

ACCOUNTABILITY

The Governing Board recognizes its responsibilities to ensure accountability to the public for the performance of district schools. The Board shall regularly review the effectiveness of the district's programs, personnel, and fiscal operations, with a focus on the district's effectiveness in improving student achievement. The Board shall establish systems and processes to monitor results and to evaluate the district's progress toward accomplishing the district's vision and goals.

- (cf. 0000 - Vision)*
- (cf. 0200 - Goals for the School District)*
- (cf. 0400 - Comprehensive Plans)*
- (cf. 2140 – Evaluation of the Superintendent)*
- (cf. 3460 – Financial Accountability and Reports)*
- (cf. 4115 – Evaluation/Supervision)*
- (cf. 4215 – Evaluation/Supervision)*
- (cf. 4315 – Evaluation/Supervision)*
- (cf. 6011 - Academic Standards)*
- (cf. 6141 – Curriculum Development and Evaluation)*
- (cf. 6190 – Evaluation of the Instructional Program)*
- (cf. 9000 - Role of the Board)*
- (cf. 9005 - Governance Standards)*
- (cf. 9400 - Board Self-Evaluation)*

The Board and the Superintendent shall agree upon appropriate measures of district, school, and student performance and shall establish a schedule for providing regular reports to the Board and the public regarding district progress.

- (cf. 0510 – School Accountability Report Card)*
- (cf. 1100 – Communication with the Public)*
- (cf. 1112 – Media Relations)*

Opportunities for feedback from students, parents/guardians, staff and community members shall be made available as part of the review and evaluation of district programs and operations.

- (cf. 6020 – Parent Involvement)*

Indicators of district progress in improving student achievement shall include, but not be limited to, the Academic Performance Index (API) established by the state's accountability system and measures of "adequate yearly progress" (AYP) required under the federal accountability system.

- (cf. 0520.1 – High Priority Schools Grant Program)*
- (cf. 0520.2 – Title I Program Improvement Schools)*
- (cf. 0520.3 – Title I Program Improvement Districts)*
- (cf. 6162.5 – Student Assessment)*
- (cf. 6162.51 – Standardized Testing and Reporting Program)*
- (cf. 6162.52 – High School Examination)*

ACCOUNTABILITY (continued)

Following the annual publication of the API and school rankings by the Superintendent of Public Instruction, the Board shall, at a regularly scheduled meeting, discuss the results of each school's annual ranking. (Education Code 52056)

Evaluation results may be used as a basis for identifying and developing strategies to address disparities in achievement among student subgroups, implementing programmatic changes, determining the need for additional support or assistance, awarding incentives or rewards, and establishing other performance-based consequences.

Legal Reference:

EDUCATION CODE

33127-33129 *Standards and criteria for fiscal accountability*

33400-33407 *CDE evaluation of district programs*

44660-44665 *Evaluation of certificated employees*

51041 *Evaluation of the educational program*

52050-52059 *Public Schools Accountability Act*

60640-60649 *Standardized Testing and Reporting Program*

CODE OF REGULATIONS, TITLE 5

15440-15463 *Standards and criteria for fiscal accountability*

UNITED STATES CODE, TITLE 20

6311 *Accountability, adequate yearly progress*

6312 *Local educational agency plan*

6316 *School and district improvement*

CODE OF FEDERAL REGULATIONS, TITLE 34

200.13-200.20 *Adequate yearly progress*

20030-200.35 *Identification of program improvement schools*

200.36-200.38 *Notification requirements*

200.52-200.53 *District improvement*

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance

WEB SITES

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

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

U.S. Department of Education, No Child Left Behind: <http://www.nclb.gov>

SCHOOL ACCOUNTABILITY REPORT CARD

The Governing Board recognizes its responsibility to inform parents/guardians and the community about the conditions, needs, and progress at each district school and to provide data by which parents/guardians can make meaningful comparisons between schools. The process of gathering and analyzing data also provides opportunities for school and district staff to review achievements and identify areas for improvement.

The Board shall annually issue a school accountability report card (SARC) for each school site. (Education Code 35256)

In preparing the district's report cards, the Superintendent or designee may choose to sue or adapt the model template provided by the California Department of Education. If the model template is not used, the Superintendent or designee shall ensure that data are reported in a manner that is consistent with the definitions for school conditions as provided in the template. At least every three years, the Board shall compare the content of the district's report cards to the state's model template, recognizing the variances are allowed by law as necessary to meet local needs. (Education Code 33126.1, 35256)

The Board shall annually approve the SARCs for all district schools and shall evaluate the data contained in the SARCs as part of the Board's regular review of the effectiveness of the district's programs, personnel, and fiscal operations.

(cf. 0500 - Accountability)
(cf. 6190 - Evaluation of the Instructional Program)
(cf. 9000 - Role of the Board)

The Superintendent or designee shall develop strategies for communicating the information contained in the SARCs to all stakeholders, including opportunities for staff and the community to discuss their content.

(cf. 0420 - School Plans/Site Councils)
cf. 1100 - Communication with the Public)
(cf. 1112 - Media Relations)

Notification and Dissemination of SARCs

The Superintendent or designee shall annually publicize the issuance of the SARCs and notify parents/guardians that a paper copy will be provided upon request. On or before February 1 of each year, the Superintendent of designee shall make the SARCs available in paper copy and on the Internet. (Education Code 35256)

(cf. 5145.6 - Parental Notifications)

SCHOOL ACCOUNTABILITY REPORT CARD

Legal Reference:

