STUDENT USE OF TECHNOLOGY

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

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

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

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

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

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

(cf. 6162.6 - Use of Copyrighted Materials)

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

(cf. 5125 - Student Records)

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

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

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

Internet Safety

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. (20 USC 7131; 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
STUDENT USE OF TECHNOLOGY (continued)

(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

2. Intentionally uploading, downloading, or creating computer viruses and/or maliciously attempting to harm or destroy district equipment or materials or manipulate the data of a

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

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

Legal Reference:

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
7101-7122 Student Support and Academic Enrichment Grants
7131 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
STUDENT USE OF TECHNOLOGY (continued)

Management Resources:

CSBA PUBLICATIONS

FEDERAL TRADE COMMISSION PUBLICATIONS
How to Protect Kids’ Privacy Online: A Guide for Teachers. December 2000

WEB SITES
CSBA: http://www.csba.org
American Library Association: http://www.ala.org
California Coalition for Children’s Internet Safety: http://www.cybersafety.ca.gov
Center for Safe and Responsible Internet Use: http://csriu.org
STUDENT USE OF TECHNOLOGY

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

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

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

(cf. 6163.1 - Library Media Centers)

Online/Internet Services: User Obligations and Responsibilities

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

1. The student in whose name an online services account is issued is responsible for its proper use at all times. Students shall keep personal account numbers and passwords private and shall only use the account to which they have been assigned.

2. Students shall use the district's system safely, responsibly, and primarily for educational purposes.

3. Students shall not access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs.

(cf. 5131 - Conduct)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)
STUDENT USE OF TECHNOLOGY (continued)

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

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

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

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

(cf. 3513.3 - Tobacco-Free Schools)
(cf. 5131.6 - Alcohol and Other Drugs)

6. Students shall not use the system to engage in commercial or other for-profit activities.

7. Students shall not use the system to threaten, intimidate, harass, or ridicule other students or staff.

8. Copyrighted material shall be posted online only in accordance with applicable copyright laws. Any materials utilized for research projects should be given proper credit as with any other printed source of information.

(cf. 5131.9 - Academic Honesty)
(cf. 6162.6 - Use of Copyrighted Materials)

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

(cf. 5131.5 - Vandalism and Graffiti)

10. Students shall not attempt to interfere with other users' ability to send or receive email, nor shall they attempt to read, delete, copy, modify, or use another individual's identity.
11. Students shall report any security problem or misuse of the services to the teacher or principal.

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

(cf. 5145.12 - Search and Seizure)

The principal or designee shall make all decisions regarding whether or not a student has violated Board policy or the district's Acceptable Use Agreement. The decision of the principal or designee shall be final. Inappropriate use may result in cancellation of the student's user privileges, disciplinary action, and/or legal action in accordance with law and Board policy.

(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
VISALIA UNIFIED SCHOOL DISTRICT
TECHNOLOGICAL RESOURCES
ACCEPTABLE USE AGREEMENT

Student Name:____________________________________

I understand that the School District will provide me access to technological resources for educational purposes only. This access is a privilege, not a right. I understand the consequences for failing to adhere to the District’s regulations regarding use of technological resources.

I have read, understand, and will abide by the following regulations:

1. BP 6163.4 – Student Use of Technology
2. AR 6163.4 – Student Use of Technology

___________________________________  _______________________
Student’s Signature                      Date

Parent Authorization

I am the parent/guardian of the student named above. I request that he/she be given access to technological resources for educational purposes and in accordance with the District’s rules and regulations. I have reviewed the above regulations with my student.

I understand the consequences if the provisions of this agreement are violated.

___________________________________  _______________________
Parent’s Signature                      Date

___________________________________  _______________________
Parent’s Signature                      Date

STUDENT MUST RETURN THIS FORM TO THE DISTRICT BEFORE ACCESS BEGINS

05/17/2012
The Governing Board recognizes that a structured, coherent and comprehensive counseling program promotes academic achievement and serves the diverse needs of all district students. Counseling staff shall be available to provide students with individualized reviews of their educational progress toward academic and/or career and vocational goals and, as appropriate, may discuss social, personal, or other issues that may impact student learning.

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

(cf. 4112.2 - Certification)

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

1. Engaging with, advocating for, and providing support for all students with respect to learning and achievement

2. Planning, implementing, and evaluating programs to promote the academic, career, personal, and social development of all students, including students from low-income families, foster youth, homeless youth, undocumented youth, and students at all levels of academic, social, and emotional abilities

3. Using multiple sources of information to monitor and improve student behavior and achievement

4. Collaborating and coordinating with school and community resources

(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5144 - Discipline)

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

(cf. 5113.1 - Chronic Absence and Truancy)

7. Using research-based strategies to reduce stigma, conflict, and student-to-student mistreatment and bullying
GUIDANCE/COUNSELING SERVICES (continued)

8. Improving school climate and student well-being

(cf. 5137 - Positive School Climate)

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

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

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

(cf. 0460 - Local Control and Accountability Plan)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6174 - Education for English Language Learners)

11. Engaging in continued development as a professional school counselor

(cf. 4131 - Staff Development)

Educational Counseling

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

(cf. 5145.6 - Parental Notifications)

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

1. Development and implementation, with parent/guardian involvement, of the student's immediate and long-range educational plans

2. Optimizing progress towards achievement of proficiency standards

3. Completion of the required curriculum in accordance with the student's needs, abilities, interests, and aptitudes

4. Academic planning for access and success in higher education programs, including advisement on courses needed for admission to public colleges and universities, standardized admissions tests, and financial aid
5. Career and vocational counseling, in which students are assisted in doing all of the following:

a. Planning for the future, including, but not limited to, identifying personal interests, skills, and abilities, career planning, course selection, and career transition

b. Becoming aware of personal preferences and interests that influence educational and occupational exploration, career choice, and career success

c. Developing realistic perceptions of work, the changing work environment, and the effect of work on lifestyle

d. Understanding the relationship between academic achievement and career success, and the importance of maximizing career options

e. Understanding the value of participating in career technical education and work-based learning activities and programs, including, but not limited to, service learning, regional occupational centers and programs, partnership programs, job shadowing, and mentoring experiences

(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)
(cf. 6178.2 - Regional Occupational Center/Program)

f. Understanding the need to develop essential employable skills and work habits

g. Understanding the variety of four-year colleges and universities and community college vocational and technical preparation programs, as well as admission criteria and enrollment procedures

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

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

(cf. 6184 - Continuation Education)
GUIDANCE/COUNSELING SERVICES (continued)

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

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

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

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

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

(cf. 5125.1 - Release of Directory Information)

Personal or Mental Health Counseling

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

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

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

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

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

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

Crisis Counseling

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

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)

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

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

(cf. 5136 - Gangs)
(cf. 5141.52 - Suicide Prevention)

Teacher-Based Advisory Program

The Board recognizes that a supportive, ongoing relationship with a caring adult can provide a student with valuable advice, enhance student-teacher relationships, and build the student's feelings of connectedness with the school. The Board authorizes the development of a teacher-based advisory program in which teachers advise students in such areas as academic planning, character development, conflict resolution, and self-esteem. Any teacher participating in this program shall be under the supervision of a credentialed school counselor.
as appropriate, receive related information and training, and be subject to this Board policy and law, including requirements pertaining to student confidentiality and nondiscrimination.

(cf. 4131 - Staff Development)

Legal Reference:

EDUCATION CODE
221.5 Prohibited sex discrimination
44266 Pupil personnel services credential
48431 Establishing and maintaining high school guidance and placement program
49600-49604 Educational counseling
51250-51251 School age military dependents
51513 Personal beliefs

FAMILY CODE
6920-6929 Consent by minor for treatment or counseling

HEALTH AND SAFETY CODE
124260 Mental health services; consent by minors age 12 and older

PENAL CODE
11166-11170 Reporting known or suspected cases of child abuse

WELFARE AND INSTITUTIONS CODE
5850-5883 Mental Health Services Act

CODE OF REGULATIONS, TITLE 5
4930-4931 Counseling
80049-80049.1 Pupil personnel services credential
80632-80632.5 Preparation programs for pupil personnel services

UNITED STATES CODE, TITLE 10
503 Military recruiter access to directory information

UNITED STATES CODE, TITLE 20
1232g Family Educational Rights and Privacy Act
7908 Armed forces recruiter access to students and student recruiting information

CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family educational rights and privacy

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
California Results-Based School Counseling and Student Support Guidelines, 2007

WEB SITES
American School Counselor Association: http://www.schoolcounselor.org
California Association of School Counselors: http://www.schoolcounselor-ca.org
California Department of Education: http://www.cde.ca.gov
Commission on Teacher Credentialing: http://www.ctc.ca.gov
U.S. Department of Education, access to military recruiters:

Policy
adopted: September 25, 2001
revised: December 10, 2002
revised: March 14, 2006
revised: July 8, 2008
revised: May 13, 2014
revised: November 8, 2016
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 establish a comprehensive system that includes procedures for the identification, screening, referral, and regular and triennial assessment of individuals eligible for special education, as well as procedures for the planning, implementation, and review of the education and related services provided to such individuals. (Education Code 56301)

The district's identification procedures shall include methods for utilizing referrals from parents/guardians, teachers, appropriate professionals, and others, and shall be coordinated with school site procedures for referral of students whose needs 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 right to consent to any assessment concerning their child. In addition, the Superintendent or designee shall notify parents/guardians of 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: (on next page)
IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION  (continued)

Legal Reference:

EDUCATION CODE
44265.5  Professional preparation for teachers of impaired students
56000-56885  Special education programs, especially:
56195.8  Adoption of policies
56300-56304  Identification of individuals with disabilities
56320-56331  Assessment
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

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: October 26, 1999
revised: June 26, 2001
revised: January 25, 2005
revised: January 9, 2007
revised: November 13, 2007
revised: March 8, 2011

VISALIA UNIFIED SCHOOL DISTRICT  Visalia, California
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. (Education Code 56320; 34 CFR 300.301)

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
4. State that no individualized education program (IEP) will result from the evaluation without parent/guardian consent

(cf. 6159 - Individualized Education Program)
IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

Before 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: (Education Code 56329; 34 CFR 300.304, 300.504)

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 the 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, 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.

4. If the parent/guardian disagrees with an evaluation obtained by the district, he/she has the right to obtain, at public expense, an independent educational evaluation (IEE) of the student from qualified specialists, in accordance with 34 CFR 300.502. The 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 the student, an equivalent opportunity shall apply to the IEE. 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 IEE is initiated before or after the filing of a due process hearing proceeding.

5. 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 IEE, but not at public expense.
If the parent/guardian obtains an IEE at private expense, the results of the IEE 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 IEE of the student in the student’s current educational placement and setting and in any educational placement and setting proposed by the district, regardless of whether the IEE is initiated before or after the filing of a due process hearing.

6. If the parent/guardian proposes a publicly financed placement of the student in a nonpublic school, the district shall have an opportunity to observe the proposed placement and, if the student has already been unilaterally placed in the nonpublic school by his/her parent/guardian, the student in that proposed placement. 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. (Education Code 56321; 34 CFR 300.300)

_Informed parental consent_ means that the parent/guardian: (Education Code 56021.1; 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
IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

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

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: (Education Code 56321, 56341.5; 34 CFR 300.300, 300.322)

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

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. (Education Code 56321; 34 CFR 300.300)

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: (Education Code 56321.1; 20 USC 1414; 34 CFR 300.300)

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)
IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

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. (Education Code 56321; 34 CFR 300.300)

**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. (Education Code 56344; 34 CFR 300.300, 300.301)

The evaluation shall be conducted by qualified personnel who are competent to perform the assessment as determined by the district. (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)

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 assists in determining the student's educational needs and are: (Education Code 56320; 34 CFR 300.304)

1. Selected and administered so as not to be discriminatory on a racial, cultural, or sexual basis
IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

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.

7. 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. (Education Code 56320; 34 CFR 300.304)

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: (Education Code 56381; 34 CFR 300.305)

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
IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION  (continued)

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

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, lack of instruction in mathematics, limited English proficiency, or that the student does not otherwise meet the eligibility criteria. (Education Code 56329; 34 CFR 300.306)

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. (Education Code 56043; 34 CFR 300.306)

Independent Educational Evaluation

The parents/guardians of a student with a disability have the right to obtain an IEE 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 IEE or ensures that the evaluation is otherwise provided at no cost to the parent/guardian. (Education Code 56329; 34 CFR 300.502)

The parent/guardian is entitled to only one IEE at public expense each time the district conducts an evaluation with which the parent/guardian disagrees. (Education Code 56329; 34 CFR 300.502)
IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

If a parent/guardian has requested an IEE, the district may ask for the 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 IEE, 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 IEE 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 IEE but not at public expense. (34 CFR 300.502)

In any decision made with respect to providing FAPE to a student with a disability, the result of any IEE obtained by the student's parent/guardian shall be considered by the district if it meets district criteria. Any such result also may be presented as evidence at a hearing on a due process complaint. (34 CFR 300.502)

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. (Education Code 56043, 56381; 34 CFR 300.303)

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, children with disabilities who are in a preschool program shall be reevaluated 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)

(cf. 5148.3 - Preschool/Early Childhood Education)
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 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 parent 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

Management Resources:
UNITED STATES DEPARTMENT OF EDUCATION PUBLICATIONS
Questions and Answers on Serving Children with Disabilities Placed by Their Parents at Private Schools, March 2006

Legal Reference: (continued next page)
Instruction

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: November 13, 2007

VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California
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 300.130, 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 or 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
CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOL

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)

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 law.
CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOL

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)

(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. The personnel shall either be district employees or contractors of the district. (34 CFR 300.138, 300.139)

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)
STUDENT STUDY TEAMS

The Governing Board encourages the cooperation of the parent/guardian, classroom teacher, resource personnel and administrators in studying the needs of students having academic, attendance or behavioral difficulties and in identifying strategies and programs that may resolve or alleviate these difficulties. The Superintendent or designee shall establish student study teams that address individual student needs. The Board expects that student study teams will improve communications within the school and support teachers in working with the student.

The Board expects student study teams to investigate the problems of disruptive students and develop plans to modify their behavior.

Student study teams may recommend transferring the student to another school only when the study team's investigation indicates that a different placement would result in more cooperative behavior without endangering employees or other students.

Legal Reference:
EDUCATION CODE
54720-54734 School-Based Pupil Motivation and Maintenance Program and Dropout Recovery Act

Policy
adopted: September 25, 2001

VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California
STUDENT STUDY TEAMS

The principal or designee at each school shall:

1. Select a coordinator who will set student study meeting times and procedures.

2. Establish a process by which teachers, other staff members or parents/guardians may initiate a student referral.

3. Design provisions for:
   a. Contacting parents/guardians.
   b. Observing the student in the problem setting.
   c. Collecting background information.
   d. Helping the student and parent/guardian prepare for the meeting.
   e. Bringing in other school or district resource personnel.

Members of individual student study teams may include:

1. The principal or designee.

2. Resource teachers or specialists: psychologists, nurses, school counselors, bilingual staff, categorically funded staff, department chairpersons, speech and language specialists.

3. One or more of the student's teachers or previous teachers.

4. The student's parents or guardians, and the student if appropriate.

5. Representatives of community or law enforcement agencies, if appropriate.

Team Meetings

Because a positive solution to a student's difficulties often grows out of the student's strengths and potential, the initial study team meeting shall always begin by discussing the student's strengths. His/her problems shall be described as precisely as possible, and a plan for resolving these problems shall be developed.
STUDENT STUDY TEAMS (continued)

Strategies and interventions may include, but are not limited to:

1. Program changes involving different classes, a different level and/or variety of instructional materials, and/or more time for completing assignments.
2. Contracts for task completion and/or behavior modification.
3. Daily progress reports.
4. Use of after-school tutoring, peer tutoring, cross-age or cross-grade tutoring or buddy system.
5. Reinforcement and modifications at home.
6. Special instructional strategies for students of limited English proficiency.
7. Strategies for improving social skills and peer relationships.
8. Special school projects or programs.
10. Modified day.
12. Inschool suspension.
14. Saturday school or work program.
15. Work experience education.
16. Transfer to a different school (including opportunity, continuation or alternative education facility, as appropriate).
17. Referral to district resource or special education staff for academic assessment.
18. Referral for health examination.
19. Referral to school psychologist.
20. Referral to community agency or other community resource.
21. Referral of family to community agency.

Whenever the student study team is considering the possibility of transferring a disruptive student to another school, the principal or designee of the school to which the student may be transferred shall be invited to attend the study team meeting before a final decision is made.

A follow-up meeting shall be scheduled to evaluate the effectiveness of the plan and the extent to which the recommended strategies have been implemented. The plan shall be modified as needed. Subsequent review meetings may be held to monitor the student's progress and reinforce the fact that real change for students takes sustained effort over time.
IDENTIFICATION AND EDUCATION UNDER SECTION 504

The Governing Board believes that all children, including children with disabilities, should have the opportunity to learn in a safe and nurturing environment. The Superintendent or designee shall work to identify children with disabilities who reside within the jurisdiction of the district in order to ensure that they receive educational and related services required by law.

The Superintendent or designee shall provide qualified students with disabilities with a free appropriate public education (FAPE), as defined under Section 504 of the federal Rehabilitation Act of 1973. Such students shall receive regular or special education and related aids and services designed to meet their individual educational needs as adequately as the needs of students without disabilities are met. (34 CFR 104.33)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 0430 - Comprehensive Local Plan for Special Education)
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.23 - Asthma Management)
(cf. 5141.24 - Specialized Health Care Services)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

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

(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6145.5 - Student Organizations and Equal Access)

The district's local control and accountability plan shall include goals and specific actions to improve student achievement and other outcomes of students with disabilities. At least annually, the Superintendent or designee shall assess the district's progress in attaining the goals established for students with disabilities and shall report these results to the Board. (Education Code 52052, 52060)

(cf. 0460 - Local Control and Accountability Plan)

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

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 other capacity except as hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.

