

LOMPOC UNIFIED SCHOOL DISTRICT  
 CERTIFICATED HUMAN RESOURCES  
PERSONNEL ACTION ITEMS  
 May 23, 2023

EMPLOYMENT

<u>Name</u>	<u>Assignment</u>	<u>Salary Schedule</u> <u>Placement</u>	<u>Date</u>
Edwards, Jennifer	TBD/Hapgood	1/I	08/10/23
Escobedo-Perez, Jerry	TBD/FILL	2/II	08/10/23
Needham, Bailey	Social Worker/SPED	1/I	07/25/23

K-6 SUMMER SCHOOL TEACHERS

\* Denotes Job Sharing

<u>Name</u>	<u>Assignment</u>	<u>Hourly Rate</u>	<u>Date</u>
Aguilar, Patricia	4 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Aleman, Florentino	1 <sup>st</sup> /2 <sup>nd</sup> Gr DI	\$75.00	06/20/23-07/14/23
Batty, Derek	5 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Bell, Amargiete *	Counselor	\$75.00	06/20/23-07/14/23
Calandro, Michelle	1 <sup>st</sup> Gr	\$75.00	06/20/23-07/14/23
Campbell, Kaitlin *	K	\$75.00	06/20/23-07/14/23
Campos, Margarita	K	\$75.00	06/20/23-07/14/23
Carbajal, Erika	1 <sup>st</sup> Gr DI	\$75.00	06/20/23-07/14/23
Carricaburu, Joan	K	\$75.00	06/20/23-07/14/23
Carrillo Mora, Maria	4 <sup>th</sup> Gr DI	\$75.00	06/20/23-07/14/23
Corona, Veronica	1 <sup>st</sup> Gr DI	\$75.00	06/20/23-07/14/23
Cottam, Shannon	K	\$75.00	06/20/23-07/14/23
Crush, Angela	2 <sup>nd</sup> Gr	\$75.00	06/20/23-07/14/23
Curtis, Hannah	K	\$75.00	06/20/23-07/14/23
Danielson, Lisa	K	\$75.00	06/20/23-07/14/23
Das, Diane	K	\$75.00	06/20/23-07/14/23
Del Rio, Richard	6 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Everett, Teresa	K	\$75.00	06/20/23-07/14/23
Foust, Tracy	3 <sup>rd</sup> Gr	\$75.00	06/20/23-07/14/23
Fowler, Lisa	1 <sup>st</sup> Gr	\$75.00	06/20/23-07/14/23
Franklin, Martha *	3 <sup>rd</sup> Gr	\$75.00	06/20/23-07/14/23
Garcia, Gloria	5 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Garcia, Hector	5 <sup>th</sup> Gr DI	\$75.00	06/20/23-07/14/23
Garcia-Cacique, Maria	K DI	\$75.00	06/20/23-07/14/23
Gavilanes, Valerie	K	\$75.00	06/20/23-07/14/23
Haggerty, Christina *	6 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Hogan, Linda	4 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Hohimer, Randy *	3 <sup>rd</sup> Gr	\$75.00	06/20/23-07/14/23

Hoover, Julia	2 <sup>nd</sup> Gr	\$75.00	06/20/23-07/14/23
Kovach, Stephanie	4 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Luis, Deanne	TK	\$75.00	06/20/23-07/14/23
Martinez, Steven	4 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Massey, Latosha	1 <sup>st</sup> Gr	\$75.00	06/20/23-07/14/23
McGraw, Deanne *	6 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Michels, Jennifer *	1 <sup>st</sup> Gr	\$75.00	06/20/23-07/14/23
Miquelon, Elizabeth	4 <sup>th</sup> Gr DI	\$75.00	06/20/23-07/14/23
Montoya, Brianna	2 <sup>nd</sup> Gr	\$75.00	06/20/23-07/14/23
Morehart, Deanna	1 <sup>st</sup> Gr	\$75.00	06/20/23-07/14/23
Nelson-Neilson, Carrie	K	\$75.00	06/20/23-07/14/23
Ordonez, Amanda	3 <sup>rd</sup> Gr	\$75.00	06/20/23-07/14/23
Paskett, Bridget	K	\$75.00	06/20/23-07/14/23
Penn, Casey	3 <sup>rd</sup> Gr	\$75.00	06/20/23-07/14/23
Perez, Gabriel	3 <sup>rd</sup> Gr	\$75.00	06/20/23-07/14/23
Ricci, Natalie *	1 <sup>st</sup> Gr	\$75.00	06/20/23-07/14/23
Richards, Susan *	1 <sup>st</sup> Gr	\$75.00	06/20/23-07/14/23
Robertson, Kristen	K	\$75.00	06/20/23-07/14/23
Romeling, Jeannette *	TK	\$75.00	06/20/23-07/14/23
Sanchez, Alexis	2 <sup>nd</sup> Gr	\$75.00	06/20/23-07/14/23
Schultz, Haley	6 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Shelley, Theresa	6 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Shroll, Lorraine	2 <sup>nd</sup> Gr	\$75.00	06/20/23-07/14/23
Skahan, Miny	Lit Specialist	\$75.00	06/20/23-07/14/23
Soto, Sarah	Counselor	\$75.00	06/20/23-07/14/23
Steven, Daisy	Lit Specialist	\$75.00	06/20/23-07/14/23
Torres, Jennifer	5 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Uribe, Ana	6 <sup>th</sup> Gr DI	\$75.00	06/20/23-07/14/23
Van Wormer, Linda	K	\$75.00	06/20/23-07/14/23
Vargas Perez, Xochilt	2 <sup>nd</sup> Gr DI	\$75.00	06/20/23-07/14/23
Vasquez, Marion *	Counselor	\$75.00	06/20/23-07/14/23
Weber, Christopher	5 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Willis, JaNessa	3 <sup>rd</sup> Gr	\$75.00	06/20/23-07/14/23
Zahn, Lynda	1 <sup>st</sup> Gr	\$75.00	06/20/23-07/14/23

#### ESY SUMMER SCHOOL TEACHERS

<u>Name</u>	<u>Assignment</u>	<u>Hourly Rate</u>	<u>Date</u>
Barthel, Jason	9-12 <sup>th</sup> MSN	\$75.00	06/20/23-07/14/23
Collingwood, Shannon	4-6 <sup>th</sup> MMSN	\$75.00	06/20/23-07/14/23
Corletto, Eddie	TK-3 <sup>rd</sup> MMSN	\$75.00	06/20/23-07/14/23
Ernst, Geoff	7-8 <sup>th</sup> Gr MMSN	\$75.00	06/20/23-07/14/23
Esparza, Melanie	TK-6 <sup>th</sup> ESN	\$75.00	06/20/23-07/14/23
Gilliland, Andrea	9-12 <sup>th</sup> MMSN	\$75.00	06/20/23-07/14/23
Horton, Jamaica	ATP	\$75.00	06/20/23-07/14/23
Monighetti, Jamie	TK-3 <sup>rd</sup> MMSN	\$75.00	06/20/23-07/14/23

Rhodes, Diane	TK-3 <sup>rd</sup> MMSN	\$75.00	06/20/23-07/14/23
Ruiz, Veronica	4-6 <sup>th</sup> MMSN	\$75.00	06/20/23-07/14/23
Sessler, Vanessa	TK-3 <sup>rd</sup> MMSN	\$75.00	06/20/23-07/14/23
Vargas, Jessica	7-8 <sup>th</sup> Gr ESN	\$75.00	06/20/23-07/14/23
Whatley, Julian	K-3 MMSN	\$75.00	06/20/23-07/14/23

## SECONDARY SUMMER SCHOOL TEACHERS

<u>Name</u>	<u>Assignment</u>	<u>Hourly Rate</u>	<u>Date</u>
Ayers, Kelly	9-12 <sup>th</sup>	\$75.00	06/20/23-07/14/23
Barbata, Adena	7-8 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Basoco, Lawrence	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Bellinger, Jesse	7-8 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Benitez, Kristina	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Cerda, Brady	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Claycamp, Sara	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Conde, Ana Lee	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Enriquez, Octavio	7-8 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Grigorian, Julia	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Hardee, Christopher	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Kesselring, Gary	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Ladwig, Tessa	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Martin, Lucy	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Meza, Abraham	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Montross, Mike	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Munden-Manko, Amber	Counselor	\$75.00	06/20/23-07/14/23
Northam, Samantha	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Nunez, Shawn	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Petersen, Skyler	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Riordan, Cathie	Counselor	\$75.00	06/20/23-07/14/23
Selvy, Brett	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Servin, Nancy	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Sims, Mathew	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Spangler, Cynthia	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Tennant, Margaret	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Townes, Michelle	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Tretyak, Jacqueline	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Troup-Spurlock, Tonya	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Wallace, Brian	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23
Zanella, Sandrine	9-12 <sup>th</sup> Gr	\$75.00	06/20/23-07/14/23

## AUXILLARY SUMMER SCHOOL POSITIONS

<u>Name</u>	<u>Assignment</u>	<u>Hourly Rate</u>	<u>Date</u>
Aguilar, Derek	APE	\$75.00	06/20/23-07/14/23
Belgarde, Amandajane	Psychologist	\$75.00	06/20/23-07/14/23

Shaf, Michael	Psychologist	\$75.00	06/20/23-07/14/23
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ASSIGNMENT CHANGE 22/23 SCHOOL YEAR

<u>Name</u>	<u>Previous Assignment</u>	<u>New Assignment</u>	<u>Date</u>
Scarfe, Katherine	2 <sup>nd</sup> Gr/BV	39-mo Rehire List	03/15/23
Scarfe, Katherine	39-mo Rehire List	TBD/BV	06/10/23

ASSIGNMENT CHANGE 23/24 SCHOOL YEAR

<u>Name</u>	<u>Previous Assignment</u>	<u>New Assignment</u>	<u>Date</u>
Bellinger, Jesse	Substitute	SPED/LHS	08/10/23

LOA 23/24 SCHOOL YEAR

<u>Name</u>	<u>Assignment</u>	<u>Date</u>
Winters, Alisha	3 <sup>rd</sup> Gr/Crestview	07/01/23 – 06/30/26

In accordance with Policy, the following resignations have been accepted:

