RESEARCH

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

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

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

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

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

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

Management Resources:
WEB SITES
CSBA: http://www.csba.org
CDE: http://www.cde.ca.gov
USDOE, Family Policy Compliance Office: http://www.ed.gov/offices/OM/fpco/
LIBRARY MEDIA CENTERS

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

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

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

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

Staffing

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

(cf. 1240 - Volunteer Assistance)
(cf. 4222 - Teachers Aides/Paraprofessionals)

Hours of Operation

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

Selection and Evaluation of School Library Materials

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

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

(cf. 6144 - Controversial Issues)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)

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

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

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

(cf. 1260 - Educational Foundation)
(cf. 3290 - Gifts, Grants and Bequests)

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

(cf. 1312.2 - Complaints Concerning Instructional Materials)

Fees

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

(cf. 3260 - Fees and Charges)

Students shall be encouraged to return library materials in a timely manner, but no charge shall be assessed for the late return of materials.
Library Instruction

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

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
(cf. 6141 - Curriculum Development and Evaluation)

Program Evaluation

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

Legal Reference:

EDUCATION CODE
1703 Coordination of district library services by county superintendent
1770-1775 Provision of library services by county superintendent
18100-18203 School libraries
18300-18571 Union high school district/unified school district library district
19335-19336 Reading Initiative Program; recommended books
35021 Volunteer aides
44868-44869 Qualifications and employment of library media teachers
45340-45349 Instructional aides

CODE OF REGULATIONS, TITLE 5
16040-16043 School libraries
80023-80023.2 Emergency permits, general requirements
80024.6 Emergency teacher librarian services permit
80026-80026.6 Emergency permits
80053-80053.1 Teacher librarian services credential

Management Resources: (see next page)
LIBRARY MEDIA CENTERS (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Examples of Model School Library Standards for California Public Schools Supporting Common Core State Standards (CCSS) for English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects, rev. February 2012
Model School Library Standards for California Public Schools: Kindergarten Through Grade Twelve, 2010 (includes standards for student instruction as well as program standards)
Looking at the School Library: An Evaluation Tool, 2003
Recommended Literature: Kindergarten Through Grade Twelve
CALIFORNIA SCHOOL LIBRARY ASSOCIATION PUBLICATIONS
Standards and Guidelines for Strong School Libraries, 2004
WEB SITES
American Association of School Libraries: http://www.ala.org/aasl
California School Library Association: http://www.csla.net
ANIMALS AT SCHOOL

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

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6159 - Individualized Education Program)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.6 - Identification and Education Under Section 504)

The Superintendent or designee shall develop rules and procedures for approving requests from teachers for the use of live animals prior to their display in the classroom to ensure that when animals are brought to school, the health, safety, and welfare of students, staff, and the animals are protected. Additionally, all animals must be removed from district property during extended school vacation closures such as winter, spring, and summer break. The district assumes no liability for the safety of animals allowed on district property.

(cf. 3320 - Claims and Actions Against the District)
(cf. 3530 - Risk Management/Insurance)
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
(cf. 5141.23 - Asthma Management)

Service Animals

Service animals are permitted on district property and on school transportation for persons with disabilities. A service animal is any guide dog, signal dog or other animal individually trained and appropriately licensed to do work or perform tasks for the benefit of an individual with a disability.

Therapy or companion animals, including pets, are not service animals, are not covered under the Americans with Disabilities Act.

Special Events Involving Animals

Events involving live animals, insects, etc. are allowed on district property or facilities during school hours as long as established procedures are met including, but not limited to, parent/guardian consent, contract with owner/trainer, health certifications for animals and insurance.

Law Enforcement

Use of animals by law enforcement agencies will not be restricted by this Board Policy.

Legal Reference: (see next page)
ANIMALS AT SCHOOL  (continued)

Legal Reference:

EDUCATION CODE
233.5 Instruction in kindness to pets and humane treatment of living creatures
39839 Transportation of guide dogs, signal dogs, service dogs
51202 Instruction in personal and public health and safety
51540 Safe and humane treatment of animals at school

CIVIL CODE
54.1 Access to public places
54.2 Guide, signal, or service dogs, right to accompany

GOVERNMENT CODE
810-996.6 California Tort Claims Act, especially:
815 Liability for injuries generally; immunity of public entity
835 Conditions of liability

VEHICLE CODE
21113 Public grounds

CODE OF REGULATIONS, TITLE 13
1216 Transportation of property

UNITED STATES CODE, TITLE 20
1400-1482 Individuals with Disabilities Education Act

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

CODE OF FEDERAL REGULATIONS, TITLE 28
35.104 Definitions
35.136 Service animals

COURT DECISIONS

Management Resources:

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

CSBA PUBLICATIONS
Indoor Air Quality: Board of Trustees Actions for Creating Healthy School Environments, Policy Brief, July 2008
Asthma Management in the Schools, Policy Brief, March 2008

WEB SITES:
CSBA: http://www.csba.org
Humane Society of the United States: http://www.hsus.org
U.S. Department of Education, Office of Civil Rights: http://www.ed.gov/about/offices/list/ocr

Policy adopted: March 6, 2012

PALMDALE SCHOOL DISTRICT
Palmdale, California
Instruction

ANIMALS AT SCHOOL

Use of Animals for Instructional Purposes

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

(cf. 3514 - Environmental Safety)
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
(cf. 5141.23 - Asthma Management)

All animals brought to school must be in good physical condition and must have current immunizations appropriate to the species. All animals brought into the classroom must have a current written health clearance by a veterinarian. The teacher shall ensure that the species of animal is appropriate for the instructional purpose and age and maturity of the students.

All animals brought to school shall be adequately fed, effectively controlled, humanely treated, and properly housed in cages or containers suitable for the species. Additionally, animals should be removed from District property during extended school vacation closures such as winter, spring, and summer break. Special permission may be granted based on

Teachers must submit a permission form to the principal or designee outlining the instructional reason for the animal or insects in the classroom which may include:

1. To stimulate interest in the study of animal behavior.
2. To develop skills of observation and comparison.
3. To develop an appreciation for the unity, interrelationship and complexity of life.
4. To give students a unique perspective of the life processes.
5. To develop a sense of stewardship and responsibility.

The teacher will include in the request explicit written procedures for the care of the animal, sanitation of cages or enclosures, feeding and handling of the animal and personal hygiene practices for students and staff which will incorporate the following rules:

1. The animal shall remain in the classroom only for the number of days needed to achieve the educational goal.
ANIMALS AT SCHOOL  (continued)

2. The teacher shall ensure that cages, enclosures or containers are cleaned regularly and that waste materials are removed and disposed of in an appropriate manner.