Legal Reference:

EDUCATION CODE
49423.5 Specialized physical health care services
52052 Numerically significant student subgroups
52060-52077 Local control and accountability plan
56043 Special education, timelines
56321 Assessment; development of IEP; parental notifications, consent

CODE OF REGULATIONS, TITLE 5
3051.12 Health and Nursing Services

UNITED STATES CODE, TITLE 20
1232g Family Educational Rights and Privacy Act of 1974
1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29
705 Definitions; Vocational Rehabilitation Act
794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE, TITLE 42
12101-12213 Americans with Disabilities Act

CODE OF REGULATIONS, TITLE 28
35.101-35.190 Nondiscrimination on the basis of disability in state and local government services

CODE OF FEDERAL REGULATIONS, TITLE 34
104.1-104.61 Nondiscrimination on the basis of handicap, especially:
104.1 Purpose to effectuate Section 504 of the Rehabilitation Act of 1973
104.3 Definitions
104.32 Location and notification
104.33 Free appropriate public education
104.34 Educational setting
104.35 Evaluation and placement
104.36 Procedural safeguards
104.37 Nonacademic services
104.7 Responsible employee; grievance procedures

COURT DECISIONS

Management Resources: (see next page)
IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

Management Resources:

CSBA PUBLICATIONS
Rights of Students with Diabetes Under IDEA and Section 504, Policy Brief, December 2007

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES
Legal Advisory on Rights of Students with Diabetes in California’s K-12 Public Schools, August 2007

U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter and Resource Guide on Students with ADHD, July 2016
Dear Colleague Letter, January 2013
Free Appropriate Public Education for Students with Disabilities: Requirements under Section 504 of the Rehabilitation Act of 1973, September 2007

WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
U.S. Department of Education, Office for Civil Rights: http://www2.ed.gov/about/offices/list/ocr

VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California

Policy
adopted: September 25, 2001
revised: October 8, 2013
revised: November 7, 2017
IDENTIFICATION AND EDUCATION UNDER SECTION 504

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

Coordinator of Student Services
5000 W. Cypress Avenue
Visalia, CA 93277
Phone: (559) 730-7385

Definitions

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

Free appropriate public education (FAPE) means the provision of regular or special education and related aids and services designed to meet the individual educational needs of a student with disabilities as adequately as the needs of students without disabilities are met, at no cost to the student or his/her parent/guardian except when a fee is specifically authorized by law for all students. (34 CFR 104.33)

(cf. 3260 - Fees and Charges)

Student with a disability means a student who has a physical or mental impairment which substantially limits one or more major life activities. (28 CFR 35.108)

Physical impairment means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genito-urinary, immune, hemic, lymphatic, skin, and endocrine. (28 CFR 35.108)

Mental impairment means any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability. (28 CFR 35.108)

Substantially limits major life activities means limiting a person's ability to perform functions, as compared to most people in the general population, such as caring for himself/herself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, writing, communicating, and working. Major life activities also includes major bodily functions such as functions of the immune system, special sense organs and skin, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions, as well as the operation of an individual organ within a body system. The determination of whether an impairment substantially limits a
IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

student's major life activities shall be made without regard to the ameliorative effects of mitigating measures other than ordinary eyeglasses or contact lenses. *Mitigating measures* are measures that an individual may use to eliminate or reduce the effects of an impairment, including, but not limited to, medications, medical supplies or equipment, prosthetic devices, assistive devices, reasonable modifications or auxiliary aids or services, learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy. (42 USC 12102; 28 CFR 35.108)

Referral, Identification, and Evaluation

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

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

(cf. 6164.5 - Student Success Teams)

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

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

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

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

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

a. Have been validated and are administered by trained personnel in conformance with the instruction provided by the test publishers
IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

b. Are tailored to assess specific areas of educational need and are not merely designed to provide a single general intelligence quotient

c. Reflect the student's aptitude or achievement or whatever else the tests purport to measure rather than his/her impaired sensory, manual, or speaking skills, except where those skills are the factors that the tests purport to measure

Section 504 Services Plan and Placement

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

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

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

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

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

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

   (cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
   (cf. 5141.22 - Infectious Diseases)
   (cf. 5141.23 - Asthma Management)
   (cf. 5141.24 - Specialized Health Care Services)
   (cf. 5141.26 - Tuberculosis Testing)
   (cf. 5141.27 - Food Allergies/Special Dietary Needs)

3. If the 504 team determines that no services are necessary for the student, the record of the team's meeting shall reflect whether or not the student has been identified as a person with a disability under Section 504 and shall state the basis for the determination that no special services are presently needed. The student's parent/guardian shall be informed in writing of his/her rights and procedural safeguards, as described in the "Procedural Safeguards" section below.
IDENTIFICATION AND EDUCATION UNDER SECTION 504  (continued)

4. The student shall be placed in the regular educational environment, unless the district can demonstrate that the education of the student in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. The student shall be educated with those who are not disabled to the maximum extent appropriate to his/her individual needs. (34 CFR 104.34)

5. The district shall complete the identification, evaluation, and placement process within a reasonable time frame. The district shall adhere to this time frame regardless of any extended school breaks or times that school is otherwise not in session.

6. A copy of the student's Section 504 services plan shall be kept in his/her student record. The student's teacher(s) and any other staff who provide services to the student shall be informed of the plan's requirements.

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

(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 5125 - Student Records)

Review and Reevaluation

The 504 team shall monitor the progress of the student and, at least annually, shall review the effectiveness of the student's Section 504 services plan to determine whether the services are appropriate and necessary and whether the student's needs are being met as adequately as the needs of students without disabilities are met. In addition, each student with a disability under Section 504 shall be reevaluated at least once every three years.

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

(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

Procedural Safeguards

The Superintendent or designee shall notify the parents/guardians of students with disabilities of all actions and decisions by the district regarding the identification, evaluation, or educational placement of their children. He/she also shall notify the parents/guardians of all the procedural safeguards available to them if they disagree with the district's action or decision, including an opportunity to examine all relevant records and an impartial hearing in which they shall have the right to participate. (34 CFR 104.36)
IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

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

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

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

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

1. The parent/guardian shall submit a written request to the Coordinator within 30 days of receiving the district's decision or, if an administrative review is held, within 14 days of the completion of the review. The request for the due process hearing shall include:

   a. The specific nature of the decision with which he/she disagrees
   b. The specific relief he/she seeks
   c. Any other information he/she believes is pertinent to resolving the disagreement

2. Within 30 days of receiving the parent/guardian's request, the Superintendent or designee and 504 Coordinator shall select an impartial hearing officer. This 30-day deadline may be extended for good cause or by mutual agreement of the parties.

3. Within 45 days of the selection of the hearing officer, the Section 504 due process hearing shall be conducted and a written decision mailed to all parties. This 45-day deadline may be extended for good cause or by mutual agreement of the parties.

4. The parties to the hearing shall be afforded the right to:

   a. Be accompanied and advised by legal counsel and by individuals with special knowledge or training related to the problems of students with disabilities under Section 504
   b. Present written and oral evidence
   c. Question and cross-examine witnesses
IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

d. Receive written findings by the hearing officer stating the decision and explaining the reasons for the decision

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

Notifications

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

(cf. 5145.6 - Parental Notifications)
TRANSITIONAL KINDERGARTEN

The 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 the 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. (Education Code 48000)

Parents/guardians of eligible children shall be notified of the availability of the TK program and 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 and who is therefore eligible for kindergarten.

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

Curriculum and Instruction

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

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

The program shall be aligned with the preschool learning foundations and preschool curriculum frameworks developed by the California Department of Education (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 Board shall establish the length(s) of the school day in the district's TK program. TK programs may be maintained for different lengths of time either at the same or different school sites, as long as the school day is at least three hours but no more than four hours. The Superintendent or designee shall annually report to CDE as to whether the district's TK programs are offered full day, part day, or both. (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.

TK students may be placed in a classroom commingled with 4-year-old students from a California State Preschool Program as long as the classroom does not include students enrolled in TK for a second year or students enrolled in a regular kindergarten. (Education Code 8235, 48000)

Staffing

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

(cf. 4112.2 - Certification)

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

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

(cf. 4131 - Staff Development)

Continuation to Kindergarten

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

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

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

(cf. 5123 - Promotion/Acceleration/Retention)

Assessment

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

(cf. 0500 - Accountability)
(cf. 6162.5 - Student Assessment)

Legal Reference:  (see next page)
TRANSITIONAL KINDERGARTEN (continued)

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
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
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
TITLE I PROGRAMS

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

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

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

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

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

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

(cf. 6020 - Parent Involvement)

Comparability of Services

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

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

1. Adopt and implement a districtwide salary schedule
2. Ensure equivalence in teachers, administrators, and other staff, as measured by either or both of the following:
   a. The ratio of students to instructional staff at each Title I school within a grade span, which shall not exceed 110 percent of the average ratio for all non-Title I district schools within that grade span
   b. Salary expenditures for instructional staff at each Title I school, which shall be no less than 90 percent of the average salary expenditure across non-Title I district schools.
TITLE I PROGRAMS (continued)

3. Ensure equivalence in the provision of curriculum materials and instructional supplies, by determining whether the per-student expenditure of state and local funds for curriculum materials and instructional supplies in Title I schools is between 90 and 110 percent of the districtwide average.

4. Determine whether the amount of state and local funds allocated per student for each grade span is between 90 and 110 percent of the per student average for each grade span in non-Title I schools.

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

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

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

Participation of Private School Students

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

Program Evaluation

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

(cf. 0500 - Accountability)
(cf. 6190 - Evaluation of the Instructional Program)
TITLE I PROGRAMS (continued)

Legal Reference:

EDUCATION CODE
11503 Parent involvement programs in Title I schools
52060-52077 Local control and accountability plan
54420-54425 State Compensatory Education
64001 Single plan for student achievement, consolidated application programs

UNITED STATES CODE, TITLE 20
6301 Program purpose
6311-6322 Improving basic programs for disadvantaged students, including:
6312 Local educational agency plan
6313 Eligibility of schools and school attendance areas; funding allocation
6314 Title I schoolwide programs
6315 Targeted assistance schools
6318 Parent and family engagement
6320 Participation of private school students
6321 Comparability of services
6333-6335 Grants to local educational agencies
6391-6399 Education for migrant students
7881 Participation of private school students

CODE OF FEDERAL REGULATIONS, TITLE 34
200.1-200.73 Improving basic programs for disadvantaged students

Management Resources: (see next page)
TITLE I PROGRAMS (continued)

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: https://www.cde.ca.gov/sp/sw
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. (20 USC 6314; 34 CFR 200.25)

A school that does not meet these criteria may operate a Title I schoolwide program if it receives a waiver from the California Department of Education. (20 USC 6314)

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

(cf. 0400 - Comprehensive Plans)

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

(cf. 0420 - School Plans/Site Councils)

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

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

(cf. 6011 - Academic Standards)

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

(cf. 5148.2 - Before/After School Programs)
(cf. 6111 - School Calendar)
(cf. 6112 - School Day)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6177 - Summer Learning Programs)
3. Address the needs of all students in the school, but particularly the needs of those at risk of not meeting state academic standards, through activities which may include the following:

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

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

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

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

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

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

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

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

   (cf. 5148.3 - Preschool/Early Childhood Education)

The plan shall also include a description of any applicable federal, state, and local programs that will be consolidated in the schoolwide program. (20 USC 6314; 34 CFR 200.27)
The plan and its implementation shall be regularly monitored and revised as necessary based on student needs to ensure that all students are provided opportunities to meet state academic standards. (20 USC 6314)

**Targeted Assistance Programs**

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

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

Any targeted assistance program shall: (20 USC 6315)

1. Use program resources to help participating students meet state academic standards, which may include programs, activities, and academic courses necessary to provide a well-rounded education

2. Use methods and instructional strategies that strengthen the academic program, through activities which may include:
   a. Expanded learning time, before- and after-school programs, and summer programs and opportunities
   b. A schoolwide tiered model to prevent and address behavior problems, and early intervention services, coordinated with similar activities and services carried out under the Individuals with Disabilities Education Act

3. Coordinate with and support the regular education program, which may include services to assist preschool students in the transition to elementary school programs

4. Provide professional development to teachers, principals, other school leaders, paraprofessionals, and, if appropriate, specialized instructional support personnel and other school personnel who work with eligible students in Title I programs or in the regular education program. The professional development shall be provided using funds from Title I and, to the extent practicable, other sources.
TITLE I PROGRAMS (continued)

5. Implement strategies to increase the involvement of parents/guardians of participating students

6. If appropriate and applicable, coordinate and integrate federal, state, and local services and programs, such as programs supported by the Elementary and Secondary Education Act, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career technical education programs, and comprehensive or targeted support and improvement activities under 20 USC 6311

7. Provide assurances to the Superintendent or designee that the program will:
   a. Help provide an accelerated, high-quality curriculum
   b. Minimize the removal of students from the regular classroom during regular school hours for instruction supported by Title I funds
   c. On an ongoing basis, review the progress of participating students and revise the targeted assistance program, if necessary, to provide additional assistance to enable such students to meet state academic standards

Participation of Private School Students

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

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

The Superintendent or designee shall consult with appropriate private school officials, in a meaningful and timely manner, during the design and development of the district's Title I programs, with the goal of reaching agreement on how to provide equitable and effective programs for eligible private school students. Such consultation shall occur before the district
TITLE I PROGRAMS  (continued)

makes any decision that affects the opportunities of eligible private school students to participate in Title I programs and shall include consultation on issues such as the following:  (20 USC 6320, 7881; 34 CFR 200.56)

1. How the needs of private school students will be identified

2. What services will be offered

3. How, where, and by whom the services will be provided

4. How the services will be academically assessed and how assessment results will be used to improve those services

5. The size and scope of the equitable services to be provided to eligible private school students, the proportion of funds to be allocated for such services, and how that proportion of funds is determined

6. The method or sources of data that are used to determine the number of students from low-income families in participating school attendance areas who attend private schools

7. How and when the district will make decisions about the delivery of services to such students, including a thorough consideration and analysis of the views of private school officials on the provision of services through a third-party provider

8. How, if the district disagrees with the views of private school officials on the provision of services through a third-party provider, the district will provide to private school officials a written analysis of the reasons that the district has chosen not to use a contractor

9. Whether the district will provide services directly or through a separate government agency, consortium, entity, or third-party contractor

10. Whether to provide services to eligible private school students by pooling funds or on a school-by-school basis

11. When services will be provided, including the approximate time of day

12. Whether to consolidate and use funds provided under Title I with other funds available for services to private school students

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

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

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

(cf. 3580 - District Records)

The Superintendent or designee shall also maintain copies of program descriptions, notices, funding allocations, and other communications and records pertaining to the provision of services to private school students.
The Governing Board believes that all students deserve an education that challenges them to meet their full potential. The Board shall provide gifted and talented students opportunities for learning commensurate with their particular abilities and talents.

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

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

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

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

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

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

(cf. 4131 - Staff Development)

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

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

District program planning, implementation and evaluation shall involve parents/guardians, staff, community members and students.

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

Legal Reference: (see next page)
Instruction

GIFTED AND TALENTED STUDENT PROGRAM  (continued)

Legal Reference:
EDUCATION CODE
48800-48802 Enrollment of gifted students in community college
51740 Instruction by correspondence
51745-51749.3 Independent study programs
52200-52212 Gifted and Talented Pupil Program
76001 Enrollment in community college
CODE OF REGULATIONS, TITLE 5
1633 Instruction by correspondence
3820-3870 Gifted and Talented Pupil Program

Management Resources:
WEB SITES
CDE: http://www.cde.ca.gov
California Association for the Gifted: http://www.cagifted.org
National Association for Gifted Children: http://www.nagc.org

Policy
adopted: November 16, 1999
Revised: November 13, 2001
Revised: December 16, 2003

VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California
GIFTED AND TALENTED STUDENT PROGRAM

Definitions

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

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

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

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

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

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

Program Plan

The Superintendent or designee shall develop a written plan for the district's program which includes the components specified in 5 CCR 3831. At the site level, parents are involved in the planning and evaluation of programs for gifted students via the Site GATE Advisory Committee and the School Site Council. Representatives for each school site are involved in the District GATE Advisory Committee and assist with the application process.

Identification of Gifted and Talented Students

Students shall be selected for the program based on their demonstrated or potential ability for high performance in one or more of the following categories: (Education Code 52202, 5 CCR 3822)
Instruction

**GIFTED AND TALENTED STUDENT PROGRAM** (continued)

1. Intellectual, creative, specific academic, or leadership ability
2. High achievement
3. Talent in visual or performing arts

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

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

Evidence of students' capability may include any of the following: (5 CCR 3823)

1. School, class and individual student records
2. Individual tests, including summary and evaluation by a credentialed school psychologist
3. Group tests
4. Interviews and questionnaires by a teacher, parent/guardian or others
5. Student products, comments from peers, and opinions of professional persons

(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 6162.5 - Student Assessment)

Such evidence shall consider the economic, linguistic and cultural characteristics of students' background. (5 CCR 3823)

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

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

GIFTED AND TALENTED STUDENT PROGRAM (continued)

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

(cf. 5118 - Transfers)

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

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

Community College Enrollment

With parental consent, a principal may recommend students of any age or grade level for part-time enrollment in community college courses. (Education Code 48800)

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

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

If the Board denies a request for special part-time or full-time enrollment at a community college for a student who is identified as highly gifted and talented as defined above, the Board shall issue its written recommendation and the reasons for the denial within 60 days. The written recommendation and denial shall be issued at the next regularly scheduled Board meeting that falls at least 30 days after the request has been submitted. (Education Code 48800, 48800.5)
EDUCATION OF 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 order pursuant to 10 USC 1209 or 1211
2. Members or veterans of the uniformed services who are severely injured and medically discharged or retired, for one year after their medical discharge or retirement
3. Members of the uniformed services who have died while on active duty or as a result of injuries sustained on active duty, for one year after their death

Enrollment and Residency

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)

A child of a military family shall be deemed to meet district residency requirements if the 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. 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 shall enroll the student based on unofficial education records, if official records are not yet available. Upon enrollment, the Superintendent or designee shall immediately request the student's official 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 a military family shall be allowed to continue attending the school of origin, regardless of any change of residence of the family during that school year, for the duration of the student's status as a child of a military family. (Education Code 48204.6)
EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

To provide a child of a military family the benefit of matriculating with peers in accordance with the established feeder patterns of the district, the following shall apply: (Education Code 48204.6)

1. If the student is transitioning between grade levels, the student shall be allowed to continue in the school district of origin in the same school attendance areas.

2. If the student is transitioning to a middle or high school and the school designated for matriculation is in another district, the student shall be allowed to continue to the school designated for matriculation in that school district.

The principal or designee of the new school shall ensure that the student is immediately enrolled even if the student has outstanding fees, fines, textbooks, or other items or moneys due to the school last attended or is unable to produce clothing or records normally required for enrollment, such as previous academic records, medical records, including, but not limited to, records or other proof of immunization history pursuant to Health and Safety Code 120325-120480, proof of residency, other documentation, or school uniforms. (Education Code 48204.6)

If the student's status changes during a school year due to the end of military service of the student's parent/guardian, the following shall apply: (Education Code 48204.6)

1. If the student is in grades K-8, the student shall be allowed to continue attending the school of origin through the duration of that academic school year.

2. If the student is in high school, the student shall be allowed to continue attending the school of origin through graduation.

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 records or, if the official student record cannot be released, an unofficial or "hand-carried" record. Upon request from the new district, the Superintendent or designee shall provide a copy of the student's record to the new district within 10 days. (Education Code 49701)
EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

Transportation

The Superintendent or designee may, but is not required to, provide transportation to enable a child of a military family to attend the school of origin or to matriculate to a feeder school as described above, except when indicated in the individualized education program (IEP) of a student with a disability or otherwise required by federal law. (Education Code 48204.6)

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 determine the appropriate placement of the student in classes. The evaluation shall also include communication with school counselors and teachers at the former school by videoconferencing, email, and/or telephone calls. (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 student's enrollment and/or assessment in the 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 based on the student's current IEP. In addition, when the child of a military family transferring into the district is eligible for services under Section 504 of the federal Rehabilitation Act, the Superintendent or designee shall make reasonable accommodations and modifications to address the needs of the student subject to the student's existing Section 504 plan. The district may authorize subsequent evaluations of the student to ensure appropriate placement. (Education Code 49701)

(cf. 6159 - Individualized Education Program)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.6 - Identification and Education Under Section 504)
EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

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 and Agency Services for Special Education)

If the student did not complete the entire course, the student shall be issued partial credit for the coursework completed and shall be required to take only the portion of the course not completed at the 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 the student 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.

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 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 the parent/guardian. (Education Code 49701)

(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 shall generally fulfill any additional graduation requirements prescribed by the Governing Board.