<u>Name</u>	<u>Assignment</u>	<u>Type of Separation</u>	<u>Date</u>
Frederiksen, Cherie	2 <sup>nd</sup> Gr/La Cañada	Resignation	06/09/23
Halsell, Larissa	Science/LHS	Resignation	06/09/23
Jordan, Taylor	SPED/LHS	Resignation	06/09/23
Koo-Sebresos, Kanani	TK/Hapgood	Resignation	06/09/23
McKeen, Casey	Interim Principal/LVMS	Resignation	06/30/23
Wilson, Luke	Counselor/LHS	Resignation	06/13/23
Winters, Nicole	1 <sup>st</sup> Gr/Miguelito	Resignation	06/09/23

LOMPOC UNIFIED SCHOOL DISTRICT  
CLASSIFIED HUMAN RESOURCES  
PERSONNEL ACTION ITEMS  
May 23, 2023

EMPLOYMENT – Regular

<u>Name</u>	<u>Assignment</u>	<u>Location</u>	<u>Salary Schedule Placement</u>	<u>Date</u>
Guerrero, Mario	Stu. Sup. Aide	HPEL	21/1	5/15/23
Lujan, Roxanne	Stu. Sup. Aide	LCEL	21/1	5/15/23
Vargas, Carolina	Para – SpEd	LHEL	27/3	5/15/23

EMPLOYMENT – Other

<u>Name</u>	<u>Assignment</u>	<u>Salary Schedule Placement</u>	<u>Date</u>
Nunez Chacon, Angelica	SUB CNW I	21/1	5/1/23
Sanchez Lazaro, Araceli	SUB Stu. Sup. Aide	21/1	5/1/23
Calbillo, Jennifer	SUB Stu. Sup. Aide	21/1	5/2/23
Saikeo, Alicia	SUB Paraeducator	24/1	5/2/23
Hinojosa, April	SUB Paraeducator	24/1	5/5/23
Montalban, Hannah	SUB CNW I	21/1	5/5/23
Villa Cruz, Maria I	SUB CNW I	21/1	5/5/23
Apolinar, Luz	SUB CNW I	21/1	5/8/23
Bukowski, Amara	SUB Paraeducator	24/1	5/8/23
Carrillo Sarabia, Gabriel	SUB Custodian	29/1	5/10/23
Gamino Rivas, Josue	SUB Custodian	29/1	5/10/23
Roe, Amber	SUB CNW I	21/1	5/10/23
Culliver, Brooklynn	SUB Stu. Sup. Aide	21/1	5/11/23
Reyes Sanchez, Maria	SUB Stu. Sup. Aide	21/1	5/11/23
Gunawickrema, Ashangika	SUB CNW I	21/1	5/15/23
Uribe Rosales, Maria	SUB Stu. Sup. Aide	21/1	5/15/23

SEPARATIONS

In accordance with Policy 4121, the following resignations have been accepted:

<u>Name</u>	<u>Assignment</u>	<u>Type of Separation</u>	<u>Date</u>
Bedolla, Rosana	Para – SpEd	Resignation	5/5/23
Johnson, Janice	Para – SpEd	Resignation	6/8/23
Kelly, Catherine	CNW II	Retirement	6/8/23
McCree, D’Ani	Paraeducator	Resignation	6/8/23
Pamplin, Jennifer	Stu. Sup. Aide	Resignation	6/8/23

## Lompoc Unified School District

### Declaration of Surplus Property for Agenda of May 23, 2023

QTY	Site	DESCRIPTION	MFG/MODEL	SERIAL NUMBER/VIN NUMBER	LUSD ID Number	REASON FOR SURPLUS
1	VMS	Desktop PC	Dell Optiplex 7010	DPN7L02	106635	obsolete technology
1	VMS	Monitor	IBM ThinkVision	V2-31656	5396	obsolete technology
1	LVMS	Desktop PC	Dell Optiplex 7010	DV7GCZ1	106354	Obsolete technology
1	LVMS	Monitor	Dell P1913t	CN-0PVGRC-74445-3AS-BMMU		Obsolete technology



**LOMPOC UNIFIED SCHOOL DISTRICT  
RESOLUTION  
RECOGNIZING THE MONTH OF JUNE AS PRIDE MONTH**

WHEREAS, the Lompoc Unified School District models, advocates and promotes the inclusive and respectful treatment of all our students and staff; and

WHEREAS Board Policy 0410 prohibits discrimination in its programs and activities based on gender, race and/or sexual orientation, among other characteristics; and

WHEREAS, Pride Month is a federally recognized month and celebrated annually across the United States in June to acknowledge our dynamic LGBTQIA+ community and their contributions to society; and

WHEREAS, LGBTQIA+ Americans have historically existed as a marginalized population, who lived in fear of losing employment, of being ridiculed or ostracized by other Americans, or arrest, and of acts of violence being committed against them because of this part of their identity; and

WHEREAS, Pride Month commemorates the historic Stonewall uprising that represented a turning point which occurred in June 1969, when members of the LGBTQIA+ community bravely resisted police violence and discrimination at the Stonewall Inn in New York City, sparking a pivotal moment in the LGBTQIA+ rights movement by advocating for equality, acceptance, and respect for individuals worldwide; and

WHEREAS, Pride Month serves as a gesture of dedication and commemoration for LGBTQIA+ people, who continue to confront challenges, including social stigma, discrimination, and legal inequalities, in various parts of the world; and

WHEREAS, it is imperative to address the issue of sexual orientation and gender expression-biased bullying, which unfortunately remains prevalent in schools and can have severe detrimental effects on the well-being and educational attainment of LGBTQIA+ students; and

WHEREAS Lompoc Unified School District solidly believes no one should ever be the target of harassment, bullying, or violence; and

WHEREAS, education plays a crucial role in cultivating acceptance, empathy, and respect for LGBTQIA+ children and youth, and it is essential to integrate LGBTQIA+ issues into the curriculum to promote inclusivity and combat stereotypes and prejudice; and

WHEREAS, Pride Month provides an opportunity for the Lompoc Unified School District to honor and celebrate diversity, promote inclusivity, and encourage acceptance of all students, families, and staff

NOW, THEREFORE, BE IT RESOLVED, that the Lompoc Unified School District Board of Education hereby recognizes June as Pride Month and believes that all students, regardless of sexual orientation, gender identity, or gender expression, have the right to a safe, inclusive, and welcoming learning environment that promotes academic and personal success;

BE IT FURTHER RESOLVED that the Lompoc Unified School District Board of Education encourages all schools in the district to recognize and celebrate Pride Month through educational activities, events, and programs that promote understanding, awareness, and respect for LGBTQIA+ people and their contributions to our society.

This Resolution is intended to demonstrate our commitment to creating an inclusive and accepting school environment that promotes the success of all students. We believe that acknowledging and celebrating Pride Month is a crucial step toward creating a more equitable and just society for all.

**PASSED AND ADOPTED** by the Lompoc Unified School District Board of Education at a meeting held on May 23, 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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William "Franky" Caldeira, President  
Lompoc Unified School District  
Board of Education

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Dr. Clara Finneran, Superintendent  
Lompoc Unified School District



Lompoc Unified School District  
Education Services Assistant Superintendent's Office  
Tuesday, May 9, 2023

## **Board Policy Highlights**

From: Brian Jaramillo

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### **0000 Series – Philosophy, Goals, Objectives and Comprehensive Plans**

#### **Board Policy and Administrative Regulation – Local Control Accountability Plan** (revised)

Policy updated to reflect **NEW LAW (AB 181, 2022)** which states, by January 31, 2025, an Individuals with Disabilities Education Act (IDEA) Addendum adopted by the State Board of Education (SBE) shall be completed by districts which are identified by the California Department of Education (CDE) as needing an improvement plan. Additionally, policy is updated to reflect **NEW LAW (AB 181, 2022)** requiring the LCAP parent advisory committee to include at least a parent/guardian of currently enrolled students with disabilities. Policy also updated to reflect **NEW LAW (SB 997, 2022)** which requires, beginning July 1, 2024, districts serving middle or high school students to include two students as full members of the existing parent advisory committee or establish a student advisory committee to provide advice to the Board and the Superintendent or designee.

Regulation updated to reflect **NEW LAW (AB 181, 2022)**, which states Beginning July 1, 2025, if the district is identified by State Board of Education (SBE) as needing an improvement plan related to improvements in services for students with disabilities, the Board shall adopt, and update on an annual basis, an Individual with Disabilities Education Act (IDEA) Addendum, based on the template adopted by SBE.

## Philosophy, Goals, Objectives and Comprehensive Plans

### Local Control and Accountability Plan

The Governing Board desires to ensure the most effective use of available funding to improve outcomes for all students. A comprehensive, data-driven planning process shall be used to identify annual goals and specific actions which are aligned with the district budget and facilitate continuous improvement of district practices.

The Board shall adopt a districtwide local control and accountability plan (LCAP), based on the template adopted by the State Board of Education (SBE), that addresses the state priorities in Education Code 52060 and any local priorities adopted by the Board. The LCAP shall be updated on or before July 1 of each year and, like the district budget, shall cover the next fiscal year and two subsequent fiscal years. (Education Code 52060, 52064; 5 CCR 15494-15497)

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" or are part of any numerically significant student subgroup that is at risk of or is underperforming.

Unduplicated students include students who are eligible for free or reduced-price meals, English learners, and foster youth, as defined in Education Code 42238.01 for purposes of the local control funding formula (LCFF). (Education Code 42238.02)

Numerically significant student subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when there are at least 30 students in the subgroup or at least 15 foster youth or homeless students. (Education Code 52052)

Beginning July 1, 2025, if the district is identified by the California Department of Education (CDE) as needing an improvement plan pursuant to 34 CFR 300.600-300.647, the Board shall adopt, and update on an annual basis, an Individual with Disabilities Education Act (IDEA) Addendum, based on the template adopted by SBE. However, if the district adopts an improvement plan after being identified, but before July 1, 2025, the IDEA Addendum shall be developed upon expiration of the adopted improvement plan, but no later than July 1, 2028, whichever occurs first. The IDEA addendum shall be developed, reviewed, and approved in conjunction with and in the same manner as the LCAP and the annual update to the LCAP, and shall be submitted to CDE within 15 days of adoption by the Board. (Education Code 52064.3)

The Superintendent or designee shall review the school plan for student achievement (SPSA) submitted by each district school pursuant to Education Code 64001 to ensure

## Philosophy, Goals, Objectives and Comprehensive Plans

### Local Control and Accountability Plan (continued)

that the specific actions included in the LCAP are consistent with strategies included in the SPSA. (Education Code 52062)

The LCAP shall also be aligned with other district and school plans to the extent possible in order to minimize duplication of effort and provide clear direction for program implementation.

