

VISION

In order to provide a clear focus for district programs, activities and operations, the Governing Board shall adopt a long-range vision that sets direction for the district which is focused on student learning and describes what the Board wants its schools to achieve. This vision may be incorporated in various documents, including the district's mission or purpose statement, philosophy, long-term goals, short-term objectives and/or comprehensive plans.

(cf. 0100 - Philosophy)
(cf. 0200 - Goals for the School District)
(cf. 0400 - Comprehensive Plans)
(cf. 6010 - Goals and Objectives)
(cf. 9000 - Role of the Board)

The Superintendent or designee shall recommend an appropriate process for establishing and/or reviewing the district's vision statement, which is inclusive of parents/guardians, students, staff and community members.

The Board shall review the district vision statements at least every three years or whenever a new Board member or Superintendent joins the district. Following these reviews the Board may revise or reaffirm the direction it has established for the district.

The Superintendent or designee shall communicate the district's vision to staff, parents/guardians and the community and shall regularly report to the Board regarding district progress toward the vision.

(cf. 0500 - Accountability)
(cf. 1100 - Communication with the Public)

Management Resources:

CSBA PUBLICATIONS
Maximizing School Board Leadership: Vision, 1996
WEB SITES
CSBA: <http://www.csba.org>

VISION

The Superintendent or designee shall establish a process for developing and regularly reviewing the district's vision and direction which includes:

1. Clearly defined procedures, timelines and responsibilities
2. Identification of the strengths and needs of the district
3. Input from parents/guardians, students, staff and community members through procedures which may include surveys, focus groups, advisory committees and/or public meetings and forums

(cf. 1220 - Citizen Advisory Committees)

(cf. 2230 - Representative and Deliberative Groups)

(cf. 6020 - Parent Involvement)

4. Board adoption of district vision statements at a public meeting

As part of this process, the Superintendent or designee shall provide the Governing Board with relevant district documents and data, including current district mission and vision statements, if any, and information about student demographics, student achievement, student enrollment patterns, current programs and recent program cuts, staffing and professional development needs, budget trends, facilities, technology and emerging educational issues.

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

(cf. 0400 - Comprehensive Plans)

(cf. 6010 - Goals and Objectives)

PHILOSOPHY

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

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 6010 - Goals and Objectives)

(cf. 9000 - Role of the Board)

It is the philosophy of the district that:

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

PHILOSOPHY (continued)

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

Legal Reference:

EDUCATION CODE

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

51019 *Definition of philosophy*

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Leadership: Vision, 1996

GOALS FOR THE SCHOOL DISTRICT

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

(cf. 0000 - Vision)

(cf. 0100 - Philosophy)

(cf. 0500 - Accountability)

(cf. 6010 - Goals and Objectives)

(cf. 9000 - Role of the Board)

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

(cf. 0400 - Comprehensive Plans)

Note: Districts are encouraged to replace the list of goals below with their own locally developed goals.

The district's goals are to:

1. Maintain safe, healthful and orderly campuses which promote learning.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5144 - Discipline)

2. Provide appropriate instruction to meet the varied academic and career goals of students by identifying and responding to individual student needs.

(cf. 6000 - Concepts and Roles)

(cf. 6030 - Integrated Academic and Vocational Instruction)

3. Ensure that all students achieve academic proficiency in essential areas of skill and knowledge.

(cf. 6011 - Academic Standards)

(cf. 6146.1 - High School Graduation Requirements)

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

4. Provide for the specialized needs of identified groups of students.

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

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

(cf. 6171 - Title I Programs)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6174 - Education for English Language Learners)

(cf. 6175 - Migrant Education Program)

GOALS FOR THE SCHOOL DISTRICT (continued)

5. Develop each student's self-respect, respect for others, appreciation for diversity and sense of personal responsibility.

(cf. 5137 - Positive School Climate)
(cf. 6141.6 - Multicultural Education)

6. Provide time and resources for collaboration, planning and professional development for all staff.

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

7. Maintain fiscal integrity for the district.

(cf. 3100 - Budget)
(cf. 3400 - Management of District Assets/Accounts)
(cf. 3460 - Financial Reports and Accountability)

8. Improve the organization, management and decision-making structure and capabilities of the district to better support the education of students.

(cf. 0420.5 - School-Based Decision Making)
(cf. 2000 - Concepts and Roles)

9. Employ technology in ways that enhance learning, teaching and noninstructional operations.

(cf. 0440 - District Technology Plan)
(cf. 4040 - Employee Use of Technology)
(cf. 6162.7 - Use of Technology in Instruction)
(cf. 6163.4 - Student Use of Technology)

10. Provide and maintain facilities to meet the needs of present and future students.

(cf. 7000 - Concepts and Roles)
(cf. 7110 - Facilities Master Plan)

11. Maintain positive relations with parents/guardians and the community, emphasizing communication and inviting participation in the schools.

(cf. 1220 - Citizen Advisory Committees)
(cf. 1240 - Volunteer Assistance)
(cf. 1700 - Relations between Private Industry and the Schools)
(cf. 6020 - Parent Involvement)

GOALS FOR THE SCHOOL DISTRICT (continued)

12. Collaborate with other public agencies and private organizations to ensure that children's physical, social and emotional needs are met.

(cf. 1020 - Youth Services)

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

13. Provide a system of shared accountability for student achievement with clear performance standards and consequences.

(cf. 0500 - Accountability)

(cf. 0510 - School Accountability Report Card)

(cf. 2140 - Evaluation of the Superintendent)

(cf. 4115 - Evaluation/Supervision)

(cf. 4215 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)

(cf. 6162.5 - Student Assessment)

(cf. 9400 - Board Self-Evaluation)

Legal Reference:

EDUCATION CODE

51002 Local development of programs based on stated philosophy and goals

51020 Definition of goal

51021 Definition of objective

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Leadership: Vision, 1996

COMPREHENSIVE PLANS

The Governing Board believes that careful planning is essential to effective implementation of district programs and policies. Comprehensive plans shall identify cohesive strategies for school improvement and provide stability in district operations.

The Superintendent or designee shall develop comprehensive plans for the implementation of the district's vision and goals, on specific policy topics and on other areas as required by law. As appropriate, comprehensive plans may describe, but not be limited to, anticipated short- and long-term needs, measurable outcomes, priorities, activities, available resources, timelines, staff responsibilities, and strategies for internal and external communications regarding the plan.

- (cf. 0000 - Vision)*
- (cf. 0200 - Goals for the School District)*
- (cf. 0430 - Comprehensive Local Plan for Special Education)*
- (cf. 0440 - District Technology Plan)*
- (cf. 0450 - Comprehensive Safety Plan)*
- (cf. 0500 - Accountability)*
- (cf. 1112 - Media Relations)*
- (cf. 2140 - Evaluation of the Superintendent)*
- (cf. 3516 - Emergencies and Disaster Preparedness Plan)*
- (cf. 3543 - Transportation Safety and Emergencies)*
- (cf. 4141.6/4241.6 - Concerted Action/Work Stoppage)*
- (cf. 6010 - Goals and Objectives)*
- (cf. 6171 - Title I Programs)*
- (cf. 6190 - Evaluation of the Instructional Program)*
- (cf. 7110 - Facilities Master Plan)*

Comprehensive plans may be subject to review and approval by the Board.

The process for developing comprehensive plans shall invite broad participation of school and community representatives. Committees may be appointed to assist in the development of plans. Comprehensive plans shall be available to the public and shall be reviewed at regular intervals as specified within the plan.

- (cf. 0420.5 - School-Based Decision Making)*
- (cf. 1220 - Citizen Advisory Committees)*
- (cf. 2230 - Representative and Deliberative Groups)*
- (cf. 6020 - Parent Involvement)*
- (cf. 9130 - Board Committees)*

In addition, school-level plans may be developed to meet the unique circumstances of individual school sites provided that they are consistent with law, district vision, Board policies, administrative regulations and districtwide plans. School plans may be subject to review and approval of the Superintendent or designee and/or the Board.

COMPREHENSIVE PLANS (continued)

(cf. 0420 - School Plans/Site Councils)
(cf. 0420.1 - School-Based Program Coordination)
(cf. 0420.3 - School-Based Student Motivation and Maintenance Program)

Legal Reference:

EDUCATION CODE
35035 Powers and duties of Superintendent
35291 Rules (power of governing board)

Management Resources:

CSBA PUBLICATIONS
Maximizing School Board Leadership: Vision, 1996
WEB SITES
CSBA: <http://www.csba.org>

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

Note: Discrimination in education programs and activities is prohibited by federal law. Title VI of the Civil Rights Act of 1964 (42 USC 2000d-2000d-7) prohibits discrimination on the basis of race, color and national origin. Title IX (20 USC 1681-1688) prohibits discrimination on the basis of gender. The Americans with Disabilities Act (ADA) (42 USC 12101-12213) and Section 504 of the Vocational Rehabilitation Act of 1973 (29 USC 794) prohibit discrimination on the basis of disability. The Office for Civil Rights (OCR) of the U.S. Department of Education has authority to enforce these laws in all programs and activities that receive federal funds.