(cf. 6146.1 - High School Graduation Requirements)
EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

However, when a child of a military family who has completed the second year of high school transfers into the district from another school district or transfers between high schools within the district, the student shall be exempted from all district-adopted coursework and other district-established graduation requirements that are in addition to the statewide coursework requirements specified in Education Code 51225.2, 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 the fourth year of high school. Within 30 calendar days of the student's transfer, the Superintendent or designee shall notify the student and 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 the third or fourth year of high school, the district shall use either the number of credits earned as of the date of the transfer or the length of school enrollment, whichever qualifies the student for the exemption. (Education Code 51225.1)

The Superintendent or designee shall notify any child of a military family who is granted an exemption and the student's parent/guardian 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 child of a military family to transfer schools in order to qualify for an exemption, and no child of a military family or 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 while enrolled in school or upon transfer 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 a fifth year of high school, the Superintendent or designee shall: (Education Code 51225.1)

1. Inform the student and, if under 18 years of age, the student's 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 the student's ability to gain admission to a postsecondary educational institution

2. Provide information to the student about transfer opportunities available through the California Community Colleges
EDUCATION OF CHILDREN OF MILITARY FAMILIES  (continued)

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)

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)

Policy
adopted: March 25, 2003
revised: October 24, 2006
revised: June 21, 2016
revised: June 13, 2017
revised: May 20, 2019

VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California
EDUCATION FOR HOMELESS CHILDREN

Definitions

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

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

(cf. 6173.1 - Education for Foster Youth)

2. Students who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings

3. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings

4. Migratory children who qualify as homeless because they are living in conditions described in items #1-3 above

*Unaccompanied youth* includes youth who are not in the physical custody of a parent or guardian. (20 USC 11434a)

*School of origin* means the school that the homeless student attended when permanently housed or the school in which he/she was last enrolled, including a preschool. If the school the homeless student attended when permanently housed is different from the school in which he/she was last enrolled, or if there is some other school that he/she attended within the preceding 15 months and with which he/she is connected, the district liaison shall determine, in consultation with and with the agreement of the homeless student and the person holding the right to make educational decisions for the student, and in the best interests of the homeless student, which school shall be deemed the school of origin. (Education Code 48852.7; 42 USC 11432)

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

**District Liaison**

The Superintendent designates the following staff person as the district liaison for homeless students: (42 USC 11432)
EDUCATION FOR HOMELESS CHILDREN (continued)

Director of Student Services
Visalia Unified School District
5000 W. Cypress Avenue
Visalia, CA 93277
Phone: (559) 730-7584

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

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 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 abuse services, housing services, 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 (soup kitchens). 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
EDUCATION FOR HOMELESS CHILDREN (continued)

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 choice

(cf. 3541 - Transportation Routes and Services)

9. Ensure that school personnel providing services to homeless students receive professional development and other support

(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 liaison to receive verification of their independent student 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 students, 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 web site. (42 USC 11432)

Enrollment

The district shall make placement decisions for homeless students based on the student's best interest. (42 USC 11432)
EDUCATION FOR HOMELESS CHILDREN (continued)

In determining the best interest of the student, the district shall consider student-centered factors related to the student's best interest, 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, in the case of an unaccompanied youth, the youth. (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 11432)

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 a 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 placement decision has been made, the principal or designee shall immediately enroll the student in the school of choice. The student shall be enrolled even if he/she:

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 or designee shall refer the parent/guardian to the district liaison for homeless students. The district liaison shall assist the parent/guardian, or the student if he/she is an unaccompanied youth, in obtaining the necessary immunizations, 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 his/her parent/guardian or an unaccompanied youth, the Superintendent or designee shall provide the parent/guardian or the 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. (Education Code 48852.7; 42 USC 11432)

To ensure that the homeless student has the benefit of matriculating with his/her peers in accordance with the established feeder patterns, the following shall apply: (Education Code 48852.7; 42 USC 11432)

1. If the student is transitioning between grade levels, he/she shall be allowed to continue in the same attendance area.

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

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

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

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

**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)
EDUCATION FOR HOMELESS CHILDREN  (continued)

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 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 student 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 matter.

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
3. Provide them a simple form that they may use and turn in to the school to initiate the dispute resolution process
4. Provide them a copy of the dispute form they submit for their records
5. Provide them the outcome of the dispute for their records
EDUCATION FOR HOMELESS CHILDREN (continued)

If a parent/guardian 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 five working days.

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

Pending final resolution of the dispute, including all available appeals, the student shall be immediately enrolled in the school in which enrollment is sought and 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 of the district in which the student is now residing to agree upon a method to apportion the responsibility and costs of the transportation. (42 USC 11432)

(cf. 3250 - Transportation Fees)
(cf. 3541 - Transportation Routes and Services)

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

Transfer of Coursework and Credits

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

If the homeless student did not complete the entire course, he/she shall be issued partial credit for the coursework completed and shall be required to take the portion of the course that he/she did not complete at his/her previous school. However, the district may require the student to retake the portion of the course completed if, in consultation with the holder of educational rights for the student, the district finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a homeless student in any particular course, he/she shall be enrolled in the same or equivalent course, if applicable, so that he/she may continue and complete the entire course. (Education Code 51225.2)
Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject. Partial credits and grades earned by a student shall be included on the student's official transcript within two business days of the district's notification of the student's transfer, as required under Education Code 49069.5.

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

(cf. 6143 - Courses of Study)

**Applicability of Graduation Requirements**

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

(cf. 6146.1 - High School Graduation Requirements)
(cf. 6162.52 - High School Exit Examination)

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

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

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

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

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

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

1. Inform the student and, if under 18 years of age, the person holding the right to make educational decisions for him/her, of the option available to the student to remain in school for a fifth year to complete the district's graduation requirements and how that will affect his/her ability to gain admission to a postsecondary educational institution

2. Provide information to the homeless student about transfer opportunities available through the California Community Colleges

3. Upon agreement with the homeless student or with the person holding the right to make educational decisions for him/her if he/she is under 18 years of age, permit the student to stay in school for a fifth year to complete the district's graduation requirements

Eligibility for Extracurricular Activities

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

(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)

Notification and Complaints

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

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

(cf. 1312.3 - Uniform Complaint Procedures)
EDUCATION FOR HOMELESS CHILDREN

DISTRICT EXPLANATION OF DECISION
RELATED TO ELIGIBILITY, SCHOOL SELECTION, OR ENROLLMENT

Instructions: The following form provides notice and explanation to a student's parent/guardian or an unaccompanied youth regarding the district's decision related to student eligibility, school selection, or enrollment.

Date:__________ Name of person completing form:______________________________
Title:________________________ Phone number:______________________________

In accordance with the federal McKinney-Vento Homeless Assistance Act (42 USC 11431-11435), this notification is being provided to either:
Name of parent(s)/guardian(s): _____________________________________________
Name of unaccompanied student: ___________________________________________

School requested:________________________________________________________
District's placement decision (name of school):_______________________________

Action(s) proposed/refused by the district related to eligibility, school selection, or enrollment:
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________

The district's determination regarding eligibility, school selection, or enrollment was based upon the following evidence and for the following reasons:
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________

Other options that the district considered, if any, included the following options which were rejected for the following reasons:
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
_______________________________________________________________________
EDUCATION FOR HOMELESS CHILDREN

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, if any:

_________________________________________________

_________________________________________________

_________________________________________________

You have the right to appeal this decision to the district Superintendent. To do so, contact the district's homeless liaison listed below within the next ___(insert number of days)___ days to request a Dispute Form. You may provide written or verbal documentation to support your position, and also may seek the assistance of social services, advocates, and/or service providers in the dispute process. The Superintendent or designee will review all the evidence and will notify you of his/her decision within ___(insert number of days)___ days.

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

CONTACT INFORMATION:

District Liaison: The district liaison is one of the primary contacts between homeless families and school or district staff. He/she is responsible for coordinating services to ensure that homeless students enroll in school and have the opportunity to succeed academically, and mediates enrollment disputes as needed.

Name of district's homeless liaison:_______________________________________
Address:________________________________________________________________
Phone number:__________________________________________________________

County Liaison: If you appeal the district's decision to the county office of education, the district liaison shall forward all written documentation and related paperwork to the homeless liaison at the county office. The county liaison will review the materials and determine the eligibility, school selection, or enrollment decision within five working days of receiving the materials. He/she will notify you of the decision.

Name of County Office of Education homeless liaison:_______________________
Address:________________________________________________________________
Phone number:__________________________________________________________
EDUCATION FOR HOMELESS CHILDREN

State Coordinator: If you appeal the county office’s decision to the California Department of Education, the county homeless liaison shall forward all written documentation and related paperwork to the State Homeless Coordinator. The state coordinator will review the district, county office, and parent/guardian information and will notify you of the decision within ten working days of receiving the materials.

Name of state homeless coordinator: ________________________________
Address:_________________________________________________________________
Phone number: _______________________________________________________

RIGHTS:

Pending the final resolution of this dispute, including the period of all appeals, the student has the right to immediately enroll in the school requested and to participate fully in school activities at that school.
EDUCATION FOR HOMELESS CHILDREN

DISPUTE FORM

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

Date submitted: _______________________
Student's name: ____________________________________________________________
Name of person completing form: _____________________________________________
Relation to student: _________________________________________________________
Address: ___________________________________________________________________
Phone number: ______________________________________________________________

Name of school requested: ____________________________________________________

I wish to appeal the eligibility, school selection, or enrollment decision made by:
☐ District liaison   ☐ District Superintendent   ☐ County office of education liaison

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

___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________

I have been provided with:
☐ A written explanation of the district's decision
☐ Contact information for the district's homeless liaison
☐ Contact information for the county office of education's homeless liaison
☐ Contact information for the state homeless coordinator
EDUCATION FOR FOSTER YOUTH

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. 5149 - At-Risk Students)
(cf. 6011 - Academic Standards)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6173 - Education for Homeless Children)
(cf. 6179 - Supplemental Instruction)

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

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

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

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

(cf. 1020 - Youth Services)

Legal Reference: (see next page)
EDUCATION FOR FOSTER YOUTH  (continued)

Legal Reference:

**EDUCATION CODE**
- 32228-32228.5 Student safety and violence prevention
- 42238.01-42238.07 Local control funding formula
- 42920-42925 Foster children educational services
- 48645-48646 Juvenile court schools
- 48850-48859 Educational placement of students residing in licensed children's institutions
- 48915.5 Suspension and expulsion; students with disabilities, including foster youth
- 48918.1 Notice of expulsion hearing for foster youth
- 49061 Student records
- 49069.5 Foster care students, transfer of records
- 49076 Access to student records
- 51225.1 Exemption from district graduation requirements
- 51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course
- 51225.3 High school graduation

**EDUCATION CODE** (continued)
- 52060-52077 Local control and accountability plan
- 56055 Rights of foster parents in special education
- 60851 High school exit examination

**HEALTH AND SAFETY CODE**
- 1522.41 Training and certification of group home administrators
- 1529.2 Training of licensed foster parents
- 120341 Foster youth: school placement: immunization records

**WELFARE AND INSTITUTIONS CODE**
- 300 Children subject to jurisdiction
- 309 Investigation and release of child
- 317 Appointment of legal counsel
- 361 Limitations on parental or guardian control
- 366.27 Educational decision by relative providing living arrangements
- 602 Minors violating law; ward of court
- 726 Limitations on parental or guardian control
- 727 Order of care, ward of court
- 16000-16014 Foster care placement

**UNITED STATES CODE, TITLE 20**
- 1415 Procedural safeguards; placement in alternative educational setting

**UNITED STATES CODE, TITLE 29**
- 794 Rehabilitation Act of 1973, Section 504

**UNITED STATES CODE, TITLE 42**
- 670-679b Federal assistance for foster care programs
- 11431-11435 McKinney-Vento Homeless Assistance Act

Management Resources: (see next page)
EDUCATION FOR FOSTER YOUTH  (continued)

Management Resources:
CSBA PUBLICATIONS
Educating Foster Youth: Best Practices and Board Considerations, Policy Brief, March 2008
AMERICAN BAR ASSOCIATION PUBLICATIONS
Mythbusting: Breaking Down Confidentiality and Decision-Making Barriers to Meet the Education Needs of Children in Foster Care, 2005
CALIFORNIA CHILD WELFARE COUNCIL
Partial Credit Model Policy and Practice Recommendations
CITIES, COUNTIES AND SCHOOLS PARTNERSHIP PUBLICATIONS
Our Children: Emancipating Foster Youth, A Community Action Guide
WEB SITES
CSBA: http://www.csba.org
American Bar Association: http://www.americanbar.org
California Department of Education, Foster Youth Services: http://www.cde.ca.gov/ls/pf/fy
California Department of Social Services, Foster Youth Ombudsman Office: http://www.fosteryouthhelp.ca.gov
California Youth Connection: http://www.calyouthconn.org/site/cyc
Cities, Counties and Schools Partnership: http://www.ccspartnership.org
EDUCATION FOR FOSTER YOUTH

Definitions

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

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

School of origin means the school that the foster youth attended when permanently housed or the school in which he/she was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which he/she was last enrolled, or if there is 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)

Director, Student Services
Visalia Unified School District
5000 W. Cypress Avenue
Visalia, CA  93277
(559) 730-7579

(cf. 6173 - Education for Homeless Children)
EDUCATION FOR FOSTER YOUTH (continued)

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)

2. Ensure proper transfer of credits, records, and grades when students in foster care transfer from one school to another or from one district to another (Education Code 48645.5, 48853.5)

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

   (cf. 5125 - Student Records)
   (cf. 6146.3 - Reciprocity of Academic Credit)

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

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

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

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

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

   (cf. 5141.6 - School Health Services)
   (cf. 5148.2 - Before/After School Programs)
   (cf. 6164.2 - Guidance/Counseling Services)
   (cf. 6172 - Gifted and Talented Student Program)
   (cf. 6174 - Education for English Learners)
   (cf. 6177 - Summer Learning Programs)
   (cf. 6179 - Supplemental Instruction)
EDUCATION FOR FOSTER YOUTH (continued)

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

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

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

(cf. 1020 - Youth Services)
(cf. 5113.1 - Chronic Absence and Truancy)

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

(cf. 0460 - Local Control and Accountability Plan)

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)

3. At the initial placement or any subsequent change in placement, the student exercises his/her right to continue in his/her school of origin, as defined above.

a. The student may continue in the school of origin for the duration of the court's jurisdiction.

b. If the court's jurisdiction over a grade K-8 student is terminated prior to the end of a school year, the student may continue in his/her school of origin for the remainder of the school year.

c. If the court's jurisdiction is terminated while the student is in high school, the student may continue in his/her school of origin until he/she graduates.

d. If the student is transitioning between school grade levels, he/she shall be allowed to continue in the district of origin in the same attendance area to provide him/her the benefit of matriculating with his/her peers in accordance with the established feeder patterns of school districts. A student who is transitioning to a middle school or high school shall be allowed to enroll in the school designated for matriculation in another school district.

The district liaison may, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, recommend that the youth's right to attend the school of origin be waived and he/she be enrolled in any school that students living in the attendance area in which the foster youth resides are eligible to attend. All decisions shall be made in accordance with the foster youth's best interests. (Education Code 48853.5)

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

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

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

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended
   (cf. 5125.2 - Withholding Grades, Diploma or Transcripts)
2. Does not have clothing normally required by the school, such as school uniforms
   (cf. 5132 - Dress and Grooming)
3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and medical records, including, but not limited to, immunization records or other documentation
   (cf. 5111.1 - District Residency)
   (cf. 5141.26 - Tuberculosis Testing)
   (cf. 5141.31 - Immunizations)
   (cf. 5141.32 - Health Screening for School Entry)

If the foster youth or a person 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)

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

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

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

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

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

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

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

Upon making a finding that a foster youth is reasonably able to complete district graduation requirements within his/her fifth year of high school, the Superintendent or designee shall:

(Education Code 51225.1)

1. Inform the foster youth and the person holding the right to make educational decisions for him/her of the foster youth's option to remain in school for a fifth year to complete the district's graduation requirements and how that will affect his/her ability to gain admission to a postsecondary educational institution.

2. Provide information to the foster youth about transfer opportunities available through the California Community Colleges.

3. Upon agreement with the foster youth or, if he/she is under 18 years of age, the person holding the right to make educational decisions for him/her, permit the foster youth to stay in school for a fifth year to complete the district's graduation requirements.

Eligibility for Extracurricular Activities

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

(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)

Notification and Complaints

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

(cf. 5145.6 - Parental Notifications)

Any complaint 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)
EDUCATION OF CHILDREN OF MILITARY FAMILIES

The Governing Board recognizes that children of military families face challenges to their academic success caused by the 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 children 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 provide information and/or training to administrators, other appropriate district staff, and military families regarding the provisions of the Interstate Compact and the educational rights of children of military families.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
(cf. 5020 - Parent Rights and Responsibilities)

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

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

The Superintendent or designee shall annually 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: (see next page)
EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

Legal Reference:

EDUCATION CODE
35160.5 District policy rules and regulations; requirements; matters subject to regulation
35179 Interscholastic athletics; associations or consortia
35181 Students' responsibilities
35351 Assignment of students to particular schools
46600-46611 Interdistrict attendance agreements
48050-48054 Nonresidents
48200-48208 Persons included (compulsory education law)
48300-48316 Student attendance alternatives, school district of choice program
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
Military Interstate Children's Compact Commission: http://www.mic3.net

Policy
adopted: May 11, 2010
revised: June 26, 2018

VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California
EDUCATION OF CHILDREN OF MILITARY FAMILIES

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

1. Members who are in full-time duty status in the active uniformed service of the United States, including any member of the National Guard and Reserve on active duty order pursuant to 10 USC 1209 or 1211

2. Members or veterans of the uniformed services who are severely injured and medically discharged or retired, for one year after their medical discharge or retirement

3. Members of the uniformed services who have died while on active duty or as a result of injuries sustained on active duty, for one year after their death

**Enrollment**

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

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

(cf. 5111- Admission)
(cf. 5125 - Student Records)
(cf. 5141- Health Care and Emergencies)
(cf. 5141.31- Immunizations)

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

(cf. 5117 - Interdistrict Attendance)

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

Placement and Attendance

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

(Education Code 49701)

(cf. 6141.5 - Advanced Placement)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6146.3 - Reciprocity of Academic Credit)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6174 - Education for English Language Learners)

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

(Education Code 49701)

(cf. 6159 - Individualized Education Program)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.6 - Identification and Education Under Section 504)

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

(cf. 5113 - Absences and Excuses)

Graduation

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

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

(cf. 6146.1 - High School Graduation Requirements)
(cf. 6162.52 - High School Exit Examination)
(cf. 6179 - Supplemental Instruction)

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

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

The Superintendent or designee shall collaborate with the County Superintendent of Schools and the county probation department to facilitate the transition of students from a juvenile court school into the regular schools of the district. Such collaboration may include, but not be limited to, the development of data-sharing systems, communication strategies, and other structures that aid in the enrollment, placement, and continuous educational progress of such students.

Enrollment

A former juvenile court school student transferring into a regular district school shall be immediately enrolled in the school. The Superintendent or designee shall not deny enrollment to a student solely on the basis of his/her arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other contact with the juvenile justice system. (Education Code 48645.5)

Transfer of Coursework and Credits

When a student transfers from a juvenile court school into a district school, the district shall accept and issue full credit for any coursework that the student has satisfactorily completed at that school and shall not require the student to retake the course. If the student did not complete the entire course, he/she shall be issued partial credit for the coursework completed and shall not be required to retake the portion of the course completed. (Education Code 48645.5, 51225.2)

However, a student may be required to retake the portion of the course completed if the Superintendent or designee, in consultation with the holder of educational rights for the student, 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 former juvenile court school 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.
EDUCATION FOR JUVENILE COURT SCHOOL STUDENTS  (continued)

In no event shall the district prevent a former juvenile court school student from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code 51225.2)

(cf. 6143 - Courses of Study)

Graduation

If a student completes district graduation requirements while being detained in a juvenile facility, the district shall issue the student a diploma from the school the student last attended, unless the County Superintendent issues the diploma. (Education Code 48645.5)

(cf. 6146.1 - High School Graduation Requirements)

A student who transfers to a district school from a juvenile court school shall generally be expected to complete all courses required by Education Code 51225.3 and to fulfill any additional graduation requirements prescribed by the Governing Board.

