

INDIVIDUAL EDUCATION PROGRAM (continued)

The District shall take any action necessary to ensure that the parents/guardians understand the proceedings of the meeting, including arranging for an interpreter for parents/guardians with deafness or whose native language is not English. (34 CFR 300.322; Education Code 56345.1)

The District shall give the parents/guardians of a student with disabilities a copy of his/her child's IEP at no cost. (34 CFR 300.322)

Contents of the IEP

The IEP shall be a written statement determined in a meeting of the IEP team. It shall include, but not be limited to, all of the following: (20 USC 1414(d)(1)(A); 34 CFR 300.320; Education Code 56043, 56345, 56345.1)

1. A statement of the present levels of the student's academic achievement and functional performance, including:
 - a. The manner in which the student's disability affects his/her involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled students)
 - b. For a preschool child, as appropriate, the manner in which the disability affects his/her participation in appropriate activities
2. A statement of measurable annual goals, including academic and functional goals, designed to do the following:
 - a. Meet the student's needs that result from his/her disability in order to enable the student to be involved in and progress in the general education curriculum
 - b. Meet each of the student's other educational needs that result from his/her disability
 - c. For students with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives
3. A description of the manner in which the progress of the student toward meeting the annual goals described in item #2 above will be measured and when the District will provide periodic reports on the progress the student is making toward meeting the annual goals, such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards
4. A statement of the specific special educational instruction and related services and supplementary aids and services, based on peer-reviewed research, to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided to enable the student to:
 - a. Advance appropriately toward attaining the annual goals

INDIVIDUAL EDUCATION PROGRAM (continued)

- b. Be involved and make progress in the general education curriculum in accordance with item #1 above and to participate in extracurricular and other nonacademic activities
- c. Be educated and participate with other students with disabilities and nondisabled students in the activities described in Education Code 56345(a)

(cf. 3541.2 - Transportation for Students with Disabilities)

- 5. An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in extracurricular and other nonacademic activities described in item #4 above

34 CFR 300.320, as amended by 71 Fed. Reg. 156, and Education Code 56345 require a description of the individual accommodations that will be used by the student and, if the student will not participate in the regular assessment, a statement as to the reason that determination was made and what alternate assessment will be provided

- 6. A statement of any appropriate individual accommodations necessary to measure the academic achievement and functional performance of the student on state and districtwide assessments

If the IEP team determines that the student shall take an alternate assessment instead of a particular regular state or districtwide assessment, a statement of all of the following:

- a. The reason that the student cannot participate in the regular assessment
- b. The reason that the particular alternate assessment selected is appropriate for the student

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

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6162.52 - High School Exit Examination)

- 7. The projected date for the beginning of the services and modifications described in item #4 above and the anticipated frequency, location, and duration of those services and modifications
- 8. Beginning not later than the first IEP to be in effect when the student is 16 years of age, or younger if determined appropriate by the IEP team, and updated annually thereafter, the following:
 - a. Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills
 - b. The transition services, including courses of study, needed to assist the student in reaching those goals
- 9. Beginning at least one year before the student reaches age 18, a statement that the student has been informed of his/her rights, if any, pursuant to Education Code 56041.5 that will transfer to the student upon reaching age 18

INDIVIDUAL EDUCATION PROGRAM (continued)

Where appropriate, the IEP shall also include: (Education Code 56345)

1. For students in grades 7-12, any alternative means and modes necessary for the student to complete the District's prescribed course of study and to meet or exceed proficiency standards required for graduation

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

2. Linguistically appropriate goals, objectives, programs, and services for students whose native language is not English
3. Extended school year services when the IEP team determines, on an individual basis, that the services are necessary for the provision of a free appropriate public education (FAPE)
4. Provision for transition into the regular education program if the student is to be transferred from a special class or center or nonpublic, nonsectarian school into a regular education program in a public school for any part of the school day

The IEP shall include descriptions of activities intended to:

- a. Integrate the student into the regular education program, including indications of the nature of each activity and the time spent on the activity each day or week
 - b. Support the transition of the student from the special education program into the regular education program
5. Specialized services, materials, and equipment for students with low incidence disabilities, consistent with the guidelines pursuant to Education Code 56136

Development, Review, and Revision of the IEP

In developing the IEP, the IEP team shall consider all of the following: (20 USC 1414(d)(3)(A); 34 CFR 300.324; Education Code 56341.1, 56345)

1. The strengths of the student
2. The concerns of the parents/guardians for enhancing the education of their child
3. The results of the initial assessment or most recent assessment of the student
4. The academic, developmental, and functional needs of the student
5. In the case of a student whose behavior impedes his/her learning or that of others, the use of positive behavioral interventions and supports and other strategies to address that behavior
6. In the case of a student with limited English proficiency, the language needs of the student as such needs relate to the student's IEP

INDIVIDUAL EDUCATION PROGRAM (continued)

7. In the case of a student who is blind or visually impaired, the need to provide for instruction in Braille and instruction in the use of Braille

However, such instruction need not be included in the IEP if the IEP team determines that instruction in Braille or the use of Braille is not appropriate for the student. This determination shall be based upon an assessment of the student's reading and writing skills, his/her future needs for instruction in Braille or the use of Braille, and other appropriate reading and writing media.

8. The communication needs of the student, and in the case of a student who is deaf or hard of hearing, the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode

The team shall also consider the related services and program options that provide the student with an equal opportunity for communication access, including the following: (Education Code 56345)

- a. The student's primary language mode and language, which may include the use of spoken language, with or without visual cues, and/or the use of sign language
 - b. The availability of a sufficient number of age, cognitive, and language peers of similar abilities which may be met by consolidating services into a local plan area-wide program or providing placement pursuant to Education Code 56361
 - c. Appropriate, direct, and ongoing language access to special education teachers and other specialists who are proficient in the student's primary language mode and language consistent with existing law regarding teacher training requirements
 - d. Services necessary to ensure communication-accessible academic instructions, school services, and extracurricular activities consistent with the Federal Vocational Rehabilitation Act and the Federal Americans with Disabilities Act
9. Whether the student requires assistive technology devices and services

If, in considering the special factors in items #1-8 above, the IEP team determines that a student needs a particular device or service, including an intervention, accommodation, or other program modification, in order to receive FAPE, the IEP team must include a statement to that effect in the student's IEP. (Education Code 56341.1)

The Superintendent or designee shall ensure that the IEP team: (20 USC 1414(d)(4); 34 CFR 300.324; Education Code 56043, 56341.1, 56380)

1. Reviews the IEP periodically, but at least annually, to determine whether the annual goals for the student are being achieved and the appropriateness of placement
2. Revises the IEP, as appropriate, to address:
 - a. Any lack of expected progress toward the annual goals and in the general curriculum, where appropriate

INDIVIDUAL EDUCATION PROGRAM (continued)

- b. The results of any reassessment conducted pursuant to Education Code 56381
 - c. Information about the student provided to or by the parents/guardians regarding review of evaluation data pursuant to 34 CFR 305(a)(2) and Education Code 56381(b)
 - d. The student's anticipated needs
 - e. Other matters
3. Considers the special factors listed in items #5-9 above when reviewing the IEP

The IEP team shall also meet: (Education Code 56343)

- 1. Whenever the student has received an initial formal assessment and, when desired, when the student receives any subsequent formal assessment
- 2. Upon request by the student's parent/guardian or teacher to develop, review, or revise the IEP

If a participating agency other than the District fails to provide the transition services described in the student's IEP, the team shall reconvene to identify alternative strategies to meet the transition service objectives set out for the student in the IEP. (20 USC 1414(d); 34 CFR 300.324; Education Code 56345.1)

As a member of the IEP team, the regular education teacher shall, to the extent appropriate, participate in the development, review, and revision of the student's IEP, including assisting in the determination of: (20 USC 1414(d)(3)(C); 34 CFR 300.324; Education Code 56341)

- 1. Appropriate positive behavioral interventions and supports and other strategies for the student
- 2. Supplementary aids and services, program modifications, and supports for school personnel that will be provided for the student, consistent with 34 CFR 300.320

To the extent possible, the District shall encourage the consolidation of reassessment meetings and other IEP team meetings for a student. (20 USC 1414(d)(3)(A); 34 CFR 300.324)

The student shall be allowed to provide confidential input to any representative of his/her IEP team. (Education Code 56341.5)

When a change is necessary to a student's IEP after the annual IEP team meeting for the school year has been held, the parent/guardian and the District may agree not to convene an IEP team meeting for the purpose of making the change and instead may develop a written document to amend or modify the student's current IEP. The IEP team shall be informed of any such changes. Upon request, the District shall provide the parent/guardian with a revised copy of the IEP with the incorporated amendments. (20 USC 1414(d)(3)(D); 34 CFR 300.324)

If a student with disabilities residing in a licensed children's institution or foster family home has been placed by the District in a nonpublic, nonsectarian school, the District shall conduct an annual evaluation as part of the IEP process of whether the placement is the least restrictive environment that is appropriate to meet the student's needs. (Education Code 56157)

(cf. 6173.1 - Education for Foster Youth)

INDIVIDUAL EDUCATION PROGRAM (continued)

When an IEP calls for a residential placement as a result of a review by an expanded IEP team, the IEP shall include a provision for a review, at least every six months, by the full IEP team of all of the following: (Education Code 56043)

1. The case progress
2. The continuing need for out-of-home placement
3. The extent of compliance with the IEP
4. Progress toward alleviating the need for out-of-home care

Timelines for the IEP and for the Provision of Services

At the beginning of each school year, the District shall have an IEP in effect for each student with a disability within district jurisdiction. (34 CFR 300.323; Education Code 56344)

The District shall ensure that a meeting to develop an initial IEP is conducted within 30 days of a determination that a student needs special education and related services. The District shall also ensure that, as soon as possible following development of the IEP, special education services and related services are made available to the student in accordance with his/her IEP. (34 CFR 300.323; Education Code 56344)

An IEP required as a result of an assessment of the student shall be developed within 60 days (not counting days between the student's regular school sessions, terms or days of school vacation in excess of five school days) from the date of receipt of the parent/guardian's written consent for assessment, unless the parent/guardian agrees, in writing, to an extension. (Education Code 56344)

However, an IEP required as a result of an assessment of a student shall be developed within 30 days after the commencement of the subsequent regular school year for a student for whom a referral has been made 30 days or less prior to the end of the regular school year. In case of school vacations, the 60-day time limit shall recommence on the date that students school days reconvene. (Education Code 56344)

When a parent/guardian requests an IEP team meeting to review the IEP, the team shall meet within 30 days of receiving the parent/guardian's written request, not counting days between the student's regular school sessions, terms, or days of school vacation in excess of five school days. If a parent/guardian makes an oral request, the District shall notify the parent/guardian of the need for a written request and the procedure for filing such a request. (Education Code 56043, 56343.5)

A regular education or special education teacher may request a review of the classroom assignment of a special education student by submitting a written request to the Superintendent or designee. The Superintendent or designee shall consider the request within 20 days of receiving it, not counting days when school is not in session or, for year-round schools, days when the school is off track. If the review indicates a need for change in the student's placement, instruction, and/or related services, the Superintendent or designee shall convene an IEP team meeting, which shall be held within 30 days of the Superintendent or designee's review, not counting days when school is not in session or days when school is off track, unless the student's parent/guardian consents in writing to an extension of time.

INDIVIDUAL EDUCATION PROGRAM (continued)

The District shall ensure that the student's IEP is accessible to each regular education teacher, special education teacher, related service provider, and any other service provider who is responsible for its implementation. The District shall also ensure that such teachers and providers are informed of their specific responsibilities related to implementing the IEP and the specific accommodations, modifications, and supports that must be provided to the student in accordance with the IEP. (34 CFR 300.323)

Before providing special education and related services, the District shall seek to obtain informed consent pursuant to 20 USC 1414(a)(1). If the parent/guardian refuses to consent to the initiation of services, the District shall not provide the services. If the parent/guardian does not consent to all of the components of the IEP, then those components to which the parent/guardian has consented shall be implemented so as not to delay providing instruction and services to the student. (Education Code 56346)

If, at any time subsequent to the initial provision of special education and related services, the parent of a child revokes consent in writing for a continued provision of special education and related services, the public agency:

1. May not continue to provide special education and related services to the child, but must provide prior written notice in accordance with 34 CFR Section 300.503 before ceasing the provision of special education and related services.
2. May not use the procedures in 34 CFR 300, subpart E (including the mediation procedures under 34 CFR Section 300.506 or the due process procedures under 34 CFR sections 300.507 through 300.516) in order to obtain agreement or a ruling that the services may be provided to the child
3. Will not be considered to be in violation of the requirement to make a free appropriate public education (FAPE) available to the child because of the failure to provide the child with further special education and related services.
4. Is not required to convene an individual education program (IEP) team meeting or develop an IEP under 34 CFR sections 300.320 and 300.324 for the child for further provision of special education and related services

In accordance with 34 CFR Section 300.9(c)(3), if the parents revoke consent in writing for their child's receipt of special education services after the child is initially provided special education and related services, the public agency is not required to amend the child's education records to remove any references to the child's receipt of special education and related services because of the revocation of consent.

To facilitate a transfer student's transition, this District shall take reasonable steps to promptly obtain the records of a student with disabilities transferring into this District, including his/her IEP and the supporting documents related to the provision of special education services. (34 CFR 300.323; Education Code 56325)

If a student with disabilities transfers to this District during the school year from a district within this same SELPA, this District shall continue, without delay, to provide services comparable to those described in the existing IEP, unless the student's parent/guardian and district agree to develop, adopt, and implement a new IEP that is consistent with state and federal law. (34 CFR 300.323; Education Code 56325)

INDIVIDUAL EDUCATION PROGRAM (continued)

If a student with disabilities transfers to this District during the school year from a California district outside of this District's SELPA, this District shall provide the student with FAPE, including services comparable to those described in the previous district's IEP. Within 30 days, this District shall, in consultation with the parents/guardians, adopt the other district's IEP or shall develop, adopt, and implement a new IEP that is consistent with state and federal law. (34 CFR 300.323; Education Code 56325)

If a student with disabilities transfers to this District during the school year from an out-of-state district, this District shall provide the student with FAPE, including services comparable to the out-of-state district's IEP, in consultation with the parent/guardian, until such time as this District conducts an assessment, if this District determines that such an assessment is necessary, and develops, adopts, and implements a new IEP, if appropriate. (34 CFR 300.323; Education Code 56325)

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION

The Governing Board desires to protect the rights of students with disabilities in accordance with the procedural safeguards set forth in state and federal law. Parents/guardians shall receive written notice of their rights in accordance with law, Board policy, and administrative regulation.

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

(cf. 5145.6 - Parental Notifications)

(cf. 6159 - Individualized Education Program)

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

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

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

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

The Superintendent or designee shall represent the District in any due process hearing conducted with regard to district students and shall inform the Board about the result of the hearing.

The Superintendent or designee shall address a complaint concerning compliance with state or federal law regarding special education in accordance with the District's uniform complaint procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

56000 Education for individuals with disabilities

56001 Provision of the special education programs

56020-56035 Definitions

56195.7 Written agreements

56195.8 Adoption of policies for programs and services

56300-56385 Identification and referral, assessment

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

56500-56509 Procedural safeguards, including due process rights

56600-56606 Evaluation, audits and information

CODE OF REGULATIONS, TITLE 5

3000-3100 Regulations governing special education

4600-4671 Uniform complaint procedures

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act

UNITED STATES CODE, TITLE 42 11434 Homeless assistance

CODE OF FEDERAL REGULATIONS, TITLE 34

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

104.36 Procedural safeguards

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION (continued)

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

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

COURT DECISIONS

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

Management Resources:

FEDERAL REGISTER

Final Regulations, December 1, 2008, Vol. 73, No. 231, pages 73006-73029

WEB SITES

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

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

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

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION

Both federal and state law give parents/guardians the right to due process and require the District to provide procedural safeguards, as specified below. Education Code 56501 extends these rights to the student only if he/she is an emancipated minor or a ward or dependent of the court with no available parent/guardian or surrogate parent.

Prior Written Notice

The Superintendent or designee shall send to the parents/guardians of any student with disabilities a prior written notice within a reasonable time: (20 USC 1415(c); 34 CFR 300.102, 300.300, 300.503; Education Code 56500.4, 56500.5)

1. Before the District initially refers the student for assessment
2. Before the District proposes to initiate or change the student's identification, assessment, educational placement, or the provision of a free appropriate public education (FAPE) to the student
3. Before the District refuses to initiate or change the student's identification, assessment, or educational placement or the provision of FAPE to the student
4. Upon receipt of the parent/guardian's written revocation of consent for the continued provision of special education and related services to his/her child

This notice shall include: (20 USC 1415(c); 34 CFR 300.503; Education Code 56500.4)

1. A description of the action proposed or refused by the District
2. An explanation as to why the District proposes or refuses to take the action
3. A description of each assessment procedure, test, record, or report the District used as a basis for the proposed or refused action
4. A statement that the parents/guardians of the student have protection under procedural safeguards and, if this notice is not an initial referral for assessment, the means by which a copy of the description of procedural safeguards can be obtained
5. Sources for parents/guardians to obtain assistance in understanding these provisions
6. A description of any other options that the individualized education program (IEP) team considered and why those options were rejected

(cf. 6159 - Individualized Education Program)

7. A description of any other factors relevant to the District's proposal or refusal

(cf. 5145.6 - Parental Notifications)

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION (continued)**Procedural Safeguards Notice**

A procedural safeguards notice shall be made available to parents/guardians of students with disabilities once each school year: (20 USC 1415(d)(1); 34 CFR 300.504; Education Code 56301) and upon the occurrence of any of the events specified below.

1. Upon initial referral or parent/guardian request for assessment
2. Upon receipt of the first state compliance complaint in a school year

(cf. 1312.3 - Uniform Complaint Procedures)

3. Upon receipt of the first due process hearing request in a school year
4. In accordance with the discipline procedures pursuant to 34 CFR 300.530(h), when a decision is made to remove a student because of a violation of a code of conduct constituting a change of placement

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

5. Upon request by a parent/guardian
6. Education Code 56321, 56321.5 also requires that the notice be provided with any assessment plan which is developed whenever an assessment is to be conducted for the development or revision of the IEP.

The procedural safeguards notice shall include a full explanation of all of the procedural safeguards available under 34 CFR 300.148, 300.151-300.153, 300.300, 300.502-300.503, 300.505-300.518, 300.520, 300.530-300.536, and 300.610-300.625 relating to: (20 USC 1415(d)(2); 34 CFR 300.504; Education Code 56301)

1. Independent educational evaluation

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

2. Prior written notice
3. Parental consent, including a parent/guardian's right to revoke consent, in writing, to his/her child's continued receipt of special education and related services
4. Access to educational records

(cf. 5125 - Student Records)

5. Opportunity to present complaints and resolve complaints through the due process complaint and state compliance complaint procedures, including the time period in which to file a complaint, the opportunity for the District to resolve the complaint, and the difference between a due process complaint and the state compliance complaint procedures, including the jurisdiction of each procedure, what issues may be raised, filing and decisional timelines, and relevant procedures
6. The availability of mediation

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION (continued)

7. The student's placement during the pendency of any due process complaint
8. Procedures for students who are subject to placement in an interim alternative educational setting
9. Requirements for unilateral placement by parents/guardians of students in private schools at public expense
10. Hearings on due process complaints, including requirements for disclosure of assessment results and recommendations
11. State-level appeals
12. Civil actions, including the time period in which to file those actions
13. Attorney's fees

This notice shall also include the rights and procedures contained in Education Code 56500-56509, including information on the procedures for requesting an informal meeting, prehearing mediation conference, mediation conference, or due process hearing; the timelines for completing each process; whether the process is optional; the type of representative who may be invited to participate; the right of the parent/guardian and/or the District to electronically record the proceedings of IEP meetings in accordance with Education Code 56341; and information regarding the state special schools for students who are deaf, hard of hearing, blind, visually impaired, or deaf-blind. (Education Code 56321, 56321.5, 56321.6)

A copy of this notice shall be attached to the student's assessment plan and referred to at each IEP meeting. (Education Code 56321, 56321.5)

Format of Parent/Guardian Notices

The parents/guardians of a student with a disability shall be provided written notice of their rights in a language easily understood by the general public and in their native language or other mode of communication used by them, unless to do so is clearly not feasible. (34 CFR 300.503. Education Code 56341, 56506). CFR 30029 defines "native Language" as the language normally used by the individual and, for a child, the language regularly used in the home environment.

If the native language or other mode of communication of the parent/guardian is not a written language, the District shall take steps to ensure that: (34 CFR 300.503)

1. The notice is translated orally or by other means to the parent/guardian in his/her native language or other mode of communication.
2. The parent/guardian understands the contents of the notice.
3. There is written evidence that items #1 and #2 have been satisfied.

The District may place a copy of the procedural safeguards notice on the District's web site. (20 USC 1415(d))

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION (continued)

A parent/guardian of a student with disabilities may elect to receive the prior written notice or procedural safeguards notice by an electronic mail communication. (34 CFR 300.505)

Due Process Complaints

A parent/guardian and/or the District may initiate due process hearing procedures whenever: (20 USC 1415(b); Education Code 56501)

1. There is a proposal to change the student's identification, assessment, or educational placement or the provision of FAPE to the student.
2. There is a refusal to change the student's identification, assessment, or educational placement or the provision of FAPE to the student.
3. The parent/guardian refuses to consent to an assessment that is not an initial assessment of his/her child.
4. There is a disagreement between a parent/guardian and the District regarding the availability of a program appropriate for the student, including the question of financial responsibility, as specified in 34 CFR 300.148.

Pursuant to 20 USC 1415(b) and 34 CFR 300.508, the District is mandated to adopt procedures (1) requiring either party (the District or the parent/guardian) or their attorney to provide a due process complaint notice to the other party and (2) requiring that the party may not have a due process hearing until that complaint notice has been filed.

Prior to having a due process hearing, the party requesting the hearing, or the party's attorney, shall provide the opposing party a due process complaint, which shall remain confidential, specifying: (20 USC 1415(b); 34 CFR 300.508; Education Code 56502)

1. The student's name
2. The student's address or, in the case of a student identified as homeless pursuant to 42 USC 11434, available contact information for that student

(cf. 6173 - Education for Homeless Children)

3. The name of the school the student attends
4. A description of the nature of the student's problem relating to the proposed or refused initiation or change, including facts relating to the problem
5. A proposed resolution to the problem to the extent known and available to the complaining party at the time

Parties filing a due process complaint shall file their request with the Superintendent or designated contracted agency. (Education Code 56502)

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION (continued)**District's Response to Due Process Complaints**

20 USC 1415(c)(1), 34 CFR 300.508, and Education Code 56502 require the District to provide the following notice upon receipt of the due process complaint.