In addition, California law now prohibits discrimination on the basis of sexual orientation in all programs and activities in public schools, through the provisions of Education Code 220 and Government Code 12940, as amended by AB 537 (Ch. 587, Statutes of 1999) and AB 1001 (Ch. 592, Statutes of 1999) respectively. Pursuant to Education Code 241, also added by AB 537, districts are not required to include any curriculum, textbook, presentation or other material in their existing programs or activities to comply with this new law.

Education Code 260 specifies that the Board has primary responsibility for ensuring that district programs and activities are free from discrimination based on ethnic group, religion, age, gender, color, or physical or mental disability. Government Code 11138 **mandates** districts to adopt rules and regulations to carry out the intent of this nondiscrimination provision.

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

- (cf. 4030 - Nondiscrimination in Employment)*
- (cf. 4032 - Reasonable Accommodation)*
- (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)*
- (cf. 5145.3 - Nondiscrimination/Harassment)*
- (cf. 5145.7 - Sexual Harassment)*
- (cf. 5146 - Married/Pregnant/Parenting Students)*
- (cf. 6145.2 - Athletic Competition)*
- (cf. 6164.4 - Identification of Individuals for Special Education)*
- (cf. 6164.6 - Identification and Education under Section 504)*
- (cf. 6178 - Vocational Education)*
- (cf. 6200 - Adult Education)*

Note: Pursuant to the ADA and its implementing regulations, 28 CFR 35.150 and 35.151, district facilities be accessible to and usable by individuals with disabilities. Compliance methods may include equipment redesign, reassignment of services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternate accessible sites, and alteration of existing facilities and construction of new facilities. It is important to note that the law does **not** require a district to make structural changes to existing facilities where other methods are effective in achieving compliance and where the district can demonstrate that the action would result in a fundamental alteration in the nature of the activity or an undue financial or administrative burden. District with questions about compliance with the ADA should consult with legal counsel as appropriate.

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

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

Note: Pursuant to 28 CFR 35.130 and 35.160, the ADA requires school districts to provide services and aids to ensure that a disabled individual is not excluded from participation or denied a benefit, service or program on the basis of a disability. However, if the district can show that providing such aids and services would fundamentally alter the nature of the function, program or meeting, or would be an undue burden, then the district need not provide them.

Note: In addition, Government Code 54953.2, as added by AB 3035 (Ch, 300, Statutes of 2002), requires that all Board meeting meet the protections of the ADA and implementing regulations (28 CFR 35.160, 36.303). The district is required to ensure that the meeting is accessible to persons with disabilities and, upon request, to provide disability-related accommodations, such as auxiliary aids and services.

The Superintendent or designee shall ensure that the district provides auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, notetakers, written materials, taped text, and Braille or large print materials.

(cf. 6020 – Parent Involvement)

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

(cf. 9320 - Meetings and Notices)

(cf. 9322 – Agenda/Meeting Materials)

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

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

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

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

(cf. 5145.6 - Parental Notifications)

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48985 Notices to parents in language other than English

GOVERNMENT CODE

11000 Definitions

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

54953.2 Brown Act Compliance with Americans with Disabilities Act

PENAL CODE

422.55 Definition of hate crime

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

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

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act

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

2301-2415 Carl D. Perkins Vocational and Applied Technology Act

6311 State plans

6312 Local education agency plans

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

2000h-2000h-6 Title IX

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

36.303 Auxiliary aids and services

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:

106.9 Dissemination of policy

Management Resources:

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

Protecting Students from Harassment and Hate Crime, January, 1999

Notice of Non-Discrimination, January, 1999

Nondiscrimination in Employment Practices in Education, August, 1991

WEB SITES

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

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

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

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

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

SCHOOL PLANS/SITE COUNCILS

When required by law or determined to be a useful tool to accomplish district and school goals, school site councils or other school advisory groups shall develop comprehensive school plans designed to enhance student achievement at individual school sites.

- (cf. 0000 - Vision)*
- (cf. 0200 - Goals for the School District)*
- (cf. 0400 - Comprehensive Plans)*
- (cf. 0420.5 – School-Based Decision Making)*
- (cf. 1220 - Citizen Advisory Committees)*
- (cf. 1431 – Waivers)*
- (cf. 6020 - Parent Involvement)*

Single Plan for Student Achievement

Note: School site councils are required to develop a single plan for student achievement to consolidate the school plans required for (1) the state and federal categorical programs included in the consolidated application pursuant to Education Code 64000-64001; (2) purposes funded under the Student Retention Block Grant and School and Library Improvement Block Grant pursuant to Education Code 41506-41507 and 41571-41572; and (3) the Quality Education Investment Act pursuant to Education Code 520553700-52055.770, as added by SB 1133 (Ch. 751, Statutes of 2006). See the accompanying administrative regulation and the California Department of Education’s A Guide and Template for the Single Plan for Student Achievement: A Handbook for School Site Councils for additional information regarding development of the single plan and required content of the plan.

The Superintendent or designee shall ensure that a single plan for student achievement is prepared by the school site council as required by law for each school participating in specified state and/or federal categorical programs. (Education Code 41507, 41572, 52055.755, 64001)

- (cf. 0420.1 - School-Based Program Coordination)*
- (cf. 0450 - Comprehensive Safety Plan)*
- (cf. 0450.1 – High Priority Schools Grant Program)*
- (cf. 0520.2 – Title I Program Improvement Schools)*
- (cf. 0520.4 – Quality Education Investment Schools)*
- (cf. 3513.3 – Tobacco-Free Schools)*
- (cf. 4131 – Staff Development)*
- (cf. 4139 – Peer Assistance and Review)*
- (cf. 5147 – Dropout Prevention)*
- (cf. 5148.1 – Child Care Services for Parenting Students)*
- (cf. 6142.91 – Reading/Language Arts Instruction)*
- (cf. 6163.1 – Library Media Centers)*
- (cf. 6164.2 – Counseling/Guidance Services)*
- (cf. 6171 – Title I Programs)*
- (cf. 6174 – Education for English Language Learners)*
- (cf. 6190 – Evaluation of the Instructional Program)*

SCHOOL PLANS/SITE COUNCILS (continued)

The Superintendent or designee shall review each school's single plan and ensure that it has been developed and approved by a properly constituted school site council, meets the content requirements for all programs included, is based on an analysis of current practices and student academic performance, and reasonably links improvement strategies to identified needs of the school and students. He/she shall submit to the Governing Board his/her recommendation for plan approval or recommendations regarding any subsequent material revisions of the plan.

The Board shall review and approve each school's single plan for student achievement at a regularly scheduled meeting. The Board also shall review and approve any subsequent revisions that include material changes affecting the academic programs for students participating in these categorical programs. The Board shall certify that, to the extent allowable under federal law, the plan is consistent with district local improvement plans required as a condition of receiving federal funding. (Education Code 64001)

The Superintendent or designee shall ensure that principals and members of each site council receive training on the roles and responsibilities of the site council. To the extent necessary, he/she shall ensure that site councils receive the resources necessary in order to perform their role effectively.

School Site Block Grants

Note: Uncodified AB 1802 (Ch. 79, Statutes of 2006), Sec. 43, allocated state budget funds to school districts for the purpose of school site block grants, including block grants to locally funded charter schools that have students currently enrolled. The following section reflects the purpose of this one-time funding and the approval process. See the accompanying administrative regulation for allowable uses of these funds.

Upon receipt of state funding for school site block grants, the Board shall allocate the funds to district schools on an equal per-student basis. (AB 1802, Sec. 43, Statutes of 2006)

The school's use of the funds allocated through this block grant shall be proposed by the school site council or, if the school does not have a school site council, by a schoolwide advisory group or school support group. (AB 1802, Sec. 43, Statutes of 2006)

SCHOOL PLANS/SITE COUNCILS (continued)

Legal Reference:

EDUCATION CODE

52-53 Designation of schools
8240-8244 General child care and development programs
8750-8754 Conservation Education
18100-18203 School libraries
32228-32228.5 School safety and violence prevention
33133 Information guide for school site councils
35147 Open meeting laws exceptions
41500-41573 Categorical Education block grants
44500-44508 Peer Assistance and Review Program
44520-44534 New Careers Program
48400-48403 Compulsory continuation education
48430-48438 Continuation education
48660-48667 Community day schools
51745-51749.3 Independent study
51760-51769.5 Work experience education
51870-51874 Educational Technology
52053-52055.51 Immediate Intervention/Underperforming Schools Program
52055.600-52055.662 High Priority Schools Grant Program
52055.700-52055.770 Quality Education Investment Act
52176 Advisory committees
52200-52212 Gifted and Talented Education Program
52300-52346 Regional occupational centers
52500-52617 Adult education, including:
52610-52616.24 Adult education finances
52800-52887 School-Based Program Coordination Act
52890 Qualifications and duties of outreach consultants
54000-54028 Educationally Disadvantaged Youth Programs
54100-54145 Miller-Unruh Basic Reading Act
54425 Advisory committees (compensatory education)
54650-54659 Education Improvement Incentive Program
54740-54749.5 California School Age Families Education Program
56000-56867 Special education
64000 Categorical programs included in consolidated application
64001 Single school plan for student achievement, consolidated application programs