3. No feeding of "live prey" to classroom animals should be made in the presence of students without written parental consent.

4. The teacher only should hold or handle the animal. Students should not pick up or hold animals but rather touch or pet the animal.

5. No student or staff member shall be required to touch or pet any animal against their will.

6. All persons touching or handling animals or animal cages or other equipment must thoroughly wash their hands with soap and water or with District approved hand sanitizer both before and after contact to protect the health and safety of students, staff or visitors as well as the animal or insect. Use of non-latex gloves may also be appropriate.

7. The teacher shall be responsible for the animal's care over weekends, and may allow students to take class pets home over the weekend with completion of the permission form from the parent or guardian.

8. All animals should be removed from District property during extended school vacation closures such as winter, spring, and summer break.

9. The teacher shall be familiar with any potential dangers caused by the animal and shall give special consideration to any students who have allergies to certain animals.

(cf. 5141 - Health Care and Emergencies)
(cf. 5142 - Safety)

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

(cf. 5141.22 - Infectious Diseases)

Animals that may not be brought to school include, but are not limited to, dogs, cats, large or wild birds, livestock, skunks, armadillos, hedgehogs, opossums, ducks, chickens, bats, snapping turtles, poisonous, dangerous, aggressive, wild, endangered species or stray animals. Nocturnal animals, such as hamsters, which are likely to bite if disturbed or handled during the day, are discouraged. No poisonous, venomous or stinging live insects may be brought to school.
ANIMALS AT SCHOOL  (continued)

If animal specimens are used in a biology lesson, protective gloves and a face shield shall be worn by anyone handling these specimens and the animal's saliva and neurological tissue shall be treated as infectious.

(cf. 5141.23 - Infectious Disease Prevention)

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

(cf. 3541.2 - Transportation for Students with Disabilities)
(cf. 5131.1 - Bus Conduct)

Use of Service Animals by Individuals with Disabilities

For an individual with a disability, service animal means any dog that is individually trained and licensed to do work or perform tasks related to the individual's disability and for his/her benefit. For example, for an individual who is blind or has low vision, a service animal would mean a dog that helps him/her with vision, navigation, and other tasks; for an individual who is deaf or hard of hearing, a service animal would mean a dog that alerts him/her to the presence of people or sounds; and for an individual with psychiatric or neurological disabilities, a service animal would mean a dog that assists him/her by preventing or interrupting impulsive or destructive behaviors. (28 CFR 35.104)

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

The service the animal is providing must be directly related to the functional limitation of the person's disability. Service animals are working animals, not pets.

Therapy or companion animals, including pets, are not service animals and are not covered under the Americans with Disabilities Act, therefore, are not permitted on District facilities or District events except for demonstration purposes by a professional handler (see Special Events Involving Animals).

Requirements of Service Animals and their Partners/handlers:

1. Training: A service animal must be specifically trained to perform a service function.

2. Identification: The service animal shall wear a harness, license and owner identification tag and cape that readily identifies its working status.
ANIMALS AT SCHOOL  (continued)

3.  Control: The partner/handler must be in full control of the service animal at all times. The care and supervision of a service animal is solely the responsibility of its partner/handler.

4.  The service animal must be on a leash at all times.

5.  The partner/handler must always carry equipment sufficient to clean up the animal's waste, immediately remove the waste and be responsible for the proper disposal of the waste.

The partner/handler of a service animal may be asked to remove any animal that is unruly or disruptive (e.g. barking, running around and causing disruption. If the improper behavior happens repeatedly, the handler may be required to take significant steps to mitigate the behavior before bringing the animal onto District property and/or facilities. Mitigation may include, but is not limited to, muzzling or obtaining a refresher training course for both the animal and the handler or other appropriate measures.

Students, staff and community members who are training service animals are not allowed to bring the service animal in training to District facilities.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 3541.2 - Transportation for Students with Disabilities)
(cf. 6159 - Individualized Education Program)
(cf. 6164.6 - Identification and Education under Section 504)

Special Events Involving Animals

Animals may be brought to school by professional handlers for demonstrations such as animal training or school presentations, petting zoos, festivals etc. provided the vendor has completed an Independent Contractor Service Agreement and complied with the requirements therein, and provides the following which includes but is not limited to:

1. A certificate of insurance that covers the handler and names the Palmdale School District its employees, and Board Members as additional insureds with endorsement at least thirty (30) days prior to the event.

2. A list/description of all prior incidents/injuries involving animal viewing and demonstration or certification that no such incidents/injuries have occurred.

3. A list of precautions to follow to prevent injury to students, including a description of appropriate student behavior and appropriate participant age.

4. Current health certification from a veterinarian and Certificate of Vaccination. Other requirements may include a USDA Certificate of Licensed Class Exhibitor, USDA Inspection Report, Permit from the Department of Fish and Game and/or Public Health License.
District sponsored events that will involve animals require written notification and consent by parents/guardians for students to participate. The parent should disclose any known allergies or risks posed to the student (e.g. allergies, asthma or fear of the animals). Students that do not have written parental consent to participate in the event shall have alternative lessons or activities available.
STUDENT USE OF TECHNOLOGY

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

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.
STUDENT USE OF TECHNOLOGY (continued)

(cf. 5145.12 - Search and Seizure)

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

(cf. 5125 - Student Records)

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

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

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

Internet Safety

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

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

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 Responsible 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:
STUDENT USE OF TECHNOLOGY  (continued)

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

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

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

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

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

Legal Reference: (see next page)
STUDENT USE OF TECHNOLOGY  (continued)

Legal Reference:

EDUCATION CODE
49073.6  Student records; social media
51006  Computer education and resources
51007  Programs to strengthen technological skills
60044  Prohibited instructional materials
60044  Prohibited instructional materials

PENAL CODE
313  Harmful matter
502  Computer crimes, remedies
632  Eavesdropping on or recording confidential communications
653.2  Electronic communication devices, threats to safety

UNITED STATES CODE, TITLE 15
6501-6506  Children's Online Privacy Protection Act

UNITED STATES CODE, TITLE 20
6751-6777  Enhancing Education Through Technology Act, Title II, Part D, especially:
6777  Internet safety

UNITED STATES CODE, TITLE 47
254  Universal service discounts (E-rate)

CODE OF FEDERAL REGULATIONS, TITLE 16
312.1-312.12  Children's Online Privacy Protection Act

CODE OF FEDERAL REGULATIONS, TITLE 47
54.520  Internet safety policy and technology protection measures, E-rate discounts

Management Resources:

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

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

WEB SITES
CSBA: http://www.csba.org
American Library Association: http://www.ala.org
California Coalition for Children's Internet Safety: http://www.cybersafety.ca.gov
Center for Safe and Responsible Internet Use: http://csriu.org
Federal Trade Commission, Children's Online Privacy Protection:
http://www.ftc.gov/privacy/privacyinitiatives/childrens.html

Policy adopted:  August 18, 2009
revised:  July 2015
revised:  September 15, 2015
STUDENT TECHNOLOGY

Responsible Use Agreement (R.U.A.)