If the District has sent prior written notice to the parent/guardian regarding the subject matter of the parent/guardian's due process complaint, the District shall, within 10 days of receipt of the complaint, send a response specifically addressing the issues in the complaint. (20 USC 1415(c)(1); 34 CFR 300.508)

If the District has not sent a prior written notice to the parent/guardian regarding the subject matter contained in the parent/guardian's due process complaint, the District shall send a response to the parent/guardian within 10 days of receipt of the complaint containing: (20 USC 1415(c)(1); 34 CFR 300.508):

1. An explanation of why the District proposed or refused to take the action raised in the complaint
2. A description of other options that the IEP team considered and the reasons that those options were rejected
3. A description of each evaluation procedure, assessment, record, or report the District used as the basis for the proposed or refused action
4. A description of the factors that is relevant to the District's proposal or refusal

Upon the filing of a due process complaint by either party or upon request of the parent/guardian, the District shall inform the parent/guardian of any free or low-cost legal and other relevant services available in the area. (34 CFR 300.507)

Informal Process/Pre-Hearing Mediation Conference

Prior to or upon initiating a due process hearing, the Superintendent or designee and a parent/guardian may, if the party initiating the hearing so chooses, agree to meet informally to resolve any issue(s) relating to the identification, assessment, education and placement, or provision of FAPE for a student with disabilities. The Superintendent or designee shall have the authority to resolve the issue(s). In addition, either party may file a request with the Superintendent or designee for a mediation conference; an informal meeting at the local level, to be conducted by a person under contract with the California Department of Education. (Education Code 56502)

If resolution is reached that resolves the due process issue(s), the parties shall enter into a legally binding agreement that satisfies the requirements of Education Code 56500.3. (Education Code 56500.3)

Attorneys may attend or otherwise participate only in those mediation conferences that are scheduled after the filing of a request for due process hearing. (Education Code 56500.3, 56501)

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

**NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL
EDUCATION**

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

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

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 3541.2 - Transportation for Students with Disabilities)

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

(cf. 6159 - Individualized Education Program)

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

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

Legal References:

EDUCATION CODE

56034-56035 Definitions of nonpublic, nonsectarian school and agency

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

56101 Waivers

56163 Certification

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

56195.8 Adoption of policies

56360-56369 Implementation of special education

56711 Computation of state aid

56740-56743 Apportionments and reports

56760 Annual budget plan; service proportions

56775.5 Reimbursement of assessment and identification costs

GOVERNMENT CODE

7570-7588 Interagency responsibilities for providing services to children with disabilities, especially:

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

FAMILY CODE

7911-7912 Interstate compact on placement of children

WELFARE AND INSTITUTIONS CODE

362.2 Out-of-home placement for IEP

727.1 Out-of-state placement of wards of court

CODE OF REGULATIONS, TITLE 5

3001 Definitions

3061-3069 Nonpublic, nonsectarian school and agency services

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

CODE OF FEDERAL REGULATIONS, TITLE 34

300.129-300.148 Children with disabilities in private schools

COURT DECISIONS

**NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL
EDUCATION**

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

Management Resources:

CDE LEGAL ADVISORIES

0317.99 Nonpublic School/Agency Waivers and Reimbursement to Parents

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845

WEB SITES

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

US Department of Education, Office of Special Education and Rehabilitative Services:

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

(6/94 6/95) 6/99

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

**NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL
EDUCATION**

Placement and Services

As amended in Register 99, No. 13, 5 CCR 3060 and 3061 specify new requirements regarding special education classes offered in nonpublic, nonsectarian schools and agencies. These requirements detail the staffing requirements for instructors, including the credentials that instructors must hold; the eligibility requirements for such credentials; and the number of instructors required per school or agency. Pursuant to 5 CCR 3064, the California Department of Education may issue conditional certifications to allow agencies and schools time to comply with the new requirements.

Procedures specified in law shall govern the selection of appropriate nonpublic school or agency services.

Contracts with a nonpublic school or agency shall be made on forms developed by Greater Los Angeles Area SELPAs and shall include an individual services agreement negotiated for each student. Individual services agreements shall be for the length of time for which nonpublic, nonsectarian school services are specified in the student's individualized education program (IEP), not to exceed one year. Changes in educational instruction, services or placement shall be made only on the basis of revisions to the student's IEP. (Education Code 56366)

(cf. 6159 - Individualized Education Program)

The master contract shall specify the general administrative and financial agreements between the nonpublic, nonsectarian school or agency and the District to provide the special education and designated instruction and services, as well as transportation specified in the student's IEP. The administrative provisions of the contract shall also include procedures for recordkeeping and documentation, and the maintenance of school records by the contracting district to ensure that appropriate high school graduation credit is received by the student. The contract may allow for partial or full-time attendance at the nonpublic, nonsectarian school. (Education Code 56366)

(cf. 3541.2 - Transportation for Students with Disabilities)

The nonpublic school or agency must be certified as meeting state standards pursuant to Education Code 56366. Contracts may be terminated for cause with 20 days notice; however, the availability of a public education program initiated during the period of the contract cannot give cause for termination unless the parent/guardian agrees to transfer the student to the program.

Pursuant to Education Code 56366, as amended by SB 933 (Ch. 311, Statutes of 1998), the master contract must also include the following information.

The master contract shall include a description of the process being utilized by the District to oversee and evaluate placements in nonpublic, nonsectarian schools. This description shall include a method for evaluating whether the student is making appropriate educational progress. (Education Code 56366)

NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL EDUCATION (continued)

The District IEP team shall annually review the IEP of a student placed in a nonpublic, nonsectarian school or agency. The student's IEP and contract shall specify the review schedules. (5 CCR 3068)

When a special education student meets the District requirements for completion of prescribed course of study and adopted differential proficiency standards as designated in the student's IEP, the District which developed the IEP shall award the diploma. (5 CCR 3069)

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

Out-of-State Placements

Government Code 7572.55 and Welfare and Institutions Code 362.2 and 727.1, as amended by SB 933 (Ch. 311, Statutes of 1998) relate to the out-of-state placement of children who are seriously emotionally disturbed and/or wards of the court. Such placements may be made only after in-state alternatives have been considered and found not to meet the child's needs.

Before contracting with a nonpublic, nonsectarian school or agency outside California, the Superintendent or designee shall document the District's efforts to find an appropriate program offered by a nonpublic, nonsectarian school or agency within California. (Education Code 56365)

Within 15 days of any decision for an out-of-state placement, the student's IEP team shall submit to the Superintendent or designee a report with information about the services provided by the out-of-state program, the related costs, and the District's efforts to locate an appropriate public school or nonpublic, nonsectarian school or agency within California. (Education Code 56365)

If the District decides to place a student with a nonpublic, nonsectarian school or agency outside the state, the District shall indicate the anticipated date of the student's return to a placement within California and shall document efforts during the previous year to return the student to California. (Education Code 56365)

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

APPOINTMENT OF SURROGATE PARENT FOR SPECIAL EDUCATION STUDENTS

In order to protect the rights of students with disabilities, the Superintendent or designee shall appoint a surrogate parent to represent a student with disabilities as necessary in accordance with law. He/she shall develop procedures for recruiting, training, and assigning adults to serve as surrogate parents.

Legal References

(cf. 0430 - Comprehensive Local Plan for Special Education)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 3515.6 - Criminal Background Checks for Contractors)
(cf. 3541.2 - Transportation for Students with Disabilities)
(cf. 4112.23 - Special Education Staff)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6146.4 - Differential Graduation and Competency Standards for Individuals with Exceptional Needs)
(cf. 6159 - Individualized Education Program)
(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)
(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
 Legal Reference:
 EDUCATION CODE
 56028 Parent
 56050 Surrogate parents
 56055 Rights of foster parents
 GOVERNMENT CODE
 7570-7588 Interagency responsibilities for providing services to disabled children, especially:
 7579.5 Surrogate parent; appointment; qualifications; liability
 WELFARE AND INSTITUTIONS CODE
 300 Children subject to jurisdiction
 361 Limitations on parental control
 601 Minors habitually disobedient or truant
 602 Minors violating laws
 726 Limitations on parental control
 UNITED STATES CODE, TITLE 20
 1400-1482 Individuals with Disabilities Education Act, especially:
 1415 Procedural safeguards
 UNITED STATES CODE, TITLE 42
 11434a Definitions
 CODE OF FEDERAL REGULATIONS, TITLE 34
 300.30 Definition parent
 300.519 Surrogate parents

APPOINTMENT OF SURROGATE PARENT FOR SPECIAL EDUCATION STUDENTS

(continued)

Management Resources:

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845

WEB SITES

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

*U.S. Department of Education, Office of Special Education and Rehabilitative Services:
<http://www.ed.gov/about/offices/list/osers/index.html>*

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

APPOINTMENT OF SURROGATE PARENT FOR SPECIAL EDUCATION STUDENTS

Conditions Necessitating a Surrogate

The Superintendent or designee shall appoint a surrogate parent to represent a student with disabilities under one or more of the following circumstances: (Government Code 7579.5; 20 USC 1415(b)(2); 34 CFR 300.519)

1. No parent/guardian for the student can be identified.
2. The District, after reasonable efforts, cannot discover the location of a parent or legal guardian of the student.
3. The student is adjudicated a dependent or ward of the court pursuant to Welfare and Institutions Code 300, 601 or 602 and all of the following conditions are satisfied:
 - a. The court has referred the student for special education and related services or the student has a valid individualized education program (IEP)
 - b. The court has specifically limited the right of the parent/guardian to make educational decisions for his/her child
 - c. The student has no responsible adult to represent him or her pursuant to Welfare and Institutions Code 361 or 726 or Education Code 56055

(cf. 6159 - Individualized Education Program)

4. The student is an unaccompanied homeless youth not in the custody of a parent/guardian, as defined in 42 USC 11434a

(cf. 6173 - Education for Homeless Children)

5. The student has reached the age of majority but has been declared incompetent by a court of law

Appointment of Surrogate Parents

Upon a determination that a student needs a surrogate parent, the Superintendent or designee shall make reasonable efforts to ensure that the surrogate is appointed within 30 days. (20 USC 1412(b)(2)(B))

When appointing a surrogate parent, the Superintendent or designee shall give first preference to a relative caretaker, foster parent or court-appointed special advocate, provided any of these individuals exists and is willing and able to serve. If none of these individuals is willing or able to act as a surrogate parent, the Superintendent or designee shall select the surrogate parent of his/her choice. If the student is moved from the home of the relative caretaker or foster parent who was appointed as the student's surrogate parent, the Superintendent or designee shall appoint another surrogate parent if a new appointment is necessary to ensure adequate representation of the student. (Government Code 7579.5)

APPOINTMENT OF SURROGATE PARENT FOR SPECIAL EDUCATION STUDENTS

(continued)

(cf. 6173.1 - Education for Foster Youth)

The Superintendent or designee shall ensure that individuals to be appointed as surrogate parents have passed a criminal background check and have demonstrated interest and skill in working with students with disabilities.

Surrogate parents shall have no interests that conflict with the student's educational interests and shall have knowledge and skills that ensure adequate representation of the student. If a conflict of interest arises after the appointment of a surrogate parent, the Superintendent or designee shall terminate the appointment and appoint another surrogate parent. (34 CFR 300.519; Government Code 7579.5)

Duties of Surrogate Parent

The surrogate parent shall have all the rights relative to the student's education that a parent has under the Individuals with Disabilities Education Act pursuant to 20 USC 1400-1482 and 34 CFR 300.1-300.818. The surrogate parent may represent the student in all matters relating to identification, assessment, instructional planning and development, educational placement, review and revision of the IEP, and in other matters relating to the provision of a free and appropriate public education. (Education Code 56050; Government Code 7579.5)

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

In addition, the representation of the surrogate parent shall include the provision of written consent to the IEP including non-emergency medical services, mental health treatment services, and occupational or physical therapy services pursuant to Government Code 7570-7588. (Education Code 56050)

(cf. 5141 - Health Care and Emergencies)

Surrogate parents shall volunteer their services to the District and serve without compensation. The District may reimburse them for mileage and other incidental expenses directly associated with their duties as surrogate parents.

(cf. 3350 - Travel Expenses)

Surrogate parents shall have access to the student's school records as necessary to fulfill their responsibilities as surrogate parents and in accordance with Board policy and administrative regulation.

(cf. 5125 - Student Records)

Termination of Appointment

The Superintendent or designee shall terminate the appointment of a surrogate parent under the following conditions:

1. When the student is no longer in need of special education (Government Code 7579.5)

APPOINTMENT OF SURROGATE PARENT FOR SPECIAL EDUCATION STUDENTS

(continued)

2. When the student reaches 18 years of age, unless he/she chooses not to make education decisions for himself/herself or is deemed by a court to be incompetent (Government Code 7579.5)
3. Another responsible adult is appointed to make educational decisions for the student (Government Code 7579.5)
4. The right of the parent/guardian to make educational decisions for the student is fully restored (Government Code 7579.5)
5. When the surrogate parent no longer satisfies the requirements for appointment as a surrogate parent, as specified above

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

BOOKS, MATERIALS AND EQUIPMENT

Selection and Adoption of Textbooks and Other Instructional Materials-District

The use of appropriate textbooks and other instructional materials assists in the implementation of the curriculum and furthers the intellectual, social and cultural development of pupils.

Textbook/instructional materials selection is based on the following criteria:

1. Education Code requirements
2. District-approved curriculum continua, goals and objectives
3. Student maturity and ability

Certificated instructional staff, including teachers, site administrators and appropriate district-level personnel are responsible for the selection of instructional materials.

<i>Legal Reference:</i>	<i>Education Code</i>	
	1241	<i>County superintendent enforcing uniformity of use (b)</i>
	1720-1723	<i>Preparation of courses of study</i>
	18111	<i>Exclusion of books by governing board</i>
	35272	<i>Educational and athletic materials</i>
	44805	<i>Teachers enforcing proper use of instructional material</i>
	51501	<i>Subject matter reflecting on race, color, etc.</i>
	51510	<i>Prohibited study or supplemental materials</i>
	60040-60047	<i>Requirements, materials</i>
	60070-60076	<i>Prohibited acts (re instructional materials)</i>
	60200-60205	<i>Elementary school materials (selection and adoption)</i>
	60400-60414	<i>High school textbooks</i>
	60420	<i>Disposal of old textbooks (high schools)</i>
	60500-60530	<i>Obsolete materials</i>

*California Constitution, Article IX
Section 7.5 Adoption of instructional materials*

Policy adopted
by the board: 07.16.79
revised: 08.02.82

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

BOOKS, MATERIALS AND EQUIPMENT

Selection and Adoption of Textbooks and Other Instructional Materials-District

In the District adoption of textbooks and instructional materials for each subject area, the following criteria are considered:

1. The textbooks and other instructional materials should aid in attaining district curriculum goals and objectives.
2. There shall be articulation between elementary, middle and senior high school levels.
3. The textbooks and materials not contained on the state approved list shall meet the legal compliance requirements of the law.

Procedures and Responsibilities for District Adoption of Textbooks and Other Instructional Materials

1. Membership:
 - a. Elementary level - representatives from the following:
 - 1) teachers representing each grade, K-6, who have demonstrated expertise in the subject area.
 - 2) elementary school principal(s).
 - 3) a member of the central office staff as facilitator.
 - b. Middle school level - representatives from the following:
 - 1) teachers, one from each middle school, teaching in the subject area.
 - 2) junior high school principal(s) or administrator(s).
 - 3) a member of the central office staff as facilitator.
 - c. High school level (textbooks) - representatives from the following:
 - 1) department head or designee teaching in the subject area of each high school.
 - 2) high school administrator.
 - 3) a member of the central office staff as facilitator.
2. Committee responsibilities:
 - a. Evaluate all textbooks and other appropriate instructional materials submitted or requested for adoption to meet instructional objectives, based upon student needs and abilities.
 - b. Evaluate and recommend a uniform basic textbook or series for each designated instructional level. All recommended textbooks and/or series shall meet legal compliance unless state evaluation exists.

Books, Materials and Equipment (Continued)

- c. Exception to the District's uniform adoption regulations may be made by the individual schools with input from staff and community. Schools are responsible for making the decision in selecting the textbooks/instructional materials that best meet the needs of the schools in implementing the District's curriculum. School requests for an alternative selection must be submitted to the Assistant Superintendent, Academic Services for final approval.

Support Instructional Materials Selection - Schools

At the school level, support instructional materials selection is the responsibility of the certificated staff under the supervision of the principal.

Because it is not feasible for school principals to attempt to screen all materials which teachers utilize in their classrooms, and because an approval process which is too cumbersome or restrictive in regard to a variety of instructional materials could prove detrimental to the viable instructional practices utilized by many teachers (and thus would reduce the quality of the educational program), the following general guide should be followed:

1. Each teacher shall be responsible for the proper selection and use of all support instructional materials utilized or displayed in her/his classroom. This applies particularly to those materials not adopted by the District, Board of Education or the state.
2. Each teacher shall select support instructional materials that are in legal compliance with state laws, help meet district objectives, and are appropriate to the maturity/ability of the pupils.
3. Each teacher shall consult with the school principal if there is any question about the suitability of any instructional material.
4. The principal shall make all teachers aware of state-mandated legal compliance and district policy in the area of instructional materials.

Uniform Textbook Adoption

The major focus of a textbook adoption is to ensure that the District is implementing a uniform curriculum and the State content standards. Selection of textbooks/instructional materials shall be based upon Board adopted curriculum continua. The curricula provide the goals and instructional objectives that students are expected to accomplish. This supports the move away from textbook driven curriculum outcomes.

Since there are many benefits to a uniform adoption, every effort will be made to adopt a uniform textbook for each designated grade and/or instructional level.

A uniform textbook/instructional materials adoption in each subject area, conforming to board adopted criteria, insures:

1. The scope and sequence of the adopted curricula.
2. District-wide continuity in the instructional program.
3. Continuity of learning for students who transfer from one district school to another within the District.
4. The ability to share textbooks, from a central source, to accommodate fluctuating enrollment needs.

BOOKS, MATERIALS AND EQUIPMENT (Continued)

5. Effective utilization of staff development resources that can be provided to enhance the instructional program.
6. Teaching aides which can be made available by the District to support the classroom instructional program.

A uniform adoption may provide for more than one series for selection. Again, the focus will center on State and District curricula implementation.

Lost or Mutilated Books - State and District-Owned (Grades K-12)

The instructional materials center shall maintain an accounting of state textbooks. The Board of Education believes that individual schools, teachers and students should exercise the proper use thereof, so that the maximum use is derived from each book. Should a book or books become lost or mutilated, the school or teacher responsible for said book(s) shall immediately follow the current procedures developed by the instructional materials center for the recovery or restitution of same.

1. The instructional materials center shall issue to each school in the District a packet of #756426 forms, titled "Lost/Mutilated Book Report."
2. When a student has lost or mutilated a book, form #756426 shall be filled out in triplicate.
3. The value of the book is prorated on the basis of 6-year life. When the money is collected from the pupil in the office, he/she shall be given the original copy of the receipt.
4. Copy 1 of the #756426 form is retained at the school. Copies 2 and 3 of the #756426 form shall be attached to the copy of the receipt and sent to the business office.
5. If a state text is involved, the business office shall send the second copy of the #756426 form to the instructional materials center textbooks, retaining the third copy. The book title shall then be deleted by the instructional materials center textbooks from the school's state text inventory.
6. Money for lost or mutilated state books shall be sent to the state by the business office. Money for lost or mutilated district books shall be credited to the school's account.

Pilot Instructional Programs

Prior to an adoption pilot, instructional programs may be initiated at the District level or at school sites after being approved by the following process:

1. Completion of a written request containing:
 - a. name of the project
 - b. site at which the project is to be conducted
 - c. purpose of the project
 - d. administrator in charge
 - e. relationship to district curriculum goals and objectives
 - f. evaluation process
 - g. length of time required
 - h. cost of project
 - i. source of funding

BOOKS, MATERIALS AND EQUIPMENT (Continued)

2. A copy of the request shall be forwarded to the Director of Curriculum/Instruction and Schools.
3. If the request is approved by the Director of Curriculum/Instruction and Schools, the project may be implemented.

Regulation
approved: 07.16.79
revised: 08.02.82
revised: 01.16.96

ABC UNIFIED SCHOOL DISTRICT

Board Policy

INSTRUCTION**USE OF COPYRIGHTED SOFTWARE**

The Board of Education expects district employees and students to adhere to the provisions of copyright laws in the area of microcomputer programs. The Board recognizes that computer software piracy is a major problem for the industry and that violations of computer copyright laws contribute to higher costs and greater efforts to prevent copies and/or lessen incentives for the development of good educational software. All of these results are detrimental to the development of effective educational uses of microcomputers. Therefore, in an effort to discourage violation of copyright laws and to prevent such illegal activities:

1. Students will be made aware of the ethical and practical problems caused by software piracy.
2. District employees will be expected to adhere to the provisions of Section 117 of Title 17 of the United States Code to allow for the making of a back-up copy of computer programs.*
3. When software is to be used on a disk sharing system, efforts will be made to secure this software from copying, and to acquire a networking license.
4. Illegal copies of copyrighted programs may not be made or used on school equipment.
5. The legal or insurance protection of the District will not be extended to employees who are determined to have violated copyright laws.
6. The superintendent or his designee may sign license agreements for software for schools in the District. (Each school using the software also should have a signature on a copy of the software agreement for local control.)
7. The principal of each school site is responsible for establishing practices which will enforce this policy at the school level.

*This states that "...it is not an infringement for the owner of a copy of a computer program to make or authorize the making of another copy or adaption of that computer program provided that such a new copy or adaptation is created as an essential step in the utilization of the computer program in conjunction with a machine and that it is used in no other manner, or that such a new copy and adaptation is for archival purposes only and that all archival copies are destroyed in the event that continued possession of the computer program should cease to be rightful."

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

DISPOSAL OF OLD TEXTBOOKS AND INSTRUCTIONAL MATERIALS

The District shall dispose of all old and obsolete textbooks and instructional materials in the manner as prescribed in the Education Code.

Legal Reference: Education Code
60510 Disposal of surplus or undistributed obsolete instructional materials
60530 Unusable surplus, undistributed obsolete instructional materials, and usable but undistributed materials

ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation

INSTRUCTION

DISPOSAL OF OLD TEXTBOOKS AND INSTRUCTIONAL MATERIALS

The District shall dispose of all old and obsolete textbooks and instructional materials in the manner as prescribed in the Education Code. The sections of the code are as follows:

1. Article 2. 60510 - Donation or Sale. "The state board, any district board which employs a superintendent of schools, and other school districts with the approval of the county superintendent of schools, may dispose of surplus or undistributed obsolete instructional materials in its possession which are usable for educational purposes in any of the following ways:
 - a. By donation to any governing board, county free library or other state institutions.
 - b. By donation to any public agency or institution of any territory or possession of the United States, or the government of any country which formerly was a territory or possession of the United States.
 - c. By donation to any nonprofit charitable organization.
 - d. By donation to children or adults in the State of California, or foreign countries for the purpose of increasing the general literacy of the people.
 - e. By sales for nominal price for use within the State of California to any organization which agrees to use such materials solely for educational purposes."

2. Article 4. 60530 - Destruction. "The state board, any district board which employs a superintendent of schools, and other school districts with the approval of the county superintendent of schools may dispose of unusable surplus or undistributed obsolete instructional materials, or such materials which are usable but cannot be distributed pursuant to Section 60510 in any of the following ways:
 - a. Mutilated as not to be salable as instructional materials and sold for scrap or for use in the manufacture of paper pulp or other substances at the highest price that can be obtained.
 - b. Destroyed by any economical means, provided that no instructional material shall be destroyed until 30 days after the governing board has given notice to all persons who have filed a request for such notice."

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

RESEARCH/STANDARDIZED TESTING

One of the most important functions of an educational system is to undertake a systematic appraisal of the students and the program it offers to them.

Faculty, administrators and district personnel shall endeavor to determine individual and group needs and progress. Individual and group tests shall be administered to aid in this determination.

<i>Legal Reference:</i>	<i>Education Code</i>	
	51041	<i>Governing board shall evaluate educational program</i>
	52011(c)	<i>Establishment of plan for phase-in of schools with greatest number of concentration of educationally disadvantaged youth</i>
	60600-60614	<i>California School Testing Act of 1969</i>
	60660-60664	<i>Testing Evaluation and Analysis</i>
	60650	<i>Personnel beliefs (re questionnaires, etc.)</i>
	<i>California Administrative Code, Title 5</i>	
	4400	<i>Concentrations of educationally disadvantaged youth</i>

ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation

INSTRUCTION

RESEARCH/STANDARDIZED TESTING

1. Individual and Group Tests — Students are asked to participate in individual and group testing for the following reasons:
 - a. To evaluate the progress of students.
 - b. To determine the level of individual or group achievement.
 - c. To aid in the development of curriculum.
 - d. To aid in the evaluation of the educational program.
 - e. To provide a comparative evaluation with state and national norms.
2. Definition — The terms "individual" and "group" tests used in this policy refer to any standardized tests which measure or attempt to measure: the achievement, intelligence, physical fitness, dynamics of behavior, perception, aptitude or interests of a student or a group of students.
3. Administration of Tests — All testing of students shall be conducted in accordance with the directions set forth by the publisher of the test, the District office and education code. Only certificated personnel designated by the school principal, where applicable, or the District may administer tests to students.
4. Group Tests — Tests designated as group tests may be administered by the school principal or his delegate.
5. Individual Tests — Tests designated as individual tests may be administered by those persons properly credentialed for that purpose.
6. Test Results — All test results which yield achievement and ability scores shall become part of the student's cumulative record. (Education Code, Title 5, Section 85.3)
7. Board Approval and Adoption Procedure — In order to insure consistent, thorough and competent appraisal of students; to provide for systematic gathering, and dissemination of data; to follow recommended professional procedures; and to adhere to regulations of the educational code, the procedures for the adoption and use of test instruments and materials shall be followed:
 - a. All tests which are to be used shall be submitted to the board for approval. A list shall be on file at each site.
 - b. If the proposed test does not appear on the approved list, a request for board approval shall be submitted to the supervisor or the person who initiates the request.