HEALTH AND SAFETY CODE

104410 Tobacco use prevention

MILITARY AND VETERANS CODE

500-520.1 California Cadet Corps

AB 1802 UNICODIFIED 2006 STATUTE

43 School site block grants

CODE OF REGULATIONS, TITLE 5

3930-3937 Compliance plans

UNITED STATES CODE, TITLE 20

6312-6319 Title I programs; plans

6421-6472 Programs for neglected, delinquent, and at-risk children and youth

6601-6651 Teacher and Principal Training and Recruitment program

6801-7014 Limited English proficient and immigrant students

7101-7165 Safe and Drug-Free School and Communities

7341-7355c Rural Education Initiative

SCHOOL PLANS/SITE COUNCILS (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

A Guide and Template for the Single Plan for Student Achievement: A Handbook for School Site Councils, April 2006

WEB SITES

California Department of Education, Single Plan for Student Achievement:

<http://www.cde.ca.gov/nclb/sr/le/singleplan.asp>

Center for Comprehensive School Reform and Improvement: <http://www.centerforcsri.org>

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

SCHOOL PLANS/SITE COUNCILS

School Site Councils

When required for participation in any categorical program, each district school shall establish a school site council or advisory committee. (Education Code 41507, 41572, 52852, 64001)

The school site council shall be composed of the following: (Education Code 41507, 41572, 52852)

1. The principal
2. Teachers selected by the school's teachers
3. Other school personnel chosen by the school's other personnel
4. Parents/guardians of students attending the school chosen by other such parents/guardians, or community members chosen by the parents/guardians as representatives
5. In secondary schools, students attending the school chosen by other such students

Half of the school site council membership shall consist of school staff, the majority of whom shall be classroom teachers. For secondary school site councils, the remaining half shall be equal numbers of parents/guardians (or parent/guardian representatives) and students. (Education Code 41507, 41572, 52852)

A district employee may serve as a parent/guardian representative on the site council of the school his/her child attends, provided the employee does not work at that school. (Education Code 52852)

School site councils may function on behalf of other committees in accordance with law. (Education Code 52055.620, 52176, 52870, 54425; 5 CCR 3932)

(cf. 0520.1 – High Priority Schools Grant Program)

School site councils shall operate in accordance with procedural meeting requirements established in Education Code 35147.

(cf. 1220 - Citizen Advisory Committees)

SCHOOL PLANS/SITE COUNCILS (continued)**Single Plan for Student Achievement**

In order for a school to participate in state and federal categorical programs specified in Education Code 41506, 41571, 52055.700, or 64000, the school site council shall approve, annually review, and update a single plan for student achievement. If the school does not have a school site council, a schoolwide advisory group or school support group conforming to the composition requirements of the school site council listed above shall fulfill these responsibilities. (Education Code 41507, 51472, 52055.755, 64001)

(cf. 0420.1 - School-Based Program Coordination)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 0450.1 - High Priority Schools Grant Program)
(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 0520.4 - Quality Education Investment Schools)
(cf. 3513.3 - Tobacco-Free Schools)
(cf. 4131 - Staff Development)
(cf. 4139 - Peer Assistance and Review)
(cf. 5147 - Dropout Prevention)
(cf. 5148.1 - Child Care Services for Parenting Students)
(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. 6163.1 - Library Media Centers)
(cf. 6164.2 - Counseling/Guidance Services)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Language Learners)
(cf. 6190 - Evaluation of the Instructional Program)

The single plan for student achievement shall be aligned with school goals for improving student achievement and shall be based on an analysis of verifiable state data, including the Academic Performance Index (API) and the California English Language Development Test (CELDT), and any other data voluntarily developed by the district to measure student achievement. (Education Code 64001)

The plan shall, at a minimum: (Education Code 64001)

1. Address how funds provided to the school through categorical programs will be used to improve the academic performance of all students to the level of the performance goals established by the Academic Performance Index
2. Identify the school's means of evaluating progress toward accomplishing those goals
3. Identify how state and federal law governing these programs will be implemented

SCHOOL PLANS/SITE COUNCILS (continued)

Note: The CDE's A Guide and Template for the Single Plan for Student Achievement: A Handbook for School Site Councils clarifies that integrating multiple planning processes into the single plan does not eliminate any specific planning elements required for individual categorical programs, as provided below. For example, see AR 0420.1 – School-Based Program Coordination for plan requirements of that program and the section on “School Plans for Categorical Block Grants” below for additional information regarding plan requirements for categorical block grants.

In addition to meeting the requirements common to all applicable school plans, the single plan shall address the content required by law for each individual categorical program in which the school participates.

Plans developed for the state's Immediate Intervention/Underperforming Schools Program pursuant to Education Code 52054 or the federal Title I schoolwide programs pursuant to 20 USC 6314 shall satisfy the requirement for the single plan. (Education Code 64001)

(cf. 0520 – Intervention for Underperforming Schools)

(cf. 6171 – Title I Programs)

In developing or revising a single plan, the school site council shall:

1. Measure the effectiveness of current improvement strategies at the school

The school site council shall analyze student performance based on state and local data, identify significant low performance among all student groups, and analyze instructional programs to determine program areas that need to be addressed in order to raise performance of student groups not meeting academic standards.

(cf. 6011 – Academic Standards)

2. Seek input from other school advisory committees as appropriate
3. Reaffirm or revise school goals to serve as a basis for school improvement activities and expenditures
4. Revise improvement strategies and expenditures

The school site council shall specify actions to be taken, dates by which actions are to be started and completed, expenditures needed to implement the action, the funding source, anticipated annual performance growth for each student group, and the means that will be used to evaluate progress toward each goal.

5. Approve and recommend the plan to the Governing Board

SCHOOL PLANS/SITE COUNCILS (continued)

The Superintendent or designee and the principal shall implement the strategies in the single plan and report to the school site council and the Board regarding progress toward school goals. The school site council shall monitor the implementation and effectiveness of the single plan and modify any activities that prove ineffective.

School Plans for Categorical Block Grants

Whenever a school participates in the state's categorical block grant programs for student retention and/or school and library improvement, the school site council shall develop a plan which shall include, but need not be limited to: (Education Code 41507, 41572)

1. Curricula, instructional strategies, and materials responsive to the individual educational needs and learning styles of each student that enables all students to do all of the following:
 - a. Make continuous progress and learn at a rate appropriate to their abilities
 - b. Master basic skills in language development and reading, writing, and mathematics
 - c. Develop knowledge and skills in other aspects of the curricula, such as arts and humanities; physical, natural, and social sciences; multicultural education; physical, emotional, and mental health; consumer economics; and career education
 - d. Pursue educational interests and develop esteem for self and others; personal and social responsibility, critical thinking, and independent judgment

(cf. 5148 – Child Care and Development)

(cf. 6158 – Independent Study)

(cf. 6184 – Continuation Education)

(cf. 6185 – Community Day School)

2. Consideration of the use of community resources to achieve instructional improvement objectives

3. Consideration of the use of education technology

(cf. 0440 – District Technology Plan)

4. A staff development program for teachers, other school personnel, paraprofessionals, and volunteers

(cf. 1240- Volunteer Assistance)

(cf. 4131.1 – Beginning Teacher Support/Induction)

(cf. 4138 – Mentor Teachers)

(cf. 4222 – Teacher Aides/Paraprofessionals)

(cf. 4231 – Staff Development)

SCHOOL PLANS/SITE COUNCILS (continued)

5. Provisions for utilization of the student success team process to identify and assess the needs of students who are dropouts or potential dropouts, and to develop programs to meet those needs

(cf. 5147 – Dropout Prevention)

(cf. 5149 – At-Risk Students)

(cf. 6164.5 – Student Success Teams)

6. Procedures for coordinating services from funding sources at the school level to help students participate successfully in the core academic curricula and specialized curricula related to jobs and career opportunities

(cf. 6178 – Career Technical Education)

(cf. 6178.1 – Work Experience Education)

7. Instructional and auxiliary services to meet the special needs of students who are limited-English-speaking, including instructional in a language they understand; educationally disadvantaged students; gifted and talented students; and students with disabilities

(cf. 6172 – Gifted and Talented Student Program)

8. Improvement of the classroom and school environments, including improvement of relationships between and among students, school personnel, parents/guardians, and the community, and reduction of the incidence of violence and vandalism among students

(cf. 5137 – Positive School Environment)

(cf. 5138 – Conflict Resolution/Peer Mediation)

9. Improvement of student attendance, including parent/guardian awareness of the importance of regular school attendance

(cf. 5113 – Absence and Excuses)

(cf. 5113.1 – Truancy)

10. The proposed expenditure of block grant funds and the degree to which expenditures meet the plan's criteria

11. Other activities and objectives established by the school site council

12. A process for ongoing evaluation and modification of the plan

SCHOOL PLANS/SITE COUNCILS (continued)

The evaluation shall be based on the degree to which the school is meeting the plan's objectives, student achievement, and improved school environment. An improved school environment shall be measured by indicators such as the incidence of absenteeism, suspension and expulsion, dropouts, school violence, vandalism and theft; student attitudes towards the school, self, and others; absenteeism among staff, staff resignations, and requests for transfers; and satisfaction of students, parents/guardians, teachers, administrators, and staff.