However, when a student who has completed his/her second year of high school transfers from a juvenile court school into a district school, 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, the person holding the right to make educational decisions for him/her, and the student's social worker or probation officer 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 termination of the court's jurisdiction over the student. (Education Code 51225.1)

(cf. 5145.6 - Parental Notifications)

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 or the length of his/her school enrollment, whichever qualifies him/her for the exemption. (Education Code 51225.1)

The Superintendent or designee shall notify any former juvenile court school 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)
EDUCATION FOR JUVENILE COURT SCHOOL STUDENTS  (continued)

The district shall not require or request a former juvenile court school 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 student, the person holding the right to make educational decisions for the student, or the student's social worker or probation officer. (Education Code 51225.1)

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

If the Superintendent or designee determines that a former juvenile court school 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 under 18 years of age, the person holding the right to make educational decisions for him/her, of the option available to the student to remain in school for a fifth year to complete the district's graduation requirements and how that will affect his/her ability to gain admission to a postsecondary educational institution

2. Provide information to the student about transfer opportunities available through the California Community Colleges

3. Upon agreement with the student or with the person holding the right to make educational decisions for him/her if he/she is under 18 years of age, permit the student to stay in school for a fifth year to complete the district's graduation requirements

Notification and Complaints

Information regarding the educational rights of former juvenile court school 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 former juvenile court school 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)

Legal Reference: (see next page)
EDUCATION FOR JUVENILE COURT SCHOOL STUDENTS

Legal Reference:

EDUCATION CODE
48645-48648 Juvenile court schools
48853.5 Immediate enrollment
51225.1 Exemption from district graduation requirements
51225.2 Former juvenile court school student defined; acceptance of coursework, credits, retaking of course
51225.3 High school graduation
60851.5 Suspension of high school exit examination
WELFARE AND INSTITUTIONS CODE
602 Minors violating law; ward of court
880-893 Wards and dependent children; juvenile homes, ranches and camps
CODE OF REGULATIONS, TITLE 5
4600-4687 Uniform complaint procedures

Management Resources:

CALIFORNIA CHILD WELFARE COUNCIL
Partial Credit Model Policy and Practice Recommendations
YOUTH LAW CENTER PUBLICATIONS
Educational Injustice: Barriers to Achievement and Higher Education for Youth in California Juvenile Court Schools, 2016
WEB SITES
CSBA: http://www.csba.org
California Department of Education, Juvenile Court Schools: http://www.cde.ca.gov/sp/eo/jc
Youth Law Center: http://www.ylc.org

Regulation approved: October 12, 2017

VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California
EDUCATION FOR ENGLISH 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 shall identify in its local control and accountability plan (LCAP) goals and specific actions and services to enhance student engagement, academic achievement, and other outcomes for English learners.

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3100 - Budget)

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

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

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

(cf. 6011 - Academic Standards)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6171 - Title I Programs)

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

(cf. 4112.22 - Staff Teaching English Learners)

The district shall provide effective professional development to teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), administrators, and other school or community-based organization personnel to improve the instruction and assessment of English learners and enhance staff's ability to understand and use curricula, assessment, and instructional strategies for English learners. Such professional development shall be of sufficient intensity and duration to produce a positive and lasting impact on teachers' performance in the classroom. (20 USC 6825)

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
EDUCATION FOR ENGLISH LEARNERS  (continued)

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

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

Identification and Assessment

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

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

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

(cf. 6162.51 - State Academic Achievement Tests)

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

(cf. 6162.5 - Student Assessment)

Language Acquisition Programs

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

At a minimum, the district shall offer a structured English immersion program which includes designated and integrated English language development. In the structured English immersion program, nearly all of 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)
EDUCATION FOR ENGLISH LEARNERS (continued)

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

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

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

(cf. 6142.2 - World/Foreign Language Instruction)

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

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

(cf. 6151 - Class Size)

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

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

(cf. 5145.6 - Parental Notifications)

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

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: (see next page)
EDUCATION FOR ENGLISH LEARNERS (continued)

Legal Reference:

EDUCATION CODE
300-340 English language education, especially:
305-310 Language acquisition programs
313-313.5 Assessment of English proficiency
430-446 English Learner and Immigrant Pupil Federal Conformity Act
33050 State Board of Education waiver authority
42238.02-42238.03 Local control funding formula
44253.1-44253.11 Qualifications for teaching English learners
48980 Parental notifications
48985 Notices to parents in language other than English
52052 Numerically significant student subgroups
52060-52077 Local control and accountability plan
52160-52178 Bilingual Bicultural Act
56305 CDE manual on English learners with disabilities
60603 Definition, recently arrived English learner
60640 California Assessment of Student Performance and Progress
60810-60812 Assessment of language development
62002.5 Continuation of advisory committee after program sunsets

CODE OF REGULATIONS, TITLE 5
854.1-854.3 CAASPP and universal tools, designated supports, and accommodations
854.9 CAASPP and unlisted resources for students with disabilities
11300-11316 English learner education
11510-11517.5 California English Language Development Test
11517.6-11519.5 English Language Proficiency Assessments for California

UNITED STATES CODE, TITLE 20
1412 Individuals with Disabilities Education Act; state eligibility
1701-1705 Equal Educational Opportunities Act
6311 Title I state plan
6312 Title I local education agency plans
6801-7014 Title III, language instruction for English learners and immigrant students
7801 Definitions

CODE OF FEDERAL REGULATIONS, TITLE 34
100.3 Discrimination prohibited
200.16 Assessment of English learners

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

ATTORNEY GENERAL OPINIONS

Management Resources:

CSBA PUBLICATIONS
English Learners in Focus: The English Learner Roadmap: Providing Direction for English Learner Success, Governance Brief, February 2018
English Learners in Focus, Issue 4: Expanding Bilingual Education in California after Proposition 58, Governance Brief, March 2017

Management Resources continued: (see next page)
EDUCATION FOR ENGLISH LEARNERS  (continued)

Management Resources:  (continued)

CSBA PUBLICATIONS (continued)
English Learners in Focus, Issue 1:  Updated Demographic and Achievement Profile of California’s English Learners, Governance Brief, rev. September 2016
English Learners in Focus, Issue 3:  Ensuring High-Quality Staff for English Learners, Governance Brief, July 2016
English Learners in Focus, Issue 2:  The Promise of Two-Way Immersion Programs, Governance Brief, September 2014

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
California English Learner Roadmap:  Strengthening Comprehensive Educational Policies, Programs and Practices for English Learners, 2018
Reclassification Guidance for 2017-18, CDE Correspondence, April 28, 2017
Integrating the CA ELD Standards into K-12 Mathematics and Science Teaching and Learning, December 2015
Next Generation Science Standards for California Public Schools, Kindergarten through Grade Twelve, rev. March 2015
English Language Arts/English Language Development Framework for California Public Schools: Transitional Kindergarten Through Grade Twelve, 2014
Common Core State Standards for Mathematics, rev. 2013
English Language Development Standards for California Public Schools: Kindergarten Through Grade Twelve, 2012

THE EDUCATION TRUST- WEST PUBLICATIONS
Unlocking Learning II:  Math as a Lever for English Learner Equity, March 2018
Unlocking Learning:  Science as a Lever for English Learner Equity, January 2017

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Accountability for English Learners Under the ESEA, Non-Regulatory Guidance, January 2017
English Learner Tool Kit for State and Local Educational Agencies (SEAs and LEAs), rev. November 2016
English Learners and Title III of the Elementary and Secondary Education Act (ESEA), as Amended by the Every Student Succeeds Act (ESSA), Non-Regulatory Guidance, September 23, 2016
Dear Colleague Letter:  English Learner Students and Limited English Proficient Parents, January 7, 2015

Management Resources continued:  (see next page)
E D U C A T I O N  F O R  E N G L I S H  L E A R N E R S  (continued)

Management Resources: (continued)
WEB SITES
- CSBA: http://www.csba.org
- California Association for Bilingual Education: http://www.gocabe.org
- California Department of Education: http://www.cde.ca.gov/sp/el
- National Clearinghouse for English Language Acquisition: http://www.ncela.us
- The Education Trust-West: https://west.edtrust.org

Policy
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VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California
EDUCATION FOR ENGLISH 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 in his/her home from early childhood and English has been his/her primary means of concept formation and communication. (Education Code 306)

Identification and Assessments

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

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

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

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

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

(cf. 6159 - Individualized Education Program)
(cf. 6162.51 - State Academic Achievement Tests)
(cf. 6164.6 - Identification and Education Under Section 504)

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

(cf. 5145.6 - Parental Notifications)

The parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title I or Title III funds shall receive notification of the assessment of his/her child's English proficiency. Such notice shall be provided not later than 30 calendar days after the beginning of the school year or, if the student is identified for program participation during the school year, within two weeks of the student's placement in the program. The notice shall include all of the following: (Education Code 313.2, 440; 20 USC 6312)

1. The reason for the identification of the student as an English learner and the need for placement in a language acquisition program

2. The level of English proficiency, how the level was assessed, and the status of the student's academic achievement

3. A description of the language acquisition program in which the student is, or will be, participating, including a description of all of the following:

   a. The methods of instruction used in the program and in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction

   b. The manner in which the program will meet the educational strengths and needs of the student
EDUCATION FOR ENGLISH LEARNERS  (continued)

c. The manner in which the program will help the student develop his/her English proficiency and meet age-appropriate academic standards for grade promotion and graduation

d. The specific exit requirements for the program, the expected rate of transition from the program into classes not tailored for English learners, and the expected rate of graduation from secondary school if applicable

e. Where the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP

4. As applicable, the identification of a student as a long-term English learner or at risk of becoming a long-term English learner, as defined in Education Code 313.1, and the manner in which the program for English language development instruction will meet the educational strengths and needs of such students and help such students develop English proficiency and meet age-appropriate academic standards

5. Information about the parent/guardian's right to have the student immediately removed from a program upon the parent/guardian’s request

6. Information regarding a parent/guardian's option to decline to enroll the student in the program or to choose another program or method of instruction, if available

7. Information designed to assist a parent/guardian in selecting among available programs, if more than one program or method is offered

Language Acquisition Programs

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

1. The school shall make a written record of each request, including any request submitted verbally, that includes the date of the request, the names of the parent/guardian and student making the request, a general description of the request, and the student's grade level on the date of the request. As needed, the school shall assist the parent/guardian in clarifying the request. All requests shall be maintained for at least three years from the date of the request.

2. The school shall monitor requests on a regular basis and notify the Superintendent or designee when the parents/guardians of at least 30 students enrolled in the school, or at least 20 students in the same grade level, request the same or a substantially similar type of language acquisition program. If the requests are for a multilingual program model, the district shall consider requests from parents/guardians of students enrolled in the school who are native English speakers in determining whether this threshold is reached.
3. If the number of parents/guardians described in item #2 is attained, the Superintendent or designee shall:

a. Within 10 days of reaching the threshold, notify the parents/guardians of students attending the school, the school's teachers, administrators, and the district's English learner parent advisory committee and parent advisory committee, in writing, of the requests for a language acquisition program.

b. Identify costs and resources necessary to implement any new language acquisition program, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent/guardian and community engagement to support the proposed program goals.

c. Within 60 calendar days of reaching the threshold number of parents/guardians described in item #2 above, determine whether it is possible to implement the requested language acquisition program and provide written notice of the determination to parents/guardians of students attending the school, the school's teachers, and administrators.

d. If a determination is made to implement the language acquisition program, create and publish a reasonable timeline of actions necessary to implement the program. If a determination is made that it is not possible to implement the program, provide a written explanation of the reason(s) the program cannot be provided.

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

1. A description of the programs provided, including structured English immersion.

2. Identification of any language to be taught in addition to English when the program includes instruction in a language other than English.

3. The manner in which the program is designed using evidence-based research and includes both designated and integrated English language development.

4. The manner in which the district has allocated sufficient resources to effectively implement the program, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development, and opportunities for parent/guardian and community engagement to support the program goals.
EDUCATION FOR ENGLISH LEARNERS  (continued)

5. The manner in which the program will, within a reasonable period of time, lead to language proficiency and achievement of the state-adopted content standards in English and, when the program includes instruction in another language, in that other language.

6. The process to request establishment of a language acquisition program not offered at the school.

7. For any dual-language immersion program offered, the specific languages to be taught. The notice also may include the program goals, methodology used, and evidence of the proposed program's effectiveness.

Reclassification/Redesignation

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

1. Demonstrate English language proficiency comparable to that of the district's average native English language speakers

2. Recoup any academic deficits which may have been incurred in other areas of the core curriculum as a result of language barriers

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

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

1. Assessment of English language proficiency using an objective assessment instrument, including, but not limited to, the ELPAC

2. Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions related to the student

3. Parent/guardian opinion and consultation

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

4. Student performance on an objective assessment of basic skills in English that shows whether the student is performing at or near grade level
EDUCATION FOR ENGLISH LEARNERS (continued)

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

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

Advisory Committee

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

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

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

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

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

LCAP Advisory Committee

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

(cf. 0460 - Local Control and Accountability Plan)

The advisory committee established pursuant to 5 CCR 11308, as described in the section "Advisory Committee" above, could serve as the LCAP English learner advisory committee if its composition includes a majority of parents/guardians of English learners.
E 6174 – Deleted on October 12, 2017
MIGRANT EDUCATION PROGRAM

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

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 0415 - Equity)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

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

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

The district shall give first priority for services to migrant students who are failing, or are most at risk of failing, to meet state academic standards or have dropped out of school. (20 USC 6394)

(cf. 6011 - Academic Standards)

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

The Superintendent or designee shall ensure that each migrant student is placed at the appropriate grade level upon enrollment and is provided services in accordance with an individual needs assessment and learning plan.

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

(cf. 0500 - Accountability)
(cf. 6162.51 - State Academic Achievement Tests)

Legal Reference:
- **EDUCATION CODE**
  - 200 Educational equity
  - 220 Prohibition against discrimination
  - 234.7 Student protections relating to immigration and citizenship status
  - 51225.1 Exemption from district graduation requirements
  - 51225.3 High school graduation, course requirements
  - 54440-54445 Migrant education program
- **CODE OF REGULATIONS, TITLE 5**
  - 3080 Application of uniform complaint procedures
  - 4600-4670 Uniform complaint procedures
- **UNITED STATES CODE, TITLE 20**
  - 6311 Title I state plan
  - 6381-6381k Even Start family literacy program
  - 6391-6399 Education of migrant students
  - 7881 Services for private school students
- **CODE OF FEDERAL REGULATIONS, TITLE 34**
  - 200.81-200.89 Migrant education program

Management Resources:
- **CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**
  - 2017 State Service Delivery Plan
- **U.S. DEPARTMENT OF EDUCATION PUBLICATIONS**
- **WEB SITES**
  - California Department of Education, Migrant Education Office: [http://www.cde.ca.gov/sp/me](http://www.cde.ca.gov/sp/me)
  - U.S. Department of Education, Office of Migrant Education:
    [http://www.ed.gov/about/offices/list/oese/ome](http://www.ed.gov/about/offices/list/oese/ome)
  - West Ed, Migrant Student Information Network: [https://www.wested.org/project/migrant-student-information-network-msin](https://www.wested.org/project/migrant-student-information-network-msin)

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VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California
MIGRANT EDUCATION PROGRAM

Eligibility

Students age 3 to 21 years shall be eligible for the district's migrant education program if they, their parents/guardians, or their spouses are migratory agricultural workers or fishers who, in the preceding 36 months, moved into the district due to economic necessity and engaged in new temporary or seasonal employment or personal subsistence in agriculture or fishing. If such employment was not secured soon after the move, students may be considered migrant students if they, their parents/guardians, or their spouses actively sought such new employment and have a recent history of moves for temporary or seasonal agricultural or fishing employment. (20 USC 6399; 34 CFR 200.81)

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

Student Records

The Superintendent or designee shall maintain records documenting the eligibility of students enrolled in the district's migrant education program. However, the district shall not collect information or documents regarding the citizenship or immigration status of students or their family members for the purpose of determining eligibility for migrant education services.

(cf. 5125 - Student Records)
(cf. 5145.13 - Response to Immigration Enforcement)

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

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

Program Components

The migrant education program shall include all of the following components: (Education Code 54443.1)

1. A general needs assessment summarizing the needs of the population to be served

2. A comprehensive program to meet the educational, health, and related needs of participating students which supplements the district program and includes, but is not limited to:
MIGRANT EDUCATION PROGRAM (continued)

a. Instructional services, including academic, remedial and compensatory, bilingual-crosscultural, and career technical instruction

(cf. 6174 - Education for English Learners)
(cf. 6177 - Summer Learning Programs)
(cf. 6178 - Career Technical Education)

b. Counseling and career education services

(cf. 6164.2 - Guidance/Counseling Services)

c. Preschool services in accordance with Education Code 54443

(cf. 5148.3 - Preschool/Early Childhood Education)

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

e. The acquisition of instructional materials and equipment necessary to adequately provide the appropriate services

f. Other related services to meet the special needs of eligible migrant students to enable them to participate effectively in instructional services

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

(cf. 5141.6 - School Health Services)
(cf. 5147 - Dropout Prevention)
(cf. 6171 - Title I Programs)

3. Individual assessment of the educational and relevant health needs of each participating student, within 30 days of enrollment, including assessments concurrently provided pursuant to compensatory education, bilingual-crosscultural education, school improvement programs, and other programs serving the student

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

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

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
MIGRANT EDUCATION PROGRAM (continued)

6. Parent/guardian and community involvement as specified in Education Code 54444.2, including, but not necessarily limited to, the establishment of a parent/guardian advisory council to actively involve parents/guardians in planning, operating, and evaluating the district's migrant education program

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

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

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

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

Summer School

The district shall conduct summer school program(s) for eligible migrant students. The summer school program shall respond to the individual needs of participating students and shall build on and be consistent with the instructional programs offered to these students during the regular school year. Coursework shall be of the same level of difficulty in each subject as that provided to students enrolled in regular classes of instruction within the district in the preceding year. (Education Code 54444.3)

Teachers in the summer school program shall have cultural training or background and understanding of the special needs of migrant students and possess the proper credential for the subjects and grade levels to which they are assigned. (Education Code 54444.3)

The program shall comply with the following requirements for instructional time: (Education Code 54444.3)

1. For kindergarten class, a minimum of 180 minutes per day, including recesses, for not less than 20 instructional days

2. For grades 1-8, a minimum of 200 minutes per day, including recesses and passing time but excluding noon intermissions, for not less than 20 instructional days

3. For grades 7-12, a minimum of 240 minutes per day, including passing time but excluding noon intermissions, for not less than 30 instructional days
MIGRANT EDUCATION PROGRAM  (continued)

When district facilities that are suitable for the summer climate are available, the district shall make facilities available at cost to other agencies that request facilities for the operation of migrant summer school programs. When approved by the Superintendent of Public Instruction, the district may jointly offer facilities with a neighboring district to meet the needs of the migrant summer school program for the entire area. (Education Code 54444.3)

Applicability of Graduation Requirements

To obtain a high school diploma, migrant students shall complete all courses required by Education Code 51225.3 and shall generally fulfill any additional graduation requirements prescribed by the Board.

(cf. 6146.1 - High School Graduation Requirements)

However, when a migrant student who has completed the second year of high school transfers into the district or transfers between high schools within the district, the student 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 the fourth year of high school. Within 30 calendar days of the transfer, the Superintendent or designee shall notify the student and the student's 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 migrant student. (Education Code 51225.1)

(cf. 5145.6 - Parental Notifications)

To determine whether a migrant student is in the third or fourth year of high school, the district shall use either the number of credits the student has earned as of the date of the transfer or the length of school enrollment, whichever qualifies the student for the exemption. (Education Code 51225.1)

The Superintendent or designee shall notify any migrant student who is granted an exemption and the student's parent/guardian 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 migrant 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 migrant student or parent/guardian. (Education Code 51225.1)
MIGRANT EDUCATION PROGRAM (continued)

If a migrant student is exempted from local graduation requirements, the exemption shall continue to apply after the student no longer meets the definition of a migrant student if the student is still enrolled in school or transfers to another school or district. (Education Code 51225.1)

Upon making a finding that a migrant student is reasonably able to complete district graduation requirements within a fifth year of high school, the Superintendent or designee shall: (Education Code 51225.1)

1. Inform the student and parent/guardian of the student's option to remain in school for a fifth year to complete the district's graduation requirements and how that will affect the student's 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 parent/guardian, permit the student to stay in school for a fifth year to complete the district's graduation requirements

Parent Advisory Council

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

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

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

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

1. Establish program goals, objectives, and priorities

2. Review annual needs assessments, program activities for each school, and individual learning plans
MIGRANT EDUCATION PROGRAM  (continued)

3. Advise on the selection, development, and reassignment of migrant education program staff

4. Participate actively in planning and negotiating program applications and service agreements

5. Perform all other responsibilities required under state and federal laws or regulations

The Superintendent or designee shall establish and implement a training program for advisory council members to enable them to carry out their responsibilities. The training program shall be developed in consultation with the council and shall include appropriate training materials in a language understandable to each member. (Education Code 54444.2)

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

Notification and Complaints

Information regarding the educational rights of migrant 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 migrant 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)
WEEKEND/SATURDAY CLASSES

The Governing Board desires to increase educational opportunities outside the regular school week in order to meet student needs and promote academic achievement. When staffing, facilities, and other resources are available, the Board may approve the provision of classes on Saturday and/or Sunday that support and are integrated with other learning opportunities.