The Palmdale School District authorizes students to use technology provided by the district for instructional purposes. The use of district technology is a privilege and is subject to the restrictions set forth in Board policies, administrative regulations, the district B.Y.O.D. Policy, and this Responsible Use Agreement. The district reserves the right to suspend or limit access at any time, without notice, for any reason.

The district expects all students to use technology responsibly at all times. The district may place restrictions on the sites, material, and/or information that students may access through the system. Each student who is authorized to use district technology and his/her parent/guardian shall sign this Responsible Use Agreement indicating that they have read and understand the agreement.

Definitions

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

Privacy

Since the use of district technology is for educational purposes, students shall not have any expectation of privacy in any use of district technology. The district reserves the right to monitor and record all use of district technology, including access to the Internet or social media, communications sent or received from district technology, or other uses. Such monitoring/recording may occur at any time without prior notice for any legal purposes. Students should be aware that, in most cases, their use of district technology (such as web searches and emails) cannot be erased or deleted. All passwords created for or used on any district technology belong to the district. The creation or use of a password by a student on district technology does not create a reasonable expectation of privacy.

Reporting

If a student becomes aware of any security problem, unauthorized log in, or misuse of district technology, he/she shall immediately report such information to the teacher or other district personnel.
STUDENT TECHNOLOGY  (continued)

Personally Owned Devices
If a student uses a personally owned device to access district technology, he/she shall abide by Board policies, administrative regulations, the district B.Y.O.D. Policy, and this Responsible Use Agreement. Personal devices may be subject to search and seizure on district property if reasonable cause is established. Students using personal devices must only access district provided Internet. Personal devices are the sole responsibility of the student. The district shall not be held liable for loss, damage or destruction of personal devices.

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

Student Obligations and Responsibilities
Students are expected to use district technology safely, responsibly, and for educational uses only. Students shall not share their account information, passwords, or other information at any time, and shall only use district assigned accounts.

Students may not use district technology to:
Access, post, display, or otherwise use material that is discriminatory, obscene, disruptive, or damaging to another's reputation
Harass or threaten students, staff, or other individuals ("cyberbullying")
Use or distribute personal identification information (such as name, address, telephone number, Social Security number, or other personal information) of another student, staff member, or other person
Infringe on copyright, license, trademark, patent, or other intellectual property rights
Intentionally harm district technology or other district operations (such as destroying district equipment, placing a virus on district computers, adding or removing a computer program without permission from a teacher or other district personnel, changing settings on shared computers, etc.)
"Hack" into the system to change or use data of the district or other users
Create alternate (fake) accounts, log ins, or passwords to bypass district filters, or to deceive others
STUDENT TECHNOLOGY (continued)

Engage in or promote any practice that is unethical or violates any law or Board policy, administrative regulation, or district practice

SIGN AND RETURN BOTTOM PORTION

Student Acknowledgment

I understand, and agree to abide by this Technology Responsible Use Agreement and other laws and district policies guiding the use of district technology. I understand that when using district technology my information and communications may not be private. I further understand that any violation may result in loss of my privileges, disciplinary action, and/or legal action.

Name (print): ___________________________ Signature: ___________________________

Date: ___________ Grade: _____ School: ___________________________

Parent or Legal Guardian Acknowledgment

As the parent/guardian of the above-named student, I understand, and agree with the terms of the Technology Responsible Use Agreement. By signing this Agreement, I give permission for my child to use district technology and/or to access the school's computer network and the Internet. I understand that even though the district filters Internet access it is impossible to restrict access to all offensive and controversial materials. I agree to release from liability, indemnify, and hold harmless the school, district, and district personnel against all claims, damages, and costs that may result from my child's use of district technology or the failure of any technology protection measures used by the district. Further, I accept full responsibility for supervision of my child's use of his/her access account if and when such access is not in the school setting.

Name (print): ___________________________ Signature: ___________________________

Date: ___________________________
IDENTIFICATION AND EDUCATION UNDER SECTION 504

The Board of Trustees 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 Accountability; 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
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)

Director of Health Services
39139 10th St. E.
Palmdale, CA 93550
(661) 789-6718

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
IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

well as the operation of an individual organ within a body system. The determination of whether an impairment substantially limits a 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)
IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

a. Have been validated and are administered by trained personnel in conformance with the instruction provided by the test publishers

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

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

Section 504 Services Plan and Placement

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

1. A 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)
IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

3. If the 504 team determines that no services are necessary for the student, the record of the team's meeting shall reflect whether or not the student has been identified as a 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.

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))
IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

Procedural Safeguards

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

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

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

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

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

4. The parties to the hearing shall be afforded the right to:
   a. Be accompanied and advised by 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
   d. Receive written findings by the hearing officer stating the decision and explaining the reasons for the decision

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

Notifications

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

(cf. 5145.6 - Parental Notifications)
TRANSITIONAL KINDERGARTEN

The Board of Trustees desires to offer a high-quality transitional kindergarten (TK) program for eligible children who do not yet meet the minimum age criterion for kindergarten. The 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)
TRANSITIONAL KINDERGARTEN (continued)

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)

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 Board of Trustees 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:
TITLE I PROGRAMS (continued)

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.

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)

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)
TITLE I PROGRAMS (continued)

(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)
TITLE I PROGRAMS  (continued)

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
TITLE I PROGRAMS (continued)

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.

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)

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 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
TITLIE I PROGRAMS (continued)

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)

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

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)
GIFTED AND TALENTED STUDENT PROGRAM

The Board of Trustees believes that all students deserve an education that challenges them to meet their fullest potential. The Board shall provide gifted and talented students in grades K-8 opportunities for learning commensurate with their particular abilities and talents.

(cf. 0200 - Goals for the School District)
(cf. 0420.1 - School-Based Program Coordination)
(cf. 6000 - Concepts and Roles)

The Superintendent or designee shall identify students for the district's gifted and talented education (GATE) program on the basis of demonstrated or potential intellectual development, creative ability, consistently high achievement levels, academic ability in particular subject area(s), leadership ability, and/or performing and visual arts talent.