In addition, any school receiving state funding for school and library improvement shall incorporate plans pertaining to school libraries. (Education Code 41572)

The student retention and/or school and library improvement plans shall be incorporated into the school's single plan for student achievement as described in the above section. (Education Code 41507, 41572)

School Site Block Grants

The school site council may propose any one-time educational purpose for the use of funds allocated to school sites under school site block grants, including, but not limited to, the following purposes: (AB 1802, Sec. 43, Statutes of 2006)

1. Instructional materials
2. Classroom and laboratory supplies and materials
3. School and classroom library materials
4. Educational technology
5. Deferred maintenance
6. Expenditures designed to close the achievement gap
7. Professional development

CHARTER SCHOOLS

The Governing Board believes that charter schools provide one opportunity to implement school-level reform and to support innovations which improve student learning. These schools shall operate under the provisions of their charters, federal laws, specified state laws and general oversight of the Board.

The Superintendent or designee may work with charter school petitioners prior to the formal submission of the petition in order to gather information about the proposal and suggest components that would align the petition with the district’s vision and goals for student learning. As needed, he/she may work with the petitioners to establish workable plans for technical assistance or contracted services which the district may provide to the proposed charter school.

At his/her discretion, the Superintendent or designee may establish a staff advisory committee to review a submitted petition and the supporting documentation. Such a committee may be used to evaluate the completeness of the proposal, the merits of the proposed educational program, the level of community support, and any concerns that should be addressed by the petitioners. The Superintendent or designee shall also consult with legal counsel as appropriate regarding compliance of the proposal with legal requirements.

(cf. 1220 – Citizen Advisory Committee)

In determining whether to grant or deny a charter, the Board shall carefully review the proposed charter and any supplementary information, consider public and staff input, and determine whether the charter petition adequately addresses all the provisions required by law. The Board shall not deny a charter school petition unless specific written factual findings are made pursuant to law and administrative regulation.

The district shall not require any student to attend a charter school and shall not require any district employee to work at a charter school. (Education Code 47605)

The Board shall ensure that any charter granted by the Board contains adequate processes and measures for holding the school accountable for fulfilling the terms of its charter. These shall include, but not be limited to, fiscal accountability systems, multiple measures for evaluating the educational program, and regular reports to the Board.

(cf. 0500 - Accountability)

The Board shall monitor each charter school to determine whether it makes “adequate yearly progress” as defined by the State Board of Education and federal Title I accountability requirements. If a charter school fails to make adequate yearly progress for two or more consecutive years, the Board shall take action for program improvement in accordance with law, Board policy, and administrative regulations.

(cf. 0520.2 – Title I Program Improvement Schools)

CHARTER SCHOOLS (continued)

Legal Reference:

EDUCATION CODE

17280-17317 *Field Act*
17365-17374 *Field Act, fitness for occupancy*
41365 *Charter school revolving loan fund*
42100 *Annual statement of receipts and expenditures*
42238.51-42238.53 *Funding for charter districts*
44237 *Criminal record summary*
44830.1 *Certificated employees, conviction of a violent or serious felony*
45122.1 *Classified employees, conviction of a violent or serious felony*
46201 *Instructional minutes*
47600-47617 *Charter Schools Act of 1992, as amended*
47640-47647 *Special education funding for charter schools*
47652 *Funding of first-year charter schools*
48000 *Minimum age of admission (kindergarten)*
48010 *Minimum age of admission (first grade)*
48011 *Minimum age of admission from kindergarten or other school*
51745-51749.3 *Independent study*
52052 *Alternative accountability system*
54032 *Limited English or low-achieving students*
56026 *Special education*
56145-56146 *Special education services in charter schools*
60600-60649 *Assessment of academic achievement, including:*
60605 *Academic content and performance standards; assessments*
60640-60649 *Standardized Testing and Reporting Program*
60850-60859 *High school exit exam*

GOVERNMENT CODE

3540-3549.3 *Educational Employment Relations Act*
54950-54963 *The Ralph M. Brown Act*

PENAL CODE

667.5 *Definition of violent felony*
1192.7 *Definition of serious felony*

CODE OF REGULATIONS, TITLE 5

11700.1-11705 *Independent study*
11960-11969 *Charter schools*

CODE OF REGULATIONS, TITLE 24

101 *et seq. California Building Standards Code*

UNITED STATES CODE, TITLE 20

6311 *Adequate yearly progress*
6319 *Qualifications of teachers and paraprofessionals*
7223-7225 *Charter schools*

CODE OF FEDERAL REGULATIONS, TITLE 34

200.1-200.78 *Accountability*
300.18 *Highly qualified special education teachers*

ATTORNEY GENERAL OPINIONS

89 *Ops. Cal. Atty. Gen. 166 (2006)*
80 *Ops. Cal. Atty. Gen. 52 (1997)*
78 *Ops. Cal. Atty. Gen. 297 (1995)*

COURT DECISIONS

Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986

CHARTER SCHOOLS (continued)

Management Resources:

CSBA PUBLICATIONS

Charter Schools: A Manual for Governance Teams, rev. 2005

CSBA ADVISORIES

Charter School Facilities and Proposition 39: Legal Implications for School Districts, September 2005

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Special Education and Charter Schools: Questions and Answers, September 10, 2002

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Charter Schools Program, July 2004

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

WEB SITES

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

California Building Standards Commission: <http://www.bsc.ca.gov>

California Charter Schools Association: <http://www.charterassociation.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

Education Commission of the States: <http://www.ecs.org>

National Association of Charter School Authorizers: <http://www.charterauthorizers.org>

National School Boards Association: <http://www.nsba.org>

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

CHARTER SCHOOLS

Petition Signatures

To be considered by the Governing Board, a charter school petition must be signed by one of the following: (Education Code 47605)

1. A number of parents/guardians equivalent to at least one-half of the number of students that the charter school estimates will enroll in the charter school for its first year of operation
2. A number of teachers equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation
3. If the charter petition calls for an existing public school to be converted to a charter school, the petition must be signed by at least 50 percent of the permanent status teachers currently employed at the school. (Education Code 47605)

(cf. 4116 - Permanent/Probationary Status)

In circulating a petition, the petitioners shall include a prominent statement explaining that a signature means that the parent/guardian is meaningfully interested in having his/her child attend the charter school or, in the case of a teacher's signature, that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition. (Education Code 47605)

Components of Charter Petition

A charter petition shall include affirmations of the conditions described in Education Code 47605(d) as well as descriptions of all of the following: (Education Code 47605, 47611.5)

1. The educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an "educated person" in the 21st century and how learning best occurs. The goals identified in that program shall include the objective of enabling students to become self-motivated, competent and lifelong learners.

If the proposed school will serve high school students, the petition shall describe how the charter school will inform parents/guardians about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable, and courses approved by the University of California or the California State University as creditable under the "A" to "G" admissions criteria may be considered to meet college entrance requirements.

CHARTER SCHOOLS (continued)

2. The measurable student outcomes identified for use by the charter school. “Student outcomes” means the extent to which all students of the school demonstrate that they have attained the skills, knowledge and attitudes specified as goals in the school’s educational program.
3. The method by which student progress in meeting those student outcomes is to be measured.
4. The governance structure of the school, including but not limited to the process to be followed by the school to ensure parent/guardian involvement.
5. The qualifications to be met by individuals to be employed by the school.
6. The procedures that the school will follow to ensure the health and safety of students and staff. These procedures shall include the requirement that each school employee furnish the school with a criminal record summary as described in Education Code 44237.
7. The means by which the school will achieve a racial and ethnic balance among its students that is reflective of the general population residing within the district’s territorial jurisdiction.
8. Admission requirements, if applicable.
9. The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the Board.
10. The procedures by which students can be suspended or expelled.
11. The manner by which staff members of the charter schools will be covered by the State Teachers’ Retirement System, the Public Employees’ Retirement System or federal social security.
12. The public school attendance alternatives for students residing within the district who choose not to attend charter schools.
13. A description of the rights of any district employee upon leaving district employment to work in a charter school, and of any rights of return to the district after employment at a charter school.
14. The procedures to be followed by the charter school and the Board to resolve disputes relating to charter provisions.

CHARTER SCHOOLS (continued)

15. A declaration as to whether or not the charter school shall be deemed the exclusive public school employer of the school's employees for purposes of collective bargaining under Government Code 3540-3549.3.
16. The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the school, including plans for disposing of any net assets and for the maintenance and transfer of student records.