As part of the LCAP adoption and annual update to the LCAP, the Board shall separately adopt an LCFF budget overview for parents/guardians, based on the template developed by the SBE, which includes specified information relating to the district's budget. The budget overview shall be adopted, reviewed, and approved in the same manner as the LCAP and the annual update. (Education Code 52064.1)

Any complaint that the district has not complied with legal requirements pertaining to the LCAP may be filed pursuant to AR 1312.3 - Uniform Complaint Procedures. (Education Code 52075)

### Plan Development

The Superintendent or designee shall gather data and information needed for effective and meaningful plan development and present it to the Board and community. Such data and information shall include, but not be limited to, data regarding the number of students in student subgroups, disaggregated data on student achievement levels, and information about current programs and expenditures.

The Board shall consult with teachers, principals, administrators, other school personnel, employee bargaining units, parents/guardians, and students in developing the LCAP. Consultation with students shall enable unduplicated students and other numerically significant student subgroups to review and comment on LCAP development and may include surveys of students, student forums, student advisory committees, and/or meetings with student government bodies or other groups representing students. (Education Code 52060; 5 CCR 15495)

### Public Review and Input

The Board shall establish a parent advisory committee to review and comment on the LCAP. The committee shall be composed of a majority of parents/guardians and shall include parents/guardians of unduplicated students as defined above. (Education Code 52063; 5 CCR 15495)

Philosophy, Goals, Objectives and Comprehensive PlansLocal Control and Accountability Plan (continued)

Beginning July 1, 2024, unless a student advisory committee is established to provide advice to the Board and Superintendent, two students shall be included as full members of the parent advisory committee. The students shall serve for a renewable term of one full school year. (Education Code 52063) Student members of the parent advisory committee or the student advisory committee shall represent the diversity of the district's students, including geographical, socioeconomic, cultural, physical, and educational diversity, and particular effort shall be made to reach out to at-risk or disadvantaged students to serve as members of such committees. (Education Code 52063)

Whenever district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the Board shall establish an English learner parent advisory committee composed of a majority of parents/guardians of English learners to review and comment on the LCAP. (Education Code 52063; 5 CCR 15495)

The Superintendent or designee shall present the LCAP to the committee(s) before it is submitted to the Board for adoption, and shall respond in writing to comments received from the committee(s). (Education Code 52062)

The Superintendent or designee shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the LCAP. The notification shall be provided using the most efficient method of notification possible, which may not necessarily include producing printed notices or sending notices by mail. All written notifications related to the LCAP shall be provided in the primary language of parents/guardians when required by Education Code 48985. (Education Code 52062)

As part of the parent/guardian and community engagement process, the district shall solicit input on effective and appropriate instructional methods, including, but not limited to, establishing language acquisition programs to enable all students, including English learners and native English speakers, to have access to the core academic content standards and to become proficient in English. (Education Code 305-306)

The Superintendent or designee shall consult with the administrator(s) of the special education local plan area of which the district is a member to ensure that specific actions for students with disabilities are included in the LCAP and are consistent with strategies included in the annual assurances support plan for the education of students with disabilities. (Education Code 52062)

Philosophy, Goals, Objectives and Comprehensive Plans

Local Control and Accountability Plan (continued)

The Board shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP. The public hearing shall be held at the same meeting as the budget hearing required pursuant to Education Code 42127 and AR 3100 - Budget. (Education Code 42127, 52062)

Adoption of the Plan

The Board shall adopt the LCAP prior to adopting the district budget, but at the same public meeting. This meeting shall be held after the public hearing described above, but not on the same day as the hearing. (Education Code 52062)

The Board may adopt revisions to the LCAP at any time during the period in which the plan is in effect, provided the Board follows the process to adopt the LCAP pursuant to Education Code 52062 and the revisions are adopted in a public meeting. (Education Code 52062)

Submission of Plan to County Superintendent of Schools

Not later than five days after adoption of the LCAP, the district budget, and the budget overview for parents/guardians, the Board shall file the LCAP, the budget, and the budget overview with the County Superintendent of Schools. (Education Code 42127, 52064.1, 52070)

If the County Superintendent sends, by August 15, a written request for clarification of the contents of the LCAP, the Board shall respond in writing within 15 days of the request. If the County Superintendent then submits recommendations for amendments to the LCAP within 15 days of receiving the Board's response, the Board shall consider those recommendations in a public meeting within 15 days of receiving the recommendations. (Education Code 52070)

If the County Superintendent does not approve the district's LCAP, the Board shall accept technical assistance from the County Superintendent focused on revising the plan so that it can be approved. (Education Code 52071)

Monitoring Progress

The Superintendent or designee shall report to the Board, at least annually in accordance with the timeline and indicators established by the Superintendent and the

Philosophy, Goals, Objectives and Comprehensive PlansLocal Control and Accountability Plan (continued)

Board, regarding the district's progress toward attaining each goal identified in the LCAP. Evaluation shall include, but not be limited to, an assessment of district and school performance reported on the California School Dashboard. Evaluation data shall be used to recommend any necessary revisions to the LCAP.

The Superintendent or designee shall seek and/or accept technical assistance or other intervention that may be required pursuant to Education Code 52071 or 52072 or 20 USC 6311 when a school or a numerically significant student subgroup is not making sufficient progress toward the goals in the LCAP.

## Legal Reference:

CALIFORNIA CODE OF REGULATIONS

5 CCR 15494-15497 Local Control and Accountability Plan spending requirements

EDUCATION CODE

305-306	English language education
17002	State School Building Lease-Purchase Law, including definition of good repair
33430-33436	Learning Communities for School Success Program; grants for LCAP implementation
41020	Audits
41320-41322	Emergency apportionments
42127	Public hearing on budget adoption
42238.01-42238.07	Local control funding formula
44258.9	County superintendent review of teacher assignment
47604.33	Submission of reports by charter schools
47606.5	Charter schools, local control and accountability plan
48985	Parental notices in languages other than English
51210	Course of study for grades 1-6
51220	Course of study for grades 7-12
52052	Numerically significant student subgroups
52059.5	Statewide system of support
52060-52077	Local control and accountability plan
52302	Regional occupational centers and programs
52372.5	Linked learning program
54692	Partnership academies
60119	Sufficiency of textbooks and instructional materials; hearing and resolution

Philosophy, Goals, Objectives and Comprehensive Plans

Local Control and Accountability Plan (continued)

Legal Reference: (continued)

EDUCATION CODE: (continued)

60605.8	California Assessment of Academic Achievement; Academic Content Standards Commission
64001	School plan for student achievement
99300-99301	Early Assessment Program

WELFARE AND INSTITUTIONS CODE

300	Dependent child of the court
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CODE OF REGULATIONS, TITLE 5

4600-4670	Uniform complaint procedures
15494-15497	Local control and accountability plan and spending requirements

UNITED STATES CODE, TITLE 20

6311	State plan
6312	Local educational agency plan
6826	Title III funds, local plans

Philosophy, Goals, Objectives and Comprehensive Plans

Local Control and Accountability Plan

Goals and Actions Addressing State and Local Priorities

The district's local control and accountability plan (LCAP) and annual updates shall include, for the district and each district school: (Education Code 52060)

1. A description of the annual goals established for all students and for each numerically significant subgroup as defined in Education Code 52052, including ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. The LCAP shall identify goals for each of the following state priorities:
  - a. The degree to which district teachers are appropriately assigned in accordance with Education Code 44258.9 and fully credentialed in the subject areas and for the students they are teaching; every district student has sufficient access to standards-aligned instructional materials as determined pursuant to Education Code 60119; and school facilities are maintained in good repair as specified in Education Code 17002
  - b. Implementation of the academic content and performance standards adopted by the State Board of Education (SBE), including how the programs and services will enable English learners to access the Common Core State Standards and the English language development standards for purposes of gaining academic content knowledge and English language proficiency
  - c. Parent/guardian involvement and family engagement, including efforts the district makes to seek parent/guardian input in district and school site decision making and how the district will promote parent/guardian participation in programs for unduplicated students, as defined in Education Code 42238.02 and Board policy, and students with disabilities
  - d. Student achievement, as measured by all of the following as applicable:
    - (1) Statewide assessments of student achievement
    - (2) The percentage of students who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University; have successfully



Philosophy, Goals, Objectives and Comprehensive PlansLocal Control and Accountability Plan (continued)

completed career technical education (CTE) sequences or programs of study that align with SBE-approved career technical education standards and frameworks, including, but not limited to, those described in Education Code 52302, 52372.5, or 54692; and have successfully completed both college entrance courses and CTE sequences or programs

- (3) The percentage of English learners who make progress toward English proficiency as measured by the SBE-certified assessment of English proficiency
  - (4) The English learner reclassification rate
  - (5) The percentage of students who have passed an Advanced Placement examination with a score of 3 or higher
  - (6) The percentage of students who demonstrate college preparedness in the Early Assessment Program pursuant to Education Code 99300-99301
- e. Student engagement, as measured by school attendance rates, chronic absenteeism rates, middle school dropout rates, high school dropout rates, and high school graduation rates, as applicable
  - f. School climate, as measured by student suspension and expulsion rates and other local measures, including surveys of students, parents/guardians, and teachers on the sense of safety and school connectedness, as applicable
  - g. The extent to which students have access to and are enrolled in a broad course of study that includes all of the subject areas described in Education Code 51210 and 51220, as applicable, including the programs and services developed and provided to unduplicated students and students with disabilities, and the programs and services that are provided to benefit these students as a result of supplemental and concentration grant funding pursuant to Education Code 42238.02 and 42238.03
  - h. Student outcomes, if available, in the subject areas described in Education Code 51210 and 51220, as applicable

Philosophy, Goals, Objectives and Comprehensive Plans

Local Control and Accountability Plan (continued)

2. Any goals identified for any local priorities established by the Board.
3. A description of the specific actions the district will take during each year of the LCAP to achieve the identified goals, including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state and local priorities specified in items #1-2 above. Such actions shall not supersede provisions of existing collective bargaining agreements within the district.