RESEARCH/STANDARDIZED TESTING (Continued)

- c. In no case shall a test be used that has not received board approval.
8. Referral for Psychological Testing — Each student undergoes appraisal and reappraisal by his teachers as he progresses through the educational program.

Research/Standardized Testing

When, in the opinion of educational specialists, the student has deviated from established norms in terms of achievement and/or behavior, the following steps should be undertaken:

- a. A review of the classroom performance checklist should be undertaken by the teacher, counselor or principal.
- b. The achievement and/or behavior characteristics of the student should be discussed with the parent.

If, after reviewing the classroom performance checklist and discussing his achievement and/or behavior with the parents, it is determined that further appraisal is needed, the procedure for referral for psychological testing is as follows:

- a. The school shall obtain written permission from parent/guardian for individual testing.
 - b. A request for psychological services shall be completed and sent to the psychological services department.
9. Parent Conference — When the District has completed the appraisal of the student, the school will receive a written resume of the results and recommendations. At that time, the school should schedule a conference with the parents to discuss the findings.
10. Referral to Outside Agency — If in the opinion of the psychological services staff, the student is in need of further appraisal and treatment, a referral to an outside agency may be recommended. The recommendation would be made a part of the resume returned to the school.
11. Teacher Conference — It is vitally important that all information resulting from appraisals by psychological services personnel be discussed and reviewed by the teacher or teachers who have initiated the referral.

It is suggested that the principal and/or psychologist meet with the student's teacher(s) upon the receipt of the test results. In this way, the needs of the student and the test data and recommendations can be thoroughly reviewed.

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

TESTING PROGRAM

The District shall conduct a testing program designed to assist in the assessment of student progress and of the educational program. This testing program shall be reviewed annually by a committee composed of teacher and management representatives, and modified as needed.

ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation

INSTRUCTION

TESTING PROGRAM

A testing committee shall be convened annually to assess the District testing program and make recommendations for any needed changes.

The committee shall consist of:

1. One (1) representative of the office of research, planning and evaluation, as chairperson.
2. One (1) representative of special programs and services, who is knowledgeable about consolidated application testing requirements.
3. Three (3) teachers (one (1) per level), appointed by the exclusive representative of the teachers' bargaining unit.
4. Five (5) school-level administrators: one (1) high school, one (1) junior high school and three (3) elementary, appointed by the elementary and secondary directors.
5. One (1) coordinator of elementary curriculum.
6. One (1) coordinator of secondary curriculum.

The office of research, planning and evaluation shall annually report to the Board of Education on existing and proposed district testing programs as follows: district-wide test results from the preceding school year in November; recommendations of district test committee, including testing schedule for the succeeding year, at the first meeting in June.

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

PHYSICAL PERFORMANCE TESTS

1. The Required Program. "Each school district shall give specified physical performance tests at least once to all pupils in grades 5, 7, 10. Schools may give the tests more often and to more grades than specified in the minimum requirements above.

"The pupil's physical performance test scores shall be included in the pupil's cumulative record on a form prescribed or approved by the Board of Education. The local board shall also set the date for submitting reports from the schools." (California Administrative Code, Title 5)

2. The Forms
 - a. Physical Performance Labels. This record is required for each pupil, and is to be filed annually in the student's cum folder. The data processing department will provide the gummed labels.
 - b. Physical Performance Test Class Summaries. This form will be provided to schools by data processing. It is recommended these summaries be kept for at least a period of three years.
3. Supplementary Materials. The research, planning and evaluation office will supply the following materials as they become available from the county superintendent of schools and State Department of Education:
 - a. Booklet for Each Teacher "The Physical Performance Test for California." This booklet is revised periodically, and should be read carefully by each teacher who will administer physical performance tests. Any guide provided by your school district will assume a knowledge, on the part of teachers, of the contents of this booklet.
 - b. California Physical Performance Percentile Norms. These percentiles are developed and provided by the State Department of Education.

PHYSICAL PERFORMANCE TESTS (Continued)

4. District Percents. School and district percentile averages will be provided for grades 7 and 10. Each fall, district and school percentiles will be reported to the superintendent and Board of Education. The report will be prepared by the office of research, planning and evaluation.

Legal Reference: California Administrative Code, Title 5

1041 *Required program. During the period of March-May, inclusive, the governing board of each school district maintaining grades 5, 7, and 0, or any one or more of such grades, shall administer to each pupil in those grades the physical performance test designated by the State Board of Education.*

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

HIGH SCHOOL EXIT EXAMINATION

The Governing Board desires to ensure that district students who graduate from high school can demonstrate grade-level competency in reading, writing, and mathematics and are given the opportunity to learn the subjects covered in the high school exit examination required for high school graduation.

(cf. 5127 – Graduation/Promotion Ceremonies and Activities)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6162.5 - Student Assessment)
(cf. 6162.54 - Test Integrity/Test Preparation)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6177 - Summer School)
(cf. 6179 - Supplemental Instruction)

The Superintendent or designee shall ensure that district programs and services, including, but not limited to, instructional materials, staff development, and remediation programs, are aligned with the exit exam.

The Superintendent or designee shall administer the exit exam in accordance with law. (Education Code 60850)

Students may be allowed to take the exit exam with variations, accommodations, or modifications in accordance with law and administrative regulation.

Legal Reference:

EDUCATION CODE

35146 Closed sessions
35186 Williams Uniform Complaint Procedures
37252-37254.1 Supplemental instruction
51041 Evaluation of educational program
52378 Supplemental school counseling program
56026 Individuals with exceptional needs
56101 Waiver of code or regulation
60810 Assessment of language development
60850-60859 Exit examination
CODE OF REGULATIONS, TITLE 5
1200-1225 High school exit examination
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 34
300.503 Prior notice

COURT DECISIONS

O'Connell v. Superior Court (Valenzuela), (2006) 141 Cal.App.4th 1452
Smiley v. California Department of Education, (2002) 45 Fed.Appx. 780
Chapman v. California Department of Education, (2002) 229 F.Supp.2d 981

HIGH SCHOOL EXIT EXAMINATION (Continued)

MANAGEMENT RESOURCES:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Independent Evaluation of the California High School Exit Examination (CAHSEE), Annual Reports, Human Resources Research Organization

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

The Use of Tests as Part of High-Stakes Decision-Making for Students: A Resource Guide for Educators and Policy-Makers, December 2001

WEB SITES

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

*California Dept. of Ed., California High School Exit Examination:
<http://www.cde.ca.gov/ta/tg/hs/index.asp>*

Educational Testing Service: <http://www.ets.org/cahsee>

U.S. Dept. of Ed., Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr/index.html>

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation****INSTRUCTION****HIGH SCHOOL EXIT EXAMINATION****Definitions**

Variation means a change in the manner in which the test is presented or administered or in how a student is allowed to respond, and includes, but is not limited to, accommodations and modifications as defined in Education Code 60850. (5 CCR 1200)

Accommodation means any variation in the assessment environment or process that does not fundamentally alter what the test measures or affect the comparability of scores. (Education Code 60850) Must have an Individualized Education Plan (IEP) or Section 504 plan.

Modification means any variation in the assessment environment or process that fundamentally alters what the test measures or affects the comparability of scores. (Education Code 60850) Must have an IEP or Section 504 plan.

District and Test Site Coordinators

On or before July 1 of each school year, the Superintendent shall designate a high school exit examination coordinator from among district employees and shall notify the test contractor of the identity and contact information of the coordinator. The District coordinator or Superintendent or designee shall be available throughout the year, shall serve as the liaison between the District and the test contractor and between the District and the California Department of Education (CDE) for all matters related to the exit exam, and shall perform additional duties specified in 5 CCR 1209-1211.5. (5 CCR 1209)

Annually, the District coordinator or Superintendent or designee shall designate a test site coordinator for each test site to fulfill the responsibilities specified in 5 CCR 1210-1211.5. (5 CCR 1210)

All district and test site coordinators shall sign a test security affidavit/agreement pursuant to 5 CCR 1211.5.

Access to exam materials shall be limited to students taking the exit exam and individuals who have signed the test security affidavit, including employees directly responsible for test administration. All district and test site coordinators shall be responsible for inventory control. (5 CCR 1211)

Administration

The Superintendent or designee shall administer the exit exam in each district high school on the dates designated by the Superintendent of Public Instruction as exam days or make-up days. (Education Code 60851)

The exit exam shall be administered as follows: (Education Code 60851, 60852.3; 5 CCR 1204, 1204.5)

HIGH SCHOOL EXIT EXAMINATION (Continued)

1. Students in grade 10, including students with disabilities who are otherwise exempt from the requirements of the exam, shall take each section of the exit exam once during the school year, either during the grade 10 administration or the district-designated grade 10 make-up administration.
2. Students in grade 11 who have not yet passed one or both sections of the exit exam shall have up to two opportunities during the school year to take the section(s) of the exam not yet passed and may elect to take the exam during these opportunities. These students may be tested in successive administrations within a school year. Students should be offered appropriate remediation or supplemental instruction before being retested.
3. Students in grade 12 shall have at least three opportunities to take the section(s) of the exit exam not yet passed. Students in grade 12 may elect to take the exam up to five times during the year and may take the exam in successive administrations. Students should be offered appropriate remediation or supplemental instruction before being retested.

(cf. 6179 - Supplemental Instruction)

4. Adult education students shall have up to three opportunities per year to take the section(s) of the exit exam not yet passed and may elect to take the exam during these opportunities.

(cf. 6200 - Adult Education)

If a student does not possess sufficient English language skills to be assessed on the exit exam, the Superintendent or designee may defer the exam requirement for a period of up to 24 calendar months of enrollment in the California public school system until the student has completed six months of instruction in reading, writing, and comprehension in the English language. (Education Code 60852)

(cf. 6174 - Education for English Learners)

Test administrators at the test sites shall be responsible for the accurate identification of eligible students to whom the exit exam is to be administered. This identification shall be made through the use of photo identification or positive recognition by an employee of the District. (5 CCR 1203)

Any student found to have cheated, assisted others in cheating, or compromised the security of the exit exam shall not receive a score from that test administration. (5 CCR 1220)

(cf. 5131.9 - Academic Honesty)

(cf. 6162.54 - Test Integrity/Test Preparation)

The Superintendent or designee may provide any student taking the exit exam with extra time within a testing day, simplified or clarified test directions (but not test questions), student marks (other than responses) including highlighting in test booklets, and/or testing in a small group setting. (5 CCR 1215)

HIGH SCHOOL EXIT EXAMINATION (Continued)**Testing Variations for All Students**

A student may also be provided the following testing variations if they are regularly used in the classroom: (5 CCR 1215)

1. Special lighting, special acoustics, or special or adaptive furniture
2. Visual magnifying or audio amplification equipment
3. Noise buffers (e.g., an individual carrel or study enclosure)
4. Testing of individual students in a separate room provided that the student is directly supervised by an employee who has signed the test security affidavit
5. Colored overlay, mask, or other means to maintain visual attention to the exam or test items
6. Manually Coded English or American Sign Language to present test administration directions

At least 30 working days before the proposed administration of the exit exam, the Superintendent or designee shall submit a request to the CDE for a case-by-case review of a proposed variation that is not specified in law. The request shall include a description of the requested variation(s) and, if applicable, a certification that the student's IEP or Section 504 plan specifies that the requested variation is appropriate and necessary to access the exam due to the student's identified disability(ies) and that such variation is currently listed in his/her IEP or Section 504 plan. (5 CCR 1218)

Testing Variations for English Language Learners

In addition to testing variations allowed for all students, identified English language learners may be allowed the following testing variations if regularly used in the classroom or for assessments: (5 CCR 1217)

1. Flexible setting: English language learners may have the opportunity to be tested in a separate room with other English language learners provided that the students are directly supervised by an employee who has signed the test security affidavit.
2. Flexible schedule: English learners may have additional supervised breaks within a testing day.
3. Flexible time: English learners may have extra time on the exam within a testing day.
4. Translated directions: English learners may have the opportunity to hear the test directions printed in the test contractor's manual translated into their primary language. English learners may have the opportunity to ask clarifying questions about the test directions in their primary language.

HIGH SCHOOL EXIT EXAMINATION (Continued)

5. Glossaries: English learners may have access to translation glossaries (English to primary language and/or primary language to English). The glossaries are to include only the English words or phrases with the corresponding primary language words or phrases. The glossaries shall include no definitions, formulas, or parts of speech.

Accommodations/Modifications for Students with Disabilities

A student with disabilities shall be permitted to take the exit exam with accommodations or modifications when the student's IEP or his/her Section 504 plan specifies their use on the exit exam, for standardized testing, or during classroom instruction and assessments. (Education Code 60850; 5 CCR 1215.5, 1216)

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

(cf. 6159 - Individualized Education Program)

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

The use of accommodations shall not invalidate a student's test score(s). Accommodations may include: (5 CCR 1215.5)

1. Presentation accommodations, including large-print versions in 20-point font, exam items enlarged if larger than 20-point font is required, Braille transcriptions provided by the test contractor, audio or oral presentation of the mathematics section of the exam, or use of Manually Coded English or American Sign Language to present test questions on the mathematics section of the exam or any prompts or passages present in the writing task
2. Response accommodations, including responses marked in the test booklet and transferred to the answer document by an employee who has signed the test security affidavit; responses dictated orally, in Manually Coded English, or in American Sign Language to a scribe for selected-response items (e.g., multiple-choice test questions); responses dictated orally or in Manually Coded English to a scribe, audio recorder, or speech-to-text converter on the writing portion of the exam and the student indicates all spelling and language conventions; word processing software with spell and grammar check tools turned off on the writing portion of the exam; or an assistive device that does not interfere with the independent work of the student on the multiple-choice or writing portion of the exit exam
3. Scheduling/timing accommodations, including testing over more than one day after consultation with the test contractor, supervised breaks within a section of the exam, and administration of the exam at the most beneficial time of day to the student after consultation with the test contractor
4. Setting accommodations, including tests administered by a test examiner to a student at home or in the hospital

For purposes of receiving a high school diploma, the use of modifications shall invalidate a student's test score for the section of the exam for which the modification(s) were used. If the score is equivalent to a passing score, the student may be eligible for a waiver, as detailed below. Modifications may include: (5 CCR 1216)

1. Arithmetic table or formulas, calculators, or math manipulatives on the mathematics section of the exit exam

HIGH SCHOOL EXIT EXAMINATION (Continued)

2. Audio or oral presentation of the multiple-choice portion of the English language arts section of the exit exam
3. Manually Coded English or American Sign Language to present the multiple-choice portion on the English language arts section of the exit exam
4. Spell checkers, grammar checkers, or word processing software programs that check or correct spelling and/or grammar on the writing portion of the exit exam
5. Mechanical or electronic devices or other assistive devices that are not used solely to record the student's responses, including, but not limited to, transcribers, scribes, voice recognition or voice-to-text software, and that identify a potential error in the student's response or that correct spelling, grammar, or conventions on the writing portion of the exit exam
6. Responses dictated orally, in Manually Coded English, or in American Sign Language to provide an essay response to a scribe and the scribe provides spelling, grammar, and language conventions
7. Dictionary on any section of the exam

Exemption for Students with Disabilities Beginning in 2009-10

The District shall grant a diploma to a student with a disability who has not passed the exit exam if all of the following criteria are satisfied: (Education Code 60852.3)

1. The student has an IEP or Section 504 plan.
2. The IEP or Section 504 plan states that the student is scheduled to receive a high school diploma.
3. The student has satisfied or will satisfy all other state and district requirements for the receipt of a high school diploma on or after July 1, 2009.

Waiver for Students with Disabilities

When a student with disabilities has taken any section of the exit exam with one or more modifications and has received the equivalent of a passing score, his/her parent/guardian, and/or principal may request that the student receive a waiver of the requirement to successfully pass the exam. Upon receipt of such request, the principal shall submit a request for a waiver to the Governing Board. The Board may waive the requirement to successfully pass the exit exam if the principal certifies that the student has all of the following: (Education Code 60851)

1. An IEP or Section 504 plan in place that requires the accommodations or modifications to be provided to the student when taking the exit exam
2. Sufficient high school level coursework either satisfactorily completed or in progress in the high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the exit exam

HIGH SCHOOL EXIT EXAMINATION (Continued)

3. An individual score report showing that the student has received the equivalent of a passing score on the exit exam while using a modification that fundamentally alters what the exam measures as determined by the State Board of Education

In order to protect the student's privacy rights, the waiver request shall be considered in closed session. Final Board action on the waiver request shall be taken in open session and shall be a matter of public record. The student's name shall not be disclosed in open session.

(cf. 9321 - Closed Session Purposes and Agendas)
(cf. 9321.1 - Closed Session Actions and Reports)

The principal or designee shall notify parents/guardians of students with disabilities about the criteria and process for applying for a waiver of the requirement to successfully pass the exit exam.

Each year, the Superintendent or designee shall provide the CDE with data regarding students with disabilities and the District's waiver process as specified in 5 CCR 1207.1.

Records

The Superintendent or designee shall maintain a summary data file of all students who participate in each test administration. This summary data file shall include the following information for the English language arts section and the mathematics section for each administration: (5 CCR 1205)

1. The date on which each section of the exam was taken
2. The full name of each student who took each section of the exam
3. The grade level of each student at the time each section of the exam was taken
4. Whether each student has satisfied the requirement to successfully pass each section of the exam

In addition, the Superintendent or designee shall provide the test contractor with the student demographic information specified in 5 CCR 1207.

Within 60 days of receiving electronic data files from the test contractor, the Superintendent or designee shall enter the following information in each student's permanent record: (5 CCR 1206)

1. The date on which the student took each section of the exam
2. Whether the student has satisfied the requirement to successfully pass each section of the exam

(cf. 5125 - Student Records)

HIGH SCHOOL EXIT EXAMINATION (Continued)**Notifications**

At the beginning of each school year, the Superintendent or designee shall provide written notification of the exit exam requirement to all students in grades 9-12 and to their parents/guardians. Such notification shall also be provided to any student who transfers into the District after the beginning of the school year at the time of the student's transfer. The notification shall include, at a minimum, the date of the exam, the requirements for passing the exam, and the consequences of not passing the exam, and shall inform the parent/guardian that passing the exam is a condition of graduation. The Superintendent or designee shall maintain documentation that the parent/guardian of each student has been sent this written notification. (Education Code 48980, 60850; 5 CCR 1208)

(cf. 5145.6 - Parental Notifications)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 5127 – Graduation/Promotion Ceremonies and Activities)

Prior to each administration of the exit exam, the Superintendent or designee shall notify students of the provisions of 5 CCR 1220 related to the consequences of cheating. (5 CCR 1220)

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

RESEARCH STUDIES

Educational research is the procedure through which dependable and useful information is acquired about the educative process.

The goal of educational research is the establishment of general behavioral principles which can be used to 1.) account for, 2.) predict, and 3.) effectively direct activities in educational settings.

The Board of Education realizes that in-district research can be a major means for identifying and improving effective educational practices. However, the Board of Education also recognizes the importance of regulating internal research efforts to ensure the physical, psychological, ethical, and legal well-being of district students, parents and residents.

ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation

INSTRUCTION

RESEARCH STUDIES

The District, being a public institution, will review all proposed research and approve only those designs it has found to be of potential value, protective of student and community well-being, ethnically sound, and legally appropriate.

This research approval process shall begin with an initial critique of proposals by the testing and evaluation supervisor. The research critique, together with recommendations, will then be forwarded to the superintendent's cabinet for final review and possible approval.

Any critique, review or approval of research proposals shall be based upon the following assurances and documents provided by the researcher.

1. Research will be either a) theoretical (the development, expansion, or substantiation of general educational principles) or b) practical (the investigation of immediate or common educational problems).
2. The researcher will submit to the testing and evaluation supervisor a brief description of the proposed research which includes: a) a statement of the research problem, b) a statement of the research hypothesis and c) a comprehensive statement of research strategies (sites, students, time period, instruments to be used, data collection methods, potential application of results, etc.).
3. The researcher will respond to all inquiry regarding design ethics, legality, student safety, and strategies.
4. The proposed research, where not supported by project funds, must be shown to be easily manageable within existing district resources.
5. The research must show promise of providing information capable of improving the instructional or operational effectiveness of the District.
6. All research must be clearly free of any infringement upon the rights, values, or religious practices of prospective participants and their families.

No test, questionnaire, survey, or examination containing any questions about the pupil's personal beliefs or practices in sex, family life, morality and religion, or any questions about his parents' or guardians' beliefs and practices in sex, family life, morality and religion, shall be administered to any pupil in kindergarten or grade 1 through grade 12, inclusive, unless the parent or guardian of the pupil is notified in writing that such test, questionnaire, survey, or examination is to be administered and the parent or guardian of the pupil gives written permission for the pupil to take such test, questionnaire, survey or examination.

RESEARCH STUDIES (Continued)

7. The researcher will make known to participants and their parents the purpose, objectives and general nature of approved research, except in those cases where such knowledge would destroy the validity of ensuing results.
8. The researcher must guarantee that any results, findings, or recommendations arising from approved research will be submitted to the testing and evaluation supervisor for subsequent appropriate dissemination to the Board of Education, cabinet, and staff.
9. All direct and indirect costs of research not supported by the District must be borne by the researcher.

Participating in research activities relates to non-research staff in the following manners:

1. Employees will support research required as a contingency of funded projects or programs considered by the superintendent to be essential to improving the effectiveness of school district operation.
2. Site administrators may elect not to participate in approved research that does not affect funding and is not essential to the operation of their school.

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

USE OF TECHNOLOGY IN INSTRUCTION

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

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

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

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

(cf. 3512 - Equipment)

(cf. 4132 - Publication or Creation of Materials)

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

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6162.6 - Use of Copyrighted Materials)

Legal Reference:

EDUCATION CODE

51870-51884 *Educational Technology Act of 1992*

51865 *California District Learning Policy*

Management Resources:

CDE PUBLICATIONS

The California Master Plan For Educational Technology, April 1992

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

STAFF DEVELOPMENT PROGRAM

Staff development is defined as a continuous systematic effort to improve the educational program at school sites through (1) the involvement of school staff in assessment of needs, organized program planning, implementation and evaluation efforts and (2) activities to upgrade the knowledge and ability of the total staff.

The District recognizes that a key to educational success and professional growth is an effective staff development program. The District supports the fundamental concept that it must assist its employees to deal with constant changes and to improve skills. Accordingly, staff development is viewed as both an opportunity for personal growth and as a necessity for success. A balanced and effective staff development program must:

1. Prepare staff to meet identified student needs.
2. Appropriately serve all employee classifications and levels.
3. Provide varied and accessible opportunities for individual participation.
4. Provide opportunities for employee groups and/or individuals to submit proposals for staff development programs to meet identified needs.
5. Provide procedures for the development, implementation, evaluation and modification of staff development proposals with the involvement of broadly representative participants.
6. Utilize the special knowledge and talents of all district personnel wherever possible.

In accordance with these tenets, the District shall provide a staff development program and commit time and resources to enhance the skills and knowledge of employees as they contribute to the education of students.

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

INSTRUCTIONAL MATERIALS CENTER

An instructional materials center shall be maintained by the District to provide or maintain the following for schools:

1. Textbooks for grades kindergarten through eight
2. 16mm films, sound filmstrips, exhibits, and models
3. Professional library
4. Test materials
5. Teacher resource center
6. County film orders for secondary schools

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

LIBRARY.RESOURCE MEDIA CENTERS

The school library is an integral part of district educational resources. A selection process shall be designed to provide content that will implement the curriculum and further the intellectual, social and cultural development of the students.

The District shall maintain libraries in all schools, elementary, junior high and high schools.

ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation

INSTRUCTION

LIBRARY/RESOURCE MEDIA CENTERS

Guidelines for Administering Library/Media Center

Selection of Materials

1. Purpose: Materials shall be selected to carry out district curriculum goals and objectives.
2. Responsibility: The principal and appropriate staff have the responsibility of recommending suitable materials.

Selection Guidelines

1. Objectives: The selection of materials shall reflect the selection objectives of the Standards for School Media Programs prepared by the American Association of School Libraries.
2. Criteria to be considered in selection: 1) District goals and objectives; 2) curriculum requirements; 3) quality of writing/production; 4) readability and user appeal; 5) legal compliance and 6) available funds.
3. Procedural steps:
 - a. The principal or designee shall survey appropriate personnel to determine needs and concerns.
 - b. The principal shall designate appropriate personnel to make recommendations regarding selection and/or deletion of library/media materials.
 - c. The principal shall designate appropriate personnel to consult professionally prepared selection resources, whenever available.
4. Donated materials: Donated materials shall be judged in the same manner as purchased materials.
5. Periodical subscriptions: Periodical subscriptions shall be reviewed annually by the principal's designee/s.
6. Worn or missing materials: Worn or missing materials shall be replaced based upon available funds.

**ABC UNIFIED SCHOOL DISTRICT
Board Policy****INSTRUCTION****STUDENT USE OF TECHNOLOGY**

The Governing Board intends that technological resources provided by the District be used in a safe, responsible, and proper 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. 4040 - Employee Use of Technology)

(cf. 6163.1 - Library Media Centers)

Teachers, administrators, and/or library media technicians 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 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 access 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 also 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 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)

STUDENT USE OF TECHNOLOGY (continued)

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.

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, pornography, including 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. 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)

STUDENT USE OF TECHNOLOGY (continued)

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".
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 personal information online, misrepresentation by online predators, how to report inappropriate or offensive contents or threats, behaviors that constitutes cyberbullying, and how to respond when subjected to cyberbullying.

*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, Governance and Policy Services Policy Brief, July 2007*FEDERAL TRADE COMMISSION PUBLICATIONS*How to Protect Kids' Privacy Online: A Guide for Teachers, December 2000*

STUDENT USE OF TECHNOLOGY (continued)

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> and <http://cyberbully.org>

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

Federal Trade Commission, Children's Online Privacy Protection:

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

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

Board Policy

adopted: 09.01.98

revised: 11.17.09

revised: 01.19.16

ABC Unified School District
Technological Services Agreement
Acceptable Use Agreement and Release of District from Liability

Student Name (Print) _____
School _____

Student ID# _____
Date _____

Technological Services are available to students throughout the ABC Unified School District. 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 access on or off site or through District-owned or personally.

ABC Unified School District believes in the value of technological services as a tool to promote educational excellence **by facilitating resource sharing, innovation and communication with the support and supervision of parents, teachers and support staff**. We believe that it is the right of each family to decide whether or not their child is allowed to access the Internet and other technological services. Users must be aware that some information found on the Internet may contain items that are illegal, defamatory, inaccurate or offensive. The ABCUSD will be diligent in its efforts to protect students from accessing inappropriate material. We ask parents and guardians of minors to set and convey the standards their children should follow when using the Internet and other technological services. We will hold students accountable for appropriate behavior when using the Internet and other technological services and specifically for following the Technological Information Services Agreement.

Acceptable Use: Use of all technological services and accounts must be in support of the educational goals and objectives of the ABC Unified School District. School and district rules for behavior and communication apply when using any technological services. Students are expected to abide by the generally accepted rules of network etiquette. These rules include, but are not limited to, the following:

- ◆ Be polite. Never send, or encourage others to send, abusive messages.
- ◆ Do not share personal account information with others. Do not reveal personal home addresses or phone numbers.
- ◆ Use appropriate language.
- ◆ Do not misuse the technological services made available by the ABCUSD.

Misuse can come in many forms, but it is commonly viewed as any message that indicates or suggests pornography, unethical or illegal solicitation, racism, sexism, inappropriate language, harassment, and other issues described in this agreement. Users should be aware that inappropriate use of technological resources may be a violation of local, state and federal laws and that they can be prosecuted for violating these laws.

The following represent some of the inappropriate uses that must not occur:

<ul style="list-style-type: none"> ◆ Using a network for commercial advertising ◆ Use that would cause a disruption of network services for others ◆ Using copyrighted material in reports without permission ◆ Using a network for political purposes, such as lobbying for votes ◆ Using any technological service to access, view, or transmit pornography, or obscene, sexist, racist, or other inappropriate language ◆ Damaging technological services through physical abuse of hardware to placing viruses on the network 	<ul style="list-style-type: none"> ◆ Sending or receiving electronic messages that are inconsistent with your school's code of conduct ◆ Using the network services to access or provide personal information of others that may be used inappropriately ◆ Vandalizing, or any malicious intent to alter, harm or destroy equipment or data of another user, any district technological services, or any networks connected to the Internet. ◆ The use of technological services in a manner inconsistent with, or in violation of district or school rules and regulations.
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Privileges: The use of technological services in the ABC Unified School District is a privilege, not a right. No part of the computer system, including e-mail, personal files, data or programs shall be subject to any right of privacy. Inappropriate use will result in a cancellation of those privileges and other disciplinary action, as appropriate.

Required Signatures

Student: As a user of the ABC Unified School District technological services, I understand and agree to the conditions set forth in this document. All the rules of student conduct apply when I am on the network.

Student Name (Print) _____

Student Signature _____ Date _____

Parent or Guardian: Students under the age of 18 must also have the signature of a parent or guardian.

_____ **I do not give permission** for my child to use the resources provided by the District's Technological Information Services.

I have read the District's Technological Services agreement. In consideration for the privilege of my child using the District's technological services and providing access to public networks, I hereby release the school district, its operators and any institutions with which they are affiliated from all claims and damages of any nature arising from my child's use of, or inability to use the system, including, without limitation, the types of damages identified in this document.

_____ **I give permission** for my child to use the resource provided by the District's Technology Services.

Parent or Guardian Name (Print) _____

Signature _____ Date _____

Please return this Technological Services Agreement to your child's school

**ABC UNIFIED SCHOOL DISTRICT
Board Policy****INSTRUCTION****GUIDANCE/COUNSELING SERVICES**

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

Academic and Career Counseling

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

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

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(cf. 6011 - Academic Standards)

(cf. 6020 - Parent Involvement)

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

(cf. 6141.5 - Advanced Placement)

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

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

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

(cf. 6184 - Continuation Education)

The principal or designee shall determine when colleges and prospective employers, including military recruiters, shall have access to students for recruiting purposes. (20 USC 7908; 10 USC 503; Education Code 49603)

Personal Counseling

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

GUIDANCE/COUNSELING SERVICES (Continued)

(cf. 1020 - Youth Services)
(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Truancy)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5137 - Positive School Climate)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5141.6 - School Health Services)
(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 5147 - Dropout Prevention)
(cf. 5149 - At-Risk Students)
(cf. 6164.5 - Student Success Teams)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)

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

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

Crisis Counseling

The Board recognizes the need for a prompt and effective response when students are confronted with a traumatic incident. School counselors shall assist in the development of the comprehensive school safety plan, emergency and disaster preparedness plan and other prevention and intervention practices designed to assist students before, 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 staff in appropriate response techniques and/or to directly help students cope with such crises if they occur.

(cf. 5131 - Conduct)
(cf. 5136 - Gangs)
(cf. 5141.52 - Suicide Prevention)

Legal Reference:**EDUCATION CODE**

221.5 Prohibited sex discrimination
 37254 Supplemental instruction based on failure to pass exit exam by end of grade 12
 41505-41508 Pupil Retention Block Grant
 48431 Establishing and maintaining high school guidance and placement program
 49600-49604 Educational counseling
 51250 School age military dependents
 51513 Personal beliefs

GUIDANCE/COUNSELING SERVICES (Continued)

52378-52380 Supplemental School Counseling Program
REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS
48431.6 Tenth grade counseling program
PENAL CODE
11166-11170 Reporting known or suspected cases of child abuse
CODE OF REGULATIONS, TITLE 5
4930-4931 Counseling
UNITED STATES CODE, TITLE 10
503 Military recruiter access to directory information
UNITED STATES CODE, TITLE 20
1232g Family Educational Rights and Privacy Act
7908 Armed forces recruiter access to students and student recruiting information
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family educational rights and privacy

Management Resources:

WEB SITES

American School Counseling Association: <http://www.schoolcounselor.org>
California Association of School Counselors: <http://www.schoolcounselor-ca.org>
California Department of Education: <http://www.cde.ca.gov>
U.S. Department of Education, access to military recruiters:
<http://www.ed.gov/policy/gen/guid/fpc/hotspots/ht10-09-02.html>

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

GUIDANCE/COUNSELING SERVICES

Students in grade 7-12

A counselor or administrator shall review the academic and department record and career goals of each student in grades 7-12. In addition, the counselor or administrator shall meet with students and, if practicable, his/her parent/guardian to explain the records. At the meeting, the counselor or administrator shall also explain: (Education Code 52378)

1. The student's educational options.

If such services are available to district students, the educational options discussed shall include college preparatory and career technical programs, including regional occupational centers and programs and any other available alternatives.

(cf. 6146.11 - Alternative Credits Toward Graduation)

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

(cf. 6178 - Career Technical Education)

2. The coursework and academic progress needed for satisfactory completion of middle school or high school and passage of the high school exit examination.

(cf. 6146.1 - High School Graduation Requirements)

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

(cf. 6162.52 - High School Exit Examination)

3. Eligibility for admission to a four-year institution of postsecondary education, including the University of California (UC) and the California State University (CSU).

4. The availability of financial aid and scholarship opportunities.

5. The availability of career technical education and military service opportunities.

6. For those students who have not passed one or both parts of the exit exam by the end of grade 12, the availability of intensive instruction and services, as required pursuant to Education Code 37254, for up to two consecutive academic years after the completion of grade 12 or until the student has passed both parts of the exit exam, whichever comes first.

(cf. 6179 - Supplemental Instruction)

The Superintendent or designee shall identify students in grades 7-12 who: (Education Code 52378)

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

GUIDANCE/COUNSELING SERVICES (Continued)

For these identified students, the District shall provide the following additional services:

Individual Conference: For students in high school who have not passed one or both parts of the high school exit exam or who have not satisfied, or are not on track to satisfy, the curricular requirements for graduation, the school counselor shall offer an individual conference with the student and his/her parent/guardian. During the conference, the counselor shall apprise the student and his/parent guardian of the following: (Education Code 52378)

- a. The student's cumulative records and transcripts.
- b. The student's performance on standardized assessments.
- c. Consequences of not passing the high school exit exam.
- d. Available programs, courses, and resources for satisfactory completion of high school.
- e. Available remediation strategies, high school courses, and alternative education options, including, but not limited to, informing students of the option to receive intensive instruction and services for up to two consecutive academic years after completion of grade 12 or until passage of both parts of the exit exam, whichever comes first.
- f. Available options for continuing their education if they fail to meet graduation requirements, including, but not limited to, the option of enrolling in an adult education program, enrolling in a community college, and/or continuing enrollment in the District.
- g. The availability of career technical education and military service opportunities.
- h. Eligibility requirements, including coursework and test requirements, and the progress of the student toward satisfaction of those requirements for admission to four-year institutions of postsecondary education, including at least UC and CSU.
- i. The availability of financial aid for postsecondary education.

For students in middle school who are deemed to be at the far below basic level in English language arts or mathematics pursuant to the California Standards Test, the school counselor shall offer an individual conference with the student and his/her parent/guardian. During the conference, the counselor shall discuss the student's performance on standardized assessments, provide a list of coursework necessary to successfully complete middle school and transition to high school, the requirements for eighth grade promotion and high school graduation, including passing the high school exit exam. (Education Code 52378)

Notifications

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

(cf. 5145.6 - Parental Notifications)

GUIDANCE/COUNSELING SERVICES (Continued)

Nondiscrimination

No counselor or administrator shall unlawfully discriminate against any student. In addition, when exploring the possibility of careers and courses leading to such careers, counseling staff shall not differentiate career, vocational, or higher education opportunities on the basis of sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability.

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

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

(cf. 5145.3 - Nondiscrimination/Harassment)

ABC UNIFIED SCHOOL DISTRICT
Board Policy

INSTRUCTION

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION

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

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

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

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

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

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

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

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 3541.2 - Transportation for Students with Disabilities)

(cf. 4112.23 - Special Education Staff)

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

(cf. 5145.6 - Parental Notifications)

(cf. 6159 - Individualized Education Program)

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

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

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

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6162.52 - High School Exit Examination)

Legal Reference:

EDUCATION CODE

44265.5 Professional preparation for teachers of impaired students

56000-56885 Special education programs, especially:

56195.8 Adoption of policies

56300-56304 Identification of individuals with disabilities

56320-56331 Assessment

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION
(Continued)

56333-56338 Eligibility criteria for specific learning disabilities

56340-56347 Instructional planning and individualized education program

56381 Reassessment of students

56425-56432 Early education for individuals with disabilities

56441.11 Eligibility criteria, children ages 3-5

56445 Transition to grade school; reassessment

56500-56509 Procedural safeguards

GOVERNMENT CODE

95000-95029.5 California Early Intervention Services Act

CODE OF REGULATIONS, TITLE 5

3021-3029 Identification, referral and assessment

3030-3031 Eligibility criteria

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1412 State eligibility

1415 Procedural safeguards

CODE OF FEDERAL REGULATIONS, TITLE 34

104.35 Evaluation and placement

104.36 Procedural safeguards

300.1-300.818 Individuals with Disabilities Education Act, especially:

300.301-300.306 Evaluations and reevaluations

COURT DECISIONS

Hood v. Encinitas Union School District, (2007) 486 F.3d 1099

Management Resources:

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845

WEB SITES

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

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

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

Policy adopted

by the board: 02.06.78

revised: 06.07.82

revised: 05.04.10

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION

Referrals for Special Education Services

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

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

Initial Evaluation for Special Education Services

Before the initial provision of special education and related services to a student with a disability, the District shall conduct a full and individual initial evaluation of the student. (34 CFR 300.301; Education Code 56320)

Upon receipt of a referral of any student for special education and related services, a proposed evaluation plan shall be developed within 15 days, not counting days between the student's regular school sessions or terms or days of school vacation in excess of five school days, unless the parent/guardian agrees, in writing, to an extension. If the referral is made within 10 days or less prior to the end of the student's regular school year or term, the proposed evaluation plan shall be developed within 10 days after the beginning of the next regular school year or term. (Education Code 56043, 56321)

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

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

(*cf.* 6159 - *Individualized Education Program*)

Prior to conducting an initial evaluation, the District shall provide the parent/guardian with prior written notice in accordance with 34 CFR 300.503. In addition, as part of the evaluation plan, the parent/guardian shall receive written notice that includes all of the following information: (34 CFR 300.304, 300.504; Education Code 56329)

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION
(Continued)

1. Upon completion of the administration of tests and other evaluation materials, an IEP team meeting that includes the parent/guardian or his/her representative shall be scheduled pursuant to Education Code 56341. At this meeting, the team shall determine whether or not the student is a student with disabilities, as defined in Education Code 56026, and shall discuss the evaluation, the educational recommendations, and the reasons for the recommendations.
2. When making a determination of eligibility for special education, the District shall not determine that a student is disabled if the primary factor for such determination is lack of appropriate instruction in reading, including the essential components of reading instruction as defined in 20 USC 6368 of the No Child Left Behind Act, lack of appropriate instruction in mathematics, or limited English proficiency.
3. A copy of the evaluation report and the documentation of determination of eligibility shall be given to the parent/guardian.
2. If a parent/guardian disagrees with an evaluation obtained by the District, the parent/guardian has the right to obtain, at public expense, an independent educational evaluation of the student from qualified specialists, in accordance with 34 CFR 300.502. A parent/guardian is entitled to only one such evaluation at public expense each time the District conducts an assessment with which the parent/guardian disagrees.

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

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

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

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (Continued)

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

(cf. 5145.6 - Parental Notifications)

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

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

Parent/Guardian Consent for Evaluations

Upon receiving the proposed evaluation plan, the parent/guardian shall have at least 15 days to decide whether or not to consent to the initial evaluation. The District shall not interpret parent/guardian consent for initial evaluation as consent for initial placement or initial provision of special education services. (34 CFR 300.300, 34 CFR 300.301; Education Code 56320, 56321)

Informed parental consent means that the parent/guardian: (34 CFR 300.9)

1. Has been fully informed, in his/her native language or other mode of communication, of all information relevant to the activity for which consent is sought
2. Understands and agrees, in writing, to the carrying out of the activity for which his/her consent is sought and the consent describes that activity and lists the records (if any) that will be released and to whom
3. Understands that the granting of consent is voluntary on his/her part and may be revoked at any time
4. Understands that if he/she revokes consent, that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked)

The District shall make reasonable efforts to obtain the informed consent of the parent/guardian for an initial evaluation or reevaluation of a student. The District shall maintain a record of its attempts to obtain consent, including: (34 CFR 300.300, 300.322; Education Code 56321, 56341.5)

1. Detailed records of telephone calls made or attempted and the results of those calls
2. Copies of correspondence sent to the parent/guardian and any responses received
3. Detailed records of visits made to the parent/guardian's home or place of employment and the results of those visits

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (Continued)

If a parent/guardian refuses to consent to the initial evaluation or fails to respond to a request to provide consent, the District may, but is not required to, pursue an evaluation by utilizing the procedural safeguards, including the mediation and due process procedures pursuant to 20 USC 1415 and 34 CFR 300.506-300.516. (34 CFR 300.300; Education Code 56321)

For a student who is a ward of the state and not residing with his/her parent/guardian, the District may conduct an initial evaluation without obtaining informed consent if any of the following situations exists: (20 USC 1414; 34 CFR 300.300; Education Code 56321.1)

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

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

The District need not obtain parent/guardian consent before reviewing existing data as part of an evaluation or administering a test or other evaluation that is administered to all students, unless consent is required from the parents/guardians of all students. (34 CFR 300.300; Education Code 56321)

Conduct of the Evaluation

The District shall complete the determination as to whether the student is a student with a disability, conduct the initial evaluation to determine his/her educational needs, and develop an IEP within 60 days of receiving informed parent/guardian consent for the evaluation. (34 CFR 300.300, 34 CFR 300.301; Education Code 56344)

The evaluation shall be conducted by qualified personnel who are competent to perform the assessment as determined by the District, county office of education, or special education local plan area (SELPA). (Education Code 56320, 56322)

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services. (34 CFR 300.302)

In conducting the evaluation, the District shall use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the student. The District shall also use any information provided by the parent/guardian that may assist the District in making the determination as to whether the student is a student with a disability and, if so, the necessary components of his/her IEP when the IEP is developed, including information related to enabling the student to be involved in and to progress in the general education curriculum. (34 CFR 300.304)

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION
(Continued)

The District's evaluation shall not use any single measure or assessment as the sole criterion for determining whether a student is a student with a disability and for determining the appropriate educational program for the student. The assessment shall use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors in addition to physical or developmental factors. (34 CFR 300.304)

The District shall also ensure that assessments and other evaluation materials provide relevant information that directly assists persons in determining the student's educational needs and are: (34 CFR 300.304; Education Code 56320)

1. Selected and administered so as not to be discriminatory on a racial, cultural, or sexual basis
2. Provided and administered in the language and form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer
3. Used for the purposes for which the assessments or measures are valid and reliable
4. Administered by trained and knowledgeable personnel
5. Administered in accordance with any instructions provided by the producer of the assessments
6. Tailored to assess specific areas of educational need and not merely designed to provide a single general intelligence quotient
5. If administered to a student with impaired sensory, manual, or speaking skills, selected and administered to best ensure that the results accurately reflect the student's aptitude or achievement level or whatever other factors the test purports to measure

Students shall be assessed in all areas related to the suspected disability, including, if appropriate, health and development, vision (including low vision), hearing, motor abilities, language function, general intelligence, academic performance, communicative status, self-help, orientation and mobility skills, career and vocational abilities and interests, and social and emotional status. When appropriate, a developmental history shall be obtained. The District shall ensure that the evaluation is sufficiently comprehensive to identify all of the student's special education and related service needs, whether or not commonly linked to the disability category in which the student has been classified. (34 CFR 300.304; Education Code 56320)

As part of the initial evaluation and any reevaluation, the IEP team and other qualified professionals shall, if appropriate, review existing evaluation data on the student, including evaluations and information provided by the parents/guardians; current classroom-based local or state assessments and classroom-based observations; and observations by teachers and related services providers. On the basis of that review and input from the student's parent/guardian, the team shall identify what additional data, if any, are needed to determine: (34 CFR 300.305; Education Code 56381)

1. Whether the student is a student with a disability, or in the case of a reevaluation, whether the student continues to have a disability, and the educational needs of the student

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION
(Continued)

2. The present levels of academic achievement and related developmental needs of the student
3. Whether the student needs, or continues to need, special education and related services
4. Whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals set out in his/her IEP and to participate, as appropriate, in the general education curriculum

If a student has transferred from another district in the same school year or leaves this district, the District shall coordinate with the student's prior or subsequent district as necessary and as expeditiously as possible to ensure prompt completion of full evaluations. (34 CFR 300.304)

Eligibility Determination

Upon completion of the administration of assessments and other evaluation measures, a group of qualified professionals and the parent/guardian shall determine whether the student is a student with a disability and, if so, his/her educational needs. In interpreting the data, the group shall draw information from a variety of sources, including aptitude and achievement tests, parent/guardian input, and teacher recommendations, as well as information about the student's physical condition, social or cultural background, and adaptive behavior. The group shall ensure that the information obtained from these sources is documented and carefully considered. (34 CFR 300.306)

The personnel who evaluate the student shall prepare a written report of the results of each evaluation. The report shall include, but not be limited to, the following: (Education Code 56327)

1. Whether the student may need special education and related services
2. The basis for making the determination
3. The relevant behavior noted during the observation of the student in an appropriate setting
4. The relationship of that behavior to the student's academic and social functioning
5. The educationally relevant health, developmental, and medical findings, if any
6. For students with learning disabilities, whether there is such a discrepancy between achievement and ability that it cannot be corrected without special education and related services
7. A determination concerning the effects of environmental, cultural, or economic disadvantage, where appropriate
8. The need for specialized services, materials, and equipment for students with low incidence disabilities, consistent with Education Code 56136

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (Continued)

When making a determination of eligibility for special education and related services, the District shall not determine that a student is disabled if the primary factor for such determination is a lack of appropriate instruction in reading, including the essential components of reading instruction pursuant to 20 USC 6368 of the No Child Left Behind Act, lack of instruction in mathematics, limited English proficiency, or that the student does not otherwise meet the eligibility criteria. (34 CFR 300.306; Education Code 56329)

If a determination is made that a student has a disability and needs special education and related services, an IEP shall be developed within a total time not to exceed 60 days, not counting days between the student's regular school sessions or terms or days of school vacation in excess of five school days, from the date of the receipt of the parent/guardian's consent for evaluation, unless the parent/guardian agrees, in writing, to an extension. (34 CFR 300.306; Education Code 56043)

Independent Educational Evaluation

The parents/guardians of a student with a disability have the right to obtain an independent educational evaluation at public expense under the same criteria that the District uses for a district-initiated evaluation. An independent educational evaluation is an evaluation conducted by a qualified examiner who is not employed by the District. Public expense means the District either pays for the full cost of the independent educational evaluation or ensures that the evaluation is otherwise provided at no cost to the parent/guardian. (34 CFR 300.502; Education Code 56329)

The parent/guardian is entitled to only one independent educational evaluation at public expense each time the District conducts an evaluation with which the parent/guardian disagrees. (34 CFR 300.502; Education Code 56329)

If a parent/guardian has requested an independent educational evaluation, the District may ask for a reason that he/she objects to the District's evaluation. However, the parent/guardian is not required to provide the reason to the District. (34 CFR 300.502)

Upon receiving the request for an independent educational evaluation, the District shall, without unnecessary delay, either: (34 CFR 300.502)

1. File a due process complaint to request a hearing to show that its evaluation is appropriate
2. Ensure that an independent evaluation is provided at public expense, unless the District can later demonstrate at a hearing that the evaluation obtained by the parent/guardian did not satisfy the District's criteria

If a due process hearing decision determines that the District's evaluation is appropriate, then the parent/guardian may obtain an independent evaluation but not at public expense. (34 CFR 300.502)

The results of an independent evaluation obtained by the parent/guardian, whether at public or private expense, shall be considered by the District if it meets district criteria in any decision made with respect to FAPE and may be presented as evidence at a hearing on a due process complaint. (34 CFR 300.502)

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (Continued)

Reevaluation

A reevaluation shall be conducted when the District determines that the educational or related service needs of the student, including improved academic achievement and functional performance, warrant a reevaluation or if the student's parent/guardian or teacher requests reevaluation. Such reevaluations shall occur every three years, unless the parent/guardian and district agree in writing that a reevaluation is unnecessary. A reevaluation may not occur more than once a year, unless the parent/guardian and the District agree otherwise. (34 CFR 300.303; Education Code 56043, 56381)

The District shall ensure that any reevaluations of the student are conducted in accordance with the evaluation procedures pursuant to 34 CFR 300.304-300.311. (34 CFR 300.303)

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

Parent/Guardian Revocation of Consent for Continued Provision of Services

If at any time subsequent to the initial provision of services, the student's parent/guardian revokes consent, in writing, for the continued provision of special education services, the Superintendent or designee shall provide prior written notice within a reasonable time before ceasing to provide services to the student. The District shall not request a due process hearing or pursue mediation in order to require an agreement or ruling that services be provided to the student. (34 CFR 300.300, 300.503)

Prior to the discontinuation of services, the Superintendent or designee may offer to meet with the parents/guardians to discuss concerns for the student's education. However, this meeting shall be voluntary on the part of the parent/guardian and shall not delay the implementation of the parent/guardian's request for discontinuation of services. In addition, the Superintendent or designee shall send a letter to the parent/guardian confirming the parent/guardian's decision to discontinue all services.