(cf. 5148.2 - Before/After School Programs)
(cf. 6111 - School Calendar)

Weekend classes may include, but are not limited to:

1. Continuation classes (Education Code 37223)
   (cf. 6184 - Continuation Education)

2. Special day classes for mentally gifted minors (Education Code 37223)
   (cf. 6172 - Gifted and Talented Student Program)

3. Makeup classes for absences occurring during the week (Education Code 37223)
   (cf. 5113 - Absences and Excuses)
   (cf. 5113.1 - Chronic Absence and Truancy)
   (cf. 6154 - Homework/Makeup Work)

4. The programs of a regional occupational center or program (ROC/P) (Education Code 37223)
   (cf. 6178 - Career Technical Education)
   (cf. 6178.2 - Regional Occupational Center/Program)

5. Supplemental instruction for students who need additional assistance to meet academic standards or requirements
   (cf. 5123 - Promotion/Acceleration/Retention)
   (cf. 6146.1 - High School Graduation Requirements)
   (cf. 6179 - Supplemental Instruction)

6. Enrichment classes in core academic subjects
   (cf. 6142.91 - Reading/Language Arts Instruction)
   (cf. 6142.92 - Mathematics Instruction)

Except in ROC/Ps and as otherwise provided by law, any class offered on a Saturday or Sunday pursuant to Education Code 37223, shall be one offered during the regular Monday through Friday school week. (Education Code 37223)
WEEKEND/SATURDAY CLASSES (continued)

Except in ROC/Ps, weekend attendance shall not result in crediting any student with more than five days of attendance per week. (Education Code 37223)

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

A student shall be excused from a weekend class if the student's parent/guardian notifies the school in writing that such attendance would be in conflict with his/her religious beliefs. Such students shall be given priority for enrollment in any other available supplemental instruction offered at a time other than during the weekend.

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

A teacher shall not be assigned to work on a Saturday or Sunday if he/she objects in writing that the assignment would conflict with his/her religious beliefs or practices. In addition, a full-time teacher employed by the district prior to the implementation of weekend classes shall not be required, without his/her consent, to teach for more than 180 full days during a school year or for more than the number of full days that district schools were maintained during the year preceding implementation of weekend classes, whichever is greater. (Education Code 44824)

(cf. 4113 - Assignment)

Unless the requirement is waived by the California Department of Education, the district shall provide at least one nutritionally adequate meal during the weekend session in accordance with Education Code 49550.

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3553 - Free and Reduced-Price Meals)
(cf. 5030 - Student Wellness)

Legal Reference:
WEEKEND/SATURDAY CLASSES (continued)

Legal Reference:

EDUCATION CODE
37223 Weekend classes
41601 Reports of average daily attendance
44824 Weekend classes, assignment of certificated employees
48070-48070.5 Promotion and retention, supplemental instruction
48205 Excused absence for personal reasons
48260 Truants, definition
49550 Meals for needy students
52060-52077 Local control and accountability plan

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Requesting a Summer School Meal Waiver and/or a Saturday School Meal Waiver, Nutrition Services
Division Management Bulletin NSD-SNP-03-2013, February 2013
WEB SITES
California Department of Education: http://www.cde.ca.gov

Policy
adopted: October 9, 2001
revised: May 13, 2014
revised: November 7, 2017

VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California
SUMMER LEARNING PROGRAMS

The Governing Board recognizes that an extended break from the instructional program may result in significant learning loss, especially among disadvantaged and low-achieving students, and desires to provide opportunities during the summer for students to practice essential skills and make academic progress.

Summer programs offered by the district shall be aligned with the district's local control and accountability plan (LCAP), other applicable district and school plans, and the educational program provided during the school year. When feasible, summer programs shall blend high-quality academic instruction in core curricular and/or elective subjects with recreation, nutrition programs, social and emotional development, and support services that encourage attendance, student engagement in learning, and student wellness.

(cf. 0200 - Goals for the School District)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 3552 - Summer Meal Program)
(cf. 5030 - Student Wellness)
(cf. 5141.6 - School Health Services)
(cf. 5148 - Child Care and Development Program)
(cf. 6011 - Academic Standards)
(cf. 6142.7 - Physical Education and Activity)
(cf. 6143 - Courses of Study)

Summer School

The Superintendent or designee, with Board approval, may establish summer school day and/or evening classes.

(cf. 5148.2 - Before/After School Program)
(cf. 6171 - Title I Programs)
(cf. 6175 - Migrant Education Program)

The district's summer school program may be used to provide supplemental instruction to students needing remediation and/or enrichment in core academic subjects.

(cf. 6176 - Weekend/Saturday Classes)
(cf. 6179 - Supplemental Instruction)

As appropriate, priority for enrollment in summer school programs shall be given to district students who:

1. Need course credits in order to graduate from high school before the beginning of the next school year

(cf. 5147 - Dropout Prevention)
(cf. 6146.1 - High School Graduation Requirements)
SUMMER LEARNING PROGRAMS  (continued)

2.  Have been retained or are at risk of being retained at their grade level

(cf. 5123 - Promotion/Acceleration/Retention)

3.  Demonstrate academic deficiencies in core curriculum areas

(cf. 0460 - Local Control and Accountability Plan)

4.  Are in targeted student groups identified in the district's LCAP as needing increased or improved services to succeed in the educational program

The remaining openings shall be offered to other district students on a lottery basis.

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

(cf. 5113 - Absences and Excuses)
(cf. 6154 - Homework/Makeup Work)

Sites for summer school programs may be rotated in an effort to make summer school programs more accessible to all students, regardless of residence or regular attendance area, and to accommodate the maintenance needs of district schools.

The Superintendent or designee shall annually report to the Board on summer school enrollment in the current year and previous year for the program as a whole and disaggregated by grade level, school that the students attend during the regular school year, and student population.  In addition, he/she may report on the extent to which students successfully achieved the outcomes established for the program.

Additional Summer Learning Opportunities

The Superintendent or designee may collaborate with parents/guardians, city and county agencies, community organizations, child care providers, and/or other interested persons to develop, implement, and build awareness of organized activities that support summer learning.

(cf. 1020 - Youth Services)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 1700 - Relations Between Private Industry and the Schools)
SUMMER LEARNING PROGRAMS (continued)

Strategies to support summer learning may include, but are not limited to:

1. Providing information to students and parents/guardians about summer reading programs scheduled to be conducted by public libraries or community organizations

2. Collaborating with the local parks and recreation agency and/or community organizations to provide day camps, sports programs, or other opportunities for physical education and activity

(cf. 1330.1 - Joint Use Agreements)

3. Collaborating with workforce development agencies, businesses, and community organizations to provide summer job training opportunities that include an academic component

(cf. 3260 - Fees and Charges)
(cf. 5113.2 - Work Permits)
(cf. 6178.1 - Work-Based Learning)

4. Encouraging reading in the home, such as providing lists of recommended reading to students and parents/guardians, establishing a target number of books or pages, and providing prizes for achievement of reading goals

(cf. 6020 - Parent Involvement)

5. Assigning summer vacation homework in core curricular subject(s) for extra credit

6. Conducting occasional, interactive "fun days" during the summer to provide activities related to art, music, science, technology, mathematics, environmental science, multicultural education, debate, or other subjects

7. Arranging opportunities for community service

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

Legal Reference: (see next page)
SUMMER LEARNING PROGRAMS  (continued)

Legal Reference:

EDUCATION CODE
8482-8484.6 After School Education and Safety Program
8484.7-8484.9 21st Century Community Learning Centers
37252-37254.1 Supplemental instruction
39837 Transportation to summer employment programs
41505-41508 Pupil Retention Block Grant
41976.5 Summer school programs, substantially disabled persons or graduating high school seniors
42238.01-42238.07 Local control funding formula
48070-48070.5 Promotion and retention
51210 Areas of study for elementary schools
51220 Areas of study for grades 1-6
51730-51732 Powers of governing boards (authorization for elementary summer school classes)
52052 Definition of numerically significant student subgroup
52060-52077 Local control and accountability plan
54444.3 Summer program for migrant students
56345 Extended-year program for special education students
58700-58702 Credit towards summer school apportionments for tutoring and homework assistance
58806 Summer school apportionments

CODE OF REGULATIONS, TITLE 5
3043 Extended school year, special education students
11470-11472 Summer school

UNITED STATES CODE, TITLE 20
6311-6322 Improving basic programs for disadvantaged students
7171-7176 21st Century Community Learning Centers

Management Resources: (see next page)
SUMMER LEARNING PROGRAMS (continued)

Management Resources:

CSBA PUBLICATIONS
Summer Learning and Wellness Resource Guide
School's Out, Now What? How Summer Programs Are Improving Student Learning and Wellness, Policy Brief, April 2013

NATIONAL SUMMER LEARNING ASSOCIATION PUBLICATIONS
Healthy Summers for Kids: Turning Risk into Opportunity, May 2012
New Vision for Summer School, 2010

RAND CORPORATION PUBLICATIONS
Making Summer Count: How Summer Programs Can Boost Children's Learning, 2011

WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
National Summer Learning Association: http://www.summerlearning.org
Partnership for Children and Youth: http://partnerforchildren.org
RAND Corporation: http://www.rand.org
Summer Matters: http://summermatters2you.net
EXTENDED YEAR/SUMMER LEARNING PROGRAMS

Elementary Program

At the elementary level, the district may offer instruction in any branches of study authorized and prescribed for elementary schools. (Education Code 51210, 51730; 5 CCR 11472)

(cf. 6143 - Courses of Study)
(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

Extended year/summer school may be used to provide direct, systematic and intensive supplemental instruction to students in grades 2 through 6 who have been retained at grade level, identified as being at risk of retention, or identified as having a deficiency in mathematics, reading or written expression based on the results of the statewide Standardized Testing and Reporting Program. (Education Code 37252.5)

(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 6162.5 - Student Assessment)

When more than 10 percent of district students in grades 1 through 3 are reading below grade level, the district may offer a special back-to-basics extended year/summer school program designed to increase students' ability to read English. This program shall offer direct reading instruction based on phonics and phonemic awareness and/or other state-approved instructional methodologies. To be eligible to participate, a student must have a test score that places him/her at one or more grade levels below the grade level he/she will be leaving at the end of the school year. (Education Code 54036)

Secondary Program

At the secondary level, the district shall offer summer instructional programs for:

1. High school seniors who need courses for graduation prior to September (Education Code 41976.5)

2. Students enrolled in grades 7 through 12 who do not demonstrate "sufficient progress," as defined in Board policy, toward passing the statewide exit examinations in language arts and mathematics required for high school graduation (Education Code 37252)

(cf. 6146.1 - High School Graduation Requirements)

a. For the purposes of this program, a student shall be considered to be enrolled in a grade immediately upon completion of the preceding grade. (Education Code 37252)

b. Students who were enrolled in grade 12 during the prior school year shall be eligible for summer instructional programs. (Education Code 37252)
EXTENDED YEAR/SUMMER LEARNING PROGRAMS (continued)

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

(cf. 6011 - Academic Standards)

Extended year/summer school may be used to provide direct, systematic and intensive supplemental instruction to students in grades 7 through 9 who have been retained at grade level. (Education Code 37252.5)

Secondary classes may be offered in mathematics, science, English, social sciences, foreign language, physical education, visual and performing arts, applied arts, vocational-technical education and driver education. (Education Code 37253, 51220; 5 CCR 11472)

(cf. 6143 - Courses of Study)
CAREER TECHNICAL EDUCATION

The Governing Board desires to provide a comprehensive career technical education (CTE) program in the secondary grades which integrates core academic instruction with technical and occupational instruction in order to increase student achievement, graduation rates, and readiness for postsecondary education and employment. The district's CTE program shall be designed to help students develop the academic, career, and technical skills needed to succeed in a knowledge- and skills-based economy. The program shall include a rigorous academic component and provide students with practical experience and understanding of all aspects of an industry.

(cf. 6143 - Courses of Study)
(cf. 6200 - Adult Education)

The district's CTE program shall focus on preparing students to enter current or emerging high-skill, high-wage, and/or high-demand occupations. CTE opportunities may be offered through linked learning programs, partnership academies, apprenticeship programs or orientation to apprenticeships, regional occupational centers or programs (ROC/Ps), charter schools, small learning communities, magnet programs, or other programs that expose students to career options while preparing them for future careers in a given industry or interest area.

(cf. 0420.4 - Charter School Authorization)
(cf. 6178.2 - Regional Occupational Center/Program)

The Superintendent or designee shall explore available funding sources that may be used to support CTE programs. The Board shall review and approve all district plans and applications for the use of district, state, and/or federal funds supporting CTE.

(cf. 3230 - Federal Grant Funds)

The Board shall adopt district standards for CTE which meet or exceed the state's model content standards and describe the essential knowledge and skills that students enrolled in these courses are expected to master. The course curriculum shall be aligned with district-adopted standards and the state's curriculum framework.

(cf. 6011 - Academic Standards)
(cf. 6141 - Curriculum Development and Evaluation)

At least every three years, the Board shall compare the district's curriculum, course content, and course sequence of CTE with the model state curriculum standards. (Education Code 52376)

The Superintendent or designee shall systematically review the district's CTE courses to determine the degree to which each course may offer an alternative means for completing and receiving credit for specific portions of the course of study prescribed by the district for high school graduation. The Board shall ensure that these classes are equivalent in content and rigor to the courses prescribed for graduation. (Education Code 52376)

(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.11 - Alternative Credits Toward Graduation)
(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)
CAREER TECHNICAL EDUCATION (continued)

The Superintendent or designee shall develop partnerships with local businesses and industries to ensure that course sequences, career technical and integrated curriculum, classroom instruction and projects, and assessments have real-world relevance and reflect labor market needs and priorities. He/she shall also work to develop connections with businesses, postsecondary institutions, community organizations, and/or other employers to provide students with actual or simulated work-based learning opportunities.

(cf. 1700 - Relations Between Private Industry and the Schools)
(cf. 5113.2 - Work Permits)
(cf. 6178.1 - Work-Based Learning)

The Superintendent or designee shall collaborate with postsecondary institutions to ensure that the district's program is articulated with postsecondary programs in order to provide a sequential course of study. Articulation opportunities may include dual or concurrent enrollment in community college courses.

(cf. 6172.1 - Concurrent Enrollment in College Classes)

The Board shall appoint a CTE advisory committee to develop recommendations on the district's CTE program and to serve as a liaison between the district and potential employers. The committee shall consist of at least one student, teacher, business representative, industry representative, school administrator, member of the general public knowledgeable about the disadvantaged, and representative of the field office of the California Employment Development Department. (Education Code 8070)

(cf. 1220 - Citizen Advisory Committees)

The Superintendent or designee shall inform all secondary students and their parents/guardians about the CTE experiences available in the district, CTE courses that satisfy college admission criteria, and, if applicable, CTE courses that satisfy high school graduation requirements. In addition, secondary students shall receive individualized academic counseling which provides information about academic and CTE opportunities related to the student's career goals.

(cf. 5145.6 - Parental Notifications)
(cf. 6164.2 - Guidance/Counseling Services)

Prior to the beginning of each school year, the Superintendent or designee shall advise students, parents/guardians, employees, and the general public that all CTE opportunities are offered without regard to any actual or perceived characteristic protected from discrimination by law. The notification shall be disseminated in languages other than English as needed and shall state that the district will take steps to ensure that the lack of English language skills will not be a barrier to admission and participation in the district's CTE program. (20 USC 2354; 34 CFR 100 Appendix B, 104.8, 106.9)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 1312.3 - Uniform Complaint Procedures)
CAREER TECHNICAL EDUCATION (continued)

To the extent required by law, the Superintendent or designee shall invite the participation of private school students in CTE programs supported by federal funding under the Strengthening Career and Technical Education for the 21st Century Act (Perkins). (20 USC 2397)

The Superintendent or designee shall ensure that teachers of CTE courses possess the qualifications and credentials necessary to teach their assigned courses. He/she shall also provide teachers and administrators with professional development designed to enhance their knowledge of standards-aligned CTE and shall provide opportunities for CTE teachers to collaborate with teachers of academic courses in the development and implementation of integrated curriculum models.

(cf. 4112.2 - Certification)
(cf. 4131 - Staff Development)
(cf. 4331 - Staff Development)

The Superintendent or designee shall provide counselors and other guidance personnel with professional development that includes, but is not limited to, information about current workforce needs and trends, requirements of the district's CTE program, work-based learning opportunities, and postsecondary education and employment options following high school.

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)

The Superintendent or designee shall annually report to the Board achievement data on participating students, including, but not limited to, the percentage of participating students who successfully complete CTE programs, their performance on state and district academic achievement tests, and graduation rate. Data shall be disaggregated by program and various student subgroups. Based on such data, the Board shall determine the need for program improvements and update the goals in the district's local control and accountability plan as necessary.