For purposes of the descriptions required by items #1-3 above, the Board may consider qualitative information, including, but not limited to, findings that result from any school quality review conducted pursuant to Education Code 52052 or any other reviews. (Education Code 52060)

For any local priorities addressed in the LCAP, the Board and Superintendent or designee shall identify and include in the LCAP the method for measuring the district's progress toward achieving those goals. (Education Code 52060)

To the extent practicable, data reported in the LCAP shall be reported in a manner consistent with how information is reported on the California School Dashboard. (Education Code 52060)

Increase or Improvement in Services for Unduplicated Students

The LCAP shall demonstrate how the district will increase or improve services for unduplicated students at least in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students. (5 CCR 15494-15496)

When the district expends supplemental and/or concentration grant funds on a districtwide or schoolwide basis during the year for which the LCAP is adopted, the district's LCAP shall: (5 CCR 15496)

1. Identify those services that are being funded and provided on a districtwide or schoolwide basis
2. Describe how such services are principally directed towards, and are effective in, meeting the district's goals for unduplicated students in the state priority areas and any local priority areas

Philosophy, Goals, Objectives and Comprehensive Plans

Local Control and Accountability Plan (continued)

3. If the enrollment of unduplicated students is less than 55 percent of district enrollment or less than 40 percent of school enrollment, describe how these services are the most effective use of the funds to meet the district's goals for its unduplicated students in the state priority areas and any local priority areas. The description shall provide the basis for this determination, including, but not limited to, any alternatives considered and any supporting research, experiences, or educational theory.

Availability of the Plan

The Superintendent or designee shall prominently post the LCAP, any updates or revisions to the LCAP, including the IDEA Addendum as applicable, and the LCFF budget overview for parents/guardians on the homepage of the district's web site. (Education Code 52064.1, 52064.3, 52065)

Lompoc Unified School District

Adopted: (01/14 10/15 09/18 09/19 01/20) pending 5/23

Lompoc Unified School District  
Education Services Assistant Superintendent's Office  
Tuesday, May 9, 2023

## **Board Policy Highlights**

From: Brian Jaramillo

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### **4000 Series – Personnel**

#### **Board Policy 4331 – Staff Development** (new)

Policy added to define the scope and focus of staff development for District administrative and supervisory staff.

## Personnel

### Professional Development

The Governing Board recognizes that professional development enhances employee effectiveness and contributes to personal growth. Staff development for administrative and supervisory personnel shall be designed to guide institutional improvement, build leadership skills, and enhance overall management efficiency.

The Superintendent or designee shall develop a plan for administrator support and development activities that is based on a systematic assessment of the needs of district students and staff and is aligned to the district's vision, goals, local control and accountability plan, and other comprehensive plans.

The district's staff development program for district and school administrators may include, but is not limited to, the following topics:

1. Personnel management, including best practices on hiring, recruitment, assignment, and retention of staff
2. Effective fiscal management and accountability practices
3. Academic standards and standards-aligned curriculum and instructional materials
4. Leadership training to improve the academic achievement of all students, including capacity building in pedagogies of learning, instructional strategies that meet the varied learning needs of students, and student motivation
5. The use of student assessments, including analysis of disaggregated assessment results to identify needs and progress of student subgroups
6. The use of technology to improve student performance and district operations
7. Creation of safe and inclusive school environments
8. Parental involvement and community collaboration
9. Employee relations
10. Effective school and district planning processes

Personnel

Professional Development (continued)

The district's staff evaluation process may be used to recommend additional staff development for individual employees.

The Superintendent or designee shall evaluate the benefit to staff and students of professional development activities.

Legal References:

EDUCATION CODE

44681-44689

52060-52077

Description

Administrator training and evaluation

Local Control Accountability Plan

Lompoc Unified School District  
Education Services Assistant Superintendent's Office  
Tuesday, May 9, 2023

## **Board Policy Highlights**

From: Brian Jaramillo

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### **6000 Series – Instruction**

#### **Administrative Regulation 6200 – Adult Education** (revised)

Policy updated to reflect NEW LAW (AB 486, 2021) which repeals the authorization for districts in sparsely populated areas to participate in the adult education program administered by the county office of education. Policy also updated to (1) expand the Board's philosophical statement, (2) move material regarding the district's participation in a consortium to be with newly added material of similar content, (3) include that the Board may authorize an adult education student pursuing a high school diploma or a high school equivalency certificate, upon recommendation of the student's adult school or noncredit program of attendance, to attend a community college during any session or term as a special part-time student, and (4) provide that a district may, with the approval of the County Superintendent of Schools and the Superintendent of Public Instruction, contract with another district to provide adult education instruction if the district has an adult school or classes but is unable to maintain that school or class(es) because of an inability to secure a teacher(s) or because of a lack of facilities.

Regulation updated to reorder material related to enrollment, clarify that the exception to the requirement for adult education classes to be located in a facility which is identified as being open to the general public is for programs for adults with disabilities, reflect NEW LAW (AB 486, 2022) which (1) changes the classes/courses which are authorized for apportionment purposes from the Adult Education Program funds, (2) includes that programs for immigrants may include immigrant integration, (3) repeals that a course taken through independent study be required to meet state or local high school graduation requirements, and (4) repeals the authorization for materials purchased from the incidental expense account to be sold to adult school students for use in their classes. Regulation also updated to clarify that programs offering pre-apprenticeship training activities be conducted in coordination with apprenticeship programs approved by the Division of Apprenticeship Standards for the occupation and geographic area, provide that approval for courses be submitted to the California Department of Education regularly, emphasize that no student may be required to participate in independent study, delete material regarding continued engagement in K-12 independent study as not being applicable to this AR, include that fees may be required for enrollment in adult education class(es) before listing the exceptions, and amend language to be more closely aligned with law.

Instruction

Adult Education

The Governing Board believes that education is a lifelong endeavor and that it is important for individuals to continuously develop new skills necessary to participate effectively as citizens, workers, parents/guardians, and family and community members. Eligible adults shall be offered opportunities to enroll in programs and courses that develop academic and workforce skills and, as appropriate, lead to completion of requirements for high school graduation.

The Superintendent or designee shall recommend, for approval by the Board and the California Department of Education, courses to be offered through the district's adult education program.

Adult education classes may be offered any day or evening, including weekends, for such length of time during the school year as determined by the Board. (Education Code 52505)

The Superintendent or designee shall ensure that all teachers of adult education classes possess an appropriate credential issued by the Commission on Teacher Credentialing and have access to high-quality professional development to continuously enhance their knowledge and skills.

Upon recommendation of the administrator of the student's adult school or noncredit program of attendance, the Board may authorize an adult education student pursuing a high school diploma or a high school equivalency certificate to attend a community college during any session or term as a special part-time student. (Education Code 52620)

The Board may award diplomas or certificates to adults and eligible minors enrolled in adult schools upon satisfactory completion of a prescribed course of study in an elementary school program. (Education Code 52508, 52509)

Adult education students who fulfill the district's graduation requirements shall receive a diploma of high school graduation.

If the district has an adult school or classes for adults but is unable to maintain such school or classes because of an inability to secure a teacher(s) or because of a lack of facilities, the district may, with the approval of the County Superintendent of Schools



InstructionAdult Education (continued)

and the Superintendent of Public Instruction, contract with another district for the instruction of such students. (Education Code 52511)

To ensure efficient and coordinated adult education services, the district may join a regional adult education consortium. The district shall participate in the consortium's identification of the educational needs of adults in the region, identification of available funding and services, development and approval of an adult education plan pursuant to Education Code 84906, and implementation of strategies to address the identified needs, improve the effectiveness of district services, and improve students' transitions into postsecondary education and the workforce.

The district's representative to the regional adult education consortium shall be designated by the Board. (Education Code 84905)

The Superintendent or designee shall regularly report to the Board on the effectiveness of the district's adult education program. This report shall include, but not be limited to, the number of adults and high school students participating in the program, student participation in each type of adult education course or class, and the extent to which students successfully completed these programs, including, as applicable, the completion of requirements for the high school diploma or certificate of equivalency.

## Legal Reference:

California Code of RegulationsDescription

5 CCR 10501	Adult education; definition of adult for attendance counting
5 CCR 10508	Records and reports
5 CCR 10530	Counseling and guidance services
5 CCR 10560	Standards of administration
5 CCR 53412	Minimum qualifications for instructors of noncredit courses
5 CCR 80034	Teaching credentials; adult education
5 CCR 80034.5	Adult education; substitute teachers
5 CCR 80036-80036.4	Requirements for designated subjects adult education credential

InstructionAdult Education (continued)

## Legal Reference: (continued)

5 CCR 80040.2-80040.2.7

Programs of personalized preparation for the designated subjects adult education teaching credentialing

Education CodeDescription

Ed. Code 10200

CalWORKs instructional and job training plan

Ed. Code 41975-41976.1

Adult education; authorized classes and courses

Ed. Code 44260.2-44260.3

Credential requirements; designated subjects adult education credential

Ed. Code 44865

Qualifications for independent study teachers

Ed. Code 46191

Attendance for adults in correctional facilities

Ed. Code 46300.1-46300.42

Independent study

Ed. Code 51040

Prescribed courses

Ed. Code 51056

Adult education course of study

Ed. Code 51225.3

High school graduation requirements

Ed. Code 51241

Temporary two-year or permanent exemption from physical education

Ed. Code 51246

Physical education exemptions

Ed. Code 51730-51732

Powers of governing boards (authorization for elementary summer school classes); admissions of adults and minors

Ed. Code 51745

Independent study

Ed. Code 51810-51815

Community service classes

Ed. Code 52500-52523

Adult schools

Ed. Code 52540-52544

Adult English classes

Ed. Code 52550-52556

Classes in citizenship

Ed. Code 52570-52572

Disabled adults

Ed. Code 52610-52616.18

Adult schools; finances

Ed. Code 52620

Attendance at community college as special part-time student

Ed. Code 52651-52656

Immigrant Workforce Preparation Act

Ed. Code 60410

Books for adult classes

Ed. Code 84830

Adult education consortium

Ed. Code 84900-84920

Adult Education Program

Ed. Code 8500-8538

Adult education

W&amp;I Code 11320-11329.5

CalWORKs; education and job training

Instruction

Adult Education (continued)

Legal Reference: (continued)

Federal Code

20 USC 2301-2414

29 USC 3101-3255

29 USC 3271-3333

Description

Strengthening Career and Technical Education  
for the 21st Century Act

Workforce Innovation and Opportunity Act

Adult Education and Family Literacy Act

Lompoc Unified School District

Adopted: (5/75 8/96 6/05 5/11 1/18 10/1) pending 5/23

Instruction

Adult Education

**Enrollment**

For adult education programs, adults include persons age 18 or older and other persons not concurrently enrolled in a regular high school program. However, high school students may be concurrently enrolled in adult education under the conditions specified in the section "Concurrent Enrollment of High School Students" below. (Education Code 52523, 52610)

Adults shall have first priority for enrollment in any adult education class, provided they enroll during the regular enrollment period. (Education Code 52523)

With the exception of programs for adults with disabilities specified in Education Code 52570, adult education classes shall be located in a facility which clearly identifies attendance in the class as being open to the general public. (Education Code 52517, 52570)

**Concurrent Enrollment of High School Students**

High school students may be permitted to enroll in an adult education program, course, or class for sound educational purposes, including, but not limited to, the following: (Education Code 52523)

1. The adult education program, course, or class is not offered in the regular high school curriculum.
2. The student needs the adult education program, course, or class in order to make up deficient credits for graduation from high school
3. The adult education program, course, or class allows the student to gain vocational and technical skills beyond that provided by the regular high school's vocational and technical education program.
4. The adult education program, course, or class supplements and enriches the high school student's educational experience.