EDUCATION CODE

1240 County superintendent, general duties
17002 Definition, including good repair
17015 Plan for building maintenance
17032.5 Portable classroom maintenance
17070.15 School Facilities Act; definitions
17089 Portable classroom maintenance
33126 School Accountability Report Card
33126.1 School Accountability Report Card model template
33126.15 School Accountability Report Card template
33126.2 Secretary of Education school accountability report card study
35256 School Accountability Report Card
35256.1 Information required in the School Accountability Report Card
35258 Internet access to the School Accountability Report Card
41409 Calculation of statewide averages
41409.3 Salary information required in the School Accountability Report Card
46112 Minimum school day for grades 1 through 3
46113 Minimum school day for grades 4 through 8
46117 Minimum kindergarten school day
46141 Minimum school day (high school)
51225.3 Requirements for graduation
52052 Academic performance index
52053 Immediate intervention/underperforming schools program
52056 Meeting growth targets
60119 Textbook sufficiency
60600-60618 General provisions
60640-60648 Standardized testing and reporting program
60800 Physical fitness testing
60850 High school exit examination
60851 High school exit examination
CALIFORNIA CONSTITUTION
Article 16, Section 8.5(e) Allocations to State School Fund
UNITED STATES CODE, TITLE 20
6311 State plans, including local educational agency report cards

Management Resources:

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Report Cards, September 12, 2003

WEB SITES

CSBA, SARC Select: <http://www.csba.org/Services/Services/DistrictServices/SARC.aspx>

~~CDE~~ California Department of Education: <http://www.cde.ca.gov/ta/ac/sa>

U.S. Department of Education, No Child Left Behind Act: <http://www.nclb.gov>

HIGH PRIORITY SCHOOLS GRANT PROGRAM

The Governing Board recognizes that schools demonstrating the lowest performance on state indicators of student achievement need to develop and implement a comprehensive approach to school improvement in order to improve student learning. The Board shall provide all necessary support and assistance to any low-performing district school(s) to help ensure a quality education for all students.

(cf. 0400 - Comprehensive Plans)

(cf. 0500 - Accountability)

(cf. 9000 - Role of the Board)

Whenever the Superintendent of Public Instruction (SPI) invites any district school ~~is invited~~ to participate in the High Priority Schools Grant Program, the Board shall hold a public hearing at a regularly scheduled meeting to discuss whether or not to apply for participation and how to address the needs of the school and its students. If it is determined that the school will not accept the invitation to participate, the Board shall hold a public hearing at a regularly scheduled meeting to discuss the reasons and rationale for the decision and to explain how the district intends to address the needs of the school and students. Neither of these discussions shall be placed on the consent calendar. (Education Code 52055.615)

(cf. 9322 – Agenda/Meeting Materials)

When the Board holds any such public hearing required for this program, written notice shall be sent to representative parent organizations, including the parent-teacher association, parent-teacher clubs, and school site councils, and may also be sent directly to parents/guardians in accordance with Education Code 48985. Notice also shall be sent to all local major media outlets, the local mayor, all members of the city council, all members of the county board of supervisors, the County Superintendent of Schools, and the County Board of Education. (Education Code 52055.615)

The Board shall, at a regularly scheduled meeting, approve an action plan for each participating school and certify that it contains all the essential components specified in Education Code 52055.625. (Education Code 52055.630)

(cf. 9322 – Agenda/Meeting Materials)

The Superintendent or designee shall coordinate all school improvement efforts to provide a coherent strategy addressing student needs.

(cf. 0420 - School Plans/Site Councils)

(cf. 0520.2 – Title I Program Improvement Schools)

(cf. 0520.3 – Title I Program Improvement Districts)

(cf. 0520.4 – Quality Education Investment Schools)

(cf. 6020 – Parent Involvement)

The Board shall closely monitor the progress of any school participating in the program. The Superintendent or designee shall provide the Board with regular reports on the status and results of school improvement efforts.

HIGH PRIORITY SCHOOLS GRANT PROGRAM (continued)

As necessary, the Board may direct the school site council to review and revise the school action plan in order to raise student achievement. In the event that school improvement efforts do not produce adequate growth in achievement after two or more years of receiving program funding to implement the action plan, the Board shall cooperate with the SPI and the State Board of Education in the development of strategies to help the school succeed.

*Legal Reference:*EDUCATION CODE

17014 Facilities maintenance

17032.5 Facilities maintenance

17070.75 Facilities maintenance

17089 Facilities maintenance

33126 School accountability report card

33400-33407 CDE evaluation of district programs

41507 Single plan, Pupil Retention Block Grant

41572 Single plan, School and Library Improvement Block Grant

44510-44517 Principal Training Program

45125.1 Criminal background checks for contractors

48985 Parental notifications, languages other than English

51041 Evaluation of the educational program

51101 Rights of parents/guardians

52050-52059 Public Schools Accountability Act, especially:

52053-52055.545 Immediate Intervention/Underperforming Schools Program

52055.600-52055.662 High Priority Schools Grant Program for Low-Performing Schools

52055.700-52055.770 Quality Education Investment Act

52070-52075 High School Pupil Success Act

60119 Sufficiency of textbooks and instructional materials

60640 Standardized Testing and Reporting Program

60810 English language development test

64001 Single plan for student achievement

99220-99227 California Professional Development Institutes

99230-99242 Mathematics and Reading Professional Development Program

CODE OF REGULATIONS, TITLE 5

1030.7-1030.8 Determination of significant academic growth

UNITED STATES CODE, TITLE 20

6301-6578 Academic achievement of the disadvantaged, including:

6318 Parent involvement

6319 Qualifications of highly qualified teachers

6511-6518 Comprehensive School Reform program

*Management Resources:*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONSCohort 2 HPSGP: Questions and AnswersHigh Priority Schools Grant Program: Guidance and ApplicationA Guide and Template for the Single Plan for Student Achievement: A Handbook for School Site Councils, November 2006WEB SITESCSBA: <http://www.csba.org>California Department of Education, HPSGP: <http://www.cde.ca.gov/ta/lp/hp>

HIGH PRIORITY SCHOOLS GRANT PROGRAM

Development of Action Plan

For each school participating in the High Priority Schools Grant Program (HPSGP), an action plan shall be developed, in partnership with the district, by the school site council or, if the school does not have one, by a schoolwide advisory group or school support group whose members are self-selected (Education Code 52055.620)

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

In developing a school action plan, the school and district shall use the technical assistance of district personnel, county offices of education, universities, a state-approved external evaluator, or any other person or entity that has proven successful expertise specific to the challenges inherent in high-priority schools. (Education Code 52055.620)

The district shall involve teachers in the development of the action plan and shall certify that it has met and consulted with the exclusive representative of certificated employees on the plan. (Education Code 52055.630)

In developing the action plan, the school and district shall use the results of the initial needs assessment of the school's current conditions and performance, potential barriers to student achievement, and the nature and coherence of the district's support of the school's instructional program.