Once the District has ceased providing special education services in response to the parent/guardian's revocation of consent, the student shall be classified as a general education student. Pursuant to 34 CFR 300.9, as amended, the District is not required to amend the student's records to remove any reference to the student prior receipt of special education services.

<i>Legal Reference:</i>	<i>Education Code</i>
	<i>56029 Referral for assessment</i>
	<i>56300 Individuals with exceptional needs; residence; jurisdiction</i>
	<i>56320 Educational needs, requirements</i>
	<i>56321 Development or revision of individualized education program; proposed assessment plan; notice of parental rights; consent of parents</i>
	<i>56327 Results; reports</i>

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION
(Continued)

- 56329 *Findings; notice to parents to obtain copy; team conference; independent educational assessment; due process hearing*
- 56340 *Meetings to develop, review and revise individualized education program*
- 56341 *Individualized education program team; conduct of meetings; members*
- 56343 *Individualized education program team; meetings*
- 56346 *Parental notice of program and plan; consent to individualized education program; due process hearing*
- 56360 *Continuum of program options; availability*
- 56361 *Continuum of program options; inclusions*
- 56362 *Resource specialist program; contents; direction; caseload; instructional aides; assignment to teach regular classes*
- 56363 *Designated instruction and services*
- 56364 *Special classes and centers; nonacademic and extracurricular services and activities*
- 56367 *State special schools, referrals for placement; recommendations*
- 56380 *Individualized education programs; procedures; notice to parents; notice and scheduling requirements*
- 56381 *Reassessment of pupils*

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOL

The Governing Board recognizes its obligations under federal and state law to identify and provide equitable services to children voluntarily enrolled by their parents/guardians in private schools located within the District.

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

The Special Education Local Plan's (SELPA) effort may take the form of notices posted at each school and at centrally located public locations; news releases in local newspapers; direct communication with regional centers, California Children's Services Medical Treatment Units and private physicians and medical agencies; and information disseminated through the Community Advisory Council (CAC) regarding the process for referring and evaluation of potential individuals with exceptional needs.

The Superintendent or designee shall ensure that activities to locate, identify, and evaluate children with disabilities enrolled by their parents/guardians in private schools within the District are comparable to activities undertaken for individuals with disabilities aged three to 22 in public schools within the District. (34 CFR 300.131; Education Code 56171)

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

The Superintendent or designee shall develop a budget for the provision of services to children with disabilities enrolled by their parents in private school based on the proportionate share of federal funds received and the number of eligible children, including the possibility of mid-year enrollees, and the types of services to be provided.

Legal Reference:

EDUCATION CODE

56000 Education for individuals with exceptional needs

56020-56035 Definitions

56170-56177 Children in private schools

56195.8 Adoption of policies for programs and services

56300-56385 Identification and referral, assessment

56500-56509 Procedural safeguards, including due process rights

56600-56606 Evaluation, audits and information

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act

CODE OF FEDERAL REGULATIONS, TITLE 34

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

300.130-300.140 Children with disabilities enrolled by their parents in private schools

COURT DECISIONS

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

Management Resources:

CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOL
(continued)

UNITED STATES DEPARTMENT OF EDUCATION PUBLICATIONS

Questions and Answers on Serving Children with Disabilities Placed by Their Parents at Private Schools, March 2006

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845

WEB SITES

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

*U.S. Department of Education, Office of Special Education Programs:
<http://www.ed.gov/about/offices/list/osers/osep>*

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation****INSTRUCTION****CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOL****Definitions**

Parentally placed private school children with disabilities means children with disabilities who are voluntarily enrolled by their parents/guardians in a private school or facility within District boundaries, including children who are attending a private school or facility within District boundaries but who reside in another district or state. (34 CFR 300.131)

Private school or facility means a private full-time day school, including a religious school, located within District boundaries, that has filed an affidavit with the California Department of Education pursuant to Education Code 33190 and is registered in the California Private School Directory.

Consultation with Private School Representatives

The Superintendent or designee shall consult with all private school representatives and representatives of parents/guardians of parentally placed private school children with disabilities during the design and development of equitable services for the children. In order to ensure a meaningful and timely consultation, the consultation shall include: (20 USC 1412(a)(3); 34 CFR 300.134; Education Code 56301)

1. The child find process and how parentally placed private school children suspected of having a disability can participate equitably.
2. How parents/guardians, teachers, and private school officials will be informed of the child find process.
3. The determination of the proportionate share of federal funds available to serve parentally placed private school children with disabilities and how this share is calculated.
4. How the consultation process will operate throughout the school year to ensure that identified children can meaningfully participate in equitable services.
5. How, where, and by whom equitable services will be provided including a discussion about the types of services, alternate service delivery mechanisms, how services will be apportioned if funds are insufficient to serve all of the identified children, and how and when those decisions will be made.
6. In the event that the District and private school disagree on the provision of the types of services, how the District will provide the private school officials with a written explanation of the reasons that the District chose to not provide the services.

When meaningful and timely consultation has occurred, the District shall obtain a written affirmation signed by the representatives of participating private schools. If the private school representatives do not provide the affirmation within a reasonable period of time, the District shall forward documentation of the consultation process to the California Department of Education. (34 CFR 300.135; Education Code 56172)

CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOL

(continued)

After the consultation has occurred, the District shall ensure an annual count of the number of parentally placed children with disabilities attending private schools located within the District. This count shall be conducted between October 1 and December 1 each year and shall be used to determine the amount the District must spend on providing equitable services to the children in the subsequent fiscal year. (34 CFR 300.133)

Provision of Services

A child with a disability parentally placed in a private school has no individual right to receive some or all of the special education and related services that he/she would receive if enrolled in public school. Such a child may receive a different amount of services than students with disabilities in public schools. (34 CFR 300.137, 300.138)

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

The District shall evaluate all identified parentally placed private school children with disabilities for purposes of considering them for equitable services. This evaluation shall be conducted in accordance with the timelines and procedures for evaluating public school students with disabilities pursuant to 34 CFR 300.300-300.311, including providing the parent/guardian with a copy of the procedural safeguards notice. (34 CFR 300.131, 300.504)

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

In order to ensure that each child entitled to special education and related services from the District receives an offer of a free appropriate public education (FAPE), the District where the child resides shall develop an individualized education program (IEP) for each identified child who attends a private school located in the District and who resides in the District.

However, the District shall not develop an IEP if the parent/guardian makes clear his/her intention to keep the child enrolled in private school. In such situations, the District shall obtain written certification confirming the parent/guardian's intention to keep his/her child enrolled in private school, including the fact that he/she is not interested in the development of an IEP or the District's offer of FAPE. If the parent/guardian does not provide confirmation in writing, the District shall obtain oral confirmation of the parent/guardian's intention and confirm the conversation in writing.

If the child resides in a different district, then this district and the District of residence shall work together to ensure that the parent/guardian receives an offer of FAPE in accordance with the law.

The District shall develop and implement an individual services plan (ISP) for each identified private school child with a disability that describes the equitable services that the District will provide, as agreed to by the District and private school representatives during the consultation process. (34 CFR 300.138)

The ISP shall be developed, reviewed, and revised consistent with 34 CFR 300.121-300.324. A representative of the private school shall be invited to attend each ISP team meeting. If the representative cannot attend the meeting, the District shall use other methods to ensure the representative's participation, including individual or conference calls. (34 CFR 300.137, 300.138)

CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOL

(continued)

(cf. 6159 - Individualized Education Program)

The District may provide services on the private school premises, including a religious school, to the extent consistent with law. The services shall be provided by personnel meeting the same standards as personnel providing services in the public school, except private school teachers providing the services do not need to meet the requirements of the No Child Left Behind Act for "highly qualified special education teacher" pursuant to 34 CFR 300.18. The personnel shall either be district employees or contractors of the District. (34 CFR 300.138, 300.139)

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

The District shall offer transportation to the child if services are provided on a site other than the child's school and the ISP team determines that transportation is necessary for the child to benefit from or participate in the services provided in the ISP. Depending on the timing of the services, the District shall provide transportation from the child's school or home to the service site and from the service site to the child's school or home. (34 CFR 300.139)

The District may place equipment and supplies in a private school for the period of time necessary to provide the services pursuant to the ISP. All such equipment shall remain the property of the District and must be able to be removed without causing damage to the private school. The District shall remove the equipment when no longer required by the child, when the child no longer attends the private school, or when removal is necessary to prevent unauthorized use. (34 CFR 300.144)

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

IDENTIFICATION AND EDUCATION UNDER SECTION 504

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

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)

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

To evaluate the student's eligibility under Section 504, the superintendent or designee shall convene a Student Success Team of professionals knowledgeable about the student's individual needs and school history, the meaning of evaluation data, and accommodation options.

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

The Student Success Team shall provide the parent/guardian with a written copy of this accommodation plan and notice of procedural safeguards guaranteed by law.

Legal References:

Education Code - 49423.5 - Specialized physical health care services
Code of Regulations, Title - 3051.12 Health & Nursing Services
United States Code, Title 20 and Title 29
Code of Federal Regulation, Title 34

Policy
 Adopted: 09.03.96
 Revised: 03.01.16

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

IDENTIFICATION AND EDUCATION UNDER SECTION 504

Eligibility

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

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, 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)

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

- Students with a normal ability to learn but who have a mobility impairment or require specialized health care services.
- Medical conditions such as severe asthma or heart disease
- Temporary medical condition due to illness or accident, lasting 6 months or longer
- Poor or failing grades over a lengthy period of time

Referral and Identification Procedures

1. Any student may be referred by a parent/guardian, teacher, other certificated school employee or community agency for consideration of eligibility as a disabled student under Section 504. This referral should be made to the school site principal.

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (Continued)

2. The Student Success Team shall promptly consider the referral and determine whether an evaluation under this procedure is appropriate. This determination shall be based on a review of the student's school records including academic, social and behavioral records, the educationally relevant health, developmental, and medical findings (if appropriate), and the student's needs. Students requiring evaluation shall be referred to appropriate evaluation specialists.
3. The Section 504 designee meets with the Student Success Team (teacher, counselor, psychologist, nurse, others) in a Data Review Meeting to determine if the Section 504 eligibility criteria has been met, reviewing the data collected. The Section 504 eligibility consists of the following:
 1. Does the student have a potentially limiting mental or physical disability?
 2. Does the student's disability impair a major life activity?
 - a. (caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, and working)
 3. Is the degree of impairment substantial?
 - a. (How does the impairment affect a major life activity compared to the average student of the same age/grade level in the general population?)

Accommodation Plan

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

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (Continued)

8. The parents/guardians shall be notified in writing of the final decision concerning services to be provided, if any, and of the Section 504 procedural safeguards, including the right to an impartial hearing within a reasonable time frame.
9. The District shall complete the identification, evaluation and placement process within a reasonable time frame. Procedures consistent with the Individuals with Disabilities Act (IDEA) is one means of meeting the requirement of a reasonable time frame.

Review of the Student's Progress

1. The Student Success Team shall monitor the progress of the disabled student and the effectiveness of the student plan. The team shall periodically, at a minimum annually, determine whether the services are appropriate and necessary and whether the disabled student's needs are being met as adequately as the needs of nondisabled students.
2. A reevaluation of the student's needs will be conducted before any subsequent significant change in placement.

Procedural Safeguards

Parents/guardians shall be notified in writing of all district decisions regarding the identification, evaluation or educational placement of students with disabilities or suspected disabilities. Notifications include a statement of their rights to: examine relevant records, have an impartial hearing with an opportunity for participation by the parents/guardians and their counsel and have a review procedure.

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

The superintendent or designee shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with the District in any capacity other than that of hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.

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

1. Within 14 days of receiving the student's accommodation plan, set forth in writing his/her disagreement and request that the school principal and Student Success Team review the plan in an attempt to resolve the disagreement. This review shall be held within 30 days of receiving the parent/guardian's request, and the parent/guardian shall be invited to attend the meeting at which the review is conducted.
2. If disagreement continues, request in writing that the superintendent or designee review the plan. This review shall be held within 30 days of receiving the parent/guardian's request, and the parent/guardian shall be invited to meet with the superintendent or designee to discuss the review.
3. If disagreement continues, request in writing a Section 504 due process hearing. The request shall include: a) the specific nature of the decision with which the parent/guardian disagrees; b) the specific relief the parent/guardian seeks; c) any other information the parent/guardian believes pertinent.

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (Continued)

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

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

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

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

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

TRANSITIONAL KINDERGARTEN

The Governing Board 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 TK program shall assist students 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 of the District's TK program.

(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 of a given school year. (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. 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 of the current school year and who is therefore eligible for kindergarten.

On a case by case basis, the District may admit into the TK program, a child whose fifth birthday is after December 2 and no later than the last day of the second trimester of the school year (please refer to the school calendar), with the following provisions:

- The student must turn five before they can be admitted into transitional kindergarten;

TRANSITIONAL KINDERGARTEN (continuing)

- Placement will be based on space availability that does not require additional staffing;
- TK enrollment must be completed by no later than the last day of the second trimester of the school year (please refer to the school calendar), and;
- The Superintendent or designee recommends that the admittance is in the best interest of the child, the parent/guardian approves of the TK placement and is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance. (Education Code 48000)

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 (CDE). 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 Learners)

The number of instructional minutes offered in TK shall be the same as that required for the District's kindergarten program. The Superintendent or designee shall annually report to CDE as to the type of TK program that is offered by the District. (Education Code 37202, 46111, 46115, 46117, 48003)

(cf. 6111 - School Calendar)

(cf. 6112 - School Day)

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.

TRANSITIONAL KINDERGARTEN (continuing)

(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 transitional kindergarten 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.

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 combination of transitional kindergarten 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 standards.

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

Legal Reference:

EDUCATION CODE

8235 California State Preschool Program

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

TRANSITIONAL KINDERGARTEN (continuing)

- 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*
- 48003 *Kindergarten annual report*
- 48200 *Compulsory education, starting at age six*

Management Resources:

CSBA PUBLICATIONS

What Boards of Education Can Do About Kindergarten Readiness, Governance Brief, May 2016

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. 3, 2013*
- California Preschool Learning Foundations, Vol. 3, 2012*
- California Preschool Curriculum Framework, Vol. 2, 2011*
- California Preschool Learning Foundations, Vol. 2, 2010*
- 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>

Board policy

Adopted 02.18.20

**ABC UNIFIED SCHOOL DISTRICT
Board Policy INSTRUCTION****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. 6011 – Academic Standards)

(cf. 6162.5 – Student Assessment)

(cf. 6162.51 – Standardized Testing and Reporting Program)

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 comprehensive school plans and activities. (20 USC 6312)

(cf. 0420 – School Plans/Site Councils)

(cf. 0400 – Comprehensive Plans)

The District and each school receiving Title I funds shall develop a written parent/guardian and family engagement policy jointly with and agreed upon by parents/guardians of participating students in accordance with 20 USC 6318.

(cf. 6020 – Parent Involvement)

Local Educational Agency (LEA) Plan

The Superintendent or designee shall consult with teachers, principals, administrators, or other appropriate school personnel, and parents/guardians of participating students in the development, periodic review, and, as necessary, addressing each LEA plan provision within the Local Control Accountability Plan (LCAP) or the LCAP Federal Addendum. The plan and any revisions shall be submitted to the Governing Board 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.

(cf. 0460-Local Control Accountability Plan)

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.

Comparability may be determined on a school-by-school basis or by grade span. (20 USC 6321)

TITLE I (continued)

To demonstrate comparability of services among district schools:

1. The ratio of students to teachers and other staff at each Title I school shall not exceed 110 percent of the average ratio across non-Title schools.
2. All district schools shall be provided with the same level of base funding per student for curriculum and instructional materials.

(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 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.

Participation of Private School Students

The Superintendent or designee shall provide or contract to provide Title I services or 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).

Program Evaluation

The Board shall use state assessment results and other available measures or indicators to annually determine whether each participating school is making progress toward achieving Local Control Accountability Plan (LCAP) and LCAP Federal addendum goals, ensuring that all students meet the state's proficient level of achievement on state assessments. (20 USC 6311,6312)

(cf. 0500 – Accountability)

(cf. 6190 – Evaluation of the Instructional Program)

Legal Reference:

EDUCATION CODE

11503 Parent involvement in programs in Title I schools

54420-54425 State Compensatory Education

64001 Single plan for student achievement, consolidated application programs

UNITES STATES CODE, TITLE 20

6301 Title I 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

TITLE I (continued)

6318 Parent Involvement
6320 Participation of Private School Students 6321 Comparability of Services
6333-6335 Grants to Local Educational Agencies
6391-6399 Education for Migrant Students
7881 Participation of Private School Students

CODE OF FEDERAL REGULATIONS, TITLE 34
200.1-200.73 Improving Basic Programs for Disadvantaged Students

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Frequently Asked Questions About Title I Schoolwide Programs
Local Control and Accountability Plan Federal Addendum Template
Meeting Title I, Part A Comparability Requirements, October 2017

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Fiscal Changes and Equitable Services Requirements Under the Elementary and Secondary Education Act of 1965 (ESEA), as Amended by the Every Student Succeeds Act, Non-Regulatory Guidance, November 21, 2016
Title I Fiscal Issues, Non-Regulatory Guidance, February 2008
Designing Schoolwide Programs, Non-Regulatory Guidance, March 22, 2006
Title I Services to Eligible Private School Students, October 17, 2003

WEB SITES

CSBA: <http://www.csba.org>
California Department of Education: <http://www.cde.ca.gov/sp/sw>
U.S. Department of Education: <http://www.ed.gov>

Board policy

Adopted: 02.16.10

Revised: 04.16.19

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

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 schools' eligibility and its ability to consolidate funds from federal, state, and local sources for program purposes. (20 USC 6314, CFR 200.25)

Any participating school shall develop, annually review, and update a school plan which incorporates the requirements of 20 USC 6314 for reforming the school's total instructional program and 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 community, including the needs of migrant students, which includes the achievement of students in relation to state academic content and achievement standards. The results of which shall be incorporated into a School Plan for Student Achievement.

(cf. 0400 – Comprehensive Plans)

(cf. 6011 – Academic Standards)

(cf. 6162.5 – Student Assessment)

(cf. 6162.51 – Standardized Testing and Reporting)

(cf. 6175 – Migrant Education Program)

2. Schoolwide reform strategies that:

- a. Provide opportunities for all students to meet the state academic standards.
- 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)

TITLE 1 PROGRAMS (Continued)

(cf. 6112 – School Day)

(cf. 6177 – Summer School)

(cf. 6141 – Curriculum Development and Evaluation)

- 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.

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. 5141.6 – School Health Services)

(cf. 6164.2 – Guidance/Counseling Services)

(cf. 6164.5 – Student Success Teams)

- d. Provide preparation for and awareness of opportunities for postsecondary education and the workforce. Preparation may include career technical education programs and broadening secondary school students' access to coursework to earn postsecondary credit while still in high school.
- e. Address how the school will determine if student needs have been met
- f. Are consistent with and designed to implement state and local improvement plans, if any

(cf. 6141.4 – International Baccalaureate Program)

(cf. 6141.5 – Advanced Placement)

(cf. 6172.1 – Concurrent Enrollment in College Classes)

(cf. 6178 – Career Technical Education)

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

- 3. High-quality and ongoing professional learning for teachers, principals, paraprofessionals, and, as 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

TITLE 1 PROGRAMS (Continued)

(cf. 4111/4211/4311 – 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)

(cf. 6164.2 – Guidance/Counseling Services)

7. Measures to include teachers in decisions regarding the use of formative and summative assessments to provide information on and to improve the achievement and social-emotional well being of individual students and the overall instructional program

8. Activities to ensure that students who experience difficulty meeting state academic standards shall be provided with effective, timely additional assistance, which shall include measures for timely identification of students' difficulties, provision of sufficient information on which to base effective assistance, and minimize removal of students from the regular classroom during regular school hours for instruction supported by Title I funds.

(cf. 6179 – Supplemental Instruction)

9. Coordination and integration of federal, state, and local services and programs (20 USC 6311)

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 students in grades K-8 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 (20 USC 6315):

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. Comply with Schoolwide Title I programs requirements #1-9 (previous)

Participation of Private School Students

The Superintendent or designee shall provide or contract to provide Title I services or benefits

TITLE 1 PROGRAMS (continued)

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 6318, 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 (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.

The Superintendent or designee shall consult, in a meaningful and timely manner, with appropriate private school officials. 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 200.56):

1. How eligible private school students and their needs will be identified
2. What services will be offered to meet those needs
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 are allocated for such services
6. How and when the District will make decisions about the delivery of services to such students, including the provision of services through a third-party provider
7. 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 the private school officials a written analysis of the reasons that the District has chosen not to use the third-party provider

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.

TITLE 1 PROGRAMS (continued)

(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 services 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

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

REMEDIAL PHYSICAL EDUCATION

Remedial physical education assignments may be made whenever the remedial physical education admissions and dismissal committee determines that students will benefit from this class and assignment.

*Legal Reference: Education Code
41888 Additional special education allowances
56702 Programs for physically handicapped pupils

California Administrative Code Title V
Division 3, Chapter 4, Section 3630*

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

EDUCATION FOR HOMELESS CHILDREN

The Governing Board desires to ensure that homeless students have access to the same free and appropriate public education provided to other students within the District, in accordance with the McKinney-Vento Homeless Assistance Act (42 USC 11431-11435), as amended by the Every Student Succeeds Act (P.L. 114-95). The District shall provide homeless students with access to education and other services necessary for these students to meet the same challenging academic standards as other students.

The Superintendent or designee shall identify and remove any barriers to the identification and enrollment of homeless students and to the retention of homeless students due to absences or outstanding fees or fines. The District's local control accountability plan (LCAP) shall include goals and actions to improve student achievement and other outcomes for homeless students (42 USC 11432) (Education Code 52052, 52060).

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3250 - Transportation Fees)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 5111.13 - Residency for Homeless Children)
(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 6011 - Academic Standards)

The Superintendent or designee shall designate an appropriate staff person to serve as a liaison for homeless children and youths. The District liaison shall fulfill the duties specified in 42 USC 11432 to assist in identifying and supporting homeless students to succeed in school.