InstructionAdult Education (continued)

High school students are expected to enroll in regular high school classes before seeking admission to any similar classes offered in the adult education program. A failed course, however, may be repeated through adult education.

Before enrolling in an adult education class, the high school student shall complete a counseling session that includes the student, the student's parent/guardian, and a certificated representative of the high school. The certificated high school representative shall ensure that the student's school record includes written documentation of the counseling session and both of the following statements: (Education Code 52500.1, 52523)

1. That the student is enrolling voluntarily in the adult education course or class
2. That the enrollment will enhance the student's progress toward meeting educational requirements for high school graduation

The above statement shall be signed by the student, the student's parent/guardian, and the certificated high school representative.

Classes offered in the district's adult education program shall supplement and not supplant the regular high school curriculum. No course required by the district for high school graduation or necessary for students to maintain satisfactory academic progress shall be offered exclusively through the adult education program. (Education Code 52523)

**Programs and Courses**

The district's adult education program shall offer instruction in one or more of the following areas: (Education Code 41976)

1. Programs in elementary and secondary basic skills, including programs leading to a high school diploma or high school equivalency certificate
2. Programs for immigrants eligible for educational services in citizenship, English as a second language, workforce preparation, and immigrant integration
3. Programs that are primarily related to entry or reentry into the workforce

Instruction

Adult Education (continued)

4. Programs that are primarily designed to develop knowledge and skills to assist elementary and secondary students to succeed academically in school
5. Programs for adults with disabilities
6. Short-term career technical education programs with high employment potential
7. Programs offering pre-apprenticeship training activities in coordination with one or more apprenticeship programs approved by the Division of Apprenticeship Standards for the occupation and geographic area.

The district may also offer programs in parenting, family and consumer awareness, English as a second language, classes for older adults, home economics, and health and safety education. Such programs shall not be paid for with Adult Education Program Funds.

The Superintendent or designee shall regularly submit to the California Department of Education for approval the titles of classes that have been approved by the Governing Board to be offered in any of the program areas listed above.

Adults may also be enrolled in community service classes offered by the district. (Education Code 51811)

All adult education programs, courses, and classes and their enrollment period shall be published in the district's catalog of adult education classes provided to the public. (Education Code 52523)

**Independent Study**

The Superintendent or designee may make independent study available as an instructional strategy for students enrolled in adult education as appropriate to meet their individual needs.

Student participation in independent study shall be voluntary and no student shall be required to participate. (Education Code 51747)

Instruction

Adult Education (continued)

**Fees**

The district may require fees for enrollment in an adult education class. However, no fees shall be charged for the following adult education programs or classes: (Education Code 52612, 52613)

1. A class for which high school credit is granted, if the class is taken by an individual who does not hold a high school diploma.
2. A class in an elementary subject or a class in English as a second language or citizenship, unless the student is a nonimmigrant with an F-1 visa status. Any nonimmigrant enrolled in these classes shall be charged a fee to cover the full cost of the instruction, not to exceed actual costs. The fee shall be adopted by the Board at a regular meeting at least 90 days before the beginning of the class for which the fee is charged.

Except for those fees required by law, the payment of fees may be waived in cases of hardship at the recommendation of the Superintendent or designee.

The Board may fix a charge, not to exceed cost, for books furnished to adult education students. In lieu of fixing such charge, books may be loaned to students with the payment of a refundable deposit. (Education Code 60410)

Lompoc Unified School District  
Education Services Assistant Superintendent's Office  
Tuesday, May 23, 2023

## **Board Policy Highlights**

From: Brian Jaramillo

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### **0000 Series – Philosophy, Goals, Objectives and Comprehensive Plans**

#### **0430 - Board Policy and Administrative Regulation - Comprehensive Local Plan for Special Education (revised)**

Policy updated to reflect **NEW LAW (AB 181, 2022)** requiring the State Superintendent of Public Instruction to make publicly available the special education funding each local educational agency (LEA) generates for their Special Education Local Plan Area (SELPA), and for the SELPA, to report to member LEA's the amount of funding each LEA generates for the SELPA.

Regulation updated to reflect **NEW LAW (AB 181, 2022)** which extends the timeline for developing an annual assurances support plan to July 1, 2027. A template for the annual assurances support plan will be developed by CDE by July 1, 2026. Additional minor revisions as necessary for clarity.



Philosophy, Goals, Objectives and Comprehensive Plans

Comprehensive Local Plan for Special Education

The Governing Board recognizes its obligation to provide a free appropriate public education to all individuals with disabilities, aged 3 to 21 years, who reside in the district.

In order to meet the needs of individuals with disabilities, the district shall participate as a member of a Special Education Local Plan Area (SELPA) with other districts and the county office of education pursuant to Education Code 56195.1.

The district shall enter into agreements with other members of the SELPA in accordance with Education Code 56195.1 and 56195.7. Consistent with these agreements, the district shall adopt policies governing the programs and services it operates. (Education Code 56195.8)

The Superintendent or designee shall work with the other members of the SELPA to develop a local plan for the education of individuals with disabilities. The plan shall be approved by the Board and the other members of the SELPA, and shall be submitted to the SPI. (Education Code 56195.1)

Each year, the Superintendent or designee shall provide to the Board any data and/or information regarding the special education funding generated by the district as supplied by the SPI and the SELPA in accordance with Education Code 56836.148.

The local plan shall be reviewed at least once every three years and updated as needed to ensure the information contained in the plan remains relevant and accurate. The local plan shall be updated cooperatively by a committee of representatives of special and regular education teachers and administrators selected by the groups they represent and with participation by parent/guardian members of the community advisory committee, or parents/guardians selected by the community advisory committee, to ensure adequate and effective participation and communication. (Education Code 56195.9)

Special education programs and services shall be reviewed on an ongoing basis. The results of such evaluations shall be used to identify and correct any program deficiencies.

Philosophy, Goals, Objectives and Comprehensive PlansComprehensive Local Plan for Special Education (continued)

## Legal Reference:

**State**

5 CCR 3000-3089  
 Ed. Code 56000-56001  
 Ed. Code 56020-56035  
 Ed. Code 56040-56046  
 Ed. Code 56048-56050  
 Ed. Code 56055  
 Ed. Code 56060-56063  
 Ed. Code 56170-56177  
 Ed. Code 56190-56194  
 Ed. Code 56195-56195.10  
 Ed. Code 56205-56208  
 local plan  
 Ed. Code 56211-56214  
 sparse populations  
 Ed. Code 56240-56245  
 Ed. Code 56300-56385  
 instructional planning  
 Ed. Code 56440-56447.1  
 three and five years  
 Ed. Code 56500-56508  
 rights  
 Ed. Code 56520-56524  
 Ed. Code 56600-56606  
 Ed. Code 56836-56836.05  
 Gov. Code 7579.5  
 liability  
 Gov. Code 95000-95004  
 W&I Code 361  
 W&I Code 726

**Federal**

20 USC 1232g  
 (FERPA) of 1974  
 20 USC 1400-1482  
 29 USC 794  
 34 CFR 104.1-104.39

**Description**

Regulations governing special education  
 Education for individuals with exceptional needs  
 Definitions  
 General provisions  
 Surrogate parents  
 Foster parents  
 Substitute teachers in special education  
 Children enrolled in private schools  
 Community advisory committees  
 Local plans  
 Local plan requirements 56213 Special education  
  
 Special education local plan areas with small or  
  
 Staff development  
 Identification and referral; assessment,  
  
 Programs for individuals between the ages of  
  
 Procedural safeguards, including due process  
  
 Behavioral interventions  
 Evaluation, audits and information  
 Administration of local plan  
 Surrogate parent; appointment, qualification and  
  
 California Early Intervention Services Act  
 Limitations on parental control  
 Limitations on parental control

**Description**

Family Educational Rights and Privacy Act  
  
 Individuals with Disabilities Education Act  
 Rehabilitation Act of 1973; Section 504  
 Section 504 of the Rehabilitation Act of 1973

Philosophy, Goals, Objectives and Comprehensive Plans

Comprehensive Local Plan for Special Education (continued)

Legal Reference: (continued)

34 CFR 300.1-300.818 with disabilities	Assistance to states for the education of students
34 CFR 300.500-300.520 parents and students	Procedural safeguards and due process for
34 CFR 303.1-303.654 with disabilities	Early intervention program for infants and toddlers
34 CFR 99.10-99.22 education records	Inspection, review and procedures for amending
42 USC 12101-12213	Americans with Disabilities Act

## Philosophy, Goals, Objectives and Comprehensive Plans

### 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. (Education Code 56040; 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. (Education Code 56040.1; 34 CFR 300.107, 300.114, 300.117)

#### **Elements of the Local Plan**

The local plan developed by the Special Education Local Plan Area (SELPA) shall include, but not be limited to: (Education Code 56122, 56205, 56206)

1. Policies, procedures, and programs, that are consistent with state laws, regulations, and policies and 20 USC 1412(a), 20 USC 1413(a)(1), and 34 CFR 300.201 governing the following:
  - a. Free appropriate public education
  - b. Full educational opportunity
  - c. Child find and referral
  - d. Individualized education programs, including development, implementation, review, and revision