The action plan may include any existing plan that the school may have developed for another program, provided it addresses the components listed in Education Code 52055.625. (Education Code 52055.620)

Content of Action Plan

The action plan shall meet the requirements specified in Education Code 52054(d) and (e) and 52055.620. (Education Code 52055.620)

The action plan shall include strategies to address each of the following essential components: (Education Code 52055.625)

1. Student literacy and achievement

The action plan shall include a strategy to increase student literacy and achievement, including necessary attention to the needs of English language learners. At a minimum, this strategy shall include a plan to achieve the following goals:

- a. Provide each student at the school with appropriate instructional materials aligned with state academic content and performance standards

HIGH PRIORITY SCHOOLS GRANT PROGRAM (continued)

(cf. 1312.4 – Williams Uniform Complaint Procedures)
(cf. 6011 - Academic Standards)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

- b. Increase achievement of each significant subgroup at the school on the Academic Performance Index (API) by the end of the implementation period
- c. Increase performance of English language learners at the school on the English language development test required by Education Code 60810 and the achievement tests required by Education Code 60640

(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - Standardized Testing and Reporting Program)
(cf. 6174 - Education for English Language Learners)

- 2. Quality of staff, including highly qualified teachers as required by the federal No Child Left Behind Act and appropriately credentialed teachers for English learners

(cf. 4111 – Recruitment and Selection)
(cf. 4112.2 – Certification)
(cf. 4112.22 – Staff Teaching Students of Limited English Proficiency)
(cf. 4112.23 – Special Education Staff)
(cf. 4112.24 – Teacher Qualifications Under the No Child Left Behind Act)

The action plan shall include a strategy to attract, retain and fairly distribute the highest quality staff at the school, including teachers, administrators, and support staff. At a minimum, this strategy shall include a plan to achieve the following goals:

- a. Increase the number of credentialed teachers working at the school site
- b. Increase or target professional development opportunities for teachers related to the goals of the action plan and state English language development standards, including but not limited to participation in professional development institutes established pursuant to Education Code 99220-99226
- c. Ensure that school administrators successfully complete, by the end of the implementation period, a program designed to maximize leadership skills

HIGH PRIORITY SCHOOLS GRANT PROGRAM (continued)

The action plan shall include a strategy, jointly developed by the district and the exclusive bargaining representative of the district's certificated employees, for addressing the distribution of experienced credentialed teachers throughout the district, including an agreement on how they are going to achieve a balance in that distribution. This collaboration shall take place outside of collective bargaining and shall include discussions on ways to maximize current options to recruit credentialed teachers, use regional recruitment centers, ensure that newly hired credentialed teachers are assigned in alignment with the goal of even distribution, and ensure that high-priority schools provide a teaching and learning environment conducive to retaining fully credentialed teachers. (Education Code 52055.620)

(cf. 4140/4240 - Bargaining Units)

3. Parental involvement

The action plan shall include a strategy to change the culture of the school community to recognize parents/guardians as partners in the education of their children and to prepare and educate parents/guardians in the learning and academic progress of their children. At a minimum, this strategy shall include:

- a. A plan to achieve the goal of maintaining or increasing the number and frequency of personal parent/guardian contacts each year at the school site and school-home communications designed to promote parent/guardian support for meeting state standards and core curriculum requirements

(cf. 5020 - Parent Rights and Responsibilities)

4. Facilities maintained in good repair as specified in Education Code 17014, 17032.5, 17070.75, and 17089; curriculum, instructional materials consistent with the requirements of Education Code 60119; and support services

The action plan shall include a strategy to provide an environment that is conducive to teaching and learning and that includes the development of high-quality curriculum and instruction aligned with state content and performance standards and English language development standards to measure progress toward achieving English language proficiency. At a minimum, this strategy shall include the goal of providing adequate logistical support including, but not limited to, curriculum, quality instruction, instructional materials, support services, and supplies for every student.

(cf. 3517 - Facilities Inspection)

(cf. 6141 - Curriculum Development and Evaluation)

HIGH PRIORITY SCHOOLS GRANT PROGRAM (continued)

District/School Liaison Team

The Superintendent or designee and the school site council of a participating school shall establish a district/school liaison team to facilitate communications between the district and school, assist with a self-assessment process, and assist with developing the school's action plan.

Required Professional Development

The district shall provide eligible administrators and teachers, including instructional aides and paraprofessionals, in each participating school with professional development activities pursuant to the Principal Training Program (Education Code 44510-44517) and the Mathematics and Reading Professional Development Program (Education Code 99230-99242), as appropriate. (Education Code 52055.647)

(cf. 4131 – Staff Development)

(cf. 4331 – Staff Development)

Progress Reports

Each year the Superintendent or designee shall submit reports to the Superintendent of Public Instruction for each participating school that meet all the requirements of Education Code 52055.640 and 52055.656. Before submitting the report, the Governing Board shall review, at a regularly scheduled meeting, the school's progress toward achieving its goals. (Education Code 52055.640, 52055.656)

(cf. 0500 - Accountability)

Consequences After 24 Months of Implementation

Note: Pursuant to Education Code 52055.650 and 5 CCR 1030.7-1030.8, consequences for participating schools depend on their progress toward annual percentage growth targets on the Academic Performance Index (API).
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If a school has not met its growth targets on the API each year for 24 months after receiving program funding to implement the school's action plan, the Board may, if so directed by the State Board of Education, take appropriate action and adopt appropriate strategies to provide corrective assistance to the school in order to achieve the components and benchmarks established in the school's action plan. (Education Code 52055.650)

HIGH PRIORITY SCHOOLS GRANT PROGRAM (continued)**Consequences After 35 Months of Implementation**

After 36 months of receiving implementation funding, if a participating school has not met its growth targets each year but has demonstrated “significant growth” as defined in 5 CCR 1030.7-1030.8, it shall continue to be monitored by the SPI. (Education Code 52055.650; 5 CCR 1030.7-1030.8)