The Superintendent or designee shall provide all eligible students, including economically disadvantaged students, English learners, and students of varying cultural backgrounds, with full opportunities to participate in the GATE program and shall provide special counseling or services as necessary to help such students to succeed in the program.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6174 - Education for English Language Learners)

The district's GATE program shall be designed to provide articulated learning experiences across subjects and grade levels and shall meet or exceed state academic content standards and curriculum frameworks.

(cf. 6011 - Academic Standards)
(cf. 6142.6 - Visual and Performing Arts Education)
(cf. 6142.7 - Physical Education and Activity)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. 6142.92 - Mathematics Instruction)
(cf. 6142.93 - Science Instruction)
(cf. 6142.94 - History-Social Science Instruction)
(cf. 6178 - Career Technical Education)

Educational opportunities in the district's GATE program may include:

1. Special day classes which are designed to meet specific academic needs of gifted and talented students and are appropriately differentiated from other classes in the same subjects at the school

2. Part-time groupings, in which students attend classes or seminars that are organized to provide advanced or enriched subject matter for a part of the school day

3. Cluster groupings, in which students are grouped within a regular classroom setting and receive appropriately differentiated activities from the regular classroom teacher
GIFTED AND TALENTED STUDENT PROGRAM  (continued)

4. Acceleration, in which students are placed in grade levels 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.

(cf. 5123 - Promotion/Acceleration/Retention)

5. Supplemental educational activities which augments students' regular educational programs in their regular classrooms and may include the use of advanced materials and/or provide special opportunities from persons other than the regular classroom teacher.

In addition, the district's program shall support the social and emotional development of GATE students in order to promote student engagement in school.

(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5147 - Dropout Prevention)

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

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

Identification of Gifted and Talented Students

Students may be identified for the GATE program on the basis of demonstrated or potential abilities in any one or more of the following categories:  (Education Code 52202; 5 CCR 3822)

1. Intellectual Ability:  The student demonstrates extraordinary or potential for extraordinary intellectual development.

2. Creative Ability:  The student characteristically perceives unusual relationships among aspects of the student's environment and among ideas, overcomes obstacles to thinking and doing, and/or produces unique solutions to problems.

3. Specific Academic Ability:  The student functions at highly advanced academic levels in particular subject areas.

4. Leadership Ability:  The student displays the characteristic behaviors necessary for extraordinary leadership.
GIFTED AND TALENTED STUDENT PROGRAM (continued)

5. High Achievement: The student consistently produces advanced ideas and products and/or attains exceptionally high scores on achievement tests.

6. Performing and Visual Arts Talent: The student originates, performs, produces, or responds at extraordinarily high levels in the arts.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 6142.6 - Visual and Performing Arts Education)

Instructional Components

Programs for gifted and talented students may include special day classes, part-time 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. 6172.1 - Concurrent Enrollment in College Classes)
(cf. 6176 - Weekend/Saturday Classes)
(cf. 6177 - Summer School)

The Superintendent or designee shall regularly report to the Board regarding the progress of students enrolled in the district's GATE program. Reports may include, but are not limited to, student achievement test results, school attendance, and feedback from program staff and participants.

(cf. 0500 - Accountability)
(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - State Academic Achievement Tests)
(cf. 6190 - Evaluation of the Instructional Program)

The Superintendent or designee shall designate a district coordinator to be responsible for all aspects of the program. In addition, the Superintendent or designee shall appoint an advisory committee to support the needs of the program and to assist in program planning, implementation, and evaluation. The committee shall include the program coordinator, parents/guardians of GATE students, staff, community members, and students as appropriate.

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

Legal Reference: (see next page)
GIFTED AND TALENTED STUDENT PROGRAM (continued)

Legal Reference:

EDUCATION CODE
37223 Weekend classes for mentally gifted minors
48800-48802 Enrollment of gifted students in community college
51740 Instruction by correspondence
51745-51749.3 Independent study programs
52060-52077 Local control and accountability plan
64001 Single plan for student achievement, consolidated application programs
76000-76002 Enrollment in community college
CODE OF REGULATIONS, TITLE 5
1633 Instruction by correspondence

Management Resources:

WEB SITES
CSBA: http://www.csba.org
California Association for the Gifted: http://www.cagifted.org
National Association for Gifted Children: http://www.nagc.org
GIFTED AND TALENTED STUDENT PROGRAM

Program Coordinator

The Superintendent or designee shall appoint a district coordinator who has demonstrated experience and knowledge in gifted education to oversee implementation of the district's gifted and talented education (GATE) program, including student identification procedures, recordkeeping, and other duties as assigned.

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

The Superintendent or designee also may appoint, for each school site, a GATE coordinator who shall be responsible for implementation of program services at that school site.

Identification of Gifted and Talented Students

Students may be recommended for the GATE program by administrators, teachers, counselors, other staff, or parents/guardians. Parent/guardian consent shall be obtained before administering any assessments for the sole purpose of identifying students for this program or for placing a student in the program.

Definitions

A gifted and talented student is a student enrolled in a public school who is identified as possessing demonstrated or potential abilities that give evidence of high performance capability in categories selected by the Board of Trustees. (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)

The Superintendent or designee shall select students for the program based on their demonstrated or potential ability for high performance in categories identified by the Board of Trustees, as evidenced by any of the following indicators:

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 of teachers, parents/guardians, and others

5. Student portfolios

6. Opinions of professional persons

(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 6162.5 - Student Assessment)
(cf. 6164.2 - Guidance/Counseling Services)

The Superintendent or designee shall base selection decisions upon the evaluation of pertinent evidence by the principal or designee, a classroom teacher familiar with the student's work, and, when appropriate, a credentialed school psychologist and/or other expert. These persons may review screening, identification, and placement data and shall meet when necessary to resolve any differences in assessment and recommendations. In reviewing evidence of a student's abilities, the Superintendent or designee also shall consider the economic, linguistic, and cultural characteristics of the student's background.

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

A student who transfers into the district shall be considered for the GATE program if he/she was identified as a gifted and talented student in his/her previous district or school or is recommended for the program. The Superintendent or designee may verify that the GATE program would be an appropriate placement for the student by examining evidence of the student's abilities based on any of the indicators listed above.

Because students who do not initially meet district criteria for the GATE program may become eligible at a later grade level, the district may re-examine student eligibility whenever the district receives a referral or the Superintendent or designee determines it to be in the student's best interest.