Charter school petitioners shall provide information to the Board regarding the proposed operation and potential effects of the school, including but not limited to: (Education Code 47605)

1. The facilities to be used by the school, including where the school intends to locate
(cf. 7160 - Charter School Facilities)
2. The manner in which administrative services of the school are to be provided
3. Potential civil liability effects, if any, upon the school and district
4. Financial statements that include a proposed first-year operational budget, including start-up costs, and cash-flow and financial projections for the first three years of operation

Location of Charter School

Note: The Attorney General has opined, in 89 Ops.Cal.Atty.Gen 166 (2006), that online charter schools are subject to the restrictions and conditions placed upon independent study programs, including the condition that students must reside in the charter school's home county or adjacent county, and therefore may not receive state funding for the instruction of students who do not reside in the county where the school is chartered or in an adjacent county.

Unless otherwise exempted by law, any charter petition submitted to the Board on or after July 1, 2002, shall identify a single charter school that will operate within the geographic boundaries of the district. A charter school may propose to operate at multiple sites within the district as long as each location is identified in the petition. (Education Code 47605, 47605.1)

A charter school that is unable to locate within the district's jurisdictional boundaries may establish one site outside district boundaries but within the county, provided that: (Education Code 47605, 47605.1)

CHARTER SCHOOLS (continued)

1. The district is notified prior to approval of the petition.
2. The County Superintendent of Schools and Superintendent of Public Instruction are notified before the charter school begins operations.
3. The school has attempted to locate a single site or facility to house the entire program but such a facility or site is unavailable in the area in which the school chooses to locate, or the site is needed for temporary use during a construction or expansion project.

A charter school may establish a resource center, meeting space or other satellite facility located in an adjacent county if both the following conditions are met: (Education Code 47605.1)

1. The facility is used exclusively for the educational support of students who are enrolled in nonclassroom-based independent study of the charter school.
2. The charter school provides its primary educational services in, and a majority of the students it serves are residents of, the county in which the school is authorized.

All charter schools shall be subject to these requirements by June 30, 2005, or upon the expiration of a charter that is in existence on January 1, 2003, whichever is later. Until this date, any charter school that provided educational services before July 1, 2002, shall be subject to these requirements only for new educational services or school sites it establishes or acquires. (Education Code 47605.1)

Charter Approval/Denial

Within 30 days of receiving a petition to establish a charter school, the Board shall hold a public hearing to determine the level of support for the petition by teachers, other employees of the district and parents/guardians. (Education Code 47605)

(cf. 9320 - Meetings and Notices)

Within 60 days of receiving a petition, or within 90 days with the consent of the petitioners and the Board, the Board shall either grant or deny the request to establish a charter school. (Education Code 47605)

The Board shall grant the charter if doing so is consistent with sound educational practice. A charter shall be denied only if the Board presents written specific factual findings that one or more of the following conditions exist: (Education Code 47605)

1. The charter school presents an unsound educational program for the students to be enrolled in the charter school.

CHARTER SCHOOLS (continued)

2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain the number of signatures required.
4. The petition does not contain an affirmation of each of the conditions described in Education Code 47605(d).
5. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(b) listed in “Components of Charter Petition” above.

The Board shall not grant any charter that authorizes the conversion of a private school to a charter school. (Education Code 47602)

The Board shall not approve any charter petition that proposes to serve students in a grade level that is not served by the district, unless the petition proposes to serve students in all the grade levels served by the district. (Education Code 47605)

The Board shall not deny a petition based on the actual or potential costs of serving students with disabilities, nor shall it deny a petition solely because the charter school might enroll disabled students who reside outside the special education local plan area (SELPA) in which the district participates. (Education Code 47605.7, 47647)

The approval or denial of a charter petition shall not be controlled by collective bargaining agreements nor subject to review or regulation by the Public Employment Relations Board. (Education Code 47611.5)

In granting charter petitions, the Board shall give preference to schools best able to provide comprehensive learning experiences for academically low-achieving students according to standards established by the California Department of Education under Education Code 54032. (Education Code 47605)

The Board may initially grant a charter for a specified term not to exceed five years. (Education Code 47607)

It shall be the responsibility of the petitioners to provide written notice of the Board’s approval and a copy of the charter to the County Superintendent of Schools, the California Department of Education and the State Board of Education. (Education Code 47605)

CHARTER SCHOOLS (continued)

Material Revisions

Material revisions to a charter may be made only with Board approval. Material revisions shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605 and shall include, but not limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

If, after receiving approval of its petition, a charter school proposes to establish operations at one or more additional sites within the district's boundaries, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations. The Board shall consider approval of the additional locations at an open meeting. (Education Code 47605)

Renewals

A charter school seeking renewal of its charter shall submit a written request to the Board at least 120 days before the term of the charter is due to expire.

At least 90 days before the term of the charter is due to expire, the Board shall conduct a public hearing to receive input on whether or not to extend the charter. At least 60 days before the expiration date, the Board shall either grant or deny the request for renewal.

Renewals shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605 and shall include, but not limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

In addition, beginning on January 1, 2005, or after a charter school has been in operation for four years, whichever is later, a charter school shall meet at least one of the following criteria prior to receiving a charter renewal: (Education Code 47607)

1. The charter school attains its Academic Performance Index (API) growth target in the prior year or in two of the last three years, or in the aggregate for the prior three years.
2. The charter school ranks in deciles 4-10 on the API in the prior year or in two of the last three years.
3. The charter school ranks in deciles 4-10 on the API for a demographically comparable school in the prior year or in two of the last three years.

CHARTER SCHOOLS (continued)

4. The Board determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school students would otherwise have been required to attend, as well as the academic performance of district schools, taking into account the composition of the student population that is served at the school.

Note: Pursuant to Education Code 47607, the Superintendent of Public Instruction (SPI) will make recommendations to the district following a review of materials submitted to him/her in accordance with the following paragraph. The review may be the basis for a revocation of the charter by the SBE.

The Board's determination shall be based on documented, clear, and convincing data; student achievement data from the Standardized Testing and Reporting Program, and any other available assessments, for demographically similar student populations in comparison schools; and information submitted by the charter school. The Board shall submit to the SPI copies of supporting documentation and a written summary of the basis for its determination.

A charter renewal may not be granted to a charter school prior to 30 days after the school submits related materials.

5. The charter school qualifies for an alternative accountability system pursuant to Education Code 52052(h).

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

Revocations

The Board may revoke a charter whenever it finds that the charter school has done any of the following: (Education Code 47607)

1. Committed a material violation of any of the conditions, standards or procedures set forth in the charter
2. Failed to meet or pursue any of the student outcomes identified in the charter
3. Failed to meet generally accepted accounting principles or engaged in fiscal mismanagement
4. Violated any provision of law

Prior to revocation, the Board shall notify the charter school of any violation(s) listed in items #1-4 above and give the school a reasonable opportunity to remedy the violation(s) unless the Board determines, in writing, that the violation(s) constitutes a severe and imminent threat to the health or safety of the students. (Education Code 47607)

CHARTER SCHOOLS (continued)

If the charter school does not successfully remedy the above violation(s), the Board shall provide the charter school with a written notice of intent to revoke the charter and notice of facts in support of revocation. No later than 30 days after providing the notice of intent to revoke the charter, the Board shall hold a public hearing, in the normal course of business, on the issue of whether evidence exists to revoke the charter. No later than 30 days after the public hearing, unless the Board and the charter school agree to a 30-day extension, the Board shall issue its final decision as to whether or not to revoke the charter. The Board shall not revoke a charter unless the action is supported by written factual findings supported by substantial evidence specific to the charter school. A decision to revoke a charter shall be reported to the County Board of Education and the CDE. (Education Code 47607)

Requirements for Charter Schools

In providing general oversight of a charter school, the Board shall determine whether the school meets the legal requirements applicable to charter schools. Each charter school shall:

1. Be nonsectarian in its programs, admission policies, employment practices and all other operations (Education Code 47605)
2. Not charge tuition (Education Code 47605)
3. Not discriminate against any student on the basis of ethnicity, national origin, gender or disability (Education Code 47605)
4. Adhere to all laws establishing minimum age for public school attendance (Education Code 47610)

(cf. 5111 - Admission)

5. Serve students who are California residents and who, if over 19 years of age, are continuously enrolled in a public school and making “satisfactory progress” toward a high school diploma as defined in 5 CCR 11965. (Education Code 47612)
6. Serve students with disabilities in the same manner as such students are served in other public schools (Education Code 47646, 56145)

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

(cf. 6159 - Individualized Education Program)

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

CHARTER SCHOOLS (continued)

7. Admit all students who wish to attend the school, according to the following criteria and procedures:
 - a. Admission to the charter school shall not be determined according to the student's place of residence, or that of his/her parents/guardians, within this state, except that any existing public school converting partially or entirely to a charter school shall adopt and maintain a policy giving admission preference to students who reside within the school's former attendance area. (Education Code 47605)

However, if a charter school will be physically located in a public elementary school attendance area in which 50 percent or more of the student enrollment is eligible for free or reduced price meals, it may also establish an admissions preference for students who are currently enrolled in the public elementary school and for students who reside in the public school attendance area. (Education Code 47605.3)
 - b. If the number of students who wish to attend the charter school exceeds the school's capacity, attendance shall be determined by a public random drawing, except that preferences shall be extended to students currently attending the charter school and students who reside in the district, except as provided for in Education Code 47614.5. In the event of a drawing, the Board shall make reasonable efforts to accommodate the growth of the charter school and shall not take any action to impede the charter school from expanding enrollment to meet student demand. (Education Code 47605)
 - c. Other admissions preferences permitted by the Board on an individual school basis as consistent with law.
8. Require its teachers to hold a Commission on Teacher Credentialing certificate, permit or other document equivalent to that which a teacher in other public schools would be required to hold. (Education Code 47605)