Philosophy, Goals, Objectives and Comprehensive Plans

Comprehensive Local Plan for Special Education (continued)

- e. Least restrictive environment
- f. Procedural safeguards
- g. Annual and triennial assessments
- h. Confidentiality
- i. Transition from the Infants and Toddlers with Disabilities programs pursuant to 20 USC 1431 to the preschool program
- j. Children in private schools
- k. Compliance assurances, including general compliance with the federal Individuals with Disabilities Education Act (20 USC 1400-1482), Section 504 of the federal Rehabilitation Act of 1973 (29 USC 794), the federal Americans with Disabilities Act of 1990 (42 USC 12101-12213), related federal regulations, and Education Code 56000-56865
- l. A description of the governance and administration of the local plan in accordance with Education Code 56205(a)(12)
- m. Personnel qualification to ensure that personnel, including special education teachers and personnel and paraprofessionals are appropriately and adequately prepared and trained in accordance with Education Code 56058 and 56070 and 20 USC 1412(a)(14) and 1413(a)(3)
- n. Performance goals and indicators
- o. Participation in state and districtwide assessments, including assessments described in 20 USC 6301 et seq. and alternate assessments in accordance with 20 USC 1412(a)(16), and reports relating to assessments
- p. Supplementation of state, local, and other federal funds, including nonsupplantation of funds
- q. Maintenance of financial effort

Philosophy, Goals, Objectives and Comprehensive Plans

Comprehensive Local Plan for Special Education (continued)

- r. Opportunities for public participation before adoption of policies and procedures
  - s. Suspension and expulsion rate
  - t. Access to instructional materials by blind individuals with exceptional needs and others with print disabilities in accordance with 20 USC 1412(a)(23)
  - u. Overidentification and disproportionate representation by race and ethnicity of children as individuals with exceptional needs, including children with disabilities with a particular impairment described in 20 USC 1401 and 1412(a)(24)
  - v. Prohibition of mandatory medication use pursuant to Education Code 56040.5 and 20 USC 1412(a)(25)
- 2. An annual budget plan, including descriptions of the SELPA's allocation plan in accordance with Education Code 56836-56845, all revenues by revenue source received by the SELPA specifically for the purpose of special education, a breakdown of the distribution of funds to each LEA within the SELPA, projected total special education expenditures by each LEA, projected total expenditures by the SELPA and the LEAs within the SELPA, projected funding to be received specifically for regionalized operations, and a breakdown of projected SELPA operating expenditures
  - 3. An annual service plan, describing the services to be provided by each LEA, regardless of whether the LEA participates in the local plan, including the nature of the services and the physical location at which the services will be provided. This description shall demonstrate that all individuals with exceptional needs shall have access to services and instruction appropriate to meet their needs as specified in their individualized education programs.
  - 4. Beginning July 1, 2027, an annual assurances support plan to demonstrate how the SELPA and its participating agencies are coordinating for purposes of assuring effective outcomes for students with disabilities, including a description of:

Philosophy, Goals, Objectives and Comprehensive Plans

Comprehensive Local Plan for Special Education (continued)

- a. Support the governing board of the SELPA will provide to participating agencies in achieving the goals, actions, and services identified in their local control and accountability plans
  - b. The ways in which the governing board of the SELPA will connect participating agencies in need of technical assistance to the statewide system of support
  - c. The services, technical assistance, and support the governing board of the SELPA will provide to meet the required policies, procedures, and programs specified in Education Code 56205
5. A description of programs for early childhood special education from birth through five years of age
6. A description of the method by which members of the public, including parents/guardians of individuals with exceptional needs who are receiving services under the plan, may address questions or concerns pursuant to Education Code 56205
7. A description of a dispute resolution process, including mediation and arbitration to resolve disputes over the distribution of funding, the responsibility for service provision, and the other governance activities specified within the local plan
8. Verification that the plan has been reviewed by the community advisory committee in accordance with Education Code 56205 and that the committee had at least 30 days to conduct this review before submission of the local plan to CDE
9. A description of the process being utilized to refer students for special education instruction pursuant to Education Code 56303
10. A description of the process being utilized to oversee and evaluate placements in nonpublic, nonsectarian schools, the method of ensuring that all requirements of each student's IEP are being met, and a method for evaluating whether the student is making appropriate educational progress

Philosophy, Goals, Objectives and Comprehensive Plans

Comprehensive Local Plan for Special Education (continued)

11. A description of how specialized equipment and services will be distributed within the local plan area in a manner that minimizes the necessity to serve students in isolated sites and maximizes the opportunities to serve students in the least restrictive environment

The local plan, annual budget plan, annual service plan, and annual assurances support plan shall be written in language that is understandable to the general public. They shall be adopted at a public hearing of the SELPA, for which notice of the hearing shall be posted in each school in the SELPA at least 15 days before the hearing. (Education Code 56205)

**Availability of the Plan**

The Superintendent or designee shall post on the district's web site the approved local plan, annual budget plan, annual service plan, and annual assurances support plan and any updates or revisions to the plans. A complete copy of the local plan, annual budget plan, annual service plan, annual assurances support plan, and policies and procedures shall be held on file in the district office and shall be accessible to any interested party. (Education Code 56205.5)



Lompoc Unified School District  
Education Services Assistant Superintendent's Office  
Tuesday, May 23, 2023

## **Board Policy Highlights**

From: Brian Jaramillo

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### **5000 Series – Students**

#### **5141.3 - Administrative Regulation - Health Examinations (revised)**

Regulation updated to reflect **NEW LAW (AB 2329)** which authorizes districts to enter into a memorandum of understanding with a nonprofit eye examination provider to provide eye examinations and eyeglasses to students at a school site. Regulation also updated to reflect **NEW LAW (SB 97)** which requires that beginning on or after January 1, 2023, districts make Type 1 diabetes materials developed by CDE available to parents/guardians when student is first enrolled in elementary school or as part of certain notifications. The first note was changed to a Cautionary Note and updated to clarify that the obligation to perform specified mandated activities is relieved any year that the Budget Act does not provide reimbursement.

## Students

### Health Examinations

The principal at each school shall notify parents/guardians of the rights of students and parents/guardians related to health examinations. (Education Code 48980; 20 USC 1232h)

A parent/guardian may annually file with the principal a written statement withholding consent to the child's physical examination. Any such student shall be exempt from any physical examination but shall be subject to exclusion from attendance when contagious or infectious disease is reasonably suspected. (Education Code 49451; 20 USC 1232h)

### **Vision Tests**

Each student's vision shall be appraised, by the school nurse or other personnel authorized under Education Code 49452, during the kindergarten year or upon first enrollment or entry in a district elementary school and subsequently in grades 2, 5, and 8. However, a student who is tested upon first enrollment or entry in the district in grade 4 or 7 shall not be required to be appraised in the next immediate year. (Education Code 49455)

The vision appraisal shall include tests for visual acuity, including near vision. Male students shall also be tested once for color vision in grade 1 or later and the results of the appraisal shall be entered in the student's health record. (Education Code 49455)

Appraisal of a student's vision may be waived under either of the following conditions: (Education Code 49455)

1. The student's parent/guardian requests a waiver and presents a certificate from a physician/surgeon, physician assistant, or optometrist showing the results of an examination of the student's vision, including visual acuity and, in male students, color vision.
2. The student's parents/guardians file with the principal a written statement that they adhere to the faith or teachings of any well-recognized religious sect, denomination, or organization and, in accordance with its creed, tenets, or principles depend for healing upon prayer in the practice of their religion.

Visual defects or any other defects found as a result of the vision examination shall be reported to the parent/guardian with a request that remedial action be taken to correct or cure the defect. The report of a visual defect, if made in writing, shall be made on a form

## Students

### Health Examinations (continued)

prescribed by the Superintendent of Public Instruction. The report shall not include a referral to any private practitioner. However, the student may be referred to a public clinic or diagnostic and treatment center operated by a public hospital or by the state, county, or city department of public health. (Education Code 49456)

In addition to the vision appraisals described above, the school nurse and/or classroom teacher shall continually and regularly observe students' eyes, appearance, behavior, visual performance, and perception that may indicate vision difficulties. (Education Code 49455)

### **Eye Examinations for the Purpose of Eyeglasses**

In addition to the vision appraisals described above, the district may enter into a memorandum of understanding with a nonprofit eye examination provider, including a mobile provider, to provide noninvasive eye examinations at a district school exclusively for the purpose of providing eyeglasses. (Education Code 49455.5)

Prior to any eye examination, the school shall notify parents/guardians of the upcoming eye examination and include a form that allows them to opt their child out of the examination. Parents/guardians who have submitted a general opt-out written statement in accordance with Education Code 49451 are deemed to have opted out. (Education Code 49455.5)

Parents/guardians whose child receives an eye examination shall be provided a report by the provider in accordance with Education Code 49456. (Education Code 49455.5)

### **Hearing Tests**

The Superintendent or designee shall provide for the administration of hearing tests to district students by personnel authorized to conduct such testing pursuant to Education Code 49452 and 49454 and in accordance with the procedures specified in 17 CCR 2951.

Each student shall be given a hearing screening test at the following times: (17 CCR 2951)

1. Kindergarten or grade 1
2. Grade 2

Students

Health Examinations (continued)

3. Grade 5
4. Grade 8
5. Grade 10 or 11
6. Upon first entry into the California public school system

Each student enrolled in a special education program, other than those enrolled because of a hearing problem, shall be given a hearing test when enrolled in the program and every third year thereafter. Hearing tests may be given more frequently as needed, based on the individualized education program team's evaluation of the student. (17 CCR 2951)

A follow-up hearing threshold test shall be administered to any student who fails to respond to any of the required frequencies in the screening test or is otherwise determined to need further evaluation. (17 CCR 2951)

The Superintendent or designee shall provide written notification of test results to the parents/guardians of any student who fails the hearing tests. When the test results fall within the levels specified in 17 CCR 2951 or there is evidence of pathology, such as an infection of the outer ear, chronic drainage, or a chronic earache, the notification shall include a recommendation that a further medical and audiological evaluation be obtained. (17 CCR 2951)

The dates and results of all screening tests and copies of threshold tests shall be included in the student's health records. (17 CCR 2951)

The principal or designee shall prepare an annual report of the school hearing testing program, using forms provided by the Department of Health Services, with copies to the Superintendent and the County Superintendent of Schools. (17 CCR 2951)

**Scoliosis Screening**

Each female student in grade 7 and each male student in grade 8 shall be screened for scoliosis. (Education Code 49452.5)

The parent/guardian of any student suspected of having scoliosis shall receive a notice which includes an explanation of scoliosis and describes the significance of treatment at

Students

Health Examinations (continued)

an early age. This notice shall also describe the public services available for treatment and include a referral to appropriate community resources. (Education Code 49452.5)

**Type 1 Diabetes Information**

The Superintendent or designee shall provide parents/guardians of children enrolled in elementary school for the first time, or with the annual notifications pursuant to Education Code 48980, an information sheet developed by the California Department of Education (CDE) regarding type 1 diabetes as specified in Education Code 49452.6.