If a participating school has neither met its growth targets each year nor demonstrated “significant growth,” it shall be deemed a state-monitored school and shall be subject to the actions specified in Education Code 52055.650, as determined by the SPI and approved by the SBE. The Board shall, at a regularly scheduled public meeting, inform parents/guardians of this fact as well as the fact that the corrective actions specified in Education Code 52055.650(h) may occur. (Education Code 52055.650)

Whenever the corrective action selected by the SPI and SBE provides that the district will enter into a contract with a school assistance and intervention team (SAIT) to provide intensive support and expertise to implement the school reform initiatives in the school’s action plan: (Education Code 52055.650)

1. School staff, site planning teams, administrators, and district staff shall work with the SAIT to improve student literacy and achievement by assessing the degree of implementation of the school’s current action plan, refining and revising the action plan, and making recommendations to maximize the use of fiscal resources and personnel in achieving the goals of the plan. The Superintendent or designee shall provide support and assistance to enhance the work of the team at the targeted school site. A report of recommended corrective actions shall be completed by the SAIT not later than 60 days after assignment of the SAIT to the school.
2. Not later than 90 days after the assignment of the SAIT to the school, the Board shall adopt the team’s initial recommendations at a regularly scheduled meeting. Any subsequent recommendations proposed by the SAIT shall be submitted to the Board and adopted by the Board within 30 days of the submission. The adoption of recommendations shall not be placed on the Board’s consent agenda.

(cf. 9322 – Agenda/Meeting Materials)

3. No less than three times during the year, the Superintendent or designee and the school site shall present the SAIT with data regarding progress toward the goals established by the team’s initial assessment. The data shall be presented to the Board at a regularly scheduled meeting.

HIGH PRIORITY SCHOOLS GRANT PROGRAM (continued)

When a school is deemed to be a state-monitored school, the Board shall: (Education Code 52055.650; 5 CCR 1030.7-1030.8)

1. At a minimum, make the same proportion of fiscal, human, and educational resources available to the school as was available before the school was identified as a state-monitored school, excluding funding for the Immediate Intervention/Underperforming Schools Program and HPSGP
2. Continue its current ownership status with respect to the school site
3. Continue to provide the same insurance coverage with respect to property liability, errors and omissions, and other regularly provided insurance policies
4. Name the SPI and California Department of Education as additional insureds upon transfer of legal rights, duties, and responsibilities to the SPI
5. Continue to provide facilities support including maintenance, if appropriate to the management arrangement, and full school-site participation in bond financing
6. Remain involved with the school throughout the sanctions period

TITLE I PROGRAM IMPROVEMENT SCHOOLS

The Governing Board desires to assist all schools receiving federal Title I funds to achieve adequate yearly progress as defined by the State Board of Education.

(cf. 4112.24 – Teacher Qualifications Under the No Child Left Behind Act)
(cf. 6011 - Academic Standards)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - Standardized Testing and Reporting Program)
(cf. 6171 - Title I Programs)

Whenever a district school is identified as in need of program improvement, the Superintendent or designee shall coordinate improvement efforts with federal, state and local school improvement programs as appropriate and shall develop an improvement plan in accordance with law and as specified in administrative regulation.

(cf. 0420.1 - School-Based Program Coordination)

Depending on the length of time a district school has been identified for program improvement, the Board and Superintendent or designee shall implement opportunities for student transfers, supplemental educational services, other corrective actions and/or restructuring in accordance with law.

(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 6179 – Supplemental Instruction)

The Superintendent or designee shall provide the Board with regular reports on the implementation of the school improvement plan and the effectiveness of program improvement efforts in raising student achievement.

(cf. 6190 - Evaluation of the Instructional Program)
(cf. 9000 - Role of the Board)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

Legal Reference:

EDUCATION CODE

60642.5 California Standards Test

60850-60856 High School Exit Examination

CODE OF REGULATIONS, TITLE 5

13075-13075.4 Supplemental Services

UNITED STATES CODE, TITLE 20

6301 Title I program purpose

6311 Adequate yearly progress

6312 Local educational agency plan

6313 Eligibility of schools and school attendance areas; funding allocation

6316 School improvement

7912 Persistently dangerous schools

CODE OF FEDERAL REGULATIONS, TITLE 34

200.13-200.20 Adequate yearly progress

200.30-200.35 Identification of program improvement schools

200.36-200.38 Notification requirements

200.39-200.43 Requirements for program improvement, corrective action and restructuring

200.44 School choice option

200.45-200.47 Supplemental services

200.48 Funding for transportation and supplemental services

200.49-200.51 State responsibilities

200.52-200.53 District improvement

Management Resources:

CSBA ADVISORIES

Supplemental Educational Services for NCLB: School Districts and County Offices as Providers,
November 2002

The "No Child Left Behind" Act of 2001: Policy Implications for School Districts, July 2002

California's Implementation of the No Child Left Behind Act, July 2003

No Child Left Behind: Update on Federal Regulations and State Board of Education Actions, January
2003

CDE PUBLICATIONS

California's Accountability Workbook

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Public School Choice, February 6, 2004

Supplemental Educational Services, August 22, 2003

WEB SITES

California Department of Education, Program Improvement:

<http://www.cde.ca.gov/ta/ac/ti/programimprov.asp>

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

U.S. Department of Education, No Child Left Behind: <http://www.nclb.gov>

TITLE I PROGRAM IMPROVEMENT SCHOOLS

Definitions

Adequate yearly progress (AYP) encompasses the following four requirements:

1. Annual measurable objectives: Achievement of the statewide annual measurable objectives (AMOs) on English-language arts (ELA) and mathematics assessments (schoolwide/districtwide and subgroups). AMOs are the minimum required percentages of students at proficient or above in each content area.
2. Participation rate: Achievement of 95 percent student participation rate on ELA and mathematics assessments (schoolwide/districtwide and subgroups) or average of 95 percent over a three-year period.
3. Academic Performance Index (API): Growth in the API score of at least one point or a minimum growth API as defined annually by the State Board of Education (SBE) (schoolwide/districtwide).
4. Graduation Rate: Improvement in the graduation rate of at least .1 percent or a graduation rate of 100 percent (schoolwide/districtwide). This applies to high schools and districts with high school students.