(cf. 4112.2 - Certification)

9. Require its teachers of core academic subjects to satisfy requirements for "highly qualified teachers" as defined by the SBE (20USC 6319; 34 CFR 300.18)

(cf. 4112.24 – Teacher Qualifications Under the No Child Left Behind Act)

10. Not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law. (Education Code 44830.1, 45122.1)

(cf. 4112.5 /4312.5 - Criminal Record Check)

(cf. 4212.5 - Criminal Record Check)

CHARTER SCHOOLS (continued)

11. Meet the requirements of Education Code 47611 regarding the State Teachers' Retirement System. (Education Code 47610)
12. Meet the requirements of Government Code 3540-3549.3 related to collective bargaining in public education employment. (Education Code 47611.5)
13. If applicable, meet federal requirements for qualifications of paraprofessionals working in programs supported by Title I funds (20 USC 6319)

(cf. 4222 – Teacher Aides/Paraprofessionals)

14. Meet all statewide standards and conduct the student assessments required by Education Code 60605 and 60851 and any other statewide standards or student assessments applicable to noncharter public schools. (Education Code 47605, 47612.5)

(cf. 6011 - Academic Standards)

(cf. 6162.51- Standardized Testing and Reporting Program)

(cf. 6162.52 – High School Exit Examination)

15. Offer at least the number of instructional minutes set forth in Education Code 47612.5 for the grade levels provided by the charter school. (Education Code 47612.5)

(cf. 6111 - School Calendar)

16. Meet the requirements of Education Code 51745-51749.3 if it provides independent study, except that it may be allowed to offer courses required for graduation solely through independent study as an exception to Education Code 51745(e). (Education Code 47612.5, 51747.3; 5 CCR 11705)

(cf. 6158 - Independent Study)

17. Identify and report to the Superintendent of Public Instruction any portion of its average daily attendance that is generated through nonclassroom-based instruction, including but not limited to independent study, home study, work study, and distance and computer-based education. (Education Code 47612.5, 47634.2)
18. On a regular basis, consult with parents/guardians and teachers regarding the school's educational programs. (Education Code 47605)
19. Maintain written contemporaneous records that document all student attendance and make these records available for audit and inspection. (Education Code 47612.5)

CHARTER SCHOOLS (continued)

20. If a student subject to compulsory full-time education is expected or leaves the charter school without graduating or completing the school year for any reason, notify the Superintendent of the school district of the student's last known address within 30 days and, upon request, provide that district with a copy of the student's cumulative record, including a transcript of grades or report card, and health information (Education Code 47605)
21. By January 1, 2007, comply with the California Building Standards Code as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the charter school is located, unless the charter school facility meets either of the following conditions: (Education Code 47610, 47610.5)
 - a. The facility complies with the Field Act pursuant to Education Code 17280-17317 and 17365-17374.
 - b. The facility is exclusively owned or controlled by an entity that is not subject to the California Building Standards Code, including, but not limited to, the federal government.
22. Promptly respond to all reasonable inquiries from the district, the county office of education or the Superintendent of Public Instruction, including but not limited to inquiries regarding its financial records. (Education Code 47604.3)
23. Annually prepare and submit financial reports to the district Board and the County Superintendent in accordance with the following reporting cycle:
 - a. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement. (Education Code 47604.33)
 - b. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. (Education Code 47604.33)
 - c. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31. (Education Code 47604.33)
 - d. By September 15, a final unaudited report for the full prior year. The report submitted to the Board shall include an annual statement of all the charter school's receipts and expenditures for the preceding fiscal year. (Education Code 42100, 47604.33)
 - e. By December 15, a copy of the charter school's annual, independent financial audit report for the preceding fiscal year, unless the charter school's audit is encompassed in the district's audit. The audit report shall also be submitted to the state Controller and the CDE. (Education Code 47505)

CHARTER SCHOOLS (continued)

Administrative and Other District Services

The district may charge for the actual costs of supervisorial oversight of a charter school not to exceed one percent of the charter school's revenue. If the district is able to provide substantially rent-free facilities to the charter school, the district may charge actual costs up to three percent of the charter school's revenue for supervisorial oversight. (Education Code 47613)

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

At the request of a charter school, the Superintendent or designee shall create and submit any reports required by the State Teachers' Retirement System and the Public Employees' Retirement System on behalf of the charter school. The charter school may be charged for the actual costs of the reporting services, but shall not be required to purchase payroll processing services from the district as a condition for creating and submitting these reports. (Education Code 47611.3)

Waivers

If a charter school submits to the district an application for a waiver of any state Education Code provisions, the Board shall hold a public hearing on the waiver request no later than 90 days following receipt of the request. (Education Code 33054)

The Superintendent or designee shall subsequently prepare a summary of the public hearing to be forwarded with the waiver request to the State Board of Education. If the Board recommends against approval of the waiver request, it shall set forth the reasons for its disapproval in written documentation that shall be forwarded to the State Board of Education. (Education Code 33054)

CHARTER SCHOOLS (continued)

District Oversight

For each charter school under the Board's authority, the Superintendent shall: (Education Code 47604.32, 47604.33)

1. Identify at least one staff member as a contact person for the charter school
2. Visit the charter school at least annually
3. Ensure that the charter school complies with all reports required of charter schools by law
4. Monitor the fiscal condition of the charter school based on any financial information obtained from the charter school, including, but not limited to, the reports listed above in "Requirements for Charter Schools"
5. Provide timely notification to the CDE if a renewal of the charter is granted or denied, the charter is revoked, or the charter school will cease operation for any reason

Policy Reference UPDATE Service:

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COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION

The Governing Board desires to provide a free appropriate public education to all individuals with disabilities, aged 3 to 21 years, who reside in the district, including children who have been suspended or expelled or placed by the district in a nonpublic, nonsectarian school.

Students shall be referred for special education instruction and services only after the resources of the regular education program have been considered, and where appropriate, utilized. (Education Code 56303)

- (cf. 5144.2 – Suspension and Expulsion/Due Process (Students with Disabilities))*
- (cf. 6146.4 – Differential Graduation and Competency Standards for Students with Disabilities)*
- (cf. 6159 – Individualized Education Program)*
- (cf. 6159.1 – Procedural Safeguards and Complaints for Special Education)*
- (cf. 6159.2 – Nonpublic Nonsectarian School and Agency Services for Special Education)*
- (cf. 6159.3 – Appointment of Surrogate Parent for Special Education Students)*
- (cf. 6159.4 – Behavioral Interventions for Special Education Students)*
- (cf. 6164.4 – Identification and Evaluation of Individuals for Special Education)*
- (cf. 6164.6 – Identification and Education Under Section 504)*

The Special Education Local Plan Area (SELPA) shall administer a local plan and administer the allocation of funds. (Education Code 56195)

- (cf. 1220 – Citizen Advisory Committees)*
- (cf. 1312.3 – Uniform Complaint Procedure)*
- (cf. 3541.2 – Transportation for Students with Disabilities)*
- (cf. 4112.23 – Special Education Staff)*

In order to meet the needs of individuals with disabilities and employ staff with adequate expertise for this purpose, the district participates as a member of the Special Education Local Plan Area (SELPA).

The Superintendent or designee shall extend the district's full cooperation to the SELPA. The policies and procedures of the SELPA shall be applied as policies and regulations of this district, with the exception of those that apply to complaints, unless the local plan specifically authorizes the district to operate under its own policies and regulations.