(cf. 0500 - Accountability)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - State Academic Achievement Tests)
(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference: (see next page)
CAREER TECHNICAL EDUCATION (continued)

Legal Reference:

EDUCATION CODE
1205 Classification of counties
8006-8155 Career technical education
17078.70-17078.72 Career technical education facilities
33430-33432 Health science and medical technology grants
35168 Inventory of equipment
41540-41544 Targeted instructional improvement block grant
44257.3 CTC recognition of study in linked learning teaching methods
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
52060-52077 Local control and accountability plan
52300-52499.66 Career technical education
52519-52520 Adult education, occupational training
53010-53016 California Career Pathways Trust
53070-53076.4 The California Career Technical Education Incentive Grant Program
53086 California Career Resource Network
54690-54699.1 California Partnership Academies
54750-54760 California Partnership Academies, green technology and goods movement occupations
56363 Related services for students with disabilities; specially designed career technical education
66205.5-66205.9 Approval of career technical education courses for admission to California colleges
88500-88551 Community college economic and workforce development program

GOVERNMENT CODE
54950-54963 Brown Act

LABOR CODE
3070-3099.5 Apprenticeships

CODE OF REGULATIONS, TITLE 5
1635 Credit for work experience education
3051.14 Specially designed career technical education for students with disabilities
10070-10075 Work experience education
10080-10092 Community classrooms
10100-10111 Cooperative vocational education
11500-11508 Regional occupational centers and programs
11535-11538 Career technical education contracts with private postsecondary schools
11610-11611 Regional adult and vocational education councils

CODE OF REGULATIONS, TITLE 8
200-240 Apprenticeships

UNITED STATES CODE, TITLE 20
2301-2414 Strengthening Career and Technical Education for the 21st Century Act
6301-6578 Improving the Academic Achievement of the Disadvantaged

CODE OF FEDERAL REGULATIONS, TITLE 34
100 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: (see next page)
CAREER TECHNICAL EDUCATION (continued)

Management Resources:
CSBA PUBLICATIONS
A Governance Perspective: Interviews with School Board Members from the Nine Linked Learning Initiative School Districts, March 2014
The Linked Learning Approach to High School Reform, Governance Brief, January 2014
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
California Career Technical Education Model Curriculum Standards, Grades Seven Through Twelve, January 2013
Multiple Pathways to Student Success: Envisioning the New California High School, 2010
Career Technical Education Framework for California Public Schools, Grades Seven Through Twelve, January 2007
WEB SITES
CSBA: http://www.csba.org
Association for Career and Technical Education: http://www.acteonline.org
California Association of Regional Occupational Centers and Programs: http://www.carocp.org
California Career Resource Network: http://www.californiacareers.info
California Department of Employment Development: http://www.edd.ca.gov
California Department of Industrial Relations: http://www.dir.ca.gov
California Workforce Development Board: http://www.cwdb.ca.gov
Commission on Teacher Credentialing: http://www.ctc.ca.gov
University of California, a-g Course Submissions: http://www.ucop.edu/a-gGuide/ag/course_submissions

Policy
adopted: November 16, 1999
revised: June 26, 2001
revised: January 13, 2009
revised: November 13, 2012
revised: March 26, 2019
CAREER TECHNICAL EDUCATION

Federal Grants for Career Technical Education (Perkins)

The district shall submit to the California Department of Education an application for a basic grant of the federal Strengthening Career and Technical Education for the 21st Century Act. The application shall address the components specified in 20 USC 2354 and any additional requirements specified in the state plan developed pursuant to 20 USC 2342. (20 USC 2354)

(cf. 3230 - Federal Grant Funds)

The district shall conduct a needs assessment in accordance with 20 USC 2354, which shall be updated at least once every two years. The needs assessment shall be conducted in consultation with representatives of district CTE programs, postsecondary CTE programs, state or local workforce development boards and businesses, parents/guardians, students, and other specified stakeholders. (20 USC 2354)

To meet the needs identified in the needs assessment, the Superintendent or designee shall develop, coordinate, implement, or improve CTE programs that are of sufficient size, scope, and quality to be effective and that fulfill the following purposes: (20 USC 2355)

1. Provide career exploration and career development activities through an organized, systematic framework designed to aid students, including students in the middle grades, in making informed plans and decisions about future education and career opportunities and programs of study. Such activities shall occur before students enroll and while they are participating in a CTE program, and may include:
   a. Introductory courses or activities focused on career exploration and career awareness, including non-traditional fields
   b. Readily available career and labor market information, including information on occupational supply and demand, educational requirements, other information on careers aligned to economic priorities, and employment sectors
   c. Programs and activities related to the development of student graduation and career plans
   d. Career guidance and academic counselors who provide information on postsecondary education and career options
   e. Any other activity that advances knowledge of career opportunities and assists students in making informed decisions about future education and employment goals, including nontraditional fields
   f. Activities that provide students with strong experience in, and comprehensive understanding of, all aspects of an industry

(cf. 6143 - Courses of Study)
CAREER TECHNICAL EDUCATION (continued)

2. Provide the skills necessary to pursue careers in high-skill, high-wage, or in-demand industry sectors or occupations
   
   (cf. 5113.2 - Work Permits)
   (cf. 6178.1 - Work-Based Learning)

3. Integrate academic skills into CTE programs and programs of study to support participating students in meeting state academic standards

4. Provide professional development for teachers, school leaders, administrators, specialized instructional support personnel, guidance counselors, and/or paraprofessionals, which may include the types of activities listed in 20 USC 2355
   
   (cf. 4131 - Staff Development)
   (cf. 4331 - Staff Development)
   (cf. 6164.2 - Guidance/Counseling Services)

5. Plan and carry out elements that support the implementation of CTE programs and programs of study and that result in increased student achievement. Such elements may include curriculum aligned with program requirements, sustainable relationships among community stakeholders, opportunities for students to participate in accelerated learning programs, equipment and instructional materials aligned with business and industry needs, and other activities specified in 20 USC 2355.

6. Develop and implement evaluations of the activities funded by the grant
   
   (cf. 0500 - Accountability)
   (cf. 6190 - Evaluation of the Instructional Program)

The district’s program shall provide activities to prepare special populations for high-skill, high-wage, or in-demand industry sectors or occupations that will lead to self-sufficiency. Special populations shall be provided with equal access to CTE programs and shall not be unlawfully discriminated against. Special populations include, but are not limited to, students with disabilities, students from economically disadvantaged families, pregnant and parenting students, out-of-work individuals, English learners, homeless students, foster youth, children of military families, and students preparing for nontraditional fields. Nontraditional fields include occupations or fields of work, including careers in computer science, technology, and other emerging high-skill occupations, for which individuals from one gender constitute less than 25 percent of the individuals employed in each such occupation or field of work. (20 USC 2302, 2354, 2373)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 0415 - Equity)

Upon written request from a nonprofit private school within the geographical area served by the district, the Superintendent or designee shall consult with private school representatives in a timely
CAREER TECHNICAL EDUCATION (continued)

and meaningful manner and may provide for the participation of private school secondary students in the district's programs and activities funded pursuant to 20 USC 2301-2414. To the extent practicable, the Superintendent or designee shall also, upon request, permit participation of CTE teachers, administrators, and other personnel from private schools in the district's inservice and preservice professional development programs funded through such grants. (20 USC 2397)

Linked Learning Programs

Note: The following optional section is for use by districts that offer "linked learning" programs integrating academic and career technical study (sometimes called "multiple pathways") and may be revised to reflect district practice.

The district may offer one or more comprehensive, multi-year linked learning programs in grades 9-12 that are organized around a broad theme, interest area, or industry sector including, but not limited to, the industry sectors identified in model standards adopted by the State Board of Education pursuant to Education Code 51226. The program shall provide all participating students with curriculum choices that prepare them for career entry and a full range of postsecondary options, including two-year and four-year colleges, apprenticeships, and formal employment training.

At a minimum, the district's linked learning program shall include:

1. An integrated core curriculum that meets the eligibility requirements for admission to the University of California and the California State University and is delivered through project-based learning and other engaging instructional strategies that bring real-world context and relevance to the curriculum where broad themes, interest areas, and CTE are emphasized.

2. An integrated technical core of a sequence of at least four related courses that may reflect CTE standards-based courses and that provide students with career skills, are aligned to academic principles, and fulfill academic core requirements described in item #1 above to the extent possible.

3. A series of work-based learning opportunities that begin with mentoring and job shadowing and evolve into intensive internships, school-based enterprises, or virtual apprenticeships.

4. Support services, including supplemental instruction in reading and mathematics, that help students master the advanced academic and technical content that is necessary for success in college and career.

Partnership Academies

The district shall operate one or more partnership academies as a school-within-a-school focused on a broad career theme. The program shall be available to students in grades 10-12, at least half of whom shall be students who are at risk of dropping out of school as indicated by three or more of the following criteria: (Education Code 54690-54691)
CAREER TECHNICAL EDUCATION (continued)

1. Past record of irregular attendance, with absence from school 20 percent or more of the school year
   
   *(cf. 5113.1 - Chronic Absence and Truancy)*

2. Past record of underachievement in which the student is at least one-third of a year behind the coursework for the respective grade level, or as demonstrated by credits achieved

3. Past record of low motivation or disinterest in the regular school program

4. Economic disadvantage

5. Scores below basic or far below basic on the mathematics or English language arts test of the California Assessment of Student Performance and Progress

6. A grade point average of 2.2 or below or the equivalent of a C minus

Ninth-grade teachers and counselors shall identify students eligible to participate in a partnership academy. Participating students shall be selected by academy staff from among those who have expressed an interest in the academy and whose parents/guardians have approved the student's participation. (Education Code 54695)

The district's program shall provide: (Education Code 54692)

1. During each regular school term, instruction in at least three academic subjects that:
   
   a. Prepares students for a regular high school diploma
   
   b. Where possible and appropriate, prepares students to meet subject requirements for admission to the California State University and University of California
   
   c. Contributes to an understanding of the occupational field of the academy

2. CTE courses offered at each grade level at the academy that are part of an occupational course sequence that targets comprehensive skills and meets the criteria specified in Education Code 54692

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

5. An employer-based internship or work experience that occurs during the summer following grade 11 or during grade 12
CAREER TECHNICAL EDUCATION (continued)

6. Additional motivational activities with private sector involvement to encourage academic and occupational preparation

Attendance in academy classes shall be limited to students enrolled in the academy. (Education Code 54692)

The Superintendent or designee shall establish an advisory committee consisting of individuals involved in academy operations, including district and school administrators, lead teachers, and representatives of the private sector. (Education Code 54692)

Apprenticeship Programs

The district may offer high school and/or adult education students a program of orientation to apprenticeships 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 apprenticeable occupation.

(cf. 6200 - Adult Education)

The district's program shall:

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

The district 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 by the Department of Industrial Relations' Division of Apprenticeship Standards to sponsor an apprenticeship program in order to develop and deliver related and supplemental instruction to students participating in a registered apprenticeship program. (Education Code 8150-8155; Labor Code 3074, 3075, 3078)

Regional Occupational Center/Program

The district shall operate and/or partner with a regional occupational center or program (ROC/P), established pursuant to Education Code 52335.12, which offers CTE courses, linked learning
CAREER TECHNICAL EDUCATION (continued)

programs, partnership academies, and/or pre-apprenticeship and apprenticeship programs as appropriate.

(cf. 6178.2 - Regional Occupational Center/Program)

Occupational course sequences offered by the ROC/P shall provide prerequisite courses needed to enter apprenticeship or postsecondary vocational certificate or degree programs, focus on occupations requiring comprehensive skills leading to high entry-level wages and/or the possibility of significant wage increases after a few years on the job, offer as many courses as possible that meet college admission requirements, and lead to attainment of an occupational skill certificate. (Education Code 52302)

Student Organizations

The district may provide support, including supplies, materials, activities, and advisor expenses, to student organizations which engage in activities that are integral to the CTE program and provide for the development of student leadership skills. However, no state or federal funds shall be used to pay students' membership dues, food or lodging expenses, out-of-state travel, or the cost of a social activity or assemblage.

(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.5 - Student Organizations and Equal Access)
WORK-BASED LEARNING

The Governing Board desires to facilitate work-based learning opportunities which link classroom learning with real-world experiences. The district's work-based learning program shall be designed to teach students the skills, attitudes, and knowledge necessary for successful employment and to reinforce mastery of both academic and career technical education (CTE) standards.

(cf. 6000 - Concepts and Roles)
(cf. 6011 - Academic Standards)
(cf. 6143 - Courses of Study)
(cf. 6178 - Career Technical Education)
(cf. 6178.2 - Regional Occupational Center/Program)

The district's work-based learning program may offer opportunities for paid and/or unpaid work experiences, including, but not limited to:

1. Work experience education as defined in Education Code 51764
2. Cooperative CTE or community classrooms as defined in Education Code 52372.1
3. Job shadowing experience as defined in Education Code 51769
4. Student internships
5. Apprenticeships
6. Service learning
7. Employment in social/civic or school-based enterprises
8. Technology-based or other simulated work experiences

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

The Superintendent or designee may provide students employment opportunities with public and private employers in areas within or outside the district, including in any contiguous state. (Education Code 51768)

The Board may elect to pay wages to students participating in a work-based learning program, but shall not make payments to or for private employers except for students with disabilities who are participating in work experience education programs funded by the state for such students. (Education Code 51768)

Any district plan for work-based learning shall be submitted to the Board for approval. When required, the plan shall be submitted to the California Department of Education or other state agency or official.
WORK-BASED LEARNING

The Superintendent or designee shall involve local businesses or business organizations in planning and implementing work-based learning opportunities that support the district’s vision and goals for student learning and local workforce development efforts. He/she also may work with postsecondary institutions, community organizations, and others to identify opportunities for work-based learning.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 1220 - Citizen Advisory Committees)
(cf. 1700 - Relations Between Private Industry and the Schools)
(cf. 6020 - Parent Involvement)

When required by law, the Superintendent or designee shall develop a written training agreement with the employer that describes the conditions and requirements to be met by all parties and shall develop an individual training plan for each student which outlines the objectives or competencies that the student is expected to accomplish at the work site. (5 CCR 10070-10071, 10087, 10108)

To ensure appropriate guidance and supervision of participating students and maximize the educational benefit from placement in any work-based learning program, district staff shall coordinate with the workplace supervisors or mentors.

A minor student shall be allowed employment through a paid work-based learning program only if he/she has been issued a work permit, in accordance with law, Board policy, and administrative regulation. (Education Code 49113, 49160)

(cf. 5113.2 - Work Permits)

All laws or rules applicable to minors in employment relationships shall be applicable to students enrolled in work-based learning programs. (Education Code 51763)

The Superintendent or designee shall ensure that any student participating in a work-based learning program off school grounds is covered under the employer's or district's insurance, as applicable, in the event the student is injured.

(cf. 3530 - Risk Management/Insurance)
(cf. 5143 - Insurance)

The Superintendent or designee shall ensure that any teacher-coordinator of a work-based learning program possesses the appropriate credential issued by the Commission on Teacher Credentialing. (5 CCR 10075, 10080, 10100)

(cf. 4112.2 - Certification)

The Superintendent or designee shall maintain records related to each student's participation in the district's work-based learning program, including, but not limited to, the student's individualized training plan, employment hours and job site, work permit if applicable, the employer's report of student's attendance and job performance, the teacher-coordinator's consultations and observations, and reports of the student's grade and credits earned.
WORK-BASED LEARNING (continued)

(cf. 5125 - Student Records)

The Superintendent or designee shall periodically report to the Board regarding program implementation and effectiveness, including, but not limited to, rates of student participation in work-based learning programs and assessment results of participating students.

(cf. 0500 - Accountability)

Legal Reference:
EDUCATION CODE
35208 Liability insurance
46144 Minimum school day for work experience program
46147 Exception for minimum day; students in last semester or quarter of grade 12
46300 Method of computing ADA
48402 Enrollment in continuation education, minors not regularly employed
49110-49119 Permits to work
49160 Permits to work, duties of employer
51760-51769.5 Work-based learning
52300-52499.66 Career technical education
54690-54697 Partnership academies
56026 Students with exceptional needs
52372.1 Community classrooms and cooperative career technical education programs
LABOR CODE
1285-1312 Employment of minors
1391-1394 Working hours for minors
3070-3099.5 Apprenticeship
3200-6002 Workers' compensation and insurance
CODE OF REGULATIONS, TITLE 5
1635 Credit for work experience education
10070-10075 Work experience education
10080-10090 Community classrooms
10100-10111 Cooperative career technical education programs
UNITED STATES CODE, TITLE 20
2301-2414 Carl D. Perkins Career and Technical Education Act of 2006
CODE OF FEDERAL REGULATIONS, TITLE 29
570.35a Work experience programs

Management Resources: (see next page)
WORK-BASED LEARNING (continued)

Management Resources:
- CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
  - Work Experience Education Guide
  - California Career Technical Education Model Curriculum Standards, 2013
  - Multiple Pathways to Student Success: Envisioning the New California High School, 2010
  - Career Technical Education Framework for California Public Schools: Grades Seven Through Twelve, 2007
- CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS
  - Child Labor Laws, 2013
- WEST ED PUBLICATIONS
  - Work-Based Learning in California: Opportunities and Models for Expansion, 2009
- WEB SITES
  - CSBA: http://www.csba.org
  - California Association of Work Experience Educators: http://www.cawee.org
  - California Department of Education, Work Experience Education: http://www.cde.ca.gov/ci/ct/we
  - California Department of Industrial Relations: http://www.dir.ca.gov
  - Linked Learning Alliance: http://www.linkedlearning.org
  - WestEd: http://www.wested.org
WORK-BASED LEARNING

Work Experience Education

The district's work experience education (WEE) program shall consist of one or more of the following types of unpaid and paid on-the-job experiences: (5 CCR 10071)

1. **Exploratory WEE** which provides students with a combination of related classroom instruction in WEE and unpaid opportunities to observe and sample systematically a variety of conditions of work for the purpose of ascertaining their interest and suitability for the occupation they are exploring.

   The length of exploratory WEE assignments may vary depending on the aptitude of the student, the occupation being explored, the facilities of the work station, and the job classification. A student may not participate in an exploratory WEE assignment if he/she receives pay for like work at the same work station or similar job outside of the WEE program.

2. **General WEE** which has as its purpose the application of basic skills of reading, writing, and computation and which provides students an opportunity to acquire general and specific occupational skills through a combination of supervised paid employment in any occupational field and related classroom instruction in WEE.

3. **Career technical WEE** which reinforces and extends career learning opportunities for students through a combination of related classroom instruction in WEE and supervised paid or unpaid employment in the occupation for which their career technical course in school prepares them.

(cf. 6011 - Academic Standards)
(cf. 6143 - Courses of Study)
(cf. 6178 - Career Technical Education)

The student-teacher ratio in any WEE program shall not exceed 125 students per full-time equivalent certificated teacher coordinator. (Education Code 46300)

The minimum day for students enrolled in a WEE program shall be four periods totaling at least 180 minutes in duration, unless the school or student meets one of the conditions specified in Education Code 46144 or 46147. (Education Code 46144, 46147)

(cf. 6112 - School Day)
(cf. 6184 - Continuation Education)

A WEE program offered during the summer shall be conducted in the same time period as the regular summer school program and shall conform to all appropriate laws and regulations applicable to WEE.

(cf. 6177 - Summer Learning Programs)
WORK-BASED LEARNING  (continued)

Each WEE program shall operate under the supervision of a teacher-coordinator. The teacher-coordinator shall make at least two on-site contacts per semester with each work supervisor or at least one on-site contact during summer school to evaluate student performance.  (Education Code 51764; 5 CCR 10074)

Any student who is age 16 years or older and who satisfactorily completes a WEE program with a minimum of one instructional period per week of related classroom instruction or counseling by a certificated employee, in sessions scheduled intermittently throughout the semester, shall be granted up to 40 semester periods of credit for WEE within the following limits:  (Education Code 51760.3; 5 CCR 1635)

1. For exploratory WEE, the student may earn 10 semester periods for each semester, with a maximum of 20 semester periods earned in two semesters.

2. For either general or career technical WEE, the student may earn 10 semester periods for each semester, with a maximum of 40 semester periods.

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

Any student who satisfies the above requirements but is under age 16 may be granted credit under any of the following conditions:  (Education Code 51760.3)

1. The student is enrolled in grade 11 or higher.

2. The principal certifies that the student is in need of immediate work experience education in order to pursue employment opportunities.

3. The principal certifies that, without being provided an opportunity to enroll in the WEE program, there is a high probability that the student will no longer be enrolled as a full-time student.

(cf. 5147 - Dropout Prevention)

4. The student is age 14 years or older and the principal certifies that such credit is necessary for the student's participation in a career technical education (CTE) program.

5. The student has an individualized education program (IEP) which prescribes the type of training for which participation in a WEE program is deemed appropriate.

(cf. 6159 - Individualized Education Program)
Cooperative Career Technical Education Program/Community Classrooms

To be eligible for program participation, a student shall be concurrently enrolled in a CTE course or program approved by the California Department of Education and shall meet other criteria specified in 5 CCR 10103 as applicable. (5 CCR 10082, 10103)

At least one instructional period per week of formal CTE classroom instruction shall be provided to participating students. Each CTE instructional period shall be equivalent to a minimum of three regular classroom instructional periods of at least 50 minutes each week. (5 CCR 10085, 10106)

Teachers assigned to the program shall locate and select training stations to provide participating students with unpaid on-the-job learning experiences in the specific occupation related to the approved course or program. (5 CCR 10086, 10107)

The cooperative CTE program teacher shall make at least one visitation every four weeks to each employer to ensure that the provisions of the training agreement are being met and that students are acquiring the competencies identified in their individual training plans. One out of every two visits to the training station shall include an observation of the student engaged in on-the-job training experiences. (5 CCR 10109)

The community classroom teacher shall make at least one visitation every three weeks to consult with the work supervisor, observe students at the training station, provide instruction, and ensure that students are acquiring the competencies identified in their individual training plans. Each visitation shall include an observation of the student engaged in on-the-job training experiences. (5 CCR 10088)

Students shall be granted academic credit for satisfactory completion of the program. The teacher shall be responsible for evaluating the student's performance in the CTE course and, with the assistance of the employer, the student's participation at the training station. (5 CCR 10081, 10102)

Job Shadowing

The program coordinator shall identify job shadowing placements with the goal of providing students with exposure to a broad range of career options and employment settings.