Regulation
approved: September 4, 2007
revised: March, 2015
revised: May 5, 2015

PALMDALE SCHOOL DISTRICT
Palmdale, California
EDUCATION FOR HOMELESS CHILDREN

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

(cf. 6011 - Academic Standards)

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

(cf. 3553 - Free and Reduced Price Meals)

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

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

(cf. 0460 - Local Control and Accountability Plan)

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

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

Legal Reference: (see next page)
EDUCATION FOR HOMELESS CHILDREN  (continued)

Legal Reference:

**EDUCATION CODE**
2558.2 Use of revenue limits to determine average daily attendance of homeless children
39807.5 Payment of transportation costs by parents
48850 Educational rights; participation in extracurricular activities
48852.5 Notice of educational rights of homeless students
48852.7 Enrollment of homeless students
48915.5 Recommended expulsion, homeless student with disabilities
48918.1 Notice of recommended expulsion
51225.1-51225.3 Graduation requirements
52060-52077 Local control and accountability plan
**CODE OF REGULATIONS, TITLE 5**
4600-4687 Uniform complaint procedures
**UNITED STATES CODE, TITLE 42**
11431-11435 McKinney-Vento Homeless Assistance Act

Management Resources:

**CALIFORNIA CHILD WELFARE COUNCIL**
Partial Credit Model Policy and Practice Recommendations
**CALIFORNIA DEPARTMENT OF EDUCATION**
Homeless Education Dispute Resolution Process, January 30, 2007
**NATIONAL CENTER FOR HOMELESS EDUCATION PUBLICATIONS**
Homeless Liaison Toolkit, 2013
**U.S. DEPARTMENT OF EDUCATION GUIDANCE**
Education for Homeless Children and Youth Program, Non-Regulatory Guidance, July 2004
**WEB SITES**
California Department of Education, Homeless Children and Youth Education: http://www.cde.ca.gov/sp/hs/cy
National Center for Homeless Education at SERVE: http://www.serve.org/NCHE
National Law Center on Homelessness and Poverty: http://www.nlchp.org

Policy adopted: March 6, 2018

PALMDALE SCHOOL DISTRICT

Palmdale, 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; are abandoned in hospitals; or are awaiting foster care placement

   (cf. 6173.1 - Education for Foster Youth)

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

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

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

5. Unaccompanied youth who are not in the physical custody of a parent or guardian

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

Best interest means that, in making educational and school placement decisions for a homeless student, consideration is given to, among other factors, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the student's access to academic resources, services, and extracurricular and enrichment activities that are available to all district students. (Education Code 48850, 48853; 42 USC11432)
EDUCATION FOR HOMELESS CHILDREN  (continued)

District Liaison

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

    Director of Student Services
    39139-49 N. 10th Street East
    Palmdale, CA 92350
    (661) 947-7191

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

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

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

2. Ensure that homeless students enroll in, and have a full and equal opportunity to succeed in, district schools

3. Ensure that homeless families and students receive educational services for which they are eligible

4. Inform parents/guardians of the educational and related opportunities available to their children and ensure that they are provided with meaningful opportunities to participate in the education of their children

   (cf. 5145.6 - Parental Notifications)

5. Disseminate notice of the educational rights of homeless students in district schools that provide services to homeless children and at places where they receive services, such as schools, family shelters, and hunger relief agencies (soup kitchens)

6. Mediate enrollment disputes in accordance with law, Board policy, and administrative regulation

7. Fully inform parents/guardians of all transportation services

   (cf. 3250 - Transportation Fees)
   (cf. 3541 - Transportation Routes and Services)
EDUCATION FOR HOMELESS CHILDREN  (continued)

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

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

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

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6159 - Individualized Education Program)

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

Enrollment

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

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

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

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

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

Once a placement decision has been made, the principal or designee shall immediately enroll the student in the school of choice. The student shall be enrolled even if he/she: (Education Code 48852.7; 42 USC 11432)
AR 6173(d)

EDUCATION FOR HOMELESS CHILDREN (continued)

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, records or other proof of immunization history
   (cf. 5111 - Admission)
   (cf. 5111.1 - District Residency)
   (cf. 5125 - Student Records)
   (cf. 5141.26 - Tuberculosis Testing)
   (cf. 5141.31 - Immunizations)
   (cf. 5141.32 - Health Screening for School Entry)

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

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

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

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

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

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

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

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

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

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

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

1. Inform them that they may provide written and/or oral documentation to support their position
2. Inform them that they may seek the assistance of social services, advocates, and/or service providers in having the dispute resolved
3. Provide them a simple form that they may use and turn in to the school to initiate the dispute resolution process
EDUCATION FOR HOMELESS CHILDREN  (continued)

4. Provide them a copy of the dispute form they submit for their records

5. Provide them the outcome of the dispute for their records

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

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

Transportation

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

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

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

Transfer of Coursework and Credits

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

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

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

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

(cf. 6143 - Courses of Study)

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 Co-curricular Activities)
(cf. 6145.2 - Athletic Competition)

Notification and Complaints

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

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

(cf. 1312.3 - Uniform Complaint Procedures)
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 (continued)

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 may also 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 (continued)

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

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

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

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

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

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

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5145.3 - Nondiscrimination/Harassment)
EDUCATION FOR FOSTER YOUTH  (continued)

(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 6020 - Parent Involvement)

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

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

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

(cf. 0500 - Accountability)
(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6162.51 - State Academic Achievement Tests)

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
52052  Definition of numerically significant student subgroups
52060-52077  Local control and accountability plan

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

Legal Reference: (continued)

EDUCATION CODE (continued)
56055 Rights of foster parents in special education
60851 High school exit examination
60851.5 Suspension of high school exit examination

CODE OF REGULATION, TITLE 5
4600-4670 Uniform complaint procedures

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:

CSBA PUBLICATIONS
Foster Youth: Supports for Success, Governance Brief, May 2016
Our Foster Youth: What School Boards Can Do, May 2016

ALLIANCE FOR CHILDREN’S RIGHTS PUBLICATIONS
Foster Youth Education Toolkit, December 2016

CALIFORNIA CHILD WELFARE COUNCIL
Partial Credit Model Policy and Practice Recommendations

CITIES, COUNTIES AND SCHOOLS PARTNERSHIP PUBLICATIONS
Our Children: Emancipating Foster Youth, A Community Action Guide

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Ensuring Educational Stability for Children in Foster Care, Non-Regulatory Guidance, June 2016

Management Resources continued: (see next page)
Management Resources: (continued)

WEB SITES
CSBA: http://www.csba.org
Alliance for Children's Rights: http://www.kids-alliance.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 Foster Youth Education Task Force: http://www.cfyetf.org
California Youth Connection: http://www.calyouthconn.org/site/cyc
Cities, Counties and Schools Partnership: http://www.ccspartnership.org
Foster Ed: http://foster-ed.org
National Center for Youth Law: https://youthlaw.org
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 of Student Services
   39139 10th St. East
   Palmdale, CA 93550
   661-789-6734
   cziskind@palmdalesd.org