Legal Reference: (see next page)

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

Legal Reference:

EDUCATION CODE

56000-56001 *Education for individuals with exceptional needs*
56020-56035 *Definitions*
56040-56046 *General provisions*
56048-56050 *Surrogate parents*
56055 *Foster parents*
56060-56063 – *Substitute teachers*
56170-56177 – *Children enrolled in private schools*
56190-56194 *Community advisory committees*
56195-56195.10 *Local plans*
56205-56208 *Local plan requirements*
56213 *Special education local plan areas with small or sparse populations*
56240-56245 *Staff development*
56300-56385 *Identification and referral, assessment, instructional planning, implementation, and review*
56440-56447.1 *Programs for individuals between the ages of three and five years*
56500-56508 *Procedural safeguards, including due process rights*
56520-56524 *Behavioral interventions*
56600-56606 *Evaluation, audits and information*
56836-56836.05 *Administration of local plan*

GOVERNMENT CODE

7579.5 *Surrogate parent, appointment, qualifications, liability*
95000-95029 *California Early Intervention Services Act*

WELFARE AND INSTITUTIONS CODE

361 *Limitations on parental control*
726 *Limitations on parental control*

CODE OF REGULATIONS, TITLE 5

3000-3089 *Regulations governing special education*

UNITED STATES CODE, TITLE 20

1400-1482 *Individuals with Disabilities Act*

UNITED STATES CODE, TITLE 29

794 *Rehabilitation Act of 1973, Section 504*

UNITED STATES CODE, TITLE 42

12101-12213 *Americans with Disabilities Education Act*

CODE OF FEDERAL REGULATIONS, TITLE 34

99.10-99.22 *Inspection, review and procedures for amending education records*
104.1-104.39 *Section 504 of the Rehabilitation Act of 1973*
300.1-300.818 *Assistance to states for the education of children with disabilities, including:*
300.500-300.514 *Due process procedures for parents and children*
303.1-303.654 *Early intervention program for infants and toddlers with disabilities*

Management Resources:

WEB SITES

California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>
U.S. Department of Education, Office of Special Education Programs:
<http://www.ed.gov/about/offices/list/osers/osep>

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION

Definitions

Free appropriate public education (FAPE) means special education and related services that are provided at public expense, under public supervision and direction, and without charge; meet the standards of the California Department of Education, including the requirements of 34 CFR 300.1-300.818; include appropriate preschool, elementary school, or secondary school education for individuals between the ages of 3 and 21; and are provided in conformity with an individualized education program (IEP) that meets the requirements of 34 CFR 300.320-300.324. (34 CFR 300.17, 300.101, 300.104; Education Code 56040)

FAPE applies to students who are suspended or expelled or placed by the district in a nonpublic, nonsectarian school. (34 CFR 300.17, 300.101, 300.104)

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

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

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

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

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION

Specially designed instruction means adapting the content, methodology, or delivery of instruction to address the unique needs of the student that result from the student's disability and to ensure access of the student to the general curriculum, so that the student can meet the educational standards that apply to all students in the district. (34 CFR 300.39)

Note: Pursuant to Government Code 7579.5, when a student is a ward of the court, the district would appoint a surrogate parent only when the court has limited the right of the parent/guardian to make educational decisions for his/her child and the student has no responsible adult, such as a foster parent, to represent him/her. Since Welfare and Institutions Code 361 and 726 require the juvenile court to appoint a responsible adult when the courts limits parental rights, rarely will it be necessary for the district to appoint a surrogate because that appointment would be superseded by the court's appointment of a responsible adult or foster parent. See BP/AR 6159.4 – Appointment of Surrogate Parent for Special Education.

Surrogate parent means an individual assigned to act as a surrogate for the parent/guardian. The surrogate may represent an individual with disabilities in matters relating to identification, assessment, instructional planning and development, educational placement, reviewing and revising the IEP, and in other matters relating to the provision of FAPE to the individual with disability. (34CFR 300.519; Education Code 56050)

(cf. 6159.4 – Appointment of Surrogate Parent for Special Education)

Elements of the Local Plan

The local plan developed by the Special Education Local Plan Area (SELPA) shall include, but not be limited to, the following: (Education Code 56205, 56206)

1. Assurances that policies, procedures, and programs, consistent with state law, regulation, and policy, are in effect as specified in Education Code 56205(a)(1-22) and in conformity with 20 USC 1412(a), 20 USC 1413(a)(1), and 34 CFR 300.201
2. An annual budget plan and annual service plan adopted at a public hearing held by the SELPA
3. A description of programs for early childhood special education from birth through five years of age
4. A description of the method by which members of the public, including parents/guardians of individuals with disabilities who are receiving services under the plan, may address questions or concerns pursuant to Education Code 56205
5. A description of a dispute resolution process
6. Verification that the plan has been reviewed by the community advisory committee in accordance with Education Code 56205

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION

7. A description of the process being utilized to refer students for special education instruction pursuant to Education Code 56303
8. A description of the process being utilized to oversee and evaluate placements in nonpublic, nonsectarian schools and the method for ensuring that all requirements of each student's IEP are being met
9. A description of how specialized equipment and services will be distributed within the local plan area in a manner that minimizes the necessity to service students in isolated sites and maximizes the opportunities to serve students in the least restrictive environment

The local plan, annual budget plan, and annual service plan shall be written in language that is understandable to the general public. (Education Code 56205)

Each entity providing special education shall adopt policies for the programs and services it operates, consistent with agreements adopted pursuant to Education Code 56195.1 and 56195.7. (Education Code 56195.8)

(cf. 3541.2 – Transportation for Students with Disabilities)

(cf. 3542 – School Bus Drivers)

(cf. 4112.23 – Special Education Staff)

(cf. 5144.2 – Suspension and Expulsion (Students with Disabilities))

(cf. 6159 – Individualized Education Program)

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

(cf. 6159.2 – Nonpublic, Nonsectarian School and Agency Services for Special Education)

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

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

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

DISTRICT TECHNOLOGY PLAN

The Governing Board recognizes that technological resources can enhance student achievement by increasing student access to information, developing their technological literacy skills, and providing instruction tailored to student needs. Effective use of technology can also increase the efficiency of the district's noninstructional operations and governance. The Board is committed to the development and maintenance of a districtwide infrastructure and to providing staff professional development that will allow the implementation of existing and new technologies.

(cf. 4040 – Employee Use of Technology)
(cf. 4131 – Staff Development)
(cf. 4222 – Teacher Aides/Paraprofessionals)
(cf. 4231 – Staff Development)
(cf. 4331 – Staff Development)
(cf. 6163.4 – Student Use of Technology)

The Superintendent or designee shall develop a three- to five-year technology plan which:

1. Focuses on the use of technology to improve student achievement and is aligned with the district's vision and goals for student learning

(cf. 000 – Vision)
(cf. 0200 – Goals for the School District)
(cf. 6000 – Concepts and Roles)

2. Contains clear goals for the use of technology based on an assessment of district needs
3. Addresses all components required for state or federal technology grant programs, administered by the California Department of Education, in which the district participates (Education Code 51871.5, 52295.35; 5 CCR 11974; 20 USC 6764; 47 CFR 54.508)
4. Addresses the use of technology to improve district governance, district and school site administration, support services, and communications.

(cf. 0400 – Comprehensive Plans)
(cf. 1113 – District and School Web Sites)
(cf. 358 – District Records)

DISTRICT TECHNOLOGY PLAN

Planning Team

The Superintendent or designee shall appoint a planning team to assist with the development of the technology plan. The recommendations of the committee shall be advisory only and shall not be binding on the Board. The plan shall be submitted to the Board for approval.

(cf. 1220 – Citizen Advisory Committees)

(cf. 9140 – Board Representatives)

Legal Reference:

EDUCATION CODE

10550-10555 Telecommunications standards

11800 K-12 High Speed Network grant program

51006 Computer education and resources

51007 Programs to strengthen technological skills

51865 California distance learning policy

51870-51874 Educational technology

52270-52272 Education technology and professional development grants

52295.10-52295.55 Implementation of federal Enhancing Education Through Technology (EETT) grant program

60010 Instructional materials, definitions

66940-66941 Distance learning

PENAL CODE

502 Computer crimes, remedies

CODE OF REGULATIONS, TITLE 5

11971-11979.5 Enhancing Education Through Technology grants

UNITED STATES CODE, TITLE 20

6751-6777 Enhancing Education Through Technology Act, No Child Left Behind Act, Title II, Part D

UNITED STATES CODE, TITLE 47

254 Universal service discounts (E-rate)

CODE OF FEDERAL REGULATIONS, TITLE 47

54.500-54.523 Universal service support for schools, especially:

54.508 Technology plan

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Education Technology Planning: A Guide for School District, 2001

WEB SITES

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

California Department of Education, Education Technology Office: <http://www.cde.ca.gov/ls/et>

California Learning Resource Network: <http://www.clrn.org>

California Technology Assistance Project: <http://www.ctap.k12.ca.us>

International Society for Technology in Education: <http://www.iste.org>

Technical Support for Education Technology in Schools: <http://www.techsets.org>

Development of Plan

Note: In reviewing district technology plans for purposes of awarding state or federal technology grants (see accompanying Board policy), one of the criteria used by the California Department of Education (CDE) is whether stakeholders from within the district and the community-at-large participated in the planning process. The following optional paragraph reflects participants recommended by the CDE and may be revised to reflect district practice.

The district’s technology plan shall be developed by a planning team which may include, but is not limited to, the Superintendent, district curriculum and technology administrators, site administrators, teachers, library media teachers, classified staff, parents/guardians, students, community members, including members of the business community.

(cf. 1220 – Citizen Advisory Committees)

(cf. 9140 – Board Representatives)

The Superintendent or designee shall present the planning team with its specific duties and responsibilities and a timeline for completing its recommendations and for reporting to the Governing Board.