The program coordinator shall supervise job shadowing activities, including the coordination of the student's and employer's schedules and consultation with the student's other teachers when necessary.
WORK-BASED LEARNING  (continued)

Participating students may attend job shadowing opportunities for up to 25 hours but no less than three hours in one semester, intersession, or summer school session. However, a student may be permitted to participate for up to 40 hours in one semester, intersession, or summer school session, if the principal certifies that it is necessary for the student's participation in a CTE program. (Education Code 51769)
SUPPLEMENTAL INSTRUCTION

The Governing Board recognizes that high-quality supplemental instruction can motivate and support students to attain grade-level academic standards, overcome academic deficiencies, and/or acquire critical skills. The district shall offer programs of direct, systematic, and intensive supplemental instruction to meet student needs. Supplemental instruction shall be offered in accordance with law and may be used to assist the district in meeting its goals for student achievement.

(cf. 0460 - Local Control and Accountability Plan)
(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5147 - Dropout Prevention)
(cf. 6011 - Academic Standards)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.5 - Elementary/Middle School Graduation Requirements)
(cf. 6164.5 - Student Success Teams)

Supplemental instruction may be offered during and outside the regular school day, including during the summer, before school, after school, on Saturday, and/or during intersessions. When supplemental instruction is offered during the regular school day, it shall not supplant the student's instruction in the core curriculum areas or physical education.

(cf. 5148.2 - Before/After School Programs)
(cf. 6111 - School Calendar)
(cf. 6112 - School Day)
(cf. 6142.7 - Physical Education and Activity)
(cf. 6176 - Weekend/Saturday Classes)
(cf. 6177 - Summer Learning Programs)

As appropriate, supplemental instruction may be provided through a classroom setting, individual or small group instruction, technology-based instruction, and/or an arrangement with a community or other external service provider.

(cf. 1020 - Youth Services)

When determined to be necessary by the principal or designee, a student may be required to participate in supplemental instruction outside the regular school day. In such cases, written parent/guardian consent shall be obtained for the student's participation.

Supplemental instruction shall be offered to 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)

The district shall offer alternative supports designed to increase the academic achievement of socioeconomically disadvantaged students attending schools identified by the California Department of Education for program improvement for two or more consecutive years.
SUPPLEMENTAL INSTRUCTION (continued)

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

In addition, supplemental instruction may be offered to:

1. Students who are identified as being at risk for retention based on state assessment results, grades, or other indicators

(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 6162.51 - State Academic Achievement Tests)

2. Students who demonstrate academic deficiencies that may jeopardize their attainment of academic standards

(cf. 6142.6 - Visual and Performing Arts Education)
(cf. 6142.7 - Physical Education and Activity)
(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. 6142.92 - Mathematics Instruction)
(cf. 6142.93 - Science Instruction)
(cf. 6142.94 - History-Social Science Instruction)

3. High school students who need support to successfully complete courses required for graduation

Legal Reference: (see next page)
SUPPLEMENTAL INSTRUCTION  (continued)

Legal Reference:

EDUCATION CODE
37200-37202 School calendar
37223 Weekend classes
37252-37254.1 Supplemental instruction, summer school
42238.01-42238.07 Local control funding formula
46100 Length of school day
48070-48070.5 Promotion and retention
48200 Compulsory education
48985 Translation of notices
51210-51212 Courses of study, elementary schools
51220-51228 Courses of study, secondary schools
52060-52077 Local control and accountability plan
60603 Definitions, core curriculum areas
60640-60649 California Assessment of Student Performance and Progress
60850-60859 High school exit examination, especially:
60851.5 Suspension of high school exit examination
CODE OF REGULATIONS, TITLE 5
11470-11472 Summer school

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

Policy
adopted: June 26, 2001
revised: February 22, 2005
revised: March 14, 2006
revised: July 8, 2008
revised: May 13, 2014
revised: June 21, 2016
revised: June 13, 2017

VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California
HOME AND HOSPITAL INSTRUCTION

A student with a temporary disability which makes school attendance impossible or inadvisable shall be entitled to receive individual instruction at home or in a hospital or other residential health facility, excluding state hospitals. (Education Code 48206.3)

(cf. 5112.2 - Exclusions from Attendance)

Temporary disability means a physical, mental, or emotional disability incurred while a student is enrolled in regular day classes or an alternative education program, and after which the student can reasonably be expected to return to regular day classes or the alternative education program in which the student is enrolled. Temporary disability does not include a disability that would qualify a student for special education pursuant to Education Code 56026. (Education Code 48206.3)

(cf. 5141.22 - Infectious Diseases)
(cf. 6158 - Independent Study)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians of district students regarding: (Education Code 48206.3, 48208, 48980)

1. The availability of individual instruction for any student with a temporary disability, including information regarding student eligibility for, and the duration of, individual instruction

2. The rights and responsibilities of parents/guardians of any student with a temporary disability pursuant to Education Code 48207 and 48208

(cf. 5145.6 - Parental Notifications)

Parents/guardians shall notify the principal or designee when their child is temporarily disabled and needs individual instruction at home or in a hospital or other residential health facility.

Determination of Student Eligibility

Not later than five working days after receiving notification from a parent/guardian that a student has a temporary disability, the Superintendent or designee shall determine whether the student will be able to receive individual instruction at home or in a hospital or residential health facility. (Education Code 48208)

The Superintendent or designee may require verification through any reasonable means that the student is temporarily disabled and needs individual instruction.

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

(cf. 4112.2 - Certification)
(cf. 4113 - Assignment)

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

The district's attendance supervisor shall ensure that the absences of any temporarily disabled student receiving individual instruction at home or in a hospital or other residential health facility are excused until the student is able to return to the regular school program. (Education Code 48240)

(cf. 5113 - Absences and Excuses)
(cf. 5113.11 - Attendance Supervision)

Return to School

A student receiving individual instruction who is well enough to return to school shall be allowed to return to the school that the student attended immediately before receiving individual instruction, if the return occurs during the school year in which the individual instruction was initiated. (Education Code 48207.3)

Legal Reference:
EDUCATION CODE
44865 Qualifications for home teachers
45031 Home teachers
48200 Minimum school day
48206.3-48208 Students with temporary disabilities; individual instruction
48240 Supervisors of attendance
48980 Parental notifications
51800-51802 Employment of home teachers
56026 Individual with exceptional needs
CODE OF REGULATIONS, TITLE 5
421 Method of verification
423 Prolonged illness

Regulation approved: September 25, 2001
revised: May 20, 2019

VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California
CONTINUATION EDUCATION

The Governing Board shall provide a continuation education program as an option for at-risk students who may need a flexible educational environment. The continuation education program shall be designed to meet the educational needs of each student, provide an opportunity for participating students to complete the required course of instruction necessary to graduate from high school, emphasize occupational orientation or a work study schedule, and offer intensive guidance services.

(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.11 - Alternative Credits Toward Graduation)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)

The continuation education program shall be aligned with the goals identified in the district's local control and accountability plan, designed and implemented in collaboration with other high schools within the district, and coordinated with other educational options available to district students.

(cf. 0420.4 - Charter School Authorization)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 6158 - Independent Study)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6181 - Alternative Schools/Programs of Choice)
(cf. 6183 - Home and Hospital Instruction)
(cf. 6185 - Community Day School)
(cf. 6200 - Adult Education)

The Superintendent or designee shall appoint a director of continuation education who shall be responsible for the organization and administration of the district's continuation education program and guidance, placement, and follow-up services for participating students. (5 CCR 11000, 11003)

The continuation high school shall be conducted for not less than 180 days during a school year. The Board may maintain continuation classes during the district's regular school hours, during special school hours for these classes established by the Board, or during such hours and for such length of time during the day or evening that adult education classes are maintained. (Education Code 48434; 5 CCR 11004)

(cf. 6111 - School Calendar)
(cf. 6112 - School Day)

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

A student may be involuntarily transferred into a continuation education program in accordance with law and administrative regulation. (Education Code 48432.5)
CONTINUATION EDUCATION (continued)

With the consent of the Superintendent or designee, a student may voluntarily enroll in continuation classes in order to receive special attention such as individualized instruction. (Education Code 48432, 48432.3, 48432.5)

Priority for voluntary enrollment in continuation classes shall be given to students who need credit recovery in order to graduate with their peers and to students who, due to employment, pregnancy, parenting responsibilities, or other circumstances, are unable to attend a comprehensive high school. A student with a disability shall be admitted only if his/her individualized education program specifically states that a continuation high school setting meets his/her needs.

(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 5147 - Dropout Prevention)
(cf. 5149 - At-Risk Students)
(cf. 6159 - Individualized Education Program)

Enrollment criteria shall be applied consistently throughout the district. (Education Code 48432.3)

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

Students may be enrolled in a regional occupational center or program within the county in lieu of, or in combination with, continuation education. (Education Code 48432)

(cf. 6178.2 - Regional Occupational Center/Program)

Students otherwise subject to compulsory attendance in continuation education classes may be exempted if they meet any of the conditions specified in Education Code 48410 and AR 5112.1 - Exemptions from Attendance.

(cf. 5112.1 - Exemptions from Attendance)

The Superintendent or designee shall regularly evaluate the effectiveness of district continuation education programs and report these evaluation results to the Board. Indicators may include, but not be limited to, disaggregated data on student enrollment, student assessment results, and graduation rates.

(cf. 0500 - Accountability)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - State Academic Achievement Tests)
(cf. 6162.52 - High School Exit Examination)
(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference: (see next page)
CONTINUATION EDUCATION (continued)

Legal Reference:
EDUCATION CODE
46170 Minimum school day for continuation schools and classes
48400-48454 Compulsory continuation education, especially:
48400 Weekly minimum attendance requirement
48402 Minors not regularly employed
48410-48416 Compulsory continuation education
48430-48438 Continuation classes
48450-48454 Violation
48900 Grounds for suspension and expulsion
48900.5 Student discipline
48903 Limitations on days of suspension
51224-51225.3 Courses of study
60850-60856 High school exit examination
FAMILY CODE
7000-7002 Emancipation of minors law
7050 Purposes for which emancipated minor considered an adult
CODE OF REGULATIONS, TITLE 5
11000-11010 Continuation education
COURT DECISIONS

Management Resources:
JOHN W. GARDNER CENTER FOR YOUTH AND THEIR COMMUNITIES PUBLICATIONS
Raising the Bar, Building Capacity: Driving Improvement in California’s Continuation High Schools, May 2012
Intake Processes at Continuation High Schools: Shaping School Climate Through Selection and Enrollment Strategies, February 2011
WEB SITES
California Continuation Education Association: http://www.cceanet.org
California Department of Education: http://www.cde.ca.gov
John W. Gardner Center for Youth and Their Communities, Stanford School of Education:
http://jgc.stanford.edu

Policy
adopted: November 16, 1999
revised: June 26, 2001
revised: November 18, 2014

VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California
CONTINUATION EDUCATION

Program Components

The district's continuation education program shall include the following components:

1. Curriculum that prepares students to meet the course requirements for graduation prescribed in Education Code 51224-51225.3 (5 CCR 11004)
   (cf. 6011 - Academic Standards)
   (cf. 6143 - Courses of Study)
   (cf. 6146.1 - High School Graduation Requirements)
   (cf. 6162.5 - Student Assessment)
   (cf. 6162.51 - State Academic Achievement Tests)
   (cf. 6162.52 - High School Exit Examination)
   (cf. 6178 - Career Technical Education)

2. A plan to coordinate instruction and training in the continuation education program with students' parents/guardians, employment, and other agencies (5 CCR 11003)

3. Instruction based on individual student needs as determined by counseling and coordination services (5 CCR 11002)

4. Personal guidance in matters affecting students' personal, social, and educational adjustment (5 CCR 11001)
   (cf. 6164.2 - Guidance/Counseling Services)

5. Occupational guidance to prepare students for future employment opportunities (5 CCR 11001)

6. Placement in suitable employment whenever students can benefit from such employment, and follow-up visitations at places of employment to determine the effectiveness of the guidance and placement services (5 CCR 11001)
   (cf. 5113.2 - Work Permits)
   (cf. 6178.1 - Work-Based Learning)

7. Regular home contacts and parent conferences when students are not succeeding in the continuation program (5 CCR 11001)
   (cf. 6020 - Parent Involvement)

8. Regular contacts with students enrolled for only four hours per week and all students suspended from continuation education, with the intent of eventually returning them to the full-time continuation education program (5 CCR 11001)
CONTINUATION EDUCATION (continued)

9. Regular communication with all parents/guardians regarding their child's progress in the educational program
   
   (cf. 5121 - Grades/Evaluation of Student Achievement)

10. Opportunities for parent/guardian and community involvement in school activities and program planning
    
    (cf. 1240 - Volunteer Assistance)

11. Student support services that may include, but are not limited to, academic support services, health services or referrals, child care and development services for the children of enrolled students, and/or prevention and intervention services for alcohol or substance abuse
    
    (cf. 1020 - Youth Services)
    (cf. 5030 - Student Wellness)
    (cf. 5131.6 - Alcohol and Other Drugs)
    (cf. 5141.6 - School Health Services)
    (cf. 5146 - Married/Pregnant/Parenting Students)
    (cf. 5147 - Dropout Prevention)
    (cf. 5148 - Child Care and Development)
    (cf. 5149 - At-Risk Students)
    (cf. 6164.5 - Student Success Teams)
    (cf. 6179 - Supplemental Instruction)

12. Professional development that includes opportunities for teachers to continually improve their instructional and classroom management skills
    
    (cf. 4131 - Staff Development)

13. Efforts to ensure school safety and promote a positive school climate
    
    (cf. 0450 - Comprehensive Safety Plan)
    (cf. 3515 - Campus Security)
    (cf. 3515.3 - District Police/Security Department)
    (cf. 5131 - Conduct)
    (cf. 5131.2 - Bullying)
    (cf. 5131.4 - Student Disturbances)
    (cf. 5131.7 - Weapons and Dangerous Instruments)
    (cf. 5136 - Gangs)
    (cf. 5137 - Positive School Climate)
    (cf. 5138 - Conflict Resolution/Peer Mediation)

**Involuntary Transfer**

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

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

(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6185 - Community Day School)

2. The student has been habitually truant or irregular in attendance from instruction he/she is lawfully required to attend.

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)

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

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

(cf. 5145.6 - Parental Notifications)

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

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

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

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

Voluntary Enrollment

As space permits, students who meet the eligibility criteria specified in Board policy may voluntarily enroll in a continuation school. A student may be considered for placement in the continuation
CONTINUATION EDUCATION (continued)

school whenever his/her parent/guardian submits a written request to the Superintendent or designee or the student is referred by a counselor or school administrator.

Approval of a student's voluntary transfer shall be based on a finding that the placement will promote the educational interests of the student. (Education Code 48432.3)

Voluntary enrollment shall be subject to the following conditions: (Education Code 48432.3, 48432.5)

1. A student's voluntary placement in continuation education shall not be used as an alternative to expulsion unless alternative means of correction have been attempted pursuant to Education Code 48900.5.

2. The district shall strive to ensure that no specific group of students, including a group based on race, ethnicity, language status, or special needs, is disproportionately enrolled in continuation education within the district.

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

The Superintendent or designee shall annually review disaggregated student enrollment data and report such data to the Governing Board. If it is determined that one or more student groups are enrolled in continuation education at a significantly higher level than their proportional enrollment in the district, the Superintendent or designee shall conduct a review of enrollment criteria and procedures to determine the reason for the disproportionate enrollment.

3. Before a student is transferred and upon request by his/her parent/guardian, the parent/guardian may meet with a counselor, principal, or administrator from both the school that the student is currently attending and the continuation school to determine if transferring is the best option for the student.

4. A student who is voluntarily enrolled in continuation education may return to the regular high school at the beginning of the following semester or at the beginning of the following school year.

Intake and Orientation

Upon voluntary or involuntary transfer to a continuation education program, an intake meeting shall be conducted with each student and his/her parent/guardian. At this meeting, the principal or counselor shall provide information about each course and number of credits that the student needs to complete in order to graduate and shall develop an individualized academic plan for the student. The student, and his/her parent/guardian as appropriate, shall sign a contract indicating their commitment to these objectives.
CONTINUATION EDUCATION (continued)

In addition, at the beginning of each school year, the district coordinator for continuation education, school counselor(s), or other designee(s) shall provide an orientation session for all incoming students and their parents/guardians in order to help them understand the credit recovery process and establish expectations for student conduct and participation. As appropriate, extended orientation sessions may be provided to assist students in developing academic, social, communication, anger management, or other skills necessary to success in school.

 Minimum Attendance Requirement

In continuation high schools and classes, a day of attendance shall be at least 180 minutes. (Education Code 46170)

Each student shall attend classes for not less than 15 hours per week. However, if a student gives satisfactory proof of regular employment, he/she may attend classes for not less than four hours per week for the regular school term. These requirements may be met by any combination of attendance in a continuation education class and/or regional occupational center or program. (Education Code 46170, 48402, 48400)

Leaves of Absence

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

(cf. 5112.3 - Student Leave of Absence)

Reenrollment

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

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

The Governing Board recognizes the need to provide an appropriate alternative educational option for expelled students who are prohibited from attending regular schools in the district, students referred by probation pursuant to Welfare and Institutions Code 300 or 602, and students referred by a school attendance review board or another district-level referral process. The district's community day school program shall be designed to meet the needs of these students and ensure academic progress necessary for their success when returned to a regular school environment.

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

The Superintendent or designee shall ensure that any such school is operated in accordance with legal requirements related to enrollment, instructional time and facilities; and collaborate with the County Superintendent of Schools and, as appropriate, other districts within the county to develop, for Board adoption, a plan for providing education services and appropriate placements to all expelled students in the county. (Education Code 48926)

The district's community day school program shall be designed to give students substantial individual help with their problems. To the extent possible, the program shall include:

1. Cooperation with the county office of education, law enforcement, probation, and human services agencies personnel who work with at-risk youth

2. Low student-teacher ratio

3. Individualized instruction and assessment

4. Maximum collaboration with district support service resources, including, but not limited to, school counselors and psychologists, academic counselors, and student discipline personnel

(cf. 0400 - Comprehensive Plans)
(cf. 1020 - Youth Services)
(cf. 6164.2 - Guidance/Counseling Services)

The Superintendent or designee shall establish procedures for the involuntary transfer of students to a community day school in accordance with law. (Education Code 48662)

The Superintendent or designee may require community day school students to attend school for up to seven days each week in a directed program designed to provide students with the skills and attitudes necessary for success when they are returned to a regular school environment. (Education Code 48666)

A community day school shall not be situated on the same site as a regular district elementary, middle, junior high, comprehensive senior high, opportunity, or continuation school, except when allowed by law and when the Board certifies by a two-thirds vote that no satisfactory
COMMUNITY DAY SCHOOL  (continued)

alternative facilities are available for the community day school. Such Board certification shall be valid for not more than one school year and may be renewed by a subsequent two-thirds vote of the Board. (Education Code 48661)

(cf. 9323.2 - Actions by the Board)

Community day schools shall be operated in safe, well-maintained facilities that meet the requirements of Education Code 17292.5.

The Superintendent or designee shall regularly report to the Board regarding the academic performance and other outcomes of students enrolled in a community day school.