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

(cf. 6174 - Education for English Learners)
(cf. 6177 - Summer Learning Programs)
(cf. 6179 - Supplemental Instruction)

6. Develop protocols and procedures for creating awareness for district 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. 1400 - Relations Between Other Governmental Agencies and the Schools)
(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 Board of Trustees 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:
EDUCATION FOR FOSTER YOUTH (continued)

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)
EDUCATION FOR FOSTER YOUTH (continued)

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

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

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

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)
EDUCATION FOR FOSTER YOUTH (continued)

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)

Eligibility for Extracurricular Activities

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

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

Notification and Complaints

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

(cf. 5145.6 - Parental Notifications)
EDUCATION FOR FOSTER YOUTH (continued)

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

(cf. 1312.3 - Uniform Complaint Procedures)
EDUCATION OF CHILDREN OF MILITARY FAMILIES

The Board of Trustees 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 consortium
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
51225.2 Course credits
66204 Certification of high school courses as meeting university admissions criteria

CODE OF REGULATIONS, TITLE 5
4600-4670 Uniform complaint procedures

UNITED STATES CODE, TITLE 10
101 Definitions
1209 Transfer to inactive status list instead of separation
1211 Members on temporary disability retired list: return to active duty; promotion

UNITED STATES CODE, TITLE 20
1400-1482 Individuals with Disabilities Education Act
6311 State plan

UNITED STATES CODE, TITLE 29
794 Section 504 of the federal Rehabilitation Act

Management Resources:

CALIFORNIA CHILD WELFARE COUNCIL
Partial Credit Model Policy and Practice Recommendations

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Final Report to the Legislature on the Interstate Compact on Educational Opportunity for Military Children, April 2014

WEB SITES
CSBA: http://www.csba.org
California Department of Education, Educational Options Office: http://www.cde.ca.gov/ls/pf/mc
Military Interstate Children's Compact Commission: http://www.mic3.net

Policy adopted: Palmdale, California
Instruction AR 6173.2(a)

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)
AR 6173.2(b)

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

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)

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 date, including any unofficial transcript(s), 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 Board of Trustees.

(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
EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

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

3. Upon agreement with the student, or with the parent/guardian if the student is under 18 years of age, permit the student to stay in school for a fifth year to complete the district's graduation requirements

Notification and Complaints

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

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)
EDUCATION FOR ENGLISH LANGUAGE LEARNERS

The Board of Trustees 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)
EDUCATION FOR ENGLISH LANGUAGE 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)

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

Language Acquisition Programs

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

At a minimum, the district shall offer a structured English immersion program which includes designated and integrated English language development. In the structured English immersion program, nearly all of the classroom instruction shall be provided in English, but with the curriculum and presentation designed for students who are learning English. (Education Code 305-306; 5 CCR 11309)

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

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

1. 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)
EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

(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)

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
EDUCATION FOR ENGLISH LANGUAGE LEARNERS (continued)

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

Legal Reference:

EDUCATION CODE
300-340 English language education, 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
52050 Numerically significant student subgroups
52060-52077 Local control and accountability plan
52160-52178 Bilingual Bicultural Act
56305 CDE manual on English learners with disabilities
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: (see next page)
EDUCATION FOR ENGLISH LANGUAGE LEARNERS  (continued)

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
English Learners in Focus, Issue 1: Updated Demographic and Achievement Profile of California's English Learners, Governance Brief, 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
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.nclca.us
The Education Trust-West: https://west.edtrust.org

Policy  adopted:  March 5, 2019

PALMDALE SCHOOL DISTRICT  Palmdale, 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 at home from early childhood and English has been the 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, 11518.5)

Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not previously been identified as an English learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be initially assessed for English proficiency using the English Language Proficiency Assessments for California (ELPAC). Prior to administering the ELPAC, the Superintendent or designee shall notify the student's parent/guardian in writing that the student will be administered the initial ELPAC. (Education Code 313, 52164.1; 5 CCR 11518.5)
EDUCATION FOR ENGLISH LEARNERS (continued)

Administration of the ELPAC, including the use of variations and accommodations in test administration when authorized, shall be conducted in accordance with test publisher instructions and 5 CCR 11518.5-11518.35.

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

Based on the initial assessment, the student shall be classified either as initially fluent in English proficient or as an English learner. The Superintendent or designee shall notify the student's parent/guardian, in writing, of the results of the ELPAC initial assessment within 30 calendar days after the student's date of initial enrollment, or, if administered prior to the student's initial date of enrollment, up to 60 calendar days prior to such enrollment, but not before July 1 of the school year of the student's initial enrollment. The notice shall indicate whether the student met the ELPAC initial assessment criterion for proficiency and include the district's contact information for use if the parent/guardian has questions or concerns regarding the student's classification. (5 CCR 11518.5)

Each year after a student is identified as an English learner and until the student is 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)

The Superintendent or designee shall notify parents/guardians of their child's results on the summative assessment of the ELPAC within 30 calendar days following receipt of the results from the test contractor or, if the results are received from the test contractor after the last day of instruction for the school year, within 15 working days of the start of the next school year. (Education Code 52164.1; 5 CCR 11518.15)

(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 the student's English proficiency. Such notice shall be provided not later than 30 calendar days after the beginning of the school year or, if the student is identified for program participation during the school year, within two weeks of the student's placement in the program. The notice shall include all of the following: (Education Code 313.2, 440; 20 USC 6312)

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

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

3. A description of the language acquisition program in which the student is, or will be, participating, including a description of all of the following:
EDUCATION FOR ENGLISH LEARNERS (continued)

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

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

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

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

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

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

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

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

Language Acquisition Programs

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

1. The school shall make a written record of each request, including any request submitted verbally, that includes the date of the request, the names of the parent/guardian and student making the request, a general description of the request, and the student's grade level on the date of the request. As needed, the school shall assist the parent/guardian in clarifying the request. All requests shall be maintained for at least three years from the date of the request.
AR 6174(d)

EDUCATION FOR ENGLISH LEARNERS (continued)

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.

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.

The district shall provide additional and appropriate educational services to English learners for the purposes of overcoming language barriers and academic deficits in other areas of the core curriculum. (5 CCR 11302)

Reclassification/Redesignation

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

The procedures 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 involvement, including:
EDUCATION FOR ENGLISH LEARNERS (continued)

a. Notice to parents/guardians of language reclassification and placement, including a description of the reclassification process and the parent/guardian's opportunity to participate

b. Encouragement of parent/guardian participation in the district's reclassification procedure, including seeking parent/guardian opinion and consultation during the reclassification process

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

The student's language proficiency assessments, the participants in the reclassification process, and any decisions regarding reclassification shall be retained in the student's permanent record. (5 CCR 11305)

(cf. 5125 - Student Records)

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 four years following their reclassification to ensure correct classification and placement and to determine whether any additional academic support is needed.