In order to identify district students who are homeless, the Superintendent or designee may give a housing questionnaire to all parents/guardians during school registration, make Student Nighttime Residency Questionnaire forms readily available, include the contact information of the District liaison on district and school websites, provide materials in a language easily understood by families and students, provide school staff with professional development on the definition and signs of homelessness, and contact appropriate local agencies to coordinate referrals for homeless and/or unaccompanied children and youth.

(cf. 1113 - District and School Websites)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

Information about a homeless student's living situation shall be considered part of a student's educational record, subject to the Family Educational Rights and Privacy Act and shall not be deemed to be directory information as defined in 20 USC 1232g (42 USC 11432).

(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)

EDUCATION FOR HOMELESS CHILDREN (continued)

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

Each homeless student shall be provided services that are comparable to services offered to other students in the District including, but not limited to, transportation, educational programs for which the student meets eligibility criteria (such as federal Title I services or similar state or local programs, preschool/early childhood education, programs for students with disabilities, and educational programs for English learners), summer learning programs, career and technical education programs, programs for gifted and talented students, and school nutrition programs (42 USC 11432).

(cf. 3550 - Food Services/Child Nutrition Program)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 5148.2 - Before and After School Programs)
(cf. 5148.3 - Preschool/Early Childhood Education)
(cf. 6159 - Individualized Education Program)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6171 - Title I Programs)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6174 - Education for English Learners)
(cf. 6177 - Summer Learning Programs)
(cf. 6178 - Career and Technical Education)
(cf. 6179 - Supplemental Instruction)

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 or designee 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)

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. However, the Superintendent or designee may separate homeless students on school grounds for short periods of time as necessary for health and safety emergencies, or to provide temporary, special, and supplementary services to meet the unique needs of homeless students (42 USC 11432, 11433).

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 3553 - Free and Reduced Price Meals)

The Superintendent or designee shall coordinate with other agencies and entities to ensure that homeless students are promptly identified, ensure that homeless students have access to and are in reasonable proximity to available education and related support services, and raise the awareness of school personnel and service providers of the effects of homelessness and challenges for students. Toward these ends, the Superintendent or designee shall collaborate with local social services agencies,

EDUCATION FOR HOMELESS CHILDREN (continued)

or agencies providing services to homeless children and youth. In addition, the Superintendent or designee shall coordinate transportation, transfer of school records, and other interdistrict activities with other local educational agencies. As necessary, the Superintendent or designee shall coordinate, within the District and other involved local educational agencies, services for homeless students and services for homeless students with disabilities (42 USC 11432).

(cf. 1020 - Youth Services)

District liaisons and other appropriate staff shall participate in professional development and other technical assistance activities to assist them in identifying and meeting the needs of homeless students and to provide training on the definitions of terms related to homelessness (42 USC 11432).

The Superintendent or designee shall report on outcomes for homeless students, which may include, but are not limited to, school attendance, student achievement test results, promotion and retention rates, graduation rates, suspension/expulsion rates, and other outcomes related to goals and actions identified in the LCAP.

(cf. 0500 - Accountability)

(cf. 6162.51 - State Academic Achievement Tests)

(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 of homeless and foster youth

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 accountability plan

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

UNITED STATES CODE, TITLE 20

1087vv Free Application for Federal Student Aid; definitions

1232g Family Educational Rights and Privacy Act

6311 Title I state plan; state and local educational agency report cards

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

12705 Cranston-Gonzalez National Affordable Housing Act; state and local strategies

Management Resources:

CALIFORNIA CHILD WELFARE COUNCIL PUBLICATIONS

Partial Credit Model Policy and Practice Recommendations

EDUCATION FOR HOMELESS CHILDREN (continued)

*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Homeless Education Dispute Resolution Process*

*U.S. DEPARTMENT OF EDUCATION GUIDANCE
Ed. for Homeless Children and Youth Program, Non-Regulatory Guidance, July 2016*

WEB SITES

*California Department of Education, Homeless Children and Youth Education:
<http://www.cde.ca.gov/sp/hs/cy>*

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

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

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

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

EDUCATION FOR HOMELESS CHILDREN

Definitions

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

1. Children and youth 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.

(cf. 6173.1 - Education for Foster Youth)

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

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

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

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 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; USC 11432).

District Liaison

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

Title: Homeless Youth Liaison

Address: 16700 Norwalk Boulevard Cerritos, CA 90703

Phone Number: (562)926-5566 Ext. 21104 (Child Welfare & Attendance)

EDUCATION FOR HOMELESS CHILDREN (continued)

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 through outreach and coordination activities with other entities and agencies.

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

2. Ensure that homeless students are enrolled in, and have a full and equal opportunity to succeed in district schools.

3. Ensure that homeless families and children and youth have access to and receive educational services for which they are eligible, including services through Head Start and Early Head Start programs, early intervention services under Part C of the federal Individuals with Disabilities Education Act, and other early childhood education and preschool programs administered by the District.

(cf. 5148.3 - Preschool/Early Childhood Education)

4. Ensure that homeless families and students receive referrals to health care services, dental services, mental health and substance use services, housing programs, and other appropriate services.

(cf. 5141.6 - School Health Services)

5. 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)

6. Disseminate notice of the educational rights of homeless students in locations frequented by parents/guardians of homeless children and youth and by unaccompanied youth, including schools, family shelters, public libraries, and hunger relief agencies. The rights shall be presented in a manner and form understandable to the parents/guardians of homeless students and unaccompanied youth.

7. Mediate enrollment disputes in accordance with law and the section "Resolving Enrollment Disputes" below.

8. Fully inform parents/guardians of homeless students and unaccompanied youth of all transportation services, including transportation to the school of origin, and assist them in accessing transportation to the school of enrollment.

(cf. 3541 - Transportation Routes and Services)

9. Ensure that school personnel providing services to homeless students receive professional development and other support.

EDUCATION FOR HOMELESS CHILDREN (continued)*(cf. 4131 - Staff Development)**(cf. 4231 - Staff Development)**(cf. 4331 - Staff Development)*

10. Ensure that unaccompanied youth are enrolled in school, have opportunities to meet the same challenging state academic standards established for other students, and are informed of their status as independent students under 20 USC 1087vv and that they may receive assistance from the district or school liaison to receive verification of their independent status for purposes of applying for federal student aid pursuant to 20 USC 1090.
11. Coordinate and collaborate with state coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youth, including the provision of comprehensive data to the state coordinator as required by law.

In addition, when notified pursuant to Education Code 48918.1, the District liaison shall assist, facilitate, or represent a homeless student who is undergoing a disciplinary proceeding that could result in his/her expulsion. When notified pursuant to Education Code 48915.5, the District liaison shall participate in an individualized education program team meeting to make a manifestation determination regarding the behavior of a student with a disability.

*(cf. 5144.1 - Suspension and Expulsion/Due Process)**(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))**(cf. 6159 - Individualized Education Program)*

The Superintendent or designee shall inform homeless children and youth, their parents/guardians, school personnel, service providers, and advocates working with homeless families of the duties of the District's liaison. He/she shall also provide the name and contact information of the District's liaison to the California Department of Education (CDE) for publishing on the CDE's website (42 USC 11432).

Enrollment

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

In determining the best interest of the student, the District shall consider student-centered factors including factors related to the impact of mobility on achievement, education, health, and safety, giving priority to the request of the student's parent/guardian or the youth (in the event that the youth is unaccompanied) (42 USC 11432).

Such factors may include, but are not limited to, 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 1142).

EDUCATION FOR HOMELESS CHILDREN (continued)

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

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

Once a school placement decision has been made by the Superintendent, Homeless Youth Liaison, or designee, the principal or designee shall immediately enroll the student. 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)

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 records of immunization and other required health records.

(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)

4. Has missed application or enrollment deadlines during any period of homelessness.

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 required health records, the principal, designee, or district liaison shall assist the parent/guardian/unaccompanied youth in obtaining the necessary immunizations, screenings, 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 the parent/guardian/unaccompanied youth, the Superintendent or designee shall provide the parent/guardian/unaccompanied youth with a written explanation of the decision, along with a statement regarding the 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. If the student's status changes before the end of the 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; 42 USC 11432):

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

EDUCATION FOR HOMELESS CHILDREN (continued)

2. Through graduation if he/she is in grades 9-12.

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 488527; 42 USC 11432):

1. If the student is transitioning between grade levels, he/she shall be allowed to continue in the same attendance area.

Resolving Enrollment Disputes

If a dispute arises over student eligibility, school selection, or enrollment in a particular school, the matter shall be referred to the District liaison, who shall carry out the dispute resolution process as expeditiously as possible (42 USC 11432).

The parent/guardian or unaccompanied youth shall be provided with a written explanation of any decisions related to eligibility, school selection, or enrollment and of the right of the parent/guardian or unaccompanied youth to appeal such decisions (42 USC 11432). The written explanation shall include:

1. A description of the action proposed or refused by the District.
2. An explanation of why the action is proposed or refused.
3. A description of any other options on the District considered and the reasons that any other options were rejected.
4. A description of any other factors, relevant to the District's decision and information related to the eligibility or best interest determination including the facts, witnesses, and evidence relied upon and their sources.
5. Appropriate timelines to ensure any relevant deadlines are not missed.
6. Contact information for the district liaison and state coordinator, and a brief description of their roles.

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

The District liaison may use an informal process as an alternative to formal dispute resolution procedures, provided that the parents/guardians or unaccompanied youth have access to the more formal process if informal resolution is not successful in resolving the manner.

In working with a student's parents/guardians or unaccompanied youth 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.

EDUCATION FOR HOMELESS CHILDREN (continued)

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.

If the parent/guardian or unaccompanied youth disagrees with the liaison's enrollment decision, he/she may appeal the decision to the Superintendent. The Superintendent shall make a determination within 5 working days.

If the parent/guardian or unaccompanied youth 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.

Pending final resolution of the dispute, including all available appeals, the student shall be immediately enrolled school of origin or school placement that is determined to be in the student's best interest. The student shall be allowed to attend classes and participate fully in school activities (42 USC 11432, 11434a).

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, or the District liaison in the case of an unaccompanied youth, 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 or designee of the District in which the student is now residing to agree upon a method to apportion the responsibility and costs of 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 are no longer homeless, unless the formerly homeless student has an individualized education program that includes transportation as a necessary related service for the student.

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 the previous school(s). However, the District may require the student to retake the portion of the course completed if, in consultation with the educational rights holder of the student, the District

EDUCATION FOR HOMELESS CHILDREN (continued)

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).

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 by 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. 5143- Courses of Study)

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 put forth by the Governing Board.

(cf. 6156.1 - High School Graduation Requirements)

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 may be exempted from all district-adopted coursework and other district-required 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 days of the homeless student's transfer, the Superintendent or designee shall notify the student, the person holding the educational rights for the student, and the District liaison for homeless youth 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 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 to 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 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 educational rights holder for the student, or the District liaison on behalf of the student (Education Code 51225.1).

EDUCATION FOR HOMELESS CHILDREN (continued)

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 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 the student is a minor the person holding educational rights for the student, 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 the person holding the right to make educational decisions for the student, 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 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).

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)

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

EDUCATION FOR FOSTER YOUTH

Instruction

The Governing Board 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. 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)

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)

EDUCATION FOR FOSTER YOUTH (continued)

(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 funding and resources, 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 to coordinate services and protect the rights of foster youth.

(cf. 1020 - Youth Services)

In accordance with 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)

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

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

EDUCATION FOR FOSTER YOUTH (continued)

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*
 CODE OF REGULATIONS, TITLE 5
 4600-4687 *Uniform complaint procedures*
 UNITED STATES CODE, TITLE 20
 1415 *Procedural safeguards; placement in alternative educational setting*
 6311 *State plan*
 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:
 CSBA PUBLICATIONS
Foster Youth: Supports for Success, Governance Brief, May 2016
Our Foster Youth: What School Boards Can Do, May 2016
 ALLIANCE FOR CHILDREN'S RIGHTS PUBLICATIONS
Foster Youth Education Toolkit, December 2016
 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
 U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Ensuring Educational Stability for Children in Foster Care, Non-Regulatory Guidance,
June 2016
 WEB SITES
 CSBA: <http://www.csba.org>
Alliance for Children's Rights: <http://www.kids-alliance.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 Foster Youth Education Task Force: <http://www.cfyetf.org>
California Youth Connection: <http://www.cal-youthconn.org/site/cyc>
Cities, Counties and Schools Partnership: <http://www.ccspartnership.org>
Foster Ed: <http://foster-ed.org>
National Center for Youth Law: <https://youthlaw.org>

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

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 Codes 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 student 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 another 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 which school is the school of origin. This determination shall be made 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 shall be based on the best interests of the foster youth (Education Code 48853.5).

Best interest means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, the proximity to the school at the time of placement, appropriateness of the educational setting, 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; 20 USC 6311).

District Liaison

The Superintendent designates the following position as the District's liaison for foster youth (Education Code 48853.5):

Title: Foster Youth Liaison
Address: 16700 Norwalk Boulevard Cerritos, CA 90703
Phone Number: (562)926-5566 Ext. 21104 (Child Welfare & Attendance)

(cf. 6173 - Education for Homeless Children)

The liaison for foster youth shall:

1. Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of students in foster care (Education Code 48853.5).

EDUCATION FOR FOSTER YOUTH (continued)

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 or designee 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, including those that are available to any other student in the District, such as counseling and health services, supplemental instruction, and before 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 Learners)

(cf. 6177 - Summer Learning Programs)

(cf. 6179 - Supplemental Instruction)

6. Develop protocols and procedures for creating awareness for district and school 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)

EDUCATION FOR FOSTER YOUTH (continued)

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 report 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)

The Superintendent or designee shall regularly monitor the caseload of the liaison, as well as his/her additional duties outside of the foster youth program, to determine whether adequate time and resources are available to meet the needs of foster youth in the District.

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 education 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 education program is a special education program, if applicable.
- 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)

EDUCATION FOR FOSTER YOUTH (continued)

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.

The District liaison may, in consultation with and with the agreement of the foster youth and the educational rights holder, 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).

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.

EDUCATION FOR FOSTER YOUTH (continued)

(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 holding 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 Superintendent or designee shall collaborate with the local child welfare agency to determine how transportation will be provided, arranged, and funded in a cost-effective manner to enable foster youth to remain in their school of origin, for the duration of their time in foster care, when it is in their best interest to do so. Such transportation costs may be paid by either the child welfare agency or the district, or shared by both (20 USC 6312).

(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).

EDUCATION FOR FOSTER YOUTH (continued)

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).

Education Code 51225.2 requires districts to award partial credits to foster youth who transfer from school to school. Partial credits shall be awarded in accordance with Calculation Guidelines from California's Partial Credit Model Policy Improving The Educational Outcomes of Foster Youth: An Implementation Manual for School Districts and Child Welfare Agencies endorsed by CDE, CSBA, CDSS and CWS. 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).

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)

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 may 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).

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).

EDUCATION FOR FOSTER YOUTH (continued)

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).

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)

EDUCATION FOR FOSTER YOUTH (continued)

Any complaint alleging 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).

(cf. 1312.3 - Uniform Complaint Procedures)

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

EDUCATION FOR CHILDREN OF MILITARY FAMILIES

The Governing Board recognizes that children of military families face challenges to their academic success caused by frequent moves or deployments of their parents/guardians in fulfillment of military service. 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)

The Superintendent or designee may waive district policies or rules when necessary to facilitate the enrollment, placement, advancement, eligibility for extracurricular activities, or on-time graduation of military families, in accordance with the Interstate Compact on Educational Opportunity for Military Children as ratified in Education Code 49700-49704.

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

The Superintendent or designee shall collaborate with parents/guardians, school liaison officers from military installations, and/or other agencies within and outside of 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. 6020 - Parent Involvement)

The Superintendent or designee shall report to the Board and the public on the educational outcomes of children of military families. Such reports may include, but are not limited to, school attendance, student achievement test results, promotion and retention rates by grade levels, and graduation rates.

(cf. 0500 - Accountability)
(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 6162.51 - State Academic Achievement Tests)

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)
48300-48316 Student attendance alternatives, school district of choice program

EDUCATION FOR CHILDREN OF MILITARY FAMILIES (continued)

49700-49704 Education of children of military families

51225.3 Requirements for graduation

51240-51246 Exemptions from requirements

51250-51251 School-age military dependents

66204 Certification of high school courses as meeting university admissions criteria

UNITED STATES CODE, TITLE 10

101 Definitions

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

6311 State plan

UNITED STATES CODE, TITLE 29

794 Section 504 of the federal Rehabilitation Act

Management Resources:

CALIFORNIA CHILD WELFARE COUNCIL

Partial Credit Model Policy and Practice Recommendations

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Final Report to the Legislature on the Interstate Compact on Educational Opportunity for Military Children, April 2014

WEB SITES

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

California Child Welfare Council:

<http://www.chhs.ca.gov/Pages/CACChildWelfareCouncil.aspx>

California Department of Education, Educational Options Office:

<http://www.cde.ca.gov/ls/pf/mc>

Military Interstate Children's Compact Commission: <http://www.mic3.net>

ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation

INSTRUCTION

EDUCATION FOR CHILDREN OF MILITARY FAMILIES

DEFINITIONS

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 pursuant to 10 USC 1209 or 1211.
2. Members or veterans of 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).

The new school shall immediately enroll the student 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. 5141.32 - Health Screening for School Entry)

Notwithstanding Ed Code Section 48200, the District shall allow a child of a military family to:

1. Continue his or her education in the school of origin, regardless of any change of residence of the military family during that school year, for the duration of the student's status as a child of a military family.

EDUCATION FOR CHILDREN OF MILITARY FAMILIES (continued)

2. Comply with any of the following if a student whose status changes due to the end of military service of his or her parent/guardian during a school year:
 - a. If the student is enrolled in kindergarten or any of the grades 1 to 8, inclusive, allow the student to continue his or her education in the school of origin through the duration of that academic year.
 - b. If the student is enrolled in high school, allow the student to continue his or her education in the school of origin through graduation.
 - c. 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.
 - d. If the student is transitioning to a middle or high school, and the school designated for matriculation is in another school district, the District shall allow the student to continue to the school designated for matriculation in that school district.

A child of a military family shall be deemed to meet district residency requirements if his/her parent/guardian, while on active military duty pursuant to an official military order, is transferred or is pending transfer to a military installation within the state. Parents/guardians must provide proof of residence in the District within 10 days after the arrival date specified on official documentation. The Superintendent or designee shall accept electronic submission of such a student's application for enrollment, including enrollment in a specific school or program within the District, and for course registration (Education Code 48204.3).

(cf. 5111.1 - District Residency)

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)

A child of an active military duty parent/guardian shall not be prohibited from transferring out of the District, if the school district of proposed enrollment approves the application for transfer (Education Code 46600, 48307).

(cf. 5117 - Interdistrict Attendance)

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 educational 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 educational records to the new district within 10 days (Education Code 49701).

EDUCATION FOR CHILDREN OF MILITARY FAMILIES (continued)**PLACEMENT**

Whenever a student's parent/guardian is serving on active duty or has been discharged from military service within the last year and the student transfers to a new school as the direct result of the military transfer or discharge, the Superintendent or designee may, prior to the receipt of official transcript(s) or the arrival of the student, review the student's coursework to date, including any unofficial transcript(s), to determine the appropriate placement of the student in classes or programs. The evaluation may also include communication with school staff at the previous school(s) (Education Code 51251).

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. 6172 - Gifted and Talented Student Program)
(cf. 6174 - Education for English 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 and accommodations (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)

TRANSFER OF COURSEWORK AND CREDITS

When a child of a military family 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 nonpublic, nonsectarian school or agency, or a juvenile court school and shall not require the student to retake the course (Education Code 51225.2).

(cf. 6146.3 - Reciprocity of Academic Credit)
(cf. 6159.2 - Nonpublic, Nonsectarian School or Agency Services for Special Education)

EDUCATION FOR CHILDREN OF MILITARY FAMILIES (continued)

If the student did not complete the entire course, he/she shall be issued partial credit for the coursework completed and shall be required to take only 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 student's parent/guardian, 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, the student 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 .5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period shall be equal to two regular class periods per subject.

In no event shall the District prevent a child of a military family 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)

ABSENCES

When a student's parent/guardian or immediate family member is an active duty member and is called to duty for, 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 immediate family member.

(cf. 5113 - Absences and Excuses)

GRADUATION REQUIREMENTS

To obtain a high school diploma, a child of a military family 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)

However, when a child of a military family 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 student's transfer, the Superintendent or designee shall notify the student and his/her parent/guardian 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 no longer meets the definition of a child of a military family pursuant to Education Code 49701 (Education Code 51225.1).

To determine whether a child of a military family 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).

EDUCATION FOR CHILDREN OF MILITARY FAMILIES (continued)

The Superintendent or designee shall notify any child of a military family who is granted an exemption and his/her parent/guardian how any requirements that are waived will affect the student's ability to gain admission to a post-secondary 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 child of a military family to transfer schools in order to qualify for an exemption, and no child of a military family or his/her parent/guardian shall be permitted to request a transfer solely to qualify for an exemption (Education Code 51225.1).

If a child of a military family is exempted from local graduation requirements, the exemption shall continue to apply after the student no longer meets the definition of a child of a military family or if he/she transfers to another school or school district (Education Code 51225.1).

If the Superintendent or designee determines that a child of a military family 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, his/her parent/guardian 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 student about transfer opportunities available through the California Community Colleges.
3. Upon agreement with the student, or with the parent/guardian if the student is under 18 years of age, permit the student to stay in school for a fifth year to complete the District's graduation requirements.

NOTIFICATION AND COMPLAINTS

Information regarding the educational rights of children of military families, 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).

Information regarding the educational rights of children of military families, 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).

Any complaint alleging that the District has not complied with requirements regarding the education of children of military families, 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)

**ABC UNIFIED SCHOOL DISTRICT
Board Policy INSTRUCTION****EDUCATION FOR ENGLISH LANGUAGE LEARNERS**

The Governing Board intends to provide English learners with challenging curriculum and instruction that maximize the attainment of high levels of proficiency in English, advance multilingual capabilities, and facilitate student achievement in the district's regular course of study. The District's program shall be based on sound instructional theory and shall be adequately supported so that English language learners can achieve results at the same academic level as their English-proficient peers in the regular course of study.

The Board encourages staff to exchange information with staff in other districts and the county office of education about programs, options, and strategies for English language learners that succeed under various demographic conditions.

The Superintendent or designee shall maintain procedures which provide for the identification, assessment, and placement of English language learners and for their reclassification based on criteria adopted by the Board and specified in administrative regulations.

To evaluate program effectiveness, the Superintendent or designee shall regularly examine program results, including reports of the English language learners' academic achievement, their progress towards proficiency in English, and the progress of students who have been reclassified as fluent English proficient. The Superintendent or designee shall annually report these findings to the Board and shall also provide the Board with regular reports from any district or school wide English learner advisory committees.

Type of Instruction

English learners shall be provided differentiated English language development instruction which is targeted to their English proficiency level. Such instruction shall be based on sound instructional theory, be aligned with state content standards, emphasize inquiry-based learning and critical thinking skills, and be integrated across all subject areas.

No middle or high school student who is an English learner shall be denied enrollment in any of the following: (Education Code 60811.8)

1. Courses in the core curriculum areas of reading/language arts, mathematics, science, and history-social science, courses required to meet state and local high school graduation requirements, or courses required for middle school grade promotion

However, an English learner may be denied participation in any such course if the student has been enrolled in a school in the United States for less than 12 months or is enrolled in a program designed to develop the basic English skills of newly arrived immigrant students, and the course of study provided to the student is designed to remedy academic deficits incurred during participation and to enable the student to attain parity of participation in the standard instructional program within a reasonable length of time after the student enters the school system.

2. A full course load of courses specified in item #1 above

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (Continued)

3. Other courses that meet the "a-g" course requirements for college admission or are advanced courses such as honors or Advanced Placement courses, on the sole basis of the student's classification as an English learner.

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

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

The Superintendent or designee may also provide an English development literacy training program for parents/guardians and community members so that they may better support students' English language development.

Staff Qualifications and Training

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

As a recipient of Title III funds, the district will provide professional development of sufficient intensity and duration to have a positive and lasting impact on teachers' performance in the classroom.

[Pursuant to 20 USC 6825, such professional development must not include one-day or short-term workshops and conferences.]