At or above the proficient level, for students in grades 2-8, means the percentage of students scoring at the proficient or advanced level on the California Standards Tests. At the high school level, proficiency is determined by equivalent levels on the California High School Exit Examination as determined by the SBE. For special education students, proficient is limited to the performance of the California Alternate Performance Assessment (CAPA).

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6162.52 – High School Exit Examination)

Eligibility for supplemental education services is based on family income. (34 CFR 200.45)

Numerically significant subgroups include economically disadvantaged students, students from major racial and ethnic groups, students with disabilities and students with limited English proficiency. For purposes of determining AYP, a significant subgroup is at least 100 students, or 50 students who represent at least 15 percent of the students to be tested.

Program improvement school is a school receiving federal Title I funds that has failed to make AYP for two or more consecutive school years on the same indicator (i.e., AMOs for ELA and mathematics, participation rate, API, graduation rate).

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

Year One Program Improvement

When any Title I school is identified for Year One Program Improvement: (20 USC 6316)

1. The Superintendent or designee shall provide students enrolled in the school the option of transferring to another district school or charter school that has not been identified for program improvement, as described below under “Student Transfers.”

(cf. 0420.4 – Charter Schools)

2. The principal and school community shall develop or revise a two-year improvement plan in accordance with 20 USC 6316, for approval by the Governing Board.

(cf. 0420 – School Plans/Site Councils)

(cf. 6171 – Title I Programs)

Within 45 days of receiving the plan, the Board shall establish a peer review process to assist with the review of the plan, work with the school as necessary, and approve the plan if it meets the requirements of law. (20 USC 6316)

The school shall implement the improvement plan no later than the beginning of the next full school year following the school’s identification for program improvement, or, if the plan has not been approved prior to beginning the school year, immediately upon approval of the plan. (20 USC 6316)

As the school develops and implements the school plan, the Superintendent or designee shall ensure that the school receives technical assistance either from the district, the California Department of Education, an institution of higher education, a private organization, an educational service agency or another entity with experience in helping schools improve academic achievement, including assistance in: (20 USC 6316)

1. Analyzing state assessment data and other examples of student work to identify and address problems in instruction and/or problems in implementing Title I requirements pertaining to parent involvement, professional development, or school and district responsibilities identified in the school’s Title I plan
2. Identifying and implementing professional development, instructional strategies and methods of instruction that are based on scientifically based research and that have proven effective in addressing the specific instructional issues that caused the school to be identified for school improvement.
3. Analyzing and revising the school’s budget so that the school’s resources are more effectively allocated to the activities most likely to increase student achievement and to remove the school from program improvement status

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

Year Two Program Improvement

For any Title I school that fails to make AYP by the end of the first full school year after being identified for Program Improvement, the Superintendent or designee shall: (20 USC 6316)

1. Continue to provide all elements of Year One Program Improvement
2. Arrange for the provision of supplemental educational services to eligible students from low-income families by a provider with a demonstrated record of effectiveness, as described below under “Supplemental Educational Services”
3. Continue to provide for technical assistance

Year Three Program Improvement

When a school continues to fails to make AYP by the end of the second full school year after identification for program improvement (four consecutive years of failure to make AYP), the Superintendent or designee shall continue to provide all elements of Year One and Year Two Program Improvement. In addition, the Board shall take at least one of the following corrective actions: (20 USC 6316)

1. Replace school staff relevant to the failure
2. Implement a new curriculum and related professional development
3. Significantly decrease management authority at the school level
4. Appoint an outside expert to advise the school
5. Extend the school year or school day for the school
6. Restructure the internal organization of the school

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)**Year Four and Beyond Program Improvement**

For any school that continues to fail to make AYP after one full year of corrective action, the Superintendent or designee shall continue to provide all elements of Year One and Year Two Program Improvement. In addition, the Board shall implement one of the following options for alternative governance and restructuring, consistent with California law: (20 USC 6316)

1. Replace school as a charter school
2. Replace all or most of the school staff relevant to the failure
3. Enter into a contract with an entity with a demonstrated record of effectiveness to operate the school
4. Turn the operation of the school over to the California Department of Education
5. Institute any other major restructuring of the school's governance arrangements that makes fundamental reforms

Notifications

Whenever a school is identified for program improvement, corrective action or restructuring, the Superintendent or designee shall promptly notify parents/guardians of students enrolled in that school. The notification shall include: (20USC 6316)

1. An explanation of what the identification means, and how the school compares in terms of academic achievement to other elementary or secondary schools in the district and state
2. The reasons for the identification
3. An explanation of what the school is doing to address the problem of low achievement
4. An explanation of what the district or state is doing to help the school address the achievement problem
5. An explanation of how parents/guardians can become involved in addressing the academic issues that caused the school to be identified for program improvement
6. An explanation of the option to transfer to another district school or charter school or obtain supplemental educational services

(cf. 5145.6 – Parental Notifications)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

The Superintendent or designee shall disseminate information about corrective actions taken at any district school to the parents/guardians of each student in that school and to the public through such means as the Internet, the media and public agencies. (20 USC 6316)

The Superintendent or designee shall promptly notify teachers and parents/guardians whenever a school is identified for restructuring and shall provide them adequate opportunities to comment before taking action and to participate in developing any plan for restructuring school governance. (20 USC 6316)

All notifications pertaining to program improvement shall be written in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand. (20 USC 6316)

Student Transfers

All students enrolled in a Title I school that is identified for program improvement in Year One and beyond shall be provided an option to transfer to another district school or charter school that: (20 USC 6316; 34 CFR 200.44)

1. Has not been identified for program improvement, corrective action or restructuring
2. Has not been identified by the California Department of Education as a “Persistently dangerous” school pursuant to 20 USC 7912

(cf. 04520 – Comprehensive Safety Plan)
(cf. 5116.1 – Intradistrict Open Enrollment)

Among these students, priority shall be given to the lowest achieving students from low-income families, as defined by the district for purposes of allocating Title I funds. (20 USC 6316)

If two or more district schools are eligible to accept transfers based on criteria listed in items #1-2 above, the district shall provide a choice of more than one such school and shall take into account parent/guardian preferences among the choices offered. (34 CFR 200.44)

School capacity shall not be used to deny transfer opportunities to students. However, the Superintendent or designee may consider capacity in selecting schools that will be offered as alternatives for school choice. The Board may increase capacity in eligible district schools to accommodate all students who wish to transfer.