**Type 2 Diabetes Information**

Because type 2 diabetes in children is a preventable and treatable disease, parents/guardians are encouraged to have their child screened by an authorized health care practitioner for risk factors of the disease, including excess weight, and to request tests of their child's blood glucose to determine if the child has type 2 diabetes or pre-diabetes.

The Superintendent or designee shall provide parents/guardians of incoming students in grade 7, or with the annual notifications pursuant to Education Code 48980, an information sheet developed by CDE regarding type 2 diabetes, which includes: (Education Code 49452.7)

1. A description of the disease and its risk factors and warning signs
2. A recommendation that students displaying or possibly suffering from risk factors or warning signs associated with type 2 diabetes be screened for the disease
3. A description of the different types of diabetes screening tests available
4. A description of treatments and prevention methods

The Superintendent or designee may provide information to parents/guardians regarding public or private sources from which they may receive diabetes screening and education services for free or at reduced costs.

Lompoc Unified School District  
Adopted (11/15) pending 6/23

Lompoc Unified School District  
Education Services Executive Director's Office  
Tuesday, May 23, 2023

## **Board Policy Highlights**

From: Brian Jaramillo

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### **6000 Series – Instruction**

#### **6164.4 - Administrative Regulation - Identification and Evaluation of Individuals for Special Education (revised)**

Regulation updated to reflect **NEW LAW (SB 188, 2022)**, requiring each district to designate a main point of contact for coordinating and completing the transition of a child and family from Part C (Early Intervention Program for Infants and Toddlers with Disabilities) to Part B (Assistance for Children with Disabilities) of IDEA.

Instruction

Identification and Evaluation of Individuals for Special Education

The Superintendent or designee shall ensure that the district's child find process includes the collection of data and, at reasonable intervals, the screening of such data to determine if students are making adequate progress, as appropriate.

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

However, the district shall ensure that evaluations of children suspected of having a disability are not delayed or denied because of the implementation of response to intervention strategies.

A parent/guardian or the district may initiate a request for an initial evaluation to determine if the student is a student with a disability. (34 CFR 300.301)

When a verbal referral is made, staff shall offer assistance to the individual to make the request in writing and shall assist the individual if the individual requests such assistance. (5 CCR 3021)

All referrals from school staff for an initial evaluation shall include a brief reason for the referral and description of the regular program resources that were considered and/or modified for use with the student and, when appropriate, the results of intervention. This documentation shall not delay the timelines for completing the assessment plan or assessment. (5 CCR 3021)

**Initial Evaluation for Special Education Services**

Before the initial provision of special education and related services to a student with a disability, the district shall conduct an individual initial evaluation of the student's educational needs related to all areas of suspected disability. (Education Code 56320; 34 CFR 300.301)

Upon receipt of a referral of any student for special education and related services, a proposed evaluation plan shall be developed within 15 calendar days, not counting days between the student's regular school sessions or terms or calendar days of school vacation in excess of five school days, unless the parent/guardian agrees, in writing, to an extension. If the referral is made within 10 days or less prior to the end of the student's regular school year or term, the proposed evaluation plan shall be developed within 10

Instruction

Identification and Evaluation of Individuals for Special Education (continued)

days after the beginning of the next regular school year or term. (Education Code 56043, 56321)

The proposed evaluation plan shall meet all of the following requirements: (Education Code 56321)

1. Be in a language easily understood by the general public
2. Be provided in the native language of the parent/guardian or other mode of communication used by the parent/guardian unless it is clearly not feasible
3. Explain the types of evaluation to be conducted
4. State that no individualized education program (IEP) will result from the evaluation without parent/guardian consent

A copy of the notice of a parent/guardian's rights and procedural safeguards shall be attached to the evaluation plan. (Education Code 56321)

The proposed written evaluation plan shall include a description of recent assessments conducted, including available independent assessments and assessment information requested by the parent/guardian to be considered, as well as information indicating the student's primary language and the student's primary language proficiency as determined by Education Code section 52164.1. (5 CCR 3022)

Before conducting an initial evaluation, the district shall provide the parent/guardian with prior written notice in accordance with 34 CFR 300.503. In addition, as part of the evaluation plan, the parent/guardian shall receive written notice that includes all of the following information: (Education Code 56329; 34 CFR 300.304, 300.502, 300.504)

1. Upon completion of the administration of tests and other evaluation materials, an IEP team meeting that includes the parent/guardian or the parent/guardian's representative shall be scheduled pursuant to Education Code 56341. At this meeting, the team shall determine whether or not the student is a student with disabilities, as defined in Education Code 56026, and shall discuss the evaluation, the educational recommendations, and the reasons for the recommendations.
2. When making a determination of eligibility for special education, the district shall not determine that the student is disabled if the primary factor for such



InstructionIdentification and Evaluation of Individuals for Special Education (continued)

determination is lack of appropriate instruction in reading, including the essential components of reading instruction as defined in 20 USC 6368, lack of appropriate instruction in mathematics, or limited English proficiency, if the student does not otherwise meet the eligibility criteria under 34 CFR 300.8.

3. A copy of the evaluation report and the documentation of determination of eligibility shall be given to the parent/guardian.
4. If the parent/guardian disagrees with an evaluation obtained by the district, the parent/guardian has the right to obtain, at public expense, an independent educational evaluation (IEE) of the student from qualified specialists, in accordance with 34 CFR 300.502. The parent/guardian is entitled to only one such evaluation at public expense each time the district conducts an assessment with which the parent/guardian disagrees.

If the district observed the student in conducting its evaluation, or if its evaluation procedures make it permissible to have in-class observation of the student, an equivalent opportunity shall apply to the IEE. This equivalent opportunity shall apply to the student's current placement and setting as well as observation of the district's proposed placement and setting, if any, regardless of whether the IEE is initiated before or after the filing of a due process hearing proceeding.

5. The district may initiate a due process hearing pursuant to Education Code 56500-56508 to show that its evaluation is appropriate. If the final decision resulting from the due process hearing is that the evaluation is appropriate, the parent/guardian maintains the right for an IEE, but not at public expense.

If the parent/guardian obtains an IEE at private expense, the results of the IEE shall be considered by the district with respect to the provision of a free appropriate public education (FAPE) to the student, and may be presented as evidence at a due process hearing regarding the student. If the district observed the student in conducting its evaluation, or if its evaluation procedures make it permissible to have in-class observation of a student, an equivalent opportunity shall apply to an IEE of the student in the student's current educational placement and setting and in any educational placement and setting proposed by the district, regardless of whether the IEE is initiated before or after the filing of a due process hearing.

6. If the parent/guardian proposes a publicly financed placement of the student in a nonpublic school, the district shall have an opportunity to observe the proposed

InstructionIdentification and Evaluation of Individuals for Special Education (continued)

placement and, if the student has already been unilaterally placed in the nonpublic school by the student's parent/guardian, the student in that proposed placement. Any such observation shall only be of the student who is the subject of the observation and shall not include the observation or evaluation of any other student in the proposed placement unless that other student's parent/guardian consents to the observation or evaluation. The results of any observation or evaluation of another student in violation of Education Code 56329(d) shall be inadmissible in any due process or judicial proceeding regarding FAPE of that other student.

**Parent/Guardian Consent for Evaluations**

Consent means that the parent/guardian: (Education Code 56021.1; 34 CFR 300.9)

1. Has been fully informed, in the parent/guardian's native language or other mode of communication, of all information relevant to the activity for which consent is sought
2. Understands and agrees, in writing, to the carrying out of the activity for which parent/guardian consent is sought and the consent describes that activity and lists the records (if any) that will be released and to whom
3. Understands that the granting of consent is voluntary on the parent/guardian's part and may be revoked at any time
4. Understands that if the parent/guardian revokes consent, that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked). The district is not required to amend the education records of a student to remove any reference to the student's receipt of special education and services if the student's parent/guardian submits a written revocation of consent after the initial provision of special education and related services to the student.

Upon receiving the proposed evaluation plan, the parent/guardian shall have at least 15 days to decide whether to consent to the initial evaluation. The district shall not interpret parent/guardian consent for initial evaluation as consent for initial placement or initial provision of special education services. (Education Code 56321; 34 CFR 300.300)

The district shall make reasonable efforts to obtain the consent of the parent/guardian for

Instruction

Identification and Evaluation of Individuals for Special Education (continued)

an initial evaluation or reevaluation of a student. (Education Code 56321; 34 CFR 300.300, 300.322)

The district shall maintain a record of its attempts to obtain consent, such as: (Education Code 56341.5)

1. Detailed records of telephone calls made or attempted and the results of those calls
2. Copies of correspondence sent to the parent/guardian and any responses received
3. Detailed records of visits made to the parent/guardian's home or place of employment and the results of those visits

If a parent/guardian refuses to consent to the initial evaluation or fails to respond to a request to provide consent, the district may, but is not required to, pursue an evaluation by utilizing the procedural safeguards, including the mediation and due process procedures pursuant to 20 USC 1415 and 34 CFR 300.506-300.516. (Education Code 56321; 34 CFR 300.300)

For a student who is a ward of the state and not residing with the student's parent/guardian, the district shall make reasonable efforts to obtain the consent from the parent/guardian of the student for an initial evaluation to determine whether the student is a student with a disability. The district may conduct an initial evaluation without obtaining consent if any of the following situations exists: (Education Code 56321.1; 20 USC 1414; 34 CFR 300.300)