The district shall provide effective professional development to teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), administrators, and other school or community-based organization personnel to improve the instruction and assessment of English learners and enhance staff's ability to understand and use curricula, assessment, and instructional strategies for English learners. Such professional development shall be of sufficient intensity and duration to produce a positive and lasting impact on teachers' performance in the classroom. Additionally, the district shall provide a supportive and collaborative environment in order for teachers to effectively address the complex needs of English learners. Staff development shall also address the sociocultural needs of English learners and provide opportunities for teachers to engage in supportive, collaborative learning communities.

Identification and Assessment

The Superintendent or designee shall maintain procedures for the early identification of English learners and an assessment of their proficiency using the state's English Language Proficiency Assessments for California (ELPAC). To oversee test administration, the Superintendent or designee shall annually designate a district ELPAC coordinator and a site coordinator for each test site in accordance with 5 CCR 11518.40-11518.45.

Once identified as an English learner, a student shall be annually assessed for language

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (Continued)

proficiency until the student is reclassified based on criteria specified in the accompanying administrative regulation.

In addition, English learners' academic achievement in English language arts, mathematics, science, and any additional subject required by law shall be assessed using the California Assessment of Student Performance and Progress. As necessary, the test shall be administered

with testing variations in accordance with 5 CCR 854.1-854.3. English learners who are in their first 12 months of attending a school in the United States shall be exempted from taking the English language arts assessment to the extent allowed by federal law. (Education Code 60603, 60640; 5 CCR 854.1-854.3)

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

Language Acquisition Programs

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

At a minimum, the district shall offer a structured English immersion program which includes designated and integrated English language development. In the structured English immersion program, nearly all of the classroom instruction shall be provided in English, but with the curriculum and presentation designed for students who are learning English. (Education Code 305-306; 5 CCR 11309)

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

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

1. A dual-language immersion program that provides integrated language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding
2. A transitional or developmental program for English learners that provides literacy and academic instruction in English and a student's native language and that enables an English learner to achieve English proficiency and academic mastery of subject matter content and higher order thinking skills, including critical thinking, in order to meet state academic content standards The district's language acquisition programs for grades K-3 shall comply with class size requirements specified in Education Code 42238.02. (Education Code 310)

In establishing the district's language acquisition programs, the Superintendent or designee shall

consult with parents/guardians and the community during the LCAP development process. The Superintendent or designee shall also consult with administrators, teachers, and other personnel

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (Continued)

with appropriate authorizations and experience in establishing a language acquisition program. (Education Code 305)

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

Reclassification

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

Program Evaluation

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

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

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

*Legal Reference:***EDUCATION CODE**

300-340 English language education for immigrant children

305-310 Language acquisition programs

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (Continued)

313-313.5 *Assessment of English proficiency*
 430-446 *English Learner and Immigrant Pupil Federal Conformity Act*
33050 Nonwaivable provisions
 42238.02-42238.03 *Local control funding formula*
 44253.1-44253.11 *Qualifications of teachers of English learners*
 48980 *Parental notifications*
 48985 *Notices to parents in language other than English*
 52052 *Accountability; numerically significant student subgroups*
 52060-52077 *Local control and accountability plan*
 52160-52178 *Bilingual Bicultural Act of 1976*
 56305 *CDE manual on English learners with disabilities*
 60603 *Definition, recently arrived English learner*
 60640 *California Assessment of Student Performance and Progress*
 62002.5 *Continuation of advisory committee after program sunsets*

CODE OF REGULATIONS, TITLE 5

11300-11316 *English Language Learner Education*
 11510-11517.5 *California English Language Development Test*
 11517.6-11519.5 *English Language Proficiency Assessments for California*
 854.1-854.3 *CAASPP and universal tools, designated supports, and accommodations*
 854.9 *CAASPP and unlisted resources for students with disabilities*

UNITED STATES CODE, TITLE 20

1412 *State Eligibility*
 1701-1705 *Equal Educational Opportunities Act*
 6311 *State plan*
 6312 *Local educational agency plan*
 6801-7014 *Limited English proficient and immigrant students*
 7801 *Definition of English learner*

UNITED STATES CODE, TITLE 34

100.3 *Discrimination prohibited*
 200.16 *Assessment of English learners*

COURT DECISIONS

Valeria G. v. Wilson, (9th Circuit) 2002 U.S. App. Lexis 20956
California Teachers Association et al. 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)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (Continued)**MANAGEMENT RESOURCES CDE PUBLICATIONS**

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

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

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

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

Common Core State Standards for Mathematics, rev. 2013

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

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

English Language Arts/English Language Development Framework for California Public Schools: Kindergarten through Grade Twelve

WEB SITES

California Department of Education, English Learners:

<https://simbli.eboardsolutions.com/SU/mrZP3zrjsKJuSfh4UVS5Aw==>

California Association for Bilingual Education:

<https://simbli.eboardsolutions.com/SU/7Fn06Hkplus3yqppauP6G2myg==>

CSBA: <https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

U.S. Department of Education:

<https://simbli.eboardsolutions.com/SU/XcSsJimoslsh3XhJKy4tplus7wplusA==>

Board policy

adopted: 02.16.10

revised: 02.01.22

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation****INSTRUCTION****EDUCATION FOR ENGLISH LANGUAGE LEARNERS****Definitions**

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

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

Integrated English language development means instruction in which the state-adopted English language development standards are used in tandem with the state-adopted academic content standards. Integrated English language development includes specially designed academic instruction in English. (5 CCR 11300)

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

Identification, Assessments, and Parental Notifications

Upon enrollment in the district, each student's primary language shall be determined through the use of a home language survey. (Education Code 52164.1; 5 CCR 11307, 11518.5)

Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not previously been identified as an English learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be initially assessed for English proficiency using the English Language Proficiency Assessments for California (ELPAC). Prior to administering the ELPAC, the Superintendent or designee shall notify the student's parent/guardian in writing that the student will be administered the initial ELPAC. (Education Code 313, 52164.1; 5 CCR 11518.5)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

All students shall have sufficient time to complete the ELPAC as provided in the directions for test administration (5 CCR 11516).

Any student with a disability shall take the ELPAC 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 (5 CCR 11516.5).

Based on the initial assessment, the student shall be classified either as initially fluent in English proficient or as an English learner. The Superintendent or designee shall notify the student's parent/guardian, in writing, of the results of the ELPAC initial assessment within 30 calendar days after the student's date of initial enrollment, or, if administered prior to the student's initial date of enrollment, up to 60 calendar days prior to such enrollment, but not before July 1 of the school year of the student's initial enrollment. The notice shall indicate whether the student met the ELPAC initial assessment criterion for proficiency and include the district's contact information for use if the parent/guardian has questions or concerns regarding the student's classification. (5 CCR 11518.5)

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

The Superintendent or designee shall notify parents/guardians of their child's results on the summative assessment of the ELPAC within 30 calendar days following receipt of the results from the test contractor or, if the results are received from the test contractor after the last day of instruction for the school year, within 15 working days of the start of the next school year. (Education Code 52164.1; 5 CCR 11518.15)

The parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title I or Title III funds shall receive notification of the assessment of the student's English proficiency. Such notice shall be provided not later than 30 calendar days after the beginning of the school year or, if the student is identified for program participation during the school year, within two weeks of the student's placement in the program. The notice shall include all of the following: (Education Code 313.2, 440; 20 USC 6312)

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

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

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

Language Acquisition Programs

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

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

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

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

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

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

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

7. For any dual-language immersion program offered, the specific languages to be taught. The notice also may include the program goals, methodology used, and evidence of the proposed program's effectiveness.

The district shall provide additional and appropriate educational services to English learners for the purposes of overcoming language barriers and academic deficits in other areas of the core curriculum. (5 CCR 11302)

Reclassification/Redesignation

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)

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

1. Assessment of English language proficiency utilizing the **English Language Proficiency Assessment of California (ELPAC) score point of "4"**, as the primary criterion, and objective assessment of the student's English reading and writing skills
2. Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions
3. Parent/guardian involvement, including:
 - a. Notice to parents/guardians of language reclassification and placement, including a description of the reclassification process and the parent/guardian's opportunity to participate
 - b. Encouragement of parent/guardian participation in the district's reclassification procedure, including seeking parent/guardian opinion and consultation during the reclassification 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 student's language proficiency assessments, the participants in the reclassification process, and any decisions regarding reclassification shall be retained in the student's permanent record. (5 CCR 11305)

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

Advisory Committees

The District's English language advisory committee shall advise the Board on at least the following

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

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
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 comments 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)

A school-level English Learner Advisory Committee (ELAC) shall be established when there are more than 20 English learners at the school. Parents/guardians of English learners, elected by parents/guardians of English learners at the school, shall constitute committee membership in at least the same percentage as English learners representing the total number of students in the school. The school may designate for this purpose an existing school-level advisory committee provided that it meets these criteria for committee membership. (Education Code 52176; 5 CCR 11308)

The ELAC shall be responsible for assisting in the development of a schoolwide needs assessment, recommending ways to make parents/guardians aware of the importance of school attendance, and advising the principal and school staff in the development of a detailed master plan for English learners for the individual school and submitting the plan to the Governing Board for consideration for inclusion in the district master plan. (Education Code 52176)

When the district has more than 50 English learners, the Superintendent or designee shall establish a District English Learner Advisory Committee (DELAC), the majority of whose membership shall be composed of parents/guardians of English learners who are not employed by the district. Alternatively, the district may use a subcommittee of an existing districtwide advisory committee on which parents/guardians of English learners have membership in at least the same percentage as English learners representing the total number of students in the district. (Education Code 52176)

In order to assist advisory members in carrying out their 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).

EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

When there are at least 15 percent English learners in the District, with at least 50 students who are English learners, a district-level English learner parent advisory committee shall be established to review and comment on the District's local control and accountability plan (LCAP) in accordance with BP 0460 - Local Control and Accountability Plan.

The committee shall be composed of a majority of parents/guardians of English learners. (Education Code 52063; 5 CCR 11301, 15495)

The DELAC may also serve as the LCAP English learner advisory committee.

Administrative Regulation
adopted: 02.16.10
revised: 02.01.22

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

CAREER TECHNICAL EDUCATION

The Governing Board desires to provide a comprehensive career technical education (CTE) program in grades 7-12 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 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 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)

The Superintendent or designee shall develop partnerships with local businesses and industries to ensure that classroom instruction has real-world relevance and reflects labor market needs and priorities. He/she also shall work to develop connections with employers to provide students with work-based learning opportunities.

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

(cf. 5113.2 - Work Permits)

(cf. 6178.1 - Work Experience Education)

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.

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 opportunities designed to enhance their knowledge of standards-aligned CTE and ways to integrate technical and occupational instruction with academic instruction.

(cf. 4112.2 - Certification)

(cf. 4131 - Staff Development)

(cf. 4331 - Staff Development)

CAREER TECHNICAL EDUCATION (Continued)

The Superintendent or designee shall provide services to support students in the CTE program, including comprehensive career guidance and academic counseling. The Superintendent or designee shall provide counselors with professional development opportunities that include information about current workforce needs and trends, requirements of the District's CTE program, work experience opportunities, and postsecondary education and employment options following high school.

(cf. 5145.6 - Parental Notifications)

(cf. 6164.2 - Guidance/Counseling Services)

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; students preparing for nontraditional fields; single parents and single pregnant females; displaced homemakers; and students with limited English proficiency. (20 USC 2302, 2354, 2373)

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

(cf. 1312.3 - Uniform Complaint Procedures)

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 gender, sex, race, color, religion, ancestry, national origin, ethnic group identification, marital or parental status, physical or mental disability, or sexual orientation or the perception of one or more of such characteristics. (34 CFR 104.8, 106.9)

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)

Advisory Committee

The Board shall appoint a CTE advisory committee to develop recommendations for the District's CTE program and to serve as a liaison between the District and potential employers. The committee shall consist of one or more representatives of the general public knowledgeable about the disadvantaged, students, teachers, business, industry, school administration, and the field office of the California Department of Employment Development. (Education Code 8070)

CAREER TECHNICAL EDUCATION (Continued)

(cf. 1220 - Citizen Advisory Committees)

This committee may be expanded to include parents/guardians, representatives of labor organizations, representatives of special populations, and other interested individuals in order to involve them in the development, implementation, and evaluation of CTE programs funded through the federal Carl D. Perkins Career and Technical Education Act.

Program Evaluation

The Superintendent or designee shall monitor and evaluate the achievement of students participating in the District's CTE program. The Superintendent or designee shall report to the Board 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.

(cf. 6146.1 - High School Graduation Requirements)

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

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6162.52 - High School Exit Examination)

At least every three years, the Superintendent's designee 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. 0500 - Accountability)

(cf. 6146.11 - Alternative Credits Toward Graduation)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference:

EDUCATION CODE

8006-8156 Career technical education

17078.70-17078.72 Career technical education facilities

33430-33432 Health science and medical technology grants

41505-41508 Pupil Retention Block Grant

41540-41544 Targeted instructional improvement block grant

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

CAREER TECHNICAL EDUCATION (Continued)

53080-53084 School-to-career initiatives

53086 California Career Resource Network

54690-54697 California Partnership Academies

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

CODE OF FEDERAL REGULATIONS, TITLE 34

80.32 Equipment acquired with federal funds

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

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>

CAREER TECHNICAL EDUCATION (Continued)

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>

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>

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

CAREER TECHNICAL EDUCATION

Perkins Basic Grants for Career Technical Education

The Superintendent or designee shall submit to the California Department of Education a district plan for the career technical education (CTE) program funded by the federal Carl D. Perkins Career and Technical Education Act. The plan shall: (20 USC 2354)

1. Describe how program funds will be used to provide the CTE program components required by 20 USC 2355(b);
2. Describe how activities will be carried out in order to meet levels of performance established pursuant to 20 USC 2323.

(cf. 6146.1 - High School Graduation Requirements)

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

(cf. 6162.52 - High School Exit Examination)

3. Describe how the District will:
 - a. Offer the appropriate courses of at least one CTE program of study described in 20 USC 2342;

(cf. 6143 - Courses of Study)

- b. Improve the academic and technical skills of participating students by strengthening the academic and career technical components of such programs through the integration of coherent and rigorous academic content;
- c. Provide students with strong experience in and understanding of all aspects of an industry;
- d. Ensure that participating students are taught coherent and rigorous content aligned with challenging academic standards;

(cf. 6011 - Academic Standards)

- e. Encourage participating students to enroll in rigorous and challenging courses in core academic subjects.

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6142.93 - Science Instruction)

4. Describe how CTE, academic, guidance, and administrative personnel will be provided comprehensive professional development, including initial teacher preparation, that promotes the integration of coherent and rigorous content aligned with academic standards with relevant CTE, including curriculum development;

(cf. 4131 - Staff Development)

CAREER TECHNICAL EDUCATION (Continued)

(cf. 4331 - Staff Development)

5. Describe how parents/guardians, students, academic and CTE teachers, administrators, career guidance and academic counselors, representatives of tech prep consortia if applicable, representatives of business and industry, labor organizations, representatives of special populations, and other interested individuals will be involved in the development, implementation, and evaluation of CTE programs, and how such individuals and entities will be effectively informed about, and assisted in understanding, the requirements of the federal program;

(cf. 1220 - Citizen Advisory Committees)

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

6. Provide assurances that the District's CTE program is of such size, scope, and quality to bring about improvement in the quality of CTE;
7. Describe the process that will be used to evaluate and continuously improve the District's performance.

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

8. Describe how the District will:
 - a. Review CTE programs and identify and adopt strategies to overcome barriers that result in lowering rates of access to or lowering success in the program for special populations, as defined in 20 USC 2302 and Board policy;
 - b. Provide programs that are designed to enable special populations to meet established performance level targets;
 - c. Provide activities to prepare special populations, including single parents and displaced homemakers, for high-skill, high-wage, or high-demand occupations that will lead to self-sufficiency.
9. Describe how the District will ensure that individuals will not be discriminated against on the basis of their status as members of special populations;

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

(cf. 1312.3 - Uniform Complaint Procedures)

10. Describe how funds will be used to promote preparation for nontraditional fields;

Nontraditional fields means 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)

11. Describe how career guidance and academic counseling will be provided to CTE students, including linkages to future education and training opportunities;

(cf. 6164.2 - Guidance/Counseling Services)

CAREER TECHNICAL EDUCATION (Continued)

12. Describe efforts to improve:
 - a. The recruitment and retention of CTE teachers and career guidance and academic counselors, including individuals in groups underrepresented in the teaching profession;
 - b. The transition to teaching from business and industry.

(*cf.* 4112.2 - *Certification*)

Tech Prep Programs

The District shall, jointly in a consortium with an institution of postsecondary education and other partners as appropriate, offer a technical preparation program in accordance with 20 USC 2371-2376. The program shall: (20 USC 2373)

1. Be carried out under an articulation agreement with the postsecondary institution and any other consortium partners
2. Consist of a program of study that:
 - a. Combines at least two years of tech prep at the secondary level linked to at least two years of either postsecondary education in a sequential, non-duplicative 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;

(*cf.* 5113.2 - *Work Permits*)

(*cf.* 6178.1 - *Work Experience Education*)

- 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;
- 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.

CAREER TECHNICAL EDUCATION (Continued)

3. Uses educational technology and distance learning, as appropriate, to involve consortium partners more fully in the development and operation of programs;
4. Includes professional development for teachers, administrators, and counselors that addresses the identified goals (20 USC 2373);
5. Provides equal access to the full range of tech prep programs to individuals who are members of special populations, as defined in Board policy, including the development of tech prep program services appropriate to the needs of special populations (20 USC 2302);
6. Provides for preparatory services that assist participating students;
7. Coordinates with activities conducted under Title I of the No Child Left Behind Act.

(cf. 6171 - Title I Programs)

Participation of Private Schools

Upon written request from representatives of nonprofit private schools within the geographical area served by the District, the Superintendent or designee shall: (20 USC 2397)

1. Consult with the private school representatives in a timely and meaningful manner and, if the District so chooses, provide for the participation of private school secondary students in the District's CTE programs and activities funded under the federal Carl D. Perkins Career and Technical Education Act;
2. To the extent practicable, permit participation of CTE teachers, administrators and other personnel from private schools in the District's in-service and preservice CTE professional development programs funded through the Perkins Act;

Partnership Academies

The District may operate one or more partnership academies as a school-within-a-school focused on a broad career theme. If offered, the program shall be available to students in grades 10-12 who are identified as at-risk of dropping out of school or who satisfy other criteria specified in Education Code 54690 and 54691. The District's program shall consider: (Education Code 54692)

1. Instruction in at least three academic subjects each regular school term that prepare students for a regular high school diploma and contributes to an understanding of the occupational field of the academy
2. An "Introduction class" related to the academy's occupational field
3. Classes that are block scheduled in a cluster whenever possible to provide flexibility to academy teachers and which may vary in number during grade 12
4. A mentor from the business community for students during grade 11

CAREER TECHNICAL EDUCATION (Continued)

5. An internship or paid job related to the academy's occupational field or work experience to improve employment skills, during the summer following grade 11 except when a student must attend summer school for purposes of completing graduation requirements
6. Additional motivational activities with private sector involvement to encourage academic and occupational preparation

Pre-Apprenticeship and Apprenticeship Programs

The District may offer an orientation program for high school and/or adult education students that acquaints students with a broad range of career options, provides information regarding available apprenticeship programs, and provides classroom instructional job training which guides students to a registered apprentice occupation. The District's program may:

1. Introduce students to what they need to know in order to apply, test, and interview for acceptance into an apprenticeship program;
2. Demonstrate the need for proficiency in reading and comprehension, mathematics, science, and technology;
3. Emphasize the necessity to have the ability to communicate in reading, writing, speaking, listening, and numeration skills;
4. Identify the knowledge, skills, and attitudes needed to enter and successfully complete an apprenticeship program;
5. Provide an orientation to a specific craft or trade or to an industry.

(cf. 6200 - *Adult Education*)

The Superintendent or designee may enter into an agreement with a local business, labor or management apprenticeship committee, and/or joint labor-management apprenticeship committee that has been approved to sponsor an apprenticeship program in order to develop and deliver related and supplemental instruction to students participating in a registered apprenticeship program. (Labor Code 3074, 3075, 3078)

Student Organizations

The District may support student organizations which engage in activities that are integral to the CTE program. The District may provide funding for supplies, materials, activities, and advisor expenses of such student organizations but shall not use state or federal funding 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*)

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

SUPPLEMENTAL INSTRUCTION

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

As funding, facilities and staffing permit, the District may offer direct, systematic, and intensive supplemental instruction for:

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. The District shall offer alternative supports, i.e. supplemental instruction designed to increase the academic achievement of socioeconomically disadvantaged students attending schools identified by the California Department of Education as schools designated for additional support.

SUPPLEMENTAL INSTRUCTION (continued)

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

Optional Supplemental Programs

As funding, facilities, and staffing permit, 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

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

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Every Student Succeeds Act 2016-17 School Year Transition Plan, April 2016

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>

Policy

adopted: 05.17.11

revised: 12.05.17

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

SUPPLEMENTAL INSTRUCTION

Supplemental instructional programs may be offered outside the regular school day. Such programs may be offered during the summer, before school, after school, on Saturday, and/or during intercessions. (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)

Supplemental Instruction Based on Retention or Academic Deficiencies

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

1. For the purposes of this program, a student may be considered to be enrolled in a grade immediately upon completion of the preceding grade.
2. Students who were enrolled in grades 6 through 9 during the prior school year may 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 may be subject to the provisions set forth in items #1 and #2 above. (Education Code 37252.8)

The Superintendent or designee may 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 may, 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 8-12 who do not demonstrate "sufficient progress," as defined in Board policy, toward passing the state exit exam required for high school graduation may be eligible for supplemental instruction under the following circumstances: (Education Code 37252)

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

SUPPLEMENTAL INSTRUCTION

Supplemental instructional programs may be offered during and outside the regular school day. Such programs may be offered during the summer, before school, after school, on Saturday, and/or during intercessions. (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)

Supplemental Instruction Based on Retention or Academic Deficiencies

1. Students in grades 2-9 who have been retained or recommended for retention may be eligible for supplemental instruction.
2. Students who were enrolled in grades 6 through 9 during the prior school year may be eligible for summer school instruction.

(cf. 5123 - Promotion/Acceleration/Retention)

To the extent that the District provides supplemental instruction to students in grades 2-9 who are identified as being at risk of retention or as having deficiencies in mathematics, reading, or written expression, those students also may be subject to the provisions set forth in items #1 and #2 above. (Education Code 37252.8)

The Superintendent or designee may 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 may, 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)

Regulation

adopted: 5.17.11

Revised: 12.5.17

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

SCHOOL ACCREDITATION

District schools shall participate in accreditation programs as directed by the superintendent.

Policy adopted
by the board: 08.19.68
revised: 07.06.81

ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation

INSTRUCTION

SCHOOL ACCREDITATION

1. District high schools shall participate in the WASC district accreditation plan (includes learning center, adult and continuation schools).
2. Junior high schools may participate in the WASC individual school accreditation plan upon request of the principal or director-secondary education, subject to approval of the superintendent.
3. District elementary schools may participate in the WASC individual school accreditation plan upon request of the principal or director-elementary education, subject to approval of the superintendent.
4. Each school shall, following its accreditation, present a progress report to the appropriate level director annually in May. This report shall be made for each interim year between accreditations and shall specify original recommendations from the accreditation report, school response, time frame and appropriate comments.

It shall be the principal's responsibility to prepare the annual progress report. It shall be the responsibility of the director-secondary education or elementary education to append district comments regarding recommendations which relate to district-level services, programs or conditions.

The director-secondary education shall act as the WASC coordinator in the District and shall then forward the principals' progress reports and the appended district comments to the superintendent for review and submission to the Board of Education at a regular June meeting. A copy of the report shall be sent to the Western Association of Schools and Colleges (WASC).

**ABC UNIFIED SCHOOL DISTRICT
Board Policy****STUDENTS****ALTERNATIVE SCHOOLS/PROGRAMS OF CHOICE**

The Governing Board 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. To this end, the Board may establish and maintain alternative schools or programs of choice.