Advisory Committees

A school-level English Learner Advisory Committee (ELAC) shall be established when there are more than 20 English learners at the school. Parents/guardians of English learners, elected by parents/guardians of English learners at the school, shall constitute committee membership in at least the same percentage as English learners represent of the total number of students in the school. The school may designate for this purpose an existing school-level advisory committee provided that it meets these criteria for committee membership. (Education Code 52176; 5 CCR 11308)

The ELAC shall be responsible for assisting in the development of a schoolwide needs assessment, recommending ways to make parents/guardians aware of the importance of school attendance, and advising the principal and school staff in the development of a detailed master plan for English learners for the individual school and submitting the plan to the Governing Board for consideration for inclusion in the district master plan. (Education Code 52176)

When the district has more than 50 English learners, the Superintendent or designee shall establish a District English Learner Advisory Committee (DELAC), the majority of whose membership shall be composed of parents/guardians of English learners who are not employed by the district. Alternatively, the district may use a subcommittee of an existing districtwide advisory committee on which parents/guardians of English learners have
EDUCATION FOR ENGLISH LEARNERS  (continued)

membership in at least the same percentage as English learners represent of the total number of students in the district.  (Education Code 52176)

The DELAC shall advise the Board on at least the following tasks:  (5 CCR 11308)

1. Developing a district master plan for education programs and services for English learners, taking into consideration the school site plans for English learners
2. Conducting a districtwide needs assessment on a school-by-school basis
3. Establishing a district program, goals, and objectives for programs and services for English learners
4. Developing a plan to ensure compliance with applicable teacher or instructional aide requirements
5. Administering the annual language census
6. Reviewing and commenting on the district's reclassification procedures
7. Reviewing and commenting on the required written parental notifications

(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)

(cf. 0460 - Local Control and Accountability Plan)

The DELAC may also serve as the LCAP English learner advisory committee.
**MIGRANT EDUCATION PROGRAM**

The Board of Trustees desires to provide a comprehensive program for migrant students that attempts to mitigate the impact of educational disruption, cultural and language barriers, social isolation, health-related problems, and other factors that may inhibit 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
MIGRANT EDUCATION PROGRAM (continued)

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.

(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
U.S. Department of Education, Office of Migrant Education:
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

Policy adopted:

PALMDALE SCHOOL DISTRICT 
Palmdale, 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)

Enrollment

A migrant student shall be immediately enrolled in the district even if the student: (Education Code 48204.7)

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, medical records, including, but not limited to, records or other proof of immunization history, 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 a migrant student experiences a change in residence, the student may remain enrolled in the school of origin for the duration of the student's status as a migrant student. (Education Code 48204.7)

If a student's status as a migrant student changes during a school year, the Superintendent or designee shall allow the student to continue at the school of origin through the duration of
that school year or, if the student is enrolled in a high school, through graduation. (Education Code 48204.7)

A migrant student who is transitioning between school grade levels shall be allowed to continue in the district of origin in the same attendance area to provide the student the benefit of matriculating with peers in accordance with the established feeder patterns of school districts. A migrant student who is transitioning to a middle school or high school designated for matriculation in another school district shall be allowed to enroll in that school. (Education Code 48204.7)

The Superintendent or designee shall inform a migrant student and the student's parent/guardian of the impact of remaining in the school of origin on the student's eligibility to receive migrant education services pursuant to Education Code 54440-54445. (Education Code 48204.7)

The Superintendent or designee may, but is not required to, provide transportation to enable a migrant student to attend the school of origin, unless otherwise required by federal law. (Education Code 48204.7)

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

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
AR 6175(e)

MIGRANT EDUCATION PROGRAM (continued)

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 local 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)

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)
MIGRANT EDUCATION PROGRAM (continued)

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

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 Board of Trustees 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 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 Saturday 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 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 Saturday session in accordance with Education Code 49550.

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

Legal Reference: (see next page)
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
SUMMER LEARNING PROGRAMS

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

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

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

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

Enrollment Priorities

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

1. Demonstrate academic deficiencies in core curriculum areas

2. Are in targeted student groups identified in the district's LCAP as needing increased or improved services to succeed in the educational program
SUMMER LEARNING PROGRAMS  (continued)

Attendance

Because summer intersession courses cover extensive instructional content in a relatively short time period, consistent class attendance is crucial.

Rotation of School Sites

Sites for summer school intersession programs may be rotated in an effort to make summer school intersession programs more accessible to all students, regardless of residence or regular attendance area, and to equalize long-term facility and maintenance needs.

Legal Reference:

EDUCATION CODE
8482-8484.6 After School Education and Safety Program
8484.7-8484.9 21st Century Community Learning Centers
37252-37254.1 Supplemental instruction
39837 Transportation to summer employment programs
41505-41508 Pupil Retention Block Grant
41976.5 Summer school programs, substantially disabled persons or graduating high school seniors
42238.01-42238.07 Local control funding formula
42238.8 Revenue limit per unit of average daily attendance
48070-48070.5 Promotion and retention
51210 Areas of study for elementary schools
51220 Areas of study for grades 1-6
51730-51732 Powers of governing boards (authorization for elementary summer school classes)
52060-52077 Local control and accountability plan
54444.3 Summer program for migrant students
56345 Extended-year program for special education students
58700-58702 Credit towards summer school apportionments for tutoring and homework assistance
58806 Summer school apportionments
60851 Supplemental instruction toward exit examination

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

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

Management Resources:  (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
SUPPLEMENTAL INSTRUCTION

The Board of Trustees recognizes that high-quality supplemental instruction can motivate and support students to attain grade-level academic standards, overcome academic deficiencies, and/or acquire critical skills. The district shall offer programs of direct, systematic, and intensive supplemental instruction to meet student needs. Supplemental instruction shall be offered in accordance with law and may be used to assist the district in meeting its goals for student achievement.

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.

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.

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)

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.

(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 (continued)

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
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: PALMDALE SCHOOL DISTRICT
Palmdale, California
ALTERNATIVE SCHOOLS/PROGRAMS OF CHOICE

The Board of Trustees desires to provide a variety of innovative educational programs to accommodate students’ diverse learning needs and interests, foster student engagement in the schools, and enhance student achievement. Toward this end, the Board may establish and maintain alternative schools or programs of choice.