The transfer option shall be offered not later than the first day of the school year following administration of the assessments that resulted in the identification of the school for program improvement, corrective action or restructuring. (34 CFR 200.44)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

An explanation of the option to transfer to another public school shall be promptly provided to parents/guardians of each student enrolled in an identified school. Such notice shall be provided in an understandable and uniform format and, to the extent practicable, in a language that the parents/guardians can understand. (20 USC 6316)

Notice of the transfer option shall:

1. Inform parents/guardians that their child is eligible to attend another public school due to the identification of the current school as in need of improvement
2. Identify each public school or public charter school that the parent/guardian can select
3. Explain why the choices made available to them may have been limited
4. Provide information on the academic achievement of the school(s) to which the student may transfer (34 CFR 200.37)
5. Explain the provision of transportation to the new school (34 CFR 200.37)

The notice may include other information about the school(s) to which the student may transfer, such as a description of any special academic programs or facilities, the availability of before- and after-school programs, the professional qualifications of teachers in the core academic subjects, and a description of parent involvement opportunities. (34 CFR 200.37)

In addition to mailing notices directly to parents/guardians, the Superintendent or designee shall provide information about transfer options through broader means, such as the Internet, the media, and public agencies serving students and their families. (34 CFR 200.36)

The Superintendent or designee may establish reasonable timelines for parents/guardians to indicate their intent to transfer their child and for the district to notify parents/guardians of the school assignment.

Note: According to the USDOE guidance, parents/guardians do not necessarily have to be guaranteed their first choice of schools. The following optional paragraph reflects language in the guidance that authorizes, but does not require, districts to develop a system of rank-ordering preferences.
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The Superintendent or designee may require parents/guardians to rank-order their preferences from among schools that are eligible to receive transfer students. Parents/guardians may decline their assigned school and remain in their school of origin.

The district shall provide, or shall pay for the provision of, transportation for the student to the public school that student chooses to attend. (20 USC 6316)

(cf. 3540 - Transportation)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

To ensure that transportation may be reasonably provided, the Superintendent or designee may establish transportation zones based on geographic location. Transportation to schools within a zone shall be fully provided, while transportation outside the zone may be partially provided.

Any student who transfers to another school may remain in that school until he/she has completed the highest grade in that school. However, the district shall not be obligated to provide, or pay for the provision of, transportation for the student after the end of the school year that the school of origin is no longer identified for program improvement, corrective action or restructuring. (20 USC 6316; 34 CFR 200.44)

If all district schools are identified for program improvement, corrective action or restructuring, the Board shall, to the extent practicable, establish a cooperative agreement with other local educational agencies in the area for an interdistrict transfer. (20 USC 6316)

(cf. 5117 – Interdistrict Attendance)

Supplemental Educational Services

When required by law, supplemental educational services shall be provided outside the regular school day and shall be specifically designed to increase achievement of eligible students from low-income families on state academic assessments and to assist them in attaining state academic standards. (20 USC 6316)

(cf. 6011 - Academic Standards)

(cf. 6179 – Supplemental Instruction)

When a school is required to provide supplemental educational services, the Superintendent or designee shall annually notify parents/guardians of:

1. The availability of supplemental educational services (20 USC 6316)
2. The identity of approved providers that are within the district or are reasonably available in neighboring local educational agencies (20 USC 6316)
3. The identity of approved providers that are accessible through technology, such as distance learning
4. The services, qualifications and demonstrated effectiveness of each provider (20 USC 6316)
5. The procedures and timelines that parents/guardians must follow to select a provider

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

When the district is an approved service provider, the Superintendent or designee shall be careful to provide parents/guardians with a balanced presentation of the options available to parents/guardians, and shall ensure that they understand their right to select the district or any other service provider.

Within a reasonable period of time established by the Superintendent or designee, parents/guardians shall select a service provider from among those approved by the SBE. Upon request, the Superintendent or designee shall assist parents/guardians in choosing a provider. (20 USC 6316)

The Superintendent or designee shall ensure that eligible students with disabilities, students covered under Section 504 and students with limited English proficiency receive appropriate supplemental educational services with any necessary accommodations or language assistance. (34 CFR 200.46)

If no provider is able to make the services available to such students, the district shall provide these services with necessary accommodations or language assistance, either directly or through a contract. Supplemental educational services shall be consistent with a student's individualized education program or Section 504 plan.

(cf. 6159 – Individualized Education Program)

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

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

(cf. 6174 – Education for English Language Learners)

If available funds are insufficient to provide supplemental educational services to each eligible student whose parents/guardians request those services, priority shall be given to the lowest achieving eligible students. (20 USC 6316)

Once a provider has been selected by a parent/guardian, the Superintendent or designee shall enter into an agreement with the provider. The agreement shall: (20 USC 6316)

1. Require the district to develop, in consultation with the parents/guardians and the provider, a statement of specific achievement goals for the student, how the student's progress will be measured, and a timetable for improving achievement. In the case of a student with disabilities, the statement shall be consistent with the student's individualized education program.
2. Describe how the student's parents/guardians and teacher(s) will be regularly informed of the student's progress.
3. Provide for the termination of the agreement if the provider is unable to meet such goals and timetables.

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

4. Contain provisions with respect to the district making payments to the provider.
5. Prohibit the provider, without written parent/guardian permission, from disclosing to the public the identity of any student eligible for or receiving supplemental educational services.