Education Code 58500-58512 authorize the Governing Board to establish and maintain alternative schools or a separate program within traditional schools, which offer a different structure, learning philosophy, or academic emphasis. Examples of such schools and programs include magnet schools, schools organized around a curricular theme, and online learning programs. The California Department of Education refers to these as "alternative schools or programs of choice" to distinguish them from alternative schools for at-risk students, such as community day schools, continuation schools, and opportunity schools.

A district alternative school or program of choice may differ from the traditional educational program in its structure, setting, size, and target student population. 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 academics and elective subjects. Students shall have access to the course of study required for high school graduation.

Alternative schools or programs shall offer the Board-adopted curriculum. With Board approval, the schools or programs may differ from ongoing programs in other ways that include, but are not limited to, the following:

1. They may emphasize a specific element of the approved curriculum.
2. They may present the approved curriculum in a sequence different from that used in other district programs.
3. Their staff may emphasize specific instructional strategies.

(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)

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)

Pursuant to Education 52052, alternative schools or programs of choice that meet eligibility requirements approved by the State Board of Education (e.g. serve highly mobile or at-risk students) may participate in the state's alternative schools accountability model and not be included in the District's Academic Performance Index rankings.

ALTERNATIVE SCHOOLS/PROGRAMS OF CHOICE (continued)

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.

The Superintendent or designee shall conduct an annual evaluation of each alternative school or program of choice, which includes the use of testing data and input from teachers, parents/guardians, and students from the alternative school or program of choice (Education Code 58510).

Evaluation reports shall be sent to the Superintendent of Public Instruction on or before August 1st following the close of the school year. (Education Code 58510)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

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.

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

STUDENTS

ALTERNATIVE SCHOOLS/PROGRAMS OF CHOICE

Alternative schools or programs of choice shall:

1. Address the District's vision, goals, and academic standards.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 6011 - Academic Standards)

2. Demonstrate that the number of students interested in enrolling in the alternative school or program of choice is sufficient to meet desired student-teacher staffing ratios.

(cf. 6151 - Class Size)

3. Demonstrate that teachers are willing to work within the school or program.

4. Demonstrate that the operational plan conforms with district timelines and makes equitable use of district staff, facilities, and resources.

5. Include a comprehensive plan for an annual evaluation of the program to be carried out by the District.

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

The District may establish alternative schools or programs of choice in each attendance area and/or on a districtwide basis with enrollment open to all students districtwide. (Education Code 58505)

(cf. 5116.1 - Intradistrict Open Enrollment)

Students enrolled in alternative schools or programs of choice shall be selected from volunteers. (Education Code 58503)

Alternative schools and programs of choice shall comply with state and federal law and Board policy regarding nondiscrimination in district programs.

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

Previous classroom performance shall not be a criterion limiting any student from the opportunity to attend an alternative school or program of choice. (Education Code 58504)

When an alternative class group is established within a school, the Superintendent or designee shall ensure that students currently enrolled in the school will not be displaced.

Course credits earned in an alternative school or program of choice shall be equivalent to the credits earned in other district schools. Students enrolled in such schools or programs shall be expected to complete all district graduation requirements and shall earn a regular diploma.

ALTERNATIVE SCHOOLS/PROGRAMS OF CHOICE (continued)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6162.52 - High School Exit Examination)

Students enrolled in alternative schools may be eligible for district transportation in the same manner as students attending other district schools.

(cf. 3250 - Transportation Fees)

(cf. 3540 - Transportation)

Proposals for Establishment of a Special/Magnet or an Alternative School

Proposals for the establishment of an alternative school or program shall be submitted in writing to the Assistant Superintendent-Academic Services and must address each of the criteria established by Board Policy 5118.3 and by these administrative regulations.

Procedures for Staff Evaluation of Proposals for Establishment of a Special/Magnet or Alternative School

1. Upon receipt of a proposal for the establishment of a school/program, the Assistant Superintendent-Academic Services shall notify the Superintendent and initiate the internal review process.
 - a. The Assistant Superintendent-Academic Services shall chair the review panel. The panel's membership may include the Assistant Superintendent-Support Services, the Director-Schools, a principal, a district resource specialist teacher, a classroom teacher, other staff who may possess expertise which will be of particular value to the panel, and representative community members. The panel shall:
 - 1) meet within fifteen (15) working days to consider the proposal.
 - 2) review the proposal using the criteria established by Board Policy
 - 3) submit a report on its findings and recommendations to the Superintendent.
 - 4) recommend either approval or rejection of the proposal. Before submitting its final recommendation for approval or rejection, the Schools/Programs of Choice Review Panel may suggest modification of the proposal to proponents of the alternative school/program. The review shall attach a statement describing the reasons for its recommendation.
 - 5) send a letter which notifies the person(s) making the request of its findings and recommendation within five (5) working days of the completion of its task.
 - b. Upon receipt of the report from the review panel, the Superintendent shall review the report with his or her cabinet and submit it to the Board along with a recommendation regarding the proposal.

ALTERNATIVE SCHOOLS/PROGRAMS OF CHOICE (continued)Special/Magnet or Alternative Schools

All proposals shall be expected to:

1. Meet district program goals and student outcomes contained within the state frameworks and the District curriculum guides.
2. Adopt instructional materials consistent with the Board approved textbook adoption guidelines.
3. Include a comprehensive plan for assessing the program
4. Demonstrate there is a sufficient number of students interested in enrolling the program. Normal student/teacher staffing ratios will be used to determine appropriate levels of student interest.
5. Demonstrate there is a teacher or teachers willing to work within the program, or that the District has staffing units that it can commit to the program (without having to hire staffing overages) and can attract a new teacher interested in working within the program.

NOTE: It will be the responsibility of the Academic Services Division to give originators of proposals any technical assistance needed to achieve #1-5 above.

6. When the number of requests for admission to the school/program of choice exceeds the capacity of the facility, requests for admission will be evaluated according to the following criteria:
 - a. That the racial and ethnic mix of the new enrollees to the school or program is reflective of the demographic characteristics of the district as a whole. A lottery system for each racial/ethnic group will be used, with the goal of admitting students, within an acceptable range, representative of their group, e.g. district Hispanic enrollment is 28%; range would be 24% to 32%.
 - b. A percentage of children of the originators of the proposal will be guaranteed entrance into the program, whenever applicable.
 - c. No tests or other screening devices will be used to determine entrance into a new program/school of choice unless the particular program demonstrates the need for unique entrance requirements. Such requirements may be reviewed on a case by case basis taking care to ensure equal access.
 - d. The operational plan, including staffing, proposed location of the school and facility requirements, support services needed, and the proposed timeline for establishing the school/program, must conform to the District policies and constitute and equitable use of District resources.
 - e. Budget requests may include "start-up costs" which may be paid by the District (with the proviso that individual school allocations will not be affected) by these expenditures. Start-up costs are herein defined as those expenditures necessary to begin a new school or program, but which will not

continue after the first year. Start-up costs may include, but are not necessarily limited to, such items as staff development, purchase and/or renovation of facilities, purchase of an initial inventory of equipment and supplies, and personal and travel expenses for program planning.

ALTERNATIVE SCHOOLS/PROGRAMS OF CHOICE (continued)

- f. When a school/program of choice is developed, it must ensure that students enrolled in the school where the program will be installed will not be displaced. Further, the school will be responsible for preserving a small number of spaces for new neighborhood enrollees. Thus, a new student would get priority access to the school, but must wait along with other applicants to enter a program of choice within the school.
- g. Should the District be financially unable to offer transportation, a fee based transportation program may be offered, which will include subsidies for students in need.

The District shall be responsible for:

1. Processing applications and determining who will be admitted to a program/school of choice. The District will establish and notify community members of an enrollment period. This period will be determined by the District. Prior to the enrollment period, the District will widely advertise the existence of the program throughout the community. At the conclusion of the enrollment period, all applications will be placed in appropriate lottery pools. Names will be drawn at random from each pool. A waiting list will be established for those not selected.
2. Processing applications for transfer of siblings. K-8 siblings of students who are accepted into the program of choice will be given priority for admission to the school, though not to the program of choice, provided there is space available. Should the entire school be a choice program, there is no guarantee that siblings will automatically be admitted although one member of the family may be selected through a lottery.
3. Establishing that the school to which a student has transferred through a program /school of choice application shall become that student's neighborhood school. Should the student desire to transfer to another school, even though the school may be located within his/her original attendance area, the transfer regulations in effect at the time shall apply. Once a receiving school accepts a student, the student has all the same rights and privileges as students who live within that school's attendance area. Should the receiving school wish to remove the transferred student for disciplinary reasons, normal procedures must be followed prior to removal of the student, including an appearance before the Student Evaluation Committee.
4. Attendance area and find that there are no available seats in their neighborhood school. Students in this situation who wish to attend their neighborhood school shall be placed at the top of the priority list and shall be enrolled at the nearest school during the interim period. Should there be non-neighborhood residents enrolled in the school and not enrolled in a choice program, those students will have their permits revoked at the end of each school year, where feasible, in favor of the student who lives in the school's attendance area. The transfer student with the least tenure shall be the student whose permit is revoked. Students who are in the school and are enrolled in the choice program shall not be displaced by the new enrollee.

Matriculation

1. When a student is promoted to a new level (from K-6 to 7-8 or from 7-8 to 9-12), the student will enroll in the school in the attendance area in which his or her parents reside unless a new transfer request or Schools of Choice application is submitted and approved.

ALTERNATIVE SCHOOLS/PROGRAMS OF CHOICE (continued)

Commitment to the Program

1. Parents may request that their student's participation in a program of school of choice be rescinded at any time. Such requests will be effective at the end of the school year in which they are received unless the appropriate director of education and the principals involved agree to implement the request sooner. The availability of space at the receiving site will also be considered.

2. The District may, if parent and student interest declines below the District staffing ratio, elect to close a program. Such a decision will be made as early as possible, so that parents have adequate opportunity to recruit new participants or to make plans for the fall.

Athletic Eligibility

Students who enroll in a school/program of choice at a school other than their neighborhood school, will be eligible to participate in interscholastic athletics in accordance with regulations established by the California Interscholastic Federation (CIF) and the leagues in which district schools maintain memberships. Students may not attend schools at one location and participate in an athletic squad at another location.

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

OPPORTUNITY CLASS/PROGRAM

The Governing Board recognizes that attendance and behavior problems which develop in the seventh, eighth and ninth grades can have serious detrimental effects and sometimes cause students to drop out of school. In order to provide special attention at this critical time, the Board may maintain an opportunity class/program for students under 16, who are insubordinate or disorderly, irregular in attendance or habitual truants.

The opportunity class/program shall strive to resolve student problems so that the students may return to regular program as soon as practically possible. (Education Code 48630)

Assignment

The Superintendent or designee may assign students to an opportunity class/program only upon the recommendation of a Student Study Team or Site Student Evaluation Committee as required by law. (Education Code 48637.2)

The Superintendent or designee shall ensure that due process procedures are observed, that the student and parent/guardian are notified prior to the student's assignment, and that a review of the student's progress is conducted at least twice a year while he/she is attending the opportunity class/program.

*Legal Reference: Education Code
 48630-48641 Opportunity Schools
 48643-48644.5 Reimbursement for increasing availability of
 opportunity classes and programs*

ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation

INSTRUCTION

OPPORTUNITY CLASS/PROGRAM

Students shall be assigned to an opportunity class/program only upon the recommendation of a Student Study Team or a Site Student Evaluation Committee which includes at least the following members:

1. A district representative who is familiar with the student's progress.
2. A representative of the Opportunity Class/Program or the school where program is housed.
3. The student's parent/guardian, at the parent/guardian's option and the student.

The parent/guardian may designate a representative to attend the committee meeting. (Education Code 48637.2)

Notification

Prior to assigning a student to an Opportunity Class/Program for adjustment purposes, the student and his/her parent/guardian shall be notified in writing of the intended assignment. The notice shall be in the parent/guardian's primary language and shall request the parent/guardian to respond within ten days. If the parent/guardian does not respond, the Superintendent or designee shall make a reasonable effort to contact him/her by telephone with this information. (Education Code 48637.1)

Progress Review

A review shall be conducted at least twice each school year to examine the progress of each student assigned to an Opportunity Class/Program for adjustment purposes and to determine whether the student would benefit by returning to the regular program. A representative of the Opportunity Class/Program who is familiar with the student's progress shall participate in this review. The student's parent/guardian may also participate if he/she so desires. (Education Code 48637.3)

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

CONTINUATION EDUCATION

The Governing board provides a continuation education program to meet the special needs of students 16 and 17 years old who are not attending a high school or other appropriate educational institution and who are not legally exempted from compulsory school attendance. (Education Code 48400) Continuation education shall provide:

1. An opportunity for the student to complete courses required for high school graduation.
2. A program of instruction that emphasizes occupational orientation, or a work-study program that offers intensive services to meet students' special needs.
3. A program designed to meet each student's educational needs, with classroom instruction supplemented by independent study, regional occupational programs, work-study, career counseling, and/or job placement services. (Education Code 48430)

The Board further expects this program to help students develop self-confidence, a sense of responsibility, and tolerance for a variety of viewpoints. Students shall be encouraged to understand and obey laws, to manage money wisely, and to engage in constructive recreational activities.

The Superintendent or designee may allow the voluntary enrollment of students under 16 in the program.

Any person 18 or older may take the General Educational Development Test (G.E.D.) given by ABC Adult School in order to receive the High School Equivalency Certificate. (Code of Regulations, Title 5, Section 11530 et seq.)

The Superintendent or designee shall develop administrative regulations governing the involuntary transfer of students into the continuation program, including students under the age of 16.

The Board shall evaluate its continuation education program and annually report required information to the Superintendent of Public Instruction. (Education Code 48443 [Repealed Statutes 1992, Chapter 90.]

Legal References: Education Code

<i>48400-48454</i>	<i>Compulsory continuation education in general, especially</i>
<i>48401</i>	<i>Weekly minimum attendance requirement</i>
<i>48402</i>	<i>Minors are not employed regularly</i>
<i>48410</i>	<i>Persons exempted from continuation classes</i>
<i>48412</i>	<i>Certificate of proficiency, examination fees</i>
<i>48413</i>	<i>Enrollment in continuation classes</i>
<i>48414</i>	<i>Persons exempted from compulsory continuation education; re enrollment in district</i>

Policy adopted
by the Board: 08.19.97

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation****INSTRUCTION****CONTINUATION EDUCATION**Minimum Attendance Requirement

Each student in the continuation education program shall attend classes for not less than four 60 minute hours per week for the regular school term. The requirement may be met by attendance in a continuation education class and/or regional occupational center or program. (Education Code 48000)

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

Students Exempted

Minors may be exempted from compulsory continuation education if they have regular work and present evidence that they attend adult classes at least four full hours a week.

Voluntary Enrollment

With the consent of the Superintendent or designees, any high school student, with the recommendation by their school counselor and the agreement of the continuation principal may enroll in continuation classes in order to receive special attention, such as individualized instruction. (Education Code 48432.5) Students so enrolled may return to the regular high school at the beginning of the following semester.

Reenrollment

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

Involuntary Transfer1. Grounds

A decision by the SEC to transfer the student involuntarily shall be based on a finding that the student (a) committed an act enumerated in Education Code 48900; or (b) has been habitually truant or irregular in legally required school attendance. High school students under age 16 may be so transferred when they have been directed by Student Evaluation Committee.

2. Absences and Excuses

Education Code 48903 specifies that each student is limited to 20 days of suspension during a school year. When the 20 have been used at one school site, the student may enroll or be transferred to another school or to a continuation school, in which case, the total number of days of suspension must not exceed 30 days in any school year. The attorney General has concluded that a district, therefore, may legally transfer students under 16 to a continuation school if the student has been suspended for 20 days. (54 Ops. Cal. Atty. Gen. 262)

CONTINUATION EDUCATION (Continued)3. Limitation

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

No involuntary transfer by SEC 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)

4. Notice and Hearing

The student and parent/guardian shall be given written notice that they may request a meeting with the Superintendent's designee prior to an involuntary transfer.

At the SEC meeting, the student and/or parent/guardian shall be told specific facts and reasons for the proposed transfer. The student or parent/guardian shall have the opportunity to inspect all documents relied upon, and to 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.

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)

A written decision to transfer, stating the facts and reasons for the decision, shall be sent to the student and to the parent/guardian.

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

DISTRICT CRITERIA FOR ANNUAL EVALUATION OF CONSOLIDATED PROGRAMS

As a condition for state approval of the consolidated application, the Board of Education shall establish effectiveness criteria for all consolidated programs. The evaluations shall be designed to determine whether services are effective in meeting the needs of pupils participating in the following programs: Title 1/State Compensatory Education, Title V-Innovative Education Program, Miller Unruh Reading, School Improvement, and state programs for English language learners. The District shall use the statewide Academic Performance Index (API) including disaggregated data for each numerically significant student group, along with other measures of student progress contained in the school plans.

Policy adopted
by the Board: 02.06.96
revised: 04.15.03

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

DISTRICT CRITERIA FOR ANNUAL EVALUATION OF CONSOLIDATED PROGRAMS

It is the purpose of Consolidated Programs to increase the effectiveness of instructional programs, and to improve the academic performance of students who are educationally disadvantaged, of limited English proficiency, gifted or talented, or students with exceptional needs. It is the policy of the District that Consolidated Application programs shall be annually evaluated to determine their effectiveness in realizing this purpose.

The District shall annually review the academic performance of each numerically significant student group at each school receiving Consolidated Application funds. The District shall use the statewide Academic Performance Index (API) including disaggregated data for each numerically significant student group, along with other measures of student progress contained in school plans or adopted by the District. Significant student groupings may be based on gender, ethnicity, and socio-economic status.

The effectiveness of Consolidated Programs shall be determined by the progress made toward meeting the growth targets established for identified student groups according to the Academic Performance Index. The District Superintendent shall annually report these results to the Board and make them available to each School Site Council.

Annually, each School Site Council shall review the evaluation results for each numerically significant student group, and propose changes in curriculum, materials, instructional practices, staff development, and related categorical programs expenditures needed to meet the API growth targets for such student groups.

Criteria to Determine Program Effectiveness:

1. Each school receiving Consolidated Programs funds will annually meet its school API growth target.
2. Each school receiving Consolidated Program funds will annually meet its API growth target for each numerically significant subgroup.
3. Each school will meet 90 percent or more of its goals contained in its school plan and/or goals adopted by the District for each school, if applicable.

Regulation
approved: 02.06.96
revised: 06.17.97
03.05.03

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

ACCOMMODATIONS FOR ENGLISH LEARNERS IN DISTRICT LESS THAN 12 MONTHS

English learners enrolled in the District fewer than 12 months and assessed at a California English Language Development Test (CELDT) language proficiency level of intermediate (3) or below may be tested with the following accommodations:

- A. English Learners may have directions translated into their primary languages, and they may use bilingual English/primary language dictionaries or glossaries if available;
- B. Having directions simplified or clarified or signed for the deaf;
- C. Taking the tests individually or in a small group;
- D. Taking a test or part of a California Standards Test (CST) on more than one day;
- E. Having extra time for tests within the California Assessment Test, 6th Edition (CAT/6) survey;
- F. Having questions read aloud (or signed for the deaf) for math, science, and/or history-social science tests.

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

CONTINUATION HIGH SCHOOL PROGRAM

The ABC Unified School District shall provide a continuation high school program in conformity with Education Code Section 48432.

*Legal Reference: Education Code
48432 Establishment and maintenance of continuation classes for
minors.*

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

ADULT/CONTINUING EDUCATION

Learning does not cease at the termination of grade 12 but continues throughout life. Therefore, the District shall establish and maintain an adult education program. It shall be made available to all who can benefit from its program.

*Legal Reference: Education Code
52500-52616.2 Adult Schools*

Policy adopted
by the board: 02.06.78
revised: 09.17.93

**ABC UNIFIED SCHOOL DISTRICT
Board Policy****INSTRUCTION****ENROLLMENT IN ADULT SCHOOL**Priorities

The District endorses the enrollment of secondary (grades 7-12) students in district adult education programs, as may be qualified for admission thereto. Programs will be specifically designed to enhance, expand and provide for the development of meaningful educational learning experiences that otherwise may not be available to these students. The site school principal must concur in the educational objectives in the adult education program offered their students and grant permission for participation. Approval of the parent and the adult school counselor is also required.

Enrollment in adult education classes is on a first-come basis. Adults must constitute fifty-one percent (51%) of the enrollment in any apportionable program category. Should more students express a desire to enroll than the class will allow, the following priority list will be followed:

1. Adults residing in the District.
2. Secondary students attending school in the District.
3. Adults residing in districts other than the ABC District.
4. Secondary students from districts other than the ABC District.

*Legal Reference: Education Code
52500 Adult Evening Classes, Admission of Minors
California Administrative Code Title V, Section 10524 "Classes Primarily for
Adults"
California State Department of Education Program Advisory by S.A.
Thornton, 9/15/87*

Policy adopted
by the board: 09.04.79
revised: 04.18.89

**ABC UNIFIED SCHOOL DISTRICT
Administrative Regulation**

INSTRUCTION

ENROLLMENT IN ADULT SCHOOL

Who May Enroll

Any person who has attained the age of eighteen years, or who is married, or has graduated from high school is eligible to attend adult school.

There are also students who are enrolled in adult school as a result of the recommendation of the student evaluation committee.

In addition, a student regularly enrolled in a secondary program within the District may petition to enroll in adult education classes.

Procedure for Enrollment - Adults

Those who desire to be enrolled in an adult school class and are not currently enrolled in a secondary program should contact the adult school office to arrange registration.

Procedure for Enrollment - Concurrent Students

Any secondary student who is currently enrolled in the District and wishes to take adult education classes should contact his counselor who will review the request:

1. The school counselor will discuss the student's educational objectives with the student.
2. In those cases where it is determined that the student would be able to benefit from taking adult classes in addition to a secondary program, the following procedures should be undertaken:
 - a. The student should obtain a Concurrent Credit Application from the high school counselor. The form should be completed with and bear the signatures of the student's parents, adult and high school counselors.
 - b. The student shall be sent, with the completed Concurrent Credit form, to the adult school office for registration purposes.

Notice of Unsatisfactory Progress

1. Notices of Unsatisfactory Progress for students enrolled concurrently in the adult and secondary programs shall be sent to the student's high school counselor at the end of the ninth week of the semester and during the summer session.
2. The high school counselor bears the responsibility of fulfilling the provisions contained in the policy relative to notification of the student's parents.

Regulation
approved: 09.04.79
revised: 04.18.89

**ABC UNIFIED SCHOOL DISTRICT
Board Policy**

INSTRUCTION

ADULT EDUCATION - GRADUATION REQUIREMENTS

The following requirements are established as a basis for a high school diploma from the adult education program:

English	40 Semester Unit Credits
U.S. History 1A	5 Semester Unit Credits
U.S. History 1B	5 Semester Unit Credits
Civics (Government)	5 Semester Unit Credits
Economics	5 Semester Unit Credits
Social Studies Electives	10 Semester Unit Credits
Mathematics	20 Semester Unit Credits
Science (Physical)	10 Semester Unit Credits
Science (Biological)	10 Semester Unit Credits
Health	5 Semester Unit Credits
Visual/Performing Arts or Foreign Language	10 Semester Unit Credits
Electives (excluding physical education)	55 Semester Unit Credits
Total	180 Semester Unit Credits

*Legal Reference: Education Code
52504 Adult classes must conform to legal requirements*

Policy adopted
by the board: 02.06.78
revised: 04.18.89

**ABC UNIFIED SCHOOL DISTRICT
Board Policy****INSTRUCTION****ADMISSION**Adult School Minor Students

The District endorses the enrollment of junior high school students in district adult education programs, as may be qualified for admission thereto. Programs will be specifically designed to enhance, expand and provide for the development of meaningful educational learning experiences that otherwise may not be available to these students. Participation of students within these programs may require parent participation and/or permission. The junior high school principal must concur in the educational objectives in the adult education program offered their students and grant permission for participation of their students. All programs offered must be with the approval of the adult school.

District high school students may enroll in the adult school programs with the permission of the parent, adult school counselor and the high school principal.

*Legal Reference: Education Code
48040 Adult schools
Administrative Code, Title 5*

10524(a) Summer sessions and summer programs - prior approval.