A district alternative school or program of choice may differ from the traditional educational program in its academic emphasis, sequence of curriculum, educational philosophy, instructional strategy, structure, setting, size, scheduling, targeted student population, decision-making process, and/or other components. All alternative schools or programs of choice shall offer enrolled students the opportunity to acquire the knowledge and skills necessary to achieve district content standards in core academic subjects and shall provide access to the course of study required for high school graduation.

As necessary to provide flexibility to alternative schools or programs of choice to improve student performance and/or streamline operations, the Superintendent or designee may request that the Superintendent of Public Instruction waive any provision of the Education Code except provisions specified in Education Code 58509.

The Superintendent or designee shall establish processes to ensure communication among staff in the alternative schools or programs of choice and staff in the regular educational program in order to share information and ideas.

Program Evaluation

The Superintendent or designee shall conduct an annual evaluation of each alternative school or program of choice which includes testing of basic skills for student participants and which identifies the variables that may have affected student academic achievement. The evaluation process shall include input from teachers, parents/guardians, and students from the alternative school or program of choice. (Education Code 58510)

Evaluation reports shall be sent to the Superintendent of Public Instruction on or before August 1 following the close of the school year. (Education Code 58510)
ALTERNATIVE SCHOOLS/PROGRAMS OF CHOICE (continued)

Prior to submitting the evaluation report to the Superintendent of Public Instruction, the Superintendent or designee shall report the evaluation results to the Board. The Board shall review the effectiveness of the school or program in meeting program objectives, compare student achievement data with that of students in other district schools, evaluate changes in the school or program over time, and make program modifications as needed.

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

Legal Reference:

EDUCATION CODE
35160.5 Intradistrict open enrollment
48980 Parental notifications
52052 Accountability; numerically significant student subgroups
58500-58512 Alternative schools and programs of choice

CODE OF REGULATIONS, TITLE 5
1068-1074 Alternative schools accountability model
11705 Charter schools as alternative schools

COURT DECISIONS

Management Resources:

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Creating and Sustaining Successful K-8 Magnet Schools, September 2008
Innovations in Education: Successful Magnet High Schools, September 2008

WEB SITES
California Department of Education, Alternative Schools of Choice: http://www.cde.ca.gov/sp/eo/as
Foundation for California Community Colleges, Early College High School Initiative:
http://www.foundationccc.org/ECHS

Policy
adopted:

PALMDALE SCHOOL DISTRICT
Palmdale, 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)

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)

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

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.

Determinant 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 AND HOSPITAL INSTRUCTION  (continued)

Provision of Individual Instruction

Individual instruction at a student's home or in a hospital or other residential health facility shall begin no later than five working days after the Superintendent or designee makes the determination that the student is eligible to receive individual instruction. (Education Code 48207.5, 48208)

The district shall be responsible for providing individual instruction to any temporarily disabled student who is in a hospital or other residential health facility located within district boundaries, whether or not the student is enrolled in the district. If the student is enrolled in another district, the Superintendent or designee may enter into an agreement to have the student's district of residence provide the individual instruction. The Superintendent or designee may also enter into an agreement to provide individual instruction to a district student who is in a hospital or other residential health facility located within the boundaries of another district. (Education Code 48208)

(cf. 5111.1 - District Residency)

Whenever the district provides individual instruction to a non-district student who is in a hospital or other residential health facility located within district boundaries, the Superintendent or designee shall, within five working days of the beginning of the individual instruction, provide written notification to the student's district of residence that, effective on the date on which individual instruction began, the district of residence may not count the student for purposes of computing that district's average daily attendance. (Education Code 48208)

A student receiving individual instruction in a hospital or residential health facility for a partial week shall be entitled to attend school or receive individual instruction at home on days in which the student is not receiving individual instruction in the hospital or other residential health facility, if the student is well enough to do so. (Education Code 48207.3)

Home or hospital instruction shall be provided only by teachers with valid California teaching credentials who consent to the assignment. (Education Code 44865)

(cf. 4112.2 - Certification)
(cf. 4113 - Assignment)

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.
HOME AND HOSPITAL INSTRUCTION (continued)

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
COMMUNITY DAY SCHOOL

The Board of Trustees 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 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. 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)

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 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)
COMMUNITY DAY SCHOOL  (continued)

(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.

(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
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  (continued)

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 Board of Trustees recognizes that it is accountable to students, parents/guardians, and the community for the effectiveness of the district's educational program in meeting district goals for student learning. The Superintendent or designee shall conduct a continual evaluation of the curriculum and the instructional program in order to identify strategies for improving student achievement.

(cf. 0500 - Accountability)
(cf. 6000 - Concepts and Roles)
(cf. 6010 - Goals and Objectives)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 9000 - Role of the Board)

Education Code 52060-52061 require that the district's local control and accountability plan (LCAP) establish goals, for all students and for each numerically significant subgroup, that are aligned with the state priorities, and that the district annually review progress toward the goals; see BP/AR 0460- Local Control and Accountability Plan. Pursuant to Education Code 52052, numerically significant student subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when the subgroup consists of at least 30 students with a valid test score or 15 foster or homeless youth. The California School Dashboard reports the status of district and school performance on multiple state and local indicators and is intended to assist districts in identifying strengths and areas in need of improvement in each priority area addressed by the LCAP.

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. 0520- Intervention for Underperforming Schools)
(cf. 0520.1 -High Priority Schools Grant Program)
(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.
EVALUATION OF THE INSTRUCTIONAL PROGRAM (continued)

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 Categorical Programs

The Superintendent or designee and the Board shall annually determine whether the district's categorical programs funded through the state's consolidated application are supportive of the core curriculum and 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.

(cf. 0420- School Plans/Site Councils)

Legal Reference:

EDUCATION CODE
33400-33407 Educational evaluations
35178.4 Notice of loss of accreditation status
44662 Evaluation and assessment guidelines, certificated employee performance
51041 Education program, evaluation and revisions
51226 Model curriculum standards
52050-52059 Public Schools Accountability Act
54650-54659 Education Improvement Incentive Program
62005.5 Failure to comply with purposes of funds
64000-64001 Consolidated application process

CODE OF REGULATIONS, TITLE 5
3930-3937 Program requirements
3942 Continuity of funding

UNITED STATES CODE, TITLE 20
6311 Adequate yearly progress

Management Resources:

CSBA PUBLICATIONS
Maximizing School Board Leadership: Curriculum, 1996
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Ongoing Program Self-Evaluation Tool (OPSET)
WEB SITES
CSBA: http://www.csba.org

Policy adopted: February 19, 2019

PALMDALE SCHOOL DISTRICT
Palmdale, California