Plan Components

1. Curriculum
 - a. Teachers’ and students’ current access to technology tools both during the school day and outside of school hours
 - b. The current use of hardware and software to support teaching and learning
 - c. The district’s curricular goals and academic content standards as presented in various district and school site comprehensive planning documents

(cf. 0000 – Vision)

(cf. 0200 – Goals for the School District)

(cf. 0400 – Comprehensive Plans)

(cf. 0420 – School Plans/Site Councils)

(cf. 6011 – Academic Standards)

DISTRICT TECHNOLOGY PLAN (continued)

- d. A list of clear goals and a specific implementation plan to:
 - (1) Use technology to improve teaching and learning by supporting the district's curricular goals and academic content standards
 - (2) Delineate how and when students will acquire technological and information literacy skills needed to succeed in the classroom and the workplace
 - (3) Ensure appropriate access for all students
 - (4) Use technology to make student record keeping and assessment more efficient and supportive of teachers' efforts to meet individual academic needs
 - (5) Use technology to make teachers and administrators more accessible to parents/guardians

(cf. 6020 – Parent Involvement)

(cf. 6143 – Courses of Study)

- e. Benchmarks and a timeline for implementing planned strategies and activities
- f. The process that will be used to monitor whether the strategies and methodologies using technology are being implemented according to the benchmarks and timeline

2. Professional development

- a. Teachers' and administrators' current technology skills and needs for professional development
- b. Clear goals and a specific implementation plan for providing professional development opportunities based on the needs assessment and on the curriculum goals, benchmarks, and timeline described in item #1 above
- c. Benchmarks and a timeline for implementing planned strategies and activities
- d. The process that will be used to monitor whether the professional development goals are being met and the planned professional development activities are being implemented according to the benchmarks and timeline

(cf. 4040 – Employee Use of Technology)

(cf. 4131 – Staff Development)

(cf. 4222 – Teacher Aides/Paraprofessionals)

(cf. 4331 – Staff Development)

DISTRICT TECHNOLOGY PLAN (continued)

3. Infrastructure, hardware, technical support, and software
 - a. The technology hardware, electronic learning resources, networking, and telecommunications infrastructure, physical plant modifications, and technical support needed by teachers, students, and administrators to support the activities in items #1 and 2 above
 - b. The existing hardware, Internet access, electronic learning resources, infrastructure, and technical support currently in place in the district which could be used to support the components described in items #1 and 2 above
 - c. Benchmarks and a timeline for obtaining the hardware, infrastructure, electronic learning resources, and technical support required to support the other components of the plan
 - d. The process that will be used to monitor whether the goals and benchmarks are being reached within the specified time frame
4. Funding and budget
 - a. All costs and the current budget associated with implementing each component of the plan
 - b. Existing and potential funding sources
 - c. Options for reducing costs
 - d. Annual budgets for the term of the plan
 - e. Provision of ongoing technical support
 - f. The district's policy for replacing obsolete equipment
 - g. A process for monitoring progress and updating funding and budget decisions

(cf. 3100 – Budget)

DISTRICT TECHNOLOGY PLAN (continued)

5. Appropriate and ethical use of technology (Education Code 51871.5)
 - a. Appropriate and ethical use of information technology in the classroom
 - b. Internet safety
 - c. The manner in which to avoid committing plagiarism
 - d. The concept, purpose, and significance of a copyright so that students are equipped with the skills necessary to distinguish lawful from unlawful online downloading
 - e. The implications of illegal peer-to-peer network file sharing

(cf. 5131 – Conduct)

(cf. 6162.54 – Test Integrity/Test Preparation)

(cf. 6162.6 – Use of Copyrighted Materials)

(cf. 616..4 – Student Use of Technology)

6. Monitoring and evaluation
 - a. A process for evaluating the impact of technology on student learning using the goals and benchmarks for each component of the plan
 - b. A schedule for evaluating the effect of plan implementation on student achievement
 - c. How and when the results of the monitoring process and evaluation will be used

(cf. 0500 – Accountability)

COMPREHENSIVE SAFETY PLAN

The Governing Board recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The Board is fully committed to maximizing school safety and to creating a positive learning environment that teaches strategies for violence prevention and emphasizes high expectations for student conduct, responsible behavior and respect for others.

(cf. 0510 – School Accountability Report Card)

(cf. 5131 - Conduct)

(cf. 5137 – Positive School Climate)

The school site council at each district school shall develop a comprehensive school safety plan relevant to the needs and resources of that particular school. (Education Code 32281)

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

The school safety plan shall take into account the school’s staffing, available resources, and building design, as well as other factors unique to the site.

Each school shall review and update its safety plan by March 1 of each year. New school campuses shall develop a safety plan within one year of initiating operations. (Education Code 32286)

Each school shall forward the safety plan to the Board for approval. (Education Code 32288)

The Board shall review the comprehensive districtwide and/or school safety plan(s) in order to ensure compliance with state law, Board policy and administrative regulation.

The Board shall approve the plan at a regularly scheduled meeting.

(cf. 9322 – Agenda/Meeting Materials)

The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (Education Code 32282)

(cf. 1340 – Access to District Records)

By October 15 of each year, the Superintendent or designee shall notify the California Department of Education of any schools that have not complied with the requirements of Education Code 32281. (Education Code 32288)

COMPREHENSIVE SAFETY PLAN (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of sex discrimination
32260-32262 Interagency School Safety Demonstration Act of 1985
32270 School Safety cadre
32280-32289 School safety plan
32290 Safety devices
35147 School site councils and advisory committees
35183 School dress code; uniforms
35291 Rules
35291.5 School-adopted discipline rules
35294.10-35294.15 School Safety and Violence Prevention Act
41510-41514 School Safety Consolidated Competitive Grant Program
48900-48927 Suspension and expulsion
48950 Speech and other communication
49079 Notification to teacher; student who has committed acts constituting grounds for suspension or expulsion
67381 Violent crime

PENAL CODE

11164-11174.3 Child Abuse and Neglect Reporting Act

CALIFORNIA CONSTITUTION

Article I, Section 28(c) Right to Safe Schools

CODE OF REGULATIONS, TITLE 5

11992-11993 Definition, persistently dangerous schools
11987-11987.7 School Community Violence Prevention Program requirements

UNITED STATES CODE, TITLE 20

7101-7165 Safe and Drug Free Schools and Communities, especially:

7114 Application for local educational agencies
7912 Transfer from persistently dangerous schools

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

Management Resources:

CSBA PUBLICATIONS

911! *A Manual for Schools and the Media During a Campus Crisis*, 2001
Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1999

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Safe Schools: A Planning Guide for Action, 2002

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Practical Information on Crisis Planning: A Guide for Schools and Communities, January 2007
Early Warning, Timely Response: A Guide to Safe Schools, August 1998

WEB SITES

CSBA: <http://www.csba.org>
California Department of Education, Safe Schools: <http://www.cde.ca.gov/lss>
California Office Of Emergency Services: <http://www.oes.ca.gov>
California Seismic Safety Commission: <http://www.seismic.ca.gov>
Center for Effective Collaboration and Practice: <http://cecp.air.org>
Federal Bureau of Investigation: <http://www.fbi.gov>
National Alliance for Safe Schools: <http://www.safeschools.org>
National School Safety Center: <http://www.nsscl.org>
U.S. Department of Education, Office of Safe and Drug Free Schools:
<http://www.ed.gov/about/offices/lists/osdfs/index.html>

COMPREHENSIVE SAFETY PLAN

Development and Review of School Site Safety Plan

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

(cf. 0420 - School Plans/Site Councils)

In addition, the school site council may consult with other local agencies as appropriate, including health care and emergency service providers.

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

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

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

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

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

1. The local mayor
2. A representative of the local school employee organization

COMPREHENSIVE SAFETY PLAN (continued)

3. A representative of each parent organization at the school site, including the parent teacher association and parent teacher clubs

(cf. 1230 - School-Connected Organizations)

4. A representative of each teacher organization at the school site

(cf. 4140/4240 - Bargaining Units)

5. A representative of the student body government

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

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

1. A representative of the local churches
2. Local civic leaders
3. Local business organizations

(cf. 1220 - Citizen Advisory Committees)

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

Content of the Safety Plan

The districtwide and/or school site safety plan shall include an assessment of the current status of school crime committee on campus(es) and at school-related functions.

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

1. Child abuse reporting procedures consistent with Penal Code 11164

(cf. 5141.4 - Child Abuse Prevention and Reporting)

COMPREHENSIVE SAFETY PLAN (continued)

2. Routine and emergency disaster procedures including, but not limited to:
 - a. Adaptations for students with disabilities in accordance with the American with Disabilities Act
 - b. An earthquake emergency procedure system in accordance with Education Code 32282

(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 3516.3 - Earthquake Emergency Procedure System)

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

(cf. 1330 – Use of School Facilities)
(cf. 35161.1 – Fire Drills and Fires)
(cf. 3516.2 - Bomb Threats)
(cf. 3516.5 - Emergency Schedules)
(cf. 3543 – Transportation Safety and Emergencies)

3. Policies pursuant to Education Code 48915(c) and other school-designated serious acts which would lead to suspension, expulsion or mandatory expulsion recommendations

(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

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

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

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

(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

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

(cf. 5132 - Dress and Grooming)

COMPREHENSIVE SAFETY PLAN (continued)

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

(cf. 5142 - Safety)

8. A safe and orderly environment conducive to learning

(cf. 5137 - Positive School Climate)

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

(cf. 5144 - Discipline)

10. Hate crime reporting procedures

(cf. 5145.9 - Hate-Motivated Behavior)