1. Despite reasonable efforts to do so, the district cannot discover the whereabouts of the parent/guardian of the student
2. The rights of the parent/guardian of the student have been terminated in accordance with state law
3. The rights of the parent/guardian to make educational decisions have been subrogated by a judge in accordance with state law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the student

InstructionIdentification and Evaluation of Individuals for Special Education (continued)

The district need not obtain parent/guardian consent before reviewing existing data as part of an evaluation or reevaluation, or before administering a test or other evaluation that is administered to all students, unless consent is required from the parents/guardians of all students. (Education Code 56321; 34 CFR 300.300)

**Conduct of the Evaluation**

Within 60 calendar days of receiving parental consent for the initial assessment of a student, not counting days between the student's regular school sessions, terms, or days of school vacation in excess of five schooldays, a determination whether the student is eligible for special education and the educational needs of the student shall be made, an IEP team meeting shall occur, and an IEP shall be developed, unless the parent/guardian agrees in writing to an extension, pursuant to Education Code 56344. If the 60-day time is interrupted by a student school vacation, the 60-day time shall recommence on the date that student schooldays reconvene and a meeting to develop an IEP for the student shall be conducted within 30 days of a determination that the student needs special education and related services. (Education Code 56043, 56344)

However, when a referral has been made for a student 30 days or less prior to the end of the regular school year, an IEP required as a result of an assessment of the student shall be developed within 30 days after the commencement of the subsequent regular school year. (Education Code 56043, 56344; 34 CFR 300.301, 300.323)

The evaluation shall be conducted by qualified personnel who are competent to perform the assessment as determined by the district. (Education Code 56322)

In addition, evaluations and reevaluations shall be administered by qualified personnel who are competent in the oral or sign language skills and written skills of the student's primary language or mode of communication and have a knowledge and understanding of the cultural and ethnic background of the student. If it is clearly not feasible to do so, an interpreter shall be used, and the assessment report shall document this condition and note that the validity of the assessment may have been affected. The normal process of second-language acquisition, as well as manifestations of dialect and sociolinguistic variance shall not be diagnosed as a disabling condition. (5 CCR 3023)

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services. (Education Code 56321; 20 USC 1414; 34 CFR 300.302)

InstructionIdentification and Evaluation of Individuals for Special Education (continued)

In conducting the evaluation, the district shall use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the student. The district shall also use any information provided by the parent/guardian that may assist the district in making the determination as to whether the student is a student with a disability and, if so, the necessary components of the student's IEP when the IEP is developed, including information related to enabling the student to be involved in and to progress in the general education curriculum. (34 CFR 300.304)

The district's evaluation shall not use any single measure or assessment as the sole criterion for determining whether a student is a student with a disability and for determining the appropriate educational program for the student. The assessment shall use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors in addition to physical or developmental factors. (Education Code 56320; 34 CFR 300.304)

The district shall also ensure that assessments and other evaluation materials provide relevant information that assists in determining the student's educational needs and are: (Education Code 56320; 34 CFR 300.304)

1. Selected and administered so as not to be discriminatory on a racial, cultural, or sexual basis
2. Provided and administered in the student's native language or other mode of communication and in the form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer
3. Used for the purposes for which the assessments or measures are valid and reliable
4. Administered by trained and knowledgeable personnel except that individually administered tests of intellectual or emotional functioning shall be administered by a credentialed school psychologist
5. Administered in accordance with any instructions provided by the producer of the assessments
6. Tailored to assess specific areas of educational need and not merely designed to provide a single general intelligence quotient

InstructionIdentification and Evaluation of Individuals for Special Education (continued)

7. If administered to a student with impaired sensory, manual, or speaking skills, selected and administered to best ensure that the results accurately reflect the student's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).

Students shall be assessed in all areas related to the suspected disability, including, if appropriate, health and development, vision (including low vision), hearing, motor abilities, language function, general intelligence, academic performance, communicative status, self-help, orientation and mobility skills, career and vocational abilities and interests, and social and emotional status. When appropriate, a developmental history shall be obtained. For students with residual vision, a low vision assessment shall be provided in accordance with guidelines established pursuant to Education Code 56136. The district shall ensure that the evaluation is sufficiently comprehensive to identify all of the student's special education and related service needs, whether or not commonly linked to the disability category in which the student has been classified. (Education Code 56320; 34 CFR 300.304)

As part of the initial evaluation and any reevaluation, the IEP team and other qualified professionals shall, if appropriate, review existing evaluation data on the student, including evaluations and information provided by the parents/guardians, current classroom-based local or state assessments and classroom-based observations, and observations by teachers and related services providers. On the basis of that review and input from the student's parent/guardian, the team shall identify what additional data, if any, are needed to determine: (Education Code 56381; 34 CFR 300.305)

1. Whether the student is a student with a disability, or in the case of a reevaluation, whether the student continues to have a disability, and the educational needs of the student
2. The present levels of academic achievement and related developmental needs of the student
3. Whether the student needs, or continues to need, special education and related services
4. Whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals

Instruction

Identification and Evaluation of Individuals for Special Education (continued)

set out in the student's IEP and to participate, as appropriate, in the general education curriculum

If a student has transferred from another district in the same school year or leaves this district, the district shall coordinate with the student's prior or subsequent district as necessary and as expeditiously as possible to ensure prompt completion of full evaluations. (Education Code 56320; 34 CFR 300.304)

**Evaluation Report**

The personnel who evaluate the student shall prepare a written report of the results of each evaluation. The report shall include, but not be limited to, the following: (Education Code 56327)

1. Whether the student may need special education and related services
2. The basis for making the determination
3. The relevant behavior noted during the observation of the student in an appropriate setting
4. The relationship of that behavior to the student's academic and social functioning
5. The educationally relevant health, developmental, and medical findings, if any
6. For students with learning disabilities, whether there is such a discrepancy between achievement and ability that it cannot be corrected without special education and related services
7. A determination concerning the effects of environmental, cultural, or economic disadvantage, where appropriate
8. The need for specialized services, materials, and equipment for students with low incidence disabilities, consistent with Education Code 56136

**Eligibility Determination**

Upon completion of the administration of assessments and other evaluation measures, a group of qualified professionals and the parent/guardian shall determine whether the

InstructionIdentification and Evaluation of Individuals for Special Education (continued)

student is a student with a disability as defined in 5 CCR 3030 and 34 CFR 300.8 and, if so, the student's educational needs. In interpreting the data, the group shall draw information from a variety of sources, including aptitude and achievement tests, parent/guardian input, and teacher recommendations, as well as information about the student's physical condition, social or cultural background, and adaptive behavior. The group shall ensure that the information obtained from these sources is documented and carefully considered. (34 CFR 300.306)

When making a determination of eligibility for special education and related services, the district shall not determine that a student is disabled if the primary factor for such determination is a lack of appropriate instruction in reading, including the essential components of reading instruction pursuant to 20 USC 6368, lack of instruction in mathematics, limited English proficiency, or that the student does not otherwise meet the eligibility criteria. (Education Code 56329; 34 CFR 300.306)

The normal process of second-language acquisition, as well as manifestations of dialect and sociolinguistic variance, shall not be diagnosed as a disabling condition. (5 CCR 3023)

**Independent Educational Evaluation**

An *independent educational evaluation* is defined as an evaluation conducted by a qualified examiner who is not employed by the district. (34 CFR 300.502)

*Public expense* means that the district either pays for the full cost of the IEE or ensures that the evaluation is otherwise provided at no cost to the parent/guardian. (34 CFR 300.502)

The parents/guardians of a student with a disability have the right to obtain an IEE at public expense under the same criteria, including the location of the evaluation and the qualifications of the examiner, that the district uses for a district-initiated evaluation. (34 CFR 300.502)

The parent/guardian is entitled to only one IEE at public expense each time the district conducts an evaluation with which the parent/guardian disagrees. (Education Code 56329; 34 CFR 300.502)

If a parent/guardian has requested an IEE, the district may ask for the reason that the parent/guardian objects to the district's evaluation. However, the parent/guardian is not



## Instruction

### Identification and Evaluation of Individuals for Special Education (continued)

required to provide an explanation and the district may not unreasonably delay either providing the IEE at public expense or filing a due process complaint to request a due process hearing to defend the public evaluation. (34 CFR 300.502)

Upon receiving the request for an IEE, the district shall, without unnecessary delay, either: (34 CFR 300.502)

1. File a due process complaint to request a hearing to show that its evaluation is appropriate
2. Ensure that an IEE is provided at public expense, unless the district demonstrates at a hearing that the evaluation obtained by the parent/guardian did not satisfy the district's criteria

If a due process hearing decision determines that the district's evaluation is appropriate, then the parent/guardian may obtain an IEE but not at public expense. (Education Code 56329; 34 CFR 300.502)

In any decision made with respect to providing FAPE to a student with a disability, the result of any IEE obtained by the student's parent/guardian shall be considered by the district if it meets district criteria. Any such result also may be presented as evidence at a hearing on a due process complaint. (Education Code 56329; 34 CFR 300.502)

## **Coordinating Transitions**

The district designates the individual listed below as the main point of contact for coordinating and completing, with other agencies and persons, the transition of a child and family from infant/toddler programs to preschool (Part C to Part B of the federal Individuals with Disabilities Education Act), including establishing practices to educate and support families during the transition: (Government Code 95008)

Director of Special Education  
1301 North A Street  
Lompoc, CA 93436  
805-742-3301

## **Reevaluation**

A reevaluation shall be conducted when the district determines that the educational or related service needs of the student, including improved academic achievement and

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functional performance, warrant a reevaluation or if the student's parent/guardian or teacher requests reevaluation. Such reevaluations shall occur every three years, unless the parent/guardian and district agree in writing that a reevaluation is unnecessary. A reevaluation may not occur more than once a year, unless the parent/guardian and the district agree otherwise. (Education Code 56043, 56381; 34 CFR 300.303)

The district shall ensure that any reevaluations of the student are conducted in accordance with the evaluation procedures pursuant to 34 CFR 300.304-300.311. (34 CFR 300.303)

Before entering kindergarten or first grade, as the case may be, children with disabilities who are in a preschool program shall be reevaluated to determine if they still need special education and services. IEP teams shall identify a means of monitoring the continued success of children who are determined to be eligible for less intensive special education programs. (Education Code 56445)

The district's point of contact for coordinating and completing the transition of a child and family from infant/toddler programs to preschool, may coordinate the reevaluation and monitoring as described above for kindergarten or first grade.