TITLE I PROGRAM IMPROVEMENT SCHOOLS

PARENTAL NOTIFICATION:

OPTION TO TRANSFER OUT OF PROGRAM IMPROVEMENT SCHOOL

Dear Parent/Guardian:

The _____ School is a Title I school receiving funds through the federal No Child Left Behind (NCLB) Act of 2001. The NCLB requires schools to be assessed each year to determine if they are making adequate yearly progress toward meeting that state’s student academic achievement standards. For the past [number] years, the _____ School has not meet the criteria adopted by the State Board of Education and so has been identified as needing [program improvement/corrective action/restructuring].

Federal law requires that all parents/guardians of students in this school be offered an opportunity to transfer their children to another district school or charter school. Such transfers would take effect on [date].

The following schools are available to accept transfers:

Information about the performance and quality of each available school is enclosed, including information on academic achievement.

Other district schools may not appear on this list because either (1) the school is ineligible to accept transfers in accordance with 20 USC 6316 and 34 CFR 200.44, or (2) the Superintendent has determined that all transfer requests can be accomplished among the above schools.

If you decide you want to transfer your child, please submit your top [number] choices of school on the enclosed form by [date] to the [district office or the principal at your child’s school]. If cannot be guaranteed that your first choice will be available, but your preferences will be considered.

TITLE I PROGRAM IMPROVEMENT SCHOOLS

If you choose to transfer your child, the district will [provide transportation for your child to the new school] [reimburse your costs of transporting your child by private or public transportation] during the time your child's current school is designated as needing [program improvement/corrective action/restructuring].

If you decide to leave your child in his/her current school, please be assured that the school will be developing an improvement plan and undergoing a number of steps to improve the school's performance.

TITLE I PROGRAM IMPROVEMENT SCHOOLS

Exhibit 2

PARENT/GUARDIAN TRANSFER REQUEST BASED ON:

SCHOOL'S PROGRAM IMPROVEMENT STATUS

Instructions: To request a transfer for your child out of a school that has been identified for [program improvement, corrective action or restructuring], please complete the following form and return it by [return date] to [the district office or to the principal at your child's school]. You will be notified by [date] regarding your child's school assignment for the next school year and your options if you decide to decline the school assignment at that time.

Child's Name: _____

Parent/Guardian's Name: _____

Signature: _____

School Child Currently Attends: _____

Please write numbers in the boxes below to rank your top [number] choices of available schools:

[] [school name _____]

[] [school name _____]

[] [school name _____]

If you have any questions, please contact the [district office or principal] at [phone number].

TITLE I PROGRAM IMPROVEMENT SCHOOLS

Exhibit 3

PARENTAL NOTIFICATION:

SUPPLEMENTAL EDUCATIONAL SERVICES

Dear Parent/Guardian:

The _____ School is subject to the accountability requirements of the federal No Child Left Behind Act of 2001 for school receiving Title I funds that fail to make “adequate yearly progress,” as defined by the State Board of Education, toward meeting the state’s student academic achievement standards. In accordance with those requirements, eligible students in the _____ School may receive supplemental educational services (such as tutoring and other supplemental academic enrichment services outside the regular school day) by a provider with a demonstrated record of effectiveness. The district has determined that your child is eligible based on family income.

You are entitled to select supplementary educational services for your child from a list of service providers approved by the State Board of Education. Approved providers that are within the district, are reasonably available in neighboring local educational agencies or are available through technology are listed below. A brief description of the services, qualifications and demonstrated effectiveness of each such provider is enclosed.

Please submit your top [number] choices of service providers on the enclosed form by [date] to [the district office or the principal at your child’s school]. It cannot be guaranteed that your first choice will be available. If funding is insufficient to service all eligible students, or if a particular service provider is unable to serve all students who select that provider, priority will be given to the lowest achieving eligible students in the district.

If you wish assistance in choosing a provider or have nay questions about this program, contact [name] at [phone number].

TITLE I PROGRAM IMPROVEMENT DISTRICTS

The Governing Board shall annually review and analyze the district’s performance in making adequate yearly progress (AYP) toward student achievement standards, in accordance with criteria established by the State Board of Education (SBE). The Board’s review shall include an evaluation of whether district improvement efforts are aligned and adequately focused on increasing achievement levels for all students. As necessary, the Board and Superintendent or designee shall take steps to improve district operations and programs to enable students to achieve proficiency.

(cf. 0500 - Accountability)
(cf. 6011 - Academic Standards)
(cf. 6162.51 – Standardized Testing and Reporting Program)

Early Warning Program

In the event that the district is provided notice by the California Department of Education (CDE) that it is in danger of being identified for program improvement (PI) within two years under the federal No Child Left Behind Act, the Board shall determine whether to participate in the voluntary Early Warning Program. If the Board elects to have the district participate in the program, the district shall conduct a voluntary self-assessment using research-based criteria provided by the CDE and may revise its Title I local educational agency (LEA) plan based on the results of that assessment. (Education Code 52055.57)

(cf. 6171 – Title I Programs)

Year 1-2 PI: Revision and Implementation of LEA Plan

In the event that the district is identified for PI by the CDE, the Superintendent or designee shall, in accordance with law and administrative regulation, notify parents/guardians, administer a district self-assessment process, and revise the LEA plan. (20 USC 6316; Education Code 52055.57)

The revised LEA plan or plan addendum shall be approved by the Board and submitted to the CDE. The Superintendent or designee shall regularly report to the Board regarding the implementation of the plan during Years 1 and 2 of the program.

The Superintendent or designee shall utilize available state and local resources to identify specific problems contributing to low student achievement and provide technical assistance and support to resolve those problems. He/she also shall work closely with individual school sites to raise student achievement in accordance with school plans.

(cf. 0520.1 – High Priority Schools Grant Program)
(cf. 0520.2 – Title I Program Improvement Schools)

TITLE I PROGRAM IMPROVEMENT DISTRICTS

Year 3 PI: Corrective Action

If the district does not make AYP after two year of receiving program funding, the Board shall cooperate with the Superintendent of Public Instruction (SPI) and the SBE in the identification and implementation of appropriate corrective actions.