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

Legal Reference:
EDUCATION CODE
1980-1986  County community schools
17085-17096  Emergency portable facilities
17280-17316  Field Act, approvals
17365-17374  Field Act, fitness of occupancy
48260-48273  Truants
48660-48666  Community day schools
48900-48926  Suspension or expulsion
52052  Accountability
52064.5  Program evaluation; state evaluation rubrics
WELFARE AND INSTITUTIONS CODE
300  Minors subject to jurisdiction
602  Minors violating laws defining crime; ward of court
CALIFORNIA CODE OF REGULATIONS, TITLE 5
1068-1074  Alternative schools accountability systems
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
104.35  Evaluation and placement of students with disabilities

Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Guidelines for Establishing a Community Day School
WEB SITES
California Department of Education: http://www.cde.ca.gov/sp/eo/cd

Policy
adopted:  November 16, 1999
revised:  June 26, 2001
revised: June 13, 2017

VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California
COMMUNITY DAY SCHOOL

Involuntary Transfer

The Superintendent or designee may assign a student to a district community day school if the student meets one or more of the following conditions: (Education Code 48662)

1. The student is expelled for any reason.  
   (cf. 5144.1 - Suspension and Expulsion/Due Process)

2. The student is probation-referred pursuant to Welfare and Institutions Code 300 or 602.

3. The student is referred by a school attendance review board (SARB) or other district-level referral process.  
   (cf. 5113.1 - Chronic Absence and Truancy)

The Superintendent or designee shall give first priority for assignment to a community day school to students expelled for mandatory expulsion offenses pursuant to Education Code 48915(d). Second priority shall be given to students expelled for other reasons, and third priority shall be given to students referred pursuant to item #2 or #3 above. These priorities are applicable unless there is an agreement that the County Superintendent of Schools will serve any of these students. (Education Code 48662)

When the student to be involuntarily transferred to a community day school is a student with disabilities, as defined under the federal Individuals with Disabilities Education Act or Section 504 of the federal Rehabilitation Act of 1973, assignment to a community day school shall be determined by the student's individualized education program (IEP) or 504 team, as applicable. (20 USC 1415; 34 CFR 104.35)

Students who have been involuntarily transferred to a community day school based on an expulsion order, probation referral, SARB referral, or other district-level referral process shall be notified in accordance with the applicable laws and/or district policy. Such process shall include timely written notification of the transfer to the student and his/her parent/guardian and an opportunity for the student and parent/guardian to meet with the Superintendent or designee to discuss the transfer.

Instruction

Academic programs offered in the community day school shall be comparable to those available to students of a similar age in the district. (Education Code 48663)
COMMUNITY DAY SCHOOL

The minimum school day for a district community day school shall be 360 minutes of classroom instruction provided by a certificated employee. Independent study shall not be used as a means of providing any part of this minimum day. (Education Code 48663)

(cf. 6112 - School Day)
(cf. 6158 - Independent Study)
EVALUATION OF THE INSTRUCTIONAL PROGRAM

The Governing Board recognizes that it is accountable to students, parents/guardians, and the community for the effectiveness of the district's educational program in meeting district goals for student learning. The Superintendent or designee shall conduct a continual evaluation of the curriculum and the instructional program in order to identify strategies for improving student achievement.

(cf. 0200 - Goals for the School District)
(cf. 0500 - Accountability)
(cf. 6000 - Concepts and Roles)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

The Superintendent or designee shall provide the Board and the community with regular reports on student achievement. The reports shall include data for each district school and for each numerically significant student subgroup, as defined in Education Code 52052, including, but not limited to, school and subgroup performance on statewide achievement indicators and progress toward goals specified in the district's local control and accountability plan (LCAP).

(cf. 0460 - Local Control and Accountability Plan)
(cf. 0510 - School Accountability Report Card)
(cf. 6011 - Academic Standards)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - State Academic Achievement Tests)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6174 - Education for English Learners)

In addition, the Superintendent or designee shall conduct an evaluation of any new instructional program implemented in the district and shall regularly assess district progress toward increasing student achievement in all subject areas taught in the district. The findings of such evaluations and assessments shall be reported to the Board.

Based on these reports, the Board shall take appropriate actions to maintain the effectiveness of programs and to improve the quality of education provided to district students.

Annual Evaluation of Consolidated Application Programs

The Board and the Superintendent or designee shall annually determine whether the district's categorical programs funded through the state's consolidated application are effective in meeting the needs of the students they are intended to serve. As a basis for this evaluation, the Superintendent or designee shall recommend for Board approval the specific, measurable criteria that shall be used at each school and at the district level. These criteria may include, but are not necessarily limited to, the progress of all students participating in the program and of each numerically significant subgroup toward goals contained in the district's LCAP, the school's single plan for student achievement, and/or other applicable district or school plans.
EVALUATION OF THE INSTRUCTIONAL PROGRAM  (continued)

Western Association of Schools and Colleges (WASC) Accreditation

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

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

Not later than 60 days after receiving the results of an inspection of a school by WASC or any other accrediting agency, the Superintendent or designee shall notify parents/guardians in writing of the inspection results and/or shall post the information on the district's or school's web site. (Education Code 35178.4)

(cf. 1113 - District and School Web Sites)
(cf. 5145.6 - Parental Notifications)

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

Legal Reference:  (see next page)
EVALUATION OF THE INSTRUCTIONAL PROGRAM  (continued)

Legal Reference:
EDUCATION CODE
33400-33407 Educational evaluations
35178.4 Notice of accreditation status
44662 Evaluation and assessment guidelines, certificated employee performance
48985 Compliance with translation of parental notifications
51041 Education program, evaluation and revisions
51226 Model curriculum standards
52052 Accountability; numerically significant student subgroups
52060-52077 Local control and accountability plan
62005.5 Failure to comply with purposes of funds
64000-64001 Consolidated application process
CODE OF REGULATIONS, TITLE 5
3930-3937 Program requirements
3942 Continuity of funding
UNITED STATES CODE, TITLE 20
6311 State plans

Management Resources:
WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES PUBLICATIONS
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
Western Association of Schools and Colleges (WASC), Accrediting Commission for Schools:
http://www.acswasc.org

Policy
adopted: September 25, 2001
revised: January 27, 2004
revised: October 24, 2006
revised: July 10, 2007
revised: March 29, 2016
revised: March 26, 2019
EVALUATION OF THE INSTRUCTIONAL PROGRAM

All students in the district are expected to reach the grade level standards adopted by the Governing Board. The Visalia Unified School District Assessment of Student Learning and Accountability Model (VASLAM) includes content and performance standards for each of the grade levels in reading, language arts, and math and incorporates the STAR program of state mandated testing.

Indicators of Program Effectiveness

All Students: The criterion for evaluation of all instructional programs consists of multiple measures for student assessment including state-mandated norm-referenced tests, criterion-referenced tests and standards-based performance assessments. In addition, district developed performance measures and criterion-referenced tests will be administered regularly. The results of these assessments are disaggregated by gender, ethnicity, language proficiency, educationally disadvantaged, Title I, Special Education, Migrant, and GATE based on students attending district schools for the full academic year.

The following criteria will be used to determine the effectiveness of the School Improvement Program (SIP), Compensatory Education Program (Title I), State Program for English Language Learners (ELL), Migrant, Miller Unruh, GATE and Title IX (American Indian) students.

To be considered effective, each program must increase the percentage of students in the program who are performing at a proficient level by 5% per grade level per year as measured by the Visalia Unified School District performance standards for reading, language arts and math.

Special Education: To be considered effective, each program for Special Education funded students must increase the percentage of students in the program who are performing at a proficient level by 5% per grade level per year as measured by the performance standards for reading and language arts. The students who are determined by the IEP team unable to be measured by the content and performance standards for reading and writing will need to meet their IEP goals and objectives.

Title II: To be considered effective, Title II funds spent on professional development in core content areas must correlate to the California Standards for the Teaching Profession. Additional criteria includes staff participation rates, alignment to the standards for professional development and level of implementation.

Title IV (Alcohol, Drug and Tobacco Prevention): To be considered effective, the Safe and Drug Free Schools and Communities (SDFSC) and Tobacco Use Prevention Education (TUPE) programs will adhere to the performance indicators and the Four Principles of Effectiveness developed by the United States Department of Education. The California Healthy Kids Survey and the California Safe Schools Assessment will be used to evaluate performance of the SDFSC and TUPE programs.
EVALUATION OF THE INSTRUCTIONAL PROGRAM  (continued)

Title VI (Chapter 2): Each public and participating private school site shall annually submit a plan listing the implementation of innovative programs, items to be purchased and what curriculum goal is being addressed.

Child Development Programs (CALSAFE, State Preschool): To be considered an effective program, the children enrolled in State Preschool programs will enter kindergarten with the appropriate experience, knowledge and prerequisite skills to be successful as measured by the California Department of Education “Desired Results for Children and Families” reported annually.

To be considered effective, graduates of the CALSAFE program would be able to provide appropriately stimulating environments for their children so that upon kindergarten entry the children have acquired the academic knowledge and skills to succeed in kindergarten as measured by the California Department of Education’s “Desired Results for Children and Families” reported annually.

Achievement of School Based Coordinated Program Plan (SBCP) Goals: Schools revise single plan for student achievement annually. Schools develop a year-long planning process which includes a comprehensive needs assessment and collection of qualitative and quantitative data. Based on the analysis of data, goals and activities are established after extensive input and discussion by parents, staff, community and students. Budgets, goals and activities are revised based on the results of annual norm-referenced and standards-based assessments.

Plans are submitted to the Assistant Superintendent of Curriculum based on an annual calendar. A district review team reads the new or revised plans and submits them for approval to the Board of Education on or before June 30 of each year.
ADULT EDUCATION

The Governing Board believes that education is a lifelong process and that it is important for individuals to continuously develop new skills. Eligible adults shall be offered opportunities to enroll in programs and courses that develop academic and workforce skills and, as appropriate, lead to completion of requirements for high school graduation.

The Superintendent or designee shall recommend, for approval by the Board and the California Department of Education, courses to be offered through the district's adult education program.

To ensure efficient and coordinated adult education services, the district shall collaborate with other local educational agencies and the community college district in the region's adult education consortium. The district shall participate in the consortium's identification of the educational needs of adults in the region, identification of available funding and services, development and approval of an adult education plan pursuant to Education Code 84906, and implementation of strategies to address the identified needs, improve the effectiveness of district services, and improve students' transitions into postsecondary education and the workforce.

The district's representative to the region's adult education consortium shall be designated by the Board. (Education Code 84905)

(cf. 9140 - Board Representatives)

The Superintendent or designee shall ensure that all teachers of adult education classes possess an appropriate credential issued by the Commission on Teacher Credentialing and have access to high-quality professional development to continuously enhance their knowledge and skills.

(cf. 4112.2 - Certification)
(cf. 4131 - Staff Development)

Adult education classes may be offered any day or evening, including weekends, for such length of time during the school year as determined by the Board. (Education Code 52505, 52513)

A certificate of completion of the eighth grade shall be awarded through the adult school upon successful completion of both of the following:

1. At least one term in the adult elementary program

2. Overall eighth-grade placement on a recognized standardized achievement test
ADULT EDUCATION (continued)

Adult education students who fulfill the district's graduation requirements shall receive a diploma of high school graduation.

(cf. 6142.7 - Physical Education and Activity)
(cf. 6146.1 - High School Graduation Requirements)

The Superintendent or designee shall regularly report to the Board on the effectiveness of the district's adult education program. This report shall include, but not be limited to, the number of adults participating in the program, student participation in each type of adult education course or class, and the extent to which students successfully completed these programs, including, as applicable, the completion of requirements for the high school diploma or certificate of equivalency.

(cf. 0500 - Accountability)

Legal Reference: (see next page)
ADULT EDUCATION (continued)

Legal Reference:
EDUCATION CODE
8500-8538 Adult education
10200 CalWORKs education and job training plan
41975.2 Adult education; authorized classes and courses
44260.2-44260.3 Credential requirements, designated subjects adult education credential
44865 Qualifications for home teachers and teachers in special classes
46190-46192 Adult school; days of attendance
46300.1-46300.4 Independent study
51040 Prescribed courses
51056 Adult education course of study
51225.3 Requirements for graduation
51241 Physical education exemptions
51246 Physical education exemptions
51730-51732 Elementary school special day and evening classes
51745-51749.6 Independent study
51810-51815 Community service classes
52500-52523 Adult schools
52530-52531 Use of hospitals
52540-52544 Adult English classes
52550-52556 Classes in citizenship
52570-52572 Disabled adults
52610-52616.24 Adult schools, finances
52651-52656 Immigrant Workforce Preparation Act
60410 Books for adult classes
84830 Adult education consortium
84900-84920 Adult Education Block Grant
WELFARE AND INSTITUTIONS CODE
11320-11329.5 CalWORKs, including education and job training
CODE OF REGULATIONS, TITLE 5
10501 Adult education
10508 Records and reports
10530-10534 Standards
80034 Teaching credentials, adult education
80034.5 Adult education, substitute teachers
80036-80036.4 Requirements for designated subjects adult education credential
80040.2-80040.2.7 Programs of personalized preparation for the designated subjects adult education teaching credentialing
UNITED STATES CODE, TITLE 20
2301-2415 Carl D. Perkins Career and Technical Education Act
UNITED STATES CODE, TITLE 29
3101-3255 Workforce Innovation and Opportunity Act
3271-3333 Adult Education and Family Literacy Act

Management Resources: (see next page)
ADULT EDUCATION (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Adult Education Handbook for California, 2005
Pupil Fees, Charges, and Other Deposits, Fiscal Management Advisory 12-02, April 24, 2013
WEB SITES
California Council for Adult Education: http://www.ccaestate.org
California Department of Education: http://www.cde.ca.gov/sp/ae
California Department of Industrial Relations, Division of Apprenticeship Standards:
https://www.dir.ca.gov/das
Commission on Teacher Credentialing: http://www.ctc.ca.gov
Comprehensive Adult Student Assessment Systems: https://www.casas.org

Policy
adopted: November 16, 1999
revised: January 25, 2000
revised: February 28, 2017

VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California
ADULT EDUCATION

Enrollment

With the exception of programs specified in Education Code 52570, adult education classes shall be located in a facility which clearly identifies the class as being open to the general public. (Education Code 52517, 52570)

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

For purposes of the Adult Education Block Grant pursuant to Education Code 84900-84920, adults include persons 18 years of age or older. For other adult education programs, adults include persons age 18 or older and other persons not concurrently enrolled in a regular high school program. However, high school students may be concurrently enrolled in adult education under the conditions specified in the section "Concurrent Enrollment of High School Students" below. (Education Code 52610, 84901)

Concurrent Enrollment of High School Students

High school students shall be permitted to enroll in an adult education program, course, or class for sound educational purposes, including, but not limited to, the following: (Education Code 52523)

1. The adult education program, course, or class is not offered in the regular high school curriculum.

2. The student needs the adult education program, course, or class in order to make up deficient credits for graduation from high school.

(cf. 6146.1 - High School Graduation Requirements)

3. The adult education program, course, or class allows the student to gain vocational and technical skills beyond that provided by the regular high school's career technical education program.

(cf. 6178 - Career Technical Education)

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

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

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

1. That the student is enrolling voluntarily in the adult education course or class

2. That this enrollment will enhance the student's progress toward meeting educational requirements for high school graduation

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

(cf. 6164.2 - Guidance/Counseling Services)

Classes offered in the district's adult education program shall supplement and not supplant the regular high school curriculum. No course required by the district for high school graduation or necessary for students to maintain satisfactory academic progress shall be offered exclusively through the adult education program. (Education Code 52523)

Programs and Courses

Adult education classes or courses shall offer instruction in one or more of the following: (Education Code 41976, 84913)

1. Programs in elementary and secondary basic skills, including programs leading to a high school diploma or high school equivalency certificate

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

2. Programs for immigrants eligible for educational services in citizenship, English as a second language, and workforce preparation

3. Programs for adults, including, but not limited to, older adults, that are primarily related to entry or reentry into the workforce

4. Programs for adults, including, but not limited to, older adults, that are primarily designed to develop knowledge and skills to assist elementary and secondary students to succeed academically in school

5. Programs for adults with disabilities
ADULT EDUCATION  (continued)

6. Short-term career technical education programs with high employment potential

7. Programs offering pre-apprenticeship training activities in coordination with one or more approved apprenticeship programs

The Superintendent or designee shall annually submit to the California Department of Education for approval the titles of classes that have been approved by the Governing Board to be offered in any of the program areas listed above.

Adults also may be enrolled in community service classes offered by the district. (Education Code 51811)

(cf. 6146.4 - Service Learning/Community Service Classes)

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

Independent Study

The Superintendent or designee may make independent study available as an instructional strategy for students enrolled in adult education as appropriate to meet their individual needs.

(cf. 6158 - Independent Study)

Participation in independent study shall be voluntary. (Education Code 51747)

Any course taken through independent study shall be a course listed in Education Code 51225.3 or otherwise required by the Board for high school graduation. (Education Code 46300.4)

An adult who has been continuously enrolled in K-12 education since his/her 18th birthday may remain engaged in K-12 independent study until his/her 21st birthday. (Education Code 46300.1)

Fees

No fee shall be charged for the following adult education programs or classes: (Education Code 52612, 52613)
ADULT EDUCATION (continued)

1. A class for which high school credit is granted, if the class is taken by an individual who does not hold a high school diploma.

2. A class in an elementary subject or a class in English as a second language or citizenship, unless the student is a nonimmigrant alien with an F-1 visa status. Any nonimmigrant enrolled in these classes shall be charged a fee to cover the full cost of the instruction, not to exceed actual costs. The fee shall be adopted by the Board at a regular meeting at least 90 days before the beginning of the class for which the fee is charged.

Except for those fees required by law, the payment of fees may be waived in cases of hardship at the recommendation of the Superintendent or designee.

The Board may fix a charge, not to exceed cost, for books furnished to adult education students. In some cases books may be obtained from the district at cost or may be obtained on loan with the payment of a refundable deposit. In addition, materials purchased from the incidental expense account may be sold to adult school students for use in their classes. (Education Code 52615, 60410)

(cf. 3260 - Fees and Charges)
Adult Education

Drug and Alcohol Screening of Vocational Nursing Students and Certified Nurse Aide Students

The Visalia Adult School maintains contractual agreements with clinical agencies used in the education of nursing students which require drug screening of employees and students. As a condition of admission to the clinical component of the Visalia Adult School Vocational Nursing Program and the Certified Nurse Aide Program, all students must agree to and pass a designated drug and alcohol screening test.

All student must further sign a statement agreeing to immediate monitored drug and alcohol screening upon request of the director of the program at any time while a student is in the program. Drug and alcohol screening shall be requested only when there is probable cause and/or reasonable suspicion to believe that the student is under the influence of alcohol and/or drugs in the clinical area.

Policy
approved: April 28, 1998

VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California
Drug and Alcohol Screening for Students in the Clinical Component of the Vocational Nursing and Certified Nurse Aide Programs

As a condition of admission to the Vocational Nursing Program and Certified Nurse Aide Program or other health related programs with a clinical component in the Visalia Adult School, all students are required to submit to, and pass, a designated drug and alcohol screen.

Because the Visalia Adult School has a contractual arrangement with an outside organization and the outside organization requires drug screening of their employees and also student workers in that contractual program, these students must submit to and pass a drug screen.

All nursing related students must sign a statement that after admission to the program, they agree to immediate monitored drug and alcohol testing at Adult School expense upon request of the director of the program at any time while the student is in the program. Drug and alcohol screening shall be requested whenever there is reasonable suspicion or probable cause to believe that a student is under the influence of alcohol or drugs.

Incoming and current students with verified positive test results for alcohol, any illegal drug, or the abuse of prescribed or over-the-counter medication or mind altering substance will be given reasonable opportunity to challenge or explain the results. Where the results are confirmed and no medical justification exists, incoming students will not be admitted and current students will be dropped from the program. Readmission will be contingent upon satisfactory completion of an approved rehabilitation program.

If a student, who has been readmitted after successfully completing a rehabilitation program fails a subsequent drug or alcohol test, the student will be dropped from the program and will be disqualified for readmission.

All information regarding drug and alcohol testing and resulting rehabilitation will be kept confidential and will be maintained in a file separate from the students’ regular file in the office of the director of the program.

Regulation approved: April 28, 1998

VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California