The Board shall enter into a contract with a district assistance and intervention team (DAIT) whenever the SPI and SBE determine this to be the most appropriate corrective action. Upon receiving a report of recommendations from the DAIT: (Education Code 52055.57, 52059)

1. The Board may, not later than 30 days after completion of the report, appeal to the SPI to be exempted from implementing one or more of the report's recommendations.
2. Not later than 60 days after completion of the report, the Board shall, at a regularly scheduled meeting, adopt the report recommendations, as modified by any exemptions granted by SPI.

The Superintendent or designee shall establish a district leadership team to collaborate with the DAIT in the development and implementation of an action plan to address high-priority needs. This team may include site and district administrators, teacher leaders, special education teachers, English learner experts, fiscal officers, and other key personnel, as appropriate.

The Board and Superintendent of designee shall monitor the district's progress in implementing the DAIT's recommendations and shall continually use student performance data to determine whether additional district or school site changes are necessary to improve student achievement.

Legal Reference:

EDUCATION CODE

52055.57-52055.59 Districts identified or at risk of identification for program improvement

52059 Statewide system of school support

UNITED STATES CODE, TITLE 20

6301 Title I program purpose

6311 Adequate yearly progress

6312 Local educational agency plan

6316 School and district improvement

632 Fiscal responsibilities

CODE OF FEDERAL REGULATIONS, TITLE 34

200.13-200.20 Adequate yearly progress

200.30-200.35 Identification of program improvement schools

200.36-200.38 Notification requirements

200.52-200.53 District improvement

TITLE I PROGRAM IMPROVEMENT DISTRICTS

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Blueprint for District Assistance and Intervention, 2008

2007 Adequate Yearly Progress Report Information Guide, August 2007

A Training Guide for Local Educational Agencies and Schools: Program Improvement, September 2006

U.S. DEPARTMENT OF EDUCATION GUIDANCE

LEA and School Improvement Non-Regulatory Guidance, rev. July 21, 2006

WEB SITES

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

California Department of Education, Program Improvement:

<http://www.cde.ca.gov/ta/ac/ti/programimprov/asp>

U.S. Department of Education, No Child Left Behind: <http://www.nclb.gov>

TITLE I PROGRAM IMPROVEMENT DISTRICTS

Year 1-2 Program Improvement (PI): Revision and Implementation of LEA Plan

Whenever the district is notified that it has been identified for PI under the federal No Child Left Behind Act, the district shall complete all of the following actions:

1. Promptly notify parents/guardians/ of each district student regarding the district's PU status, the reasons for the identification, and how parents/guardians can participate in upgrading the quality of the district's programs. The notification shall be in a format and, to the extent practicable, in a language the parents/guardians can understand. (20 USC 6316)

(cf. 5145.6 – Parental Notifications)

2. Conduct a self-assessment using materials and criteria based on current research and provided by the California Department of Education. (Education Code 52055.57)
3. Contingent upon state funding, contract with a county office of education or another external entity, no later than 90 days after the district is identified for PI and after working with the County Superintendent of School, for both of the following purposes: (Education Code 52055.57)
 - a. Verifying the fundamental teaching and learning needs in district schools as determined by the self-assessment and identifying the specific academic problems of low-achieving students, including a determination as to why the prior Title I local educational agency (LEA) plan failed to increase student academic achievement
 - b. Ensuring that the district receives intensive support and expertise to implement reform initiatives in the LEA plan

(cf. 0520.2 – Title I Program Improvement Schools)

(cf. 6171 – Title I Programs)

4. Within three months after the district's identification for PI, develop or revise the LEA plan in consultation with parents/guardians, school staff, and others. This plan shall reflect the findings of the self-assessment and shall: (20 USC 6316; 34 CFR 200.52; Education Code 52055.57)
 - a. Incorporate scientifically based research strategies that will strengthen the core academic program in district schools
 - b. Identify actions that have the greatest likelihood of improving student achievement in meeting the state's academic achievement standards

TITLE I PROGRAM IMPROVEMENT DISTRICTS

- c. Address the professional development needs of the instructional staff by committing to spending at least 10 percent of the district's allocation of Title I, Part A, funds for professional development

(cf. 4131 – Staff Development)

(cf. 4331 – Staff Development)

- d. Include specific measurable achievement goals and targets for each of the student subgroups identified pursuant to 20 USC 6311, especially those that did not make adequate yearly progress (AYP)
- e. Address the fundamental teaching and learning needs in the district's schools and the specific academic problems of low-achieving students, including a determination of why the district's prior plan failed to bring about increased student academic achievement
- f. Incorporate, as appropriate, student learning activities before school, after school, during the summer, and during any extension of the school year.

(cf. 5148.2 – Before/After School Programs)

(cf. 6176 – Weekend/Saturday Classes)

(cf. 6177 – Summer School)

(cf. 6179 – Supplemental Instruction)

- g.. Specify the responsibilities of the district and the state under the plan, including the district's fiscal responsibilities under 20 USC 6321 and the technical assistance to be provided by the state
- h. Include strategies to promote effective parent/guardian involvement in district schools

(cf. 6020 – Parent Involvement)

- 5. Contingent upon state funding, after working with the County Superintendent or an external verifier, contract with an external provider to provide support and implement recommendations to assist the district in resolving shortcomings identified in the verified self-assessment (Education Code 52055.57)
- 6. Implement the LEA plan expeditiously, but not later than the beginning of the next school year after the school year in which the district administered the assessments that resulted in its PI identification (20 USC 6316; 34 CFR 200.52; Education Code 52055.57)

The district shall exit PI status when it makes AYP for two consecutive years. (20 USC 6316; 34 CFR 200.52; Education Code 52055.57)

TITLE I PROGRAM IMPROVEMENT DISTRICTS

Year 3 PI: Corrective Action

If the district fails to make AYP by the end of the second year in PI, it shall be subject to corrective actions determined by the State Board of Education (SBE). (20 USC 6316; 34 CFR 200.52; Education Code 52055.57)

If the SBE takes any corrective action other than, or in addition to, the appointment of a district assistance and intervention team (DAIT), the Superintendent or designee shall appear before the SBE within Year 3 of PI to review the district's progress. The Superintendent or designee, the DAIT, and/or the County Superintendent shall provide testimony and written data sufficient for the SBE to determine whether an alternative corrective action is needed. (Education Code 52055.57)